

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)	David & Jennifer Moodie
Contact name (only applicable for companies)	C/- Patrick Clifton, GMA Certification
Postal address (P.O. Box or street address)	PO Box 831
Suburb	Port Douglas
State	QLD
Postcode	4877
Country	Australia
Contact number	0438 755 374
Email address (non-mandatory)	Patrick.c@gmacert.com.au
Mobile number (non-mandatory)	0438 755 374
Fax number (non-mandatory)	
Applicant's reference number(s) (if applicable)	20204033

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

PART 2 – LOCATION DETAILS

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

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

3.1) Street address and lot on plan

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

a)	Unit No.	Street No.	Street Name and Type	Suburb
		5146	Captain Cook Highway	Oak Beach
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)
	4877	1	RP742791	Douglas Shire Council
b)	Unit No.	Street No.	Street Name and Type	Suburb
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)

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

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

- ☐ Coordinates of premises by longitude and latitude

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

- ☐ Coordinates of premises by easting and northing

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

3.3) Additional premises

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

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

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

Name of water body, watercourse or aquifer:

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

Lot on plan description of strategic port land:

Name of port authority for the lot:

- ☐ In a tidal area

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

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

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

Name of airport:

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

5) Are there any existing easements over the premises?

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

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

PART 3 – DEVELOPMENT DETAILS

Section 1 – Aspects of development

6.1) Provide details about the first development aspect

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

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

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

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

c) What is the level of assessment?

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

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

Function Facility (max 80 persons)

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)
Function Facility (max. 80 persons)	Function Facility	N/A	0
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?

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

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

Division 3 – Operational work

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

14.1) What is the nature of the operational work?

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

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

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

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

\$ _____

PART 4 – ASSESSMENT MANAGER DETAILS

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

Douglas Shire Council

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

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

PART 5 – REFERRAL DETAILS

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

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

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

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

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

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

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

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

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

PART 6 – INFORMATION REQUEST

19) Information request under Part 3 of the DA Rules
<input checked="" type="checkbox"/> I agree to receive an information request if determined necessary for this development application
<input type="checkbox"/> I do not agree to accept an information request for this development application
<p>Note: By not agreeing to accept an information request I, the applicant, acknowledge:</p> <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. <p>Further advice about information requests is contained in the DA Forms Guide.</p>

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.dsdmp.qld.gov.au/>. If the development application involves:

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

Waterway barrier works

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

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

☒ No

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

Marine activities

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

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

☒ No

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

Quarry materials from a watercourse or lake

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

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

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

Quarry materials from land under tidal waters

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

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

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

Referable dams

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

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

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

Tidal work or development within a coastal management district

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

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

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

Queensland and local heritage places

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

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

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

Name of the heritage place:		Place ID:	
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Brothels

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

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

Decision under section 62 of the Transport Infrastructure Act 1994

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

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

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

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

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

☒ No

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

PART 8 – CHECKLIST AND APPLICANT DECLARATION

24) Development application checklist

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

☒ Yes

Note: See the Planning Regulation 2017 for referral requirements

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

☐ Yes

☒ Not applicable

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

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

☒ Yes

Relevant plans of the development are attached to this development application

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

☒ Yes

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

☐ Yes

☒ Not applicable

25) Applicant declaration

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

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

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

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

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

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

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

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

Date received: Reference number(s):

Notification of engagement of alternative assessment manager

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

QLeave notification and payment

Note: For completion by assessment manager if applicable

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



GMA Certification
Group

*Leader's in
Building Certification Services*



PLANNING STATEMENT

For: David & Jennifer Moodie
Development: Function Facility
At: 5146 Captain Cook Highway, Oak Beach (Lot 1
RP742791)
Prepared by: GMA Certification Group
File Ref: 20204033
Revision: C

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1.0 Introduction

This report has been prepared on behalf of David & Jennifer Moodie in support of a Development Application to Douglas Shire Council for a Development Permit for Material Change of Use for the purpose of a Function Facility on land located at 5146 Captain Cook Highway, Oak Beach, and described as Lot 1 on RP742791.

The application site is a single irregularly shaped allotment located at 5146 Captain Cook Highway, Oak Beach and described as Lot 1 on RP742791. It contains an area of 19,190m² and frontage to Captain Cook Highway of 285 metres. The site is currently improved by a dwelling house and detached dwelling house extension which are located to the east of the site. The site is bound by the Captain Cook Highway to the west and the coastline to the north and east. To the south are large rural lifestyle allotments that have been developed with Dwelling Houses.

It is proposed to use the premises and site for the purpose of a restricted Function Facility, in association with the existing Dwelling House to provide for weddings and similar events. The proposal is that up to 12 events would occur per year for a maximum of 80 persons, excluding staff. All activities would be contained wholly within the site with no additional buildings or permanent structures proposed. Guests would be transported to the site by bus with minimal private car use.

The application is identified as being Impact Assessable and consideration is required to be given to the Strategic Framework of the Planning Scheme, the assessment benchmarks and other relevant planning considerations, including those found in public submissions.

The proposed development is considered to be consistent with the Strategic Framework and Assessment Benchmarks contained within the Planning Scheme and is considered to be a suitable use of the site. The development is considered to be consistent in terms of scale and intensity to other forms of development in the locality and the site can contain the use without adverse impact on the amenity of the area.

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

2.0 Development Summary

Address:	5146 Captain Cook Highway, Oak Beach
Real Property Description:	Lot 1 RP742791
Easements & Encumbrances:	Nil
Site Area/Frontage:	Area: 19,190m ² Frontage: 285 metres
Registered Owner:	David & Jennifer Moodie
Proposal:	Function Facility
Approval Sought:	Development Permit
Level of Assessment:	Impact Assessment
State Interests – State Planning Policy	<ul style="list-style-type: none">• Economic Growth – Agricultural Land Classification (Class A or B)• Environment and Heritage:<ul style="list-style-type: none">○ MSES – Wildlife Habitat;○ MSES Regulated Vegetation;○ Coastal Management District;• Safety and Resilience to Hazards:<ul style="list-style-type: none">○ Bushfire Prone Area;○ Erosion Prone Area;○ Medium Storm Tide Inundation Area• Infrastructure – State Controlled Road (captain Cook Highway).
State Interests – SARA Mapping:	<ul style="list-style-type: none">• Coastal Protection:<ul style="list-style-type: none">○ Coastal Management District;○ Erosion Prone Area;○ Medium Storm Tide Inundation Area;• Native Vegetation Clearing;

- Category B and X on the Regulated Vegetation Management map;
- Category A or B area containing endangered and of concern regional ecosystems;
- Essential Habitat

- State Transport – State Controlled Road. Area within 25 metres of a state controlled road.

Referral Agencies:	State Assessment and Referral Agency – Sch 10, Div 4, subdiv 2, Table 4 <i>Planning Regulation 2017</i> .
State Development Assessment Provisions:	State Code 1- Development in a State Controlled Road Environment.
Regional Plan Designation:	Regional Landscape and Rural Production Area
Zone:	Rural Zone
Local Plan Designation:	N/A
Overlays:	<ul style="list-style-type: none"> ● Acid Sulfate Soils; ● Bushfire Hazard; ● Coastal Environment; ● Flood and Storm Tide Inundation; ● Landscape Values; ● Natural Areas.

3.0 Site and Locality

The application site is a single irregularly shaped allotment located at 5146 Captain Cook Highway, Oak Beach, and described as Lot 1 on RP742791. The site contains an area of 19,190m² and has frontage to Captain Cook Highway of approximately 285 metres.

It is currently developed with a Dwelling House across two separate and detached buildings, garage, swimming pool and tennis court. Access to the site is provided from the Captain Cook Highway via an existing driveway, which provides a turnaround area to allow all vehicles to enter and leave in a forward gear. The Captain Cook Highway at the site frontage is an 80 kph speed environment and sightline distances from the highway access are 150 metres to the south and 210 metres to the north.



Photo 1 – Site Entrance



Photo 2 – Sight Line - North



Photo 3 – Sight Line - South



Photo 4 – Internal Driveway



Photo 5 – Driveway turnaround area.

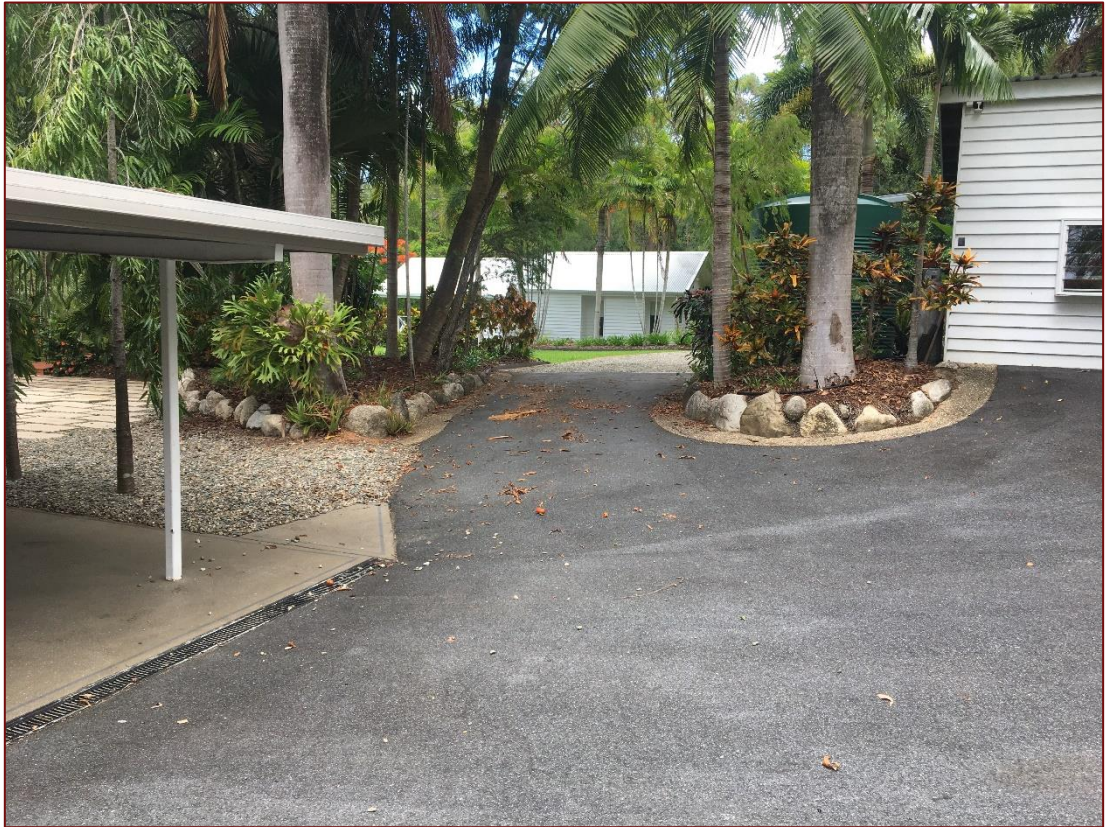


Photo 6 – Driveway turnaround area



Photo 7 – Gardens



Photo 7 – Foreshore



Photo 8 – Tennis Court.

The site is provided with all necessary infrastructure services with water supply via on-site water tanks and an on-site waste water disposal system provided.

The locality containing the site is generally characterised by large rural lifestyle and coastal allotments that have been developed for the purpose of Dwelling Houses. To the east and north is the foreshore and to the south is another large rural lifestyle allotment. Further to the south is land used for rural purposes and to the west is the Macalister Range National Park.



Photo 9 – Site Location (Source Queensland Globe)

4.0 Proposal

It is proposed to provide for the use of the site for the purpose of small scale weddings and similar functions. A maximum of 12 functions would be accommodated per annum with the total number of guests per function limited to 80 persons. The Dwelling House would be rented with a minimum 5 night stay as part of the use to a single household with a maximum of 4 persons. In effect, any function (wedding) held under these circumstances would be consistent with a household (guests) holding a private party at the premises.

The application site provides well established vegetation to the site boundaries and the road frontage that will create attractive natural open-air setting for formal wedding ceremonies and similar events. This vegetation also assists in providing an acoustic and visual buffer to surrounding properties.

It is intended that the proposed use would address an increasing demand for weddings and other function venues in the Douglas Shire. There has been an increase in demand for wedding tourism as a result of the increase in international travel restrictions resulting from the response to the Corona Virus. The site has been identified as being highly appropriate for this market and use.

The events would be managed by a specialist event company who would manage audio levels and maintain external noise to an acceptable level and undertake consultation with the adjoining neighbours and relevant agencies, where required. The events would be held outdoors on the open grassed area to the south west of the foreshore or on the tennis court. Where required temporary toilets and other facilities would be transported to the site to accommodate any increased demand. No permanent structures or buildings would be erected to accommodate the function use and it is not proposed to provide any advertising devices on site.

In terms of traffic and car parking management, all guests will be required to access the site via an organised bus service. The maximum size of the bus would be limited to a maximum of 25 seats, which is able to enter and leave the site in a forward gear using the existing vehicle manoeuvring areas. The only vehicles that would access the site would be those associated with staff and residents, who would be able to park in the existing areas on site to reduce the impact of increased hard stand.

A site plan identifying the location of the proposed event areas and the on-site manoeuvring is attached at [Appendix 2](#).

5.0 Statutory Planning Considerations

This section provides a summary of the legislative framework affecting the application pursuant to the Planning Act 2016.

5.1 Planning Act 2016

5.1.1 Categorisation of Development

The proposed development is not identified as prohibited development having regard to the relevant instruments that can prohibit development under the *Planning Act 2016*, including

- Schedule 10 of the Planning Regulations 2017
- Relevant Categorising Instruments.

The development is made assessable under the Douglas Shire Council Planning Scheme, which is a categorising instrument for the purpose of s43 of the *Planning Act 2016*.

5.1.2 Assessment Manager

Pursuant to Schedule 8 of the *Planning Regulations 2017*, the Assessment Manager for the application is the Douglas Shire Council.

5.1.3 Level of Assessment

The application involves the development of a Function Facility. The table below identifies the level of assessment and the categorising section of the Douglas Shire Council Planning Scheme.

Development	Categorising Section	Level of Assessment
Function Facility	Table 5.6.j – Rural Zone	Impact Assessable

It is noted that a Function Facility (Small Scale) is identified as a Rural Activity. Rural Activities are identified as Self-Assessable in the table of assessment; however, small scale relates to no more than 30 guests and are restricted to a maximum of 6 events per annum.

5.1.4 Statutory Considerations for Assessable Development

As the application is subject to Impact Assessment, in deciding the application pursuant to s60 of the *Planning Act 2016*, the Council, as Assessment Manager, is required to have regard to the following matters set out in s45 (5) of the *Planning Act 2016* and s30 of the *Planning Regulation 2017*:

- The Strategic Framework;
- The Assessment Benchmarks contained in the categorising instrument, to the extent the benchmarks are relevant to the proposed development;
- Any other relevant planning related matter.

This assessment is further discussed in Section 6.0 of this report and a detailed assessment of the proposed development against the assessment benchmarks is provided at [Appendix 3](#).

5.1.5 State Planning Policy

The Minister has identified that the State Planning Policy has been appropriately integrated into the Douglas Shire Council Planning Scheme and consequently no further assessment is required in this instance.

5.1.6 Regional Plan

The application site is identified in the Regional Landscape and Rural Production Area designation of the FNQ Regional Plan 2009-2031. Consistent with the State Planning Policies, it is understood that the Planning Scheme has been determined to appropriately advance the Regional Plan and, on that basis, no further assessment is required in this instance.

5.1.7 Referral Agencies

The application site is located adjacent to the Captain Cook Highway, which is a state-controlled road. In accordance with *Planning Regulation 2017* Sch 10, Div 4, subdiv 2, Table 4, the application is required to be referred to the State Assessment and Referral Agency for consideration of the impact of the proposed development on the state controlled road.

5.1.8 State Development Assessment Provisions

As the application site is located adjacent a state-controlled road, regard is required to be had to State Code 1: Development in a State Controlled Road Environment. A detailed assessment against the state code is provided in [Appendix 3](#).

The proposed development is considered to generally comply with the Acceptable Outcomes of the State Code; however regard is required to be had to the location and design of the access and the requirements for any upgrades.

Performance Outcomes PO16 & PO20 of the state code state:

PO16 *The location and design of vehicular access to a state-controlled road (including access to a limited access road) does not create a safety hazard for users of a state-controlled road or result in a worsening of operating conditions on a state-controlled road.*

PO20 *Development does not result in a worsening of operating conditions on the state-controlled road network.*

The proposed development is for a small scale Function Facility that would be operated alongside the residential occupation of the dwelling by a single household. The proposed events would be held outside of peak traffic periods on the Captain Cook Highway and would operate under a traffic management plan that required all guests to arrive by bus rather than private car. The impact of the proposed use would be less than that associated with a

residential occupier hosting functions such as milestone birthday parties where private vehicles would dominate and which would not trigger an assessment.

The site has an existing access that has been lawfully constructed in accordance with the engineering requirements and the proposed use would not affect the operation of that access. The existing access facilitates single vehicle movements that allow all vehicles to enter and leave in a forward gear and can provide priority to entering vehicles, avoiding any queueing on the highway. The proposal would not warrant a changed or new access to the site and the proposed use of the access is considered to be consistent with the intended purpose and provides suitable sight line distances. In addition, the proposed minor development would not adversely affect the operating conditions of the state-controlled road, which is designed to accommodate large volumes of traffic, by introducing large volumes of traffic.

It is considered that the proposed development satisfies the Assessment Benchmarks contained in the State Development Assessment Provision.

6.0 Local Planning Considerations

6.1 Douglas Shire Council Planning Scheme

Within the Douglas Shire Council Planning Scheme (2018), the site is identified within the Rural Zone and is affected by the following overlays:

- Acid Sulfate Soils Overlay;
- Bushfire Hazard Overlay;
- Coastal Environment Overlay;
- Flood and Storm Tide Hazard Overlay;
- Landscape Values Overlay; and,
- Natural Areas Overlay.

