ASPIRE

Town Planning and Project Services

19 November 2025

Chief Executive Officer
Douglas Shire Council
64-66 Front Street
MOSSMAN QLD 4873

Attn: Mr. Daniel Lamond (Acting Team Leader Planning)

Via email: enquiries@douglas.qld.gov.au

RE: DEVELOPMENT APPLICATION FOR A MATERIAL CHANGE OF USE (INDOOR SPORT AND RECREATION (POOL HALL), AND BAR), OVER UNITS 7 AND 8, 48 MACROSSAN STREET, PORT DOUGLAS, FORMALLY DESCRIBED AS LOTS 7 AND 8 ON BUP104033

Aspire Town Planning and Project Services act on behalf of Delu Nominees Pty Ltd A.C.N. 122 953 511 as the owner of Units 7 and 8, 48 Macrossan Street, Port Douglas, in relation to the above Development Application.

On behalf of the Applicant, please accept this correspondence and the accompanying attachments as a properly made Development Application pursuant to Sections 50 and 51 of the *Planning Act 2016* seeking a Development Permit for a Material Change of Use (Indoor Sport and Recreation (Pool Hall), and Bar).

As such please find enclosed the following documentation associated with this Development Application:

- Duly completed DA Form 1 (Attachment 1); and
- Town Planning Report (Attachment 2).

The relevant Application Fee under the Douglas Shire Council Fees and Charges Schedule for Years 2025/2026 is understood to be **$2,357.00** ($,1,949.00 base fee + $408.00 additional fee per 100m²)**.** It is respectfully requested that Council confirm the relevant fee, and issue an Invoice, so the fee can be paid directly by the Applicant.

Thank you for your time in considering the attached Development Application. If you wish to inspect the site or have any further queries, please contact the undersigned.

Regards,

Daniel Favier
Senior Town Planner
ASPIRE Town Planning and Project Services

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Attachment 1

Duly completed DA Form 1

DA Form 1 – Development application details

Approved form (version 1.6 effective 2 August 2024) made under section 282 of the Planning Act 2016.

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

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

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

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

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

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

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

PART 1 – APPLICANT DETAILS

1) Applicant details	
Applicant name(s) (*individual or company full name*)	Delu Nominees Pty Ltd A.C.N. 122 953 511
Contact name *(only applicable for companies)*	c/- Daniel Favier (Aspire Town Planning and Project Services)
Postal address *(P.O. Box or street address)*	PO Box 1040
Suburb	Mossman
State	QLD
Postcode	4873
Country	Australia
Contact number	0418 826 560
Email address *(non-mandatory)*	admin@aspireqld.com
Mobile number *(non-mandatory)*	
Fax number *(non-mandatory)*	
Applicant's reference number(s) *(if applicable)*	2025-09-98 - Gleeson - U7 and U8, 48 Macrossan Street, Port Douglas
1.1) Home-based business	
☐ Personal details to remain private in accordance with section 264(6) of *Planning Act 2016*	

2) Owner's consent
2.1) Is written consent of the owner required for this development application?
☐ Yes – the written consent of the owner(s) is attached to this development application ☒ No – proceed to 3)

Queensland Government

PART 2 – LOCATION DETAILS

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

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

3.1) Street address and lot on plan

☒ Street address **AND** lot on plan (*all lots must be listed*), ***or***

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

a)	Unit No.	Street No.	Street Name and Type	Suburb
	7	48	Macrossan Street	Port Douglas
	Postcode	Lot No.	Plan Type and Number *(e.g. RP, SP)*	Local Government Area(s)
	4877	7	BUP104033	Douglas Shire
b)	Unit No.	Street No.	Street Name and Type	Suburb
	8	48	48	Port Douglas
	Postcode	Lot No.	Plan Type and Number *(e.g. RP, SP)*	Local Government Area(s)
	4877	8	BUP104033	Douglas Shire

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

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

☐ Coordinates of premises by longitude and latitude

Longitude(s)	Latitude(s)	Datum	Local Government Area(s) *(if applicable)*
		☐ WGS84 ☐ GDA94 ☐ Other:	

☐ Coordinates of premises by easting and northing

Easting(s)	Northing(s)	Zone Ref.	Datum	Local Government Area(s) *(if applicable)*
		☐ 54 ☐ 55 ☐ 56	☐ WGS84 ☐ GDA94 ☐ Other:	

3.3) Additional premises

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

☒ Not required

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

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

Name of water body, watercourse or aquifer:	

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

Lot on plan description of strategic port land:	
Name of port authority for the lot:	

☐ In a tidal area

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

☐ On airport land under the *Airport Assets (Restructuring and Disposal) Act 2008*	
Name of airport:	
☐ Listed on the Environmental Management Register (EMR) under the *Environmental Protection Act 1994*	
EMR site identification:	
☐ Listed on the Contaminated Land Register (CLR) under the *Environmental Protection Act 1994*	
CLR site identification:	

5) Are there any existing easements over the premises?
Note: Easement uses vary throughout Queensland and are to be identified correctly and accurately. For further information on easements and how they may affect the proposed development, see DA Forms Guide.
☐ Yes – All easement locations, types and dimensions are included in plans submitted with this development application
☒ No

PART 3 – DEVELOPMENT DETAILS

Section 1 – Aspects of development

6.1) Provide details about the first development aspect			
a) What is the type of development? *(tick only one box)*			
☒ Material change of use	☐ Reconfiguring a lot	☐ Operational work	☐ Building work
b) What is the approval type? *(tick only one box)*			
☒ Development permit	☐ Preliminary approval	☐ Preliminary approval that includes a variation approval	
c) What is the level of assessment?			
☐ Code assessment	☒ Impact assessment *(requires public notification)*		
d) Provide a brief description of the proposal *(e.g. 6 unit apartment building defined as multi-unit dwelling, reconfiguration of 1 lot into 3 lots)*:			
Indoor Sport and Recreation (Pool Hall) and Bar			
e) Relevant plans ***Note**: Relevant plans are required to be submitted for all aspects of this development application. For further information, see DA Forms guide: Relevant plans.*			
☒ Relevant plans of the proposed development are attached to the development application			

6.2) Provide details about the second development aspect			
a) What is the type of development? *(tick only one box)*			
☐ Material change of use	☐ Reconfiguring a lot	☐ Operational work	☐ Building work
b) What is the approval type? *(tick only one box)*			
☐ Development permit	☐ Preliminary approval	☐ Preliminary approval that includes a variation approval	
c) What is the level of assessment?			
☐ Code assessment	☐ Impact assessment *(requires public notification)*		
d) Provide a brief description of the proposal *(e.g. 6 unit apartment building defined as multi-unit dwelling, reconfiguration of 1 lot into 3 lots)*:			
e) Relevant plans ***Note**: Relevant plans are required to be submitted for all aspects of this development application. For further information, see DA Forms Guide: Relevant plans.*			
☐ Relevant plans of the proposed development are attached to the development application			

6.3) Additional aspects of development
☐ Additional aspects of development are relevant to this development application and the details for these aspects that would be required under Part 3 Section 1 of this form have been attached to this development application
☒ Not required
6.4) Is the application for State facilitated development?
☐ Yes - Has a notice of declaration been given by the Minister?
☒ No

Section 2 – Further development details

7) Does the proposed development application involve any of the following?	
Material change of use	☒ Yes – complete division 1 if assessable against a local planning instrument
Reconfiguring a lot	☐ Yes – complete division 2
Operational work	☐ Yes – complete division 3
Building work	☐ Yes – complete *DA Form 2 – Building work details*

Division 1 – Material change of use

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

8.1) Describe the proposed material change of use			
Provide a general description of the proposed use	Provide the planning scheme definition *(include each definition in a new row)*	Number of dwelling units *(if applicable)*	Gross floor area (m^2) *(if applicable)*
Indoor Sport and Recreation (Pool Hall) and ancillary Bar within existing commercial tenancies (Units 7 and 8). Internal fit-out only, no external building works.	Indoor Sport and Recreation & Bar	Not Applicable.	190 m²

8.2) Does the proposed use involve the use of existing buildings on the premises?
☒ Yes
☐ No

8.3) Does the proposed development relate to temporary accepted development under the Planning Regulation?	
☐ Yes – provide details below or include details in a schedule to this development application	
☒ No	
Provide a general description of the temporary accepted development	Specify the stated period dates under the Planning Regulation

Division 2 – Reconfiguring a lot

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

9.1) What is the total number of existing lots making up the premises?

9.2) What is the nature of the lot reconfiguration? *(tick all applicable boxes)*	
☐ Subdivision *(complete 10)*	☐ Dividing land into parts by agreement *(complete 11)*
☐ Boundary realignment *(complete 12)*	☐ Creating or changing an easement giving access to a lot from a constructed road *(complete 13)*

10) Subdivision				
10.1) For this development, how many lots are being created and what is the intended use of those lots:				
Intended use of lots created	Residential	Commercial	Industrial	Other, please specify:
Number of lots created				

10.2) Will the subdivision be staged?	
☐ Yes – provide additional details below ☐ No	
How many stages will the works include?	
What stage(s) will this development application apply to?	

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

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

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

Division 3 – Operational work

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

14.1) What is the nature of the operational work?		
☐ Road work	☐ Stormwater	☐ Water infrastructure
☐ Drainage work	☐ Earthworks	☐ Sewage infrastructure
☐ Landscaping	☐ Signage	☐ Clearing vegetation
☐ Other – please specify:		

14.2) Is the operational work necessary to facilitate the creation of new lots? *(e.g. subdivision)*	
☐ Yes – specify number of new lots:	
☐ No	

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

PART 4 – ASSESSMENT MANAGER DETAILS

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

PART 5 – REFERRAL DETAILS

17) Does this development application include any aspects that have any referral requirements? ***Note**: A development application will require referral if prescribed by the* Planning Regulation 2017.
☐ No, there are no referral requirements relevant to any development aspects identified in this development application – proceed to Part 6
Matters requiring referral to the **Chief Executive of the *Planning Act 2016***: ☐ Clearing native vegetation ☐ Contaminated land *(unexploded ordnance)* ☐ Environmentally relevant activities (ERA) *(only if the ERA has not been devolved to a local government)* ☐ Fisheries – aquaculture ☐ Fisheries – declared fish habitat area ☐ Fisheries – marine plants ☐ Fisheries – waterway barrier works ☐ Hazardous chemical facilities ☐ Heritage places – Queensland heritage place *(on or near a Queensland heritage place)* ☐ Infrastructure-related referrals – designated premises ☐ Infrastructure-related referrals – state transport infrastructure ☒ Infrastructure-related referrals – State transport corridor and future State transport corridor ☐ Infrastructure-related referrals – State-controlled transport tunnels and future state-controlled transport tunnels ☐ Infrastructure-related referrals – near a state-controlled road intersection ☐ Koala habitat in SEQ region – interfering with koala habitat in koala habitat areas outside koala priority areas ☐ Koala habitat in SEQ region – key resource areas ☐ Ports – Brisbane core port land – near a State transport corridor or future State transport corridor ☐ Ports – Brisbane core port land – environmentally relevant activity (ERA) ☐ Ports – Brisbane core port land – tidal works or work in a coastal management district ☐ Ports – Brisbane core port land – hazardous chemical facility ☐ Ports – Brisbane core port land – taking or interfering with water ☐ Ports – Brisbane core port land – referable dams ☐ Ports – Brisbane core port land – fisheries ☐ Ports – Land within Port of Brisbane's port limits *(below high-water mark)* ☐ SEQ development area ☐ SEQ regional landscape and rural production area or SEQ rural living area – tourist activity or sport and recreation activity ☐ SEQ regional landscape and rural production area or SEQ rural living area – community activity ☐ SEQ regional landscape and rural production area or SEQ rural living area – indoor recreation ☐ SEQ regional landscape and rural production area or SEQ rural living area – urban activity ☐ SEQ regional landscape and rural production area or SEQ rural living area – combined use

☐ SEQ northern inter-urban break – tourist activity or sport and recreation activity
☐ SEQ northern inter-urban break – community activity
☐ SEQ northern inter-urban break – indoor recreation
☐ SEQ northern inter-urban break – urban activity
☐ SEQ northern inter-urban break – 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:**
☐ Infrastructure-related referrals – Electricity infrastructure

Matters requiring referral to:
- 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

☐ Infrastructure-related referrals – Oil and gas infrastructure

Matters requiring referral to the **Brisbane City Council:**
☐ Ports – Brisbane core port land

Matters requiring referral to the **Minister responsible for administering the *Transport Infrastructure Act 1994*:**
☐ Ports – Brisbane core port land *(where inconsistent with the Brisbane port LUP for transport reasons)*
☐ Ports – Strategic port land

Matters requiring referral to the **relevant port operator**, if applicant is not port operator**:**
☐ Ports – Land within Port of Brisbane's port limits *(below high-water mark)*

Matters requiring referral to the **Chief Executive of the relevant port authority:**
☐ Ports – Land within limits of another port *(below high-water mark)*

Matters requiring referral to the **Gold Coast Waterways Authority:**
☐ Tidal works or work in a coastal management district *(in Gold Coast waters)*

Matters requiring referral to the **Queensland Fire and Emergency Service:**
☐ Tidal works or work in a coastal management district *(involving a marina (more than six vessel berths))*

18) Has any referral agency provided a referral response for this development application?

☐ Yes – referral response(s) received and listed below are attached to this development application
☒ 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 *(if applicable).*

PART 6 – INFORMATION REQUEST

19) Information request under the DA Rules
☒ I agree to receive an information request if determined necessary for this development application ☐ I do not agree to accept an information request for this development application ***Note**: By not agreeing to accept an information request I, the applicant, acknowledge:* • *that this development application will be assessed and decided based on the information provided when making this development application and the assessment manager and any referral agencies relevant to the development application are not obligated under the DA Rules to accept any additional information provided by the applicant for the development application unless agreed to by the relevant parties* • *Part 3 under Chapter 1 of the DA Rules will still apply if the application is an application listed under section 11.3 of the DA Rules or* • *Part 2under Chapter 2 of the DA Rules will still apply if the application is for state facilitated development* *Further advice about information requests is contained in the DA Forms Guide.*

PART 7 – FURTHER DETAILS

20) Are there any associated development applications or current approvals? *(e.g. a preliminary approval)*			
☐ Yes – provide details below or include details in a schedule to this development application ☒ No			
List of approval/development application references	Reference number	Date	Assessment manager
☐ Approval ☐ Development application			
☐ Approval ☐ Development application			

21) Has the portable long service leave levy been paid? *(only applicable to development applications involving building work or operational work)*		
☐ Yes – a copy of the receipted QLeave form is attached to this development application ☐ No – I, the applicant will provide evidence that the portable long service leave levy has been paid before the assessment manager decides the development application. I acknowledge that the assessment manager may give a development approval only if I provide evidence that the portable long service leave levy has been paid ☒ Not applicable *(e.g. building and construction work is less than $150,000 excluding GST)*		
Amount paid	Date paid (dd/mm/yy)	QLeave levy number (A, B or E)
$		

22) Is this development application in response to a show cause notice or required as a result of an enforcement notice?
☐ Yes – show cause or enforcement notice is attached ☒ No

23) Further legislative requirements

Environmentally relevant activities

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

☐ Yes – the required attachment (form ESR/2015/1791) for an application for an environmental authority accompanies this development application, and details are provided in the table below

☒ No

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

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

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

Hazardous chemical facilities

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

☐ Yes – *Form 536: Notification of a facility exceeding 10% of schedule 15 threshold* is attached to this development application

☒ No

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

Clearing native vegetation

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

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

☒ No

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

Environmental offsets

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

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

☒ No

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

Koala habitat in SEQ Region

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

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

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

☒ No

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

DA templates are available from planning.statedevelopment.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 Form1 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 planning.statedevelopment.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 Resources at www.resources.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, Science and Innovation at www.desi.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.resources.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.desi.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.desi.qld.gov.au for information requirements regarding development of Queensland heritage places. For a heritage place that has cultural heritage significance as a local heritage place and a Queensland heritage place, provisions are in place under the Planning Act 2016 that limit a local categorising instrument from including an assessment benchmark about the effect or impact of, development on the stated cultural heritage significance of that place. See guidance materials at www.planning.statedevelopment.qldgov.au for information regarding assessment of Queensland heritage places.*

Name of the heritage place:		Place ID:	

Decision under section 62 of the *Transport Infrastructure Act 1994*

23.14) 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

23.15) 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.statedevelopment.qld.gov.au for further information.*

PART 8 – CHECKLIST AND APPLICANT DECLARATION

24) Development application checklist	
I have identified the assessment manager in question 15 and all relevant referral requirement(s) in question 17 ***Note**: See the Planning Regulation 2017 for referral requirements*	☒ Yes
If building work is associated with the proposed development, Parts 4 to 6 of *DA Form 2 – Building work details* have been completed and attached to this development application	☐ Yes ☒ Not applicable
Supporting information addressing any applicable assessment benchmarks is with the development application ***Note**: This is a mandatory requirement and includes any relevant templates under question 23, a planning report and any technical reports required by the relevant categorising instruments (e.g. local government planning schemes, State Planning Policy, State Development Assessment Provisions). For further information, see DA Forms Guide: Planning Report Template.*	☒ Yes
Relevant plans of the development are attached to this development application ***Note**: Relevant plans are required to be submitted for all aspects of this development application. For further information, see DA Forms Guide: Relevant plans.*	☒ Yes
The portable long service leave levy for QLeave has been paid, or will be paid before a development permit is issued *(see 21)*	☐ Yes ☒ Not applicable

25) Applicant declaration
☒ By making this development application, I declare that all information in this development application is true and correct ☒ Where an email address is provided in Part 1 of this form, I consent to receive future electronic communications from the assessment manager and any referral agency for the development application where written information is required or permitted pursuant to sections 11 and 12 of the *Electronic Transactions Act 2001* ***Note**: It is unlawful to intentionally provide false or misleading information.*
Privacy – Personal information collected in this form will be used by the assessment manager and/or chosen assessment manager, any relevant referral agency and/or building certifier (including any professional advisers which may be engaged by those entities) while processing, assessing and deciding the development application. All information relating to this development application may be available for inspection and purchase, and/or published on the assessment manager's and/or referral agency's website. Personal information will not be disclosed for a purpose unrelated to the *Planning Act 2016*, Planning Regulation 2017 and the DA Rules except where: • such disclosure is in accordance with the provisions about public access to documents contained in the *Planning Act 2016* and the Planning Regulation 2017, and the access rules made under the *Planning Act 2016* and Planning Regulation 2017; or • required by other legislation (including the *Right to Information Act 2009*); or • otherwise required by law. This information may be stored in relevant databases. The information collected will be retained as required by the *Public Records Act 2002.*

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

Date received: | | Reference number(s): | |

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

QLeave notification and payment *Note: For completion by assessment manager if applicable*			
Description of the work			
QLeave project number			
Amount paid ($)		Date paid (dd/mm/yy)	
Date receipted form sighted by assessment manager			
Name of officer who sighted the form			

Attachment 2

Town Planning Report

Town Planning Report

DEVELOPMENT APPLICATION FOR A MATERIAL CHANGE OF USE (INDOOR SPORT AND RECREATION (POOL HALL), AND BAR), OVER UNITS 7 AND 8 48 MACROSSAN STREET, PORT DOUGLAS

19 November 2025

ASPIRE Town Planning and Project Services
Authored by: Daniel Favier
Ref: 2025-09-98 – Units 7 and 8, 48 Macrossan Street, Port Douglas

This Town Planning Report is intended for the exclusive use of our Client, 'Delu Nominees Pty Ltd', and is provided for informational purposes only. The information contained herein has been prepared based on sources and data believed to be reliable and accurate at the time of preparation. However, Aspire Town Planning and Project Services does not warrant the accuracy, completeness, or currency of the information and disclaims any responsibility for any errors or omissions, or for any loss or damage incurred by any party as a result of reliance on this information.

The conclusions and recommendations contained in this report are based on our professional judgment and interpretation of the current planning policies and regulations. It is important to note that planning regulations and policies are subject to change, and this report should not be construed as a guarantee of any future planning outcomes.

This report is confidential and may not be disclosed, reproduced, or distributed to any third party without the prior written consent of Aspire Town Planning and Project Services. Unauthorised use or distribution of this report is strictly prohibited.

Executive Summary

Aspire Town Planning and Project Services has been engaged and act on behalf of Delu Nominees Pty Ltd A.C.N. 122 953 511 (the 'Applicant' and the 'Owner' of Units 7 and 8, 48 Macrossan Street, Port Douglas).

This Development Application seeks a Development Permit for a Material Change of Use (Indoor Sport and Recreation (Pool Hall) and Bar) over units 7 and 8 within the Laxmi Centre, located at 48 Macrossan Street, Port Douglas, more formally described as Lot 7 on BUP104033, and Lot 8 on BUP104033 (the 'subject site').

The proposal involves the reuse of two existing, side by side, upper-level commercial tenancies to establish a dedicated indoor pool hall featuring competition-grade tables, coaching opportunities, and a small ancillary bar service area. The use will operate entirely within the existing building footprint, with no external works, extensions or façade changes proposed.

The development is appropriately located within the Centre Zone and the Port Douglas and Craiglie Local Plan Area, specifically Precinct 1 – Town Centre and the Live Entertainment Precinct, where recreation-based, hospitality and small-scale entertainment uses are widely present and actively encouraged. The proposal will contribute positively to the vibrancy, economy and tourism appeal of the Port Douglas town centre by offering an additional recreational activity for both residents and visitors.

The site benefits from established on-site and on-street parking, high walkability, and strong access to shuttle transport and nearby short-term accommodation. These characteristics ensure that the transport and parking demands of the use can be comfortably accommodated. The proposal generates minimal impacts, with all activities occurring indoors and within reasonable hours of operation. The Laxmi Centre Body Corporate has provided written support for the development, confirming the availability of shared facilities and endorsing the proposed use.

The development complies with the Strategic Framework, the Centre Zone Code, the Port Douglas and Craiglie Local Plan, relevant overlay provisions and all applicable development codes. It represents a low-impact, centre-based reuse of existing commercial floorspace that is fully consistent with the planning intent for the locality.

This Town Planning Report includes a comprehensive assessment of the proposed development against the planning scheme. The information provided in this report, and accompanying attachments, demonstrates that the proposed development achieves compliance with the applicable provisions of the relevant Assessment Benchmarks and is presented to Douglas Shire Council ('Council') for approval.

It would be appreciated if Council could provide ‘without prejudice’ draft conditions for review prior to the issue of a Decision Notice.

We look forward to Council’s consideration of this application and remain available to provide any additional information or clarification as required to assist with the assessment process.

1.0 Summary

Table 1 shows a summary of the key site characteristics, ownership details, and planning information relevant to this application.

Street Address	Units 7 and 8, 48 Macrossan Street, Port Douglas
Lot and Plan	Lot 7 on BUP104033 Lot 8 on BUP104033
Land Owner ***See Attachment 1 – Certificate of Title***	Delu Nominees Pty Ltd A.C.N. 122 953 511
Size	Lot 7 on BUP104033: 106m^2 Lot 8 on BUP104033: 84m^2 Total: 190m^2
Road Frontages	Approximately 20m to Macrossan Street and 50m to Owen Street
Easements	Nil
Proposal	Indoor Sport and Recreation (Pool Hall), and Bar
Approvals Sought	Development Permit for Material Change of Use
Level of Assessment	Impact Assessable (highest level prevails due to Indoor Sport and Recreation)
Planning Scheme Zone	Centre Zone
Local Plan	Port Douglas and Craiglie Local Plan Area
Regional Plan Designation	Urban Footprint
State Planning Policy	Appropriately integrated within the Planning Scheme
State Development Assessment Provisions	Triggers assessment against the State code 1: Development in a state-controlled road environment
Referral	State Assessment and Referral Agency (SARA) for Infrastructure-related referrals – Material change of use of premises near a State transport corridor or that is a future State transport corridor

Table 1: Site Details

2.0 Site Description

The subject site is units 7 and 8 of the Laxmi Centre, located at 48 Macrossan Street, Port Douglas, more formally described as Lot 7 on BUP104033, and Lot 8 on BUP104033 respectively. The subject site is held in ownership by Delu Nominees Pty Ltd (see **Attachment 1 – Certificate of Titles**) and is free of any easements or constraints affecting development.

Unit 7 has a gross floor area (GFA) of 106m² and Unit 8 a GFA of 84m², providing a total combined GFA of 190m². The units form part of a 9-unit building format plan with associated common property, on-site parking and landscaped areas (see **Figure 1,** and **Attachment 2 – Building Unit Plan).**

The complex occupies a prominent corner position with dual street frontages, presenting a 20 metre frontage to Macrossan Street along the southern boundary and a 50 metre frontage to Owen Street along the eastern boundary (see **Figures 2 and 3**). Macrossan Street functions as the primary street frontage and forms part of the main commercial spine of Port Douglas, while Owen Street serves as a secondary frontage providing vehicular access and the principal pedestrian entry point to the subject tenancies. The land is fully developed, contains no natural features of significance, and is connected to all standard urban services including reticulated water, sewer, power, telecommunications and waste collection.

The existing built form comprises a two-storey commercial structure with a split-level design constructed in the late 1980s, characterised by a low-scale design, covered walkways, and a mix of retail, office and service-based uses. Units 7 and 8 are situated on the upper floor and are accessed directly from the common property pedestrian pathway linking to Owen Street. The tenants are currently approved for commercial purposes consistent with the building's original approval and will be repurposed internally without external building work or changes to the site's footprint.

The complex benefits from a range of onsite and adjacent parking facilities. Accessed via the down ramp from Owen Street, the undercroft parking area contains fifteen (15) marked car parking spaces (see **Figures 4**), as well as a bicycle storage location available for use by occupants and visitors. In addition to formal parking, a larger unmarked open area is situated in the north-eastern portion of the common property, which is commonly used by service vehicles and provides additional maneuvering space. Along the street frontages, a further fourteen (14) standard on-street parking spaces and one (1) disabled space are available adjoining the site. The complex also contains an existing disability access ramp connecting the Owen Street frontage to the upper level.

The surrounding locality is characterised by center uses including business, retail, professional, administrative, community, entertainment, cultural and residential activities. To the north exists Low-medium Density Residential and its associated uses.

The site is also located within the Port Douglas Live Entertainment Precinct, which supports a concentration of entertainment, hospitality, music and night-time activities. This location is well suited to recreation-based and small-scale entertainment uses such as the proposed pool hall and bar, given the existing ambient activity levels, established tourism focus and long-standing commercial character of the precinct.

The site benefits from excellent walkability and proximity to key destinations within Port Douglas, being located within comfortable walking distance of Four Mile Beach, the Macrossan Street dining and retail strip, local shuttle services, short-term accommodation providers and various tourism-oriented facilities. The adjoining road network also provides suitable space for shuttle drop-off and pick-up movements, with the site positioned only a short walk from the regularly used shuttle stops along Macrossan Street.

Under the Douglas Shire Planning Scheme 2018 v1.0, the site is included within the:

- Centre Zone;
- Port Douglas and Craiglie Local Plan Area (Live Entertainment Precinct and Precinct 1a); and
- Affected by the following overlays:
    - Acid Sulfate Soils Overlay (5-20m AHD);
    - Bushfire Hazard Overlay (Potential Impact Buffer);
    - Landslide Overlay (Landslide Hazard (High & Medium Hazard Risk);
    - Transport Noise Corridors (Category 1: 58 dB(A) =< Noise Level < 63 dB(A) and Category 2: 63 dB(A) < Noise Level < 68 dB(A);
    - Transport Pedestrian Cycle (Principal Route); and
    - Transport Road Hierarcy (Collector Road).

