



M: 0400 974 688

E: [kelly@kellyreaston.com.au](mailto:kelly@kellyreaston.com.au)

W: <http://www.kellyreaston.com.au/>

44 McLeod Street, Cairns, QLD 4870

ABN: 22 652 093 626

27 July 2022

Team Leader Planning  
Douglas Shire Council  
PO BOX 723  
Mossman QLD 4873

To: [enquiries@douglas.qld.gov.au](mailto:enquiries@douglas.qld.gov.au) (By Email)

Dear Neil,

**Reconfiguring a Lot (1 into 9) 368-380 Port Douglas Road, Port Douglas (Lot 3RP729037)**

We have been engaged by John Donald, the owner of 368-380 Port Douglas Road, Port Douglas (Lot 3RP729037) to submit a development application for Reconfiguring a Lot (1 Lot into 9 Lots) at 368-380 Port Douglas Road, Port Douglas. The site is zoned Medium Density Residential, and the proposal is Code assessable.

In support of the application please find the following attachments:

**Attachment 1:** DA form 1

**Attachment 2:** Current Title Search

**Attachment 3:** Plans of Development

**Attachment 4:** Supporting Planning Report

**Attachment 5:** Assessment against the relevant planning scheme codes

**Attachment 6:** Assessment against the SDAP code

**Attachment 7:** Schedule 12A assessment.

In accordance with the Douglas Shire Council fees and charges schedule for 2022/23 the application fee for reconfiguring a lot includes a base fee of \$1,466.00 for up to two lots and fee of \$548.00 per additional lot. A total fee of \$5,302.00.

Kind regards



**Kelly Reaston** | Director

## Attachment 1

### Completed DA Form 1



DEVELOPMENT & PROPERTY SERVICES

# DA Form 1 – Development application details

Approved form (version 1.3 effective 28 September 2020) made under section 282 of the Planning Act 2016.

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

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

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

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

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

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

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

## PART 1 – APPLICANT DETAILS

1) Applicant details	
Applicant name(s) (individual or company full name)	JOHN STUART WILLIAM DONALD
Contact name (only applicable for companies)	Kelly Reaston Development and Property Services
Postal address (P.O. Box or street address)	44 McLeod Street
Suburb	Cairns
State	QLD
Postcode	4870
Country	Australia
Contact number	0400 974 688
Email address (non-mandatory)	<a href="mailto:kelly@kellyreaston.com.au">kelly@kellyreaston.com.au</a>
Mobile number (non-mandatory)	0400 974 688
Fax number (non-mandatory)	NA
Applicant's reference number(s) (if applicable)	ARO0188

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

## PART 2 – LOCATION DETAILS

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

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

#### 3.1) Street address and lot on plan

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

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

a)	Unit No.	Street No.	Street Name and Type	Suburb
		368-380	Port Douglas Road	Port Douglas
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)
	4877	3	RP729037	Douglas Shire Council
b)	Unit No.	Street No.	Street Name and Type	Suburb
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)

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

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

☐ Coordinates of premises by longitude and latitude

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

☐ Coordinates of premises by easting and northing

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

#### 3.3) Additional premises

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

☒ Not required

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

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

Name of water body, watercourse or aquifer:

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

Lot on plan description of strategic port land:

Name of port authority for the lot:

☐ In a tidal area

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

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

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

Name of airport:

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

**5) Are there any existing easements over the premises?**

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

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

## PART 3 – DEVELOPMENT DETAILS

### Section 1 – Aspects of development

#### 6.1) Provide details about the first development aspect

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

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

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

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

**c) What is the level of assessment?**

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

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

Reconfiguration of 1 Lot into 9 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

#### 6.2) Provide details about the second development aspect

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

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

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

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

**c) What is the level of assessment?**

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

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

**e) Relevant plans**

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

- ☐ Relevant plans of the proposed development are attached to the development application

#### 6.3) Additional aspects of development

- ☐ Additional aspects of development are relevant to this development application and the details for these aspects that would be required under Part 3 Section 1 of this form have been attached to this development application
- ☒ Not required

## Section 2 – Further development details

7) Does the proposed development application involve any of the following?	
Material change of use	<input type="checkbox"/> Yes – complete division 1 if assessable against a local planning instrument
Reconfiguring a lot	<input checked="" type="checkbox"/> Yes – complete division 2
Operational work	<input type="checkbox"/> Yes – complete division 3
Building work	<input type="checkbox"/> Yes – complete <i>DA Form 2 – Building work details</i>

### Division 1 – Material change of use

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

8.1) Describe the proposed material change of use			
Provide a general description of the proposed use	Provide the planning scheme definition (include each definition in a new row)	Number of dwelling units (if applicable)	Gross floor area (m <sup>2</sup> ) (if applicable)
8.2) Does the proposed use involve the use of existing buildings on the premises?			
<input type="checkbox"/> Yes			
<input type="checkbox"/> No			

### Division 2 – Reconfiguring a lot

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

9.1) What is the total number of existing lots making up the premises?	
1	
9.2) What is the nature of the lot reconfiguration? (tick all applicable boxes)	
<input checked="" type="checkbox"/> Subdivision (complete 10))	<input type="checkbox"/> Dividing land into parts by agreement (complete 11))
<input type="checkbox"/> Boundary realignment (complete 12))	<input type="checkbox"/> Creating or changing an easement giving access to a lot from a constructed road (complete 13))

10) Subdivision				
10.1) For this development, how many lots are being created and what is the intended use of those lots:				
Intended use of lots created	Residential	Commercial	Industrial	Other, please specify:
Number of lots created	9	0	0	
10.2) Will the subdivision be staged?				
<input type="checkbox"/> Yes – provide additional details below				
<input checked="" type="checkbox"/> No				
How many stages will the works include?				
What stage(s) will this development application apply to?				

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

12) Boundary realignment			
12.1) What are the current and proposed areas for each lot comprising the premises?			
Current lot		Proposed lot	
Lot on plan description	Area (m <sup>2</sup> )	Lot on plan description	Area (m <sup>2</sup> )
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?	
<input type="checkbox"/> Road work <input type="checkbox"/> Drainage work <input type="checkbox"/> Landscaping <input type="checkbox"/> Other – please specify:	<input type="checkbox"/> Stormwater <input type="checkbox"/> Earthworks <input type="checkbox"/> Signage <input type="checkbox"/> Water infrastructure <input type="checkbox"/> Sewage infrastructure <input type="checkbox"/> Clearing vegetation
14.2) Is the operational work necessary to facilitate the creation of new lots? (e.g. subdivision)	
<input type="checkbox"/> Yes – specify number of new lots:	
<input type="checkbox"/> No	
14.3) What is the monetary value of the proposed operational work? (include GST, materials and labour)	
\$	

## PART 4 – ASSESSMENT MANAGER DETAILS

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



## PART 5 – REFERRAL DETAILS

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

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

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

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

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

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

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

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

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

## PART 6 – INFORMATION REQUEST

<b>19) Information request under Part 3 of the DA Rules</b>
<input checked="" type="checkbox"/> I agree to receive an information request if determined necessary for this development application
<input type="checkbox"/> I do not agree to accept an information request for this development application
<b>Note:</b> By not agreeing to accept an information request I, the applicant, acknowledge: <ul style="list-style-type: none"> <li>• 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</li> <li>• Part 3 of the DA Rules will still apply if the application is an application listed under section 11.3 of the DA Rules.</li> </ul> Further advice about information requests is contained in the <u>DA Forms Guide</u> .

## PART 7 – FURTHER DETAILS

20) Are there any associated development applications or current approvals? (e.g. a preliminary approval)

- ☐ Yes – provide details below or include details in a schedule to this development application  
☒ No

List of approval/development application references	Reference number	Date	Assessment manager
<input type="checkbox"/> Approval <input type="checkbox"/> Development application			
<input type="checkbox"/> Approval <input type="checkbox"/> Development application			

21) Has the portable long service leave levy been paid? (only applicable to development applications involving building work or operational work)

- ☐ Yes – a copy of the receipted QLeave form is attached to this development application  
☒ No – I, the applicant will provide evidence that the portable long service leave levy has been paid before the assessment manager decides the development application. I acknowledge that the assessment manager may give a development approval only if I provide evidence that the portable long service leave levy has been paid  
☐ Not applicable (e.g. building and construction work is less than \$150,000 excluding GST)

Amount paid	Date paid (dd/mm/yy)	QLeave levy number (A, B or E)
\$		

22) Is this development application in response to a show cause notice or required as a result of an enforcement notice?

- ☐ Yes – show cause or enforcement notice is attached  
☒ No

23) Further legislative requirements

### **Environmentally relevant activities**

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

- ☐ Yes – the required attachment (form ESR/2015/1791) for an application for an environmental authority accompanies this development application, and details are provided in the table below  
☒ No

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

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

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

### **Hazardous chemical facilities**

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

- ☐ Yes – *Form 69: Notification of a facility exceeding 10% of schedule 15 threshold* is attached to this development application  
☒ No

**Note:** See [www.business.qld.gov.au](http://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](http://www.qld.gov.au) for further information on environmental offsets.

### **Koala habitat in SEQ Region**

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

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

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

### **Water resources**

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

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

**Note:** Contact the Department of Natural Resources, Mines and Energy at [www.dnrme.qld.gov.au](http://www.dnrme.qld.gov.au) for further information.

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

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

### **Waterway barrier works**

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

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

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

### **Marine activities**

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

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

**Note:** See guidance materials at [www.daf.qld.gov.au](http://www.daf.qld.gov.au) for further information.

### **Quarry materials from a watercourse or lake**

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

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

**Note:** Contact the Department of Natural Resources, Mines and Energy at [www.dnrme.qld.gov.au](http://www.dnrme.qld.gov.au) and [www.business.qld.gov.au](http://www.business.qld.gov.au) for further information.

### **Quarry materials from land under tidal waters**

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

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

**Note:** Contact the Department of Environment and Science at [www.des.qld.gov.au](http://www.des.qld.gov.au) for further information.

### **Referable dams**

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

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

**Note:** See guidance materials at [www.dnrme.qld.gov.au](http://www.dnrme.qld.gov.au) for further information.

### **Tidal work or development within a coastal management district**

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

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

**Note:** See guidance materials at [www.des.qld.gov.au](http://www.des.qld.gov.au) for further information.

### **Queensland and local heritage places**

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

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

**Note:** See guidance materials at [www.des.qld.gov.au](http://www.des.qld.gov.au) for information requirements regarding development of Queensland heritage places.

Name of the heritage place:		Place ID:	
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### **Brothels**

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

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

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

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

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

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

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

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

☐ No

**Note:** See guidance materials at [www.planning.dsdmip.qld.gov.au](http://www.planning.dsdmip.qld.gov.au) for further information.

## PART 8 – CHECKLIST AND APPLICANT DECLARATION

### 24) Development application checklist

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

☒ Yes

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

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

☐ Yes

☒ Not applicable

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

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

☒ Yes

Relevant plans of the development are attached to this development application

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

☒ Yes

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

☒ Yes

☐ Not applicable

### 25) Applicant declaration

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

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

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

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

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

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

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

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

---

Date received:  Reference number(s):

### Notification of engagement of alternative assessment manager

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

### QLeave notification and payment

*Note: For completion by assessment manager if applicable*

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

## Attachment 2

### Title Search



DEVELOPMENT & PROPERTY SERVICES



Queensland Titles Registry Pty Ltd  
ABN 23 648 568 101

<b>Title Reference:</b>	<b>21052221</b>	<b>Search Date:</b>	21/07/2022 11:14
<b>Date Title Created:</b>	05/09/1977	<b>Request No:</b>	41741792
<b>Previous Title:</b>	20934250		

#### ESTATE AND LAND

Estate in Fee Simple

LOT 3 REGISTERED PLAN 729037  
Local Government: DOUGLAS

#### REGISTERED OWNER

Dealing No: 712323141 03/04/2009  
JOHN STUART WILLIAM DONALD

#### EASEMENTS, ENCUMBRANCES AND INTERESTS

1. Rights and interests reserved to the Crown by  
Deed of Grant No. 20278034 (POR 6)
2. MORTGAGE No 712323142 03/04/2009 at 12:21  
AUSTRALIA AND NEW ZEALAND BANKING GROUP LIMITED A.B.N. 11  
005 357 522

#### ADMINISTRATIVE ADVICES

NIL

#### UNREGISTERED DEALINGS

NIL

Caution - Charges do not necessarily appear in order of priority

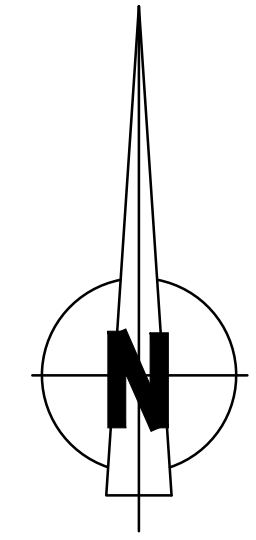
\*\* End of Current Title Search \*\*

## Attachment 3

### Plans of development



DEVELOPMENT & PROPERTY SERVICES



44 McLeod Street  
Cairns Qld 4870  
T (07) 4281 6897  
E admin@aroindustries.com.au  
W www.aroindustries.com.au  
ABN: 49 641 461 298

RESIDENTIAL LAND  
DEVELOPMENT  
LOT 3 ON RP729037

PROPOSED INTERSECTION  
LEFT IN - LEFT OUT

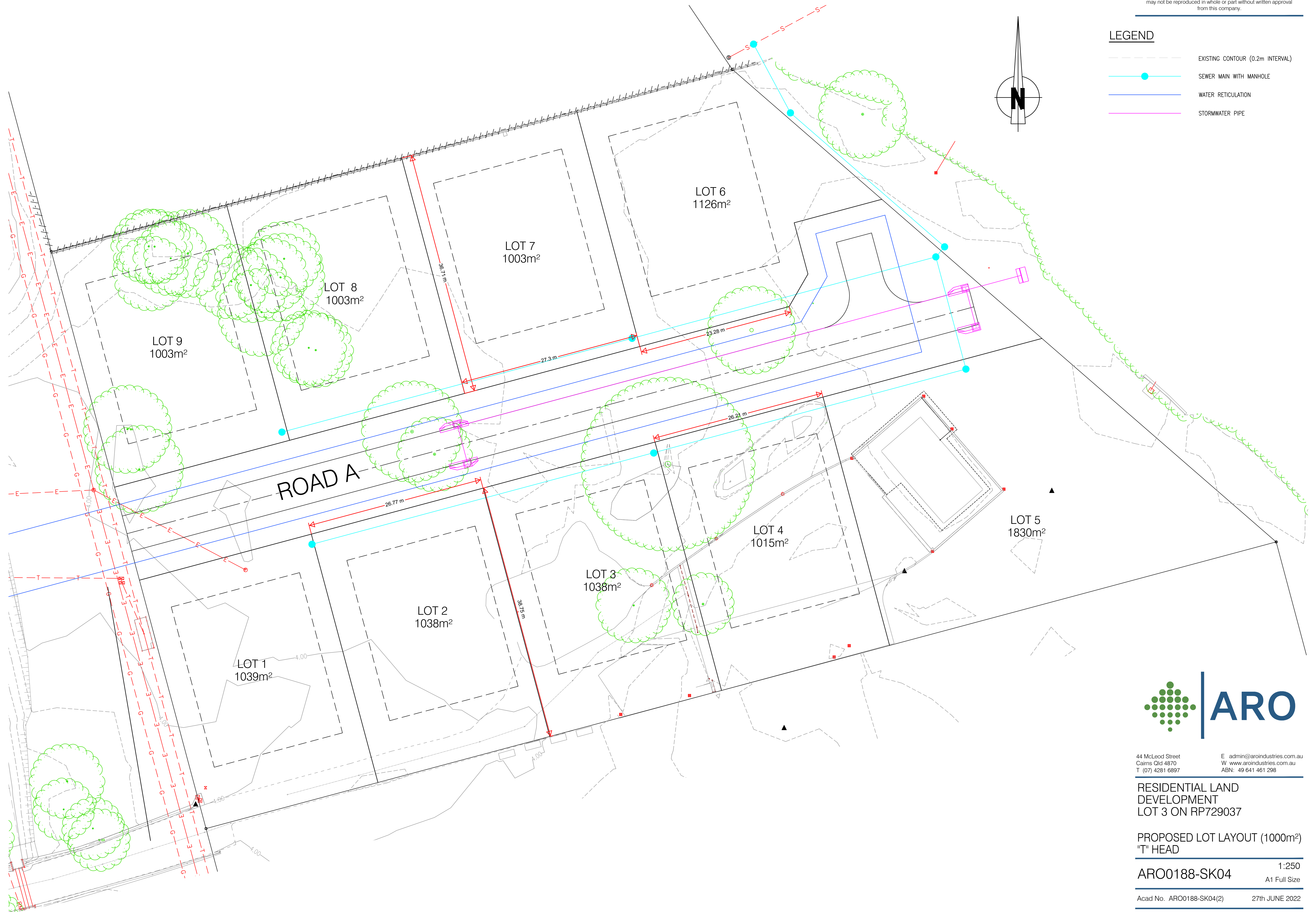
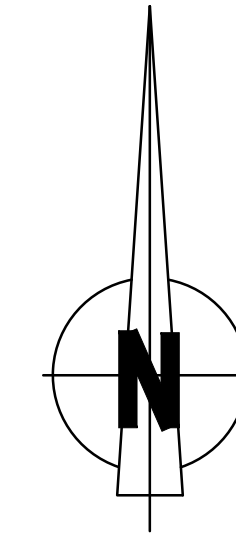
ARO0188-SK03  
A1 Full Size

Acad No. ARO0188-SK03(2) 19th JULY 2022



## LEGEND

- EXISTING CONTOUR (0.2m INTERVAL)
- SEWER MAIN WITH MANHOLE
- WATER RETICULATION
- STORMWATER PIPE



44 McLeod Street  
Cairns Qld 4870  
T (07) 4281 6897

E admin@arindustries.com.au  
W www.arindustries.com.au  
ABN: 49 641 461 298

RESIDENTIAL LAND  
DEVELOPMENT  
LOT 3 ON RP729037

PROPOSED LOT LAYOUT (1000m²)  
"T" HEAD


ARO0188-SK04

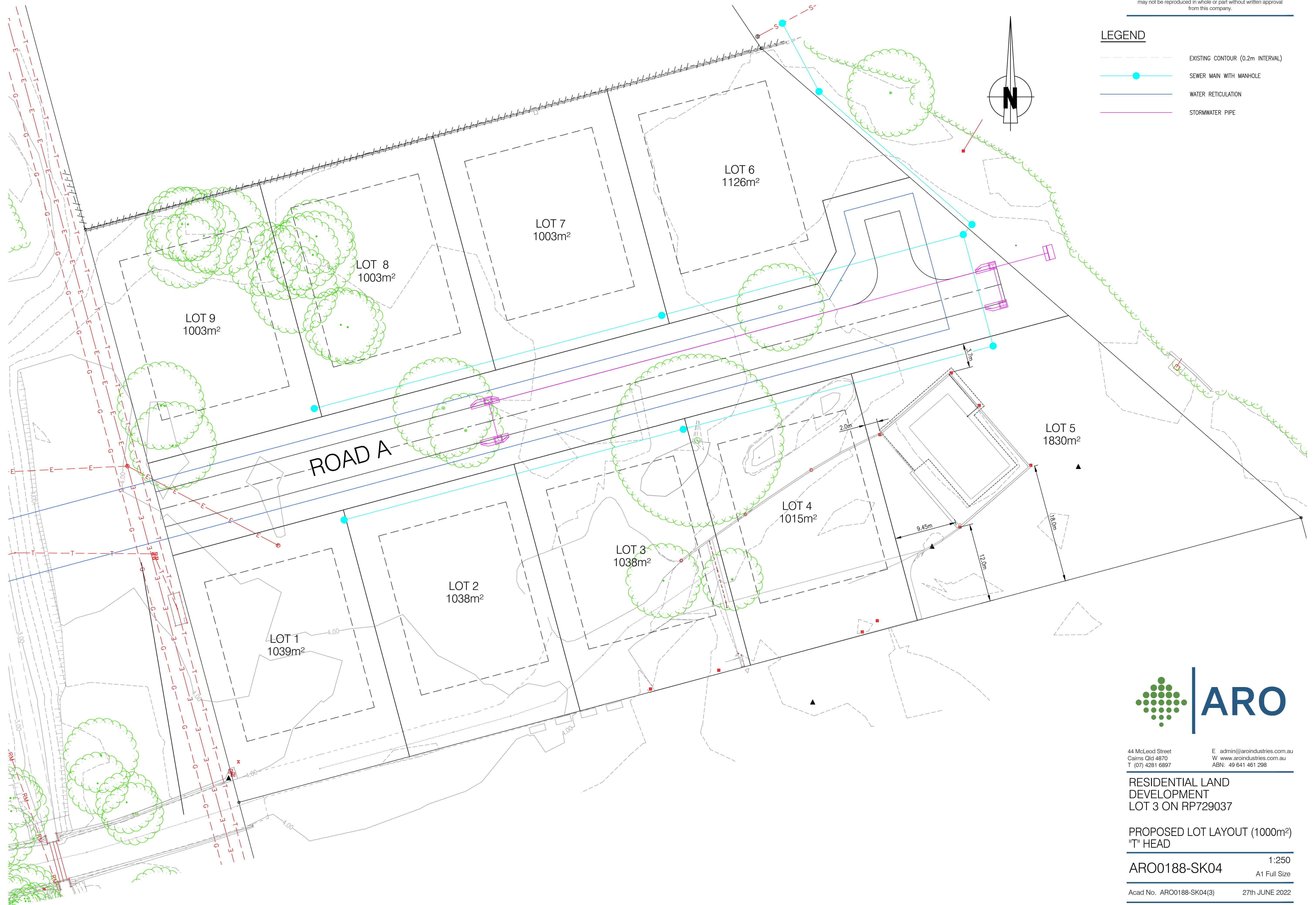
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A1 Full Size

