

Change application form

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

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

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

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

PART 1 – APPLICANT DETAILS

1) Applicant details	
Applicant name(s) (individual or company full name)	Peace World Pty Ltd
Contact name (only applicable for companies)	c/- RPS AAP Consulting Pty Ltd, Patrick Clifton
Postal address (P.O. Box or street address)	PO Box 1949
Suburb	Cairns
State	QLD
Postcode	4870
Country	Australia
Email address (non-mandatory)	Patrick.clifton@rpsgroup.com.au
Mobile number (non-mandatory)	
Applicant's reference number(s) (if applicable)	AU008658

2) Owner's consent - Is written consent of the owner required for this change application?	
Note: Section 79(1A) of the <i>Planning Act 2016</i> states the requirements in relation to owner's consent.	
<input type="checkbox"/> Yes – the written consent of the owner(s) is attached to this change application	
<input checked="" type="checkbox"/> No	

PART 2 – LOCATION DETAILS

3) Location of the premises (complete 3.1 or 3.2, and 3.3) as applicable)				
3.1) Street address and lot on plan				
<input checked="" type="checkbox"/> Street address AND lot on plan (all lots must be listed), or				
<input type="checkbox"/> 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
		5967	Captain Cook Highway	Craiglie
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)
	4877	11	C22510	Douglas Shire
b)	Unit No.	Street No.	Street Name and Type	Suburb
			Captain Cook Highway	Craiglie
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)
	4877	2	RP700333	Douglas Shire



**Queensland
Government**

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

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

<input type="checkbox"/> 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: <input type="text"/>		
<input type="checkbox"/> 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: <input type="text"/>	

3.3) Additional premises

Additional premises are relevant to the original development approval and the details of these premises have been attached in a schedule to this application

Not required

PART 3 – RESPONSIBLE ENTITY DETAILS

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

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

Douglas Shire Council

PART 4 – CHANGE DETAILS

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

Approval type	Reference number	Date issued	Assessment manager/approval entity
<input checked="" type="checkbox"/> Development permit <input type="checkbox"/> Preliminary approval	CA 2023_5398/1	7 November 2023	Douglas Shire Council
<input type="checkbox"/> Development permit <input type="checkbox"/> Preliminary approval			

6) Type of change proposed

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

The changes would include the following:

- The relocation of the proposed coffee and food sales building (31.88m²) to the south of the site and straddling the boundary between Lot 2 and Lot 11;
- The provision of a new toilet and amenities building (18.61m²) adjacent the southern boundary of lot 2;
- A new pergola (19.91m²) and outdoor eating area (60.71m²) on lot 2 to the west of the sales building;
- A revised vehicle circulation and parking area providing 6 car parking spaces at the front of the existing dwelling and a space for mobility impaired drivers adjacent the food sales building.

6.2) What type of change does this application propose?

Minor change application – proceed to Part 5

Other change application – proceed to Part 6

PART 5 – MINOR CHANGE APPLICATION REQUIREMENTS

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

PART 6 – OTHER CHANGE APPLICATION REQUIREMENTS

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

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

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

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

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

- that this change application will be assessed and decided based on the information provided when making this change application and the assessment manager and any referral agencies relevant to the change application are not obligated under the DA Rules to accept any additional information provided by the applicant for the change application unless agreed to by the relevant parties
 - Part 3 of the DA Rules will still apply if the application is an application listed under section 11.3 of the DA Rules.
- Further advice about information requests is contained in the [DA Forms Guide: Forms 1 and 2](#).

12) Further details

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

PART 7 – CHECKLIST AND APPLICANT DECLARATION

13) Change application checklist

I have identified the:

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

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

For an other change application, the relevant sections of [DA Form 1 – Development application details](#) have been completed and is attached to this application Yes
 Not applicable

For an other change application, where building work is associated with the change application, the relevant sections of [DA Form 2 – Building work details](#) have been completed and is attached to this application Yes
 Not applicable

Supporting information addressing any applicable assessment benchmarks is attached to this application Yes
Note: This includes any templates provided under 23.6 and 23.7 of *DA Form 1 – Development application details* that are relevant as a result of the change application, a planning report and any technical reports required by the relevant categorising instrument(s) (e.g. the local government planning scheme, State Planning Policy, State Development Assessment Provisions). For further information, see [DA Forms Guide: Planning report template](#).

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

14) Applicant declaration

- By making this change application, I declare that all information in this change application is true and correct.
- Where an email address is provided in Part 1 of this form, I consent to receive future electronic communications from the responsible entity and any relevant affected entity or referral agency for the change application where written information is required or permitted pursuant to sections 11 and 12 of the *Electronic Transactions Act 2001*.

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

Privacy – Personal information collected in this form will be used by the responsible entity and/or chosen assessment manager, any relevant affected entity or referral agency and/or building certifier (including any professional advisers which may be engaged by those entities) while processing, assessing and deciding the change application.

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

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

Date received: Reference number(s):

QLeave notification and payment			
<i>Note: For completion by assessment manager if applicable</i>			
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			

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*)
- 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 7 – FURTHER DETAILS

20) Are there any associated development applications or current approvals? (e.g. a preliminary approval)			
<input checked="" type="checkbox"/> Yes – provide details below or include details in a schedule to this development application <input type="checkbox"/> No			
List of approval/development application references	Reference number	Date	Assessment manager
<input checked="" type="checkbox"/> Approval <input type="checkbox"/> Development application	CA 2023_5398/1	7 November 2023	Douglas Shire
<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)		
<input type="checkbox"/> Yes – a copy of the receipted QLeave form is attached to this development application <input type="checkbox"/> No – I, the applicant will provide evidence that the portable long service leave levy has been paid before the assessment manager decides the development application. I acknowledge that the assessment manager may give a development approval only if I provide evidence that the portable long service leave levy has been paid <input checked="" type="checkbox"/> Not applicable (e.g. building and construction work is less than \$150,000 excluding GST)		
Amount paid	Date paid (dd/mm/yy)	QLeave levy number (A, B or E)
\$		

22) Is this development application in response to a show cause notice or required as a result of an enforcement notice?
<input type="checkbox"/> Yes – show cause or enforcement notice is attached <input checked="" type="checkbox"/> No

23) Further legislative requirements	
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 <i>Environmental Protection Act 1994</i> ?	
<input type="checkbox"/> Yes – the required attachment (form ESR/2015/1791) for an application for an environmental authority accompanies this development application, and details are provided in the table below <input checked="" type="checkbox"/> No <i>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.</i>	
Proposed ERA number:	Proposed ERA threshold:
Proposed ERA name:	
<input type="checkbox"/> Multiple ERAs are applicable to this development application and the details have been attached in a schedule to this development application.	
Hazardous chemical facilities	
23.2) Is this development application for a hazardous chemical facility ?	
<input type="checkbox"/> Yes – <i>Form 69: Notification of a facility exceeding 10% of schedule 15 threshold</i> is attached to this development application <input checked="" type="checkbox"/> No <i>Note: See www.business.qld.gov.au for further information about hazardous chemical notifications.</i>	

Clearing native vegetation

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

- Yes – this development application includes written confirmation from the chief executive of the *Vegetation Management Act 1999* (s22A determination)
- No

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

Environmental offsets

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

- Yes – I acknowledge that an environmental offset must be provided for any prescribed activity assessed as having a significant residual impact on a prescribed environmental matter
- No

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

Koala habitat in SEQ Region

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

- Yes – the development application involves premises in the koala habitat area in the koala priority area
- Yes – the development application involves premises in the koala habitat area outside the koala priority area
- No

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

Water resources

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

- Yes – the relevant template is completed and attached to this development application and I acknowledge that a relevant authorisation or licence under the *Water Act 2000* may be required prior to commencing development
- No

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

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

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

Waterway barrier works

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

- Yes – the relevant template is completed and attached to this development application
- No

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

Marine activities

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

- Yes – an associated resource allocation authority is attached to this development application, if required under the *Fisheries Act 1994*
- No

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

Quarry materials from a watercourse or lake

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

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

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

Quarry materials from land under tidal waters

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

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

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

Referable dams

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

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

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

Tidal work or development within a coastal management district

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

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

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

Queensland and local heritage places

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

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

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

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

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.

5967 CAPTAIN COOK HIGHWAY, CRAGLIE - MCU (FOOD & DRINK OUTLET) - CHANGE APPLICATION

Town Planning Report



AU008658
B
26 March 2024

REPORT

Document status

Version	Purpose of document	Authored by	Reviewed by	Approved by	Review date
A	Client Review	P Clifton	S Devaney	P Clifton	25/03/2024
B	Application Submission	P Clifton	S Devaney	P Clifton	26/03/2024

Approval for issue

Patrick Clifton



26 March 2024

This report was prepared by RPS within the terms of RPS' engagement with its client and in direct response to a scope of services. This report is supplied for the sole and specific purpose for use by RPS' client. The report does not account for any changes relating to the subject matter of the report, or any legislative or regulatory changes that have occurred since the report was produced and that may affect the report. RPS does not accept any responsibility or liability for loss whatsoever to any third party caused by, related to or arising out of any use or reliance on the report.

Prepared by:

Prepared for:

RPS

Peace World Pty Ltd

Patrick Clifton
Senior Principal | Practice Leader - Planning, Cairns

135 Abbott Street
Cairns QLD 4870

T +61 7 4031 1336
E patrick.clifton@rpsgroup.com.au

Contents

SUMMARY	1
1 INTRODUCTION	2
2 SITE DETAILS	3
2.1 Site Particulars	3
2.2 Planning Context	4
3 PLANNING HISTORY	6
4 PROPOSAL	7
5 LEGISLATIVE REQUIREMENTS	8
5.1 Assessment Manager	8
5.2 Categories of Assessment	8
5.3 Referrals	8
5.4 Public Notification	8
6 STATUTORY PLANNING ASSESSMENT	9
6.1 Overview	9
6.2 State and Regional Assessment Benchmarks	9
6.2.1 State Planning Policy	9
6.2.2 Regional Plan	9
6.2.3 Development Assessment under Schedule 10 (SDAP)	9
6.3 Local Authority Assessment Benchmarks	9
6.3.1 Douglas Shire Planning Scheme Codes	9
6.4 Town Planning Considerations	10
6.4.1 Industry Zone Code	10
6.5 Infrastructure Charges	11
7 CONCLUSION	12

Tables

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

Figures

Figure 1 Site Location	3
Figure 2 Site Frontage	4
Figure 3 Zoning	5

Appendices

- Appendix A Certificate(S) of Title and Search Results
- Appendix B Douglas Shire Council Planning Scheme Property Reports

REPORT

Appendix C Development Permit for Material Change of Use for a Food and Drink Outlet with drive-through facility and a Development Permit for Operational Work for an Advertising Device
– CA 2023_5398/1

Appendix D Changed Proposal Plans

Appendix E State Code Responses

Appendix F Planning Scheme Code Responses

SUMMARY

Table 1: Summary

Details			
Site Address:	5967 Captain Cook Highway, Craiglie		
Real Property Description:	Lot 11 on C22510 & Lot 2 on RP700333		
Site Area:	Lot 11 - 2,175m ² Lot 2 – 809m ²		
Regional Plan Land Use Designation:	Urban Footprint		
Zone/Precinct:	Industry Zone		
Local Plan/Precinct:	Port Douglas – Craiglie, Precinct 3		
Owner(s):	Peace World Pty Ltd		
Proposal			
Brief Description/ Purpose of Proposal	Material Change of Use (Food and Drink Outlet) Change to existing approval Ref: CA 2023_5398/1		
Application Details			
Aspect of Development	Preliminary approval	Development permit	
Material change of use	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Building Work	<input type="checkbox"/>	<input type="checkbox"/>	
Operational Work	<input type="checkbox"/>	<input type="checkbox"/>	
Reconfiguration of a Lot	<input type="checkbox"/>	<input type="checkbox"/>	
Assessment Category	<input type="checkbox"/> Code	<input checked="" type="checkbox"/> Impact	
Public Notification	<input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes: 15 BD	
Superseded Planning Scheme Application	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	
Referral Agencies			
Agency	Concurrence	Advice	Pre-lodgement response
State Assessment & Referral Agency	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Pre-lodgement / Consultation			
Entity		Date	Contact Name
Council DA Team	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	March 2023 & February 2024	Jenny Elphinstone
Other			
Applicant contact person	Patrick Clifton Senior Principal Planner D: +61 7 4031 1336 E: Patrick.clifton@rpsgroup.com.au		

1 INTRODUCTION

RPS AAP Consulting Pty Ltd has been engaged by Peace World Pty Ltd to seek a change to an existing Development Permit for a Material Change of Use (Food and Drink Outlet) on land located at 5967 Captain Cook Highway, Craiglie, and described as Lot 11 on C22510.

The change involves a change to the approved plan and the inclusion of additional land, being Lot 2 on RP700333, to the south.

The new site has an area of 2,984m², a frontage to Captain Cook Highway of approximately 48 metres and contains a two storey dwelling house on Lot 11 with Lot 2 being vacant.. The site is located on the west side of Captain Cook Highway in an area that largely contains industrial and services related development.

It is proposed to develop the site for the purpose of a Food and Drink Outlet. The changed development would involve the construction of a building to the south of the existing building and across the current lot boundary for the purpose of Coffee and Food sales, the construction of a new toilet block, a covered eating area and vehicle manoeuvring and car parking areas. In addition, the site landscaping would be improved with a landscaped buffer to the road frontage, landscaping throughout the site and hard landscaped areas including paved pathways and outdoor eating areas.

Access to the development would be via the existing vehicle crossover and would provide for all vehicles, including a Small Rigid Vehicle (SRV), to enter and exit the site if a forward gear.

The site is located within Douglas Shire Council area and under the Douglas Shire Planning Scheme 2018, the site is identified within the Industry Zone. The current approval is Development Permit for an Impact Assessable Material Change of Use.

This report provides greater detail on the nature of the changed proposal and provides an assessment of this proposal against the relevant planning Assessment Benchmarks. Based on this assessment the changed proposal is recommended for approval subject to reasonable and relevant conditions.

2 SITE DETAILS

2.1 Site Particulars

The subject site is located at 5967 Captain Cook Highway, Craiglie, and described as Lot 11 on C22510 and Lot 2 on RP700333. The site has an area of 2,984m² and frontage to the Captain Cook Highway of approximately 48 metres. Lot 11 is currently improved with a two storey dwelling and contains mature vegetation towards the rear of the site. Lot 2 is currently vacant. The site is accessed via a single crossover to Captain Cook Highway at the Lot 11 frontage and is understood to be connected to all available urban services.

The locality containing the site is characterised by a mix of commercial and industrial uses. To the south, the site adjoins a service station, gym and bottle shop. To the north, the site adjoins a self-storage complex and to the east on the opposite side to the Highway are a number of commercial premises, including a sailmaker. To the rear is the industrial and service area of Craiglie.

Key details of the subject site are as follows:

Table 2: Site Particulars

Site Particulars	
Site Address	5967 Captain Cook Highway, Craiglie
Real Property Description	Lot 11 on C22510 Lot 2 on RP700333
Site Area	Lot 11 – 2,175m ² Lot 2 – 809m ²
Landowner(s)	Peace World Pty Ltd

The site location and its extent are shown in **Figure 1** and **Figure 2** below respectively. Certificate/s of title confirming site ownership details are included at **Appendix A**.



Figure 1 Site Location

Source: Queensland Globe



Figure 2 Site Frontage

Source: Google Maps

2.2 Planning Context

The planning context of the site includes the following:

Table 3: Planning Context

Instrument	Designation
State Planning Policy Mapping	
Safety and Resilience to Hazards	<ul style="list-style-type: none"> • Natural Hazards Risk and Resilience <ul style="list-style-type: none"> ○ Flood hazard area - Level 1 - Queensland floodplain assessment overlay ○ Flood hazard area - Local Government flood mapping area
Development Assessment Mapping	
SARA DA Mapping	<ul style="list-style-type: none"> • Areas within 25m of a state transport corridor
Far North Queensland Regional Plan 2009-2031	
Regional Plan designation	Urban Footprint
Douglas Shire Planning Scheme 2018 Version 1.0	
Strategic framework designation	Port Douglas – Craigie, Precinct 3
Zoning	Industry Zone
Overlays	<ul style="list-style-type: none"> • Acid Sulfate Soils Overlay <ul style="list-style-type: none"> ○ Acid Sulfate Soils (5-20m AHD) • Transport Network Overlay <ul style="list-style-type: none"> ○ Principal Route (Pedestrian/Cycle) ○ Arterial Road (Vehicle) ○ Major Transport Corridor Buffer Area (State Controlled Road)

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

Other relevant mapping is provided in the Douglas Shire Planning Scheme Property Report at **Appendix B**



Figure 3 Zoning

Source: Douglas Shire Planning Scheme 2018

3 PLANNING HISTORY

Lot 11 is the subject of a Development Application for Material Change of Use for Food and drink outlet and Operational Work for an Advertising Device, Ref: CA 2023_5398/1, which was granted on 7 November 2023. The Development Permit was granted subject to conditions and condition 3 of the approval required specific vehicle swept paths that were not able to be achieved with Lot 11 only and the proposed layout. A copy of the Development Permit is attached at **Appendix C**.

In order to address vehicle manoeuvrability issues and to satisfy the requirements of the Development Permit, it was resolved to include the adjacent Lot 2 into the application site and reconfiguring the layout to improve vehicle accessibility and car parking.

The proposed changes to the approval are considered to result in a substantially different development to that which was previously approved. In accordance with the Development Assessment Rules, A change may be considered to result in a substantially different development if any of the following apply to the proposed change:

- (a) involves a new use; or
- (b) results in the application applying to a new parcel of land; or
- (c) dramatically changes the built form in terms of scale, bulk and appearance; or
- (d) changes the ability of the proposed development to operate as intended; or
- (e) removes a component that is integral to the operation of the development; or
- (f) significantly impacts on traffic flow and the transport network, such as increasing traffic to the site; or
- (g) introduces new impacts or increase the severity of known impacts; or
- (h) removes an incentive or offset component that would have balanced a negative impact of the development; or
- (i) impacts on infrastructure provisions.

As the proposal includes a new parcel of land and a change in the built form, it is considered that the proposed change would result in a substantially different development. On this basis the proposal is not a minor change but is considered to be an 'other change'.

4 PROPOSAL

The proposed development would retain the existing dwelling in its current form with no changes proposed to its use and access to the site would be consistent with the access approved as part of the extant development permit. The changes would include the following:

- The relocation of the proposed coffee and food sales building (31.88m²) to the south of the site and straddling the boundary between Lot 2 and Lot 11;
- The provision of a new toilet and amenities building (18.61m²) adjacent the southern boundary of lot 2;
- A new pergola (19.91m²) and outdoor eating area (60.71m²) on lot 2 to the west of the sales building;
- A revised vehicle circulation and parking area providing six (6) car parking spaces at the front of the existing dwelling and a space for mobility impaired drivers adjacent the food sales building.

Proposal plans are included at **Appendix D**.

5 LEGISLATIVE REQUIREMENTS

5.1 Assessment Manager

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

In accordance with section 82(2) of the *Planning Act 2016*, the change application is to be assessed as if it were the original development application, with the changes included, but was made when the change application was made; and with necessary changes.

5.2 Categories of Assessment

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

Table 4: Categories of Assessment

Aspect of development	Categorising instrument	Category of assessment
Material Change of Use (Food and Drink Outlet)	Douglas Shire Planning Scheme 2018 Version 1.0, Table 5.6.e	Impact Assessment
Operational Works – Advertising Device	Douglas Shire Planning Scheme 2018 Version 1.0, Table 5.6.e	Code Assessment

5.3 Referrals

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

Table 5: Schedule 10 Referral Matters

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

5.4 Public Notification

The application is required to be subject to Public Notification for a period of 15 business days. During this period, interested members of the public are able to make representations to the council regarding the application and proposed development and, where properly made, the Council is required to consider these submissions in the determination of the application.

6 STATUTORY PLANNING ASSESSMENT

6.1 Overview

As the application is subject to impact assessment, the assessment benchmarks, and the matters the assessment manager must have regard to, are those identified in section 45(5) of the *Planning Act 2016* and sections 30 and 31 of the *Planning Regulation 2017*. section assesses the application against relevant assessment benchmarks.

6.2 State and Regional Assessment Benchmarks

6.2.1 State Planning Policy

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

It is understood that the State Planning Policy, to the extent they it is relevant to this application, has been appropriately integrated into the Douglas Shire Planning Scheme 2018 Version 1.0. On that basis, no further assessment is required in this instance.

6.2.2 Regional Plan

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

Consistent with the State Planning Policy, it is understood that the Minister has identified that the planning scheme appropriately advances the Far North Queensland Regional Plan 2009-2031, as it applies in the planning scheme area. On this basis, no further assessment of the Regional Plan is required.

6.2.3 Development Assessment under Schedule 10 (SDAP)

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

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

Table 6 Relevant SDAP State Codes

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

A response to the State Codes is included in **Appendix E**.

6.3 Local Authority Assessment Benchmarks

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

6.3.1 Douglas Shire Planning Scheme Codes

The planning scheme

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

Table 7: Planning Scheme Code Responses

Planning Scheme Codes	Applicability	Comment
Zone Code		
Industry Zone Code	Applies	Consideration is required in respect of Performance Outcome PO2, relating to setbacks from side and rear boundaries. Refer below.
Local Plan Code		
Port Douglas/Craigie Local Plan Code	Applies	Complies with or is able to comply with all relevant acceptable outcomes.
Overlay Codes		
Acid Sulfate Soils Overlay Code	Applies	Complies with all assessment benchmarks.
Transport Network Overlay Code	Applies	Complies with all relevant acceptable outcomes.
Development Codes		
Access, Parking and Servicing Code	Applies	Complies with all relevant acceptable outcomes.
Advertising Devices Code	Applies	Complies with all relevant acceptable outcomes.
Environmental Performance Code	Applies	Complies with all relevant acceptable outcomes.
Infrastructure Works Code	Applies	Complies with or is able to comply with all relevant acceptable outcomes.
Landscaping Code	Applies	Complies with or is able to comply with all relevant acceptable outcomes.

A detailed Assessment against the relevant Planning Scheme Code is provided at **Appendix F**.

6.4 Town Planning Considerations

6.4.1 Industry Zone Code

Performance Outcome PO2 of the Industry Zone code states:

PO2

Buildings and structures are setback to contribute to an attractive and consistent streetscape appearance and to protect the amenity of other land uses.

The associated Acceptable Outcome states:

AO2.2

Where a site has a common boundary with land in an Industry zone, the buildings are setback either:

- (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 metres.*

The proposed new coffee and food sales building would be setback more than 2.5 metres to the side and rear boundaries; however, the pergola and the proposed toilet block would be setback approximately 1 metre

from the southern side boundary to the adjacent service station. The service station site provides a solid wall to the boundary, as shown in **Figure 2** above, and the setback would allow for the maintenance of this wall and would protect the amenity of the area.

Notwithstanding that the setback does not comply with the Acceptable Outcome, the proposed development is considered to comply with Performance Outcome PO2.

6.5 Infrastructure Charges

Infrastructure In accordance with the Douglas Shire Council Infrastructure Charges Resolution (No.2) 2021, an Infrastructure Charge would be applicable to the proposed development and is payable prior to the commencement of the use. In accordance with the resolution the infrastructure charge is based on \$165.54 per m² of Gross Floor Area, which, for the purpose of the infrastructure charges only, includes outdoor seating areas.

The proposed development would have a floor area, including outdoor sitting area of 131m², which attracts a charge of \$21,703.94.

7 CONCLUSION

RPS AAP Consulting Pty Ltd has been engaged by Peace World Pty Ltd to seek a change to an existing Development Permit for a Material Change of Use (Food and Drink Outlet) on land located at 5967 Captain Cook Highway, Craiglie, and described as Lot 11 on C22510.

The change involves a change to the approved plan and the inclusion of additional land, being Lot 2 on RP700333, to the south.

The new site has an area of 2,984m², a frontage to Captain Cook Highway of approximately 48 metres and contains a two storey dwelling house on Lot 11 with Lot 2 being vacant.. The site is located on the west side of Captain Cook Highway in an area that largely contains industrial and services related development.

In accordance with the *Planning Act 2016*, the council, as the assessment manager is required to assess the application as though it were the original development application, with the changes included, but made when the change application was made and with necessary changes

It is proposed to develop the site for the purpose of a Food and Drink Outlet. The changed development would involve the construction of a building to the south of the existing building and across the current lot boundary for the purpose of Coffee and Food sales, the construction of a new toilet block, a cover eating area and improved vehicle manoeuvring and car parking areas. In addition, the site landscaping would be improved with a landscaped buffer to the road frontage, landscaping throughout the site and hard landscaped areas including paved pathways and outdoor eating areas.

Access to the development would be via the existing vehicle crossover and would provide for all vehicles, including an SRV, to enter and exit the site if a forward gear.

The site is located within Douglas Shire Council area and under the Douglas Shire Planning Scheme 2018, the site is identified within the Industry Zone. The current approval is Development Permit for an Impact Assessable Material Change of Use.

The assessment contained in this report of this changed proposal against the relevant planning Assessment Benchmarks demonstrates that the changed proposal is able to satisfy the relevant town planning requirements.. Based on this assessment the changed proposal is recommended for approval subject to reasonable and relevant conditions.

Appendix A

Certificate(S) of Title and Search Results

Queensland Titles Registry Pty Ltd
ABN 23 648 568 101

Title Reference: 20716133	Search Date: 12/04/2023 13:11
Date Title Created: 27/01/1967	Request No: 44106684
Previous Title: 20662122	

ESTATE AND LAND

Estate in Fee Simple

LOT 11 CROWN PLAN C22510
Local Government: DOUGLAS

REGISTERED OWNER

Dealing No: 722070264 28/10/2022

PEACE WORLD PTY LTD A.C.N. 064 606 346

EASEMENTS, ENCUMBRANCES AND INTERESTS

1. Rights and interests reserved to the Crown by Deed of Grant No. 10414081 (ALLOT 11 SEC 2)
2. MORTGAGE No 722070265 28/10/2022 at 14:38
BENDIGO AND ADELAIDE BANK LIMITED A.C.N. 068 049 178

ADMINISTRATIVE ADVICES

NIL

UNREGISTERED DEALINGS

NIL

Caution - Charges do not necessarily appear in order of priority

** End of Current Title Search **

Queensland Titles Registry Pty Ltd
ABN 23 648 568 101

Title Reference: 50736981	Search Date: 25/03/2024 14:15
Date Title Created: 12/09/2008	Request No: 47508878
Previous Title: 20796039, 20796040	

ESTATE AND LAND

Estate in Fee Simple

LOT 2 REGISTERED PLAN 700333
Local Government: DOUGLAS

REGISTERED OWNER

Dealing No: 722070264 28/10/2022

PEACE WORLD PTY LTD A.C.N. 064 606 346

EASEMENTS, ENCUMBRANCES AND INTERESTS

1. Rights and interests reserved to the Crown by
Deed of Grant No. 10379064 (ALLOT 10 SEC 2)
2. MORTGAGE No 722070265 28/10/2022 at 14:38
BENDIGO AND ADELAIDE BANK LIMITED A.C.N. 068 049 178

ADMINISTRATIVE ADVICES

NIL

UNREGISTERED DEALINGS

NIL

Caution - Charges do not necessarily appear in order of priority

** End of Current Title Search **

Appendix B

Douglas Shire Council Planning Scheme Property Reports

2018 Douglas Shire Council Planning Scheme Property Report

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

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

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

Property Information

Property Address [5967 Captain Cook Highway CRAIGLIE](#)



Lot Plan [11C22510](#) (Freehold - 2175m²)



Selected Property

Easements

Property

Douglas Shire Planning Scheme 2018 version 1.0

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

Zoning






Applicable Zone
Industry

More Information

- [View Section 6.2.5 Industry Zone Code](#)
- [View Section 6.2.5 Industry Zone Compliance table](#)
- [View Section 6.2.5 Industry Zone Assessment table](#)

Douglas Shire Planning Scheme 2018 version 1.0

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

<p> Local Plans</p>	<p>Applicable Precinct or Area Port Douglas - Craiglie Precinct 3</p>	<p>More Information</p> <ul style="list-style-type: none"> • View Section 7.2.4 Port Douglas/Craiglie Local Plan Code • View Section 7.2.4 Port Douglas/Craiglie Local Plan Compliance table
<p> Acid Sulfate Soils</p>	<p>Applicable Precinct or Area Acid Sulfate Soils (5-20m AHD)</p>	<p>More Information</p> <ul style="list-style-type: none"> • View Section 8.2.1 Acid Sulfate Soils Overlay Code • View Section 8.2.1 Acid Sulfate Soils Overlay Compliance table
<p> Transport Noise Corridors</p>	<p>Applicable Precinct or Area Category 0: Noise Level < 58 dB(A) Category 1: 58 dB(A) =< Noise Level < 63 dB(A) Category 2: 63 dB(A) < Noise Level < 68 dB(A)</p>	<p>More Information</p> <ul style="list-style-type: none"> • View Section 8.2.10 Transport Network Overlay Code • View Section 8.2.10 Transport Network Overlay Compliance table
<p> Transport Pedestrian Cycle</p>	<p>Applicable Precinct or Area Principal Route</p>	<p>More Information</p> <ul style="list-style-type: none"> • View Section 8.2.10 Transport Network Overlay Code • View Section 8.2.10 Transport Network Overlay Compliance table
<p> Transport Road Hierarchy</p>	<p>Applicable Precinct or Area Arterial Road Major Transport Corridor Buffer Area (State Controlled Road)</p>	<p>More Information</p> <ul style="list-style-type: none"> • View Section 8.2.10 Transport Network Overlay Code • View Section 8.2.10 Transport Network Overlay Compliance table

Zoning

Applicable Zone

Industry

More Information

- [View Section 6.2.5 Industry Zone Code](#)
- [View Section 6.2.5 Industry Zone Compliance table](#)
- [View Section 6.2.5 Industry Zone Assessment table](#)



Selected Property

Property

Zoning

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

Local Plans

Applicable Precinct or Area

Port Douglas - Craiglie
Precinct 3

More Information

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



Selected Property	Property	Transport Investigation Corridor Transport Investigation Corridors	Major Road Connections Major Road Connections
Major Road Connections (No Arrow) Major Road Connections	Daintree River to Bloomfield Daintree River to Bloomfield	Creb Track and Quaid Road Creb Track	60 metre contour 60 metre contour
Local Plan Boundary Local Plan Boundary			
Local Plan Sub Precincts			
1d Limited Development	1a Town Centre	1b Waterfront North	1c Waterfront South
1e Community and Recreation	1f Flagstaff Hill		
Local Plan Precincts			
Not Part of a Precinct	Precinct 1	Precinct 2	Precinct 3
Precinct 4	Precinct 5	Precinct 6	Precinct 7
Precinct 8	Precinct 9		
Live Entertainment Precinct Live Entertainment Precinct	Indicative Future Open Space Indicative Future Open Space	Road Reserve Esplanade	

Acid Sulfate Soils

Applicable Precinct or Area

Acid Sulfate Soils (5-20m AHD)

More Information

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



Selected Property

Property

Acid Sulfate Soils

Acid Sulfate Soils (< 5m AHD)

Acid Sulfate Soils (5-20m AHD)

all others

Transport Noise Corridors

Applicable Precinct or Area

Category 0: Noise Level < 58 dB(A)

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

Category 2: 63 dB(A) < Noise Level < 68 dB(A)

More Information

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



Selected Property

Property

Transport Noise Corridors Mandatory Area

Category 0: Noise Level < 58 dB(A)

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

Category 2: 63 dB(A) < Noise Level < 68 dB(A)

Category 3: 68 dB(A) =< Noise Level < 73 dB(A)

Category 4: Noise Level >= 73 dB(A)

all others

Transport Noise Corridors Voluntary Area

Category 0: Noise Level < 58 dB(A)

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

Category 2: 63 dB(A) < Noise Level < 68 dB(A)

Category 3: 68 dB(A) =< Noise Level < 73 dB(A)

Category 4: Noise Level >= 73 dB(A)

all others

Transport Pedestrian Cycle

Applicable Precinct or Area

Principal Route

More Information

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



Selected Property

Property

Pedestrian and Cycle Network

District Route

Future Principal Route

Iconic Recreation Route

Neighbourhood Route

Principal Route

Strategic Investigation Route

all others

Transport Road Hierarchy

Applicable Precinct or Area

Arterial Road

Major Transport Corridor Buffer Area (State Controlled Road)

More Information

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



Selected Property

Property

Road Hierarchy

Access Road

Arterial Road

Collector Road

Industrial Road

Major Rural Road

Minor Rural Road

Sub Arterial Road

Unformed Road

all others

Major Transport Corridor Buffer Area

Disclaimer

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

2018 Douglas Shire Council Planning Scheme Property Report

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

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

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

Property Information

Property Address [5967 Captain Cook Highway CRAIGLIE](#)



Lot Plan [11C22510](#) (Freehold - 2175m²)



Selected Property

Easements

Property

Douglas Shire Planning Scheme 2018 version 1.0

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

Zoning






Applicable Zone
Industry

More Information

- [View Section 6.2.5 Industry Zone Code](#)
- [View Section 6.2.5 Industry Zone Compliance table](#)
- [View Section 6.2.5 Industry Zone Assessment table](#)

Douglas Shire Planning Scheme 2018 version 1.0

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

<p> Local Plans</p>	<p>Applicable Precinct or Area Port Douglas - Craiglie Precinct 3</p>	<p>More Information</p> <ul style="list-style-type: none"> • View Section 7.2.4 Port Douglas/Craiglie Local Plan Code • View Section 7.2.4 Port Douglas/Craiglie Local Plan Compliance table
<p> Acid Sulfate Soils</p>	<p>Applicable Precinct or Area Acid Sulfate Soils (5-20m AHD)</p>	<p>More Information</p> <ul style="list-style-type: none"> • View Section 8.2.1 Acid Sulfate Soils Overlay Code • View Section 8.2.1 Acid Sulfate Soils Overlay Compliance table
<p> Transport Noise Corridors</p>	<p>Applicable Precinct or Area Category 0: Noise Level < 58 dB(A) Category 1: 58 dB(A) =< Noise Level < 63 dB(A) Category 2: 63 dB(A) < Noise Level < 68 dB(A)</p>	<p>More Information</p> <ul style="list-style-type: none"> • View Section 8.2.10 Transport Network Overlay Code • View Section 8.2.10 Transport Network Overlay Compliance table
<p> Transport Pedestrian Cycle</p>	<p>Applicable Precinct or Area Principal Route</p>	<p>More Information</p> <ul style="list-style-type: none"> • View Section 8.2.10 Transport Network Overlay Code • View Section 8.2.10 Transport Network Overlay Compliance table
<p> Transport Road Hierarchy</p>	<p>Applicable Precinct or Area Arterial Road Major Transport Corridor Buffer Area (State Controlled Road)</p>	<p>More Information</p> <ul style="list-style-type: none"> • View Section 8.2.10 Transport Network Overlay Code • View Section 8.2.10 Transport Network Overlay Compliance table