The Table below identifies the applicable Assessment Benchmarks contained within the Planning Scheme.

Assessment Benchmark	Applicability	Compliance
Rural Zone Code	Applies	Complies with all applicable Acceptable Outcomes.
Acid Sulfate Soils Overlay Code	Applies	Complies with all applicable Acceptable Outcomes. No excavation or filling works are proposed.
Bushfire Hazard Overlay Code	Applies	Complies with all applicable Acceptable Outcomes.
Coastal Environment Overlay Code	Applies	Complies with applicable Assessment Benchmarks
Flood and Storm Tide Hazard Overlay Code	Applies	Complies with all applicable Acceptable Outcomes.
Landscape Values Overlay Code	Applies	Complies with all applicable Acceptable Outcomes.
Natural Areas Overlay Code	Applies	Complies with all applicable Acceptable Outcomes.
Centre Activities Code	Applies	Complies with all applicable Assessment

		Benchmarks.
Access, Parking and Servicing Code	Applies	Generally Complies with applicable Acceptable Outcomes. Consideration is required in respect of Performance Outcome PO1. Refer below.
Environmental Performance Code	Not applicable	No relevant Assessment Benchmarks.
Filling and Excavation Code	Not applicable	No filling or excavation is proposed.
Infrastructure Works Code	Applies	Complies with all applicable Acceptable Outcomes.
Landscaping Code	Applies	Complies with all applicable Assessment Benchmarks.
Vegetation Management Code	Not applicable	No relevant Assessment Benchmarks.

6.1.1 Strategic Framework

As the application is subject to impact assessment, it is required to be considered against the Strategic Framework contained within the Planning Scheme. Relevant to the proposed development are considered to be Theme 5 – Economy and associated strategic and specific outcomes, in particular those related to Tourism.

The Strategic Outcomes promote a strong and dynamic tourism sector that supports the sustainable use and management of the shires natural assets. It is recognised that tourism is a significant contributor to the local economy and the specific outcomes promote the establishment of development that contributes to the tourism industry and promotes the shires natural assets. This includes low intensity tourist activities in rural areas where there are no adverse environmental impacts on the natural environment or rural activities.

The proposal for a small scale function facility to accommodate an increased demand for wedding and function tourism is considered to facilitate a dynamic tourism industry. The proposal would provide a small scale function facility in an area of outstanding natural beauty that showcases the shires natural assets without adversely impacting on the environment or any rural enterprise. The proposed development and use is considered to be consistent with the Strategic Framework of the Douglas Shire Council Planning Scheme.

6.1.2 Statement of Compliance – Benchmark Assessment

6.1.2.1 Access, Parking and Servicing Code

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

PO1

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

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

The associated Acceptable Outcome states:

AO1.1

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

The rates identified in the above mentioned table are based on gross floor areas and are not strictly relevant to the proposed development where no buildings or permanent structures are proposed. Notwithstanding, it is considered that the proposal satisfies the requirements of the performance outcome. The proposed development would operate in accordance with a traffic management plan whereby all guests are transported to the site by buses with a maximum capacity of 25 persons. The only private vehicle movement would be those associated with staff and residents.

The proposed traffic management would limit the impacts of the development on the road network and reduce the impact on the existing natural character of the area. Car parking areas on site are considered sufficient to accommodate that anticipated demand for car parking spaces generated by the proposed development and the reduced car parking areas would maintain the character of the area and provide for the retention of on-site vegetation.

The proposed development is considered to satisfy the Access, Parking and Servicing Code.

7.0 Summary and Conclusion

This report has been prepared on behalf of David & Jennifer Moodie in support of a Development Application to Douglas Shire Council for a Development Permit for Material Change of Use for the purpose of a Function Facility on land located at 5146 Captain Cook Highway, Oak Beach, and described as Lot 1 on RP742791.

The application site is a single irregularly shaped allotment located at 5146 Captain Cook Highway, Oak Beach and described as Lot 1 on RP742791. It contains an area of 19,190m² and frontage to Captain Cook Highway of 285 metres. The site is currently improved by a dwelling house and detached dwelling house extension which are located to the east of the site. The site is bound by the Captain Cook Highway to the west and the coastline to the north and east. To the south are large rural lifestyle allotments that have been developed with Dwelling Houses.

It is proposed to use the premises and site for the purpose of a Function Facility, in association with the existing Dwelling House, to provide for weddings and similar events. The proposal is that up to 12 events would occur per year for a maximum of 80 persons, excluding staff. All activities would be contained wholly within the site with no additional buildings or permanent structures proposed. Guests would be transported to the site by bus with minimal private car use.

The application is identified as being Impact Assessable and consideration is required to be given to the Strategic Framework of the Planning Scheme, the assessment benchmarks and other relevant planning considerations, including those found in public submissions.

An assessment has demonstrated that the proposal is considered to be consistent with the Strategic Framework and Assessment Benchmarks contained within the Planning Scheme and relevant State Policies and is considered to be a suitable use of the site. The development is considered to be accommodated on the site without adverse impact on the amenity of the area or the operation of the adjacent road network.

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

CERTIFICATE OF TITLE

CURRENT TITLE SEARCH

NATURAL RESOURCES, MINES AND ENERGY, QUEENSLAND

Request No: 35663777

Search Date: 30/11/2020 12:53

Title Reference: 21322037

Date Created: 10/07/1986

Previous Title: 21248226

REGISTERED OWNER

Dealing No: 719119225 22/11/2018

DAVID JOHN MOODIE

JENNIFER SUSAN MOODIE JOINT TENANTS

ESTATE AND LAND

Estate in Fee Simple

LOT 1 REGISTERED PLAN 742791
Local Government: DOUGLAS

EASEMENTS, ENCUMBRANCES AND INTERESTS

1. Rights and interests reserved to the Crown by
Deed of Grant No. 21248226 (Lot 33 on CP SR217)
2. MORTGAGE No 719223699 23/01/2019 at 08:32
AUSTRALIA AND NEW ZEALAND BANKING GROUP LIMITED A.C.N. 005
357 522

ADMINISTRATIVE ADVICES - NIL

UNREGISTERED DEALINGS - NIL

Caution - Charges do not necessarily appear in order of priority

** End of Current Title Search **

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Requested By: D-ENQ GLOBALX

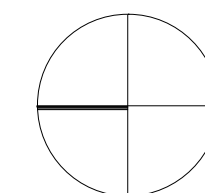
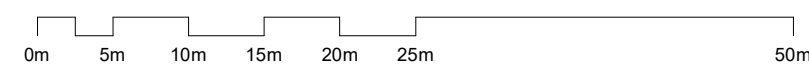
PROPOSAL PLANS



SK

Rev	Description	Date
A	Preliminary	26.11.20

NOT For Construction



TITLE

Site Plan

5146R Captain Cook Hwy, Port Douglas QLD 4877

J:\CON00120 Oak Beach\4 NJA Documentation\5 CADD\1 SK\01 Model\CON00120_SK Model_Oak Beach_Central File.rvt

JOB No.	CON00120
DATE	25.11.2020
SCALE	A1 @ 1 : 500
DWG No.	SK.001 A

PLANNING BENCHMARK ASSESSMENT



20204033 – 5146 Captain Cook Highway. Oak Beach

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

Table 1.2.1: Development in a state-controlled road environment

Performance outcomes	Acceptable outcomes	Response
Buildings and structures		
PO1 The location of buildings, structures, infrastructure, services and utilities does not create a safety hazard in a state-controlled road, or cause damage to, or obstruct road transport infrastructure	AO1.1 Buildings, structures, infrastructure, services and utilities are not located in a state-controlled road. AND	Not applicable No buildings or structures are proposed.
	AO1.2 Buildings, structures, infrastructure, services and utilities can be maintained without requiring access to a state-controlled road.	Not applicable No buildings or structures are proposed
PO2 The design and construction of Buildings and structures does not create a safety hazard by distracting users of a state-controlled road.	AO2.1 Facades of buildings and structures facing a state-controlled road are made of non-reflective materials. OR	Not applicable No buildings or structures are proposed



20204033 – 5146 Captain Cook Highway. Oak Beach

Performance outcomes	Acceptable outcomes	Response
	AO2.2 Facades of buildings and structures do not reflect point light sources into the face of oncoming traffic on a state-controlled road. AND	Not applicable No buildings or structures are proposed
	AO2.3 External lighting of buildings and structures is not directed into the face of oncoming traffic on a state-controlled road and does not involve flashing or laser lights. AND	Not applicable No buildings or structures are proposed
	AO2.4 Advertising devices visible from a state-controlled road are located and designed in accordance with the Roadside advertising guide, Department of Transport and Main Roads, 2013.	Not applicable No Advertising Devices are proposed.
PO3 Road, pedestrian and bikeway bridges over a state-controlled road are designed and constructed to prevent projectiles from being thrown onto a state-controlled road.	AO3.1 Road, pedestrian and bikeway bridges over a state-controlled road include throw protection screens in accordance with section 4.9.3 of the Design criteria for bridges and other structures manual, Department of Transport and Main Roads, 2014.	Not applicable No bridges are proposed.



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Performance outcomes	Acceptable outcomes	Response
Filling, excavation and retaining structures		
<p>PO4 Filling and excavation does not interfere with, or result in damage to, infrastructure or services in a state-controlled road.</p> <p>Note: Information on the location of services and public utility plants in a state-controlled road can be obtained from the Dial Before You Dig service.</p> <p>Where development will impact on an existing or future service or public utility plant in a state-controlled road such that the service or public utility plant will need to be relocated, the alternative alignment must comply with the standards and design specifications of the relevant service or public utility provider, and any costs of relocation are to be borne by the developer.</p>	No acceptable outcome is prescribed.	<p>Not applicable</p> <p>No filling or excavation is proposed.</p>
<p>PO5 Filling, excavation, building foundations and retaining structures do not undermine, or cause subsidence of, a state-controlled road.</p>	No acceptable outcome is prescribed.	<p>Not applicable</p> <p>No filling or excavation is proposed.</p>



20204033 – 5146 Captain Cook Highway. Oak Beach

Performance outcomes	Acceptable outcomes	Response
Note: To demonstrate compliance with this performance outcome, it is recommended an RPEQ certified geotechnical assessment, prepared in accordance with Volume 3 of the Road Planning And Design Manual 2nd edition, Department of Transport and Main Roads, 2016, is provided.		
<p>PO6 Filling, excavation, building foundations and retaining structures do not cause ground water disturbance in a state-controlled road.</p> <p>Note: To demonstrate compliance with this performance outcome, it is recommended an RPEQ certified geotechnical assessment, prepared in accordance with Volume 3 of the Road planning and design manual 2nd edition, Department of Transport and Main Roads, 2016, is provided.</p>	No acceptable outcome is prescribed.	<p>Not applicable</p> <p>No filling or excavation is proposed.</p>
<p>PO7 Excavation, boring, piling, blasting or fill compaction during construction of a development does not result in ground movement or vibration impacts that would cause damage or nuisance to a state-controlled road, road transport infrastructure or road works.</p>	No acceptable outcome is prescribed.	<p>Not applicable</p> <p>No filling or excavation is proposed.</p>



20204033 – 5146 Captain Cook Highway. Oak Beach

Performance outcomes	Acceptable outcomes	Response
<p>Note: To demonstrate compliance with this performance outcome, it is recommended an RPEQ certified geotechnical assessment, prepared in accordance with Volume 3 of the Road Planning And Design Manual 2nd edition, Department of Transport and Main Roads, 2016, is provided.</p>		
<p>PO8 Development involving the haulage of fill, extracted material or excavated spoil material exceeding 10,000 tonnes per year does not damage the pavement of a state-controlled road.</p> <p>Note: It is recommended a pavement impact assessment is provided in accordance with the Guide to Traffic Impact Assessment, Department of Transport and Main Roads, 2017.</p>	<p>AO8.1 Fill, extracted material and spoil material is not transported to or from the development site on a state-controlled road.</p>	<p>Not applicable No filling or excavation is proposed.</p>
<p>PO9 Filling and excavation associated with the construction of vehicular access to a development does not compromise the operation or capacity of existing drainage infrastructure for a state-controlled road.</p>	<p>No acceptable outcome is prescribed.</p>	<p>Not applicable No filling or excavation is proposed.</p>



20204033 – 5146 Captain Cook Highway. Oak Beach

Performance outcomes	Acceptable outcomes	Response
PO10 Fill material used on a development site does not result in contamination of a state-controlled road.	AO10.1 Fill material is free of contaminants including acid sulfate content. Note: Soils and rocks should be tested in accordance with AS 1289.0 – Methods of testing soils for engineering purposes and AS 4133.0-2005 – Methods of testing rocks for engineering purposes. AND	Not applicable No filling or excavation is proposed.
	AO10.2 Compaction of fill is carried out in accordance with the requirements of AS 1289.0 2000 – Methods of testing soils for engineering purposes.	Not applicable No filling or excavation is proposed.
PO11 Filling and excavation does not cause wind-blown dust nuisance in a state-controlled road.	AO11.1 Compaction of fill is carried out in accordance with the requirements of AS 1289.0 2000 – Methods of testing soils for engineering purposes. AND	Not applicable No filling or excavation is proposed.
	AO11.2 Dust suppression measures are used during filling and excavation activities such as	Not applicable No filling or excavation is proposed.



20204033 – 5146 Captain Cook Highway. Oak Beach

Performance outcomes	Acceptable outcomes	Response
	wind breaks or barriers and dampening of ground surfaces.	
Stormwater and drainage		
PO12 Development does not result in an actionable nuisance, or worsening of, stormwater, flooding or drainage impacts in a state-controlled road.	No acceptable outcome is prescribed.	Complies with PO12 The proposed use would not result in a change to the existing on-site stormwater management regime.
PO13 Run-off from the development site is not unlawfully discharged to a state-controlled road.	AO13.1 Development does not create any new points of discharge to a state-controlled road. AND	Complies with AO13.1 The proposed use would not result in a change to the existing on-site stormwater management regime.
	AO13.2 Stormwater run-off is discharged to a lawful point of discharge. Note: Section 3.4 of the Queensland Urban Drainage Manual, Department of Energy and Water Supply, 2013, provides further information on lawful points of discharge. AND	Complies with AO13.2 The proposed use would not result in a change to the existing on-site stormwater management regime.



20204033 – 5146 Captain Cook Highway. Oak Beach

Performance outcomes	Acceptable outcomes	Response
	AO13.3 Development does not worsen the condition of an existing lawful point of discharge to the state-controlled road.	Complies with AO13.3 The proposed use would not result in a change to the existing on-site stormwater management regime.
PO14 Run-off from the development site during construction does not cause siltation of stormwater infrastructure affecting a state-controlled road.	AO14.1 Run-off from the development site during construction is not discharged to stormwater infrastructure for a state-controlled road.	Complies with AO14.1 The proposed use would not result in a change to the existing on-site stormwater management regime.
Vehicular access to a state-controlled road		
PO15 Vehicular access to a state-controlled road that is a limited access road is consistent with government policy for the management of limited access roads.	AO15.1 Development does not require new or changed access to a limited access road. Note: Limited access roads are declared by the transport chief executive under section 54 of the <i>Transport Infrastructure Act 1994</i> and are identified in the DA mapping system. OR	Complies with AO15.1 No new access or new road is required to facilitate the proposed use.



20204033 – 5146 Captain Cook Highway. Oak Beach

Performance outcomes	Acceptable outcomes	Response
	<p>AO15.2 A new or changed access to a limited access road is consistent with the limited access policy for the state-controlled road.</p> <p>Note: Limited access policies for limited access roads declared under the <i>Transport Infrastructure Act 1994</i> can be obtained by contacting the relevant Department of Transport and Main Roads regional office.</p> <p>AND</p>	<p>Not applicable</p> <p>No new or changed access is required to facilitate the development.</p>
	<p>AO15.3 Where a new or changed access is for a service centre, access is consistent with the Service centre policy, Department of Transport and Main Roads, 2013 and the Access policy for roadside service centre facilities on limited access roads, Department of Transport and Main Roads, 2013, and the Service centre strategy for the state-controlled road.</p> <p>Note: The Service centre policy, Department of Transport and Main Roads, 2013, Access policy for roadside service</p>	<p>Not applicable</p> <p>No new or changed access is required to facilitate the development.</p>



20204033 – 5146 Captain Cook Highway. Oak Beach

Performance outcomes	Acceptable outcomes	Response
	centre facilities, Department of Transport and Main Roads, 2013 and the relevant Service centre strategy for a state-controlled road can be accessed by contacting the relevant Department of Transport and Main Roads regional office.	
PO16 The location and design of vehicular access to a state-controlled road (including access to a limited access road) does not create a safety hazard for users of a state-controlled road or result in a worsening of operating conditions on a state-controlled road. Note: Where a new or changed access between the premises and a state-controlled road is proposed, the Department of Transport and Main Roads will need to assess the proposal to determine if the vehicular access for the development is safe. An assessment can be made by Department of Transport and Main Roads as part of the	AO16.1 Vehicular access is provided from a local road.	Complies with AO16.2 - AO16.5
	OR all of the following acceptable outcomes apply: AO16.2 Vehicular access for the development is consistent with the function and design of the state-controlled road. AND	Complies with AO16.2 The proposed development is for a small scale function facility that would be operated alongside the residential occupation of the dwelling by a single households. The impact of the proposed use would not be dissimilar to the residential occupier hosting functions. The site has an existing access that has been lawfully constructed in accordance with the engineering requirements and the proposed use would not affect the operation of that access.



