

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)	Sam Haberle
Contact name (only applicable for companies)	C/- RPS AAP Consulting Pty Ltd, Patrick Clifton
Postal address (P.O. Box or street address)	PO Box 1949
Suburb	Cairns
State	Queensland
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)	PR151976

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
		25	Murphy Street	Port Douglas
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)
	4877	112	PTD2091	Douglas Shire
b)	Unit No.	Street No.	Street Name and Type	Suburb
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)

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

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

- ☐ Coordinates of premises by longitude and latitude

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

- ☐ Coordinates of premises by easting and northing

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

3.3) Additional premises

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

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

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

Name of water body, watercourse or aquifer:

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

Lot on plan description of strategic port land:

Name of port authority for the lot:

- ☐ In a tidal area

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

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

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

Name of airport:

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

5) Are there any existing easements over the premises?

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

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

PART 3 – DEVELOPMENT DETAILS

Section 1 – Aspects of development

6.1) Provide details about the first development aspect

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

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

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

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

c) What is the level of assessment?

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

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

Multiple Dwellings

e) Relevant plans

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

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

6.2) Provide details about the second development aspect

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

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

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

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

c) What is the level of assessment?

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

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

e) Relevant plans

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

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

6.3) Additional aspects of development

- ☐ Additional aspects of development are relevant to this development application and the details for these aspects that would be required under Part 3 Section 1 of this form have been attached to this development application

- ☒ Not required

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 Dwellings (3 Dwellings)	Multiple Dwellings	3	N/A
8.2) Does the proposed use involve the use of existing buildings on the premises?			
<input type="checkbox"/> Yes			
<input checked="" type="checkbox"/> No			

Division 2 – Reconfiguring a lot

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

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

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

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

12) Boundary realignment			
12.1) What are the current and proposed areas for each lot comprising the premises?			
Current lot		Proposed lot	
Lot on plan description	Area (m 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 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 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.dsdmip.qld.gov.au/>. If the development application involves:

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

Waterway barrier works

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

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

☒ No

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

Marine activities

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

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

☒ No

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

25 MURPHY STREET, PORT DOUGLAS – MATERIAL CHANGE OF USE (MULTIPLE DWELLINGS)

Town Planning Report



PR151976
B
09 January 2023

REPORT

Document status

Version	Purpose of document	Authored by	Reviewed by	Approved by	Review date
A	Client Review	S Leggerini	P Clifton	P Clifton	13/12/2022
B	Application Submission	S Leggerini	P Clifton	P Clifton	9/01/2023

Approval for issue

Patrick Clifton



9 January 2023

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SUMMARY

Table 1: Summary

Details			
Site Address:	25 Murphy Street, Port Douglas		
Real Property Description:	Lot 112 PTD2091		
Site Area:	1,012m ²		
Regional Plan Land Use Designation:	Urban Footprint		
Zone/Precinct:	Low – Medium Density Residential Zone		
Neighbourhood Plan/Precinct:	Port Douglas/Craigie Local Plan, Precinct 1f – Flagstaff Hill		
Owner(s):	MRGL Pty Ltd A.C.N. 006 614 811		
Proposal			
Brief Description/ Purpose of Proposal	Material Change of Use (Multiple Dwellings)		
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"/> Yes:	
Superseded Planning Scheme Application	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	
Referral Agencies			
Agency	Concurrence	Advice	Pre-lodgement response
Nil	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
Pre-lodgement / Consultation			
Entity	Date	Contact Name	
Council DA Team	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	N/A	
Applicant contact person	Patrick Clifton Senior Principal Planner D: +61 7 4031 1336 E: Patrick.clifton@rpsgroup.com.au		

1 INTRODUCTION

RPS AAP Consulting Pty Ltd has been engaged by Sam Haberle to seek development approval for the establishment of Multiple Dwellings on land located at 25 Murphy Street, Port Douglas, and described as Lot 112 PTD2091.

The site has an area of 1,012m² and frontage of approximately 20 metres to Murphy Street. The land is current vacant and is predominantly cleared of vegetation. A number of trees are located in the middle of the site and adjacent the front and western side boundary. The site is a fully serviced site with access to all urban services. The site is burdened with an easement for drainage purposes to the southern (rear) boundary. The topography of the site is sloping with a fall away from the Murphy Street frontage to the north and to the rear of the site (south) with a fall of approximately 6 metres.

This development application seeks a Development Permit for a Material Change of Use for Multiple Dwellings. It is proposed to develop the site for the purpose of three dwelling units, each containing 3 or 4 bedrooms. Unit 1 would front Murphy Street and would be three storeys in height, with basement and, in addition to three bedrooms, would contain a media room and gymnasium. Units two and three would be located behind unit one and would be two storeys only. Each unit would be provided with a double garage and externally, each unit would have a swimming pool and private outdoor living area. Access to the development would be provided by a shared driveway from Murphy Street and located adjacent the southern side boundary.

Under the Douglas Shire Planning Scheme 2018 Version 1.0, the site is identified as having the following designations/classifications:

- Zone – Low – Medium Density Residential Zone.
- Local Plan – Port Douglas/Craiglie Local Plan
- Overlays:
 - Acid Sulfate Soils Overlay (5-20m AHD)
 - Bushfire Hazard Overlay (Medium & High Potential Bushfire Intensity, Potential Impact Buffer)
 - Coastal Environment Overlay (Erosion Prone Area)
 - Potential Landslide Hazard Overlay (Potential Landslide Hazard)
 - Transport Network Overlay Code (Category 1: 58dB(A) =< Noise Level < 63 dB(A))

In accordance with the Tables of Assessment, the development of the site for Multiple Dwellings is identified as requiring the approval of a Code Assessable application by Douglas Shire Council.

This report provides greater detail on the nature of the proposal and provides an assessment of the proposal against the relevant code requirements of the Douglas Shire Planning Scheme 2018 Version 1.0. Based on this assessment the application is recommended for approval subject to reasonable and relevant conditions.

2 SITE DETAILS

2.1 Site Particulars

The site has an area of 1,012m² and frontage of approximately 20 metres to Murphy Street. The land is current vacant and is predominantly cleared of vegetation. A number of trees are located in the middle of the site and adjacent the front and western side boundary. The site is a fully serviced site with access to all urban services. The site is burdened with an easement for drainage purposes to the southern (rear) boundary. The topography of the site is sloping with a fall away from the Murphy Street frontage to the north and to the rear of the site (south) with a fall of approximately 6 metres.

The locality containing the site is characterised by a mix of dwelling houses, multiple dwellings and commercial uses. To the west the site adjoins land that has been developed for a three storey multiple dwelling development and to the south (rear) is the three storey Saltwater Apartment development that fronts Macrossan Street. To the north land has been developed for luxury Dwelling Houses and to the west Macrossan Street forms the Port Douglas Town Centre.

Table 2: Site Particulars

Site Particulars	
Site Address	25 Murphy Street, Port Douglas
Real Property Description	Lot 112 PTD2091
Site Area	1,012m ²
Landowner(s)	MRGL Pty Ltd A.C.N. 006 614 811

The site location and its extent are shown in **Figure 1** and **Figure 2** below respectively.

A certificate of title confirming site ownership details are included at **Appendix A**.



Figure 1: Site Location

Source: Queensland Globe



Figure 2: Murphy Street Frontage

Source: Google Maps

2.2 Planning Context

The planning context of the site includes the following:

Table 3: Planning Context

Instrument	Designation
State Planning Policy Mapping	
Safety and Resilience to Hazards	<ul style="list-style-type: none"> Natural Hazard Risk and Resilience: <ul style="list-style-type: none"> Flood hazard area - Local Government flood mapping area; Bushfire Prone Area, Medium Potential Bushfire Intensity and Potential Impact Buffer; and, Erosion Prone Area.
Development Assessment Mapping	
Coastal Protection	<ul style="list-style-type: none"> Coastal Area – erosion prone area.
Native Vegetation Clearing	<ul style="list-style-type: none"> Category X on the Regulated Vegetation Management Map.
Far North Queensland Regional Plan 2009-2031	
Regional Plan Designation	<ul style="list-style-type: none"> Urban Footprint
Douglas Shire Planning Scheme 2018 Version 1.0	
Strategic framework designation	<ul style="list-style-type: none"> Urban Areas
Zone	<ul style="list-style-type: none"> Low – Medium Density Residential Zone
Local Plan	<ul style="list-style-type: none"> Port Douglas/Craiglie Local Plan – Precinct 1f Flagstaff Hill.

Instrument	Designation
Overlays	<ul style="list-style-type: none"> • Acid Sulfate Soils Overlay - 5-20m AHD. • Bushfire Hazard Overlay: <ul style="list-style-type: none"> ○ Very High Potential Bushfire Intensity; ○ Medium Potential Bushfire Intensity; and, ○ Potential Impact Buffer. • Coastal Environment Overlay - Erosion Prone Area. • Potential Landslide Hazard Overlay - Landslide Hazard (High & Medium Hazard Risk). • Transport Network Overlay Code – Access Road.

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

Other relevant mapping, including overlays and state interests is provided at **Appendix B**



Figure 3: Zoning

Source: Douglas Shire Planning Scheme 2018 Version 1.0

3 PROPOSAL

3.1 Overview

It is proposed to develop the site for the purpose of multiple dwellings comprising three dwelling units. The dwellings would have a maximum height of 9.845 metres and three storeys. The buildings would be setback 2.427- 3.119 metres from the front boundary, 0.412 metres to outermost projection and 4.512 metres to the wall to the northern side boundary, 4.375 metres to the southern side boundary and 4.042 - 3.709 metres to the rear boundary.

The development would be design with one dwelling unit behind the other and connected by a common wall with the dwelling stepping down the site from the road frontage. Access to the development would be provided by a single shared driveway located adjacent the southern side boundary and from Murphy Street. Boundary treatments would comprise a landscaped strip and retaining wall within the front setback area, engineered retaining wall with a maximum height of 1.5 metres and fencing to the northern side boundary a landscape strip and timber fencing to the rear boundary and a 1.8 metre high timber fence to the southern side boundary with vertical landscaping provided on trellises within a narrow landscape strip.

Proposed Unit 1 would be located at the site frontage to Murphy Street, and would be three storeys in height with a basement. The basement would be accessed from the garage or via lift, and would have a cellar and storeroom. The ground floor would contain a double garage, living/dining/kitchen area and utility rooms. To the rear of the unit and accessed from the living room would be an external alfresco area of approximately 60m² and containing a covered outdoor living area and swimming pool. The first floor would contain two bedrooms, cinema and gym and the second floor would contain the master suite.

Proposed Units 2 and 3 would be located behind unit one and would both be two storeys in height. The ground floors would contain a double garage, living/dining/kitchen area and utility rooms. To the rear of the units and accessed from the living room would be external alfresco areas of approximately 60m² and containing covered outdoor living area and swimming pools. Each of the first floors would contain 4 bedrooms, bathroom and an additional sitting area.

Externally, the building would be finished with rendered walls at ground level and first level with aluminium batten screening provided to the first floor openings and verandahs and hardwood timber cladding to the second floor.

The proposed site plan is illustrated in **Figure 4** below and detailed proposal and landscape plans are included at **Appendix C & D**.

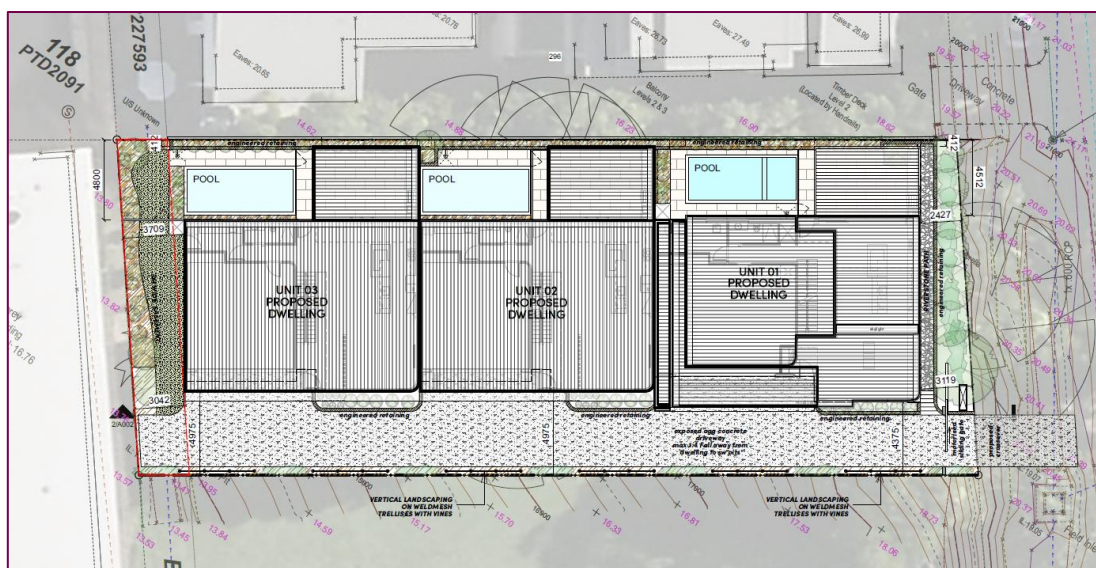


Figure 4: Proposed Site Plan

Source: S Group

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 4: Categories of Assessment

Aspect of development	Categorising instrument	Category of assessment
Material Change of Use (Multiple Dwellings)	Table 5.6.g Low – Medium Density Residential Zone, Douglas Shire Planning Scheme 2018 Version 1.0	Code Assessment

4.3 Referrals

The application is not identified as triggering any referrals in either Schedule 9 or Schedule 10 of the *Planning Regulation 2017*.

4.4 Public Notification

This application does not require public notification as it is subject to code assessment only

5 STATUTORY PLANNING ASSESSMENT

5.1 Overview

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*.

5.2 State and Regional Assessment Benchmarks

5.2.1 State Planning Policy

The *Planning Regulation 2017* at Section 26(2)(a)(ii) for impact assessment 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 State Planning Policy, to the extent they it is relevant to this application, has been appropriately integrated into the Douglas Shire Planning Scheme 2018. On that basis, no further assessment of the State Planning Policy is required.

5.2.2 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.

Consistent with the State Planning Policy, 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. On this basis, no further assessment of the Regional Plan is required in this instance.

5.2.3 Development Assessment under Schedules 9 and 10 (SDAP)

Schedules 9 and 10 of the *Planning Regulation 2017* identify the matters that the assessment manager and/or referral agency assessment must have regard to if the application is identified as triggering referral to the state. In this instance, the application does not trigger referral and, therefore, no state codes apply.

5.3 Local Authority Assessment Benchmarks

This application is to be assessed against Douglas Shire Planning Scheme 2018 Version 1.0. The assessment benchmarks applicable under the planning scheme are addressed below.

5.3.1 Planning Scheme Codes

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

Table 5: Planning Scheme Code Responses

Planning Scheme Code	Applicability	Compliance
Zone Code		
Low – Medium Density Residential Zone Code	Applies	Consideration is required in respect of Performance Outcomes PO1, relating to building height, PO2, relating to setbacks and PO3 relating to site coverage. Refer below.

Planning Scheme Code	Applicability	Compliance
Local Plan Code		
Port Douglas/Craigie Local Plan Code	Applies	Consideration is required in relation to Performance Outcome PO6, relating to setbacks. Refer below.
Overlay Codes		
Acid Sulfate Soil Overlay Code	Applies	Complies with the relevant Assessment Benchmarks.
Bushfire Hazard Overlay Code	Applies	Complies with the applicable Acceptable Outcomes.
Coastal Environment Overlay Code	Applies	Complies with the relevant Assessment Benchmarks.
Natural Areas Overlay Code	Applies	Complies with the applicable Acceptable Outcomes.
Potential Landslide Hazard Overlay Code	Applies	Consideration is required in relation to Performance Outcome PO2, relating to excavation and fill. Refer below.
Transport Network Overlay Code	Applies	Complies with applicable Acceptable Outcomes.
Development Codes		
Multiple Dwelling, Short Term Accommodation and Retirement Facility Code	Applies	Consideration is required in relation to Performance Outcomes PO1, relating to site area and frontage, PO11, relating to landscaping and PO13, relating to balconies. Refer below.
Access, Parking and Servicing Code	Applies	Complies with the applicable Acceptable Outcomes.
Filling and Excavation Code	Applies	Consideration is required in relation to Performance Outcome PO2 visual amenity and site stability. Refer below.
Infrastructure Works Code	Applies	Complies with applicable Acceptable Outcomes.
Landscaping Code	Applies	Complies with or is able to comply with the relevant Assessment Benchmarks.

A detailed response to the applicable Planning Scheme Codes is included in **Appendix E**

5.3.2 Statement of Compliance

5.3.2.1 Low – Medium Density Residential Zone Code

Performance Outcome PO1 of the Low – Medium Density Residential Zone Code states:

PO1

The height of all buildings and structures must be in keeping with the residential character of the area

The associated Acceptable Outcome states:

AO1

Buildings and structures are not more than 8.5 metres and two storeys in height.

Note – Height is inclusive of roof height.

The proposed development would have a maximum height of 9.845 metres, which exceeds the accepted height by 1.345 metres, and would have a height of 3 storeys. This height would relate to one building only with the balance having a height of 7.425 metres.

It is important to note that, when viewed from the road centreline, the height of the building would present as 6.899 metres from the street.

The height of the proposed development is consistent with development in the locality. Adjacent the site to the north west is a three storey multiple dwelling development with a height and built form consistent with the proposed development. Similarly, the Pavilion multiple dwelling Development on Murphy Street, is a three storey construction and presents as a two storey building when viewed from the street.

The height of the development is considered to be in keeping with the residential character of the area.



Figure 5: Three Storey Development – 23 Murphy Street, Port Douglas

Source: Google Maps

Performance Outcome PO2 of the Low – Medium Density Residential Zone Code states:

PO2

Buildings are setback to:

- (a) maintain the character of residential neighbourhoods;*
- (b) achieve separation from neighbouring buildings and from road frontages;*
- (c) maintain a cohesive streetscape;*
- (d) provide daylight access, privacy and appropriate landscaping.*

The associated Acceptable Outcome states:

AO2

Buildings are setback:

- (a) a minimum of 6 metres from the main street frontage;*
- (b) a minimum of 4 metres from any secondary street frontage;*
- (c) 4.5 metres from a rear boundary;*
- (d) 2 metres from a side or an average of half of the height of the building at the side setback, whichever is the greater.*

The proposed development would have the following setbacks:

- Setback of 2.42 metres to 3.12 metres to Murphy Street;
- Minimum setback of 0.4 metres to the west (side) boundary;
- Setback of 3.04 metres to 3.70 metres to the southern (rear) boundary;

- Minimum setback of 4 metres to the east boundary.

The proposed setbacks are considered to be consistent with the character of the area and would provide appropriate building separation and would complement the existing streetscape. The setback to the front boundary would be consistent with the adjacent three storey multiple dwelling development and with development further to the north west fronting Murphy Street. Some of which is constructed to the front boundary and features solid walls on the boundary.

The minimal side boundary setback relates to a ground floor awning over private recreation areas only with the balance of the building setback 4.512 metres. This built form would be located adjacent the driveway of the adjoining premises and would be separated by a 1.8 metre high boundary fence.

The rear boundary setback, although less than the acceptable outcome, is consistent with the prevailing rear boundary setback in the area. The proposed development is considered to be consistent with the performance outcome.

Performance Outcome PO3 of the Low – Medium Density Residential Zone Code states:

PO3

The site coverage of all buildings does not result in a built form that is bulky or visually obtrusive.

The associated Acceptable Outcome states:

AO3

The site coverage of any building is limited to 50%.

The proposed development would have a site coverage of 50.5%. This is considered to be a minor increase to the accepted 50% and would not result in a development that is bulky or visually obtrusive.

5.3.2.2 Port Douglas/Craigie Local Plan Code

Performance Outcome PO6 of the Port Douglas/Craigie Local Plan Code states:

PO6

The views and vistas identified on the Port Douglas / Craigie local plan maps contained in Schedule 2 are maintained.

The associated Acceptable Outcome states:

AO6.2

Unless otherwise specified within this Local Plan, buildings are set back not less than 6 metres from the primary street frontage.

The proposal would feature a minimum front setback of 2.42 metres to the Murphy Street frontage. This reduction to the accepted 6 metres is considered acceptable as the site is located on the southern side of Flagstaff Hill and would not affect any views or vistas identified on the Townscape Plan Map Sheet – TPM-002 which are located on the northern side of Flagstaff Hill.

5.3.2.3 Potential Landslide Hazard Overlay Code

Performance Outcome PO2 of the Potential Landslide Hazard Overlay Code states:

PO2

The siting and design of necessary retaining structures does not cause an adverse visual impact on landscape character or scenic amenity quality of the area.

The associated Acceptable Outcome states:

AO2

Excavation or fill:

- (a) *is not more than 1.2 metres in height for each batter or retaining wall;*
- (b) *is setback a minimum of 2 metres from property boundaries;*

- (c) is stepped with a minimum 2 metre wide berm to incorporate landscaping in accordance with Planning scheme policy SC6.7 – Landscaping;*
- (d) does not exceed a maximum of 3 batters and 3 berms (i.e. Not greater than 3.6 metres in height) on any one lot.*

The proposed development would incorporate retaining walls on the boundary to a maximum height of 1.5 metres. Due to their location adjacent the side boundary, the proposed retaining walls would not be visible from the road and or the adjoining land. The proposed retaining walls would not cause an adverse visual impact on the landscape character or scenic amenity quality of the area.

5.3.2.4 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*
- (b) considering site features;*
- (c) achieve communal open 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 Outcome states:

AO1.2

The site has a minimum frontage of 25 metres.

The site has a frontage of 20 metres; however the design of the development would provide the desired scale of buildings, open space, landscaping and vehicle parking envisaged and required as demonstrated in the assessment against those specific assessment benchmarks. The subject site has sufficient area to satisfy the requirements of the Performance Outcome.

Performance Outcome PO11 of the Multiple Dwelling, Short Term Accommodation and Retirement Facility Code states:

PO11

Landscaping must contribute positively to the amenity of the area, streetscape and public spaces.

The associated Acceptable Outcome states:

AO11

Development provides landscaping as follows:

- (a) A dense landscape planting strip of at least 2 metres width suitable for deep planting is provided and maintained along all street frontages;*
- (b) A dense landscape planting strip of at least 1.5 metres width suitable for deep planting is provided along all side and rear boundaries.*

A landscape strip would be provided to the site frontage and to the rear boundary. Whilst landscaping would be provided to the side boundaries, it would be less than 1.5 metres in width and would be above a retaining wall and behind a screen fence and would not be visible external to the site. The proposed landscaping to the street front is considered to be consistent with the landscaping provided at adjacent multiple dwellings developments. The proposed landscaping is considered to be consistent with the amenity of the area and it would contribute positively the streetscape.

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:

AO13.3

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.

The development is proposed to provide balconies to the side of each proposed dwelling facing towards the east. These balconies would overlook the proposed driveway and would be screened with powder coated aluminium battens. They would be separated from the adjoining site boundary by 4.375 metres, which is considered suitable building separation.

5.3.2.5 Filling and Excavation Code

Performance Outcome PO2 of the Filling and Excavation Code states:

PO2

Filling and excavation are carried out in such a manner that the visual/scenic amenity of the area and the privacy and stability of adjoining properties is not compromised.

The associated Acceptable Outcome states:

AO2.2

Filling and excavation does not occur within 2 metres of the site boundary.

As part of the development it is proposed to provide retaining walls to the side boundary adjacent the private open space. The retaining walls would not be visible from the street or external to the site and would be appropriately engineered as part of the building approval to maintain slope stability. The proposed retaining wall satisfy the Performance Outcome.

5.4 Infrastructure Charges

In accordance with the Douglas Shire Council Infrastructure Charges Resolution (No.2) 2021, an Infrastructure Charge would be applicable to the proposed development and is payable prior to the commencement of the use. The infrastructure charge would be based on a charge of \$24,143.38 per dwelling unit less a credit for the existing lot of \$24,143.38. The Infrastructure Charge is estimated as being \$48,286.76.

6 CONCLUSION

RPS AAP Consulting Pty Ltd has been engaged by Sam Haberle to seek development approval for the establishment of Multiple Dwellings on land located at 25 Murphy Street, Port Douglas, and described as Lot 112 PTD2091.

The site has an area of 1,012m² and frontage of approximately 20 metres to Murphy Street. The land is current vacant and is predominantly cleared of vegetation. A number of trees are located in the middle of the site and adjacent the front and western side boundary. The site is a fully serviced site with access to all urban services. The site is burdened with an easement for drainage purposes to the southern (rear) boundary. The topography of the site is sloping with a fall away from the Murphy Street frontage to the north and to the rear of the site (south) with a fall of approximately 6 metres.

This development application seeks a Development Permit for a Material Change of Use for Multiple Dwellings. It is proposed to develop the site for the purpose of three dwelling units, each containing 3 or 4 bedrooms. Unit one would front Murphy Street and would be three storeys in height, and units two and three would be located behind unit one and would be two storeys only. Each unit would be provided with a double garage and externally, each unit would have a swimming pool and private outdoor living area. Access to the development would be provided by a shared driveway from Murphy Street and located adjacent the southern side boundary.

In accordance with the Tables of Assessment of the Douglas Shire Planning Scheme 2018, the development of the site for Multiple Dwellings is identified as requiring the approval of a Code Assessable Material Change of Use application by Douglas Shire Council.

In determining the application the Council is only able to have regard to the matters contained in the relevant Planning Scheme codes. The assessment contained in this report demonstrates that the proposed development is able to satisfy the relevant Assessment Benchmarks and based on this assessment the application is recommended for approval subject to reasonable and relevant conditions.