Zoning

Applicable Zone

Industry

More Information

- [View Section 6.2.5 Industry Zone Code](#)
- [View Section 6.2.5 Industry Zone Compliance table](#)
- [View Section 6.2.5 Industry Zone Assessment table](#)



Selected Property

Property

Zoning

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

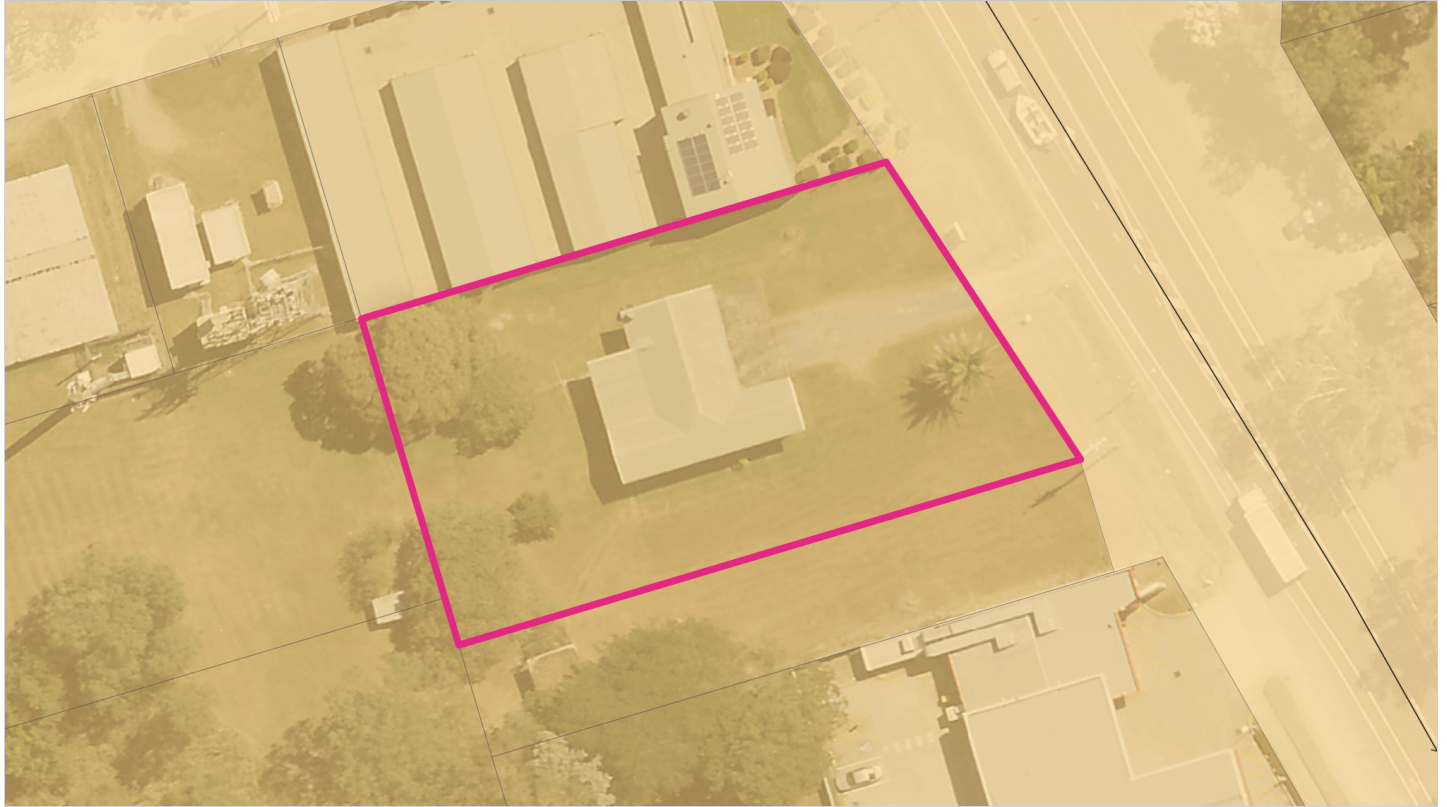
Local Plans

Applicable Precinct or Area

Port Douglas - Craiglie
Precinct 3

More Information

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



Selected Property	Property	Transport Investigation Corridor Transport Investigation Corridors	Major Road Connections Major Road Connections
Major Road Connections (No Arrow) Major Road Connections	Daintree River to Bloomfield Daintree River to Bloomfield	Creb Track and Quaid Road Creb Track	60 metre contour 60 metre contour
Local Plan Boundary Local Plan Boundary			
Local Plan Sub Precincts			
1d Limited Development	1a Town Centre	1b Waterfront North	1c Waterfront South
1e Community and Recreation	1f Flagstaff Hill		
Local Plan Precincts			
Not Part of a Precinct	Precinct 1	Precinct 2	Precinct 3
Precinct 4	Precinct 5	Precinct 6	Precinct 7
Precinct 8	Precinct 9		
Live Entertainment Precinct Live Entertainment Precinct	Indicative Future Open Space Indicative Future Open Space	Road Reserve Esplanade	

Acid Sulfate Soils

Applicable Precinct or Area

Acid Sulfate Soils (5-20m AHD)

More Information

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



Selected Property

Property

Acid Sulfate Soils

Acid Sulfate Soils (< 5m AHD)

Acid Sulfate Soils (5-20m AHD)

all others

Transport Noise Corridors

Applicable Precinct or Area

Category 0: Noise Level < 58 dB(A)

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

Category 2: 63 dB(A) < Noise Level < 68 dB(A)

More Information

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



Selected Property

Property

Transport Noise Corridors Mandatory Area

Category 0: Noise Level < 58 dB(A)

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

Category 2: 63 dB(A) < Noise Level < 68 dB(A)

Category 3: 68 dB(A) =< Noise Level < 73 dB(A)

Category 4: Noise Level >= 73 dB(A)

all others

Transport Noise Corridors Voluntary Area

Category 0: Noise Level < 58 dB(A)

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

Category 2: 63 dB(A) < Noise Level < 68 dB(A)

Category 3: 68 dB(A) =< Noise Level < 73 dB(A)

Category 4: Noise Level >= 73 dB(A)

all others

Transport Pedestrian Cycle

Applicable Precinct or Area

Principal Route

More Information

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



Selected Property

Property

Pedestrian and Cycle Network

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

Transport Road Hierarchy

Applicable Precinct or Area

Arterial Road

Major Transport Corridor Buffer Area (State Controlled Road)

More Information

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



Selected Property

Property

Road Hierarchy

Access Road

Arterial Road

Collector Road

Industrial Road

Major Rural Road

Minor Rural Road

Sub Arterial Road

Unformed Road

all others

Major Transport Corridor Buffer Area

Disclaimer

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

Appendix C

Development Permit for Material Change of Use for a Food and Drink Outlet with drive-through facility and a Development Permit for Operational Work for an Advertising Device – CA 2023_5398/1

7 November 2023

Enquiries: Jenny Elphinstone
Our Ref: CA 2023_5398/1 (Doc ID 1192883)
Your Ref: AU008658

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

Peace World Pty Ltd
C/- RPS AAP Consulting Pty Ltd
PO Box 1949
CAIRNS QLD 4870

Email: Patrick.clifton@rpsgroup.com.au

Attention Mr Patrick Clifton

Dear Sir

**Development Application for Material Change of Use for Food and drink outlet and
Operational Work for an Advertising device
At 5967 Captain Cook Highway Craiglie
On Land Described as Lot 11 on C22510**

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

Please quote Council's application number: CA 2023_5398/1 in all subsequent correspondence relating to this development application.

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

Yours faithfully



For
Paul Hoye
Manager Environment & Planning

cc. State Assessment and Referral Agency (SARA) E: CairnsSARA@dilgp.qld.gov.au

encl.

- Decision Notice
 - Approved Drawing(s) and/or Document(s)
 - Concurrence Agency Response
 - Reasons for Decision
- Advice For Making Representations and Appeals (Decision Notice)
- Adopted Infrastructure Charges Notice
- Advice For Making Representations and Appeals (Infrastructure Charges)



Decision Notice

Approval (with conditions)

Given under s 63 of the Planning Act 2016

Applicant Details

Name: Peace World Pty Ltd
Postal Address: C/- RPS AAP Consulting Pty Ltd
PO Box 1949
Cairns Qld 4870
Email: Patrick.clifton@rpsgroup.com.au

Property Details

Street Address: 5967 Captain Cook Highway Craiglie
Real Property Description: Lot 11 on C22510
Local Government Area: Douglas Shire Council

Details of Proposed Development

Combined application for a Development Permit for a Material Change of Use for a Food and Drink Outlet with drive-through facility and a Development Permit for Operational Work for an Advertising Device.

Decision

Date of Decision: 7 November 2023
Decision Details: Approved (subject to conditions)

Approved Drawing(s) and/or Document(s) (Subject to amendments as required by the conditions of the approval).

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

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

Drawing or Document	Reference	Date
Site Plan	Generally in accordance with Austart Homes, unreferenced, not dated drawing as received as part of RPS Submission dated 10 July 2023 (Council document 1169471) and as amended by the conditions of the approval.	To be determined.

Drawing or Document	Reference	Date
Ground Floor Plan	Austart Homes, unreferenced, not dated drawing as received as part of RPS Submission dated 10 July 2023 (Council document 1169471).	10 July 2023
First Floor Plan	Austart Homes, unreferenced, not dated drawing as received as part of RPS Submission dated 10 July 2023 (Council document 1169471).	10 July 2023
Elevations	Austart Homes, unreferenced, not dated drawing as received as part of RPS Submission dated 10 July 2023 (Council document 1169471).	10 July 2023
Plans (Propose Food Preparation and Signage Device)	Austart Homes, unreferenced, not dated drawing as received as part of RPS Submission dated 10 July 2023 (Council document 1169471).	10 July 2023
Turn Path Assessment	Neon Consulting Drawing 021-2301-01-SK-0001, Revision A	5 May 2023

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

Assessment Manager Conditions & Advices

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

Except where modified by these conditions of approval

Timing of Effect

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

Car Parking

3. Prior to the issue of a Development Permit for Building Work, provide an amended plan to the satisfaction of the Chief Executive Officer that details:
 - a. Six (6) vehicle parking spaces including one (1) all abilities parking space. Parking spaces are to be designed and constructed in accordance with Australian Standard AS1428 -Design for Access and Mobility and Australian Standard AS 2890.1- Off Street Car Parking. The all abilities parking space is to be located in the southern parking area;

- b. Queuing for five (5) vehicles on the land with swept path alignment than enables passing vehicles on the western wide of the queue. The vehicle lanes are to be marked on site;
 - c. One (1) vehicle waiting area north of servery window, which may be considered as a car parking space under Condition 3a above. This parking / holding aera must be designed so that a holding vehicle does not limit the movement of vehicles exiting the site;
 - d. Include a 2m wide pedestrian crossing from the southern parking area to the servery window and a 2m wide pedestrian crossing from the servery window to the dining areas/ amenities.
4. All parking, driveway and vehicular manoeuvring areas must be imperviously sealed, drained and line marked.
 5. No parking associated with the proposed use is permitted within the State Controlled Road (Captain Cook Highway).

Bicycle Parking

6. Provide two (2) secured, on-site bicycle parking in accordance with Table 10-1 of *AUSTROADS Guide to Traffic Engineering Practice Part 14 – Bicycles*. The bicycle parking area must be constructed prior to Commencement of Use.

External Works

7. Undertake the following works external to the land at no cost to Council:
 - a. Construct a two (2) metre wide concrete footpath to the Captain Cook Highway frontage in accordance with FNQROC Development Manual Standard Drawing S1035. The footpath alignment must have consideration for future connectivity with the existing footpath further to the south.
 - b. Erect no-standing signage either side of the entrance /exit points for the length of the road frontage

The external works outlined above constitute Operational Works. Such work must be constructed in accordance with the endorsed plan to the satisfaction of the Chief Executive Officer prior to Commencement of Use.

Note: the above works are not considered to be creditable or trunk related works in accordance with Section 145 of the *Planning Act 2016*.

Landscaping

8. The site must be landscaped in accordance with details included on a Landscaping Plan. The Landscaping Plan must show:
 - a. Deep planting of setback areas;
 - b. Species to have regard to Council's Planning Scheme Policy No.7 Landscaping.
 - c. The maintenance of suitable sight lines having regard to the movement of vehicles on and off the adjacent State-controlled road I
 - d. Landscaped areas adjoining the parking area must be protected by a 150 mm high vertical concrete kerb or similar obstruction. The kerb must be set back from the garden edge sufficiently to prevent vehicular encroachment and damage to plants by vehicles

The landscape plan must be endorsed by the Chief Executive Officer. The approval and completion of all landscaping works must be undertaken in accordance with the endorsed plan prior to the Commencement of Use.

Landscaped areas must be maintained at all times to the satisfaction of the Chief Executive Officer.

Lawful Point of Discharge

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

Refuse Storage

10. A refuse storage is required to service the site. The refuse bin enclosure must be roofed and bunded and fitted with a bucket trap to the satisfaction of the Chief Executive Officer.

Liquid Waste Disposal

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

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

The applicant must have all measures for pre-treatment installed prior to commencement of use.

Advertising Device/s

12. No advertising device is to be animated or have any moving parts. Advertising devices are only to be illuminated when the approved use is open for trade.

Lighting

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

ADVICE

1. This approval, granted under the provisions of the *Planning Act 2016*, shall lapse four (4) years from the day the approval takes effect in accordance with the provisions of Section 85 of the *Planning Act 2016*.
2. All building site managers must take all action necessary to ensure building materials and/or machinery on construction sites are secured immediately following the first potential cyclone warning and that relevant emergency telephone contacts are provided to Council officers, prior to commencement of works.
3. Supporting documentation outlining the required information for the Dewatering Report is attached to this Development Approval. Further information can be obtained from Council.
4. This approval does not negate the requirement for compliance with relevant Local Laws and statutory requirements.
5. Prior to operation of the food business, the operator must hold a current Food Licence issued by Council's Public Health Unit under the *Food Act 2006*. Every licensed food business is required to have a Food Safety Supervisor who has met specified competencies and is reasonably available at all times the business is operating. Contact the Council's Public Health Unit for further information.
6. For information relating to the *Planning Act 2016* log on to www.dsdmip.qld.gov.au. To access the FNQROC Development Manual, Local Laws and other applicable Policies log on to www.douglas.qld.gov.au.

Infrastructure Charges Notice

7. A charge levied for the supply of trunk infrastructure is payable to Council towards the provision of trunk infrastructure in accordance with the Infrastructure Charges Notice. The original Infrastructure Charges Notice will be provided under cover of a separate letter.

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

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

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

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

Further Development Permits

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

- All Building Work
- All Operational Work

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

Concurrence Agency Response

Concurrence Agency	Concurrence Agency Reference	Date	Doc ID
State Assessment and Referral Agency (SARA)	2307-35665 SRA	21 August 2023	1178263

Note – Concurrence Agency Response is attached. This Concurrence Agency Response maybe amended by agreement with the respective agency.

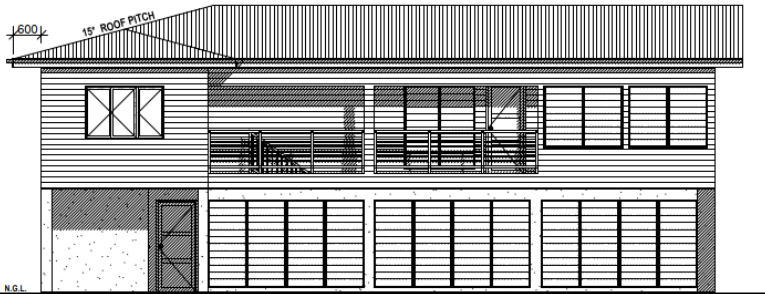
Currency Period for the Approval

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

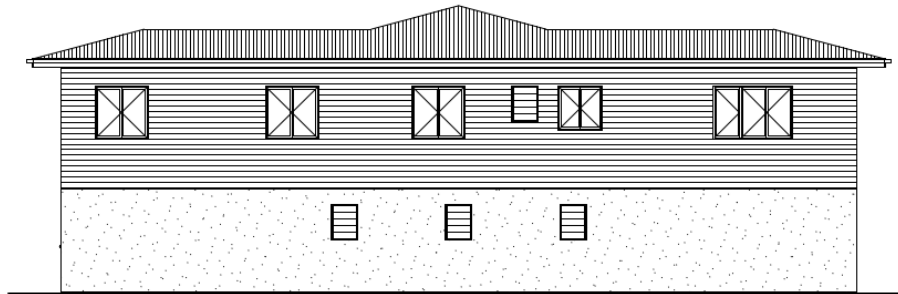
Rights to make Representations & Rights of Appeal

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

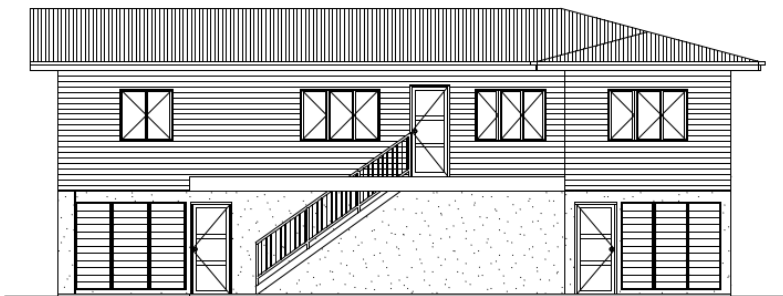
A copy of the relevant appeal provisions is attached.



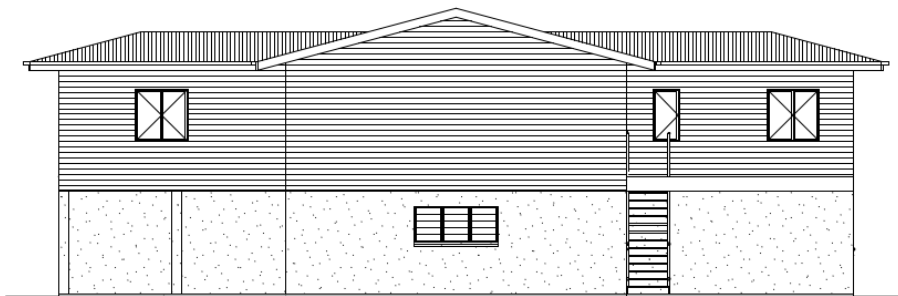
Elevation 1 - East



Elevation 2 - South



Elevation 3 - West



Elevation 4 - North



ELEVATIONS

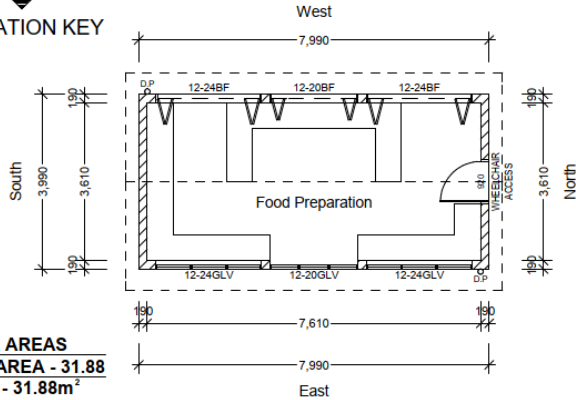
PHILL MATTHEWS - SKETCH - I
CAPTAIN COOK HIGHWAY

N.B. ALL WRITTEN DIMENSIONS TAKE PRECEDENCE OVER SCALED SIZES-TTHIS DESIGN IS THE EXCLUSIVE PROPERTY OF AUSTART HOMES AUSTRALIA Pty. Ltd.

Design:	Drawn By:	Amendments:
Facade:	Date:	Job Number: 000
Inclusions:	Scale: 1 : 100	Sheet Number: 0 of 00

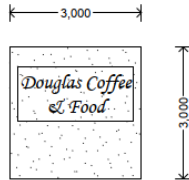


ELEVATION KEY

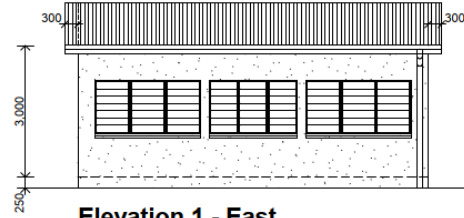


FLOOR AREAS
FOOD AREA - 31.88
TOTAL - 31.88m²
3.43 SQUARES

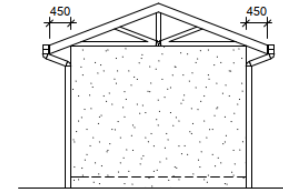
FLOOR PLAN



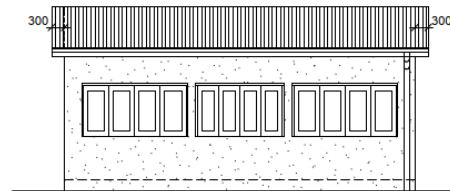
SIGN ELEVATION



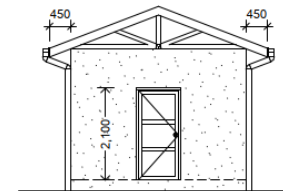
Elevation 1 - East



Elevation 2 - South



Elevation 3 - West



Elevation 4 - North

Proposed Food Preparation

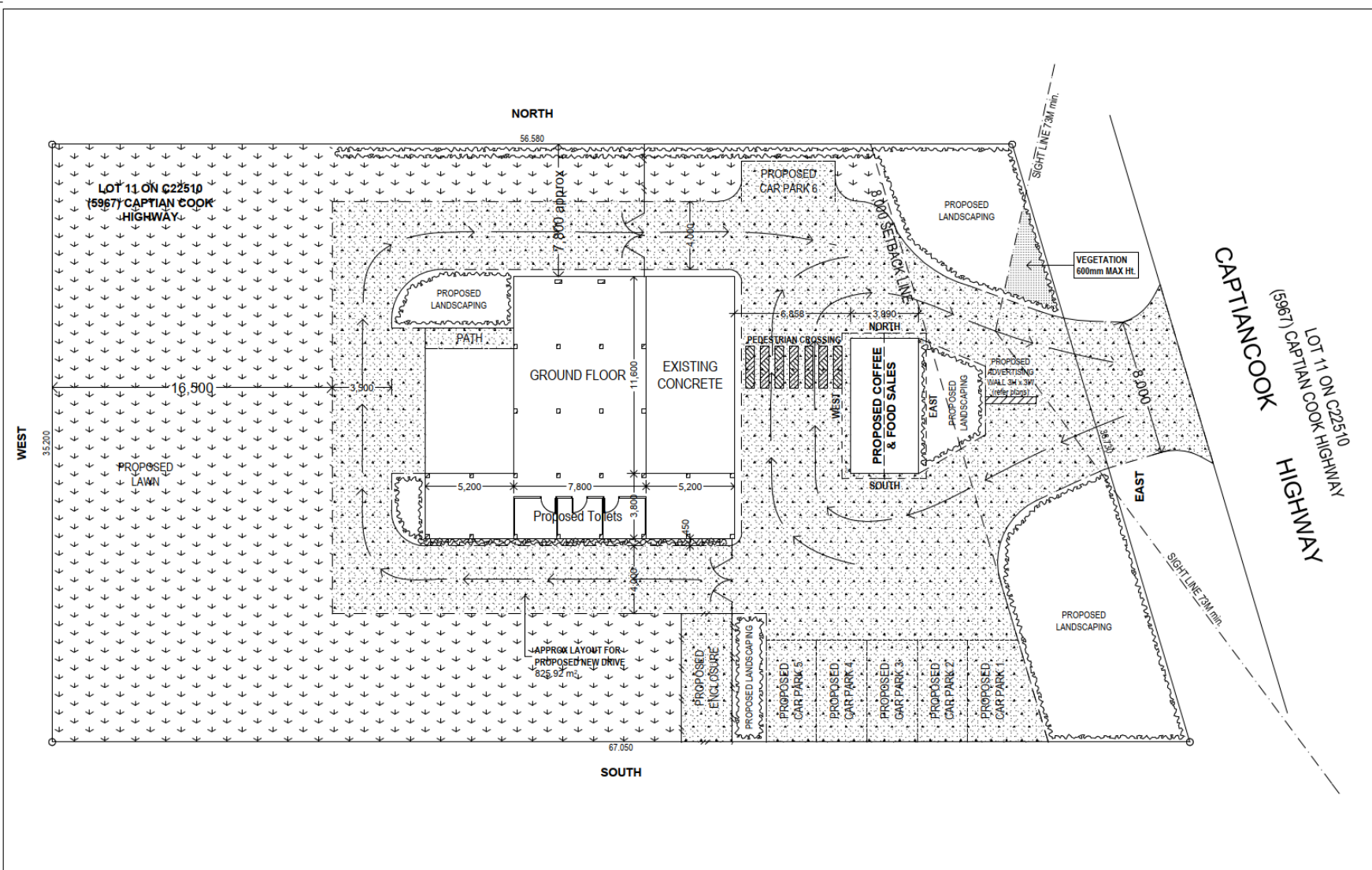


PLANS

PHILL MATTHEWS - SKETCH - I
 CAPTAIN COOK HIGHWAY

N.B. ALL WRITTEN DIMENSIONS TAKE PRECEDENCE OVER SCALED SIZES-THIS DESIGN IS THE EXCLUSIVE PROPERTY OF AUSTART HOMES AUSTRALIA Pty. Ltd.

Design:	Drawn By:	Amendments:
Facade:	Date:	Job Number: 000
Inclusions:	Scale: 1 : 100	Sheet Number: 0 of 00



AUSTART HOMES
 AUSTART HOMES XXXXXXXXXX
 ABN: XXXXXXXXXX, BLN: XXXXXXXX
 Address: XXXXXXXXXXXXXXXXXXXXXXXXXXXX
 Phone: XXXXXXXXXX Fax: XXXXXXXXXX

SITE PLAN

PHILL MATTHEWS - SKETCH - I
 CAPTIAN COOK HIGHWAY

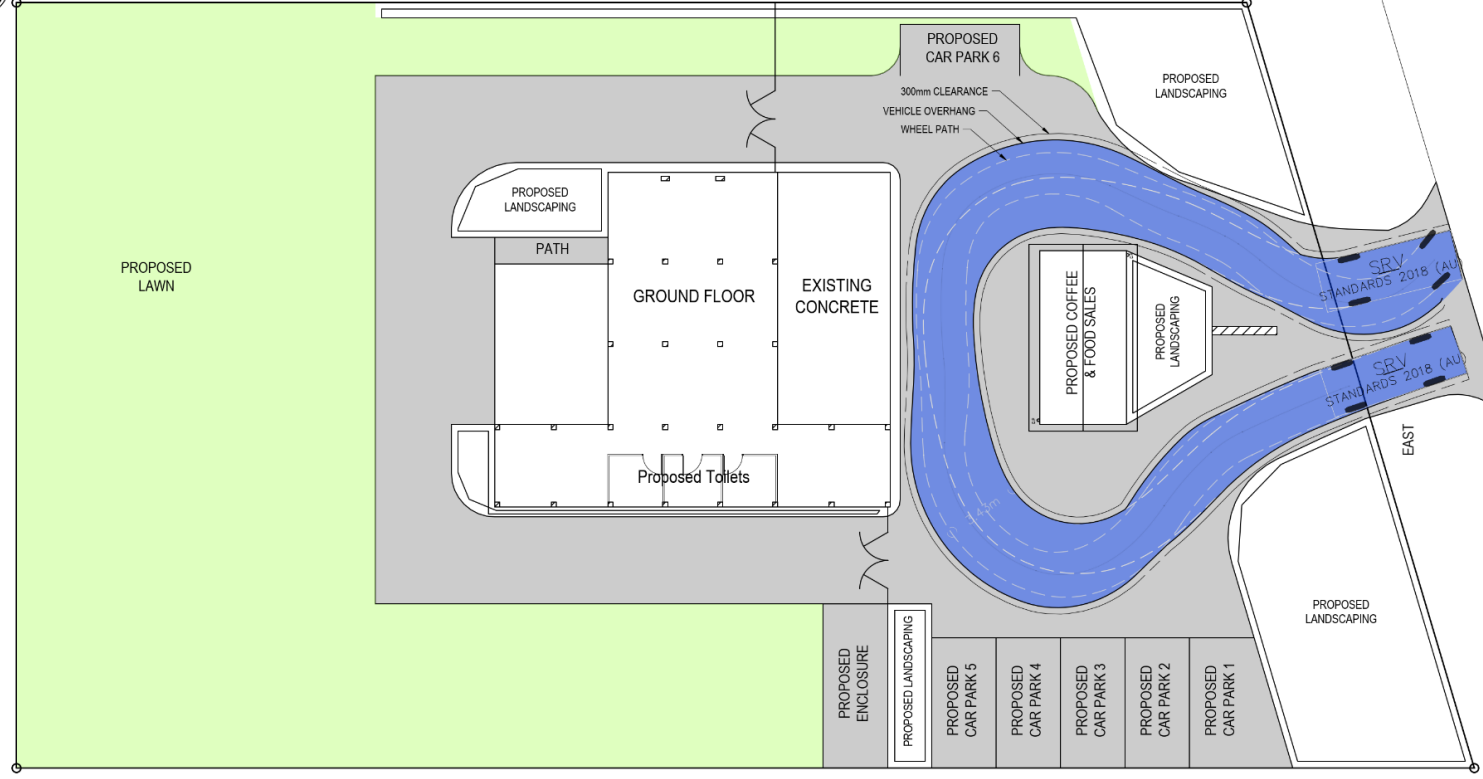
N.B. ALL WRITTEN DIMENSIONS TAKE PRECEDENCE OVER SCALED SIZES-THIS DESIGN IS THE EXCLUSIVE PROPERTY OF AUSTART HOMES AUSTRALIA Pty. Ltd.

Design:	Drawn By:	Amendments:
Facade:	Date:	Job Number:
Inclusions:	Scale: 1 : 200	Sheet Number: 0 of 00



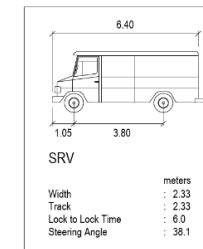
NORTH

WEST



CAPTAIN COOK
 (3986) HIGHWAY
 LOT 11 ON C252510

SOUTH



A 05.05.23 INITIAL ISSUE
 Rev# Date Revision Notes
 06/05/2023 1:40:53 PM File: 0:\Marketing\Drawings\0212301\01 Drawings\01 Drawings\01 - 2301-01-SK-0001.dwg

NEON
 CONSULTING

AUSTART HOMES

5968 CAPTAIN COOK HIGHWAY

TURN PATH ASSESSMENT

Drawn: PAM
 Design: PAM
 Check'd: CAC
 Approved: CAC

All Text (Scale as shown)

021-2301-01-SK-0001

A

Concurrence Agency Conditions

RA6-N



SARA reference: 2307-35665 SRA
Council reference: CA 2023_5398/1 (Doc ID 1165011)
Applicant reference: AU008658

21 August 2023

Chief Executive Officer
Douglas Shire Council
PO Box 723
Mossman QLD 4873
enquiries@douglas.qld.gov.au

Attention: Jenny Elphinstone

Dear Sir/Madam

SARA referral agency response – 5967 Captain Cook Highway, Craiglie

(Referral agency response given under section 56 of the *Planning Act 2016*)

The development application described below was confirmed as properly referred by the State Assessment and Referral Agency (SARA) on 14 July 2023.

Response

Outcome:	Referral agency response – with conditions
Date of response:	21 August 2023
Conditions:	The conditions in Attachment 1 must be attached to any development approval.
Advice:	Advice to the applicant is in Attachment 2 .
Reasons:	The reasons for the referral agency response are in Attachment 3 .

Development details

Description:	Development permit	Material change of use for Food and drink outlet and Operational work for an Advertising device
SARA role:	Referral agency	

Far North Queensland regional office
Ground Floor, Cnr Grafton and Hartley
Street, Cairns
PO Box 2358, Cairns QLD 4870

Page 1 of 8

Attachment 5 — Approved plans and specifications

(page left intentionally blank – attached separately)

Attachment 4 — Change representation provisions

(page left intentionally blank – attached separately)

Attachment 3—Reasons for referral agency response

(Given under section 56(7) of the *Planning Act 2016*)

The reasons for the SARA decision are:

SARA has carried out an assessment of the development application against State code 1: Development in a state-controlled road environment of the SDAP, version 3.0 and has found that, with conditions, the proposed development complies with relevant performance outcomes in that:

- The proposed development is unlikely to compromise the safety, function, and efficiency of the Captain Cook Highway, a state-controlled road.
- The Captain Cook Highway is not identified as a limited access road at the location of the subject site.
- The proposed development is unlikely to impact the existing stormwater and drainage flows into the state-controlled road corridor.
- Required connections to council services, essential utilities and infrastructure for the proposed development can be obtained without impacting on the state-controlled road.
- The proposed application does not include noise sensitive development.