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Performance outcomes	Acceptable outcomes	Response
development assessment process and a decision under section 62 of <i>Transport Infrastructure Act 1994</i> issued.	<p>AO16.3 Development does not require new or changed access between the premises and the state-controlled road.</p> <p>Note: A decision under section 62 of the <i>Transport Infrastructure Act 1994</i> outlines the approved conditions for use of an existing vehicular access to a state-controlled road. Current section 62 decisions can be obtained from the relevant Department of Transport and Main Roads regional office.</p> <p>AND</p>	<p>Complies with AO16.3</p> <p>The proposed minor increase in traffic movements as a result of the development does not warrant a new or changed access to the state-controlled road and no new or changed access is proposed.</p>
	<p>AO16.4 Use of any existing vehicular access to the development is consistent with a decision under section 62 of the <i>Transport Infrastructure Act 1994</i>.</p> <p>Note: The development which is the subject of the application must be of an equivalent use and intensity for which the section 62 approval was issued and the section 62 approval must have been granted no more than 5 years prior to the lodgement of the application.</p> <p>AND</p>	<p>Complies with AO16.4</p> <p>The Access to the site is a lawfully constructed access that satisfies the relevant engineering standards. The proposed use in minor in scale and would not result in traffic generation that is inconsistent with that anticipated for the existing use, where private functions would be able to occur. For example a residents milestone birthday party.</p>



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Performance outcomes	Acceptable outcomes	Response
	AO16.5 Onsite vehicle circulation is designed to give priority to entering vehicles at all times so vehicles do not queue in a road intersection or on the state-controlled road.	Complies with AO16.5 The site has been developed with an existing driveway and access that provides a double gate at the entrance and a substantial vehicle turning area that facilitates one way movement and allows for vehicles to enter and leave the site in a forward gear. Vehicles delivering guests would be a managed process with priority being afforded to vehicles entering the site.
PO17 Vehicular access to a state-controlled road or local road (and associated road access works) are located and designed to not damage or interfere with public passenger transport infrastructure, public passenger services or pedestrian or cycle access to public passenger transport infrastructure and public passenger services.	AO17.1 Vehicular access and associated road access works are not located within 5 metres of existing public passenger transport infrastructure. AND	Not applicable No public passenger transport infrastructure is provided within proximity of the site.
	AO17.2 The location and design of vehicular access for a development does not necessitate the relocation of existing public passenger transport infrastructure. AND	Not applicable No public passenger transport infrastructure is provided within proximity of the site.



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Performance outcomes	Acceptable outcomes	Response
	AO17.3 On-site vehicle circulation is designed to give priority to entering vehicles at all times so vehicles using a vehicular access do not obstruct public passenger transport infrastructure and public passenger services or obstruct pedestrian or cycle access to public passenger transport infrastructure and public passenger services. AND	Not applicable No public passenger transport infrastructure is provided within proximity of the site.
	AO17.4 The normal operation of public passenger transport infrastructure or public passenger services is not interrupted during construction of the development.	Not applicable No public passenger transport infrastructure is provided within proximity of the site.
Vehicular access to local roads within 100 metres of an intersection with a state-controlled road		
PO18 The location and design of vehicular access to a local road within 100 metres of an intersection with a state-controlled road does not create a safety hazard for users of a state-controlled road.	AO18.1 Vehicular access is located as far as possible from the state-controlled road intersection. AND	Not applicable The site fronts the main road.
	AO18.2 Vehicular access is in accordance with volume 3, parts, 3, 4 and 4A of the Road	Not applicable



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Performance outcomes	Acceptable outcomes	Response
	Planning And Design Manual, 2nd edition, Department of Transport and Main Roads, 2016. AND	The site fronts the main road.
	AO18.3 Onsite vehicle circulation is designed to give priority to entering vehicles at all times so vehicles do not queue in the intersection or on the state-controlled road.	Not applicable The site fronts the main road.
Planned upgrades		
PO19 Development does not impede delivery of planned upgrades of state-controlled roads.	AO19.1 Development is not located on land identified by the Department of Transport and Main Roads as land required for the planned upgrade of a state-controlled road. Note: Land required for the planned upgrade of a state-controlled road is identified in the DA mapping system . OR	Complies with AO19.1 There are no planned upgrades within the vicinity of the site.
	AO19.2 Development is sited and designed so that permanent buildings, structures, infrastructure, services or utilities are not located	Complies with AO19.1



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Performance outcomes	Acceptable outcomes	Response
	on land identified by the Department of Transport and Main Roads as land required for the planned upgrade of a state-controlled road.	There are no planned upgrades within the vicinity of the site.
	<p>OR all of the following acceptable outcomes apply:</p> <p>AO19.3 Structures and infrastructure located on land identified by the Department of Transport and Main Roads as land required for the planned upgrade of a state-controlled road are able to be readily relocated or removed without materially affecting the viability or functionality of the development.</p> <p>AND</p>	<p>Complies with AO19.1</p> <p>There are no planned upgrades within the vicinity of the site.</p>
	<p>AO19.4 Vehicular access for the development is consistent with the function and design of the planned upgrade of the state-controlled road.</p> <p>AND</p>	<p>Complies with AO19.1</p> <p>There are no planned upgrades within the vicinity of the site.</p>



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Performance outcomes	Acceptable outcomes	Response
	AO19.5 Development does not involve filling and excavation of, or material changes to, land required for a planned upgrade to a state-controlled road. AND	Complies with AO19.1 There are no planned upgrades within the vicinity of the site.
	AO19.6 Land is able to be reinstated to the pre-development condition at the completion of the use.	Complies with AO19.1 There are no planned upgrades within the vicinity of the site.
Network impacts		
PO20 Development does not result in a worsening of operating conditions on the state-controlled road network. Note: To demonstrate compliance with this performance outcome, it is recommended that an RPEQ certified traffic impact assessment is provided, prepared in accordance with the Guide to Traffic Impact Assessment, Department of Transport and Main Roads, 2017.	No acceptable outcome is prescribed.	Complies with PO20 The proposed development is a minor scale function facility alongside the residential occupation by a household of the existing Dwelling House. There would be a maximum of 12 events per annum, catering for a maximum of 80 guests per function. The proposed use is not considered to be inconsistent with the use of the premises for a Dwelling House only where occasional private events, such as milestone



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Performance outcomes	Acceptable outcomes	Response
		<p>birthdays would attract a similar number of guests.</p> <p>The Captain Cook Highway is a major road designed to carry large volumes of traffic.</p> <p>The proposed minor development would not adversely affect the operating conditions of the Captain Cook Highway.</p>
PO21 Development does not impose traffic loadings on a state-controlled road which could be accommodated on the local road network.	AO21.1 The layout and design of the development directs traffic generated by the development to the local road network.	<p>Not applicable</p> <p>There is no local road network accessible from the site.</p>
PO22 Upgrade works on, or associated with, a state-controlled road are built in accordance with Queensland road design standards.	<p>AO22.1 Upgrade works required as a result of the development are designed and constructed in accordance with the Road planning and design manual, 2nd edition, Department of Transport and Main Roads, 2016.</p> <p>Note: Road works in a state-controlled road require approval under section 33 of the <i>Transport Infrastructure Act 1994</i> before the works commence.</p>	<p>Not applicable</p> <p>No upgrade works are considered to be required to facilitate the development.</p>



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6.2.10 Rural zone code

6.2.10.1 Application

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

6.2.10.2 Purpose

- (1) The purpose of the Rural zone code is to provide for:
 - (a) provide for rural uses including cropping, intensive horticulture, intensive animal industries, animal husbandry, animal keeping and other primary production activities;
 - (b) provide opportunities for non-rural uses, such as ancillary tourism activities that are compatible with agriculture, the environmental features, and landscape character of the rural area where the uses do not compromise the long-term use of the land for rural purposes;
 - (c) protect or manage significant natural resources and processes to maintain the capacity for primary production.
- (2) The local government purpose of the code is to:
 - (a) implement the policy direction set in the Strategic Framework, in particular:
 - (i) Theme 2: Environment and landscape values, Element 3.5.5 – Scenic amenity.
 - (ii) Theme 3: Natural resource management, Element 3.6.2 – Land and catchment management, Element 3.6.3 Primary production, forestry and fisheries, Element 3.6.4 – Resource extraction.
 - (iii) Theme 5 Economy, Element 3.8.2 – Economic growth and diversification, Element 3.8.4 – Primary production.
 - (iv) Theme 6: Infrastructure and transport, Element 3.9.4 – Transport.
 - (b) recognise the primacy of rural production, in particular sugar cultivation, and other farming practices in rural areas;



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- (c) provide protection to areas of ecological significance and scenic amenity significance where present.
- (3) The purpose of the code will be achieved through the following overall outcomes:
 - (a) Areas for use for primary production are conserved and fragmentation is avoided.
 - (b) Development embraces sustainable land management practices and contributes to the amenity and landscape of the area.
 - (c) Adverse impacts of land use, both on-site and on adjoining areas, are avoided and any unavoidable impacts are minimised through location, design, operation and management.
 - (d) Areas of remnant and riparian vegetation are retained or rehabilitated.

6.2.10.3 Criteria for assessment

Table 6.2.10.3.a —Rural zone code - For accepted development subject to requirements and assessable development

Performance outcomes	Acceptable outcomes	Compliance
For self-assessable and assessable development		
PO1 The height of buildings is compatible with the rural character of the area and must not detrimentally impact on visual landscape amenity.	AO1.1 Dwelling houses are not more than 8.5 metres in height. Note – Height is inclusive of roof height.	Not applicable The proposal is not for a Dwelling House.
	AO1.2	Not applicable No buildings are proposed.



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Performance outcomes	Acceptable outcomes	Compliance
	Rural farm sheds and other rural structures are not more than 10 metres in height.	
Setbacks		
PO2 Buildings and structures are setback to maintain the rural character of the area and achieve separation from buildings on adjoining properties.	AO2 Buildings are setback not less than: (a) 40 metres from the property boundary and a State-controlled road; (b) 25 metres from the property boundary adjoining Cape Tribulation Road; (c) 20 metres from the boundary with any other road; (d) 6 metres from side and rear property boundaries.	Not applicable No buildings are proposed.
PO3 Buildings/structures are designed to maintain the rural character of the area.	AO3 White and shining metallic finishes are avoided on external surfaces of buildings.	Not applicable No buildings are proposed.
For assessable development		



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Performance outcomes	Acceptable outcomes	Compliance
PO4 The establishment of uses is consistent with the outcomes sought for the Rural zone and protects the zone from the intrusion of inconsistent uses.	AO4 Uses identified in Table 0.a are not established in the Rural zone.	Complies with AO4 The proposal is not an identified land use.
PO5 Uses and other development include those that: (a) promote rural activities such as agriculture, rural enterprises and small scale industries that serve rural activities; or (b) promote low impact tourist activities based on the appreciation of the rural character, landscape and rural activities; or (c) are compatible with rural activities.	AO5 No acceptable outcomes are prescribed.	Complies with PO5 The proposed development is intended for a form of destination tourism catering for tourists who would typically be seeking similar venues in overseas locations. However, given travel restrictions this is no longer possible. The proposed use is intrinsically linked to the sites location and environment and would be of a minor scale that would not adversely impact on any rural activities.
PO6 Existing native vegetation along watercourses and in, or adjacent to areas of environmental value, or areas of remnant vegetation of value is protected.	AO6 No acceptable outcomes are prescribed.	Complies with PO6 No vegetation is proposed to be removed to facilitate the development.



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Performance outcomes	Acceptable outcomes	Compliance
P07 The minimum lot size is 40 hectares, unless (a) the lot reconfiguration results in no additional lots (e.g. amalgamation, boundary realignments to resolve encroachments); or (b) the reconfiguration is limited to one additional lot to accommodate: (i) Telecommunications facility; (ii) Utility installation.	A07 No acceptable outcomes are prescribed.	Not applicable No reconfiguration is proposed.

Table 0.a — Inconsistent uses within the Rural zone.

Inconsistent uses		
<ul style="list-style-type: none"> • Adult store • Bar • Brothel • Car wash • Child care centre • Club • Community care centre • Community residence 	<ul style="list-style-type: none"> • Hotel • Indoor sport and recreation • Low impact industry • Medium impact industry • Multiple dwelling • Nightclub entertainment facility • Non-resident workforce accommodation • Office 	<ul style="list-style-type: none"> • Residential care facility • Resort complex • Retirement facility • Rooming accommodation • Sales office • Service station • Shop • Shopping centre



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<ul style="list-style-type: none">• Detention facility,• Dual occupancy• Dwelling unit• Food and drink outlet• Hardware and trade supplies• Health care services• High impact industry	<ul style="list-style-type: none">• Outdoor sales• Parking station• Permanent plantation• Port services• Relocatable home park• Renewable energy facility, being a wind farm	<ul style="list-style-type: none">• Short-term accommodation• Showroom• Special industry• Theatre• Warehouse
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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.



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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.



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

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

8.2.1.3 Criteria for assessment

Table Error! No text of specified style in document..a – Acid sulphate soils overlay code –assessable development

Performance outcomes	Acceptable outcomes	Compliance
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	Complies with AO1.1 No excavation or filling is required to facilitate the proposed use.



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Performance outcomes	Acceptable outcomes	Compliance
	actual acid sulfate soils provides guidance on preparing an acid sulfate soils investigation.	
<p>PO2</p> <p>Development avoids disturbing potential acid sulfate soils or actual acid sulfate soils, or is managed to avoid or minimise the release of acid and metal contaminants.</p>	<p>AO2.1</p> <p>The disturbance of potential acid sulfate soils or actual acid sulfate soils is avoided by:</p> <ul style="list-style-type: none"> (a) not excavating, or otherwise removing, soil or sediment identified as containing potential or actual acid sulfate soils; (b) not permanently or temporarily extracting groundwater that results in the aeration of previously saturated acid sulfate soils; (c) not undertaking filling that results in: (d) actual acid sulfate soils being moved below the water table; (e) previously saturated acid sulfate soils being aerated. 	<p>Complies with AO2.1</p> <p>No excavation or filling is required to facilitate the proposed use.</p>



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Performance outcomes	Acceptable outcomes	Compliance
	<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 oxidisation 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;	



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Performance outcomes	Acceptable outcomes	Compliance
	<p>(e) documenting strategies and reporting requirements in an acid sulfate soils environmental management plan.</p> <p>Note - Planning scheme policy SC 6.12 – Acid sulfate soils provides guidance on preparing an acid sulfate soils management plan.</p>	
<p>PO3</p> <p>No environmental harm is caused as a result of exposure to potential acid sulfate soils or actual acid sulfate soils.</p>	<p>AO3</p> <p>No acceptable outcomes are prescribed.</p>	<p>Complies with PO3</p> <p>No excavation or filling is required to facilitate the proposed use.</p>



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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;



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- (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.



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8.2.2.3 Criteria for assessment

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

Performance outcomes		Acceptable outcomes	Compliance
For self-assessable and assessable development			
Compatible development			
<p>PO1</p> <p>A vulnerable use is not established or materially intensified within a bushfire hazard area (bushfire prone area) unless there is an overriding need or other exceptional circumstances.</p> <p>Note - See the end of this code for examples of vulnerable uses.</p>	<p>AO1</p> <p>Vulnerable uses are not established or expanded.</p> <p>Note – Where, following site inspection and consultation with Council, it is clear that the mapping is in error in identifying a premises as being subject to a medium, high, very high bushfire hazard or potential impact buffer sub-category, Council may supply a letter exempting the need for a Bushfire Management Plan.</p> <p>Note – Where the assessment manager has not previously approved a Bushfire Management Plan (either by condition of a previous development approval), the development proponent will be expected to prepare such a plan.</p> <p>Note – Planning scheme policy SC6.9 - Natural</p>	<p>Not applicable</p> <p>A Function Facility is not a vulnerable use.</p>	



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Performance outcomes	Acceptable outcomes	Compliance
	hazards, provides a guide to the preparation of a Bushfire Management Plan.	
PO2 Emergency services and uses providing community support services are able to function effectively during and immediately after a bushfire hazard event.	AO2 Emergency Services and uses providing community support services are not located in a bushfire hazard sub-category and have direct access to low hazard evacuation routes.	Not applicable The proposed use not an emergency service.
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 proposal does not involve the storage of 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	AO4.1 No new lots are created within a bushfire hazard sub-category. or	Not applicable The development does not involve reconfiguring a lot.



