



Town Planning and Project Services

15 July 2026

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

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

RE: DEVELOPMENT APPLICATION FOR A MATERIAL CHANGE OF USE (SHORT TERM ACCOMMODATION AND MULTIPLE DWELLING IN ADDITION TO EXISTING CARETAKERS USE RIGHTS) OVER LAND UNIT 7, 11-15 PORT DOUGLAS ROAD, PORT DOUGLAS (LOT 7 ON BUP101937)

Aspire Town Planning and Project Services has been engaged by DJ & ID Investments Pty Ltd A.C.N. 146 684 102, the Applicants and Landowners of Unit 7, 11-15 Port Douglas Road, Port Douglas (Lot 7 on BUP101937), to prepare and lodge a Development Application for a Material Change of Use under the *Douglas Shire Planning Scheme 2018 (v1)*.

We understand based on advice provided by Council to the Applicant, the resort within which the unit is contained was approved in 1988 as part of rezoning approval number 136 with the associated building approvals being issued the following year. Condition 1 of the rezoning approval describes the development as (53 multiple dwelling units plus ancillary buildings structures and or uses to a maximum of 227 persons per hectare density). The ancillary "use" under the original rezoning considered Unit 7 as the Caretakers Unit with each set of building plans subsequently identifying unit 7 as a Caretakers Unit.

The proposed development seeks a Development Permit for a Material Change of Use for Short Term Accommodation and Multiple Dwelling in addition to retaining the existing Caretakers use rights. The proposed development is administrative only with no external or internal works required to facilitate the development.

This Development Application Package has been prepared with reference to the *Planning Act 2016*, *Planning Regulation 2017*, and the *Douglas Shire Planning Scheme 2018 (v1.0)*, and includes the following supporting documentation:

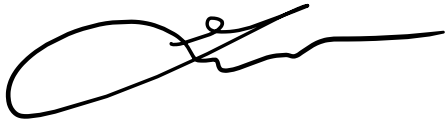
- Attachment 1 – Duly completed DA Form 1; and
- Attachment 2 – Town Planning Report, addressing the applicable planning considerations.

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Under the Douglas Shire Council Fees and Charges Schedule 2025/26, the applicable Development Application fee is calculated to be \$387.00. We kindly request that Council confirm the applicable fee amount and issue an invoice for the total amount, to be paid directly by the Applicant.

We appreciate your time in reviewing this application and trust the enclosed documentation provides sufficient information to support Council's assessment of the application. Should any further information or clarification be required, please contact the undersigned.

Regards,

A handwritten signature in black ink, appearing to read 'Daniel Favier', with a long horizontal line extending to the right.

Daniel Favier
Senior Town Planner
ASPIRE Town Planning and Project Services

Attachment I

Duly completed DA Form I

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)	DJ and ID Investments Pty Ltd
Contact name (only applicable for companies)	c/- Daniel Favier T/A 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)	
Mobile number (non-mandatory)	
Fax number (non-mandatory)	
Applicant's reference number(s) (if applicable)	2026-07-76 - Ottaway - 11-15 Port Douglas Road, Port Douglas
1.1) Home-based business	
☐ Personal details to remain private in accordance with section 264(6) of <i>Planning Act 2016</i>	

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)	

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	11-15	Port Douglas Road	Port Douglas
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)
	4877	7	BUP101937	Douglas
b)	Unit No.	Street No.	Street Name and Type	Suburb
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)

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

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

- ☐ Coordinates of premises by longitude and latitude

Longitude(s)	Latitude(s)	Datum	Local Government Area(s) (if applicable)
		☐ 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 <i>Airport Assets (Restructuring and Disposal) Act 2008</i>
Name of airport:
☐ Listed on the Environmental Management Register (EMR) under the <i>Environmental Protection Act 1994</i>
EMR site identification:
☐ Listed on the Contaminated Land Register (CLR) under the <i>Environmental Protection Act 1994</i>
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):

Short Term Accommodation and Multiple Dwelling in addition to continuing Caretaker use rights

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 <i>DA Form 2 – Building work details</i>

Division 1 – Material change of use

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

8.1) Describe the proposed material change of use

Provide a general description of the proposed use	Provide the planning scheme definition (include each definition in a new row)	Number of dwelling units (if applicable)	Gross floor area (m ²) (if applicable)
Short Term Accommodation and Multiple Dwelling in addition to continuing Caretaker use rights	Short Term Accommodation and Multiple Dwelling in addition to continuing Caretaker Accommodation use rights	1	155m ²

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?

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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 ☐ Drainage work ☐ Landscaping ☐ Other – please specify:	☐ Stormwater ☐ Earthworks ☐ Signage ☐ Water infrastructure ☐ Sewage infrastructure ☐ Clearing vegetation
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 <i>(from a watercourse or lake)</i> ☐ Water-related development – referable dams ☐ Water-related development – levees <i>(category 3 levees only)</i> ☐ Wetland protection area
Matters requiring referral to the local government: ☐ Airport land ☐ Environmentally relevant activities (ERA) <i>(only if the ERA has been devolved to local government)</i> ☐ 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 <i>(where inconsistent with the Brisbane port LUP for transport reasons)</i> ☐ 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 <i>(below high-water mark)</i>
Matters requiring referral to the Chief Executive of the relevant port authority: ☐ Ports – Land within limits of another port <i>(below high-water mark)</i>
Matters requiring referral to the Gold Coast Waterways Authority: ☐ Tidal works or work in a coastal management district <i>(in Gold Coast waters)</i>
Matters requiring referral to the Queensland Fire and Emergency Service: ☐ Tidal works or work in a coastal management district <i>(involving a marina (more than six vessel berths))</i>

18) Has any referral agency provided a referral response for this development application?		
☐ 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 <i>(if applicable)</i> .		

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 2 under 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	Unknown		
☐ 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 Form 1 Template 2
- Taking overland flow water: complete DA Form 1 Template 3.

Waterway barrier works

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

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

☒ No

DA templates are available from 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.qld.gov.au for information regarding assessment of Queensland heritage places.

Name of the heritage place:		Place ID:	
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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

☒ Yes

Note: See the Planning Regulation 2017 for referral requirements

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

☐ Yes

☒ Not applicable

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

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

☒ Yes

Relevant plans of the development are attached to this development application

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

☒ Yes

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

☐ Yes

☒ Not applicable



**Queensland
Government**

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



UNIT 7, 11-15 PORT DOUGLAS ROAD, PORT DOUGLAS
LOT 7 ON BUP101937

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 by DJ & ID Investments Pty Ltd A.C.N. 146 684 102 (the *Applicant* and *Landowner*) to prepare this Development Application seeking a Development Permit for a Material Change of Use (Multiple Dwelling and Short Term Accommodation in addition to retaining the existing Caretakers use rights) for Unit 7, 11–15 Port Douglas Road, Port Douglas, formally described as Lot 7 on BUP101937, under the Douglas Shire Planning Scheme 2018 (V 1.0).

The subject premises comprise an existing four-bedroom, two-bathroom self-contained unit located within an established resort complex. The unit also benefits from exclusive use storage and two dedicated on-site car parking spaces. The proposal seeks to establish lawful planning approval for the use of the unit for Multiple Dwelling and Short Term Accommodation, while retaining the existing lawful use rights associated with the Caretaker's Unit.

Based on information provided by Douglas Shire Council, the resort was approved under Rezoning Approval No. 136 in 1988, with subsequent building approvals issued in 1989. Condition 1 of the rezoning approval authorised the development of 53 multiple dwelling units together with ancillary buildings, structures and uses, at a maximum density of 227 persons per hectare. The approved ancillary use included a dedicated Caretaker's Unit, with the endorsed architectural plans consistently identifying Unit 7 as fulfilling this role.