Material used in the assessment of the application:

- The development application material and submitted plans
- *Planning Act 2016*
- Planning Regulation 2017
- The State Development Assessment Provisions (version 3.0)
- The Development Assessment Rules
- SARA DA Mapping system
- *Human Rights Act 2019*

Attachment 2—Advice to the applicant

General advice	
1.	Terms and phrases used in this document are defined in the <i>Planning Act 2016</i> its regulation or the <i>State Development Assessment Provisions (SDAP) v3.0</i> . If a word remains undefined it has its ordinary meaning.
Advertising device	
2.	<p>The Food & drink outlet is proposing to erect an advertising device that will be visible from a state-controlled road. The applicant should seek advice from the Department of Transport and Main Roads (DTMR) to ensure that the advertising device visible from a state-controlled road, and beyond the boundaries of the state-controlled road, is unlikely to create a traffic hazard for the state-controlled road.</p> <p><i>Note: DTMR has powers under section 139 of the Transport Operations (Road Use Management - Accreditation and Other Provisions) Regulation 2015 to require removal or modification of an advertising sign and / or a device which is deemed to create a danger to traffic.</i></p>
Further development permits required	
3.	<p>Road Works Approval</p> <p>Under section 33 of the <i>Transport Infrastructure Act 1994</i>, written approval is required from the Department of Transport and Main Roads to carry out road works.</p> <p>Please contact the Department of Transport and Main Roads on 4045 7144 to make an application for road works approval.</p> <p>This approval must be obtained prior to commencing any works on the state-controlled road reserve. The approval process may require the approval of engineering designs of the proposed works, certified by a Registered Professional Engineer of Queensland (RPEQ).</p> <p>Please contact the Department of Transport and Main Roads as soon as possible to ensure that gaining approval does not delay construction.</p>

Attachment 1—Referral agency conditions

(Under section 56(1)(b)(i) of the *Planning Act 2016* the following conditions must be attached to any development approval relating to this application) (Copies of the plans and specifications referenced below are found at Attachment 5)

No.	Conditions	Condition timing
Material change of use – Food and drink outlet		
Schedule 10, Part 9, Division 4, Subdivision 2, Table 4 — The chief executive administering the <i>Planning Act 2016</i> nominates the Director-General of the Department of Transport and Main Roads to be the enforcement authority for the development to which this development approval relates for the administration and enforcement of any matter relating to the following conditions:		
Road works on a state-controlled road		
1.	<p>(a) Road works comprising the reinstatement of double barrier lines must be provided within the painted centre median adjacent to the approved road access location.</p> <p>(b) The road works must be designed and constructed in accordance with Department of Transport and Main Roads', Road Planning and Design Manual, 2nd Edition, November 2021, Volume 3 – Guide to Road Design.</p>	<p>(a) and (b): Prior to the commencement of use.</p>
Vehicular access to a state-controlled road		
2.	<p>(a) The road access location is to be located generally in accordance with TMR Layout Plan (20A – 59.83km), prepared by Queensland Government Transport and Main Roads, dated 11/08/2023, Reference TMR23-39839 (500-1640), Issue B.</p> <p>(b) Road access works comprising of a left in / left out vehicular property access, including any required signage, must be provided at the road access location.</p> <p>(c) The road access works must be designed and constructed in accordance with TMR Standard Rural Property Access Drawing, Sheets 1 & 2, Drawing No. 1807, Type B – Rural Property Access, dated 11/2021, and Revision B, as amended in red by SARA.</p>	<p>(a) At all times.</p> <p>(b) and (c): Prior to the commencement of use.</p>

enc Attachment 1 - Referral agency conditions
Attachment 2 - Advice to the applicant
Attachment 3 - Reasons for referral agency response
Attachment 4 - Change representation provisions
Attachment 5 - Approved plans and specifications

SARA triggers:	Schedule 10, Part 9, Division 4, Subdivision 2, Table 4 (Planning Regulation 2017) – Material change of use of premises near a state transport corridor
SARA reference:	2307-35665 SRA
Assessment Manager:	Douglas Shire Council
Street address:	5967 Captain Cook Highway, Craiglie
Real property description:	Lot 11 on C22510
Applicant name:	Peace World Pty Ltd
Applicant contact details:	C/- RPS AAP Consulting Pty Ltd PO Box 1949 CAIRNS QLD 4870 Patrick.Clifton@rpsgroup.com.au
State-controlled road access permit:	This referral included an application for a road access location, under section 62A(2) of <i>Transport Infrastructure Act 1994</i> . Below are the details of the decision: <ul style="list-style-type: none"> • Approved • Reference: TMR23-039839 (500-1640) • Date: 14 August 2023 <p>If you are seeking further information on the road access permit, please contact the Department of Transport and Main Roads at Far.North.Queensland.IDAS@tmr.qld.gov.au.</p>
<i>Human Rights Act 2019</i> considerations:	A consideration of the 23 fundamental human rights protected under the <i>Human Rights Act 2019</i> has been undertaken as part of this decision. It has been determined that this decision does not limit human rights.

Representations

An applicant may make representations to a concurrence agency, at any time before the application is decided, about changing a matter in the referral agency response (s.30 Development Assessment Rules) Copies of the relevant provisions are in **Attachment 4**.

A copy of this response has been sent to the applicant for their information.

For further information please contact Charlton Best, Senior Planning Officer, on 07 4037 3200 or via email CairnsSARA@dsdilgp.qld.gov.au who will be pleased to assist.

Yours sincerely



Leanne Simpson
Acting Manager (Planning)

cc Peace World Pty Ltd C/- Patrick Clifton, patrick.clifton@rpsgroup.com.au



PLANS AND DOCUMENTS
referred to in the REFERRAL
AGENCY RESPONSE

SARA ref: 2307-35665 SRA

Date: 21 August 2023

Permitted Road Access Location
Approx 15m from the northern boundary of Lot 11C22510
GPS location x 145.467649, y -16.535872

Access Restrictions
(a) Left-In, Left-Out vehicle movements only
(b) Design vehicles up to a maximum size Two Axle Truck (6.5m)
- Class 3 Medium Length Heavy Vehicle**

Note: ** as described in Austroads Vehicle Classification System

Road Access Junction
Approx 50m south of Dickson St
(TDist 59.83km)

11C22510
5967 Captain Cook Hwy

Road Access Driveway

Branch/Unit : **Corridor Management / Far North District**

Projection/Datum : Geocentric Datum of Australia (GDA) 2020

File ref: TMR23-039839 (500-1640)

Land parcels	Subject land
--------------	--------------

TMR Layout Plan
(20A - 59.83km)

Plan: **1 / 1**

Issue: **B**

Drawn by: **RPK**

Date: **11/08/2023**

Queensland Government
Transport and Main Roads

Our ref TMR23-039839 (500-1640)
Your ref ALJ008558
Enquiries Ronald Kaden



14 August 2023

Department of
Transport and Main Roads

Decision Notice – Permitted Road Access Location (s62(1) *Transport Infrastructure Act 1994*)

This is not an authorisation to commence work on a state-controlled road¹

Development application reference number CA 2023_5398/1, lodged with Douglas Shire Council involves constructing or changing a vehicular access between Lot 11C22510, the land the subject of the application, and Captain Cook Highway (a state-controlled road).

In accordance with section 62A(2) of the *Transport Infrastructure Act 1994* (TIA), this development application is also taken to be an application for a decision under section 62(1) of TIA.

Applicant Details

Name and address Peace World Pty Ltd
C/- RPS AAP Consulting Pty Ltd
PO Box 1949
Cairns QLD 4870

Application Details

Address of Property 5967 Captain Cook Highway, Craiglie QLD 4877
Real Property Description 11C22510
Aspect/s of Development Development Permit for Material Change of Use for Food and Drink Outlet

Decision (given under section 67 of TIA)

It has been decided to approve the application, subject to the following conditions:

No.	Conditions of Approval	Condition Timing
1	The Permitted Road Access Location is approximately 15 metres from the northern boundary of Lot 11C22510, in accordance with: 1. TMR Layout Plan (20A - 59.83km) Issue B 11/08/2023	At all times.
2	Direct access is prohibited between Captain Cook Highway and Lot 11C22510 at any other location other than the Permitted Road Access Location described in Condition 1.	At all times.
3	The use of the permitted road access location is to be restricted to:	At all times.

¹ Please refer to the further approvals required under the heading 'Further approvals'

Program Delivery and Operations
Far North Region
Cairns Corporate Tower, 15 Lake Street Cairns QLD 4870
PO Box 6185 Cairns QLD 4870

Telephone +61 7 (07) 4045 7151
Website www.tmr.qld.gov.au
Email Far:North.Queensland.IDAS@tmr.qld.gov.au
ABN: 39 407 690 291

No.	Conditions of Approval	Condition Timing
	a) Left-In, Left-Out vehicle movements only b) Design vehicles up to a maximum size Two Axle Truck (6.5m) - Class 3 Medium Length Heavy Vehicle** Note: ** as described in Austroads Vehicle Classification System	
4	Road Access Works comprising a rural property access must be provided at the permitted access location, generally in accordance with: a) Type B Property Access drawing prepared by Queensland Government dated 11/2021 reference 1807 (with additional notes).	Prior to the commencement of the use of the Road Access Works and to be maintained at all times.

Reasons for the decision

The reasons for this decision are as follows:

- a) Currently the subject site (Lot 11 on C22510) has road frontage and vehicle access via Captain Cook Highway, a state-controlled road.
- b) The proposed development is for a food and drink outlet with a drive-through facility.
- c) The proposed development is seeking a changed vehicular access to accommodate increased vehicle movements and changed vehicle types.
- d) The proposed development is seeking an 8m wide vehicular access at its narrowest point at the current vehicular access location.
- e) The existing vehicular access is located within the functional area of an intersection, approximately 50m from the Old Port Road intersection and situated at the commencement of the channelised right-turn (CHR) lane into Old Port Road.
- f) To ensure through traffic movements are not impacted and no new conflicts are introduced within CHR lane and the functional area of the Old Port Road intersection, the access is required to be restricted to left-in / left-out vehicular movements.
- g) The proposed development will require a changed access as there will be increased vehicle movements to the subject land.

Please refer to **Attachment A** for the findings on material questions of fact and the evidence or other material on which those findings were based.

Information about the Decision required to be given under section 67(2) of TIA

1. There is no guarantee of the continuation of road access arrangements, as this depends on future traffic safety and efficiency circumstances.
2. This decision has been based on the current land use and the historic nature of the access subject to this decision. Be advised that if the land is further developed and/or intensified, the department will reassess the access requirements in accordance with the department's policies at that time to ensure that the road safety and transport efficiency outcomes for the state-controlled road network are maximised. This may or may not require all future access to be provided via the local road network.

3. In accordance with section 70 of the TIA, the applicant for the planning application is bound by this decision. A copy of section 70 is attached as **Attachment B**, as required, for information.

Further information about the decision

1. In accordance with section 67(7) of TIA, this decision notice:
 - a) starts to have effect when the development approval has effect; and
 - b) stops having effect if the development approval lapses or is cancelled; and
 - c) replaces any earlier decision made under section 62(1) in relation to the land.
2. In accordance with section 485 of the TIA and section 31 of the *Transport Planning and Coordination Act 1994* (TPCA), a person whose interests are affected by this decision may apply for a review of this decision only within 28 days after notice of the decision was given under the TIA. A copy of the review provisions under TIA and TPCA are attached in **Attachment C** for information.
3. In accordance with section 485B of the TIA and section 35 of TPCA a person may appeal against a reviewed decision. The person must have applied to have the decision reviewed before an appeal about the decision can be lodged in the Planning and Environment Court. A copy of the Appeal Provisions under TIA and TPCA is attached in **Attachment C** for information.

Further approvals

The Department of Transport and Main Roads also provides the following information in relation to this approval:

1. Road Access Works Approval Required – Written approval is required from the department to carry out road works that are road access works (including driveways) on a state-controlled road in accordance with section 33 of the TIA. This approval must be obtained prior to commencing any works on the state-controlled road. The approval process may require the approval of engineering designs of the proposed works, certified by a Registered Professional Engineer of Queensland (RPEQ). Please contact the department to make an application.

If further information about this approval or any other related query is required, Ronald Kaden, Technical Officer (Development Control) should be contacted by email at ron.p.kaden@tmr.qld.gov.au or on (07) 4045 7151.

Yours sincerely



Liliya Yates
Senior Engineer (Civil)

Attachments: Attachment A – Decision evidence and findings
Attachment B - Section 70 of TIA
Attachment C - Appeal Provisions

Attachment A
Decision Evidence and Findings

Evidence or other material on which findings were based:

Title of Evidence / Material	Prepared by	Date	Reference no.	Version / Issue
TMR Layout Plan (20A - 59.83)	Queensland Government Transport and Main Roads	11 August 2023	TMR23-039839 (500-1640)	B
Rural Property Access (with additional notes)	Queensland Government	November 2021	1807	B
Turn Path Assessment	NEON Consulting	05 May 2023	021-2301-01-SK-0001	A
Vehicle Access to state-controlled roads policy	Queensland Government Transport and Main Roads	2019	-	-
5967 Captain Cook Highway, Craiglie - Material Change of Use (Food and Drink Outlet)	RPS	10 July 2023	AU008659	C

Attachment B
Section 70 of TIA

Transport Infrastructure Act 1994
Chapter 6 Road transport infrastructure
Part 5 Management of State-controlled roads

70 Offences about road access locations and road access works, relating to decisions under s 62(1)

- (1) This section applies to a person who has been given notice under section 67 or 68 of a decision under section 62(1) about access between a State-controlled road and adjacent land.
- (2) A person to whom this section applies must not—
- (a) obtain access between the land and the State-controlled road other than at a location at which access is permitted under the decision; or
 - (b) obtain access using road access works to which the decision applies, if the works do not comply with the decision and the noncompliance was within the person's control; or
 - (c) obtain any other access between the land and the road contrary to the decision; or
 - (d) use a road access location or road access works contrary to the decision; or
 - (e) contravene a condition stated in the decision; or
 - (f) permit another person to do a thing mentioned in paragraphs (a) to (e); or
 - (g) fail to remove road access works in accordance with the decision.

Maximum penalty—200 penalty units.

- (3) However, subsection (2)(g) does not apply to a person who is bound by the decision because of section 68.

Attachment C
Appeal Provisions

Transport Infrastructure Act 1994
Chapter 16 General provisions

485 Internal review of decisions

- (1) A person whose interests are affected by a decision described in schedule 3 (the *original decision*) may ask the chief executive to review the decision.
- (2) The person is entitled to receive a statement of reasons for the original decision whether or not the provision under which the decision is made requires that the person be given a statement of reasons for the decision.
- (3) The *Transport Planning and Coordination Act 1994*, part 5, division 2—
 - (a) applies to the review; and
 - (b) provides—
 - (i) for the procedure for applying for the review and the way it is to be carried out; and
 - (ii) that the person may apply to QCAT to have the original decision stayed.

485B Appeals against decisions

- (1) This section applies in relation to an original decision if a court (the appeal court) is stated in schedule 3 for the decision.
- (2) If the reviewed decision is not the decision sought by the applicant for the review, the applicant may appeal against the reviewed decision to the appeal court.
- (3) The *Transport Planning and Coordination Act 1994*, part 5, division 3—
 - (a) applies to the appeal; and
 - (b) provides—
 - (i) for the procedure for the appeal and the way it is to be disposed of; and
 - (ii) that the person may apply to the appeal court to have the original decision stayed.
- (4) Subsection (5) applies if—
 - (a) a person appeals to the Planning and Environment Court against a decision under section 62(1) on a planning application that is taken, under section 62A(2), to also be an application for a decision under section 62(1); and
 - (b) a person appeals to the Planning and Environment Court against a decision under the Planning Act on the planning application.

Page 7 of 10

(5) The court may order—

- (a) the appeals to be heard together or 1 immediately after the other; or
- (b) 1 appeal to be stayed until the other is decided.

(6) Subsection (5) applies even if all or any of the parties to the appeals are not the same.

(7) In this section—

original decision means a decision described in schedule 3.

reviewed decision means the chief executive's decision on a review under section 485.

31 Applying for review

- (1) A person may apply for a review of an original decision only within 28 days after notice of the original decision was given to the person under the transport Act.
- (2) However, if—
 - (a) the notice did not state the reasons for the original decision; and
 - (b) the person asked for a statement of the reasons within the 28 days mentioned in subsection (1)the person may apply within 28 days after the person is given the statement of the reasons.
- (3) In addition, the chief executive may extend the period for applying.
- (4) An application must be written and state in detail the grounds on which the person wants the original decision to be reviewed.

32 Stay of operation of original decision

- (1) If a person applies for review of an original decision, the person may immediately apply for a stay of the decision to the relevant entity.
- (2) The relevant entity may stay the original decision to secure the effectiveness of the review and any later appeal to or review by the relevant entity.
- (3) In setting the time for hearing the application, the relevant entity must allow at least 3 business days between the day the application is filed with it and the hearing day.
- (4) The chief executive is a party to the application.
- (5) The person must serve a copy of the application showing the time and place of the hearing and any document filed in the relevant entity with it on the chief executive at least 2 business days before the hearing.
- (6) The stay—
 - (a) may be given on conditions the relevant entity considers appropriate; and
 - (b) operates for the period specified by the relevant entity; and
 - (c) may be revoked or amended by the relevant entity.
- (7) The period of a stay under this section must not extend past the time when the chief executive reviews the original decision and any later period the relevant entity allows the applicant to enable the applicant to appeal against the decision or apply for a review of the decision as provided under the QCAT Act.
- (8) The making of an application does not affect the original decision, or the carrying out of the original decision, unless it is stayed.

(9) In this section—

relevant entity means—

- (a) if the reviewed decision may be reviewed by QCAT—QCAT; or
- (b) if the reviewed decision may be appealed to the appeal court—the appeal court.

35 Time for making appeals

(1) A person may appeal against a reviewed decision only within—

- (a) if a decision notice is given to the person—28 days after the notice was given to the person; or
- (b) if the chief executive is taken to have confirmed the decision under section 34(5)—56 days after the application was made.

(2) However, if—

- (a) the decision notice did not state the reasons for the decision; and
- (b) the person asked for a statement of the reasons within the 28 days mentioned in subsection (1)(a);

the person may apply within 28 days after the person is given a statement of the reasons.

(3) Also, the appeal court may extend the period for appealing.

Properly Made Submissions

None.

Reasons for Decision

1. The reasons for this decision are:
 - a. Sections 60, 62 and 63 of the *Planning Act 2016*;
 - b. to ensure the development satisfies the benchmarks of the 2018 Douglas Shire Planning Scheme Version 1.0; and
 - c. to ensure compliance with the *Planning Act 2016*.
2. Findings on material questions of fact:
 - a. the development application was properly lodged to the Douglas Shire Council 27 June 2023 under section 51 of the *Planning Act 2016* and Part 1 of the *Development Assessment Rules*;
 - b. the development application contained information from the applicant which Council reviewed together with Council's own assessment against the 2017 State Planning Policy and the 2018 Douglas Shire Planning Scheme Version 1.0 in making its assessment manager decision.
3. Evidence or other material on which findings were based:
 - a. the development triggered assessable development under the Assessment Table associated with the Industry Zone Code;
 - b. Council undertook an assessment in accordance with the provisions of sections 60, 62 and 63 of the *Planning Act 2016*; and
 - c. the applicant's reasons have been considered and the following findings are made:
 - i. Subject to conditions, the development satisfactorily meets the Planning Scheme benchmarks.

Non-Compliance with Assessment Benchmarks

None. Through the conditions of the approval the development complies with the planning scheme and no concerns are raised.

Division 2 Changing development approvals

Subdivision 1 Changes during appeal period

74 What this subdivision is about

- (1) This subdivision is about changing a development approval before the applicant's appeal period for the approval ends.
- (2) This subdivision also applies to an approval of a change application, other than a change application for a minor change to a development approval.
- (3) For subsection (2), sections 75 and 76 apply—
 - (a) as if a reference in section 75 to a development approval were a reference to an approval of a change application; and
 - (b) as if a reference in the sections to the assessment manager were a reference to the responsible entity; and
 - (c) as if a reference in section 76 to a development application were a reference to a change application; and
 - (d) as if the reference in section 76(3)(b) to section 63(2) and (3) were a reference to section 83(4); and
 - (e) with any other necessary changes.

75 Making change representations

- (1) The applicant may make representations (*change representations*) to the assessment manager, during the applicant's appeal period for the development approval, about changing—
 - (a) a matter in the development approval, other than—
 - (i) a matter stated because of a referral agency's response; or

-
- (ii) a development condition imposed under a direction made by the Minister under chapter 3, part 6, division 2; or
 - (b) if the development approval is a deemed approval—the standard conditions taken to be included in the deemed approval under section 64(8)(c).
- (2) If the applicant needs more time to make the change representations, the applicant may, during the applicant's appeal period for the approval, suspend the appeal period by a notice given to the assessment manager.
- (3) Only 1 notice may be given.
- (4) If a notice is given, the appeal period is suspended—
- (a) if the change representations are not made within a period of 20 business days after the notice is given to the assessment manager—until the end of that period; or
 - (b) if the change representations are made within 20 business days after the notice is given to the assessment manager, until—
 - (i) the applicant withdraws the notice, by giving another notice to the assessment manager; or
 - (ii) the applicant receives notice that the assessment manager does not agree with the change representations; or
 - (iii) the end of 20 business days after the change representations are made, or a longer period agreed in writing between the applicant and the assessment manager.
- (5) However, if the assessment manager gives the applicant a negotiated decision notice, the appeal period starts again on the day after the negotiated decision notice is given.

76 Deciding change representations

- (1) The assessment manager must assess the change representations against and having regard to the matters that

- must be considered when assessing a development application, to the extent those matters are relevant.
- (2) The assessment manager must, within 5 business days after deciding the change representations, give a decision notice to—
 - (a) the applicant; and
 - (b) if the assessment manager agrees with any of the change representations—
 - (i) each principal submitter; and
 - (ii) each referral agency; and
 - (iii) if the assessment manager is not a local government and the development is in a local government area—the relevant local government; and
 - (iv) if the assessment manager is a chosen assessment manager—the prescribed assessment manager; and
 - (v) another person prescribed by regulation.
 - (3) A decision notice (a *negotiated decision notice*) that states the assessment manager agrees with a change representation must—
 - (a) state the nature of the change agreed to; and
 - (b) comply with section 63(2) and (3).
 - (4) A negotiated decision notice replaces the decision notice for the development application.
 - (5) Only 1 negotiated decision notice may be given.
 - (6) If a negotiated decision notice is given to an applicant, a local government may give a replacement infrastructure charges notice to the applicant.

Chapter 6 Dispute resolution

Part 1 Appeal rights

229 Appeals to tribunal or P&E Court

- (1) Schedule 1 states—
 - (a) matters that may be appealed to—
 - (i) either a tribunal or the P&E Court; or
 - (ii) only a tribunal; or
 - (iii) only the P&E Court; and
 - (b) the person—
 - (i) who may appeal a matter (the *appellant*); and
 - (ii) who is a respondent in an appeal of the matter; and
 - (iii) who is a co-respondent in an appeal of the matter; and
 - (iv) who may elect to be a co-respondent in an appeal of the matter.
- (2) An appellant may start an appeal within the appeal period.
- (3) The *appeal period* is—
 - (a) for an appeal by a building advisory agency—10 business days after a decision notice for the decision is given to the agency; or
 - (b) for an appeal against a deemed refusal—at any time after the deemed refusal happens; or
 - (c) for an appeal against a decision of the Minister, under chapter 7, part 4, to register premises or to renew the registration of premises—20 business days after a notice is published under section 269(3)(a) or (4); or

- (d) for an appeal against an infrastructure charges notice—20 business days after the infrastructure charges notice is given to the person; or
- (e) for an appeal about a deemed approval of a development application for which a decision notice has not been given—30 business days after the applicant gives the deemed approval notice to the assessment manager; or
- (f) for an appeal relating to the *Plumbing and Drainage Act 2018*—
 - (i) for an appeal against an enforcement notice given because of a belief mentioned in the *Plumbing and Drainage Act 2018*, section 143(2)(a)(i), (b) or (c)—5 business days after the day the notice is given; or
 - (ii) for an appeal against a decision of a local government or an inspector to give an action notice under the *Plumbing and Drainage Act 2018*—5 business days after the notice is given; or
 - (iii) for an appeal against a failure to make a decision about an application or other matter under the *Plumbing and Drainage Act 2018*—at anytime after the period within which the application or matter was required to be decided ends; or
 - (iv) otherwise—20 business days after the day the notice is given; or
- (g) for any other appeal—20 business days after a notice of the decision for the matter, including an enforcement notice, is given to the person.

Note—

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

- (4) Each respondent and co-respondent for an appeal may be heard in the appeal.

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

230 Notice of appeal

- (1) An appellant starts an appeal by lodging, with the registrar of the tribunal or P&E Court, a notice of appeal that—
 - (a) is in the approved form; and
 - (b) succinctly states the grounds of the appeal.
- (2) The notice of appeal must be accompanied by the required fee.
- (3) The appellant or, for an appeal to a tribunal, the registrar, must, within the service period, give a copy of the notice of appeal to—
 - (a) the respondent for the appeal; and
 - (b) each co-respondent for the appeal; and
 - (c) for an appeal about a development application under schedule 1, section 1, table 1, item 1—each principal submitter for the application whose submission has not been withdrawn; and
 - (d) for an appeal about a change application under schedule 1, section 1, table 1, item 2—each principal submitter for the application whose submission has not been withdrawn; and

- (e) each person who may elect to be a co-respondent for the appeal other than an eligible submitter for a development application or change application the subject of the appeal; and
 - (f) for an appeal to the P&E Court—the chief executive; and
 - (g) for an appeal to a tribunal under another Act—any other person who the registrar considers appropriate.
- (4) The *service period* is—
- (a) if a submitter or advice agency started the appeal in the P&E Court—2 business days after the appeal is started; or
 - (b) otherwise—10 business days after the appeal is started.
- (5) A notice of appeal given to a person who may elect to be a co-respondent must state the effect of subsection (6).
- (6) A person elects to be a co-respondent to an appeal by filing a notice of election in the approved form—
- (a) if a copy of the notice of appeal is given to the person—within 10 business days after the copy is given to the person; or
 - (b) otherwise—within 15 business days after the notice of appeal is lodged with the registrar of the tribunal or the P&E Court.
- (7) Despite any other Act or rules of court to the contrary, a copy of a notice of appeal may be given to the chief executive by emailing the copy to the chief executive at the email address stated on the department’s website for this purpose.

231 Non-appealable decisions and matters

- (1) Subject to this chapter, section 316(2), schedule 1 and the P&E Court Act, unless the Supreme Court decides a decision or other matter under this Act is affected by jurisdictional error, the decision or matter is non-appealable.

- (2) The *Judicial Review Act 1991*, part 5 applies to the decision or matter to the extent it is affected by jurisdictional error.
- (3) A person who, but for subsection (1) could have made an application under the *Judicial Review Act 1991* in relation to the decision or matter, may apply under part 4 of that Act for a statement of reasons in relation to the decision or matter.
- (4) In this section—
decision includes—
 - (a) conduct engaged in for the purpose of making a decision; and
 - (b) other conduct that relates to the making of a decision; and
 - (c) the making of a decision or the failure to make a decision; and
 - (d) a purported decision; and
 - (e) a deemed refusal.**non-appealable**, for a decision or matter, means the decision or matter—
 - (a) is final and conclusive; and
 - (b) may not be challenged, appealed against, reviewed, quashed, set aside or called into question in any other way under the *Judicial Review Act 1991* or otherwise, whether by the Supreme Court, another court, any tribunal or another entity; and
 - (c) is not subject to any declaratory, injunctive or other order of the Supreme Court, another court, any tribunal or another entity on any ground.

232 Rules of the P&E Court

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

7 November 2023

Enquiries: Jenny Elphinstone
Our Ref: CA 2023_5398 (Doc ID 1192883)
Your Ref: AU008658

Peace World Pty Ltd
C/- RPS AAP Consulting Pty Ltd
PO Box 1949
CAIRNS QLD 4870

Email: Patrick.clifton@rpsgroup.com.au

Attention Mr Patrick Clifton

Dear Sir

**Adopted Infrastructure Charge Notice
For Development Application Material Change of Use for Food and drink outlet and
Operational work for an advertising device
At 5967 Captain Cook Highway Craiglie
On Land Described as Lot 11 on C22510**

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

The amount in the Adopted Infrastructure Charges Notice has been calculated according to Council's Adopted Infrastructure Charges Resolution. While the calculation is normally limited to GFA. However, the Resolution also considers the application of the charge to outdoor, uncovered dining areas. The calculation is therefore based on the total dining / food preparation & storage area. The areas for the calculation are as follows:

Use Description	Area
Food Preparation Area	31.88m ²
Storage Area and corridor	28.57m ² .
Covered seating area	19.76m ²
Total GFA (without amenities)	80.21m²
Open Seating area	60.32m ²
Total dining / food preparation & storage area	140.53m²

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

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

Please quote Council's application number: CA 2023_5398 in all subsequent correspondence relating to this matter.

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

Yours faithfully

A handwritten signature in black ink, appearing to be 'P. Hoyer', written in a cursive style.

For
Paul Hoyer
Manager Environment & Planning

encl.

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

Adopted Infrastructure Charges Notice



2018 Douglas Shire Planning Scheme version 1.0 Applications

ADOPTED INFRASTRUCTURE CHARGES NOTICE

Peace World Pty Ltd DEVELOPERS NAME		N/A ESTATE NAME	0 STAGE
5967 Captain Cook Highway STREET No. & NAME		Craiglie SUBURB	Lot 11 on C22510 LOT & RP No.s
MCU Food and Drink Outlet and OW Advertising Device DEVELOPMENT TYPE		CA 2023_5398/1 COUNCIL FILE NO.	124 PARCEL No.
1192636 DSC Reference Doc . No.		1 VERSION No.	6 VALIDITY PERIOD (year)

Payment before commencement of use for MCU; and
Prior to signing and sealing of survey form for ROL

Infrastructure Charges as resolved by Council at the Ordinary Meeting held on 23 February 2021 (Came into effect on 1 March 2021)

		Charge per Use	\$ Rate	Floor area/No.	Amount	Amount Paid	Receipt Code & GL Code
Proposed Demand							
Commercial_retail	Food_and_drink_outlet_fast_f	\$_per_m²_GFA	173.57	140.53	\$24,391.79		
Residential	Dwelling_house	\$_per_3_or_more_bedroom_dwelling	25,314.98	1	\$25,314.98		
Total Demand					\$49,706.77		
Credit							
<u>Existing land use</u>							Prior arrangement for online payment via invoicing - see below. Code 895 GL GL7500.135.825
3 or more bedroom dwelling	1 lot	\$_per_3_or_more_bedroom_dwelling	25,314.98	1	\$25,314.98		
Total Credit					\$25,314.98		

Required Payment or Credit **TOTAL** \$24,391.79

Prepared by	J Elphinstone	31-Oct-23	Amount Paid	
Checked by	R Taranto	31-Oct-23	Date Paid	
Date Payable	MCU - prior to the commencement of use		Receipt No.	
Amendments		Date	Cashier	

Note:

The Infrastructure Charges in this Notice are payable in accordance with Sections 119 and 120 of the *Planning Act 2016* as from Council's resolution from the Ordinary Meeting held on 23 February 2021.

Charge rates under the Policy are subject to indexing.
Any Infrastructure Agreement for trunk works must be determined and agreed to prior to issue of Development Permit for Operational Work.

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

If you seek to pay online, please request an invoice to be issued via enquiries@douglas.qld.gov.au

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

Subdivision 5 Changing charges during relevant appeal period

124 Application of this subdivision

This subdivision applies to the recipient of an infrastructure charges notice given by a local government.

125 Representations about infrastructure charges notice

- (1) During the appeal period for the infrastructure charges notice, the recipient may make representations to the local government about the infrastructure charges notice.
- (2) The local government must consider the representations.
- (3) If the local government—
 - (a) agrees with a representation; and
 - (b) decides to change the infrastructure charges notice;the local government must, within 10 business days after making the decision, give a new infrastructure charges notice (a *negotiated notice*) to the recipient.
- (4) The local government may give only 1 negotiated notice.
- (5) A negotiated notice—
 - (a) must be in the same form as the infrastructure charges notice; and
 - (b) must state the nature of the changes; and
 - (c) replaces the infrastructure charges notice.
- (6) If the local government does not agree with any of the representations, the local government must, within 10 business days after making the decision, give a decision notice about the decision to the recipient.
- (7) The appeal period for the infrastructure charges notice starts again when the local government gives the decision notice to the recipient.

126 Suspending relevant appeal period

- (1) If the recipient needs more time to make representations, the recipient may give a notice suspending the relevant appeal period to the local government.
- (2) The recipient may give only 1 notice.
- (3) If the representations are not made within 20 business days after the notice is given, the balance of the relevant appeal period restarts.
- (4) If representations are made within the 20 business days and the recipient gives the local government a notice withdrawing the notice of suspension, the balance of the relevant appeal period restarts the day after the local government receives the notice of withdrawal.

Division 3 Development approval conditions about trunk infrastructure

Subdivision 1 Conditions for necessary trunk infrastructure

127 Application and operation of subdivision

- (1) This subdivision applies if—
 - (a) trunk infrastructure—
 - (i) has not been provided; or
 - (ii) has been provided but is not adequate; and
 - (b) the trunk infrastructure is or will be located on—
 - (i) premises (the *subject premises*) that are the subject of a development application, whether or not the infrastructure is necessary to service the subject premises; or
 - (ii) other premises, but is necessary to service the subject premises.

Chapter 6 Dispute resolution

Part 1 Appeal rights

229 Appeals to tribunal or P&E Court

- (1) Schedule 1 states—
 - (a) matters that may be appealed to—
 - (i) either a tribunal or the P&E Court; or
 - (ii) only a tribunal; or
 - (iii) only the P&E Court; and
 - (b) the person—
 - (i) who may appeal a matter (the *appellant*); and
 - (ii) who is a respondent in an appeal of the matter; and
 - (iii) who is a co-respondent in an appeal of the matter; and
 - (iv) who may elect to be a co-respondent in an appeal of the matter.
- (2) An appellant may start an appeal within the appeal period.
- (3) The *appeal period* is—
 - (a) for an appeal by a building advisory agency—10 business days after a decision notice for the decision is given to the agency; or
 - (b) for an appeal against a deemed refusal—at any time after the deemed refusal happens; or
 - (c) for an appeal against a decision of the Minister, under chapter 7, part 4, to register premises or to renew the registration of premises—20 business days after a notice is published under section 269(3)(a) or (4); or

- (d) for an appeal against an infrastructure charges notice—20 business days after the infrastructure charges notice is given to the person; or
- (e) for an appeal about a deemed approval of a development application for which a decision notice has not been given—30 business days after the applicant gives the deemed approval notice to the assessment manager; or
- (f) for an appeal relating to the *Plumbing and Drainage Act 2018*—
 - (i) for an appeal against an enforcement notice given because of a belief mentioned in the *Plumbing and Drainage Act 2018*, section 143(2)(a)(i), (b) or (c)—5 business days after the day the notice is given; or
 - (ii) for an appeal against a decision of a local government or an inspector to give an action notice under the *Plumbing and Drainage Act 2018*—5 business days after the notice is given; or
 - (iii) for an appeal against a failure to make a decision about an application or other matter under the *Plumbing and Drainage Act 2018*—at anytime after the period within which the application or matter was required to be decided ends; or
 - (iv) otherwise—20 business days after the day the notice is given; or
- (g) for any other appeal—20 business days after a notice of the decision for the matter, including an enforcement notice, is given to the person.

Note—

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

- (4) Each respondent and co-respondent for an appeal may be heard in the appeal.

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

230 Notice of appeal

- (1) An appellant starts an appeal by lodging, with the registrar of the tribunal or P&E Court, a notice of appeal that—
 - (a) is in the approved form; and
 - (b) succinctly states the grounds of the appeal.
- (2) The notice of appeal must be accompanied by the required fee.
- (3) The appellant or, for an appeal to a tribunal, the registrar, must, within the service period, give a copy of the notice of appeal to—
 - (a) the respondent for the appeal; and
 - (b) each co-respondent for the appeal; and
 - (c) for an appeal about a development application under schedule 1, section 1, table 1, item 1—each principal submitter for the application whose submission has not been withdrawn; and
 - (d) for an appeal about a change application under schedule 1, section 1, table 1, item 2—each principal submitter for the application whose submission has not been withdrawn; and

- (e) each person who may elect to be a co-respondent for the appeal other than an eligible submitter for a development application or change application the subject of the appeal; and
 - (f) for an appeal to the P&E Court—the chief executive; and
 - (g) for an appeal to a tribunal under another Act—any other person who the registrar considers appropriate.
- (4) The *service period* is—
- (a) if a submitter or advice agency started the appeal in the P&E Court—2 business days after the appeal is started; or
 - (b) otherwise—10 business days after the appeal is started.
- (5) A notice of appeal given to a person who may elect to be a co-respondent must state the effect of subsection (6).
- (6) A person elects to be a co-respondent to an appeal by filing a notice of election in the approved form—
- (a) if a copy of the notice of appeal is given to the person—within 10 business days after the copy is given to the person; or
 - (b) otherwise—within 15 business days after the notice of appeal is lodged with the registrar of the tribunal or the P&E Court.
- (7) Despite any other Act or rules of court to the contrary, a copy of a notice of appeal may be given to the chief executive by emailing the copy to the chief executive at the email address stated on the department’s website for this purpose.