Appendix A

Certificate of Title

Queensland Titles Registry Pty Ltd
ABN 23 648 568 101

Title Reference:	21161088	Search Date:	09/12/2022 09:43
Date Title Created:	01/03/1982	Request No:	43074692
Previous Title:	20016207		

ESTATE AND LAND

Estate in Fee Simple

LOT 112 CROWN PLAN PTD2091
Local Government: DOUGLAS

REGISTERED OWNER

Dealing No: 721345702 15/12/2021

MRGL PTY LTD A.C.N. 006 614 811 TRUSTEE
UNDER INSTRUMENT 721345702

EASEMENTS, ENCUMBRANCES AND INTERESTS

1. Rights and interests reserved to the Crown by
Deed of Grant No. 10332120 (ALLOT 12 SEC 1)
2. EASEMENT IN GROSS No 713004380 19/01/2010 at 15:21
burdening the land
CAIRNS REGIONAL COUNCIL
over
EASEMENT C ON SP227592

ADMINISTRATIVE ADVICES

NIL

UNREGISTERED DEALINGS

NIL

Caution - Charges do not necessarily appear in order of priority

** End of Current Title Search **

Appendix B

Douglas Shire Planning Scheme 2018 Version 1 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 [25 Murphy Street PORT DOUGLAS](#)

Lot Plan [112PTD2091](#) (Freehold - 1012m²)



☒ Selected Property

☐ Easements

☐ Property

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









Low-medium Density Residential

More Information

- [View Section 6.2.7 Low-Medium Density Residential Zone Code](#)
- [View Section 6.2.7 Low-Medium Density Residential Zone Compliance table](#)
- [View Section 6.2.7 Low-Medium Density Residential Zone Assessment table](#)

Douglas Shire Planning Scheme 2018 version 1.0

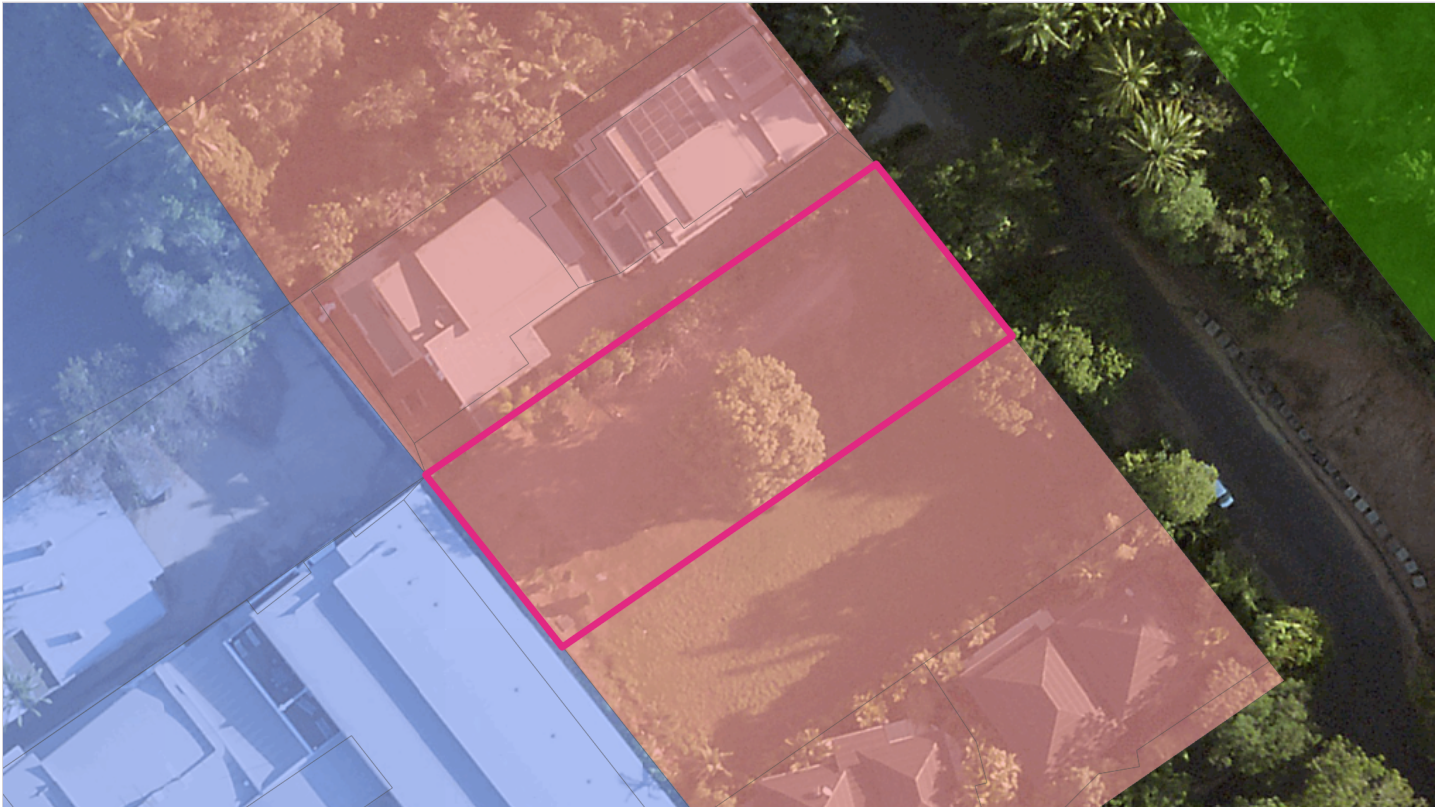
The table below provides a summary of the Zones and Overlays that apply to the selected property.

 Local Plans	Applicable Precinct or Area Port Douglas - Craiglie Precinct 1 - 1f Flagstaff Hill	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 Very High Potential Bushfire Intensity Medium Potential Bushfire Intensity	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
 Natural Areas	Applicable Precinct or Area MSES - Regulated Vegetation (Intersecting a Watercourse)	More Information <ul style="list-style-type: none"> View Section 8.2.7 Natural Areas Overlay Code View Section 8.2.7 Natural Areas Overlay Compliance table
 Transport Noise Corridors	Applicable Precinct or Area Category 1: 58 dB(A) =< Noise Level < 63 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 Road Hierarchy	Applicable Precinct or Area Access 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
Low-medium Density Residential

- More Information**
- [View Section 6.2.7 Low-Medium Density Residential Zone Code](#)
 - [View Section 6.2.7 Low-Medium Density Residential Zone Compliance table](#)
 - [View Section 6.2.7 Low-Medium Density Residential Zone Assessment table](#)



☒ Selected Property

☐ Property

<input checked="" type="checkbox"/> Centre	<input type="checkbox"/> Community Facilities	<input type="checkbox"/> Conservation	<input type="checkbox"/> Environmental Management
<input type="checkbox"/> Industry	<input type="checkbox"/> Low Density Residential	<input type="checkbox"/> Low-medium Density Residential	<input type="checkbox"/> Medium Density Residential
<input type="checkbox"/> Recreation and Open Space	<input type="checkbox"/> Rural	<input type="checkbox"/> Rural Residential	<input type="checkbox"/> Special Purpose
<input type="checkbox"/> Tourism	<input type="checkbox"/> Tourist Accommodation		

Local Plans

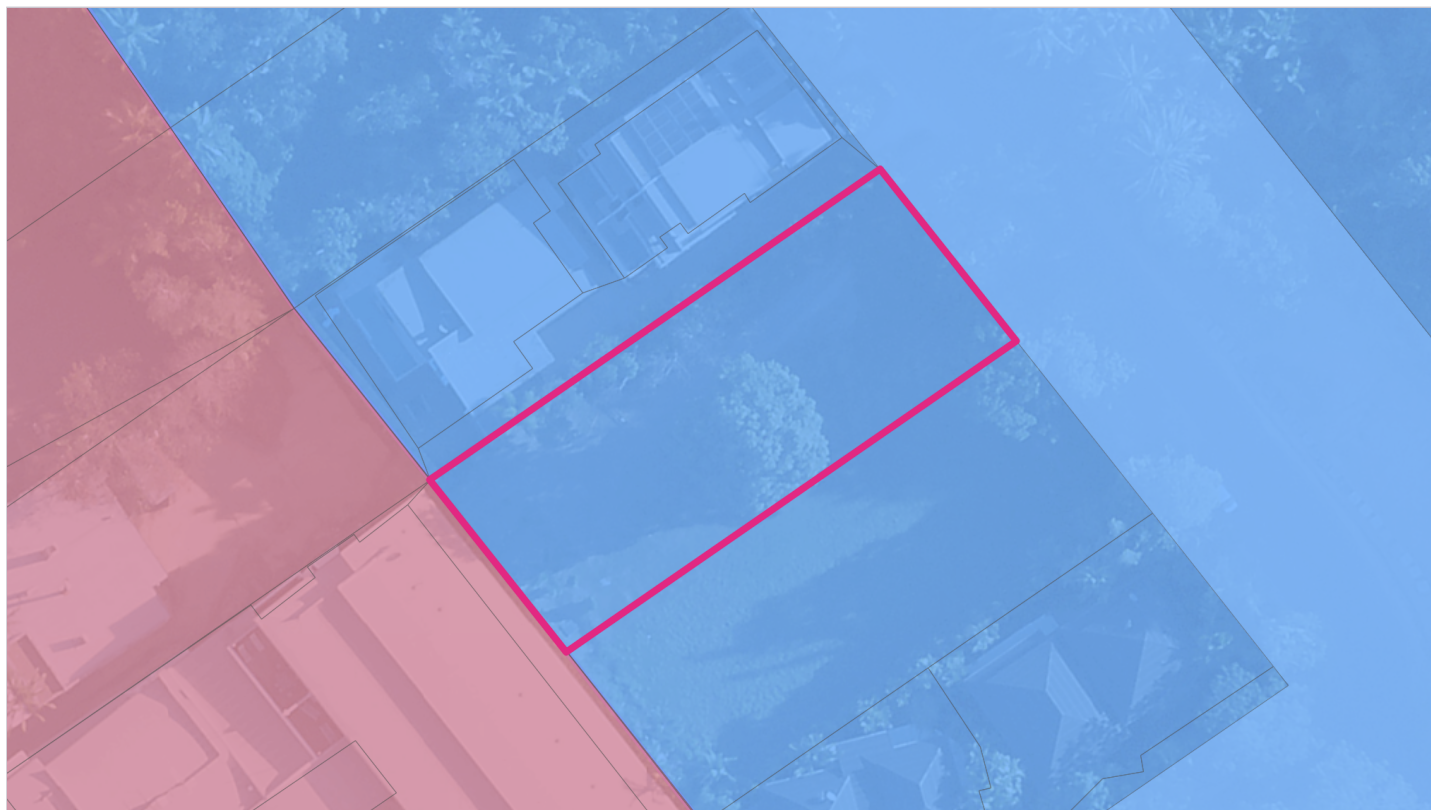
Applicable Precinct or Area

Port Douglas - Craiglie

Precinct 1 - 1f Flagstaff Hill

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

 Property

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


 1a Town Centre  1b Waterfront North  1c Waterfront South

 1d Limited Development  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

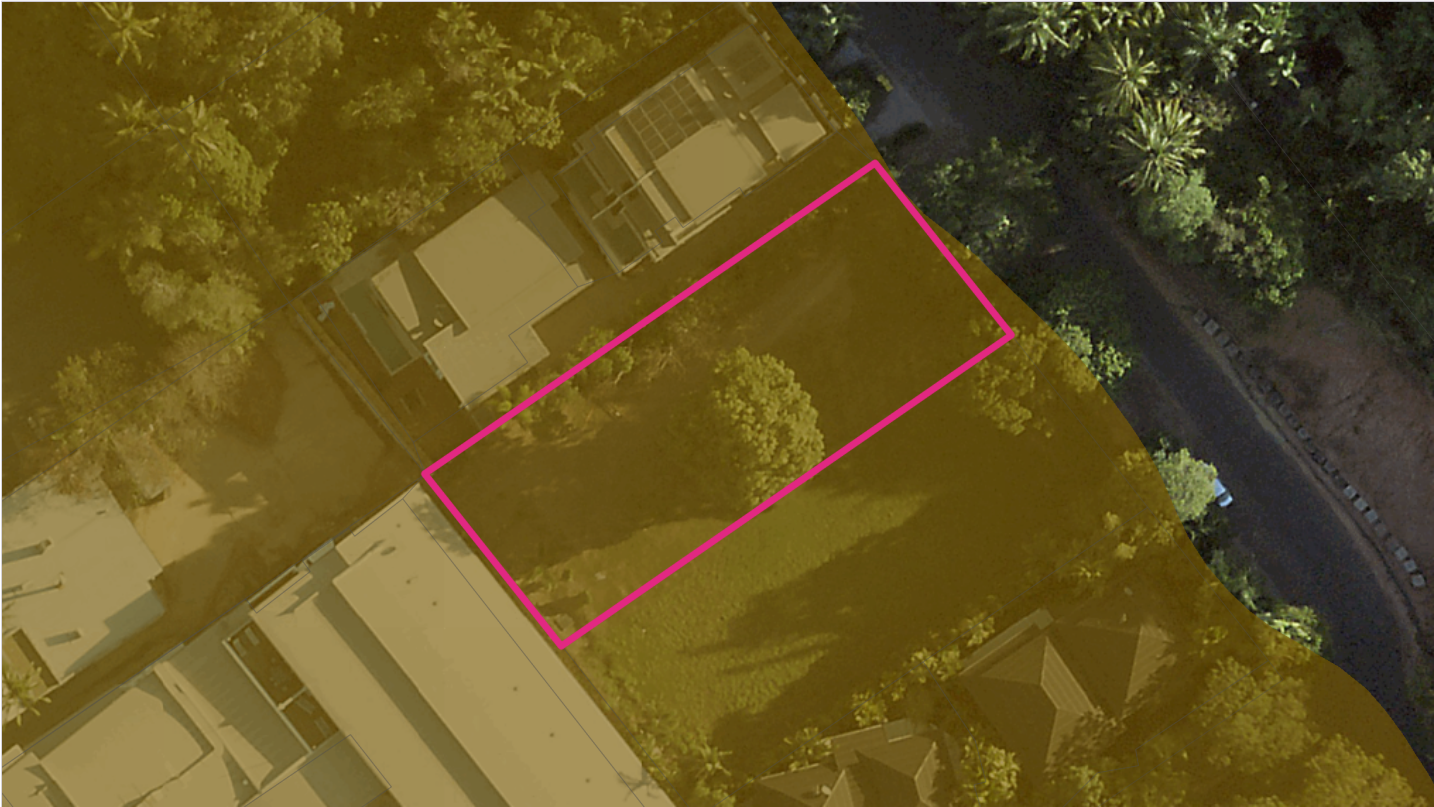
 Indicative Future Open Space

 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

☐ Property

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
Very High Potential Bushfire Intensity
Medium Potential Bushfire Intensity

More Information

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



☒ Selected Property

☐ Property

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

 Property

 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

☐ Property

☒ Potential Landslide Hazard

Natural Areas

Applicable Precinct or Area
MSES - Regulated Vegetation (Intersecting a Watercourse)

- More Information**
- [View Section 8.2.7 Natural Areas Overlay Code](#)
 - [View Section 8.2.7 Natural Areas Overlay Compliance table](#)



Selected Property	Property	MSES - Regulated Vegetation (Intersecting a Watercourse)
MSES - High Ecological Value Waters (Watercourse)	MSES - Wildlife Habitat	MSES - Regulated Vegetation
MSES - Protected Area	MSES - Marine Park	MSES - Legally Secured Offset Area
MSES - High Ecological Value Waters (Wetland)	MSES - High Ecological Significance Wetlands	

Transport Noise Corridors

Applicable Precinct or Area

Category 1: 58 dB(A) =< Noise Level < 63 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

☐ Property

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 Road Hierarchy

Applicable Precinct or Area
Access Road

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



☒ Selected Property

☐ Property

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 C

Proposal Plans

GENERAL INFORMATION:

Accredited Architect:	Sam Haberle	
Accreditation Number:	4972	
Land Title Reference Number:	PTD2091	
Municipality:	Douglas Shire Council	
Planning Scheme Overlay:	N/A	
Zoning:	-	
Building Class:	1a	
Soil classification:	TBC	Site classification to AS 2870-2011
Wind Classification:	TBC	Site classification to AS 4055-2006
Climate Zone:	1	
Bushfire-prone Area BAL Rating:	N/A	Bushfire Attack Level Assessment

S. Group

25 Murphy Street, Port Douglas

PROPOSED MULTIPLE DWELLING DEVELOPMENT

Sheet Number	Sheet Title	Current Revision	CurrentRevisionDate
A001	Cover Page	A	16/11/22
A101	Site Plan	A	16/11/22
A201	Floor Plan Unit 1	A	16/11/22
A202	Floor Plan Unit 1 & Unit 2	A	16/11/22
A301	Elevations	A	16/11/22
A302	Elevations	A	16/11/22
A401	3d Perspective	A	16/11/22

LOCATION PLAN (NTS)



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wonder.



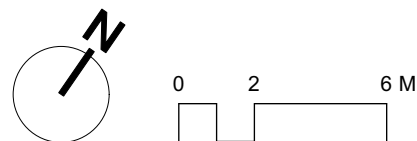
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ADDRESS	25 Murphy Street, Port Douglas	do not scale off plans all dimensions in millimetres confirm all dimensions on site all work to relevant NCC and AS	ISSUE DA
CLIENT	S. Group	SCALE @ ISO A3 1:100	DWG # A001
DWG	Cover Page	DRAWN SG	PROJECT# J18.115
CHKD		SG	
S. Group © Copyright 2022		Level 1, 10-14 Paterson st, Launceston Level 1, 90-92 Murray st, Hobart T: 03 63 111 403 E: info@sgroup.com.au sgroup.com.au	



NOTE: PLANTING SHOWN INDICATIVELY
LANDSCAPE DESIGN BY SUZAN QUIGG LANDSCAPE DESIGN

Site Plan
SCALE 1:200

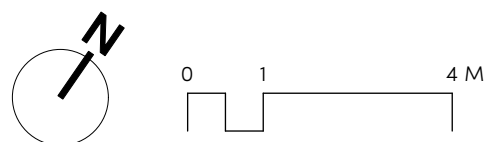
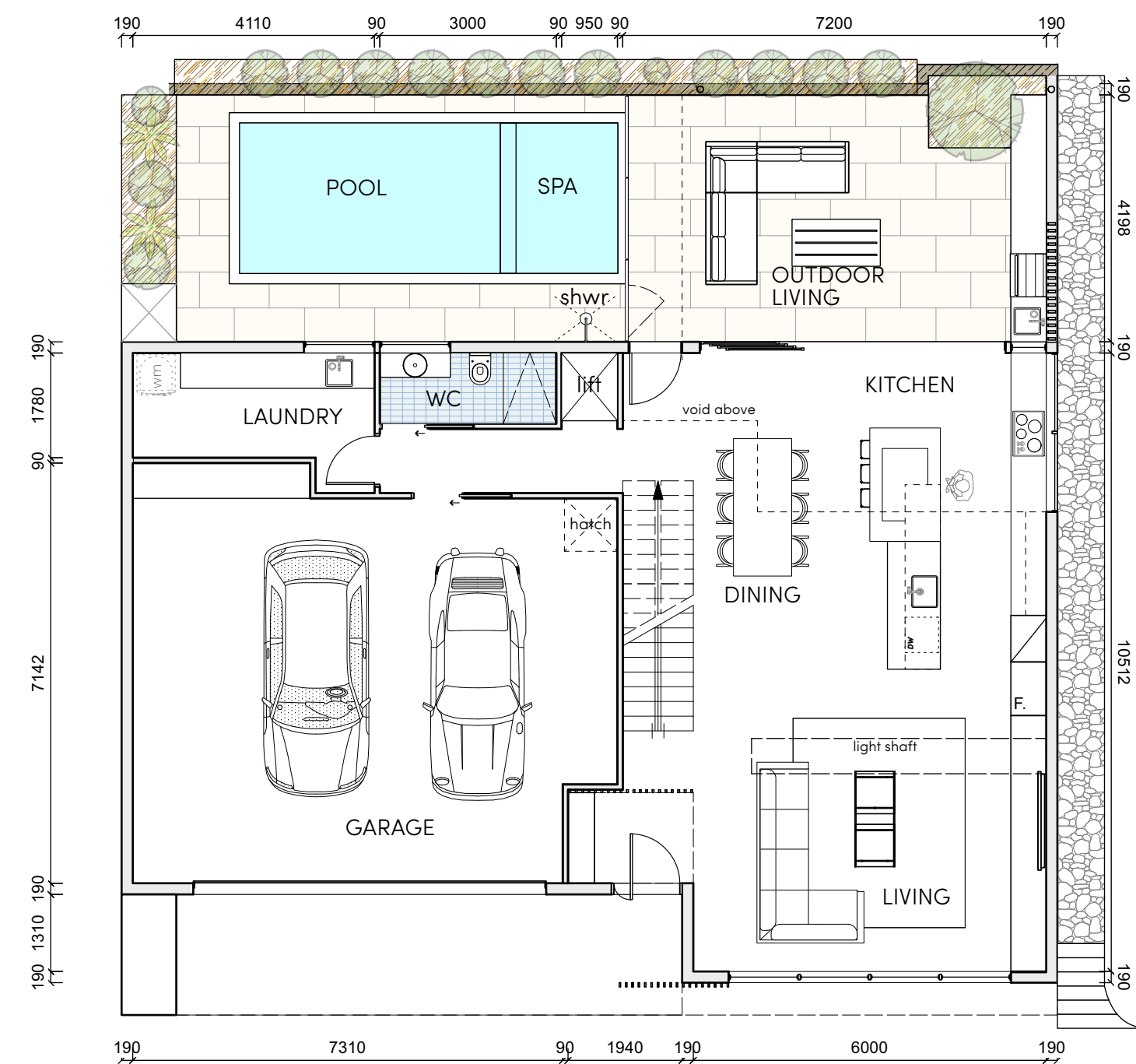
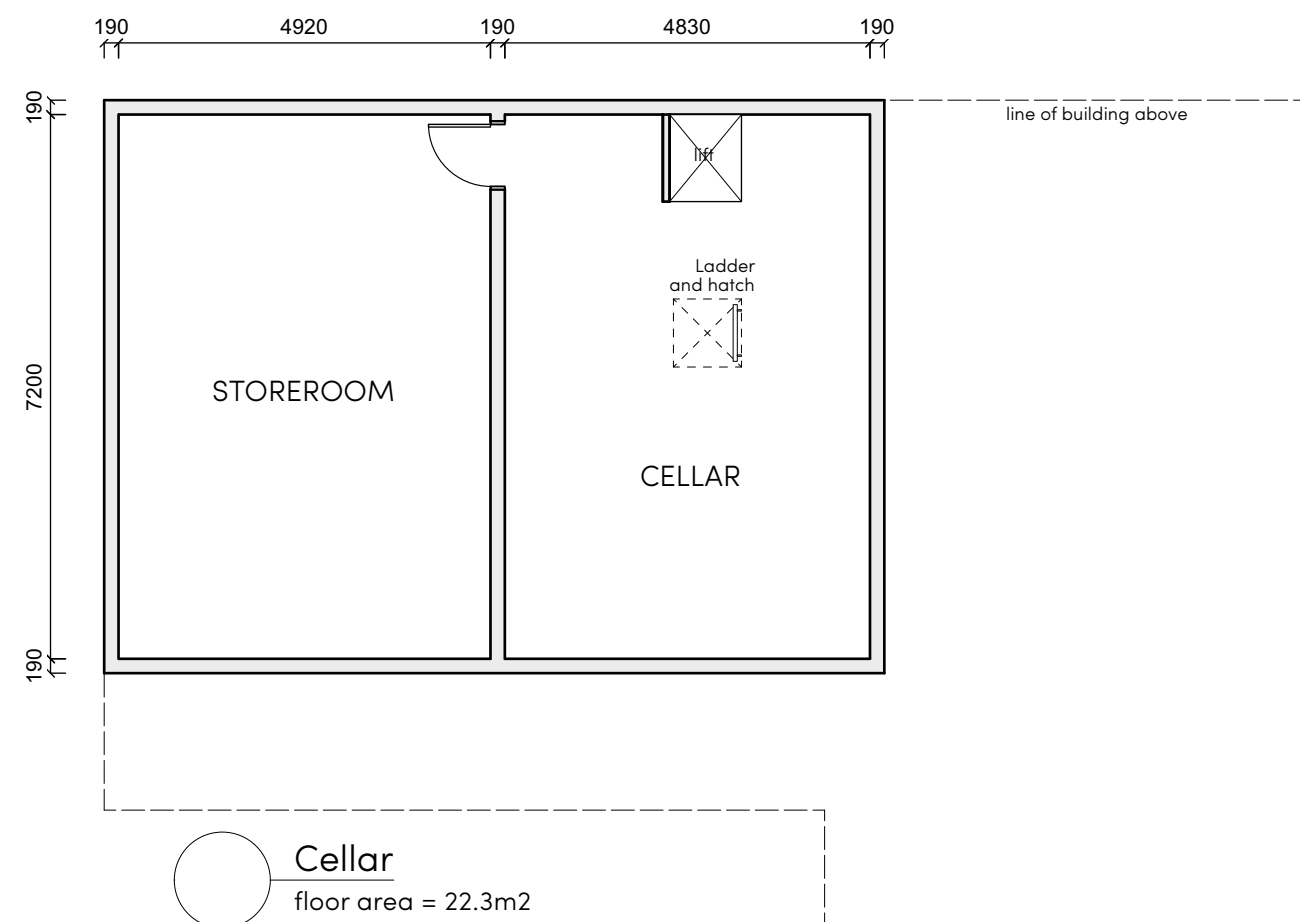
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TOTAL SITE COVERAGE = 550m²