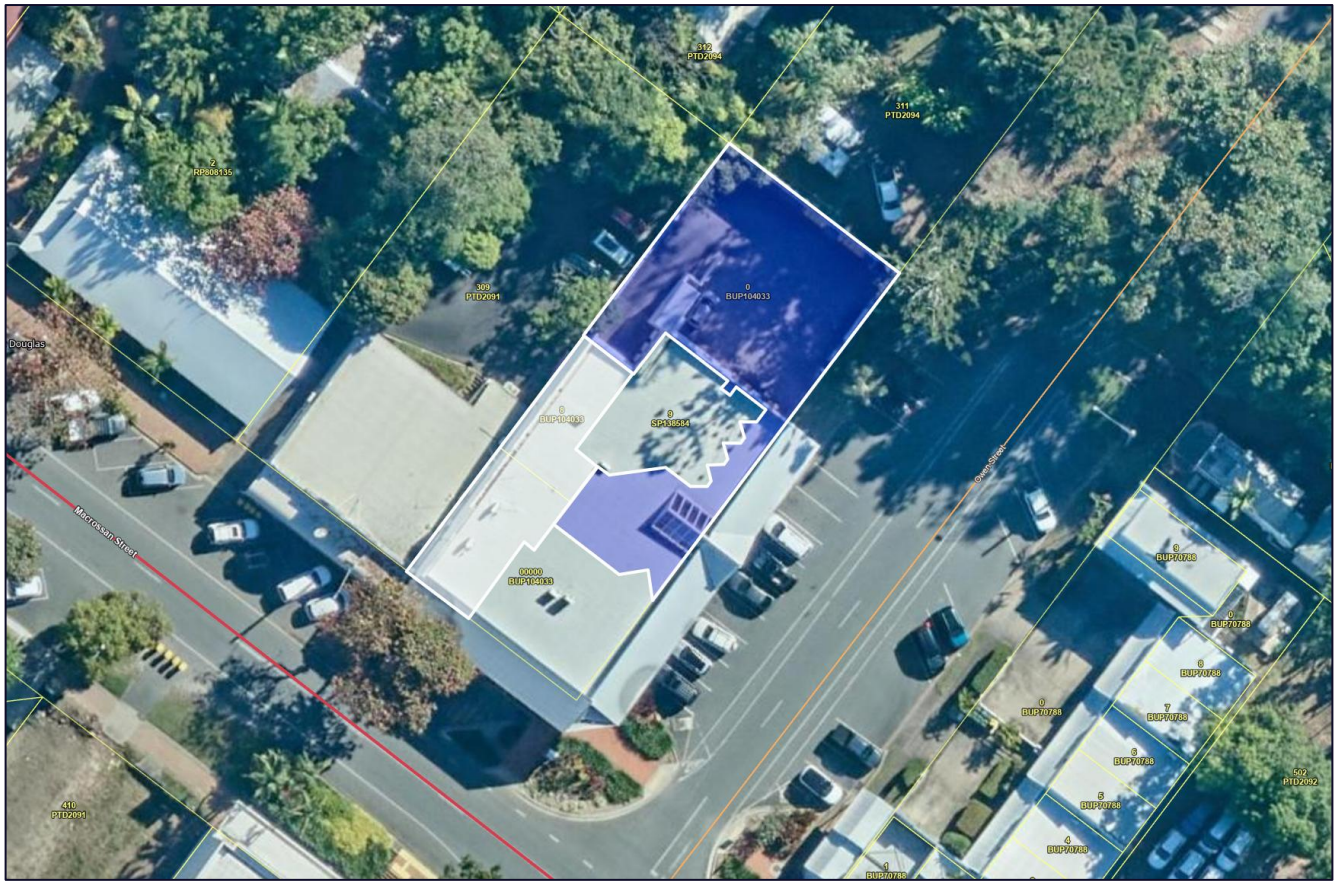


Figure 1: Subject site highlighted in white and common property highlighted in blue (Source: QLD Globe, November 2025)

Figure 2: Macrossan Street frontage (Source: Google Street View, November 2025)

Figure 3: Owen Street frontage (Source: Google Street View, November 2025)

Figure 4: Down ramp and undercroft vehicle parking (Source: ASPIRE Town Planning and Project Services, November 2025)

3.0 Proposal

This development application seeks a Development Permit for a Material Change of Use (Indoor Sport and Recreation (Pool Hall), and Bar) within units 7 and 8 of the Laxmi Centre, located at 48 Macrossan Street, Port Douglas, more formally described as Lot 7 on BUP104033, and Lot 8 on BUP104033.

The proposal involves the establishment of a dedicated indoor pool hall comprising multiple competition-grade pool tables, a small bar service area, seating, and associated storage and amenities (see **Figure 5**, and **Attachment 3 – Proposal Plans**). The development is intended to operate as a recreational and social venue catering to both local residents and visiting patrons, including participation in casual play, coaching, and organised competitions. The bar component will operate as a secondary and complementary function to the primary indoor sport and recreation use, providing limited beverage service to patrons within the pool hall.

The requested hours of operation are 10:00 am to 10:00 pm, seven days per week, noting that the business will generally trade between 12:00 pm and 8:00 pm. The 10:00 am opening is specifically sought to facilitate supervised children's coaching sessions prior to the venue opening to the general public, ensuring a safe, dedicated environment suitable for young participants. The applicant is highly committed to promoting the sport locally and believes in providing structured indoor recreational opportunities for children in Port Douglas, where such options are limited.

The 10:00 pm closing time provides adequate flexibility for organised competitions, and other structured events that may extend into the evening. This ensures the venue can host higher-level play without being constrained by early closure times, while still maintaining appropriate hours of operation within the surrounding centre uses.

The proposed hours of operation complement the trading patterns of nearby restaurants, cafes, and hospitality venues, which typically experience their busiest periods during the evening dining window. By offering alternative recreational activity before or after dinner services, the pool hall and bar reinforces the night-time economy of Macrossan Street, supports cross-visitation between businesses, and contributes to a more activated and diverse evening environment within the Live Entertainment Precinct.

The venue will generally be staffed by two (2) employees during standard operations, however, additional staff may be required during competitions, and other structured events.

The proposal will utilise the existing built form, with internal fit-out works required only. No external building work, extensions, or changes to the building facade are proposed. Access to the pool hall will occur via the existing entry from the Owen Street frontage (see **Figure 6**).

The proposal will rely on the existing parking arrangements within the established complex and its street frontage. The complex includes fifteen (15) marked car parking spaces, and bicycle storage in the undercroft area, along with fourteen (14) on-street spaces located along the site's frontages, and one (1) disabled parking space.

At the time the complex was approved in 1989, parking was provided in accordance with the then-applicable 1981 Planning Scheme rates, which generally required higher provision for shops and commercial premises than the current 2018 Planning Scheme. Under the 1981 Planning Scheme, onsite parking was required at comparatively higher rates, including one (1) space per 50m² for commercial office uses and one (1) space per 20m² for shops up to 100m², increasing to one (1) space per 15m² for shop areas between 100m² and 650m². By comparison, the current Douglas Shire Planning Scheme requires a significantly lower rate of one (1) space per 50m² GFA for both shop and office uses within Precinct 1 of the Port Douglas and Craiglie Local Plan i.e. total 4 onsite parking space.

The proposed pool hall is anticipated to generate a lower and more distributed parking demand profile than traditional retail or office tenancies, with patronage spread across the day and into the early evening rather than concentrated in peak daytime periods. In assessing the application, consideration of local travel behaviour is recommended, including the prevalent use of scooter hire services, private shuttle transport and short walking distances from nearby accommodation. The Macrossan Street precinct is highly walkable, and the subject site is located within easy pedestrian access of hotels, resorts, dining venues and shuttle stops, significantly reducing reliance on private vehicles.

Taking these factors collectively, including the historic provision of parking for the centre, the presence of both on-site and adjoining on-street parking, the shared nature of the complex, and the area's strong pedestrian and shuttle-based transport patterns, the existing parking arrangements are more than capable of accommodating the proposed use change.

The proposal is supported by written confirmation from the Laxmi Centre Body Corporate, who have advised they have no objection to the use of Lots 7 and 8 as an Indoor Sport and Recreation business incorporating a pool hall and bar. The Body Corporate has further confirmed that parking and toilet facilities within the common property are available for use by clients and customers of businesses (see **Attachment 4 – Body Corporate Support**.

The development is Impact Assessable due to the Indoor Sport and Recreation component and requires referral to the State Assessment and Referral Agency (SARA) for 'Material change of use of premises

near a State transport corridor or that is a future State transport corridor' (Macrossan Street). No operational works or reconfiguring of a lot are included as part of this application.

The proposal is consistent with the established commercial and entertainment character of the area, compatible with the Port Douglas Live Entertainment Precinct, and supports the ongoing provision of recreational, tourism, and night-time economy activities within the township.

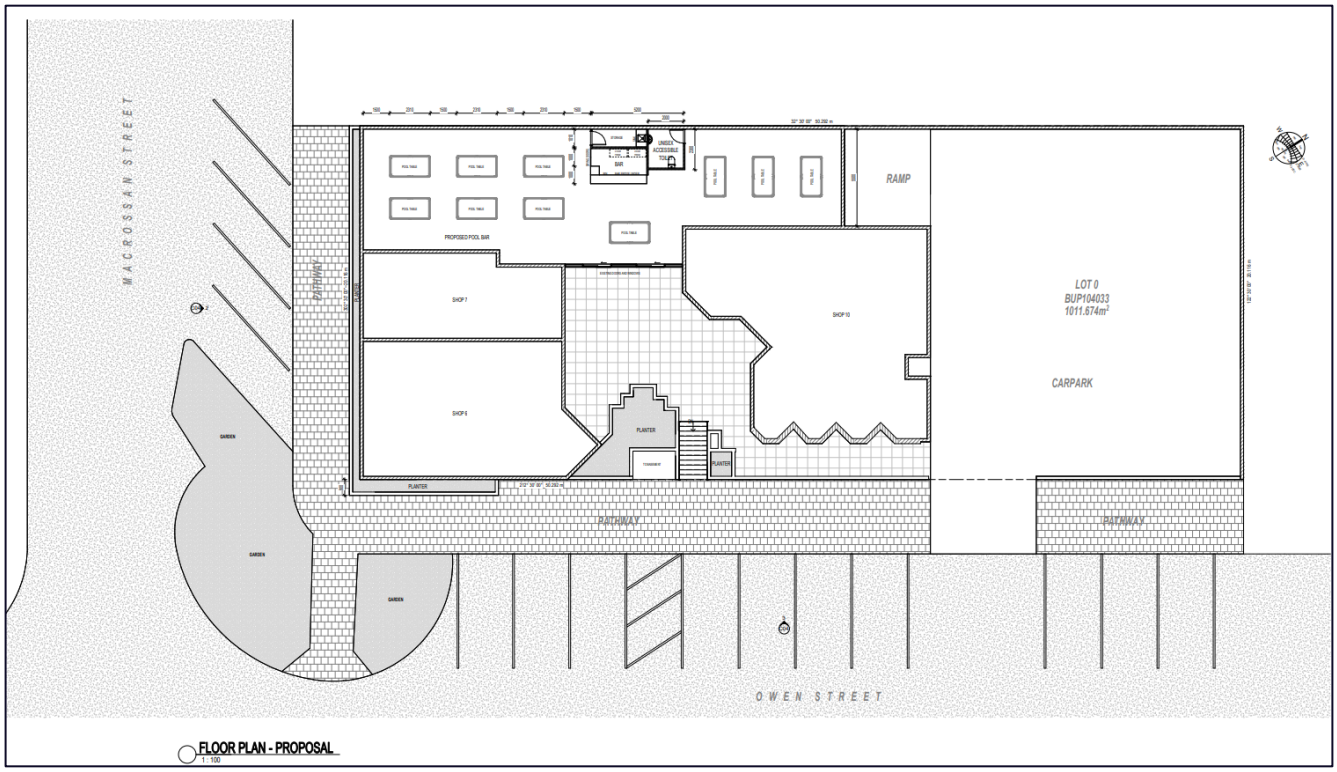


Figure 5: Proposal Plans (Source: Success By Design, November 2025)

Figure 6: Existing entry from the Owen Street frontage (Source: ASPIRE Town Planning and Project Services, November 2025)

4.0 Statutory Town Planning Framework

4.1 Planning Act 2016

The *Planning Act 2016* (the 'Planning Act') is the statutory instrument for the State of Queensland under which, amongst other matters, Development Applications are assessed by Local Governments. The Planning Act is supported by the *Planning Regulation 2017* (the 'Planning Regulation'). The following sections of this report discuss the parts of the Planning Act and Planning Regulation applicable to the assessment of a Development Application.

4.1.1 Approval and Development

Pursuant to Sections 49, 50 and 51 of the Planning Act, the Development Application seeks a Development Permit for a Material Change of Use (Indoor Sport and Recreation (Pool Hall) and Bar).

4.1.2 Application

The proposed development is:

- development that is located completely in a single local government area;
- development made assessable under a local categorising instrument; and
- for a Material Change of Use.

In accordance with Section 48 of the Planning Act and Schedule 8, Table 2, Item 1 of the Planning Regulation, the Development Application is required to be made to the applicable Local Government, in this instance being Douglas Shire Council (the 'Council').

4.1.3 Referral

Section 54(2) of the Planning Act and Section 22 and Schedules 9 and 10 of the Planning Regulation provide for the identification of the jurisdiction of referral agencies, to which a copy of the Development Application must be provided. A review of the Planning Regulation confirms the Development Application triggers referral to the State Assessment and Referral Agency under:

- Schedule 10, Part 9, Division 4, Subdivision 2, Table 4: Material change of use of premises near a State transport corridor or that is a future State transport corridor

Assessment against the State code 1: Development in a state-controlled road environment is included under **Attachment 6 – Statement of Code Compliance Against the State Development Assessment Code**.

4.1.4 Public Notification

Section 53(1) of the Planning Act provides that an applicant must give notice of a Development Application where any part is subject to Impact Assessment or where it is an application, which includes a Variation Request.

The Development Application is subject to Impact Assessment and therefore Public Notification of the Development Application is required.

Aspire Town Planning and Project Services will coordinate Public Notification at the appropriate time.

4.1.5 Assessment Framework

An Impact Assessable Development Application is required in this instance. Section 45(5) of the Planning Act provides that:

"(5) An impact assessment is an assessment that—

(a) must be carried out—

(i)against the assessment benchmarks in a categorising instrument for the development; and

(ii)having regard to any matters prescribed by regulation for this subparagraph; and

(b) may be carried out against, or having regard to, any other relevant matter, other than a person's personal circumstances, financial or otherwise.

Examples of another relevant matter—

- *a planning need*
- *the current relevance of the assessment benchmarks in the light of changed circumstances*
- *whether assessment benchmarks or other prescribed matters were based on material errors"*

The Douglas Shire Planning Scheme 2018 v1 (the 'Planning Scheme') is the applicable local categorising instrument.

Section 30 of the Planning Regulation provides the following assessment benchmarks for the purposes of Section 45(5) (a) of the Planning Act:

"(1) For section 45(5)(a)(i) of the Act, the impact assessment must be carried out against the assessment benchmarks for the development stated in schedules 9 and 10.

(2) Also, if the prescribed assessment manager is the local government, the impact assessment must be carried out against the following assessment benchmarks—

(a)the assessment benchmarks stated in—

(i)the regional plan for a region; and

(ii)the State Planning Policy, part E, to the extent part E is not identified in the planning scheme as being appropriately integrated in the planning scheme; and

(iii)a temporary State planning policy applying to the premises;

(b)if the development is not in a local government area—any local planning instrument for a local government area that may be materially affected by the development;

(c)if the local government is an infrastructure provider—the local government's LGIP.

(3) However, an assessment manager may, in assessing development requiring impact assessment, consider an assessment benchmark only to the extent the assessment benchmark is relevant to the development."

Section 27 of the Planning Regulation provides matters for the purposes of Section 45(3)(b) of the Planning Act:

"(1) For section 45(5)(a)(ii) of the Act, the impact assessment must be carried out having regard to—

(a) the matters stated in schedules 9 and 10 for the development; and

(b) if the prescribed assessment manager is the chief executive—

(i) the strategic outcomes for the local government area stated in the planning scheme; and

(ii) the purpose statement stated in the planning scheme for the zone and any overlay applying to the premises under the planning scheme; and

(iii) the strategic intent and desired regional outcomes stated in the regional plan for a region; and

(iv)the State Planning Policy, parts C and D; and

(v)for premises designated by the Minister—the designation for the premises; and

(c) if the prescribed assessment manager is a person other than the chief executive or the local government—the planning scheme; and

(d) if the prescribed assessment manager is a person other than the chief executive—

(i) the regional plan for a region; and

(ii) the State Planning Policy, to the extent the State Planning Policy is not identified in the planning scheme as being appropriately integrated in the planning scheme; and

(iii) for designated premises—the designation for the premises; and

(e) any temporary State planning policy applying to the premises; and

(f) any development approval for, and any lawful use of, the premises or adjacent premises; and

(g) the common material.

(2) However—

(a) an assessment manager may, in assessing development requiring impact assessment, consider a matter mentioned in subsection (1) only to the extent the assessment manager considers the matter is relevant to the development; and

(b) if an assessment manager is required to carry out impact assessment against assessment benchmarks in an instrument stated in subsection (1), this section does not require the assessment manager to also have regard to the assessment benchmarks."

The following sections of this Report discuss the applicable assessment benchmarks and applicable matters in further detail.

4.2 Far North Queensland Regional Plan 2009-2031

The Far North Queensland Regional Plan 2009 - 2031 ('the Regional Plan') is intended to guide and manage the region's development and to address key regional environmental, social, economic and urban objectives. The site falls within the area to which the Regional Plan applies. The Regional Plan is identified in the Planning Scheme as being appropriately integrated in the scheme and therefore not assessed in any further detail in this Development Application.

4.3 State Planning Policy

The State Planning Policy ('the SPP') was released on 2 December 2013 and replaced all previous State Planning Policies. The SPP has since been revised, with new versions released on 2 July 2014, 29 April 2016 and 3 July 2017. The April 2016 version of the SPP is identified in the Planning Scheme as being appropriately integrated. Whilst the SPP has been amended since April 2016 version, it is considered

that the policy content and outcomes contained within the SPP, to the extent they are relevant and applicable to the proposed development, have not been sufficiently amended to require the reconsideration of the SPP separately.

4.4 Temporary State Planning Policies

There are currently no temporary State Planning Policies in effect in Queensland.

4.5 Douglas Shire Planning Scheme 2018 v1

The Planning Scheme came into effect on 2 January 2018 and is the applicable planning scheme to the Douglas Local Government Area. It is noted that the Planning Scheme was drafted under the *Sustainable Planning Act 2009* ('the SPA'). The interpretation of the Planning Scheme with respect to the proposed development is therefore based on the transitional provisions of the Planning Act.

4.5.1 Strategic Framework

The Strategic Framework sets the policy direction for the Planning Scheme and forms the basis for ensuring appropriate development occurs within the Shire for the life of the Planning Scheme. The proposed development is Impact Assessable and an assessment against the Strategic Framework has been undertaken. Table 2 below includes an assessment against each of the Six Themes.

Strategic Framework	Assessment Response
3.4 Theme 1: Settlement Pattern	
3.4.1 Strategic Outcomes	**Complies.** The proposal is located within the established Port Douglas township, supporting the existing pattern of well-planned settlements without affecting natural or scenic landscape values. It does not extend development toward coastal or natural areas. It does not introduce industrial uses and has no relevance to rural residential areas. The proposal does not involve Aboriginal Freehold land or Indigenous housing matters. As an internal tenancy use with no external works, it maintains an acceptable level of safety regarding natural hazards. The development reinforces commercial activity within the Centre zone and generally complies with Settlement Pattern – Strategic Outcomes.
3.4.2 Element – Urban Settlement	**Complies.** The site is located within the mapped urban area on the Strategic Framework Map and the proposal involves the reuse of an existing commercial tenancy within the Port

	Douglas township, consistent with the intended settlement pattern. The development does not expand the urban footprint or involve any residential investigation areas, nor does it alter township boundaries or impact coastal areas. The proposal is separated from incompatible land uses and does not involve artificial lakes, canal development, or complex engineering works. The existing local planning framework appropriately guides development in this location, and the proposal does not affect the function or operation of urban infrastructure. It therefore complies with the Specific Outcomes for Urban Settlement.
3.4.3 Element – Activity Centres	**Complies.** The site is located within Precinct 1 - Port Douglas, and centre zone. The development will form part of the concentration of retail, recreational and visitor-oriented services within the town centre. The proposal reinforces the mixed-use character of Port Douglas and supports a tourism-focused role without altering its scale, function or distinctive character. The proposal is appropriately located within the live entertainment area, where entertainment and after-hours uses are encouraged, and integrates into the existing centre environment through its use of an established building, active street-oriented frontage and pedestrian connections and transport infrastructure. The development does not affect the role of local or neighbourhood centres, does not introduce car-dominant design outcomes, and is well positioned close to community facilities and transport, consistent with the intended outcomes for activity centres.
3.4.4 Element – Industrial Areas	**Not Applicable.** The subject site is not located within an Industrial Area nor does it seek approval for an Industrial Use.
3.4.5 Element – Residential Areas and Activities	**Complies.** The proposal is located within an existing commercial building in the Port Douglas town centre and does not impede coordinated residential development or the use of nearby residential land to the north. As an internal tenancy change within an established centre environment, the development does not alter housing patterns, compete with residential land, or affect the character of residential areas. The site is located within the Live Entertainment area, where small-scale

	entertainment and hospitality uses are anticipated and accepted, and the proposal is consistent with the expected activity levels of this area. The development has no relevance to greenfield residential areas, medium-density zoning allocations, low-density character areas, tropical design principles or home-based business provisions, and therefore remains consistent with the Strategic Outcomes for Residential Areas and Activities.
3.4.6 Element – Rural Residential Areas	**Not Applicable.** The subject site is not located within a, nor is it adjacent to, a Rural Residential Area.
3.4.7 Element – Mitigation of Hazards	**Complies.** The site is affected by the Bushfire hazard (Potential Impact Buffer), and the Landslide Hazard (High & Medium Hazard Risk) overlays, however, the development occurs entirely within an existing commercial building with no external works or changes to the building footprint. As no increase in exposure to natural hazards is proposed, the development maintains an acceptable level of safety and complies with the intended hazard mitigation outcomes.
3.4.8 Element – Recognition of Rights and Interests of Native Title Land Holders	**Not Applicable.** Not relevant to the proposed development. The site is freehold and not subject to native title claims.
3.5 Theme 2 – Environmental and Landscape Values	
3.5.1 Strategic Outcomes	**Complies.** The proposal is located within an existing commercial building in the Port Douglas town centre and does not affect Aboriginal cultural heritage values, areas of ecological significance or land within the Wet Tropics or Great Barrier Reef World Heritage Areas. The development does not involve vegetation removal, earthworks or coastal or waterway disturbance, and therefore has no impact on Matters of National, State or Local Environmental Significance. As a minor internal change of use within an established urban area, the proposal does not affect waterways, riparian systems, scenic landscapes, or natural areas, nor does it involve land north of the Daintree River or restrict public access to natural environments. The proposal is entirely contained within an existing built form and is consistent with sustainable development outcomes that protect the Shire's environmental and landscape values.

3.5.2 Element – Aboriginal Cultural Heritage Values	**Not Applicable.** Not relevant to the proposed development.
3.5.3 Element – Biodiversity	**Complies.** The site is fully developed and contains no vegetation or habitat values. The proposal involves no external works and will not impact biodiversity or ecological values.
3.5.4 Element – Coastal Zones	**Complies.** The site is located within an established urban area well removed from coastal resources, foreshores, wetlands, dunes and marine ecosystems, and the proposal involves no works that would affect natural coastal processes, water quality or coastal-dependent development. As an internal tenancy change within an existing commercial building, the development does not interact with erosion-prone areas, acid sulfate soils, or landforms that mitigate coastal hazards, nor does it impact public access to the foreshore. The proposal is therefore consistent with the Specific Outcomes for the Coastal Zone.
3.5.5 Element – Scenic Amenity	**Complies.** The proposal is entirely contained within an existing commercial building and involves no external works, ensuring there is no impact on scenic amenity or the visual character of the surrounding area.
3.5.6 Element Air and Acoustic Protection and Hazardous Materials	**Complies.** The proposal does not involve industrial activities, hazardous materials or significant air or acoustic emissions. As an indoor, small-scale recreational use located within the Live Entertainment Precinct and an existing commercial building, any noise generated will be contained within the premises and can be managed to meet noise policy standards. The proposal is appropriately separated from sensitive land uses and will not create air quality or hazardous material risks.
3.6 Theme 3 – Natural Resource Management	
3.6.1 Strategic Outcomes	**Complies.** The proposal is located within an established urban area and does not involve agricultural land, forestry, water resources, fisheries or extractive materials. As an internal change of use within an existing commercial building, the development does not affect the management or protection of natural resources and has no relationship to extractive activities or rural resource values. The proposal is therefore consistent with the Strategic Outcomes for natural resource management.

3.6.2 Element – Land and Catchment Management	**Complies.** The proposal is fully contained within an existing commercial building and involves no earthworks, discharges, or activities that could affect waterways, catchments, groundwater or water quality. As an internal change of use in an established urban area, it does not impact stormwater, riparian environments, traditional land management practices, or weed and pest management. The development therefore complies with the Specific Outcomes for land and catchment management.
3.6.3 Element – Primary Production, Forestry and Fisheries	**Not Applicable.** The subject site is located within an centre zone and is not used for nor intended for primary production, forestry, or fisheries.
3.6.4 Element – Resource Extraction	**Not Applicable.** The development does not involve or impact upon, resource extraction.
3.7 Theme 4 – Strong Communities and Identity	
3.7.1 Strategic Outcomes	**Complies.** The proposal occurs within an existing commercial building in the Port Douglas town centre precinct and does not affect places of cultural or heritage significance. The use contributes positively to the character, activity and sense of place of the Macrossan Street precinct by providing an additional recreational and social venue for both residents and visitors. As a community-oriented indoor sport and entertainment use, including supervised children's coaching opportunities, the development supports social interaction, visitor engagement and the provision of equitable access to recreational and entertainment services. The proposal does not impact on social infrastructure or housing supply and is consistent with the Strategic Outcomes for strong communities and identity.
3.7.2 Element – Social Planning and Infrastructure	**Not Applicable.** The scale and nature of the proposed use does not trigger any need for new social infrastructure or community services.
3.7.3 Element – Active Communities	**Not Applicable.** The proposal provides an additional indoor recreational opportunity within the Port Douglas town centre precinct, supporting an active community by offering a safe, weather-protected venue for sport, coaching and

	social participation. As an internal change of use within an existing commercial building, the development does not affect open space, parkland provision, trail networks or the distribution of recreational land across the Shire. The use is easily accessible by walking, cycling and shuttle services, contributing to community wellbeing and social interaction without impacting the Shire's green space networks or urban design outcomes.
3.7.4 Element – Sense of Place, Community and Identity	**Complies.** The proposal utilises an existing tenancy within the Port Douglas town centre precinct and aligns with the established character and sense of place of Macrossan Street. It does not create new communities, involve gated development, or introduce franchise-style built form, and no external changes are proposed. The use fits within the existing streetscape and supports community identity and activity.
3.7.5 Element – Housing Choice and Affordability	**Not applicable.** The proposal does not involve residential development and has no relationship to housing choice or affordability.
3.7.6 Element – Arts and Culture	**Complies.** The proposal is located within the Port Douglas town centre precinct, and live entertainment area where tourist, entertainment and evening activities are intended and encouraged, contributing to the vibrant character of the area. As an indoor recreational venue within an existing commercial building, the development is compatible with the entertainment focus of the precinct and supports opportunities for social and cultural engagement. The proposal is therefore consistent with the Specific Outcomes for arts and culture.
3.7.7 Element – Cultural and Landscape Heritage	**Not Applicable.** The site is not identified as a heritage place under the planning scheme or Queensland Heritage Register, nor does it adjoin any places of significance.
3.7.8 Element – Strengthening Indigenous Communities	**Not Applicable.** The site is not located within, or adjacent to, Indigenous community land and the proposed use does not affect Indigenous cultural or social values.
3.8 Theme 5 – Economy	
3.8.1 Strategic Outcomes	**Complies.** The proposal supports the local economy by contributing to the tourism and entertainment offering

	of the Port Douglas town centre and by generating additional opportunities within an existing commercial precinct. As a low-impact recreational use, it minimises land use conflict and benefits from co-location with other centre activities, strengthening the viability and vibrancy of the Macrossan Street area. The development does not impact natural resources, strategic economic infrastructure or rural and Indigenous economic activities, and is therefore consistent with the Strategic Outcomes for the Shire's economy.
3.8.2 Element – Economic Growth and Diversification	**Complies.** The proposal contributes to economic growth and diversification by strengthening the recreational and entertainment offering of the Port Douglas town centre, supporting its role as a premium tourist destination and generating employment opportunities. As a small-scale indoor sport and social venue located within an established activity centre, the development represents appropriate business innovation in a suitable setting and complements other centre-based uses.
3.8.3 Element – Tourism	**Complies.** The proposal enhances the tourism offering of the Port Douglas town centre by providing an additional recreational and entertainment venue that complements the area's established tourism focus. Located within an existing building in a major tourism and live entertainment area, the development supports visitor convenience, accessibility, and the continued concentration of tourist activity within the town centre.
3.8.4 Element – Primary Production	**Not Applicable.** The site does not involve, nor does it impact primary production activities.
3.8.5 Element – Innovation and Technology	**Not Applicable.** The proposed development does not involve or require innovation infrastructure or technology-based services beyond standard residential telecommunications.
3.9 Theme 6 – Infrastructure and Transport	
3.9.1 Strategic Outcomes	**Complies.** The proposal is located within a fully serviced urban area and utilises existing reticulated infrastructure without requiring upgrades or extensions, ensuring efficient and coordinated service delivery. The development does not impact on the Captain Cook Highway, infrastructure corridors or planned infrastructure, and is appropriately serviced through established transport networks,

	including walking, cycling and shuttle services within the town centre. As an internal change of use within an existing building, the development does not involve on-site wastewater treatment, new technologies, or external structures that could affect visual amenity. The proposal therefore complies with the Strategic Outcomes for infrastructure and transport.
3.9.2 Element – Energy	**Complies.** The site has a connection to the electricity network, and no additional demand or infrastructure upgrades are required to support the proposed use.
3.9.2 Element – Water and Waste Management	**Complies.** The site is connected to reticulated water and sewerage services. Waste disposal will continue via current arrangement, with no additional infrastructure required.
3.9.3 Element – Transport	**Complies.** The proposal is located within an established urban centre and does not affect the function of higher-order State or local roads, including Macrossan Street, or any transport buffers. The development integrates with existing pedestrian, cycle and shuttle transport networks within Port Douglas and supports active transport by being easily accessible on foot. It is noted that the proposal triggers referral to SARA for a Material Change of Use near a State transport corridor. Assessment against State Code 1: Development in a State-controlled Road Environment is provided in Attachment 6 – Statement of Code Compliance Against the State Development Assessment Code. Any conditions or requirements imposed through the referral process will be fully complied with as part of the development.
3.9.5 Element – Information Technology	**Complies.** The site has an existing connection available to the telecommunications network and no additional services or upgrades are required.