231 Non-appealable decisions and matters

- (1) Subject to this chapter, section 316(2), schedule 1 and the P&E Court Act, unless the Supreme Court decides a decision or other matter under this Act is affected by jurisdictional error, the decision or matter is non-appealable.

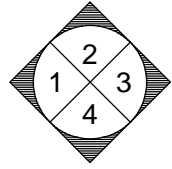
- (2) The *Judicial Review Act 1991*, part 5 applies to the decision or matter to the extent it is affected by jurisdictional error.
- (3) A person who, but for subsection (1) could have made an application under the *Judicial Review Act 1991* in relation to the decision or matter, may apply under part 4 of that Act for a statement of reasons in relation to the decision or matter.
- (4) In this section—
decision includes—
 - (a) conduct engaged in for the purpose of making a decision; and
 - (b) other conduct that relates to the making of a decision; and
 - (c) the making of a decision or the failure to make a decision; and
 - (d) a purported decision; and
 - (e) a deemed refusal.**non-appealable**, for a decision or matter, means the decision or matter—
 - (a) is final and conclusive; and
 - (b) may not be challenged, appealed against, reviewed, quashed, set aside or called into question in any other way under the *Judicial Review Act 1991* or otherwise, whether by the Supreme Court, another court, any tribunal or another entity; and
 - (c) is not subject to any declaratory, injunctive or other order of the Supreme Court, another court, any tribunal or another entity on any ground.

232 Rules of the P&E Court

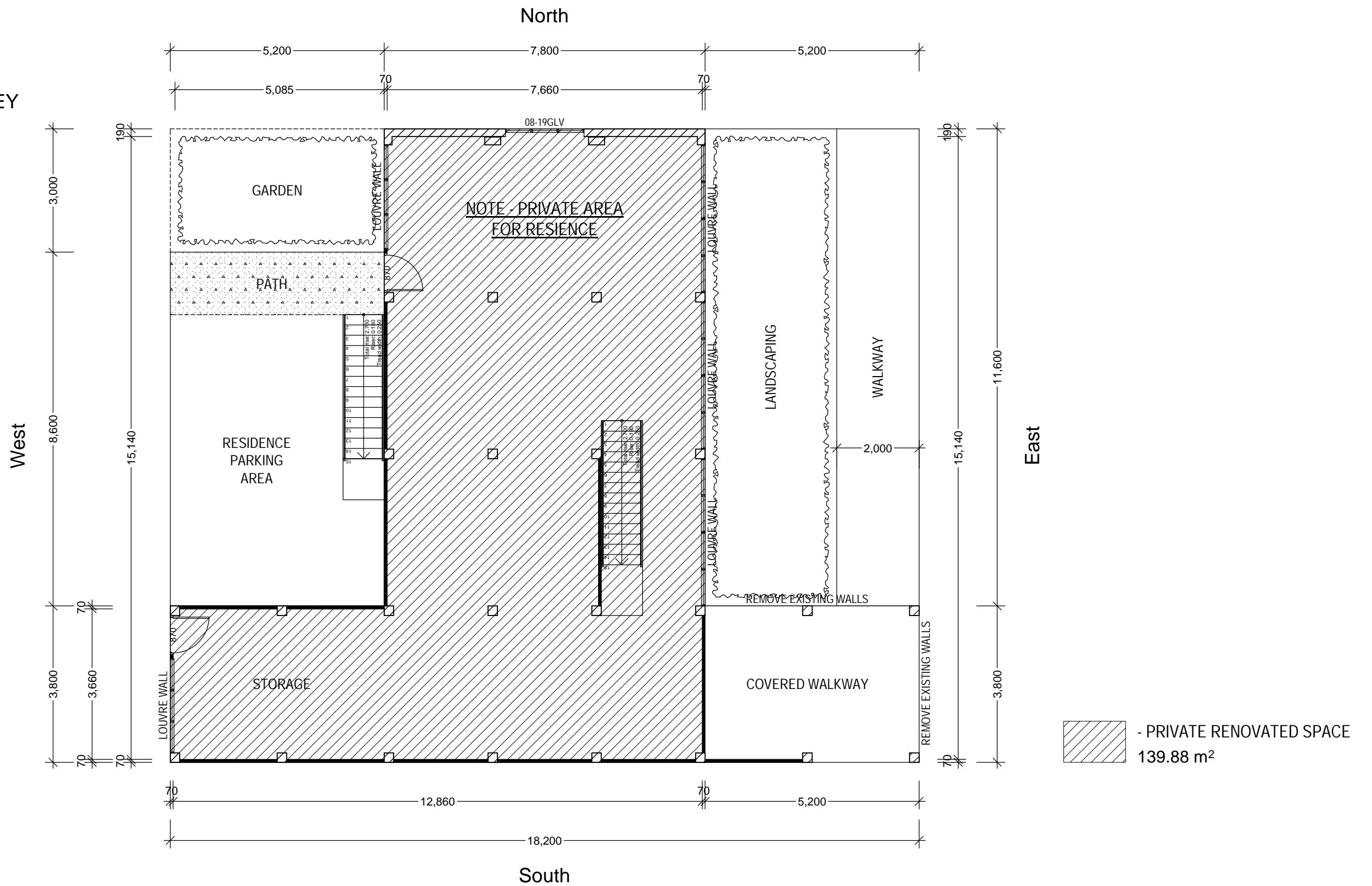
- (1) A person who is appealing to the P&E Court must comply with the rules of the court that apply to the appeal.
- (2) However, the P&E Court may hear and decide an appeal even if the person has not complied with rules of the P&E Court.

Appendix D

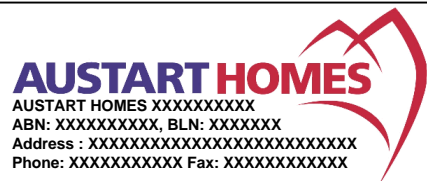
Changed Proposal Plans



ELEVATION KEY



Ground Floor Plan

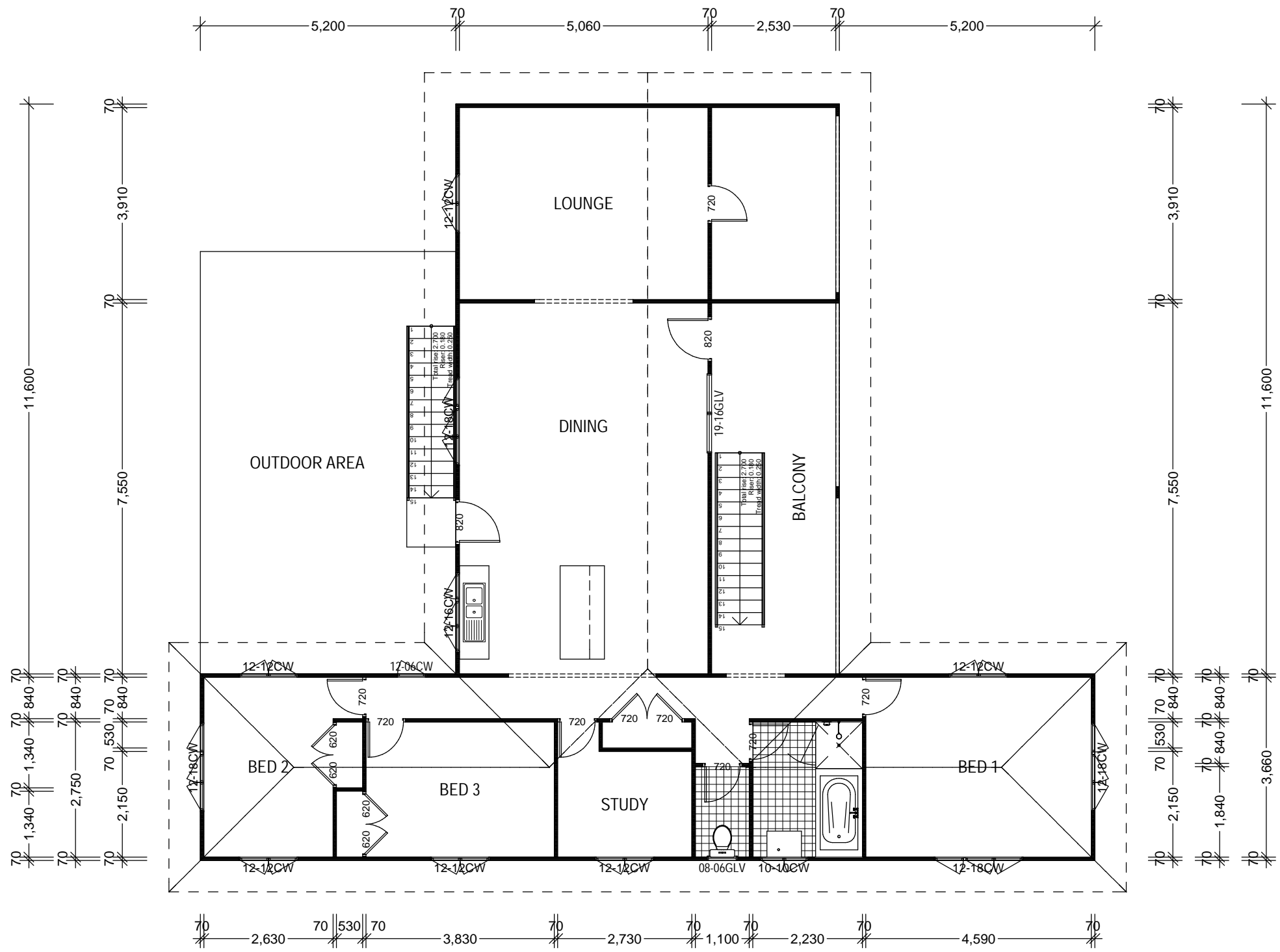


GFL PLAN

PHILL MATTHEWS - SKETCH - J
 CAPTAIN COOK HIGHWAY

N.B. ALL WRITTEN DIMENSIONS TAKE PRECEDENCE OVER SCALED SIZES-THIS DESIGN IS THE EXCLUSIVE PROPERTY OF AUSTART HOMES AUSTRALIA Pty. Ltd.

Design:	Drawn By:	Amendments:
Facade:	Date:	Job Number: 000
Inclusions:	Scale: 1 : 100	Sheet Number: 0 of 00



Existing Dwelling (No changes proposed)

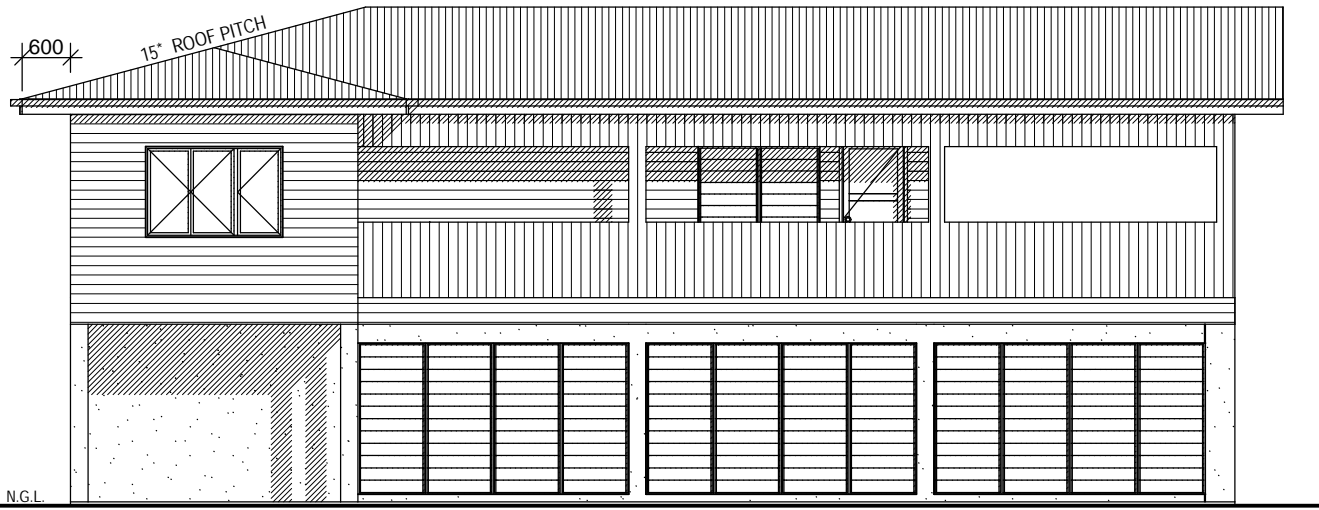


FFL PLAN

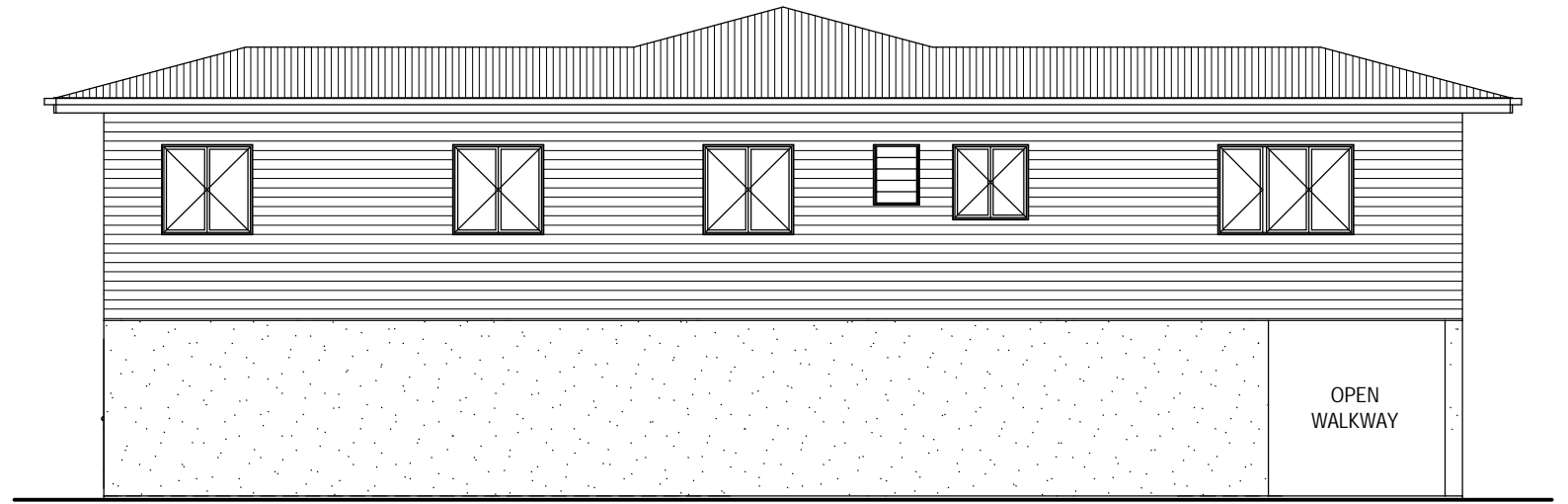
PHILL MATTHEWS - SKETCH - J
 CAPTAIN COOK HIGHWAY

N.B. ALL WRITTEN DIMENSIONS TAKE PRECEDENCE OVER SCALED SIZES-THIS DESIGN IS THE EXCLUSIVE PROPERTY OF AUSTART HOMES AUSTRALIA Pty. Ltd.

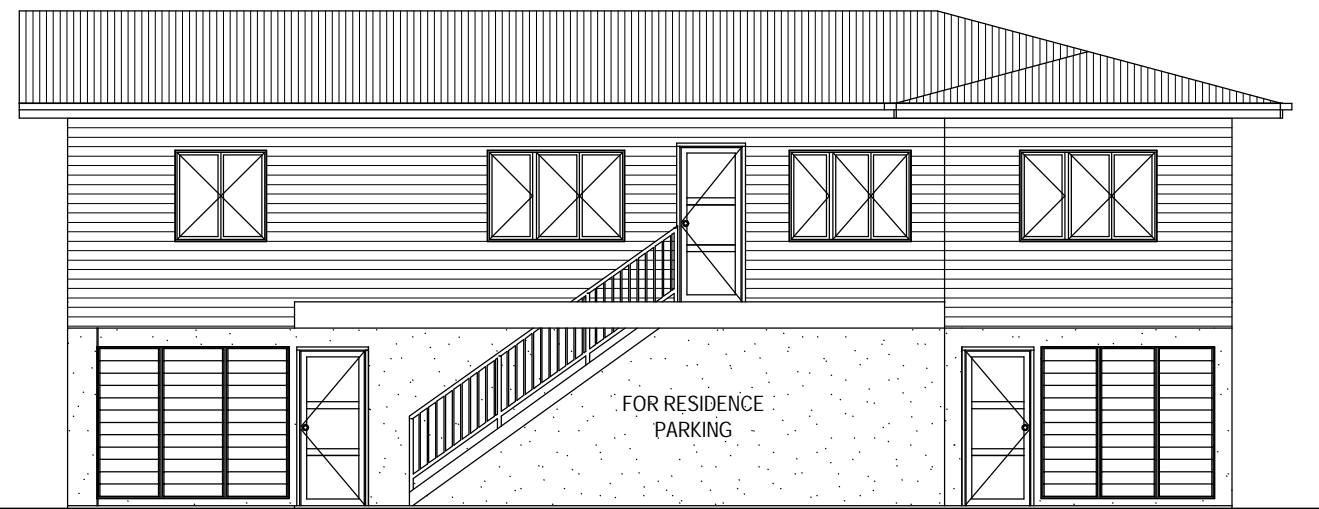
Design:	Drawn By:	Amendments:
Facade:	Date:	Job Number: 000
Inclusions:	Scale: 1 : 100	Sheet Number: 0 of 00



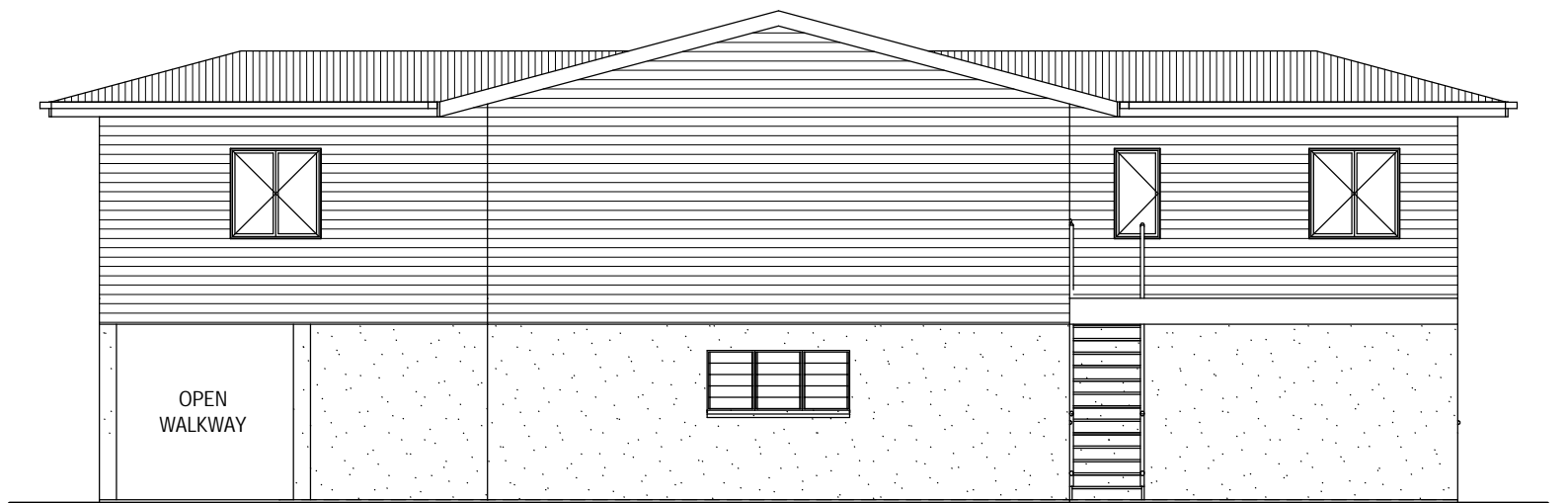
Elevation 1 - East



Elevation 2 - South



Elevation 3 - West



Elevation 4 - North

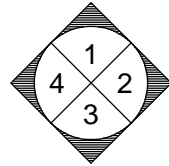


ELEVATIONS

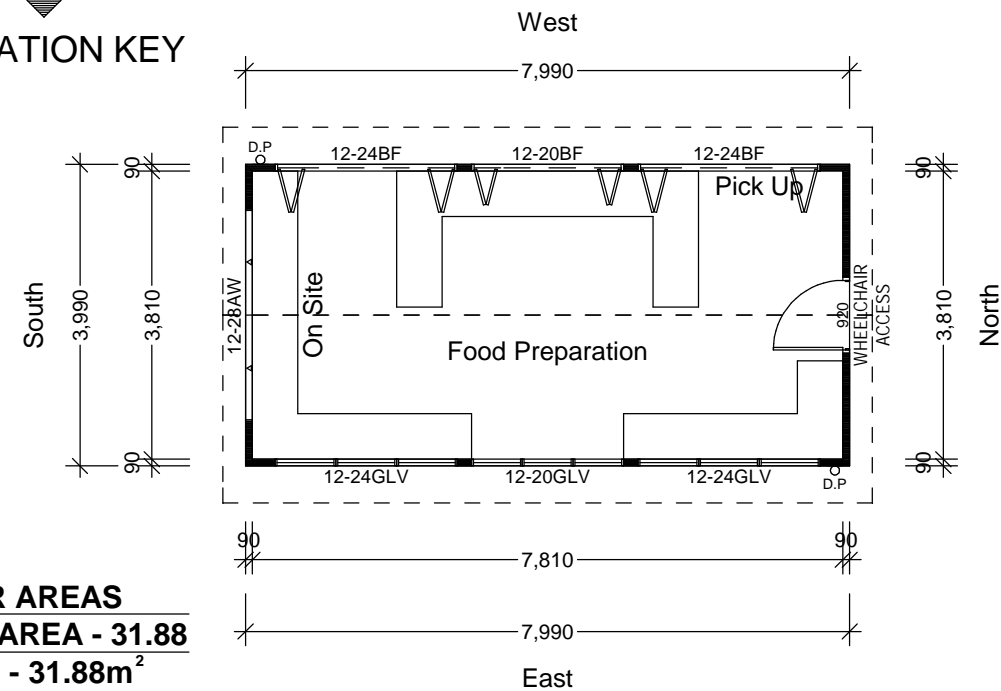
PHILL MATTHEWS - SKETCH - J
CAPTAIN COOK HIGHWAY

N.B. ALL WRITTEN DIMENSIONS TAKE PRECEDENCE OVER SCALED SIZES-TTHIS DESIGN IS THE EXCLUSIVE PROPERTY OF AUSTART HOMES AUSTRALIA Pty. Ltd.

Design:	Drawn By:	Amendments:
Facade:	Date:	Job Number: 000
Inclusions:	Scale: 1 : 100	Sheet Number: 0 of 00

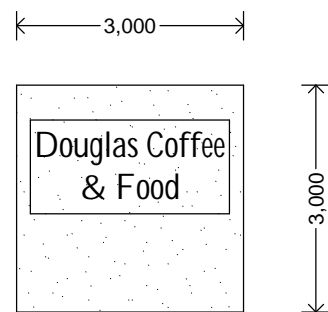


ELEVATION KEY

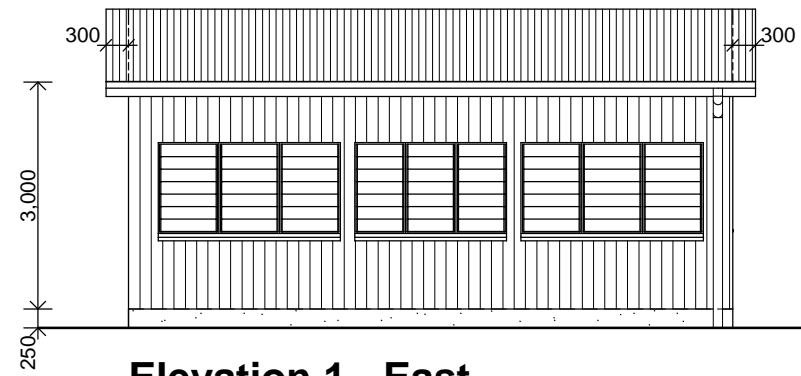


FLOOR AREAS
FOOD AREA - 31.88
TOTAL - 31.88m²
3.43 SQUARES

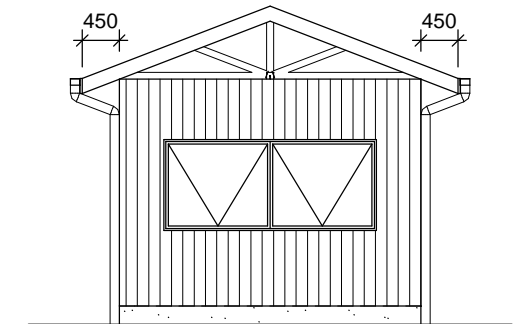
FLOOR PLAN



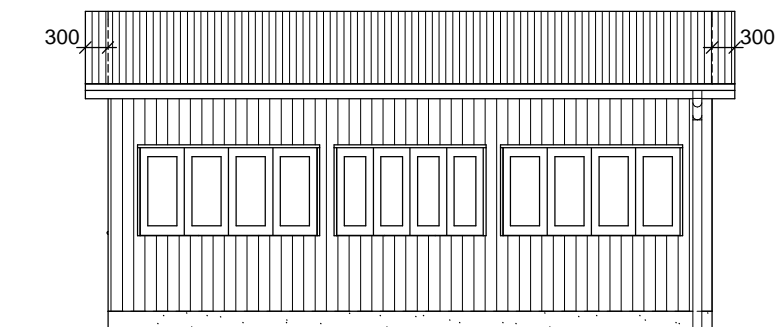
SIGN ELEVATION



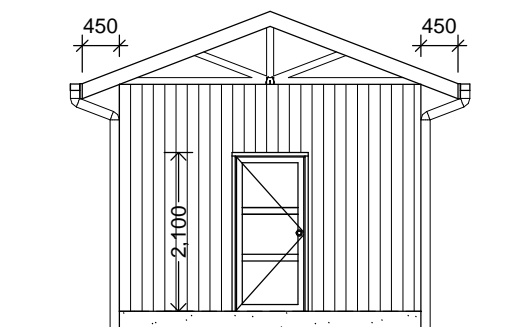
Elevation 1 - East



Elevation 2 - South

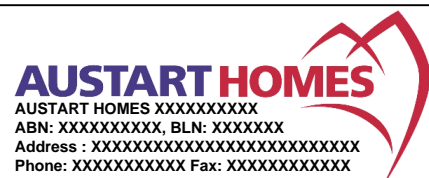


Elevation 3 - West



Elevation 4 - North

Proposed Food Preparation

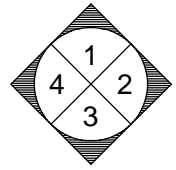


PLANS

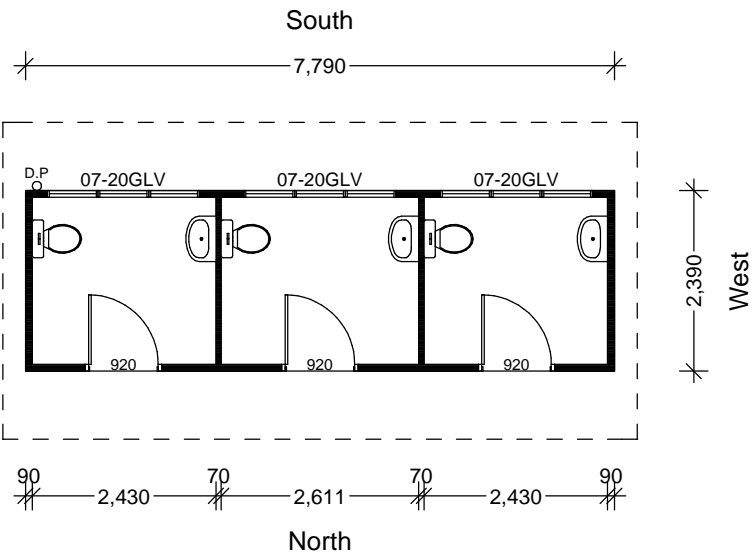
PHILL MATTHEWS - SKETCH - J
 CAPTAIN COOK HIGHWAY

N.B. ALL WRITTEN DIMENSIONS TAKE PRECEDENCE OVER SCALED SIZES-TTHIS DESIGN IS THE EXCLUSIVE PROPERTY OF AUSTART HOMES AUSTRALIA Pty. Ltd.

Design:	Drawn By:	Amendments:
Facade:	Date:	Job Number: 000
Inclusions:	Scale: 1 : 100	Sheet Number: 0 of 00

