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**Application for  
Preliminary  
approval to  
Override the  
Planning Scheme  
& ROL 1 Lot into  
5 Lots**

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**Lot 2 RP739097  
6 Endeavour St, Port  
Douglas**

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**The Corporation of the  
Diocesan Synod of North  
Queensland**

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## Applicant Details

<b>Proposal</b>	Preliminary Approval to Override the Planning Scheme in accordance with section 241 of the Sustainable Planning Act to facilitate Houses on proposed lots 1, 2, 3, and 4 new Lots.
<b>Applicant</b>	The Corporation of the Diocesan Synod of North Queensland
<b>Property Owner</b>	The Corporation of the Synod of the Diocese of Carpentaria
<b>Address</b>	6 Endeavour Street, Port Douglas
<b>Real Property Description</b>	Lot 2 RP739097
<b>Lot Size</b>	8,094m <sup>2</sup>
<b>Planning Area</b>	Community and Recreational Facilities
<b>Current Use</b>	Church, Hall and parking
<b>Level of Assessment</b>	Impact for MCU and Code for ROL
<b>Applicable Codes</b>	Port Douglas & Environs Locality Code Community and Recreational Facilities Code Residential 1 Planning Area Reconfiguring a Lot Code Acid Sulfate Soils Code
<b>Referral Agencies</b>	None

## 1.0 INTRODUCTION

The application is for:

1. Preliminary Approval to Override the Planning Scheme in accordance with section 241 of the Sustainable Planning Act to facilitate Houses on proposed lots 1, 2, 3, and 4 new Lots.
2. The Reconfiguration of Lot (1 into 5) at 6 Endeavour Street, Port Douglas (Lot 2 RP739097).

The 8,094m<sup>2</sup> site is included in the Community and Recreational Facilities Planning Area and the Preliminary approval under s241 of the Sustainable Planning Act is impact assessable.

The development complies with the purpose and performance criteria of the relevant codes including the Residential 1 Planning Area. Proposal plans are provided in **Appendix 1**.

### 1.1 The Proposal

The reconfiguration will create 4 new residential lots. The 5<sup>th</sup> lot (balance parcel) will contain the Anglican Church and Hall and a proposed Caretaker's Residence (Rectory). The Church, Hall and a proposed Rectory will remain on the same site as the and the church parking area will be reconfigured. The subdivision will result in new lots with the following characteristics:

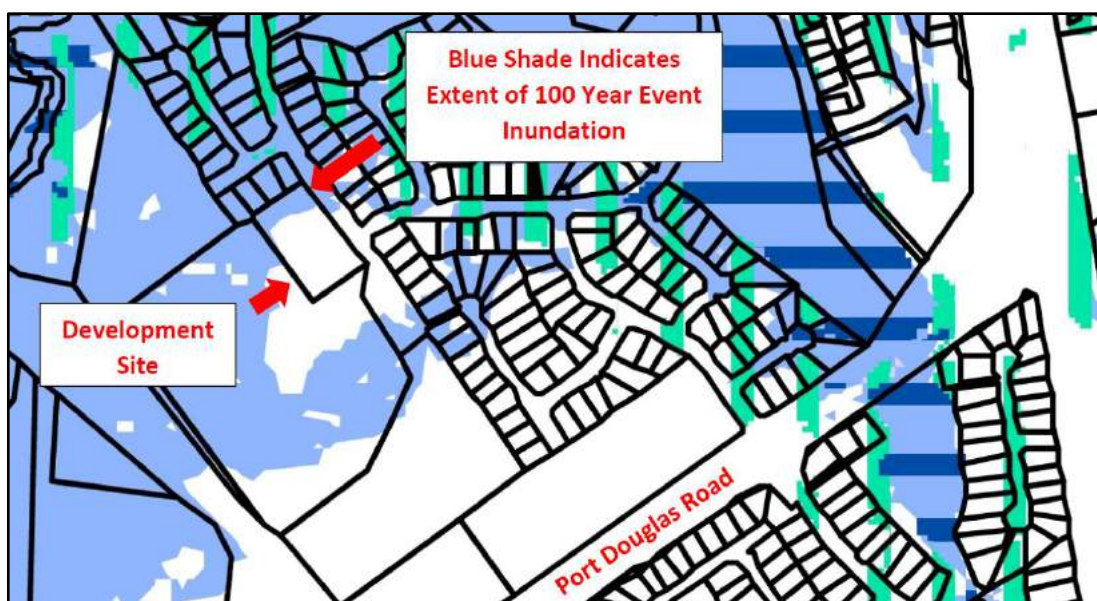
**Figure 1: Development Summary**

Lot	Improvements	Area	Road Frontage
1	New crossover access to be provided. Parking area to be removed. Existing gum trees to be retained where possible having regard to access & sewer.	800m <sup>2</sup>	18m to Endeavour St
2	Existing crossover access to be reshaped. Parking area to be removed. Existing gum trees to be retained where possible having regard to access & sewer	800m <sup>2</sup>	18m to Endeavour St
3	New crossover access to be provided. New sewer manhole to be provided. Existing gum trees to be retained where possible having regard to access & sewer.	800m <sup>2</sup>	18m to Endeavour St
4	New crossover access to be provided – allowing for 3m access and 2m of landscaping either side of driveway. The site will be filled (approx. 200mm) to Q100 and will drain to the street	1,227m <sup>2</sup> (916m <sup>2</sup> + access 311m <sup>2</sup> )	7m to Endeavour St
5	Church and Hall and a proposed Caretaker's Residence (Rectory). New drainage easement and spoon drain. Rectory access & egress to remain and will be extended to provide driveway access to rectory at the rear of the site New parking for 18 vehicles (12 vehicles near school and 6 near porte-cochere). The 6 parking spaces and rectory access will be separated from the new residential lot by 3-6m of landscaping. *The proposed Rectory has existing use rights Council letter attached	4,466m <sup>2</sup>	52m to Endeavour St

### 1.2 The Site

The development will utilise part of the existing Anglican Church site an at 6 Endeavour Street, Port Douglas. The area that will form the new residential lots contains 18 parking spaces for the church and is clear of vegetation, with the exception of 7 established gum trees that are located on the Endeavour Street frontage. The landscaping around the church and hall is tropical and typical of established buildings in Port Douglas. The site is generally flat with a minor fall of 1.5m towards the north of the property to an existing swale drain.

The existing drainage regime conveys stormwater run-off westward to an existing creek, which ultimately drains to Dickson Inlet. The proposal is to maintain this existing regime with the existing drainage swales and construction of a new drainage swale, over which easements will be created. No increase in stormwater run-off is proposed. The site is low lying, however, the majority of the site is free from inundation and is above the 1 in 100 year flood level. A small, northern portion of the site is below the flood level (**Figure 2**).