The proposed development is administrative in nature and does not involve any external or internal building works, alterations to the built form, increase in floor area, or changes to the approved site layout. The proposal does not increase the number of bedrooms, guest capacity, parking demand or infrastructure requirements associated with the existing development. Rather, it seeks to provide planning certainty by enabling the unit to be lawfully used for Short Term Accommodation and Multiple Dwelling, while preserving its existing Caretaker's Unit use rights.

The proposal recognises that the unit is capable of accommodating a range of residential and visitor accommodation outcomes without any physical modification to the building or the surrounding resort complex. The existing exclusive use parking, storage facilities and established communal infrastructure remain unchanged, and the proposal will continue to operate within the capacity of the existing development.

The subject site is included within the Tourist Accommodation Zone under the Douglas Shire Planning Scheme 2018 (V1.0), where the proposed development is Code Assessable, requiring a Development Permit for a Material Change of Use.

This Town Planning Report provides a comprehensive assessment of the proposal against the relevant provisions of the Douglas Shire Planning Scheme 2018 (V1.0) and demonstrates that the proposal is consistent with the planning intent for the site. Given that the application is administrative only and does not result in any physical intensification or adverse amenity impacts, it is respectfully submitted that the proposal warrants Council's favourable consideration.

To assist in facilitating an efficient assessment process, we respectfully request that Douglas Shire Council provide without prejudice draft conditions of approval for review prior to the formal issue of the Decision Notice. This approach provides an opportunity to resolve any outstanding matters before the decision is finalised and assists in streamlining the approval process for all parties.

1.0 Summary

Street Address	Unit 7, 11-15 Port Douglas Road, Port Douglas
Lot and Plan	Lot 7 on BUP101937
Land Owner and Consent	DJ & ID Investments Pty Ltd A.C.N. 146 684 102 <i>Refer to Attachment 1 – Certificate of Title.</i> The Development Application is being made by the registered landowners of Lot 7 on BUP101937. As such, owner's consent for the subject lot is not required. The proposed development does not involve alterations to common property, external façades, structural elements affecting shared areas, or any modification to exclusive use allocations. The proposal does not alter access arrangements to common property, parking areas, shared services infrastructure, or communal facilities within the Community Management Scheme CMS17434 – Paradise Sands Port Douglas. Accordingly, the development does not materially change the use, function or operation of common property. As no works are proposed to common property and no additional rights or allocations are sought, separate consent from the Body Corporate is not required for the purposes of lodging this Development Application.
Size	Unit Area: 155m² Car Parking and Storage: not defined
Road Frontages	Port Douglas Road Mahogany Street Davidson Street
Overlays	• Acid Sulfate Soils – <5m AHD; 5m-20m AHD • Bushfire Hazard (Potential Impact Buffer) • Landscape Values (Scenic Route; View Corridor) • Transport Network – Noise Corridor: Category 1-4; Transport Pedestrian Cycle: Neighbourhood Route and Principal Route; Transport Road Hierarchy: Access Road, Arterial Road and Major Transport Corridor Buffer Area (State Controlled Road)
Other Relevant Encumbrances	Nil
Current Use	Existing 4 bedroom, 2 bathroom, self contained Caretakers unit within the building commonly known as The Paradise Sands Resort.
Proposal	Material Change of Use to allow the flexible use of the unit for the purposes of Short Term Accommodation and Multiple Dwelling in addition to existing Caretaker use rights.
Approvals Sought	Development Permit
Level of Assessment	Code
Planning Scheme	<i>Douglas Shire Planning Scheme 2018 (Version 1.0)</i>
Zone	Tourist Accommodation

Local Plan Area	Port Douglas Craiglie Local Plan (Not located within a Precinct)
Regional Plan Designation	Urban Footprint (<i>Far North Queensland Regional Plan 2026</i>)
State Planning Policy	Appropriately integrated within the Planning Scheme
State Development Assessment Provisions	Not applicable
Referral	None applicable

Table 1: Application Summary

2.0 Site Description

2.1 General Description

The subject premises comprise Unit 7 within the established resort complex located at 11–15 Port Douglas Road, Port Douglas, and formally described as Lot 7 on BUP101937.

Unit 7 comprises an existing four-bedroom, two-bathroom self-contained unit forming part of the broader resort development. The unit contains established kitchen, living and dining facilities and is capable of functioning independently as a residential or visitor accommodation unit refer to Images 1-4 below. The unit also benefits from an exclusive use storage area and two dedicated on-site car parking spaces.



Image 1: Kitchen and Living Areas (Source: realestate.com.au, July 2026)



Image 2: Outdoor Living Areas (Source: realestate.com.au, July 2026)



Image 3: Combined Bathroom with Laundry Facilities (Source: realestate.com.au, July 2026)



Image 4: Floor Layout (Source: realestate.com.au, July 2026)

Based on the historical approval information available, the broader resort development was approved in 1988 under Rezoning Approval No. 136. Condition 1 of the rezoning approval describes the development as comprising 53 multiple dwelling units, together with ancillary buildings, structures and/or uses, subject to a maximum density of 227 persons per hectare.

Unit 7 has historically been identified as the Caretaker's Unit associated with the resort. This designation is reflected throughout the subsequent building approval plans, which consistently identify the premises for caretaker accommodation purposes.

The broader development incorporates the common access, circulation, landscaped areas and recreational facilities expected of an established Port Douglas resort complex. Occupants of Unit 7 have access to utilise these facilities.

The site is connected to established urban infrastructure, including reticulated water, sewerage, stormwater, electricity and telecommunications services. The proposal does not generate any requirement for augmentation or alteration of existing infrastructure.

2.2 Location and Context

The subject site is prominently located at 11–15 Port Douglas Road, Port Douglas, approximately 1.8km south of the Port Douglas CBD, along one of the principal movement corridors into and through the Port Douglas township, refer to Figure 1.

Port Douglas Road provides the primary southern approach to the Port Douglas town centre and is characterised by an established concentration of resort, tourist accommodation and residential developments. The surrounding locality has a strong tourism and accommodation function, reflecting Port Douglas' role as a nationally and internationally recognised visitor destination and gateway to the Great Barrier Reef and Daintree Rainforest.

The immediate area is characterised by established resort-style developments set within landscaped tropical grounds. Land uses predominantly comprise tourist accommodation, short-term accommodation, multiple dwellings and associated visitor facilities. The built form generally reflects the established tropical resort character of Port Douglas, with low-rise accommodation buildings integrated with extensive landscaping and communal recreational facilities.

Additionally to the south is the Port Douglas Cemetery and to the north is the Port Douglas Fire Station and Port Douglas Ambulance Station.

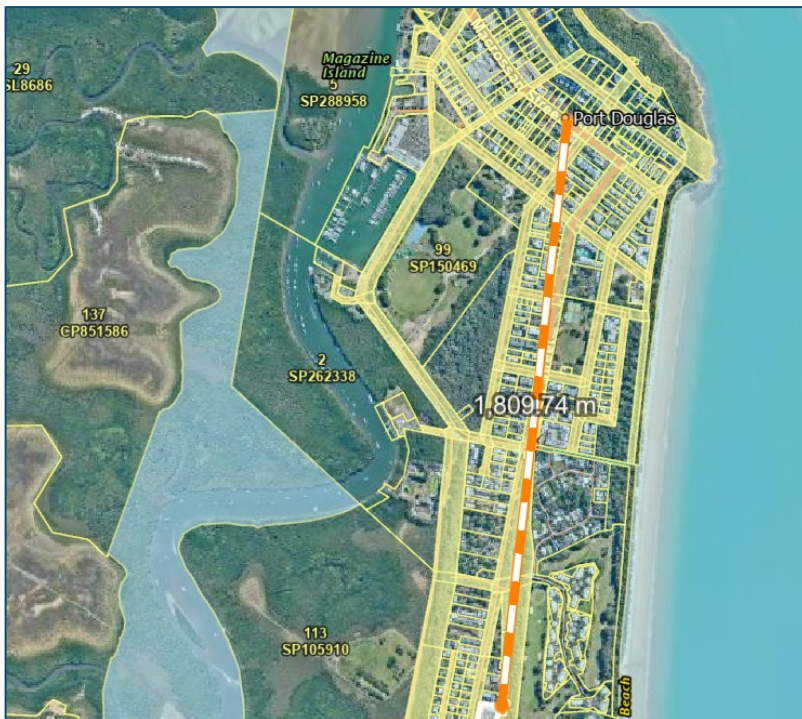


Figure 1: Site Location and Surrounding Context (Source: QLD Globe, July 2026)

3.0 Proposal

3.1 Proposed Development

The application seeks a Development Permit for a Material Change of Use to enable the existing Unit 7 to be used for Multiple Dwelling and Short Term Accommodation purposes, in addition to retaining the existing use rights associated with the Caretaker's Unit.