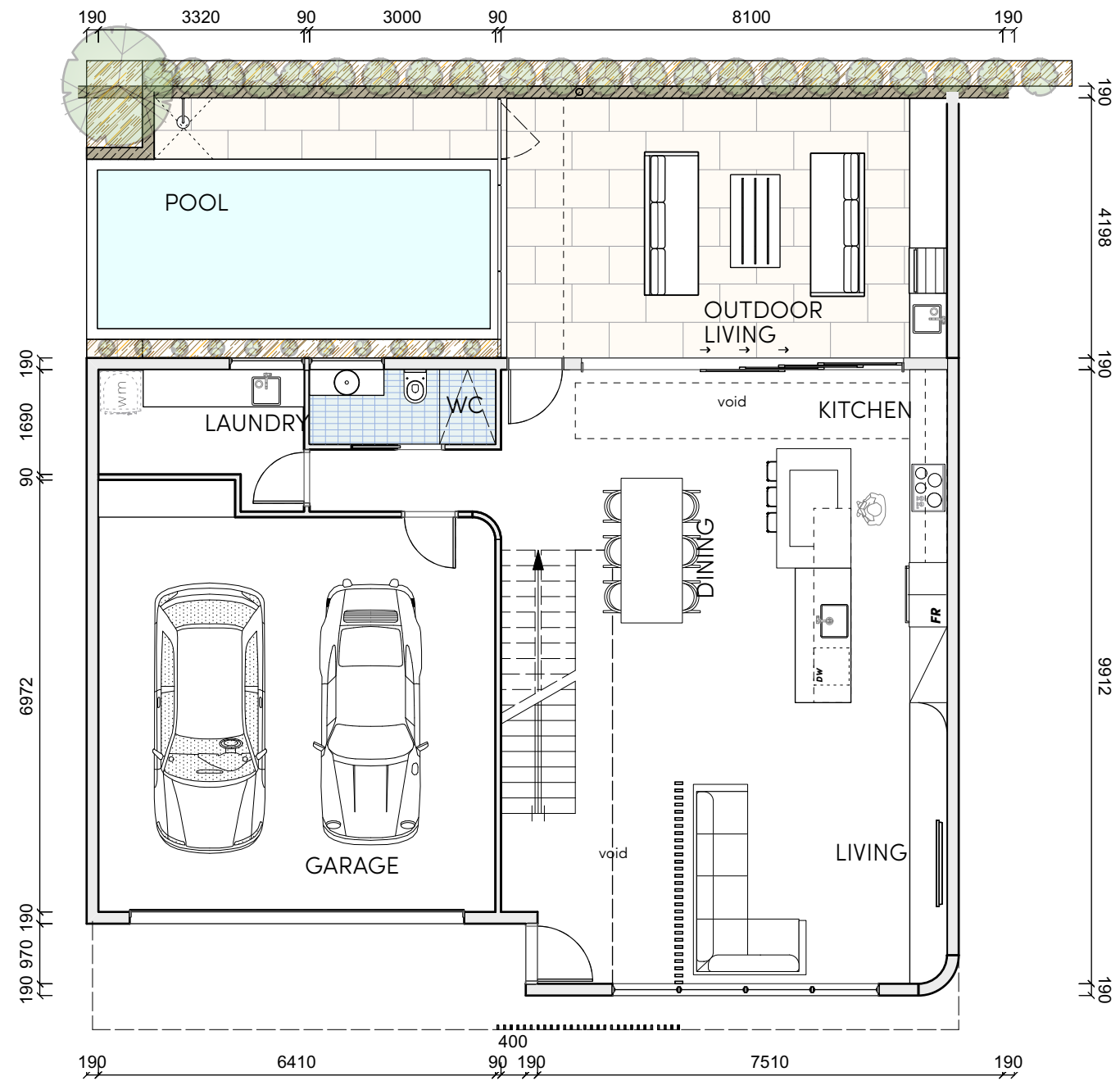


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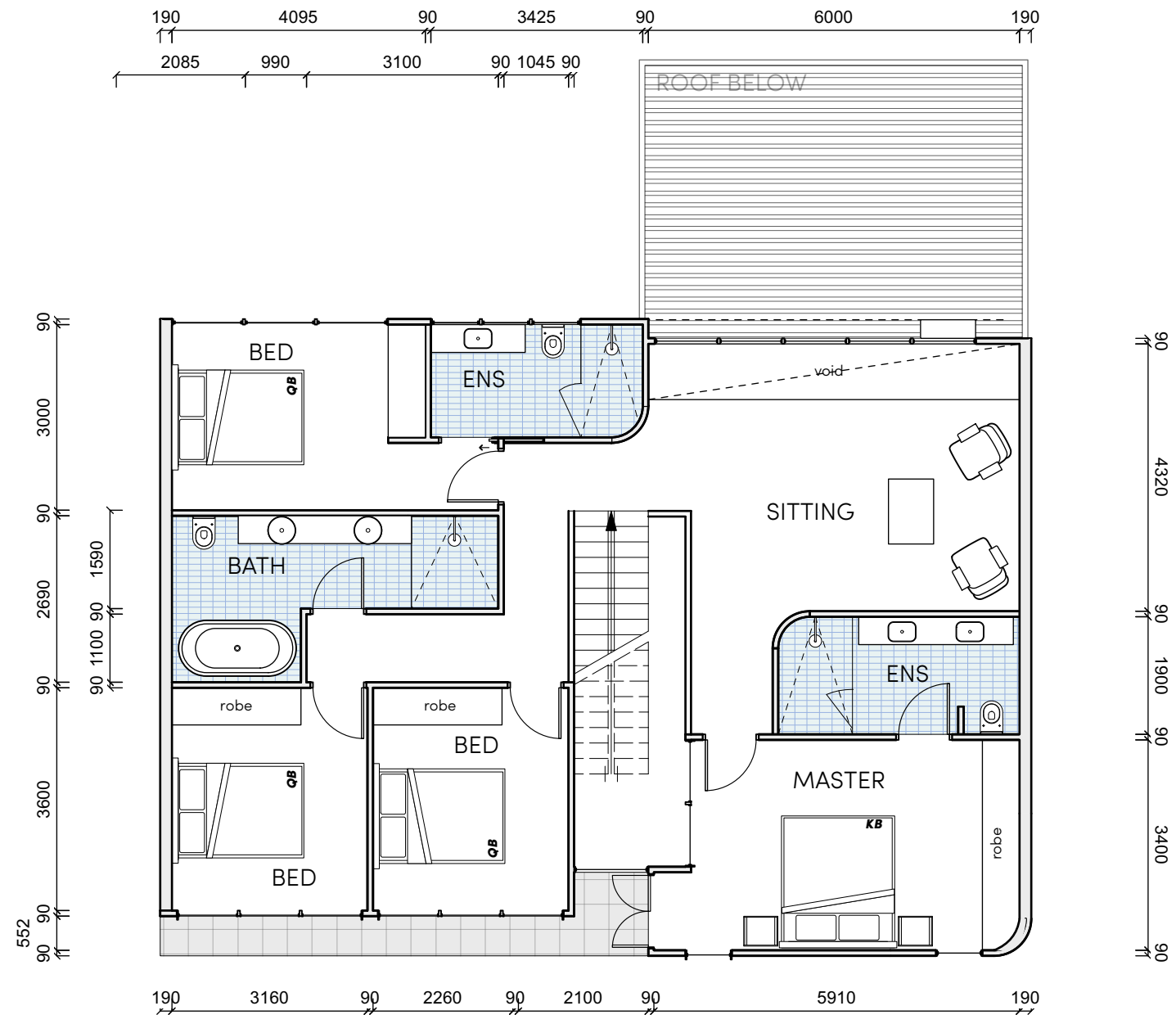


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DWG	Site Plan		PROJECT# J18.115
CHKD	SG	PROJECT#	J18.115
S. Group © Copyright 2021		Level 1, 10-14 Paterson st, Launceston Level 1, 90-92 Murray st, Hobart T: 03 63 111 403 E: info@sgroup.com.au sgroup.com.au	

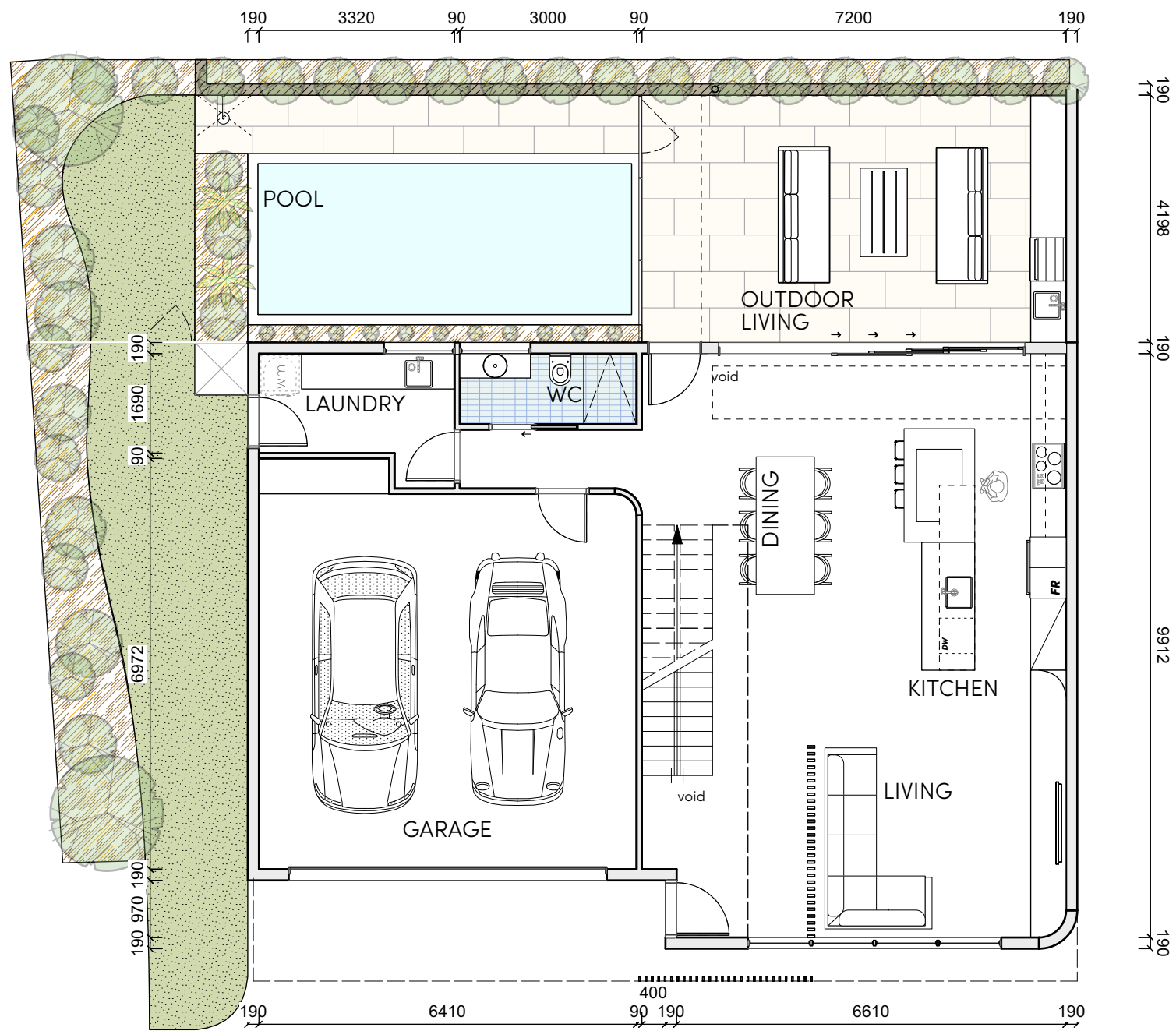




Ground Floor Unit 2
Ground floor area = 130m2



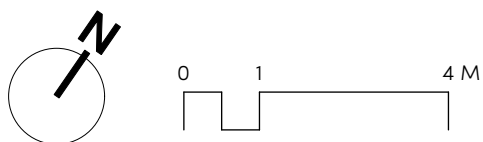
First Floor UNIT 2
Upper floor area = 116m2



Ground Floor Unit 3
Ground floor area = 130m2



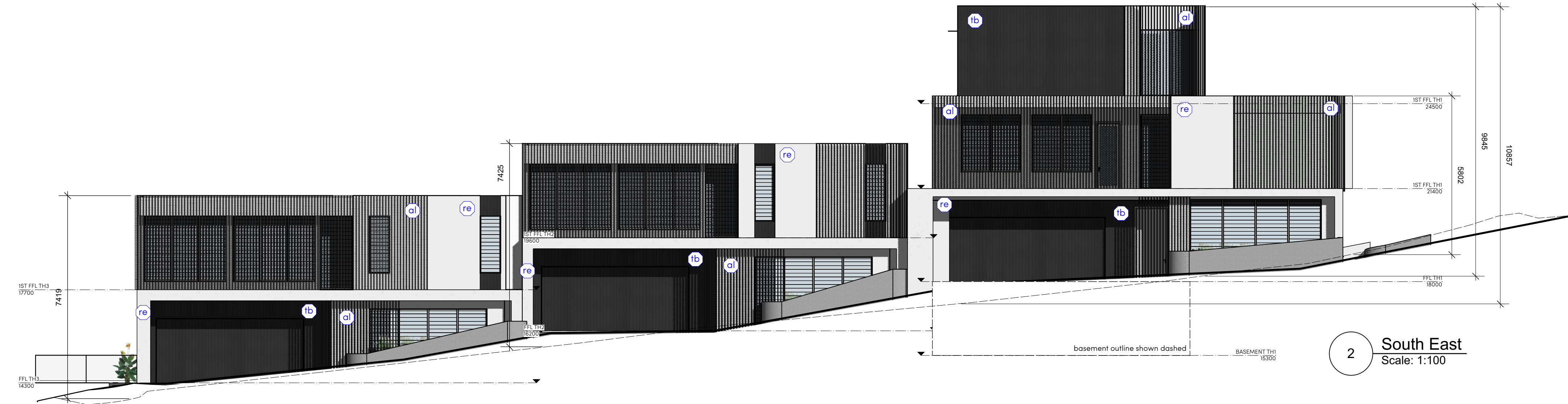
First Floor UNIT 3
Upper floor area = 116m2



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REVISION - A	DATE - 16/11/22	DESCRIPTION - DA	DATE 31/8/21
ADDRESS	25 Murphy Street, Port Douglas	ISSUE	DA
CLIENT	S. Group	DWG #	A202
DWG	Floor Plan Unit 1 & Unit 2	SCALE @ ISO A2 1:100	
DRAWN	SG	PROJECT#	J18.115
CHECK	SG		
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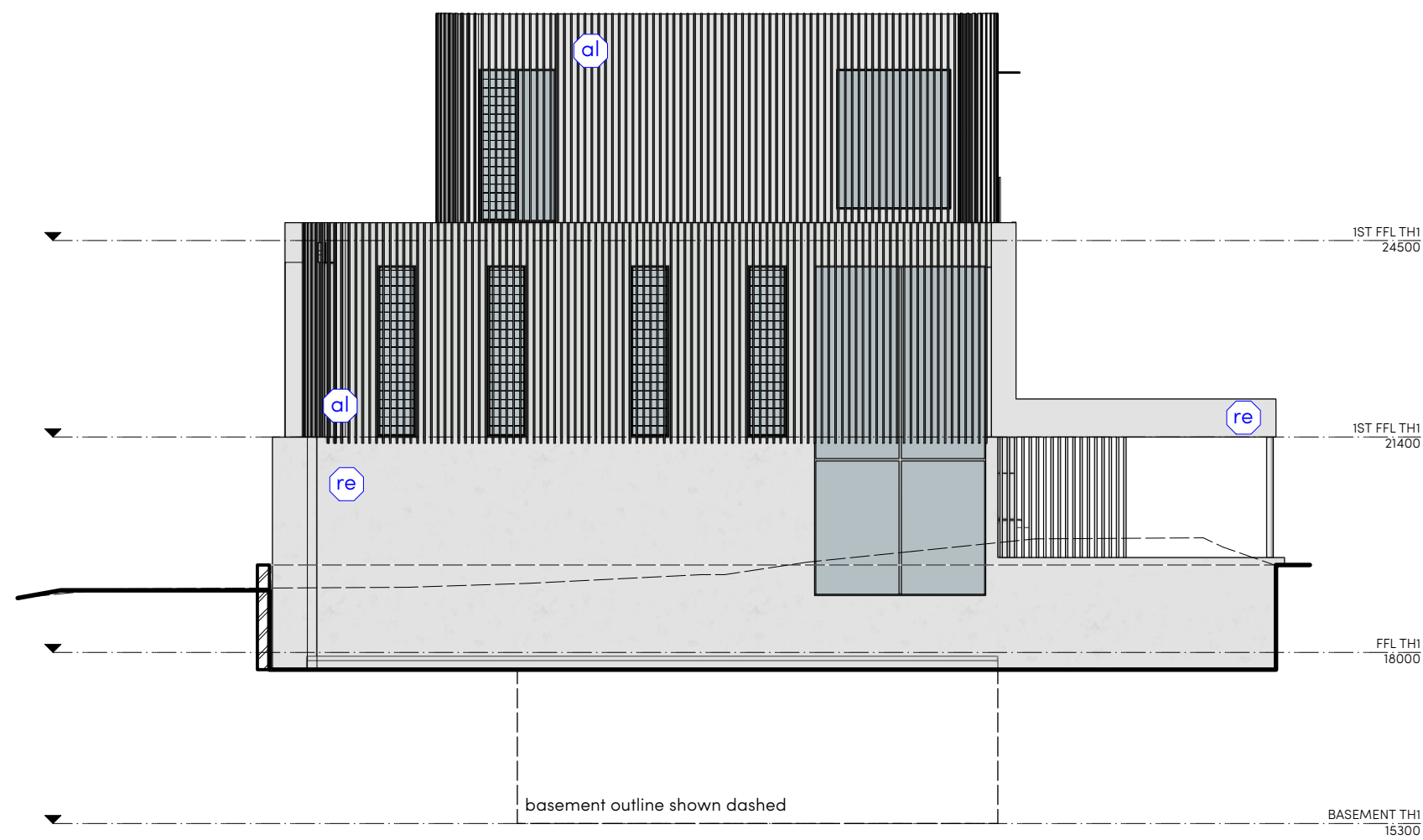
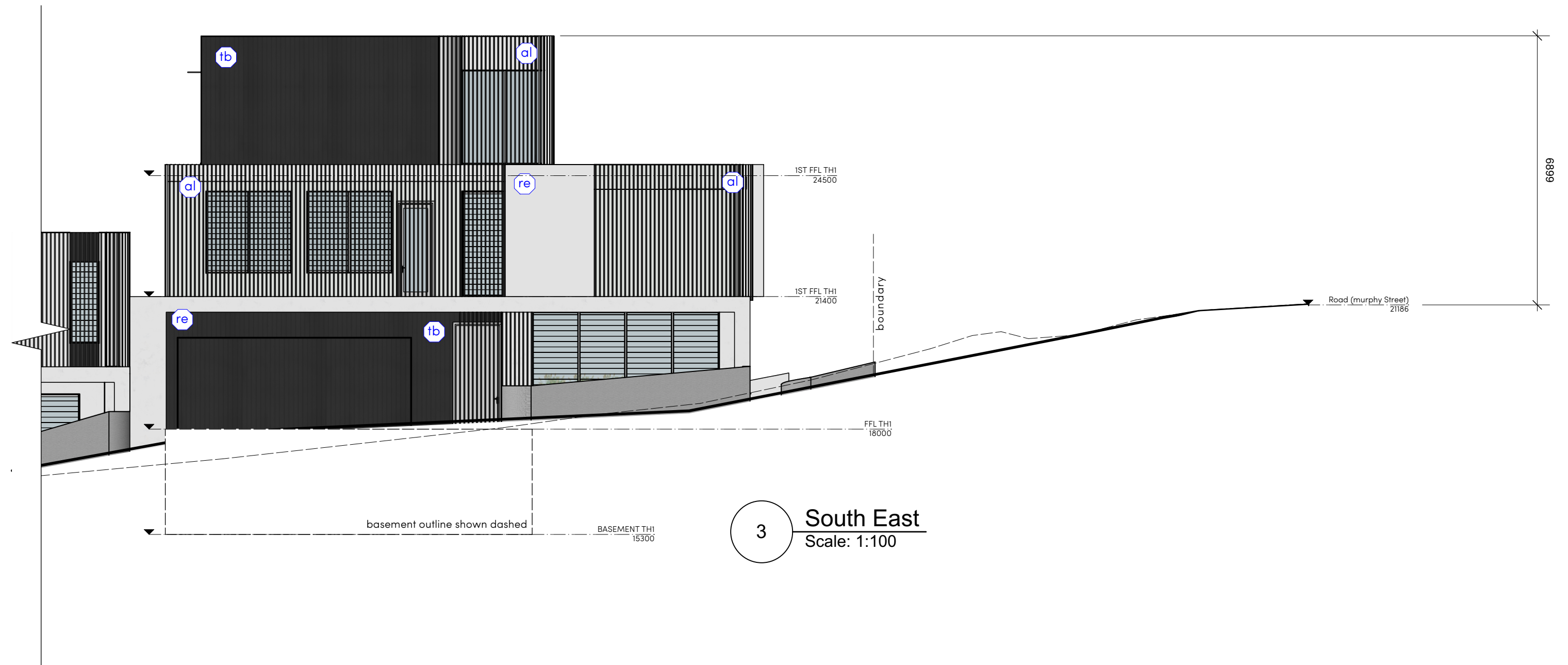
EXTERNAL FINISHES & COLOURS SCHEDULE:

- tb** vertical ebonised shiplap HWD timber cladding
- re** Rendered concrete block / rendered hebel panel
- al** powdercoated aluminium batten screening

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REVISION - A	DATE - 16/11/22	DESCRIPTION - DA	DATE - 31/8/21
ADDRESS	25 Murphy Street, Port Douglas	do not scale off plans all dimensions in millimetres confirm all dimensions on site all work to relevant NCC and AS	ISSUE
CLIENT	S. Group	SCALE @ ISO A2 1:100	DWG #
DWG	Elevations	DRAWN SG	A301
CHKD	SG	PROJECT#	J18.115
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EXTERNAL FINISHES & COLOURS SCHEDULE:

- tb** vertical ebonised shiplap HWD timber cladding
- re** Rendered concrete block / rendered hebel panel
- al** powdercoated aluminium batten screening

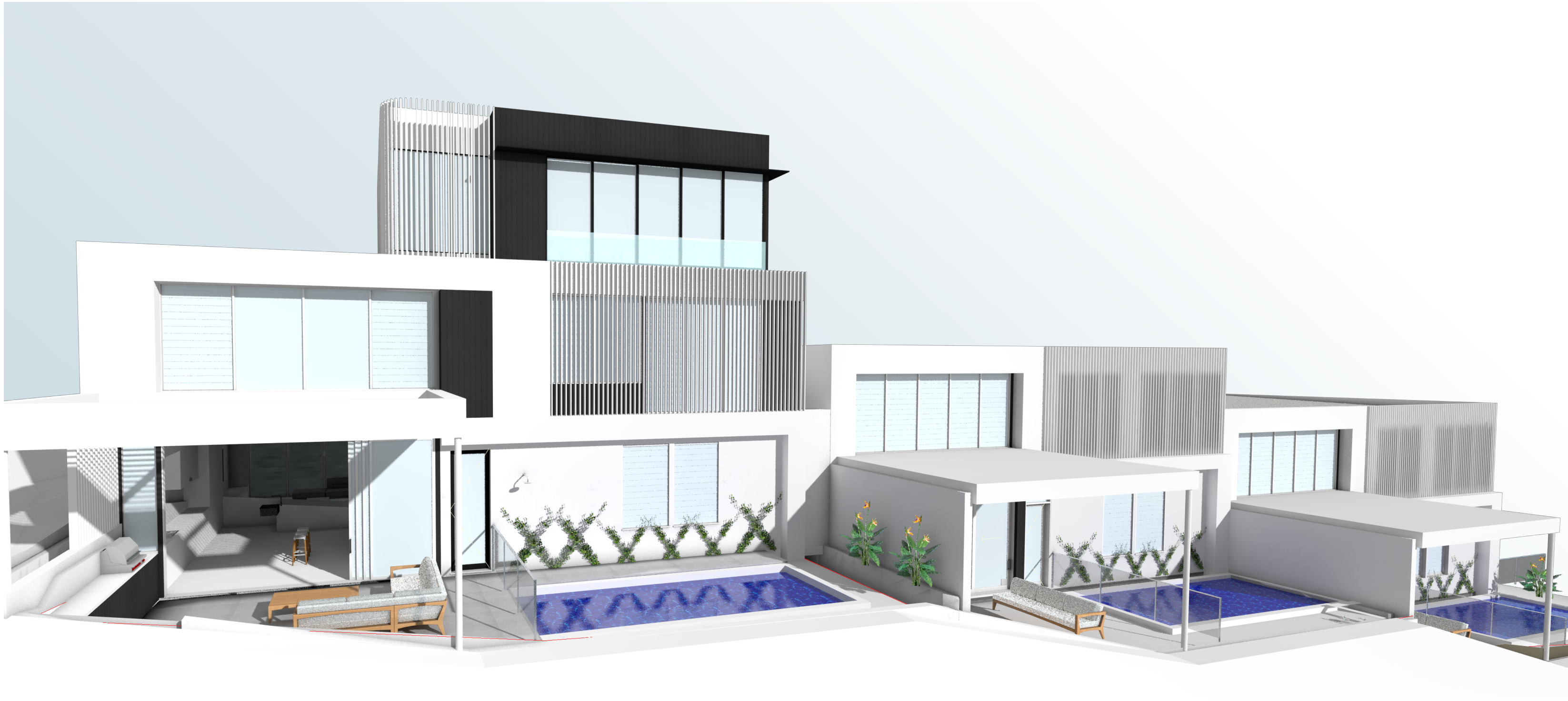
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wonder.



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ADDRESS	25 Murphy Street, Port Douglas	do not scale off plans all dimensions in millimeters confirm all dimensions on site all work to relevant NCC and AS	ISSUE
CLIENT	S. Group	SCALE @ ISO A2 1:100	DWG #
DWG	Elevations	DRAWN SG	A302
CWGD	SG	PROJECT#	J18.115
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VIEW FROM SOUTH EAST



VIEW FROM NORTH EAST

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wonder.