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Performance outcomes	Acceptable outcomes	Compliance
<p>the proposed lot(s).</p> <p>Note - “Urban purposes” and “urban area” are defined in the <i>Sustainable Planning Regulations 2009</i>.</p> <p>Reconfiguration will be taken to be for rural residential purposes where proposed lots are between 2000m² and 2ha in area. “Smaller scale” rural residential purposes will be taken to be where the average proposed lot size is 6000m² or less.</p> <p>Note - The radiant heat levels and separation distances are to be established in accordance with method 2 set out in AS3959-2009.</p>		
<p>PO4.2</p> <p>Where reconfiguration is undertaken for other purposes, a building envelope of reasonable dimensions is provided on each lot which achieves radiant heat flux level of 29kW/m² at any point.</p>	<p>AO4.2</p> <p>Lots are separated from hazardous vegetation by a distance that:</p> <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</p>	<p>Not applicable</p> <p>The development does not involve reconfiguring a lot.</p>



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Performance outcomes	Acceptable outcomes	Compliance
	<p>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>PO5</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 	<p>Not applicable</p> <p>The development does not involve reconfiguring a lot.</p>



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Performance outcomes	Acceptable outcomes	Compliance
	<p>Access Guidelines;</p> <p>(e) has a minimum of 4.8m vertical clearance above the road;</p> <p>(f) is designed to ensure hydrants and water access points are not located within parking bay allocations; and</p> <p>(g) incorporates roll-over kerbing.</p>	
	<p>AO5.2</p> <p>Fire hydrants are designed and installed in accordance with AS2419.1 2005, unless otherwise specified by the relevant water entity.</p> <p>Note - Applicants should have regard to the relevant standards set out in the reconfiguration of a lot code and works codes in this planning scheme.</p>	<p>Not applicable</p> <p>The development does not involve reconfiguring a lot.</p>
<p>PO6</p> <p>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</p>	<p>AO6</p> <p>Lot boundaries are separated from hazardous vegetation by a public road or fire trail which has:</p> <p>(a) a reserve or easement width of at least 20m;</p> <p>(b) a minimum trafficable (cleared and formed)</p>	<p>Not applicable</p> <p>The development does not involve reconfiguring a lot.</p>



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Performance outcomes	Acceptable outcomes	Compliance
<p>and the hazardous vegetation and is readily accessible at all times for the type of fire fighting vehicles servicing the area.</p> <p>The access is available for both fire fighting and maintenance/hazard reduction works.</p>	<p>width of 4m capable of accommodating a 15 tonne vehicle and which is at least 6m clear of vegetation;</p> <p>(c) no cut or fill embankments or retaining walls adjacent to the 4m wide trafficable path;</p> <p>(d) a minimum of 4.8m vertical clearance;</p> <p>(e) turning areas for fire-fighting appliances in accordance with Queensland Fire and Emergency Services' Fire Hydrant and Vehicle Access Guidelines;</p> <p>(f) a maximum gradient of 12.5%;</p> <p>(g) a cross fall of no greater than 10 degrees;</p> <p>(h) drainage and erosion control devices in accordance with the standards prescribed in a planning scheme policy;</p> <p>(i) vehicular access at each end which is connected to the public road network at intervals of no more than 500m;</p> <p>(j) designated fire trail signage;</p> <p>(k) if used, has gates locked with a system authorised by Queensland Fire and Emergency</p>	



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Performance outcomes	Acceptable outcomes	Compliance
	<p>Services; and</p> <p>(l) if a fire trail, has an access easement that is granted in favour of Council and Queensland Fire and Emergency Services.</p>	
<p>PO7</p> <p>Where reconfiguration is undertaken for other purposes, a formed, all weather fire trail is provided between the hazardous vegetation and either the lot boundary or building envelope, and is readily accessible at all times 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>AO7</p> <p>Lot boundaries are separated from hazardous vegetation by a public road or fire trail which has:</p> <ul style="list-style-type: none"> (a) a reserve or easement width of at least 20m; (b) a minimum trafficable (cleared and formed) width of 4m capable of accommodating a 15 tonne vehicle and which is at least 6m clear of vegetation; (c) no cut or fill embankments or retaining walls adjacent to the 4m wide trafficable path; (d) a minimum of 4.8m vertical clearance; (e) turning areas for fire-fighting appliances in accordance with Queensland Fire and Emergency Services' Fire Hydrant and Vehicle Access Guidelines; (f) a maximum gradient of 12.5%; 	<p>Not applicable</p> <p>The development does not involve reconfiguring a lot.</p>



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Performance outcomes	Acceptable outcomes	Compliance
	<ul style="list-style-type: none"> (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: <ul style="list-style-type: none"> (a) minimises the length of the development perimeter exposed to, or adjoining hazardous vegetation; (b) avoids the creation of potential bottle-neck points in the movement network; 	Not applicable The development does not involve reconfiguring a lot.



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Performance outcomes	Acceptable outcomes	Compliance
	<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>	
<p>PO9</p> <p>Critical infrastructure does not increase the</p>	<p>AO9</p> <p>Critical or potentially hazardous infrastructure such as water supply, electricity, gas and</p>	<p>Not applicable</p> <p>The development does not involve reconfiguring a</p>



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Performance outcomes	Acceptable outcomes	Compliance
potential bushfire hazard.	telecommunications are placed underground.	lot.
Development design and separation from bushfire hazard – material change of use		
<p>PO10</p> <p>Development is located and designed to ensure proposed buildings or building envelopes achieve a radiant heat flux level at any point on the building or envelope respectively, of:</p> <p>(e) 10kW/m² where involving a vulnerable use; or</p> <p>(f) 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>AO10</p> <p>Buildings or building envelopes are separated from hazardous vegetation by a distance that:</p> <p>(a) achieves a radiant heat flux level of at any point on the building or envelope respectively, of 10kW/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</p>	<p>Not applicable</p> <p>No building works are proposed.</p>



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Performance outcomes	Acceptable outcomes	Compliance
	distance may not be achievable where other provisions within the planning scheme require protection of certain ecological, slope, visual or character features or functions.	
<p>PO11</p> <p>A formed, all weather fire trail is provided between the hazardous vegetation and the site boundary or building envelope, and is readily accessible at all times for the type of fire fighting vehicles servicing the area.</p> <p>However, a fire trail will not be required where it would not serve a practical fire management purpose.</p> <p>Note - Fire trails are unlikely to be required where a development site involves less than 2.5ha</p>	<p>AO11</p> <p>Development sites are separated from hazardous vegetation by a public road or fire trail which has:</p> <ul style="list-style-type: none"> (a) a reserve or easement width of at least 20m; (b) a minimum trafficable (cleared and formed) width of 4m capable of accommodating a 15 tonne vehicle and which is at least 6m clear of vegetation; (c) no cut or fill embankments or retaining walls adjacent to the 4m wide trafficable path; (d) a minimum of 4.8m vertical clearance; (e) turning areas for fire-fighting appliances in accordance with Queensland Fire and Emergency Services' Fire Hydrant and Vehicle 	<p>Not applicable</p> <p>The proposal would not involve the development of any additional buildings or permanent structure.</p>



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Performance outcomes	Acceptable outcomes	Compliance
	<p>Access Guidelines;</p> <p>(f) a maximum gradient of 12.5%;</p> <p>(g) a cross fall of no greater than 10 degrees;</p> <p>(h) drainage and erosion control devices in accordance with the standards prescribed in a planning scheme policy;</p> <p>(i) vehicular access at each end which is connected to the public road network which is connected to the public road network at intervals of no more than 500m;</p> <p>(j) designated fire trail signage;</p> <p>(k) if used, has gates locked with a system authorised by Queensland Fire and Emergency Services; and</p> <p>(l) if a fire trail, has an access easement that is granted in favour of Council and Queensland Fire and Emergency Services.</p>	
All development		



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Performance outcomes	Acceptable outcomes	Compliance
<p>PO12</p> <p>All premises are provided with vehicular access that enables safe evacuation for occupants and easy access by fire fighting appliances.</p>	<p>AO12</p> <p>Private driveways:</p> <ul style="list-style-type: none"> (a) do not exceed a length of 60m from the street to the building; (b) do not exceed a gradient of 12.5%; (c) have a minimum width of 3.5m; (d) have a minimum of 4.8m vertical clearance; (e) accommodate turning areas for fire-fighting appliances in accordance with Queensland Fire and Emergency Services' Fire Hydrant and Vehicle Access Guidelines; and (f) serve no more than 3 dwellings or buildings. 	<p>Complies with AO12</p> <p>The existing driveway has a length of approximately 50 metres from the road frontage to the buildings. It is a flat driveway and has a minimum width of 3.5 metres and a vertical clearance of 4.8 metres. The existing turning facility would accommodate a fire appliance and the access serves a single dwelling.</p>
<p>PO13</p> <p>Development outside reticulated water supply areas includes a dedicated static supply that is available solely for fire fighting purposes and can be accessed by fire fighting appliances.</p>	<p>AO13</p> <p>A water tank is provided within 10m of each building (other than a class 10 building) which:</p> <ul style="list-style-type: none"> (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 	<p>Not applicable</p> <p>No additional buildings or permanent structures are proposed.</p>



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Performance outcomes	Acceptable outcomes	Compliance
	<p>be left available for access by fire fighters:</p> <p>(i) 10,000l for residential buildings</p> <p>Note – A minimum of 7,500l is required in a tank and the extra 2,500l may be in the form of accessible swimming pools or dams.</p> <p>(ii) 45,000l for industrial buildings; and</p> <p>(iii) 20,000l for other buildings;</p> <p>(c) includes shielding of tanks and pumps in accordance with the relevant standards;</p> <p>(d) includes a hardstand area allowing medium rigid vehicle (15 tonne fire appliance) access within 6m of the tank;</p> <p>(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</p> <p>(f) is clearly identified by directional signage provided at the street frontage.</p>	
PO14	AO14	Not applicable



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Performance outcomes	Acceptable outcomes	Compliance
Landscaping does not increase the potential bushfire risk.	Landscaping uses species that are less likely to exacerbate a bushfire event and does not increase fuel loads within separation areas.	No additional landscaping is proposed.
PO15 The risk of bushfire and the need to mitigate that risk is balanced against other factors (such as but not limited to, biodiversity or scenic amenity).	AO15 Bushfire risk mitigation treatments do not have a significant impact on the natural environment or landscape character of the locality where this has value.	Not applicable No bushfire risk treatments are proposed.



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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;



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(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.



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8.2.3.3 Criteria for assessment

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

Performance outcomes	Acceptable outcomes	Compliance
For self-assessable and assessable development		
PO1 No works other than coastal protection works extend seaward of the coastal building line	AO1 Development (including all buildings and other permanent structures such as swimming pools and retaining walls) does not extend seaward of a coastal building line. Note – Coastal building lines are declared under the Coastal Protection and Management Act 1995 and are administered by the State Department of Environment and Heritage Protection.	Not applicable No buildings or permanent structures are proposed.
	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.



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Performance outcomes	Acceptable outcomes	Compliance
	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.
	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 No buildings or permanent structures are proposed.
For Assessable development Erosion Prone Areas		



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Performance outcomes	Acceptable outcomes	Compliance
PO3 Development identifies erosion prone areas (coastal hazards).	AO3 No acceptable outcomes are prescribed.	Complies with PO3 The erosion prone area is identified on the Council 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: (a) community infrastructure where no suitable alternative location or site exists for this infrastructure; or (b) development that reflects the preferred development outcomes in accordance with the zoning of the site (i.e. in the Low density residential zone, a dwelling house is a preferred development outcome in accordance with the zoning of the site).	Complies with AO4.1 The proposal is for a use only and no physical development is proposed.



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Performance outcomes	Acceptable outcomes	Compliance
	<p>AO4.2</p> <p>Development involving existing permanent buildings and structures within an erosion prone area does not increase in intensity of its use by:</p> <ul style="list-style-type: none"> (a) adding additional buildings or structures; or (b) incorporating a land use that will result in an increase in the number of people or employees occupying the site. 	<p>Complies with PO4</p> <p>The proposal is for a use only and no physical development is proposed. The increase in occupation would be temporary only and would not affect natural coastal processes.</p>
Coastal Management Districts		
<p>PO5</p> <p>Natural processes and protective functions of landforms and vegetation are maintained.</p>	<p>AO5.1</p> <p>Development within the coastal management district:</p> <ul style="list-style-type: none"> (a) maintains vegetation on coastal land forms where its removal or damage may: 	<p>Complies with AO5.1</p> <p>No vegetation is proposed to be removed as part of the use and no buildings or permanent structures are proposed. The proposed use would not affect natural coast processes.</p>



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Performance outcomes	Acceptable outcomes	Compliance
	<ul style="list-style-type: none">(i) destabilise the area and increase the potential for coastal erosion, or(ii) interrupt the natural sediment trapping processes or dune or land building processes; <p>(b) maintains sediment volumes of dunes and near-shore coastal landforms, or where a reduction in sediment volumes cannot be avoided, increased risks to development from coastal erosion are mitigated by location, design and construction and operating standards;</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>	



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Performance outcomes	Acceptable outcomes	Compliance
	(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>PO5.2</p> <p>Where development proposes the construction of an erosion control structure:</p> <ul style="list-style-type: none"> (a) it is demonstrated that it is the only feasible option for protecting permanent structures from coastal erosion; and (b) those permanent structures cannot be abandoned or relocated in the event of coastal erosion occurring. 	<p>Not applicable</p> <p>No coastal erosion control structures are proposed.</p>
	<p>PO5.3</p> <p>Development involving reclamation:</p>	<p>Not applicable</p> <p>No reclamation is proposed.</p>



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Performance outcomes	Acceptable outcomes	Compliance
	<ul style="list-style-type: none"> (a) does not alter, or otherwise minimises impacts on, the physical characteristics of a waterway or the seabed near the reclamation, including flow regimes, hydrodynamic forces, tidal water and riverbank stability; (b) is located outside active sediment transport area, or otherwise maintains sediment transport processes as close as possible to their natural state; (c) ensures activities associated with the operation of the development maintain the structure and condition of vegetation communities and avoid wind and water runoff erosion. 	
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	Not applicable No coastal protection work is proposed.



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Performance outcomes	Acceptable outcomes	Compliance
	the long-term use of the locality, or natural values within or neighbouring the proposed placement site. and	
	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 No marine development is proposed.
	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	Not applicable No buildings or permanent structures are proposed.



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Performance outcomes	Acceptable outcomes	Compliance
	and water quality objectives outlined in the Environmental Protection (Water) Policy 2009. and	
	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 No buildings or permanent structures are proposed.
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 proposal would not affect existing public access.
	AO7.2	Not applicable The proposal would not affect existing public access.



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Performance outcomes	Acceptable outcomes	Compliance
	Development provides for regular access points for vehicles including approved roads and tracks. or	
	AO7.3 Development demonstrates an alternative solution to achieve an equivalent standard of performance.	Not applicable The proposal would not affect existing public access.
PO8 Public access to the coast is appropriately located, designed and operated.	AO8.1 Development maintains or enhances public access to the coast. or	Complies with AO8.1 The proposal would not affect existing public access.
	AO8.2 Development is located adjacent to state coastal land or tidal water and minimises and offsets any loss of access to and along the foreshore within 500 metres.	Complies with AO8.1 The proposal would not affect existing public access.



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Performance outcomes	Acceptable outcomes	Compliance
	or	
	AO8.3 Development adjacent to state coastal land or tidal water demonstrates an alternative solution to achieve an equivalent standard and quality of access.	Complies with AO8.1 The proposal would not affect existing public access.
PO9 Development adjacent to state coastal land or tidal water is located, designed and operated to: <ul style="list-style-type: none"> (a) maintain existing access to and along the foreshore; (b) minimise any loss of access to and along the foreshore, or 	AO9.1 Development adjacent to state coastal land or tidal water: <ul style="list-style-type: none"> (a) demonstrates that restrictions to public access are necessary for: <ul style="list-style-type: none"> (i) the safe and secure operation of development; (ii) the maintenance of coastal landforms and coastal habitat; or 	Not applicable The site is privately owned and does not provide public access to the foreshore.



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Performance outcomes	Acceptable outcomes	Compliance
(c) offset any loss of access to and along the foreshore by providing for enhanced alternative access in the general location.	(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: <ul style="list-style-type: none"> (i) pedestrians via access points including approved walking tracks, boardwalks and viewing platforms; (ii) vehicles via access points including approved roads or tracks. 	
	AO9.2 Development adjacent to state coastal land or tidal water: <ul style="list-style-type: none"> (a) is located and designed to: <ul style="list-style-type: none"> (i) allow safe unimpeded access to, over, under or around built infrastructure located on, over or 	Not applicable The site is privately owned and does not provide public access to the foreshore.



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Performance outcomes	Acceptable outcomes	Compliance
	<p>along the foreshore, for example through the provision of esplanades or easement corridors to preserve future access;</p> <p>(ii) ensure emergency vehicles can access the area near the development. or</p> <p>(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:</p> <p>(i) allow safe unimpeded access to, over, under or around built infrastructure located on, over or along the foreshore, and</p> <p>(ii) ensure emergency vehicles can access the area near the development.</p>	



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Performance outcomes	Acceptable outcomes	Compliance
<p>PO10</p> <p>Development that involves reconfiguring a lot for urban purposes adjacent to the coast is designed to ensure public access to the coast in consideration of public access demand from a whole-of-community basis and the maintenance of coastal landforms and coastal habitat.</p>	<p>AO10.1</p> <p>Development complies if consideration of public access demand from a whole-of-community basis and the maintenance of coastal landforms and coastal habitat is undertaken.</p> <p>or</p> <p>AO10.2</p> <p>Development demonstrates an alternative solution to achieve an equivalent standard and quality of access.</p>	<p>Not applicable</p> <p>The development does not involve reconfiguring a lot.</p>
<p>PO11</p> <p>Development maintains public access to State coastal land by avoiding private marine development attaching to, or extending across, non-tidal State coastal land.</p>	<p>AO11</p> <p>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.</p>	<p>Not applicable</p> <p>No private marine structures are proposed.</p>



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Performance outcomes	Acceptable outcomes	Compliance
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 No artificial waterways are involved.
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 No buildings or permanent structures are proposed.
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 proposal is the use of an existing residential parcel of land and does not involve the development of greenfield land.



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Performance outcomes	Acceptable outcomes	Compliance
Private marine development		
PO15 Private marine development is to avoid attaching to, or extending across, non-tidal State coastal land.	AO15 Private marine development and other structures such as decks or boardwalks for private use do not attach to, or extend across, State coastal land that is situated above high water mark. Note – For occupation permits or allocations of State land, refer to the Land Act 1994.	Not applicable No private marine development is proposed.
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:	Not applicable No private marine development is proposed.



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Performance outcomes	Acceptable outcomes	Compliance
	<p>(a) the height, scale and size of the natural features of the immediate surroundings and locality;</p> <p>(b) the height, scale and size of existing buildings or other structures in the immediate surroundings and the locality;</p> <p>(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.</p> <p>Note – The prescribed tidal works code in the Coastal Protection and Management Regulation 2003 outlines design and construction requirements that must be complied with.</p>	
<p>PO18</p> <p>Private marine development avoids adverse impacts on coastal landforms and coastal processes.</p>	<p>AO18</p> <p>Private marine development does not require the construction of coastal protection works, shoreline or riverbank hardening or dredging for marine access.</p>	<p>Not applicable</p> <p>No private marine development is proposed.</p>



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Performance outcomes	Acceptable outcomes	Compliance
For dry land marinas and artificial waterways		
PO19 Dry land marinas and artificial waterways: <ul style="list-style-type: none"> (a) avoid impacts on coastal resources; (b) do not contribute to the degradation of water quality; (c) do not increase the risk of flooding; (d) do not result in the degradation or loss of MSES; (e) do not result in an adverse change to the tidal prism of the natural waterway to which development is connected. (f) does not involve reclamation of tidal land other than for the purpose of: <ul style="list-style-type: none"> (i) coastal dependent development, public marine development; or (ii) community infrastructure, where there is no feasible alternative; or 	AO19 No acceptable solutions are prescribed.	Not applicable No marinas or artificial waterways are proposed.