The proposal is administrative in nature and does not involve any internal or external building works. The physical configuration, built form and established operation of the broader resort complex will remain unchanged.

The purpose of the application is to provide greater flexibility in the lawful use of Unit 7, recognising its existing configuration as a substantial self-contained four-bedroom accommodation unit within an established resort development.

3.2 Existing Configuration

Unit 7 is an existing four-bedroom, two-bathroom self-contained unit comprising:

- Four bedrooms;
- Two bathrooms;
- A full kitchen;
- Internal living and dining areas;
- Private outdoor living areas;
- Exclusive use storage; and
- Two dedicated on-site car parking spaces.

The unit forms part of an established resort complex originally approved in 1988. Historical approval and building documentation consistently identify Unit 7 as the Caretaker's Unit associated with the development.

The existing unit is fully constructed and no physical changes to its current configuration are required to facilitate the proposed development.

3.3 Proposed Use Arrangements

The proposal seeks to enable Unit 7 to be lawfully used for Multiple Dwelling or Short Term Accommodation purposes, while retaining the existing Caretaker's Unit use rights.

No alterations are proposed to the existing unit to facilitate these additional use rights. The existing four-bedroom, two-bathroom configuration will remain unchanged and the premises will continue to operate as a single self-contained unit.

The proposed development will provide flexibility for the premises to accommodate permanent residential occupation or short-term visitor accommodation, consistent with the broader accommodation function and character of the established resort complex.

Importantly, the proposal does not seek to extinguish or replace the historical Caretaker's Unit use rights applying to Unit 7. Rather, the application seeks additional use rights to allow the premises to be utilised for alternative accommodation purposes where it is not required for caretaker accommodation.

No extension to the building footprint, change to building height, modification to the external façade or alteration to the overall built form of the development is proposed.

Refer to **Figure 2** below. The relevant plans are provided in **Attachment 2 – Proposal Plans**.

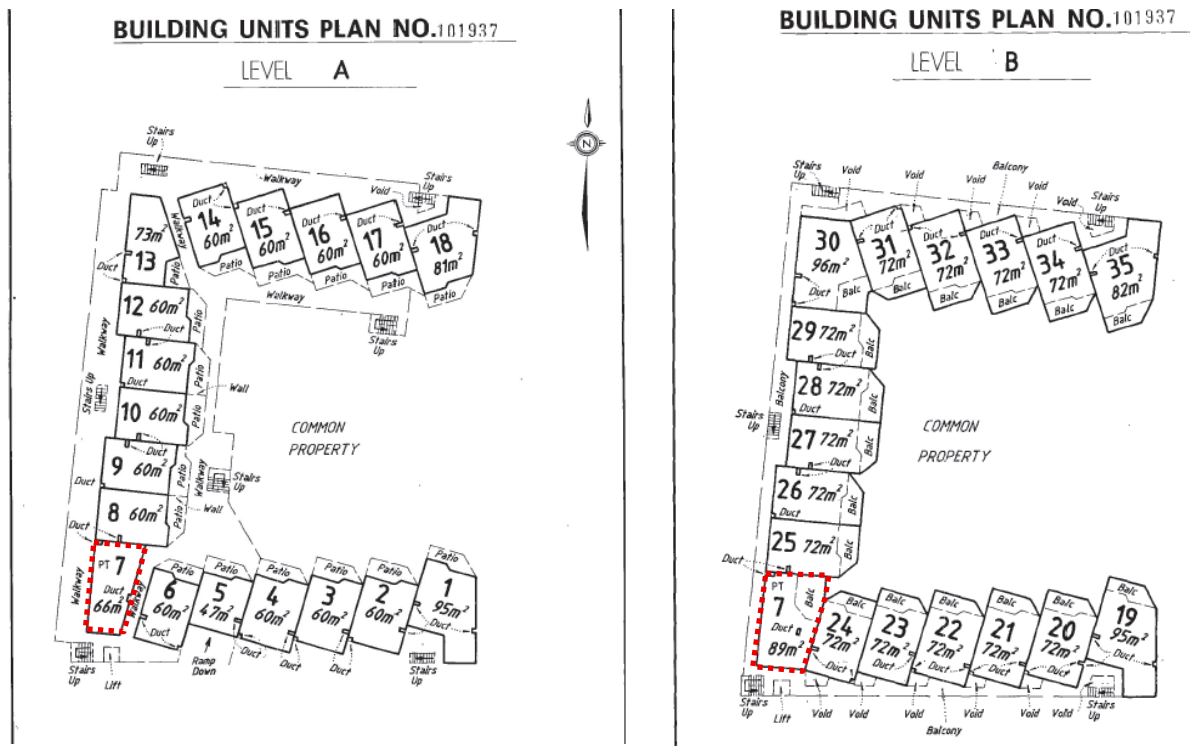


Figure 2: Extract from the Registered Building Unit Plan

3.4 Private and Communal Open Space

Unit 7 will retain access to its existing private living and open space areas. No changes to the existing private open space arrangements are proposed as part of this application.

Occupants will also continue to benefit from access to the established communal recreational facilities, landscaped areas and common property provided within the resort complex.

The proposal does not reduce or otherwise alter existing open space provision and will have no impact on the availability or functionality of communal facilities for other occupants of the development.

3.5 Infrastructure and Services

The proposal does not result in any change to existing external infrastructure, site access or service connections.

Unit 7 is already serviced by established reticulated water, sewerage, stormwater, electricity and telecommunications infrastructure associated with the broader resort development. The proposed additional use rights will utilise these existing service connections and no infrastructure augmentation or external servicing works are required.

Given the existing size and configuration of the unit remain unchanged, the proposal is not anticipated to result in any material increase in infrastructure demand beyond that reasonably associated with the existing premises.

3.6 Car Parking

Unit 7 is afforded two dedicated on-site car parking spaces, together with an exclusive use storage area. The car parking spaces are allocated through Exclusive Use rights nominated within the CMS. The proposal does not alter the existing allocation, location or use of these parking spaces. These parking spaces cannot be taken away without the express permission of the owner of Unit 7.

Under s171 of the *Body Corporate and Community Management Act 1997*, an exclusive use by-law can generally only stop applying to a benefiting lot if the body corporate passes a resolution without dissent to record the change and the owner of the benefiting lot agrees in writing or votes personally for the resolution.

The two parking spaces will continue to be available exclusively for occupants of Unit 7, irrespective of whether the premises are utilised for caretaker accommodation, permanent residential occupation or short-term accommodation.

As the proposal does not increase the number of bedrooms, gross floor area or physical capacity of the unit, no material increase in parking demand is anticipated. The existing parking arrangements are therefore considered appropriate to support the proposed additional use rights.

3.7 Development Intensity

Importantly, the proposal does not increase the building footprint, building height, site cover, gross floor area or number of bedrooms associated with Unit 7. No physical changes to the unit or broader resort complex are proposed.

The application is limited to establishing additional lawful use rights for an existing self-contained accommodation unit. The physical capacity of the premises remains unchanged and the proposal does not result in any material intensification of the existing development.

Rather, the proposal provides greater flexibility in the use of Unit 7, allowing the existing premises to respond to residential and visitor accommodation demand while remaining entirely consistent with the established accommodation function of the broader resort complex and Port Douglas locality.