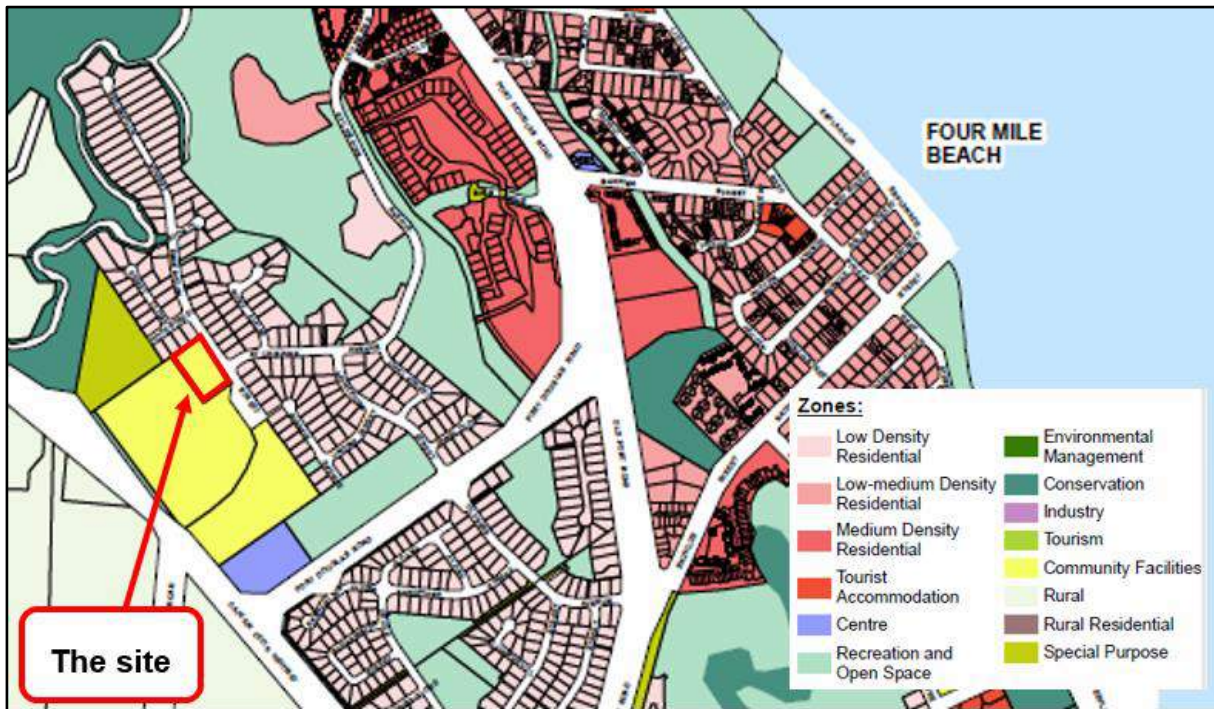


**Figure 2: Extract from Draft Flood & Storm Tide Inundation Overlay Map**

Low density residential land uses exist to the north and east of the lot, and community facilities exist to the south and west. The community facilities consist of a kindergarten and a school. These facilities are located at the end of the Endeavour Street cul-de-sac and are well serviced and connected by existing vehicle access and parking. The facilities are also well serviced by a network of pedestrian footpaths which connect to the church (**Figures 3 & 4**).



Figures 3a & 3b: Extract from current and draft planning schemes





Figures 4a & 4b: Air photo showing site and surrounding land uses



## 2.0 PLANNING CONSIDERATIONS

### 2.1 State Assessment and Referral

The *Sustainable Planning Regulations* set out the matters of interest to the State for development assessment. Where the State is a Referral Agency for a development application the *State Development Assessment Provisions* (SDAP) apply. No referral is required.

### 2.2 Drainage

Part of the northern area of the site is below the Q100 flood level (**Figure 2**). Following prelodgement consultation with Council the new residential lots will all drain to the street. Approximately 200mm of fill will be required for lots 3 and 4. The balance of the site is above the Q100 flood level.

### 2.3 Lot sizes

Each of the three new lots with frontage to Endeavour Street will be approx. (44.5m x 18m) – 800m<sup>2</sup> with the rear lot being approx. 1,227 with a useable area of 916m<sup>2</sup> (26.55m<sup>2</sup> x 34.5m<sup>2</sup>) plus the driveway access (approx. 311m<sup>2</sup>). There is no specified minimum lot size for land within the Community and Recreational Facilities Planning Area. As the intended future use will be residential, assessment against the Residential 1 Planning Area code is appropriate.

*Minimum Area and Dimensions of Lots for each Planning Area*

Planning Area	Minimum Area	Minimum Dimension
Community and Recreational Facilities	Not specified	Not specified
Residential 1 Within sewered areas	800m <sup>2</sup>	To accommodate square with minimum side of 20 metres

The proposed lots, including the area intended to be used for the Rectory are at or above the Acceptable Measure A1 of 800m<sup>2</sup> in the Residential 1 Planning Area. All proposed lots are capable of accommodating the proposed residential uses and the lots can readily accommodate residential dwellings with minimal earthworks.

The proposed lots readily satisfy the Performance Criteria P1 of the Reconfiguring a Lot code in that the *lots are of sufficient area and dimensions to meet the requirements of the users and accommodate the form of development likely to be constructed in the respective Planning Areas, together with the open space, landscaping, access and car parking associated with the particular form of development.*



## 2.4 Parking and Access

The existing entrance to the porte-cochere is retained and will provide access to 13 of the 18 parking spaces are provided to the south (left) of the Church, adjacent to the school. Allowing for the school and church to come to an operational agreement whereby the parking could be used for school pickups. This area has often been used for parking – informally – and only within the last 9 months, the Church has placed bollards in this location to discourage parking on the grass. Formalising this area for parking, reflects the way the site is used and is both a practical and civic/neighbourly outcome.

The porte-cochere section of the driveway is a low speed environment, that is primarily used for weddings and funerals. The co-use of this area as part of the driveway exit is an efficient use of the hardstand infrastructure and is not likely to impact on the church operations.

The driveway access for the Rectory doubles as the exit from the porte-cochere and also provides access to 5 parking spaces. Again, this is a low-speed environment and the co-use of the driveway is a good use of the hard infrastructure onsite, and allows for ease of access for parishioners, and retains large areas for landscaping. A landscape buffer of 4m is appropriately located between the proposed residential lots and the driveway / church.

## 2.3 Draft Scheme Provisions

This application will create 4 new residential lots and a balance lot which will continue to be utilised by the Anglican Church.

The site is currently included in the Community Facilities zone. However, the new residential lots exceed the requirements of the new Low Density Residential zone of the draft Scheme:

- minimum lot size is 600m<sup>2</sup>
- minimum frontage of 15m
- minimum rectangle of 20m x 15m.

A dwelling house will be self assessable in the Low Density Residential zone unless the use is within the Flood and Storm inundation overlay within the Low Density Residential zone, where the use is code assessable.

## 2.4 Developer and Open Space Contribution

The Performance Criteria P7 of the reconfiguring a lot code requires that provision is made for open space that:

- meets the recreational needs of residents and visitors to the Shire;

- provides a diverse range of settings;
- creates effective linkages with other areas of open space and natural areas; and
- contributes to the visual and Scenic Amenity of the Shire.

The Acceptable Measure options include:

- An area of 10% of the land to be reconfigured is provided as open space.

OR

- A contribution is paid in lieu of an area being designated for open space

OR

- A combination of the above, as agreed to by Council.

It is proposed that there is need for an open space contribution as the church in itself is a destination for community gathering and recreation. The church – hall and outdoor chapel satisfies P7 in that it contributes to:

- the recreational needs of residents and visitors;
- a diverse range of settings;
- creates effective linkages with other areas of open space (school); and
- to the visual Amenity as the setbacks, landscaping and breaking up the residential streetscape – all contributing to the open space feel.

There is some merit in considering the church to be a contribution to open space and recreation and the locality itself is well serviced by open space as the school which contributes an amount of open space / visual amenity / recreation land to the local community.

It is also acknowledged that in considering submissions to the draft scheme (Douglas Shire Council Meeting of 26 April) – Council also recognised the existing community facilities as a community resource.

437	L2 RP7390976 Endeavour Street, Port Douglas	The submitter wishes to exclude part of Lot 2, RP7390976 from the Community Facilities Zone and include it in the Low Density Residential Zone in order to create three new residential lots fronting Endeavour Street, which is currently a vacant portion of church land.	Schedule 2	The site is currently included in the Community and Recreational Facilities Planning area and this has been carried across into the proposed planning scheme. The planning scheme encourages re-use of Community Facilities zoned land for other Community Facilities in the event that it is seen to be surplus to a specific community use.  It may be that the land is suitable for residential purposes as described in the submission. However, there are means within the legislation to achieve residential purposes, if deemed appropriate.	No change.
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### 3.0 ASSESSMENT AGAINST DOUGLAS PLANNING SCHEME CODES

The application is made over land included in the Community and Recreational Facilities Planning Area, and the proposed Caretaker's Residence is Code Assessable in this Planning Area and the following Codes are applicable to the proposal.