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Performance outcomes	Acceptable outcomes	Compliance
(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.		



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8.2.4 Flood and storm tide hazard overlay code

8.2.4.1 Application

- (1) This code applies to assessing a material change of use, reconfiguring a lot, operational work or building work within the Flood and storm tide 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 Flood and storm tide hazard overlay is identified on the Flood and storm tide hazard overlay map in Schedule 2 and includes the:
 - (a) Storm tide – high hazard sub-category;
 - (b) Storm tide – medium hazard sub-category;
 - (c) Flood plain assessment sub-category;
 - (d) 100 ARI Mossman, Port Douglas and Daintree Township Flood Studies sub-category.
- (3) When using this code, reference should be made to Part 5.

Note - The Flood and storm tide hazards overlay maps contained in Schedule 2 identify areas (Flood and storm tide inundation areas) where flood and storm tide inundation modelling has been undertaken by the Council. Other areas not identified by the Flood and inundation hazards overlay maps contained in Schedule 2 may also be subject to the defined flood event or defined storm tide event.

8.2.4.2 Purpose

- (1) The purpose of the Flood and storm tide hazard overlay code is to:



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- (a) implement the policy direction in the Strategic Framework, in particular:
 - (i) Theme 1 Settlement pattern: Element 3.4.7 Mitigation of hazards;
 - (ii) Theme 6 Infrastructure and transport: Element 3.9.2 Energy.
 - (b) enable an assessment of whether development is suitable on land within the Flood and storm tide hazard sub-categories.
- (2) The purpose of the code will be achieved through the following overall outcomes:
- (a) development siting, layout and access responds to the risk of the natural hazard and minimises risk to personal safety;
 - (b) development achieves an acceptable or tolerable risk level, based on a fit for purpose risk assessment;
 - (c) the development is resilient to natural hazard events by ensuring siting and design accounts for the potential risks of natural hazards to property;
 - (d) the development supports, and does not unduly burden disaster management response or recovery capacity and capabilities;
 - (e) the development directly, indirectly and cumulatively avoids an unacceptable increase in severity of the natural hazards and does not significantly increase the potential for damage on site or to other properties;
 - (f) the development avoids the release of hazardous materials as a result of a natural hazard event;
 - (g) natural processes and the protective function of landforms and/or vegetation are maintained in natural hazard areas;
 - (h) community infrastructure is located and designed to maintain the required level of functionality during and immediately after a hazard event.

8.2.4.3 Criteria for assessment

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

Performance outcomes	Acceptable outcomes	Compliance
For assessable and self-assessable development		



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Performance outcomes	Acceptable outcomes	Compliance
<p>PO1</p> <p>Development is located and designed to: ensure the safety of all persons; minimise damage to the development and contents of buildings; provide suitable amenity; minimise disruption to residents, recovery time, and rebuilding or restoration costs after inundation events.</p> <p>Note – For assessable development within the flood plain assessment sub-category, a flood study by a suitably qualified professional is required to identify compliance with the intent of the acceptable outcome.</p>	<p>AO1.1</p> <p>Development is sited on parts of the land that is not within the Flood and Storm tide hazards overlay maps contained in Schedule 2; or For dwelling houses,</p> <p>AO1.2</p> <p>Development within the Flood and Storm Tide hazards overlay maps (excluding the Flood plain assessment sub-category) is designed to provide immunity to the Defined Inundation Event as outlined within Table 8.2.4.3.b plus a freeboard of 300mm.</p>	<p>Complies with AO1.1</p> <p>The use would not be undertaken on land subject to flood and storm tide hazard.</p>
	<p>AO1.3</p> <p>New buildings are: (a) not located within the overlay area; (b) located on the highest part of the site to minimise entrance of flood waters;</p>	<p>Not applicable</p> <p>No new buildings are proposed.</p>



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Performance outcomes	Acceptable outcomes	Compliance
	(c) provided with clear and direct pedestrian and vehicle evacuation routes off the site.	
	AO1.4 In non urban areas, buildings and infrastructure are set back 50 metres from natural riparian corridors to maintain their natural function of reducing velocity of floodwaters.	Not applicable No new buildings or infrastructure are proposed.
For assessable development		
PO2 The development is compatible with the level of risk associated with the natural hazard.	AO2 The following uses are not located in land inundated by the Defined Flood Event (DFE) / Storm tide: (a) Retirement facility; (b) Community care facility; (c) Child care centre.	Not applicable The proposal is not for an identified use.
PO3 Development siting and layout responds to	For Material change of use AO3.1	Not applicable No new buildings are proposed.



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Performance outcomes	Acceptable outcomes	Compliance
flooding potential and maintains personal safety	<p>New buildings are:</p> <ul style="list-style-type: none"> (a) not located within the overlay area; (b) located on the highest part of the site to minimise entrance of flood waters; (c) provided with clear and direct pedestrian and vehicle evacuation routes off the site. <p>or</p> <p>AO3.2</p> <p>The development incorporates an area on site that is at least 300mm above the highest known flood inundation level with sufficient space to accommodate the likely population of the development safely for a relatively short time until flash flooding subsides or people can be evacuated.</p> <p>or</p> <p>AO3.3</p> <p>Where involving an extension to an existing dwelling house that is situated below DFE /Storm</p>	



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Performance outcomes	Acceptable outcomes	Compliance
	<p>tide, the maximum size of the extension does not exceed 70m² gross floor area.</p> <p>Note – If part of the site is outside the Hazard Overlay area, this is the preferred location of all buildings.</p>	
	<p>For Reconfiguring a lot</p> <p>AO3.4</p> <p>Additional lots:</p> <p>(a) are not located in the hazard overlay area;</p> <p>or</p> <p>(b) are demonstrated to be above the flood level identified for the site.</p> <p>Note - If part of the site is outside the Hazard Overlay area, this is the preferred location for all lots (excluding park or other open space and recreation lots).</p> <p>Note – Buildings subsequently developed on the lots will need to comply with the relevant building assessment provisions under the <i>Building Act 1975</i>.</p>	<p>Not applicable</p> <p>The proposal does not include reconfiguring a lot.</p>
	<p>AO3.5</p> <p>Road and/or pathway layout ensures residents are</p>	<p>Not applicable</p> <p>No new roads or pathways are proposed.</p>



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Performance outcomes	Acceptable outcomes	Compliance
	<p>not physically isolated from adjacent flood free urban areas and provides a safe and clear evacuation route path:</p> <p>(a) by locating entry points into the reconfiguration above the flood level and avoiding culs-de-sac or other non-permeable layouts; and</p> <p>(b) by direct and simple routes to main carriageways.</p>	
	<p>AO3.6</p> <p>Signage is provided on site (regardless of whether the land is in public or private ownership) indicating the position and path of all safe evacuation routes off the site and if the site contains, or is within 100m of a floodable waterway, hazard warning signage and depth indicators are also provided at key hazard points, such as at floodway crossings or entrances to low-lying reserves.</p> <p>or</p>	<p>Complies with AO3.7</p> <p>Refer below.</p>



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Performance outcomes	Acceptable outcomes	Compliance
	AO3.7 There is no intensification of residential uses within the flood affected areas on land situated below the DFE/Storm tide.	Complies with AO3.7 No new residential uses are proposed.
	For Material change of use (Residential uses) AO3.1 The design and layout of buildings used for residential purposes minimise risk from flooding by providing: (a) parking and other low intensive, non-habitable uses at ground level; Note - The high-set 'Queenslander' style house is a resilient low-density housing solution in floodplain areas. Higher density residential development should ensure only non-habitable rooms (e.g. garages, laundries) are located on the ground floor.	Not applicable No new residential uses are proposed.
PO4 Development is resilient to flood events by ensuring design and built form account for the	For Material change of use (Non-residential uses) AO4.2 Non residential buildings and structures allow for	Not applicable No new builds are proposed.



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Performance outcomes	Acceptable outcomes	Compliance
potential risks of flooding.	<p>the flow through of flood waters on the ground floor.</p> <p>Note - Businesses should ensure that they have the necessary contingency plans in place to account for the potential need to relocate property prior to a flood event (e.g. allow enough time to transfer stock to the upstairs level of a building or off site).</p> <p>Note - The relevant building assessment provisions under the <i>Building Act 1975</i> apply to all building work within the Hazard Area and need to take into account the flood potential within the area.</p>	
	<p>AO4.3</p> <p>Materials are stored on-site:</p> <p>(a) are those that are readily able to be moved in a flood event;</p> <p>(b) where capable of creating a safety hazard by being shifted by flood waters, are contained in order to minimise movement in times of flood.</p> <p>Notes -</p> <p>(a) Businesses should ensure that they have the necessary contingency plans in place to account for the potential</p>	<p>Not applicable</p> <p>No materials would be stored on site within a flood hazard area.</p>



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Performance outcomes	Acceptable outcomes	Compliance
	<p>need to relocate property prior to a flood event (e.g. allow enough time to transfer stock to the upstairs level of a building or off site).</p> <p>(b) Queensland Government Fact Sheet 'Repairing your House after a Flood' provides information about water resilient products and building techniques.</p>	
<p>PO5</p> <p>Development directly, indirectly and cumulatively avoids any increase in water flow velocity or flood level and does not increase the potential flood damage either on site or on other properties.</p> <p>Note – Berms and mounds are considered to be an undesirable built form outcome and are not supported.</p>	<p>For Operational works</p> <p>AO5.1</p> <p>Works in urban areas associated with the proposed development do not involve:</p> <p>(a) any physical alteration to a watercourse or floodway including vegetation clearing; or</p> <p>(b) a net increase in filling (including berms and mounds).</p> <p>AO5.2</p> <p>Works (including buildings and earthworks) in non urban areas either:</p> <p>(a) do not involve a net increase in filling greater than 50m³; or</p>	<p>Not applicable</p> <p>No operational works are proposed.</p>



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Performance outcomes	Acceptable outcomes	Compliance
	<p>(b) do not result in any reductions of on-site flood storage capacity and contain within the subject site any changes to depth/duration/velocity of flood waters;</p> <p>or</p> <p>(c) do not change flood characteristics outside the subject site in ways that result in:</p> <ul style="list-style-type: none"> (i) loss of flood storage; (ii) loss of/changes to flow paths; (iii) acceleration or retardation of flows or any reduction in flood warning times elsewhere on the flood plain. 	
	<p>For Material change of use</p> <p>AO5.3</p> <p>Where development is located in an area affected by DFE/Storm tide, a hydraulic and hydrology report, prepared by a suitably qualified professional, demonstrates that the development</p>	<p>Not applicable</p> <p>No development would be located in an area affected by a flood event.</p>



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Performance outcomes	Acceptable outcomes	Compliance
	<p>maintains the flood storage capacity on the subject site; and</p> <p>(a) does not increase the volume, velocity, concentration of flow path alignment of stormwater flow across sites upstream, downstream or in the general vicinity of the subject site; and</p> <p>(b) does not increase ponding on sites upstream, downstream or in the general vicinity of the subject site.</p>	
	<p>For Material change of use and Reconfiguring a lot</p> <p>AO5.4</p> <p>In non-urban areas, buildings and infrastructure are set back 50 metres from natural riparian corridors to maintain their natural function of reducing velocity of floodwaters.</p> <p>Note – Fences and irrigation infrastructure (e.g. irrigation tape) in rural areas should be managed to minimise adverse the impacts that they may</p>	<p>Not applicable</p> <p>The site does not contain and is not located adjacent a riparian corridor.</p>



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Performance outcomes	Acceptable outcomes	Compliance
	have on downstream properties in the event of a flood.	
PO6 Development avoids the release of hazardous materials into floodwaters.	For Material change of use AO6.1 Materials manufactured or stored on site are not hazardous or noxious, or comprise materials that may cause a detrimental effect on the environment if discharged in a flood event; or AO6.2 If a DFE level is adopted, structures used for the manufacture or storage of hazardous materials are: (a) located above the DFE level; or (b) designed to prevent the intrusion of floodwaters.	Not applicable No hazardous materials would be involved in the proposed use.
	AO6.3	Not applicable



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Performance outcomes	Acceptable outcomes	Compliance
	Infrastructure is designed and constructed to resist hydrostatic and hydrodynamic forces as a result of inundation by the DFE	No infrastructure is proposed.
	<p>AO6.4</p> <p>If a flood level is not adopted, hazardous materials and their manufacturing equipment are located on the highest part of the site to enhance flood immunity and designed to prevent the intrusion of floodwaters.</p> <p>Note – Refer to <i>Work Health and Safety Act 2011</i> and associated Regulation and Guidelines, the <i>Environmental Protection Act 1994</i> and the relevant building assessment provisions under the <i>Building Act 1975</i> for requirements related to the manufacture and storage of hazardous materials.</p>	<p>Not applicable</p> <p>No hazardous materials would be involved in the proposed use.</p>
<p>PO7</p> <p>The development supports, and does not unduly burden, disaster management response or recovery capacity and capabilities.</p>	<p>AO7</p> <p>Development does not:</p> <p>(a) increase the number of people calculated to be at risk of flooding;</p>	<p>Complies with AO7</p> <p>The proposed development would not be undertaken on land subject to flooding.</p>



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Performance outcomes	Acceptable outcomes	Compliance
	<ul style="list-style-type: none"> (b) increase the number of people likely to need evacuation; (c) shorten flood warning times; and (d) impact on the ability of traffic to use evacuation routes, or unreasonably increase traffic volumes on evacuation routes. 	
<p>PO8</p> <p>Development involving community infrastructure:</p> <ul style="list-style-type: none"> (a) remains functional to serve community need during and immediately after a flood event; (b) is designed, sited and operated to avoid adverse impacts on the community or environment due to impacts of flooding on infrastructure, facilities or access and egress routes; (c) retains essential site access during a flood event; (d) is able to remain functional even when other 	<p>AO8.1</p> <p>The following uses are not located on land inundated during a DFE/Storm tide:</p> <ul style="list-style-type: none"> (a) community residence; and (b) emergency services; and (c) residential care facility; and (d) utility installations involving water and sewerage treatment plants; and (e) storage of valuable records or items of historic or cultural significance (e.g. archives, museums, galleries, libraries). <p>or</p>	<p>Complies with AO8.1</p> <p>The proposed use is not an identified use.</p>



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Performance outcomes	Acceptable outcomes	Compliance
infrastructure or services may be compromised in a flood event.	<p>AO8.2</p> <p>The following uses are not located on land inundated during a 1% AEP flood event:</p> <ul style="list-style-type: none"> (a) community and cultural facilities, including facilities where an education and care service under the Education and care Services National law (Queensland) is operated or child care service under the <i>Child Care Act 2002</i> is conducted, (b) community centres; (c) meeting halls; (d) galleries; (e) libraries. <p>The following uses are not located on land inundated during a 0.5% AEP flood event.</p> <ul style="list-style-type: none"> (a) emergency shelters; (b) police facilities; (c) sub stations; (d) water treatment plant 	



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Performance outcomes	Acceptable outcomes	Compliance
	<p>The following uses are not located on land inundated during a 0.2% AEP flood event:</p> <ul style="list-style-type: none"> (a) correctional facilities; (b) emergency services; (c) power stations; (d) major switch yards. 	
	<p>AO8.3</p> <p>The following uses have direct access to low hazard evacuation routes as defined in Table 8.2.4.3.c:</p> <ul style="list-style-type: none"> (a) community residence; and (b) emergency services; and (c) hospitals; and (d) residential care facility; and (e) sub stations; and (f) utility installations involving water and sewerage treatment plants. 	<p>Not applicable</p> <p>The proposal does not involve any of the identified use.</p>



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Performance outcomes	Acceptable outcomes	Compliance
	<p>and/or</p> <p>AO8.4</p> <p>Any components of infrastructure that are likely to fail to function or may result in contamination when inundated by flood, such as electrical switch gear and motors, telecommunications connections, or water supply pipeline air valves are:</p> <p>(a) located above DFE/Storm tide or the highest known flood level for the site;</p> <p>(b) designed and constructed to exclude floodwater intrusion / infiltration.</p>	
	<p>AO8.5</p> <p>Infrastructure is designed and constructed to resist hydrostatic and hydrodynamic forces as a result of inundation by a flood.</p>	<p>Not applicable</p> <p>No infrastructure is proposed.</p>



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Table 8.2.4.3.b- Minimum immunity (floor levels) for development

Minimum immunity to be achieved (floor levels)	Uses and elements of activities acceptable in the event
20% AEP level	<ul style="list-style-type: none">• Parks and open space.
5% AEP level	<ul style="list-style-type: none">• Car parking facilities (including car parking associated with use of land).
1% AEP level	<ul style="list-style-type: none">• All development (where not otherwise requiring an alternative level of minimum immunity).
0.5% AEP level	<ul style="list-style-type: none">• Emergency services (if for a police station);• Industry activities (if including components which store, treat or use hazardous materials);• Substation;• Utility installation.
0.2% AEP level	<ul style="list-style-type: none">• Emergency services;• Hospital;• Major electricity infrastructure;• Special industry.