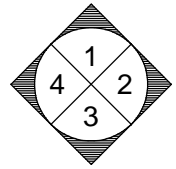


ELEVATION KEY

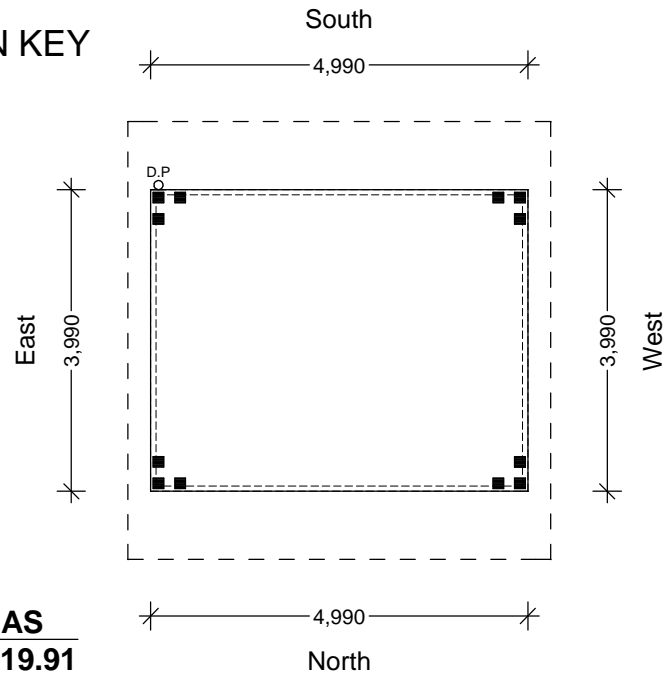


FLOOR AREAS
TOILET AREA - 18.62
TOTAL - 18.62m²
2.00 SQUARES

FLOOR PLAN

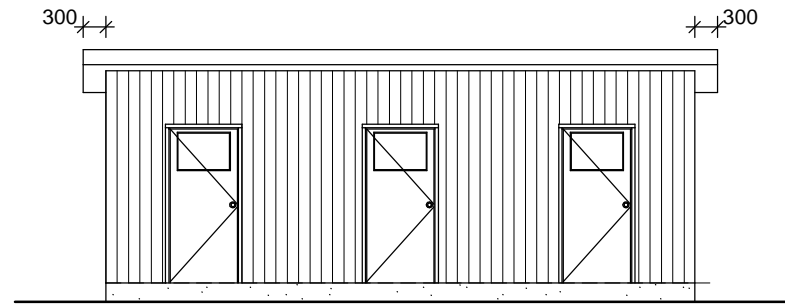


ELEVATION KEY

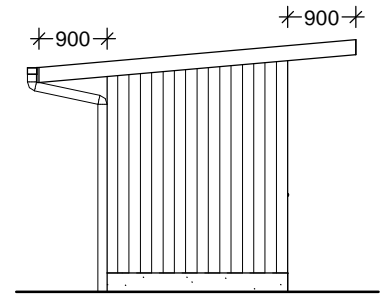


FLOOR AREAS
PERGOLA - 19.91
TOTAL - 19.91m²
2.14 SQUARES

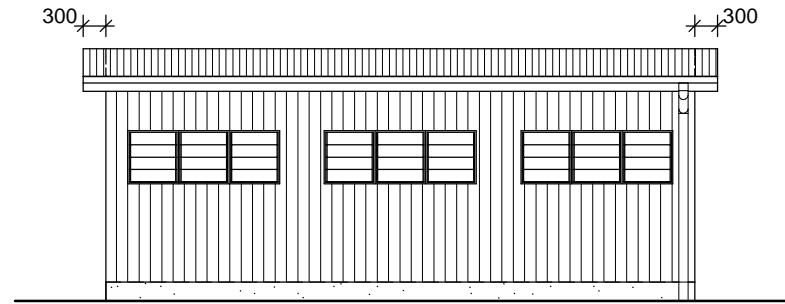
FLOOR PLAN



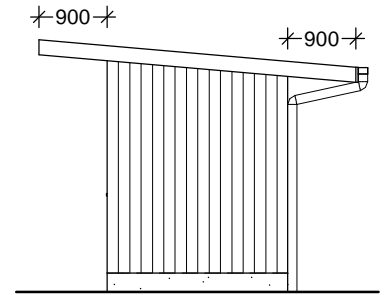
Elevation 1 - North



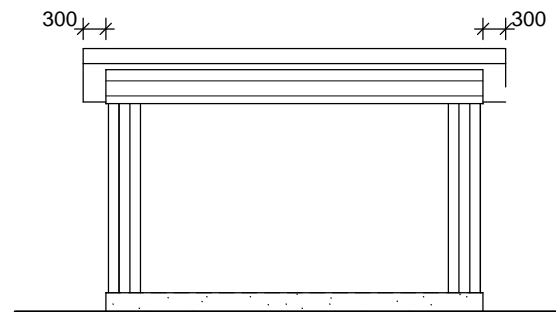
Elevation 2 - East



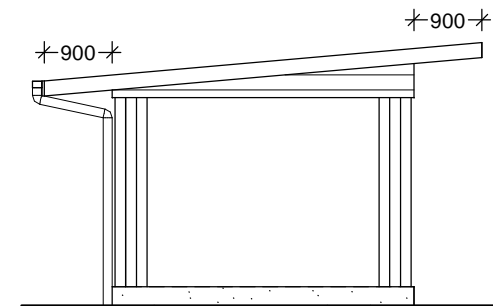
Elevation 3 - South



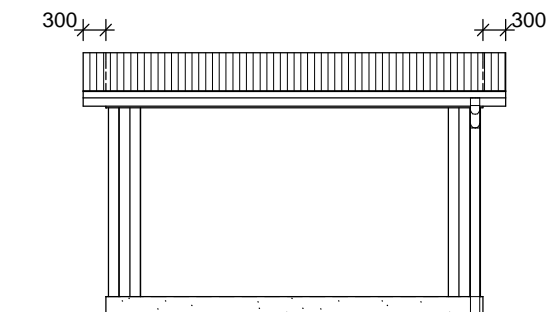
Elevation 4 - West



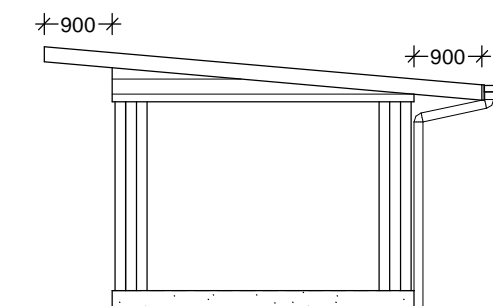
Elevation 1 - North



Elevation 2 - East



Elevation 3 - South



Elevation 4 - West

Toilet Block & Pergola

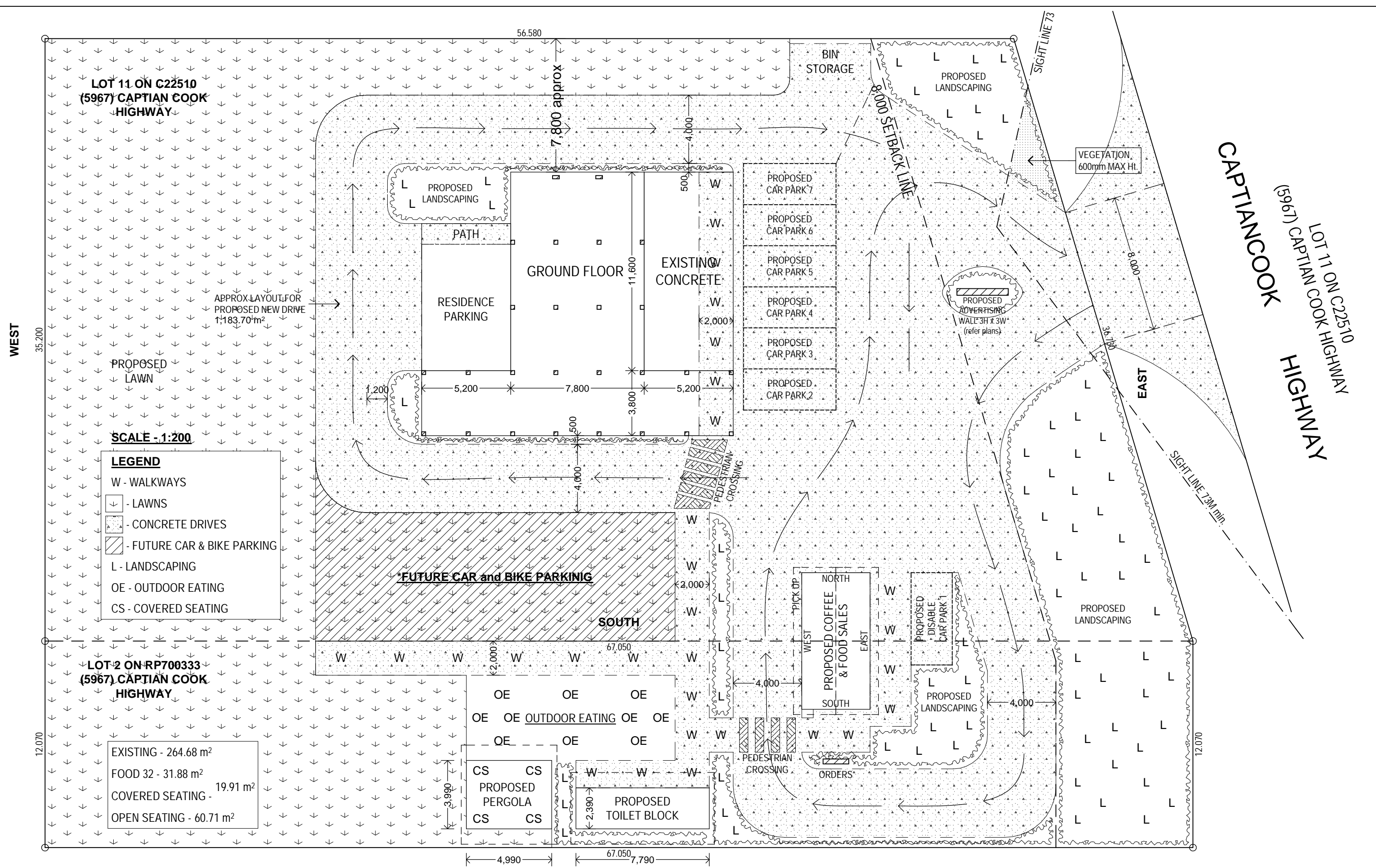


PLANS

PHILL MATTHEWS - SKETCH - J
 CAPTAIN COOK HIGHWAY

N.B. ALL WRITTEN DIMENSIONS TAKE PRECEDENCE OVER SCALED SIZES-TTHIS DESIGN IS THE EXCLUSIVE PROPERTY OF AUSTART HOMES AUSTRALIA Pty. Ltd.

Design:	Drawn By:	Amendments:
Facade:	Date:	Job Number: 000
Inclusions:	Scale: 1 : 100	Sheet Number: 0 of 00



SITE PLAN

PHILL MATTHEWS - SKETCH - J
CAPTAIN COOK HIGHWAY

N.B. ALL WRITTEN DIMENSIONS TAKE PRECEDENCE OVER SCALED SIZES-THIS DESIGN IS THE EXCLUSIVE PROPERTY OF AUSTART HOMES AUSTRALIA Pty. Ltd.



Design:	Drawn By:	Amendments:
Facade:	Date:	Job Number:
Inclusions:	Scale: 1 : 200	Sheet Number: 0 of 00



1 RP724748

1 C22510
NORTH

PROPERTY ACCESS FROM CAPTAIN COOK HWY TO BE A "TYPE B" TREATMENT AS PER TMR STD DRG 1807.

64 C2252

WEST

12.2m x 2.6m CONTAINER

PROPOSED LAWN

65 C2252

SOUTH

PROPOSED LANDSCAPING

PROPOSED PERGOLA

PROPOSED TOILET BLOCK

2m WIDE PEDESTRIAN CROSSING

BIN STORE

PROPOSED LANDSCAPING

PROPOSED LANDSCAPING

PATH

GROUND FLOOR

EXISTING CONCRETE

11 C22510

Proposed Toilets

WALKWAY

PROPOSED CAR PARK 7

PROPOSED CAR PARK 6

PROPOSED CAR PARK 5

PROPOSED CAR PARK 4

PROPOSED CAR PARK 3

PROPOSED CAR PARK 2

MIN AISLE WIDTH TO 90° PARKING

SIGN

2m WIDE PEDESTRIAN CROSSING

EAST

PROPOSED LANDSCAPING

FUTURE PARKING (NOTE THAT A MIX OF SPACES FOR MOTORCYCLE AND CYCLING ARE TO BE PROVIDED)

1 VEHICLE AT PICKUP/WAITING WINDOW

6 VEHICLES QUEUED AT ORDER WINDOW

2 RP700333

4.00

4.00

2.40

2.40

8.00

5.40

8.00

LEGEND

- EXISTING PAVEMENT
- PROPOSED TRAFFIC LANE AND PARKING PAVEMENT
- PROPOSED LANDSCAPING, FUTURE PARKING
- PROPOSED HARDSTAND
- PROPOSED STRUCTURE
- PROPOSED LANDSCAPING



NEON
CONSULTING

AUSTART HOMES

5968 CAPTAIN COOK HIGHWAY

LAYOUT TO COMPLY WITH COUNCIL CONDITION 3
GENERAL ARRANGEMENT

B 19.02.24 LAYOUT UPDATE
A 16.01.24 INITIAL ISSUE

Rev Date Revision Notes

Drawn PAM Design PAM Check'd CJC App'd CJC RPEQ 23105 C.J.CAPLICK

A3 Full Size (Scale as shown)

021-2301-01-SK-0011

B



1 RP724748

1 C22510
NORTH

64 C2252

WEST

12.2m x 2.6m CONTAINER

PROPOSED LAWN

PROPOSED LANDSCAPING

PATH

GROUND FLOOR

EXISTING CONCRETE

WALKWAY

11 C22510

Proposed Toilets

PROPOSED CAR PARK 7

PROPOSED CAR PARK 6

PROPOSED CAR PARK 5

PROPOSED CAR PARK 4

PROPOSED CAR PARK 3

PROPOSED CAR PARK 2

BIN STORE

PROPOSED LANDSCAPING

SIGN

CAPTAIN COOK HIGHWAY

EAST

B99 MANOUVRE (DRIVE-THROUGH)

PROPOSED LANDSCAPING

65 C2252

SOUTH

FUTURE PARKING (NOTE THAT A MIX OF SPACES FOR MOTORCYCLE AND CYCLING ARE TO BE PROVIDED)

PROPOSED LANDSCAPING

2 RP700333

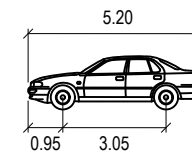
PROPOSED PERGOLA

PROPOSED TOILET BLOCK

B99 STANDARDS 2004 (AUL/NZ)

PROPOSED COFFEE & FOOD SALES

PROPOSED CAR PARK 1



B99		units
Width	: 1.94	meters
Track	: 1.84	meters
Lock to Lock Time	: 6.0	seconds
Steering Angle	: 33.9	degrees



AUSTART HOMES

5968 CAPTAIN COOK HIGHWAY

LAYOUT TO COMPLY WITH COUNCIL CONDITION 3
TURN PATH ASSESSMENT - B99

Rev	Date	Revision Notes
B	19.02.24	LAYOUT UPDATE
A	16.01.24	INITIAL ISSUE

Drawn	Design	Check'd	Appr'd	RPEQ 25105
PAM	PAM	CJC	CJC	C.J.CAPLICK

A3 Full Size (Scale as shown)

021-2301-01-SK-0012

B



1 RP724748

1 C22510
NORTH

64 C2252

WEST

12.2m x 2.6m CONTAINER

PROPOSED LAWN

65 C2252

SOUTH

2 RP700333

PROPOSED PERGOLA

PROPOSED TOILET BLOCK

BIN STORE

PROPOSED LANDSCAPING

PROPOSED LANDSCAPING

PATH

GROUND FLOOR

SRV MANOUVRE (OUT OF HOURS)

11 C22510

Proposed Toilets

WALKWAY

PROPOSED CAR PARK 7

PROPOSED CAR PARK 6

PROPOSED CAR PARK 5

PROPOSED CAR PARK 4

PROPOSED CAR PARK 3

PROPOSED CAR PARK 2

SRV STANDARDS 2018 (AU)

SRV STANDARDS 2018 (AU)

SIGN

EAST

PROPOSED LANDSCAPING

FUTURE PARKING (NOTE THAT A MIX OF SPACES FOR MOTORCYCLE AND CYCLING ARE TO BE PROVIDED)

PROPOSED COFFEE & FOOD SALES

PROPOSED CAR PARK 1

SRV STANDARDS 2018 (AU)

CAPTAIN COOK HIGHWAY

SRV STANDARDS 2018 (AU)



AUSTART HOMES

5968 CAPTAIN COOK HIGHWAY

LAYOUT TO COMPLY WITH COUNCIL CONDITION 3
TURN PATH ASSESSMENT - SRV

B 19.02.24 LAYOUT UPDATE
A 16.01.24 INITIAL ISSUE

Rev Date Revision Notes

Drawn PAM
Design PAM
Check'd CJC
Appr'd CJC
RPEC: 25105
C.J.CAPLICK

A3 Full Size (Scale as shown)

021-2301-01-SK-0013

B

Appendix E

State Code Responses

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

Table 1.1 Development in general

Performance outcomes	Acceptable outcomes	Response
Buildings, structures, infrastructure, services and utilities		
<p>PO1</p> <p>The location of the development does not create a safety hazard for users of the state-controlled road.</p>	<p>AO1.1</p> <p>Development is not located in a state-controlled road.</p> <p>AND</p> <p>AO1.2</p> <p>Development can be maintained without requiring access to a state-controlled road.</p>	<p>Complies with AO1.1 and AO1.2</p> <p>No buildings or structure associated with the proposed development would be located in the state controlled road reserve.</p>
<p>PO2</p> <p>The design and construction of the development does not adversely impact the structural integrity or physical condition of the state-controlled road or road transport infrastructure.</p>	<p>No acceptable outcome is prescribed.</p>	<p>Complies with PO2</p> <p>The works for the development would be wholly contained within the subject site and would not affect the structural integrity of the state-controlled road.</p>
<p>PO3</p> <p>The location of the development does not obstruct road transport infrastructure or adversely impact the operating performance of the state-controlled road.</p>	<p>No acceptable outcome is prescribed.</p>	<p>Complies with PO3</p> <p>The development would not be located within the road reserve and would not affect the free flow of traffic in the state-controlled road.</p>

Performance outcomes	Acceptable outcomes	Response
<p>PO4</p> <p>The location, placement, design and operation of advertising devices, visible from the state-controlled road, do not create a safety hazard for users of the state-controlled road.</p>	<p>No acceptable outcome is prescribed.</p>	<p>Complies with PO4</p> <p>The proposed advertising sign would be small scale and would not contain flashing lights or any animation.</p>
<p>PO5</p> <p>The design and construction of buildings and structures does not create a safety hazard by distracting users of the state-controlled road.</p>	<p>AO5.1</p> <p>Facades of buildings and structures fronting the state-controlled road are made of non-reflective materials.</p> <p>AND</p> <p>AO5.2</p> <p>Facades of buildings and structures do not direct or reflect point light sources into the face of oncoming traffic on the state-controlled road.</p> <p>AND</p> <p>AO5.3</p> <p>External lighting of buildings and structures is not directed into the face of oncoming traffic on the state-controlled road.</p> <p>AND</p> <p>AO5.4</p> <p>External lighting of buildings and structures does not involve flashing or laser lights.</p>	<p>Complies with AO5.1</p> <p>Proposal would not result in reflective buildings and structures fronting the state-controlled road.</p> <p>Complies with AO5.2</p> <p>Proposal would not direct or reflect light sources into the state controlled road.</p> <p>Complies with AO5.3</p> <p>No external lighting is proposed as a part of this development.</p> <p>Complies with AO5.4</p> <p>No external lighting is proposed as a part of this development.</p>
<p>PO6</p> <p>Road, pedestrian and bikeway bridges over a state-controlled road are designed and</p>	<p>AO6.1</p> <p>Road, pedestrian and bikeway bridges over the state-controlled road include throw protection screens in accordance with section 4.11 of the</p>	<p>Not applicable</p> <p>No bridges are proposed.</p>

State Development Assessment Provisions v3.0

Performance outcomes	Acceptable outcomes	Response
constructed to prevent projectiles from being thrown onto the state-controlled road .	Design Criteria for Bridges and Other Structures Manual, Department of Transport and Main Roads, 2020.	
Landscaping		
<p>PO7</p> <p>The location of landscaping does not create a safety hazard for users of the state-controlled road.</p>	<p>AO7.1</p> <p>Landscaping is not located in a state-controlled road.</p> <p>AND</p> <p>AO7.2</p> <p>Landscaping can be maintained without requiring access to a state-controlled road.</p> <p>AND</p> <p>AO7.3</p> <p>Landscaping does not block or obscure the sight lines for vehicular access to a state-controlled road.</p>	<p>Complies with AO7.1</p> <p>Landscaping would be wholly contained with the site.</p> <p>Complies with AO7.2</p> <p>The proposed landscaping would be able to be maintained from within the site.</p> <p>Complies with AO7.3</p> <p>The proposed landscaping would be adequately setback to ensure that site lines for vehicular access are not affected.</p>
Stormwater and overland flow		
<p>PO8</p> <p>Stormwater run-off or overland flow from the development site does not create or exacerbate a safety hazard for users of the state-controlled road.</p>	No acceptable outcome is prescribed.	<p>Complies with PO8</p> <p>All stormwater drainage would be directed to a lawful point of discharge.</p>
<p>PO9</p> <p>Stormwater run-off or overland flow from the development site does not result in a material</p>	No acceptable outcome is prescribed.	<p>Complies with PO9</p> <p>All stormwater drainage would be directed to a lawful point of discharge.</p>

State Development Assessment Provisions v3.0

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

Performance outcomes	Acceptable outcomes	Response
worsening of the operating performance of the state-controlled road or road transport infrastructure .		
PO10 Stormwater run-off or overland flow from the development site does not adversely impact the structural integrity or physical condition of the state-controlled road or road transport infrastructure .	No acceptable outcome is prescribed.	Complies with PO10 All stormwater drainage would be directed to a lawful point of discharge.
PO11 Development ensures that stormwater is lawfully discharged.	AO11.1 Development does not create any new points of discharge to a state-controlled road . AND AO11.2 Development does not concentrate flows to a state-controlled road . AND AO11.3 Stormwater run-off is discharged to a lawful point of discharge . AND AO11.4 Development does not worsen the condition of an existing lawful point of discharge to the state-controlled road .	Complies with AO11.1 No new points of discharge to the state controlled road are proposed as part of this application and no existing flows would be concentrated as a result of this development.
Flooding		

Performance outcomes	Acceptable outcomes	Response
<p>PO12</p> <p>Development does not result in a material worsening of flooding impacts within a state-controlled road.</p>	<p>AO12.1</p> <p>For all flood events up to 1% annual exceedance probability, development results in negligible impacts (within +/- 10mm) to existing flood levels within a state-controlled road.</p> <p>AND</p> <p>AO12.2</p> <p>For all flood events up to 1% annual exceedance probability, development results in negligible impacts (up to a 10% increase) to existing peak velocities within a state-controlled road.</p> <p>AND</p> <p>AO12.3</p> <p>For all flood events up to 1% annual exceedance probability, development results in negligible impacts (up to a 10% increase) to existing time of submergence of a state-controlled road.</p>	<p>Not applicable</p> <p>The site and surrounds are not identified as being subject to flooding.</p>
Drainage Infrastructure		
<p>PO13</p> <p>Drainage infrastructure does not create a safety hazard for users in the state-controlled road.</p>	<p>AO13.1</p> <p>Drainage infrastructure is wholly contained within the development site, except at the lawful point of discharge.</p> <p>AND</p> <p>AO13.2</p> <p>Drainage infrastructure can be maintained without requiring access to a state-controlled road.</p>	<p>Complies with AO13.1</p> <p>The drainage infrastructure would be contained within the site and would be able to be maintained without accessing the state controlled road.</p> <p>Complies with AO13.2</p> <p>The drainage infrastructure would be contained within the site and would be able to be maintained without accessing the state controlled road.</p>

Performance outcomes	Acceptable outcomes	Response
<p>PO14</p> <p>Drainage infrastructure associated with, or within, a state-controlled road is constructed, and designed to ensure the structural integrity and physical condition of existing drainage infrastructure and the surrounding drainage network.</p>	No acceptable outcome is prescribed.	<p>Not applicable</p> <p>All required drainage infrastructure would be wholly contained within the development site.</p>

Table 1.2 Vehicular access, road layout and local roads

Performance outcomes	Acceptable outcomes	Response
Vehicular access to a state-controlled road or within 100 metres of a state-controlled road intersection		
<p>PO15</p> <p>The location, design and operation of a new or changed access to a state-controlled road does not compromise the safety of users of the state-controlled road.</p>	No acceptable outcome is prescribed.	<p>Complies with PO15</p> <p>Access would be provided by the approved access. The 8 metre wide access would allow for a vehicle to exit the site whilst keeping clear of another vehicle entering the site. Ensuring that the traffic flow of Captain Cook Highway would not be compromised.</p>
<p>PO16</p> <p>The location, design and operation of a new or changed access does not adversely impact the functional requirements of the state-controlled road.</p>	No acceptable outcome is prescribed.	<p>Complies with PO16</p> <p>The 8 metre wide access would allow for a vehicle to exit the site whilst keeping clear of another vehicle entering the site. Ensuring that the traffic flow of Captain Cook Highway would not be compromised.</p>
<p>PO17</p>	No acceptable outcome is prescribed.	<p>Complies with PO17</p>

Performance outcomes	Acceptable outcomes	Response
The location, design and operation of a new or changed access is consistent with the future intent of the state-controlled road .		Access to the development would be via the approved access off Captain Cook Highway. The access would not affect any future plans for the Captain Cook Highway.
<p>PO18</p> <p>New or changed access is consistent with the access for the relevant limited access road policy:</p> <ol style="list-style-type: none"> LAR 1 where direct access is prohibited; or LAR 2 where access may be permitted, subject to assessment. 	No acceptable outcome is prescribed.	<p>Not applicable</p> <p>The site does not front a limited access road.</p>
<p>PO19</p> <p>New or changed access to a local road within 100 metres of an intersection with a state-controlled road does not compromise the safety of users of the state-controlled road.</p>	No acceptable outcome is prescribed.	<p>Not applicable</p> <p>No new or changed access to a local road is proposed.</p>
<p>PO20</p> <p>New or changed access to a local road within 100 metres of an intersection with a state-controlled road does not adversely impact on the operating performance of the intersection.</p>	No acceptable outcome is prescribed.	<p>Not applicable</p> <p>No new or changed access to a local road is proposed.</p>
Public passenger transport and active transport		
<p>PO21</p> <p>Development does not compromise the safety of users of public passenger transport</p>	No acceptable outcome is prescribed.	<p>Not applicable</p> <p>No public transport infrastructure or services are located within the immediate vicinity of the proposal.</p>

Performance outcomes	Acceptable outcomes	Response
infrastructure, public passenger services and active transport infrastructure.		
<p>PO22</p> <p>Development maintains the ability for people to access public passenger transport infrastructure, public passenger services and active transport infrastructure.</p>	No acceptable outcome is prescribed.	<p>Not applicable</p> <p>No public transport infrastructure or services are located within the immediate vicinity of the proposal.</p>
<p>PO23</p> <p>Development does not adversely impact the operating performance of public passenger transport infrastructure, public passenger services and active transport infrastructure.</p>	No acceptable outcome is prescribed.	<p>Not applicable</p> <p>No public transport infrastructure or services are located within the immediate vicinity of the proposal.</p>
<p>PO24</p> <p>Development does not adversely impact the structural integrity or physical condition of public passenger transport infrastructure and active transport infrastructure.</p>	No acceptable outcome is prescribed.	<p>Not applicable</p> <p>No public transport infrastructure or services are located within the immediate vicinity of the proposal.</p>

Table 1.3 Network impacts

Performance outcomes	Acceptable outcomes	Response
<p>PO25</p> <p>Development does not compromise the safety of users of the state-controlled road network.</p>	No acceptable outcome is prescribed.	<p>Complies with PO25</p> <p>The proposed development would be a small scale food and drink outlet generating limited traffic movements. It would not affect the safety of the Captain Cook Highway.</p>

Performance outcomes	Acceptable outcomes	Response
<p>PO26</p> <p>Development ensures no net worsening of the operating performance of the state-controlled road network.</p>	No acceptable outcome is prescribed.	<p>Complies with PO26</p> <p>The scale of the proposal and the associated traffic movements created by the development would not create a net worsening of the operating performance of the state-controlled road network.</p>
<p>PO27</p> <p>Traffic movements are not directed onto a state-controlled road where they can be accommodated on the local road network.</p>	No acceptable outcome is prescribed.	<p>Not applicable</p> <p>The site only has one frontage.</p>
<p>PO28</p> <p>Development involving haulage exceeding 10,000 tonnes per year does not adversely impact the pavement of a state-controlled road.</p>	No acceptable outcome is prescribed.	<p>Not applicable.</p> <p>Development would not involve hauling exceeding 10,000 tonnes.</p>
<p>PO29</p> <p>Development does not impede delivery of planned upgrades of state-controlled roads.</p>	No acceptable outcome is prescribed.	<p>Not applicable</p> <p>There are no identified planned upgrades of the highway in the vicinity of the site..</p>
<p>PO30</p> <p>Development does not impede delivery of corridor improvements located entirely within the state-controlled road corridor.</p>	No acceptable outcome is prescribed.	<p>Not applicable</p> <p>There are no identified corridor improvements within the vicinity of the site.</p>

Table 1.4 Filling, excavation, building foundations and retaining structures

Performance outcomes	Acceptable outcomes	Response
<p>PO31</p> <p>Development does not create a safety hazard for users of the state-controlled road or road transport infrastructure.</p>	No acceptable outcome is prescribed.	<p>Not applicable</p> <p>No filling or excavation is proposed.</p>
<p>PO32</p> <p>Development does not adversely impact the operating performance of the state-controlled road.</p>	No acceptable outcome is prescribed.	<p>Not applicable</p> <p>No filling or excavation is proposed.</p>
<p>PO33</p> <p>Development does not undermine, damage 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>
<p>PO34</p> <p>Development does not cause ground water disturbance in a state-controlled road.</p>	No acceptable outcome is prescribed.	<p>Not applicable</p> <p>No filling or excavation is proposed.</p>
<p>PO35</p> <p>Excavation, boring, piling, blasting and fill compaction do not adversely impact the physical condition or structural integrity of a state-controlled road or road transport infrastructure.</p>	No acceptable outcome is prescribed.	<p>Not applicable</p> <p>No filling or excavation is proposed.</p>
<p>PO36</p> <p>Filling and excavation associated with the construction of new or changed access do not compromise the operation or capacity of existing drainage infrastructure for a state-controlled road.</p>	No acceptable outcome is prescribed.	<p>Not applicable</p> <p>No filling or excavation is proposed.</p>

State Development Assessment Provisions v3.0

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

Table 1.5 Environmental emissions

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

Performance outcomes	Acceptable outcomes	Response
Reconfiguring a lot		
Involving the creation of 5 or fewer new residential lots adjacent to a state-controlled road or type 1 multi-modal corridor		
<p>PO37 Development minimises free field noise intrusion from a state-controlled road.</p>	<p>AO37.1 Development provides a noise barrier or earth mound which is designed, sited and constructed:</p> <ol style="list-style-type: none"> 1. to achieve the maximum free field acoustic levels in reference table 2 (item 2.1); 2. in accordance with: <ol style="list-style-type: none"> a. Chapter 7 integrated noise barrier design of the Transport Noise Management Code of Practice: Volume 1 (Road Traffic Noise), Department of Transport and Main Roads, 2013; b. Technical Specification-MRTS15 Noise Fences, Transport and Main Roads, 2019; c. Technical Specification-MRTS04 General Earthworks, Transport and Main Roads, 2020. <p>OR</p> <p>AO37.2 Development achieves the maximum free field acoustic levels in reference table 2 (item 2.1) by alternative noise attenuation measures</p>	<p>Not applicable No new lots would be created by the development.</p>

State Development Assessment Provisions v3.0

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

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

Performance outcomes	Acceptable outcomes	Response
	<p>AO38.2</p> <p>Development achieves the maximum free field acoustic levels in reference table 2 (item 2.1) by alternative noise attenuation measures where it is not practical to provide a noise barrier or earth mound.</p>	
Material change of use (accommodation activity)		
Ground floor level requirements adjacent to a state-controlled road or type 1 multi-modal corridor		
<p>PO39</p> <p>Development minimises noise intrusion from a state-controlled road in private open space.</p>	<p>AO39.1</p> <p>Development provides a noise barrier or earth mound which is designed, sited and constructed:</p> <ol style="list-style-type: none"> 1. to achieve the maximum free field acoustic levels in reference table 2 (item 2.2) for private open space at the ground floor level; 2. in accordance with: <ol style="list-style-type: none"> a. Chapter 7 integrated noise barrier design of the Transport Noise Management Code of Practice: Volume 1 (Road Traffic Noise), Department of Transport and Main Roads, 2013; b. Technical Specification-MRTS15 Noise Fences, Transport and Main Roads, 2019; c. Technical Specification-MRTS04 General Earthworks, Transport and Main Roads, 2020. 	<p>Not applicable</p> <p>No accommodation activity is proposed.</p>

Performance outcomes	Acceptable outcomes	Response
	<p>OR</p> <p>AO39.2</p> <p>Development achieves the maximum free field acoustic level in reference table 2 (item 2.2) for private open space by alternative noise attenuation measures where it is not practical to provide a noise barrier or earth mound.</p>	
<p>PO40</p> <p>Development (excluding a relevant residential building or relocated building) minimises noise intrusion from a state-controlled road in habitable rooms at the facade.</p>	<p>AO40.1</p> <p>Development (excluding a relevant residential building or relocated building) provides a noise barrier or earth mound which is designed, sited and constructed:</p> <ol style="list-style-type: none"> 1. to achieve the maximum building façade acoustic level in reference table 1 (item 1.1) for habitable rooms; 2. in accordance with: <ol style="list-style-type: none"> a. Chapter 7 integrated noise barrier design of the Transport Noise Management Code of Practice: Volume 1 (Road Traffic Noise), Department of Transport and Main Roads, 2013; b. Technical Specification-MRTS15 Noise Fences, Transport and Main Roads, 2019; c. Technical Specification-MRTS04 General Earthworks, Transport and Main Roads, 2020. <p>OR</p> <p>AO40.2</p>	<p>Not applicable</p> <p>No accommodation activity is proposed.</p>

State Development Assessment Provisions v3.0

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

Performance outcomes	Acceptable outcomes	Response
	Development (excluding a relevant residential building or relocated building) achieves the maximum building façade acoustic level in reference table 1 (item 1.1) for habitable rooms by alternative noise attenuation measures where it is not practical to provide a noise barrier or earth mound.	
PO41 Habitable rooms (excluding a relevant residential building or relocated building) are designed and constructed using materials to achieve the maximum internal acoustic level in reference table 3 (item 3.1).	No acceptable outcome is provided.	Not applicable No accommodation activity is proposed.
Above ground floor level requirements (accommodation activity) adjacent to a state-controlled road or type 1 multi-modal corridor		
PO42 Balconies, podiums, and roof decks include: 1. a continuous solid gap-free structure or balustrade (excluding gaps required for drainage purposes to comply with the Building Code of Australia); 2. highly acoustically absorbent material treatment for the total area of the soffit above balconies, podiums, and roof decks.	No acceptable outcome is provided.	Not applicable No accommodation activity is proposed.
PO43 Habitable rooms (excluding a relevant residential building or relocated building) are designed and constructed using materials	No acceptable outcome is provided.	Not applicable No accommodation activity is proposed.

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

Performance outcomes	Acceptable outcomes	Response
<ul style="list-style-type: none"> iii. Technical Specification-MRTS04 General Earthworks, Transport and Main Roads, 2020; or 2. achieves the maximum free field acoustic level in reference table 2 (item 2.3) for all outdoor education areas and outdoor play areas by alternative noise attenuation measures where it is not practical to provide a noise barrier or earth mound. 		
<p>PO45 Development involving a childcare centre or educational establishment:</p> <ul style="list-style-type: none"> 1. provides a noise barrier or earth mound that is designed, sited and constructed: 2. to achieve the maximum building facade acoustic level in reference table 1 (item 1.2); 3. in accordance with: <ul style="list-style-type: none"> a. Chapter 7 integrated noise barrier design of the Transport Noise Management Code of Practice: Volume 1 (Road Traffic Noise), Department of Transport and Main Roads, 2013; b. Technical Specification-MRTS15 Noise Fences, Transport and Main Roads, 2019; c. Technical Specification-MRTS04 General Earthworks, Transport and Main Roads, 2020; or 	No acceptable outcome is provided.	<p>Not applicable</p> <p>No childcare centre, educational establishment, hospital use is proposed.</p>

State Development Assessment Provisions v3.0

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

Performance outcomes	Acceptable outcomes	Response
<p>4. achieves the maximum building facade acoustic level in reference table 1 (item 1.2) by alternative noise attenuation measures where it is not practical to provide a noise barrier or earth mound.</p>		
<p>PO46 Development involving:</p> <ol style="list-style-type: none"> 1. indoor education areas and indoor play areas; or 2. sleeping rooms in a childcare centre; or 3. patient care areas in a hospital achieves the maximum internal acoustic level in reference table 3 (items 3.2-3.4). 	<p>No acceptable outcome is provided.</p>	<p>Not applicable No childcare centre, educational establishment, hospital use is proposed.</p>
<p>Above ground floor level requirements (childcare centre, educational establishment, hospital) adjacent to a state-controlled road or type 1 multi-modal corridor</p>		
<p>PO47 Development involving a childcare centre or educational establishment which have balconies, podiums or elevated outdoor play areas predicted to exceed the maximum free field acoustic level in reference table 2 (item 2.3) due to noise from a state-controlled road are provided with:</p> <ol style="list-style-type: none"> 1. a continuous solid gap-free structure or balustrade (excluding gaps required for drainage purposes to comply with the Building Code of Australia); 2. highly acoustically absorbent material treatment for the total area of the soffit above balconies or elevated outdoor play areas. 	<p>No acceptable outcome is provided.</p>	<p>Not applicable No childcare centre, educational establishment, hospital use is proposed.</p>

State Development Assessment Provisions v3.0

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

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

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

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

Performance outcomes	Acceptable outcomes	Response
<p>PO52</p> <p>Development does not impede delivery of a future state-controlled road.</p>	<p>AO52.1</p> <p>Development is not located in a future state-controlled road.</p> <p>OR ALL OF THE FOLLOWING APPLY:</p>	<p>Not applicable</p> <p>The development is not located in a future state controlled road environment.</p>

Performance outcomes	Acceptable outcomes	Response
	<p>AO52.2 Development does not involve filling and excavation of, or material changes to, a future state-controlled road.</p> <p>AND</p> <p>AO52.3 The intensification of lots does not occur within a future state-controlled road.</p> <p>AND</p> <p>AO52.4 Development does not result in the landlocking of parcels once a future state-controlled road is delivered.</p>	
<p>PO53 The location and design of new or changed access does not create a safety hazard for users of a future state-controlled road.</p>	<p>AO53.1 Development does not include new or changed access to a future state-controlled road.</p>	<p>Not applicable The development is not located in a future state controlled road environment.</p>
<p>PO54 Filling, excavation, building foundations and retaining structures do not undermine, damage or cause subsidence of a future state-controlled road.</p>	<p>No acceptable outcome is prescribed.</p>	<p>Not applicable The development is not located in a future state controlled road environment.</p>
<p>PO55 Development does not result in a material worsening of stormwater, flooding, overland flow</p>	<p>No acceptable outcome is prescribed.</p>	<p>Not applicable The development is not located in a future state controlled road environment.</p>

Performance outcomes	Acceptable outcomes	Response
or drainage impacts in a future state-controlled road or road transport infrastructure .		
<p>PO56</p> <p>Development ensures that stormwater is lawfully discharged.</p>	<p>AO56.1</p> <p>Development does not create any new points of discharge to a future state-controlled road.</p> <p>AND</p> <p>AO56.2</p> <p>Development does not concentrate flows to a future state-controlled road.</p> <p>AND</p> <p>AO56.3</p> <p>Stormwater run-off is discharged to a lawful point of discharge.</p> <p>AND</p> <p>AO56.4</p> <p>Development does not worsen the condition of an existing lawful point of discharge to the future state-controlled road.</p>	<p>Not applicable</p> <p>The development is not located in a future state controlled road environment.</p>

Appendix F

Planning Scheme Code Responses

7.2.4 Port Douglas/Craiglie local plan code

7.2.4.1 Application

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

7.2.4.2 Context and setting

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

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

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

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

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

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

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

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

7.2.4.3 Purpose

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

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

Precinct 1 – Port Douglas precinct

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

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

Sub-precinct 1a – Town Centre sub-precinct

- (6) In addition to other overall development outcomes, development in the Town Centre sub-precinct facilitates the following development outcomes:
 - (a) tourist, retail, dining and entertainment activities are facilitated at an appropriate pedestrian scale;

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

Sub- precinct 1b - Waterfront North sub-precinct

- (7) In addition to other overall development outcomes, development in the Waterfront North sub-precinct facilitates the following development outcomes:
- (a) the precinct evolves as a revitalised open space and waterside development precinct;
 - (b) development within the precinct is designed to be sympathetic to the environmentally sensitive Dickson Inlet and mitigates any adverse impacts;
 - (c) the establishment of mixed-use development is facilitated to promote activity and vitality;
 - (d) public pedestrian access is maximised along the extent of the edge of the waterfront, consisting of a boardwalk or similar structure available for 24-hour use;
 - (e) development contributes to a high quality public realm;
 - (f) built form provides an attractive point of arrival from both land and sea;
 - (g) pedestrian connectivity is safe, efficient and provides for the needs of all users of the Port Douglas waterfront;
 - (h) parking (and associated infrastructure) does not undermine the relationship between buildings and street or pedestrian circulation patterns;
 - (i) the importance of existing marine-based industries to the area is recognised, not diminished and protected from incompatible uses. Relocation of marine based industries to an alternative precinct does not occur until such time that agreement has been reached among all relevant stakeholders such that development does not diminish the viability of marine based industrial uses that directly serve the Port Douglas tourist and fishing operators and private boat owners;
 - (j) marine infrastructure is established to service the tourism, fishing and private boating community;
 - (k) Live entertainment activities are concentrated within the Live Entertainment Precinct and are subject to the recommendations of a suitably qualified acoustic engineer;
 - (l) the functionality of the Balley Hooley tourist rail is retained.