REVISION - A	DATE - 16/11/22	DESCRIPTION - DA	DATE	31/8/21
ADDRESS	25 Murphy Street, Port Douglas		ISSUE	DA
CLIENT	S. Group		DWG #	A401
DWG	3d Perspective	SCALE @ ISO A2	1:100	
DRAWN	SG	CHKD	SG	PROJECT#
S. Group		Level 1, 10-14 Paterson st, Launceston Level 1, 90-92 Murray st, Hobart		
© Copyright 2021		T: 03 63 111 403 E: info@sgroup.com.au sgroup.com.au		



Murphy St.
Port Douglas

Concept

DWG: CONCEPT
REV: D
DATE: 18/10/2022
SCALE: 1:100
SIZE: A1

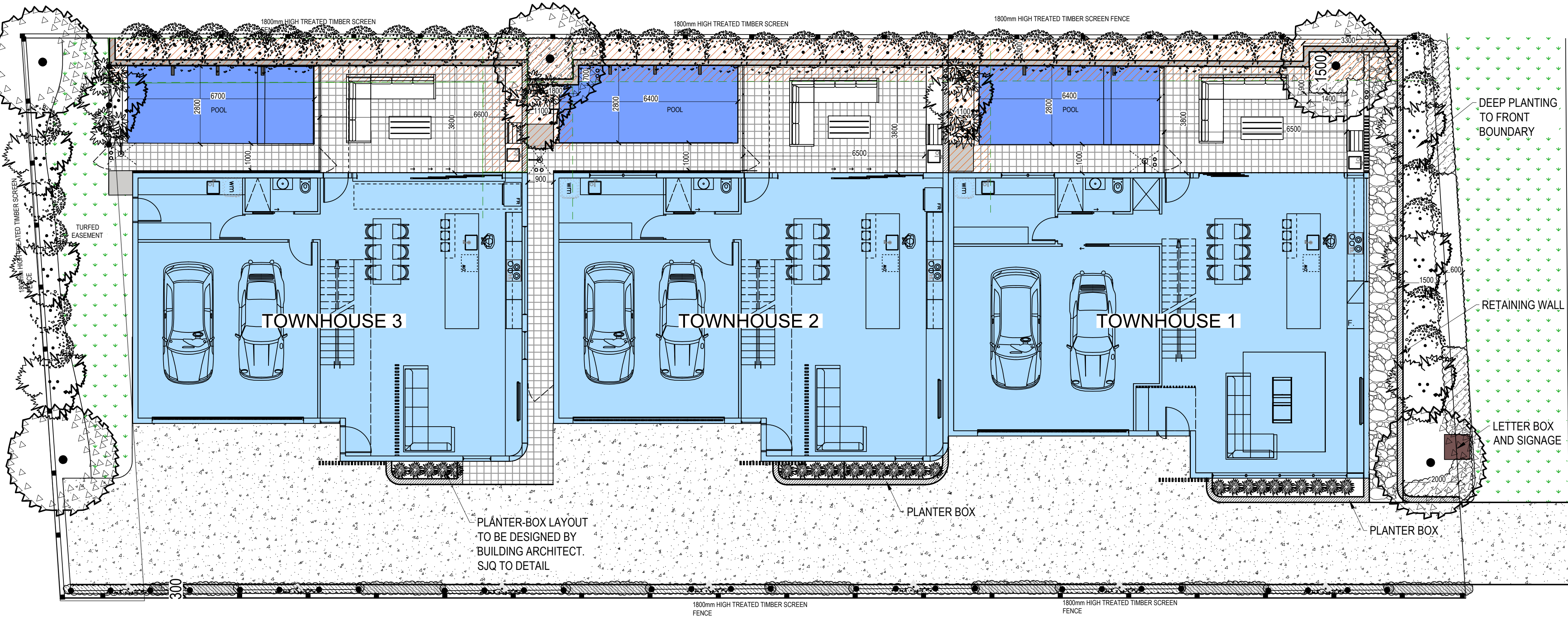
Brief drawings purely indicative
and not to be used for council,
construction and/or pricing

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Appendix D

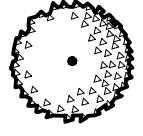





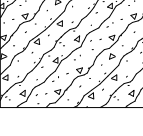

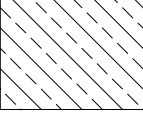

Proposed landscape plans

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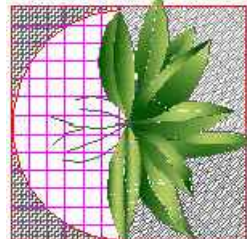
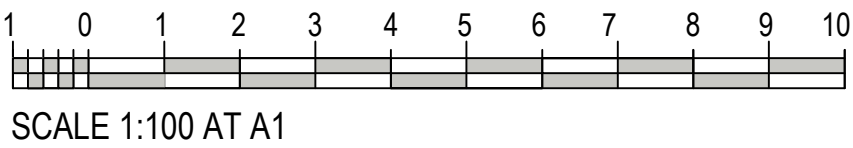
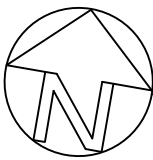


- IDEAL LANDSCAPE SETBACK TO MEET STANDARD COUNCIL POLICY REQUIREMENTS FOR SCREENING AND ALLOW FOR DEEP PLANTING MIX
- TURF
- DRIVEWAY

CONCEPT PLANT SCHEDULE

	SCREEN TREE AS PART OF DEEP PLANTING NATIVE OR ENDEMIC TO MEET D.S.C LANDCAPE POLICY OF 70% NATIVE OR ENDEMIC SPECIES ATRACOTOCARPUS FITZALANII / BROWN GARDENIA SYZYGium LUEHMANNII / RIBERRY LILLY PILLY	400MM POT 400MM POT
	FEATURE PALM PALMS TO BE USED AS ACCENT FEATURES ONLY CYRTOSTACHYS RENDA / SEALING WAX PALM	EX-GROUND
	SCREENING SHRUBS AS PART OF DEEP PLANTING NATIVE OR ENDEMIC PHYLLANTHUS CUSCUTIFLORUS / PINK PHYLLANTHUS SYZYGium AUSTRALE / LILLY PILLY	300MM POT 300MM POT
	TROPICAL PLANTING ALPINIA HYLANDII / SLENDER GINGER ALPINIA MODESTA / STALKLESS GINGER AMOMUM DALLACHYI / NATIVE QUEENSLAND GINGER RHAPIS EXCELSA / LADY PALM	200MM POT 200MM POT 200MM POT 400MM POT
	PLANTERS AGAVE ATTENUATA / FOXTAIL AGAVE AGAVE DESMETIANA 'EL MIRADORES GOLD' / EL MIRADORES GOLD SMOOTH AGAVE NEOMARICA CAERULEA / WALKING IRIS SEDUM ACRE 'AUREUM' / STONECROP	200MM POT 200MM POT 200MM POT 200MM POT
	VINE FOR VERTICAL LANDSCAPING PANDOREA PANDORANA / WONGA WONGA VINE TECOMANTHE HILLII / FRASER ISLAND CLIMBER	200MM POT 200MM POT
	GROUNDCOVER AS PART OF DEEP PLANTING GARDENIA PSIDIODES 'GLENNIE RIVER' / GLENNIE RIVER GARDENIA	140MM POT
	GROUNDCOVER/EDGE PLANT FOR DEEP PLANTING 2 CONTRASTING FOLIAGE - LINEAR FORM DIETES BICOLOR / FORTNIGHT LILY LOMANDRA HYSTRIX / MAT RUSH	140MM POT 140MM POT
	TOUGH GROUNDCOVER DRIVEWAY EDGE RHOEO SPATHACEA 'STRIPE ME PINK' / STRIPE ME PINK BOATLILY	140MM POT
	LINEAL FORM GROUNDCOVER/SHRUB AREA FOR CONTRAST SANSEVIERIA TRIFASCIATA 'LAURENTII' / SANSEVIERIA	140MM POT

REFER TO PLANS OF INDIVIDUAL GARDENS - L02-L04



Suzan Quigg Landscape Design

PO Box 638 Malanda QLD 4885 Australia
P: 07 4095 1017 M: 0407 035 381
E: suzanjq@bigpond.com
W: www.suzanquigg.com
C:Suzan J Quigg Landscape Design 2022

JOB No: 222402
DWG No: L01
ISSUE: 2

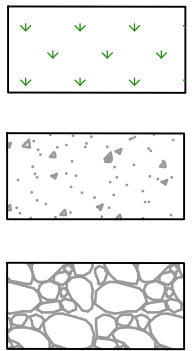
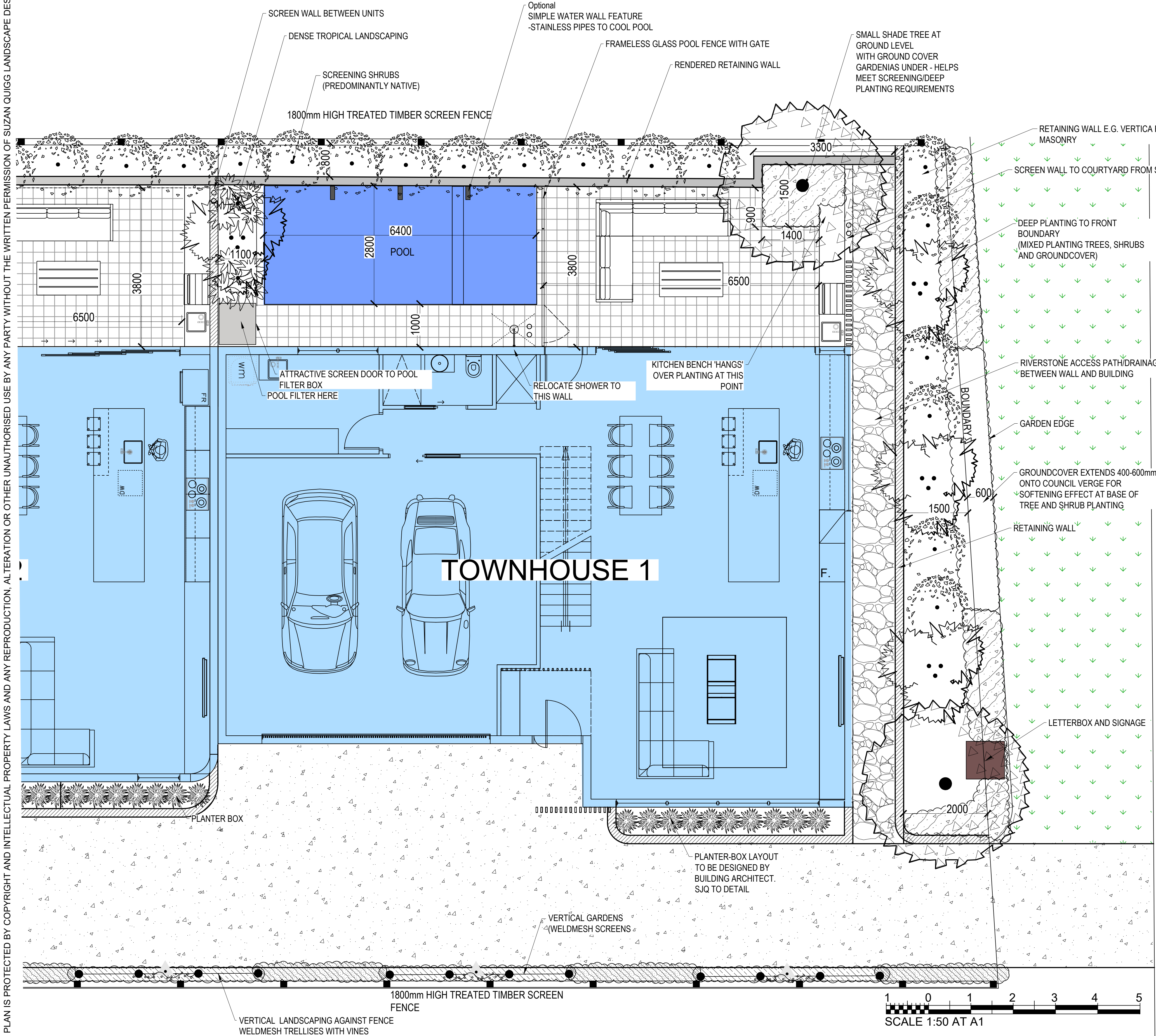
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DATE: 29 JUN 2022
SCALE: 1:100@A1

DRAWING TITLE:
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OVERALL

PROJECT:
25 MURPHY STREET, PORT DOUGLAS

CLIENT:
S GROUP

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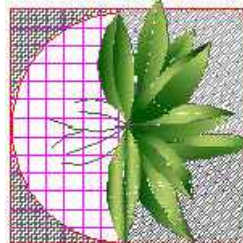


TURF
DRIVEWAY
RIVERSTONE PATH

CONCEPT PLANT SCHEDULE

	SCREEN TREE AS PART OF DEEP PLANTING NATIVE OR ENDEMIC TO MEET D.S.C LANDCAPE POLICY OF 70% NATIVE OR ENDEMIC SPECIES ATRACTOCARPUS FITZALANII / BROWN GARDENIA SYZYGIUM LUEHMANNII / RIBERRY LILLY PILLY	400MM POT 400MM POT
	FEATURE PALM PALMS TO BE USED AS ACCENT FEATURES ONLY CYRTOSTACHYS RENDA / SEALING WAX PALM	EX-GROUND
	SCREENING SHRUBS AS PART OF DEEP PLANTING NATIVE OR ENDEMIC PHYLLANTHUS CUSCUTIFLORUS / PINK PHYLLANTHUS SYZYGIUM AUSTRALE / LILLY PILLY	300MM POT 300MM POT
	TROPICAL PLANTING ALPINIA HYLANDII / SLENDER GINGER ALPINIA MODESTA / STALKLESS GINGER AMOMUM DALLACHYI / NATIVE QUEENSLAND GINGER RHAPIS EXCELSA / LADY PALM	200MM POT 200MM POT 200MM POT 400MM POT
	PLANTERS AGAVE ATTENUATA / FOXTAIL AGAVE AGAVE DESMETIANA 'EL MIRADORES GOLD' / EL MIRADORES GOLD SMOOTH AGAVE NEOMARICA CAERULEA / WALKING IRIS SEDUM ACRE 'AUREUM' / STONECROP	200MM POT 200MM POT 200MM POT 200MM POT
	VINE FOR VERTICAL LANDSCAPING PANDOREA PANDORANA / WONGA WONGA VINE TECOMANTHE HILLII / FRASER ISLAND CLIMBER	200MM POT 200MM POT
	GROUNDCOVER AS PART OF DEEP PLANTING GARDENIA PSIDIODES 'GLENNE RIVER' / GLENNE RIVER GARDENIA	140MM POT
	GROUNDCOVER/EDGE PLANT FOR DEEP PLANTING 2 CONTRASTING FOLIAGE - LINEAR FORM DIETES BICOLOR / FORTNIGHT LILY LOMANDRA HYSTRIX / MAT RUSH	140MM POT 140MM POT
	TOUGH GROUNDCOVER DRIVEWAY EDGE RHOEO SPATHACEA 'STRIPE ME PINK' / STRIPE ME PINK BOATLILY	140MM POT
	LINEAL FORM GROUNDCOVER/SHRUB AREA FOR CONTRAST SANSEVIERIA TRIFASCIATA 'LAURENTII' / SANSEVIERIA	140MM POT

MURPHY STREET



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DWG No: L02
ISSUE: 2

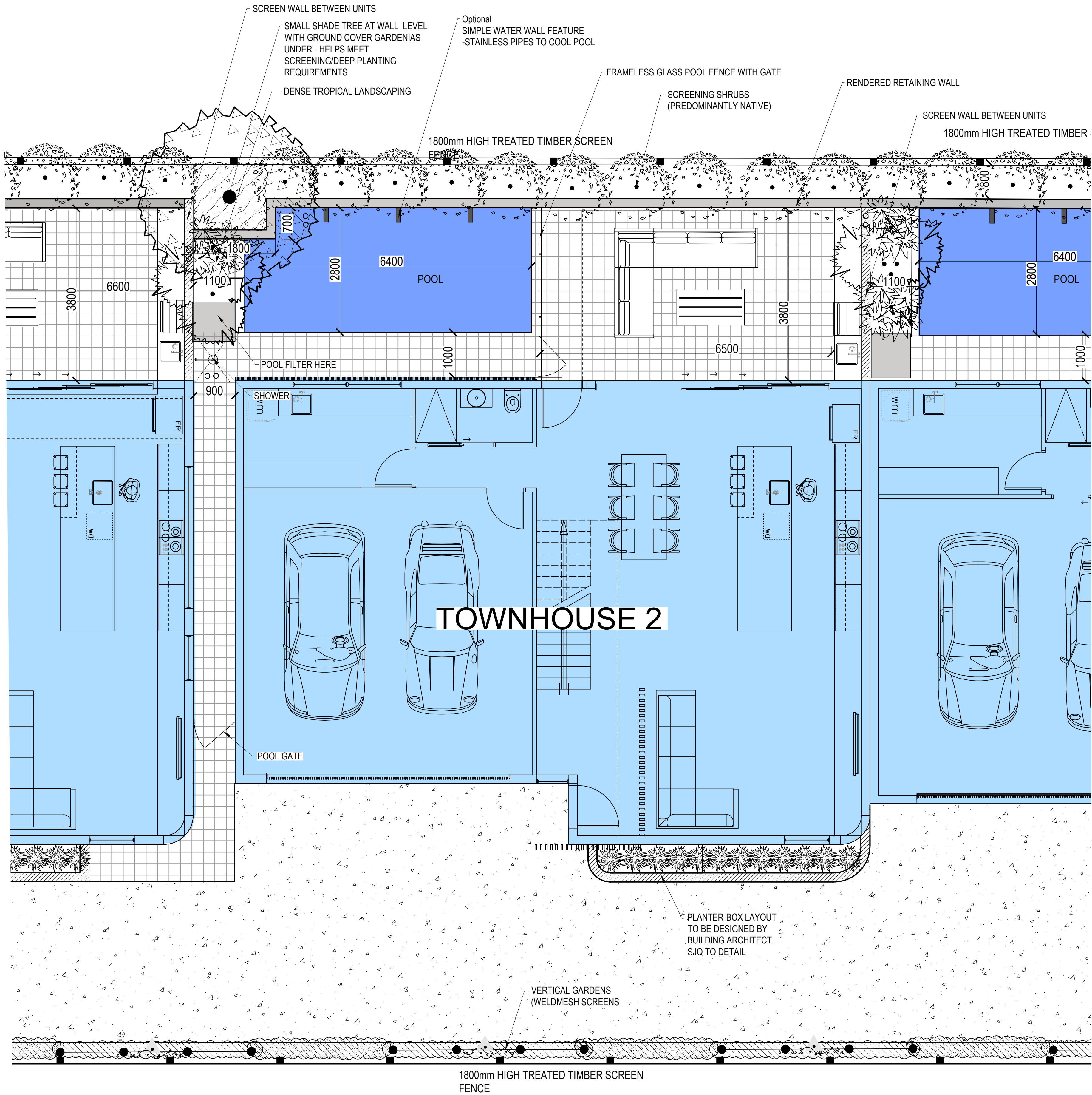
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DATE: 29 JUN 2022
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DRAWING TITLE:
PRELIMINARY LAYOUT - TOWNHOUSE 1

PROJECT:
25 MURPHY STREET, PORT DOUGLAS

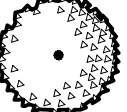






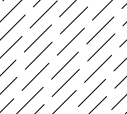


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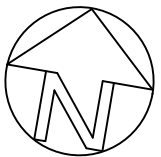
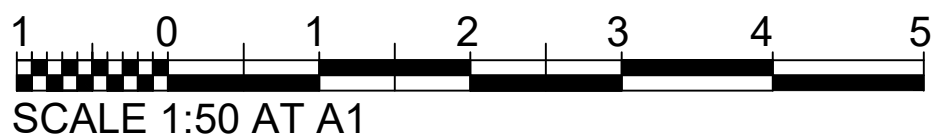
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- TURF
- DRIVEWAY
- RIVERSTONE PATH

CONCEPT PLANT SCHEDULE

	SCREEN TREE AS PART OF DEEP PLANTING NATIVE OR ENDEMIC TO MEET D.S.C LANDCAPE POLICY OF 70% NATIVE OR ENDEMIC SPECIES ATRACOTICARPUS FITZALANII / BROWN GARDENIA SYZYGIUM LUEHMANNII / RIBERRY LILLY PILLY	400MM POT 400MM POT
	FEATURE PALM PALMS TO BE USED AS ACCENT FEATURES ONLY CYRTOSTACHYS RENDA / SEALING WAX PALM	EX-GROUND
	SCREENING SHRUBS AS PART OF DEEP PLANTING NATIVE OR ENDEMIC PHYLLANTHUS CUSCUTIFLORUS / PINK PHYLLANTHUS SYZYGIUM AUSTRALE / LILLY PILLY	300MM POT 300MM POT
	TROPICAL PLANTING ALPINIA HYLANDII / SLENDER GINGER ALPINIA MODESTA / STALKLESS GINGER AMOMUM DALLACHYI / NATIVE QUEENSLAND GINGER RHAPIS EXCELSA / LADY PALM	200MM POT 200MM POT 200MM POT 400MM POT
	PLANTERS AGAVE ATTENUATA / FOXTAIL AGAVE AGAVE DESMETIANA 'EL MIRADORES GOLD' / EL MIRADORES GOLD SMOOTH AGAVE NEOMARICA CAERULEA / WALKING IRIS SEDUM ACRE 'AUREUM' / STONECROP	200MM POT 200MM POT 200MM POT 200MM POT
	VINE FOR VERTICAL LANDSCAPING PANDOREA PANDORANA / WONGA WONGA VINE TECOMANTHE HILLII / FRASER ISLAND CLIMBER	200MM POT 200MM POT
	GROUNDCOVER AS PART OF DEEP PLANTING GARDENIA PSIDIODES 'GLENNIE RIVER' / GLENNIE RIVER GARDENIA	140MM POT
	GROUNDCOVER/EDGE PLANT FOR DEEP PLANTING 2 CONTRASTING FOLIAGE - LINEAR FORM DIETES BICOLOR / FORTNIGHT LILY LOMANDRA HYSTRIX / MAT RUSH	140MM POT 140MM POT
	TOUGH GROUNDCOVER DRIVEWAY EDGE RHOEO SPATHACEA 'STRIPE ME PINK' / STRIPE ME PINK BOATLILY	140MM POT
	LINEAL FORM GROUNDCOVER/SHRUB AREA FOR CONTRAST SANSEVIERIA TRIFASCIATA 'LAURENTII' / SANSEVIERIA	140MM POT





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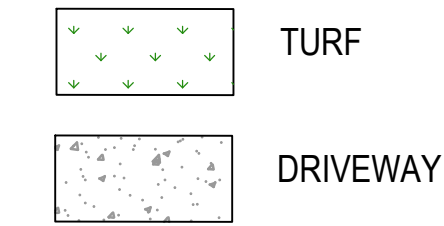
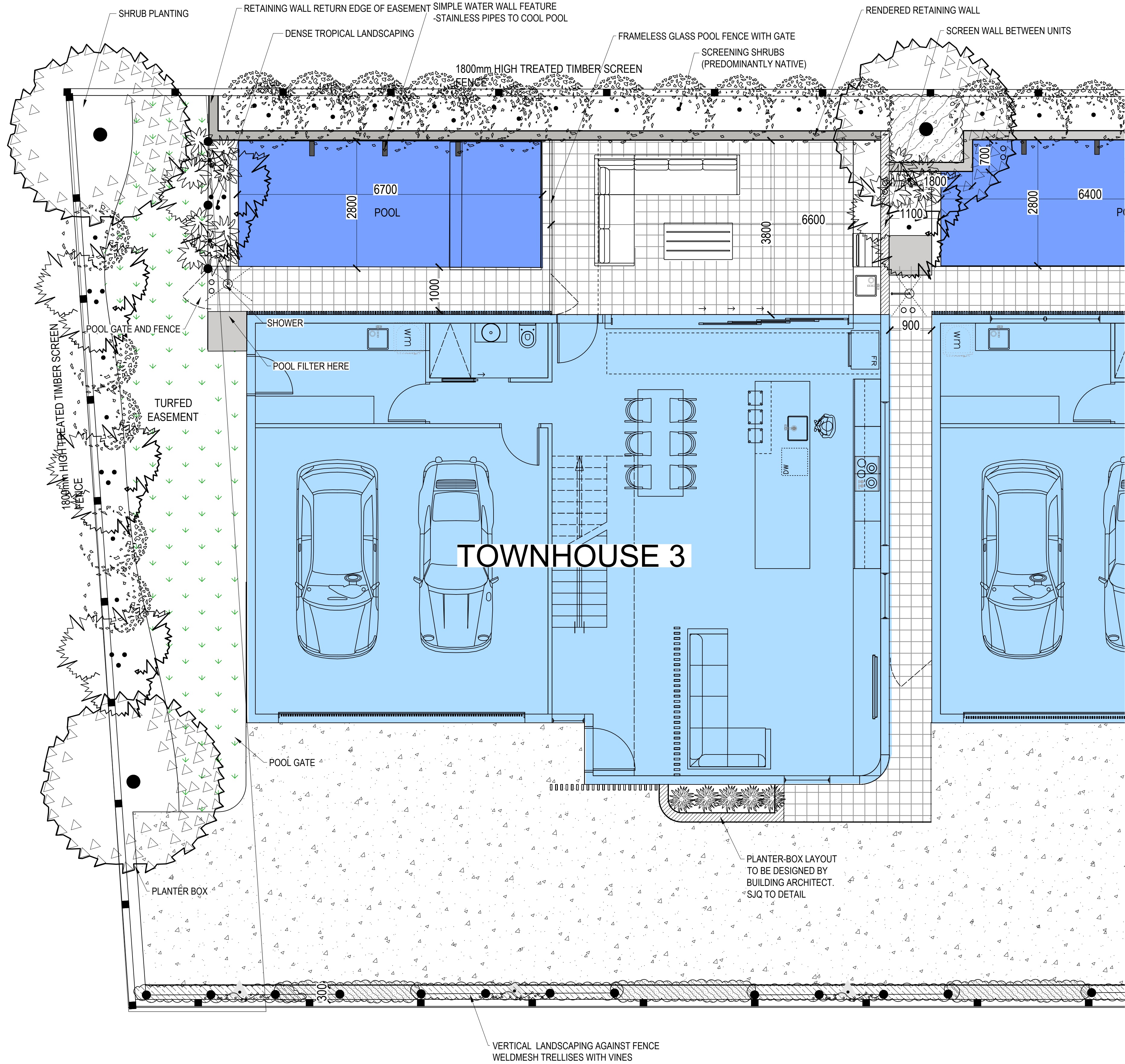
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PROJECT:
25 MURPHY STREET, PORT DOUGLAS

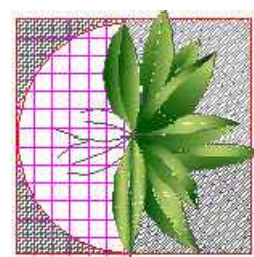
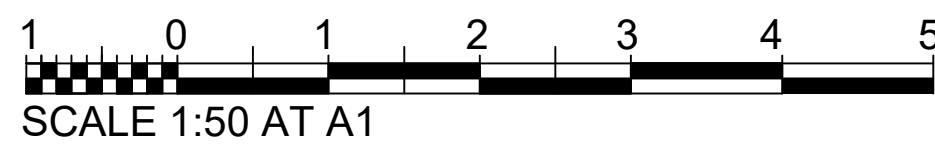
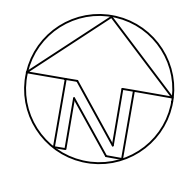
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CONCEPT PLANT SCHEDULE