Acad No. ARO0188-SK04(2)

27th JUNE 2022



- 



E admin@arointdustries.com.au  
W www.arointdustries.com.au  
ABN: 49 641 461 298

PROPOSED LOT LAYOUT (1000m<sup>2</sup>)  
"T" HEAD

1:250  
1 Full Size

27th JUNE 2022

# Attachment 4

## Planning Report

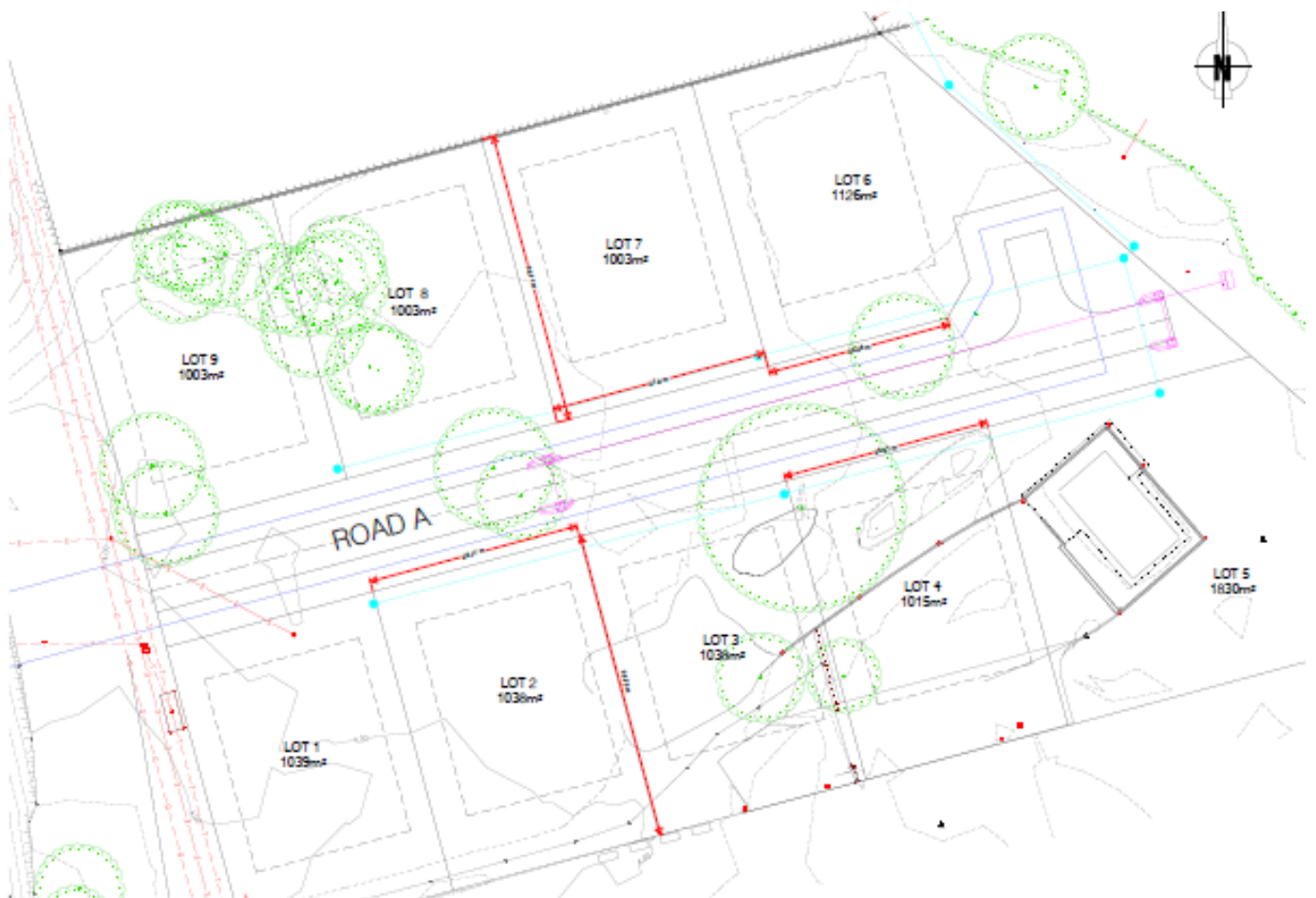


DEVELOPMENT & PROPERTY SERVICES

*KELLY REASTON DEVELOPMENT  
& PROPERTY SERVICES*

# PLANNING REPORT

*JULY 2022*



Reconfiguring a Lot (1 Lot into 9 Lots)

Port Douglas Road, Port Douglas

*PREPARED FOR*  
John Donald



## Contact

**Kelly Reaston**

Director

[kelly@kellyreaston.com.au](mailto:kelly@kellyreaston.com.au)

---

This document has been prepared and reviewed by:



**Kelly Reaston**



**Bruce Gardiner**

---

This report has been prepared relying on information that was current at the time of preparation. The material within this report has been prepared for our client and is for the purpose of statutory assessment by the relevant Local Authority.

The material should not be relied upon by any third parties or for any other purpose outside the intended scope without consulting the authors.

---

VERSION NO.	DATE:	REVIEWED BY:	APPROVED BY:
1	July 2022		Kelly Reaston
2			



Kelly Reaston Development & Property Services

property | planning | project management

44 McLeod Street

Cairns, QLD, 4870

0400 974 688

[kelly@kellyreaston.com.au](mailto:kelly@kellyreaston.com.au)

[www.kellyreaston.com.au](http://www.kellyreaston.com.au)



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## 1. EXECUTIVE SUMMARY

The Application seeks a Development Permit for Reconfiguring a Lot (1 Lot into 9 Lots) at 368-380 Port Douglas Road, Port Douglas (RP: 3RP729037) The site is zoned Medium Density Residential and the proposal is Code assessable.

The proposed development will result in 9 residential lots ranging between 1003m<sup>2</sup> and 1830m<sup>2</sup> in size. Lot 5 will contain the existing dwelling.

The proposal achieves compliance with the applicable codes and is capable of being supported by Council subject to reasonable and relevant conditions.

### Key Issues Summary

- The site is zoned medium density residential
- The proposed development meets the acceptable outcomes of the medium density residential zone code in terms of lot size, frontage, and dimension.
- The current access from Port Douglas Road will be closed and a new access created to access the lots approximately 40m further away from the Old Port Douglas Road intersection. This will improve safety and the functionality of the road network.
- The site has previously been cleared of vegetation apart from approximately 15 small trees of no significance.
- Notwithstanding, existing trees will be kept with the exception of three trees that will be removed to allow construction of the access road.
- A single oil palm in the road reserve on Port Douglas Road will need to be removed to allow access to the site.
- The access road has been designed as a cul-de-sac as this is the only practical access to the proposed lots due to the recreation and open space drainage line to the east of the property and private lots to the north and south
- A new culvert will be required in the Port Douglas road reserve for the access road.
- The development facilitates future development of the site for higher density residential uses as anticipated by the Scheme.

## 2. APPLICATION DETAILS

### 2.1 Application Summary

Approval Sought	Development Permit for Reconfiguring a Lot
Applicant	JOHN STUART WILLIAM DONALD
<b>Assessment Details</b>	
Assessment Manager	Douglas Shire Council
Development Category	Assessable development
Assessment level	Code assessable as per section 5.4 (1)(c)(iii)
Public Notification	No
<b>Relevant State Planning Instruments</b>	
Legislation	<i>Planning Act 2016</i> (Qld)
Planning Policy	State Planning Policy (July 2017)
<b>Relevant Local Planning Instruments</b>	
Planning Scheme	Douglas Shire Planning Scheme 2018

Local Plan	Port Douglas - Craiglie
Local Plan Precinct	Not Applicable
Zone:	Medium density residential
Zone Precinct	None
Overlays	Acid Sulfate Soils Flood and Stormtide Landscape Values Transport Network
Development Codes	Access Parking and Servicing Code Environmental Performance Code Filling and Excavation Code Landscaping Code Reconfiguring a Lot Code Vegetation Management Code

## 2.2 Reports

Document	Company	Reference	Issue	Date
Planning Report	KRDPS	ARO0188	A	July 2022

## 2.3 Plans of Development

Drawing	Company	Drawing No.	Issue	Date
Proposed Reconfiguration of Lot 3 on RP729037  Proposed Lot Layout (1000m <sup>2</sup> ) "T" Head	ARO Industries	ARO0188-SK04	3	27 June 2022
Proposed Reconfiguration of Lot 3 on RP729037  Proposed Intersection Left in Left out	ARO Industries	ARO0188-SK03	2	19 July 2022

Plans of Development are attached as **Attachment 3**.

## 3. SITE AND SURROUNDS

### 3.1 Site Description

Registered Landowners	JOHN STUART WILLIAM DONALD
Site Location	368-380 Port Douglas Road, Port Douglas
Real Property Description	Lot 3 RP729037
Site Area	12,290m <sup>2</sup>

Street Frontage	The site has approximately 90m frontage to the road reserve for Port Douglas Road but the western boundary is set back approximately 60m from the physical Road
Tenure	Freehold
Easements/Encumbrances	Nil
Local Government Authority	Douglas Shire Council



Figure 1 Site Location Source State Development Assessment Mapping Service 2021

### 3.2 Site Analysis

Current Uses	Dwelling house
Topography	The site is relatively flat
Waterways	There are no waterways on the site.
Vegetation	The lot has largely been cleared of vegetation with only a few trees located on the site.
Landslip	The site is not located in the Potential Landslip Hazard area
EMR/CLR	The site is not on either the EMR or CLR
Heritage Places	The site is not on or adjacent to a local or State heritage place.

### 3.3 Site Photos





Figure 2 – View of the site from Port Douglas Road to the east. New access location approximately centre of the image (source Google Maps 2022)



Figure 3 View from Port Douglas Road looking east to the existing access (source Google Maps 2022).

### 3.4 Infrastructure and Services

Access	The site has direct access to Port Douglas Road (State controlled arterial road) via a sealed road on the southwestern corner. A new access point will be required for the development.
Water Supply	The site is serviced with a reticulated water supply.
Wastewater	The site is currently connected to the sewerage network.

Stormwater	The site will be designed and profiled to drain to the lawful point of discharge.
Electricity	The site is able to be connected to electricity services by an overhead connection.
Telecommunications	The site is able to be connected to telecommunication services.

## 4. DEVELOPMENT BACKGROUND

### 4.1 Existing uses

The site currently has a single dwelling located in the south-eastern quadrant of the lot. This dwelling will be retained.

### 4.2 Application Fee

In accordance with the Douglas Shire Council fees and charges schedule for 2022/23 the application fee for reconfiguring a lot includes a base fee of \$1,466 for up to two lots and fee of \$548 per additional lot. A total fee of \$5,302.00 is payable.

### 4.3 Application history

There are no known historical approvals that are relevant to this application.

## 5. DEVELOPMENT PROPOSAL

### 5.1 General Description

The Application seeks a Development Permit for Reconfiguring a Lot (1 Lot into 9 Lots) at 368-380 Port Douglas Road, Port Douglas (Lot 3 on RP729037).

### 5.2 Proposal Details

The proposal consists of the following:

<b>Lot 1</b>	1,039m <sup>2</sup>
<b>Lot 2</b>	1,038m <sup>2</sup>
<b>Lot 3</b>	1,038m <sup>2</sup>
<b>Lot 4</b>	1,015m <sup>2</sup>
<b>Lot 5</b>	1,830m <sup>2</sup> – existing house to remain
<b>Lot 6</b>	1,126m <sup>2</sup>
<b>Lot 7</b>	1,003m <sup>2</sup>
<b>Lot 8</b>	1,003m <sup>2</sup>
<b>Lot 9</b>	1,003m <sup>2</sup>
<b>Access Locations</b>	The existing driveway and crossover will be made redundant. The new lots will be serviced by a new driveway and crossover from Port Douglas Road.

<b>Infrastructure</b>	<p>The site is connected to or has the ability to be connected to all critical infrastructure services including water, sewerage, telecommunications, electricity, and stormwater.</p> <p>All stormwater will be directed to a lawful point of discharge.</p>
-----------------------	---

### 5.3 Infrastructure Charges

According to Douglas Shire Council's Infrastructure Charges Resolution No.2 the development will attract the following infrastructure charges:

- for each dwelling with 2 or less bedrooms \$19,832.67
- for each dwelling with 3 or more bedrooms \$24,143.38.

## 6. LEGISLATIVE REQUIREMENTS

### 6.1 Planning Act 2016

#### 6.1.1 Prohibited Development

The proposed development is not prohibited. This has been established by considering all relevant instruments, which can provide prohibitions under the *Planning Act 2016* (The Act), including:

- Schedule 10 of the Planning Regulation 2017; and
- Relevant categorising instruments.

#### 6.1.2 Assessable Development

Section 44(3) of the Act identifies that Assessable Development is development for which a Development Approval is required. As such, the development proposed by this application is made assessable under the Douglas Shire Council Planning Scheme 2018 in accordance with Section 43(1) of the Act.

#### 6.1.3 Assessment Manager

The Assessment Manager for this development application is the Douglas Shire Council as determined by Schedule 8 of the *Planning Regulations 2017*.

#### 6.1.4 Statutory Considerations for Assessable Development

### 6.2 Regional Plan

The site is located within the Urban Footprint of the Far North Queensland Regional Plan 2009-2031.

The Minister has identified that the planning scheme appropriately advances the FNQRP 2009-2031, as it applies in the Planning Scheme area. Compliance with the FNQRP is demonstrated through the compliance with the Planning Scheme.

### 6.3 Referrals and State Development Assessment Provisions (SDAP)

The development is affected by the following State Mapping:

- Wetland protection trigger area

- Medium stormtide inundation area
- Area within 25m of a State controlled road.

The development triggers referral to SARA under the Planning Regulation 2017 Schedule 10, Part 9, Division 4, Subdivision 2 State Transport Corridors and Future State Transport Corridors, Table 1. The referral fee is 2570 fee units.

While the state mapping shows that the site is partially impacted by the medium stormtide inundation event, the more up to date Council flood mapping shows that the site is not impacted by the 2100 1% AEP stormtide inundation event.

Assessment against the SDAP provisions is provided in **Attachment 6**.

## 6.4 Planning Scheme

### 6.4.1 Definitions

The proposed development is defined under the Planning Act 2016 as:

***reconfiguring a lot means—***

- (a) *creating lots by subdividing another lot; or*
- (b) *amalgamating 2 or more lots; or*
- (c) *rearranging the boundaries of a lot by registering a plan of subdivision under the Land Act or Land Title Act; or*
- (d) *dividing land into parts by agreement rendering different parts of a lot immediately available for separate disposition or separate occupation, other than by an agreement that is—*
  - (i) *a lease for a term, including renewal options, not exceeding 10 years; or*
  - (ii) *an agreement for the exclusive use of part of the common property for a community titles scheme under the Body Corporate and Community Management Act 1997; or*
- (e) *creating an easement giving access to a lot from a constructed road.*

### 6.4.2 Applicable Overlays

- Acid Sulphate Soils
- Flood and Stormtide
- Landscape Values
- Transport Network Transport Network.

### 6.4.3 Applicable Codes

- Medium Density Residential Code
- Port Douglas/Craigie local plan Code
- Access Parking and Servicing Code
- Environmental Performance Code
- Filling and Excavation Code
- Landscaping Code
- Reconfiguring a Lot Code
- Vegetation Management Code.



Scheme Component	Code	Compliance Summary
Zone Code	Medium Density Residential Code	Complies with the Acceptable Outcomes of the zone as the lots comply with the frontage, size, and dimensions prescribed by the code.
Local Plan Code	Port Douglas/Craigie local plan Code	Complies with the relevant Performance outcomes and acceptable outcomes. The local plan code has limited applicability to this application.
Overlay Code	Acid Sulphate Soils Flood and Stormtide Landscape Values Transport Network	The proposal complies or can comply with the provisions of the Overlay codes.
Development Codes	Access Parking and Servicing Code Environmental Performance Code Filling and Excavation Code Landscaping Code Reconfiguring a Lot Code Vegetation Management Code.	The proposal complies or can comply with the provisions of the Development codes.

## 6.5 Planning Scheme Assessment

### 6.5.1 Key Planning Matters

#### Summary

- The site is zoned medium density residential.
- The proposed development meets the acceptable outcomes of the medium density residential zone code in terms of lot size, frontage, and dimension.
- The current access from Port Douglas Road will be closed and a new access created to access the lots approximately 40m further away from the Old Port Douglas Road intersection. This will improve safety and the functionality of the road network.
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- The access road has been designed as a cul-de-sac as this is the only practical access to the proposed lots due to the recreation and open space drainage line to the east of the property and private lots to the north and south
- A new culvert will be required in the Port Douglas road reserve for the access road.
- The development facilitates future development of the site for higher density residential uses as anticipated by the Scheme.

### 6.5.2 Strategic Framework

The proposed development is Code assessable and does not require assessment against the Strategic Framework.

### 6.5.3 Detailed Assessment

Assessment of the application against the relevant Planning Scheme provisions is attached as **Attachment 5**.

## 7. CONCLUSION

The proposed development complies or is capable of being conditioned to comply with the relevant provisions of the Douglas Shire Planning Scheme 2018.

The development is capable of being approved subject to reasonable and relevant conditions.

## 2018 Douglas Shire Council Planning Scheme Property Report

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

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

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

### Property Information

Property Address [368-380 Port Douglas Road PORT DOUGLAS](#)

Lot Plan [3RP729037](#) (Freehold - 12290m<sup>2</sup>)



☒ Selected Property

☐ Easements

☐ Land Parcels

### Douglas Shire Planning Scheme 2018 version 1.0

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

#### Zoning







**Applicable Zone**  
Medium Density Residential

#### More Information

- [View Section 6.2.8 Medium Density Residential Zone Code](#)
- [View Section 6.2.8 Medium Density Residential Zone Compliance table](#)
- [View Section 6.2.8 Medium Density Residential Zone Assessment table](#)

## Douglas Shire Planning Scheme 2018 version 1.0

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

 <a href="#">Local Plans</a>	<b>Applicable Precinct or Area</b> Port Douglas - Craiglie	<b>More Information</b> <ul style="list-style-type: none"> <li><a href="#">View Section 7.2.4 Port Douglas/Craiglie Local Plan Code</a></li> <li><a href="#">View Section 7.2.4 Port Douglas/Craiglie Local Plan Compliance table</a></li> </ul>
 <a href="#">Acid Sulfate Soils</a>	<b>Applicable Precinct or Area</b> Acid Sulfate Soils (< 5m AHD)	<b>More Information</b> <ul style="list-style-type: none"> <li><a href="#">View Section 8.2.1 Acid Sulfate Soils Overlay Code</a></li> <li><a href="#">View Section 8.2.1 Acid Sulfate Soils Overlay Compliance table</a></li> </ul>
 <a href="#">Flood Storm</a>	<b>Applicable Precinct or Area</b> Medium Storm Tide Hazard	<b>More Information</b> <ul style="list-style-type: none"> <li><a href="#">View Section 8.2.4 Flood and Storm Tide Hazard Overlay Code</a></li> <li><a href="#">View Section 8.2.4 Flood and Storm Tide Hazard Overlay Compliance table</a></li> </ul>
 <a href="#">Landscape Values</a>	<b>Scenic Buffer Area</b> Scenic route buffer	<b>More Information</b> <ul style="list-style-type: none"> <li><a href="#">View Section 8.2.6 Landscape Values Overlay Code</a></li> <li><a href="#">View Section 8.2.6 Landscape Values Overlay Compliance table</a></li> </ul>
 <a href="#">Transport Noise Corridors</a>	<b>Applicable Precinct or Area</b> Category 1: 58 dB(A) =< Noise Level < 63 dB(A)	<b>More Information</b> <ul style="list-style-type: none"> <li><a href="#">View Section 8.2.10 Transport Network Overlay Code</a></li> <li><a href="#">View Section 8.2.10 Transport Network Overlay Compliance table</a></li> </ul>
 <a href="#">Transport Road Hierarchy</a>	<b>Applicable Precinct or Area</b> Major Transport Corridor Buffer Area (State Controlled Road)	<b>More Information</b> <ul style="list-style-type: none"> <li><a href="#">View Section 8.2.10 Transport Network Overlay Code</a></li> <li><a href="#">View Section 8.2.10 Transport Network Overlay Compliance table</a></li> </ul>



Zoning

Applicable Zone


Medium Density Residential

More Information















- [View Section 6.2.8 Medium Density Residential Zone Code](#)
- [View Section 6.2.8 Medium Density Residential Zone Compliance table](#)
- [View Section 6.2.8 Medium Density Residential Zone Assessment table](#)



 Selected Property

 Land Parcels

Zoning

 Centre	 Community Facilities	 Conservation	 Environmental Management
 Industry	 Low Density Residential	 Low-medium Density Residential	 Medium Density Residential
 Recreation and Open Space	 Rural	 Rural Residential	 Special Purpose
 Tourism	 Tourist Accommodation		

## Local Plans

### Applicable Precinct or Area

Port Douglas - Craiglie

### More Information

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



 Selected Property

 Land Parcels

### Transport Investigation Corridor

 Transport Investigation Corridors

### Major Road Connections

 Major Road Connections

### Major Road Connections (No Arrow)

 Major Road Connections

### Daintree River to Bloomfield

 Daintree River to Bloomfield

### Creb Track and Quaid Road

 Creb Track







### 60 metre contour

 60 metre contour

### Local Plan Boundary

 Local Plan Boundary

### Local Plan Sub Precincts

 1a Town Centre	 1b Waterfront North	 1c Waterfront South
 1d Limited Development	 1e Community and Recreation	 1f Flagstaff Hill