**Table 2: Summary of applicable codes**

Planning Scheme Code	Complies	Comment
<b>Port Douglas and Environs Locality</b>	Yes	This application provides the provision for low density development which reflects and complements the image of Port Douglas as a tropical seaside town.
<b>Community and Recreational Facilities Planning Area</b>	Yes	The development is inconsistent with this code.
<b>Residential 1 Planning Area</b>	Yes	The development complies with these provisions.
<b>Reconfiguring a Lot</b>	Yes	The development complies with the performance criteria.
<b>Acid Sulfate Soil</b>	Yes	The development complies with these provisions.

In considering the proposal against the relevant Codes, there are Performance Criteria and Acceptable Solutions which are to be considered:

1. Assessable development must demonstrate that the Performance Criteria can be achieved.
2. The Acceptable Solutions nominated in the Codes are just one means by which the Performance Criteria may be achieved.

### 3.1 Port Douglas and Environs Locality Code

The purpose of this Code is, amongst other things, to facilitate the achievement of the following outcomes for the Locality:

- consolidate Port Douglas as the major tourist accommodation and tourist service centre;
- ensure that tourist development and associated landscaping is of high quality which reflects and complements the image of Port Douglas as a tropical seaside resort town of international renown;
- consolidate the area between Macrossan Street and Marina Mirage as the major tourist, retail, dining and entertainment centre;
- ensure that all forms of development complement the tropical image of the town by incorporating attractive design and architectural features;
- encourage the expansion of residential areas that are pleasant, functional, distinctive and in visually well-defined areas;
- protect existing and future residential areas from the intrusion of tourist accommodation and activity;
- protect sensitive environments and natural features which give Port Douglas its distinctive character and identity, in particular Four Mile Beach, Dicksons Inlet and Flagstaff Hill;
- maintain the distinct rural hinterland, dominant natural environment of the western escarpment, and the existing vegetated hillside of Flagstaff Hill;
- protect primary functions of the port (marine and fishing activities) from incompatible land uses and acknowledge the industrial and commercial land uses associated with the maritime industry, while also providing secondary opportunities for recreational use by residents and tourists.

**Comment:**

The proposal complies with the intent and purpose of the code, in particular the proposal provides the provision for low density development which reflects and complements the image of Port Douglas as a tropical seaside town.

**Elements of the Code**

Performance Criteria	Acceptable Solutions	Comment
<b><i>Protecting Port Douglas &amp; Environs Amenity – General</i></b>		
Buildings and structures complement the Height of surrounding development  AND	<b>A1.1</b> In the Planning Areas (and parts thereof) listed below the maximum Height of Buildings / structures is 6.5	<b>Not Applicable</b> The proposal is for the ‘rezoning’ and reconfiguration of lot.

Performance Criteria	Acceptable Solutions	Comment
<p>Buildings are limited to two Storeys; OR In the High Scale locations depicted on the Locality Plan, development of three Storeys is appropriate.</p>	<p>metres. In addition, the roof (including any ancillary roof features) does not exceed a maximum Height of 3.5 metres above the intersection of the pitching part of the roof and the wall of the Building:</p> <ul style="list-style-type: none"> <li>• Residential 1;</li> <li>• Industry;</li> <li>• Conservation;</li> <li>• Community and Recreational Facilities;</li> <li>• Residential 2;</li> <li>• Tourist and Residential (Medium Scale);</li> <li>• Commercial – (Medium Scale, outside the Tourist Centre);</li> <li>• Commercial – (High Scale, outside the Tourist Centre); and</li> <li>• Commercial – (High Scale, within the Tourist Centre and on the high side of Macrossan Street) – in this instance there is no specified number of Storeys, however the maximum Height prevails.</li> </ul> <p>OR</p> <p>In the Planning Areas (parts thereof) listed below the maximum Height of Buildings/structures is 10 metres and 3 Storeys. In addition, the roof (including any ancillary roof features) does not exceed a maximum Height of 3.5 metres above the intersection of the pitching part of the roof and the wall of the Building:</p> <p>P1 Tourist and Residential – (High Scale); and</p> <p>P2 Commercial – (High Scale, within the Tourist Centre and on the low side of Macrossan Street, through to Warner Street).</p>	<p><b>Not applicable</b></p>
<p>Development is connected to all urban services.</p>	<p><b>A2.1</b> Development is connected to available urban services by underground</p>	<p><b>Complies</b> The site is connected to all urban services, and onnections can be</p>

Performance Criteria	Acceptable Solutions	Comment
	<p>connections, wherever possible.</p> <p>AND/OR</p> <p>Contributions are paid when applicable in accordance with the requirements of Planning Scheme Policy No 11 – Water Supply and Sewerage Headworks and Works External Contributions.</p>	<p>extended to the new lots.</p> <p><b>Not applicable</b></p>
<p>Landscaping of development Sites complements the existing tropical seaside resort town character of Port Douglas and creates a dominant tropical vegetated streetscape.</p>	<p><b>A3.1</b> Landscaping of a development Site complies with Planning Scheme Policy No 7 – Landscaping, with particular emphasis on appropriate species for Port Douglas.</p>	<p><b>Will be complied with.</b> The site will be landscaped in accordance with the Policy, to an extent relevant for the scale of this development.</p>
<p>Development Sites are provided with efficient and safe vehicle Access and manoeuvring areas on Site and to the Site, to an acceptable standard for the Locality.</p>	<p><b>A4.1</b> All Roads, driveways and manoeuvring areas on Site and adjacent to the Site are designed and maintained to comply with the specifications set out in the Planning Scheme Policy No 6 – FNQROC Development Manual.</p>	<p><b>Will be complied with</b> Will be complied with to the extent relevant for the scale of this development.</p>
<p>Provisions relating to <i>Tourist Centre, Local Centres, Other Development, Community Facilities and Special Management Areas, have not been included here as they are not relevant to this application.</i></p>		
<p><b>Residential Development Outside Tourist Centre</b></p>		
<p>Existing residential housing estates are protected from incursion by higher density residential uses.</p>	<p><b>A15.1</b> Multi-Unit Housing does not establish in the residential estate of Solander and the areas in Reef Park estate included in the Residential 1 Planning Area.</p>	<p><b>Not applicable</b> The site is not in the Solander Estate or Reef Park Estate.</p>
<p>Residential development, other than a House, is climate responsive, contributes positively to the character of the Locality, is complementary in scale to surrounding development and does not exceed the identified Plot Ratio designation on the Locality Map/s (that is):</p> <ul style="list-style-type: none"> <li>land designated High Scale has a base Plot Ratio of 0.5:1 and a maximum Plot Ratio of 0.8:1;</li> </ul>	<p><b>A16.1</b> Development incorporates the following design features and corresponding plot ratio bonuses [in brackets]:</p> <ol style="list-style-type: none"> <li>appropriate roof form and roofing material [10% Plot Ratio Bonus]; and</li> <li>appropriate fenestration in combination with roof form [5% Plot Ratio Bonus]; and</li> </ol>	<p><b>Not applicable</b> The proposal is for the reconfiguration of lot.</p>

Performance Criteria	Acceptable Solutions	Comment
<ul style="list-style-type: none"> <li>• land designated Medium Scale has a base Plot Ratio of 0.3:1 and a maximum Plot Ratio of 0.45:1;</li> <li style="text-align: center;">OR</li> <li>• land designated Low Scale has a base Plot Ratio of 0.25:1 and a maximum Plot Ratio of 0.35:1.</li> <li style="text-align: center;">AND</li> </ul> <p>Will not achieve the maximum Plot Ratio specified above unless the development incorporates building design features and architectural elements detailed in Planning Scheme Policy No 2 – Building Design and Architectural Elements (and referred to in the Acceptable Solution).</p>	<p>3 appropriate window openings with window awnings, screens or eaves shading 80% of the window opening – refer Planning Scheme Policy No. 2 – Building Design and Architectural Elements [15% Plot Ratio Bonus]; and</p> <p>4 minimum of 700mm eaves [15% Plot Ratio Bonus]; and</p> <p>5 orientation of the Building to address the street/s [5% Plot Ratio Bonus];</p> <p>6 sheltered pedestrian Access by unenclosed covered common area walkway of 1.2 metres in width from the car parking area/s to the development [5% Plot Ratio Bonus]; and</p> <p>7 inclusion of windows and balconies to the street façade of the Building [10% Plot Ratio Bonus]; and</p> <p>8 provision of lattice, battens or privacy screens [5% Plot Ratio Bonus]; and</p> <p>9 the overall length of a Building does not exceed 30 metres and the overall length of any continuous wall does not exceed 15 metres [10% Plot Ratio Bonus].</p>	
<p>The Site Coverage of any residential or tourist development does not result in a built form that is bulky or visually obtrusive.</p>	<p><b>A17.1</b> The Site Coverage of any residential or tourist development, other than a House, is limited to:</p> <ul style="list-style-type: none"> <li>• 45% at Ground Level;</li> <li>• 40% at first floor level; and</li> <li>• 35% at second floor level, if applicable</li> </ul>	<p><b>Not applicable</b> The proposal is for reconfiguring a lot. However the lots are of sufficient size and appropriate dimension to enable development to comply with this provision.</p>
<p>Tourist development provides a range of services and facilities for the recreational convenience of in-house guests.</p>	<p><b>A18.1</b> Tourist development provides a range of recreational facilities and small scale commercial services such as Restaurant/bars, shop/boutique, and tour booking office, for the enjoyment</p>	<p><b>Not applicable</b> The proposal is for the reconfiguration of lot.</p>