	SCREEN TREE AS PART OF DEEP PLANTING NATIVE OR ENDEMIC TO MEET D.S.C LANDCAPE POLICY OF 70% NATIVE OR ENDEMIC SPECIES ATRACTOCARPUS FITZALANII / BROWN GARDENIA SYZYGIVM LUEHMANNII / RIBERRY LILLY PILLY	400MM POT 400MM POT
	FEATURE PALM PALMS TO BE USED AS ACCENT FEATURES ONLY CYRTOSTACHYS RENDA / SEALING WAX PALM	EX-GROUND
	SCREENING SHRUBS AS PART OF DEEP PLANTING NATIVE OR ENDEMIC PHYLLANTHUS CUSCUTIFLORUS / PINK PHYLLANTHUS SYZYGIVM AUSTRALE / LILLY PILLY	300MM POT 300MM POT
	TROPICAL PLANTING ALPINIA HYLANDII / SLENDER GINGER ALPINIA MODESTA / STALKLESS GINGER AMOMUM DALLACHYI / NATIVE QUEENSLAND GINGER RHAPIS EXCELSA / LADY PALM	200MM POT 200MM POT 200MM POT 400MM POT
	PLANTERS AGAVE ATTENUATA / FOXTAIL AGAVE AGAVE DESMETIANA 'EL MIRADORES GOLD' / EL MIRADORES GOLD SMOOTH AGAVE NEOMARICA CAERULEA / WALKING IRIS SEDUM ACRE 'AUREUM' / STONECROP	200MM POT 200MM POT 200MM POT 200MM POT
	VINE FOR VERTICAL LANDSCAPING PANDOREA PANDORANA / WONGA WONGA VINE TECOMANTHE HILLII / FRASER ISLAND CLIMBER	200MM POT 200MM POT
	GROUNDCOVER AS PART OF DEEP PLANTING GARDENIA PSIDIODES 'GLENNIE RIVER' / GLENNIE RIVER GARDENIA	140MM POT
	GROUNDCOVER/EDGE PLANT FOR DEEP PLANTING 2 CONTRASTING FOLIAGE - LINEAR FORM DIETES BICOLOR / FORTNIGHT LILY LOMANDRA HYSTRIX / MAT RUSH	140MM POT 140MM POT
	TOUGH GROUNDCOVER DRIVEWAY EDGE RHOEO SPATHACEA 'STRIPE ME PINK' / STRIPE ME PINK BOATLILY	140MM POT
	LINEAL FORM GROUNDCOVER/SHRUB AREA FOR CONTRAST SANSEVIERIA TRIFASCIATA 'LAURENTII' / SANSEVIERIA	140MM POT



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DRAWING TITLE:
PRELIMINARY LAYOUT - TOWNHOUSE 3

PROJECT:
25 MURPHY STREET, PORT DOUGLAS

CLIENT:
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Appendix E

Planning Scheme Code Responses

6.2.7 Low-medium density residential zone code

6.2.7.1 Application

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

6.2.7.2 Purpose

- (1) The purpose of the Low-medium density residential zone code is to provide for a range and mix of dwelling types including dwelling houses and multiple dwellings supported by community uses and small-scale services and facilities that cater for local residents.
- (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 3.4.2 – Urban settlement, Element 3.4.5 Residential areas and activities, Element 3.4.7 – Mitigation of hazards.
 - ii. Theme 4 : Strong community and identity, Element 3.7.3 – Active communities, Element 3.7.4 – Sense of place, community and identity, Element 3.7.5 – Housing choice and affordability.
 - iii. Theme 6 : Infrastructure and transport, Element 3.9.2 - Energy, Element 3.9.3 – Water and waste management, Element 3.9.4 Transport, Element 3.9.5 – Information technology.
 - (b) establish a low-medium density residential character consisting predominantly of low-rise 1 and 2 storey dwelling houses, dual occupancies and multiple dwellings.
 - (c) provide for a diversity in housing choice through other housing types to cater for different housing needs and family structures.
 - (d) provide support for compatible small scale non-residential use activities.
 - (e) ensure development occurs on appropriately sized and shaped lots.
- (3) The purpose of the code will be achieved through the following overall outcomes:
 - (a) Development provides a range of residential dwelling choices including multiple dwellings and other forms of permanent-living residential development, including Residential care facilities.
 - (b) Development encourages and facilitates urban consolidation and the efficient use of physical and social infrastructure.
 - (c) Development is designed to provide safe and walkable neighbourhoods.
 - (d) Development maintains a high level of residential amenity having regard to traffic, noise, dust, odour, lighting and other locally specific impacts.
 - (e) Development is reflective and responsive to the environmental constraints of the land.
 - (f) Development provides a high level of amenity and is reflective of the surrounding character of the area.

- (g) Development is supported by necessary community facilities, open space and recreational areas and appropriate infrastructure to support the needs of the local community.

Criteria for assessment

Table 6.2.7.3.a – Low-medium density residential zone code – assessable development

Performance outcomes	Acceptable outcomes	Applicant response
For self-assessable and assessable development		
PO1 The height of all buildings and structures must be in keeping with the residential character of the area	AO1 Buildings and structures are not more than 8.5 metres and two storeys in height. Note – Height is inclusive of roof height.	Complies with PO1 The proposed development would have a maximum height of 9.845 metres, which exceed the accepted height by 1.345 metres, and would have a height of 3 storeys. This height would relate to one building only with the balance having a height of 7.425 metres. It is important to note that, when viewed from the road centreline, the height of the building would present as 6.899 metres from the street. The height of the proposed development is consistent with development in the locality. Adjacent the site to the north west is a three storey multiple dwelling development with a height and built form consistent with the proposed development. Similarly, the Pavilion multiple dwelling Development on Murphy Street, is a three storey construction and presents as a two storey building when viewed from the street. The height of the development is considered to be in keeping with the residential character of the area.

Performance outcomes	Acceptable outcomes	Applicant response
Setbacks (other than for a dwelling house)		
PO2 Buildings are setback to: <ul style="list-style-type: none"> (a) maintain the character of residential neighbourhoods; (b) achieve separation from neighbouring buildings and from road frontages; (c) maintain a cohesive streetscape; (d) provide daylight access, privacy and appropriate landscaping. 	AO2 Buildings are setback: <ul style="list-style-type: none"> (a) a minimum of 6 metres from the main street frontage; (b) a minimum of 4 metres from any secondary street frontage; (c) 4.5 metres from a rear boundary; (d) 2 metres from a side or an average of half of the height of the building at the side setback, whichever is the greater. 	Complies with PO2 The proposed development would have the following setbacks: <ul style="list-style-type: none"> • Setback of 2.42 metres to 3.12 metres to Murphy Street; • Minimum setback of 0.4 metres to the west (side) boundary; • Setback of 3.04 metres to 3.70 metres to the southern (rear) boundary; • Minimum setback of 4 metres to the east boundary. <p>The proposed setbacks are considered to be consistent with the character of the area and would provide appropriate building separation and would complement the existing streetscape.</p> <p>The setback to the front boundary would be consistent with the adjacent three storey multiple dwelling development and with development further to the north west fronting Murphy Street. Some of which is constructed to the front boundary and with solid walls on the boundary.</p> <p>The minimal side boundary setback relates to a ground floor awning over private recreation areas only with the balance of the building setback 4.512 metres. This built form would</p>

Performance outcomes	Acceptable outcomes	Applicant response
		<p>be located adjacent the driveway of the adjoining premises and would be separated by a 1.8 metre high boundary fence.</p> <p>The rear boundary setback, although less than the acceptable outcome, is consistent with the prevailing rear boundary setback in the area.</p> <p>The proposed development is considered to be consistent with the performance outcome.</p>
Site coverage		
PO3 The site coverage of all buildings does not result in a built form that is bulky or visually obtrusive.	AO3 The site coverage of any building is limited to 50%.	Complies with PO3 The proposed development would have a site coverage of 50.5%, which is a minor increase to the accepted 50% and would not result in a development that is bulky or visually obtrusive.
For assessable development		
PO4 The establishment of uses is consistent with the outcomes sought for the Low-medium density residential zone and protects the zone from the intrusion of inconsistent uses.	AO4 Uses identified in Table 6.2.7.3.b are not established in the Low-medium density residential zone.	Complies with AO4 Multiple Dwellings is not a use identified in Table 6.2.7.3.b.
PO5	AO5 No acceptable outcomes are prescribed.	Complies with PO5

Performance outcomes	Acceptable outcomes	Applicant response
<p>Development is located, designed, operated and managed to respond to the natural characteristics, features and constraints of the site and surrounds.</p> <p>Note – Planning scheme policy – Site assessments provides guidance on identifying the characteristics and features and constraints of a site and its surrounds.</p>		<p>The development has been designed to step down with the site and follow the natural contours whilst providing for a built form that addresses Murphy Street.</p>
<p>PO6</p> <p>Development does not adversely affect the residential character and amenity of the area in terms of traffic, noise, dust, odour, lighting or other physical or environmental impacts.</p>	<p>AO6</p> <p>No acceptable outcomes are prescribed.</p>	<p>Complies with PO8</p> <p>The proposed development is consistent with the built form and prevailing land use would not generate traffic, noise, dust, odour, light or other impacts on the amenity of the area.</p>
<p>PO7</p> <p>New lots contain a minimum area of 450m².</p>	<p>AO7</p> <p>No acceptable outcomes are prescribed.</p>	<p>Not applicable</p> <p>No new lots are proposed.</p>
<p>PO8</p> <p>New lots have a minimum road frontage of 15 metres.</p>	<p>AO8</p> <p>No acceptable outcomes are prescribed.</p>	<p>Not applicable</p> <p>No new lots are proposed.</p>
<p>PO9</p> <p>New lots contain a 20 metre x 15 metre rectangle.</p>	<p>AO9</p> <p>No acceptable outcomes are prescribed.</p>	<p>Not applicable</p> <p>No new lots are proposed.</p>

Table 6.2.7.3.b - Inconsistent uses within the Low-medium density residential zone

Inconsistent uses		
<ul style="list-style-type: none"> Adult store 	<ul style="list-style-type: none"> Hospital 	<ul style="list-style-type: none"> Parking station

<ul style="list-style-type: none"> • Agricultural supplies store • Air services • Animal husbandry • Aquaculture • Bar • Brothel • Bulk landscape supplies • Car wash • Club • Crematorium • Cropping • Detention facility • Emergency services • Extractive industry • Food and drink outlet • Function facility • Funeral parlour • Garden centre • Hardware and trade supplies • High impact industry 	<ul style="list-style-type: none"> • Hotel • Indoor sport and recreation • Intensive animal industry • Intensive horticulture • Landing • Low impact industry • Major electricity infrastructure • Major sport, recreation and entertainment facility • Marine industry • Medium impact industry • Motor sport facility • Nature based tourism • Nightclub entertainment facility • Non-resident workforce accommodation • Office • Outdoor sales • Outstation 	<ul style="list-style-type: none"> • Permanent plantation • Port services • Renewable energy facility • Research and technology industry • Resort complex • Roadside stall • Rooming accommodation • Rural industry • Rural workers accommodation • Service industry • Shop • Shopping Centre • Showroom • Special industry • Theatre • Tourist attraction • Transport depot • Veterinary services • Warehouse • Wholesale nursery • Winery
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Note – This table does not imply that all other uses not listed in the table are automatically consistent uses within the zone. Assessable development must still demonstrate consistency through the assessment process.

7.2.4 Port Douglas/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) Craigie will develop as an integrated residential community with some low scale tourism development opportunities in appropriate locations. Craigie will also function as small scale commercial and light industry node, providing employment opportunities for the Shire's permanent resident population.
 - (d) All forms of development will complement the tropical image of the town through distinctive tropical vernacular, urban design and landscaping.
 - (e) Character will be enhanced through the identification of gateway sites, landmarks, main approach routes and pedestrian thoroughfares and view corridors;
 - (f) The Flagstaff Hill, Dickson Inlet, Four Mile Beach and other areas of scenic and environmental significance will be protected from development. Vegetation cover will dominate over built form.
 - (g) Vegetation, iconic to the character of Port Douglas, including the avenues of Oil Palms, is retained and where appropriate supplemented.
 - (h) Development will be indistinguishable from view from Four Mile Beach. In addition, any development on Flagstaff Hill will be indistinguishable when viewed from vantage points in Port Douglas.
 - (i) Residential areas are designed as pleasant, functional and distinctive, in visually well-defined areas.
- (4) The purpose of the code will be further achieved through the following overall outcomes:
 - (a) Precinct 1 – Port Douglas precinct
 - (i) Sub-precinct 1a – Town Centre sub-precinct
 - (ii) Sub-precinct 1b – Waterfront North sub-precinct
 - (iii) Sub-precinct 1c – Waterfront South sub-precinct

- (iv) Sub-precinct 1d – Limited Development sub-precinct
- (v) Sub-precinct 1e – Community and recreation sub-precinct
- (vi) Sub-precinct 1f – Flagstaff Hill sub-precinct
- (b) Precinct 2 – Integrated Resort precinct
- (c) Precinct 3 – Craiglie Commercial and Light Industry precinct
- (d) Precinct 4 – Old Port Road / Mitre Street precinct
- (e) Precinct 5 – Very Low Density Residential/ Low Scale Recreation/Low Scale Educational/Low Scale Entertainment Uses precinct

Precinct 1 – Port Douglas precinct

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

- (C) reducing conflict between industry, community and commercial activities in the waterfront, without diminishing the marine industry capacity in the Port Douglas precinct;
- (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;
 - (c) areas of natural vegetation are protected from further development;
 - (d) shade trees are increased, in appropriate locations, surrounding the sports fields.

Sub-precinct 1f – Flagstaff Hill sub-precinct

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

Precinct 2 – Integrated Resort precinct

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

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

Precinct 3 – Craiglie Commercial and Light Industry precinct

- (13) In addition to the overall outcomes, development in the Craiglie Commercial and Light Industry precinct facilitates the following overall outcomes:
- (a) development supports the tourism and marine industries in Port Douglas, along with the small-scale commercial and light industry land uses that support the local economy that would otherwise be better suited to a location outside the Port Douglas Centre Precinct unless they pose a safety issue;
 - (b) development adjacent to the Captain Cook Highway presents an attractive appearance to the highway. The rain-trees, melaleucas and eucalypt trees along the Captain Cook Highway are retained where possible, taking into account the Department of Transport and main Road's requirements;
 - (c) retailing activities are generally restricted to those which are ancillary and necessarily associated with the primary service and light industry nature of the area;
 - (d) adjacent residential areas are protected from industry nuisances;
 - (e) lots fronting Downing Street, between Dickson Street and Beor Street, are provided with an appropriate standard of road access and infrastructure, prior to development occurring.

Precinct 4 – Old Port Road / Mitre Street precinct

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

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

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

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

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 subject site is not situated on 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; (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; 	Complies with AO2.1 The subject site is predominantly cleared of vegetation and the height to the development would not obscure the character vegetation of the backdrop of Flagstaff Hill.

Performance outcomes	Acceptable outcomes	Compliance
	(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 proposed development would not be of a height that would intrude in to the view line of Flagstaff Hill and would not affect the views of Four Mile Beach.
	AO2.3 Important landmarks, memorials and monuments are retained.	Not applicable The site does not contain any important 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 / Craiglie local plan maps contained in Schedule 2.	AO3 Development adjacent to the gateways and nodes as identified on the Port Douglas / Craiglie local plan maps contained in Schedule 2 incorporates architectural features and landscaping treatments and design elements that enhance the sense of arrival and way finding within the town.	Complies with AO3 The proposed development is not located adjacent an identified gateway or node.
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%	Able to comply with AO4 On-site landscaping is able to incorporate species capable of achieving the required screening.

Performance outcomes	Acceptable outcomes	Compliance
	screening of development within 5 years and predominantly consists of endemic vegetation.	
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 Direct access is not provided to 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 proposed development would not impede on scenic vistas identified in the local plan.
	AO6.2 Unless otherwise specified within this Local Plan, buildings are set back not less than 6 metres from the primary street frontage.	Complies with PO6 The proposed development would not affect any vies or vistas identified on the local plan map as the site is located on the southern side of Flagstaff Hill.
PO7 Vehicle access, parking and service areas: (a) do not undermine the relationship between buildings and street or dominate the streetscape; (b) are designed to minimise pedestrian vehicle conflict;	AO7.1 For all buildings, parking is: (a) to the side of buildings and recessed behind the main building line; or (b) behind buildings; or (c) wrapped by the building façade, and not visible from	Complies with AO7.1 The carparking facilities would be behind the main building line.

Performance outcomes	Acceptable outcomes	Compliance
(c) are clearly identified and maintain ease of access at all times.	the street.	
	A07.2 Ground level parking incorporates clearly defined pedestrian routes.	Not applicable Parking spaces would be integrated into individual dwellings.
	A07.3 Any porte-cocheres, disabled and pedestrian accesses are accommodated within the boundary of new or refurbished development.	Not applicable No porte-cocheres, disabled and pedestrian accesses are proposed.
	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 The development is not an integrated mixed use development.
	A07.5 On-site car parking available for public use is clearly signed at the site frontage.	Not applicable No public car parking is proposed.
	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 No boom gates, pay machines or other regulatory devices are proposed.

Performance outcomes	Acceptable outcomes	Compliance
PO8 Precinct 1 – Port Douglas precinct is not characterised by a proliferation of advertising signs.	AO8 No acceptable outcomes are prescribed.	Complies with PO8 No advertising signs are proposed.
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.	Not applicable The site is not located within sub precinct 1a.
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 site is not located within sub precinct 1a.
PO11 Buildings: (a) address street frontages; (b) ensure main entrances front the street or public	AO11 No acceptable outcomes are prescribed.	Not applicable The site is not located within sub precinct 1a.

Performance outcomes	Acceptable outcomes	Compliance
spaces; (c) do not focus principally on internal spaces or parking areas.		
PO12 Setbacks at ground level provide for: (a) connection between pedestrian paths and public places; (b) areas for convenient movement of pedestrians; (c) changes in gradient of the street.	AO12 Setbacks at ground level: (a) are clear of columns and other obstructions; (b) have pavement matching the gradient of adjoining footpaths and connecting pedestrian areas on adjoining sites; (c) connect without any lip or step to adjoining footpaths.	Not applicable The site is not located within sub precinct 1a.
AO13 Buildings do not result in a reduction of views and vistas from public places to: (a) Flagstaff Hill; (b) Dickson Inlet; (c) public open space; (d) places of significance.	AO13 No acceptable outcomes are prescribed.	Not applicable The site is not located within sub precinct 1a.
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	Not applicable The site is not located within sub precinct 1a.

Performance outcomes	Acceptable outcomes	Compliance
	<p>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.</p> <p>Note – PO24 provides more detail on awning design.</p>	
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: <ul style="list-style-type: none"> a) at street level on active street frontages; b) a maximum of one level above street level. 	Not applicable The site is not located within sub precinct 1a.
	AO15.2 Any residential development activities or short term accommodation is located above street level of the active frontage, but not on or up to the street frontage in any development, including mixed use development.	Not applicable The site is not located within sub precinct 1a.
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 site is not located within sub precinct 1a.

Performance outcomes	Acceptable outcomes	Compliance
P017 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 parts of the building by varying the façade and/or the shape of the built form, where comprised of more than two storeys. 	AO17 No acceptable outcomes are prescribed.	Not applicable The site is not located within sub precinct 1a.
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 site is not located within sub precinct 1a.
P019 Windows and sun/rain control devices are used in the building form, in particular, sun shading devices are	AO19 No acceptable outcomes are prescribed.	Not applicable The site is not located within sub precinct 1a.

Performance outcomes	Acceptable outcomes	Compliance
provided to: (a) shade windows; (b) reduce glare; (c) assist in maintaining comfortable indoor temperatures; (d) minimising heat loads; (e) enrich the North Queensland tropical character of the Town Centre sub-precinct; (f) provide architectural interest to building façades.		
PO20 Buildings are finished with high quality materials, selected for: (a) their ability to contribute the character of Town Centre sub-precinct; (b) easy maintenance, durability and an ability not to readily stain, discolour or deteriorate.	AO20 No acceptable outcomes are prescribed.	Not applicable The site is not located within sub precinct 1a.
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 site is not located within sub precinct 1a.
PO22 Façades and elevations do not include large blank walls. Openings and setbacks are used to articulate	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	Not applicable The site is not located within sub precinct 1a.

Performance outcomes	Acceptable outcomes	Compliance
vertical building surfaces.	street frontage/s of 40 metres.	
	AO22.2 Any break in the building façade varies the alignment by a 1 metre minimum deviation.	Not applicable The site is not located within sub precinct 1a.
	AO22.3 A minimum of three of the following building design features and architectural elements detailed below are incorporated to break the extended facade of a development: (a) a change in roof profile; (b) a change in parapet coping; (c) a change in awning design; (d) a horizontal or vertical change in the wall plane; or (e) a change in the exterior finishes and exterior colours of the development.	Not applicable The site is not located within sub precinct 1a.
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	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	Not applicable The site is not located within sub precinct 1a.

Performance outcomes	Acceptable outcomes	Compliance
the development.	incorporated at 3 metre or less intervals along the length of the façade.	
PO24 Awnings for pedestrian shelter are consistent with the character setting of the Town Centre sub-precinct and: <ul style="list-style-type: none"> (a) extend and cover the footpath to provide protection from the sun and rain; (b) include lighting under the awning; (c) are continuous across the frontage of the site; (d) align to provide continuity with existing or future awnings on adjoining sites; (e) are a minimum of 3.0 metres in width and generally not more than 3.5 metres above pavement height; (f) do not extend past a vertical plane, 1.2 metres inside the kerb-line to enable street trees to be planted and grow; (g) are cantilevered from the main building with any posts within the footpath being non load-bearing. 	AO24 No acceptable outcomes are prescribed.	Not applicable The site is not located within sub precinct 1a.
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 site is not located within sub precinct 1a.

Performance outcomes	Acceptable outcomes	Compliance
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 The site is not located within sub precinct 1b.
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 The site is not located within sub precinct 1b.
PO28 Building design, streetscape, pedestrian paths and street front spaces promote integration with the surrounding area and the rest of Precinct 1 – Port Douglas Precinct.	AO28 No acceptable outcomes are prescribed.	Not applicable The site is not located within sub precinct 1b.
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 The site is not located within sub precinct 1b.

Performance outcomes	Acceptable outcomes	Compliance
	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 The site is not located within sub precinct 1b.
	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 The site is not located within sub precinct 1b.
PO30 Buildings: (a) address street frontages; (b) ensure main entrances front the street or public spaces.	AO30 No acceptable outcomes are prescribed.	Not applicable The site is not located within sub precinct 1b.
PO31 Setbacks at ground level provide for: (a) connection between pedestrian paths and public places; (b) areas for convenient movement of pedestrians; (c) changes in gradient.	AO31 Setbacks at ground level: (a) are clear of columns and other obstructions; (b) have pavement matching the gradient of adjoining footpaths and connecting pedestrian areas on adjoining sites; (c) connect without any lip or step to adjoining footpaths.	Not applicable The site is not located within sub precinct 1b.
PO32	AO32	Not applicable

Performance outcomes	Acceptable outcomes	Compliance
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.	No acceptable outcomes are prescribed.	The site is not located within sub precinct 1b.
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 The site is not located within sub precinct 1b.
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 The site is not located within sub precinct 1b.
	AO34.2 Residential development activities or short term accommodation is located above street /ground floor level of the active frontage, but not on or up to the street / public frontage in any development, including mixed use development.	Not applicable The site is not located within sub precinct 1b.
PO35 Detailed building design: (a) enhances the visual amenity of the streetscape; (b) has a legible and attractive built form that is visually	AO35 No acceptable outcomes are prescribed.	Not applicable The site is not located within sub precinct 1b.

Performance outcomes	Acceptable outcomes	Compliance
<p>enhanced by architectural elements;</p> <p>(c) contributes to a distinctive tropical north Queensland, seaside tourist town character;</p> <p>(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.</p>		
<p>PO36</p> <p>Buildings exhibit variations to their external appearance and the shape of the built form to provide visual interest through:</p> <p>(a) surface decoration;</p> <p>(b) wall recesses and projections;</p> <p>(c) a variation in wall finishes; windows, balconies, awnings and other visible structural elements.</p> <p>(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.</p>	<p>AO36</p> <p>No acceptable outcomes are prescribed.</p>	<p>Not applicable</p> <p>The site is not located within sub precinct 1b.</p>
<p>PO37</p> <p>Roofs are not characterised by a cluttered display of plant and equipment, in particular:</p> <p>(a) building caps and rooftops contribute to the 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</p>	<p>AO37</p> <p>No acceptable outcomes are prescribed.</p>	<p>Not applicable</p> <p>The site is not located within sub precinct 1b.</p>

Performance outcomes	Acceptable outcomes	Compliance
<p>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>The site is not located within sub precinct 1b.</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>The site is not located within sub precinct 1b.</p>
<p>PO40</p> <p>Buildings do not incorporate any type of glass or other</p>	<p>AO40</p>	<p>Not applicable</p>

Performance outcomes	Acceptable outcomes	Compliance
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.	The site is not located within sub precinct 1b.
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 The site is not located within sub precinct 1b.
	AO41.2 Any break in the building façade varies the alignment by a 1 metre minimum deviation.	Not applicable The site is not located within sub precinct 1b.
	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 The site is not located within sub precinct 1b.
PO42 Building facades that face public spaces at ground level:	AO42 Building facades at the ground floor of development that	Not applicable The site is not located within sub precinct 1b.

Performance outcomes	Acceptable outcomes	Compliance
(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.	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.	
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 The site is not located within sub precinct 1b.

Performance outcomes	Acceptable outcomes	Compliance
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 The site is not located within sub precinct 1b.
	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 The site is not located within sub precinct 1b.
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 The site is not located within sub precinct 1b.
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 The site is not located within sub precinct 1b.
PO47 Buildings, civic spaces, roads and pedestrian links are	AO47 No acceptable outcomes are prescribed.	Not applicable The site is not located within sub precinct 1b.