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 (Short Term Accommodation and Multiple Dwelling including continuing existing Caretaker use rights).

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 2016* and Section 22 and Schedules 9 and 10 of the *Planning Regulation 2017* identify when a development application must be referred to a State agency for assessment.

A review of the Planning Regulation confirms that the proposed development does not trigger referral under Schedule 10, Part 9, Division 4 of the *Planning Regulation 2017*, and Douglas Shire Council is the sole assessment manager for the application.

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 Code Assessment and therefore Public Notification of the Development Application is not required.

4.1.5 Assessment Framework

As noted within this report, the proposed development triggers a Code Assessable Development Application. Section 45(3) of the *Planning Act* provides that:

- “(3) A code assessment is an assessment that must be carried out only—*
- (a) against the assessment benchmarks in a categorising instrument for the development;*
 - and*
 - (b) having regard to any matters prescribed by regulation for this paragraph.”*

The *Douglas Shire Planning Scheme 2016*, as the applicable local categorising instrument, is discussed in greater detail in the following sections of this report.

Section 26 of the *Planning Regulation* provides the following assessment benchmarks for the purposes of Section 45(3)(a) of the *Planning Act*:

- “(1) For section 45(3)(a) of the Act, the code 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 code assessment must be carried out against the following assessment benchmarks—

- (a) the assessment benchmarks stated in—*
 - (i) the regional plan for a region, to the extent the regional plan is not identified in the planning scheme as being appropriately integrated in the planning scheme;*
 - 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) any temporary State planning policy applying to the premises;*
- (b) if the local government is an infrastructure provider—the local government’s LGIP.*

(3) However, an assessment manager may, in assessing development requiring code 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(3)(b) of the Act, the code assessment must be carried out having regard to—

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

...

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

(i) the regional plan for a region, to the extent the regional plan is not identified in the planning scheme as being appropriately integrated in the planning scheme; 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 code 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 code 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 2026

The *Far North Queensland Regional Plan 2009–2031* has been superseded by the *Far North Queensland Regional Plan 2026* (the Regional Plan), which now establishes the contemporary regional planning policy framework for the Far North Queensland region. The subject site falls within the area to which the Regional Plan applies.

While the Douglas Shire Planning Scheme 2018 (Version 1) has not yet been amended to expressly reflect the 2026 Regional Plan, the relevant regional policy position as it relates to the proposed development is not materially dissimilar to that previously integrated within the Planning Scheme. The proposal is minor and administrative in nature and does not raise any broader regional land use or strategic planning matters.

Accordingly, a separate detailed assessment against the Regional Plan is not considered necessary for the purposes of 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 Minister has declared that the SPP has been appropriately integrated within the Planning Scheme.

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 (v1.0)

The *Douglas Shire Planning Scheme 2018 (v1.0)* (the *Planning Scheme*) is the current planning scheme for the Douglas Shire Council area.

The following sections provide an assessment against the relevant provisions of the Planning Scheme applicable to the proposed development.

4.5.1 Zone

The proposed development is consistent with the purpose and overall outcomes of the Tourist Accommodation Zone Code. The application seeks to provide additional lawful use rights for an existing four-bedroom, self-contained unit within an established resort development, enabling the premises to be used for Multiple Dwelling and Short Term Accommodation purposes while retaining the existing Caretaker's Unit use rights.

The proposal directly supports the intent of the Tourist Accommodation Zone by facilitating a range of accommodation opportunities. The subject premises are located along Port Douglas Road and form part of an existing resort complex, with convenient access to the commercial, recreational, tourism and visitor services available throughout Port Douglas.

The proposal does not involve any physical building works or changes to the existing built form. Accordingly, the established scale, density, tropical architectural character and landscaped presentation of the resort will remain unchanged. The existing development is well integrated with its surrounding tourism and accommodation setting and continues to reflect the tropical resort character anticipated within the Zone.

The development also makes efficient use of an existing self-contained accommodation unit and established infrastructure. Existing communal facilities, landscaped open space, access arrangements, services and two exclusive use car parking spaces remain available to support occupants of Unit 7. No additional infrastructure or alteration to the broader resort development is required.

Overall, the proposal provides greater flexibility in the use of existing accommodation stock within an established tourism development and supports the ongoing tourism and accommodation function of Port Douglas. The development is consistent with the economic and tourism objectives underpinning the Zone and does not compromise the existing character, amenity or landscaped qualities of the site or surrounding area.

Accordingly, the proposed development is considered to comply with the purpose and overall outcomes of the Tourist Accommodation Zone Code.

An assessment of the proposed development against the Centre Zone Code is included under ***Attachment 3 – Statement of Code Compliance against the Planning Scheme.***

4.5.2 Local Plan

The subject site is located within the Port Douglas/Craigie Local Plan. The proposed development does not conflict with the purpose of the Local Plan. Further detailed assessment of the proposed development is not considered relevant.

4.5.3 Overlays

Review of the Planning Scheme Mapping confirms the following applicable Overlays:

- Acid Sulfate Soils – <5m AHD; 5m-20m AHD
- Bushfire Hazard (Potential Impact Buffer)
- Landscape Values (Scenic Route; View Corridor)
- Transport Network – Noise Corridor: Category 1-4; Transport Pedestrian Cycle: Neighbourhood Route and Principal Route; Transport Road Hierarchy: Access Road, Arterial Road and Major Transport Corridor Buffer Area (State Controlled Road)

The proposed development has been considered against the above relevant overlay codes.

The proposal relates solely to establishing additional use rights for an existing, lawfully established unit within an existing resort development. No additional built form, building works, vegetation clearing, earthworks or changes to the existing site layout or infrastructure are proposed.

Accordingly, the development does not alter the site's existing physical characteristics or increase exposure to, or impacts upon, the environmental, landscape or natural hazard values addressed by the applicable overlay codes. The existing building and development footprint remain entirely unchanged. Having regard to the minor and administrative nature of the proposal, it is considered that the relevant assessment benchmarks of the applicable overlay codes are satisfied and no further detailed assessment is warranted.

4.5.4 Category of Assessment

Pursuant to Part 5 of the Planning Scheme, a Development Application for a Material Change of Use (Short Term Accommodation and Multiple Dwelling) in the Tourist Accommodation Zone is Code Assessable. The category of assessment of the proposed development is not otherwise altered by the Planning Scheme.

4.5.5 Assessment Criteria

The Douglas Shire Planning Scheme 2018 v1.0 identifies a range of assessment benchmarks that are applicable to the proposed development. These benchmarks include zone, local plan, overlay, use and development codes, which collectively guide the form, function, and impacts of development within the local government area.

Table 2 outlines how these benchmarks apply to the current application. It also indicates where responses have been incorporated within this report and where they are addressed in Attachment 3 – Statement of Code Compliance against the Planning Scheme. In this way, the table demonstrates that all relevant assessment benchmarks have been appropriately considered.

Assessment Criteria		Assessment Response
Zone Code	Tourism Accommodation Zone Code	Applicable - Code Assessment supplied. Assessment response provided in Attachment 3.
Local Plan Code	Por Douglas / Craiglie Local Plan Code	Applicable. Assessment response provided under s4.5.2 of this report.
Overlay Codes	Acid Sulphate Soils Overlay Code	Applicable. The site is included in the Acid Sulfate Soils Overlay (land below 5m AHD and land 5m-20m AHD). The application relates to the flexible use of an existing unit with no physical building works or alterations that would otherwise disturb acid sulfate soils. The proposed development complies and no further detailed and documents assessment is included in this report.
	Bushfire Hazard Overlay Code	Applicable. The application relates to the flexible use of an existing unit with no physical building works or alterations that would otherwise exacerbate bushfire exposure and risk. The proposed development complies and no further detailed and documents assessment is included in this report.
	Landscape Values Overlay Code	Applicable. The application relates to the flexible use of an existing unit with no physical building works or alterations that would otherwise impact identified landscape values. The proposed development complies and no further detailed and documents assessment is included in this report.
	Transport Network Overlay Code	Applicable. The application relates to the flexible use of an existing unit with no physical building works. No further noise attenuations or external work are proposed. The development will not place any additional demand on the existing transport network. The proposed development complies and no further detailed and documents assessment is included in this report.