Performance Criteria	Acceptable Solutions	Comment
	and convenience of in-house guests.	
<b>Protection of Scenic Amenity and Natural Values</b>		
The views and vistas of Four Mile Beach from the intersection of Davidson Street and Macrossan Street to the beach front are maintained.	<b>A21.1</b> Any development in Macrossan Street between Davidson Street and the beach front, outside the Tourist Centre, is designed with Macrossan Street as the Main Street Frontage and the Buildings are Setback 6 metres from the Main Street Frontage.	<b>Not applicable</b> The site is not located near Four Mile Beach or the intersection of Davidson Street and Macrossan Street.
Development does not adversely impact on areas of sensitive natural vegetation, foreshore areas, Watercourses and areas of tidal inundation which contribute the Scenic Amenity and natural values of the locality	No Acceptable Solution.	<b>Not applicable</b> The site does not contain areas of sensitive natural vegetation, foreshore areas, or a watercourse.



### 3.2 Community and Recreational Facilities Planning Area Code

The purpose of this Code is to facilitate the achievement of the following outcomes for the Community and Recreational Facilities Planning Area:

- accommodate community facilities such as schools, churches, community centres, State and Local Government facilities and major public utility depots or operations which are important to a locality or to the Shire, in locations which are convenient and accessible to the communities which the facilities serve;
- ensure that any expansion or redevelopment of community facilities is in keeping with the purpose and character of the facility and reflect contemporary community needs;
- ensure that areas are available for active sport and recreational pursuits, including facilities for commercial recreation;
- provide opportunities for sporting clubs using playing fields to establish club facilities;
- ensure that the use of recreational or club facilities does not affect the amenity of adjacent areas, particularly residential or environmental areas, through the sensitive design and siting of facilities and through buffering of facilities from sensitive land uses;
- ensure that areas and facilities are available to the general public and visitors to the Shire for recreational use and enjoyment;
- ensure that a range of functional open spaces, including local and district parks, major areas of parkland with a Shire-wide focus and open space links are provided for the use and enjoyment of residents of, and visitors to, the Shire; and
- ensure that the use of parkland does not affect the amenity of adjacent areas, particularly residential areas.

#### Comment

The site is currently included in the Community Facilities planning area and it is appropriate for the existing church and hall and proposed rectory will remain in this 'zone'. The future intended use of the 3 new lots will be residential and a dwelling house is impact assessable.

As part of the public notification of the Draft Scheme, a submission has been made to Council requesting that the area that will contain the new residential lots, be included in the Low Density Residential zone. As the intended future use will be residential, assessment against the Residential 1 Planning Area code is also provided.

Elements of the Code

Performance Criteria	Acceptable Solution	Comment
<b>Consistent and Inconsistent Uses</b>		
<p><b>P1</b> The establishment of uses is consistent with the outcomes sought for the Community and Recreational Facilities Planning Area.</p>	<p><b>A1.1</b> Uses identified as inconsistent uses in the Assessment Table are not established in the Community and Recreational Facilities Planning Area.</p>	<p><b>Complies with the Performance Criteria and Residential 1 Planning Area.</b> The use is not consistent with the intent of the Community and Recreational Facilities Planning Area, however it is consistent with the overall character and amenity of the area which is residential in nature with easy access to schools and the church. The proposed residential use of the site is appropriate for the locality. As part of the public notification of the Draft Scheme, a submission has been made to Council requesting that the area that will contain the new residential lots, be included in the Low Density Residential zone, to be consistent with other residential land in the locality.</p>
<b>Building/Structure Siting</b>		
<p><b>P2</b> Buildings/structures are Setback to ensure that they are compatible with the character of the area and do not adversely affect other uses, particularly residential uses.</p>	<p><b>A2.1</b> Buildings are Setback not less than:</p> <ul style="list-style-type: none"> <li>• a minimum of 8 metres from a State-Controlled Road; or</li> <li>• in other cases, a minimum of 6 metres from the Main Street Frontage;</li> <li>• 4 metres from any secondary Road Frontage; and</li> <li>• 3 metres from side and rear boundaries.</li> </ul>	<p><b>Can be complied with as appropriate</b></p>
<b>Site Access and Car Parking</b>		
<p><b>P3</b> Car parking areas are Setback from the boundaries of the Site to ensure a high standard of amenity and to ensure that the amenity of adjacent residential land, residential uses or other sensitive Sites is protected.</p>	<p><b>A3.1</b> Car parking areas are Setback;</p> <ul style="list-style-type: none"> <li>• 6 metres from the Road Frontage/s of the Site; and</li> <li>• 3 metres from any other Site boundary.</li> </ul>	<p><b>Complies with the performance criterial</b> As part of this reconfiguring a lot application, the existing church parking will be relocated and will be a minimum of 4m from the road frontage – behind the sewer line. The parking will be separated from the</p>

Performance Criteria	Acceptable Solution	Comment
		<p>new residential lot by 6m of landscaping.</p> <p>13 of the 18 parking spaces are to be located on the common boundary with the school. This will enable co-use of the parking with the school. A setback to this boundary has no major benefit, and the 0m setback improves circulation on the site.</p>
<p><b>P4</b> The Setbacks to car parking areas are landscaped to enhance the amenity of the Site and to provide a buffer to adjacent residential land, residential uses and other sensitive Sites.</p>	<p><b>A4.1</b> The Setback between the Road Frontage/s and the car parking area is landscaped with Dense Planting.</p>	<p><b>Complies</b></p>
<p><b>Night Lighting</b></p>		
<p><b>P5</b> Night lighting of playing fields and club facilities do not adversely affect the amenity of adjacent areas or uses.</p>	<p><b>A5.1</b> Where the Site adjoins land included in a Residential 1, Residential 2 or Tourist and Residential Planning Area or land developed partially or wholly for residential purposes, illumination levels parallel to and at a distance of 1.5 metres outside the Site for a Height of 10 metres do not exceed 8 lux in either the vertical or horizontal plane.</p> <p>OR</p> <p>Where regional standard facilities require a lux level of 100 – 200 lux shielding mechanisms and the correct design and positioning of the lights ensure minimal spillage to adjacent land.</p>	<p><b>Will be complied with</b></p> <p><b>Not applicable</b></p>
<p><b>Landscaping</b></p>		
<p><b>P6</b> Landscaping is functional, provides visual interest and form, incorporates native vegetation, provides screening and enhances the visual appearance of the development and provides</p>	<p><b>A6.1</b> All Site boundary Setback areas are provided with Dense Planting for a minimum distance of 2 metres or as specified above in A3.1.</p> <p>OR</p>	<p><b>Complies</b></p> <p>The proposal does provide separation from the proposed residential Lot 1 through the 3-6m of landscaping.</p>