Performance outcomes	Acceptable outcomes	Compliance
<p>enhanced by:</p> <ul style="list-style-type: none"> (a) appropriate landscape design and planting; (b) themed planting that defines entry points, and creates strong 'entry corridors' into the waterfront; (c) lighting and well-considered discrete signage that complements building and landscape design; (d) public artwork and other similar features that reflect the heritage and character of the Port Douglas Waterfront. 		
<p>PO48</p> <p>Buildings are designed and sited to provide vistas along shared pedestrian/open space and movement areas in suitable locations.</p>	<p>AO48</p> <p>No acceptable outcomes are prescribed.</p>	<p>Not applicable</p> <p>The site is not located within sub precinct 1b.</p>
<p>PO49</p> <p>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.</p>	<p>AO49</p> <p>No acceptable outcomes are prescribed.</p>	<p>Not applicable</p> <p>The site is not located within sub precinct 1b.</p>
<p>PO50</p> <p>Marine infrastructure to service the tourism, fishing and private boating community is provided.</p>	<p>AO50</p> <p>No acceptable outcomes are prescribed.</p>	<p>Not applicable</p> <p>The site is not located within sub precinct 1b.</p>
<p>PO51</p> <p>Changes to the Port Douglas Waterfront quay-line do not cause adverse impacts to the environmentally</p>	<p>AO51</p> <p>Development that results in changes to the Port Douglas Waterfront quay-line is only established where</p>	<p>Not applicable</p> <p>The site is not located within sub precinct 1b.</p>

Performance outcomes	Acceptable outcomes	Compliance
sensitive Dickson Inlet.	<p>an Ecological assessment report provides support to the changes.</p> <p>Note - Planning scheme policy SC6.8 – Natural environment provides guidance on preparing an ecological assessment report.</p>	
Additional requirements for Sub-precinct 1c – Waterfront South sub-precinct		
PO52 The establishment of uses is consistent with the outcomes sought for Precinct 1c – Waterfront South.	AO52 Uses identified as inconsistent uses Table 7.2.4.4.c – are not established in Precinct 1c – Waterfront South.	Not applicable The site is not located within sub precinct 1c.
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 The site is not located within sub precinct 1c.
	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 The site is not located within sub precinct 1c.

Performance outcomes	Acceptable outcomes	Compliance
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 The site is not located within sub precinct 1c.
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 The site is not located within sub precinct 1c.
	AO55.2 Development is setback from all property boundaries not less than 3 metres.	Not applicable The site is not located within sub precinct 1c.
PO56 The site coverage of all buildings and structures ensures development: (a) is sited in an existing cleared area or in an area approved for clearing; (b) has sufficient area for the provision of services; (c) development does not have an adverse effect on the environmental, habitat, conservation or landscape values of the on-site and surrounding sensitive areas.	AO56 No acceptable outcomes are prescribed.	Not applicable The site is not located within sub precinct 1c.
PO57 Premises include adequate provision for service vehicles, to cater for generated demand. Loading areas	AO57.1 Sufficient manoeuvring area is provided on-site to allow a Medium Rigid Vehicle to enter and leave the site in a	Not applicable The site is not located within sub precinct 1c.

Performance outcomes	Acceptable outcomes	Compliance
for service vehicles are designed to: (a) be accommodated on-site; (b) maximise safety and efficiency of loading; (c) protect the visual and acoustic amenity of sensitive land use activities; (d) minimise adverse impacts on natural characteristics of adjacent areas.	forward gear.	
	AO57.2 Development is designed to ensure all service vehicles are contained within the site when being loaded/unloaded.	Not applicable The site is not located within sub precinct 1c.
	AO57.3 Driveways, parking and manoeuvring areas are constructed and maintained to: (a) minimise erosion from storm water runoff; (b) retain all existing vegetation.	Not applicable The site is not located within sub precinct 1c.
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 The site is not located within sub precinct 1c.
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 The site is not located within sub precinct 1c.
PO60	AO60	Not applicable

Performance outcomes	Acceptable outcomes	Compliance
Landscaping is informal in character and complementary to the existing natural environment, provides screening and enhances the visual appearance of the development.	For any development landscaping is in accordance with the Plant species schedule in Planning scheme policy SC6.7– Landscaping.	The site is not located within sub precinct 1c.
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 The site is not located within sub precinct 1d.
Additional requirements for Sub-precinct 1e – Community and recreation sub-precinct		
PO62 The precinct is developed for organised sporting activities and other community uses.	AO62 No acceptable outcomes are prescribed.	Not applicable The site is not located within sub precinct 1e.
Additional requirements for Sub-precinct 1f – Flagstaff Hill sub-precinct		
PO63 Flagstaff Hill is protected from inappropriate development to protect the hill as an important natural landmark feature of Port Douglas and as a vegetated backdrop to the Town centre.	AO63 No acceptable outcomes are prescribed.	Complies with PO63 The proposed development would not be unduly visible from the surrounding area as it is proposed to step down with the site. Therefore, it would not create significant impacts on the vegetated backdrop of the town centre.
PO64 All development on Flagstaff Hill is designed to	AO64 No acceptable outcomes are prescribed.	Complies with PO64 The proposed development would be subservient to the

Performance outcomes	Acceptable outcomes	Compliance
<p>minimise the visibility of the development and to ensure development is subservient to the natural landscape and topography of the site, including through:</p> <ul style="list-style-type: none"> (a) building design which minimises excavation and filling; (b) buildings being designed to step down the site and incorporate foundations and footings on piers or poles; (c) buildings being visually unobtrusive and incorporating exterior finishes and muted colours which are non-reflective and complement the colours of the surrounding vegetation and view-shed; (d) protection of the views from public viewing points in the Port Douglas precinct. 		<p>natural landscape and topography of the site. It is proposed that the dwellings would step down with the site to maintaining the existing visual character of the site. Through this site layout, excavation would be minimised on the site.</p>
Additional requirements for Precinct 3 – Craiglie Commercial and Light Industry precinct		
<p>PO65</p> <p>Development supports the tourism and marine industries in Port Douglas, along with the small-scale commercial and light industry land uses that support the local economy that would otherwise be better suited to a location outside the Port Douglas Town Centre Precinct.</p>	<p>AO65</p> <p>Development consists of service and light industries and associated small scale commercial activities.</p>	<p>Not applicable</p> <p>The site is not located within Precinct 3.</p>
<p>PO66</p> <p>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</p>	<p>AO66.1</p> <p>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</p>	<p>Not applicable</p> <p>The site is not located within Precinct 3.</p>

Performance outcomes	Acceptable outcomes	Compliance
sufficient distance from the frontage to enable landscaping to soften or screen the appearance of the development.	the greater.	
	AO66.2 The setback area to the Captain Cook Highway frontage is landscaped with advanced dense planting including tree species (100 litre bag stock), which will, at maturity, exceed the height of the building(s) on the site.	Not applicable The site is not located within Precinct 3.
	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 The site is not located within Precinct 3.
	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 The site is not located within Precinct 3.
Additional requirements for Precinct 6 – Very Low Residential Density / Low Scale Recreation / Low Scale Educational / Low Scale Entertainment Uses precinct		
PO67 No additional lots are created within the precinct.	AO67 No acceptable outcomes are prescribed.	Not applicable The site is not located within Precinct 6.
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	AO68 No acceptable outcomes are prescribed.	Not applicable The site is not located within Precinct 6.

Performance outcomes	Acceptable outcomes	Compliance
existing lots to accommodate dwelling houses.		

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
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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 sulfate soils, or drainage waters, are treated and, if required, on-going management practices are adopted that minimise the potential for environmental harm from acid sulfate soil and protect corrodible assets from acid sulfate soil.

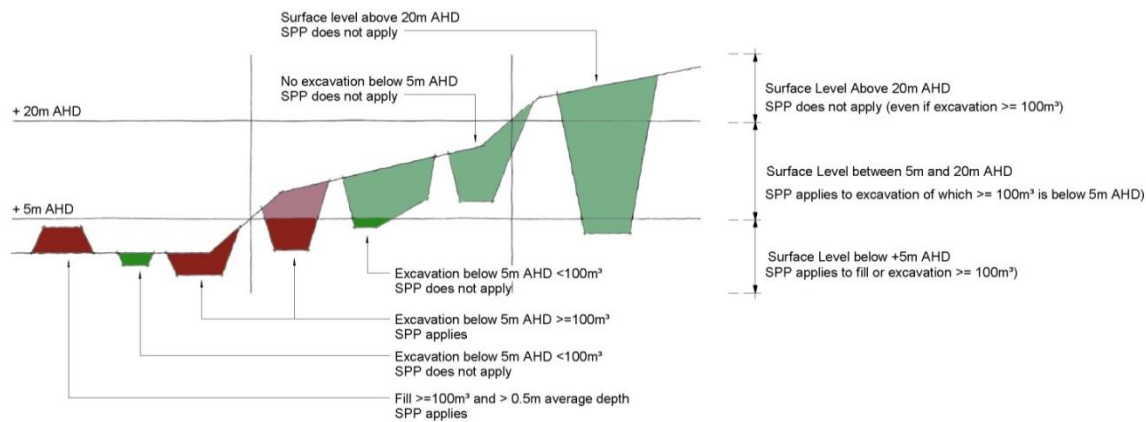
Criteria for assessment

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

Performance outcomes	Acceptable outcomes	Applicant response
For assessable development		
PO1 The extent and location of potential or actual acid sulfate soils is accurately identified.	AO1.1 No excavation or filling occurs on the site. or AO1.2 An acid sulfate soils investigation is undertaken. Note - Planning scheme policy SC 6.12– Potential and actual acid sulfate soils provides guidance on preparing an acid sulfate soils investigation.	Complies with AO1.1 No excavation or filling would be undertaken in site other than that associated with building works.
PO2 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.	AO2.1 The disturbance of potential acid sulfate soils or actual acid sulfate soils is avoided by: <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: <ul style="list-style-type: none"> (i) actual acid sulfate soils being moved below the water table; (ii) previously saturated acid sulfate soils 	Complies with AO2.1 No acid sulfate soils would be disturbed by the proposed development.

Performance outcomes	Acceptable outcomes	Applicant response
	<p>being aerated.</p> <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 the environment; (c) preventing the in situ oxidation of potential acid sulfate soils and actual acid sulfate soils through ground water level management; (d) appropriately treating acid sulfate soils before disposal occurs on or off site; (e) documenting strategies and reporting requirements in an acid sulfate soils environmental management plan. <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>No acid sulfate soils would be disturbed by the proposed development.</p>

Figure 8.2.1.3.a – Acid sulfate soils (SPP triggers)



8.2.2 Bushfire hazard overlay code

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

8.2.2.1 Application

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

8.2.2.2 Purpose

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

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

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

Criteria for assessment

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

Performance outcomes	Acceptable outcomes	Applicant response
For self-assessable and assessable development		
Compatible development		
PO1 A vulnerable use is not established or materially intensified within a bushfire hazard area (bushfire prone area) unless there is an overriding need or other exceptional circumstances. Note - See the end of this code for examples of vulnerable uses.	AO1 Vulnerable uses are not established or expanded. Note – Where, following site inspection and consultation with Council, it is clear that the mapping is in error in identifying a premises as being subject to a medium, high, very high bushfire hazard or potential impact buffer sub-category, Council may supply a letter exempting the need for a Bushfire Management Plan. Note – Where the assessment manager has not previously approved a Bushfire Management Plan (either by condition of a previous development approval), the development proponent will be expected to prepare such a plan. Note – Planning scheme policy SC6.9 - Natural hazards, provides a guide to the preparation of a Bushfire Management Plan.	Complies with AO1 The proposed development is not a vulnerable use.
PO2 Emergency services and uses providing community support services are able to function effectively	AO2 Emergency Services and uses providing community support services are not located in a bushfire hazard	Not Applicable The proposed development is not an emergency service or community support service.

Performance outcomes	Acceptable outcomes	Applicant response
during and immediately after a bushfire hazard event.	sub-category and have direct access to low hazard evacuation routes.	
PO3 Development involving hazardous materials manufactured or stored in bulk is not located in bushfire hazard sub-category.	AO3 The manufacture or storage of hazardous material in bulk does not occur within bushfire hazard sub-category.	Not Applicable The proposed development does not involve hazardous materials.
Development design and separation from bushfire hazard – reconfiguration of lots		
PO4.1 Where reconfiguration is undertaken in an urban area or is for urban purposes or smaller scale rural residential purposes, a separation distance from hazardous vegetation is provided to achieve a radiant heat flux level of 29kW/m ² at the edge of the proposed lot(s). Note - "Urban purposes" and "urban area" are defined in the <i>Sustainable Planning Regulations 2009</i> . Reconfiguration will be taken to be for rural residential purposes where proposed lots are between 2000m ² and 2ha in area. "Smaller scale" rural residential purposes will be taken to be where the average proposed lot size is 6000m ² or less. Note - The radiant heat levels and separation distances are to be established in accordance with method 2 set out in AS3959-2009. dimensions is provided on each lot which achieves radiant heat flux level of 29kW/m ² at any point.	AO4.1 No new lots are created within a bushfire hazard sub-category. or	Not applicable The application does not involve reconfiguring a lot.
PO4.2	AO4.2	Not applicable

Performance outcomes	Acceptable outcomes	Applicant response
Where reconfiguration is undertaken for other purposes, a building envelope of reasonable	<p>Lots are separated from hazardous vegetation by a distance that:</p> <ul style="list-style-type: none"> (a) achieves radiant heat flux level of 29kW/m² at all boundaries; and (b) is contained wholly within the development site. <p>Note - Where a separation distance is proposed to be achieved by utilising existing cleared developed areas external to the site, certainty must be established (through tenure or other means) that the land will remain cleared of hazardous vegetation.</p> <p>For staged developments, temporary separation distances, perimeter roads or fire trails may be absorbed as part of subsequent stages.</p> <p>Note - The achievement of a cleared separation distance may not be achievable where other provisions within the planning scheme require protection of certain ecological, slope, visual or character features or functions.</p>	The application does not involve reconfiguring a lot.
<p>P05</p> <p>Where reconfiguration is undertaken in an urban area or is for urban purposes, a constructed perimeter road with reticulated water supply is established between the lots and the hazardous vegetation and is readily accessible at all times for urban fire fighting vehicles.</p> <p>The access is available for both fire fighting and maintenance/defensive works.</p>	<p>AO5.1</p> <p>Lot boundaries are separated from hazardous vegetation by a public road which:</p> <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; 	<p>Not applicable</p> <p>The application does not involve reconfiguring a lot.</p>

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

Performance outcomes	Acceptable outcomes	Applicant response
	<ul style="list-style-type: none"> (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. 	
P07 Where reconfiguration is undertaken for other purposes, a formed, all weather fire trail is provided between the hazardous vegetation and either the lot boundary or building envelope, and is readily accessible at all times for the type of fire fighting vehicles servicing the area.	A07 Lot boundaries are separated from hazardous vegetation by a public road or fire trail which has: <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; 	Not applicable The application does not involve reconfiguring a lot.

Performance outcomes	Acceptable outcomes	Applicant response
However, a fire trail will not be required where it would not serve a practical fire management purpose.	(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.	
PO8 The development design responds to the potential threat of bushfire and establishes clear evacuation routes which demonstrate an acceptable or tolerable risk to people.	AO8 The lot layout: (a) minimises the length of the development perimeter exposed to, or adjoining hazardous vegetation;	Not applicable The application does not involve reconfiguring a lot.

Performance outcomes	Acceptable outcomes	Applicant response
	<p>(b) avoids the creation of potential bottle-neck points in the movement network;</p> <p>(c) establishes direct access to a safe assembly /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 The application does not involve reconfiguring a lot.
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:	AO10 Buildings or building envelopes are separated from hazardous vegetation by a distance that: <p>(a) achieves a radiant heat flux level of at any point on the building or envelope respectively, of</p>	Complies with AO10 The proposed development would be separated from the hazardous vegetation by a distance that achieves the required heat flux levels.

Performance outcomes	Acceptable outcomes	Applicant response
<p>(a) 10kW/m² where involving a vulnerable use; or</p> <p>(b) 29kW/m² otherwise.</p> <p>The radiant heat flux level is achieved by separation unless this is not practically achievable.</p> <p>Note - The radiant heat levels and separation distances are to be established in accordance with method 2 set out in AS3959-2009.</p>	<p>10kW/m² for a vulnerable use or 29kW/m² otherwise; 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 within the planning scheme require protection of certain ecological, slope, visual or character features or functions.</p>	
<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> <p>(a) a reserve or easement width of at least 20m;</p> <p>(b) a minimum trafficable (cleared and formed) width of 4m capable of accommodating a 15 tonne vehicle and which is at least 6m clear of vegetation;</p> <p>(c) no cut or fill embankments or retaining walls adjacent to the 4m wide trafficable path;</p> <p>(d) a minimum of 4.8m vertical clearance;</p> <p>(e) turning areas for fire-fighting appliances in accordance with Queensland Fire and Emergency Services' Fire Hydrant and Vehicle Access Guidelines;</p>	<p>Not applicable</p> <p>A fire trail would not serve a practical purpose in an urban area.</p>

Performance outcomes	Acceptable outcomes	Applicant response
	(f) a maximum gradient of 12.5%; (g) a cross fall of no greater than 10 degrees; (h) drainage and erosion control devices in accordance with the standards prescribed in a planning scheme policy; (i) vehicular access at each end which is connected to the public road network which is connected to the public road network at intervals of no more than 500m; (j) designated fire trail signage; (k) if used, has gates locked with a system authorised by Queensland Fire and Emergency Services; and (l) if a fire trail, has an access easement that is granted in favour of Council and Queensland Fire and Emergency Services.	
All development		
PO12 All premises are provided with vehicular access that enables safe evacuation for occupants and easy access by fire fighting appliances.	AO12 Private driveways: (a) do not exceed a length of 60m from the street to the building; (b) do not exceed a gradient of 12.5%; (c) have a minimum width of 3.5m; (d) have a minimum of 4.8m vertical clearance;	Complies with AO12 The driveway would not exceed 60 metres in length and would be constructed in accordance with the relevant Australian Standards.

Performance outcomes	Acceptable outcomes	Applicant response
	(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.	
PO13 Development outside reticulated water supply areas includes a dedicated static supply that is available solely for fire fighting purposes and can be accessed by fire fighting appliances.	AO13 A water tank is provided within 10m of each building (other than a class 10 building) which: (a) is either below ground level or of non-flammable construction; (b) has a take off connection at a level that allows the following dedicated, static water supply to be left available for access by fire fighters: (i) 10,000l for residential buildings Note – A minimum of 7,500l is required in a tank and the extra 2,500l may be in the form of accessible swimming pools or dams. (ii) 45,000l for industrial buildings; and (iii) 20,000l for other buildings; (c) includes shielding of tanks and pumps in accordance with the relevant standards; (d) includes a hardstand area allowing medium rigid vehicle (15 tonne fire appliance) access within 6m of the tank; (e) is provided with fire brigade tank fittings – 50mm ball valve and male camlock coupling and, if underground, an access hole of 200mm (minimum) to accommodate suction lines; and	Not Applicable The development is located within a reticulated water supply area.

Performance outcomes	Acceptable outcomes	Applicant response
	(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.	Complies with AO14 Landscaping would not include plants that exacerbate bushfire risk.
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 risk mitigation measures are proposed.

Note – 'Vulnerable activities' are those involving:

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

8.2.3 Coastal environment overlay code

8.2.3.1 Application

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

8.2.3.2 Purpose

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

- (f) require development to maintain or enhance natural processes and the protective function of landforms and vegetation that can mitigate risks associated with coastal erosion;
- (g) locate and design community infrastructure to maintain the required level of functionality during and immediately after a coastal hazard event.

Criteria for assessment

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

Performance outcomes	Acceptable outcomes	Applicant response
For self-assessable and assessable development		
PO1 No works other than coastal protection works extend seaward of the coastal building line.	AO1.1 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 subject 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 No coastal protection works are proposed.
	AO1.3 Coastal protection works are as far landward as practicable on the lot containing the property to the maximum extent reasonable.	Not Applicable No coastal protection works are proposed.

Performance outcomes	Acceptable outcomes	Applicant response
	AO1.4 Coastal protection work mitigates any increase in the coastal hazard.	Not Applicable No coastal protection works are proposed.
PO2 Where a coastal building line does not exist on a lot fronting the coast or a reserve adjoining the coast, development is setback to maintain the amenity and use of the coastal resource.	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 such as swimming pools) and retaining walls are set back not less than 6 metres from the seaward boundary of the lot.	Not Applicable The subject site does not adjoin the coast or a reserve adjoining the coast.
For assessable development		
Erosion prone areas		
PO3 Development identifies erosion prone areas (coastal hazards).	AO3 No acceptable outcomes are prescribed.	Complies with PO3 Erosion prone areas are identified on the planning scheme maps.
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 	Complies with AO4.1 The development proposed is consistent with the purpose of the Low-Medium Density Residential Zone and the anticipated development outcomes.

Performance outcomes	Acceptable outcomes	Applicant response
	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)	
	AO4.2 Development involving existing permanent buildings and structures within an erosion prone area does not increase in intensity of its use by: (a) adding additional buildings or structures; or (b) incorporating a land use that will result in an increase in the number of people or employees occupying the site.	Not applicable There are no existing buildings on the site.
Coastal management districts		
PO5 Natural processes and protective functions of landforms and vegetation are maintained.	PO5.1 Development within the coastal management district: (a) maintains vegetation on coastal land forms where its removal or damage may: (i) destabilise the area and increase the potential for coastal erosion, or (ii) interrupt the natural sediment trapping processes or dune or land building processes; (b) maintains sediment volumes of dunes and near-shore coastal landforms, or where a reduction in	Not applicable The site is not located within a Coastal management district.

Performance outcomes	Acceptable outcomes	Applicant response
	<p>sediment volumes cannot be avoided, increased risks to development from coastal erosion are mitigated by location, design and construction and operating standards;</p> <p>(c) minimises the need for erosion control structures or riverine hardening through location, design and construction standards;</p> <p>(d) maintains physical coastal processes outside the development footprint for the development, including longshore transport of sediment along the coast;</p> <p>(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.</p>	
	<p>PO5.2</p> <p>Where development proposes the construction of an erosion control structure:</p> <p>(a) it is demonstrated that it is the only feasible option for protecting permanent structures from coastal erosion; and</p> <p>(b) those permanent structures cannot be abandoned or relocated in the event of coastal erosion occurring</p>	<p>Not applicable</p> <p>The site is not located within a Coastal management district.</p>
	<p>PO5.3</p> <p>Development involving reclamation:</p> <p>(a) does not alter, or otherwise minimises impacts</p>	<p>Not applicable</p> <p>The site is not located within a Coastal management district.</p>

Performance outcomes	Acceptable outcomes	Applicant response
	<p>on, the physical characteristics of a waterway or the seabed near the reclamation, including flow regimes, hydrodynamic forces, tidal water and riverbank stability;</p> <p>(b) is located outside active sediment transport area, or otherwise maintains sediment transport processes as close as possible to their natural state;</p> <p>(c) ensures activities associated with the operation of the development maintain the structure and condition of vegetation communities and avoid wind and water run-off erosion.</p>	
PO6 Development avoids or minimises adverse impacts on coastal resources and their values to the maximum extent reasonable.	AO6.1 Coastal protection work that is in the form of beach nourishment uses methods of placement suitable for the location that do not interfere with the long-term use of the locality, or natural values within or neighbouring the proposed placement site. and	Not applicable The site is not located within a Coastal management district.
	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 site is not located within a Coastal management district.

Performance outcomes	Acceptable outcomes	Applicant response
	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 site is not located within a Coastal management district.
	AO6.4 Development avoids the disturbance of acid sulfate soils, or where it is demonstrated that this is not possible, the disturbance of acid sulfate soils is carefully managed to minimise and mitigate the adverse effects of disturbance on coastal resources. and	Not applicable The 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 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 site is not located within a Coastal management district.

Performance outcomes	Acceptable outcomes	Applicant response
	A07.2 Development provides for regular access points for vehicles including approved roads and tracks. or	Not applicable The site is not located within a Coastal management district.
	A07.3 Development demonstrates an alternative solution to achieve an equivalent standard of performance.	Not applicable The site is not located within a Coastal management district.
PO8 Public access to the coast is appropriately located, designed and operated.	A08.1 Development maintains or enhances public access to the coast. or A08.2 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 A08.3 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 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:	A09.1 Development adjacent to state coastal land or tidal water:	Not applicable The site is not located within a Coastal management district.

Performance outcomes	Acceptable outcomes	Applicant response
(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.	(a) demonstrates that restrictions to public access are necessary for: (i) the safe and secure operation of development; (ii) the maintenance of coastal landforms and coastal habitat; or (b) maintains public access (including public access infrastructure that has been approved by the local government or relevant authority) through the site to the foreshore for: (i) pedestrians via access points including approved walking tracks, boardwalks and viewing platforms; (ii) vehicles via access points including approved roads or tracks.	
	A09.2 Development adjacent to state coastal land or tidal water: (a) is located and designed to: (i) allow safe unimpeded access to, over, under or around built infrastructure located on, over or along the foreshore, for example through the provision of esplanades or easement corridors to preserve future access; (ii) ensure emergency vehicles can access the area near the development.	Not applicable The site is not located within a Coastal management district.

Performance outcomes	Acceptable outcomes	Applicant response
	or (b) minimises and offsets any loss of access to and along the foreshore within 500m of existing access points and development is located and designed to: (i). allow safe unimpeded access to, over, under or around built infrastructure located on, over or along the foreshore, and (ii). ensure emergency vehicles can access the area near the development.	
AO10 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.	AO10.1 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.	Not applicable The 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 site is not located within a Coastal management district.

Performance outcomes	Acceptable outcomes	Applicant response
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 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.	Complies with PO13 The proposed development would not impact the coastal landscape, views or vistas as it is located on the southern side of Flagstaff Hill.
PO14 Coastal settlements are consolidated through the concentration of development within the existing urban areas through infill and conserving the natural state of the coastal area outside existing urban areas.	AO14 No acceptable outcomes are prescribed.	Complies with PO14 The site is considered to be within an existing settlement area.
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	Not applicable No private marine development is proposed.

Performance outcomes	Acceptable outcomes	Applicant response
	the <i>Land Act 1994</i> .	
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 No private marine development is proposed.
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. Note – The prescribed tidal works code in the <i>Coastal Protection and Management Regulation 2003</i> outlines design and construction requirements that must be complied with.	Not applicable No private marine development is proposed.
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 No private marine development is proposed.

Performance outcomes	Acceptable outcomes	Applicant response
For dry land marinas and artificial waterways		
PO19 Dry land marinas and artificial waterways: (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: (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 (iv) coastal protection works or works necessary to protect coastal resources and processes.	AO19 No acceptable solutions are prescribed.	Not applicable No marinas or waterways are proposed.