Use Code	Multiple Dwelling, Short Term Accommodation and Retirement Facility Code	Applicable - Code Assessment supplied. Assessment response provided in Attachment 3.
Development Codes	Access, Parking and Service Code	Applicable. The Paradise Sands Resort is provided with established vehicle access. Unit 7 benefits from Exclusive Use rights to two existing on-site car parking spaces, consistent with the relevant assessment benchmarks of the Code. Accordingly, the relevant assessment benchmarks are considered to be satisfied and further detailed assessment is not considered necessary for the purposes of this Development Application.
	Environmental Performance Code	The proposed development will not result in any environmental performance conflict. The proposed development complies and no further detailed and documents assessment is included in this report.
	Infrastructure Works Code	The proposed development does not require any augmentation, extension or alteration to existing access, infrastructure or servicing arrangements. Given the proposal relates solely to additional use rights for an existing unit and involves no additional built form or physical works, the existing arrangements remain suitable to support the development. Accordingly, the relevant assessment benchmarks are considered to be satisfied and further detailed assessment is not considered necessary for the purposes of this Development Application.
	Landscaping Code	The development relies on existing landscaping. No new landscaping is proposed. The proposed development complies and no further detailed and documents assessment is included in this report.
	Vegetation Management Code	No vegetation removal is required. The proposed development complies and no further detailed and documents assessment is included in this report.

Table 2: Applicable Codes and Assessment Response Summary

5.0 Conclusion

The proposed Material Change of Use (Short Term Accommodation and Multiple Dwelling, in addition to retaining existing Caretaker use rights) for Unit 7, 11–15 Port Douglas Road, Port Douglas (Lot 7 on BUP101937) represents a logical and planning-compliant outcome that is consistent with the intent of the Douglas Shire Planning Scheme 2018 (Version 1.0).

Unit 7 forms part of the established Paradise Sands Resort and comprises an existing four-bedroom, two-bathroom self-contained unit. Historical approval and building documentation identify Unit 7 as the Caretaker's Unit associated with the resort. The application does not seek to extinguish or replace these existing use rights. Rather, it seeks to provide additional flexibility for the unit to also be lawfully used for Multiple Dwelling or Short Term Accommodation purposes when not required for Caretaker accommodation.

The proposal is administrative in nature and does not involve any internal or external building works. There is no change to the existing building footprint, height, gross floor area, number of bedrooms or overall built form of the resort. The existing physical and functional capacity of Unit 7 remains unchanged, and the proposal does not result in any material intensification of the existing development.

The subject site is located within the Tourist Accommodation Zone and Port Douglas/Craigie Local Plan area. The proposal is consistent with the established tourism and accommodation function of the locality and supports the Planning Scheme's intent to provide a range of accommodation opportunities within established tourist areas. The ability to flexibly utilise the existing unit for permanent residential occupation or short-term visitor accommodation represents an efficient use of existing accommodation stock within an established Port Douglas resort development.

The development makes efficient use of an already serviced premises within the existing urban footprint. No changes are proposed to vehicle access, infrastructure or service connections. Unit 7 retains the benefit of two on-site car parking spaces allocated through Exclusive Use rights under the Community Management Scheme, together with exclusive use storage and access to the existing communal facilities and landscaped areas of the resort.

Assessment against the relevant zone, local plan, overlay, use and development codes confirms that the proposal satisfies the applicable assessment benchmarks. Given the absence of physical works, the development does not result in additional impacts upon environmental values, landscape character, natural hazards, transport infrastructure or the existing streetscape.

In summary, the proposed development provides greater flexibility in the lawful use of an existing self-contained accommodation unit without altering the established built form, physical capacity or

character of the Paradise Sands Resort. The proposal retains the historical Caretaker's Unit use rights, makes efficient use of existing infrastructure and parking arrangements, and supports the established residential and tourism accommodation function of Port Douglas.

On this basis, the proposed development is considered to comply with the applicable assessment benchmarks and warrants approval, subject to reasonable and relevant conditions.

Attachment 1

Certificate of Title

Attachment 2

Proposal Plan

Attachment 3

Code Assessment

Attachment 1

Certificate of Title

Queensland Titles Registry Pty Ltd
ABN 23 648 568 101

Title Reference:	50050214	Search Date:	14/07/2026 10:17
Date Title Created:	03/02/1995	Request No:	56861735
Previous Title:	20848118		

ESTATE AND LAND

Estate in Fee Simple

LOT 7 BUILDING UNIT PLAN 101937

Local Government: DOUGLAS

COMMUNITY MANAGEMENT STATEMENT 17434

REGISTERED OWNER

Dealing No: 713863825 20/05/2011

DJ & ID INVESTMENTS PTY LTD A.C.N. 146 684 102
UNDER INSTRUMENT 713863825

TRUSTEE

EASEMENTS, ENCUMBRANCES AND INTERESTS

1. Rights and interests reserved to the Crown by
Deed of Grant No. 10498061 (POR 40)
2. MORTGAGE No 718673012 05/04/2018 at 13:25
AUSTRALIA AND NEW ZEALAND BANKING GROUP LIMITED A.C.N. 005
357 522

ADMINISTRATIVE ADVICES

NIL

UNREGISTERED DEALINGS

NIL

Caution - Charges do not necessarily appear in order of priority

** End of Current Title Search **

Attachment 2

Proposal Plan

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

Name of Building: *PARADISE SANDS, PORT DOUGLAS*

Regulation 8(1)
Sheet No. 7 of 9 Sheets

BUILDING UNITS PLAN NO. 101937

LEVEL A



Scale: 1:400

Floor areas are approximate only.

SIGNATURE OF REGISTERED PROPRIETOR:

R. J. Di Pietro
A.

R. J. Di Pietro
SECRETARY
A. Di Pietro
DIRECTOR

[Signature]

Chief Executive Officer
COUNCIL OF THE SHIRE OF DOUGLAS

Name of Building: 'PARADISE SANDS, PORT DOUGLAS'

Regulation 8(1)
Sheet No 8 of 9 Sheets

BUILDING UNITS PLAN NO. 101937

LEVEL B



Scale: 1:400

Floor areas are approximate only.

SIGNATURE OF REGISTERED PROPRIETOR:

R. J. Di Pietro
COMMON SEAL OF
A. Di Pietro

R. J. Di Pietro
SECRETARY
A. Di Pietro
DIRECTOR

[Signature]
Chief Executive Officer
COUNCIL OF THE SHIRE OF DOUGLAS

RP725764


$$\frac{N}{2}$$

DAVIDSON STREET

PORT DOUGLAS ROAD

MAHOGANY STREET

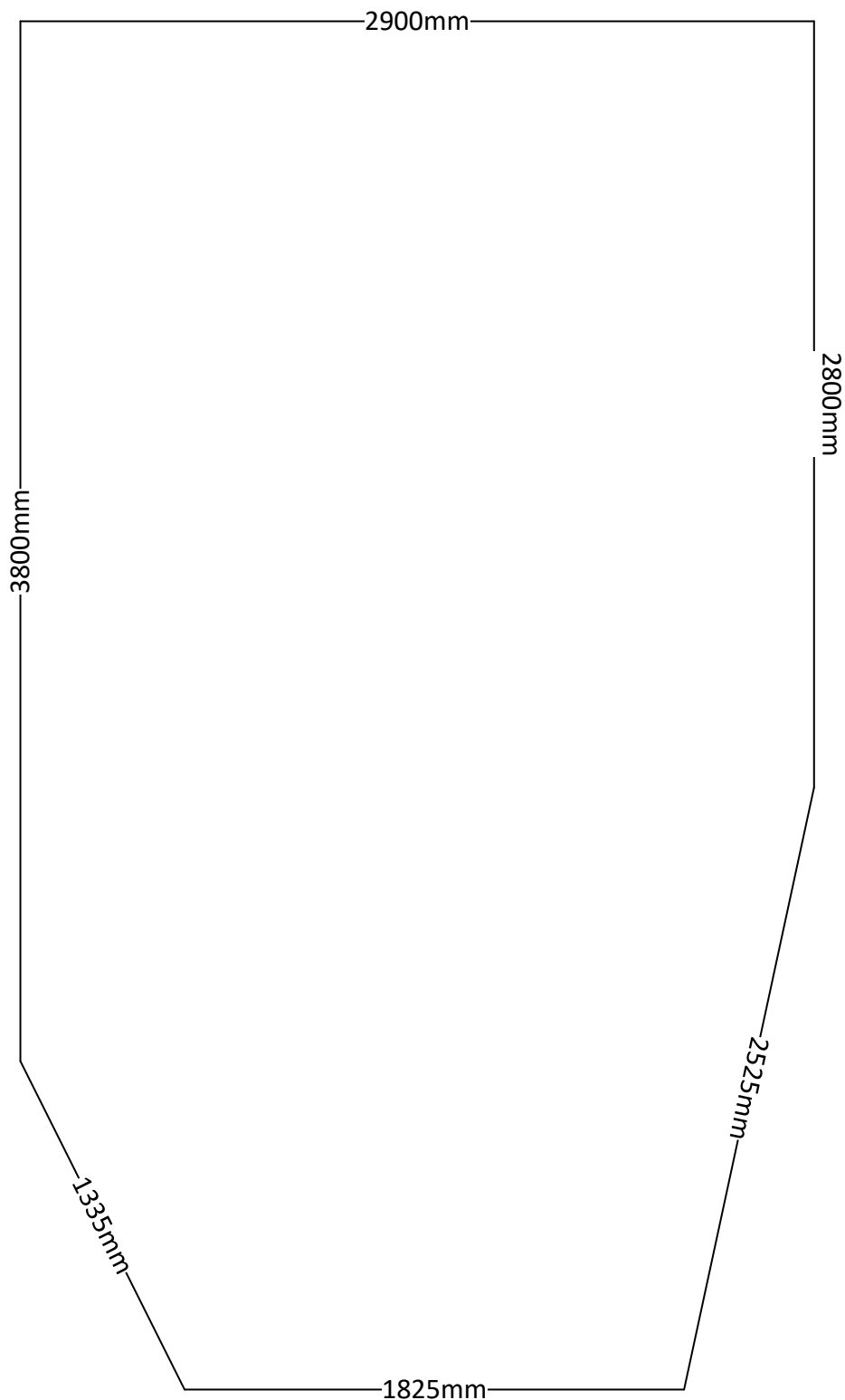
Suite 3 Canterbury Building
1 - 3 Front Street, Newcastle Q 4078
P.O. Box 355, Newcastle Q 4077

Ph 078 - 981140
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A/N 078 - 988220

Orig. Per. 48

L. A. Douglas S.C.

PLAN No. 94689LE/2-1



Unit 7 Balcony Measurements
Prepared by the Landowner

Attachment 3

Code Assessment

6.2.13 Tourism zone code

6.2.13.1 Application

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

6.2.13.2 Purpose

- (1) The purpose of the Tourism zone code is to provide for tourist facilities located in urban, rural or environmental or coastal areas.
- (2) The local government purpose of the code is to:
 - (a) implement the policy direction set in the Strategic Framework, in particular:
 - (i) Theme 5 – Economy, Element 3.8.2 – Economic growth and diversification, Element 3.8.3 – Tourism
 - (b) recognise significant tourism land use activities within the shire.
- (3) The purpose of the code will be achieved through the following overall outcomes:
 - (a) Development provides for the continued operation of existing tourist attractions and a range of other activities that are ancillary to and support tourist attractions.
 - (b) Accommodation activities are provided at an appropriate scale and integrate with and enhance existing tourist attractions.
 - (c) Development recognises that tourist attractions are based on an appreciation of the natural qualities of the Shire and are not general theme park land uses of a type that can be found in any tourist activity area elsewhere in Queensland.
 - (d) Development enhances and protects the unique local, scenic, cultural and historic character of the locality.
 - (e) Development provides a high level of amenity, incorporating tropical architectural elements and building design features.
 - (f) Development reflects and responds to the natural features, environmental values and constraints of the land.
 - (g) Development minimises impacts such as traffic, noise, dust, odour, and lighting, particularly on residential areas.

Criteria for assessment**Table 6.2.13.3.a – Tourism zone code – assessable development**

Performance outcomes	Acceptable outcomes	Applicant response
For assessable development		
PO1 The height of buildings and structures is compatible with the character and amenity of the area.	AO1 No acceptable outcomes are prescribed.	Not Applicable No change to building height.
PO2 Development is consistent with the overall outcomes sought for the Tourism zone and protects the zone from the intrusion of inconsistent uses.	AO2 Inconsistent uses as identified in Table 6.2.13.3.b are not established in the Tourism zone.	Complies The proposed uses are consistent with the zone.
PO3 Buildings and structures are set back to: (a) establish a high standard of amenity; (b) achieve separation from adjoining premises.	AO3 No acceptable outcomes are prescribed.	Not Applicable No change to building setbacks.
PO4 Development is located, designed, operated and managed to respond to the characteristics, features and constraints of the site and its surrounds. Note - Planning scheme policy SC 6.13 – Site assessments provides guidance on identifying the characteristics, features and constraints of a site and its surrounds.	AO4 No acceptable outcomes are prescribed.	Not Applicable The proposed development relates to the flexible use of an existing established unit. Such matters have been addressed when the development was originally approved and constructed.
PO5 Development does not adversely affect the character and amenity of the area and adjoining areas in terms of traffic, noise, dust, odour, lighting or other physical or environmental impacts.	AO5 No acceptable outcomes are prescribed.	Complies with PO5 The proposed development relates to the flexible use of an existing self-contained unit within an established resort complex and involves no physical building works. The proposal is not anticipated to generate any material increase in traffic, noise, dust, odour, lighting or other physical or environmental impacts.



Performance outcomes	Acceptable outcomes	Applicant response
		Accordingly, the existing character and amenity of the site and adjoining areas will be maintained.

Table 6.2.13.3.b - Inconsistent uses within Tourism zone

Inconsistent uses		
• Adult store • Agricultural supplies store • Air services • Animal husbandry • Aquaculture • Brothel • Bulk landscape supplies • Car wash • Cemetery • Child care centre • Club • Community care centre • Community residence • Community use • Crematorium • Cropping • Detention facility • Dual occupancy • Dwelling house • Dwelling unit • Educational establishment • Emergency services • Extractive industry • Funeral parlour	• Health care services • High impact industry • Home based business • Hospital • Hostel • Hotel • Intensive animal industry • Intensive horticulture • Landing • Low impact industry • Major electricity • Infrastructure • Major sport, recreation and entertainment facility • Marine industry • Medium impact industry • Motor sport facility • Multiple dwelling • Nightclub entertainment facility • Non-resident workforce accommodation • Office • Outdoor sales • Parking station • Permanent plantation	• Port services • Relocatable home park • Renewable energy facility, being a wind farm • Research and technology industry • Residential care facility • Retirement facility • Roadside stall • Rural industry • Rural workers' accommodation • Sales office • Service industry • Service station • Shop • Shopping centre • Showroom • Special industry • Substation • Theatre • Transport depot • Utility installation • Veterinary services • Warehouse • Wholesale nursery

• Garden centre • Hardware and trade supplies	• Place of worship	
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Note - This table does not imply that all other uses not listed in the table are automatically consistent uses within the zone. Assessable development must still demonstrate consistency through the assessment process.