Performance Criteria	Acceptable Solution	Comment
for useable public recreation/congregation areas, where appropriate.	A greater distance specified in a Land Use Code.	
<b>Sloping Sites</b>		
<p><b>P7</b> Building/structures are designed and sited to be responsive to the constraints of sloping Sites.</p>	<p><b>A7.1</b> Building/structures are erected on land with a maximum slope not exceeding 15%.</p> <p>OR</p> <p>Development proposed to be Erected on land with a maximum slope between 15% and 33% is accompanied by a Geotechnical Report prepared by a qualified engineer at development application stage.</p> <p>OR</p> <p>Development proposed to be Erected on land with a maximum slope above 33% is accompanied by a Specialist Geotechnical Report prepared by a qualified engineer at development application stage which includes sign-off that the Site can be stabilised.</p> <p>AND</p> <p>Any Building/structures proposed to be Erected on land with a maximum slope above 15% are accompanied by an additional Geotechnical Report prepared by a qualified engineer at building application stage.</p> <p>(Information that the Council may request as part of the Geotechnical Report are outlined in Planning Scheme Policy No 10 – Reports and Information the Council May Request, for code and impact assessable development.)</p>	<p><b>Not applicable</b></p> <p>The site is generally flat, with a minor fall of 1.5m towards the northern end of the property.</p> <p><b>Not applicable</b></p> <p><b>Not applicable</b></p> <p><b>Not applicable</b></p>
<p><b>P8</b> The building style and construction methods used for development on sloping Sites are responsive to the Site constraints.</p>	<p><b>A8.1</b> A split level building form is utilised.</p> <p><b>A8.2</b> A single plane concrete slab is not utilised.</p> <p><b>A8.3</b> Any voids between the floor of the Building and Ground Level, or between outdoor decks and</p>	<p><b>Not applicable</b></p>

Performance Criteria	Acceptable Solution	Comment
	Ground Level, are screened from view by using lattice/batten screening and/or Landscaping.	
<p><b>P9</b> Development on sloping land minimises any impact on the landscape character of the surrounding area.</p>	<p><b>A9.1</b> Buildings/structures are sited below any ridgelines and are sited to avoid protruding above the surrounding tree level.</p>	<p><b>Not applicable</b> The site is not sloping</p>
<p><b>P10</b> Development on sloping land ensures that the quality and quantity of stormwater traversing the Site does not cause any detrimental impact to the natural environment or to any other Sites.</p>	<p><b>A10.1</b> All stormwater drainage discharges to a lawful point of discharge and does not adversely affect downstream, upstream, underground stream or adjacent properties.</p>	<p><b>Not applicable</b> The site is not sloping An appropriate stormwater drainage management strategy has been developed to convey stormwater run-off from the site.</p>

### 3.3 Residential 1 Planning Area

The purpose of this Code is to facilitate the achievement of the following outcomes for the Residential 1 Planning Area:

- maintain and enhance the residential character and amenity of established residential neighbourhoods;
- ensure that the configuration of new residential areas is compatible with established residential neighbourhoods which are characterised by conventional residential housing;
- identify new areas intended for residential living and provide for a high level of residential amenity within the opportunities and constraints imposed by the land; and
- provide for the establishment of facilities to service the local community.

#### Comment

The proposed development complies with the purpose and intent of the code particular the proposed use is respectful of the residential nature of the area and the importance of high levels of residential amenity which in this instance is provided through large rectangular lots in close proximity to schools and the church.

The future intended use of the 3 new lots will be residential and a dwelling house is impact assessable. As part of the public notification of the Draft Scheme, a submission has been made to Council requesting that the area that will contain the new residential lots, be included in the Low Density Residential zone. As the intended future use will be residential, assessment against the Residential 1 Planning Area code is also provided.

#### Elements of the Code

Performance Criteria	Acceptable Solution	Comment
<b>Consistent and Inconsistent Uses</b>		
The establishment of uses is consistent with the outcomes sought for the Residential 1 Planning Area.	<b>A1.1</b> Uses identified as inconsistent uses in the Assessment Tables are not established in the Residential 1 Planning Area.	<b>Complies</b>
<b>Site Coverage – Other than a House</b>		
The Site Coverage of all Buildings does not result in a built form that is bulky or visually obtrusive.	<b>A2.1</b> Any form of development, other than a House, has a Site Coverage which does not exceed the Site Coverage specified for Multi-Unit Housing outlined below in this Code.	<b>Not applicable</b> The proposal is for the reconfiguration of lot for future dwelling houses.

Performance Criteria	Acceptable Solution	Comment
<b>Building Setbacks – Other than a House</b>		
All Buildings are Setback to: <ul style="list-style-type: none"> <li>maintain the character of residential neighbourhoods; and</li> <li>achieve separation from neighbouring Buildings and from Road Frontages</li> </ul>	<b>A3.1</b> Any form of development, other than a House, satisfies the same Setback requirements as specified for Multi- Unit Housing outlined below in this Code.	<b>Not applicable</b> The proposal is for reconfiguring a lot. However the lots are of sufficient size and appropriate dimension to enable development to comply with this provision.
<b>Fencing</b>		
Any perimeter fencing to the Frontage of a Site in the Residential 1 Planning Area is not visually obtrusive and does not detract from the residential character of the area.	<b>A4.1</b> Any fencing provided to the Main Street Frontage of the Site is a maximum of 1.2 metres in Height and does not present a blank facade to the street.  AND  Fencing at the side and the rear boundaries of the Site is a maximum of 1.8 metres in Height.	<b>Will be complied with</b> The proposed development will utilise the existing fencing to all boundaries together with new fencing to separate the proposed lots from the established church site.  The proposal is intended to be residential in scale.
<b>Landscaping – Other than a House</b>		
A Site which is developed for any purpose, other than a House, has Landscaping which is functional, provides visual interest and form, incorporates native vegetation and provides privacy to adjacent residential uses.	<b>A5.1</b> Within the Site Frontage Setback area a minimum width of 2 metres of Landscaping including 60% Dense Planting is provided.  AND  Within the side and rear Setback areas a minimum width of 1.5 metres of Landscaping including 60% Dense Planting is provided in accordance with the Landscaping Code.  <b>A5.2</b> Where the proposed use incorporates or requires the provision of a public open space recreation/landscape area, that area is connected and integrated with the development.	<b>Complies</b> Landscaping will complement the existing tropical seaside resort town character of Port Douglas and contribute to a tropical vegetated streetscape.
<b>Multi-Unit Housing</b>		
In new residential areas, Multi-Unit Housing: <ol style="list-style-type: none"> <li>is limited to a small proportion of available lots (eg.15% a small</li> </ol>	No Acceptable Solution	<b>Not Applicable</b>

Performance Criteria	Acceptable Solution	Comment
<p>proportion of the total number of new lots), with a preference for corner allotments; and</p> <p>ii) is dispersed to ensure conventional residential detached Houses dominate the streetscape; and</p> <p>iii) uses building forms (eg. development footprint, height, massing, positioning of garages to reduce their dominance, and architectural detail) that match or complement those of the established detached Houses in the area.</p>		
<p>Multi-Unit Housing is sited and designed to complement the residential amenity of the area. A Multi-Unit Housing development incorporates 1 Dwelling Unit per 500 m<sup>2</sup> of Site area and with a maximum of 3 Dwelling Units per Site area.</p>	<p><b>A7.1</b> Multi-Unit Housing establishes on a lot with a minimum area of 1000 m<sup>2</sup> and the lot has a minimum Frontage of 25 metres.</p> <p><b>A7.2</b> A Dwelling Unit in a Multi-Unit Housing development incorporates a maximum number of 3 bedrooms (or rooms capable of being used as a bedroom).</p> <p><b>A7.3</b> Site Coverage of Multi-Unit Housing is limited to:</p> <ul style="list-style-type: none"> <li>• 40% for 1 Storey development; or</li> <li>• 35% for 2 Storey development. A7.4 Building Setbacks for Multi-Unit Housing are:</li> <li>• 6 metres to the Main Street Frontage</li> <li>• 4 metres to any secondary Road Frontage 6 metres to the rear boundary</li> <li>• 2.5 metres to the side boundary for 1 Storey development or 3 metres to the side boundary for 2 Storey development.</li> </ul> <p><b>A7.5</b> A minimum of 40% of the Site is</p>	<p><b>Not applicable</b> These provisions apply to multi-unit housing</p> <p><b>Not applicable</b> These provisions apply to multi-unit housing</p> <p><b>Not applicable</b> These provisions apply to multi-unit housing</p> <p><b>Not applicable</b></p>