Table 2: Assessment against Strategic Framework

4.5.2 Zone

The subject site is located within the Centre Zone.

Under the Planning Scheme, the stated purpose of the Centre Zone is as follows:

"*The purpose of the Centre zone code is to provide for a mix of land uses and activities.*

> *(a) These uses include, but are not limited to, business, retail, professional, administrative, community, entertainment, cultural and residential activities.*
>
> *(b) Centres are found at a variety of scales based on their location and surrounding activities."*

The proposal involves the establishment of an indoor pool hall with an associated bar within an existing commercial building on Macrossan Street. This represents a small-scale entertainment and recreation activity that sits appropriately within the mix of business, retail, hospitality, community and visitor-oriented uses anticipated in the Centre Zone. The development reinforces the role of the Port Douglas town centre as a vibrant, mixed-use activity location, by contributing to its entertainment and social offering, supporting both residents and visitors, and contributing to the economy. The proposal is entirely consistent with the zone's purpose of accommodating a diverse range of centre-based activities at an appropriate scale.

An assessment of the proposed development against the Centre Zone Overall Outcomes is provided within Table 3 below.

Overall Outcome	Code Assessment Response
Development creates a range of retail, commercial, community and residential uses.	**Complies.** The proposal contributes to the mix of commercial and community-oriented activities within the Port Douglas town centre by introducing an indoor recreational and entertainment use with an associated bar.
Development is consistent with any location specific provisions contained within a Local Plan.	**Complies.** The site is located within the Port Douglas–Craiglie Local Plan Area, specifically Precinct 1 – Town Centre and the Live Entertainment Precinct. The proposed indoor pool hall and bar is consistent with the location specific provisions for this area, which encourage centre-based, tourism-focused, entertainment and evening activity uses within the Macrossan Street area. The development operates within an existing commercial building, contributes to the vibrancy of the town centre, and aligns with the intended function of the location.

Development provides activation and surveillance at ground level where adjoining roads or other public spaces.	**Complies.** The development provides activation and passive surveillance at ground level through the use of an existing street-facing commercial tenancy with direct pedestrian access from Owen Street. The proposed pool hall and bar will generate regular patron activity and staff presence, improving visibility and natural surveillance of adjoining public spaces and contributing to a safe and active streetscape.
Development is integrated and coordinated both within the site and in relation to surrounding land uses and activities.	**Complies.** The development will be integrated within the existing commercial building and operate cohesively with surrounding centre-based land uses on Macrossan Street.
Development provides a built form that establishes a cohesive streetscape and continuous pedestrian connections and shelters.	**Complies.** The development does not alter the existing approved built form, which is considered to be cohesive with the established streetscape and already provides continuous pedestrian connections and sheltered walkway areas.
Development is sensitively designed and managed to mitigate impacts on surrounding sensitive land uses.	**Complies.** The development is located within the Live Entertainment Precinct and an established commercial area and is designed and managed as an indoor activity contained entirely within an existing building. No external works or noise-generating outdoor activities are proposed, and the use will operate within reasonable hours with appropriate on-site supervision.
Development has access to infrastructure and services.	**Complies.** The site is already connected to all necessary infrastructure and services, and the proposed use does not generate any additional demand for infrastructure.

Table 3: Assessment against Medium Density Residential Zone Overall Outcomes

A full assessment against the Centre zone code is included under **Attachment 5 – Code Compliance Assessment Against the Douglas Shire Planning Scheme 2018 v1.0.**

4.5.3 Port Douglas and Craiglie Local Plan

The subject site is located within the Port Douglas and Craiglie Local Plan Area, and within the 1a Town Centre and Live Entertainment precincts.

The proposal is consistent with the purpose of the Port Douglas–Craiglie Local Plan, as it reinforces the town centre's role as a vibrant, mixed-use hub that supports community values, tourism activity and local economic prosperity. The development involves the reuse of an existing building with no external

works, thereby preserving the tropical built-form character and avoiding any impacts on natural areas or environmental attributes. As a small-scale indoor recreation and entertainment use located within the Live Entertainment Precinct, the proposal aligns with the intended provision of visitor-oriented, community-focused and evening-activation activities in the core of Port Douglas.

The proposal is consistent with the outcomes for Precinct 1 – Town Centre, as it contributes to the ongoing activation and evolution of the Port Douglas township without altering its built form, height, or established character. The use supports the tourism and entertainment focus of the town centre and complements nearby hospitality, retail and recreational activities.

The development maintains existing pedestrian connections, integrates seamlessly into the established streetscape, and encourages walking, shuttle transport and centre-based activity in accordance with the mobility and connectivity objectives of the precinct. As an internal tenancy change, the proposal avoids conflicts with marine, waterfront or industrial uses, requires no new infrastructure, and does not affect the public realm, environmental areas or the precinct's tropical character.

On this basis, it is submitted that the proposal is therefore compatible with, and supportive of, the location-specific development outcomes identified for the Port Douglas precinct.

4.5.4 Overlays

Table 4 below identifies the applicable Overlays pertaining to the subject site and includes a summary of the assessment against each code.

Overlay	Sub-category	Code Assessment Response
Acid Sulfate Soils	5-20m AHD	**Not applicable.** The proposal does not include any excavation, ground disturbance, or below-surface works that could disturb acid sulfate soils. Therefore, a detailed assessment of this overlay code is not required.
Bushfire Hazard Overlay	Potential Impact Buffer	**Not applicable.** The site is only affected by the Bushfire Hazard – Potential Impact Buffer sub-category. The proposal involves an internal change of use within an existing commercial building, with no alterations to the built form, footprint or site layout. As there is no increase in vulnerability, no intensification of development and no changes that would worsen bushfire risk or exposure, the Bushfire Hazard Overlay is considered not applicable to the development.
Landslide Overlay	High & Medium Hazard Risk	**Not applicable.** The site is only partially affected by the Potential Landslide Hazard Overlay, limited to an existing concrete hardstand area in the northern portion of

		the site. The proposal involves an internal change of use within an existing commercial building, with no alterations to the built form, footprint or site layout. As the development does not increase landslide risk or exposure in any way, the overlay is not applicable to the assessment.
Transport Noise Corridors	Category 1: 58 dB(A) =< Noise Level < 63 dB(A); and Category 2: 63 dB(A) < Noise Level < 68 dB(A)	**Complies.** The site is affected by the Transport Noise Corridor (Categories 1 and 2), Transport Pedestrian/Cycle (Principal Route) and Transport Road Hierarchy (Collector Road) overlays; however, the proposed indoor pool hall and bar is an appropriate centre-based use that operates within an existing enclosed building. The development does not alter the road network, generate undue traffic impacts or intensify noise-sensitive uses. It also benefits from, and supports, the established pedestrian and cycle connections in the town centre. As the proposal maintains the existing built form, utilises established access points and does not introduce sensitive land uses, it is compatible with the transport context of the locality and is considered to generally achieve the purpose and overall outcomes of the Transport Network Overlay Code. It is noted that the proposal triggers referral to SARA for a material change of use near a State transport corridor. Assessment against State Code 1: Development in a State-controlled Road Environment is provided in Attachment 6 – Statement of Code Compliance Against the State Development Assessment Code. Any conditions or requirements imposed through the referral process will be fully complied with as part of the development.
Transport Pedestrian Cycle	Principal Route	
Transport Road Hierarcy	Collector Road	

Table 4: Applicable Overlays

A full assessment against the applicable Overlay Codes is included under **Attachment 5 – Code Compliance Assessment Against the Douglas Shire Planning Scheme 2018 v1.0.**

4.5.5 Development Codes

Table 5 below identifies the applicable Development Codes pertaining to the development and includes a summary of the assessment against each code.

Development Codes	Code Assessment Response
Access Parking and Servicing Code	**Complies.** The proposal will rely on the existing parking arrangements within the established complex and its street frontage. The complex includes fifteen (15) marked car parking spaces, and bicycle storage location in the undercroft area, along with fourteen (14) on-street spaces located along the site's frontages, and one (1) disabled parking space. No changes to access or circulation are proposed, and the town centre location provides excellent walkability and shuttle transport options, reducing reliance on private vehicles. Overall, the development meets the purpose and overall outcomes of the Access, Parking and Servicing Code.
Environmental Performance Code	**Complies.** As an internal change of use within an existing commercial building, the proposal does not involve outdoor lighting, external activity areas, emissions or site disturbance. The proposed indoor pool hall and bar is a low-impact recreational use that will generate only modest levels of internal noise. The use operates wholly within an existing, solidly constructed building that effectively contains noise and prevents impacts on adjoining properties. The site is located within the Port Douglas Town Centre and Live Entertainment Precinct, where evening activity and low-level entertainment uses are anticipated, and requested operating hours are limited to 10:00 pm to ensure activities do not extend late into the night. Given the enclosed nature of the venue, the modest scale of the activity and the surrounding commercial context, the development will not create adverse noise impacts on adjacent lots. Waste continues to be managed through the existing body corporate system, and no additional impacts on stormwater quality, odour or environmental values

	are generated. Overall, the proposal avoids environmental harm, protects amenity and complies with the Environmental Performance Code.
Infrastructure Works Code	**Complies.** As an internal change of use within an existing commercial building, the proposal does not require any new infrastructure, civil works or alterations to roads, footpaths, utilities or stormwater systems. The site is already fully serviced by reticulated water, sewer, electricity and telecommunications networks, and all existing infrastructure will continue to operate as approved. Stormwater will continue to lawfully discharge to the established drainage system, and no erosion, sediment or environmental impacts are generated. Road frontage works, including kerb, channel and emergency vehicle access along Macrossan Street and Owen Street, already comply with FNQROC standards and remain unchanged. The development does not affect public utilities, fire infrastructure, or require construction activity that could impact vegetation or existing services. Overall, the proposal is appropriately serviced, avoids infrastructure impacts, and is consistent with the Infrastructure Works Code.

Table 5: Development Codes

A full assessment against the applicable Development Codes is included under **Attachment 5 – Code Compliance Assessment Against the Douglas Shire Planning Scheme 2018 v1.0.**

5.0 Conclusion

Aspire Town Planning and Project Services represents Delu Nominees Pty Ltd, the owner of units 7 and 8, 48 Macrossan Street, Port Douglas, more formally described as Lot 7 on BUP104033, and Lot 8 on BUP104033, in seeking a Development Permit for a Material Change of Use (Indoor Sport and Recreation (Pool Hall) and Bar).

The proposed development seeks to establish an appropriate and well-considered reuse of existing commercial premises in the heart of the Port Douglas Town Centre. The development aligns with the strategic direction of the Douglas Shire Planning Scheme, including the Centre Zone Code and the Port Douglas and Craiglie Local Plan, and supports the intended role of the Live Entertainment Precinct as a focus for small-scale entertainment, hospitality and tourism-related activities.

The proposal operates wholly within the existing building footprint, requires no external works and does not introduce additional impacts relating to noise, traffic, parking, stormwater, hazards or infrastructure. Existing on-site and on-street parking, pedestrian connections, bicycle facilities and shuttle transport options adequately support the expected demand of the use. The development is compatible with surrounding centre-based land uses and contributes positively to the vibrancy, activation and economic activity of Macrossan Street.

All relevant assessment benchmarks, including the Strategic Framework, zone and local plan provisions, overlay codes, applicable development codes, and applicable State codes have been addressed, with the proposal demonstrating full compliance or clear suitability where benchmarks are not applicable. Written support from the Laxmi Centre Body Corporate further confirms the appropriateness of the proposed use within the complex.

This Town Planning Report provides a comprehensive assessment of the proposal against the Planning Scheme and demonstrates that the proposed development achieves compliance with the applicable provisions. The application is submitted to Douglas Shire Council for approval, and it would be appreciated if Council could provide ‘without prejudice’ draft conditions for review prior to the issue of a Decision Notice.

Attachment 1

Certificate of Title

Current Title Search

Queensland Titles Registry Pty Ltd
ABN 23 648 568 101

Title Reference:	**50118636**	**Search Date:**	13/11/2025 06:16
Date Title Created:	26/03/1996	**Request No:**	54075626
Previous Title:	21517148		

ESTATE AND LAND

Estate in Fee Simple

LOT 7 BUILDING UNIT PLAN 104033
Local Government: DOUGLAS

COMMUNITY MANAGEMENT STATEMENT 16223

REGISTERED OWNER

Dealing No: 723292660 30/05/2024

DELU NOMINEES PTY LTD A.C.N. 122 953 511 TRUSTEE
UNDER INSTRUMENT 722076079

EASEMENTS, ENCUMBRANCES AND INTERESTS

1. Rights and interests reserved to the Crown by
Deed of Grant No. 10332197 (ALLOT 10 SEC 3)

ADMINISTRATIVE ADVICES

NIL

UNREGISTERED DEALINGS

NIL

** End of Current Title Search **

COPYRIGHT QUEENSLAND TITLES REGISTRY PTY LTD [2025]
Requested by: D-ENQ TITLES QUEENSLAND

Current Title Search

Queensland Titles Registry Pty Ltd
ABN 23 648 568 101

Title Reference:	**50118637**	**Search Date:**	13/11/2025 06:16
Date Title Created:	26/03/1996	**Request No:**	54075626
Previous Title:	21517148		

ESTATE AND LAND

Estate in Fee Simple

LOT 8 BUILDING UNIT PLAN 104033
Local Government: DOUGLAS

COMMUNITY MANAGEMENT STATEMENT 16223

REGISTERED OWNER

Dealing No: 723292660 30/05/2024

DELU NOMINEES PTY LTD A.C.N. 122 953 511 TRUSTEE
UNDER INSTRUMENT 722112293

EASEMENTS, ENCUMBRANCES AND INTERESTS

1. Rights and interests reserved to the Crown by
Deed of Grant No. 10332197 (ALLOT 10 SEC 3)

ADMINISTRATIVE ADVICES

NIL

UNREGISTERED DEALINGS

NIL

** End of Current Title Search **

COPYRIGHT QUEENSLAND TITLES REGISTRY PTY LTD [2025]
Requested by: D-ENQ TITLES QUEENSLAND

Attachment 2

Building Unit Plan

Building Units and Group Titles Act 1980
BUILDING UNITS AND GROUP TITLES REGULATION 1980
(Form 1)

Section 8(1).
Sheet No. 1 of 8 Sheets

NAME OF BUILDING: "Laxmi Centre"

BUILDING UNITS PLAN NO. 104033

SIGNATURE OF REGISTERED PROPRIETOR:

for

NAME OF REGISTERED PROPRIETOR: Susan Rae

ADDRESS: c/- Greer & Timms, Solicitors
PO Box 57 Port Douglas 4871

REFERENCE TO TITLE: 21517148

DESCRIPTION OF PARCEL: Lot 310 PTD2091

COUNTY: Solander

PARISH: Salisbury

TOWN: Port Douglas

CMS16223
BUP104033

NAME OF BODY CORPORATE: The Proprietors - "Laxmi Centre"
Building Units Plan No. 104033

ADDRESS at which documents may be served: ~~48 Macrossan Street Port Douglas Q4871~~
PORT DOUGLAS STRATA MANAGEMENT
PO BOX 60
PORT DOUGLAS 4871

BUILDING UNITS PLAN No.: 104033

REGISTERED:

REGISTERED
26 MAR 1996
EXAMINER

REGISTRAR OF TITLES

Chief Executive Officer

Surveyor's Reference: 95847PHI

Council of the Shire of Douglas

Local Authority Reference:

CISPV

Copyright protects the plan/s being ordered by you. Unauthorised reproduction or amendments are not permitted.

ANNEXURE 1 to SHEET 1 of BUILDING UNITS Plan No 104033

this 6 June 1996

REGISTRAR OF TITLES

REGISTRAR OF TITLES QUEENSLAND

REGISTERED 6 JUN 1996

EXAM. INITS.

No 701346570 Notification of Change of By-laws

REGISTERED 30 JUL 1997

EXAM. INITS.

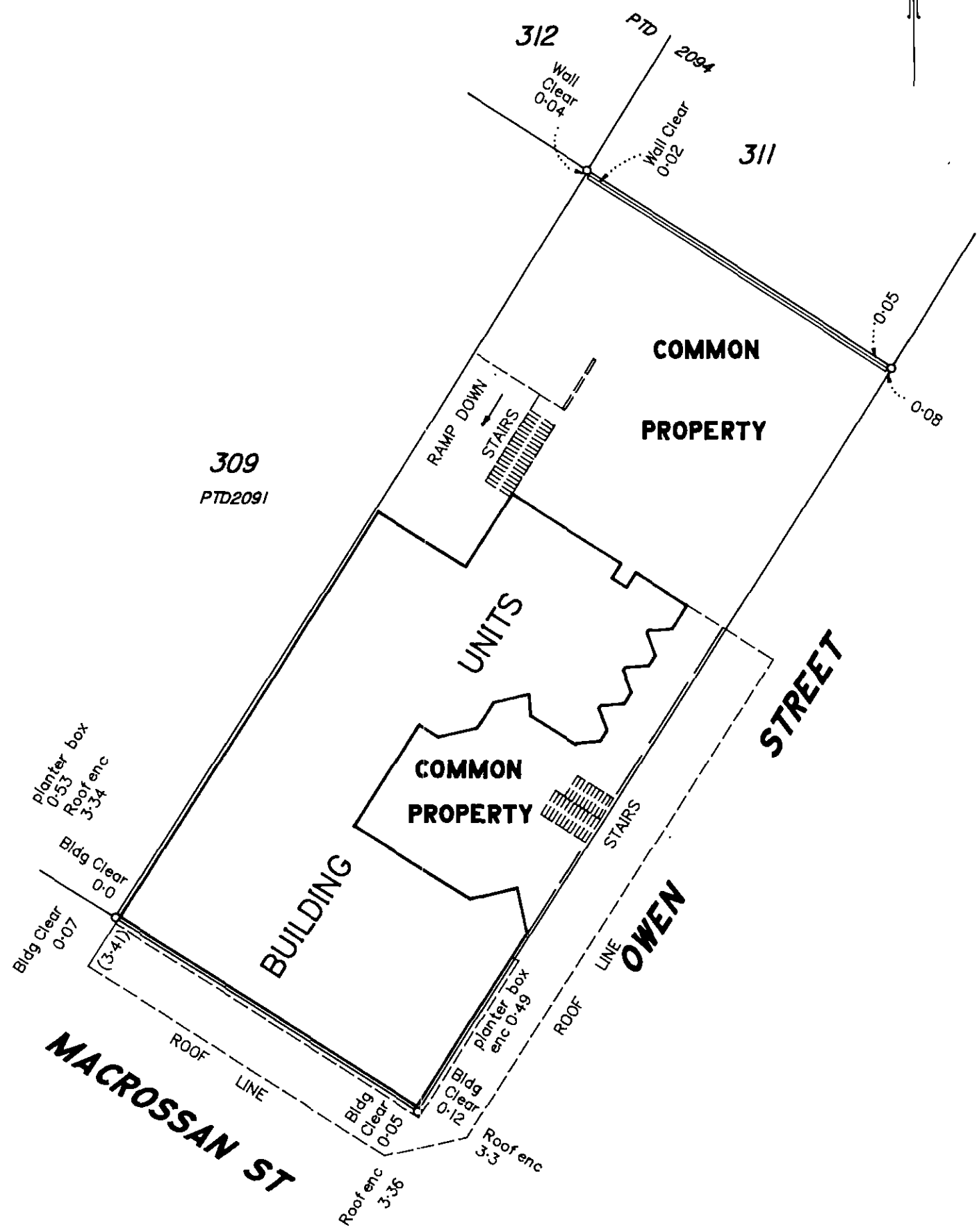
No 702120880 Change of address for notices produced 28 Jul 1997

Building Units and Group Titles Act 1980
BUILDING UNITS AND GROUP TITLES REGULATION 1980

Name of Building: "*Laxmi Centre*"

Section 8(1).
Sheet No. 2 of 8 Sheets

BUILDING UNITS PLAN NO. 104033



SCALE: *1:300*

Chief Executive Officer

Council of the Shire of Douglas

Building Units and Group Titles Act 1980
BUILDING UNITS AND GROUP TITLES REGULATION 1980
(Form 2)

NAME OF BUILDING: "*Laxmi Centre*"

Section 8(1).
Sheet No. 3 of 8 Sheets

BUILDING UNITS PLAN NO. 104033

I, *Jeremy Matthew Scriven* , of *3 Front St Mossman*
licensed surveyor registered under the Surveyors Act 1977 hereby certify that: –

(a) The building shown on the building units plan to which this certificate is annexed is within the external surface boundaries of the parcel the subject of the said plan subject to paragraph (b) of this certificate;

(b) (i) Where eaves or guttering project beyond such boundaries an appropriate easement has been granted as an appurtenance of the parcel; and
(ii) Where that projection is over a road the local authority has consented thereto pursuant to the ordinances or by–laws as the case may be; and

(c) I have physically inspected the building shown on the building units plan to which this certificate is annexed and:–
(i) it conforms to the building units plan as submitted; and
(ii) the numbering of the lots agrees with the numbering on the building units plan; and
(iii) the areas designated as parts of lots (including garages) have been suitably identified and structurally divided; and
(iv) all lots in the building are physically connected to each other in an approved manner.

DATED this TWENTY FIRST day of DECEMBER 19 95.

LICENSED SURVEYOR

Chief Executive Officer
Council of the Shire of Douglas

Building Units and Group Titles Act 1980
BUILDING UNITS AND GROUP TITLES REGULATION 1980
(Form 3)

NAME OF BUILDING: "*Laxmi Centre*"

Section 8(1).
Sheet No. 4 of 8 Sheets

BUILDING UNITS PLAN NO. 104033

CERTIFICATE OF LOCAL AUTHORITY

Council of the Shire of Douglas hereby certifies that the proposed subdivision of the parcel as illustrated in the abovementioned plan has been approved by the Council of the Shire of Douglas and that all the requirements of The Local Government (Planning and Environment) Act 1990, as modified by the Building Units and Group Titles Act 1980 have been complied with in regard to the subdivision.

DATED this 20TH day of FEBRUARY, 1996.

for and on behalf of DOUGLAS SHIRE COUNCIL

MAYOR

CHIEF EXECUTIVE OFFICER

Council of the Shire of Douglas

Building Units and Group Titles Act 1980
BUILDING UNITS AND GROUP TITLES REGULATION 1980
(Form 6)

NAME OF BUILDING: "*Laxmi Centre*"

Section 8(1).
Sheet No. 5 of 8 Sheets

BUILDING UNITS PLAN NO. 104033

I, JEFFREY WAYNE FOWLER, of 1 TARI PL TRINITY BEACH

~~*an architect within the meaning of the Architects Act 1985~~.

*a building surveyor appointed by the ~~Council +~~ Council of the Shire of Douglas

~~*a building inspector appointed by the Council +~~ Council of the Shire of Douglas

hereby certify that the building shown on the building units plan to which this certificate is annexed has been substantially completed in accordance with plans and specifications approved by *the ~~Council +~~ Council of the Shire of Douglas

~~/a designated officer of the Council +~~ ~~Council of the Shire of Douglas~~

DATED this 15th day of FEBRUARY, 1996

.....
*~~Architect~~/Building surveyor/~~Building inspector~~.

* Delete whichever is inapplicable
\+ Insert name of local authority

.....
Chief Executive Officer
Council of the Shire of Douglas

Building Units and Group Titles Act 1980
BUILDING UNITS AND GROUP TITLES REGULATION 1980
(Form 8)

Section 8(1).
Sheet No. 6 of 8 Sheets

Name of Building: "Laxmi Centre"

BUILDING UNITS PLAN NO. 164033

SCHEDULE OF LOT ENTITLEMENTS AND REFERENCE TO TITLES

Lot No.	Level	Entitlement	Title Reference	Lot No.	Level	Entitlement	Title Reference
1	A	7	50118630				
2	A	5	50118631				
3	A	5	50118632				
4	A	9	50118633				
5	B	7	50118634				
6	B	5	50118635				
7	B	7	50118636				
8	B	7	50118637				
9	B	9	50118638				
AGGREGATE		61		AGGREGATE			

SIGNATURE OF REGISTERED PROPRIETOR:

Chief Executive Officer

Council of the Shire of Douglas

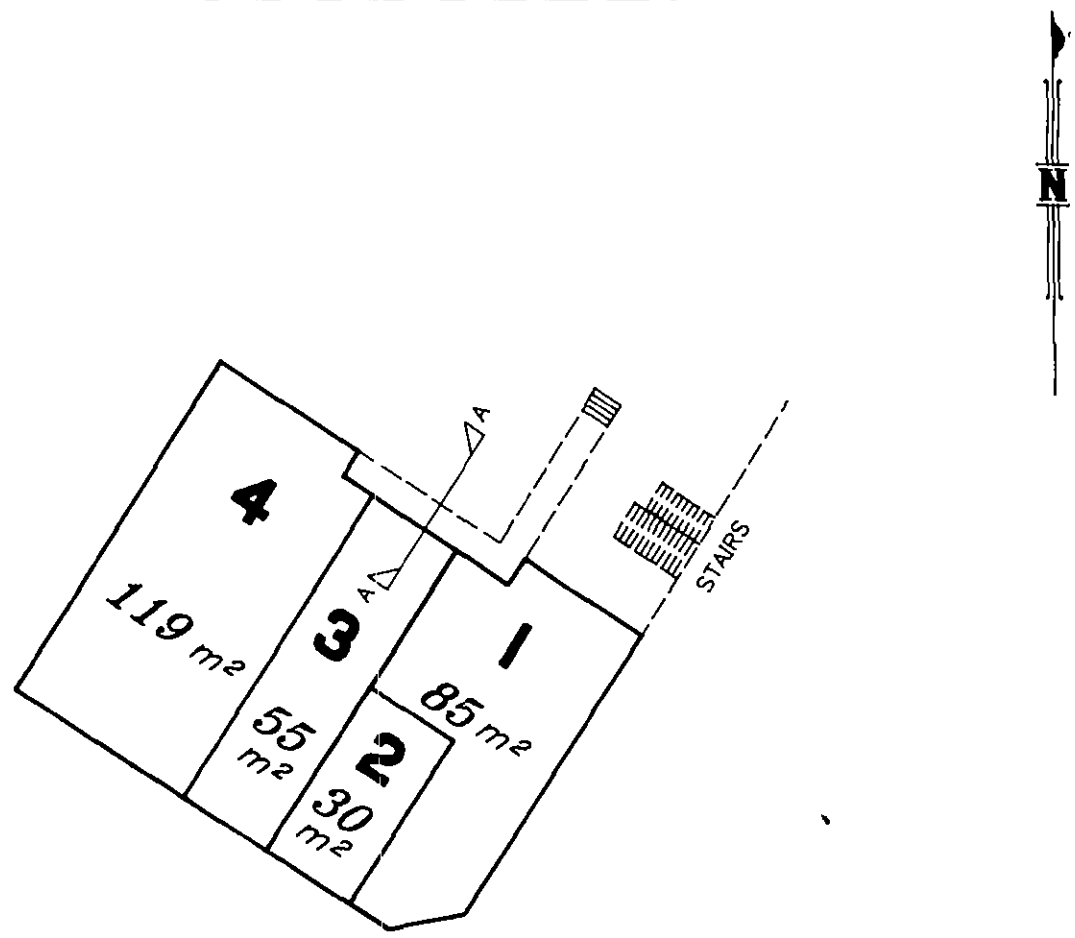
Building Units and Group Titles Act 1980
BUILDING UNITS AND GROUP TITLES REGULATION 1980
(Form 9)

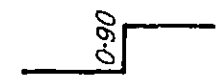
Name of Building: "*Laxmi Centre*"

Section 8(1).
Sheet No. 7 of 8 Sheets

BUILDING UNITS PLAN NO. 104033

LEVEL A





SECTION A–A
NTS

SCALE: *1:300*

Floor areas are approximate only.