Sub-precinct 1c – Waterfront South sub-precinct

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

Sub-precinct 1d – Limited Development sub-precinct

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

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

- (10) In addition to all other overall development outcomes, development in the Community and recreation sub-precinct facilitates the following development outcomes:
- (a) development for community uses, including sport and recreation is facilitated.
 - (b) sport and recreation activities predominantly involve outdoor activities;
 - (c) areas of natural vegetation are protected from further development;
 - (d) shade trees are increased, in appropriate locations, surrounding the sports fields.

Sub-precinct 1f – Flagstaff Hill sub-precinct

- (11) In addition to all other overall development outcomes, development in the Flagstaff Hill sub-precinct facilitates the following development outcomes:
- (a) development is not established where it results in detriment to the vegetated and scenic qualities of Flagstaff Hill;
 - (b) development minimises excavation and filling;

- (c) buildings and other works are unobtrusive when viewed from vantage points in Port Douglas and are designed and constructed of colours and materials which complement the hill's vegetated state;
- (d) views from public viewing points within the precinct are protected.

Precinct 2 – Integrated Resort precinct

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

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

Precinct 3 – Craiglie Commercial and Light Industry precinct

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

Precinct 4 – Old Port Road / Mitre Street precinct

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

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

(15) In addition to the overall outcomes, development in the Very Low Residential Density/Low Scale Recreation/Low Scale Educational/Low Scale Entertainment Uses precinct facilitates the following overall outcomes:

- (a) residential accommodation does not exceed a maximum of 8.5 metres in building height;
- (b) minimum lot sizes exceed 2 hectares;
- (c) very low scale and intensity recreation/ very low scale and intensity educational/ and very low scale entertainment uses may be appropriate in areas of the precinct subject to erosion and other flooding constraints.

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

7.2.4.4 Criteria for assessment

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

Performance outcomes	Acceptable outcomes	Compliance
For self assessable and assessable development		
Development in the Port Douglas / Craiglie local plan area generally		
<p>PO1</p> <p>Pedestrians, cyclists, motorists and public transport users can easily move into and through the precinct along planned connectivity routes, identified on the Port Douglas / Craiglie local plan maps contained in Schedule 2.</p>	<p>AO1</p> <p>A pedestrian and cycle movement network is integrated and delivered through development.</p>	<p>Not applicable</p> <p>The proposed development is not identified as requiring a pedestrian, cyclist or vehicular thoroughfare.</p>
<p>PO2</p> <p>Development retains and enhances key landscape elements including character trees and areas of significant vegetation contributing to the character and quality of the local plan area and significant views and vistas and other landmarks important to the context of Port Douglas / Craiglie (as identified on the Port Douglas/ Craiglie</p>	<p>AO2.1</p> <p>Development provides for the retention and enhancement of existing mature trees and character vegetation that contribute to the lush tropical character of the town, including:</p> <ul style="list-style-type: none"> (a) the tree covered backdrop of Flagstaff Hill; (b) natural vegetation along watercourses, in 	<p>Complies with AO2.1</p> <p>The proposed development would retain the existing vegetation at the rear of the site.</p>

Performance outcomes	Acceptable outcomes	Compliance
<p>Townscape Plan map contained in Schedule 2).</p>	<p>particular the Mowbray River, Beor Creek and Dickson Inlet;</p> <p>(c) the tidal vegetation along the foreshore;</p> <p>(d) beachfront vegetation along Four Mile Beach, including the fringe of Coconut Palms;</p> <p>(e) the oil palm avenues along the major roads;</p> <p>(f) the lush landscaping within major roundabouts at key nodes;</p> <p>(g) Macrossan Street and Warner Street;</p> <p>(h) Port Douglas waterfront.</p>	
	<p>AO2.2</p> <p>Development protects and does not intrude into important views and vistas as identified on the Port Douglas Townscape Plan map contained in Schedule 2, in particular:</p> <p>(a) Flagstaff Hill;</p> <p>(b) Four Mile Beach;</p> <p>(c) Across to the ranges over Dickson Inlet;</p> <p>(d) Mowbray Valley.</p>	<p>Complies with AO2.2</p> <p>The proposal would not adversely affect any important views and vistas.</p>
	<p>AO2.3</p> <p>Important landmarks, memorials and monuments are retained.</p>	<p>Complies with AO2.3</p> <p>The proposal would not adversely affect any memorials, monuments or landmarks.</p>
<p>PO3</p> <p>Development contributes to the protection,</p>	<p>AO3</p> <p>Development adjacent to the gateways and nodes</p>	<p>Not applicable</p> <p>The site is not considered to be adjacent a</p>

Performance outcomes	Acceptable outcomes	Compliance
reinforcement and where necessary enhancement of gateways and key intersections identified on the Port Douglas / Craiglie local plan maps contained in Schedule 2.	as identified on the Port Douglas/Craiglie local plan maps contained in Schedule 2 incorporates architectural features and landscaping treatments and design elements that enhance the sense of arrival and way finding within the town.	gateway or node.
<p>PO4</p> <p>Landscaping of development sites complements the existing tropical character of Port Douglas and Craiglie.</p>	<p>AO4</p> <p>Landscaping incorporates the requirements of Planning scheme policy SC6.7 – Landscaping, in particular landscaping should be capable of achieving a 60% screening of development within 5 years and predominantly consists of endemic vegetation.</p>	<p>Able to comply with AO4</p> <p>Council are invited to attach a condition to any approval granted to secure compliance, if considered necessary.</p>
<p>PO5</p> <p>Development does not compromise the safety and efficiency of the State-controlled road network.</p>	<p>AO5</p> <p>Direct access is not provided to a State-controlled road where legal and practical access from another road is available.</p>	<p>Not applicable</p> <p>The site has frontage to a state-controlled road only.</p>
For assessable development		
Additional requirements in Precinct 1 – Port Douglas precinct		
<p>PO6</p> <p>The views and vistas identified on the Port Douglas / Craiglie local plan maps contained in Schedule 2 are maintained.</p>	<p>AO6.1</p> <p>Development does not impede continued views to scenic vistas and key streetscapes within the local plan area.</p>	<p>Not applicable</p> <p>The site is not located in Precinct 1 – Port Douglas precinct.</p>
	<p>AO6.2</p> <p>Unless otherwise specified within this Local Plan,</p>	<p>Not applicable</p> <p>The site is not located in Precinct 1 – Port</p>

Performance outcomes	Acceptable outcomes	Compliance
	buildings are set back not less than 6 metres from the primary street frontage.	Douglas precinct.
<p>PO7</p> <p>Vehicle access, parking and service areas:</p> <p>(a) do not undermine the relationship between buildings and street or dominate the streetscape;</p> <p>(b) are designed to minimise pedestrian vehicle conflict;</p> <p>(c) are clearly identified and maintain ease of access at all times.</p>	<p>AO7.1</p> <p>For all buildings, parking is:</p> <p>(a) to the side of buildings and recessed behind the main building line; or</p> <p>(b) behind buildings; or</p> <p>(c) wrapped by the building façade, and not visible from the street.</p>	<p>Not applicable</p> <p>The site is not located in Precinct 1 – Port Douglas precinct.</p>
	<p>AO7.2</p> <p>Ground level parking incorporates clearly defined pedestrian routes.</p>	<p>Not applicable</p> <p>The site is not located in Precinct 1 – Port Douglas precinct.</p>
	<p>AO7.3</p> <p>Any porte-cocheres, disabled and pedestrian accesses are accommodated within the boundary of new or refurbished development.</p>	<p>Not applicable</p> <p>The site is not located in Precinct 1 – Port Douglas precinct.</p>
	<p>AO7.4</p> <p>Where the development is an integrated mixed-use development incorporating short term accommodation or multiple dwellings and either food and drink outlet or hotel or shop or shopping centre or office, on-site parking spaces are provided as per the number prescribed in the Parking and access code with a relaxation of 30% of spaces required for the non-residential uses.</p>	<p>Not applicable</p> <p>The site is not located in Precinct 1 – Port Douglas precinct.</p>

Performance outcomes	Acceptable outcomes	Compliance
	<p>AO7.5 On-site car parking available for public use is clearly signed at the site frontage.</p>	<p>Not applicable The site is not located in Precinct 1 – Port Douglas precinct.</p>
	<p>AO7.6 Boom gates, pay machines or other regulatory devices to control access to a publicly available car parking area are not constructed or installed.</p>	<p>Not applicable The site is not located in Precinct 1 – Port Douglas precinct.</p>
<p>PO8 Precinct 1 – Port Douglas precinct is not characterised by a proliferation of advertising signs.</p>	<p>AO8 No acceptable outcomes are prescribed.</p>	<p>Not applicable The site is not located in Precinct 1 – Port Douglas precinct.</p>
<p>Additional requirements for Sub-precinct 1a – Town Centre sub-precinct</p>		
<p>PO9 Building heights: (a) do not overwhelm or dominate the town centre; (b) respect the desired streetscape; (c) ensure a high quality appearance when viewed from both within the town centre sub-precinct and external to the town centre sub-precinct; (d) remain subservient to the natural environment and the backdrop of Flagstaff Hill.</p>	<p>AO9 Buildings and structures are not more than 3 storeys and 13.5 metres in height, with a roof height of not less than 3 metres. Note – Height is inclusive of the roof height.</p>	<p>Not applicable The site is not located in Sub-precinct 1a – Town Centre sub-precinct.</p>

Performance outcomes	Acceptable outcomes	Compliance
(e) do not exceed 3 storeys.		
<p>PO10</p> <p>Building design, the streetscape, pedestrian paths and street front spaces promote integration with the surrounding area and the rest of Precinct 1 – Port Douglas Precinct.</p>	<p>AO10</p> <p>No acceptable outcomes are prescribed.</p>	<p>Not applicable</p> <p>The site is not located in Sub-precinct 1a – Town Centre sub-precinct.</p>
<p>PO11</p> <p>Buildings:</p> <p>(a) address street frontages;</p> <p>(b) ensure main entrances front the street or public spaces;</p> <p>(c) do not focus principally on internal spaces or parking areas.</p>	<p>AO11</p> <p>No acceptable outcomes are prescribed.</p>	<p>Not applicable</p> <p>The site is not located in Sub-precinct 1a – Town Centre sub-precinct.</p>
<p>PO12</p> <p>Setbacks at ground level provide for:</p> <p>(a) connection between pedestrian paths and public places;</p> <p>(b) areas for convenient movement of pedestrians;</p> <p>(c) changes in gradient of the street.</p>	<p>AO12</p> <p>Setbacks at ground level:</p> <p>(a) are clear of columns and other obstructions;</p> <p>(b) have pavement matching the gradient of adjoining footpaths and connecting pedestrian areas on adjoining sites;</p> <p>(c) connect without any lip or step to adjoining footpaths.</p>	<p>Not applicable</p> <p>The site is not located in Sub-precinct 1a – Town Centre sub-precinct.</p>
<p>AO13</p> <p>Buildings do not result in a reduction of views and</p>	<p>AO13</p> <p>No acceptable outcomes are prescribed.</p>	<p>Not applicable</p> <p>The site is not located in Sub-precinct 1a – Town</p>

Performance outcomes	Acceptable outcomes	Compliance
<p>vistas from public places to:</p> <p>(a) Flagstaff Hill;</p> <p>(b) Dickson Inlet;</p> <p>(c) public open space;</p> <p>(d) places of significance.</p>		Centre sub-precinct.
<p>PO14</p> <p>Development enhances the distinctive tropical resort town and identity of Port Douglas and encourages pedestrian activity at street level including shade protection across the footpath for the length of the building.</p>	<p>AO14</p> <p>Development is built up to the street frontage/s at the street level and incorporates a light frame awning, a minimum of 3 metres in width for the length of the street frontage/s;</p> <p>or</p> <p>If a development includes an outdoor dining area at ground/footpath level, the dining area has a maximum setback of 3 metres and the required awning is still maintained along the length of the street frontage/s.</p> <p>Note – PO24 provides more detail on awning design.</p>	<p>Not applicable</p> <p>The site is not located in Sub-precinct 1a – Town Centre sub-precinct.</p>
<p>PO15</p> <p>Development is predominantly commercial in nature with any tourist accommodation having a secondary focus and not located on the street-level frontage where active frontages are encouraged as identified the Port Douglas local plan maps contained in Schedule 2.</p>	<p>AO15.1</p> <p>Centre activities establish: at street level on active street frontages; a maximum of one level above street level.</p>	<p>Not applicable</p> <p>The site is not located in Sub-precinct 1a – Town Centre sub-precinct.</p>
	<p>AO15.2</p> <p>Any residential development activities or short term accommodation is located above street level of the active frontage, but not on or up to the street frontage in any development, including</p>	<p>Not applicable</p> <p>The site is not located in Sub-precinct 1a – Town Centre sub-precinct.</p>

Performance outcomes	Acceptable outcomes	Compliance
	mixed use development.	
<p>PO16</p> <p>Detailed building design:</p> <ul style="list-style-type: none"> (a) enhances the visual amenity of the streetscape; (b) has a legible and attractive built form that is visually enhanced by architectural elements; (c) contributes to a distinctive tropical north Queensland, seaside tourist town character; (d) integrates major landscaping elements to maximise their aesthetic value to ensure that the lush, vegetated character of the Town Centre sub-precinct is maintained. 	<p>AO16</p> <p>No acceptable outcomes are prescribed.</p>	<p>Not applicable</p> <p>The site is not located in Sub-precinct 1a – Town Centre sub-precinct.</p>
<p>PO17</p> <p>Buildings exhibit variations to their external appearance and the shape of the built form to provide visual interest through:</p> <ul style="list-style-type: none"> (a) surface decoration; (b) wall recesses and projections; (c) a variation in wall finishes; windows, balconies, awnings and other visible structural elements. (d) differentiating between the lower, middle and upper parts of the building by varying the façade and/or the shape of the built form, where comprised of more than two storeys. 	<p>AO17</p> <p>No acceptable outcomes are prescribed.</p>	<p>Not applicable</p> <p>The site is not located in Sub-precinct 1a – Town Centre sub-precinct.</p>

Performance outcomes	Acceptable outcomes	Compliance
<p>PO18</p> <p>Roofs are not characterised by a cluttered display of plant and equipment, in particular:</p> <ul style="list-style-type: none"> (a) building caps and rooftops contribute to the architectural distinction of the building and create a coherent roofscape for the Town Centre sub-precinct; (b) service structures, lift motor rooms and mechanical plant and equipment are designed as an architectural feature of the building or are screened from public view; (c) rooftops are not used for advertising. 	<p>AO18</p> <p>No acceptable outcomes are prescribed.</p>	<p>Not applicable</p> <p>The site is not located in Sub-precinct 1a – Town Centre sub-precinct.</p>
<p>PO19</p> <p>Windows and sun/rain control devices are used in the building form, in particular, sun shading devices are provided to:</p> <ul style="list-style-type: none"> (a) shade windows; (b) reduce glare; (c) assist in maintaining comfortable indoor temperatures; (d) minimising heat loads; (e) enrich the North Queensland tropical character of the Town Centre sub-precinct; (f) provide architectural interest to building façades. 	<p>AO19</p> <p>No acceptable outcomes are prescribed.</p>	<p>Not applicable</p> <p>The site is not located in Sub-precinct 1a – Town Centre sub-precinct.</p>
<p>PO20</p>	<p>AO20</p>	<p>Not applicable</p>

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

Performance outcomes	Acceptable outcomes	Compliance
	<ul style="list-style-type: none"> (a) a change in roof profile; (b) a change in parapet coping; (c) a change in awning design; (d) a horizontal or vertical change in the wall plane; or (e) a change in the exterior finishes and exterior colours of the development. 	
<p>PO23 Building facades that face public spaces at ground level:</p> <ul style="list-style-type: none"> (a) complement the appearance of the development and surrounding streetscape; (b) enhance the visual amenity of the public place; (c) include a variety of human scale architectural elements and details; (d) provide an opportunity for the casual and convenient surveillance of public space from within the development. 	<p>AO23 Building facades at the ground floor of development that face public space are designed to ensure:</p> <ul style="list-style-type: none"> (a) a minimum of 70% of the façade area is comprised of windows, wall openings or shop fronts that permit the casual surveillance of the public space from the development; (b) a visually prominent main entrance that faces the principal public place; (c) vertical architectural elements and features are incorporated at 3 metre or less intervals along the length of the façade. 	<p>Not applicable The site is not located in Sub-precinct 1a – Town Centre sub-precinct.</p>
<p>PO24 Awnings for pedestrian shelter are consistent with the character setting of the Town Centre sub-precinct and:</p> <ul style="list-style-type: none"> (a) extend and cover the footpath to provide protection from the sun and rain; 	<p>AO24 No acceptable outcomes are prescribed.</p>	<p>Not applicable The site is not located in Sub-precinct 1a – Town Centre sub-precinct.</p>

Performance outcomes	Acceptable outcomes	Compliance
<ul style="list-style-type: none"> (b) include lighting under the awning; (c) are continuous across the frontage of the site; (d) align to provide continuity with existing or future awnings on adjoining sites; (e) are a minimum of 3.0 metres in width and generally not more than 3.5 metres above pavement height; (f) do not extend past a vertical plane, 1.2 metres inside the kerb-line to enable street trees to be planted and grow; (g) are cantilevered from the main building with any posts within the footpath being non load-bearing. 		
<p>PO25</p> <p>Development integrates with the streetscape and landscaping improvements for Port Douglas.</p>	<p>AO25</p> <p>Development fronting Davidson Street, Macrossan Street, Wharf Street, Mowbray Street and Warner Street is designed to integrate with the on-street landscaping and design improvements as outlined within the Port Douglas landscape master plan contained within Planning scheme policy SC6.7 – Landscaping.</p> <p>Note - Planning scheme policy SC6.7 - Landscaping provides guidance on meeting the Performance Outcome.</p>	<p>Not applicable</p> <p>The site is not located in Sub-precinct 1a – Town Centre sub-precinct.</p>
<p>Additional requirements for Sub-precinct 1b – Waterfront North sub-precinct</p>		
<p>PO26</p> <p>The establishment of uses is consistent with the outcomes sought for sub-precinct 1b – Waterfront</p>	<p>AO26</p> <p>Uses identified as inconsistent uses in Table 7.2.4.4.b – inconsistent uses in sub-precinct 1b –</p>	<p>Not applicable</p> <p>The site is not located in Sub-precinct 1b –</p>

Performance outcomes	Acceptable outcomes	Compliance
North.	Waterfront North sub-precinct are not established in sub-precinct 1b - Waterfront North.	Waterfront North sub-precinct.
<p>PO27</p> <p>The bulk and scale of buildings is consistent with surrounding development and steps down to complement the open space areas in the adjoining limited development sub-precinct.</p>	<p>AO27</p> <p>Buildings and structures are not more than:</p> <p>(a) 3 storeys and 13.5 metres in height , with a roof height of not less than 3 metres, in those parts of the precinct south of Inlet Street;</p> <p>(b) 2 storeys and 8.5 metres in height, with a roof height of not less than 3 metres, in those parts of the precinct north of Inlet Street.</p> <p>Note – Height is inclusive of roof height.</p>	<p>Not applicable</p> <p>The site is not located in Sub-precinct 1b – Waterfront North sub-precinct.</p>
<p>PO28</p> <p>Building design, streetscape, pedestrian paths and street front spaces promote integration with the surrounding area and the rest of Precinct 1 – Port Douglas Precinct.</p>	<p>AO28</p> <p>No acceptable outcomes are prescribed.</p>	<p>Not applicable</p> <p>The site is not located in Sub-precinct 1b – Waterfront North sub-precinct.</p>
<p>PO29</p> <p>Public pedestrian access along the water’s edge is maximised.</p>	<p>AO29.1</p> <p>Public pedestrian access is provided along the frontage of the water’s edge consisting of a boardwalk of a minimum width of 4 metres that is available of 24-hour use.</p>	<p>Not applicable</p> <p>The site is not located in Sub-precinct 1b – Waterfront North sub-precinct.</p>
	<p>AO29.2</p> <p>A public plaza is incorporated into the design generally reflecting the requirements of the Port Douglas Waterfront Master Plan, focussing in the</p>	<p>Not applicable</p> <p>The site is not located in Sub-precinct 1b – Waterfront North sub-precinct.</p>

Performance outcomes	Acceptable outcomes	Compliance
	vicinity of the 'Duck Pond'.	
	<p>AO29.3</p> <p>Built envelopes are setback a minimum of 3.0 metres from the board walk, with a shelter/shade zone between the building envelopes and the boardwalk consisting of shade structure, canopies, verandahs and the like.</p>	<p>Not applicable</p> <p>The site is not located in Sub-precinct 1b – Waterfront North sub-precinct.</p>
<p>PO30</p> <p>Buildings:</p> <p>(a) address street frontages;</p> <p>(b) ensure main entrances front the street or public spaces.</p>	<p>AO30</p> <p>No acceptable outcomes are prescribed.</p>	<p>Not applicable</p> <p>The site is not located in Sub-precinct 1b – Waterfront North sub-precinct.</p>
<p>PO31</p> <p>Setbacks at ground level provide for:</p> <p>(a) connection between pedestrian paths and public places;</p> <p>(b) areas for convenient movement of pedestrians;</p> <p>(c) changes in gradient.</p>	<p>AO31</p> <p>Setbacks at ground level:</p> <p>(a) are clear of columns and other obstructions;</p> <p>(b) have pavement matching the gradient of adjoining footpaths and connecting pedestrian areas on adjoining sites;</p> <p>(c) connect without any lip or step to adjoining footpaths.</p>	<p>Not applicable</p> <p>The site is not located in Sub-precinct 1b – Waterfront North sub-precinct.</p>
<p>PO32</p> <p>Buildings do not result in a reduction of views and vistas from public places to:</p>	<p>AO32</p> <p>No acceptable outcomes are prescribed.</p>	<p>Not applicable</p> <p>The site is not located in Sub-precinct 1b – Waterfront North sub-precinct.</p>

Performance outcomes	Acceptable outcomes	Compliance
(a) Dickson Inlet; (b) public open space; (c) places of significance.		
PO33 Development enhances the distinctive tropical resort town and identity of Port Douglas and encourages pedestrian activity at ground level including shade protection across the footpath and open space areas.	AO33 No acceptable outcomes are prescribed.	Not applicable The site is not located in Sub-precinct 1b – Waterfront North sub-precinct.
PO34 Development is predominantly commercial in nature with any tourist accommodation having a secondary focus and not located on the street-level frontage where active frontages are encouraged as identified the Port Douglas local plan maps contained in Schedule 2.	AO34.1 Centre activities establish: (a) at street level on active street frontages; (b) a maximum of one level above street level.	Not applicable The site is not located in Sub-precinct 1b – Waterfront North sub-precinct.
	AO34.2 Residential development activities or short term accommodation is located above street /ground floor level of the active frontage, but not on or up to the street / public frontage in any development, including mixed use development.	Not applicable The site is not located in Sub-precinct 1b – Waterfront North sub-precinct.
PO35 Detailed building design: (a) enhances the visual amenity of the streetscape; (b) has a legible and attractive built form that is	AO35 No acceptable outcomes are prescribed.	Not applicable The site is not located in Sub-precinct 1b – Waterfront North sub-precinct.

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

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

Performance outcomes	Acceptable outcomes	Compliance
<p>PO40</p> <p>Buildings do not incorporate any type of glass or other materials that are likely to reflect the sun's rays in a manner that may create a nuisance, discomfort or a hazard.</p>	<p>AO40</p> <p>No acceptable outcomes are prescribed.</p>	<p>Not applicable</p> <p>The site is not located in Sub-precinct 1b – Waterfront North sub-precinct.</p>
<p>PO41</p> <p>Façades and elevations do not include large blank walls and openings and setbacks are used to articulate vertical building surfaces.</p>	<p>AO41.1</p> <p>Development has a maximum length of unbroken building facade of 20 metres and a maximum extent of overall development in the same style/design along the street frontage/s of 40 metres.</p>	<p>Not applicable</p> <p>The site is not located in Sub-precinct 1b – Waterfront North sub-precinct.</p>
	<p>AO41.2</p> <p>Any break in the building façade varies the alignment by a 1 metre minimum deviation.</p>	<p>Not applicable</p> <p>The site is not located in Sub-precinct 1b – Waterfront North sub-precinct.</p>
	<p>AO41.3</p> <p>A minimum of three of the following building design features and architectural elements detailed below are incorporated to break the extended facade of a development:</p> <ul style="list-style-type: none"> (a) a change in roof profile; (b) a change in parapet coping; (c) a change in awning design; (d) a horizontal or vertical change in the wall plane; or (e) a change in the exterior finishes and exterior 	<p>Not applicable</p> <p>The site is not located in Sub-precinct 1b – Waterfront North sub-precinct.</p>

Performance outcomes	Acceptable outcomes	Compliance
<p>PO42</p> <p>Building facades that face public spaces at ground level:</p> <ul style="list-style-type: none"> (a) complement the appearance of the development and surrounding streetscape; (b) enhance the visual amenity of the public place; (c) include a variety of human scale architectural elements and details; (d) provide an opportunity for the casual and convenient surveillance of public space from within the development. 	<p>colours of the development.</p> <p>AO42</p> <p>Building facades at the ground floor of development that face public space are designed to ensure:</p> <ul style="list-style-type: none"> (a) a minimum of 70% of the façade area is comprised of windows, wall openings or shop fronts that permit the casual surveillance of the public space from the development; (b) a visually prominent main entrance that faces the principal public place; (c) vertical architectural elements and features are incorporated at 3 metre or less intervals along the length of the façade. 	<p>Not applicable</p> <p>The site is not located in Sub-precinct 1b – Waterfront North sub-precinct.</p>
<p>PO43</p> <p>Awnings for pedestrian shelter are consistent with the character setting of the Waterfront North sub-precinct and:</p> <ul style="list-style-type: none"> (a) extend and cover the footpath to provide protection from the sun and rain; (b) include lighting under the awning; (c) are continuous across pedestrian circulation areas; (d) align to provide continuity with existing or future awnings on adjoining sites; (e) are a minimum of 3 metres in width and generally not more than 3.5 metres above 	<p>AO43</p> <p>No acceptable outcomes are prescribed.</p>	<p>Not applicable</p> <p>The site is not located in Sub-precinct 1b – Waterfront North sub-precinct.</p>

Performance outcomes	Acceptable outcomes	Compliance
<p>pavement height;</p> <p>(f) do not extend past a vertical plane, 1.2 metres inside the street kerb-line to enable street trees to be planted and grow;</p> <p>(g) are cantilevered from the main building with any posts within the footpath being non load-bearing.</p>		
<p>PO44</p> <p>The Balley Hooley rail line and turn-table is retained and incorporated into development and maintains its functionality.</p>	<p>AO44.1</p> <p>Bally Hooley rail line and turn-table is retained and incorporated into development to maintain its functionality.</p>	<p>Not applicable</p> <p>The site is not located in Sub-precinct 1b – Waterfront North sub-precinct.</p>
	<p>AO44.2</p> <p>Where development provides floor area for the Bally Hooley rail station, the gross floor area of the rail line and station does not generate a requirement for additional vehicle parking.</p>	<p>Not applicable</p> <p>The site is not located in Sub-precinct 1b – Waterfront North sub-precinct.</p>
<p>PO45</p> <p>Development recognises the importance of and relationship between the marina, commercial and residential development in the Waterfront North sub-precinct, and includes measures to mitigate the impact of:</p> <p>(a) noise;</p> <p>(b) odour;</p> <p>(c) hazardous materials;</p> <p>(d) waste and recyclable material storage.</p>	<p>AO45</p> <p>No acceptable outcomes are prescribed.</p>	<p>Not applicable</p> <p>The site is not located in Sub-precinct 1b – Waterfront North sub-precinct.</p>

Performance outcomes	Acceptable outcomes	Compliance
<p>PO46</p> <p>Formalised public spaces and pedestrian paths/areas on freehold land are made accessible to the public.</p>	<p>AO46</p> <p>No acceptable outcomes are prescribed.</p>	<p>Not applicable</p> <p>The site is not located in Sub-precinct 1b – Waterfront North sub-precinct.</p>
<p>PO47</p> <p>Buildings, civic spaces, roads and pedestrian links are enhanced by:</p> <ul style="list-style-type: none"> (a) appropriate landscape design and planting; (b) themed planting that defines entry points, and creates strong ‘entry corridors’ into the waterfront; (c) lighting and well-considered discrete signage that complements building and landscape design; (d) public artwork and other similar features that reflect the heritage and character of the Port Douglas Waterfront. 	<p>AO47</p> <p>No acceptable outcomes are prescribed.</p>	<p>Not applicable</p> <p>The site is not located in Sub-precinct 1b – Waterfront North sub-precinct.</p>
<p>PO48</p> <p>Buildings are designed and sited to provide vistas along shared pedestrian/open space and movement areas in suitable locations.</p>	<p>AO48</p> <p>No acceptable outcomes are prescribed.</p>	<p>Not applicable</p> <p>The site is not located in Sub-precinct 1b – Waterfront North sub-precinct.</p>
<p>PO49</p> <p>Development does not diminish the viability of marine-based industrial uses that directly serve the Port Douglas tourist and fishing operators and private boat owners, particularly with respect to</p>	<p>AO49</p> <p>No acceptable outcomes are prescribed.</p>	<p>Not applicable</p> <p>The site is not located in Sub-precinct 1b – Waterfront North sub-precinct.</p>

Performance outcomes	Acceptable outcomes	Compliance
the slipway operation.		
PO50 Marine infrastructure to service the tourism, fishing and private boating community is provided.	AO50 No acceptable outcomes are prescribed.	Not applicable The site is not located in Sub-precinct 1b – Waterfront North sub-precinct.
PO51 Changes to the Port Douglas Waterfront quay-line do not cause adverse impacts to the environmentally sensitive Dickson Inlet.	AO51 Development that results in changes to the Port Douglas Waterfront quay-line is only established where an Ecological assessment report provides support to the changes. Note - Planning scheme policy SC6.8 – Natural environment provides guidance on preparing an ecological assessment report.	Not applicable The site is not located in Sub-precinct 1b – Waterfront North sub-precinct.
Additional requirements for Sub-precinct 1c – Waterfront South sub-precinct		
PO52 The establishment of uses is consistent with the outcomes sought for Precinct 1c – Waterfront South.	AO52 Uses identified as inconsistent uses Table 7.2.4.4.c – are not established in Precinct 1c – Waterfront South.	Not applicable The site is not located in Sub-precinct 1c – Waterfront South sub-precinct.
PO53 Development does not adversely impact on the natural environment, natural vegetation or watercourses.	AO53.1 An Ecological assessment report is prepared identifying the environmental qualities of the surrounding natural and built features which are to be managed. Note - Planning scheme policy SC6.8 – Natural environment provides guidance on preparing an	Not applicable The site is not located in Sub-precinct 1c – Waterfront South sub-precinct.