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Table 8.2.4.3.c - Degree of flood

Criteria	Low	Medium	High	Extreme
Wading ability	If necessary, children and the elderly could wade. (Generally, safe wading velocity depth product is less than 0.25)	Fit adults can wade. (Generally, safe wading velocity depth product is less than 0.4)	Fit adults would have difficulty wading. (Generally, safe wading velocity depth product is less than 0.6)	Wading is not an option.
Evacuation distances	< 200 metres	200-400 metres	400-600 metres	600 metres
Maximum flood depths	< 0.3 metre	< 0.6 metre	< 1.2 metres	1.2 metres
Maximum flood velocity	< 0.4 metres per second	< 0.8 metres per second	< 1.5 metres per second	1.5 metres per second
Typical means of egress	Sedan	Sedan early, but 4WD or trucks later	4WD or trucks only in early stages, boats or helicopters	Large trucks, boats or helicopters
Timing Note: This category cannot be implemented until evacuation times have been established in the Counter Disaster Plan (Flooding)	Ample flood forecasting. Warning and evacuation routes remain passable for twice as long as evacuation time.	Evacuation routes remain trafficable for 1.5 times as long as the evacuation.	Evacuation routes remain trafficable for only up to minimum evacuation time.	There is insufficient evacuation time.



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8.2.6 Landscape values overlay code

8.2.6.1 Application

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

8.2.6.2 Purpose

- (1) The purpose of the Landscape values overlay code is to:
 - (a) implement the policy direction of the Strategic Framework, in particular:
 - (i) Theme 2: Environment and landscape values Element 3.5.5 Scenic amenity;
 - (ii) Theme 3: Natural resource management Element 3.6.4 – Resource extraction.



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- (b) enable an assessment of whether development is suitable on land within the Landscape values overlay sub-categories.
- (2) The purpose of the code will be achieved through the following overall outcomes:
- (a) areas of High landscape value are protected, retained and enhanced;
 - (b) areas of Medium landscape value are managed to integrate and limit the visual impact of development;
 - (c) the landscape values of the Coastal scenery area are managed to integrate and limit the visual impact of development;
 - (d) development maintains and enhances the significant landscape elements and features which contribute to the distinctive character and identity of Douglas Shire;
 - (e) ridges and vegetated hillslopes are not developed in a way that adversely impacts on landscape values;
 - (f) watercourses, forested mountains and coastal landscape character types remain predominantly natural in appearance in order to maintain the region's diverse character and distinctive tropical image, in particular:
 - (i) areas in the coastal landscape character type which are predominantly natural and undeveloped in appearance retain this natural landscape character;
 - (ii) watercourses which are predominantly natural and undeveloped in appearance retain this natural landscape character;
 - (iii) the rural character of cane fields and lowlands landscape character types which are predominantly rural or natural in appearance are maintained;
 - (iv) landscape values are maintained when viewed from lookouts, scenic routes, gateways and public places.
 - (g) views towards High landscape value areas and the Coral Sea are not diminished;
 - (h) development is consistent with the prevailing landscape character of its setting, and is neither visually dominant nor visually intrusive;
 - (i) advertising devices do not detract from the landscape values, character types or amenity of an area.

8.2.6.3 Criteria for assessment

Table 8.2.6.3.a – Landscape Values overlay code –assessable development



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Performance outcomes		Acceptable outcomes	Compliance
For assessable development			
Development in a High landscape value area			
PO1 Development within High landscape value areas identified on the Landscape values overlay maps contained in Schedule 2: (a) avoids detrimental impacts on the landscape values of forested skylines, visible hillslopes, ridgelines, the coastal foreshore or the shoreline of other water bodies through the loss of vegetation; (b) is effectively screened from view from a road, lookout or other public place by an existing natural landform or native vegetation, or will be effectively screened by native vegetation	AO1.1 Buildings and structures are not more than 8.5 metres and two storeys in height Note - Height is inclusive of roof height.	Not applicable No buildings are proposed as part of the proposed use.	
	AO1.2 Buildings and structures are setback not less than 50 metres from ridgelines or peaks.	Not applicable No buildings are proposed as part of the proposed use.	
	AO1.3 Development is screened from view from roads or other public places by an existing natural landform or an existing native vegetation buffer.	Complies with AO1.3 The proposed use would be setback from the highway and screen from view by existing landscaping.	



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Performance outcomes	Acceptable outcomes	Compliance
<p>within 3 years of construction;</p> <p>(c) retains existing vegetation and incorporates new landscaping to enhance existing vegetation and visually soften built form elements;</p> <p>(d) incorporates development of a scale, design, height, position on site, construction materials and external finishes that are compatible with the landscape values of the locality;</p> <p>(e) avoids detrimental impacts on landscape values and excessive changes to the natural landform as a result of the location, position on site, scale, design, extent and alignment of earthworks, roads, driveways, retaining walls and other on-ground or in-ground infrastructure;</p> <p>(f) avoids detrimental impacts on landscape values and views as a result of the location, position on site, scale, design and alignment</p>	<p>AO1.4</p> <p>Where development on land steeper than 1 in 6 (16.6%) cannot be avoided:</p> <p>(a) development follows the natural; contours of the site;</p> <p>(b) buildings are split level or suspended floor construction, or a combination of the two;</p> <p>(c) lightweight materials are used to areas with suspended floors.</p> <p>Note - Examples of suitable lightweight materials include timber or fibre cement boards or sheeting for walls and factory treated metal sheeting for walls and roofs.</p>	<p>Not applicable</p> <p>The use would not be undertaken on sloping land.</p>
	<p>AO1.5</p> <p>The external features, walls and roofs of buildings and structures have a subdued and non-reflective palette.</p>	<p>Not applicable</p> <p>No buildings are proposed.</p>



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Performance outcomes	Acceptable outcomes	Compliance
<p>of telecommunications facilities, electricity towers, poles and lines and other tall infrastructure;</p> <p>(g) extractive industry operations are avoided.</p> <p>Note - A visual impact assessment is undertaken in accordance with Planning scheme policy SC6.6 – Landscape values in order to satisfy performance outcomes.</p>	<p>Note - Examples of suitable colours include shades of green, olive green, blue green, grey green, green blue, indigo, brown, blue grey, and green yellow.</p>	
	<p>AO1.6</p> <p>No clearing of native vegetation occurs on land with a slope greater than 1 in 6 (16.5%).</p>	<p>Not applicable</p> <p>The site does not contain sloping land.</p>
	<p>AO1.7</p> <p>Where for accommodation activities or reconfiguration of a lot in a High landscape value area, development demonstrates that the height, design, scale, positioning on-site, proposed construction materials and external finishes are compatible with the landscape values.</p> <p>Note - A visual impact assessment undertaken in accordance with Planning scheme policy SC6.6 – Landscape values may be required.</p>	<p>Not applicable</p> <p>The proposal is not for accommodation activities or reconfiguration of a lot.</p>



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Performance outcomes	Acceptable outcomes	Compliance
	AO1.8 Advertising devices do not occur.	Not applicable No advertising devices are proposed.
Development within the Medium landscape value area		
PO2 Development within Medium landscape value areas identified on the Landscape values overlay maps contained in Schedule 2: (g) avoids detrimental impacts on the landscape values of forested skylines, visible hillslopes, ridgelines, the coastal foreshore or the shoreline of other water bodies through the loss of vegetation; (h) is effectively screened from view from a road, lookout or other public place by an existing natural landform or native vegetation, or will be effectively screened by	AO2.1 Buildings and structures are not more than 8.5 metres and two storeys in height. Note - Height is inclusive of the roof height.	Not applicable No buildings are proposed.
	AO2.2 Development is screened from view from roads or other public places by an existing natural landform or an existing native vegetation buffer.	Complies with AO2.2 The proposed use would be setback from the highway and screen from view by existing landscaping.
	AO2.3 Where development on land steeper than 1 in 6 (16.6%) cannot be avoided:	Not applicable The site does not contain sloping land.



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Performance outcomes		Acceptable outcomes	Compliance
<p>native vegetation within 5 years of construction;</p> <p>(i) retains existing vegetation and incorporates new landscaping to enhance existing vegetation and visually soften built form elements;</p> <p>(j) incorporates development of a scale, design, height, position on site, construction materials and external finishes that are compatible with the landscape values of the locality;</p> <p>(k) avoids detrimental impacts on landscape values and excessive changes to the natural landform as a result of the location, position on site, scale, design and alignment of earthworks, roads, driveways, retaining walls and other on-ground or in-ground infrastructure;</p>		<p>(a) development follows the natural; contours of the site;</p> <p>(b) buildings are split level or suspended floor construction, or a combination of the two;</p> <p>(c) lightweight materials are used to areas with suspended floors.</p> <p>Note - Examples of suitable lightweight materials include timber or fibre cement boards or sheeting for walls and factory treated metal sheeting for walls and roofs.</p>	
		<p>AO2.4</p> <p>The external features, walls and roofs of buildings and structures have a subdued and non-reflective palette.</p> <p>Note - Examples of suitable colours include shades of green, olive green, blue green, grey green, green blue, indigo, brown, blue grey, and green yellow.</p>	<p>Not applicable</p> <p>No buildings are proposed.</p>



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Performance outcomes	Acceptable outcomes	Compliance
<p>(l) avoids detrimental impacts on landscape values and views as a result of the location, position on site, scale, design and alignment of telecommunications facilities, electricity towers, poles and lines and other tall infrastructure;</p> <p>(m) extractive industry operations are avoided, or where they cannot be avoided, are screened from view.</p> <p>Note - A visual impact assessment is undertaken in accordance with Planning scheme policy SC6.6 – Landscape values in order to satisfy performance outcomes.</p>	<p>AO2.5</p> <p>No clearing of native vegetation occurs on land with a slope greater than 1 in 6 (16.6%).</p>	<p>Not applicable</p> <p>The site does not contain sloping land.</p>
	<p>AO2.6</p> <p>Advertising devices do not occur.</p>	<p>Complies with AO2.6</p> <p>No advertising devices are proposed.</p>
Development within a Scenic route buffer / view corridor area		
<p>PO3</p> <p>Development within a Scenic route buffer / view corridor area as identified on the Landscape</p>	<p>AO3.1</p> <p>Where within a Scenic route buffer / view corridor area, the height of buildings and structures is not more than identified within the acceptable</p>	<p>Not applicable</p> <p>No buildings or structures are proposed.</p>



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Performance outcomes	Acceptable outcomes	Compliance
values overlay maps contained in Schedule 2:	outcomes of the applicable zone code.	
(n) retains visual access to views of the surrounding landscape, the sea and other water bodies;	AO3.2 No clearing of native vegetation is undertaken within a Scenic route buffer area.	Complies with Ao3.2 No clearing is proposed.
(o) retains existing vegetation and incorporates landscaping to visually screen and soften built form elements whilst not impeding distant views or view corridors;	AO3.3 Where within a Scenic route buffer / view corridor area development is set back and screened from view from a scenic route by existing native vegetation with a width of at least 10 metres and landscaped in accordance with the requirements of the landscaping code.	Complies with AO3.3 The proposed use would be setback from the highway and screen from view by existing landscaping.
(p) incorporates building materials and external finishes that are compatible with the visual amenity and the landscape character;		
(q) minimises visual impacts on the setting and views in terms of:		
(i) the scale, height and setback of buildings;		
(ii) the extent of earthworks and impacts on the landform including the location and configuration of access roads and driveways;	AO3.4 Development does not result in the replacement of, or creation of new, additional, or enlarged advertising devices.	Complies with AO3.4 No advertising devices are proposed.



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Performance outcomes	Acceptable outcomes	Compliance
<p>(iii) the scale, extent and visual prominence of advertising devices.</p> <p>Note - A visual impact assessment is undertaken in accordance with Planning scheme policy SC6.6 – Landscape values in order to satisfy performance outcomes.</p>		
Development within the Coastal scenery area		
<p>PO4</p> <p>The landscape values of the Coastal scenery zone as identified on the Landscape values overlay maps contained in Schedule 2 are managed to integrated and limit the visual impact of development.</p> <p>Note - A visual impact assessment is undertaken in accordance with Planning scheme policy SC6.6 – Landscape values in order to satisfy performance outcomes.</p>	<p>AO4.1</p> <p>The dominance of the natural character of the coast is maintained or enhanced when viewed from the foreshore.</p>	<p>Complies with AO4.1</p> <p>The natural character of the site would not be affected by the proposal.</p>
	<p>AO4.2</p> <p>Where located adjacent to the foreshore buildings and structures are setback:</p> <p>(a) Where no adjoining development, a minimum of 50 metres from the coastal high water mark</p>	<p>Not applicable</p> <p>No buildings or structures are proposed.</p>



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Performance outcomes	Acceptable outcomes	Compliance
	<p>and the setback area is landscaped with a native vegetation buffer that has a minimum width of 25 metres; or</p> <p>(b) Where there is adjoining development, setbacks will be consistent with that of adjoining buildings and structures, but not less than 10 metres from the coastal high water mark. The setback area is landscaped in accordance with the requirements of the Landscaping code.</p>	
	<p>AO4.3</p> <p>Where separated from the foreshore by land contained within public ownership (e.g. unallocated State land, esplanade or other public open space), buildings and structures area setback:</p> <p>(a) where no adjoining development, a minimum of 6 metres from the coastward property</p>	<p>Not applicable</p> <p>No buildings or structures are proposed.</p>



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Performance outcomes	Acceptable outcomes	Compliance
	<p>boundary. The setback area is landscaped in accordance with the requirements of the Landscaping code; or</p> <p>(b) where there is adjoining development, setbacks will be consistent with that of adjoining buildings and structures. The setback area is landscaped in accordance with the requirements of the Landscaping code.</p>	
<p>PO5</p> <p>Development is to maximise opportunities to maintain and/or enhance natural landscape values through the maintenance and restoration of vegetated buffers between development and coastal waters, where practical.</p> <p>Note – A visual impact assessment is undertaken in accordance with Planning scheme policy SC6.6 – Landscape values in satisfaction of a performance</p>	<p>AO5</p> <p>No clearing of native vegetation is undertaken within a Coastal scenery area zone, except for exempt vegetation damage undertaken in accordance with the Vegetation management code.</p>	<p>Complies with AO5</p> <p>No clearing of vegetation is proposed.</p>



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Performance outcomes	Acceptable outcomes	Compliance
outcome.		



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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.



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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;



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- (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.

8.2.7.3 Criteria for assessment

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

Performance outcomes	Acceptable outcomes	Compliance
For self-assessable and assessable development		
Protection of matters of environmental significance		
PO1 Development protects matters of environmental	AO1.1 Development avoids significant impact on the	Complies with AO1.1 The proposed use would be undertaken within existing cleared areas and no additional clearing of



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Performance outcomes	Acceptable outcomes	Compliance
significance.	<p>relevant environmental values.</p> <p>or</p> <p>AO1.2</p> <p>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.</p> <p>or</p> <p>AO1.3</p> <p>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.</p>	vegetation is required.



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Performance outcomes	Acceptable outcomes	Compliance
Management of impacts on matters of environmental significance		
<p>PO2</p> <p>Development is located, designed and constructed to avoid significant impacts on matters of environmental significance.</p>	<p>AO2</p> <p>The design and layout of development minimises adverse impacts on ecologically important areas by:</p> <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 	<p>Complies with AO2</p> <p>The proposed use would be undertaken within existing cleared areas and no additional clearing of vegetation is required.</p>



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Performance outcomes	Acceptable outcomes	Compliance
	protected in their environmental context; and (f) incorporating measures that allow for the safe movement of fauna through the site.	
PO3 An adequate buffer to areas of state environmental significance is provided and maintained.	AO3.1 A buffer for an area of state environmental significance (Wetland protection area) has a minimum width of: (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 AO3.2 A buffer for an area of state environmental significance is applied and maintained, the width of which is supported by an evaluation of	Not applicable The site does not contain and is not located adjacent any identified wetlands.



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Performance outcomes	Acceptable outcomes	Compliance
	environmental values, including the function and threats to matters of 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 does not contain and is not located adjacent any identified wetlands.
	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 does not contain and is not located adjacent any identified wetlands.
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 undertake any additional landscaping or introduce additional animals to the site a spart of the proposed use.



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Performance outcomes	Acceptable outcomes	Compliance
	<p>AO5.2</p> <p>The threat of existing pest species is controlled by adopting pest management practices for long-term ecological integrity.</p>	<p>Not applicable</p> <p>The site does not contain pest species.</p>
Ecological connectivity		
<p>PO6</p> <p>Development protects and enhances ecological connectivity and/or habitat extent.</p>	<p>AO6.1</p> <p>Development retains native vegetation in areas large enough to maintain ecological values, functions and processes.</p> <p>and</p> <p>AO6.2</p> <p>Development within an ecological corridor rehabilitates native vegetation.</p> <p>and</p>	<p>Complies with AO6.1 – AO6.3</p> <p>The proposed use would be undertaken within existing cleared areas and no additional clearing of vegetation is required.</p>



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Performance outcomes	Acceptable outcomes	Compliance
	<p>AO6.3</p> <p>Development within a conservation corridor mitigates adverse impacts on native fauna, feeding, nesting, breeding and roosting sites and native fauna movements.</p>	
<p>PO7</p> <p>Development minimises disturbance to matters of state environmental significance (including existing ecological corridors).</p>	<p>AO7.1</p> <p>Development avoids shading of vegetation by setting back buildings by a distance equivalent to the height of the native vegetation.</p> <p>and</p> <p>AO7.2</p> <p>Development does not encroach within 10 metres of existing riparian vegetation and watercourses.</p>	<p>Not applicable</p> <p>No additional buildings are proposed.</p>
Waterways in an urban area		



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Performance outcomes	Acceptable outcomes	Compliance
PO8 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.	AO8.1 Where a waterway is contained within an easement or 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 8.	Not applicable The site does not contain and is not located adjacent any waterways.
Waterways in a non-urban area		
PO9 Development is set back from waterways to	AO9 Development does not occur on that part of the site	Not applicable The site does not contain and is not located



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Performance outcomes	Acceptable outcomes	Compliance
<p>protect and maintain:</p> <ul style="list-style-type: none"> (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. 	<p>affected by a waterway corridor.</p> <p>Note – Waterway corridors are identified within table 8.2.7.3.b.</p>	<p>adjacent any waterways.</p>

8.2.7.3.b — Widths of waterway corridors for waterways

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



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9.3.3 Centre activities code

9.3.3.1 Application

(1) This code applies to assessing development for:

(a) for Centre activities; and

(b) all development in a Centre zone, if:

- (i) if assessable development where the code is an applicable code identified in the assessment criteria column of a table of assessment;
or
- (ii) impact assessable.