SIGNATURE OF REGISTERED PROPRIETOR:

Chief Executive Officer

Council of the Shire of Douglas

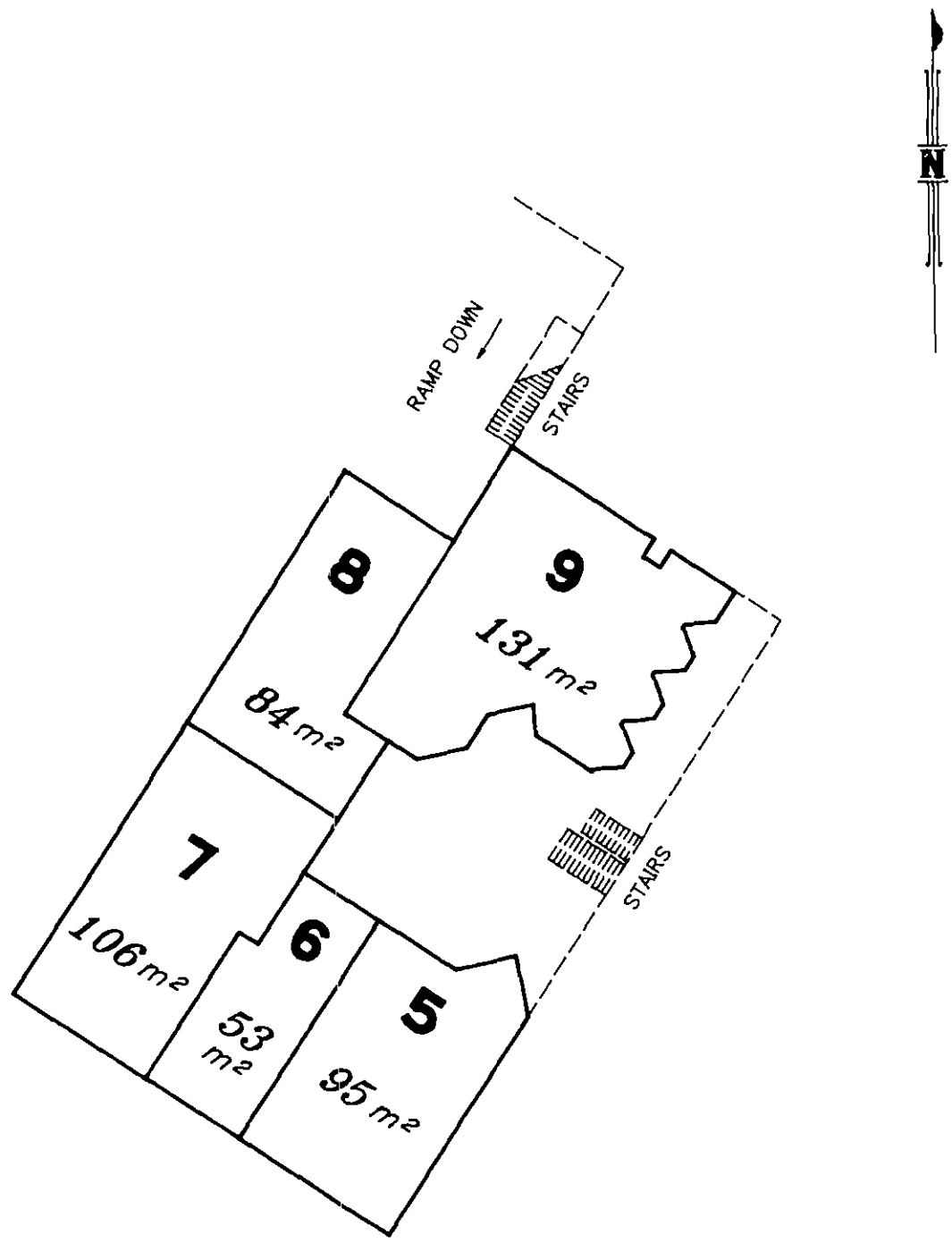
Building Units and Group Titles Act 1980
BUILDING UNITS AND GROUP TITLES REGULATION 1980
(Form 9)

Name of Building: "*Laxmi Centre*"

Section 8(1).
Sheet No. 8 of 8 Sheets

BUILDING UNITS PLAN NO. 104033

LEVEL B



SCALE: *1:300*

Floor areas are approximate only.

SIGNATURE OF REGISTERED PROPRIETOR:

.....
Chief Executive Officer

Council of the Shire of Douglas

Attachment 3

Proposal Plans

Success By Design

DEAN & LOUISE GLEESON
PROPOSED POOL HALL
SHOPS 7-9 48 MACROSSAN STREET
PORT DOUGLAS QLD 4877

GENERAL NOTES -

NOT FOR CONSTRUCTION GUIDE ONLY

GENERAL

- ALL WORKS SHALL BE IN STRICT ACCORDANCE WITH THE NATIONAL CONSTRUCTION CODE OF AUSTRALIA 2016 AND AMENDMENTS. AS1684.3-2010 RESIDENTIAL TIMBER FRAMED CONSTRUCTION PART 3 AND AMENDMENTS.

- ALL RELEVANT STANDARDS, LOCAL AUTHORITY BY-LAWS AND REGULATIONS AND WORKPLACE HEALTH & SAFETY REGULATIONS. ACCREDITED BUILDING PRODUCTS REGISTER AND MANUFACTURERS CURRENT WRITTEN SPECIFICATIONS AND RECOMMENDATIONS. BUILDER TO VERIFY ALL DIMENSIONS AND LEVELS ON SITE BEFORE COMMENCING ANY SITE WORKS OR WORKSHOP DRAWINGS.

- DO NOT SCALE DRAWINGS - TAKE FIGURED DIMENSIONS.
- SUBSTITUTION OF ANY STRUCTURAL MEMBERS, AND OR ANY WILL VOID VARIATION TO ANY PART OF THE DESIGN & ANY RESPONSIBILITIES OF THE BUILDING DESIGNER FOR THE STRUCTURAL INTEGRITY AND PERFORMANCE OF THE BUILDING.

SITE PREPARATION:

- STRIP BUILDING SITE OF ALL TOPSOIL AND ORGANICS.
- BUILDING PLATFORM AND PAVEMENT SUPPORT AREAS SHOULD BE UNIFORMLY COMPACTED BY HEAVY SURFACE ROLLING TO A MINIMUM DRY DENSITY RATIO OF 95% SRDD. SOFT SPOTS ENCOUNTERED DURING COMPACTION TO BE TREATED BY TYNING, DRYING AND RE-COMPACTION.
- THE USE OF VIBRATORY ROLLERS FOR EARTHWORKS COMPACTION MAY CAUSE SIGNIFICANT GROUND VIBRATION AND CAREFUL SITE CONTROL OR THE USE HEAVY STATIC COMPACTION PLANT WILL BE REQUIRED TO AVOID DAMAGE TO ADJOINING MASONRY BUILDINGS.
- ALL FILL MATERIAL TO BE OF LOW PLASTICITY (P1<15) (GRANULAR SELECT FILL, PLACED IN LAYERS NOT MORE THAN 200mm COMPACTED THICKNESS, AND UNIFORMLY COMPACTED TO A MINIMUM DRY DENSITY RATION OF 95% SRDD.
- BUILDER TO SURVEY SITE PRIOR TO COMMENCEMENT OF EARTHWORKS AND CONSTRUCT BUILDING PLATFORM TO A LEVEL SUCH THAT ALL SURFACE WATER IS DIRECTED AWAY FROM THE BUILDING TO A SATISFACTORY DRAINAGE OUTLET.
- BUILDER SHALL ENSURE THAT SUITABLE AND APPROPRIATE VEHICULAR ACCESS IS PROVIDED TO THE BUILDING.
- BUILDER SHALL ENSURE THAT SUITABLE SOIL EROSION BARRIERS ARE INSTALLED COMPLYING WITH EPA AND LOCAL AUTHORITY REQUIREMENTS.
- REFER TO SOIL TEST CLASSIFICATION CARRIED OUT BY DIRT PROFESSIONALS - REPORT No. 1672051 DATE: 23.07.01
- SITE TO BE RE TESTED AFTER ROLLER COMPACTION FOLLOWED BY ENGINEER CONSULTATION AND POSSIBLE ENGINEERING AMENDMENTS DEPENDANT

SERVICE LOADS:

- THE STRUCTURAL WORK SHOWN ON THESE DRAWINGS HAS BEEN DESIGNED FOR THE FOLLOWING LIVE LOADS UNLESS NOTED OTHERWISE: 0.25 kPa ROOF 1.50 kPa INTERNAL SUSPENDED FLOORS 3.00 kPa EXTERNAL SUSPENDED FLOORS 1.50 kPa GROUND FLOORS LIVE LOADS TO AS 1170 PART 1 REGION C. DESIGN GUST WIND SPEED 50m/s PERMISSIBLE, 61m ULTIMATE LIMIT STATE

FOOTINGS & SLABS :

- FOOTINGS HAVE BEEN DESIGNED FOR A MINIMUM ALLOWABLE BEARING PRESSURE OF 100kPA & CLASS 'P' SITE CLASSIFICATION ACCORDING TO A.S. 2870
- BUILDER TO VERIFY SITE CONDITIONS PRIOR TO CONSTRUCTION
- NATURAL FOUNDATIONS TO BE GRUBBED OUT & FREE OF ORGANIC MATTER & DEBRIS & COMPACTED TO A MIN. 95% SRDD AT -5% TO +2% OF OPTIMUM MOISTURE CONTENT OR NOT LESS THAN 70% DENSITY INDEXED FOR COHESIONLESS SOILS.
- FILL TO SLAB TO & FOUNDATIONS SHALL BE APPROVED NON-PLASTIC MATERIAL COMPACTED IN MIN 150mm LAYERS TO 95% SRDD AT -5% TO +2% OF THE OPTIMUM MOISTURE CONTENT OR NOT LESS THAN 70% SRDD FOR COHESIONLESS SOILS.
- FOOTING TRENCHES SHALL BE CLEAN & DRY AT THE TIME OF CASTING WITH ANY SOFTENED MATERIAL REMOVED.BASE OF FOOTING TO BE FOUNDED ON FIRM NATURAL GROUND WITH MINIMUM SAFE BEARING CAPACITY OF 100KPA.
- REMOVE GRASS & TOPSOIL CONTAINING ROOTS FROM SLAB SITE PROVIDE COMPACTED SAND BEDDING UNDER SLAB.
- PROVIDE 0.2mm POLYTHENE MOISTURE BARRIER UNDER SLAB & FOOTINGS
- CONCRETE TO SLAB & FOOTINGS TO BE N20, 80mm SLUMP, 20mm AGGREGATE
- VIBRATE ALL CONCRETE, CURE SLAB 7 DAYS MINIMUM.
- CONCRETE COVER TO BE MAINTAINED BY THE USE OF APPROVED BAR CHAIRS SPACED AT APPROX 750mm CRS.
- CONDUITS& PIPES SHALL NOT BE PLACED WITHIN COVER CONCRETE
- LAP SLAB MESH 2 CROSSWIRES MINIMUM LAPS UNLESS OTHERWISE NOTED:- N12 - 600mm, N16 - 800mm, N20 - 1000mm, N24 - 1200mm, N28 - 1400mm. REINFORCEMENT COVER: FOOTINGS - 50mm BOTTOM ,SLABS - 40mm TOP / 50mm BOTTOM
- CAST-IN ITEMS SHALL BE HOT DIPPED GALVANIZED
- FOOTINGS SHALL NOT BE LOCATED CLOSER TO THE NEAREST EDGE OF A STORMWATER/SEWER TRENCH THAN THE DEPTH OF THE TRENCH.
- SITE AREA TO BE GRADED TO READILY REMOVE SURFACE WATER & PREVENT PONDING ADJACENT TO FOUNDATIONS & DRIVEWAY.
- EXECUTION & CONTROL TESTING OF EARTHWORKS & ASSOCIATED SITE PREPARATION WORKS SHALL COMPLY WITH A.S. 3798

CONCRETE STRENGTH:

- ALL CONCRETE WORK SHALL BE IN ACCORDANCE WITH AS3600.
- N20 GRADE CONCRETE TO ALL FOOTINGS
- REFER SLAB PLANS FOR FLOOR SLAB CONCRETE GRADES

- CONCRETE

- CONCRETE GENERALLY IN ACCORDANCE WITH AS 3600
- CONCRETE SPECIFICATION UNLESS NOTED OTHERWISE:

ELEMENT	CLASS & GRADE	MAX. AGG.	MAX. SLUMP
GROUND SLAB	N32	20mm	100mm
SUSPENDED SLAB	N40	20mm	100mm
ROOF SLAB	N40	20mm	100mm
FOOTINGS	N25	20mm	100mm
CORE FILL	S20	10mm	230mm

REINFORCEMENT NOTATION:
'N' DENOTES GRADE D500N HOT ROLLED REBAR TO AS4671.
'S' DENOTES GRADE D250N HOT ROLLED REBAR TO AS4671.
'R' DENOTED GRADE R500L COLD DRAWN ROUND WIRE TO AS4671.
'W' DENOTES GRADE R500L COLD DRAWN ROUND WIRE TO AS4671.
'DW' DENOTES GRADE D500L COLD DRAWN RIBBED WIRE TO AS4671.
'RL', 'SL', 'L_'TM' DENOTES FRAYED D500 DEFORMED WIRE MESHES TO AS4671.
- ADDITIVES SHALL NOT BE USED WITHOUT THE SUPERINTENDENT'S APPROVAL.
- MECHANICALLY VIBRATE CONCRETE IN THE FORM TO GIVE MAXIMUM COMPACTION WITHOUT SEGREGATION OF THE CONCRETE.
- CURE CONCRETE AS REQUIRED BY SECTION 19 OF AS3600.
- CONCRETE SIZES SHOWN ARE MINIMUM AND DO NOT INCLUDE APPLIED FINISHES.
- DO NOT REDUCE OR HOLE CONCRETE WITHOUT SUPERINTENDENT'S APPROVAL.
- DO NOT PLACE CONDUITS, PIPES AND THE LIKE WITHIN THE COVER CONCRETE.
- FORM WORK SHALL GENERALLY COMPLY WITH AS3610
- STRIPPING OF FORM WORK SHALL COMPLY WITH SECTION 19 OF AS3600.

CONCRETE MASONRY NOTES:

GENERAL WALLS U.N.O
- 190 SERIES CONC MASONRY BLOCKS IN ACCORDANCE WITH AS 3700 & AS 2733. MORTAR 1:1:6 (CL:S) DOTS DENOTE N12 VERTICAL BARS (U.N.O.) AT ENDS, CORNERS, INTERSECTIONS, EACH SIDE OF ALL OPENINGS AND AT CRS NOTED ON PLANS. LAP VERTICAL BARS 600mm WITH N12 STARTER BARS COGGED 200mm INTO FOOTING PROVIDE ADDITIONAL N12 VERTICAL BAR EACH SIDE OF OPENINGS >2400 WIDE.
- PROVIDE DOUBLE COURSE (U.N.O.) CONTINUOUS BOND BEAM TO TOP OF 190 SERIES WALLS. REINF. WITH 1-N12 BAR EACH COURSE - LAP 800mm MIN.
- ALL EXTERNAL JOINTS TO BE 'FLUSHED' LEFT READY FOR RENDERING.
- ALL CMB WALLS THAT ARE TO BE CONCRETE FILLED ARE TO BE WATER HOSED DURING THE WALL CONSTRUCTION TO REMOVE MORTAR DAGS IN THE MASONRY CORES.

WALL CONSTRUCTION - FRAMING:

EXTERNAL STUDWORK WALLS / LOAD BEARING WALLS :
- MGP12 (H2)
- 90 x 35 STUDS @ MAX. 450mm CRS.
- 90 x 45 BOTTOM PLATES.
- 2 / 90 x 35 TOP PLATES.
- 90 x 35 NOGS @ 1350 CRS GENERALLY
- M12 / M16 TIE-DOWN ROD POSITIONS AS SHOWN ON PLAN.
- LINTELS AS PER SCHEDULE.
- 2 STUDS BESIDE OPENINGS UP TO 1800mm
- 3 STUDS BESIDE OPENINGS UP TO 3600mm
- 4 STUDS BESIDE OPENINGS UP TO 5000mm

INTERNAL STUDWORK WALLS LOAD BEARING

90MM THICK WALLS :
-MGP12 (H2)
- 90 x 35 STUDS @MAX. 450MM CRS.
- 90 x 35 TOP & BOTTOM PLATES - 1 ROW NOGGINS.
- 90 x 45 TOP & BOTTOM PLATES TO BRACE WALLS.

BRACING WALLS :
- 4mm STRUCTURAL PLY FIXED WITH 2.8 x 30 GAL. FLATHEAD NAILS @ : 50mm CRS. TOP AND BOTTOM PLATE.
150mm CRS. TO VERTICAL EDGES.
300mm CRS. INTERMEDIATE STUDS.
- ANCHOR ENDS OF WALLS TOP AND BOTTOM.
- USE 6mm VILLABOARD IN LIEU OF PLY TO WET AREAS.
- FIX BRACE WALLS TO ROOF FRAMING WHERE NOT OTHERWISE CONNECTED.

- FIX BOTTOM AND TOP OF WALL TO FLOOR AND ROOF STRUCTURE WITH M-12 BOLTS AT MAX 900 CNS. WHERE WALL IS PARALLEL TO JOISTS OR TRUSSES, PROVIDE 100X50 F14 HWD SOLID NOGGING AT REQUIRED CNS FIXED WITH 2-100mm BATTEN SCREWS EACH END. WHERE WALL IS PERPENDICULAR TO TRUSSES FIX WALL WITH 125X75X6 MS ANGLE WITH 1-M12 BOLT THRU TOP PLATES AND 1-M12 THRU TRUSS/PURLIN

- STRAP WALL JUNCTIONS WITH 2-30X0.8 GAL STRAPS WITH 8-2.8X30 GAL FLAT HEAD NAILS EACH STRAP

- USE 6mm VILLABOARD IN LIEU OF PLY IN WET AREAS
-NON LOAD BEARING 70x35 MGP10

ROOF FRAMING :
TRUSSES
- PREFABRICATED ROOF TRUSSES DESIGNED BY THE TRUSS MANUFACTURER INCLUDING ALL NECESSARY BRACING AND CONNECTIONS.
- JZ JOINT GROUP FOR HWD TRUSSES.
- JD4 JOINT GROUP FOR PINE TRUSSES.
ROOF BRACING
- METAL STRAP BRACING TO TRUSS MANUFACTURER'S DESIGN.
ROOF SHEET & BATTEN FIXINGS
- LYSAGHT SHEETING OVER LYSAGHT BATTENS
- ALL ROOF SHEETING AND BATTEN FIXINGS ARE TO BE IN ACCORDANCE WITH THE MANUFACTURER'S SPECIFICATION FOR THE REQUIRED WIND SPEED.
- THE FIXING SYSTEMS FOR THE WHOLE METAL ROOF ASSEMBLY SUPPLIED BY THE MANUFACTURER, ARE TO BE COMPLIANT WITH THE LOW-HIGH-LOW CYCLIC TESTING REQUIREMENTS OF THE BUILDING CODE OF AUSTRALIA (SPECIFICATION B1.2 VOLUME 1 FOR CLASS 2 TO 9 BUILDINGS) OR (SECTION 3.10.1 VOLUME 2 FOR CLASS 1 & 10 BUILDINGS).
- A 'COMPLIANCE CERTIFICATE' SHALL BE REQUESTED FROM THE 'MANUFACTURER' & THE 'INSTALLER'
GENERAL :
- LAPS, FLASHINGS AND GENERAL INSTALLATION IN ACCORDANCE WITH THE MANUFACTURER'S SPECIFICATION.

WET AREA WALLS:

- ALL WET AREA WALLS AND FLOORS TO BE WATERPROOFED WITH APPROVED MEMBRANES IN ACCORDANCE WITH AS/NZS 4858.
- WET AREAS TO BE WATERPROOFED IN ACCORDANCE WITH NCC 2016 PART 3.8.1.2.
- WALL/FLOOR COVERINGS: BUILDER TO CONSULT OWNER FOR FULL EXTENT OF FLOOR COVERING REQUIREMENTS.
- SELECTED WALL TILES TO WET AREAS AND SPLASH-BACKS. PROVIDE APPROVED ADHESIVE TO ALL TILES.

STEELWORK:

- ALL STEEL WORKS TO BE CARRIED OUT TO AUSTRALIAN STANDARDS 4100 STEEL STRUCTURES CODE
- STEEL SHALL BE AS 3679 & 3678 GENERALLY GRADE 300 PLUS FOR HOT ROLLED SECTIONS AS 1163 GRADE 350 FOR HOLLOW SECTIONS
- BOLTS SHALL BE COMMERCIAL GRADE 4.6/S SNUG TIGHTENED GENERALLY U.N.O.
- BOLTS SHALL BE GALVANIZED OR & OF SUFFICIENT LENGTH TO EXCLUDE THE THREAD FROM THE SHEAR PLANE A SUITABLE WASHER SHALL BE USED UNDER ALL NUTS UNLESS OTHERWISE SPECIFIED
- THE FOLLOWING TO APPLY
BEAM AND BEARER SPLICE TO BE FPBW TO AS 1554.1 CLASS SP WELDING 6MM CONTINUOUS FILLET WELD TO FULL PERIMETER AT CONTACT
- CLEATS, BRACKETS, STIFFENERS ETC. TO BE 10mm PLATE UNO, SPL END PL TO ALL HOLLOW SECTIONS
- BOLT HOLE CLEARANCE TO BE 2mm
- HOLD DOWN BOLT CLEARANCE 2mm
- GROUT OF 2:1 CEMENT/SAND, MORTAR OF DAMP EARTH CONSISTENCY UNDER ALL BASE PLATES
- CHEMSET ANCHORS TO BE RAMSET SPIN CAPSULES OR SERIES 800 OR EQUIVALENT
- ALL STEEL WORK NOT HOT DIPPED GALVANIZED SHALL BE ABRASIVE CLEANED TO CLASS 2.5 LEVEL & PAINTED
- PAINTING SHALL CONSIST OF ONE COAT OF APPROVED METAL PRIMER & TWO FINISH COATS
- ALL CAST IN ITEMS TO BE HOT DIPPED GALVANIZED U.N.O

TERMITE TREATMENT:

- ALL TIMBER USED IN PROJECT TO BE EITHER NATURALLY RESISTANT TO TERMITE ATTACK (AS LISTED IN AS3660.1- APPENDIX C) OR CHEMICALLY TREATED TIMBERS IN ACCORDANCE WITH AS3660.1-APPENDIX D.
- LOSP TREATED TIMBER TO BE TREATED TO H2 LEVEL FOR ALL TIMBERS USED IN ABOVE GROUND, DRY, WEATHER PROTECTED AREAS, SUCH AS TRUSSES, WALL FRAMING AND SUB-FLOOR APPLICATIONS.
- H3 LEVEL APPLICATIONS TO BE ABOVE GROUND, OUTSIDE, EXPOSED TO WEATHER AREAS SUCH AS DECKING, FENCE PICKETS & RAILS, PERGOLAS, EXPOSED FLOOR JOISTS AND BEARERS AND EXTERNAL WALL CLADDINGS. DUE TO THE DYE PIGMENT CONTAINED IN LOSP TREATED TIMBERS, ALL INTERNAL ARCHITRAVES AND MOLDINGS TO BE EITHER NATURALLY RESISTANT TIMBERS OR H3 LEVEL LOSP TREATED TIMBERS.
- ALL SLAB PENETRATIONS TO HAVE TERMI-MESH MARINE GRADE STEEL COLLARS FITTED BY MANUFACTURER'S QUALIFIED TECHNICIANS.
- BUILDER TO PROVIDE 2 DURABLE NOTICES PERMANENTLY FIXED IN PROMINENT LOCATIONS, SUCH AS THE ELECTRICITY METER BOX AND A KITCHEN CUPBOARD. THE NOTICE TO INDICATE:
- METHOD OF PROTECTION.
- DATE OF INSTALLATION OF THE SYSTEM USED.
- WHERE A CHEMICAL BARRIER IS USED, ITS LIFE EXPECTANCY AS LISTED ON THE NATIONAL REGISTRATION AUTHORITY LABEL.
- THE INSTALLER'S OR MANUFACTURER'S RECOMMENDATIONS FOR THE SCOPE AND FREQUENCY OF FUTURE INSPECTIONS FOR TERMITE ACTIVITY.
- THE BUILDER MAY PROVIDE AN ALTERNATIVE TERMITE TREATMENT SYSTEM PROVIDE SUCH SYSTEMS CERTIFIED WITH THE AUSTRALIAN BUILDING CODES BOARD AS REQUIRED BY THE NCC 2016.
- GENERALLY, THE TERMITE TREATMENT SHALL COMPLY WITH NCC 2016 PART 3.1.3

ELECTRICAL:

- A MINIMUM 80% OF THE TOTAL FIXED INTERNAL LIGHTING WILL BE FITTED WITH ENERGY EFFICIENT LIGHTING AS DEFINED BY QDC PART MP 4.1 (MIN. 27 LUMENS PER WATT). IF AIR CONDITIONERS ARE BEING INSTALLED THEY WILL HAVE A MINIMUM
4-STAR MINIMUM ENERGY PERFORMANCE STANDARD (MEPS) RATING. ELECTRICIAN TO PROVIDE FORM 16 CERTIFICATE FOR ALL
ABOVE ITEMS HAVE BEEN COMPLIED WITH. PROVIDE ADDITIONAL DOCUMENTATION FROM LIGHT MANUFACTURER CONFIRMING THE
LIGHT FITTINGS ACHIEVE THE MINIMUM 27 LUMENS PER WATT.

PLUMBING:

- ALL SHOWER ROSES TO BE 3 STAR (WELS) RATED IN ACCORDANCE WITH AS/NZS 6400:2004. 4 STAR WATER EFFICIENCY LABELING AND STANDARDS (WELS)
SCHEME RATED CISTERNS WILL BE INSTALLED TO ALL WATER CLOSETS PREVIOUSLY 3-STAR WELS RATED.
- MINIMUM 3-STAR WELS RATED TAP WARE WILL BE INSTALLED TO ALL KITCHEN SINKS, BATHROOM BASINS AND LAUNDRY TROUGHS.
- PLUMBER TO PROVIDE FORM 16 COMPLIANCE CERTIFICATE FOR ALL ABOVE ITEMS

AIR CONDITIONING:

- BUILDER TO NOTE THAT SPLIT AIR CONDITIONING UNITS TO BE INSTALLED WHERE REQUIRED BY OWNER OR AS PER PLAN ONLY . ALLOWANCE TO BE MADE FOR THE INSTALLATION OF GAS PIPES AND CONDENSATION DRAINS AT TIME OF POURING SLAB AND ERECTING WALLS.
- ALL PIPES TO BE INSULATED AS REQUIRED.
- INSTALLATION TO BE IN ACCORDANCE WITH MANUFACTURERS SPECIFICATION.

DRAWING TERMS AND NOTATION -

- DRAWING DIMENSIONS ARE TO BE CHECKED AND CONFIRMED ONSITE BY THE BUILDER.
- FURNITURE AND DISPLAY ITEMS WITHIN PLANS AND RENDERS ARE FOR DRAWING PORPOSES AND NOT TO BE INCLUDED IN TENDERING DOCUMENTATION UNLESS NOTED ON PLAN.
- ARTISTIC DRAWING AND RENDERS ARE FOR VISUAL REPRESENTATION ONLY AND MAY NOT BE THE EXACT FINISH, COLOUR, ITEM OR MATERIAL TO BE USED, ALWAYS CONSULT BUILDING SPECIFICATIONS FOR EXCACT FINISH, COLOUR, ITEM OR MATERIAL.