8.2.7 Natural areas overlay code

8.2.7.1 Application

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

Note – MSES = Matters of State Environmental Significance.

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

8.2.7.2 Purpose

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

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

Criteria for assessment

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

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

Performance outcomes	Acceptable outcomes	Applicant response
Protection of matters of environmental significance		
PO1 Development protects matters of environmental significance.	AO1.1 Development avoids significant impact on the relevant environmental values. or AO1.2 A report is prepared by an appropriately qualified person demonstrating to the satisfaction of the assessment manager, that the development site does not contain any matters of state and local environmental significance. or AO1.3 Development is located, designed and operated to mitigate significant impacts on environmental values. For example, a report certified by an appropriately qualified person demonstrating to the satisfaction of the assessment manager, how the proposed development mitigates impacts, including on water quality, hydrology and biological processes.	Not applicable Whilst the Council Planning Scheme mapping identifies the site as containing MSES - Regulated Vegetation (Intersecting a Watercourse), this is not consistent with state mapping or evident on site.
Management of impacts on matters of environmental significance		
PO2 Development is located, designed and constructed to avoid significant impacts on matters of	AO2 The design and layout of development minimises adverse impacts on ecologically important areas by:	Not applicable Whilst the Council Planning Scheme mapping identifies the site as containing MSES - Regulated Vegetation (Intersecting a

Performance outcomes	Acceptable outcomes	Applicant response
environmental significance.	<ul style="list-style-type: none"> (a) focusing development in cleared areas to protect existing habitat; (b) utilising design to consolidate density and preserve existing habitat and native vegetation; (c) aligning new property boundaries to maintain ecologically important areas; (d) ensuring that alterations to natural landforms, hydrology and drainage patterns on the development site do not negatively affect ecologically important areas; (e) ensuring that significant fauna habitats are protected in their environmental context; and (f) incorporating measures that allow for the safe movement of fauna through the site. 	Watercourse), this is not consistent with state mapping or evident on site.
PO3 An adequate buffer to areas of state environmental significance is provided and maintained.	A03.1 A buffer for an area of state environmental significance (Wetland protection area) has a minimum width of: <ul style="list-style-type: none"> (a) 100 metres where the area is located outside Urban areas; or (b) 50 metres where the area is located within a Urban areas. or A03.2 A buffer for an area of state environmental significance is applied and maintained, the width of which is supported by an evaluation of environmental values, including the function and threats to matters of	Not applicable The site is not within a wetland or wetland buffer area.

Performance outcomes	Acceptable outcomes	Applicant response
	environmental significance.	
PO4 Wetland and wetland buffer areas are maintained, protected and restored. Note – Wetland buffer areas are identified in AO3.1.	AO4.1 Native vegetation within wetlands and wetland buffer areas is retained.	Not applicable The site is not within a wetland or wetland buffer area.
	AO4.2 Degraded sections of wetlands and wetland buffer areas are revegetated with endemic native plants in patterns and densities which emulate the relevant regional ecosystem.	Not applicable The site is not within a wetland or wetland buffer area.
PO5 Development avoids the introduction of non-native pest species (plant or animal), that pose a risk to ecological integrity.	AO5.1 Development avoids the introduction of non-native pest species.	Complies with AO5.1 It is not proposed to introduce pest species.
	AO5.2 The threat of existing pest species is controlled by adopting pest management practices for long-term ecological integrity.	Not applicable No pest species have been identified on the site.
Ecological connectivity		
PO6 Development protects and enhances ecological connectivity and/or habitat extent.	AO6.1 Development retains native vegetation in areas large enough to maintain ecological values, functions and processes.	Not applicable The site does not contain a habitat corridor.

Performance outcomes	Acceptable outcomes	Applicant response
	and	
	AO6.2 Development within an ecological corridor rehabilitates native vegetation. and	Not applicable The site is not within an ecological corridor.
	AO6.3 Development within a conservation corridor mitigates adverse impacts on native fauna, feeding, nesting, breeding and roosting sites and native fauna movements.	Not applicable The site is not within a conservation corridor.
P07 Development minimises disturbance to matters of state environmental significance (including existing ecological corridors).	AO7.1 Development avoids shading of vegetation by setting back buildings by a distance equivalent to the height of the native vegetation. and	Not applicable No native vegetation that would be impacted by shading.
	AO7.2 Development does not encroach within 10 metres of existing riparian vegetation and watercourses.	Not applicable The site does not contain a watercourse.
Waterways in an urban area		
P08 Development is set back from waterways to protect	AO8.1 Where a waterway is contained within an easement or	Not applicable The site does not contain a waterway.

Performance outcomes	Acceptable outcomes	Applicant response
and maintain: (a) water quality; (b) hydrological functions; (c) ecological processes; (d) biodiversity values; (e) riparian and in-stream habitat values and connectivity; (f) in-stream migration	a reserve required for that purpose, development does not occur within the easement or reserve; or AO8.2 Development does not occur on the part of the site affected by the waterway corridor. Note – Waterway corridors are identified within Table 8.2.7.3.b.	 Not applicable The site does not contain a waterway.
Waterways in a non-urban area		
PO9 Development is set back from waterways to protect and maintain: (a) water quality; (b) hydrological functions; (c) ecological processes; (d) biodiversity values; (e) riparian and in-stream habitat values and connectivity; (f) in-stream migration.	AO9 Development does not occur on that part of the site affected by a waterway corridor. Note – Waterway corridors are identified within Table 8.2.7.3.b.	Not applicable The site does not contain a waterway.

Table 8.2.7.3.b — Widths of waterway corridors for waterways

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

8.2.9 Potential landslide hazard overlay code

8.2.9.1 Application

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

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

8.2.9.2 Purpose

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

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

Criteria for assessment

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

Performance outcomes	Acceptable outcomes	Applicant response
For self-assessable and assessable development		
PO1 The siting and design of development does not involve complex engineering solutions and does not create or increase the potential landslide hazard risk to the site or adjoining premises through: <ul style="list-style-type: none"> (a) building design; (b) increased slope; (c) removal of vegetation; (d) stability of soil; (e) earthworks; (f) alteration of existing ground water or surface water paths; (g) waste disposal areas. 	AO1.1 Development is located on that part of the site not affected by the Potential landslide hazard overlay. or AO1.2 Development is on an existing stable, benched site and requires no further earthworks or AO1.3 A competent person certifies that: <ul style="list-style-type: none"> (a) the stability of the site, including associated buildings and infrastructure, will be maintained during the course of the development and will remain stable for the life of the development; (b) development of the site will not increase the risk of landslide hazard activity on other land, including land above the site; (c) the site is not subject to the risk of landslide activity on other land; 	Complies with AO1.1 Development would be location on that part of the site not affected by the potential landslide hazard overlay.

Performance outcomes	Acceptable outcomes	Applicant response
	<p>(d) any measures identified in a site-specific geotechnical report for stabilising the site or development have been fully implemented;</p> <p>(e) development does not concentrate existing ground water and surface water paths;</p> <p>(f) development does not incorporate on-site waste water disposal.</p> <p>Note – Planning scheme policy SC6.9 – Natural hazards provides guidance on preparing a site specific geo-technical assessment.</p> <p>Note – Development may alter the conditions of ground water and surface water paths in accordance with a site-specific geotechnical report but should ensure that its final disbursement is as-per pre-developed conditions. Consideration for location, velocity, volume and quality should be given</p>	
<p>PO2</p> <p>The siting and design of necessary retaining structures does not cause an adverse visual impact on landscape character or scenic amenity quality of the area.</p>	<p>AO2</p> <p>Excavation or fill:</p> <p>(a) is not more than 1.2 metres in height for each batter or retaining wall;</p> <p>(b) is setback a minimum of 2 metres from property boundaries;</p> <p>(c) is stepped with a minimum 2 metre wide berm to incorporate landscaping in accordance with Planning scheme policy SC6.7 – Landscaping;</p> <p>(d) does not exceed a maximum of 3 batters and 3 berms (i.e. Not greater than 3.6 metres in height) on any one lot.</p>	<p>Complies with PO2</p> <p>The proposed development would incorporate retaining walls on the boundary to a maximum height of 1.5 metres. They would not be visible from the road or external to the site.</p>
<p>Additional requirements for Community infrastructure</p>		

Performance outcomes	Acceptable outcomes	Applicant response
PO3 Development for community infrastructure: (a) is not at risk from the potential landslide hazard areas; (b) will function without impediment from a landslide; (c) provides access to the infrastructure without impediment from the effects of a landslide; (d) does not contribute to an elevated risk of a landslide to adjoining properties.	AO3 Development is designed in accordance with the recommendations of a site-specific geotechnical assessment which makes reference to the community infrastructure and its needs and function. Note - A site specific geotechnical assessment will detail requirements that will address the Acceptable Outcomes of this Performance Outcome. Planning scheme policy SC6.9 – Natural hazards provides guidance on preparing a site specific geotechnical assessment.	Not applicable No community infrastructure is proposed.

8.2.10 Transport network overlay code

8.2.10.1 Application

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

- (ii) Future principal route;
- (iii) District route;
- (iv) Neighbourhood route;
- (v) Strategic investigation route.

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

8.2.10.2 Purpose

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

8.2.10.3 Criteria for assessment

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

Performance outcomes	Acceptable outcomes	Compliance
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Performance outcomes	Acceptable outcomes	Compliance
For assessable development		
PO1 Development supports the road hierarchy for the region. Note -A Traffic impact assessment report prepared in accordance with Planning scheme policy SC6.10 - Parking and access is one way to demonstrate achievement of the Performance Outcomes.	AO1.1 Development is compatible with the intended role and function of the transport network as identified on the Transport network overlay maps contained in Schedule 2.	Complies with AO1.1 The proposed development of the site for residential development would generate traffic movements compatible with the intended role and function of Murphy Street.
	AO1.2 Development does not compromise the safety and efficiency of the transport network.	Complies with AO1.2 Additional traffic movement created by the development would not compromise the safe and efficient use of Murphy Street.
	AO1.3 Development is designed to provide access via the lowest order road, where legal and practicable access can be provided to that road	Complies with AO1.3 All access would be provided via Murphy Street
PO2 Transport infrastructure is provided in an integrated and timely manner. Note - A Traffic impact assessment report prepared in accordance with Planning scheme policy SC6.10 - Parking and access is one way to demonstrate achievement of the Performance Outcomes.	AO2 Development provides infrastructure (including improvements to existing infrastructure) in accordance with: (a) the Transport network overlay maps contained in Schedule 2; (b) any relevant Local Plan. Note – The Translink Public Transport Infrastructure Manual provides guidance on the design of public transport facilities.	Not applicable No infrastructure improvements are required to facilitate the development.
PO3	AO3	Not applicable

Performance outcomes	Acceptable outcomes	Compliance
Development involving sensitive land uses within a major transport corridor buffer area is located, designed and maintained to avoid or mitigate adverse impacts on amenity for the sensitive land use.	No acceptable outcomes are prescribed. Note – Part 4.4 of the Queensland Development Code provides requirements for residential building design in a designated transport noise corridor.	The site is not located within a major transport buffer area.
PO4 Development does not compromise the intended role and function or safety and efficiency of major transport corridors. Note - A Traffic impact assessment report prepared in accordance with Planning scheme policy SC6.10 - Parking and access is one way to demonstrate achievement of the Performance Outcomes.	AO4.1 Development is compatible with the role and function (including the future role and function) of major transport corridors.	Not applicable No major transport corridors would be affected by the development.
	AO4.2 Direct access is not provided to a major transport corridor where legal and practical access from another road is available.	Complies with AO4.2 No access would be provided to a major transport corridor.
	AO4.3 Intersection and access points associated with major transport corridors are located in accordance with: (a) the Transport network overlay maps contained in Schedule 2; and (b) any relevant Local Plan.	Not applicable No intersections or access points associated with a major transport corridor are proposed.
	AO4.4 The layout of development and the design of the associated access is compatible with existing and future boundaries of the major transport corridor or major transport facility.	Not applicable No major transport corridors have been identified in the immediate area.

Performance outcomes	Acceptable outcomes	Compliance
PO5 Development retains and enhances existing vegetation between a development and a major transport corridor, so as to provide screening to potential noise, dust, odour and visual impacts emanating from the corridor.	AO5 No acceptable outcomes are prescribed.	Not applicable No major transport corridors have been identified in the immediate area.
Pedestrian and cycle network		
PO6 Lot reconfiguration assists in the implementation of the pedestrian and cycle movement network to achieve safe, attractive and efficient pedestrian and cycle networks.	AO6.1 Where a lot is subject to, or adjacent to an element of the pedestrian and cycle Movement network (identified on the Transport network overlay maps contained in Schedule 2) the specific location of this element of the pedestrian and cycle network is incorporated in the design of the lot layout.	Not applicable No lot reconfiguration is proposed.
	AO6.2 The element of the pedestrian and cycle network is constructed in accordance with the Design Guidelines set out in Sections D4 and D5 of the Planning scheme policy SC6.5 – FNQROC Regional Development Manual.	Not applicable No lot reconfiguration is proposed.

9.3.13 Multiple dwelling, short term accommodation and retirement facility code

9.3.13.1 Application

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

9.3.13.2 Purpose

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

9.3.13.3 Criteria for assessment

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

Performance outcomes	Acceptable outcomes	Applicant response
For assessable development		
PO1 The site has sufficient area and frontage to: <ol style="list-style-type: none"> (a) accommodate the scale and form of buildings considering site features; (b) achieve communal open space areas and private outdoor spaces; 	AO1.1 The site has a minimum area of 1000m ² .	Complies with AO1.1 The site has an area of 1,012m ²
	AO1.2 The site has a minimum frontage of 25 metres.	Complies with PO1 The site has a frontage of 20 metres; however the design of the development would provide the desired scale of buildings, open space,

Performance outcomes	Acceptable outcomes	Applicant response
(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.		landscaping and vehicle parking envisaged and required. Refer to the assessment against the specific benchmarks.
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 site area is less than 5,000m ² .
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	AO3.1 The site cover is not more than 40%.	Complies with PO3 Refer to the assessment against the Low-Medium Density Residential Zone Code.
	AO3.2	Complies with AO3.2

Performance outcomes	Acceptable outcomes	Applicant response	
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 development has a gross floor area of not more than:	The proposed development would have a gross floor area of 679.3m ² or 0.67 x site area.	
	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 Refer to the assessment against the Low-Medium Density Residential Zone Code.	
	AO4.2 Buildings and structures are setback not less than 4 metres to the rear boundary.	Not Applicable Refer to the assessment against the Low-Medium Density Residential Zone Code.	
	AO4.3 The side boundary setback for buildings and structures is: (a) for buildings up to 2 storeys not less than 2.5 metres for the entire building; (b) for buildings up to 3 storeys not less than 3.5 metres for the entire building.	Not Applicable Refer to the assessment against the Low-Medium Density Residential Zone Code.	
PO5	AO5.1	Complies with AO5.1	

Performance outcomes	Acceptable outcomes	Applicant response
<p>Building depth and form must be articulated to</p> <p>(a) ensure that the bulk of the development is in keeping with the form and character intent of the area;</p> <p>(b) provide adequate amenity for residents in terms of natural light and ventilation.</p> <p>Note – Planning scheme policy SC6.1 – Building design and architectural elements provides guidance on reducing building bulk.</p>	<p>(a) The maximum length of a wall in any direction is 30 metres with substantial articulation provided every 15 metres.</p> <p>(b) The minimum distance between buildings on a site is not less than 6 metres;</p>	No wall would be greater than 30 metres in length.
	<p>AO5.2</p> <p>The length of any continuous eave line does not exceed 18 metres.</p>	<p>Complies with AO5.2</p> <p>No eave line would exceed 18 metres in continuous length.</p>
<p>PO6</p> <p>Development reduces the appearance of building bulk, ensures a human-scale, demonstrates variations in horizontal and vertical profile and supports streetscape character.</p>	<p>AO6.1</p> <p>Development incorporates a number of the following design elements:</p> <p>(a) balconies;</p> <p>(b) verandahs;</p> <p>(c) terraces;</p> <p>(d) recesses.</p>	<p>Complies with AO6.1</p> <p>The proposed development incorporates building recesses and balconies on upper floors.</p>
	<p>AO6.2</p> <p>Development reduces building bulk by:</p> <p>(a) variation in building colours, materials and textures;</p> <p>(b) the use of curves, recesses, projections or variations in plan and elevation;</p> <p>(c) recession and projection of rooflines and the inclusion of interesting roof forms, such as cascading roof levels, gables, skillions or variations in pitch;</p> <p>(d) use of sun-shading devices and other façade features;</p> <p>(e) use of elements at a finer scale than the</p>	<p>Complies with AO6.2</p> <p>Articulation of walls and building materials is a characteristic of the built form. Upper levels of the proposed dwellings feature curves on corners and the use of sun shading devices on windows.</p>

Performance outcomes	Acceptable outcomes	Applicant response
	mainstructural 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: (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.	Complies with AO7.1 The building is not setback 2m beyond the minimum setback.
	AO7.2 Development provides balconies and windows from the primary living area that face and overlook the street or public space.	Complies with AO7.2 Unit 1 would provide habitable rooms that overlook 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;	Complies with AO8.1 The floor to ceiling height would be 2.7 metres.
	AO8.2 Buildings include weather protection and sun shading to all windows to all external doors and windows of habitable rooms.	Complies with AO8.2 Powder coated aluminium battens, eaves and recesses would provide weather and sun protection to external openings.
	AO8.3 Development incorporates deep recesses, eaves and sun-shading devices	Complies with AO8.3 The proposed dwellings would include shading devices to external openings in the form of powder coated aluminum battens and eaves.
	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 façade would be provided with a mix of aluminum powder coated battens, adjustable screens and awnings.

Performance outcomes	Acceptable outcomes	Applicant response
	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 minimize 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 is located within 2 metres at ground floor of another dwelling.
	AO9.2 Development where a direct view is available from balconies, terraces, decks or roof decks into windows of habitable rooms, balconies, terraces or decks in an adjacent existing dwelling house, is screened from floor level to a height above 1.5m above floor level.	Not applicable No dwelling has a direct view to another dwelling.

Performance outcomes	Acceptable outcomes	Applicant response
	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 There would be no direct overlooking between units as a result of the proposed development.
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 AO10 35% of the site would be provided as landscape and recreation area in a combination of private recreation area, landscape setbacks and planter beds.
PO11 Landscaping must contribute positively to the amenity of the area, streetscape and public spaces.	AO11 Development provides landscaping as follows: (a) A dense landscape planting strip of at least 2 metres width suitable for deep planting is provided and maintained along all street frontages; (b) A dense landscape planting strip of at least 1.5 metres width suitable for deep planting is provided along all side and rear boundaries.	Complies with PO11 A landscape strip would be provided to the site frontage and to the rear boundary. Whilst landscaping would be provided to the side boundaries, this would be behind a retaining wall or screen fence and would not be visible external to the site. The proposed landscaping to the street front is considered to be consistent with the landscaping provided at adjacent multiple dwellings developments.
PO12 The landscaping and recreation area provides for functional communal open space for all developments exceeding five dwellings on one	AO12.1 Communal open space is provided at: (a) a minimum of 5% of site area of 50m ² whichever is the greater; and	Not applicable Complies with AO12.5. Refer below.

Performance outcomes	Acceptable outcomes	Applicant response
site.	(b) a minimum dimension of 5 metres.	
	AO12.2 Development provides communal open space that: <ul style="list-style-type: none"> (a) is consolidated into one useable space; (b) where communal open space exceeds 100m², the communal open space may be split into two, and so forth incrementally. 	Not applicable Complies with AO12.5. Refer below.
	AO12.3 Communal open space: <ul style="list-style-type: none"> (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 Complies with AO12.5. Refer below.
	AO12.4 Communal open space is designed to provide for a range of facilities, typically including some, or all, of the following elements: <ul style="list-style-type: none"> (a) seating; (b) barbecue; (c) play equipment; (d) swimming pool; (e) communal clothes drying; 	Not applicable Complies with AO12.5. Refer below.

Performance outcomes	Acceptable outcomes	Applicant response
	(f) vegetable garden.	
	AO12.5 Development involving 5 or fewer dwellings on one lot can allocate additional private open space to a ground floor dwelling instead of providing communal open space.	Complies with AO12.5 Each dwelling provides private open space on the ground floor.
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 AO13.1 The proposed development would provide in the order of 65m ² of open space per unit.
	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 All private open space areas would be accessible from internal primary living areas.
	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	Complies with PO13 Balconies are provided to the side of each proposed dwelling facing towards the east. These balconies would overlook the proposed driveway

Performance outcomes	Acceptable outcomes	Applicant response
	maintain privacy.	and would be screened with powder coated aluminum battens. They would be separated from the adjoining site boundary by 4.375 metres, which is considered suitable building separation.
	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.
	AO13.5 Private open space: (a) does not include vehicle driveways and manoeuvring; (b) does not contain surface structures such as rainwater tanks, fire hydrants, transformers or water boosters.	Complies with AO13.5 No private open space would include service or vehicle areas.
PO14 Development provides front fencing and retaining walls that must: (a) facilitate casual surveillance of the street and public space; (b) enable use of private open space; (c) assist in highlighting entrances to the property; (d) provide a positive interface to the streetscape.	AO14.1 Development ensures that, where fencing is provided, the height of any new fence located on any common boundary to a street or public space is a maximum of: (a) 1.2m, where fence construction is solid or less than 50% transparent; (b) 1.5m, where fence construction is at least 50% transparent; (c) 1.8m and solid only where the site is on an arterial road or higher order road.	Complies with AO14.1 No front fencing is proposed.

Performance outcomes	Acceptable outcomes	Applicant response
	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 No solid front fences are proposed.
	AO14.3 Development for a retaining wall is: (a) stepped to minimise impact on the streetscape and pedestrian environment; (b) a maximum of 0.6m in height if directly abutting the edge of the adjoining road reserve verge	Complies with AO14.3 The proposed retaining walls on the site are stepped and would not be visible from the street.
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 Waste and recyclable material storage areas are: (a) convenient and accessible to residents and waste and recyclable material collection services; (b) located and designed to mitigate adverse impacts: (i) within the site; (ii) on adjoining properties; (iii) to the street.	AO16 Waste and recyclable material storage areas: (a) are located on site; (b) are sited and designed to be unobtrusive and screened from view from the street frontage; (c) are imperviously sealed roofed and banded, 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	Able to comply with AO16 The waste and recyclable storage areas are able to be contained within the integrated garages.

Performance outcomes	Acceptable outcomes	Applicant response
	<p>manoeuvrability area for waste and recyclable material collection services.</p> <p>Note - The Environmental performance code contains requirements for waste and recyclable material storage.</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>Complies with AO17</p> <p>Secure storage is available within the double garage of each dwelling.</p>
Additional requirements for a Retirement facility		
<p>PO18</p> <p>Retirement facilities are located in areas which offer convenience to residents, and are designed to be compatible with the locality and surrounding area in which they are located.</p>	<p>AO18</p> <p>Retirement facilities are conveniently located in established areas close to public transport, shopping facilities and health care services.</p>	<p>Not applicable</p> <p>No retirement facility is proposed.</p>
<p>PO19</p> <p>Retirement facilities are designed to provide for the amenity and security of residents.</p>	<p>AO19.1</p> <p>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.</p>	<p>Not applicable</p> <p>No retirement facility is proposed.</p>

Performance outcomes	Acceptable outcomes	Applicant response
	AO19.2 Internal pathways have firm, well drained and non-slip surfaces.	Not applicable No retirement facility is proposed.
	AO19.2 Security screens are provided to all dwelling units or residential rooms to ensure the safety and security of residents.	Not applicable No retirement facility is proposed.
	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 No retirement facility is proposed.
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 No retirement facility is proposed.
	AO20.2 The site of a Retirement facility is not prone to inundation.	Not applicable No retirement facility is proposed.
	AO20.3 The location of the Retirement facility is readily accessible to emergency vehicles.	Not applicable No retirement facility is proposed.
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 No retirement facility is proposed.

Performance outcomes	Acceptable outcomes	Applicant response
	AO21.2 A range of housing designs and sizes are provided in the development to cater for different individual and household needs.	Not applicable No retirement facility is proposed.

9.4.1 Access, parking and servicing code

9.4.1.1 Application

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

9.4.1.2 Purpose

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

9.4.1.3 Criteria for assessment

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

Performance outcomes	Acceptable outcomes	Applicant response
For self-assessable and assessable development		
PO1 Sufficient on-site car parking is provided to cater for the amount and type of vehicle traffic expected to be generated by the use or uses of the site, having particular regard to: <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. 	AO1.1 The minimum number of on-site vehicle parking spaces is not less than the number prescribed in Table 9.4.1.3.b for that particular use or uses. Note - Where the number of spaces calculated from the table is not a whole number, the number of spaces provided is the next highest whole number.	Complies with AO1.1 The proposal would provide two (2) car spaces per dwelling.
	AO1.2 Car parking spaces are freely available for the parking of vehicles at all times and are not used for external storage purposes, the display of products or rented/sub-leased.	Complies with AO1.2 The car parking spaces would be retained for the parking of motor vehicles.
	AO1.3 Parking for motorcycles is substituted for ordinary vehicle parking to a maximum level of 2% of total ordinary vehicle parking.	Not Applicable The proposal does not include motorcycle parking.
	AO1.4 For parking areas exceeding 50 spaces parking, is provided for recreational vehicles as a substitute for ordinary vehicle parking to a maximum of 5% of total ordinary vehicle parking rate.	Not Applicable The proposal does not provide more than 50 car parking spaces.
PO2	AO2	Complies with AO2.

Performance outcomes	Acceptable outcomes	Applicant response
Vehicle parking areas are designed and constructed in accordance with relevant standards.	Vehicle parking areas are designed and constructed in accordance with Australian Standard: (a) AS2890.1; (b) AS2890.3; (c) AS2890.6.	The proposed spaces provided are designed to comply with the Australian Standards.
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	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.	Complies with AO3.1 The site would be provided with one cross over from Murphy Street.
	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	Complies with AO3.2 The proposed driveway would not be placed over infrastructure pits, kerb inlets or similar and would provide suitable sight lines.