### Local Plan Precincts

Not Part of a Precinct	 Precinct 1	 Precinct 2	 Precinct 3
 Precinct 4	 Precinct 5	 Precinct 6	 Precinct 7
 Precinct 8	 Precinct 9		

### Live Entertainment Precinct

 Live Entertainment Precinct

### Indicative Future Open Space

 Indicative Future Open Space

 Road Reserve Esplanade



Acid Sulfate Soils

**Applicable Precinct or Area**  
Acid Sulfate Soils (< 5m AHD)

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



☒ Selected Property

☐ Land Parcels

**Acid Sulfate Soils**

☒ Acid Sulfate Soils (< 5m AHD)

☐ Acid Sulfate Soils (5-20m AHD)

☐ all others


Flood Storm

**Applicable Precinct or Area**  
Medium Storm Tide Hazard


- More Information**
- [View Section 8.2.4 Flood and Storm Tide Hazard Overlay Code](#)
  - [View Section 8.2.4 Flood and Storm Tide Hazard Overlay Compliance table](#)




 Selected Property

 Land Parcels

 Medium Storm Tide Hazard

 High Storm Tide Hazard

 100 Year ARI - Mossman Port Douglas and Daintree Flood Studies

 Floodplain Assessment Overlay



Landscape Values

Scenic Buffer Area

Scenic route buffer

More Information

- [View Section 8.2.6 Landscape Values Overlay Code](#)
- [View Section 8.2.6 Landscape Values Overlay Compliance table](#)



<p><b>Selected Property</b></p> <p> Selected Property</p>	<p><b>Land Parcels</b></p> <p> Land Parcels</p>	<p><b>Scenic Buffer Area</b></p> <p> Gateway</p> <p> View corridor</p>	<p> Lookout</p> <p> all others</p>	<p> Scenic route</p> <p> Scenic route buffer</p>
<p><b>Landscape Values</b></p> <p> Coastal scenery</p> <p> High landscape values</p> <p> Medium Landscape Value</p> <p> all others</p>				

Transport Noise Corridors

Applicable Precinct or Area

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

More Information

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



☒ Selected Property

☐ Land Parcels

Transport Noise Corridors Mandatory Area

☐ Category 0: Noise Level < 58 dB(A)

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

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

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

☐ Category 4: Noise Level >= 73 dB(A)

☐ all others

Transport Noise Corridors Voluntary Area

☐ Category 0: Noise Level < 58 dB(A)

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

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

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

☐ Category 4: Noise Level >= 73 dB(A)

☐ all others



Transport Road Hierarchy

Applicable Precinct or Area

Major Transport Corridor Buffer Area (State Controlled Road)

More Information

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



☒ Selected Property

☐ Land Parcels

Road Hierarchy

— Access Road

— Arterial Road

— Collector Road

— Industrial Road

— Major Rural Road

— Minor Rural Road

— Sub Arterial Road

— Unformed Road

— all others

☐ Major Transport Corridor Buffer Area

Disclaimer

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

# State Assessment and Referral Agency

Date: 13/07/2022



Queensland Government

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## Matters of Interest for all selected Lot Plans

*Coastal area - medium storm tide inundation area*

*Wetland protection area trigger area*

*State-controlled road*

*Area within 25m of a State-controlled road*

## Matters of Interest by Lot Plan

**Lot Plan: 3RP729037 (Area: 12290 m<sup>2</sup>)**

*Coastal area - medium storm tide inundation area*

*Wetland protection area trigger area*

*State-controlled road*

*Area within 25m of a State-controlled road*



## State Assessment and Referral Agency

Date: 13/07/2022



Queensland Government

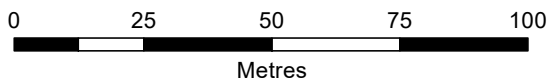
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### Legend

Wetland protection area trigger area



Wetland protection area trigger area



#### Disclaimer:

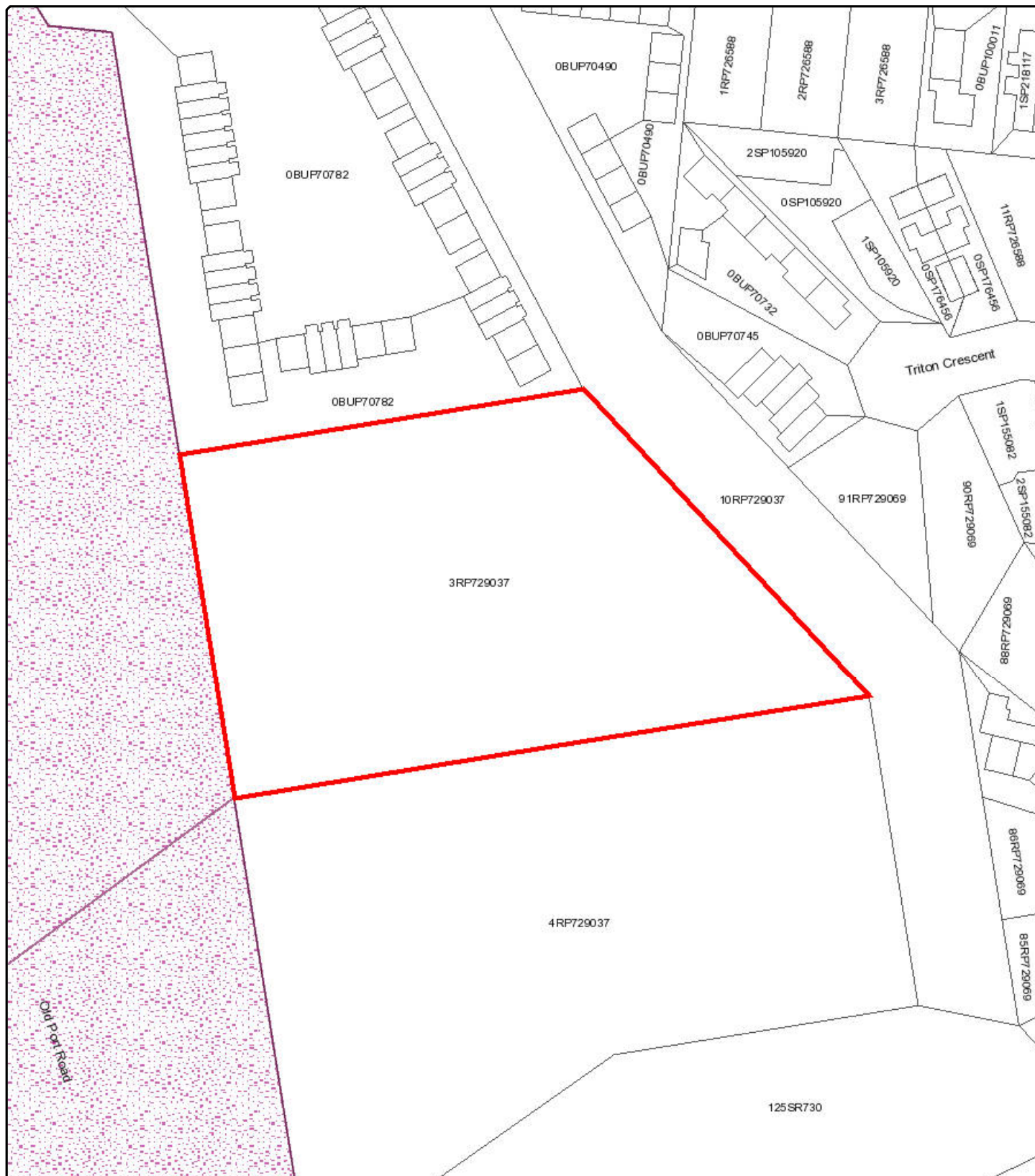
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## State Assessment and Referral Agency

Date: 13/07/2022



Queensland Government

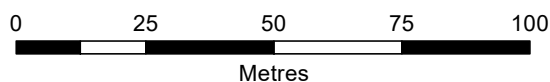
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### Legend

State-controlled road



State-controlled road



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## Attachment 5

### Assessment against Planning Scheme Codes



## **6.2.8 Medium density residential zone code**

### **6.2.8.1 Application**

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

### **6.2.8.2 Purpose**

- (1) The purpose of the Medium density residential zone code is to provide for a range and mix of dwelling types including dwelling houses and multiple dwellings supported by community uses and small-scale services and facilities that cater for local residents.
- (2) The local government purpose of the code is to:
  - (b) implement the policy direction set in the Strategic Framework, in particular:
    - (i) Theme 1 : Settlement pattern, Element 3.4.2 – Urban settlement, Element 3.4.3 Element – Activity centres, Element 3.4.5 – Residential areas and activities.
    - (ii) Theme 4 : Strong communities and identity, Element 3.7.5 Housing choice and affordability.
  - (c) establish a medium density residential character consisting predominantly of low to medium-rise dwelling houses, dual occupancies and multiple dwellings (up to 3 storeys in height).
- (3) The purpose of the code will be achieved through the following overall outcomes:
  - (a) Development provides a wider choice of predominantly permanent-living housing in terms of form, size and affordability to meet the needs of residents.
  - (b) Development is of an appropriate scale and achieves an attractive built form which incorporates the character and natural attributes of the site and the surrounding area as integral features of the theme and design of the development.
  - (c) Development is designed to take into account the tropical climate by incorporating appropriate architectural elements and design features.
  - (d) Landscaping enhances the visual appearance of development and the streetscape, provides attractive outdoor spaces and privacy between adjoining development.
  - (e) Community facilities, open space and recreational areas and appropriate infrastructure to support the needs of the local community are provided.

## Criteria for assessment

Table 6.2.8.3.a – Medium density residential zone code – assessable development

Performance outcomes	Acceptable outcomes	Applicant response
<b>For self-assessable and assessable development</b>		
<b>PO1</b> The height of all buildings and structures must be in keeping with the residential character of the area.	<b>AO1</b> Buildings and structures are not more than 13.5 metres and 3 storeys in height.  Note – Height is inclusive of roof height.	<b>Not applicable.</b>
<b>Setbacks (other than for a dwelling house)</b>		
<b>PO2</b> Buildings are setback to: (a) maintain the character of residential neighbourhoods; (b) achieve separation from neighbouring buildings and from road frontages; (c) maintain a cohesive streetscape; (d) provide daylight access, privacy and appropriate landscaping.	<b>AO2</b> Buildings are setback: (a) a minimum of 6 metres from the main street frontage; (b) a minimum of 4 metres from any secondary street frontage; (c) 4.5 metres from a rear boundary; (d) 2 metres from a side or an average of half of the height of the building at the side setback, whichever is the greater.	<b>Not applicable.</b>
<b>Site coverage</b>		
<b>PO3</b> The site coverage of all buildings does not result in a built form that is bulky or visually obtrusive.	<b>AO3</b> The site coverage of any building is limited to 50%	<b>Not applicable.</b>
<b>Building proportions and scale (other than for a dwelling house)</b>		
<b>PO4</b> The proportions and scale of any development are in character with the area and local streetscape.	<b>AO4.1</b> The overall length of a building does not exceed 30 metres and the overall length of any continuous wall does not exceed 15 metres.	<b>Not applicable.</b>



Performance outcomes	Acceptable outcomes	Applicant response
	<p><b>AO4.2</b> Balconies, patios and similar spaces are not enclosed or capable of being enclosed and used as a habitable room.</p> <p><b>AO4.3</b> Balconies, patios and similar spaces are designed to be open and light weight in appearance with a maximum of 20% of the façade being fully enclosed.</p> <p><b>AO4.4</b> Roof forms, materials and colours of buildings enhance the amenity of the street and locality, including:            (a) the roof of buildings are light coloured and non-reflecting;            (b) white and shining metallic finishes are avoided on external surfaces in prominent view.</p> <p>Note – The building incorporates building design features and architectural elements detailed in Planning scheme policy SC6.2 – Building design and architectural elements.</p>	
<b>Landscaping (other than for a dwelling house)</b>		
<p><b>PO5</b> Landscape planting is provided for the recreational amenity of residents/guests and incorporates dominant tropical vegetation which enhances the streetscape and the amenity of the area.</p>	<p><b>AO5.1</b> A minimum of 35% of the site is provided as open space and recreation area with a minimum of 30% of this total area provided for landscape planting.</p> <p><b>AO5.2</b> Within the frontage setback area, a minimum width of 2 metres of landscape area includes a minimum 75% dense planting.</p>	<b>Not applicable.</b>



Performance outcomes	Acceptable outcomes	Applicant response
	<b>AO5.3</b> Within the side and rear setback areas, a minimum width of 1.5 metres of landscape area includes 75% dense planting.	
<b>For assessable development</b>		
<b>PO6</b> The establishment of uses is consistent with the outcomes sought for the Medium density residential zone and protects the zone from the intrusion of inconsistent uses.	<b>AO6</b> Uses identified in Table 6.2.8.3.b are not established in the Medium density residential zone.	<b>Not applicable.</b>
<b>PO7</b> Development is located, designed, operated and managed to respond to the natural characteristics, features and constraints of the site and surrounds.  Note – Planning scheme policy – Site assessments provides guidance on identifying the characteristics and features and constraints of a site and its surrounds.	<b>AO7</b> No acceptable outcomes are prescribed.	<b>Complies with PO7.</b>  <b>The site does not have specific natural characteristics but the design is responsive to the site scale and dimension.</b>
<b>PO8</b> Development does not adversely affect the residential character and amenity of the area in terms of traffic, noise, dust, odour, lighting or other physical or environmental impacts.	<b>AO8</b> No acceptable outcomes are prescribed.	<b>Complies with PO8.</b>  <b>The development will not adversely affect the residential character and amenity of the area.</b>
<b>PO9</b> New lots contain a minimum area of 1000m <sup>2</sup> .	<b>AO9</b> No acceptable outcomes are prescribed.	<b>Complies with PO9.</b>  <b>Lots range in size from 1005m<sup>2</sup> - 1850m<sup>2</sup></b>
<b>PO10</b> New lots have a minimum road frontage of 20 metres.	<b>AO10</b> No acceptable outcomes are prescribed.	<b>Complies with PO10.</b>  <b>All lots have a minimum frontage of 20m.</b>
<b>PO11</b> New lots contain a 20 metre x 25 metre rectangle.	<b>AO11</b> No acceptable outcomes are prescribed.	<b>Complies with PO11.</b>  <b>All lots contain a 20m x 25m rectangle.</b>



Table 6.2.8.3.b - Inconsistent uses within the Medium density residential zone

Inconsistent uses		
<ul style="list-style-type: none"> <li>• Adult store</li> <li>• Agricultural supplies store</li> <li>• Air services</li> <li>• Animal husbandry</li> <li>• Animal keeping</li> <li>• Aquaculture</li> <li>• Bar</li> <li>• Brothel</li> <li>• Bulk landscape supplies</li> <li>• Car wash</li> <li>• Club</li> <li>• Crematorium</li> <li>• Cropping</li> <li>• Detention facility</li> <li>• Emergency services</li> <li>• Extractive industry</li> <li>• Food and drink outlet</li> <li>• Function facility</li> <li>• Funeral parlour</li> <li>• Garden centre</li> <li>• Hardware and trade supplies</li> <li>• High impact industry</li> </ul>	<ul style="list-style-type: none"> <li>• Hospital</li> <li>• Hotel</li> <li>• Indoor sport and recreation</li> <li>• Intensive animal industry</li> <li>• Intensive horticulture</li> <li>• Landing</li> <li>• Low impact industry</li> <li>• Major electricity infrastructure</li> <li>• Major sport, recreation and entertainment facility</li> <li>• Marine industry</li> <li>• Medium impact industry</li> <li>• Motor sport facility</li> <li>• Nature based tourism</li> <li>• Nightclub entertainment facility</li> <li>• Non-resident workforce accommodation</li> <li>• Office</li> <li>• Outdoor sales</li> <li>• Outstation</li> </ul>	<ul style="list-style-type: none"> <li>• Parking station</li> <li>• Permanent plantation</li> <li>• Port services</li> <li>• Renewable energy facility</li> <li>• Research and technology industry</li> <li>• Resort complex</li> <li>• Roadside stall</li> <li>• Rural industry</li> <li>• Rural workers accommodation</li> <li>• Service industry</li> <li>• Shopping Centre</li> <li>• Showroom</li> <li>• Special industry</li> <li>• Theatre</li> <li>• Tourist attraction</li> <li>• Transport depot</li> <li>• Veterinary services</li> <li>• Warehouse</li> <li>• Wholesale nursery</li> <li>• Winery</li> </ul>

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

## 7.2.4 Port Douglas/Craigie local plan code

### 7.2.4.1 Application

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

### 6.2.5.2 Context and setting

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

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

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

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

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

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

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

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

#### 7.2.4.3 Purpose

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



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

### **Precinct 1 – Port Douglas precinct**

- (5) In addition to the overall outcomes, the outcomes sought for the precinct are to ensure that:
  - (a) development will contribute to the incremental transformation of the township, preserving and enhancing maritime activities and environmental areas, delivering tropical open spaces and a high quality public realm, and allowing for tourism opportunities and investment.
  - (b) development contributes to the enhancement of the Port Douglas precinct through the following development outcomes:
    - (i) access and connectivity throughout the township is enhanced through a series of improvements to circulation and mobility, including:
      - (A) access to, and connectivity along, the waterfront and foreshore areas is maintained and, where appropriate, enhanced;
      - (B) reducing reliance on the waterfront as a car parking resource.
    - (ii) the use of land in the Port Douglas precinct improves the cohesive layout of the township through:
      - (A) the establishment of distinct sub-precincts that reinforce the character and built form of the Port Douglas local plan area including:
        - Port Douglas centre sub-precinct 1a – Town Centre sub-precinct;
        - Port Douglas centre sub-precinct 1b – Waterfront North sub-precinct;
        - Port Douglas centre sub-precinct 1c – Waterfront South sub-precinct;
        - Port Douglas centre sub-precinct 1d – Limited development sub-precinct;
        - Port Douglas centre sub-precinct 1e – Community and recreation precinct;
        - Port Douglas centre sub-precinct 1f – Flagstaff Hill sub-precinct;
      - (B) facilitating marina facilities and supporting marine industry uses as a key part of the local economy;
      - (C) reducing conflict between industry, community and commercial activities in the waterfront, without diminishing the marine industry capacity in the Port Douglas precinct;
    - (iii) environment and sustainability is integrated into the township through:

- (A) preservation and enhancement of the qualities and characteristics of environmental areas of the township;
- (B) water sensitive urban design is considered as a means of water quality improvement and management of overland flow to ensure hard infrastructure solutions in Warner Street can be mitigated;
- (C) design of buildings and access way improvements prioritises walking and cycling modes of transport.
- (iv) the tropical character of the Port Douglas precinct is enhanced by ensuring development:
  - (A) maintains and enhances the built form, local character, streetscapes and natural elements of the township;
  - (B) is compatible with the desired character and amenity of local places and neighbourhoods;
  - (C) does not exceed the height of buildings designations which contribute to the desired form of the township which contains three storey development heights in sub-precinct 1a – Town Centre sub-precinct and part of sub-precinct 1b – Waterfront North sub-precinct;
  - (D) implements high quality landscaped environments around buildings and on streets;
  - (E) protects the recognisable character and locally significance sites throughout the precinct.
- (v) public spaces and the streetscape are enhanced through:
  - (A) an increase in the quantity and quality of public land and places throughout the precinct;
  - (B) consolidating community recreation and sporting uses to create a precinct of community focussed activity between Mudlo Street and Wharf Street;
  - (C) improved connections between the town centre and the waterfront marina, including an investigation of a plaza on the waterfront;
  - (D) improved streetscapes with high quality landscaping, surface treatments and shaded pedestrian environments;
  - (E) the creation of a sense of place through aesthetic streetscapes and built-form character;
  - (F) managing vegetation to ensure succession of planting and the ongoing presence of significant trees.
- (vi) advertising signage is small scale, low-key and complements the tropical character of the town.

#### **Sub-precinct 1a – Town Centre sub-precinct**

- (6) In addition to other overall development outcomes, development in the Town Centre sub-precinct facilitates the following development outcomes:
  - (a) tourist, retail, dining and entertainment activities are facilitated at an appropriate pedestrian scale;
  - (b) drive-through developments, bulky goods showrooms, outdoor sales, saleyards and other big-box retailing or entertainment facilities are not established;
  - (c) development contributes to a high quality public realm;
  - (d) parking (and associated infrastructure) does not undermine the relationship between buildings and street or pedestrian circulation patterns;
  - (e) consolidation of community and cultural land use activities along Mowbray Street between Wharf Street and Mudlo Street;
  - (f) active street frontages are established along Macrossan and Wharf Streets and other nearby streets as shown on the Port Douglas Centre Active Frontages and Pedestrian and Cycle Network Plan;

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

**Sub-precinct 1b - Waterfront North sub-precinct**

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

**Sub-precinct 1c – Waterfront South sub-precinct**

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

**Sub- precinct 1d – Limited Development sub-precinct**

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

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

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

### **Sub-precinct 1f – Flagstaff Hill sub-precinct**

- (11) In addition to all other overall development outcomes, development in the Flagstaff Hill sub-precinct facilitates the following development outcomes:
- (a) development is not established where it results in detriment to the vegetated and scenic qualities of Flagstaff Hill;
  - (b) development minimises excavation and filling;
  - (c) buildings and other works are unobtrusive when viewed from vantage points in Port Douglas and are designed and constructed of colours and materials which complement the hill's vegetated state;
  - (d) views from public viewing points within the precinct are protected.

### **Precinct 2 – Integrated Resort precinct**

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

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

### **Precinct 3 – Craiglie Commercial and Light Industry precinct**

- (13) In addition to the overall outcomes, development in the Craiglie Commercial and Light Industry precinct facilitates the following overall outcomes:
- (a) development supports the tourism and marine industries in Port Douglas, along with the small-scale commercial and light industry land uses that support the local economy that would otherwise be better suited to a location outside the Port Douglas Centre Precinct unless they pose a safety issue;
  - (b) development adjacent to the Captain Cook Highway presents an attractive appearance to the highway. The rain-trees, melaleucas and eucalypt trees along the Captain Cook Highway are retained where possible, taking into account the Department of Transport and main Road's requirements;

- (c) retailing activities are generally restricted to those which are ancillary and necessarily associated with the primary service and light industry nature of the area;
- (d) adjacent residential areas are protected from industry nuisances;
- (e) lots fronting Downing Street, between Dickson Street and Beor Street, are provided with an appropriate standard of road access and infrastructure, prior to development occurring.