Performance outcomes	Acceptable outcomes	Compliance
	<p>ecological assessment report.</p> <p>AO53.2 An Environmental Management Plan is prepared to manage potential impacts of the operation of the development on surrounding natural areas. Note - Planning scheme policy SC6.4 – Environmental management plans contains information to demonstrate compliance and guidance on preparing an Environmental Management Plan.</p>	<p>Not applicable The site is not located in Sub-precinct 1c – Waterfront South sub-precinct.</p>
<p>PO54 Development of land at the end of Port Street adjacent to Dickson Inlet incorporates a slipway, or an alternative functioning facility, with capacity to service the Port Douglas marine and tourism industry.</p>	<p>AO54 A master plan for the development is provided and implemented to demonstrate the integration of the slipway, or an alternative functioning facility, with other supporting service industry activities that service the marine and tourism industry of Port Douglas.</p>	<p>Not applicable The site is not located in Sub-precinct 1c – Waterfront South sub-precinct.</p>
<p>PO55 Buildings and structures are of a height and are set back from side boundaries and other sensitive areas to ensure the scenic amenity and environmental qualities of the adjacent area are not adversely affected.</p>	<p>AO55.1 Development has a height of not more than 10 metres.</p> <p>AO55.2 Development is setback from all property boundaries not less than 3 metres.</p>	<p>Not applicable The site is not located in Sub-precinct 1c – Waterfront South sub-precinct.</p> <p>Not applicable The site is not located in Sub-precinct 1c – Waterfront South sub-precinct.</p>
<p>PO56 The site coverage of all buildings and structures</p>	<p>AO56 No acceptable outcomes are prescribed.</p>	<p>Not applicable The site is not located in Sub-precinct 1c –</p>

Performance outcomes	Acceptable outcomes	Compliance
<p>ensures development:</p> <ul style="list-style-type: none"> (a) is sited in an existing cleared area or in an area approved for clearing; (b) has sufficient area for the provision of services; (c) development does not have an adverse effect on the environmental, habitat, conservation or landscape values of the on-site and surrounding sensitive areas. 		Waterfront South sub-precinct.
<p>PO57</p> <p>Premises include adequate provision for service vehicles, to cater for generated demand. Loading areas for service vehicles are designed to:</p> <ul style="list-style-type: none"> (a) be accommodated on-site; (b) maximise safety and efficiency of loading; (c) protect the visual and acoustic amenity of sensitive land use activities; (d) minimise adverse impacts on natural characteristics of adjacent areas. 	<p>AO57.1</p> <p>Sufficient manoeuvring area is provided on-site to allow a Medium Rigid Vehicle to enter and leave the site in a forward gear.</p>	<p>Not applicable</p> <p>The site is not located in Sub-precinct 1c – Waterfront South sub-precinct.</p>
	<p>AO57.2</p> <p>Development is designed to ensure all service vehicles are contained within the site when being loaded/unloaded.</p>	<p>Not applicable</p> <p>The site is not located in Sub-precinct 1c – Waterfront South sub-precinct.</p>
	<p>AO57.3</p> <p>Driveways, parking and manoeuvring areas are constructed and maintained to:</p> <ul style="list-style-type: none"> (a) minimise erosion from storm water runoff; (b) retain all existing vegetation. 	<p>Not applicable</p> <p>The site is not located in Sub-precinct 1c – Waterfront South sub-precinct.</p>
<p>PO58</p>	<p>AO58</p>	<p>Not applicable</p>

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

Performance outcomes	Acceptable outcomes	Compliance
<p>PO62</p> <p>The precinct is developed for organised sporting activities and other community uses.</p>	<p>AO62</p> <p>No acceptable outcomes are prescribed.</p>	<p>Not applicable</p> <p>The site is not located within Sub-precinct 1e – Community and recreation sub-precinct.</p>
<p>Additional requirements for Sub-precinct 1f – Flagstaff Hill sub-precinct</p>		
<p>PO63</p> <p>Flagstaff Hill is protected from inappropriate development to protect the hill as an important natural landmark feature of Port Douglas and as a vegetated backdrop to the Town centre.</p>	<p>AO63</p> <p>No acceptable outcomes are prescribed.</p>	<p>Not applicable</p> <p>The site is not located in Sub-precinct 1f – Flagstaff Hill sub-precinct.</p>
<p>PO64</p> <p>All development on Flagstaff Hill is designed to minimise the visibility of the development and to ensure development is subservient to the natural landscape and topography of the site, including through:</p> <ul style="list-style-type: none"> (a) building design which minimises excavation and filling; (b) buildings being designed to step down the site and incorporate foundations and footings on piers or poles; (c) buildings being visually unobtrusive and incorporating exterior finishes and muted colours which are non-reflective and complement the colours of the surrounding vegetation and view-shed; (d) protection of the views from public viewing 	<p>AO64</p> <p>No acceptable outcomes are prescribed.</p>	<p>Not applicable</p> <p>The site is not located in Sub-precinct 1f – Flagstaff Hill sub-precinct.</p>

Performance outcomes	Acceptable outcomes	Compliance
points in the Port Douglas precinct.		
Additional requirements for Precinct 3 – Craiglie Commercial and Light Industry precinct		
<p>PO65</p> <p>Development supports the tourism and marine industries in Port Douglas, along with the small-scale commercial and light industry land uses that support the local economy that would otherwise be better suited to a location outside the Port Douglas Town Centre Precinct.</p>	<p>AO65</p> <p>Development consists of service and light industries and associated small scale commercial activities.</p>	<p>Complies with AO65</p> <p>The proposed development is for a small scale commercial activity.</p>
<p>PO66</p> <p>Development on lots adjacent to the Captain Cook Highway is sited, designed and landscaped to provide an attractive visual approach to Port Douglas with all buildings, structures and car parking areas setback a sufficient distance from the frontage to enable landscaping to soften or screen the appearance of the development.</p>	<p>AO66.1</p> <p>Buildings and structures are setback 8 metres from the Captain Cook Highway frontage, or no closer to the Captain Cook Highway frontage than buildings and structures on adjoining sites (averaged), whichever is the greater.</p>	<p>Complies with AO66.1</p> <p>The proposed structure would be setback approximately 10 metres from the road frontage.</p>
	<p>AO66.2</p> <p>The setback area to the Captain Cook Highway frontage is landscaped with advanced dense planting including tree species (100 litre bag stock), which will, at maturity, exceed the height of the building(s) on the site.</p>	<p>Able to comply with AO66.2</p> <p>Council are invited to attach a condition to any approval granted to secure compliance,. If necessary.</p>
	<p>AO66.3</p> <p>Advertising signs are discreet in appearance with no large advertising signs, including tenancy signs, located on or near the Captain Cook Highway frontage, or within any landscaped</p>	<p>Complies with AO66.3</p> <p>The proposed advertising sign is consistent in location., form height bulk and scale to the approved sign.</p>

Performance outcomes	Acceptable outcomes	Compliance
	<p>setback area</p> <p>AO66.4 Car parking areas, loading and other service areas are designed to be screened from the Captain Cook Highway and are located so as to not be visually prominent from the Captain Cook Highway.</p>	<p>Complies with AO66.4 The proposed car parking areas would be adequately screened by the proposed landscaping area in the Captain Cook Highway setback.</p>
<p>Additional requirements for Precinct 6 – Very Low Residential Density/Low Scale Recreation/Low Scale Educational/Low Scale Entertainment Uses precinct</p>		
<p>PO67 No additional lots are created within the precinct.</p>	<p>AO67 No acceptable outcomes are prescribed.</p>	<p>Not applicable The site is not located within Precinct 6 – Very Low Residential Density/Low Scale Recreation/Low Scale Educational/Low Scale Entertainment Uses precinct.</p>
<p>PO68 Reconfigured lots have a minimum lot size of 2 hectares, unless the lot reconfiguration transfers lots to the higher parts of the land, to avoid the need to fill existing lots to accommodate dwelling houses.</p>	<p>AO68 No acceptable outcomes are prescribed.</p>	<p>Not applicable The site is not located within Precinct 6 – Very Low Residential Density/Low Scale Recreation/Low Scale Educational/Low Scale Entertainment Uses precinct.</p>

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

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

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

Inconsistent uses		
<ul style="list-style-type: none"> • Adult store • Agricultural supplies store • Air services 	<ul style="list-style-type: none"> • Hardware and trade supplies • Health care services • Home based business 	<ul style="list-style-type: none"> • Permanent plantation • Place of worship • Relocatable home park

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

8.2.1 Acid sulfate soils overlay code

8.2.1.1 Application

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

8.2.1.2 Purpose

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

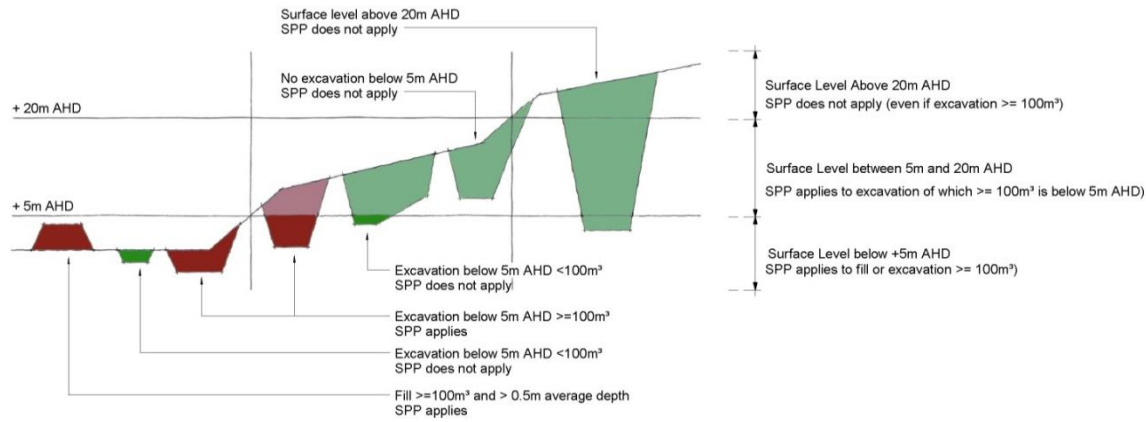
Criteria for assessment

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

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

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

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



8.2.10 Transport network overlay code

8.2.10.1 Application

- (1) This code applies to assessing a material change of use, reconfiguring a lot, operational work or building work within the Transport network overlay; if:
 - (a) self-assessable or assessable development where the code is identified as being applicable in the Assessment criteria for the Overlay Codes contained in the Levels of Assessment Tables in section 5.6;
 - (b) impact assessable development.
- (2) Land within the Transport network overlay is identified on the Transport network (Road Hierarchy) overlay map and the Transport network (Pedestrian and Cycle) overlay map in Schedule 2 and includes the following sub-categories:
 - (a) Transport network (Road Hierarchy) overlay sub-categories:
 - (i) State controlled road sub-category;
 - (ii) Sub-arterial road sub-category;
 - (iii) Collector road sub-category;
 - (iv) Access road sub-category;
 - (v) Industrial road sub-category;
 - (vi) Major rural road sub-category;
 - (vii) Minor rural road sub-category;
 - (viii) Unformed road sub-category;
 - (ix) Major transport corridor buffer area sub-category.
 - (b) Transport network (Pedestrian and Cycle) overlay sub-categories:
 - (i) Principal route;
 - (ii) Future principal route;
 - (iii) District route;
 - (iv) Neighbourhood route;
 - (v) Strategic investigation route.
- (3) When using this code, reference should be made to Part 5.

AU008658: 5967 Captain Cook Highway, Craiglie, Material Change of Use (Food and Drink Outlet)

8.2.10.2 Purpose

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

Criteria for assessment

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

Performance outcomes	Acceptable outcomes	Compliance
For assessable development		
PO1 Development supports the road hierarchy for the region. Note -A Traffic impact assessment report prepared in accordance with Planning scheme policy SC6.10 - Parking and access is one way to demonstrate achievement of the Performance Outcomes.	AO1.1 Development is compatible with the intended role and function of the transport network as identified on the Transport network overlay maps contained in Schedule 2.	Complies with AO1.1 The subject site fronts a state-controlled road which has sufficient capacity to accommodate the traffic movements generated by the development.
	AO1.2 Development does not compromise the safety and efficiency of the transport network.	Complies with AO1.2 Additional traffic movement created by the development would not compromise the safe and efficient use of the Captain Cook Highway.
	AO1.3	Not applicable

Performance outcomes	Acceptable outcomes	Compliance
	Development is designed to provide access via the lowest order road, where legal and practicable access can be provided to that road	The site has frontage to the Captain Cook Highway only.
<p>PO2</p> <p>Transport infrastructure is provided in an integrated and timely manner.</p> <p>Note - A Traffic impact assessment report prepared in accordance with Planning scheme policy SC6.10 - Parking and access is one way to demonstrate achievement of the Performance Outcomes.</p>	<p>AO2</p> <p>Development provides infrastructure (including improvements to existing infrastructure) in accordance with:</p> <p>(a) the Transport network overlay maps contained in Schedule 2;</p> <p>(b) any relevant Local Plan.</p> <p>Note – The Translink Public Transport Infrastructure Manual provides guidance on the design of public transport facilities.</p>	<p>Not applicable</p> <p>No infrastructure improvements are required to facilitate the development.</p>
<p>PO3</p> <p>Development involving sensitive land uses within a major transport corridor buffer area is located, designed and maintained to avoid or mitigate adverse impacts on amenity for the sensitive land use.</p>	<p>AO3</p> <p>No acceptable outcomes are prescribed.</p> <p>Note – Part 4.4 of the Queensland Development Code provides requirements for residential building design in a designated transport noise corridor.</p>	<p>Not applicable</p> <p>The proposed food and drink outlet is not a sensitive land use.</p>
<p>PO4</p> <p>Development does not compromise the intended role and function or safety and efficiency of major transport corridors.</p> <p>Note - A Traffic impact assessment report prepared in accordance with Planning scheme policy SC6.10 - Parking and access is one way to demonstrate achievement of the Performance Outcomes.</p>	<p>AO4.1</p> <p>Development is compatible with the role and function (including the future role and function) of major transport corridors.</p>	<p>Complies with AO4.1</p> <p>The development would not produce traffic movements that would affect the role and function of major transport corridors.</p>
	<p>AO4.2</p> <p>Direct access is not provided to a major transport corridor where legal and practical access from another road is available.</p>	<p>Not applicable</p> <p>The Captain Cook Highway is the only legal and practical access to the site.</p>
	<p>AO4.3</p>	<p>Not applicable</p>

Performance outcomes	Acceptable outcomes	Compliance
	Intersection and access points associated with major transport corridors are located in accordance with: (a) the Transport network overlay maps contained in Schedule 2; and (b) any relevant Local Plan.	No new intersections are proposed.
	AO4.4 The layout of development and the design of the associated access is compatible with existing and future boundaries of the major transport corridor or major transport facility.	Complies with AO4.4 The proposed development, with the exception of the accessway would be wholly contained within the site.
PO5 Development retains and enhances existing vegetation between a development and a major transport corridor, so as to provide screening to potential noise, dust, odour and visual impacts emanating from the corridor.	AO5 No acceptable outcomes are prescribed.	Not applicable There is no landscaping between the transport corridor and the development.
Pedestrian and cycle network		
PO6 Lot reconfiguration assists in the implementation of the pedestrian and cycle movement network to achieve safe, attractive and efficient pedestrian and cycle networks.	AO6.1 Where a lot is subject to, or adjacent to an element of the pedestrian and cycle Movement network (identified on the Transport network overlay maps contained in Schedule 2) the specific location of this element of the pedestrian and cycle network is incorporated in the design of the lot layout.	Not applicable No lot reconfiguration is proposed.
	AO6.2 The element of the pedestrian and cycle network is	Not applicable No pedestrian or cycle network is required to be

Performance outcomes	Acceptable outcomes	Compliance
	constructed in accordance with the Design Guidelines set out in Sections D4 and D5 of the Planning scheme policy SC6.5 – FNQROC Regional Development Manual.	constructed as a part of this development.

9.4.1 Access, parking and servicing code

9.4.1.1 Application

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

9.4.1.2 Purpose

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

9.4.1.3 Criteria for assessment

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

Performance outcomes	Acceptable outcomes	Applicant response
For self-assessable and assessable development		
<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; (e) the nature and frequency of any public transport serving the area; (f) whether or not the use involves the retention of an existing building and the previous requirements for car parking for the building (g) whether or not the use involves a heritage building or place of local significance; (h) whether or not the proposed use involves the retention of significant vegetation. 	<p>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 AO1.1</p> <p>A food and drink outlet is required to provide 1 space per 25m² of GFA or outdoor dining area. The development has a total GFA and outdoor dining area of 131.11m² and would provide 7 car parking spaces.</p>
	<p>AO1.2</p> <p>Car parking spaces are freely available for the parking of vehicles at all times and are not used for external storage purposes, the display of products or rented/sub-leased.</p>	<p>Complies with AO1.2</p> <p>The car parking spaces would be maintained for the parking of motor vehicles.</p>
	<p>AO1.3</p> <p>Parking for motorcycles is substituted for ordinary vehicle parking to a maximum level of 2% of total ordinary vehicle parking.</p>	<p>Not applicable</p> <p>The proposed does not include designated motorcycle parking.</p>
	<p>AO1.4</p> <p>For parking areas exceeding 50 spaces parking, is provided for recreational vehicles as a substitute for ordinary vehicle parking to a maximum of 5% of total ordinary vehicle parking rate.</p>	<p>Not applicable</p> <p>The proposal does not provide more than 50 car parking spaces.</p>

Performance outcomes	Acceptable outcomes	Applicant response
<p>PO2</p> <p>Vehicle parking areas are designed and constructed in accordance with relevant standards.</p>	<p>AO2</p> <p>Vehicle parking areas are designed and constructed in accordance with Australian Standard:</p> <ul style="list-style-type: none"> (a) AS2890.1; (b) AS2890.3; (c) AS2890.6. 	<p>Complies with AO2</p> <p>The proposed spaces provided are designed to comply with the Australian Standards.</p>
<p>PO3</p> <p>Access points are designed and constructed:</p> <ul style="list-style-type: none"> (a) to operate safely and efficiently; (b) to accommodate the anticipated type and volume of vehicles (c) to provide for shared vehicle (including cyclists) and pedestrian use, where appropriate; (d) so that they do not impede traffic or pedestrian movement on the adjacent road area; (e) so that they do not adversely impact upon existing intersections or future road or intersection improvements; (f) so that they do not adversely impact current and future on-street parking arrangements; (g) so that they do not adversely impact on 	<p>AO3.1</p> <p>Access is limited to one access cross over per site and is an access point located, designed and constructed in accordance with:</p> <ul style="list-style-type: none"> (a) Australian Standard AS2890.1; (b) Planning scheme policy SC6.5 – FNQROC Regional Development Manual - access crossovers. 	<p>Complies with AO3.1</p> <p>The proposed development would be provided with a single crossover from Captain Cook Highway.</p>
	<p>AO3.2</p> <p>Access, including driveways or access crossovers:</p> <ul style="list-style-type: none"> (a) are not placed over an existing: <ul style="list-style-type: none"> (i) telecommunications pit; (ii) stormwater kerb inlet; (iii) sewer utility hole; (iv) water valve or hydrant. 	<p>Complies with AO3.2</p> <p>The proposed driveway would not be placed over infrastructure pits, kerb inlets or similar and would provide suitable site lines.</p>

Performance outcomes	Acceptable outcomes	Applicant response
<p>existing services within the road reserve adjacent to the site;</p> <p>(h) so that they do not involve ramping, cutting of the adjoining road reserve or any built structures (other than what may be necessary to cross over a stormwater channel).</p>	<p>(b) are designed to accommodate any adjacent footpath;</p> <p>(c) adhere to minimum sight distance requirements in accordance with AS2980.1.</p> <hr/> <p>AO3.3</p> <p>Driveways are:</p> <p>(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;</p> <p>(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;</p> <p>(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;</p> <p>(d) constructed such that the transitional change in grade from the road to the lot is fully contained within the lot and not within the road reserve;</p> <p>(e) designed to include all necessary associated drainage that intercepts and directs storm water runoff to the storm</p>	<p></p> <hr/> <p>Complies with AO3.3</p> <p>The proposed driveway would be constructed to comply with the requirements of the FNQROC Manual and would have a grade of less than 1 in 6.</p>

Performance outcomes	Acceptable outcomes	Applicant response
	water drainage system.	
	<p>A03.4</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>Complies with A03.4</p> <p>The proposed accessways and car parking areas would be constructed of concrete. This is consistent with the surface materials used in surrounding development.</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>A04</p> <p>The number of on-site wheel chair accessible car parking spaces complies with the rates specified in AS2890 Parking Facilities.</p>	<p>Complies with A04</p> <p>A single accessible space is provided to service the development.</p>
<p>PO5</p> <p>Access for people with disabilities is provided to the building from the parking area and from the street.</p>	<p>A05</p> <p>Access for people with disabilities is provided in accordance with the relevant Australian Standard.</p>	<p>Complies with A05</p> <p>The development would comply with the relevant standards, which would be enforced at the time of building approval.</p>
<p>PO6</p> <p>Sufficient on-site bicycle parking is provided to cater for the anticipated demand generated by the development</p>	<p>A06</p> <p>The number of on-site bicycle parking spaces complies with the rates specified in Table 9.4.1.3.b</p>	<p>Complies with A06</p> <p>Sufficient area is available for the parking of a single bicycle.</p>
<p>PO7</p> <p>Development provides secure and convenient bicycle parking which: (a) for visitors is obvious and located close to the building's main entrance;</p>	<p>A07.1</p> <p>Development provides bicycle parking spaces for employees which are co-located with end-of-trip facilities (shower cubicles and lockers);</p>	<p>Not applicable</p> <p>No end of trip facilities are required.</p>

Performance outcomes	Acceptable outcomes	Applicant response
<p>(b) for employees is conveniently located to provide secure and convenient access between the bicycle storage area, end-of-trip facilities and the main area of the building; (c) is easily and safely accessible from outside the site.</p>	<p>AO7.2 Development ensures that the location of visitor bicycle parking is discernible either by direct view or using signs from the street.</p>	<p>Complies with AO7.2 Sufficient area is available for the visible parking of a single bicycle.</p>
	<p>AO7.3 Development provides visitor bicycle parking which does not impede pedestrian movement.</p>	<p>Complies with AO7.3 Sufficient area is available for the parking of a single bicycle that does not impede pedestrian movement.</p>
<p>PO8 Development provides walking and cycle routes through the site which:</p> <ul style="list-style-type: none"> (a) link to the external network and pedestrian and cyclist destinations such as schools, shopping centres, open space, public transport stations, shops and local activity centres along the safest, most direct and convenient routes; (b) encourage walking and cycling; (c) ensure pedestrian and cyclist safety. 	<p>AO8 Development provides walking and cycle routes which are constructed on the carriageway or through the site to:</p> <ul style="list-style-type: none"> (a) create a walking or cycle route along the full frontage of the site; (b) connect to public transport and existing cycle and walking routes at the frontage or boundary of the site. 	<p>Not applicable Walking or cycle routes are not required as a part of this development.</p>
<p>PO9 Access, internal circulation and on-site parking for service vehicles are designed and constructed:</p> <ul style="list-style-type: none"> (a) in accordance with relevant standards; 	<p>AO9.1 Access driveways, vehicle manoeuvring and onsite parking for service vehicles are designed and constructed in accordance with AS2890.1 and AS2890.2.</p>	<p>Complies with AO9.1 The proposed access driveway, including manoeuvring areas, would comply with the relevant Australian Standards.</p>

Performance outcomes	Acceptable outcomes	Applicant response
<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>AO9.2</p> <p>Service and loading areas are contained fully within the site.</p>	<p>Complies with AO9.2</p> <p>All servicing would occur within the site with swept path drawings illustrating the ability of service vehicles to enter and exit the site.</p>
	<p>AO9.3</p> <p>The movement of service vehicles and service operations are designed so they:</p> <ul style="list-style-type: none"> (a) do not impede access to parking spaces; (b) do not impede vehicle or pedestrian traffic movement. 	<p>Complies with AO9.3</p> <p>The proposed development would be able to accommodate service vehicles on site without impacting the car parking spaces, particularly given the limited servicing required.</p>
<p>PO10</p> <p>Sufficient queuing and set down areas are provided to accommodate the demand generated by the development.</p>	<p>AO10.1</p> <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; 	<p>Complies with AO10.1</p> <p>The proposed development would accommodate vehicle queuing within the access path and would be able to accommodate the queueing of 7 vehicles, which is considered sufficient given the scale of the development proposed.</p>

Performance outcomes	Acceptable outcomes	Applicant response
	(f) hotel, where including a drive-through facility; (g) service station.	
	AO10.2 Queuing and set-down areas are designed and constructed in accordance with AS2890.1.	Complies with AO10.2 The queueing areas and manoeuvring areas are designed in accordance with the relevant standards, as demonstrated by the swept path drawings.

9.4.2 Advertising devices code

9.4.2.1 Application

- (1) This code applies to assessing:
 - (a) applications for advertising devices, whether they are associated with material change of use application or are a separate application for operational works;
 - (b) impact assessable development, to the extent relevant.

Note – Home based business signs complying with the Acceptable Outcomes of the Home based business code do not require further planning scheme / local law assessment.

Note – Roadside stall signs complying with the Acceptable Outcomes of the Rural activities code do not require further planning scheme / local law assessment.

Note – The following signs are not regulated by the planning scheme:

- Temporary shop front signs, being any freestanding advertising device that is temporary and easily moved from one position to another and usually utilised during operating hours;
 - Temporary community event signs;
 - Garage sales signs where displayed on day of sale and face not exceeding 1.2m² and not affixed to vegetation or other signage;
 - Non-illuminated real estate signs, where sited on and advertising the premises for sale/rent, on an easily removable support structure with a face not exceed 2.4m²;
 - Signs inside shop windows;
 - Election signage;
 - Entry statement signs or place name signs;
 - Safety signage and other signs of a statutory nature;
 - Sporting field fence sign, being any advertising device painted or otherwise affixed to a fence marking the boundaries of a sporting field.
- (2) When using this code, reference should be made to Part 5.

9.4.2.2 Purpose

- (1) The purpose of the Advertising devices code is to ensure that advertising devices are established in a manner which is consistent with the desired character and amenity of Douglas Shire.
- (2) The purpose of the code will be achieved through the following overall outcomes:
 - (a) an advertising device complements, and does not detract from the desirable characteristics of the natural and built environment in which the advertising device is exhibited;
 - (b) Third party advertising devices are not encouraged to establish in the Shire, being contrary to the unique character, lifestyle and environmental attributes of the Shire;
 - (c) an advertising device is designed and integrated into the built form so as to minimise visual clutter;

- (d) an advertising device does not adversely impact on visual amenity of a scenic route, heritage building or public open space;
- (e) an advertising device does not adversely impact on rural, rural residential, residential, environmental management or conservation areas;
- (f) an advertising device does not pose a hazard for pedestrians, cyclists or drivers of motor vehicles.

Note - For billboards and/or other devices on a State-controlled road, contact the Department of Transport and Main Roads for further information about obtaining an 'Ancillary Works and Encroachment (AWE) Permit' under the Transport Infrastructure Act 1994.

9.4.2.3 Criteria for assessment

Part A - Criteria for self-assessable and assessable development

Table 9.4.2.3.a – Advertising devices code – self-assessable and assessable development

Performance outcomes	Acceptable outcomes	Applicant response
Requirements for all Advertising devices regulated by this planning scheme		
General		
<p>PO1</p> <p>An advertising device:</p> <ul style="list-style-type: none"> (a) is compatible with the existing and future planned character of the locality in which it is erected; (b) is compatible with the scale, proportion, bulk and other characteristics of buildings, structures, landscapes and other advertising devices on the site; (c) is of a scale, proportion and form that is appropriate to the streetscape or other setting in which it is located; (d) is sited designed to be compatible with the nature and extent of development and advertising devices on adjoining sites and does not interfere with the reasonable 	<p>AO1</p> <p>Self-assessable development For self-assessable development, the advertising device complies with the requirements specified in Column 2 of Table 9.4.2.3.b.</p> <p>Assessable development</p> <p>For assessable development, in partial fulfilment of Performance Outcome P1 – the advertising device substantially complies with the requirements specified in Column 2 of Table 9.4.2.3.b – Specific requirements for types of advertising devices.</p> <p>Note – Third party advertising devices, fly-posters, inflatable signs, blimps, bunting/streamers and standing vehicle signs are not encouraged to establish in Douglas Shire. In most</p>	<p>Complies with AO1</p> <p>The sign would not exceed the maximum height and sign-face area requirements set out in Table 9.4.2.3.c.</p> <p>Only one freestanding sign would be erected on any site.</p> <p>It would be consistent with the streetscape character of the area with the adjacent service station having consistent signage and it would not detract form any views or vistas.</p>

Performance outcomes	Acceptable outcomes	Applicant response
<p>enjoyment of those sites;</p> <p>(e) is sited and designed to:</p> <p>(i) not unduly dominate the visual landscape;</p> <p>(ii) maintain views and vistas of public value; and</p> <p>(iii) protect the visual amenity of scenic routes;</p> <p>(f) is designed to achieve a high standard of architectural, urban and landscape design, or at least does not detract from the architectural, urban or landscape design standards of a locality; and</p> <p>(g) is designed and sited so as to not contribute to the proliferation of visual clutter.</p>	<p>circumstances, these forms of advertising device would:</p> <p>(a) be contrary to Performance Outcome PO1 and the applicable specific requirements for advertising devices in this code; and</p> <p>(b) risk compromising the character, lifestyle and environmental attributes of the Shire as defined in the Part 3 (Strategic Framework).</p> <p>Note – A planning report and streetscape or landscape analysis prepared by a competent person may be required in support of a development application for a Third party advertising device.</p>	
Illumination, lighting and movement		
<p>PO2</p> <p>An advertising device only incorporates illumination and lighting where it:</p> <p>(a) is appropriate to its setting and is compatible with the amenity of the local area;</p> <p>(b) does not cause nuisance or distraction;</p> <p>(c) does not create glare, reflecting or flaring of colours; and</p> <p>(d) will not create a potential safety hazard, including a potential traffic safety hazard.</p>	<p>AO2.1</p> <p>The advertising device is only illuminated where it is:</p> <p>(a) located in a Centre zone or an Industry zone, or a Recreation and Open Space zone; and</p> <p>(b) associated with a business that operates at night.</p> <p>AO2.2</p> <p>Where an advertising device is illuminated, it:</p> <p>(a) it has a maximum luminance of 350 candelas</p>	<p>Complies with AO2.1</p> <p>The sign is located within the industry zone and would only advertise the business on site.</p> <p>Able to comply with AO2.2</p> <p>The illumination is able to be limited as required and Council are invited to attach a condition to</p>

Performance outcomes	Acceptable outcomes	Applicant response
	per m ² ; (b) does not incorporate flashing lights or digital displays; and (c) is switched off between 11.00pm and 5.00am the following day or at any time the business is not operating between these hours.	any approval granted if required.
PO3 An advertising device does not move or incorporate elements that give the impression of movement.	AO3 The advertising device does not revolve, contain moving parts or have a moving boarder.	Complies with AO3 The advertising devices would not move or contain moving parts.
Safety of Pedestrians and Vehicles		
PO4 An advertising device is designed so as not to create a traffic or pedestrian safety hazard.	AO4.1 The advertising device does not physically obstruct the passage of pedestrians or vehicles.	Complies with AO4.1 The sign would not be located on the footpath.
	AO4.2 The advertising device does not mimic, and is not able to be confused with, a traffic control device.	Complies with AO4.2 The sign does not resemble a road sign.
	AO4.3 The advertising device does not restrict sight lines at intersections or site access points. Note - Refer to Figure 9.4.2.3.a for details.	Complies with AO4.3 The sign would not affect sightlines of entering or egressing traffic.