Performance Criteria	Acceptable Solution	Comment
	<p>provided as Landscaping and Recreation Area.</p> <p>AND</p> <p>A minimum of 4 metres by 4 metres of Landscaping and Recreation Area is provided for each Dwelling Unit which is directly accessible from a habitable living room.</p> <p>OR</p> <p>At least 50% of the total Landscaping and Recreation Area is provided as one communal area having a minimum dimension of 6 metres.</p> <p><b>A7.6</b> Each Dwelling Unit is provided with a designated refuse area which is screened from public view.</p> <p><b>A7.7</b> Balconies, patios and similar spaces are not enclosed or capable of being used as a Habitable Room.</p> <p>AND</p> <p>Balconies, patios and similar spaces are designed to be open and of light weight appearance with a maximum of 20% of the facade being fully enclosed.</p>	<p>These provisions apply to multi-unit housing</p> <p><b>Not applicable</b> These provisions apply to multi-unit housing</p> <p><b>Not applicable</b> These provisions apply to multi-unit housing</p>
<b>Buffering Incompatible Land Uses</b>		
<p>A buffer is provided to separate agricultural activities that create odour, excessive noise or use agricultural chemicals, (including Aquaculture and Intensive Animal Husbandry), from residential development.</p>	<p><b>A8.1</b> Any reconfiguration of Residential 1 land which shares a boundary with land in the Rural Planning Area provides a buffer in accordance with the requirements of State Planning Policy 1/92 and Planning Guidelines – Separating Agricultural and Residential Land Uses (DNR 1997).</p> <p>OR</p> <p>No Acceptable Solution.</p>	<p><b>Not Applicable</b> The site does not adjoin rural land or rural uses.</p> <p><b>Complies with the performance</b></p>

Performance Criteria	Acceptable Solution	Comment
	(Information that the Council may request to demonstrate compliance with the Performance Criteria is outlined in Planning Scheme Policy No 10 – Reports and Information the Council May Request, for code and impact assessable development).	<b>criteria</b> The site does not adjoin rural land or rural uses.
<b>Sloping Sites</b>		
Building/structures are designed and sited to be responsive to the constraints of sloping Sites.	<p><b>A9.1</b> Building/structures are Erected on land with a maximum slope not exceeding 15%.</p> <p>OR</p> <p>Development proposed to be Erected on land with a maximum slope between 15% and 33% is accompanied by a Geotechnical Report prepared by a qualified engineer at development application stage.</p> <p>OR</p> <p>Development proposed to be Erected on land with a maximum slope above 33% is accompanied by a Specialist Geotechnical Report prepared by a qualified engineer at development application stage which includes signoff that the Site can be stabilised.</p> <p>AND</p> <p>Any Building/structures proposed to be erected on land with a maximum slope above 15% are accompanied by a an additional Geotechnical Report prepared by a qualified engineer at building application stage.</p> <p>(Information that the Council may request as part of the Geotechnical Report are outlined in Planning Scheme Policy No 10 – Reports and Information the Council May Request, for code and impact assessable development.)</p>	<p><b>Not applicable</b> The proposal is for reconfiguring a lot on a flat site.</p> <p><b>Not applicable</b> The site is not sloping.</p> <p><b>Not applicable</b> The site is not sloping.</p> <p><b>Not applicable</b> The site is not sloping.</p>
The building style and construction methods used for development on sloping Sites are responsive to the Site constraints.	<p><b>A10.1</b> A split level building form is utilised.</p> <p><b>A10.2</b> A single plane concrete slab is not utilised.</p>	<b>Not applicable</b> The site is not sloping.

Performance Criteria	Acceptable Solution	Comment
	<p><b>A10.3</b> Any voids between the floor of the Building and Ground Level, or between outdoor decks and Ground Level, are screened from view by using lattice/batten screening and/or Landscaping.</p>	
<p>Development on sloping land minimises any impact on the landscape character of the surrounding area.</p>	<p><b>A11.1</b> Buildings/structures are sited below any ridgelines and are sited to avoid protruding above the surrounding tree level.</p>	<p><b>Not applicable</b> The site is not sloping.</p>
<p>Development on sloping land ensures that the quality and quantity of stormwater traversing the Site does not cause any detrimental impact to the natural environment or to any other Sites.</p>	<p><b>A12.1</b> All stormwater drainage discharges to a lawful point of discharge and does not adversely affect downstream, upstream, underground stream or adjacent properties.</p>	<p><b>Not applicable</b> The site is not sloping An appropriate stormwater drainage management strategy has been developed to convey stormwater run-off from the site.</p>
<p><b><i>Sustainable Siting and Design of Houses on Sloping Sites</i></b></p>		
<p>A House sited on hillside land is sited in an existing cleared area, or in an area approved for Clearing.</p>	<p><b>A13.1</b> A House is sited in an existing cleared area or in an area approved for Clearing under the Local Law – Vegetation Management but which is not cleared until development occurs. The Clearing is limited to a maximum area of 800m<sup>2</sup> and is sited clear of the High Bank of any Watercourse. (The 800m<sup>2</sup> area of Clearing does not include an access driveway.)</p> <p><b>A13.2</b> The approved area for the clearing of the house is not cleared until a Building Permit is issued.</p>	<p><b>Not applicable</b> The site is not sloping.</p>
<p>A House sited on hillside land is sited and designed so that it is subservient to the surrounding natural environment.</p>	<p><b>A14.1</b> A House is effectively screened from view by existing native trees in designated Setback area/s, or by the planting of additional native trees endemic to the local area.</p>	<p><b>Not applicable</b> The site is not sloping.</p>
<p>The exterior finishes of a House complements the surrounding natural environment.</p>	<p><b>A15.1</b> The exterior finishes and colours of Building/s are non-reflective and complement the</p>	<p><b>Not applicable</b> The site is not sloping.</p>

Performance Criteria	Acceptable Solution	Comment
	colours of the surrounding vegetation and viewshed.	
A House is designed to be energy efficient and functional in a humid tropical rainforest environment.	<b>A16.1</b> The development incorporates building design features and architectural elements detailed in Planning Scheme Policy No 2 – Building Design and Architectural Elements.	<b>Not applicable</b> The site is not sloping.

### 3.4 Reconfiguring a Lot Code

The purpose of this Code is to ensure that:

- lots are suitable for their intended purpose;
- the environmental and scenic values of the Shire are protected;
- lot reconfiguration in the Rural Planning Area and Rural Settlement Planning Area does not result in the fragmentation or alienation of GQAL;
- lot reconfiguration of land achieves good urban design outcomes; and
- lot reconfiguration in the urban areas of the Shire facilitates:
  - the efficient use of land;
  - safe, convenient and attractive neighbourhoods and functional industrial or commercial areas;
  - the efficient provision of infrastructure;
  - the efficient provision of transport services;
  - the provision of public open space, Landscaping and Recreational Areas for outdoor recreation and community activities; and
  - opportunities for walking and cycling for recreation and as alternative methods of travel.

#### Comment

The proposed Reconfiguring a Lot complies with the intent and purpose of this code, and in particular:

- lots are suitable for their intended purpose;
- the environmental and scenic values of the area are protected;
- lot reconfiguration allows the ongoing use of the balance lot for its original purpose.