**Precinct 4 – Old Port Road / Mitre Street precinct**

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

- (a) the precinct is intended to be used for outdoor recreational land use activity, primarily as a golf course;
- (b) areas of significant vegetation are protected from development and retained;
- (c) other forms of development will only be considered if substantial areas of open space are retained adjacent to existing residential areas to maintain the existing residential amenity of open views across open space.

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

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

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

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




## Criteria for assessment

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

Performance outcomes	Acceptable outcomes	Applicant response
<b>For self-assessable and assessable development</b>		
<b>Development in the Port Douglas / Craiglie local plan area generally</b>		
<b>PO1</b> Pedestrians, cyclists, motorists and public transport users can easily move into and through the precinct along planned connectivity routes, identified on the Port Douglas / Craiglie local plan maps contained in Schedule 2.	<b>AO1</b> A pedestrian and cycle movement network is integrated and delivered through development.	<b>Complies with PO1.</b>  <b>The development has frontage to Port Douglas Road which is a State controlled road with a concrete footpath providing connectivity from the development site to other areas in Port Douglas.</b>
<b>PO2</b> Development retains and enhances key landscape elements including character trees and areas of significant vegetation contributing to the character and quality of the local plan area and significant views and vistas and other landmarks important to the context of Port Douglas / Craiglie (as identified on the Port Douglas/ Craiglie Townscape Plan map contained in Schedule 2).	<b>AO2.1</b>  Development provides for the retention and enhancement of existing mature trees and character vegetation that contribute to the lush tropical character of the town, including: <ul style="list-style-type: none"> <li>(a) the tree covered backdrop of Flagstaff Hill;</li> <li>(b) natural vegetation along watercourses, in particular the Mowbray River, Beor Creek and Dickson Inlet;</li> <li>(c) the tidal vegetation along the foreshore;</li> <li>(d) beachfront vegetation along Four Mile Beach, including the fringe of Coconut Palms;</li> <li>(e) the oil palm avenues along the major roads;</li> <li>(f) the lush landscaping within major roundabouts at key nodes;</li> <li>(g) Macrossan Street and Warner Street;</li> <li>(h) Port Douglas waterfront.</li> </ul>	<b>Complies with AO2.1.</b>  <b>The site contains limited existing vegetation.</b>  <b>One Oil Palm within the road reserve requires removal to facilitate access.</b>



Performance outcomes	Acceptable outcomes	Applicant response
	<p><b>AO2.2</b> Development protects and does not intrude into important views and vistas as identified on the Port Douglas Townscape Plan map contained in Schedule 2, in particular:</p> <ul style="list-style-type: none"> <li>(a) Flagstaff Hill;</li> <li>(b) Four Mile Beach;</li> <li>(c) Across to the ranges over Dickson Inlet;</li> <li>(d) Mowbray Valley.</li> </ul> <p><b>AO2.3</b> Important landmarks, memorials and monuments are retained.</p>	<p><b>Complies with AO2.2.</b></p> <p><b>The development does not intrude into views and vistas identified in the Port Douglas Townscape Plan map.</b></p>
<p><b>PO3</b> Development contributes to the protection, reinforcement and where necessary enhancement of gateways and key intersections identified on the Port Douglas / Craiglie local plan maps contained in Schedule 2.</p>	<p><b>AO3</b> Development adjacent to the gateways and nodes as identified on the Port Douglas / Craiglie local plan maps contained in Schedule 2 incorporates architectural features and landscaping treatments and design elements that enhance the sense of arrival and way finding within the town.</p>	<p><b>Not applicable.</b></p> <p><b>The development is approximately 150m from a node and is set back approximately 60m from the physical roadway.</b></p> 
<p><b>PO4</b></p>	<p><b>AO4</b> Landscaping incorporates the requirements of Planning scheme policy SC6.7 – Landscaping, in particular</p>	<p><b>Complies with PO4.</b></p>



Performance outcomes	Acceptable outcomes	Applicant response
Landscaping of development sites complements the existing tropical character of Port Douglas and Craiglie.	landscaping should be capable of achieving a 60% screening of development within 5 years and predominantly consists of endemic vegetation.	<p><b>The site is currently screened and will remain screened by vegetation within the road reserve.</b></p> <p><b>Landscaping for each individual lot will depend on future development proposals for uses consistent with the medium density residential zone.</b></p>
<p><b>PO5</b></p> <p>Development does not compromise the safety and efficiency of the State-controlled road network.</p>	<p><b>AO5</b></p> <p>Direct access is not provided to a State-controlled road where legal and practical access from another road is available.</p>	<p><b>Complies with AO5.</b></p> <p><b>The only legal and practical access to the site is directly from the State controlled Port Douglas Road.</b></p> <p><b>The development will be referred to SARA for comment from TMR.</b></p>



Performance outcomes	Acceptable outcomes	Applicant response
<b>For assessable development</b>		
<b>Additional requirements in Precinct 1 – Port Douglas precinct</b>		
<b>PO6</b> The views and vistas identified on the Port Douglas / Craiglie local plan maps contained in Schedule 2 are maintained.	<b>AO6.1</b> Development does not impede continued views to scenic vistas and key streetscapes within the local plan area.  <b>AO6.2</b> Unless otherwise specified within this Local Plan, buildings are set back not less than 6 metres from the primary street frontage.	<b>Not applicable.</b>
<b>PO7</b> Vehicle access, parking and service areas: (a) do not undermine the relationship between buildings and street or dominate the streetscape; (b) are designed to minimise pedestrian vehicle conflict; (c) are clearly identified and maintain ease of access at all times.	<b>AO7.1</b> For all buildings, parking is: (a) to the side of buildings and recessed behind the main building line; or (b) behind buildings; or (c) wrapped by the building façade, and not visible from the street. <b>AO7.2</b> Ground level parking incorporates clearly defined pedestrian routes. <b>AO7.3</b> Any porte-cocheres, disabled and pedestrian accesses are accommodated within the boundary of new or refurbished development. <b>AO7.4</b> Where the development is an integrated mixed-use development incorporating short term accommodation or multiple dwellings and either food and drink outlet or hotel or shop or shopping centre or office, on-site parking spaces are provided as per the number prescribed in the Parking and access code with a relaxation of 30% of spaces required for the non-residential uses. <b>AO7.5</b> On-site car parking available for public use is clearly signed at the site frontage.  <b>AO7.6</b>	<b>Not applicable.</b>



Performance outcomes	Acceptable outcomes	Applicant response
	Boom gates, pay machines or other regulatory devices to control access to a publicly available car parking area are not constructed or installed.	
<b>PO8</b> Precinct 1 – Port Douglas precinct is not characterised by a proliferation of advertising signs.	<b>AO8</b> No acceptable outcomes are prescribed.	<b>Not applicable.</b>
<b>Additional requirements for Sub-precinct 1a – Town Centre sub-precinct</b>		
<b>PO9</b> Building heights: (a) do not overwhelm or dominate the town centre; (b) respect the desired streetscape; (c) ensure a high quality appearance when viewed from both within the town centre sub-precinct and external to the town centre sub-precinct; (d) remain subservient to the natural environment and the backdrop of Flagstaff Hill. (e) do not exceed 3 storeys.	<b>AO9</b> Buildings and structures are not more than 3 storeys and 13.5 metres in height, with a roof height of not less than 3 metres.  Note – Height is inclusive of the roof height.	<b>Not applicable.</b>
<b>PO10</b> Building design, the streetscape, pedestrian paths and street front spaces promote integration with the surrounding area and the rest of Precinct 1 – Port Douglas Precinct.	<b>AO10</b> No acceptable outcomes are prescribed.	<b>Not applicable.</b>



Performance outcomes	Acceptable outcomes	Applicant response
<b>PO11</b> Buildings: (a) address street frontages; (b) ensure main entrances front the street or public spaces; (c) do not focus principally on internal spaces or parking areas.	<b>AO11</b> No acceptable outcomes are prescribed.	<b>Not applicable.</b>
<b>PO12</b> Setbacks at ground level provide for: (a) connection between pedestrian paths and public places; (b) areas for convenient movement of pedestrians; (c) changes in gradient of the street.	<b>AO12</b> Setbacks at ground level: (a) are clear of columns and other obstructions; (b) have pavement matching the gradient of adjoining footpaths and connecting pedestrian areas on adjoining sites; (c) connect without any lip or step to adjoining footpaths.	<b>Not applicable.</b>
<b>AO13</b> Buildings do not result in a reduction of views and vistas from public places to: (a) Flagstaff Hill; (b) Dickson Inlet; (c) public open space; (d) places of significance.	<b>AO13</b> No acceptable outcomes are prescribed.	<b>Not applicable.</b>
<b>PO14</b> Development enhances the distinctive tropical resort town and identity of Port Douglas and encourages pedestrian activity at street level including shade protection across the footpath for the length of the building.	<b>AO14</b> Development is built up to the street frontage/s at the street level and incorporates a light frame awning, a minimum of 3 metres in width for the length of the street frontage/s; or If a development includes an outdoor dining area at ground/footpath level, the dining area has a maximum setback of 3 metres and the required awning is still maintained along the length of the street frontage/s. Note – PO24 provides more detail on awning design.	<b>Not applicable.</b>
<b>PO15</b> Development is predominantly commercial in nature with any tourist accommodation having a secondary	<b>AO15.1</b> Centre activities establish: at street level on active street frontages;	<b>Not applicable.</b>





Performance outcomes	Acceptable outcomes	Applicant response
focus and not located on the street-level frontage where active frontages are encouraged as identified the Port Douglas local plan maps contained in Schedule 2.	a maximum of one level above street level.  <b>AO15.2</b> Any residential development activities or short term accommodation is located above street level of the active frontage, but not on or up to the street frontage in any development, including mixed use development.	
<b>PO16</b> Detailed building design: (a) enhances the visual amenity of the streetscape; (b) has a legible and attractive built form that is visually enhanced by architectural elements; (c) contributes to a distinctive tropical north Queensland, seaside tourist town character; (d) integrates major landscaping elements to maximise their aesthetic value to ensure that the lush, vegetated character of the Town Centre sub-precinct is maintained.	<b>AO16</b> No acceptable outcomes are prescribed.	<b>Not applicable.</b>
<b>PO17</b> Buildings exhibit variations to their external appearance and the shape of the built form to provide visual interest through: (a) surface decoration; (b) wall recesses and projections; (c) a variation in wall finishes; windows, balconies, awnings and other visible structural elements.	<b>AO17</b> No acceptable outcomes are prescribed.	<b>Not applicable.</b>



Performance outcomes	Acceptable outcomes	Applicant response
(d) differentiating between the lower, middle and upper parts of the building by varying the façade and/or the shape of the built form, where comprised of more than two storeys.		
<b>P018</b> Roofs are not characterised by a cluttered display of plant and equipment, in particular: <ul style="list-style-type: none"> <li>(a) building caps and rooftops contribute to the architectural distinction of the building and create a coherent roofscape for the Town Centre sub-precinct;</li> <li>(b) service structures, lift motor rooms and mechanical plant and equipment are designed as an architectural feature of the building or are screened from public view;</li> <li>(c) rooftops are not used for advertising.</li> </ul>	<b>AO18</b> No acceptable outcomes are prescribed.	<b>Not applicable.</b>
<b>P019</b> Windows and sun/rain control devices are used in the building form, in particular, sun shading devices are provided to: <ul style="list-style-type: none"> <li>(a) shade windows;</li> <li>(b) reduce glare;</li> <li>(c) assist in maintaining comfortable indoor temperatures;</li> <li>(d) minimising heat loads;</li> <li>(e) enrich the North Queensland tropical character of the Town Centre sub-precinct;</li> <li>(f) provide architectural interest to building façades.</li> </ul>	<b>AO19</b> No acceptable outcomes are prescribed.	<b>Not applicable.</b>



Performance outcomes	Acceptable outcomes	Applicant response
<b>PO20</b> Buildings are finished with high quality materials, selected for: (a) their ability to contribute the character of Town Centre sub-precinct; (b) easy maintenance, durability and an ability not to readily stain, discolour or deteriorate.	<b>AO20</b> No acceptable outcomes are prescribed	Not applicable.
<b>PO21</b> Buildings do not incorporate any type of glass or other materials that are likely to reflect the sun's rays in a manner that may create a nuisance, discomfort or a hazard.	<b>AO21</b> No acceptable outcomes are prescribed.	Not applicable.
<b>PO22</b> Façades and elevations do not include large blank walls. Openings and setbacks are used to articulate vertical building surfaces.	<b>AO22.1</b> Development has a maximum length of unbroken building facade of 20 metres and a maximum extent of overall development in the same style/design along the street frontage/s of 40 metres.  <b>AO22.2</b> Any break in the building façade varies the alignment by a 1 metre minimum deviation.  <b>AO22.3</b> A minimum of three of the following building design features and architectural elements detailed below are incorporated to break the extended facade of a development: (a) a change in roof profile; (b) a change in parapet coping; (c) a change in awning design; (d) a horizontal or vertical change in the wall plane; or (e) a change in the exterior finishes and exterior colours of the development.	Not applicable.
<b>PO23</b> Building facades that face public spaces at ground level:	<b>AO23</b> Building facades at the ground floor of development that face public space are designed to ensure:	Not applicable.



Performance outcomes	Acceptable outcomes	Applicant response
<ul style="list-style-type: none"> <li>(a) complement the appearance of the development and surrounding streetscape;</li> <li>(b) enhance the visual amenity of the public place;</li> <li>(c) include a variety of human scale architectural elements and details;</li> <li>(d) provide an opportunity for the casual and convenient surveillance of public space from within the development.</li> </ul>	<ul style="list-style-type: none"> <li>(a) a minimum of 70% of the façade area is comprised of windows, wall openings or shop fronts that permit the casual surveillance of the public space from the development;</li> <li>(b) a visually prominent main entrance that faces the principal public place;</li> <li>(c) vertical architectural elements and features are incorporated at 3 metre or less intervals along the length of the façade.</li> </ul>	
<p><b>PO24</b> Awnings for pedestrian shelter are consistent with the character setting of the Town Centre sub-precinct and:</p> <ul style="list-style-type: none"> <li>(a) extend and cover the footpath to provide protection from the sun and rain;</li> <li>(b) include lighting under the awning;</li> <li>(c) are continuous across the frontage of the site;</li> <li>(d) align to provide continuity with existing or future awnings on adjoining sites;</li> <li>(e) are a minimum of 3.0 metres in width and generally not more than 3.5 metres above pavement height;</li> <li>(f) do not extend past a vertical plane, 1.2 metres inside the kerb-line to enable street trees to be planted and grow;</li> <li>(g) are cantilevered from the main building with any posts within the footpath being non load-bearing.</li> </ul>	<p><b>AO24</b> No acceptable outcomes are prescribed.</p>	<p><b>Not applicable.</b></p>



Performance outcomes	Acceptable outcomes	Applicant response
<b>PO25</b> Development integrates with the streetscape and landscaping improvements for Port Douglas.	<b>AO25</b> Development fronting Davidson Street, Macrossan Street, Wharf Street, Mowbray Street and Warner Street is designed to integrate with the on-street landscaping and design improvements as outlined within the Port Douglas landscape master plan contained within Planning scheme policy SC6.7 – Landscaping.  Note - Planning scheme policy SC6.7 - Landscaping provides guidance on meeting the Performance Outcome.	Not applicable.
<b>Additional requirements for Sub-precinct 1b – Waterfront North sub-precinct</b>		
<b>PO26</b> The establishment of uses is consistent with the outcomes sought for sub-precinct 1b – Waterfront North.	<b>AO26</b> Uses identified as inconsistent uses in Table 7.2.4.b – Inconsistent uses in sub-precinct 1b Waterfront North sub precinct are not established in sub-precinct 1b - Waterfront North.	Not applicable.
<b>PO27</b> The bulk and scale of buildings is consistent with surrounding development and steps down to complement the open space areas in the adjoining limited development sub-precinct.	<b>AO27</b> Buildings and structures are not more than: (a) 3 storeys and 13.5 metres in height , with a roof height of not less than 3 metres, in those parts of the precinct south of Inlet Street; (b) 2 storeys and 8.5 metres in height, with a roof height of not less than 3 metres, in those parts of the precinct north of Inlet Street. Note – Height is inclusive of roof height.	Not applicable.
<b>PO28</b> Building design, streetscape, pedestrian paths and street front spaces promote integration with the surrounding area and the rest of Precinct 1 – Port Douglas Precinct	<b>AO28</b> No acceptable outcomes are prescribed.	Not applicable.
<b>PO29</b> Public pedestrian access along the water's edge is maximised.	<b>AO29.1</b> Public pedestrian access is provided along the frontage of the water's edge consisting of a boardwalk of a minimum width of 4 metres that is available of 24-hour use.	Not applicable.





Performance outcomes	Acceptable outcomes	Applicant response
	<p><b>AO29.2</b> A public plaza is incorporated into the design generally reflecting the requirements of the Port Douglas Waterfront Master Plan, focussing in the vicinity of the 'Duck Pond'.</p> <p><b>AO29.3</b> Built envelopes are setback a minimum of 3.0 metres from the board walk, with a shelter/shade zone between the building envelopes and the boardwalk consisting of shade structure, canopies, verandahs and the like.</p>	
<p><b>PO30</b> Buildings:</p> <ul style="list-style-type: none"> <li>(a) address street frontages;</li> <li>(b) ensure main entrances front the street or public spaces.</li> </ul>	<p><b>AO30</b> No acceptable outcomes are prescribed.</p>	<b>Not applicable.</b>
<p><b>PO31</b> Setbacks at ground level provide for:</p> <ul style="list-style-type: none"> <li>(a) connection between pedestrian paths and public places;</li> <li>(b) areas for convenient movement of pedestrians;</li> <li>(c) changes in gradient.</li> </ul>	<p><b>AO31</b> Setbacks at ground level:</p> <ul style="list-style-type: none"> <li>(a) are clear of columns and other obstructions;</li> <li>(b) have pavement matching the gradient of adjoining footpaths and connecting pedestrian areas on adjoining sites;</li> <li>(c) connect without any lip or step to adjoining footpaths.</li> </ul>	<b>Not applicable.</b>



Performance outcomes	Acceptable outcomes	Applicant response
<b>PO32</b> Buildings do not result in a reduction of views and vistas from public places to: (a) Dickson Inlet; (b) public open space; (c) places of significance.	<b>AO32</b> No acceptable outcomes are prescribed.	<b>Not applicable.</b>
<b>PO33</b> Development enhances the distinctive tropical resort town and identity of Port Douglas and encourages pedestrian activity at ground level including shade protection across the footpath and open space areas.	<b>AO33</b> No acceptable outcomes are prescribed.	<b>Not applicable.</b>
<b>PO34</b> Development is predominantly commercial in nature with any tourist accommodation having a secondary focus and not located on the street-level frontage where active frontages are encouraged as identified the Port Douglas local plan maps contained in Schedule 2.	<b>AO34.1</b> Centre activities establish: (a) at street level on active street frontages; (b) a maximum of one level above street level. <b>AO34.2</b> Residential development activities or short term accommodation is located above street /ground floor level of the active frontage, but not on or up to the street / public frontage in any development, including mixed use development.	<b>Not applicable.</b>
<b>PO35</b> Detailed building design: (a) enhances the visual amenity of the streetscape; (b) has a legible and attractive built form that is visually enhanced by architectural elements; (c) contributes to a distinctive tropical north Queensland, seaside tourist town character; (d) integrates major landscaping elements to maximise their aesthetic value to ensure that the lush, vegetated character of the Waterfront North sub-precinct is maintained.	<b>AO35</b> No acceptable outcomes are prescribed.	<b>Not applicable.</b>
<b>PO36</b> Buildings exhibit variations to their external appearance and the shape of the built form to provide visual interest through: (a) surface decoration;	<b>AO36</b> No acceptable outcomes are prescribed.	<b>Not applicable.</b>



Performance outcomes	Acceptable outcomes	Applicant response
(b) wall recesses and projections; (c) a variation in wall finishes; windows, balconies, awnings and other visible structural elements. (d) differentiating between the lower, middle and upper parts of the building by varying the façade and/or the shape of the built form, where comprised of more than two storeys.		
<b>PO37</b> Roofs are not characterised by a cluttered display of plant and equipment, in particular: (a) building caps and rooftops contribute to the architectural distinction of the building and create a coherent roofscape for the Waterfront North sub-precinct; (b) service structures, lift motor rooms and mechanical plant and equipment are designed as an architectural feature of the building or are screened from public view; (c) rooftops are not used for advertising.	<b>AO37</b> No acceptable outcomes are prescribed.	<b>Not applicable.</b>
<b>PO38</b> Windows and sun/rain control devices are used in the building form, in particular, sun shading devices are provided to: (a) shade windows; (b) reduce glare; (c) assist in maintaining comfortable indoor temperatures; (d) minimising heat loads; (e) enriching the North Queensland tropical character of the Waterfront North sub-precinct; (f) architectural interest to building façades.	<b>AO38</b> No acceptable outcomes are prescribed.	<b>Not applicable.</b>
<b>PO39</b> Buildings are finished with high quality materials, selected for: (a) their ability to contribute the character of Waterfront North sub-precinct;	<b>AO39</b> No acceptable outcomes are prescribed.	<b>Not applicable.</b>



Performance outcomes	Acceptable outcomes	Applicant response
(b) easy maintenance, durability and an ability not to readily stain, discolour or deteriorate.		
<b>PO40</b> Buildings do not incorporate any type of glass or other materials that are likely to reflect the sun's rays in a manner that may create a nuisance, discomfort or a hazard.	<b>AO40</b> No acceptable outcomes are prescribed.	Not applicable.
<b>PO41</b> Façades and elevations do not include large blank walls and openings and setbacks are used to articulate vertical building surfaces.	<b>AO41.1</b> Development has a maximum length of unbroken building facade of 20 metres and a maximum extent of overall development in the same style/design along the street frontage/s of 40 metres.  <b>AO41.2</b> Any break in the building façade varies the alignment by a 1 metre minimum deviation.  <b>AO41.3</b> A minimum of three of the following building design features and architectural elements detailed below are incorporated to break the extended facade of a development: (a) a change in roof profile; (b) a change in parapet coping; (c) a change in awning design; (d) a horizontal or vertical change in the wall plane; or (e) a change in the exterior finishes and exterior colours of the development	Not applicable.
<b>PO42</b> Building facades that face public spaces at ground level: (a) complement the appearance of the development and surrounding streetscape; (b) enhance the visual amenity of the public place; (c) include a variety of human scale architectural elements and details;	<b>AO42</b> Building facades at the ground floor of development that face public space are designed to ensure: (a) a minimum of 70% of the façade area is comprised of windows, wall openings or shop fronts that permit the casual surveillance of the public space from the development; (b) a visually prominent main entrance that faces the principal public place;	Not applicable.