LEGEND -

@	AT
ACCORD.	ACCORDING
AL	SELECT ALUCOBOND FINISH
AS	AUSTRALIAN STANDARD CODES
B	BENCHTOP
BFC	BROOM FINISH CONCRETE
CMB	CONCRETE MASONRY BLOCK
CONC	CONCRETE
COS	CONFIRM ON SITE
CPT	SELECT CARPET
CPD	CUPBOARD
CRS	CENTRES
CS	CAVITY SLIDER
CSK	COUNTERSUNK
CT	SELECT CERAMIC TILE
CKT	COOKTOP
CFW	CONTINUOUS FILLET WELD
DIA.	DIAMETER
DPC	DAMP PROOF COURSE
DK	DECKING
DW	DISHWASHER
D.P	DOWN PIPE
EA	EQUAL ANGLE
EJ	EXPANSION JOINT
FC	FIBRE-CEMENT
FFL	FINISHED FLOOR LEVEL
FH	FLAT HEAD NAILS
g	GAUGE (BOLTS, SCREWS)
GAL	GALVANIZING
GB	SELECT GLASS BALUSTRADE
HH	HEAD HEIGHT
HEX.	HEXAGONAL HEAD (BOLT)
HR	SELECT SS HANDRAIL
HT	HEIGHT
HWD	HARDWOOD
HWS	HOT WATER SYSTEM
LOSP	LIGHT ORGANIC SOLVENT PRESERVATIVE
MM	MILLIMETRES
MANUF.	MANUFACTURER
MAX.	MAXIMUM
MIN.	MINIMUM
MGP	MACHINE GRADED PINE
MIC	MICROWAVE OVEN
MS	MILD STEEL
NCH	NICHE
NCC	NATIONAL CONSTRUCTION CODE
NGL	NATURAL GROUND LEVEL
OFC	OFF-FORM CONCRETE FINISH
OG	OBSCURE GLASS
OHC	OVERHEAD CUPBOARD
PB	PLASTERBOARD LINING
PC	POLISHED CONCRETE
PF	SELECT 1200H POOL FENCE
PL	PLATE
PVC	POLYVINYL CHLORIDE
REINF	REINFORCING
RGH	ROUGHER HEADER H3 TREATED PINE
RHS	RECTANGULAR HOLLOW SECTION
SCJ	SAW CUT JOINT
SFL	STRUCTURAL FLOOR LEVEL
SHS	SQUARE HOLLOW SECTION
SLC	SELECT HWD SHIPLAPPED CLADDING
SS	STAINLESS STEEL
ST	SELECT TILES
SW	STONE WALL
SPEC	SPECIFICATION
SHS	SQUARE HOLLOW SECTION
TBR	SELECT TIMBER LAMINATE FLOORING
TC	SELECT TIMBER CEILING
TOW	TOP OF WALL
UA	UNEQUAL ANGLE
UNO	UNLESS NOTED OTHERWISE
L01	LINTEL NUMBER
D01	DOOR NUMBER
W01	WINDOW NUMBER
1 / 04 SECTION REFERENCE / SHEET REFERENCE	SECTION MARKER
03 N VIEW DIRECTION / SHEET REFERENCE	ELEVATION KEY
01 / 04 DETAIL REFERENCE / SHEET REFERENCE	DETAIL CALLOUT
LOUNGE / 2800 / PB / CT	ROOM NAME / CEILING HEIGHT / CEILING MATERIAL / FLOOR FINISH
RL 00.000	REDUCED LEVEL
100	SLAB SETDOWN
FALL .	SLAB FALL
100	SLAB THICKNESS
+ 00.000	SPOT LEVEL

FLOOR AREA

Area	0 m²
EXTERNAL COVER AREAS	0 m²
INTERNAL AREAS	0 m²

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CONCEPT DESIGN
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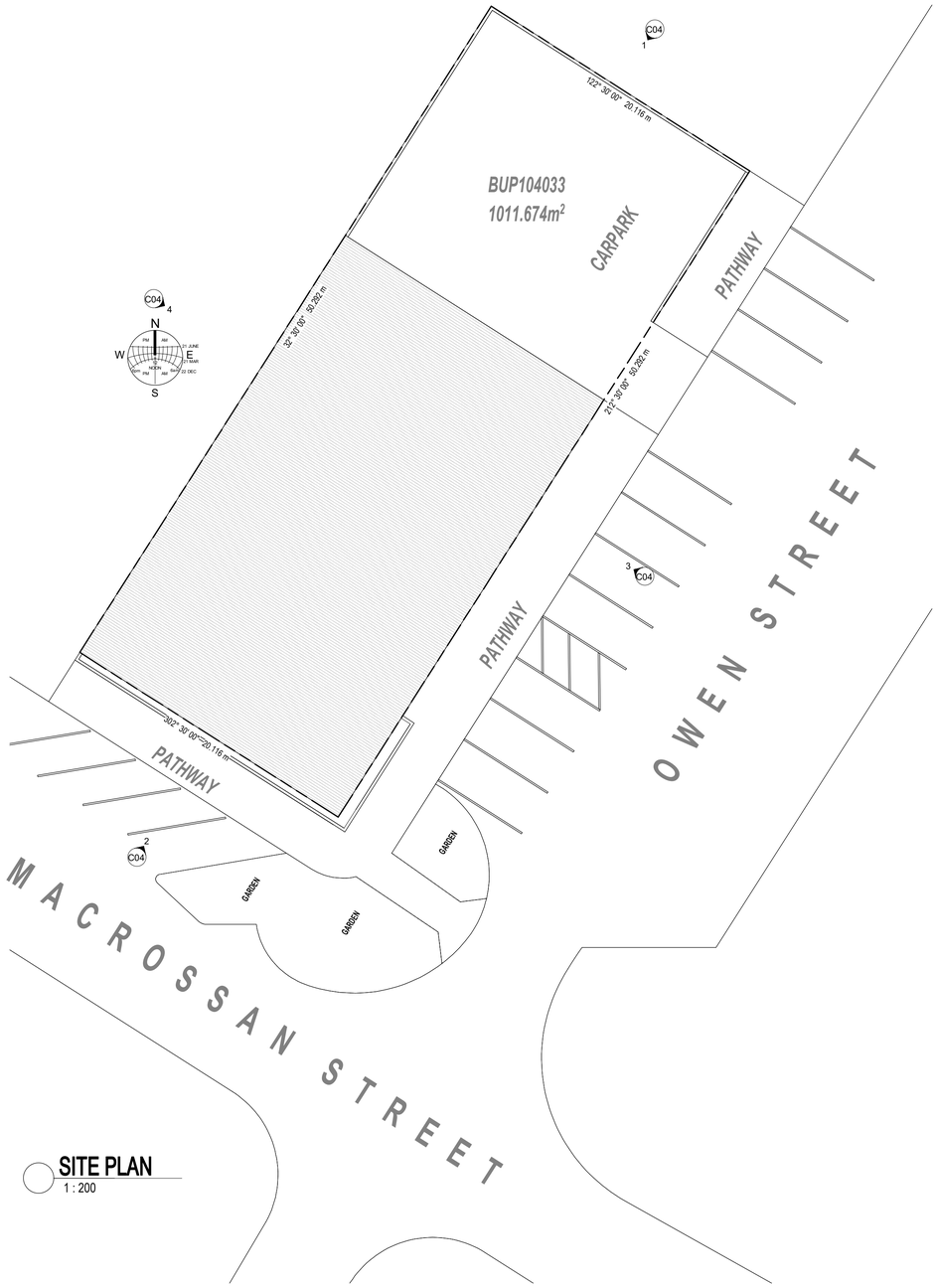
KFB Engineers Civil & Structural
1/38-42 Pease St, Cairns | PO Box 927, Cairns Q 4870
P: 07 40320492 | F: 07 40320092 | E: email@kfbeng.com.au
Date: _____ Signed: _____
Job No: _____ RPEQ No: _____

PROJECT: PROPOSED POOL HALL
PROJECT ADDRESS:
SHOP 7 & 8 48 MACROSSAN STREET
PORT DOUGLAS 4877 QLD

SHEET TITLE PAGE, GENERAL NOTES & LEGEND
PROJECT NUMBER PH48MCRSST
DESIGNER RYAN FUDALA
DRAWN RYAN FUDALA
SCALE AS SHOWN @ A1
SHEET C01
REV



SITE PLAN
1 : 200

IMAGE FROM QLD GLOBE

AREA KEY - SITE COVERAGE	
SITE AREA	1011.67m²
SHOP 7-8 COMBINED	TBCm²

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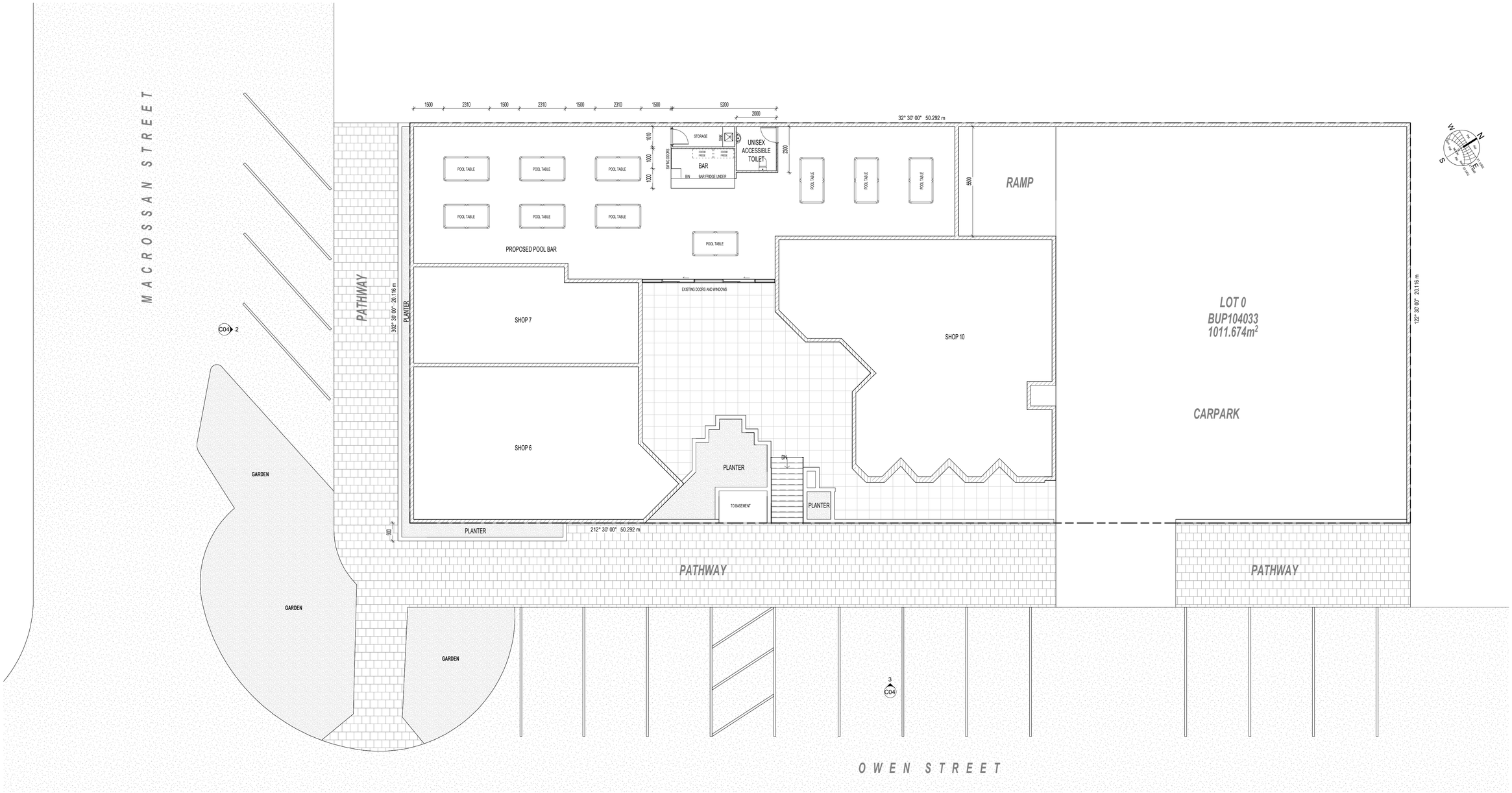
PROJECT: PROPOSED POOL HALL
PROJECT ADDRESS:
SHOP 7 & 8 48 MACROSSAN STREET
PORT DOUGLAS 4877 QLD

SHEET SITE PLANS
PROJECT NUMBER PH48MCRSST
DESIGNER RYAN FUDALA
DRAWN RYAN FUDALA
SCALE AS SHOWN @ A1
SHEET C02
REV



FLOOR PLAN - PROPOSAL

1 : 100

AREA KEY - SITE COVERAGE	
SITE AREA	1011.67m²
SHOP 7-8 COMBINED	TBCm²

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Date: _____ Signed: _____
Job No: _____ RPEQ No: _____

PROJECT: PROPOSED POOL HALL
PROJECT ADDRESS:
SHOP 7 & 8 48 MACROSSAN STREET
PORT DOUGLAS 4877 QLD

SHEET **FLOOR PLANS** PROJECT NUMBER **PH48MCRSST**

DESIGNER RYAN FUDALA DRAWN RYAN FUDALA SCALE AS SHOWN @ A1 SHEET **C03** REV

Attachment 4

Body Corporate Support

The Body Corporate Laxmi Centre CTS 16223
Phone: +61 428 330 008
U5 48 Macrossan Street, Port Douglas QLD 4877
PO Box 461, Port Douglas QLD 4877

12 November 2025

To: Douglas Shire Council

Lots 7 & 8 Laxmi Centre, 48 Macrossan Street, Port Douglas
Consent to use

The body corporate for the Laxmi Centre has no objection to the use of Lots 7 & 8 within the scheme as an *Indoor Sport and Recreation business*, incorporating the use as a pool hall and bar area.

Parking and toilet facilities on the common property are available for use by clients and customers of businesses operating within the scheme. Smoking and vaping is not permitted on the common property.

Regards,

Paul Galea
Chairman & Secretary

Attachment 5

Code Compliance Assessment Against the Douglas Shire Planning Scheme 2018 v1.0.

6.2.1 Centre zone code

6.2.1.1 Application

(1) This code applies to assessing development in the Centre zone.

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

6.2.1.2 Purpose

(1) The purpose of the Centre zone code is to provide for a mix of land uses and activities.

- (a) These uses include, but are not limited to, business, retail, professional, administrative, community, entertainment, cultural and residential activities.
- (b) Centres are found at a variety of scales based on their location and surrounding activities.

(2) The local government purpose of the code is to:

- (a) implement the policy direction set in the Strategic Framework, in particular:
  - (i) Theme 1 : Settlement pattern, Element 3.4.3 Activity Centres.
  - (ii) Theme 4 : Strong communities and identity, Element 3.7.4 Sense of place, community and identity, Element 3.7.6 Arts and Culture
  - (iii) Theme 5 : Economy, Element 3.8.2 – Economic growth and diversification, Element 3.8.3 Tourism.
- (b) provide for a mix of uses and level of economic and social activity to serve community needs.

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

- (a) Development creates a range of retail, commercial, community and residential uses.
- (b) Development is consistent with any location specific provisions contained within a Local Plan.
- (c) Development provides activation and surveillance at ground level where adjoining roads or other public spaces.
- (d) Development is integrated and coordinated both within the site and in relation to surrounding land uses and activities.
- (e) Development provides a built form that establishes a cohesive streetscape and continuous pedestrian connections and shelters.
- (f) Development is sensitively designed and managed to mitigate impacts on surrounding sensitive land uses.
- (g) Development has access to infrastructure and services.

6.2.1.3 Criteria for assessment

Table 6.2.1.3.a – Centre zone – assessable development

Performance outcomes	Acceptable outcomes	Applicant response
For self-assessable and assessable development		
PO1 The height of all buildings is in keeping with the character of the surrounding residential neighbourhoods and must not adversely affect the amenity of the neighbourhood.	**AO1** The maximum height of buildings and structures is: (a) in accordance with the provisions of any applicable local plan; (b) if no local plan applies, not more than 8.5 metres and two storeys in height. Note - Height is inclusive of the roof height.	**Complies with PO1.** The proposal involves an internal change of use only and does not include any building work that alters the height, bulk or scale of the existing structure. The current building height is consistent with the established character of the Port Douglas Town Centre and does not adversely affect the amenity of surrounding residential areas. As no changes to building height are proposed, the development complies with PO1.
PO2 The siting of buildings contributes to the use of the land, desired amenity and character of the area and protects the amenity of other land uses.	**AO2.1** Buildings and structures are setback to road frontages: (a) in accordance with the provisions of any applicable local plan; (b) a minimum of 6 metres where no local plan applies or there are no particular provisions specified in the local plan for the site. **AO2.2** Where adjoining land in the Industry zone, buildings are setback: (a) 0 metres from the side and rear boundaries; or (b) 2.5 metres or ¼ of the height of the building, whichever is the greater; and (c) not any distance between 0 metres and 2.5 metres. **AO2.3** Where adjoining land in any other zone, buildings are setback 3 metres or ¼ of the height of the building, whichever is the greater and are provided with an acoustic	**Complies with PO2.** The proposal reuses an existing commercial tenancy within an established building and does not involve any changes to the siting, footprint or orientation of the structure. The existing built form already contributes to the desired character and amenity of the Port Douglas Town Centre and appropriately interfaces with surrounding land uses. As the development maintains the current siting and does not introduce external works, it protects the amenity of adjoining premises and complies with PO2.

Performance outcomes	Acceptable outcomes	Applicant response
	barrier in accordance with the recommendations of a qualified acoustic expert. **AO2.4** Setback areas are provided with a 2 metre landscaped strip capable of deep planting, which is kept clear of service equipment and storage areas: (a) adjacent to the road frontage in all areas not required for pedestrian or vehicular access for the setback area nominated in AO2.1(b) above; (b) adjacent to the boundary with the other zone for the setback area nominated in AO2.3 above.	

Performance outcomes	Acceptable outcomes	Applicant response
PO3 The site coverage of buildings ensures that there is sufficient space available to cater for services, landscaping and on-site parking.	**AO3** Site coverage does not exceed 80%, unless otherwise specified in a Local plan.	**Compiles with AO3** The proposal does not involve any building work or changes to the existing site coverage. The established building footprint remains unchanged and continues to comply with the site coverage provisions for the Centre Zone and the applicable Local Plan, noting that a substantial open hardstand area exists to the north of the building. As no additional built form is proposed, the site continues to comply with AO3.
For assessable development		
PO4 The establishment of uses is consistent with the outcomes sought for the Centre zone and protects the zone from the intrusion of inconsistent uses.	**AO4** Inconsistent uses as identified in table 6.2.1.3.b are not established in the Centre zone.	**Complies with AO4 and PO4.** The proposal seeks approval for an Indoor Sport and Recreation (Pool Hall) use with an ancillary Bar component. Both uses are consistent with the intended function of the Centre Zone and are not identified as inconsistent in Table 6.2.1.3.b of the planning scheme. The development strengthens the role of the Centre Zone and Live Entertainment Precinct by contributing to: • A broadened mix of centre-based recreation and entertainment offerings; • A use that supports the tourism and night-time economy of Port Douglas; and • Activation of existing commercial floorspace in a manner compatible with surrounding hospitality and retail uses. No incompatible or inconsistent uses are proposed. The development aligns with the objectives of the Centre Zone to accommodate a diverse range of commercial, entertainment and

Performance outcomes	Acceptable outcomes	Applicant response
		community activities within an accessible, walkable and vibrant town centre environment. Accordingly, the proposal complies with AO4 and achieves PO4.
PO5 Development provides a range of convenient goods and services for the daily needs of discrete residential communities.	**AO5** Development complies with the requirements specified in a local plan.	**Complies with PO5.** The proposal is consistent with the Port Douglas / Craiglie Local Plan (Precinct 1a – Town Centre), which supports a mix of centre-based activities serving both residents and visitors. While PO5 anticipates that centres provide convenient goods and services for nearby communities, the planning scheme also recognises the town centre as a hub for entertainment, recreation and tourism-oriented uses that complement the daily needs and lifestyle of the surrounding population. The proposed development contributes to the vitality and service mix of the Port Douglas Town Centre by providing: • A small-scale indoor recreational venue that supports social interaction and community activity; • An entertainment offering that complements existing hospitality, retail and service uses within easy walking distance; and • An additional activity that reinforces Macrossan Street's role as the primary destination for residents and visitors seeking leisure, dining and evening experiences. The development enhances the range of centre-based offerings accessible to the surrounding community, and accordingly, complies with AO5 and achieves PO5.
PO6	**AO6**	**Complies with PO6.**

Performance outcomes	Acceptable outcomes	Applicant response
Development does not lower the standard of amenity in terms of air, noise, odour, electrical interference and vibrations at any land use associated with the: (a) the Accommodation activity group, located outside the Centre zone; (b) the Sensitive land use activity group, located outside the Centre zone.	No acceptable outcomes are prescribed.	The proposed development is a low-impact indoor recreational use operating entirely within an existing commercial building, with no external activity areas, amplified outdoor noise, emissions, or sources of odour, vibration or electrical interference. All activity will occur indoors and within reasonable operating hours, and the site is located within the Live Entertainment Precinct where evening activity is anticipated. Taking these factors into account, the development will not diminish the amenity of any accommodation or sensitive uses located outside the Centre Zone.

Performance outcomes	Acceptable outcomes	Applicant response
PO7 Reconfiguration of land results in (a) a practical layout for centre land use activities, generally consisting of regular rectangular-shaped lots. (b) lots no less than 600m^2 in area.	**AO7** No acceptable outcomes are prescribed.	**Not applicable.**

Table 6.2.1.3.b – Inconsistent uses within the Centre Zone

Inconsistent uses		
• Air services • Animal husbandry • Animal keeping • Aquaculture • Brothel • Cemetery • Crematorium • Cropping • Detention facility • Environment facility • Extractive industry • High impact industry • Intensive animal industry • Intensive horticulture	• Major electrical infrastructure • Major sport and entertainment facility • Marine industry, except where located within sub-precinct 1b Waterfront North in the Port Douglas / Craiglie Local Plan. • Medium impact industry • Motor sport facility • Outstation • Permanent plantation	• Relocatable home park • Renewable energy facility, being a wind farm • Resort complex • Retirement facility • Roadside stall • Rural industry • Rural workers accommodation • Special industry • Tourist park • Transport depot • Utility installation • Winery

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

7.2.4 Port Douglas/Craiglie local plan code

7.2.4.1 Application

(1) This code applies to assessing development within the Port Douglas/Craiglie local plan area as identified on the Port Douglas/Craiglie local plan maps contained in Schedule 2.

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

6.2.5.2 Context and setting

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

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

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

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

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

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

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

and the Port Douglas War memorial in Wharf Street. The Sugar Wharf on Dickson Inlet was the original terminus of the tramline to Mossman. The tramline now terminates adjacent to the Port Douglas marina and operates as the Balley Hooley passenger service on four kilometres of track between the Port Douglas Marina and St Crispins Station.

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

7.2.4.3 Purpose

(1) The purpose of the Port Douglas/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;

(iii) environment and sustainability is integrated into the township through:

(A) preservation and enhancement of the qualities and characteristics of environmental areas of the township;

(B) water sensitive urban design is considered as a means of water quality improvement and management of overland flow to ensure hard infrastructure solutions in Warner Street can be mitigated;

(C) design of buildings and access way improvements prioritises walking and cycling modes of transport.

(iv) the tropical character of the Port Douglas precinct is enhanced by ensuring development:

(A) maintains and enhances the built form, local character, streetscapes and natural elements of the township;

(B) is compatible with the desired character and amenity of local places and neighbourhoods;

(C) does not exceed the height of buildings designations which contribute to the desired form of the township which contains three storey development heights in sub-precinct 1a – Town Centre sub-precinct and part of sub-precinct 1b – Waterfront North sub-precinct;

(D) implements high quality landscaped environments around buildings and on streets;

(E) protects the recognisable character and locally significance sites throughout the precinct.

(v) public spaces and the streetscape are enhanced through:

(A) an increase in the quantity and quality of public land and places throughout the precinct;

(B) consolidating community recreation and sporting uses to create a precinct of community focussed activity between Mudlo Street and Wharf Street;

(C) improved connections between the town centre and the waterfront marina, including an investigation of a plaza on the waterfront;

(D) improved streetscapes with high quality landscaping, surface treatments and shaded pedestrian environments;

(E) the creation of a sense of place through aesthetic streetscapes and built-form character;

(F) managing vegetation to ensure succession of planting and the ongoing presence of significant trees.

(vi) advertising signage is small scale, low-key and complements the tropical character of the town.

Sub-precinct 1a – Town Centre sub-precinct

(6) In addition to other overall development outcomes, development in the Town Centre sub-precinct facilitates the following development outcomes:

(a) tourist, retail, dining and entertainment activities are facilitated at an appropriate pedestrian scale;

(b) drive-through developments, bulky goods showrooms, outdoor sales, saleyards and other big-box retailing or entertainment facilities are not established;

(c) development contributes to a high quality public realm;

(d) parking (and associated infrastructure) does not undermine the relationship between buildings and street or pedestrian circulation patterns;

(e) consolidation of community and cultural land use activities along Mowbray Street between Wharf Street and Mudlo Street;

(f) active street frontages are established along Macrossan and Wharf Streets and other nearby streets as shown on the Port Douglas Centre Active Frontages and Pedestrian and Cycle Network Plan;

(g) Live entertainment activities are concentrated within the Live Entertainment Precinct and are subject to the recommendations of a suitably qualified acoustic engineer.

Sub- precinct 1b - Waterfront North sub-precinct

(7) In addition to other overall development outcomes, development in the Waterfront North sub-precinct facilitates the following development outcomes:

(a) the precinct evolves as a revitalised open space and waterside development precinct;

(b) development within the precinct is designed to be sympathetic to the environmentally sensitive Dickson Inlet and mitigates any adverse impacts;

(c) the establishment of mixed-use development is facilitated to promote activity and vitality;

(d) public pedestrian access is maximised along the extent of the edge of the waterfront, consisting of a boardwalk or similar structure available for 24-hour use;

(e) development contributes to a high quality public realm;

(f) built form provides an attractive point of arrival from both land and sea;

(g) pedestrian connectivity is safe, efficient and provides for the needs of all users of the Port Douglas waterfront;

(h) parking (and associated infrastructure) does not undermine the relationship between buildings and street or pedestrian circulation patterns;

(i) the importance of existing marine-based industries to the area is recognised, not diminished and protected from incompatible uses. Relocation of marine based industries to an alternative precinct does not occur until such time that agreement has been reached among all relevant stakeholders such that development does not diminish the viability of marine based industrial uses that directly serve the Port Douglas tourist and fishing operators and private boat owners;

(j) marine infrastructure is established to service the tourism, fishing and private boating community;

(k) Live entertainment activities are concentrated within the Live Entertainment Precinct and are subject to the recommendations of a suitably qualified acoustic engineer;

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

Sub-precinct 1c – Waterfront South sub-precinct

(8) In addition to all other overall development outcomes, development in the Waterfront South sub-precinct facilitates the following development outcomes:

(a) any use of land in the precinct does not affect the environmental, habitat, conservation or scenic values of Dickson Inlet and surrounding land;

(b) marine-based industries are established on appropriate land having regard to site suitability, accessibility, surrounding land uses, and location of utilities and services;

(c) marine-based industry achieves appropriate environmental standards;

(d) industrial buildings have a high standard of layout and building design;

(e) landscaping provides an attractive streetscape and screens utility, storage and car parking from the street and other public areas;

(f) the precinct is protected from encroachment of incompatible land use activities.

Sub- precinct 1d – Limited Development sub-precinct

(9) In addition to all other overall development outcomes, development in the Limited Development sub-precinct facilitates the following development outcomes:

(a) any use of land in the precinct does not affect the environmental, habitat, conservation or scenic values of Dickson Inlet and surrounding land;

(b) the open nature and character of the precinct is retained maintaining view lines across the inlet;

(c) community and recreation land use activities are established that promote public access to the foreshore.

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

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

(a) development for community uses, including sport and recreation is facilitated.

(b) sport and recreation activities predominantly involve outdoor activities;

(c) areas of natural vegetation are protected from further development;

(d) shade trees are increased, in appropriate locations, surrounding the sports fields.

Sub-precinct 1f – Flagstaff Hill sub-precinct

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

(a) development is not established where it results in detriment to the vegetated and scenic qualities of Flagstaff Hill;

(b) development minimises excavation and filling;

(c) buildings and other works are unobtrusive when viewed from vantage points in Port Douglas and are designed and constructed of colours and materials which complement the hill's vegetated state;

(d) views from public viewing points within the precinct are protected.

Precinct 2 – Integrated Resort precinct

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

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

Precinct 3 – Craiglie Commercial and Light Industry precinct

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

(a) development supports the tourism and marine industries in Port Douglas, along with the small-scale commercial and light industry land uses that support the local economy that would otherwise be better suited to a location outside the Port Douglas Centre Precinct unless they pose a safety issue;

(b) development adjacent to the Captain Cook Highway presents an attractive appearance to the highway. The rain-trees, melaleucas and eucalypt trees along the Captain Cook Highway are retained where possible, taking into account the Department of Transport and main Road's requirements;

(c) retailing activities are generally restricted to those which are ancillary and necessarily associated with the primary service and light industry nature of the area;

(d) adjacent residential areas are protected from industry nuisances;

(e) lots fronting Downing Street, between Dickson Street and Beor Street, are provided with an appropriate standard of road access and infrastructure, prior to development occurring.