**Table 1 – Minimum Area and Dimensions of Lots for each Planning Area**

Planning Area	Minimum Area	Minimum Dimension
Community and Recreational Facilities	Not specified	Not specified
Residential 1 Within sewerred areas	800m <sup>2</sup>	To accommodate square with minimum side of 20 metres

#### Elements of the Code

Performance Criteria	Acceptable Measure	Comment
<b>Area and Dimensions of Lots</b>		
<b>P1</b> Lots are of sufficient area and dimensions to meet the requirements of the users and	<b>A1.1</b> Lots comply with the area and dimensions identified for lots in the respective Planning Areas in	<b>Complies</b> There is no minimum lot size for the Community and Recreational

Performance Criteria	Acceptable Measure	Comment
<p>accommodate the form of development likely to be constructed in the respective Planning Areas, together with the open space, Landscaping, Access and car parking associated with the particular form of development.</p>	<p>Table 1. I.e. 40ha for the rural planning area - to accommodate square with minimum side of 500m.</p>	<p>Facilities Planning area. with the performance criteria.</p> <p>Each of the new lots will be at least 800m<sup>2</sup>. Which is consistent with the acceptable measure for the Residential 1 Planning Area.</p> <p>The proposed lots are capable of accommodating the proposed residential uses and the lots can readily accommodate residential dwellings with minimal earthworks.</p>
<p><b>NB</b> P2 and P3 relate to rural and rural residential planning areas and are not included here</p>		
<p><b>P4</b> The layout for a residential reconfiguration greater than 10 lots, gives the neighbourhood a positive identity by:</p> <ul style="list-style-type: none"> <li>• protecting natural features, areas of environmental value and Watercourses;</li> <li>• incorporating Site characteristics, views and landmarks;</li> <li>• providing a legible, connected and safe street, bicycle and pedestrian network that links to existing external networks;</li> <li>• providing community or necessary facilities at convenient focal points;</li> <li>• orientating the street and lots to ensure the siting and design of residential development maximises energy efficiency.</li> </ul>	<p>No Acceptable Solution.</p> <p>(Information that the Council may request to demonstrate compliance with the Performance Criteria is outlined in Planning Scheme Policy No 10 – Reports and Information the Council May Request, for code and impact assessable development).</p>	<p><b>Not applicable</b></p> <p>The reconfiguration is for fewer than 10 lots.</p>
<p><b>P5</b> Multi-Unit Housing is limited to a small proportion of the total number of lots in a new residential area and is dispersed to ensure conventional residential detached Houses dominate the streetscape.</p>	<p><b>A5.1</b> In new residential areas, not more than 15% of the total number of new lots are nominated on an approved Plan of Reconfiguration for Multi-Unit Housing, with corner lots being preferred.</p>	<p><b>Complies / Not applicable</b></p>
<p><b>NB</b> P6 relate to commercial / industrial planning areas and is not included here</p>		

Performance Criteria	Acceptable Measure	Comment
<b>Infrastructure for Local Communities</b>		
<p><b>P7</b> Provision is made for open space that:</p> <ul style="list-style-type: none"> <li>meets the recreational needs of residents and visitors to the Shire;</li> <li>provides a diverse range of settings;</li> <li>creates effective linkages with other areas of open space and natural areas; and</li> <li>contributes to the visual and Scenic Amenity of the Shire.</li> </ul>	<p><b>A7.1</b> An area of 10% of the land to be reconfigured is provided as open space in accordance with Planning Scheme Policy No 9 – Open Space Contributions.</p> <p>OR</p> <p>A contribution is paid in lieu of an area being designated for open space in accordance with Planning Scheme Policy No 9 – Open Space Contributions</p> <p>OR</p> <p>A combination of the above, as agreed to by Council.</p>	<p><b>Not applicable to this scale of development</b></p> <p><b>Will be complied with</b> As applicable – there is some merit in considering the church to be a contribution to open space and recreation.</p> <p><b>Will be complied with</b> As applicable – there is some merit in considering the church to be a contribution to open space and recreation.</p>
<p><b>P8</b> Informal Parks and Sporting Parks are provided and sited to meet the needs of local residents in the Shire.</p>	<p><b>A8.1</b> Informal Parks are provided at the ratio of 2 hectares per 1000 persons with a minimum size of Informal Parks being 0.5 – 1 hectare (Local Parks) and 3 – 5 hectares (District Parks).</p> <p>AND</p> <p>Sporting Parks are provided at the ratio of 2 hectares per 1000 persons with a minimum size of Sporting Parks being 1.2 – 2 hectares (Local Parks) and 5 hectares (District Parks).</p>	<p><b>Not applicable to this scale of development</b></p> <p><b>Not applicable to this scale of development.</b></p>
<b>Road Network</b>		
<p><b>P9</b> The Road network:</p> <ul style="list-style-type: none"> <li>is integrated and consistent with the existing and proposed local Road network;</li> <li>is legible and retains existing features, views, topography and vegetation;</li> <li>is convenient and safe for local residents;</li> <li>facilitates walking and cycling within the neighbourhood; and</li> <li>is compatible with the</li> </ul>	<p><b>A9.1</b> Roads are designed and constructed in accordance with the specifications set out in Planning Scheme Policy No 6 – FNQROC Development Manual.</p> <p><b>A9.2</b> The Road network takes into consideration the natural and cultural features of the Site, existing vegetation, Watercourses and contours.</p> <p><b>A9.3</b> The Road network is designed to reduce traffic speeds and</p>	<p><b>Not applicable</b> No new roads are required.</p> <p><b>Not applicable</b> No new roads are required.</p> <p><b>Not applicable</b></p>

Performance Criteria	Acceptable Measure	Comment
intended role of the State-Controlled Road and does not prejudice traffic safety or efficiency.	<p>volumes on local streets in residential areas to facilitate parking and manoeuvring and to integrate with the existing and proposed pedestrian and bicycle paths network.</p> <p><b>A9.4</b> Direct Access is not provided to a State-Controlled Road where legal and practical Access from another Road is possible.</p> <p><b>A9.5</b> Where the created allotments have Frontage to more than one Road, Access to the individual allotments is from the lower order Road.</p>	<p>No new roads are required.</p> <p><b>Not applicable</b> No new roads are required.</p> <p><b>Not applicable</b> No new roads are required.</p>
<b>P10</b> The Road network for industrial/commercial reconfigurations ensures convenient movement and Access for vehicles, particularly heavy vehicles, without affecting the amenity of residential neighbourhoods.	<p><b>A10.1</b> Roads are designed and constructed in accordance with the specifications set out in Planning Scheme Policy No 6 – FNQROC Development Manual.</p> <p><b>A10.2</b> Industrial/commercial traffic is able to Access a major Road without intruding into a residential neighbourhood.</p>	<p><b>Not applicable</b> No new roads are required.</p> <p><b>Not applicable</b> No new roads are required.</p>
<b>Pedestrian and Bicycle Network</b>		
<b>P11</b> Networks of pedestrian and bicycle paths are provided in safe and convenient locations.	<p><b>A11.1</b> Safe and convenient walking and cycling networks are provided to link residential areas to schools, community facilities, parks and public transport, Tourist Attractions, commercial and industrial areas.</p> <p><b>A11.2</b> The pedestrian and bicycle path network is constructed in accordance with the specifications set out in Planning Scheme Policy No 6 – FNQROC Development Manual.</p> <p><b>A11.3</b> Lighting for bicycle paths is provided in accordance with the relevant Australian Standards.</p>	<p><b>Complies.</b> All new lots will be serviced by the existing pedestrian and bicycle network. Accordingly, no new paths are required.</p> <p><b>Not applicable</b></p> <p><b>Not applicable</b></p>
<b>Stormwater Drainage</b>		