Performance outcomes	Acceptable outcomes	Applicant response
of the adjoining road reserve or any built structures (other than what may be necessary to cross over a stormwater channel).	requirements in accordance with AS2980.1.	
	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. 	Complies with AO3.3 The proposed driveway would be constructed to comply with the requirements of the FNQROC Manual and would have a grade of less than 1 in 6.
	AO3.4 Surface construction materials are consistent with the current or intended future streetscape or character of	Complies with AO3.4 The driveway would be constructed of concrete or exposed aggregate, consistent

Performance outcomes	Acceptable outcomes	Applicant response
	the area and contrast with the surface construction materials of any adjacent footpath.	with driveways in the locality.
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 wheelchair accessible spaces are required for the proposed development.
PO5 Access for people with disabilities is provided to the building from the parking area and from the street.	AO5 Access for people with disabilities is provided in accordance with the relevant Australian Standard.	Not Applicable Access for people with disabilities is not applicable to this development.
PO6 Sufficient on-site bicycle parking is provided to cater for the anticipated demand generated by the development	AO6 The number of on-site bicycle parking spaces complies with the rates specified in Table 9.4.1.3.b	Complies with AO6 Bicycle parking is available in the garages.
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.	AO7.1 Development provides bicycle parking spaces for employees which are co-located with end-of-trip facilities (shower cubicles and lockers);	Not Applicable The proposed development is not subject to Bicycle parking requirements
	AO7.2 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.
	AO7.3	Not Applicable

Performance outcomes	Acceptable outcomes	Applicant response
	Development provides visitor bicycle parking which does not impede pedestrian movement.	No visitor bicycle parking is required.
PO8 Development provides walking and cycle routes through the site which: <ul style="list-style-type: none"> (a) link to the external network and pedestrian and cyclist destinations such as schools, shopping centres, open space, public transport stations, shops and local activity centres along the safest, most direct and convenient routes; (b) encourage walking and cycling; (c) ensure pedestrian and cyclist safety. 	A08 Development provides walking and cycle routes which are constructed on the carriageway or through the site to: <ul style="list-style-type: none"> (a) create a walking or cycle route along the full frontage of the site; (b) connect to public transport and existing cycle and walking routes at the frontage or boundary of the site. 	Not Applicable Walking or cycle routes are not required as a part of this development.
PO9 Access, internal circulation and on-site parking for service vehicles are designed and constructed: <ul style="list-style-type: none"> (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. 	A09.1 Access driveways, vehicle manoeuvring and onsite parking for service vehicles are designed and constructed in accordance with AS2890.1 and AS2890.2.	Complies with A09.1 The proposed access driveways and manoeuvring areas would comply with the relevant Australian Standards.
	A09.2 Service and loading areas are contained fully within the site.	Not applicable No service and loading areas are proposed as a part of this application.
	A09.3 The movement of service vehicles and service operations are designed so they:	Not applicable No service and loading areas are proposed as a part of this application.

Performance outcomes	Acceptable outcomes	Applicant response
	(a) do not impede access to parking spaces; (b) do not impede vehicle or pedestrian traffic movement.	
PO10 Sufficient queuing and set down areas are provided to accommodate the demand generated by the development.	AO10.1 Development provides adequate area on-site for vehicle queuing to accommodate the demand generated by the development where drive through facilities or drop-off/pick-up services are proposed as part of the use, including, but not limited to, the following land uses: <ul style="list-style-type: none"> (a) car wash; (b) child care centre; (c) educational establishment where for a school; (d) food and drink outlet, where including a drive through facility; (e) hardware and trade supplies, where including a drive-through facility; (f) hotel, where including a drive-through facility; (g) service station. 	Not Applicable The proposed development does not require on site vehicle queuing.
	AO10.2 Queuing and set-down areas are designed and constructed in accordance with AS2890.1.	Not Applicable The proposed development does not require on site vehicle queuing.

9.4.4 Filling and excavation code

9.4.4.1 Application

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

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

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

9.4.4.2 Purpose

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

9.4.4.3 Criteria for assessment

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

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

Performance outcomes	Acceptable outcomes	Applicant response
Filling and excavation - General		
PO1 All filling and excavation work does not create a detrimental impact on the slope stability, erosion potential or visual amenity of the site or the surrounding area.	AO1.1 The height of cut and/or fill, whether retained or not, does not exceed 2 metres in height. and Cuts in excess of those stated in A1.1 above are separated by benches/ terraces with a minimum width of 1.2 metres that incorporate drainage provisions and screen planting.	Complies with AO1.1 Excluding building works, earthworks would not exceed 1.5 metres in height.
	AO1.2 Cuts are supported by batters, retaining or rock walls and associated benches/terraces are capable of supporting mature vegetation.	Complies with AO1.2 The proposed excavation would be appropriately retained.
	AO1.3 Cuts are screened from view by the siting of the building/structure, wherever possible.	Complies with AO1.3 The earthworks would be screened by the building.
	AO1.4 Topsoil from the site is retained from cuttings and reused on benches/terraces.	Able to comply with AO1.4 Any removed topsoil is able to be used on benches/terraces where required.
	AO1.5 No crest of any cut or toe of any fill, or any part of any retaining wall or structure is closer than 600mm to any	Able to comply with AO1.5 The earthworks would result in a retaining wall on the boundary and the rear patio

Performance outcomes	Acceptable outcomes	Applicant response
	boundary of the property, unless the prior written approval of the adjoining landowner has been obtained.	areas. The retaining wall would be a maximum of 1.5 metres in height and would form part of the boundary treatment.
	AO1.6 Non-retained cut and/or fill on slopes are stabilised and protected against scour and erosion by suitable measures, such as grassing, landscaping or other protective/aesthetic measures	Not applicable No non-retained earthworks is proposed.
Visual Impact and Site Stability		
PO2 Filling and excavation are carried out in such a manner that the visual/scenic amenity of the area and the privacy and stability of adjoining properties is not compromised.	AO2 The extent of filling and excavation does not exceed 40% of the site area, or 500m ² whichever is the lesser, except that AO2.1 does not apply to reconfiguration of 5 lots or more.	Complies with AO2 Earthworks would not exceed 500m ² in area.
	AO2.2 Filling and excavation does not occur within 2 metres of the site boundary.	Complies with PO2 As part of the development it is proposed to provide retaining walls to the side boundary adjacent the private open space. The retaining walls would not be visible from the street or external to the site and would be appropriately engineered as part of the building approval to maintain slope stability.
Flood and Drainage		

Performance outcomes	Acceptable outcomes	Applicant response
PO3 Filling and excavation does not result in a change to the run off characteristics of a site which then have a detrimental impact on the site or nearby land or adjacent road reserves.	A03.1 Filling and excavation does not result in the ponding of water on a site or adjacent land or road reserves..	Complies with A03.1 The earthworks would not result in a change to the flow direction of stormwater on site, which would be directed to the easement to the rear of the site.
	A03.2 Filling and excavation does not result in an increase in the flow of water across a site or any other land or road reserves.	Complies with A03.1 Stormwater would be discharged via the easement to the rear of the site.
	A03.3 Filling and excavation does not result in an increase in the volume of water or concentration of water in a watercourse and overland flow paths.	Complies with A03.3 The earthworks would not result in an increase of flow or velocity of stormwater discharge.
	A03.4 Filling and excavation complies with the specifications set out in Planning Scheme Policy No SC5 – FNQROC Development Manual.	Able to comply with A03.4 All filling and excavation would be undertaken in accordance with the requirements of the FNQROC Development Manual.
Water Quality		
PO4 Filling and excavation does not result in a reduction of the water quality of receiving waters.	A04 Water quality is maintained to comply with the specifications set out in Planning Scheme Policy No SC5 – FNQROC Development Manual.	Able to comply within A04 Excavation for the proposal would be largely within the footprint of the dwelling and driveway. Water quality would be maintained through meeting the requirements of the

Performance outcomes	Acceptable outcomes	Applicant response
		FNQROC Development Manual.
Infrastructure		
PO5 Excavation and filling does not impact on Public Utilities.	AO5 Excavation and filling is clear of the zone of influence of public utilities.	Complies with AO5 No public utilities would be affected by the proposed development.

9.4.5 Infrastructure works code

9.4.5.1 Application

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

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

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

9.4.5.2 Purpose

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

9.4.5.3 Criteria for assessment

Table 9.4.5.3.a – Infrastructure works code –assessable development

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

Performance outcomes	Acceptable outcomes	Applicant Response
Works on a local government road		
PO1 Works on a local government road do not adversely impact on footpaths or existing infrastructure within the road verge and maintain the flow, safety and efficiency of pedestrians, cyclists and vehicles.	AO1.1 Footpaths/pathways are located in the road verge and are provided for the hierarchy of the road and located and designed and constructed in accordance with Planning scheme policy SC5 – FNQROC Regional Development Manual.	Able to comply with AO1.1 A narrow footpath consistent with the balance of Murphy Street is able to be provided if required.
	AO1.2 Kerb ramp crossovers are constructed in accordance with Planning scheme policy SC 5 – FNQROC Regional Development Manual.	Able to comply with AO1.2 The proposed kerb ramp crossover would be constructed in accordance with the FNQROC Development Manual.
	AO1.3 New pipes, cables, conduits or other similar infrastructure required to cross existing footpaths: (a) are installed via trenchless methods; or (b) where footpath infrastructure is removed to install infrastructure, the new section of footpath is installed to the standard detailed in the Planning scheme policy SC5 – FNQROC Regional Development Manual, and is not less than a 1.2 metre section.	Not Applicable No new infrastructure is required across existing footpaths.
	AO1.4 Where existing footpaths are damaged as a result of development, footpaths are reinstated ensuring: (a) similar surface finishes are used; (b) there is no change in level at joins of new	Not Applicable It is not proposed to damage any footpaths as a part of the proposal.

Performance outcomes	Acceptable outcomes	Applicant Response
	and existing sections; (c) new sections are matched to existing in terms of dimension and reinforcement. Note – Figure 9.4.5.3.a provides guidance on meeting the outcomes.	
	AO1.5 Decks, verandahs, stairs, posts and other structures located in the road reserve do not restrict or impede pedestrian movement on footpaths or change the level of the road verges.	Not Applicable It is not proposed to install any structures in the road reserve.
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 It is not proposed to install any accessibility structures for the development.
	AO2.2 Accessibility structures are designed in accordance with AS1428.3.	Not Applicable It is not proposed to install any accessibility structures for the development.
	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 It is not proposed to install any accessibility structures for the development.
Water supply		

Performance outcomes	Acceptable outcomes	Applicant Response
PO3 An adequate, safe and reliable supply of potable, fire fighting and general use water is provided.	AO3.1 The premises is connected to Council's reticulated water supply system in accordance with the Design Guidelines set out in Section D6 of the Planning scheme policy SC5 – FNQROC Regional Development Manual; or AO3.2 Where a reticulated water supply system is not available to the premises, on site water storage tank/s with a minimum capacity of 10,000 litres of stored water, with a minimum 7,500 litre tank, with the balance from other sources (e.g. accessible swimming pool, dam etc.) and access to the tank/s for fire trucks is provided for each new house or other development. Tank/s are to be fitted with a 50mm ball valve with a camlock fitting and installed and connected prior to occupation of the house and sited to be visually unobtrusive.	Able to Comply with AO3.1 The subject site would be connected to the Council's reticulated water supply.
Treatment and disposal of effluent		
PO4 Provision is made for the treatment and disposal of effluent to ensure that there are no adverse impacts on water quality and no adverse ecological impacts as a result of the system or as a result of increasing the cumulative effect of systems in the locality.	AO4.1 The site is connected to Council's sewerage system and the extension of or connection to the sewerage system is designed and constructed in accordance with the Design Guidelines set out in Section D7 of the Planning scheme policy SC5 – FNQROC Regional Development Manual; or AO4.2	Able to comply with AO4.1 The site would be connected Council's sewerage system.

Performance outcomes	Acceptable outcomes	Applicant Response
	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> .	
Stormwater quality		
PO5 Development is planned, designed, constructed and operated to avoid or minimise adverse impacts on stormwater quality in natural and developed catchments by: (a) achieving stormwater quality objectives; (b) protecting water environmental values; (c) maintaining waterway hydrology.	AO5.1 A connection is provided from the premises to Council's drainage system; or AO5.2 An underground drainage system is constructed to convey stormwater from the premises to Council's drainage system in accordance with the Design Guidelines set out in Sections D4 and D5 of the Planning scheme policy SC5 – FNQROC Regional Development Manual.	Complies with AO5.1 A connection to the Council's drainage system is provided via an existing easement to the rear of the site.
	AO5.3 A stormwater quality management plan is prepared, and provides for achievable stormwater quality treatment measures meeting design objectives listed in Table 9.4.5.3.b and Table 9.4.5.3.c, reflecting land use constraints, such as: (a) erosive, dispersive and/or saline soil types; (b) landscape features (including landform); (c) acid sulfate soil and management of nutrients of	Not applicable This is not considered applicable to a development of this scale.

Performance outcomes	Acceptable outcomes	Applicant Response
	concern; (d) rainfall erosivity.	
	AO5.4 Erosion and sediment control practices are designed, installed, constructed, monitored, maintained, and carried out in accordance with an erosion and sediment control plan.	Able to comply with AO5.4 Erosion and sediment control practices are able to be design and installed during the construction phase.
	AO5.5 Development incorporates stormwater flow control measures to achieve the design objectives set out in Error! Reference source not found. and Error! Reference source not found. , 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.	Not applicable This is not considered applicable to a development of this scale.
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	AO6.1 Development involving non-tidal artificial waterways ensures: (a) environmental values in downstream waterways are protected;	Not Applicable No artificial waterways are proposed.

Performance outcomes	Acceptable outcomes	Applicant Response
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.	(b) any ground water recharge areas are not affected; (c) the location of the waterway incorporates low lying areas of the catchment connected to an existing waterway; (d) existing areas of ponded water are included.	
	AO6.2 Non-tidal artificial waterways are located: (a) outside natural wetlands and any associated buffer areas; (b) to minimise disturbing soils or sediments; (c) to avoid altering the natural hydrologic regime in acid sulfate soil and nutrient hazardous areas.	Not Applicable No artificial waterways are proposed.
	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 No artificial waterways are proposed.
	AO6.4 Non-tidal artificial waterways are designed and managed for any of the following end-use purposes:	Not Applicable No artificial waterways are proposed.

Performance outcomes	Acceptable outcomes	Applicant Response
	(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.	
	AO6.5 The end-use purpose of the non-tidal artificial waterway is designed and operated in a way that protects water environmental values.	Not Applicable No artificial waterways are proposed.
	AO6.6 Monitoring and maintenance programs adaptively manage water quality to achieve relevant water quality objectives downstream of the waterway.	Not Applicable No artificial waterways are proposed.
	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 No artificial waterways are proposed.
Wastewater discharge		
PO7 Discharge of wastewater to waterways, or off site: (a) meets best practice environmental	AO7.1 A wastewater management plan is prepared and addresses:	Not Applicable No waste water is proposed to be discharged from the site except through the sewerage system.

Performance outcomes	Acceptable outcomes	Applicant Response
management; (b) is treated to: (i) meet water quality objectives for its receiving waters; (ii) avoid adverse impact on ecosystem health or waterway health; (iii) maintain ecological processes, riparian vegetation and waterway integrity; (iv) offset impacts on high ecological value waters.	(a) wastewater type; (b) climatic conditions; (c) water quality objectives; (d) best practice environmental management.	
	A07.2 The waste water management plan is managed in accordance with a waste management hierarchy that: (a) avoids wastewater discharge to waterways; or (b) if wastewater discharge cannot practicably be avoided, minimises wastewater discharge to waterways by re-use, recycling, recovery and treatment for disposal to sewer, surface water and ground water.	Not Applicable No waste water is proposed to be discharged from the site except through the sewerage system.
	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 waste water is proposed to be discharged from the site except through the sewerage system.
	A07.4 Development in coastal catchments avoids or minimises and appropriately manages soil disturbance or altering natural hydrology and: (a) avoids lowering ground water levels where potential or actual acid sulfate soils are present; (b) manages wastewater so that: (i) the pH of any wastewater discharges is	Not Applicable No waste water is proposed to be discharged from the site except through the sewerage system.

Performance outcomes	Acceptable outcomes	Applicant Response
	<p>maintained between 6.5 and 8.5 to avoid mobilisation of acid, iron, aluminium and other metals;</p> <p>(ii) holding times of neutralised wastewater ensures the flocculation and removal of any dissolved iron prior to release;</p> <p>(iii) visible iron floc is not present in any discharge;</p> <p>(iv) precipitated iron floc is contained and disposed of;</p> <p>(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.</p>	
Electricity supply		
<p>PO8</p> <p>Development is provided with a source of power that will meet its energy needs.</p>	<p>AO8.1</p> <p>A connection is provided from the premises to the electricity distribution network;</p> <p>or</p> <p>AO8.2</p> <p>The premises is connected to the electricity distribution network in accordance with the Design Guidelines set out in Section D8 of the Planning scheme policy SC5 – FNQROC Regional Development Manual.</p> <p>Note - Areas north of the Daintree River have a different standard.</p>	<p>Able to comply with AO8.1</p> <p>A connection would be provided to the electricity distribution network.</p>

Performance outcomes	Acceptable outcomes	Applicant Response
	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 a part of this development.
PO9 Development incorporating pad-mount electricity infrastructure does not cause an adverse impact on amenity.	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 a part of this development.
Telecommunications		
PO10 Development is connected to a telecommunications service approved by the relevant telecommunication regulatory authority.	AO10 The development is connected to telecommunications infrastructure in accordance with the standards of the relevant regulatory authority.	Able to comply with AO10 Telecommunications connections are available to the site.
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.	Able to comply with AO11 Conduits are able to be provided to the site in accordance with the FNQROC Regional Development Manual.
Road construction		

Performance outcomes	Acceptable outcomes	Applicant Response
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.	Complies with AO12.1 Murphy Street to the site frontage is considered to be suitable for this purpose.
	AO12.2 There is existing road, kerb and channel for the full road frontage of the site.	Complies with AO12.2 Murphy Street is considered to be suitable for this purpose
	AO12.3 Road access minimum clearances of 3.5 metres wide and 4.8 metres high are provided for the safe passage of emergency vehicles.	Complies with AO12.3 Murphy Street is considered to be suitable for this purpose
Alterations and repairs to public utility services		
PO13 Infrastructure is integrated with, and efficiently extends, existing networks.	AO13 Development is designed to allow for efficient connection to existing infrastructure networks.	Complies with AO13 The site is an existing serviced urban site.
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	Complies with AO14.1 No public utility mains are required to be altered to facilitate the development.

Performance outcomes	Acceptable outcomes	Applicant Response
	Public utility mains, services and installations are altered or repaired in association with the works so that they continue to function and satisfy the relevant Design Guidelines set out in Section D8 of the Planning scheme policy SC5 – FNQROC Regional Development Manual.	
Construction management		
PO15 Work is undertaken in a manner which minimises adverse impacts on vegetation that is to be retained.	AO15 Works include, at a minimum: (a) installation of protective fencing around retained vegetation during construction; (b) erection of advisory signage; (c) no disturbance, due to earthworks or storage of plant, materials and equipment, of ground level and soils below the canopy of any retained vegetation; (d) removal from the site of all declared noxious weeds.	Not applicable No vegetation is proposed to be retained on site as a part of this application.
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.	Able to comply with AO16 Any infrastructure damaged as a result of the proposed development would be repaired in accordance with FNQROC requirements.

Performance outcomes	Acceptable outcomes	Applicant Response
For assessable development		
High speed telecommunication infrastructure		
PO17 Development provides infrastructure to facilitate the roll out of high speed telecommunications infrastructure.	AO17 No acceptable outcomes are prescribed.	Able to comply with AO17 High speed telecommunications connections are able to be provided as a part of the development
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 As the development is residential in nature no trade waste would be produced.
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.	Not applicable No development would be accessed via common private title.

Performance outcomes	Acceptable outcomes	Applicant Response
	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 development would be accessed via common private title.
PO20 Hydrants are suitable identified so that fire services can locate them at all hours. Note – Hydrants are identified as specified in the Department of Transport and Main Roads Technical Note: 'Identification of street hydrants for fire fighting purposes' available under 'Publications'.	AO20 No acceptable outcomes are prescribed.	Not applicable No development would be accessed via common private title.

9.4.6 Landscaping code

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

9.4.4.2 Purpose

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

9.4.6.3 Criteria for assessment

Table 9.4.4.3.a – Landscaping code –assessable development

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

Performance outcomes	Acceptable outcomes	Applicant response
<p>absorption and re-radiation from buildings, parking areas and other hard surfaces;</p> <p>(g) ensuring private outdoor recreation space is useable;</p> <p>(h) providing long term soil erosion protection;</p> <p>(i) providing a safe environment;</p> <p>(j) integrating existing vegetation and other natural features of the premises into the development;</p> <p>(k) not adversely affecting vehicular and pedestrian sightlines and road safety.</p>		
For assessable development		
PO2 Landscaping contributes to a sense of place, is functional to the surroundings and enhances the streetscape and visual appearance of the development.	AO2.1 No acceptable outcomes are specified. Note - Landscaping is in accordance with the requirements specified in Planning scheme policy SC6.7 – Landscaping.	Able to comply with AO2.1 The site is able to be landscaped in accordance with the Planning Scheme policy.
	AO2.2 Tropical urbanism is incorporated into building design. Note – ‘Tropical urbanism’ includes many things such as green walls, green roofs, podium planting and vegetation incorporated into the design of a building.	Complies with AO2.2 Tropical urbanism would be incorporated into the building design through the use of vertical landscaping on fence lines, creating green walls.
PO3 Development provides landscaping that is , as far as practical, consistent with the existing desirable landscape character of the area and protects trees, vegetation and other features of ecological,	AO3.1 Existing vegetation on site is retained and incorporated into the site design, wherever possible, utilising the methodologies and principles outline in AS4970-2009 Protection of	Not applicable It is not possible to retain any on-site vegetation.

Performance outcomes	Acceptable outcomes	Applicant response
recreational, aesthetic and cultural value.	Trees on Development Sites.	
	AO3.2 Mature vegetation on the site that is removed or damaged during development is replaced with advanced species.	Able to comply with AO3.2 Advanced species are able to be incorporated into the landscape design.
	AO3.3 Where there is an existing landscape character in a street or locality which results from existing vegetation, similar species are incorporated into new development.	Not applicable There is no existing landscape character.
	AO3.4 Street trees are species which enhance the landscape character of the streetscape, with species chosen from the Planning scheme policy SC6.7 – Landscaping.	Able to Comply with AO3.4 Street trees are able to be planted in accordance with Council Policy.
PO4 Plant species are selected with consideration to the scale and form of development, screening, buffering, streetscape, shading and the locality of the area.	AO4 Species are selected in accordance with Planning scheme policy SC6.7 – Landscaping.	Able to comply with AO4 Landscaping and species selection is able to be completed with recommendations from the Planning Scheme policy.
PO5 Shade planting is provided in car parking areas where uncovered or open, and adjacent to driveways and internal roadways.	AO5 Species are selected in accordance with Planning scheme policy SC6.7 – Landscaping.	Not Applicable No uncovered or open parking areas are proposed.
PO6	AO6.1	Able to comply with AO6.1

Performance outcomes	Acceptable outcomes	Applicant response
Landscaped areas are designed in order to allow for efficient maintenance.	A maintenance program is undertaken in accordance with Planning scheme policy SC6.7 – Landscaping.	Landowners would be responsible for landscape maintenance.
	AO6.2 Tree maintenance is to have regard to the 'Safe Useful Life Expectancy of Trees (SULE). Note – It may be more appropriate to replace trees with a SULE of less than 20 years (as an example), and replant with younger healthy species.	Able to comply with AO6.2 Landowners would be responsible for landscape maintenance.
PO7 Podium planting is provided with appropriate species for long term survival and ease of maintenance, with beds capable of proper drainage.	AO7.1 Podium planting beds are provided with irrigation and are connected to stormwater infrastructure to permit flush out.	Not Applicable. No podiums are proposed.
	AO7.2 Species of plants are selected for long term performance designed to suit the degree of access to podiums and roof tops for maintenance.	Not Applicable. No podiums are proposed.
PO8 Development provides for the removal of all weed and invasive species and implement on-going measures to ensure that weeds and invasive species do not reinfest the site and nearby premises.	AO8 Weed and invasive species detected on a development site are removed in accordance with a management plan prepared by an appropriately qualified person.	Not Applicable No weed species have been detected on the subject site.
PO9 The landscape design enhances personal safety and reduces the potential for crime and vandalism.	AO9 No acceptable outcomes are specified. Note - Planning scheme policy SC6.3 – Crime prevention through environmental design (CPTED) provides guidance on	Able to comply with PO9 The development in its ultimate form would facilitate landscape design that would enhance and maintain personal safety.

Performance outcomes	Acceptable outcomes	Applicant response
	meeting this outcome.	
PO10 The location and type of plant species does not adversely affect the function and accessibility of services and facilities and service areas.	AO10 Species are selected in accordance with Planning scheme policy SC6.7 – Landscaping.	Able to comply with AO10 Landscaping and species selection is able to be completed with recommendations from the Planning Scheme policy.

**Company owner's consent to the making of a development application
under the *Planning Act 2016***

I,  [Insert name in full.]

Sole Director/Secretary of the company mentioned below.

[Delete the above where company owner's consent must come from both director and director/secretary]

I, [Insert name in full.]

Director of the company mentioned below.

and I, [Insert name in full.
[Insert position in full—i.e. another director, or a company secretary.]

Delete the above two boxes where there is a sole director/secretary for the company giving the owner's consent.

Of MRGL Pty Ltd
A.C.N: 006 614 811
Trustee Under Instrument 721345702

the company being the owner of the premises identified as follows:

25 Murphy Street, Port Douglas, and described as Lot 112 on PTD2091

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

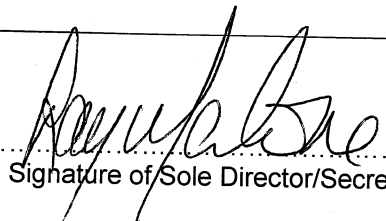
Sam Haberle

on the premises described above for:

Material Change of Use, Multiple Dwellings

Company seal *[if used]*

Company Name and ACN: MRGL Pty Ltd A.C.N 006 614 811


Signature of Sole Director/Secretary

27-12-2022

Date

[Delete the above where company owner's consent must come from both director and director/secretary.]

Company Name and ACN:

.....
Signature of Director

.....
Date

.....
Signature of Director/Secretary

.....
Date

[Delete the above where there is a sole director/secretary for the company giving the owner's consent.]