9.3.13 Multiple dwelling, short term accommodation and retirement facility code

9.3.13.1 Application

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

9.3.13.2 Purpose

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

9.3.13.3 Criteria for assessment

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

Performance outcomes	Acceptable outcomes	Applicant Response
For assessable development		
PO1 The site has sufficient area and frontage to: (a) accommodate the scale and form of buildings considering site features; (b) achieve communal open space areas and private outdoor spaces; (c) deliver viable areas of deep planting and landscaping to retain vegetation and protect or establish tropical planting; (d) achieve safe and convenient vehicle and pedestrian access; (e) accommodate on-site car parking and manoeuvring for residents, visitors and service providers.	AO1.1 The site has a minimum area of 1000m ² . AO1.2 The site has a minimum frontage of 25 metres.	Not Applicable The proposal relates to a material change of use of an existing building.
PO2 Development for large-scale multiple dwellings, short term accommodation and retirement villages contributes to the neighbourhood structure and integrates with the existing neighbourhood through: (a) the establishment and extension of public streets and pathways; the provision of parks and other public spaces as appropriate to the scale of the development; (c) inclusion of a mix of dwelling types and tenures and forms; (d) buildings that address the street; (b) building height and setback transitions to adjoining development of a lower density or scale.	AO2 Development on a site 5,000m ² or greater is in accordance with a structure plan. Note – Guidance on preparing a structure plan is provided within Planning scheme policy SC6.14 – Structure planning.	Not Applicable The proposal relates to a material change of use of an existing building.



PO3 Development ensures that the proportion of buildings to open space is: (a) in keeping with the intended form and character of the local area and immediate streetscape; (b) contributes to the modulation of built form; (c) supports residential amenity including access to breezes, natural light and sunlight; (d) supports outdoor tropical living; (e) provides areas for deep tropical planting and / or for the retention of mature vegetation.	AO3.1 The site cover is not more than 40%. AO3.2 The development has a gross floor area of not more than: <table><tr><th>Zone</th><th>Maximum GFA</th></tr><tr><td>Low-medium density residential</td><td>0.8 x site area</td></tr><tr><td>Medium density residential</td><td>1.2 x site area</td></tr><tr><td>Tourist accommodation</td><td>1.2 x site area</td></tr><tr><td>All other zones</td><td>No acceptable outcome specified</td></tr></table>	Zone	Maximum GFA	Low-medium density residential	0.8 x site area	Medium density residential	1.2 x site area	Tourist accommodation	1.2 x site area	All other zones	No acceptable outcome specified	Not Applicable The proposal relates to a material change of use of an existing building.
Zone	Maximum GFA											
Low-medium density residential	0.8 x site area											
Medium density residential	1.2 x site area											
Tourist accommodation	1.2 x site area											
All other zones	No acceptable outcome specified											
PO4 Development is sited so that the setback from boundaries: (a) provides for natural light, sunlight and breezes; (b) minimises the impact of the development on the amenity and privacy of neighbouring residents; (c) provides for adequate landscaping.	AO4.1 Buildings and structures are set back not less than 6 metres from a road frontage. AO4.2 Buildings and structures are setback not less than 4 metres to the rear boundary. AO4.3 The side boundary setback for buildings and structures is: (a) for buildings up to 2 storeys not less than 2.5 metres for the entire building; (b) for buildings up to 3 storeys not less than 3.5 metres for the entire building.	Not Applicable The proposal relates to a material change of use of an existing building.										



PO5 Building depth and form must be articulated to (a) ensure that the bulk of the development is in keeping with the form and character intent of the area; (b) provide adequate amenity for residents in terms of natural light and ventilation. Note – Planning scheme policy SC6.1 – Building design and architectural elements provides guidance on reducing building bulk.	AO5.1 (a) The maximum length of a wall in any direction is 30 metres with substantial articulation provided every 15 metres. (b) The minimum distance between buildings on a site is not less than 6 metres; AO5.2 The length of any continuous eave line does not exceed 18 metres.	Not Applicable The proposal relates to a material change of use of an existing building.
PO6 Development reduces the appearance of building bulk, ensures a human-scale, demonstrates variations in horizontal and vertical profile and supports streetscape character.	AO6.1 Development incorporates a number of the following design elements: (b) balconies; (c) verandahs; (d) terraces; (e) recesses. AO6.2 Development reduces building bulk by: (a) variation in building colours, materials and textures; (b) the use of curves, recesses, projections or variations in plan and elevation; (c) recession and projection of rooflines and the inclusion of interesting roof forms, such as cascading roof levels, gables, skillions or variations in pitch; (d) use of sun-shading devices and other façade features; (a) use of elements at a finer scale than the main structural framing of the building.	Not Applicable The proposal relates to a material change of use of an existing building.
PO7 Development provides a building that must define the street to facilitate casual surveillance and enhance the amenity of the street through: (a) orientation to the street; (b) front boundary setback; (c) balconies and windows to provide	AO7.1 Development provides a building that is not set back further than 2m beyond the minimum required street front setback. AO7.2 Development provides balconies and windows	Not Applicable The proposal relates to a material change of use of an existing building.



overlooking and casual surveillance; (d) building entrances.	from the primary living area that face and overlook the street or public space.	
PO8 Buildings exhibit tropical design elements to support Douglas Shire's tropical climate, character and lifestyle.	AO8.1 Development has floor to ceiling heights of 2.7 metres; AO8.2 Buildings include weather protection and sun shading to all windows to all external doors and windows of habitable rooms. AO8.3 Development incorporates deep recesses, eaves and sun-shading devices AO8.4 Western orientated facades are shaded using building and landscape elements, such as adjustable screens, awnings or pergolas or dense tropical planting. AO8.5 Individual dwelling units are not located on both sides of an enclosed central corridor (i.e. not double banked).	Not Applicable The proposal relates to a material change of use of an existing building.

**PO9**

Development minimises direct overlooking between buildings through appropriate building layout, location and the design of windows and balconies or screening devices.

Note—Siting and building separation is used to minimise privacy screening requirements.

AO9.1

Development where the dwelling is located within 2 metres at ground level or 9 metres above ground level of a habitable room window or private open space of an existing dwelling house, ensures habitable rooms and any private outdoor spaces have:

- (a) an offset from the habitable room or private open space of the existing dwelling to limit direct outlook; or
- (b) sill heights a minimum of 1.5m above floor level; or
- (c) fixed obscure glazing in any part of the window below 1.5m above floor level; or
- (d) fixed external screens; or
- (e) in the case of screening for a ground floor level unit, fencing to a minimum 1.8m above the ground storey floor level.

AO9.2

Development where a direct view is available from balconies, terraces, decks or roof decks into windows of habitable rooms, balconies, terraces or decks in an adjacent existing dwelling house, is screened from floor level to a height above 1.5m above floor level.

AO9.3

Development provides screening devices that are solid translucent screens, perforated or slatted panels or fixed louvres that have a maximum of 25% openings, with a maximum opening dimension of 50mm, and that are permanent and durable.

Note—The screening device is offset a minimum of 0.3m from the wall around any window.

Note—Screening devices are hinged or otherwise attached to facilitate emergency egress

Not Applicable

The proposal relates to a material change of use of an existing building.