Performance Criteria	Acceptable Measure	Comment
<p><b>P12</b> Stormwater runoff is contained and managed so that it does not adversely affect:</p> <ul style="list-style-type: none"> <li>• natural Watercourses;</li> <li>• surface or underground water quality; or</li> <li>• the built environment either upstream or downstream of the Site.</li> </ul>	<p><b>A12.1</b> Stormwater drainage is designed and constructed in accordance with the specifications set out in Planning Scheme Policy No 6 – FNQROC Development Manual.</p>	<p><b>Will be complied with</b></p>
<p><b>Water Supply</b></p>		
<p><b>P13</b> An adequate, safe and reliable supply of potable water is provided.</p>	<p><b>A13.1</b> Where in a water supply area, each new lot is connected to Council's reticulated water supply system.</p> <p>AND</p> <p>The extension of and connection to the reticulated water supply system is designed and constructed in accordance with the specifications set out in Planning Scheme Policy No 6 – FNQROC Development Manual.</p> <p><b>A13.2</b> A contribution is paid in accordance with Planning Scheme Policy No 11 – Water Supply and Sewerage Headworks and Works External Contributions</p>	<p><b>Complies</b></p> <p>The site is connected to Council's water supply system and extensions will be made to service each new lot.</p> <p><b>Will be complied with</b></p> <p><b>Will be complied with as appropriate</b></p>
<p><b>Treatment and Supply of Effluent</b></p>		
<p><b>P14</b> Provision is made for the treatment and disposal of effluent to ensure that there are no adverse impacts on water quality and no adverse ecological impacts as a result of the system or as a result of increasing the cumulative effect of systems in the locality.</p>	<p><b>A14.1</b> Each new lot is connected to Council's sewerage system.</p>	<p><b>Complies</b></p> <p>The site is connected to Council's sewerage system and extensions will be made to service each new lot.</p>
<p><b>Residential Development– Standard Format Plan with Common Property</b></p>		
<p><b>P15</b> Lots have an appropriate area and dimension to protect residential amenity.</p>	<p><b>A15</b> The lot configuration under a Standard Format Plan with Common Property satisfies the minimum area and Frontage</p>	<p><b>Complies with performance criteria</b></p> <p>Each new lot will have a minimum 18m frontage, which is less than the required 20m frontage for the</p>

Performance Criteria	Acceptable Measure	Comment
	provisions of the Residential 1 Planning Area Code, as set out in Table 1, above.	Residential 1 Planning Area. The proposal is capable of complying with the residential requirements in the draft Planning Scheme: ✓ minimum lot size is 600m <sup>2</sup> ✓ minimum frontage of 15m ✓ minimum rectangle of 20m x 15m.
<p><b>P16</b> The Setback of Residential Uses from the Access driveways makes efficient use of the Site and provides for the amenity and privacy of residents.</p>	<p><b>A16.1</b> A minimum separation distance of 15 metres is provided between Residential Uses with Frontage to the Access driveway.</p>	<p><b>Complies with the performance criteria</b>                      The existing Church and Hall will be located a minimum of 12m from the proposed future residential lots.</p> <p>The parking and access associated with the Church and Hall will be located on the common boundary with the proposed future residential lots.</p>
<p><b>P17</b> Internal Access driveways are designed to provide acceptable levels of safety, amenity and convenience for users, in addition to providing for visitor car parking.</p>	<p><b>A17.1</b> Access driveways serving more than 3 lots and a maximum of 20 lots are a minimum of 4 metres in width and provide designated areas for visitor parking at the rate of 1 car space for every 3 Houses/or other Residential Uses.</p>	<p><b>Not applicable</b>                      However the proposed driveway access has a minimum width of 6m</p>
<p><b>P18</b> Communal/public open space is provided to service the residents of the development and to contribute to the available public open space in the local community.</p>	<p><b>A18.1</b> The proportion of public open space and communal open space provided by the development is dependant upon the characteristics of the individual development and its proximity to nearby public open space, existing or planned. A split of 6% public open space and 4% communal open space is preferred, but will be determined on a Site/development specific basis.</p>	<p><b>Not applicable to this scale of development</b></p>
<p><b>P19</b> Boundary fencing does not have a significant impact on the visual amenity of the local area.</p>	<p><b>A19.1</b> The side and rear boundary fence is a maximum of 1.8 metres in Height and incorporates decorative panels which incorporate railings, pickets and/or vegetation screening to reduce the bulk</p>	<p><b>Will be complied with</b></p>

Performance Criteria	Acceptable Measure	Comment
	and scale of the fence or wall.	
<p><b>P20</b> The installation of Fire Hydrants ensures that they are easy to locate and use in times of emergency and are of a standard consistent with service needs.</p>	<p><b>A20.1</b> Fire Hydrant installation for the development is provided in accordance with the requirements of the relevant Australian Standard.</p>	<p><b>Will be complied with</b></p>
<b>Boundary Realignment</b>		
<p><b>P21</b> The realignment of a boundary or boundaries does not create additional allotments and achieves an improvement on the existing situation.</p>		<p><b>Not applicable</b></p>
<b>Energy Efficiency</b>		
<p><b>P22</b> The road and lot layout facilitates the siting and design of buildings to conserve non-renewable energy sources and assists in orientation and design appropriate for the local tropical conditions.</p>	<p>No Acceptable Solution</p>	<p><b>Complies</b> All new lots will be serviced by the existing road network. Accordingly, no new roads are required.</p>
<p><b>P23</b> The road and lot layout minimises fossil fuel use by:</p> <ul style="list-style-type: none"> <li>• reducing the need for and length of local vehicle trips,</li> <li>• maximising public transport effectiveness,</li> <li>• encouraging walking and cycling, and</li> <li>• provision of appropriate street landscaping</li> </ul>	<p>No Acceptable Solution</p>	<p><b>Complies</b> All new lots will be serviced by the existing road network. Accordingly, no new roads are required.</p>

### 3.5 Acid Sulfate Soil Code

The purpose of this Code is to ensure that development which occurs on a Site containing or potentially containing Acid Sulfate Soils is undertaken so that the potential risks associated with disturbing Acid Sulfate Soils are addressed and minimised.

#### Comment

The development will ensure any potential risks associated with disturbing Acid Sulfate Soils are addressed and minimised.

#### Elements of the Code

Performance Criteria	Acceptable Solution	Comment
<b>Disturbance of Acid Sulfate Soils</b>		
<p><b>P1</b> The release of acid and associated metal contaminants into the environment are avoided either by:</p> <ul style="list-style-type: none"> <li>not disturbing Acid Sulfate Soils; or by</li> <li>preventing the potential impacts of any disturbance through appropriate Site planning, treatment and ongoing management.</li> </ul>	<p><b>A1.1</b> The disturbance of Acid Sulfate Soils is avoided by:</p> <ul style="list-style-type: none"> <li>not excavating or removing more than 100 m<sup>3</sup> of material identified as containing or potentially containing Acid Sulfate Soils;</li> <li>not permanently or temporarily extracting groundwater that results in the aeration of previously saturated Acid Sulfate Soils; and</li> <li>demonstrating that any filling in excess of 500 m<sup>3</sup> of material to depths greater than an average depth of 0.5 metres will not result in ground water extrusion from Acid Sulfate Soils and the aeration of previously saturated Acid Sulfate Soils from the compaction or movement of those soils.</li> </ul> <p><b>A1.2</b> Site planning, treatment and ongoing management are undertaken so that:</p> <ul style="list-style-type: none"> <li>acid and metal contaminants are not generated and acidity is neutralised;</li> </ul>	<p><b>Complies with the performance criteria</b> As discussed in <b>Section 2.2</b> of this report, there will be earthworks associated with the subdivision as part of onsite drainage this will be managed as part of the subsequent operational works application.</p> <p><b>Will be complied with as applicable</b></p>

	<ul style="list-style-type: none"> <li>• untreated Acid Sulfate Soils are not taken off-Site unless this is to an alternative location for treatment; and</li> <li>• surface and groundwater flows from areas containing Acid Sulfate Soils do not release leachate containing acid or metal contaminants into the environment.</li> </ul>	
<p><b>Identification and Management of Acid Sulfate Soils</b></p>		
<p><b>P2</b> The location and extent of Acid Sulfate Soils are identified on the development Site and appropriately management so as to avoid the release of acid and associated metal contaminants into the environment.</p>	<p><b>A2.1</b> No Acceptable Solution. (Information that the Council may request to demonstrate compliance with the Performance Criteria is outlined in Planning Scheme Policy No 9 – Reports and Information the Council May Request, for code and impact assessable development).</p>	<p><b>Will be complied with as applicable</b></p>

## APPENDIX 1: PROPOSAL PLANS

Drawing or Document	Reference	Date
Existing Site Plan	Drawing BOA-PDREC WD01 Rev A	21 June 2017
Proposed Subdivision Site Plan	Drawing BOA-PDREC WD02 Rev A	21 June 2017
Proposed Rectory Site Plan	Drawing BOA-PDREC WD03 Rev A	21 June 2017