Precinct 4 – Old Port Road / Mitre Street precinct

(14) In addition to the overall outcomes, development in the Old Port Road / Mitre Street precinct facilitates the following overall outcomes:

(a) the precinct is intended to be used for outdoor recreational land use activity, primarily as a golf course;

(b) areas of significant vegetation are protected from development and retained;

(c) other forms of development will only be considered if substantial areas of open space are retained adjacent to existing residential areas to maintain the existing residential amenity of open views across open space.

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

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

(a) residential accommodation does not exceed a maximum of 8.5 metres in building height;

(b) minimum lot sizes exceed 2 hectares;

(c) very low scale and intensity recreation/ very low scale and intensity educational/ and very low scale entertainment uses may be appropriate in areas of the precinct subject to erosion and other flooding constraints.

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

Criteria for assessment

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

Performance outcomes	Acceptable outcomes	Applicant response
For self-assessable and assessable development		
Development in the Port Douglas / Craiglie local plan area generally		
PO1 Pedestrians, cyclists, motorists and public transport users can easily move into and through the precinct along planned connectivity routes, identified on the Port Douglas / Craiglie local plan maps contained in Schedule 2.	**AO1** A pedestrian and cycle movement network is integrated and delivered through development.	**Complies with AO1.** The proposal is an internal change of use within an existing commercial building and does not involve any new pedestrian or cycle infrastructure. All existing pedestrian and cycle connections within the Port Douglas Town Centre remain unchanged and continue to integrate with the wider movement network.
PO2 Development retains and enhances key landscape elements including character trees and areas of significant vegetation contributing to the character and quality of the local plan area and significant views and vistas and other landmarks important to the context of Port Douglas / Craiglie (as identified on the Port Douglas/ Craiglie Townscape Plan map contained in Schedule 2).	**AO2.1** Development provides for the retention and enhancement of existing mature trees and character vegetation that contribute to the lush tropical character of the town, including: (a) the tree covered backdrop of Flagstaff Hill; (b) natural vegetation along watercourses, in particular the Mowbray River, Beor Creek and Dickson Inlet; (c) the tidal vegetation along the foreshore; (d) beachfront vegetation along Four Mile Beach, including the fringe of Coconut Palms; (e) the oil palm avenues along the major roads; (f) the lush landscaping within major roundabouts at key nodes; (g) Macrossan Street and Warner Street; (h) Port Douglas waterfront.	**Not Applicable.** The proposal involves an internal change of use within an existing commercial building and does not require the removal, modification or disturbance of any mature trees or character vegetation.

Performance outcomes	Acceptable outcomes	Applicant response
	AO2.2 Development protects and does not intrude into important views and vistas as identified on the Port Douglas Townscape Plan map contained in Schedule 2, in particular: (a) Flagstaff Hill; (b) Four Mile Beach; (c) Across to the ranges over Dickson Inlet; (d) Mowbray Valley. **AO2.3** Important landmarks, memorials and monuments are retained.	**Not Applicable.** The proposal involves an internal change of use within an existing commercial building and does not require the removal, modification or disturbance of any mature trees, character vegetation, or Important landmarks, memorials and monuments.
PO3 Development contributes to the protection, reinforcement and where necessary enhancement of gateways and key intersections identified on the Port Douglas / Craiglie local plan maps contained in Schedule 2.	**AO3** Development adjacent to the gateways and nodes as identified on the Port Douglas / Craiglie local plan maps contained in Schedule 2 incorporates architectural features and landscaping treatments and design elements that enhance the sense of arrival and way finding within the town.	**Not Applicable.**
PO4 Landscaping of development sites complements the existing tropical character of Port Douglas and Craiglie.	**AO4** Landscaping incorporates the requirements of Planning scheme policy SC6.7 – Landscaping, in particular landscaping should be capable of achieving a 60% screening of development within 5 years and predominantly consists of endemic vegetation.	**Not Applicable.** The proposal does not involve any external works, new structures or changes to existing landscaped areas. As the development is confined entirely to the internal reuse of an existing commercial tenancy, no additional landscaping is required or proposed. Existing landscaping within the Laxmi Centre and along the Macrossan Street frontage will remain unchanged; therefore, AO4 is not applicable to the development.
PO5 Development does not compromise the safety and efficiency of the State-controlled road network.	**AO5**	**Complies with AO5.** The development does not seek or require direct access to Macrossan Street, which is a

Performance outcomes	Acceptable outcomes	Applicant response
	Direct access is not provided to a State-controlled road where legal and practical access from another road is available.	State-controlled road. Legal and practical access to the site is already provided from Owen Street, a local road, and all access will continue to occur from this frontage. No new access points are proposed.

Performance outcomes	Acceptable outcomes	Applicant response
For assessable development		
Additional requirements in Precinct 1 – Port Douglas precinct		
PO6 The views and vistas identified on the Port Douglas / Craiglie local plan maps contained in Schedule 2 are maintained.	**AO6.1** Development does not impede continued views to scenic vistas and key streetscapes within the local plan area. **AO6.2** Unless otherwise specified within this Local Plan, buildings are set back not less than 6 metres from the primary street frontage.	**Not Applicable.** The proposal involves an internal change of use only and does not include any building work, extensions or alterations to the existing façade. As no changes to built form or setbacks are proposed, the development does not affect views to scenic vistas or key streetscapes and does not trigger the street setback provisions.
PO7 Vehicle access, parking and service areas: (a) do not undermine the relationship between buildings and street or dominate the streetscape; (b) are designed to minimise pedestrian vehicle conflict; (c) are clearly identified and maintain ease of access at all times.	**AO7.1** For all buildings, parking is: (a) to the side of buildings and recessed behind the main building line; or (b) behind buildings; or (c) wrapped by the building façade, and not visible from the street. **AO7.2** Ground level parking incorporates clearly defined pedestrian routes. **AO7.3** Any porte-cocheres, disabled and pedestrian accesses are accommodated within the boundary of new or refurbished development. **AO7.4** Where the development is an integrated mixed-use development incorporating short term accommodation or multiple dwellings and either food and drink outlet or hotel or shop or shopping centre or office, on-site parking spaces are provided as per the number prescribed in the Parking and access code with a relaxation of 30% of spaces required for the non-residential uses.	**Complies with AO7.1 – AO7.5. AO7.6 is Not applicable** The proposal does not involve any changes to the existing parking arrangements within the Laxmi Centre. Parking is already located beneath and behind the main building line within the established undercroft area, and within both street frontages. The complex has clearly defined pedestrian access routes. No porte-cochere, mixed-use accommodation components or public car parking areas are proposed, and existing parking arrangements remain consistent with the local plan outcomes. As no publicly accessible paid parking or access-control devices are introduced, AO7.6 is not applicable.

Performance outcomes	Acceptable outcomes	Applicant response
	AO7.5 On-site car parking available for public use is clearly signed at the site frontage. **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.	
PO8 Precinct 1 – Port Douglas precinct is not characterised by a proliferation of advertising signs.	**AO8** No acceptable outcomes are prescribed.	**Complies with PO8.** The proposal does not introduce any new freestanding or externally illuminated signage. Advertising will be limited to modest unit-frontage signage and window decals consistent with the existing building's signage framework and the character of the Port Douglas precinct. The development will not contribute to a proliferation of advertising signs.
Additional requirements for Sub-precinct 1a – Town Centre sub-precinct		
PO9 Building heights: (a) do not overwhelm or dominate the town centre; (b) respect the desired streetscape; (c) ensure a high quality appearance when viewed from both within the town centre sub-precinct and external to the town centre sub-precinct; (d) remain subservient to the natural environment and the backdrop of Flagstaff Hill. (e) do not exceed 3 storeys.	**AO9** Buildings and structures are not more than 3 storeys and 13.5 metres in height, with a roof height of not less than 3 metres. Note – Height is inclusive of the roof height.	**Not applicable**. The proposal does not involve any external building work or changes to the existing structure. The current building height remains unchanged, and no additional storeys or extensions are proposed.

Performance outcomes	Acceptable outcomes	Applicant response
PO10 Building design, the streetscape, pedestrian paths and street front spaces promote integration with the surrounding area and the rest of Precinct 1 – Port Douglas Precinct.	**AO10** No acceptable outcomes are prescribed.	**Not Applicable.** The proposal involves no external building work or changes to entrances, facades or frontage arrangements. The existing building already addresses the street, and no alterations are proposed.
PO11 Buildings: (a) address street frontages; (b) ensure main entrances front the street or public spaces; (c) do not focus principally on internal spaces or parking areas.	**AO11** No acceptable outcomes are prescribed.	**Not Applicable.** The proposal involves no external building work or changes to entrances, facades or frontage arrangements. The existing building already addresses the street, and no alterations are proposed.
PO12 Setbacks at ground level provide for: (a) connection between pedestrian paths and public places; (b) areas for convenient movement of pedestrians; (c) changes in gradient of the street.	**AO12** Setbacks at ground level: (a) are clear of columns and other obstructions; (b) have pavement matching the gradient of adjoining footpaths and connecting pedestrian areas on adjoining sites; (c) connect without any lip or step to adjoining footpaths.	**Not Applicable.** The proposal involves no external building work or changes to entrances, facades or frontage arrangements. The existing building already addresses the street, and no alterations are proposed.
AO13 Buildings do not result in a reduction of views and vistas from public places to: (a) Flagstaff Hill; (b) Dickson Inlet; (c) public open space; (d) places of significance.	**AO13** No acceptable outcomes are prescribed.	**Complies AO13.** The proposal involves no external building work or changes to entrances, facades or frontage arrangements. Therefore, the development will not result in a reduction of views and vistas from the public places listed.
PO14 Development enhances the distinctive tropical resort town and identity of Port Douglas and encourages pedestrian activity at street level	**AO14** Development is built up to the street frontage/s at the street level and incorporates a light frame awning, a minimum of 3 metres in width for the length of the street frontage/s;	**Not Applicable.** The proposal involves no external building work or changes to entrances, facades or frontage arrangements. The existing building

Performance outcomes	Acceptable outcomes	Applicant response
including shade protection across the footpath for the length of the building.	or If a development includes an outdoor dining area at ground/footpath level, the dining area has a maximum setback of 3 metres and the required awning is still maintained along the length of the street frontage/s. Note – PO24 provides more detail on awning design.	already addresses the street, and no alterations are proposed.
PO15 Development is predominantly commercial in nature with any tourist accommodation having a secondary focus and not located on the street-level frontage where active frontages are encouraged as identified the Port Douglas local plan maps contained in Schedule 2.	**AO15.1** Centre activities establish: at street level on active street frontages; a maximum of one level above street level. **AO15.2** Any residential development activities or short term accommodation is located above street level of the active frontage, but not on or up to the street frontage in any development, including mixed use development.	**Complies with PO15.** The proposal is entirely commercial in nature, involving an indoor recreational use with an ancillary bar. No tourist accommodation is proposed. The use occupies an existing upper-level tenancy and does not affect the active street-level frontage of the building.
PO16 Detailed building design: (a) enhances the visual amenity of the streetscape; (b) has a legible and attractive built form that is visually enhanced by architectural elements; (c) contributes to a distinctive tropical north Queensland, seaside tourist town character; (d) integrates major landscaping elements to maximise their aesthetic value to ensure that the lush, vegetated character of the Town Centre sub-precinct is maintained.	**AO16** No acceptable outcomes are prescribed.	**Not Applicable.** The proposal involves no external building work or changes to entrances, facades or frontage arrangements. The existing architectural form, streetscape presentation and established landscaping remain unchanged.
PO17 Buildings exhibit variations to their external appearance and the shape of the built form to provide visual interest through: (a) surface decoration;	**AO17** No acceptable outcomes are prescribed.	**Not Applicable.** The proposal involves no external building work or changes to entrances, facades or frontage arrangements. The existing architectural form, streetscape presentation

Performance outcomes	Acceptable outcomes	Applicant response
(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.		and established landscaping remain unchanged.

Performance outcomes	Acceptable outcomes	Applicant response
PO18 Roofs are not characterised by a cluttered display of plant and equipment, in particular: (a) building caps and rooftops contribute to the architectural distinction of the building and create a coherent roofscape for the Town Centre sub-precinct; (b) service structures, lift motor rooms and mechanical plant and equipment are designed as an architectural feature of the building or are screened from public view; (c) rooftops are not used for advertising.	**AO18** No acceptable outcomes are prescribed.	**Not Applicable.** The proposal does not include any building work or installation of new rooftop plant, equipment or structures. The existing roof form remains unchanged, with no additional advertising or services proposed.
PO19 Windows and sun/rain control devices are used in the building form, in particular, sun shading devices are provided to: (a) shade windows; (b) reduce glare; (c) assist in maintaining comfortable indoor temperatures; (d) minimising heat loads; (e) enrich the North Queensland tropical character of the Town Centre sub-precinct; (f) provide architectural interest to building façades.	**AO19** No acceptable outcomes are prescribed.	**Not Applicable.** The proposal involves no external building work or alterations to windows, facades or sun-shading elements. The existing building design, including all sun and rain control devices, remains unchanged.

Performance outcomes	Acceptable outcomes	Applicant response
PO20 Buildings are finished with high quality materials, selected for: (a) their ability to contribute the character of Town Centre sub-precinct; (b) easy maintenance, durability and an ability not to readily stain, discolour or deteriorate.	**AO20** No acceptable outcomes are prescribed	**Complies with PO20.** The proposal does not involve any external building work or changes to the existing finishes or materials. The current building materials and facade treatments remain unchanged.
PO21 Buildings do not incorporate any type of glass or other materials that are likely to reflect the sun's rays in a manner that may create a nuisance, discomfort or a hazard.	**AO21** No acceptable outcomes are prescribed.	**Complies with PO21.** The proposal does not involve any external building work or changes to the existing finishes or materials. The current building materials and facade treatments remain unchanged.
PO22 Façades and elevations do not include large blank walls. Openings and setbacks are used to articulate vertical building surfaces.	**AO22.1** Development has a maximum length of unbroken building façade of 20 metres and a maximum extent of overall development in the same style/design along the street frontage/s of 40 metres. **AO22.2** Any break in the building façade varies the alignment by a 1 metre minimum deviation. **AO22.3** A minimum of three of the following building design features and architectural elements detailed below are incorporated to break the extended façade of a development: (a) a change in roof profile; (b) a change in parapet coping; (c) a change in awning design; (d) a horizontal or vertical change in the wall plane; or	**Complies with PO22.** The proposal does not involve any external building work or changes to the existing finishes or materials. The current building materials, facade treatments, and openings remain unchanged.

Performance outcomes	Acceptable outcomes	Applicant response
	(e) a change in the exterior finishes and exterior colours of the development.	
PO23 Building façades that face public spaces at ground level: (a) complement the appearance of the development and surrounding streetscape; (b) enhance the visual amenity of the public place; (c) include a variety of human scale architectural elements and details; (d) provide an opportunity for the casual and convenient surveillance of public space from within the development.	**AO23** Building façades at the ground floor of development that face public space are designed to ensure: (a) a minimum of 70% of the façade area is comprised of windows, wall openings or shop fronts that permit the casual surveillance of the public space from the development; (b) a visually prominent main entrance that faces the principal public place; (c) vertical architectural elements and features are incorporated at 3 metre or less intervals along the length of the façade.	**Complies with AO23.** The proposal does not involve any changes to the ground-level building façade or external presentation of the development. The existing streetscape interface, architectural detailing and opportunities for passive surveillance remain unchanged and appropriate.
PO24 Awnings for pedestrian shelter are consistent with the character setting of the Town Centre sub-precinct and: (a) extend and cover the footpath to provide protection from the sun and rain; (b) include lighting under the awning; (c) are continuous across the frontage of the site; (d) align to provide continuity with existing or future awnings on adjoining sites; (e) are a minimum of 3.0 metres in width and generally not more than 3.5 metres above pavement height; (f) do not extend past a vertical plane,1.2 metres inside the kerb-line to enable street trees to be planted and grow; (g) are cantilevered from the main building with any posts within the footpath being non load-bearing.	**AO24** No acceptable outcomes are prescribed.	**Complies with PO24.** The proposal does not involve any external building work or changes to the existing awnings along Macrossan Street. The current awnings already provide pedestrian shelter and are consistent with the character and requirements of the Town Centre sub-precinct. As no alterations are proposed and the existing awnings will be retained without modification.

Performance outcomes	Acceptable outcomes	Applicant response
PO25 Development integrates with the streetscape and landscaping improvements for Port Douglas.	**AO25** Development fronting Davidson Street, Macrossan Street, Wharf Street, Mowbray Street and Warner Street is designed to integrate with the on-street landscaping and design improvements as outlined within the Port Douglas landscape master plan contained within Planning scheme policy SC6.7 – Landscaping. Note - Planning scheme policy SC6.7 - Landscaping provides guidance on meeting the Performance Outcome.	**Complies with PO25.** The proposed development fronts Macrossan Street and incorporates existing landscaped areas and boundary planting that align with Planning scheme policy SC6.7. The existing landscaping and streetscape treatments will remain unchanged, and it is considered that it no additional requirements are necessary.
Additional requirements for Sub-precinct 1b – Waterfront North sub-precinct		
PO26 The establishment of uses is consistent with the outcomes sought for sub-precinct 1b – Waterfront North.	**AO26** Uses identified as inconsistent uses in Table 7.2.4.b – Inconsistent uses in sub-precinct 1b Waterfront North sub precinct are not established in sub-precinct 1b - Waterfront North.	**Not Applicable.**
PO27 The bulk and scale of buildings is consistent with surrounding development and steps down to complement the open space areas in the adjoining limited development sub-precinct.	**AO27** Buildings and structures are not more than: (a) 3 storeys and 13.5 metres in height , with a roof height of not less than 3 metres, in those parts of the precinct south of Inlet Street; (b) 2 storeys and 8.5 metres in height, with a roof height of not less than 3 metres, in those parts of the precinct north of Inlet Street. Note – Height is inclusive of roof height.	**Not Applicable.**
PO28 Building design, streetscape, pedestrian paths and street front spaces promote integration with the surrounding area and the rest of Precinct 1 – Port Douglas Precinct	**AO28** No acceptable outcomes are prescribed.	**Not Applicable.**

Performance outcomes	Acceptable outcomes	Applicant response
PO29 Public pedestrian access along the water's edge is maximised.	**AO29.1** Public pedestrian access is provided along the frontage of the water's edge consisting of a boardwalk of a minimum width of 4 metres that is available of 24-hour use. **AO29.2** A public plaza is incorporated into the design generally reflecting the requirements of the Port Douglas Waterfront Master Plan, focussing in the vicinity of the 'Duck Pond'. **AO29.3** Built envelopes are setback a minimum of 3.0 metres from the board walk, with a shelter/shade zone between the building envelopes and the boardwalk consisting of shade structure, canopies, verandahs and the like.	**Not Applicable.**
PO30 Buildings: (a) address street frontages; (b) ensure main entrances front the street or public spaces.	**AO30** No acceptable outcomes are prescribed.	**Not Applicable.**
PO31 Setbacks at ground level provide for: (a) connection between pedestrian paths and public places; (b) areas for convenient movement of pedestrians; (c) changes in gradient.	**AO31** Setbacks at ground level: (a) are clear of columns and other obstructions; (b) have pavement matching the gradient of adjoining footpaths and connecting pedestrian areas on adjoining sites; (c) connect without any lip or step to adjoining footpaths.	**Not Applicable.**

Performance outcomes	Acceptable outcomes	Applicant response
PO32 Buildings do not result in a reduction of views and vistas from public places to: (a) Dickson Inlet; (b) public open space; (c) places of significance.	**AO32** No acceptable outcomes are prescribed.	**Not Applicable.**
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.**
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. **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.**
PO35 Detailed building design: (a) enhances the visual amenity of the streetscape; (b) has a legible and attractive built form that is visually enhanced by architectural elements; (c) contributes to a distinctive tropical north Queensland, seaside tourist town character; (d) integrates major landscaping elements to maximise their aesthetic value to ensure that the lush, vegetated character of the Waterfront North sub-precinct is maintained.	**AO35** No acceptable outcomes are prescribed.	**Not Applicable.**

Performance outcomes	Acceptable outcomes	Applicant response
PO36 Buildings exhibit variations to their external appearance and the shape of the built form to provide visual interest through: (a) surface decoration; (b) wall recesses and projections; (c) a variation in wall finishes; windows, balconies, awnings and other visible structural elements. (d) differentiating between the lower, middle and upper parts of the building by varying the façade and/or the shape of the built form, where comprised of more than two storeys.	**AO36** No acceptable outcomes are prescribed.	**Not Applicable.**
PO37 Roofs are not characterised by a cluttered display of plant and equipment, in particular: (a) building caps and rooftops contribute to the architectural distinction of the building and create a coherent roofscape for the Waterfront North 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.	**AO37** No acceptable outcomes are prescribed.	**Not Applicable.**
PO38 Windows and sun/rain control devices are used in the building form, in particular, sun shading devices are provided to: (a) shade windows; (b) reduce glare; (c) assist in maintaining comfortable indoor temperatures; (d) minimising heat loads;	**AO38** No acceptable outcomes are prescribed.	**Not Applicable.**

Performance outcomes	Acceptable outcomes	Applicant response
(e) enriching the North Queensland tropical character of the Waterfront North sub-precinct; (f) architectural interest to building façades.		
PO39 Buildings are finished with high quality materials, selected for: (a) their ability to contribute the character of Waterfront North sub-precinct; (b) easy maintenance, durability and an ability not to readily stain, discolour or deteriorate.	**AO39** No acceptable outcomes are prescribed.	**Not Applicable.**
PO40 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.	**AO40** No acceptable outcomes are prescribed.	**Not Applicable.**
PO41 Façades and elevations do not include large blank walls and openings and setbacks are used to articulate vertical building surfaces.	**AO41.1** Development has a maximum length of unbroken building façade of 20 metres and a maximum extent of overall development in the same style/design along the street frontage/s of 40 metres. **AO41.2** Any break in the building façade varies the alignment by a 1 metre minimum deviation. **AO41.3** A minimum of three of the following building design features and architectural elements detailed below are incorporated to break the extended façade of a development: (a) a change in roof profile; (b) a change in parapet coping; (c) a change in awning design;	**Not Applicable.**

Performance outcomes	Acceptable outcomes	Applicant response
	(d) a horizontal or vertical change in the wall plane; or (e) a change in the exterior finishes and exterior colours of the development	
PO42 Building façades that face public spaces at ground level: (a) complement the appearance of the development and surrounding streetscape; (b) enhance the visual amenity of the public place; (c) include a variety of human scale architectural elements and details; (d) provide an opportunity for the casual and convenient surveillance of public space from within the development.	**AO42** Building façades at the ground floor of development that face public space are designed to ensure: (a) a minimum of 70% of the façade area is comprised of windows, wall openings or shop fronts that permit the casual surveillance of the public space from the development; (b) a visually prominent main entrance that faces the principal public place; (c) vertical architectural elements and features are incorporated at 3 metre or less intervals along the length of the façade.	**Not Applicable.**
PO43 Awnings for pedestrian shelter are consistent with the character setting of the Waterfront North sub-precinct and: (a) extend and cover the footpath to provide protection from the sun and rain; (b) include lighting under the awning; (c) are continuous across pedestrian circulation areas; (d) align to provide continuity with existing or future awnings on adjoining sites; (e) are a minimum of 3 metres in width and generally not more than 3.5 metres above pavement height; (f) do not extend past a vertical plane,1.2 metres inside the street kerb-line to enable street trees to be planted and grow;	**AO43** No acceptable outcomes are prescribed.	**Not Applicable.**

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

Performance outcomes	Acceptable outcomes	Applicant response
PO47 Buildings, civic spaces, roads and pedestrian links are enhanced by: (a) appropriate landscape design and planting; (b) themed planting that defines entry points, and creates strong 'entry corridors' into the waterfront; (c) lighting and well-considered discrete signage that complements building and landscape design; (d) public artwork and other similar features that reflect the heritage and character of the Port Douglas Waterfront.	**AO47** No acceptable outcomes are prescribed.	**Not Applicable.**
PO48 Buildings are designed and sited to provide vistas along shared pedestrian/open space and movement areas in suitable locations.	**AO48** No acceptable outcomes are prescribed.	**Not Applicable.**
PO49 Development does not diminish the viability of marine-based industrial uses that directly serve the Port Douglas tourist and fishing operators and private boat owners, particularly with respect to the slipway operation.	**AO49** No acceptable outcomes are prescribed.	**Not Applicable.**
PO50 Marine infrastructure to service the tourism, fishing and private boating community is provided.	**AO50** No acceptable outcomes are prescribed.	**Not Applicable.**
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.**

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

Performance outcomes	Acceptable outcomes	Applicant response
PO56 The site coverage of all buildings and structures ensures development: (a) is sited in an existing cleared area or in an area approved for clearing; (b) has sufficient area for the provision of services; (c) development does not have an adverse effect on the environmental, habitat, conservation or landscape values of the on-site and surrounding sensitive areas.	**AO56** No acceptable outcomes are prescribed.	**Not Applicable.**
PO57 Premises include adequate provision for service vehicles, to cater for generated demand. Loading areas for service vehicles are designed to: (a) be accommodated on-site; (b) maximise safety and efficiency of loading; (c) protect the visual and acoustic amenity of sensitive land use activities; (d) minimise adverse impacts on natural characteristics of adjacent areas.	**AO57.1** Sufficient manoeuvring area is provided on-site to allow a Medium Rigid Vehicle to enter and leave the site in a forward gear. **AO57.2** Development is designed to ensure all service vehicles are contained within the site when being loaded/unloaded. **AO57.3** Driveways, parking and manoeuvring areas are constructed and maintained to: (a) minimise erosion from storm water runoff; (b) retain all existing vegetation.	**Not Applicable.**
PO58 Development ensures adverse impacts from service vehicles on the road network, external to the site, are minimised.	**AO58** No acceptable outcomes are prescribed.	**Not Applicable.**

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

Performance outcomes	Acceptable outcomes	Applicant response
PO64 All development on Flagstaff Hill is designed to minimise the visibility of the development and to ensure development is subservient to the natural landscape and topography of the site, including through: (a) building design which minimises excavation and filling; (b) buildings being designed to step down the site and incorporate foundations and footings on piers or poles; (c) buildings being visually unobtrusive and incorporating exterior finishes and muted colours which are non-reflective and complement the colours of the surrounding vegetation and view-shed; (d) protection of the views from public viewing points in the Port Douglas precinct.	**AO64** No acceptable outcomes are prescribed.	**Not Applicable.**
Additional requirements for Precinct 3 – Craiglie Commercial and Light Industry precinct		
PO65 Development supports the tourism and marine industries in Port Douglas, along with the small-scale 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.	**AO65** Development consists of service and light industries and associated small scale commercial activities.	**Not Applicable.**
PO66 Development on lots adjacent to the Captain Cook Highway is sited, designed and landscaped to provide an attractive visual approach to Port Douglas with all buildings, structures and car parking areas setback a sufficient distance from the frontage to enable landscaping to soften or screen the appearance of the development.	**AO66.1** Buildings and structures are setback 8 metres from the Captain Cook Highway frontage, or no closer to the Captain Cook Highway frontage than buildings and structures on adjoining sites (averaged), whichever is the greater.	**Not Applicable.**

Performance outcomes	Acceptable outcomes	Applicant response
	AO66.2 The setback area to the Captain Cook Highway frontage is landscaped with advanced dense planting including tree species (100 litre bag stock), which will, at maturity, exceed the height of the building(s) on the site. **AO66.3** Advertising signs are discreet in appearance with no large advertising signs, including tenancy signs, located on or near the Captain Cook Highway frontage, or within any landscaped setback area. **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.	
Additional requirements for Precinct 6 – Very Low Residential Density / Low Scale Recreation / Low Scale Educational / Low Scale Entertainment Uses precinct		
PO67 No additional lots are created within the precinct.	**AO67** No acceptable outcomes are prescribed.	**Not Applicable.**
PO68 Reconfigured lots have a minimum lot size of 2 hectares, unless the lot reconfiguration transfers lots to the higher parts of the land, to avoid the need to fill existing lots to accommodate dwelling houses.	**AO68** No acceptable outcomes are prescribed.	**Not Applicable.**

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

Inconsistent uses		
• 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	• 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	• 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		
• Adult store • Agricultural supplies store • Air services • Animal husbandry • Animal keeping • Brothel • Bulk landscape supplies • Car wash • Cemetery • Child care centre • Community care centre • Community residence • Community use • Crematorium • Cropping • Detention facility • Dual occupancy • Dwelling house • Dwelling unit • Extractive industry • Function facility • Funeral parlour • Garden centre	• Hardware and trade supplies • Health care services • Home based business • Hospital • Hotel • Indoor sport and recreation • Intensive animal industry • Intensive horticulture • Major electricity infrastructure • Major sport, recreation and entertainment facility • Market • Motor sport facility • Multiple dwelling • Nature-based tourism • Nightclub entertainment facility • Outdoor sales • Outdoor sport and recreation • Outstation	• Permanent plantation • Place of worship • Relocatable home park • Residential care facility • Resort complex • Retirement facility • Roadside stall • Rooming accommodation • Rural industry • Rural workers accommodation • Sales office • Shopping centre • Short-term accommodation • Showroom • Special industry • Theatre • Tourist attraction • Tourist park • Transport depot • Veterinary services • Warehouse • Wholesale nursery • Winery

Note –

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

Table 7.2.4.4.c – Inconsistent uses in sub-precinct 1c – Waterfront South sub-precinct do not imply that all other uses not listed in the table are automatically consistent uses within the zone. Assessable development must still demonstrate consistency through the assessment process.