Performance outcomes	Acceptable outcomes	Applicant response
	<p>AO4.4</p> <p>The advertising device is:</p> <p>(a) appropriately secured and supported so as to cause no injury or damage to persons or property;</p> <p>(b) not on or attached to a tree, telegraph and/or electricity poles, traffic or safety signs.</p>	<p>Complies with AO4.4</p> <p>The sign would be provided with the appropriate footings and secured to the ground.</p>
Maintenance		
<p>PO5</p> <p>A high quality appearance of advertising devices is established, and is maintained.</p>	<p>AO5</p> <p>Advertising devices</p> <p>(a) are constructed of high quality materials selected for easy maintenance, durability and an ability not to readily stain, discolour or deteriorate;</p> <p>(b) that have stained, discoloured or deteriorated are either:</p> <p>(i) remedied; or</p> <p>(ii) removed.</p>	<p>Complies with AO5</p> <p>The advertising devices would be constructed of rendered concrete, or similar.</p>
Additional requirements for Advertising devices in the Conservation zone, the Environmental management zone and the Rural zone north of the Daintree River		
<p>PO6</p> <p>Advertising devices are high quality, low key in scale, and are reflective of the character of the area and directly promote small-scale lawfully</p>	<p>AO6</p> <p>In addition to the requirements contained within the Advertising devices code, where the advertising device is free standing or attached to</p>	<p>Not applicable</p> <p>The site is within the Industry zone.</p>

Performance outcomes	Acceptable outcomes	Applicant response
<p>established businesses.</p>	<p>a fence, the advertising device:</p> <p>(a) has a maximum height of 1.5 metres above ground level;</p> <p>(b) has a maximum width of 1.5 metres;</p> <p>(c) requires no significant vegetation removal to make the advertising device visible;*</p> <p>(d) is directly associated with a lawfully established business conducted on or near the premises;*</p> <p>(e) is non-illuminated;</p> <p>(f) is of colours that are subdued, reflecting the natural character and amenity of the area (colours include the content of the advertising device)^</p> <p>*Note – These requirements may involve a site selection for the advertising device that is not within the premises and this would require further direction from Council.</p> <p>^Note – Signage consisting of representative symbols, as an alternative to text may be considered to be an example of advertising devices that are in keeping with the character of the area.</p>	

Table 9.4.2.3.b – Specific requirements for types of advertising devices

Advertising device type	Specific requirements
<p>Façade sign: An advertising device painted or otherwise affixed to the façade of a building.</p>	<p>(a) does not obscure any window or architectural feature;</p> <p>(b) does not exceed 25% of the surface area of the wall to which it is attached;</p>

	<p>(c) does not project above or beyond the wall to which it is attached;</p> <p>(d) is not more than 300mm thick.</p>
<p>Flush wall sign: An advertising device painted on or otherwise affixed flat to the wall of a building or structure, not being a façade sign.</p>	<p>(a) is erected only in a Centre zone or an Industry zone</p> <p>(b) does not exceed 25% of the surface area of the wall to which it is attached;</p> <p>(c) does not project beyond the edges of the wall to which it is attached;</p> <p>(d) does not exceed a maximum sign face of 18m²;</p> <p>(e) does not cover more than 30% of the visible area of the total surface of the wall face; and</p> <p>(f) is not more than 300mm thick.</p>
<p>Projecting sign: An advertising device attached or mounted at an angle to the façade of a building.</p>	<p>(a) is erected only in a Centre zone or an Industry zone;</p> <p>(b) does not project further than 0.75m from the building line;</p> <p>(c) has a minimum vertical clearance of 2.4m from the lowest part of the sign to the footpath pavement;</p> <p>(d) does not exceed a maximum surface area of 1m²;</p> <p>(e) does not project beyond any awning or verandah of the building to which it is attached;</p> <p>(f) does not protrude above the roofline of the building to which it is attached; and</p> <p>(g) is limited to a maximum of one sign per premises.</p>
<p>Above awning sign: An advertising device located on top of an awning or verandah.</p>	<p>(a) is erected only in a Centre zone or an Industry zone;</p> <p>(b) is only erected where it can be demonstrated that there is no other opportunity to make use of an alternative sign type;</p> <p>(c) has a maximum height above the awning not exceeding 1.2m</p> <p>(d) is of a size and form that is appropriate to the scale and character of the building on which it is exhibited and the development in the locality;</p>

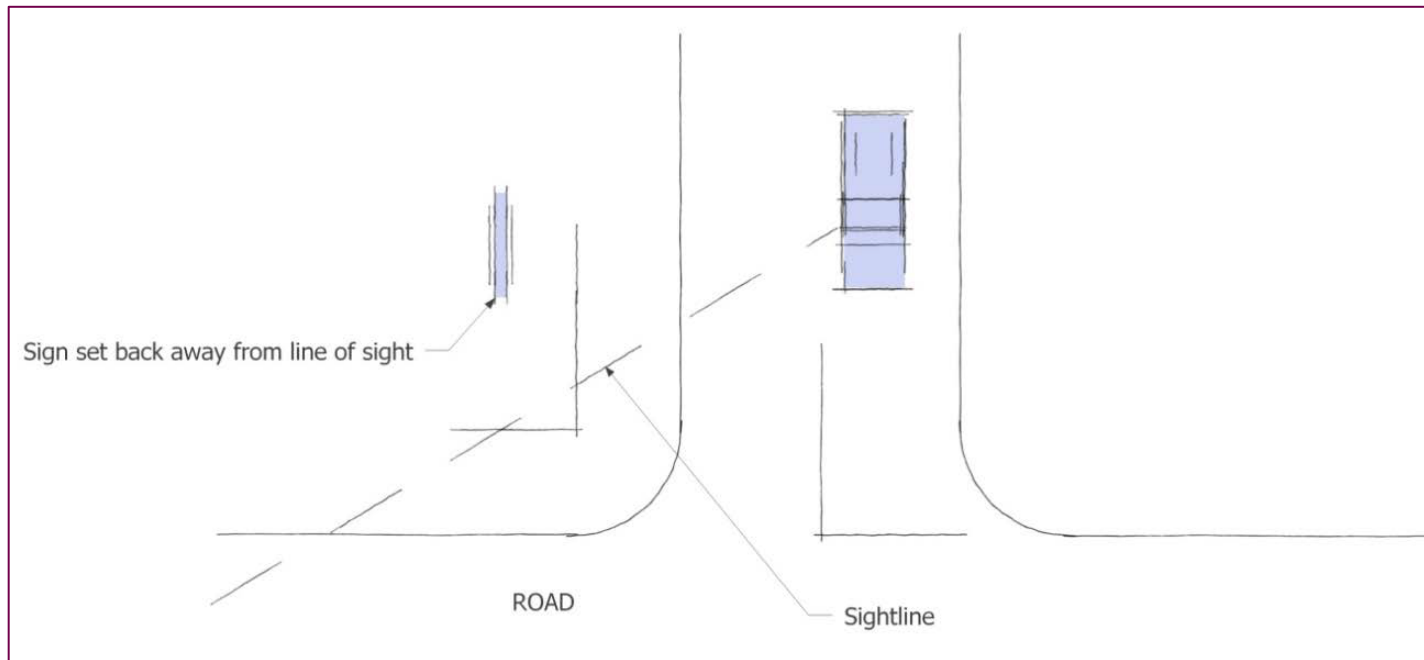
	<p>(e) is positioned and designed in a manner that is compatible with the architecture of the building to which it is attached.</p> <p>Note – A streetscape or landscape analysis prepared by a competent person may be required in support of a development application for an above awning sign</p>
<p>Created awning sign: An advertising device attached to and extending beyond the fascia of an awning or the like.</p>	<p>(a) is integrated with the design of the building so as to complement its architectural form or style;</p> <p>(b) does not extend more than 500mm above the fascia to which it is attached;</p> <p>(c) does not exceed a sign-face area equivalent to 25% of the area of the awning face; and</p> <p>(d) has a minimum clearance of 2.4 metres between the lowest part of the sign and the footway pavement.</p>
<p>Under awning sign: An advertising device attached underneath or suspended from an awning, verandah or the like.</p>	<p>(a) is oriented at right angles to the building frontage;</p> <p>(b) is not more than 2.5 metres long or 600mm high;</p> <p>(c) does not exceed a maximum sign-face area of 1.50m²;</p> <p>(d) has a minimum clearance of 2.4 metres between the lowest part of the sign and the footway pavement;</p> <p>(e) one per shop or tenancy and is generally centrally located along the frontage of each shop or tenancy; and</p> <p>(f) is not closer than 3 metres to any other under awning sign or within 1.5 metres of any side property.</p>
<p>Created roof sign: An advertising device positioned on a roof, façade or wall of a building which changes the horizontal or angular lines of the roof.</p>	<p>(a) is integrated with the design of the building so as to complement its architectural form and style; and</p> <p>(b) has a maximum height above the surrounding roof line of not more than 1.2 metres.</p>
<p>Roof top sign: An advertising device fitted to the roof of a building with no relation to the architectural design or appearance of the building</p>	<p>(a) is erected only in a Centre zone or an Industry zone;</p>

	<p>(b) is only erected where it can be demonstrated that there is no other opportunity to make use of an alternative sign type;</p> <p>(c) is of a size and form that is appropriate to the scale and character of the building on which it is exhibited and the development in the locality;</p> <p>(d) is positioned and designed in a manner that is compatible with the architecture of the building to which it is attached; and</p> <p>(e) does not extend more than 1.2 metres above the roofline to which it is attached.</p> <p>Note – A streetscape or landscape analysis prepared by a competent person may be required in support of a development application for a roof top sign.</p>
<p>Freestanding signs: An advertising device normally elevated from the ground and supported by one or more vertical supports used to display advertising matter, including billboards, pylon, three-dimensional and other freestanding signs.</p>	<p>(a) do not exceed the maximum height and sign-face area requirements set out in Table 9.4.2.3.c – Maximum height and sign-face area of billboard and pylon signage</p> <p>(b) ensure than not more than one freestanding sign is erected on any site (including a site with multiple occupancy buildings), except for a free standing sign, which:-</p> <ul style="list-style-type: none"> (i) identifies access to a site; (ii) is not more than 1.5 metres in height; and (iii) has a maximum surface area of 2m²/side; and <p>(c) notwithstanding any other provisions of this code:</p> <ul style="list-style-type: none"> (i) are consistent with the streetscape character of the area; (ii) are of a scale and proportion consistent with the existing development and predominant land use in the area; (iii) are presented and designed to a proportional and uniform detail; and (iv) do not detract from or obscure any important view or vista. <p>Note – A streetscape or landscape analysis prepared by a competent person may be required in support of a development application for a three-dimensional sign.</p>

Table 9.4.2.3.c – Maximum Height and sign face are of billboard

Zone	Maximum Height	Maximum Sign face area/side
Centre zone and Industry zone	(a) Where total street frontage is less than 40 metres: 5m. or (b) Where total street frontage is 40 metres or greater: 7.5m.	(a) Where total street frontage is less than 40 metres: 10m ² or (b) Where total street frontage is 40 metres or greater: 15m ² .
Any other zone	5m.	10m ² .

Figure 9.4.2.3.a – Sightlines for advertising devices



9.4.3 Environmental performance code

9.4.3.1 Application

- (1) This code applies to assessing:
 - (a) building work for outdoor lighting;
 - (b) a material change of use or reconfiguring a lot if:
 - (i) assessable development where the code is identified in the assessment criteria column of a table of assessment; or
 - (ii) impact assessable development, to the extent relevant.

Note – Where for the purpose of lighting a tennis court in a Residential zone, a compliance statement prepared by a suitably qualified person must be submitted to Council with the development application for building work.

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

9.4.3.2 Purpose

- (1) The purpose of the Environmental performance code is to ensure development is designed and operated to avoid or mitigate impacts on sensitive receiving environments.
- (2) The purpose of the code will be achieved through the following overall outcomes:
 - (a) activities that have potential to cause an adverse impact on amenity of adjacent and surrounding land, or environmental harm is avoided through location, design and operation of the development;
 - (b) sensitive land uses are protected from amenity related impacts of lighting, odour, airborne particles and noise, through design and operation of the development;
 - (c) stormwater flowing over, captured or discharged from development sites is of a quality adequate to enter receiving waters and downstream environments;
 - (d) development contributes to the removal and ongoing management of weed species.

9.4.3.3 Criteria for assessment

Table 9.4.3.3.a – Environmental performance code – assessable development

Performance outcomes	Acceptable outcomes	Applicant response
Lighting		
PO1	AO1.1	Not applicable

Performance outcomes	Acceptable outcomes	Applicant response
<p>Lighting incorporated within development does not cause an adverse impact on the amenity of adjacent uses and nearby sensitive land uses.</p>	<p>Technical parameters, design, installation, operation and maintenance of outdoor lighting comply with the requirements of Australian standard AS4282-1997 Control of the obtrusive effects of outdoor lighting.</p>	<p>No outdoor lighting is proposed as part of this application.</p>
	<p>AO1.2 Development that involves flood lighting is restricted to a type that gives no upward component of light where mounted horizontally.</p>	<p>Not applicable No outdoor lighting is proposed as part of this application.</p>
	<p>AO1.3 Access, car parking and manoeuvring areas are designed to shield nearby residential premises from impacts of vehicle headlights.</p>	<p>Not applicable No residential premises have been identified adjacent the site.</p>
Noise		
<p>PO2 Potential noise generated from the development is avoided through design, location and operation of the activity. Note – Planning Scheme Policy SC6.4 – Environmental management plans provides guidance on preparing a report to demonstrate compliance with the purpose and outcomes of the code.</p>	<p>AO2.1 Development does not involve activities that would cause noise related environmental harm or nuisance;</p>	<p>Complies with AO2.1 The development is a small scale food and drink use and would not create noise that would cause environmental harm or nuisance.</p>
	<p>or AO2.2 Development ensures noise does not emanate from the site through the use of materials, structures and architectural features to not cause an adverse noise impact on adjacent uses.</p>	
	<p>AO2.3 The design and layout of development ensures car parking areas avoid noise impacting directly on adjacent sensitive land uses through one or</p>	<p>Not applicable No sensitive land uses have been identified within the immediate area of the site.</p>

Performance outcomes	Acceptable outcomes	Applicant response
	<p>more of the following:</p> <ul style="list-style-type: none"> (a) car parking is located away from adjacent sensitive land uses; (b) car parking is enclosed within a building; (c) a noise ameliorating fence or structure is established adjacent to car parking areas where the fence or structure will not have a visual amenity impact on the adjoining premises; (d) buffered with dense landscaping. <p>Editor's note - The <i>Environmental Protection (Noise) Policy 2008</i>, Schedule 1 provides guidance on acoustic quality objectives to ensure environmental harm (including nuisance) is avoided.</p>	
Airborne particles and other emissions		
<p>PO3</p> <p>Potential airborne particles and emissions generated from the development are avoided through design, location and operation of the activity.</p> <p>Note – Planning Scheme Policy SC6.4 – Environmental management plans provides guidance on preparing a report to demonstrate compliance with the purpose and outcomes of the code.</p>	<p>AO3.1</p> <p>Development does not involve activities that will result in airborne particles or emissions being generated;</p> <p>or</p> <p>AO3.2</p> <p>The design, layout and operation of the development activity ensures that no airborne particles or emissions cause environmental harm or nuisance.</p> <p>Note - examples of activities which generally cause airborne particles include spray painting, abrasive blasting, manufacturing activities and car wash facilities.</p> <p>Examples of emissions include exhaust ventilation from basement or enclosed parking structures, air</p>	<p>Complies with AO3.1</p> <p>The development would not generate airborne particles or emissions.</p>

Performance outcomes	Acceptable outcomes	Applicant response
	conditioning/refrigeration ventilation and exhaustion. The <i>Environmental Protection (Air) Policy 2008</i> , Schedule 1 provides guidance on air quality objectives to ensure environmental harm (including nuisance) is avoided.	
Odours		
<p>PO4</p> <p>Potential odour causing activities associated with the development are avoided through design, location and operation of the activity.</p> <p>Note – Planning Scheme Policy SC6.4 – Environmental management plans provides guidance on preparing a report to demonstrate compliance with the purpose and outcomes of the code.</p>	<p>AO4.1</p> <p>The development does not involve activities that create odorous emissions;</p> <p>or</p> <p>AO4.2</p> <p>The use does not result in odour that causes environmental harm or nuisance with respect to surrounding land uses.</p>	<p>Complies with AO5.1</p> <p>The proposed development would not generate odorous emissions.</p>
Waste and recyclable material storage		
<p>PO5</p> <p>Waste and recyclable material storage facilities are located and maintained to not cause adverse impacts on adjacent uses.</p> <p>Note – Planning Scheme Policy SC6.4 – Environmental management plans provides guidance on preparing a report to demonstrate compliance with the purpose and outcomes of the code.</p>	<p>AO5.1</p> <p>The use ensures that all putrescent waste is stored in a manner that prevents odour nuisance and is disposed of at regular intervals.</p>	<p>Complies with AO5.1</p> <p>All putrescible waste would be stored in a covered area and disposed of regularly by a licensed waste contractor.</p>
	<p>AO5.2</p> <p>Waste and recyclable material storage facilities are located, designed and maintained to not cause an adverse impact on users of the premises and adjacent uses through consideration of:</p> <p>(a) the location of the waste and recyclable material storage areas in relation to the noise and odour generated;</p>	<p>Complies with AO5.2</p> <p>Waste and recyclable storage facilities would be screened from view, accessible and emptied at regular intervals.</p>

Performance outcomes	Acceptable outcomes	Applicant response
	<p>(b) the number of receptacles provided in relation to the collection, maintenance and use of the receptacles;</p> <p>(c) the durability of the receptacles, sheltering and potential impacts of local climatic conditions;</p> <p>(d) the ability to mitigate spillage, seepage or leakage from receptacles into adjacent areas and sensitive receiving waters and environments.</p> <p>Editor's note - the <i>Environmental Protection (Waste Management) Policy 2008</i> provides guidance on the design of waste containers (receptacles) to ensure environmental harm (including nuisance) is avoided.</p>	
Sensitive land use activities		
<p>PO6</p> <p>Sensitive land use activities are not established in areas which will receive potentially incompatible impacts on amenity from surrounding, existing development activities and land uses.</p>	<p>AO6.1</p> <p>Sensitive land use activities are not established in areas that will be adversely impacted upon by existing land uses, activities and potential development possible in an area;</p> <p>or</p> <p>AO6.2</p> <p>Sensitive land activities are located in areas where potential adverse amenity impacts mitigate all potential impacts through layout, design, operation and maintenance.</p>	<p>Not applicable</p> <p>The proposed food and drink outlet is not a sensitive land use.</p>
Stormwater quality		
<p>PO7</p> <p>The quality of stormwater flowing over, through or</p>	<p>AO7.1</p> <p>Development activities are designed to ensure</p>	<p>Complies with AO7.1</p> <p>All stormwaters from the site would be directed</p>

Performance outcomes	Acceptable outcomes	Applicant response
<p>being discharged from development activities into watercourses and drainage lines is of adequate quality for downstream environments, with respect to:</p> <p>(a) the amount and type of pollutants borne from the activity;</p> <p>(b) maintaining natural stream flows;</p> <p>(c) the amount and type of site disturbance;</p> <p>(d) site management and control measures.</p>	<p>stormwater over roofed and hard stand areas is directed to a lawful point of discharge.</p>	<p>to the street front, as the lawful point of discharge.</p>
	<p>A07.2</p> <p>Development ensures movement of stormwater over the site is not impeded or directed through potentially polluting activities.</p>	<p>Not applicable</p> <p>No polluting activities would be undertaken on the site.</p>
	<p>A07.3</p> <p>Soil and water erosion control measures are incorporated into the activity's design and operation to control sediment and erosion potentially entering watercourses, drainage lines and downstream receiving waters.</p> <p>Note - Planning scheme policy - FNQROC Regional Development Manual provides guidance on soil and water control measures to meet the requirements of the <i>Environmental Protection Act 1994</i>.</p> <p>During construction phases of development, contractors and builders are to have consideration in their work methods and site preparation for their environmental duty to protect stormwater quality.</p>	<p>Not applicable</p> <p>No sediment or erosion would occur as part of the development.</p>
<p>Pest plants (for material change of use on vacant land over 1,000m²)</p>		
<p>PO8</p> <p>Development activities and sites provide for the removal of all pest plants and implement ongoing measures to ensure that pest plants do not reinfest the site or nearby sites.</p> <p>Editor's note - This does not remove or replace all land owner's obligations or responsibilities under the <i>Land Protection (Pest and Stock Route Management) Act 2002</i>.</p>	<p>A08.1</p> <p>The land is free of declared pest plants before development establishes new buildings, structures and practices;</p> <p>or</p> <p>A08.2</p> <p>Pest plants 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>The site is not vacant land.</p>

Performance outcomes	Acceptable outcomes	Applicant response
	<p>prior to construction of buildings and structures or earthworks.</p> <p>Note - A declaration from an appropriately qualified person validates the land being free from pest plants.</p> <p>Declared pest plants include locally declared and Statedeclared pest plants.</p>	

9.4.5 Infrastructure works code

9.4.5.1 Application

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

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

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

9.4.5.2 Purpose

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

9.4.5.3 Criteria for assessment

Table 9.4.5.3.a – Infrastructure works code –assessable development

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

Performance outcomes	Acceptable outcomes	Applicant Response
Works on a local government road		
<p>PO1</p> <p>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.</p>	<p>AO1.1</p> <p>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.</p>	<p>Not applicable</p> <p>No footpaths/pathways are required for the proposed development.</p>
	<p>AO1.2</p> <p>Kerb ramp crossovers are constructed in accordance with Planning scheme policy SC 5 – FNQROC Regional Development Manual.</p>	<p>Not applicable</p> <p>No kerb ramp crossovers are required for the proposed development.</p>
	<p>AO1.3</p> <p>New pipes, cables, conduits or other similar infrastructure required to cross existing footpaths:</p> <ul style="list-style-type: none"> (a) are installed via trenchless methods; or (b) where footpath infrastructure is removed to install infrastructure, the new section of footpath is installed to the standard detailed in the Planning scheme policy SC5 – FNQROC Regional Development Manual, and is not less than a 1.2 metre section. 	<p>Not applicable</p> <p>No footpaths are provided at the site frontage.</p>
	<p>AO1.4</p> <p>Where existing footpaths are damaged as a result of development, footpaths are reinstated ensuring:</p>	<p>Not applicable</p> <p>No footpaths are provided at the site frontage.</p>

Performance outcomes	Acceptable outcomes	Applicant Response
	(a) similar surface finishes are used; (b) there is no change in level at joins of new and existing sections; (c) new sections are matched to existing in terms of dimension and reinforcement. Note – Figure 9.4.5.3.a provides guidance on meeting the outcomes.	
	AO1.5 Decks, verandahs, stairs, posts and other structures located in the road reserve do not restrict or impede pedestrian movement on footpaths or change the level of the road verges.	Not applicable No structures are proposed within the road reserve.
Accessibility structures		
PO2 Development is designed to ensure it is accessible for people of all abilities and accessibility features do not impact on the efficient and safe use of footpaths. Note – Accessibility features are those features required to ensure access to premises is provided for people of all abilities and include ramps and lifts.	AO2.1 Accessibility structures are not located within the road reserve.	Not applicable No accessibility structures are proposed.
	AO2.2 Accessibility structures are designed in accordance with AS1428.3.	Not applicable No accessibility structures are proposed.
	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.

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

Performance outcomes	Acceptable outcomes	Applicant Response
systems in the locality.	FNQROC Regional Development Manual; or AO4.2 Where not in a sewerage scheme area, the proposed disposal system meets the requirements of Section 33 of the <i>Environmental Protection Policy (Water) 1997</i> and the proposed on site effluent disposal system is designed in accordance with the <i>Plumbing and Drainage Act (2002)</i> .	
Stormwater quality		
PO5 Development is planned, designed, constructed and operated to avoid or minimise adverse impacts on stormwater quality in natural and developed catchments by: (a) achieving stormwater quality objectives; (b) protecting water environmental values; (c) maintaining waterway hydrology.	AO5.1 A connection is provided from the premises to Council's drainage system; or AO5.2 An underground drainage system is constructed to convey stormwater from the premises to Council's drainage system in accordance with the Design Guidelines set out in Sections D4 and D5 of the Planning scheme policy SC5 – FNQROC Regional Development Manual.	Complies with AO5.1 The site is connected to Council's drainage system.
	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	Not applicable This is not considered applicable to a development of this scale.

Performance outcomes	Acceptable outcomes	Applicant Response
	<p>9.4.5.3.c , reflecting land use constraints, such as:</p> <ul style="list-style-type: none"> (a) erosive, dispersive and/or saline soil types; (b) landscape features (including landform); (c) acid sulfate soil and management of nutrients of concern; (d) rainfall erosivity. 	
	<p>AO5.4</p> <p>Erosion and sediment control practices are designed, installed, constructed, monitored, maintained, and carried out in accordance with an erosion and sediment control plan.</p>	<p>Not applicable</p> <p>This is not considered applicable to a development of this scale.</p>
	<p>AO5.5</p> <p>Development incorporates stormwater flow control measures to achieve the design objectives set out below, including management of frequent flows, peak flows, and construction phase hydrological impacts.</p> <p>Note – Planning scheme policy SC5 – FNQROC Regional Development Manual provides guidance on soil and water control measures to meet the requirements of the <i>Environmental Protection Act 1994</i>.</p> <p>Note – During construction phases of development, contractors and builders are to have consideration in their work methods and site preparation for their environmental duty to protect stormwater quality.</p>	<p>Not applicable</p> <p>This is not considered applicable to a development of this scale.</p>
<p>Non-tidal artificial waterways</p>		

Performance outcomes	Acceptable outcomes	Applicant Response
<p>PO6</p> <p>Development involving non-tidal artificial waterways is planned, designed, constructed and operated to:</p> <p>(a) protect water environmental values;</p> <p>(b) be compatible with the land use constraints for the site for protecting water environmental values;</p> <p>(c) be compatible with existing tidal and non-tidal waterways;</p> <p>(d) perform a function in addition to stormwater management;</p> <p>(e) achieve water quality objectives.</p>	<p>AO6.1</p> <p>Development involving non-tidal artificial waterways ensures:</p> <p>(a) environmental values in downstream waterways are protected;</p> <p>(b) any ground water recharge areas are not affected;</p> <p>(c) the location of the waterway incorporates low lying areas of the catchment connected to an existing waterway;</p> <p>(d) existing areas of ponded water are included.</p>	<p>Not applicable</p> <p>No artificial waterways are proposed.</p>
	<p>AO6.2</p> <p>Non-tidal artificial waterways are located:</p> <p>(a) outside natural wetlands and any associated buffer areas;</p> <p>(b) to minimise disturbing soils or sediments;</p> <p>(c) to avoid altering the natural hydrologic regime in acid sulfate soil and nutrient hazardous areas.</p>	<p>Not applicable</p> <p>No artificial waterways are proposed.</p>
	<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> <p>(a) there is sufficient flushing or a tidal range of >0.3 m; or</p> <p>(b) any tidal flow alteration does not adversely</p>	<p>Not applicable</p> <p>No artificial waterways are proposed.</p>

Performance outcomes	Acceptable outcomes	Applicant Response
	impact on the tidal waterway; or (c) there is no introduction of salt water into freshwater environments.	
	<p>AO6.4 Non-tidal artificial waterways are designed and managed for any of the following end-use purposes:</p> <p>(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>	<p>Not applicable No artificial waterways are proposed.</p>
	<p>AO6.5 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 No artificial waterways are proposed.</p>
	<p>AO6.6 Monitoring and maintenance programs adaptively manage water quality to achieve relevant water quality objectives downstream of the waterway.</p>	<p>Not applicable No artificial waterways are proposed.</p>
	<p>AO6.7 Aquatic weeds are managed to achieve a low percentage of coverage of the water surface area,</p>	<p>Not applicable No artificial waterways are proposed.</p>

Performance outcomes	Acceptable outcomes	Applicant Response
	and pests and vectors are managed through design and maintenance.	
Wastewater discharge		
<p>PO7 Discharge of wastewater to waterways, or off site:</p> <ul style="list-style-type: none"> (a) meets best practice environmental management; (b) is treated to: <ul style="list-style-type: none"> (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. 	<p>A07.1 A wastewater management plan is prepared and addresses:</p> <ul style="list-style-type: none"> (a) wastewater type; (b) climatic conditions; (c) water quality objectives; (d) best practice environmental management. 	<p>Not applicable No waste water is proposed to be discharged from the site except through the sewerage system.</p>
	<p>A07.2 The waste water management plan is managed in accordance with a waste management hierarchy that:</p> <ul style="list-style-type: none"> (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. 	<p>Not applicable No waste water is proposed to be discharged from the site except through the sewerage system.</p>
	<p>A07.3 Wastewater discharge is managed to avoid or minimise the release of nutrients of concern so as to minimise the occurrence, frequency and</p>	<p>Not applicable No waste water is proposed to be discharged from the site except through the sewerage system.</p>

Performance outcomes	Acceptable outcomes	Applicant Response
	<p>intensity of algal blooms.</p> <p>A07.4 Development in coastal catchments avoids or minimises and appropriately manages soil disturbance or altering natural hydrology and:</p> <ul style="list-style-type: none"> (a) avoids lowering ground water levels where potential or actual acid sulfate soils are present; (b) manages wastewater so that: <ul style="list-style-type: none"> (i) the pH of any wastewater discharges is maintained between 6.5 and 8.5 to avoid mobilisation of acid, iron, aluminium and other metals; (ii) holding times of neutralised wastewater ensures the flocculation and removal of any dissolved iron prior to release; (iii) visible iron floc is not present in any discharge; (iv) precipitated iron floc is contained and disposed of; (v) wastewater and precipitates that cannot be contained and treated for discharge on site are removed and disposed of through trade waste or another lawful method. 	<p>Not applicable</p> <p>No waste water is proposed to be discharged from the site except through the sewerage system.</p>
Electricity supply		
PO8	A08.1	Complies with A08.1

Performance outcomes	Acceptable outcomes	Applicant Response
<p>Development is provided with a source of power that will meet its energy needs.</p>	<p>A connection is provided from the premises to the electricity distribution network;</p> <p>or</p> <p>AO8.2</p> <p>The premises is connected to the electricity distribution network in accordance with the Design Guidelines set out in Section D8 of the Planning scheme policy SC5 – FNQROC Regional Development Manual.</p> <p>Note - Areas north of the Daintree River have a different standard.</p>	<p>The proposed development would be connected to the electricity distribution network via the existing connection.</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> <p>(a) not located in land for open space or sport and recreation purposes;</p> <p>(b) screened from view by landscaping or fencing;</p> <p>(c) accessible for maintenance.</p>	<p>Not applicable</p> <p>No pad-mount electricity infrastructure is proposed as a part of this development.</p>
<p>PO9</p> <p>Development incorporating pad-mount electricity infrastructure does not cause an adverse impact on amenity.</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 should not be located on the street frontage.</p>	<p>Not applicable</p> <p>No pad-mount electricity infrastructure is proposed as a part of this development.</p>
<p>Telecommunications</p>		

Performance outcomes	Acceptable outcomes	Applicant Response
<p>PO10</p> <p>Development is connected to a telecommunications service approved by the relevant telecommunication regulatory authority.</p>	<p>AO10</p> <p>The development is connected to telecommunications infrastructure in accordance with the standards of the relevant regulatory authority.</p>	<p>Complies with AO10</p> <p>The proposed development would be connected to the telecommunications infrastructure via the existing connection.</p>
<p>PO11</p> <p>Provision is made for future telecommunications services (e.g. fibre optic cable).</p>	<p>AO11</p> <p>Conduits are provided in accordance with Planning scheme policy SC5 – FNQROC Regional Development Manual.</p>	<p>Able to comply with AO11</p> <p>Conduits are able to be provided to the site to facilitate future telecommunications services.</p>
Road construction		
<p>PO12</p> <p>The road to the frontage of the premises is constructed to provide for the safe and efficient movement of:</p> <ul style="list-style-type: none"> (a) pedestrians and cyclists to and from the site; (b) pedestrians and cyclists adjacent to the site; (c) vehicles on the road adjacent to the site; (d) vehicles to and from the site; (e) emergency vehicles. 	<p>AO12.1</p> <p>The road to the frontage of the site is constructed in accordance with the Design Guidelines set out in Sections D1 and D3 of the Planning scheme policy SC5 – FNQROC Regional Development Manual, for the particular class of road, as identified in the road hierarchy.</p>	<p>Complies with AO12.1</p> <p>Captain Cook Highway is a fully constructed state-controlled road.</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>Captain Cook Highway is a fully constructed and maintained road.</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 proposed road access would have adequate height clearance and a minimum width of 8 metres.</p>

Performance outcomes	Acceptable outcomes	Applicant Response
Alterations and repairs to public utility services		
<p>PO13</p> <p>Infrastructure is integrated with, and efficiently extends, existing networks.</p>	<p>AO13</p> <p>Development is designed to allow for efficient connection to existing infrastructure networks.</p>	<p>Complies with AO13</p> <p>The site has existing connections to the required infrastructure.</p>
<p>PO14</p> <p>Development and works do not affect the efficient functioning of public utility mains, services or installations.</p>	<p>AO14.1</p> <p>Public utility mains, services and installations are not required to be altered or repaired as a result of the development;</p> <p>or</p> <p>AO14.2</p> <p>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.</p>	<p>Complies with AO14.1</p> <p>No alterations to the utility mains are required to facilitate the development.</p>
Construction management		
<p>PO15</p> <p>Work is undertaken in a manner which minimises adverse impacts on vegetation that is to be retained.</p>	<p>AO15</p> <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 	<p>Not applicable</p> <p>The development would not be located adjacent any vegetation to be retained.</p>

Performance outcomes	Acceptable outcomes	Applicant Response
	<p>level and soils below the canopy of any retained vegetation;</p> <p>(d) removal from the site of all declared noxious weeds.</p>	
<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 in accordance with the Transport Infrastructure Act 1994.</p>	<p>Able to comply with AO16</p> <p>Any infrastructure damaged as a result of the proposed development would be repaired in accordance with FNQROC requirements.</p>
For assessable development		
High speed telecommunication infrastructure		
<p>PO17</p> <p>Development provides infrastructure to facilitate the roll out of high speed telecommunications infrastructure.</p>	<p>AO17</p> <p>No acceptable outcomes are prescribed.</p>	<p>Able to comply with AO17</p> <p>High speed telecommunications connections are able to be provided as a part of the development.</p>
Trade waste		
<p>PO18</p> <p>Where relevant, the development is capable of providing for the storage, collection treatment and disposal of trade waste such that:</p>	<p>AO18</p> <p>No acceptable outcomes are prescribed.</p>	<p>Able to comply with PO18</p> <p>Facilities for the storage and disposal of trade waste are able to be provided if required.</p>

Performance outcomes	Acceptable outcomes	Applicant Response
<p>(a) off-site releases of contaminants do not occur;</p> <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 access via 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 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.</p>	<p>Not applicable</p> <p>No access via common private title is proposed.</p>
<p>PO20</p> <p>Hydrants are suitable identified so that fire services can locate them at all hours.</p> <p>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'.</p>	<p>AO20</p> <p>No acceptable outcomes are prescribed.</p>	<p>Not applicable</p> <p>No access via common private title is proposed.</p>

9.4.6 Landscaping code

9.4.6.1.1 Application

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

9.4.4.2 Purpose

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

9.4.6.3 Criteria for assessment

Table 9.4.4.3.a – Landscaping code –assessable development

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

Performance outcomes	Acceptable outcomes	Applicant response
parking areas and other hard surfaces; (g) ensuring private outdoor recreation space is useable; (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.	Able to comply with AO2.1 The site is able to be landscaped in accordance with the Planning Scheme policy.
	AO2.2 Tropical urbanism is incorporated into building design. Note – ‘Tropical urbanism’ includes many things such as green walls, green roofs, podium planting and vegetation incorporated into the design of a building.	Complies with AO2.2 The proposed landscaping area at the front of the site would be landscaped to incorporate elements of Tropical Urbanism.
PO3 Development provides landscaping that is, as far as practical, consistent with the existing desirable landscape character of the area and protects trees, vegetation and other features of ecological,	AO3.1 Existing vegetation on site is retained and incorporated into the site design, wherever possible, utilising the methodologies and principles outline in AS4970-2009 Protection of	Complies with AO3.1 The existing vegetation to the rear of the site would be retained as part of the development.

Performance outcomes	Acceptable outcomes	Applicant response
recreational, aesthetic and cultural value.	Trees on Development Sites.	
	<p>AO3.2</p> <p>Mature vegetation on the site that is removed or damaged during development is replaced with advanced species.</p>	<p>Not applicable</p> <p>No mature vegetation is proposed to be removed as part of the development.</p>
	<p>AO3.3</p> <p>Where there is an existing landscape character in a street or locality which results from existing vegetation, similar species are incorporated into new development.</p>	<p>Not applicable</p> <p>There is no existing landscape character.</p>
	<p>AO3.4</p> <p>Street trees are species which enhance the landscape character of the streetscape, with species chosen from the Planning scheme policy SC6.7 – Landscaping.</p>	<p>Not applicable</p> <p>The site fronts a state-controlled road.</p>
<p>PO4</p> <p>Plant species are selected with consideration to the scale and form of development, screening, buffering, streetscape, shading and the locality of the area.</p>	<p>AO4</p> <p>Species are selected in accordance with Planning scheme policy SC6.7 – Landscaping.</p>	<p>Able to comply with AO4</p> <p>Council are invited to attach a condition to any approval granted to secure compliance, if necessary.</p>
<p>PO5</p> <p>Shade planting is provided in car parking areas where uncovered or open, and adjacent to driveways and internal roadways.</p>	<p>AO5</p> <p>Species are selected in accordance with Planning scheme policy SC6.7 – Landscaping.</p>	<p>Able to comply with AO5</p> <p>Council are invited to attach a condition to any approval granted to secure compliance, if necessary.</p>
<p>PO6</p> <p>Landscaped areas are designed in order to allow</p>	<p>AO6.1</p> <p>A maintenance program is undertaken in</p>	<p>Able to comply with AO6.1</p> <p>The operators would be responsible for landscape</p>

Performance outcomes	Acceptable outcomes	Applicant response
for efficient maintenance.	accordance with Planning scheme policy SC6.7 – Landscaping.	maintenance.
	<p>AO6.2</p> <p>Tree maintenance is to have regard to the ‘Safe 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>	<p>Able to comply with AO6.2</p> <p>Council are invited to attach a condition to any approval granted to secure compliance, if necessary.</p>
<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 podium is 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 podium is 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 weed species have been detected on the subject site.</p>
<p>PO9</p> <p>The landscape design enhances personal safety and reduces the potential for crime and vandalism.</p>	<p>AO9</p> <p>No acceptable outcomes are specified.</p> <p>Note - Planning scheme policy SC6.3 – Crime prevention through environmental design (CPTED) provides guidance on meeting this outcome.</p>	<p>Able to comply with AO9</p> <p>Council are invited to attach a condition to any approval granted to secure compliance, if necessary.</p>

Performance outcomes	Acceptable outcomes	Applicant response
<p>PO10</p> <p>The location and type of plant species does not adversely affect the function and accessibility of services and facilities and service areas.</p>	<p>AO10</p> <p>Species are selected in accordance with Planning scheme policy SC6.7 – Landscaping.</p>	<p>Able to comply with AO10</p> <p>Council are invited to attach a condition to any approval granted to secure compliance, if necessary.</p>