Performance outcomes	Acceptable outcomes	Applicant response
(d) provide an opportunity for the casual and convenient surveillance of public space from within the development.	(c) vertical architectural elements and features are incorporated at 3 metre or less intervals along the length of the façade.	
<b>PO43</b> Awnings for pedestrian shelter are consistent with the character setting of the Waterfront North sub-precinct and: <ul style="list-style-type: none"> <li>(a) extend and cover the footpath to provide protection from the sun and rain;</li> <li>(b) include lighting under the awning;</li> <li>(c) are continuous across pedestrian circulation areas;</li> <li>(d) align to provide continuity with existing or future awnings on adjoining sites;</li> <li>(e) are a minimum of 3 metres in width and generally not more than 3.5 metres above pavement height;</li> <li>(f) do not extend past a vertical plane, 1.2 metres inside the street kerb-line to enable street trees to be planted and grow;</li> <li>(g) are cantilevered from the main building with any posts within the footpath being non load-bearing.</li> </ul>	<b>AO43</b> No acceptable outcomes are prescribed.	<b>Not applicable.</b>
<b>PO44</b> The Balley Hooley rail line and turn-table is retained and incorporated into development and maintains its functionality.	<b>AO44.1</b> Bally Hooley rail line and turn-table is retained and incorporated into development to maintain its functionality.  <b>AO44.2</b> Where development provides floor area for the Bally Hooley rail station, the gross floor area of the rail line and station does not generate a requirement for additional vehicle parking.	<b>Not applicable.</b>
<b>PO45</b> Development recognises the importance of and relationship between the marina, commercial and residential development in the Waterfront North sub-	<b>AO45</b> No acceptable outcomes are prescribed.	<b>Not applicable.</b>





Performance outcomes	Acceptable outcomes	Applicant response
precinct, and includes measures to mitigate the impact of: (a) noise; (b) odour; (c) hazardous materials; (d) waste and recyclable material storage.		
<b>PO46</b> Formalised public spaces and pedestrian paths/areas on freehold land are made accessible to the public.	<b>AO46</b> No acceptable outcomes are prescribed.	<b>Not applicable.</b>



Performance outcomes	Acceptable outcomes	Applicant response
<b>PO47</b> Buildings, civic spaces, roads and pedestrian links are enhanced by: <ul style="list-style-type: none"> <li>(a) appropriate landscape design and planting;</li> <li>(b) themed planting that defines entry points, and creates strong 'entry corridors' into the waterfront;</li> <li>(c) lighting and well-considered discrete signage that complements building and landscape design;</li> <li>(d) public artwork and other similar features that reflect the heritage and character of the Port Douglas Waterfront.</li> </ul>	<b>AO47</b> No acceptable outcomes are prescribed.	<b>Not applicable.</b>
<b>PO48</b> Buildings are designed and sited to provide vistas along shared pedestrian/open space and movement areas in suitable locations.	<b>AO48</b> No acceptable outcomes are prescribed.	<b>Not applicable.</b>
<b>PO49</b> Development does not diminish the viability of marine-based industrial uses that directly serve the Port Douglas tourist and fishing operators and private boat owners, particularly with respect to the slipway operation.	<b>AO49</b> No acceptable outcomes are prescribed.	<b>Not applicable.</b>
<b>PO50</b> Marine infrastructure to service the tourism, fishing and private boating community is provided.	<b>AO50</b> No acceptable outcomes are prescribed.	<b>Not applicable.</b>
<b>PO51</b> Changes to the Port Douglas Waterfront quay-line do not cause adverse impacts to the environmentally sensitive Dickson Inlet.	<b>AO51</b> Development that results in changes to the Port Douglas Waterfront quay-line is only established where an Ecological assessment report provides support to the changes.  Note - Planning scheme policy SC6.8 – Natural environment provides guidance on preparing an ecological assessment report.	<b>Not applicable.</b>
<b>Additional requirements for Sub-precinct 1c – Waterfront South sub-precinct</b>		
<b>PO52</b>	<b>AO52</b>	<b>Not applicable.</b>



Performance outcomes	Acceptable outcomes	Applicant response
The establishment of uses is consistent with the outcomes sought for Precinct 1c – Waterfront South.	Uses identified as inconsistent uses in Table 7.2.4.4.c are not established in Precinct 1c – Waterfront South.	
<b>PO53</b> Development does not adversely impact on the natural environment, natural vegetation or watercourses.	<b>AO53.1</b> An Ecological assessment report is prepared identifying the environmental qualities of the surrounding natural and built features which are to be managed.  Note - Planning scheme policy SC6.8 – Natural environment provides guidance on preparing an ecological assessment report.  <b>AO53.2</b> An Environmental Management Plan is prepared to manage potential impacts of the operation of the development on surrounding natural areas.  Note - Planning scheme policy SC6.4 – Environmental management plans contains information to demonstrate compliance and guidance on preparing an Environmental Management Plan.	<b>Not applicable.</b>
<b>PO54</b> Development of land at the end of Port Street adjacent to Dickson Inlet incorporates a slipway, or an alternative functioning facility, with capacity to service the Port Douglas marine and tourism industry.	<b>AO54</b> A master plan for the development is provided and implemented to demonstrate the integration of the slipway, or an alternative functioning facility, with other supporting service industry activities that service the marine and tourism industry of Port Douglas.	<b>Not applicable.</b>
<b>PO55</b> Buildings and structures are of a height, and are set back from side boundaries and other sensitive areas to ensure the scenic amenity and environmental qualities of the adjacent area are not adversely affected.	<b>AO55.1</b> Development has a height of not more than 10 metres.  <b>AO55.2</b> Development is setback from all property boundaries not less than 3 metres.	<b>Not applicable.</b>
<b>PO56</b> The site coverage of all buildings and structures ensures development: <ul style="list-style-type: none"> <li>(a) is sited in an existing cleared area or in an area approved for clearing;</li> <li>(b) has sufficient area for the provision of services;</li> <li>(c) development does not have an adverse effect on the environmental, habitat, conservation or</li> </ul>	<b>AO56</b> No acceptable outcomes are prescribed.	<b>Not applicable.</b>



Performance outcomes	Acceptable outcomes	Applicant response
landscape values of the on-site and surrounding sensitive areas.		
<b>PO57</b> Premises include adequate provision for service vehicles, to cater for generated demand. Loading areas for service vehicles are designed to: <ul style="list-style-type: none"> <li>(a) be accommodated on-site;</li> <li>(b) maximise safety and efficiency of loading;</li> <li>(c) protect the visual and acoustic amenity of sensitive land use activities;</li> <li>(d) minimise adverse impacts on natural characteristics of adjacent areas.</li> </ul>	<b>AO57.1</b> Sufficient manoeuvring area is provided on-site to allow a Medium Rigid Vehicle to enter and leave the site in a forward gear.  <b>AO57.2</b> Development is designed to ensure all service vehicles are contained within the site when being loaded/unloaded.  <b>AO57.3</b> Driveways, parking and manoeuvring areas are constructed and maintained to: <ul style="list-style-type: none"> <li>(a) minimise erosion from storm water runoff;</li> <li>(b) retain all existing vegetation.</li> </ul>	<b>Not applicable.</b>
<b>PO58</b> Development ensures adverse impacts from service vehicles on the road network, external to the site, are minimised.	<b>AO58</b> No acceptable outcomes are prescribed.	<b>Not applicable.</b>



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





Performance outcomes	Acceptable outcomes	Applicant response
<b>PO64</b> All development on Flagstaff Hill is designed to minimise the visibility of the development and to ensure development is subservient to the natural landscape and topography of the site, including through: <ul style="list-style-type: none"> <li>(a) building design which minimises excavation and filling;</li> <li>(b) buildings being designed to step down the site and incorporate foundations and footings on piers or poles;</li> <li>(c) buildings being visually unobtrusive and incorporating exterior finishes and muted colours which are non-reflective and complement the colours of the surrounding vegetation and view-shed;</li> <li>(d) protection of the views from public viewing points in the Port Douglas precinct.</li> </ul>	<b>AO64</b> No acceptable outcomes are prescribed.	<b>Not applicable.</b>
<b>Additional requirements for Precinct 3 – Craiglie Commercial and Light Industry precinct</b>		
<b>PO65</b> Development supports the tourism and marine industries in Port Douglas, along with the small-scale commercial and light industry land uses that support the local economy that would otherwise be better suited to a location outside the Port Douglas Town Centre Precinct.	<b>AO65</b> Development consists of service and light industries and associated small scale commercial activities.	<b>Not applicable.</b>
<b>PO66</b> Development on lots adjacent to the Captain Cook Highway is sited, designed and landscaped to provide an attractive visual approach to Port Douglas with all buildings, structures and car parking areas setback a sufficient distance from the frontage to enable landscaping to soften or screen the appearance of the development.	<b>AO66.1</b> Buildings and structures are setback 8 metres from the Captain Cook Highway frontage, or no closer to the Captain Cook Highway frontage than buildings and structures on adjoining sites (averaged), whichever is the greater.  <b>AO66.2</b> The setback area to the Captain Cook Highway frontage is landscaped with advanced dense planting including	<b>Not applicable.</b>



Performance outcomes	Acceptable outcomes	Applicant response
	<p>tree species (100 litre bag stock), which will, at maturity, exceed the height of the building(s) on the site.</p> <p><b>AO66.3</b> Advertising signs are discreet in appearance with no large advertising signs, including tenancy signs, located on or near the Captain Cook Highway frontage, or within any landscaped setback area.</p> <p><b>AO66.4</b> Car parking areas, loading and other service areas are designed to be screened from the Captain Cook Highway and are located so as to not be visually prominent from the Captain Cook Highway.</p>	
<b>Additional requirements for Precinct 6 – Very Low Residential Density / Low Scale Recreation / Low Scale Educational / Low Scale Entertainment Uses precinct</b>		
<p><b>PO67</b> No additional lots are created within the precinct.</p>	<p><b>AO67</b> No acceptable outcomes are prescribed.</p>	<b>Not applicable.</b>
<p><b>PO68</b> Reconfigured lots have a minimum lot size of 2 hectares, unless the lot reconfiguration transfers lots to the higher parts of the land, to avoid the need to fill existing lots to accommodate dwelling houses.</p>	<p><b>AO68</b> No acceptable outcomes are prescribed.</p>	<b>Not applicable.</b>



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

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



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

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

Note –

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

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



## 8.2.1 Acid sulfate soils overlay code

### 8.2.1.1 Application

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

### 8.2.1.2 Purpose

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

### Criteria for assessment

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

Performance outcomes	Acceptable outcomes	Applicant response
<b>For assessable development</b>		
<b>PO1</b>	<b>AO1.1</b> No excavation or filling occurs on the site.	<b>Complies with AO1.2</b>

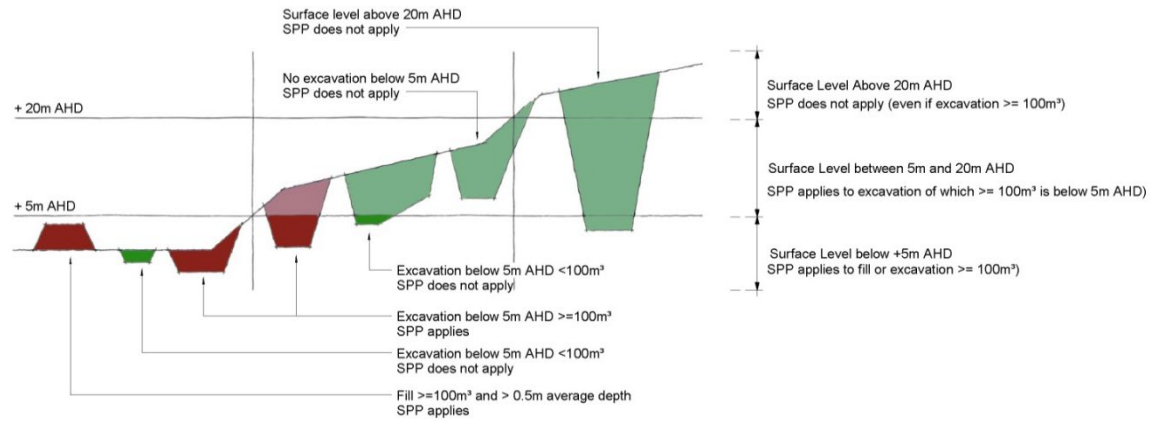


Performance outcomes	Acceptable outcomes	Applicant response
The extent and location of potential or actual acid sulfate soils is accurately identified.	<p>or</p> <p><b>AO1.2</b> An acid sulfate soils investigation is undertaken.</p> <p>Note - Planning scheme policy SC 6.12– Potential and actual acid sulfate soils provides guidance on preparing an acid sulfate soils investigation.</p>	<b>An acid sulfate soils investigations will be undertaken as part of Operational Works if required.</b>
<p><b>PO2</b> Development avoids disturbing potential acid sulfate soils or actual acid sulfate soils, or is managed to avoid or minimise the release of acid and metal contaminants.</p>	<p><b>AO2.1</b> The disturbance of potential acid sulfate soils or actual acid sulfate soils is avoided by:</p> <ul style="list-style-type: none"> <li>(a) not excavating, or otherwise removing, soil or sediment identified as containing potential or actual acid sulfate soils;</li> <li>(b) not permanently or temporarily extracting groundwater that results in the aeration of previously saturated acid sulfate soils;</li> <li>(c) not undertaking filling that results in: <ul style="list-style-type: none"> <li>(i) actual acid sulfate soils being moved below the water table;</li> <li>(ii) previously saturated acid sulfate soils being aerated.</li> </ul> </li> </ul> <p>or</p> <p><b>AO2.2</b> The disturbance of potential acid sulfate soils or actual acid sulfate soils is undertaken in accordance with an acid sulfate soils management plan and avoids the release of metal contaminants by:</p> <ul style="list-style-type: none"> <li>(a) neutralising existing acidity and preventing the generation of acid and metal contaminants;</li> <li>(b) preventing the release of surface or groundwater flows containing acid and metal contaminants into the environment;</li> </ul>	<b>The development will comply with AO2.2</b>



Performance outcomes	Acceptable outcomes	Applicant response
	<p>(c) preventing the in situ oxidisation of potential acid sulfate soils and actual acid sulfate soils through ground water level management;</p> <p>(d) appropriately treating acid sulfate soils before disposal occurs on or off site;</p> <p>(e) documenting strategies and reporting requirements in an acid sulfate soils environmental management plan.</p> <p>Note - Planning scheme policy SC 6.12 – Acid sulfate soils provides guidance on preparing an acid sulfate soils management plan.</p>	
<p><b>PO3</b> No environmental harm is caused as a result of exposure to potential acid sulfate soils or actual acid sulfate soils.</p>	<p><b>AO3</b> No acceptable outcomes are prescribed.</p>	<p><b>The Development will comply with AO3</b></p>

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



## 8.2.4 Flood and storm tide hazard overlay code

### 8.2.4.1 Application

- (1) This code applies to assessing a material change of use, reconfiguring a lot, operational work or building work within the Flood and storm tide hazard overlay, if:
  - (a) self assessable or assessable development where the code is identified as being applicable in the Assessment criteria for the Overlay Codes contained in the Levels of Assessment Tables in section 5.6;
  - (b) impact assessable development.
- (2) Land in the Flood and storm tide hazard overlay is identified on the Flood and storm tide hazard overlay map in Schedule 2 and includes the:
  - (a) Storm tide – high hazard sub-category;
  - (b) Storm tide – medium hazard sub-category;
  - (c) Flood plain assessment sub-category;
  - (d) 100 ARI Mossman, Port Douglas and Daintree Township Flood Studies sub-category.
- (3) When using this code, reference should be made to Part 5.

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

### 8.2.4.2 Purpose


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



- (g) natural processes and the protective function of landforms and/or vegetation are maintained in natural hazard areas;
- (h) community infrastructure is located and designed to maintain the required level of functionality during and immediately after a hazard event.

### Criteria for assessment

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

Performance outcomes	Acceptable outcomes	Applicant response
<b>For self-assessable and assessable development</b>		
<p><b>PO1</b> Development is located and designed to: ensure the safety of all persons; minimise damage to the development and contents of buildings; provide suitable amenity; minimise disruption to residents, recovery time, and rebuilding or restoration costs after inundation events.</p> <p>Note – For assessable development within the flood plain assessment sub-category, a flood study by a suitably qualified professional is required to identify compliance with the intent of the acceptable outcome.</p>	<p><b>AO1.1</b> Development is sited on parts of the land that is not within the Flood and Storm tide hazards overlay maps contained in Schedule 2;</p> <p>or</p> <p>For dwelling houses,</p> <p><b>AO1.2</b> Development within the Flood and Storm Tide hazards overlay maps (excluding the Flood plain assessment sub-category) is designed to provide immunity to the Defined Inundation Event as outlined within Table 8.2.4.3.b plus a freeboard of 300mm.</p>	<p><b>Not applicable</b></p> <p><b>Approximately 40% of the site is located in the medium stormtide hazard area based on the overlay map.</b></p> <p><b>Based on the stormtide inundation property report the site is not affected by the 1% AEP event for the year 2100.</b></p> 



Performance outcomes	Acceptable outcomes	Applicant response
	<p><b>AO1.3</b> New buildings are:</p> <ul style="list-style-type: none"> <li>(a) not located within the overlay area;</li> <li>(b) located on the highest part of the site to minimise entrance of flood waters;</li> <li>(c) provided with clear and direct pedestrian and vehicle evacuation routes off the site.</li> </ul> <p><b>AO1.4</b> In non urban areas, buildings and infrastructure are set back 50 metres from natural riparian corridors to maintain their natural function of reducing velocity of floodwaters.</p>	
<b>For assessable development</b>		
<p><b>PO2</b> The development is compatible with the level of risk associated with the natural hazard.</p>	<p><b>AO2</b> The following uses are not located in land inundated by the Defined Flood Event (DFE) / Storm tide:</p> <ul style="list-style-type: none"> <li>(a) Retirement facility;</li> <li>(b) Community care facility;</li> <li>(c) Child care centre.</li> </ul>	<p><b>Complies with AO2.</b></p>
<p><b>PO3</b> Development siting and layout responds to flooding potential and maintains personal safety</p>	<p>For Material change of use</p> <p><b>AO3.1</b> New buildings are:</p> <ul style="list-style-type: none"> <li>(a) not located within the overlay area;</li> <li>(b) located on the highest part of the site to minimise entrance of flood waters;</li> <li>(c) provided with clear and direct pedestrian and vehicle evacuation routes off the site.</li> </ul> <p>or</p> <p><b>AO3.2</b> The development incorporates an area on site that is at least 300mm above the highest known flood inundation level with sufficient space to accommodate the likely</p>	<p><b>Complies with AO 3.4 &amp; AO3.5</b></p> <p><b>Approximately 40% of the site is located in the medium stormtide hazard area based on the overlay map.</b></p> <p><b>Based on the stormtide inundation property report the site is not affected by the 1% AEP event for the year 2100.</b></p>



Performance outcomes	Acceptable outcomes	Applicant response
	<p>population of the development safely for a relatively short time until flash flooding subsides or people can be evacuated.</p> <p>or</p> <p><b>AO3.3</b> Where involving an extension to an existing dwelling house that is situated below DFE /Storm tide, the maximum size of the extension does not exceed 70m<sup>2</sup> gross floor area.</p> <p>Note – If part of the site is outside the Hazard Overlay area, this is the preferred location of all buildings.</p> <p>For Reconfiguring a lot</p> <p><b>AO3.4</b> Additional lots: (a) are not located in the hazard overlay area; or (b) are demonstrated to be above the flood level identified for the site.</p> <p>Note - If part of the site is outside the Hazard Overlay area, this is the preferred location for all lots (excluding park or other open space and recreation lots).</p> <p>Note – Buildings subsequently developed on the lots will need to comply with the relevant building assessment provisions under the <i>Building Act 1975</i>.</p> <p><b>AO3.5</b> Road and/or pathway layout ensures residents are not physically isolated from adjacent flood free urban areas and provides a safe and clear evacuation route path: (a) by locating entry points into the reconfiguration above the flood level and avoiding culs-de-sac or other non-permeable layouts; and (b) by direct and simple routes to main carriageways.</p>	