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

9.3.3.2 Purpose

(1) The purpose of the Centre activities code is to facilitate the timely establishment of centre activities within the Centre zone.

(2) The purpose of the code will be achieved through the following overall outcomes;

(a) within the Centre zone, to ensure that centre activities:

- (i) facilitates the timely establishment of specified uses that require only minor building work to an existing premises;
- (ii) has a scale, intensity and operation of the use of premises that is consistent with existing floor space and infrastructure.



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9.3.3.3 Criteria for assessment

Table 9.3.3.3.a – Centre activities code – assessable development

Performance outcomes		Acceptable outcomes	Compliance
For self-assessable and assessable development			
Change of use within existing buildings or facilities			
PO1 Development that involves a change of use within an existing building ensures: <ul style="list-style-type: none"> (a) changes to floor space of the centre activity is minor; (b) the appropriate design and amenity standards for the centre activity is maintained. 	AO1 The centre activity: <ul style="list-style-type: none"> (a) is a use listed in Schedule 1, Table SC1.1.1.2 – Centre Activities; (b) is not a use listed in Schedule 1, Table SC1.1.1.2 – Large format retail activities; (c) is located within the Centre zone; (d) is for a tenancy change only; (e) involves only minor building work to an existing building; (f) complies with the car parking requirements specified in 	Not applicable The proposed use would not be undertaken within an existing building.	



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Performance outcomes	Acceptable outcomes	Compliance
	<p>(g) Table 9.4.1.3.b in the Access, parking and servicing code.</p> <p>Note - The whole development means the entire building or activity on a site (or sites) where shared parking areas are utilised</p>	
<p>PO2</p> <p>Building plant or equipment cannot be viewed from public places.</p>	<p>AO2.1</p> <p>Plant or equipment is not located on roofs; or</p>	<p>Not applicable</p> <p>The proposed use would not be undertaken within an existing building and no fixed plant or equipment are proposed.</p>
	<p>AO2.2</p> <p>Where plant or equipment is placed on roofs, it is appropriately screened from the streetscape behind a parapet or similar design feature.</p>	<p>Not applicable</p> <p>The proposed use would not be undertaken within an existing building and no fixed plant or equipment are proposed.</p>
<p>PO3</p> <p>Development is located:</p> <ul style="list-style-type: none"> (a) within an existing Centre zone; (b) a building containing an existing centre activity; 	<p>AO3</p> <p>No acceptable outcomes are prescribed.</p>	<p>Complies with PO4</p> <p>See below.</p>



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Performance outcomes	Acceptable outcomes	Compliance
(c) on a site identified as being suitable for Centre activities in a Local plan.		
<p>PO4</p> <p>A centre activity is only established outside an appropriately identified area where:</p> <ul style="list-style-type: none"> (a) community need is demonstrated for the centre; (b) the centre activity does not compromise the establishment of consolidated activity centres with distinct roles and functions across the Far North Queensland Region; (c) the centre activity does not compromise the established hierarchy of activity centres in the Far North Queensland Region; (d) the centre activity does not compromise the character and amenity of surrounding areas. <p>Note – An appropriately identified area is defined in PO3 of this code. Note – Refer to the Far North Queensland Regional Plan to determine the distinct roles and functions, and the</p>	<p>AO4</p> <p>No acceptable outcomes are prescribed.</p>	<p>Complies with PO4</p> <p>The proposed use would address increasing demand for wedding and function centres for people who would normally travel overseas for similar venues; however with travel restrictions this is no longer possible.</p> <p>The use is intrinsically linked to the site and the proposal is not able to be offered on a centre site. It would not compromise the operation of an existing centre and would not affect the health or viability of an existing centre use. Finally, the minor scale and nature of the operation of the use would not adversely affect the character and enmity of the surrounding area.</p>



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Performance outcomes	Acceptable outcomes	Compliance
established hierarchy of activity centres in Far North Queensland.		
PO5 The siting of buildings contributes to the desired amenity and character of the area and protect the amenity of other land uses.	AO5.1 Buildings setbacks to road frontages are: <ul style="list-style-type: none"> (a) in accordance with the provisions of any applicable Local plan; (b) a minimum of 6 metres where no Local plan applies or there are no particular provisions specified in the Local pan for the site 	Not applicable No additional buildings are proposed.
	AO5.2 Where adjoining land in the Industry Zone, buildings are setback: <ul style="list-style-type: none"> (a) 0 metres from the side and rear boundaries; or (b) 2.5 metres or ¼ of the height of the building, which ever if the greater; and (c) not any distance between 0 metres and 2.5 	Not applicable No additional buildings are proposed.



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Performance outcomes	Acceptable outcomes	Compliance
	metres.	
	AO5.3 Where adjoining land in any other zone, buildings are setback 3.0 metres or $\frac{1}{4}$ of the height of the building, whichever is the greater and are provided with an acoustic barrier in accordance with the recommendations of a qualified acoustic expert.	Not applicable No additional buildings are proposed.
	AO5.4 Setback areas are provided with a 2 metre landscaped strip capable of deep planting, which is kept clear of service equipment and storage areas: <ul style="list-style-type: none"> (a) adjacent to the road frontage in all areas not required for pedestrian or vehicular access for the setback area nominated in AO5.1(b) above; (b) adjacent to the boundary with the other zone for the setback area nominated in AO5.3 above. 	Not applicable No additional buildings are proposed.



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Performance outcomes	Acceptable outcomes	Compliance
PO6 The site coverage of buildings ensures that there is sufficient space available to cater for services, landscaping and on-site parking.	AO6 Site coverage does not exceed 50%, unless otherwise specified in a Local plan.	Not applicable No additional buildings are proposed.
PO7 Building façades are articulated and finished in ways that respond to the attractive elements of surrounding buildings, and enhances existing streetscape character.	AO7 Building facades are articulated and finished with design elements such as: <ul style="list-style-type: none"> (a) variations in plane shape, such as curves, steps, recesses or projections; (b) variations in treatment and patterning of windows, sun protection devices, or other elements of the façade; (c) elements of finer scale, than the main structural framing. 	Not applicable No additional buildings are proposed.
PO8 Development results in an attractive streetscape that:	AO8.1 Ground floor levels of buildings incorporate activities that are likely to foster casual, social or business interaction for extended periods (such as	Not applicable No additional buildings are proposed.



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Performance outcomes	Acceptable outcomes	Compliance
<p>(a) contributes to a high level of amenity for patrons and pedestrians;</p> <p>(b) facilitates interactions between the public and private realm.</p>	Shops, Food and drink outlets and the like).	
	<p>AO8.2</p> <p>Where a building has frontage to a public street or other public or semi public space, an active frontage is provided which includes a minimum of 75% of the façade consisting of transparent or semi-transparent windows or glazed doors.</p>	<p>Not applicable</p> <p>No additional buildings are proposed.</p>
	<p>AO8.3</p> <p>Frontages to public streets or other public or semi public spaces are articulated with vertical elements that emphasise a finer-grain and human scale to the building frontage.</p>	<p>Not applicable</p> <p>No additional buildings are proposed.</p>
	<p>AO8.4</p> <p>Where buildings are constructed up to a road frontage, a cantilever awning is to be provided over the footpath of the site, to the full frontage of the site, with a setback of 1 metre from the face of the kerb, and;</p>	<p>Not applicable</p> <p>No additional buildings are proposed.</p>



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Performance outcomes	Acceptable outcomes	Compliance
	<ul style="list-style-type: none"> (a) with a maximum height of 3 metres to the underside of the awning; or (b) at a height consistent with, or stepping up or down to, the awning structures on buildings on adjoining sites. 	
PO9 Development provides for the site to be landscaped in a manner that is consistent with the function, location and setting of the development.	AO9.1 A minimum of 10% of the site is set aside for landscape planting	Complies with AO9.1 More than 10% of the site is landscaped.
	AO9.2 Landscaping is provided in accordance with the following: <ul style="list-style-type: none"> (a) a mixture of shade trees and low planting is provided along street frontages where buildings are setback from the frontage; (b) shade trees are provided in car parks; (c) a landscaped area is provided between the centre activity, associated car parking and any adjacent residential use or zone which: 	Complies with AO9.2 The application site has an existing landscape character that comprises a mix of shade trees and shrubs and provides appropriate landscaping to the frontage. The proposed development would not require the removal of any existing landscaping and would maintain the existing landscape character of the site and area.



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Performance outcomes	Acceptable outcomes	Compliance
	<ul style="list-style-type: none"> (i) has a minimum width of 3 metres and is not used for storage or mechanical plant; (ii) is planted with a variety of hardy screening shrubs and trees; (iii) incorporates a minimum 1.8 metre high solid screen fence. <p>Note – Additional fencing requirements beyond the minimum standard may be required for acoustic and lighting attenuation purposes in accordance with AO5.3.</p>	
Additional requirements for adult stores		
PO10 An adult store is located to satisfy reasonable community expectations in relation to location and accessibility.	AO10 The distance between the boundary of the land occupied by a sensitive land use and the entrance of a proposed adult store is: <ul style="list-style-type: none"> (a) more than 200 metres according to the shortest route a person may lawfully take on foot; (b) more than 100 metres measured in a 	Not applicable No adult stores are proposed.



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Performance outcomes	Acceptable outcomes	Compliance
	straight line.	
PO11 The presentation of adult stores satisfies reasonable community expectations.	AO11.1 The display window of the adult store is completely screened to prevent viewing into the interior of the development where goods are displayed.	Not applicable No adult stores are proposed.
	AO11.2 Signage associated with the adult store that is visible external to the development is not sexually suggestive or potentially offensive in either graphical or written form.	Not applicable No adult stores are proposed.
	AO11.3 External signage associated with an adult store has a cumulative total of 5m ² .	Not applicable No adult stores are proposed.
	AO11.4 Signage (other than required by A11.3) is limited to the following types: (a) below awning sign;	Not applicable No adult stores are proposed.



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Performance outcomes	Acceptable outcomes	Compliance
	(b) fascia sign; (c) window sign.	



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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



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not unduly disrupt any current or future on-street parking arrangements.

9.4.1.3 Criteria for assessment

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

Performance outcomes	Acceptable outcomes	Compliance
For self-assessable and assessable development		
<p>PO1</p> <p>Sufficient on-site car parking is provided to cater for the amount and type of vehicle traffic expected to be generated by the use or uses of the site, having particular regard to:</p> <ul style="list-style-type: none"> (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; 	<p>AO1.1</p> <p>The minimum number of on-site vehicle parking spaces is not less than the number prescribed in Table 9.4.1.3.b for that particular use or uses.</p> <p>Note - Where the number of spaces calculated from the table is not a whole number, the number of spaces provided is the next highest whole number.</p>	<p>Complies with PO1</p> <p>The proposed development is intended to operate in accordance with a traffic management plan whereby all guests are transported to the site by buses with a maximum capacity of 22 persons. The only private vehicle movement would be those associated with staff and residents.</p> <p>The proposed traffic management is intended to limit the impacts of the development in the road network and reduce the impact on the existing natural character of the area. The car parking areas on site are considered sufficient to accommodate that anticipated demand for car</p>



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Performance outcomes	Acceptable outcomes	Compliance
(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.		parking spaces generated by the proposed development, whilst maintaining the character of the area.
	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 All parking and manoeuvring areas would be made available for parking and traffic of vehicles through the site..
	AO1.3 Parking for motorcycles is substituted for ordinary vehicle parking to a maximum level of 2% of total ordinary vehicle parking.	Not applicable No motorcycle parking is proposed.
	AO1.4 For parking areas exceeding 50 spaces parking, is provided for recreational vehicles as a substitute for ordinary vehicle parking to a	Nit applicable The development would not provide more than 50 car parking spaces.



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Performance outcomes	Acceptable outcomes	Compliance
	maximum of 5% of total ordinary vehicle parking rate.	
PO2 Vehicle parking areas are designed and constructed in accordance with relevant standards.	AO2 Vehicle parking areas are designed and constructed in accordance with Australian Standard: (a) AS2890.1; (b) AS2890.3; (c) AS2890.6.	Complies with AO2 The vehicle parking areas would comply with the applicable Australian Standard for the nature of the use.
PO3 Access points are designed and constructed: (a) to operate safely and efficiently;	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;	Complies with AO3.1 Only on vehicle access is provided.



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Performance outcomes	Acceptable outcomes	Compliance
(b) to accommodate the anticipated type and volume of vehicles	(b) Planning scheme policy SC6.5 – FNQROC Regional Development Manual - access crossovers.	
(c) to provide for shared vehicle (including cyclists) and pedestrian use, where appropriate;	AO3.2	Not applicable
(d) so that they do not impede traffic or pedestrian movement on the adjacent road area;	Access, including driveways or access crossovers:	No new accesses are proposed.
(e) so that they do not adversely impact upon existing intersections or future road or intersection improvements;	(a) are not placed over an existing:	
(f) so that they do not adversely impact current and future on-street parking arrangements;	(i) telecommunications pit;	
(g) so that they do not adversely impact on existing services within the road reserve adjacent to the site;	(ii) stormwater kerb inlet;	
(h) so that they do not involve ramping, cutting of the adjoining road reserve or any built	(iii) sewer utility hole;	
	(iv) water valve or hydrant.	
	(b) are designed to accommodate any adjacent footpath;	
	(c) adhere to minimum sight distance requirements in accordance with AS2980.1.	



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Performance outcomes	Acceptable outcomes	Compliance
structures (other than what may be necessary to cross over a stormwater channel).	<p>AO3.3</p> <p>Driveways are:</p> <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	<p>Not applicable</p> <p>No new driveways are proposed.</p>



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Performance outcomes	Acceptable outcomes	Compliance
	<p>contained within the lot and not within the road reserve;</p> <p>(e) designed to include all necessary associated drainage that intercepts and directs storm water runoff to the storm water drainage system.</p>	
	<p>AO3.4</p> <p>Surface construction materials are consistent with the current or intended future streetscape or character of the area and contrast with the surface construction materials of any adjacent footpath.</p>	<p>Not applicable</p> <p>No new driveways are proposed.</p>
<p>PO4</p> <p>Sufficient on-site wheel chair accessible car parking spaces are provided and are identified and reserved for such purposes.</p>	<p>AO4</p> <p>The number of on-site wheel chair accessible car parking spaces complies with the rates specified in AS2890 Parking Facilities.</p>	<p>Not applicable</p> <p>No wheel chair accessible spaces are required.</p>
<p>PO5</p>	<p>AO5</p>	<p>Not applicable</p>



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Performance outcomes	Acceptable outcomes	Compliance
Access for people with disabilities is provided to the building from the parking area and from the street.	Access for people with disabilities is provided in accordance with the relevant Australian Standard.	No wheel chair accessible spaces are required.
P06 Sufficient on-site bicycle parking is provided to cater for the anticipated demand generated by the development.	A06 The number of on-site bicycle parking spaces complies with the rates specified in Error! Reference source not found..	Not applicable No on-site bicycle spaces are required.
P07 Development provides secure and convenient bicycle parking which: (a) for visitors is obvious and located close to the building's main entrance; (b) for employees is conveniently located to provide secure and convenient access	A07.1 Development provides bicycle parking spaces for employees which are co-located with end-of-trip facilities (shower cubicles and lockers);	Not applicable No on-site bicycle spaces are required.
	A07.2 Development ensures that the location of visitor bicycle parking is discernible either by direct view or using signs from the street.	Not applicable No on-site bicycle spaces are required.



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Performance outcomes	Acceptable outcomes	Compliance
<p>between the bicycle storage area, end-of-trip facilities and the main area of the building;</p> <p>(c) is easily and safely accessible from outside the site.</p>	<p>AO7.3</p> <p>Development provides visitor bicycle parking which does not impede pedestrian movement.</p>	<p>Not applicable</p> <p>No on-site bicycle spaces are required.</p>
<p>PO8</p> <p>Development provides walking and cycle routes through the site which:</p> <p>(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;</p> <p>(b) encourage walking and cycling;</p> <p>(c) ensure pedestrian and cyclist safety.</p>	<p>AO8</p> <p>Development provides walking and cycle routes which are constructed on the carriageway or through the site to:</p> <p>(a) create a walking or cycle route along the full frontage of the site;</p> <p>(b) connect to public transport and existing cycle and walking routes at the frontage or boundary of the site.</p>	<p>Not applicable</p> <p>No through routes are required through the site.</p>
<p>PO9</p>	<p>AO9.1</p>	<p>Complies with AO9.1</p>



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Performance outcomes	Acceptable outcomes	Compliance
<p>Access, internal circulation and on-site parking for service vehicles are designed and constructed:</p> <p>(a) in accordance with relevant standards;</p> <p>(b) so that they do not interfere with the amenity of the surrounding area;</p> <p>(c) so that they allow for the safe and convenient movement of pedestrians, cyclists and other vehicles.</p>	<p>Access driveways, vehicle manoeuvring and on-site parking for service vehicles are designed and constructed in accordance with AS2890.1 and AS2890.2.</p>	<p>No new driveways are proposed and the existing driveway complies with the Australian Standard.</p>
	<p>AO9.2</p> <p>Service and loading areas are contained fully within the site.</p>	<p>Complies with AO9.2</p> <p>All servicing and loading and unloading would occur within the site.</p>
	<p>AO9.3</p> <p>The movement of service vehicles and service operations are designed so they:</p> <p>(a) do not impede access to parking spaces;</p> <p>(b) do not impede vehicle or pedestrian traffic movement.</p>	<p>Complies with AO9.3</p> <p>All service vehicles would enter the site in a single movement and leave in a forward gear without adversely affecting any car parking spaces.</p>
PO10	AO10.1	Complies with AO10.1



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Performance outcomes	Acceptable outcomes	Compliance
Sufficient queuing and set down areas are provided to accommodate the demand generated by the development.	<p>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:</p> <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. 	All vehicles can enter the site in a forward gear, with the queueing area of sufficient size to accommodate the vehicles on site that are anticipated to be required to provide drop-off/pick-up services.
	AO10.2	Complies with AO10.2



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Performance outcomes	Acceptable outcomes	Compliance
	Queuing and set-down areas are designed and constructed in accordance with AS2890.1.	The queuing and set down areas are of a suitable standard for the nature of the use.