9.4 Other development codes

9.4.1 Access, parking and servicing code

9.4.1.1 Application

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

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

9.4.1.2 Purpose

(1) The purpose of the Access, parking and servicing code is to assess the suitability of access, parking and associated servicing aspects of a development.

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

9.4.1.3 Criteria for assessment

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

Performance outcomes	Acceptable outcomes	Applicant Response
For self-assessable and assessable development		
PO1 Sufficient on-site car parking is provided to cater for the amount and type of vehicle traffic expected to be generated by the use or uses of the site, having particular regard to: (a) the desired character of the area; (b) the nature of the particular use and its specific characteristics and scale; (c) the number of employees and the likely number of visitors to the site; (d) the level of local accessibility; (e) the nature and frequency of any public transport serving the area; (f) whether or not the use involves the retention of an existing building and the previous requirements for car parking for the building (g) whether or not the use involves a heritage building or place of local significance; (h) whether or not the proposed use involves the retention of significant vegetation.	**AO1.1** The minimum number of on-site vehicle parking spaces is not less than the number prescribed in Table 9.4.1.3.b for that particular use or uses. Note - Where the number of spaces calculated from the table is not a whole number, the number of spaces provided is the next highest whole number. **AO1.2** Car parking spaces are freely available for the parking of vehicles at all times and are not used for external storage purposes, the display of products or rented/sub-leased. **AO1.3** Parking for motorcycles is substituted for ordinary vehicle parking to a maximum level of 2% of total ordinary vehicle parking. **AO1.4** For parking areas exceeding 50 spaces parking, is provided for recreational vehicles as a substitute for ordinary vehicle parking to a maximum of 5% of total ordinary vehicle parking rate.	**Complies with PO1** The proposal will rely on the existing parking arrangements within the established complex and its street frontage. The complex includes fifteen (15) marked car parking spaces, and bicycle storage location in the undercroft area, along with fourteen (14) on-street spaces located along the site's frontages, and one (1) disabled parking space. At the time the complex was approved in 1989, parking was provided in accordance with the then-applicable 1981 Planning Scheme rates, which generally required higher provision for shops and commercial premises than the current 2018 Planning Scheme. Under the 1981 Planning Scheme, onsite parking was required at comparatively higher rates, including one (1) space per 50m² for commercial office uses and one (1) space per 20m² for shops up to 100m², increasing to one (1) space per 15m² for shop areas between 100m² and 650m². By comparison, the current Douglas Shire Planning Scheme requires a significantly lower rate of one (1) space per 50m² GFA for both shop and office uses within Precinct 1 of the Port Douglas and Craiglie Local Plan. The current Planning Scheme does not nominate a parking rate for a Indoor Sport and Recreation (Pool Hall) or Bar use. Notwithstanding, the existing parking provision is appropriate for the scale, nature and operating characteristics of the proposed use. The development is located within the established Port Douglas town centre, where the desired character encourages walkability, mixed-use activity

		and reduced reliance on private vehicles. The proposed indoor pool hall and bar is a modest, centre-based use with a low and dispersed parking demand profile, supported by only two (2) employees and patronage spread throughout the day and early evening. The high level of local accessibility, including footpath connections, proximity to accommodation, scooter hire services, and private shuttle services, further reduces reliance on on-site parking. The proposal retains the existing approved building, which was originally provided with parking in accordance with the higher rates of the 1981 Planning Scheme; accordingly, the existing on-site and adjoining on-street parking is adequate to accommodate the expected demand. The use does not involve a heritage place or require the removal of vegetation. Having regard to the town centre location, the established parking supply, the retention of the existing building footprint, and the transport patterns typical of the Macrossan Street, the proposal, supported by existing on-site parking and the spaces along the site's frontage, is considered to comply with PO1.
PO2 Vehicle parking areas are designed and constructed in accordance with relevant standards.	**AO2** Vehicle parking areas are designed and constructed in accordance with Australian Standard: (a) AS2890.1; (b) AS2890.3; (c) AS2890.6.	**Complies with AO2.** The development utilises existing approved parking areas that were designed and constructed in accordance with relevant standards. No changes to the parking layout are proposed.

PO3 Access points are designed and constructed: (a) to operate safely and efficiently; (b) to accommodate the anticipated type and volume of vehicles (c) to provide for shared vehicle (including cyclists) and pedestrian use, where appropriate; (d) so that they do not impede traffic or pedestrian movement on the adjacent road area; (e) so that they do not adversely impact upon existing intersections or future road or intersection improvements; (f) so that they do not adversely impact current and future on-street parking arrangements; (g) so that they do not adversely impact on existing services within the road reserve adjacent to the site; (h) so that they do not involve ramping, cutting of the adjoining road reserve or any built structures (other than what may be necessary to cross over a stormwater channel).	**AO3.1** Access is limited to one access cross over per site and is an access point located, designed and constructed in accordance with: (a) Australian Standard AS2890.1; (b) Planning scheme policy SC6.5 – FNQROC Regional Development Manual - access crossovers. **AO3.2** Access, including driveways or access crossovers: (a) are not placed over an existing: (i) telecommunications pit; (ii) stormwater kerb inlet; (iii) sewer utility hole; (iv) water valve or hydrant. (b) are designed to accommodate any adjacent footpath; (c) adhere to minimum sight distance requirements in accordance with AS2980.1. **AO3.3** Driveways are: (a) designed to follow as closely as possible to the existing contours, but are no steeper than the gradients outlined in Planning scheme policy SC6.5 – FNQROC Regional Development Manual; (b) constructed such that where there is a grade shift to 1 in 4 (25%), there is an area with a grade of no more than 1 in in 6 (16.6%) prior to this area, for a distance of at least 5 metres; (c) on gradients greater than 1 in 6 (16.6%) driveways are constructed to ensure the cross-fall of the driveway is one way and directed into the hill, for vehicle safety and drainage purposes;	**Not Applicable.** The proposal involves an internal change of use only and does not include any alterations to existing access points, driveways or crossovers. All existing vehicle access arrangements remain unchanged and in accordance with previous approvals.

	(d) constructed such that the transitional change in grade from the road to the lot is fully contained within the lot and not within the road reserve; (e) designed to include all necessary associated drainage that intercepts and directs storm water runoff to the storm water drainage system. **AO3.4** Surface construction materials are consistent with the current or intended future streetscape or character of the area and contrast with the surface construction materials of any adjacent footpath.	
PO4 Sufficient on-site wheel chair accessible car parking spaces are provided and are identified and reserved for such purposes.	**AO4** The number of on-site wheel chair accessible car parking spaces complies with the rates specified in AS2890 Parking Facilities.	**Complies with PO4.** A dedicated disabled parking space exists within the Macrossan Street frontage.
PO5 Access for people with disabilities is provided to the building from the parking area and from the street.	**AO5** Access for people with disabilities is provided in accordance with the relevant Australian Standard.	**Complies with AO5.** The development utilises the existing building access arrangements, which include a disability access ramp connecting the Owen Street frontage to the upper level. No changes to pedestrian access are proposed, and compliance with the relevant Australian Standards for disability access will be maintained.
PO6 Sufficient on-site bicycle parking is provided to cater for the anticipated demand generated by the development.	**AO6** The number of on-site bicycle parking spaces complies with the rates specified in Table 9.4.1.3.b.	**Complies with PO6.** Bicycle storage is already provided within the existing undercroft parking area of the complex. Given the modest scale of the development and its highly walkable town centre location, the existing bicycle parking facilities are sufficient to accommodate the expected demand.

PO7 Development provides secure and convenient bicycle parking which: (a) for visitors is obvious and located close to the building's main entrance; (b) for employees is conveniently located to provide secure and convenient access between the bicycle storage area, end-of-trip facilities and the main area of the building; (c) is easily and safely accessible from outside the site.	**AO7.1** Development provides bicycle parking spaces for employees which are co-located with end-of-trip facilities (shower cubicles and lockers); **AO7.2** Development ensures that the location of visitor bicycle parking is discernible either by direct view or using signs from the street. **AO7.3** Development provides visitor bicycle parking which does not impede pedestrian movement.	**Complies with PO7.** Bicycle parking is provided within the existing undercroft area of the complex and is suitable for both visitors and employees. The undercroft also contains toilet facilities that, as confirmed by the Body Corporate in their letter of support, are available for use by clients and customers. These facilities adequately accommodate the limited end-of-trip needs that may be generated by the proposed use.
PO8 Development provides walking and cycle routes through the site which: (a) link to the external network and pedestrian and cyclist destinations such as schools, shopping centres, open space, public transport stations, shops and local activity centres along the safest, most direct and convenient routes; (b) encourage walking and cycling; (c) ensure pedestrian and cyclist safety.	**AO8** Development provides walking and cycle routes which are constructed on the carriageway or through the site to: (a) create a walking or cycle route along the full frontage of the site; (b) connect to public transport and existing cycle and walking routes at the frontage or boundary of the site.	**Not Applicable.** The proposal is an internal change of use within existing commercial tenancy and does not involve any new or modified pedestrian or cycling routes through the site. All existing connections to the surrounding walking and cycling network remain unchanged
PO9 Access, internal circulation and on-site parking for service vehicles are designed and constructed: (a) in accordance with relevant standards;	**AO9.1** Access driveways, vehicle manoeuvring and on-site parking for service vehicles are designed and constructed in accordance with AS2890.1 and	**Not Applicable.** The proposal does not involve any changes to existing access, internal circulation or service vehicle arrangements.

(b) so that they do not interfere with the amenity of the surrounding area; (c) so that they allow for the safe and convenient movement of pedestrians, cyclists and other vehicles.	AS2890.2. **AO9.2** Service and loading areas are contained fully within the site. **AO9.3** The movement of service vehicles and service operations are designed so they: (a) do not impede access to parking spaces; (b) do not impede vehicle or pedestrian traffic movement.	
PO10 Sufficient queuing and set down areas are provided to accommodate the demand generated by the development.	**AO10.1** Development provides adequate area on-site for vehicle queuing to accommodate the demand generated by the development where drive through facilities or drop-off/pick-up services are proposed as part of the use, including, but not limited to, the following land uses: (a) car wash; (b) child care centre; (c) educational establishment where for a school; (d) food and drink outlet, where including a drive-through facility; (e) hardware and trade supplies, where including a drive-through facility; (f) hotel, where including a drive-through facility; (g) service station. **AO10.2** Queuing and set-down areas are designed and constructed in accordance with AS2890.1.	**Not Applicable.**

Table 9.4.1.3.b – Access, parking and servicing requirements

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

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

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 Lighting incorporated within development does not cause an adverse impact on the amenity of adjacent uses and nearby sensitive land uses.	**AO1.1** 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. **AO1.2** Development that involves flood lighting is restricted to a type that gives no upward component of light where mounted horizontally. **AO1.3** Access, car parking and manoeuvring areas are designed to shield nearby residential premises from impacts of vehicle headlights.	**Not Applicable.** The proposal is an internal change of use within an existing commercial building and does not involve any new outdoor lighting, flood lighting, car park lighting, or changes to vehicle access or manoeuvring areas.
Noise		
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.	**AO2.1** Development does not involve activities that would cause noise related environmental harm or nuisance; 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.	**Complies with AO2.2.** The proposed indoor pool hall and bar is a low-impact recreational use that generates only modest levels of internal noise. The use will operate wholly within an existing commercial building, which provides solid construction and enclosure that effectively contains internal noise and prevents emissions to adjoining properties. The site is located within the Port Douglas Town Centre and Live Entertainment Precinct, where evening activity and low-level entertainment uses are expected. Operating hours are limited to 10:00 pm, ensuring the use does not extend late into the night. Given the enclosed nature of the building, the scale of the activity, and the surrounding commercial context, the proposal will not create adverse noise impacts on adjacent lots.

	AO2.3 The design and layout of development ensures car parking areas avoid noise impacting directly on adjacent sensitive land uses through one or more of the following: (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. Editor's note - The *Environmental Protection (Noise) Policy 2008*, Schedule 1 provides guidance on acoustic quality objectives to ensure environmental harm (including nuisance) is avoided.	**Not applicable.** The proposal does not involve any changes to the existing car parking layout or its location.
Airborne particles and other emissions		
PO3 Potential airborne particles and emissions generated from the development are 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.	**AO3.1** Development does not involve activities that will result in airborne particles or emissions being generated; or **AO3.2** The design, layout and operation of the development activity ensures that no airborne particles or emissions cause environmental harm or nuisance. Note - examples of activities which generally cause airborne particles include spray painting, abrasive blasting, manufacturing activities and car wash facilities. Examples of emissions include exhaust ventilation from basement or enclosed parking structures, air conditioning/refrigeration ventilation and exhaustion.	**Not applicable** The proposed use does not involve activities that result in airborne emissions.

	The *Environmental Protection (Air) Policy 2008*, Schedule 1 provides guidance on air quality objectives to ensure environmental harm (including nuisance) is avoided.	
Odours		
PO4 Potential odour causing activities associated with the development are 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.	**AO4.1** The development does not involve activities that create odorous emissions; or **AO4.2** The use does not result in odour that causes environmental harm or nuisance with respect to surrounding land uses.	**Not applicable** The proposed use does not involve activities that result in odour emissions.
Waste and recyclable material storage		

PO5 Waste and recyclable material storage facilities are located and maintained to not cause adverse impacts on adjacent uses. 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.	**AO5.1** The use ensures that all putrescent waste is stored in a manner that prevents odour nuisance and is disposed of at regular intervals. **AO5.2** 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: (a) the location of the waste and recyclable material storage areas in relation to the noise and odour generated; (b) the number of receptacles provided in relation to the collection, maintenance and use of the receptacles; (c) the durability of the receptacles, sheltering and potential impacts of local climatic conditions; (d) the ability to mitigate spillage, seepage or leakage from receptacles into adjacent areas and sensitive receiving waters and environments. Editor's note - the *Environmental Protection (Waste Management) Policy 2008* provides guidance on the design of waste containers (receptacles) to ensure environmental harm (including nuisance) is avoided.	**Complies with AO5.1 – AO5.2.** The proposal will continue to utilise the existing waste management arrangements for the complex, with all waste and recyclables stored in the designated onsite bin storage area. These areas are already appropriately located, screened and serviced, and use lidded receptacles that prevent odour and contain waste effectively. Collection will continue to occur at regular intervals as part of the established system, ensuring no adverse impacts on users of the premises or adjoining land uses. No new waste storage areas are required or proposed.
Sensitive land use activities		

PO6 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.	**AO6.1** 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; or **AO6.2** Sensitive land activities are located in areas where potential adverse amenity impacts mitigate all potential impacts through layout, design, operation and maintenance.	**Not Applicable.**
Stormwater quality		
PO7 The quality of stormwater flowing over, through or being discharged from development activities into watercourses and drainage lines is of adequate quality for downstream environments, with respect to: (a) the amount and type of pollutants borne from the activity; (c) maintaining natural stream flows; (d) the amount and type of site disturbance; (e) site management and control measures.	**AO7.1** Development activities are designed to ensure stormwater over roofed and hard stand areas is directed to a lawful point of discharge. **AO7.2** Development ensures movement of stormwater over the site is not impeded or directed through potentially polluting activities. **AO7.3** Soil and water 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. Note - Planning scheme policy - FNQROC Regional Development Manual provides guidance on soil and water control measures to meet the requirements of the *Environmental Protection Act 1994*. During construction phases of development, contractors and builders are to have consideration in their work methods and site preparation for their environmental duty to protect stormwater quality.	**Complies with PO7** The proposal involves no external works, earthworks, site disturbance or changes to the existing building or hardstand areas. As an internal change of use only, there is no potential for additional pollutants, altered stormwater flows or impacts on downstream environments. Existing stormwater infrastructure and site management arrangements remain unchanged, ensuring compliance with PO7.

Pest plants (for material change of use on vacant land over 1,000m^2)		
PO8 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. Editor's note - This does not remove or replace all land owner's obligations or responsibilities under the *Land Protection (Pest and Stock Route Management) Act 2002*.	**AO8.1** The land is free of declared pest plants before development establishes new buildings, structures and practices; or **AO8.2** Pest plants detected on a development site are removed in accordance with a management plan prepared by an appropriately qualified person prior to construction of buildings and structures or earthworks. Note - A declaration from an appropriately qualified person validates the land being free from pest plants. Declared pest plants include locally declared and State declared pest plants.	**Not Applicable.**

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		
Works on a local government road		
PO1 Works on a local government road do not adversely impact on footpaths or existing infrastructure within the road verge and maintain the flow, safety and efficiency of pedestrians, cyclists and vehicles.	**AO1.1** Footpaths/pathways are located in the road verge and are provided for the hierarchy of the road and located and designed and constructed in accordance with Planning scheme policy SC5 – FNQROC Regional Development Manual. **AO1.2** Kerb ramp crossovers are constructed in accordance with Planning scheme policy SC 5 – FNQROC Regional Development Manual. **AO1.3** New pipes, cables, conduits or other similar infrastructure required to cross existing footpaths: (a) are installed via trenchless methods; or (b) where footpath infrastructure is removed to install infrastructure, the new section of footpath is installed to the standard detailed	**Not Applicable.** The proposal is an internal change of use only and does not involve any works on a local government road. **Not Applicable.** The proposal is an internal change of use only and does not involve any works on a local government road. **Not Applicable.** The proposal is an internal change of use only and does not involve any works on a local government road.

	in the Planning scheme policy SC5 – FNQROC Regional Development Manual, and is not less than a 1.2 metre section. **AO1.4** Where existing footpaths are damaged as a result of development, footpaths are reinstated ensuring: (a) similar surface finishes are used; (b) there is no change in level at joins of new 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.** The proposal is an internal change of use only and does not involve any works on a local government road. **Not Applicable.** The proposal is an internal change of use only and does not involve any works on a local government road.
Accessibility structures		
PO2 Development is designed to ensure it is accessible for people of all abilities and accessibility features do not impact on the efficient and safe use of footpaths. Note – Accessibility features are those features required to ensure access to premises is provided for people of all abilities and include ramps and lifts.	**AO2.1** Accessibility structures are not located within the road reserve. **AO2.2** Accessibility structures are designed in accordance with AS1428.3. **AO2.3** When retrofitting accessibility features in existing buildings, all structures and changes in grade are contained within the boundaries of the lot and not within the road reserve.	**Complies with PO2.** The development utilises the existing accessibility arrangements of the building, including the established disability access ramp from the street frontage. No changes are proposed to external pathways or public footpaths, ensuring accessibility for all abilities is maintained without impacting the safe and efficient use of adjoining pedestrian areas.
Water supply		

PO3 An adequate, safe and reliable supply of potable, fire fighting and general use water is provided.	**AO3.1** The premises is connected to Council's reticulated water supply system in accordance with the Design Guidelines set out in Section D6 of the Planning scheme policy SC5 – FNQROC Regional Development Manual; or **AO3.2** 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.	**Complies with AO3.1.** The subject site is connected to Council's reticulated water supply.

Treatment and disposal of effluent		
PO4 Provision is made for the treatment and disposal of effluent to ensure that there are no adverse impacts on water quality and no adverse ecological impacts as a result of the system or as a result of increasing the cumulative effect of systems in the locality.	**AO4.1** The site is connected to Council's sewerage system and the extension of or connection to the sewerage system is designed and constructed in accordance with the Design Guidelines set out in Section D7 of the Planning scheme policy SC5 – FNQROC Regional Development Manual; or **AO4.2** Where not in a sewerage scheme area, the proposed disposal system meets the requirements of Section 33 of the *Environmental Protection Policy (Water) 1997* and the proposed on site effluent disposal system is designed in accordance with the *Plumbing and Drainage Act (2002).*	**Complies with AO4.1.** The sites is connected to Council's sewerage system.
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 AO5.1.** Stormwater will continue to be directed to the existing lawful Council drainage infrastructure.

	AO5.3 A stormwater quality management plan is prepared, and provides for achievable stormwater quality treatment measures meeting design objectives listed in Table 9.4.5.3.b and Table 9.4.5.3.c, reflecting land use constraints, such as: (a) erosive, dispersive and/or saline soil types; (b) landscape features (including landform); (c) acid sulfate soil and management of nutrients of concern; (d) rainfall erosivity. **AO5.4** Erosion and sediment control practices are designed, installed, constructed, monitored, maintained, and carried out in accordance with an erosion and sediment control plan. **AO5.5** Development incorporates stormwater flow control measures to achieve the design objectives set out in Table 9.4.5.3.b and Table 9.4.5.3.c, including management of frequent flows, peak flows, and construction phase hydrological impacts. Note – Planning scheme policy SC5 – FNQROC Regional Development Manual provides guidance on soil and water control measures to meet the requirements of the *Environmental Protection Act 1994*. 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.	
Non-tidal artificial waterways		
PO6 Development involving non-tidal artificial waterways is planned, designed, constructed and operated to: (a) protect water environmental values; (b) be compatible with the land use constraints for the site for protecting water environmental values; (c) be compatible with existing tidal and non-tidal waterways; (d) perform a function in addition to stormwater management; (e) achieve water quality objectives.	**AO6.1** Development involving non-tidal artificial waterways ensures: (a) environmental values in downstream waterways are protected; (b) any ground water recharge areas are not affected; (c) the location of the waterway incorporates low lying areas of the catchment connected to an existing waterway; (d) existing areas of ponded water are included. **AO6.2** Non-tidal artificial waterways are located: (a) outside natural wetlands and any associated buffer areas; (b) to minimise disturbing soils or sediments; (c) to avoid altering the natural hydrologic regime in acid sulfate soil and nutrient hazardous areas. **AO6.3** Non-tidal artificial waterways located adjacent to, or connected to a tidal waterway by means of a weir, lock, pumping system or similar ensures: (a) there is sufficient flushing or a tidal range of >0.3 m; or (b) any tidal flow alteration does not adversely impact on the tidal waterway; or	**Not Applicable.**

	(c) there is no introduction of salt water into freshwater environments. **AO6.4** Non-tidal artificial waterways are designed and managed for any of the following end-use purposes: (a) amenity (including aesthetics), landscaping or recreation; or (b) flood management, in accordance with a drainage catchment management plan; or (c) stormwater harvesting plan as part of an integrated water cycle management plan; or aquatic habitat. **AO6.5** The end-use purpose of the non-tidal artificial waterway is designed and operated in a way that protects water environmental values. **AO6.6** Monitoring and maintenance programs adaptively manage water quality to achieve relevant water quality objectives downstream of the waterway. **AO6.7** (d) Aquatic weeds are managed to achieve a low percentage of coverage of the water surface area, and pests and vectors are managed through design and maintenance.	
Wastewater discharge		

PO7 Discharge of wastewater to waterways, or off site: (a) meets best practice environmental management; (b) is treated to: (i) meet water quality objectives for its receiving waters; (ii) avoid adverse impact on ecosystem health or waterway health; (iii) maintain ecological processes, riparian vegetation and waterway integrity; (iv) offset impacts on high ecological value waters.	**AO7.1** A wastewater management plan is prepared and addresses: (a) wastewater type; (b) climatic conditions; (c) water quality objectives; (d) best practice environmental management. **AO7.2** The waste water management plan is managed in accordance with a waste management hierarchy that: (a) avoids wastewater discharge to waterways; or (b) if wastewater discharge cannot practicably be avoided, minimises wastewater discharge to waterways by re-use, recycling, recovery and treatment for disposal to sewer, surface water and ground water. **AO7.3** Wastewater discharge is managed to avoid or minimise the release of nutrients of concern so as to minimise the occurrence, frequency and intensity of algal blooms. **AO7.4** Development in coastal catchments avoids or minimises and appropriately manages soil disturbance or altering natural hydrology and: (a) avoids lowering ground water levels where potential or actual acid sulfate soils are present; (b) manages wastewater so that: (i) the pH of any wastewater	**Not Applicable.**

	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; visible iron floc is not present in any discharge; (iv) precipitated iron floc is contained and disposed of; (iii) 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.	

Electricity supply		
PO8 Development is provided with a source of power that will meet its energy needs.	**AO8.1** A connection is provided from the premises to the electricity distribution network; or **AO8.2** The premises is connected to the electricity distribution network in accordance with the Design Guidelines set out in Section D8 of the Planning scheme policy SC5 – FNQROC Regional Development Manual. Note - Areas north of the Daintree River have a different standard.	**Complies with AO8.1.** The site has an existing connection to electricity distribution network.
PO9 Development incorporating pad-mount electricity infrastructure does not cause an adverse impact on amenity.	**AO9.1** Pad-mount electricity infrastructure is: (a) not located in land for open space or sport and recreation purposes; (b) screened from view by landscaping or fencing; (c) accessible for maintenance. **AO9.2** Pad-mount electricity infrastructure within a building, in a Town Centre is designed and located to enable an active street frontage. Note – Pad-mounts in buildings in activity centres should not be located on the street frontage.	**Not Applicable.**
Telecommunications		
PO10 Development is connected to a telecommunications service approved by the relevant telecommunication regulatory authority.	**AO10** The development is connected to telecommunications infrastructure in accordance with the standards of the relevant regulatory authority.	**Complies with AO10.** The site is connected to telecommunication.

PO11 Provision is made for future telecommunications services (e.g. fibre optic cable).	**AO11** Conduits are provided in accordance with Planning scheme policy SC5 – FNQROC Regional Development Manual.	
Road construction		
PO12 The road to the frontage of the premises is constructed to provide for the safe and efficient movement of: (a) pedestrians and cyclists to and from the site; (b) pedestrians and cyclists adjacent to the site; (c) vehicles on the road adjacent to the site; (d) vehicles to and from the site; (e) emergency vehicles.	**AO12.1** The road to the frontage of the site is constructed in accordance with the Design Guidelines set out in Sections D1 and D3 of the Planning scheme policy SC5 – FNQROC Regional Development Manual, for the particular class of road, as identified in the road hierarchy. **AO12.2** There is existing road, kerb and channel for the full road frontage of the site. **AO12.3** Road access minimum clearances of 3.5 metres wide and 4.8 metres high are provided for the safe passage of emergency vehicles.	**Complies with AO12.1 – AO12.3** Both Macrossan Street and Owen Street, which form the frontages to the site, are already constructed in accordance with the relevant FNQROC standards for their road hierarchy classifications. Kerb and channel infrastructure is established along both street frontages, and no upgrades or modifications are required. Existing access arrangements provide adequate width and height clearances to accommodate emergency vehicle movements.
Alterations and repairs to public utility services		
PO13 Infrastructure is integrated with, and efficiently extends, existing networks.	**AO13** Development is designed to allow for efficient connection to existing infrastructure networks.	**Complies with AO14.1.** Public utility mains, services and installations are not required to be altered or repaired as a result of the development.