Performance outcomes	Acceptable outcomes	Applicant response
	<p><b>AO3.6</b> Signage is provided on site (regardless of whether the land is in public or private ownership) indicating the position and path of all safe evacuation routes off the site and if the site contains, or is within 100m of a floodable waterway, hazard warning signage and depth indicators are also provided at key hazard points, such as at floodway crossings or entrances to low-lying reserves.</p> <p>or</p> <p><b>AO3.7</b> There is no intensification of residential uses within the flood affected areas on land situated below the DFE/Storm tide.</p>	



Performance outcomes	Acceptable outcomes	Applicant response
	<p>For Material change of use (Residential uses)  <b>AO3.8</b>            The design and layout of buildings used for residential purposes minimise risk from flooding by providing:            (a) parking and other low intensive, non-habitable uses at ground level;</p> <p>Note - The high-set 'Queenslander' style house is a resilient low-density housing solution in floodplain areas. Higher density residential development should ensure only non-habitable rooms (e.g. garages, laundries) are located on the ground floor.</p>	
<p><b>PO4</b>            Development is resilient to flood events by ensuring design and built form account for the potential risks of flooding.</p>	<p>For Material change of use (Non-residential uses)  <b>AO4.2</b>            Non residential buildings and structures allow for the flow through of flood waters on the ground floor.            Note - Businesses should ensure that they have the necessary contingency plans in place to account for the potential need to relocate property prior to a flood event (e.g. allow enough time to transfer stock to the upstairs level of a building or off site).            Note - The relevant building assessment provisions under the <i>Building Act 1975</i> apply to all building work within the Hazard Area and need to take into account the flood potential within the area.  <b>AO4.3</b>            Materials are stored on-site:            (a) are those that are readily able to be moved in a flood event;            (b) where capable of creating a safety hazard by being shifted by flood waters, are contained in order to minimise movement in times of flood.</p> <p>Notes -            (a) Businesses should ensure that they have the necessary contingency plans in place to account for the potential need to relocate property prior to a flood event (e.g. allow enough time to transfer stock to the upstairs level of a building or off site).            (b) Queensland Government Fact Sheet 'Repairing your House after a Flood' provides information about water resilient products and building techniques.</p>	<p><b>Not applicable.</b></p>
<p><b>PO5</b>            Development directly, indirectly and cumulatively avoids any increase in water flow velocity or flood</p>	<p>For Operational works  <b>AO5.1</b></p>	<p><b>Complies with AO5.4</b></p>





Performance outcomes	Acceptable outcomes	Applicant response
<p>level and does not increase the potential flood damage either on site or on other properties.</p> <p>Note – Berms and mounds are considered to be an undesirable built form outcome and are not supported.</p>	<p>Works in urban areas associated with the proposed development do not involve:</p> <ul style="list-style-type: none"> <li>(a) any physical alteration to a watercourse or floodway including vegetation clearing; or</li> <li>(b) a net increase in filling (including berms and mounds).</li> </ul> <p><b>AO5.2</b></p> <p>Works (including buildings and earthworks) in non urban areas either:</p> <ul style="list-style-type: none"> <li>(a) do not involve a net increase in filling greater than 50m<sup>3</sup>; or</li> <li>(b) do not result in any reductions of on-site flood storage capacity and contain within the subject site any changes to depth/duration/velocity of flood waters;</li> </ul> <p>or</p> <ul style="list-style-type: none"> <li>(c) do not change flood characteristics outside the subject site in ways that result in: <ul style="list-style-type: none"> <li>(i) loss of flood storage;</li> <li>(ii) loss of/changes to flow paths;</li> <li>(iii) acceleration or retardation of flows or any reduction in flood warning times elsewhere on the flood plain.</li> </ul> </li> </ul>	



Performance outcomes	Acceptable outcomes	Applicant response
	<p>For Material change of use</p> <p><b>AO5.3</b> Where development is located in an area affected by DFE/Storm tide, a hydraulic and hydrology report, prepared by a suitably qualified professional, demonstrates that the development maintains the flood storage capacity on the subject site; and</p> <p>(a) does not increase the volume, velocity, concentration of flow path alignment of stormwater flow across sites upstream, downstream or in the general vicinity of the subject site; and</p> <p>(b) does not increase ponding on sites upstream, downstream or in the general vicinity of the subject site.</p> <p>For Material change of use and Reconfiguring a lot</p> <p><b>AO5.4</b> In non urban areas, buildings and infrastructure are set back 50 metres from natural riparian corridors to maintain their natural function of reducing velocity of floodwaters.</p> <p>Note – Fences and irrigation infrastructure (e.g. irrigation tape) in rural areas should be managed to minimise adverse the impacts that they may have on downstream properties in the event of a flood.</p>	
<p><b>PO6</b> Development avoids the release of hazardous materials into floodwaters.</p>	<p>For Material change of use</p> <p><b>AO6.1</b> Materials manufactured or stored on site are not hazardous or noxious, or comprise materials that may cause a detrimental effect on the environment if discharged in a flood event;</p> <p>or</p> <p><b>AO6.2</b></p>	<p><b>Not applicable.</b></p>



Performance outcomes	Acceptable outcomes	Applicant response
	<p>If a DFE level is adopted, structures used for the manufacture or storage of hazardous materials are:</p> <ul style="list-style-type: none"> <li>(a) located above the DFE level;</li> <li>or</li> <li>(b) designed to prevent the intrusion of floodwaters.</li> </ul> <p><b>AO6.3</b> Infrastructure is designed and constructed to resist hydrostatic and hydrodynamic forces as a result of inundation by the DFE.</p> <p><b>AO6.4</b> If a flood level is not adopted, hazardous materials and their manufacturing equipment are located on the highest part of the site to enhance flood immunity and designed to prevent the intrusion of floodwaters.</p> <p><small>Note – Refer to <i>Work Health and Safety Act 2011</i> and associated Regulation and Guidelines, the <i>Environmental Protection Act 1994</i> and the relevant building assessment provisions under the <i>Building Act 1975</i> for requirements related to the manufacture and storage of hazardous materials.</small></p>	
<p><b>PO7</b> The development supports, and does not unduly burden, disaster management response or recovery capacity and capabilities.</p>	<p><b>AO7</b> Development does not:</p> <ul style="list-style-type: none"> <li>(a) increase the number of people calculated to be at risk of flooding;</li> <li>(b) increase the number of people likely to need evacuation;</li> <li>(c) shorten flood warning times; and</li> <li>(d) impact on the ability of traffic to use evacuation routes, or unreasonably increase traffic volumes on evacuation routes.</li> </ul>	<p><b>Complies with AO7.</b></p> <p><b>The development does not increase the number of people at risk to flooding.</b></p>
<p><b>PO8</b> Development involving community infrastructure: (a) remains functional to serve community need during and immediately after a flood event; is designed, sited and operated to avoid adverse impacts on the community or environment due to</p>	<p><b>AO8.1</b> The following uses are not located on land inundated during a DFE/Storm tide:</p> <ul style="list-style-type: none"> <li>(b) community residence; and</li> <li>(b) emergency services; and</li> <li>(c) residential care facility; and</li> </ul>	<p><b>Not applicable.</b></p>



Performance outcomes	Acceptable outcomes	Applicant response
<p>impacts of flooding on infrastructure, facilities or access and egress routes; retains essential site access during a flood event; is able to remain functional even when other infrastructure or services may be compromised in a flood event.</p>	<p>(d) utility installations involving water and sewerage treatment plants; and (e) storage of valuable records or items of historic or cultural significance (e.g. archives, museums, galleries, libraries).</p> <p>or</p> <p><b>AO8.2</b> The following uses are not located on land inundated during a 1% AEP flood event:</p> <p>(a) community and cultural facilities, including facilities where an education and care service under the Education and Care Services National law (Queensland) is operated or child care service under the <i>Child Care Act 2002</i> is conducted, (b) community centres; (c) meeting halls; (d) galleries; (e) libraries.</p> <p>The following uses are not located on land inundated during a 0.5% AEP flood event.</p> <p>(a) emergency shelters; (b) police facilities; (c) sub stations; (d) water treatment plant</p> <p>The following uses are not located on land inundated during a 0.2% AEP flood event:</p> <p>(a) correctional facilities; (b) emergency services; (c) power stations; (d) major switch yards.</p> <p>and/or</p> <p><b>AO8.3</b></p>	



Performance outcomes	Acceptable outcomes	Applicant response
	<p>The following uses have direct access to low hazard evacuation routes as defined in</p> <p>Table 8.2.4.3.c :</p> <ul style="list-style-type: none"> <li>(a) community residence; and</li> <li>(b) emergency services; and</li> <li>(c) hospitals; and</li> <li>(d) residential care facility; and</li> <li>(e) sub stations; and</li> <li>(f) utility installations involving water and sewerage treatment plants.</li> </ul> <p><b>AO8.4</b> Any components of infrastructure that are likely to fail to function or may result in contamination when inundated by flood, such as electrical switch gear and motors, telecommunications connections, or water supply pipeline air valves are:</p> <ul style="list-style-type: none"> <li>(a) located above DFE/Storm tide or the highest known flood level for the site;</li> <li>(b) designed and constructed to exclude floodwater intrusion / infiltration.</li> </ul> <p><b>AO8.5</b> Infrastructure is designed and constructed to resist hydrostatic and hydrodynamic forces as a result of inundation by a flood.</p>	

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

Minimum immunity to be achieved (floor levels)	Uses and elements of activities acceptable in the event
20% AEP level	<ul style="list-style-type: none"> <li>• Parks and open space.</li> </ul>
5% AEP level	<ul style="list-style-type: none"> <li>• Car parking facilities (including car parking associated with use of land).</li> </ul>
1% AEP level	<ul style="list-style-type: none"> <li>• All development (where not otherwise requiring an alternative level of minimum immunity).</li> </ul>



0.5% AEP level	<ul style="list-style-type: none"><li>• Emergency services (if for a police station);</li><li>• Industry activities (if including components which store, treat or use hazardous materials);</li><li>• Substation;</li><li>• Utility installation.</li></ul>
0.2% AEP level	<ul style="list-style-type: none"><li>• Emergency services;</li><li>• Hospital;</li><li>• Major electricity infrastructure;</li><li>• Special industry.</li></ul>



**Table 8.2.4.3.c - Degree of flood**

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

Note: The evacuation times for various facilities or areas would (but not necessarily) be included in the Counter Disaster Plan.  
Generally safe wading conditions assume even walking surfaces and no obstructions, steps, soft underfoot etc.

## **8.2.6 Landscape values overlay code**

### **8.2.6.1 Application**

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

### **8.2.6.2 Purpose**

- (1) The purpose of the Landscape values overlay code is to:
  - (a) implement the policy direction of the Strategic Framework, in particular:
    - (i) Theme 2: Environment and landscape values Element 3.5.5 Scenic amenity;
    - (ii) Theme 3: Natural resource management Element 3.6.4 – Resource extraction.
  - (b) enable an assessment of whether development is suitable on land within the Landscape values overlay sub-categories.
- (2) The purpose of the code will be achieved through the following overall outcomes:
  - (a) areas of High landscape value are protected, retained and enhanced;
  - (b) areas of Medium landscape value are managed to integrate and limit the visual impact of development;
  - (c) the landscape values of the Coastal scenery area are managed to integrate and limit the visual impact of development;
  - (d) development maintains and enhances the significant landscape elements and features which contribute to the distinctive character and identity of Douglas Shire;
  - (e) ridges and vegetated hillslopes are not developed in a way that adversely impacts on landscape values;
  - (f) watercourses, forested mountains and coastal landscape character types remain predominantly natural in appearance in order to maintain the region's diverse character and distinctive tropical image, in particular:
    - (i) areas in the coastal landscape character type which are predominantly natural and undeveloped in appearance retain this natural landscape

character;

- (ii) watercourses which are predominantly natural and undeveloped in appearance retain this natural landscape character;
- (iii) the rural character of cane fields and lowlands landscape character types which are predominantly rural or natural in appearance are maintained;
- (iv) landscape values are maintained when viewed from lookouts, scenic routes, gateways and public places.
- (g) views towards High landscape value areas and the Coral Sea are not diminished;
- (h) development is consistent with the prevailing landscape character of its setting, and is neither visually dominant nor visually intrusive;
- (i) advertising devices do not detract from the landscape values, character types or amenity of an area.

### Criteria for assessment

Table 8.2.6.3.z – Landscape values overlay code – assessable development

Performance outcomes	Acceptable outcomes	Applicant response
<b>For assessable development</b>		
<b>Development in a High landscape value area</b>		
<b>PO1</b> Development within High landscape value areas identified on the Landscape values overlay maps contained in Schedule 2: <ul style="list-style-type: none"> <li>(a) avoids detrimental impacts on the landscape values of forested skylines, visible hillslopes, ridgelines, the coastal foreshore or the shoreline of other water bodies through the loss of vegetation;</li> <li>(b) is effectively screened from view from a road, lookout or other public place by an existing natural landform or native vegetation, or will be effectively screened by native vegetation within 3 years of construction;</li> </ul>	<b>AO1.1</b> Buildings and structures are not more than 8.5 metres and two storeys in height.  Note - Height is inclusive of roof height.  <b>AO1.2</b> Buildings and structures are setback not less than 50 metres from ridgelines or peaks.  <b>AO1.3</b> Development is screened from view from roads or other public places by an existing natural landform or an existing native vegetation buffer.	<b>Not applicable.</b>
<ul style="list-style-type: none"> <li>(c) retains existing vegetation and incorporates new landscaping to enhance existing vegetation and visually soften built form elements;</li> <li>(d) incorporates development of a scale, design, height, position on site, construction materials and external finishes that are compatible with the landscape values of the locality;</li> </ul>	<b>AO1.4</b> Where development on land steeper than 1 in 6 (16.6%) cannot be avoided: (c) development follows the natural; contours of the site; buildings are split level or suspended floor construction, or a combination of the two;	




Performance outcomes	Acceptable outcomes	Applicant response
<p>(e) avoids detrimental impacts on landscape values and excessive changes to the natural landform as a result of the location, position on site, scale, design, extent and alignment of earthworks, roads, driveways, retaining walls and other on-ground or in-ground infrastructure;</p> <p>(f) avoids detrimental impacts on landscape values and views as a result of the location, position on site, scale, design and alignment of telecommunications facilities, electricity towers, poles and lines and other tall infrastructure;</p> <p>(g) extractive industry operations are avoided.</p> <p>Note - A visual impact assessment is undertaken in accordance with Planning scheme policy SC6.6 – Landscape values in order to satisfy performance outcomes.</p>	<p>lightweight materials are used to areas with suspended floors.</p> <p>Note - Examples of suitable lightweight materials include timber or fibre cement boards or sheeting for walls and factory treated metal sheeting for walls and roofs.</p> <p><b>AO1.5</b> The external features, walls and roofs of buildings and structures have a subdued and non-reflective palette.</p> <p>Note - Examples of suitable colours include shades of green, olive green, blue green, grey green, green blue, indigo, brown, blue grey, and green yellow.</p> <p><b>AO1.6</b> No clearing of native vegetation occurs on land with a slope greater than 1 in 6 (16.5%).</p> <p><b>AO1.7</b> Where for accommodation activities or reconfiguration of a lot in a High landscape value area, development demonstrates that the height, design, scale, positioning on-site, proposed construction materials and external finishes are compatible with the landscape values.</p> <p>Note - A visual impact assessment undertaken in accordance with Planning scheme policy SC6.6 – Landscape values may be required.</p> <p><b>AO1.8</b> Advertising devices do not occur.</p>	
<b>Development within the Medium landscape value area</b>		
<p><b>PO2</b> Development within Medium landscape value areas identified on the Landscape values overlay maps contained in Schedule 2:</p> <p>(a) avoids detrimental impacts on the landscape values of forested skylines, visible hillslopes, ridgelines, the coastal foreshore or the</p>	<p><b>AO2.1</b> Buildings and structures are not more than 8.5 metres and two storeys in height.</p> <p>Note - Height is inclusive of the roof height.</p> <p><b>AO2.2</b></p>	Not applicable.



Performance outcomes	Acceptable outcomes	Applicant response
<p>shoreline of other water bodies through the loss of vegetation;</p> <p>(b) is effectively screened from view from a road, lookout or other public place by an existing natural landform or native vegetation, or will be effectively screened by native vegetation within 5 years of construction;</p> <p>(c) retains existing vegetation and incorporates new landscaping to enhance existing vegetation and visually soften built form elements;</p> <p>(d) incorporates development of a scale, design, height, position on site, construction materials and external finishes that are compatible with the landscape values of the locality;</p> <p>(e) avoids detrimental impacts on landscape values and excessive changes to the natural landform as a result of the location, position on site, scale, design and alignment of earthworks, roads, driveways, retaining walls and other on-ground or in-ground infrastructure;</p> <p>(f) avoids detrimental impacts on landscape values and views as a result of the location, position on site, scale, design and alignment of telecommunications facilities, electricity towers, poles and lines and other tall infrastructure;</p> <p>(g) extractive industry operations are avoided, or where they cannot be avoided, are screened from view.</p> <p>Note - A visual impact assessment is undertaken in accordance with Planning scheme policy SC6.6 – Landscape values in order to satisfy performance outcomes.</p>	<p>Development is screened from view from roads or other public places by an existing natural landform or an existing native vegetation buffer.</p> <p><b>AO2.3</b> Where development on land steeper than 1 in 6 (16.6%) cannot be avoided:</p> <p>(a) development follows the natural; contours of the site;</p> <p>(b) buildings are split level or suspended floor construction, or a combination of the two;</p> <p>(c) lightweight materials are used to areas with suspended floors.</p> <p>Note - Examples of suitable lightweight materials include timber or fibre cement boards or sheeting for walls and factory treated metal sheeting for walls and roofs.</p> <p><b>AO2.4</b> The external features, walls and roofs of buildings and structures have a subdued and non-reflective palette.</p> <p>Note - Examples of suitable colours include shades of green, olive green, blue green, grey green, green blue, indigo, brown, blue grey, and green yellow.</p> <p><b>AO2.5</b> No clearing of native vegetation occurs on land with a slope greater than 1 in 6 (16.6%).</p> <p><b>AO2.6</b> Advertising devices do not occur.</p>	
<b>Development within a Scenic route buffer / view corridor area</b>		
<p><b>PO3</b> Development within a Scenic route buffer / view corridor area as identified on the Landscape values overlay maps contained in Schedule 2:</p>	<p><b>AO3.1</b> Where within a Scenic route buffer / view corridor area, the height of buildings and structures is not more than identified within the acceptable outcomes of the applicable zone code.</p>	<p><b>Complies with PO3.</b></p> <p><b>The western portion of the site is located in a scenic route buffer area. The western boundary of the lot abuts the road reserve</b></p>



Performance outcomes	Acceptable outcomes	Applicant response
<p>(a) retains visual access to views of the surrounding landscape, the sea and other water bodies;</p> <p>(b) retains existing vegetation and incorporates landscaping to visually screen and soften built form elements whilst not impeding distant views or view corridors;</p> <p>(c) incorporates building materials and external finishes that are compatible with the visual amenity and the landscape character;</p> <p>(d) minimises visual impacts on the setting and views in terms of:</p> <p>(e) the scale, height and setback of buildings;</p> <p>(f) the extent of earthworks and impacts on the landform including the location and configuration of access roads and driveways;</p> <p>(g) the scale, extent and visual prominence of advertising devices.</p> <p>Note - A visual impact assessment is undertaken in accordance with Planning scheme policy SC6.6 – Landscape values in order to satisfy performance outcomes.</p>	<p><b>AO3.2</b> No clearing of native vegetation is undertaken within a Scenic route buffer area.</p> <p><b>AO3.3</b> Where within a Scenic route buffer / view corridor area development is set back and screened from view from a scenic route by existing native vegetation with a width of at least 10 metres and landscaped in accordance with the requirements of the landscaping code.</p> <p><b>AO3.4</b> Development does not result in the replacement of, or creation of new, additional, or enlarged advertising devices.</p>	<p>and is approximately 60m from the physical roadway. The road is bordered by a row of the iconic oil palms. One palm will be required to be removed to allow for the road access to the new lots.</p>  <p>No clearing of native vegetation will occur as a result of the development.</p> <p>No advertising devices are proposed as part of the development.</p>
Development within the Coastal scenery area		
<p><b>PO4</b> The landscape values of the Coastal scenery zone as identified on the Landscape values overlay maps contained in Schedule 2 are managed to integrated and limit the visual impact of development.</p> <p>Note - A visual impact assessment is undertaken in accordance with Planning scheme policy SC6.6 – Landscape values in order to satisfy performance outcomes.</p>	<p><b>AO4.1</b> The dominance of the natural character of the coast is maintained or enhanced when viewed from the foreshore.</p> <p><b>AO4.2</b> Where located adjacent to the foreshore buildings and structures are setback:</p> <p>(a) Where no adjoining development, a minimum of 50 metres from the coastal high water mark and the setback area is landscaped with a native</p>	<p>Not applicable.</p>





Performance outcomes	Acceptable outcomes	Applicant response
	<p>vegetation buffer that has a minimum width of 25 metres; or</p> <p>(b) Where there is adjoining development, setbacks will be consistent with that of adjoining buildings and structures, but not less than 10 metres from the coastal high water mark. The setback area is landscaped in accordance with the requirements of the Landscaping code.</p> <p><b>AO4.3</b> Where separated from the foreshore by land contained within public ownership (e.g. unallocated State land, esplanade or other public open space), buildings and structures area setback:</p> <p>(a) where no adjoining development, a minimum of 6 metres from the coastward property boundary. The setback area is landscaped in accordance with the requirements of the Landscaping code; or</p> <p>(b) where there is adjoining development, setbacks will be consistent with that of adjoining buildings and structures. The setback area is landscaped in accordance with the requirements of the Landscaping code.</p>	
<p><b>PO5</b> Development is to maximise opportunities to maintain and/or enhance natural landscape values through the maintenance and restoration of vegetated buffers between development and coastal waters, where practical.</p> <p>Note – A visual impact assessment is undertaken in accordance with Planning scheme policy SC6.6 – Landscape values in satisfaction of a performance outcome.</p>	<p><b>AO5</b> No clearing of native vegetation is undertaken within a Coastal scenery area zone, except for exempt vegetation damage undertaken in accordance with the Vegetation management code</p>	<p><b>Not applicable.</b></p>