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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;



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- (d) the integrity of existing infrastructure is maintained;
- (e) development does not detract from environmental values or the desired character and amenity of an area.

9.4.5.3 Criteria for assessment

Table 9.4.5.3.a – Infrastructure Works code –assessable development

Performance outcomes	Acceptable outcomes	Compliance
For self-assessable and assessable development		
Works on a local government road		
PO1 Works on a local government road do not adversely impact on footpaths or existing infrastructure within the road verge and maintain the flow, safety and efficiency of pedestrians, cyclists and vehicles.	AO1.1 Footpaths/pathways are located in the road verge and are provided for the hierarchy of the road and located and designed and constructed in accordance with Planning scheme policy SC5 – FNQROC Regional Development Manual.	Not applicable No works are proposed on a local government road.
	AO1.2 Kerb ramp crossovers are constructed in accordance with Planning scheme policy SC 5 –	Not applicable No works are proposed on a local government



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Performance outcomes	Acceptable outcomes	Compliance
	FNQROC Regional Development Manual.	road.
	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 works are proposed on a local government road.
	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 No works are proposed on a local government road.



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Performance outcomes	Acceptable outcomes	Compliance
	and existing sections; (c) new sections are matched to existing in terms of dimension and reinforcement.	
	AO1.5 Decks, verandahs, stairs, posts and other structures located in the road reserve do not restrict or impede pedestrian movement on footpaths or change the level of the road verges.	Not applicable No works are proposed on a local government road.
Accessibility structures		
PO2 Development is designed to ensure it is accessible for people of all abilities and accessibility features do not impact on the efficient and safe use of footpaths. Note – Accessibility features are those features	AO2.1 Accessibility structures are not located within the road reserve.	Not applicable No accessibility structures are proposed.
	AO2.2 Accessibility structures are designed in	Not applicable No accessibility structures are proposed.



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Performance outcomes	Acceptable outcomes	Compliance
required to ensure access to premises is provided for people of all abilities and include ramps and lifts.	accordance with AS1428.3.	
	AO2.3 When retrofitting accessibility features in existing buildings, all structures and changes in grade are contained within the boundaries of the lot and not within the road reserve.	Not applicable No accessibility structures are proposed.
Water supply		
PO3 An adequate, safe and reliable supply of potable, fire fighting and general use water is provided.	AO3.1 The premises is connected to Council's reticulated water supply system in accordance with the Design Guidelines set out in Section D6 of the Planning scheme policy SC5 – FNQROC Regional Development Manual; or AO3.2	Complies with AO3.2 The site has an existing on-site water supply.



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Performance outcomes	Acceptable outcomes	Compliance
	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.	
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	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 –	Complies with AO4.2 The site has an existing on-site effluent disposal system and additional transportable facilities would be brought on site, where required, to accommodate the demand generated by the proposed use.



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Performance outcomes	Acceptable outcomes	Compliance
systems in the locality.	<p>FNQROC Regional Development Manual;</p> <p>or</p> <p>AO4.2</p> <p>Where not in a sewerage scheme area, the proposed disposal system meets the requirements of Section 33 of the <i>Environmental Protection Policy (Water) 1997</i> and the proposed on site effluent disposal system is designed in accordance with the <i>Plumbing and Drainage Act (2002)</i>.</p>	
Stormwater quality		
<p>PO5</p> <p>Development is planned, designed, constructed and operated to avoid or minimise adverse impacts on stormwater quality in natural and developed catchments by:</p>	<p>AO5.1</p> <p>A connection is provided from the premises to Council's drainage system;</p> <p>or</p> <p>AO5.2</p>	<p>Complies with AO5.1</p> <p>The site has an existing stormwater system that would not be affected by the proposed use.</p>



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Performance outcomes	Acceptable outcomes	Compliance
(a) achieving stormwater quality objectives; (b) protecting water environmental values; (c) maintaining waterway hydrology.	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.	
	AO5.3 A stormwater quality management plan is prepared, and provides for achievable stormwater quality treatment measures meeting design objectives listed in Table 9.4.5.3.b and Table 9.4.5.3.c, reflecting land use constraints, such as: (a) erosive, dispersive and/or saline soil types; (b) landscape features (including landform); (c) acid sulfate soil and management of nutrients of concern; (d) rainfall erosivity.	Not applicable The site has an existing stormwater system that would not be affected by the proposed use.



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Performance outcomes	Acceptable outcomes	Compliance
	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.	Not applicable The proposed use does not require any construction or works that would cause sedimentation or erosion.
	AO5.5 Development incorporates stormwater flow control measures to achieve the design objectives set out in Table 9.4.5.3.b and Table 9.4.5.3.c, including management of frequent flows, peak flows, and construction phase hydrological impacts. Note – Planning scheme policy SC5 – FNQROC Regional Development Manual provides guidance on soil and water control measures to meet the requirements of the <i>Environmental Protection Act 1994</i> . Note – During construction phases of development, contractors and builders are to have consideration in	Not applicable The site has an existing stormwater system that would not be affected by the proposed use.



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Performance outcomes	Acceptable outcomes	Compliance
	their work methods and site preparation for their environmental duty to protect stormwater quality.	
Non-tidal artificial waterways		
PO6 Development involving non-tidal artificial waterways is planned, designed, constructed and operated to: <ul style="list-style-type: none"> (a) protect water environmental values; (b) be compatible with the land use constraints for the site for protecting water environmental values; (c) be compatible with existing tidal and non-tidal waterways; (d) perform a function in addition to stormwater management; 	AO6.1 Development involving non-tidal artificial waterways ensures: <ul style="list-style-type: none"> (a) environmental values in downstream waterways are protected; (b) any ground water recharge areas are not affected; (c) the location of the waterway incorporates low lying areas of the catchment connected to an existing waterway; (d) existing areas of ponded water are included. 	Not applicable No waterways are proposed.
	AO6.2	Not applicable



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Performance outcomes	Acceptable outcomes	Compliance
(e) achieve water quality objectives.	<p>Non-tidal artificial waterways are located:</p> <ul style="list-style-type: none"> (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. 	No waterways are proposed.
	<p>AO6.3</p> <p>Non-tidal artificial waterways located adjacent to, or connected to a tidal waterway by means of a weir, lock, pumping system or similar ensures:</p> <ul style="list-style-type: none"> (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 	<p>Not applicable</p> <p>No waterways are proposed.</p>



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Performance outcomes	Acceptable outcomes	Compliance
	freshwater environments.	
	<p>AO6.4</p> <p>Non-tidal artificial waterways are designed and managed for any of the following end-use purposes:</p> <ul style="list-style-type: none"> (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. 	<p>Not applicable</p> <p>No waterways are proposed.</p>
	<p>AO6.5</p> <p>The end-use purpose of the non-tidal artificial waterway is designed and operated in a way that protects water environmental values.</p>	<p>Not applicable</p> <p>No waterways are proposed.</p>



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Performance outcomes	Acceptable outcomes	Compliance
	AO6.6 Monitoring and maintenance programs adaptively manage water quality to achieve relevant water quality objectives downstream of the waterway.	Not applicable No 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 waterways are proposed.
Wastewater discharge		
PO7 Discharge of wastewater to waterways, or off site: (a) meets best practice environmental management; (b) is treated to:	AO7.1 A wastewater management plan is prepared and addresses: (a) wastewater type; (b) climatic conditions;	Not applicable No wastewater would be discharged off-site or to waterways as part of the proposal.



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Performance outcomes	Acceptable outcomes	Compliance
(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.	(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 wastewater would be discharged off-site or to waterways as part of the proposal.
	A07.3 Wastewater discharge is managed to avoid or minimise the release of nutrients of concern so as to minimise the occurrence, frequency and	Not applicable No wastewater would be discharged off-site or to waterways as part of the proposal.



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Performance outcomes	Acceptable outcomes	Compliance
	intensity of algal blooms.	
	<p>AO7.4</p> <p>Development in coastal catchments avoids or minimises and appropriately manages soil disturbance or altering natural hydrology and:</p> <p>(a) avoids lowering ground water levels where potential or actual acid sulfate soils are present;</p> <p>(b) manages wastewater so that:</p> <p>(i) the pH of any wastewater discharges is maintained between 6.5 and 8.5 to avoid mobilisation of acid, iron, aluminium and other metals;</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</p>	<p>Not applicable</p> <p>No wastewater would be discharged off-site or to waterways as part of the proposal.</p>



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Performance outcomes	Acceptable outcomes	Compliance
	<p>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</p>	<p>Complies with AO8.1</p> <p>The site has an existing connection to the electricity distribution network.</p>



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Performance outcomes	Acceptable outcomes	Compliance
	<p>scheme policy SC5 – FNQROC Regional Development Manual.</p> <p>Note - Areas north of the Daintree River have a different standard.</p>	
<p>PO9</p> <p>Development incorporating pad-mount electricity infrastructure does not cause an adverse impact on amenity.</p>	<p>AO9.1</p> <p>Pad-mount electricity infrastructure is:</p> <ul style="list-style-type: none"> (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. 	<p>Not applicable</p> <p>No padmount electricity infrastructure is proposed.</p>
	<p>AO9.2</p> <p>Pad-mount electricity infrastructure within a building, in a Town Centre is designed and located to enable an active street frontage.</p> <p>Note – Pad-mounts in buildings in activity centres</p>	<p>Not applicable</p> <p>No padmount electricity infrastructure is proposed.</p>



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Performance outcomes	Acceptable outcomes	Compliance
	should not be located on the street frontage.	
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.	Complies with AO10 The site has an existing connection to the telecommunications infrastructure.
PO11 Provision is made for future telecommunications services (e.g. fibre optic cable).	AO11 Conduits are provided in accordance with Planning scheme policy SC5 – FNQROC Regional Development Manual.	Complies with AO11 The site has an existing connection to the telecommunications infrastructure
Road construction		
PO12 The road to the frontage of the premises is	AO12.1 The road to the frontage of the site is constructed	Complies with AO12.1 The site has frontage to the Captain Cook



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Performance outcomes	Acceptable outcomes	Compliance
<p>constructed to provide for the safe and efficient movement of:</p> <p>(a) pedestrians and cyclists to and from the site;</p> <p>(b) pedestrians and cyclists adjacent to the site;</p> <p>(c) vehicles on the road adjacent to the site;</p> <p>(d) vehicles to and from the site;</p> <p>(e) emergency vehicles.</p>	<p>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.</p>	<p>Highway.</p>
	<p>AO12.2</p> <p>There is existing road, kerb and channel for the full road frontage of the site.</p>	<p>Complies with AO12.2</p> <p>The site has frontage to the Captain Cook Highway.</p>
	<p>AO12.3</p> <p>Road access minimum clearances of 3.5 metres wide and 4.8 metres high are provided for the safe passage of emergency vehicles.</p>	<p>Complies with AO12.3</p> <p>The site has frontage to the Captain Cook Highway.</p>
Alterations and repairs to public utility services		
<p>PO13</p> <p>Infrastructure is integrated with, and efficiently</p>	<p>AO13</p> <p>Development is designed to allow for efficient</p>	<p>Not applicable</p> <p>No alterations to public utilities are required.</p>



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Performance outcomes	Acceptable outcomes	Compliance
extends, existing networks.	connection to existing infrastructure networks.	
PO14 Development and works do not affect the efficient functioning of public utility mains, services or installations.	AO14.1 Public utility mains, services and installations are not required to be altered or repaired as a result of the development; or AO14.2 Public utility mains, services and installations are altered or repaired in association with the works so that they continue to function and satisfy the relevant Design Guidelines set out in Section D8 of the Planning scheme policy SC5 – FNQROC Regional Development Manual.	Not applicable No alterations to public utilities are required.
Construction management		
PO15	AO15	Not applicable



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Performance outcomes	Acceptable outcomes	Compliance
Work is undertaken in a manner which minimises adverse impacts on vegetation that is to be retained.	<p>Works include, at a minimum:</p> <ul style="list-style-type: none"> (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. 	No construction is proposed as part of the development.
<p>PO16</p> <p>Existing infrastructure is not damaged by construction activities.</p>	<p>AO16</p> <p>Construction, alterations and any repairs to infrastructure is undertaken in accordance with the Planning scheme policy SC5 – FNQROC Regional Development Manual.</p> <p>Note - Construction, alterations and any repairs to State-controlled roads and rail corridors are undertaken</p>	<p>Not applicable</p> <p>The development does not require construction or alteration to the existing infrastructure.</p>



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Performance outcomes	Acceptable outcomes	Compliance
	in accordance with the Transport Infrastructure Act 1994.	
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.	Complies with PO17 The site has existing infrastructure connections.
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;	AO18 No acceptable outcomes are prescribed.	Not applicable No trade waste would be generated by the proposed use.



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Performance outcomes	Acceptable outcomes	Compliance
<p>(b) the health and safety of people and the environment are protected;</p> <p>(c) the performance of the wastewater system is not put at risk.</p>		
Fire services in developments accessed by common private title		
<p>PO19</p> <p>Hydrants are located in positions that will enable fire services to access water safely, effectively and efficiently.</p>	<p>AO19.1</p> <p>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.</p>	<p>Not applicable</p> <p>No common private title is proposed.</p>
	<p>AO19.2</p> <p>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</p>	<p>Not applicable</p> <p>No common private title is proposed.</p>



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Performance outcomes	Acceptable outcomes	Compliance
	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.	
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 common private title is proposed.



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9.4.6 Landscaping code

9.4.6.1 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.

9.4.6.2 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



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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 9.4.6.3.a – Landscaping code –assessable development

Performance outcomes	Acceptable outcomes	Compliance
For self-assessable and assessable development		
Landscaping 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; 	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 	Complies with AO1 The site is an existing landscaped site and no landscaping would be altered or affected by the proposed development and use.



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Performance outcomes	Acceptable outcomes	Compliance
<p>(c) enhancing the appearance of the development from within and outside the development and makes a positive contribution to the streetscape;</p> <p>(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;</p> <p>(e) where necessary, ensuring the privacy of habitable rooms and private outdoor recreation areas;</p> <p>(f) contributing to a comfortable living environment and improved energy efficiency, by providing shade to reduce glare and heat absorption and re-radiation from buildings, parking areas and other hard surfaces;</p> <p>(g) ensuring private outdoor recreation space is useable;</p>	<p>– Landscaping;</p> <p>(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</p> <p>– Landscaping.</p> <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>	



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Performance outcomes	Acceptable outcomes	Compliance
<ul style="list-style-type: none"> (h) providing long term soil erosion protection; (i) providing a safe environment; (j) integrating existing vegetation and other natural features of the premises into the development; (k) not adversely affecting vehicular and pedestrian sightlines and road safety 		
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.	Complies with PO2 The site is an existing landscaped site and no landscaping would be altered or affected by the proposed development and use.
	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	Not applicable No new buildings are proposed.



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Performance outcomes	Acceptable outcomes	Compliance
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, recreational, aesthetic and cultural value.	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 Trees on Development Sites.	Complies with AO3.1 No vegetation would be removed as part of the proposal.
	AO3.2 Mature vegetation on the site that is removed or damaged during development is replaced with advanced species	Not applicable No vegetation would be removed as part of the proposal.
	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 No additional landscaping is proposed.
	AO3.4 Street trees are species which enhance the landscape character of the streetscape, with	Not applicable No street trees are required.



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Performance outcomes	Acceptable outcomes	Compliance
	species chosen from the Planning scheme policy SC6.7 – Landscaping.	
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.	Not applicable No additional landscaping is proposed.
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 additional landscaping is proposed.
PO6 Landscaped areas are designed in order to allow for efficient maintenance.	AO6.1 A maintenance program is undertaken in accordance with Planning scheme policy SC6.7 – Landscaping.	Complies with PO6 The existing landscaping is maintained in association with the existing lawful use.
	AO6.2 Tree maintenance is to have regard to the 'Safe	Complies with PO6 The existing landscaping is maintained in



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Performance outcomes	Acceptable outcomes	Compliance
	<p>Useful Life Expectancy of Trees (SULE).</p> <p>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</p>	association with the existing lawful use
<p>PO7</p> <p>Podium planting is provided with appropriate species for long term survival and ease of maintenance, with beds capable of proper drainage.</p>	<p>AO7.1</p> <p>Podium planting beds are provided with irrigation and are connected to stormwater infrastructure to permit flush out.</p>	<p>Not applicable</p> <p>No builds are proposed.</p>
	<p>AO7.2</p> <p>Species of plants are selected for long term performance designed to suit the degree of access to podiums and roof tops for maintenance.</p>	<p>Not applicable</p> <p>No buildings are proposed.</p>
<p>PO8</p> <p>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</p>	<p>AO8</p> <p>Weed and invasive species detected on a development site are removed in accordance with a management plan prepared by an appropriately qualified person.</p>	<p>Not applicable</p> <p>No weeds or invasive species have been detected on the site.</p>



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Performance outcomes	Acceptable outcomes	Compliance
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 meeting this outcome.	Not applicable The premises is a private residence and no additional landscaping is proposed.
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.	Not applicable No additional landscaping is proposed.



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