PO10 Development provides accessible and functional landscaping and recreation area for the benefit of residents/guests.	AO10 A minimum of 35% of the site is allocated as landscaping and recreation area.	Not Applicable The proposal relates to a material change of use of an existing building. No change is proposed to existing, established landscaping.
PO11 Landscaping must contribute positively to the amenity of the area, streetscape and public spaces.	AO11 Development provides landscaping as follows: (a) A dense landscape planting strip of at least 2 metres width suitable for deep planting is provided and maintained along all street frontages; (b) A dense landscape planting strip of at least 1.5 metres width suitable for deep planting is provided along all side and rear boundaries.	Not Applicable The proposal relates to a material change of use of an existing building.
PO12 The landscaping and recreation area provides for functional communal open space for all developments exceeding five dwellings on one site.	AO12.1 Communal open space is provided at: (a) a minimum of 5% of site area of 50m² whichever is the greater; and (b) a minimum dimension of 5 metres. AO12.2 Development provides communal open space that: (a) is consolidated into one useable space; where communal open space exceeds 100m², the communal open space may be split into two, and so forth incrementally. AO12.3 Communal open space: (a) is a minimum of 50% open to the sky; (b) achieves 25% shading by trees in 5 years; (c) does not include vehicle driveways and manoeuvring; (d) does not contain surface structures such as rainwater tanks, fire hydrants, transformers or water boosters. AO12.4 Communal open space is designed to provide for	Not Applicable The proposal relates to a material change of use of an existing building. Communal open space is established within the Paradise Sands Resort.



a range of facilities, typically including some, or all, of the following elements:

- (a) seating;
- (b) barbecue;
- (c) play equipment;
- (d) swimming pool;
- (e) communal clothes drying;
- (f) vegetable garden.

AO12.5

- (b) Development involving 5 or fewer dwellings on one lot can allocate additional private open space to a ground storey dwelling instead of providing communal open space.

**PO13**

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

AO13.1

Development provides private open space which:

- (a) for ground storey dwellings, comprises of a minimum area of 35m² with a minimum dimension of 3 metres;
- (b) for dwellings above ground storey, comprises of a balcony with minimum area of 12m² and a minimum dimension of 3 metres.

AO13.2

Development provides private open space areas that are:

- (a) directly accessible from internal primary living area of the dwelling (not bedrooms);
- (b) provided with a screened area of 2m² minimum dimension capable of screening air conditioning plant, private clothes drying etc...
- (c) provided with adjustable, moveable or operable privacy screening where appropriate.

AO13.3

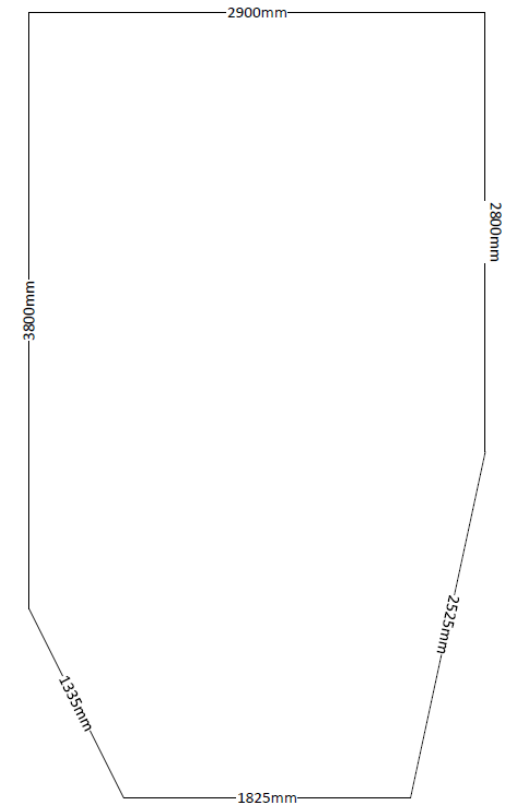
Development provides balconies that are located to the front or rear of the building except where adequate building separation can be achieved to maintain privacy.

AO13.4

Where secondary balconies are provided to a side of a building for additional amenity or services, such as clothes drying or to articulate facades, the setback may be reduced to the minimum setback, but these areas are not included in the calculation of private open space requirements.

Complies with AO13.1

The Planning Scheme identifies a minimum private open space provision of 12m² for accommodation units. The existing balcony dimensions is illustrated below and calculated to be approximately 12.3m².





Performance outcomes	Acceptable outcomes	
	AO13.5 Private open space: (a) does not include vehicle driveways and manoeuvring; (b) does not contain surface structures such as rainwater tanks, fire hydrants, transformers or water boosters.	



PO14 Development provides front fencing and retaining walls that must: (a) facilitate casual surveillance of the street and public space; (b) enable use of private open space; (c) assist in highlighting entrances to the property; (d) provide a positive interface to the streetscape.	AO14.1 Development ensures that, where fencing is provided, the height of any new fence located on any common boundary to a street or public space is a maximum of: (a) 1.2m, where fence construction is solid or less than 50% transparent; (b) 1.5m, where fence construction is at least 50% transparent; (c) 1.8m and solid only where the site is on an arterial road or higher order road. AO14.2 Development incorporating solid front fences or walls that front the street or other public spaces and are longer than 10m, indentations, material variation or landscaping is provided to add visual interest and soften the visual impact AO14.3 Development for a retaining wall is: (a) stepped to minimise impact on the streetscape and pedestrian environment; (b) a maximum of 0.6m in height if directly abutting the edge of the adjoining road reserve verge	Not Applicable The proposal relates to a material change of use of an existing building. No fencing or retaining is required.
PO15 Development minimises light nuisances.	AO15 Outdoor lighting is in accordance with AS 4282-1997 Control of the obtrusive effects of outdoor lighting.	Not Applicable The proposal relates to a material change of use of an existing building. No outdoor lighting is proposed.



PO16 Waste and recyclable material storage areas are: (a) convenient and accessible to residents and waste and recyclable material collection services; (b) located and designed to mitigate adverse impacts: (i) within the site; (ii) on adjoining properties; (iii) to the street.	AO16 Waste and recyclable material storage areas: (a) are located on site; (b) are sited and designed to be unobtrusive and screened from view from the street frontage; (c) are imperviously sealed roofed and bunded, and contain a hose down area draining to Council's sewer network; (d) are of a sufficient size to accommodate bulk (skip) bins; (e) have appropriate access and sufficient on site manoeuvrability area for waste and recyclable material collection services. Note - The Environmental performance code contains requirements for waste and recyclable material storage.	May be Conditioned to Comply No change is proposed to the current waste management scheme.
PO17 Development provides a secure storage area for each dwelling.	AO17 A secure storage area for each dwelling: (a) is located to enable access by a motor vehicle or be near to vehicle parking; (b) has a minimum space of 3.5m² per dwelling; (c) has a minimum height of 2 metres; (d) is weather proof; (e) is lockable; (f) has immunity to the 1% AEP inundation event. Note – A cupboard within a unit will not satisfy this requirement.	Complies with AO17 Unit 7 is afforded access to sufficient storage areas consistent with the areas established as Exclusive Use under the CMS.
Additional requirements for a Retirement facility		
PO18 Retirement facilities are located in areas which offer convenience to residents, and are designed to be compatible with the locality and surrounding area in which they are located.	AO18 Retirement facilities are conveniently located in established areas close to public transport, shopping facilities and health care services.	Not Applicable



PO19 Retirement facilities are designed to provide for the amenity and security of residents.	AO19.1 The Retirement facility incorporates covered walkways wide enough to accommodate wheel chairs and ramps, and where necessary, provide on-site weather protection between all parts of the complex. AO19.2 Internal pathways have firm, well drained and non-slip surfaces. AO19.2 Security screens are provided to all dwelling units or residential rooms to ensure the safety and security of residents. AO19.3 An illuminated sign and site map of the layout of the development is located near the main entrance to the facility.	Not Applicable
PO20 The internal layout of a Retirement facility and the location of the retirement facility allows for safe evacuation of residents in an emergency and provides emergency services to efficiently access the site.	AO20.1 The design of the Retirement facility ensures that external circulation and access and egress points on the site facilitate the evacuation of the site in an efficient manner. AO20.2 The site of a Retirement facility is not prone to inundation. AO20.3 The location of the Retirement facility is readily accessible to emergency vehicles.	Not Applicable



Performance outcomes	Acceptable outcomes	
PO21 The development is designed for the needs of the age group, and to allow 'aging in place' to occur.	AO21.1 Development applies adaptable housing principles. AO21.2 A range of housing designs and sizes are provided in the development to cater for different individual and household needs.	Not Applicable