## 8.2.10 Transport network overlay code

### 8.2.10.1 Application

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

### 8.2.10.2 Purpose

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

### Criteria for assessment

Table 8.2.10.3 a – Transport network overlay code – assessable development

Performance outcomes	Acceptable outcomes	Applicant response
<b>For assessable development</b>		
<b>PO1</b> Development supports the road hierarchy for the region.  Note -A Traffic impact assessment report prepared in accordance with Planning scheme policy SC6.10 - Parking and access is one way to demonstrate achievement of the Performance Outcomes.	<b>AO1.1</b> Development is compatible with the intended role and function of the transport network as identified on the Transport network overlay maps contained in Schedule 2.  <b>AO1.2</b> Development does not compromise the safety and efficiency of the transport network.	<b>Complies with AO1.1.</b>  <b>The site access is currently provided from Port Douglas Road which is a State controlled arterial road.</b>  <b>Complies with AO1.2</b>  <b>he proposed new access road entrance is approximately 40m further from the Port Douglas Road and Old Port Road intersection which should improve the performance of the road network. The new access is also out of the turning lane zone for the Old Port Road.</b>




Performance outcomes	Acceptable outcomes	Applicant response
		<p>The development will be referred to SARA for response from TMR.</p> <p>Complies with AO1.3.</p> <p>This is the only available access point for the development.</p>



Performance outcomes	Acceptable outcomes	Applicant response
	<b>AO1.3</b> Development is designed to provide access via the lowest order road, where legal and practicable access can be provided to that road.	
<b>PO2</b> Transport infrastructure is provided in an integrated and timely manner.  Note - A Traffic impact assessment report prepared in accordance with Planning scheme policy SC6.10 - Parking and access is one way to demonstrate achievement of the Performance Outcomes.	<b>AO2</b> Development provides infrastructure (including improvements to existing infrastructure) in accordance with: (a) the Transport network overlay maps contained in Schedule 2; (b) any relevant Local Plan.  Note – The Translink Public Transport Infrastructure Manual provides guidance on the design of public transport facilities.	<b>Complies with AO2.</b>  <b>The site will have left-in and left-out access only. Proposed improvements to Port Douglas Road include road widening as shown on the plans of development.</b>
<b>PO3</b> Development involving sensitive land uses within a major transport corridor buffer area is located, designed and maintained to avoid or mitigate adverse impacts on amenity for the sensitive land use.	<b>AO3</b> No acceptable outcomes are prescribed.  Note – Part 4.4 of the Queensland Development Code provides requirements for residential building design in a designated transport noise corridor.	<b>Not applicable as the development is reconfiguring a lot only.</b>  <b>The western portion of the site is located within the Transport Noise Corridors mandatory area category 1.</b>  <b>Future dwellings located on proposed lots 1 and 9 will need to be designed to avoid adverse impacts on the amenity of the future residents.</b>





Performance outcomes	Acceptable outcomes	Applicant response
		
<p><b>PO4</b> Development does not compromise the intended role and function or safety and efficiency of major transport corridors.</p> <p>Note - A Traffic impact assessment report prepared in accordance with Planning scheme policy SC6.10 - Parking and access is one way to demonstrate achievement of the Performance Outcomes.</p>	<p><b>AO4.1</b> Development is compatible with the role and function (including the future role and function) of major transport corridors.</p> <p><b>AO4.2</b> Direct access is not provided to a major transport corridor where legal and practical access from another road is available.</p>	<p><b>Complies with AO4.1</b></p> <p><b>The site access is currently provided from Port Douglas Road which is a State controlled arterial road. The development will be referred to SARA for response from TMR.</b></p> <p><b>Complies with AO4.2.</b></p> <p><b>Port Douglas Road is the only available access point for the development.</b></p>



Performance outcomes	Acceptable outcomes	Applicant response
	<p><b>AO4.3</b> Intersection and access points associated with major transport corridors are located in accordance with:</p> <ul style="list-style-type: none"> <li>(a) the Transport network overlay maps contained in Schedule 2; and</li> <li>(b) any relevant Local Plan.</li> </ul> <p><b>AO4.4</b> The layout of development and the design of the associated access is compatible with existing and future boundaries of the major transport corridor or major transport facility.</p>	<p><b>Complies with AO4.3.</b></p> <p><b>The site currently has access from the State controlled Port Douglas Road which is an arterial road. A new access will be required for the development. This is the only available practical access to the site.</b></p> <p><b>The site is adjacent to the principle cycling network route along Port Douglas Road.</b></p> <p><b>The development will be referred to SARA for TMR comment.</b></p> <p><b>AO4.4 is not applicable as there is no major transport corridor or facility.</b></p>
<p><b>PO5</b> Development retains and enhances existing vegetation between a development and a major transport corridor, so as to provide screening to potential noise, dust, odour and visual impacts emanating from the corridor.</p>	<p><b>AO5</b> No acceptable outcomes are prescribed.</p>	<p><b>Complies with PO5.</b></p> <p><b>Existing vegetation on the site will be retained. A single oil palm will be required to be removed to allow for the access road to the new lots.</b></p>
<b>Pedestrian and cycle network</b>		
<p><b>PO6</b> Lot reconfiguration assists in the implementation of the pedestrian and cycle movement network to achieve safe, attractive and efficient pedestrian and cycle networks</p>	<p><b>AO6.1</b> Where a lot is subject to, or adjacent to an element of the pedestrian and cycle Movement network (identified on the Transport network overlay maps contained in Schedule 2) the specific location of this element of the pedestrian and cycle network is incorporated in the design of the lot layout.</p> <p><b>AO6.2</b> The element of the pedestrian and cycle network is constructed in accordance with the Design Guidelines set out in Sections D4 and D5 of the Planning scheme policy SC6.5 – FNQROC Regional Development Manual.</p>	<p><b>Complies with AO6.1.</b></p> <p><b>The site is located adjacent to the principle cycling network route running parallel to Port Douglas Road. This path will provide pedestrian and cycling access to the site.</b></p> <p><b>AO6.2 is not applicable.</b></p>



## 9.4.1 Access, parking and servicing code

### 9.4.1.1 Application

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

### 9.4.1.2 Purpose

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

### 9.4.1.3 Criteria for assessment

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

Performance outcomes		Acceptable outcomes
For self-assessable and assessable development		
<b>PO1</b> Sufficient on-site car parking is provided to cater for the amount and type of vehicle traffic expected to be generated by the use or uses of the site, having particular regard to: <ul style="list-style-type: none"> <li>(a) the desired character of the area;</li> <li>(b) the nature of the particular use and its specific characteristics and scale;</li> <li>(c) the number of employees and the likely number of visitors to the site;</li> <li>(d) the level of local accessibility;</li> <li>(e) the nature and frequency of any public transport serving the area;</li> <li>(f) whether or not the use involves the retention</li> </ul>	<b>AO1.1</b> The minimum number of on-site vehicle parking spaces is not less than the number prescribed in Table 9.4.1.3.b for that particular use or uses.  Note - Where the number of spaces calculated from the table is not a whole number, the number of spaces provided is the next highest whole number.  <b>AO1.2</b> Car parking spaces are freely available for the parking of vehicles at all times and are not used for external storage purposes, the display of products or rented/sub-leased.	Not applicable.
of an existing building and the previous requirements for car parking for the building <ul style="list-style-type: none"> <li>(g) whether or not the use involves a heritage building or place of local significance;</li> <li>(h) whether or not the proposed use involves the retention of significant vegetation.</li> </ul>	<b>AO1.3</b> Parking for motorcycles is substituted for ordinary vehicle parking to a maximum level of 2% of total ordinary vehicle parking.  <b>AO1.4</b> For parking areas exceeding 50 spaces parking, is provided for recreational vehicles as a substitute for ordinary vehicle parking to a maximum of 5% of total ordinary vehicle parking rate.	Not applicable.
<b>PO2</b> Vehicle parking areas are designed and constructed in accordance with relevant standards.	<b>AO2</b> Vehicle parking areas are designed and constructed in accordance with Australian Standard: <ul style="list-style-type: none"> <li>(a) AS2890.1;</li> <li>(b) AS2890.3;</li> <li>(c) AS2890.6.</li> </ul>	Not applicable.



<p><b>PO3</b></p> <p>Access points are designed and constructed:</p> <ul style="list-style-type: none"> <li>(a) to operate safely and efficiently;</li> <li>(b) to accommodate the anticipated type and volume of vehicles</li> <li>(c) to provide for shared vehicle (including cyclists) and pedestrian use, where appropriate;</li> <li>(d) so that they do not impede traffic or pedestrian movement on the adjacent road area;</li> <li>(e) so that they do not adversely impact upon existing intersections or future road or intersection improvements;</li> <li>(f) so that they do not adversely impact current and future on-street parking arrangements;</li> <li>(g) so that they do not adversely impact on existing services within the road reserve adjacent to the site;</li> <li>(h) so that they do not involve ramping, cutting of the adjoining road reserve or any built structures (other than what may be necessary to cross over a stormwater channel).</li> </ul>	<p><b>AO3.1</b></p> <p>Access is limited to one access cross over per site and is an access point located, designed and constructed in accordance with:</p> <ul style="list-style-type: none"> <li>(a) Australian Standard AS2890.1;</li> <li>(b) Planning scheme policy SC6.5 – FNQROC Regional Development Manual - access crossovers.</li> </ul> <p><b>AO3.2</b></p> <p>Access, including driveways or access crossovers:</p> <ul style="list-style-type: none"> <li>(a) are not placed over an existing: <ul style="list-style-type: none"> <li>(i) telecommunications pit;</li> <li>(ii) stormwater kerb inlet;</li> <li>(iii) sewer utility hole;</li> <li>(iv) water valve or hydrant.</li> </ul> </li> <li>(b) are designed to accommodate any adjacent footpath;</li> <li>(c) adhere to minimum sight distance requirements in accordance with AS2980.1.</li> </ul> <p><b>AO3.3</b></p> <p>Driveways are:</p> <ul style="list-style-type: none"> <li>(a) designed to follow as closely as possible to the existing contours, but are no steeper than the gradients outlined in Planning scheme policy SC6.5 – FNQROC Regional Development Manual;</li> <li>(b) constructed such that where there is a grade shift to 1 in 4 (25%), there is an area with a grade of no more than 1 in 6 (16.6%) prior to this area, for a distance of at least 5 metres;</li> <li>(c) on gradients greater than 1 in 6 (16.6%) driveways are constructed to ensure the cross-fall of the driveway is one way and directed into the hill, for vehicle safety and drainage purposes;</li> </ul>	<p><b>The development with Comply with AO3.1, 3.2, 3.3, and 3.4.</b></p>
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Performance outcomes	Acceptable outcomes
	<p>(d) constructed such that the transitional change in grade from the road to the lot is fully contained within the lot and not within the road reserve;</p> <p>(e) designed to include all necessary associated drainage that intercepts and directs storm water runoff to the storm water drainage system.</p> <p><b>A03.4</b> Surface construction materials are consistent with the current or intended future streetscape or character of the area and contrast with the surface construction materials of any adjacent footpath.</p>
<p><b>PO4</b> Sufficient on-site wheel chair accessible car parking spaces are provided and are identified and reserved for such purposes.</p>	<p><b>A04</b> The number of on-site wheel chair accessible car parking spaces complies with the rates specified in AS2890 Parking Facilities.</p> <p><b>Not applicable.</b></p>
<p><b>PO5</b> Access for people with disabilities is provided to the building from the parking area and from the street.</p>	<p><b>A05</b> Access for people with disabilities is provided in accordance with the relevant Australian Standard.</p> <p><b>Not applicable.</b></p>
<p><b>PO6</b> Sufficient on-site bicycle parking is provided to cater for the anticipated demand generated by the development.</p>	<p><b>A06</b> The number of on-site bicycle parking spaces complies with the rates specified in Table 9.4.1.3.b.</p> <p><b>Not applicable.</b></p>



<p><b>PO7</b> Development provides secure and convenient bicycle parking which:</p> <ul style="list-style-type: none"> <li>(a) for visitors is obvious and located close to the building's main entrance;</li> <li>(b) for employees is conveniently located to provide secure and convenient access between the bicycle storage area, end-of-trip facilities and the main area of the building;</li> <li>(c) is easily and safely accessible from outside the site.</li> </ul>	<p><b>AO7.1</b> Development provides bicycle parking spaces for employees which are co-located with end-of-trip facilities (shower cubicles and lockers);</p> <p><b>AO7.2</b> Development ensures that the location of visitor bicycle parking is discernible either by direct view or using signs from the street.</p> <p><b>AO7.3</b> Development provides visitor bicycle parking which does not impede pedestrian movement.</p>	<p><b>Not applicable.</b></p>
<p><b>PO8</b> Development provides walking and cycle routes through the site which:</p> <ul style="list-style-type: none"> <li>(a) link to the external network and pedestrian and cyclist destinations such as schools, shopping centres, open space, public transport stations, shops and local activity centres along the safest, most direct and convenient routes;</li> <li>(b) encourage walking and cycling;</li> <li>(c) ensure pedestrian and cyclist safety.</li> </ul>	<p><b>AO8</b> Development provides walking and cycle routes which are constructed on the carriageway or through the site to:</p> <ul style="list-style-type: none"> <li>(a) create a walking or cycle route along the full frontage of the site;</li> <li>(b) connect to public transport and existing cycle and walking routes at the frontage or boundary of the site.</li> </ul>	<p><b>Complies with AO8.</b></p> <p><b>Walking and cycling route will be within the carriageway of the proposed access road which will connect with the principle cycling network route on Port Douglas Road.</b></p>
<p><b>PO9</b> Access, internal circulation and on-site parking for service vehicles are designed and constructed:</p> <ul style="list-style-type: none"> <li>(a) in accordance with relevant standards;</li> </ul>	<p><b>AO9.1</b> Access driveways, vehicle manoeuvring and on-site parking for service vehicles are designed and constructed in accordance with AS2890.1 and</p>	<p><b>AO9.1 and AO9.2 are not applicable as the development is reconfiguring a lot only.</b></p> <p><b>Access driveways and on-site parking will be designed as part of future dwelling design.</b></p>



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

**Table 9.4.1.3.b – Access, parking and servicing requirements**

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

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



Land use	Minimum number of ordinary vehicle parking spaces	Minimum number of bicycle spaces	End of trip facilities	Minimum standard design service vehicle (refer to Table 9.4.1.3c)
Agricultural supplies store	1 space per 50m <sup>2</sup> of GFA and outdoor display area.	1 space per 200m <sup>2</sup> of GFA.	n/a	LRV
Air services	1 car space per 20m <sup>2</sup> of covered reception area, plus 1 car space per 2 staff, plus a covered bus set down area adjacent to the entry of the reception area and 2 bus parking spaces.	n/a	n/a	LRV
Land use	Minimum number of ordinary vehicle parking spaces	Minimum number of bicycle spaces	End of trip facilities	Minimum standard design service vehicle (refer to Table 9.4.1.3c)
Bulk landscape supplies	1 space per 50m <sup>2</sup> GFA and outdoor display area.	1 space per 200m <sup>2</sup> of GFA.	n/a	MRV
Caretaker's accommodation	A minimum of 1 space	n/a	n/a	n/a



Child care centre	1 space per 10 children to be used for setting down and picking up of children, with a minimum of 3 car spaces to be provided for set down and collection; plus 1 space per employee. Any drive-through facility can provide tandem short term parking for 3 car spaces for setting down/picking up of children, on the basis that a passing lane is provided and line-marked to be kept clear of standing vehicles at all times.	n/a	n/a	VAN
Club	Unlicensed clubrooms: 1 space per 45m <sup>2</sup> of GFA. Licensed clubrooms: 1 space per 15m <sup>2</sup> of GFA.	1 space per 4 employees.	n/a	Licensed and equal or greater than 1500m <sup>2</sup> : RCV Other: VAN
Community care centre	1 space per 20m <sup>2</sup> of GFA.	A minimum of 1 space.	n/a	RCV
Community residence	A minimum of 2 spaces.	A minimum of 1 space.	n/a	VAN
Community use	1 space per 15m <sup>2</sup> GFA.	1 space per 100m <sup>2</sup> of GFA.	n/a	RCV
Dual occupancy	A minimum of 2 spaces per dwelling unit which may be in tandem with a minimum of 1 covered space per dwelling unit.	n/a	n/a	n/a
Dwelling house	A minimum of 2 spaces which may be in tandem plus 1 space for a secondary dwelling	n/a	n/a	n/a
Dwelling unit	1.5 spaces per one or two bedroom unit; or 2 spaces per three bedroom unit.	n/a	n/a	n/a



Educational establishment	Primary school or secondary schools: 1 car space per 2 staff members, plus provision of space to be used	Primary school or secondary schools: 1 space per 5	Required for all educational establishments with a GFA	RCV
Land use	Minimum number of ordinary vehicle parking spaces	Minimum number of bicycle spaces	End of trip facilities	Minimum standard design service vehicle (refer to Table 9.4.1.3c)
	for setting down and picking up of students. Tertiary and further education: 1 car space per 2 staff members, plus 1 car space per 10 students, plus provision of space to be used for setting down and picking up of students.	students over year 4. Tertiary and further education: 2 spaces per 50 full time students.	greater than 2000m <sup>2</sup> .	
Food and drink outlet	1 space per 25m <sup>2</sup> GFA and outdoor dining area. or If within Precinct 1 : Port Douglas precinct in the Port Douglas / Craiglie local plan or if with Precinct 5: Town centre precinct in the Mossman local plan: 1 space per 50m <sup>2</sup> of GFA, and outdoor dining area.	1 space per 100m <sup>2</sup> of GFA, and outdoor dining area.	n/a	See Table 9.4.1.3.d
Function facility	1 space per 15m <sup>2</sup> GFA.	1 space per 100m <sup>2</sup> of GFA.	n/a	RCV
Funeral parlour	1 space per 15m <sup>2</sup> GFA.	n/a	n/a	RCV
Garden centre	1 space per 50m <sup>2</sup> GFA and outdoor display area	1 space per 200m <sup>2</sup> of GFA.	n/a	AV
Hardware and trade supplies	1 space per 50m <sup>2</sup> GFA and outdoor display area	1 space per 200m <sup>2</sup> of GFA.	n/a	AV





Health care services	1 space per 20m <sup>2</sup> of GFA.	1 space per 100m <sup>2</sup> of GFA.	Required for all health care services with a GFA greater than 2000m <sup>2</sup> .	VAN
High impact industry	1 space per 90m <sup>2</sup> of GFA.	n/a	n/a	AV
Home based business	The parking required for the dwelling house, plus 1 space per bedroom where the Home based business involves the provision of accommodation; or 1 space per 25m <sup>2</sup> GFA for any other Home Based Business.	n/a	n/a	n/a
Hospital	The greater of 1 space per 2 bedrooms or 1 space per 4 beds; plus 1 car space for ambulance parking, designated accordingly.	1 space per 100m <sup>2</sup> of GFA.	Required for all hospitals with a GFA greater than 2000m <sup>2</sup> .	RCV
Hotel	1 space per 10m <sup>2</sup> GFA and	1 space per	n/a	LRV

Land use	Minimum number of ordinary vehicle parking spaces	Minimum number of bicycle spaces	End of trip facilities	Minimum standard design service vehicle (refer to Table 9.4.1.3c)
	licensed outdoor area; plus For 1 space per 50m <sup>2</sup> GFA of floor area of liquor barn or bulk liquor sales area; plus, if a drive in bottle shop is provided, queuing lane/s on site for 12 vehicles. Note - Use standard for any Short Term Accommodation for hotel accommodation use.	100m <sup>2</sup> of GFA.		



Indoor sport and recreation	Squash court or another court game: 4 spaces per court. Basketball, netball, soccer, cricket: 25 spaces per court / pitch. Ten pin bowling: 3 spaces per bowling lane. Gymnasium: 1 space per 15m <sup>2</sup> of GFA.	1 space per 4 employees.	n/a	RCV
Low impact industry	1 space per 90m <sup>2</sup> of GFA.	n/a	n/a	AV
Marine industry	1 space per 90m <sup>2</sup> of GFA.	n/a	n/a	AV
Medium impact industry	1 space per 90m <sup>2</sup> of GFA.	n/a	n/a	AV
Multiple dwelling	If within Precinct 1 : Port Douglas precinct in the Port Douglas / Craiglie Local plan: 1 car space per dwelling unit. If outside Precinct 1 : Port Douglas precinct in the Port Douglas / Craiglie Local plan: 1.5 car spaces per dwelling unit In all cases 60% of the car parking area is to be covered.	1 bicycle space per 3 units and 1 visitor bicycle space per 12 units.	n/a	RCV (over 10 units)
Office	1 space per 25m <sup>2</sup> of GFA or If within Precinct 1 : Port Douglas precinct in the Port Douglas / Craiglie local plan or if with Precinct 5: Town centre precinct in the Mossman local plan: 1 space per 50m <sup>2</sup> of GFA	1 space per 200m <sup>2</sup> GFA	Required for all office development with a GFA greater than 2000m <sup>2</sup> .	See Table 9.4.1.3.e
Outdoor sales	1 space per 50m <sup>2</sup> GFA and outdoor display area	1 space per 200m <sup>2</sup> of GFA.	n/a	AV



Outdoor sport and recreation	Coursing, horse racing, pacing, trotting: 1 space per 5 seated spectators,	Football: 5 space per field.	n/a	RCV
Land use	Minimum number of ordinary vehicle parking spaces	Minimum number of bicycle spaces	End of trip facilities	Minimum standard design service vehicle (refer to Table 9.4.1.3c)
	<p>plus 1 space per 5m<sup>2</sup> of other spectator areas.</p> <p>Football: 50 spaces per field.</p> <p>Lawn bowls: 30 spaces per green.</p> <p>Swimming pool: 15 spaces; plus 1 space per 100m<sup>2</sup> of useable site area.</p> <p>Tennis court or other court game: 4 spaces per court.</p> <p>Golf course: 4 spaces per tee on the course.</p> <p>Note - Use standard for Club for clubhouse component.</p>	<p>Lawn bowls: 5 spaces per green.</p> <p>Swimming pool: 1 space per swimming lane.</p> <p>Tennis court or other court game: 4 space per court.</p> <p>Golf course: 1 space per 15m<sup>2</sup> of GFA for clubhouse component.</p>		
Place of worship	1 space per 15m <sup>2</sup> of GFA.	1 space per 100m <sup>2</sup> of GFA.	n/a	LRV



Relocatable home park	1 space per relocatable home site; plus 0.1 space per relocatable home site for visitor parking; plus 1 space for an on-site manager	n/a	n/a	LRV
Research and technology industry	1 space per 90m <sup>2</sup> of GFA.	n/a	n/a	MRV
Residential care facility	1 visitor car space per 5 bedroom units; plus 1 car space per 2 staff members	n/a	n/a	LRV
Resort complex	Use standard for relevant standard for each component.  For example: Use Short Term Accommodation standard for accommodation component and Food and Drink Outlet for restaurant component.	Use standard for relevant standard for each component.  For example: Use Short Term Accommodation standard for accommodation component and Food and	n/a	RCV

Land use	Minimum number of ordinary vehicle parking spaces	Minimum number of bicycle spaces	End of trip facilities	Minimum standard design service vehicle (refer to Table 9.4.1.3c)
		Drink Outlet for restaurant component.		