PO14 Development and works do not affect the efficient functioning of public utility mains, services or installations.	**AO14.1** Public utility mains, services and installations are not required to be altered or repaired as a result of the development; or **AO14.2** Public utility mains, services and installations are altered or repaired in association with the works so that they continue to function and satisfy the relevant Design Guidelines set out in Section D8 of the Planning scheme policy SC5 – FNQROC Regional Development Manual.	
Construction management		
PO15 Work is undertaken in a manner which minimises adverse impacts on vegetation that is to be retained.	**AO15** Works include, at a minimum: (a) installation of protective fencing around retained vegetation during construction; (b) erection of advisory signage; (c) no disturbance, due to earthworks or storage of plant, materials and equipment, of ground level and soils below the canopy of any retained vegetation; (d) removal from the site of all declared noxious weeds.	**Not Applicable.** Construction management is not required as the site does not comprise any vegetation.
PO16 Existing infrastructure is not damaged by construction activities.	**AO16** Construction, alterations and any repairs to infrastructure is undertaken in accordance with the Planning scheme policy SC5 – FNQROC Regional Development Manual. Note - Construction, alterations and any repairs to State-controlled roads and rail corridors are undertaken in accordance with the Transport Infrastructure Act 1994.	**May be Conditioned to Comply.**

Performance outcomes	Acceptable outcomes	Applicant response
For assessable development		
High speed telecommunication infrastructure		
PO17 Development provides infrastructure to facilitate the roll out of high speed telecommunications infrastructure.	**AO17** No acceptable outcomes are prescribed.	**Not Applicable** The proposal is an internal change of use within an existing commercial building and does not involve any new subdivision, civil works or building extensions that would trigger the need for telecommunications infrastructure provision. Existing services remain unchanged; therefore, PO17 is not applicable to the development.
Trade waste		
PO18 Where relevant, the development is capable of providing for the storage, collection treatment and disposal of trade waste such that: (a) off-site releases of contaminants do not occur; (b) the health and safety of people and the environment are protected; (c) the performance of the wastewater system is not put at risk.	**AO18** No acceptable outcomes are prescribed.	**Not Applicable.**
Fire services in developments accessed by common private title		

PO19 Hydrants are located in positions that will enable fire services to access water safely, effectively and efficiently.	**AO19.1** Residential streets and common access ways within a common private title places hydrants at intervals of no more than 120 metres and at each intersection. Hydrants may have a single outlet and be situated above or below ground. **AO19.2** Commercial and industrial streets and access ways within a common private title serving commercial properties such as factories and warehouses and offices are provided with above or below ground fire hydrants located at not more than 90 metre intervals and at each intersection. Above ground fire hydrants have dual-valved outlets.	**Complies with PO19.** The proposal does not involve any changes to the existing building, access ways or onsite fire infrastructure. Hydrant placement and fire protection measures remain as previously approved for the complex, and no new streets, access ways or hydrant installations are required. On this basis, the development continues to comply with PO19.
PO20 Hydrants are suitable identified so that fire services can locate them at all hours. Note – Hydrants are identified as specified in the Department of Transport and Main Roads Technical Note: 'Identification of street hydrants for fire fighting purposes' available under 'Publications'.	**AO20** No acceptable outcomes are prescribed.	**Complies with PO20.** The proposal does not involve any changes to the existing building, access ways or onsite fire infrastructure. Hydrant placement and fire protection measures remain as previously approved for the complex, and no new streets, access ways or hydrant installations are required. On this basis, the development continues to comply with PO20.

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

Issue	Design objectives
Drainage control (Temporary drainage works)	(a) Design life and design storm for temporary drainage works: (i) Disturbed open area for <12 months – 1 in 2 year ARI event; (ii) Disturbed open area for 12-24 months – 1 in 5 year ARI event; (iii) Disturbed open area for >24 months – 1 in 10 year ARI event. (b) Design capacity excludes minimum 150mm freeboard. (c) Temporary culvert crossing – minimum of 1 in 1-year ARI hydraulic capacity.

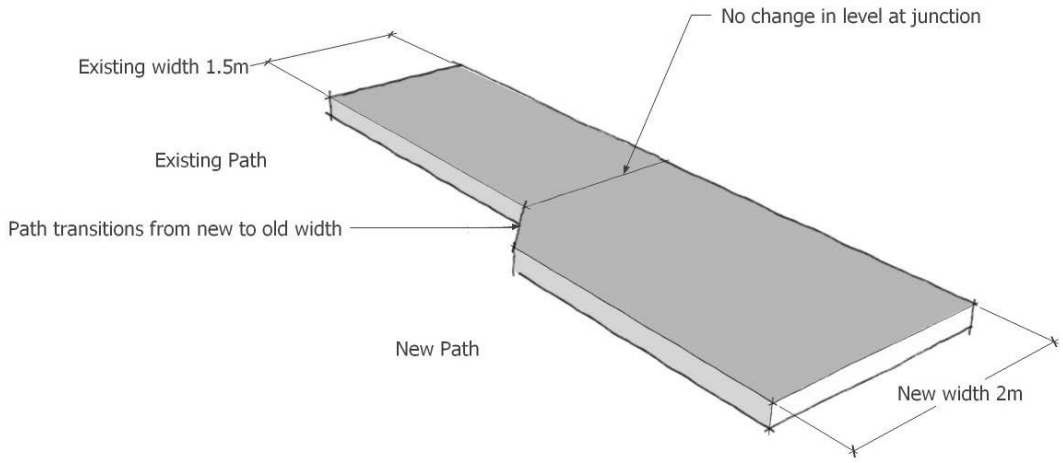
Erosion control (Erosion control measures)	(a) Minimise exposure of disturbed soils at any time. (b) Divert water run-off from undisturbed areas around disturbed areas. (c) Determine erosion risk rating using local rainfall erosivity, rainfall depth, soil loss rate or other acceptable methods. (d) Implement erosion control methods corresponding to identified erosion risk rating.
Sediment control measures (sediment control measures, design storm for sediment control basins, Sediment basin dewatering)	(a) Determine appropriate sediment control measures using: (i) potential soil loss rate; or (ii) monthly erosivity; or (iii) average monthly rainfall. (b) Collect and drain stormwater from disturbed soils to sediment basin for design storm event: (i) design storm for sediment basin sizing is 80th% five-day event or similar. (c) Site discharge during sediment basin dewatering: (i) TSS < 50mg/L TSS; (ii) Turbidity not > 10% receiving water's turbidity; (iii) pH 6.5-8.5.
Water quality (Litter and other waste, hydrocarbons and other contaminants)	(a) Avoid wind-blown litter; remove grass pollutants. (b) Ensure there is no visible oil or grease sheen on released waters. (c) Dispose of waste containing contaminants at authorised facilities.
Waterway stability and flood flow management (Changes to the natural hydraulics and hydrology)	(a) For peak flow for the 100% AEP event and 1% AEP event, use constructed sediment basins to attenuate the discharge rate of stormwater from the site.

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

Design objectives	Application
Minimum reductions in mean annual load from unmitigated development (%)	

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

Figure 9.4.5.3.a – New footpath sections



Attachment 6

Code Compliance Against the State Development Assessment Code.

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

State Development Assessment Provisions guideline - State Code 1: Development in a state-controlled road environment. This guideline provides direction on how to address State Code 1.

Table 1.1 Development in general

Performance outcomes	Acceptable outcomes	Response
Buildings, structures, infrastructure, services and utilities		
PO1 The location of the development does not create a safety hazard for users of the **state-controlled road.**	**AO1.1** Development is not located in a **state-controlled road**. AND **AO1.2** Development can be maintained without requiring access to a **state-controlled road**.	**Complies with PO1.** The development is located within an existing commercial building and does not alter the function or safety of Macrossan Street, the adjoining State-controlled road. All vehicle access to the site will continue to occur from Owen Street, a local road, with no new access points proposed or required. As the proposal does not introduce additional access, modify the road network, or generate traffic movements that would compromise State-controlled road safety, the development complies with PO1.
PO2 The design and construction of the development does not adversely impact the **structural integrity** or physical condition of the **state-controlled road** or **road transport infrastructure**.	No acceptable outcome is prescribed.	**Complies with PO2.** The proposal involves an internal change of use only and does not include any building work, excavation, external construction, or civil works that could affect the structural integrity or physical condition of Macrossan Street or associated State transport infrastructure.
PO3 The location of the development does not obstruct **road transport infrastructure** or	No acceptable outcome is prescribed.	**Complies with PO3.** The development is wholly contained within an existing commercial building and does not involve any works,

Performance outcomes	Acceptable outcomes	Response
adversely impact the operating performance of the **state-controlled road**.		structures or activities within the State-controlled road reserve. The proposal does not alter vehicle access, traffic patterns or pedestrian movements on Macrossan Street, and all access will continue to occur from Owen Street.
PO4 The location, placement, design and operation of advertising devices, visible from the **state-controlled road**, do not create a safety hazard for users of the **state-controlled road**.	No acceptable outcome is prescribed.	**Not Applicable** No advertising devices are proposed as part of the development.
PO5 The design and construction of buildings and **structures** does not create a safety hazard by distracting users of the **state-controlled road**.	**AO5.1** Facades of buildings and **structures** fronting the **state-controlled road** are made of non-reflective materials. AND **AO5.2** Facades of buildings and **structures** do not direct or reflect point light sources into the face of oncoming traffic on the **state-controlled road**. AND **AO5.3** External lighting of buildings and **structures** is not directed into the face of oncoming traffic on the **state-controlled road**. AND **AO5.4** External lighting of buildings and **structures** does not involve flashing or laser lights.	**Complies with PO5.** The proposal does not involve any external building works, new structures, or signage that could distract drivers on Macrossan Street, the adjoining State-controlled road. The development is entirely internal to an existing commercial building and maintains the current façade and presentation to the street. As no elements are proposed that could create visual distraction or a safety hazard for road users, the development complies with PO5.
PO6 Road, pedestrian and bikeway bridges over a **state-controlled road** are designed and	**AO6.1** Road, pedestrian and bikeway bridges over the **state-controlled road** include throw	**Not applicable.**

Performance outcomes	Acceptable outcomes	Response
constructed to prevent projectiles from being thrown onto the **state-controlled road**.	protection screens in accordance with section 4.11 of the Design Criteria for Bridges and Other Structures Manual, Department of Transport and Main Roads, 2020.	No road, pedestrian and bikeway bridges over the state-controlled road are proposed.
Landscaping		
PO7 The location of landscaping does not create a safety hazard for users of the **state-controlled road**.	**AO7.1** Landscaping is not located in a **state-controlled road**. AND **AO7.2** Landscaping can be maintained without requiring access to a **state-controlled road**. AND **AO7.3** Landscaping does not block or obscure the sight lines for vehicular access to a **state-controlled road**.	**Not Applicable.** The proposal does not involve any landscaping works or changes to existing vegetation.
Stormwater and overland flow		
PO8 Stormwater run-off or overland flow from the development site does not create or exacerbate a safety hazard for users of the **state-controlled road**.	No acceptable outcome is prescribed.	**Complies with PO8.** The proposal involves no external works or changes to site levels or hardstand areas. Existing stormwater arrangements remain unchanged, ensuring no stormwater run-off or overland flow is directed toward the State-controlled road in a way that could create or exacerbate a safety hazard.
PO9 Stormwater run-off or overland flow from the development site does not result in a material worsening of the operating performance of the **state-controlled road** or **road transport infrastructure**.	No acceptable outcome is prescribed.	**Complies with PO9.** As an internal change of use with no alterations to impervious areas, drainage paths or stormwater infrastructure, the proposal does not increase stormwater run-off or affect the operating performance of the adjoining State-controlled road or its transport infrastructure.
PO10 Stormwater run-off or overland flow from the development site does not adversely impact the **structural integrity** or physical condition of	No acceptable outcome is prescribed.	**Complies with PO10.** The development does not involve any external construction or changes that could alter stormwater

Performance outcomes	Acceptable outcomes	Response
the **state-controlled road** or **road transport infrastructure**.		behaviour or drainage patterns. Existing stormwater systems remain in place, ensuring that run-off does not impact the structural integrity or physical condition of the State-controlled road.
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 – AO11.4** The proposal involves no external works, no changes to impervious areas and no alterations to existing stormwater infrastructure. The development does not create any new points of discharge to the State-controlled road, nor does it concentrate flows toward it. Stormwater will continue to be discharged to the established lawful point of discharge serving the existing commercial complex, and the proposal does not worsen the condition or performance of this discharge point.
Flooding		
PO12 Development does not result in a material worsening of flooding impacts within a **state-controlled road**.	**AO12.1** For all flood events up to 1% **annual exceedance probability**, development results in negligible impacts (within +/- 10mm) to existing flood levels within a **state-controlled road**. AND **AO12.2** For all flood events up to 1% **annual exceedance probability**, development results in negligible impacts (up to a 10% increase) to	**Complies with PO12** The site is not located within a mapped flood hazard area, and the proposal involves no external works or changes to site levels, stormwater infrastructure or impervious areas. As an internal change of use only, the development will not alter flood behaviour or increase flooding impacts on the adjoining State-controlled road.

Performance outcomes	Acceptable outcomes	Response
	existing peak velocities within a **state-controlled road**. AND **AO12.3** For all flood events up to 1% **annual exceedance probability**, development results in negligible impacts (up to a 10% increase) to existing time of submergence of a **state-controlled road**.	
Drainage Infrastructure		
PO13 Drainage infrastructure does not create a safety hazard for users in the **state-controlled road**.	**AO13.1** Drainage infrastructure is wholly contained within the development site, except at the **lawful point of discharge**. AND **AO13.2** Drainage infrastructure can be maintained without requiring access to a **state-controlled road**.	**Complies with AO13.1 and AO13.2.** All existing drainage infrastructure is already contained within the development site, except at the lawful point of discharge, and no new drainage works are proposed. The maintenance of existing drainage infrastructure does not require access to the State-controlled road, and the proposal does not alter any drainage components.
PO14 Drainage infrastructure associated with, or within, a **state-controlled road** is constructed, and designed to ensure the **structural integrity** and physical condition of existing drainage infrastructure and the surrounding drainage network.	No acceptable outcome is prescribed.	**Not applicable.** No drainage infrastructure associated with the development is required.

Table 1.2 Vehicular access, road layout and local roads

Performance outcomes	Acceptable outcomes	Response
Vehicular access to a state-controlled road or within 100 metres of a state-controlled road intersection		
PO15 The location, design and operation of a **new or changed access** to a **state-controlled road** does not compromise the safety of users of the **state-controlled road**.	No acceptable outcome is prescribed.	**Not Applicable.** The development does not involve any new or changed vehicular access to the State-controlled road.

Performance outcomes	Acceptable outcomes	Response
PO16 The location, design and operation of a **new or changed access** does not adversely impact the **functional requirements** of the **state-controlled road**.	No acceptable outcome is prescribed.	**Not Applicable.** The development does not involve any new or changed vehicular access.
PO17 The location, design and operation of a **new or changed access** is consistent with the **future intent** of the **state-controlled road**.	No acceptable outcome is prescribed.	**Not Applicable.** The development does not involve any new or changed vehicular access.
PO18 New or changed access is consistent with the access for the relevant **limited access road policy**: 1. **LAR 1** where direct access is prohibited; or 2. **LAR 2** where access may be permitted, subject to assessment.	No acceptable outcome is prescribed.	**Not Applicable.** The development does not involve any new or changed vehicular access.
PO19 New or changed access to a **local road** within 100 metres of an intersection with a **state-controlled road** does not compromise the safety of users of the **state-controlled road**.	No acceptable outcome is prescribed.	**Not Applicable.** The development does not involve any new or changed vehicular access.
PO20 New or changed access to a **local road** within 100 metres of an intersection with a **state-controlled road** does not adversely impact on the operating performance of the intersection.	No acceptable outcome is prescribed.	**Not Applicable.** The development does not involve any new or changed vehicular access.
Public passenger transport and active transport		
PO21 Development does not compromise the safety of users of **public passenger transport infrastructure**, **public passenger services** and **active transport infrastructure**.	No acceptable outcome is prescribed.	**Complies with PO21.** The proposal is an internal change of use and does not involve any works near public passenger transport stops, shuttle pick-up locations or active transport infrastructure. The development will not interfere with, obstruct or compromise the safety of users of public transport or active transport networks.
PO22 Development maintains the ability for people to access **public passenger transport infrastructure, public passenger services** and **active transport infrastructure**.	No acceptable outcome is prescribed.	**Complies with PO22.** Access to existing shuttle services, pedestrian paths, bicycle routes and public transport infrastructure remains unchanged.

Performance outcomes	Acceptable outcomes	Response
		The development does not modify or restrict any public access points or transport connections and therefore maintains the ability for people to access all existing services.
PO23 Development does not adversely impact the operating performance of **public passenger transport infrastructure, public passenger services** and **active transport infrastructure**.	No acceptable outcome is prescribed.	**Complies with PO23.** The development generates modest traffic and is contained within an existing commercial building. It does not affect the operation, efficiency or performance of public passenger services, shuttle routes or active transport corridors within the Port Douglas Town Centre.
PO24 Development does not adversely impact the **structural integrity** or physical condition of **public passenger transport infrastructure** and **active transport infrastructure**.	No acceptable outcome is prescribed.	**Complies with PO24.** The proposal involves no construction, ground disturbance or works in proximity to public transport or active transport infrastructure. As such, the development does not adversely impact the physical condition or structural integrity of any public transport or active transport facilities.

Table 1.3 Network impacts

Performance outcomes	Acceptable outcomes	Response
PO25 Development does not compromise the safety of users of the **state-controlled road** network.	No acceptable outcome is prescribed.	**Complies with PO25.** The development does not alter access arrangements, traffic generation or road operations. All access continues to occur from Owen Street, a local road, ensuring the safety of users of the State-controlled road network is not compromised.
PO26 Development ensures **no net worsening** of the operating performance of the **state-controlled road** network.	No acceptable outcome is prescribed.	**Complies with PO26.** The proposal generates low traffic volumes consistent with a small-scale indoor recreation use and does not involve any works near the State-controlled road. Accordingly, it does not result in

Performance outcomes	Acceptable outcomes	Response
		any net worsening of the operating performance of the State-controlled road network.
PO27 Traffic movements are not directed onto a **state-controlled road** where they can be accommodated on the **local road** network.	No acceptable outcome is prescribed.	**Complies with PO27.** Traffic associated with the development is directed to Owen Street, a lower-order local road. No new access or traffic redirection to the State-controlled road (Macrossan Street) is proposed or required.
PO28 Development involving haulage exceeding 10,000 tonnes per year does not adversely impact the pavement of a **state-controlled road**.	No acceptable outcome is prescribed.	**Not Applicable.** Development does not involve haulage.
PO29 Development does not impede delivery of **planned upgrades** of **state-controlled roads**.	No acceptable outcome is prescribed.	**Complies with PO29.** The proposal is entirely contained within an existing building and does not involve works within or affecting the State-controlled road corridor. As such, it does not impede any planned upgrades to State-controlled roads.
PO30 Development does not impede delivery of **corridor improvements** located entirely within the **state-controlled road corridor**.	No acceptable outcome is prescribed.	**Complies with PO30.** No works are proposed within the State-controlled road corridor, and the development does not interfere with or prevent future corridor improvements.

Table 1.4 Filling, excavation, building foundations and retaining structures

Performance outcomes	Acceptable outcomes	Response
PO31 Development does not create a safety hazard for users of the **state-controlled road** or **road transport infrastructure**.	No acceptable outcome is prescribed.	**Complies with PO31.** No filling, excavation, or changes to the building foundations and retaining structures are proposed or required.
PO32 Development does not adversely impact the operating performance of the **state-controlled road**.	No acceptable outcome is prescribed.	**Complies with PO32.** No filling, excavation, or changes to the building foundations and retaining structures are proposed or required.
PO33 Development does not undermine, damage or cause subsidence of a **state-controlled road**.	No acceptable outcome is prescribed.	**Complies with PO33.**

Performance outcomes	Acceptable outcomes	Response
		No filling, excavation, or changes to the building foundations and retaining structures are proposed or required.
PO34 Development does not cause ground water disturbance in a **state-controlled road**.	No acceptable outcome is prescribed.	**Complies with PO34.** No filling, excavation, or changes to the building foundations and retaining structures are proposed or required.
PO35 Excavation, boring, piling, blasting and fill compaction do not adversely impact the physical condition or **structural integrity** of a **state-controlled road** or **road transport infrastructure**.	No acceptable outcome is prescribed.	**Not Applicable.** No filling, excavation, or changes to the building foundations and retaining structures are proposed or required.
PO36 Filling and excavation associated with the construction of **new or changed access** do not compromise the operation or capacity of existing drainage infrastructure for a **state-controlled road.**	No acceptable outcome is prescribed.	**Not Applicable.** No filling, excavation, or changes to the building foundations and retaining structures are proposed or required.

Table 1.5 Environmental emissions

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

Performance outcomes	Acceptable outcomes	Response
Reconfiguring a lot		
Involving the creation of 5 or fewer new residential lots adjacent to a state-controlled road or type 1 multi-modal corridor		
PO37 Development minimises free field noise intrusion from a **state-controlled road.**	**AO37.1** Development provides a noise barrier or earth mound which is designed, sited and constructed: 1. to achieve the maximum free field acoustic levels in reference table 2 (item 2.1); 2. in accordance with: a. Chapter 7 integrated noise barrier design of the Transport Noise Management Code of Practice: Volume 1 (Road Traffic	**Not Applicable.** Development is not Reconfiguring a lot.

Performance outcomes	Acceptable outcomes	Response
	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 **AO37.2** Development achieves the maximum free field acoustic levels in reference table 2 (item 2.1) by **alternative noise attenuation measures** where it is not practical to provide a noise barrier or earth mound. OR **AO37.3** Development provides a **solid gap-free fence** or other **solid gap-free structure** along the full extent of the boundary closest to the **state-controlled road**.	
Involving the creation of 6 or more new residential lots adjacent to a state-controlled road or type 1 multi-modal corridor		
PO38 Reconfiguring a lot minimises free field noise intrusion from a **state-controlled road.**	**AO38.1** Development provides noise barrier or earth mound which is designed, sited and constructed: 1. to achieve the maximum free field acoustic levels in reference table 2 (item 2.1); 2. in accordance with: 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;	**Not Applicable.** Development is not Reconfiguring a lot.

Performance outcomes	Acceptable outcomes	Response
	b. Technical Specification-MRTS15 Noise Fences, Transport and Main Roads, 2019; c. Technical Specification-MRTS04 General Earthworks, Transport and Main Roads, 2020. OR **AO38.2** Development achieves the maximum free field acoustic levels in reference table 2 (item 2.1) by **alternative noise attenuation measures** where it is not practical to provide a noise barrier or earth mound.	
Material change of use (accommodation activity)		
Ground floor level requirements adjacent to a state-controlled road or type 1 multi-modal corridor		
PO39 Development minimises noise intrusion from a **state-controlled road** in **private open space**.	**AO39.1** Development provides a noise barrier or earth mound which is designed, sited and constructed: 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: 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.	**Not Applicable.** Development is not Material change of use (accommodation activity).

Performance outcomes	Acceptable outcomes	Response
	OR **AO39.2** Development achieves the maximum free field acoustic level in reference table 2 (item 2.2) for **private open space** by **alternative noise attenuation measures** where it is not practical to provide a noise barrier or earth mound.	
PO40 Development (excluding a **relevant residential building** or **relocated building)** minimises noise intrusion from a **state-controlled road** in **habitable rooms** at the facade.	**AO40.1** Development (excluding a **relevant residential building** or **relocated building**) provides a noise barrier or earth mound which is designed, sited and constructed: 1. to achieve the maximum building façade acoustic level in reference table 1 (item 1.1) for **habitable rooms**; 2. in accordance with: 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 **AO40.2** Development (excluding a **relevant residential building** or **relocated building**) achieves the maximum building façade acoustic level in reference table 1 (item 1.1) for **habitable rooms** by **alternative noise attenuation measures** where it is not practical to provide a noise barrier or earth mound.	**Not Applicable.** Development is not Material change of use (accommodation activity).

Performance outcomes	Acceptable outcomes	Response
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.	
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.** Development is not Material change of use (accommodation activity).
PO43 Habitable rooms (excluding a **relevant residential building** or **relocated building**) are designed and constructed using materials to achieve the maximum internal acoustic level in reference table 3 (item 3.1).	No acceptable outcome is provided.	**Not Applicable.** Development is not Material change of use (accommodation activity).
Material change of use (other uses)		
Ground floor level requirements (childcare centre, educational establishment, hospital) adjacent to a state-controlled road or type 1 multi-modal corridor		
PO44 Development: 1. provides a noise barrier or earth mound that is designed, sited and constructed: 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: 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;	No acceptable outcome is provided.	**Not Applicable.** Development is not Material change of use (childcare centre, educational establishment, hospital).

Performance outcomes	Acceptable outcomes	Response
ii. Technical Specification-MRTS15 Noise Fences, Transport and Main Roads, 2019; 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.		
PO45 Development involving a **childcare centre** or **educational establishment**: 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: 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 4. achieves the maximum building facade acoustic level in reference table 1 (item 1.2) by **alternative noise attenuation**	No acceptable outcome is provided.	**Not Applicable.** Development is not Material change of use (childcare centre, educational establishment, hospital).

Performance outcomes	Acceptable outcomes	Response
measures where it is not practical to provide a noise barrier or earth mound.		
PO46 Development involving: 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).	No acceptable outcome is provided.	**Not Applicable.** Development is not Material change of use (childcare centre, educational establishment, hospital).
Above ground floor level requirements (childcare centre, educational establishment, hospital) adjacent to a state-controlled road or type 1 multi-modal corridor		
PO47 Development involving a **childcare centre** or **educational establishment** which have balconies, podiums or elevated **outdoor play areas** predicted to exceed the maximum free field acoustic level in reference table 2 (item 2.3) due to noise from a **state-controlled road** are provided with: 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**.	No acceptable outcome is provided.	**Not Applicable.** Development is not Material change of use (childcare centre, educational establishment, hospital).
PO48 Development including: 1. **indoor education areas** and **indoor play areas** in a **childcare centre** or **educational establishment**; or 2. sleeping rooms in a **childcare centre**; or 3. **patient care areas** in a **hospital** located above ground level, is designed and constructed to achieve the maximum internal acoustic level in reference table 3 (items 3.2-3.4).	No acceptable outcome is provided.	**Not Applicable.** Development is not Material change of use (childcare centre, educational establishment, hospital).
Air, light and vibration		

Performance outcomes	Acceptable outcomes	Response
PO49 Private open space, **outdoor education areas** and **outdoor play areas** are protected from air quality impacts from a **state-controlled road**.	**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**. OR **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**.	**Not Applicable.** Development is not a Dwelling, unit, or outdoor education area.
PO50 Patient care areas within **hospitals** are protected from vibration impacts from a **state-controlled road** or **type 1 multi-modal corridor**.	**AO50.1 Hospitals** are designed and constructed to ensure vibration in the patient treatment area does not exceed a vibration dose value of $0.1m/s^{1.75}$. AND **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 $0.4m/s^{1.75}$.	**Not Applicable.** Development is not a Hospital.
PO51 Development is designed and sited to ensure light from infrastructure within, and from users of, a **state-controlled road** or **type 1 multi-modal corridor**, does not: 1. intrude into buildings during night hours (10pm to 6am); 2. create unreasonable disturbance during evening hours (6pm to 10pm).	No acceptable outcomes are prescribed.	**Complies with PO51.** The development is contained entirely within an existing commercial building and does not alter the site layout, building orientation or interface with Macrossan Street. No new openings, external works, or sensitive spaces are introduced that could be affected by light from the adjoining State-controlled road. The proposal therefore does not increase exposure to road lighting and will not result in light

Performance outcomes	Acceptable outcomes	Response
		intrusion or unreasonable disturbance to the premises during evening or night-time hours.

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

Performance outcomes	Acceptable outcomes	Response
PO52 Development does not impede delivery of a **future state-controlled road**.	**AO52.1** Development is not located in a **future state-controlled road**. OR ALL OF THE FOLLOWING APPLY: **AO52.2** Development does not involve filling and excavation of, or material changes to, a **future state-controlled road**. AND **AO52.3** The intensification of lots does not occur within a **future state-controlled road**. AND **AO52.4** Development does not result in the landlocking of parcels once a **future state-controlled road** is delivered.	**Complies AO52.1.** The development is an internal use change within an existing commercial building that is located within a state transport corridor and within 100m of a State controlled intersection. It is not located in a future state-controlled road.
PO53 The location and design of **new or changed access** does not create a safety hazard for users of a **future state-controlled road**.	**AO53.1** Development does not include **new or changed access** to a **future state-controlled road**.	**Complies AO53.** The development does not include any new or changed access points.
PO54 Filling, excavation, building foundations and **retaining structures** do not undermine, damage or cause subsidence of a **future state-controlled road**.	No acceptable outcome is prescribed.	**Complies with PO54.** No filling, excavation, or changes to the building foundations and retaining structures are proposed or required.

Performance outcomes	Acceptable outcomes	Response
PO55 Development does not result in a material worsening of stormwater, flooding, overland flow or drainage impacts in a **future state-controlled road** or **road transport infrastructure**.	No acceptable outcome is prescribed.	**Complies with PO55.** No filling, excavation, or changes to the building foundations and retaining structures are proposed or required. Therefore,
PO56 Development ensures that stormwater is lawfully discharged.	**AO56.1** Development does not create any new points of discharge to a **future state-controlled road**. AND **AO56.2** Development does not concentrate flows to a **future state-controlled road**. AND **AO56.3** Stormwater run-off is discharged to a **lawful point of discharge**. AND **AO56.4** Development does not worsen the condition of an existing **lawful point of discharge** to the **future state-controlled road**.	**Complies with AO56.1 – AO56.4** The proposal involves no external works, no changes to impervious areas and no alterations to existing stormwater infrastructure. The development does not create any new points of discharge, nor does it concentrate flows toward it. Stormwater will continue to be discharged to the established lawful point of discharge serving the existing commercial complex, and the proposal does not worsen the condition or performance of this discharge point.