Retirement facility	1 space per dwelling unit; plus 1 visitor space per 5 dwelling units; plus 1 visitor car space per 10 hostel units, nursing home or similar beds, plus 1 car space per 2 staff members; plus 1 car parking space for ambulance parking.	n/a	n/a	LRV
Sales office	A minimum of 1 space.	n/a	n/a	n/a
Service industry	1 space per 90m <sup>2</sup> of GFA.	n/a	n/a	SRV
Service station	1 space per 25m <sup>2</sup> of GFA	n/a	n/a	AV
Shop	1 space per 25m <sup>2</sup> of GFA. or If within Precinct 1 : Port Douglas precinct in the Port Douglas / Craiglie local plan or if with Precinct 5: Town centre precinct in the Mossman local plan: 1 space per 50m <sup>2</sup> of GFA.	1 space per 100m <sup>2</sup> of GFA.	Required for all shops with a GFA greater than 2000m <sup>2</sup> .	See Table 9.4.1.3.d
Shopping centre	1 space per 25m <sup>2</sup> of GFA. or If within Precinct 1 : Port Douglas precinct in the Port Douglas / Craiglie local plan or if with Precinct 5: Town centre precinct in the Mossman local plan: 1 space per 50m <sup>2</sup> of GFA.	1 space per 200m <sup>2</sup> GFA.	Required for all shopping centres with a GFA greater than 2000m <sup>2</sup> .	See Table 9.4.1.3.d



Short term accommodation	<p>If within Precinct 1 : Port Douglas precinct in the Port Douglas / Craiglie local plan: 0.5 car spaces per dwelling unit.</p> <p>If outside Precinct 1 : Port Douglas precinct in the Port Douglas / Craiglie local plan: For up to 5 units: 1 car space per dwelling unit, plus 1 space for visitors and 1 service/staff spaces. For 5 – 10 units: 1 car space per dwelling unit, plus 2 spaces for visitors and 1 service/staff spaces.</p>	1 space per 10 rooms	n/a	SRV
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Land use	Minimum number of ordinary vehicle parking spaces	Minimum number of bicycle spaces	End of trip facilities	Minimum standard design service vehicle (refer to Table 9.4.1.3c)
	<p>For over 10 units: 0.75 car spaces per dwelling unit, plus 3 spaces for visitors and 2 service/staff parking for the first 10 units and 0.5 additional service/staff space per 10 units, there-above.</p> <p>In all cases 60% of the car parking area is to be covered.</p> <p>Note: Where Short term accommodation is to be inter-changeable with a Multiple dwelling land use, multiple dwelling parking rates apply.</p>			
Showroom	1 space per 50m <sup>2</sup> GFA.	1 space per 200m <sup>2</sup> GFA.	n/a	AV



Special industry	1 space per 90m <sup>2</sup> of GFA.	n/a	n/a	AV
Tourist park	1 car space per caravan site, tent site or cabin; plus 1 visitor car space per 10 caravan sites, tent sites or cabins; plus 1 car space for an on-site manager.	n/a	n/a	LRV
Theatre	Indoor: 1 space per 15m <sup>2</sup> of GFA.  Outdoor cinema: 1 space per 5m <sup>2</sup> of designated viewing area, plus 1 car space per 2 employees.	1 space per 200m <sup>2</sup> GFA.	n/a	VAN
Veterinary services	1 space per 50m <sup>2</sup> of GFA.	n/a	n/a	VAN
Warehouse	1 space per 90m <sup>2</sup> of GFA.	n/a	n/a	Where self-storage: RCV Other: AV
Any use not otherwise specified in this table.	Sufficient spaces to accommodate number of vehicles likely to be parked at any one time.	Sufficient spaces to accommodate number of vehicles likely to be parked at any one time.		To be determined



**Table 9.4.1.3.c – Design vehicles**

<b>VAN</b>	A 99.8th percentile vehicle equivalent to a large car.
<b>SRV</b>	Small rigid vehicle as in AS2890.2-2002 parking facilities – Off-street commercial vehicle facilities, but incorporating a body width of 2.33m
<b>MRV</b>	Medium rigid vehicle equivalent to an 8-tonne truck.
<b>LRV</b>	Large rigid vehicle described by AS2890.2-2002 parking facilities – Off-street commercial vehicle facilities as heavy rigid vehicle.
<b>RCV</b>	Industrial refuse collection vehicle
<b>AV</b>	19 metre articulated vehicle from AUSTROADS

**Table 9.4.1.3.d – Standard number of service bays required for Food and drink outlet, Shop or Shopping centre**

Gross floor area (m <sup>2</sup> )	Service bays required			
	<b>VAN</b>	<b>SRV</b>	<b>MRV</b>	<b>LRV</b>
0-199	-	1	-	-
200 – 599	1	-	1	-
600 – 999	1	1	1	-
1000 – 1499	2	1	1	-
1500 – 1999	2	2	1	-
2000 – 2799	2	2	2	-
2800 – 3599	2	2	2	1
3600 and over	To be determined via a parking study.			

**Table 9.4.1.3.e – Standard number of service bays required for Office**

Gross floor area (m <sup>2</sup> )	Service bays required			
	<b>VAN</b>	<b>SRV</b>	<b>MRV</b>	<b>LRV</b>
0-999	-	1	-	-

1000 – 2499	1	-	1	-
2500 – 3999	2	1	1	-
4000 – 5999	3	1	1	-
6000 – 7999	4	1	1	-
8000 – 9999	4	2	1	-
10000 and over	To be determined via a parking study.			

### 9.4.3 Environmental performance code

#### 9.4.3.1 Application

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

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

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

#### 9.4.3.2 Purpose

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

#### 9.4.3.3 Criteria for assessment

Table 9.4.3.3.a – Environmental performance code – assessable development

Performance outcomes	Acceptable outcomes
Lighting	



<p><b>PO1</b> Lighting incorporated within development does not cause an adverse impact on the amenity of adjacent uses and nearby sensitive land uses.</p>	<p><b>AO1.1</b> Technical parameters, design, installation, operation and maintenance of outdoor lighting comply with the requirements of Australian standard AS4282-1997 Control of the obtrusive effects of outdoor lighting.</p> <p><b>AO1.2</b> Development that involves flood lighting is restricted to a type that gives no upward component of light where mounted horizontally.</p> <p><b>AO1.3</b> Access, car parking and manoeuvring areas are designed to shield nearby residential premises from impacts of vehicle headlights.</p>	<p><b>Not applicable.</b></p>
<p><b>Noise</b></p>		
<p><b>PO2</b> Potential noise generated from the development is avoided through design, location and operation of the activity. Note – Planning Scheme Policy SC6.4 – Environmental</p>	<p><b>AO2.1</b> Development does not involve activities that would cause noise related environmental harm or nuisance; or</p>	<p><b>Not applicable .</b></p>



Performance outcomes	Acceptable outcomes	
<p>management plans provides guidance on preparing a report to demonstrate compliance with the purpose and outcomes of the code.</p>	<p><b>AO2.2</b> Development ensures noise does not emanate from the site through the use of materials, structures and architectural features to not cause an adverse noise impact on adjacent uses.</p> <p><b>AO2.3</b> The design and layout of development ensures car parking areas avoid noise impacting directly on adjacent sensitive land uses through one or more of the following: (a) car parking is located away from adjacent sensitive land uses; (b) car parking is enclosed within a building; (c) a noise ameliorating fence or structure is established adjacent to car parking areas where the fence or structure will not have a visual amenity impact on the adjoining premises; (d) buffered with dense landscaping.</p> <p>Editor's note - The <i>Environmental Protection (Noise) Policy 2008</i>, Schedule 1 provides guidance on acoustic quality objectives to ensure environmental harm (including nuisance) is avoided.</p>	
Airborne particles and other emissions		
<p><b>PO3</b> Potential airborne particles and emissions generated from the development are avoided through design, location and operation of the activity.</p> <p>Note – Planning Scheme Policy SC6.4 – Environmental management plans provides guidance on preparing a report to demonstrate compliance with the purpose and outcomes of the code.</p>	<p><b>AO3.1</b> Development does not involve activities that will result in airborne particles or emissions being generated;</p> <p>or</p> <p><b>AO3.2</b> The design, layout and operation of the development activity ensures that no airborne particles or emissions cause environmental harm or nuisance.</p>	<p><b>Not applicable.</b></p>



	<p>Note - examples of activities which generally cause airborne particles include spray painting, abrasive blasting, manufacturing activities and car wash facilities.</p> <p>Examples of emissions include exhaust ventilation from basement or enclosed parking structures, air conditioning/refrigeration ventilation and exhaustion.</p> <p>The <i>Environmental Protection (Air) Policy 2008</i>, Schedule 1 provides guidance on air quality objectives to ensure environmental harm (including nuisance) is avoided.</p>	
<b>Odours</b>		
<p><b>PO4</b> Potential odour causing activities associated with the development are avoided through design, location and operation of the activity.</p> <p>Note – Planning Scheme Policy SC6.4 – Environmental management plans provides guidance on preparing a report to demonstrate compliance with the purpose and outcomes of the code.</p>	<p><b>A04.1</b> The development does not involve activities that create odorous emissions;</p> <p>or</p> <p><b>A04.2</b> The use does not result in odour that causes</p>	<b>Not applicable ..</b>



Performance outcomes		Acceptable outcomes
		environmental harm or nuisance with respect to surrounding land uses.
<b>Waste and recyclable material storage</b>		
<p><b>PO5</b> Waste and recyclable material storage facilities are located and maintained to not cause adverse impacts on adjacent uses.</p> <p>Note – Planning Scheme Policy SC6.4 – Environmental management plans provides guidance on preparing a report to demonstrate compliance with the purpose and outcomes of the code.</p>	<p><b>AO5.1</b> The use ensures that all putrescent waste is stored in a manner that prevents odour nuisance and is disposed of at regular intervals.</p> <p><b>AO5.2</b> Waste and recyclable material storage facilities are located, designed and maintained to not cause an adverse impact on users of the premises and adjacent uses through consideration of:</p> <ul style="list-style-type: none"> <li>(a) the location of the waste and recyclable material storage areas in relation to the noise and odour generated;</li> <li>(b) the number of receptacles provided in relation to the collection, maintenance and use of the receptacles;</li> <li>(c) the durability of the receptacles, sheltering and potential impacts of local climatic conditions;</li> <li>(d) the ability to mitigate spillage, seepage or leakage from receptacles into adjacent areas and sensitive receiving waters and environments.</li> </ul> <p>Editor's note - the <i>Environmental Protection (Waste Management) Policy 2008</i> provides guidance on the design of waste containers (receptacles) to ensure environmental harm (including nuisance) is avoided.</p>	<b>Not applicable.</b>
<b>Sensitive land use activities</b>		





<p><b>PO6</b> Sensitive land use activities are not established in areas which will receive potentially incompatible impacts on amenity from surrounding, existing development activities and land uses.</p>	<p><b>AO6.1</b> Sensitive land use activities are not established in areas that will be adversely impacted upon by existing land uses, activities and potential development possible in an area;</p> <p>or</p> <p><b>AO6.2</b> Sensitive land activities are located in areas where potential adverse amenity impacts mitigate all potential impacts through layout, design, operation and maintenance.</p>	<p><b>Not applicable.</b></p>
<p><b>Stormwater quality</b></p>		
<p><b>PO7</b> The quality of stormwater flowing over, through or being discharged from development activities into watercourses and drainage lines is of adequate quality for downstream environments, with respect to:</p> <ul style="list-style-type: none"> <li>(a) the amount and type of pollutants borne from the activity;</li> <li>(b) maintaining natural stream flows;</li> </ul>	<p><b>AO7.1</b> Development activities are designed to ensure stormwater over roofed and hard stand areas is directed to a lawful point of discharge.</p> <p><b>AO7.2</b> Development ensures movement of stormwater over the site is not impeded or directed through potentially polluting activities.</p>	<p><b>The development will comply with AO7.1 and AO7.2.</b> <b>Stormwater drainage for the development will be designed and installed as part of the operational works stage.</b></p>



Performance outcomes	Acceptable outcomes	
<p>(c) the amount and type of site disturbance; (d) site management and control measures.</p>	<p><b>AO7.3</b> Soil and water control measures are incorporated into the activity's design and operation to control sediment and erosion potentially entering watercourses, drainage lines and downstream receiving waters.</p> <p>Note - Planning scheme policy - FNQROC Regional Development Manual provides guidance on soil and water control measures to meet the requirements of the <i>Environmental Protection Act 1994</i>.</p> <p>During construction phases of development, contractors and builders are to have consideration in their work methods and site preparation for their environmental duty to protect stormwater quality.</p>	<p><b>The development will comply with AO7.3.</b></p>
<b>Pest plants (for material change of use on vacant land over 1,000m<sup>2</sup>)</b>		
<p><b>PO8</b> Development activities and sites provide for the removal of all pest plants and implement ongoing measures to ensure that pest plants do not reinfest the site or nearby sites.</p> <p>Editor's note - This does not remove or replace all land owner's obligations or responsibilities under the <i>Land Protection (Pest and Stock Route Management) Act 2002</i>.</p>	<p><b>AO8.1</b> The land is free of declared pest plants before development establishes new buildings, structures and practices;</p> <p>or</p> <p><b>AO8.2</b> Pest plants detected on a development site are removed in accordance with a management plan prepared by an appropriately qualified person prior to construction of buildings and structures or earthworks.</p> <p>Note - A declaration from an appropriately qualified person validates the land being free from pest plants.</p> <p>Declared pest plants include locally declared and State declared pest plants.</p>	<p><b>Not applicable.</b></p>

## 9.4.6 Landscaping code

### 9.4.6.1 Application

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

### 9.4.6.2 Purpose

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

### 9.4.6.3 Criteria for assessment

**Table 9.4.6.3.a – Landscaping code –assessable development**

Performance outcomes	Acceptable outcomes
<b>For self-assessable and assessable development</b>	
<b>Landscape design</b>	

**PO1**

Development provides landscaping that contributes to and creates a high quality landscape character for the site, street and local areas of the Shire by:

- (a) promoting the Shire's character as a tropical environment;
- (b) softening the built form of development;
- (c) enhancing the appearance of the development from within and outside the development and makes a positive contribution to the streetscape;
- (d) screening the view of buildings, structures, open storage areas, service equipment, machinery plant and the like from public places, residences and other sensitive development;
- (e) where necessary, ensuring the privacy of

**AO1**

Development provides landscaping:

- (a) in accordance with the minimum area, dimensions and other requirements of applicable development codes;
- (b) that is designed and planned in a way that meets the guidelines for landscaping outlined in Planning Scheme Policy SC6.7 – Landscaping;
- (c) that is carried out and maintained in accordance with a landscaping plan that meets the guidelines for landscaping outlined in Planning Scheme Policy SC6.7 – Landscaping.

Note - Planning scheme policy SC6.7 – Landscaping provides guidance on meeting the outcomes of this code. A landscape plan submitted for approval in accordance with the Planning policy is one way to achieve this outcome.

**The Development will comply with PO1 to the extent it is relevant to a RaL.**



Performance outcomes	Acceptable outcomes	
<p>habitable rooms and private outdoor recreation areas;</p> <p>(f) contributing to a comfortable living environment and improved energy efficiency, by providing shade to reduce glare and heat absorption and re-radiation from buildings, parking areas and other hard surfaces;</p> <p>(g) ensuring private outdoor recreation space is useable;</p> <p>(h) providing long term soil erosion protection;</p> <p>(i) providing a safe environment;</p> <p>(j) integrating existing vegetation and other natural features of the premises into the development;</p> <p>(k) not adversely affecting vehicular and pedestrian sightlines and road safety.</p>		
<b>For assessable development</b>		
<p><b>PO2</b></p> <p>Landscaping contributes to a sense of place, is functional to the surroundings and enhances the streetscape and visual appearance of the development.</p>	<p><b>AO2.1</b></p> <p>No acceptable outcomes are specified.</p> <p>Note - Landscaping is in accordance with the requirements specified in Planning scheme policy SC6.7 – Landscaping.</p> <p><b>AO2.2</b></p> <p>Tropical urbanism is incorporated into building design.</p> <p>Note – ‘Tropical urbanism’ includes many things such as green walls, green roofs, podium planting and vegetation incorporated into the design of a building.</p>	<p><b>The Development will comply with PO2 to the extent it is relevant to a RaL.</b></p>



<p><b>PO3</b> Development provides landscaping that is , as far as practical, consistent with the existing desirable landscape character of the area and protects trees, vegetation and other features of ecological, recreational, aesthetic and cultural value.</p>	<p><b>AO3.1</b> Existing vegetation on site is retained and incorporated into the site design, wherever possible, utilising the methodologies and principles outline in AS4970-2009 Protection of Trees on Development Sites.</p> <p><b>AO3.2</b> Mature vegetation on the site that is removed or damaged during development is replaced with advanced species.</p> <p><b>AO3.3</b> Where there is an existing landscape character in a street or locality which results from existing vegetation, similar species are incorporated into new development.</p> <p><b>AO3.4</b> Street trees are species which enhance the landscape character of the streetscape, with species chosen from the Planning scheme policy SC6.7 – Landscaping.</p>	<p><b>Complies with AO3.1, 3.2, and 3.3</b></p> <p><b>Existing vegetation on site will be protected during the reconfiguring a lot development with the exception of 3 trees that are required to be removed for the access road construction and a single oil palm in the road reserve to allow access from Port Douglas Road.</b></p> <p><b>Can be conditioned to comply with AO3.4. Street trees in accordance with the Planning Scheme Policy Landscaping can be conditioned by Council.</b></p>
<p><b>PO4</b> Plant species are selected with consideration to the scale and form of development, screening, buffering, streetscape, shading and the locality of</p>	<p><b>AO4</b> Species are selected in accordance with Planning scheme policy SC6.7 – Landscaping.</p>	<p><b>Can be conditioned to comply with AO4.</b></p>



Performance outcomes	Acceptable outcomes	
the area.		
<b>PO5</b> Shade planting is provided in car parking areas where uncovered or open, and adjacent to driveways and internal roadways.	<b>AO5</b> Species are selected in accordance with Planning scheme policy SC6.7 – Landscaping.	Not applicable.
<b>PO6</b> Landscaped areas are designed in order to allow for efficient maintenance.	<b>AO6.1</b> A maintenance program is undertaken in accordance with Planning scheme policy SC6.7 – Landscaping.  <b>AO6.2</b> Tree maintenance is to have regard to the 'Safe Useful Life Expectancy of Trees (SULE).  Note – It may be more appropriate to replace trees with a SULE of less than 20 years (as an example), and replant with younger healthy species.	Can be conditioned to comply with AO6.1.
<b>PO7</b> Podium planting is provided with appropriate species for long term survival and ease of maintenance, with beds capable of proper drainage.	<b>AO7.1</b> Podium planting beds are provided with irrigation and are connected to stormwater infrastructure to permit flush out.  <b>AO7.2</b> Species of plants are selected for long term performance designed to suit the degree of access to podiums and roof tops for maintenance.	Not applicable.
<b>PO8</b> Development provides for the removal of all weed and invasive species and implement on-going measures to ensure that weeds and invasive species do not reinfest the site and nearby premises.	<b>AO8</b> Weed and invasive species detected on a development site are removed in accordance with a management plan prepared by an appropriately qualified person.	Can be conditioned to comply with AO8.





<b>PO9</b> The landscape design enhances personal safety and reduces the potential for crime and vandalism.	<b>AO9</b> No acceptable outcomes are specified.  Note - Planning scheme policy SC6.3 – Crime prevention through environmental design (CPTED) provides guidance on meeting this outcome.	<b>Can be conditioned to comply with AO9.</b>
<b>PO10</b> The location and type of plant species does not adversely affect the function and accessibility of services and facilities and service areas.	<b>AO10</b> Species are selected in accordance with Planning scheme policy SC6.7 – Landscaping.	<b>Can be conditioned to comply with AO10.</b>

## 9.4.7 Reconfiguring a lot code

### 9.4.7.1 Application

- (1) This code applies to assessing reconfiguring a lot if:
  - (a) assessable development where the code is an applicable code identified in the assessment criteria column of a table of assessment;
  - (b) impact assessable development, to the extent relevant.
- (2) When using this code, reference should be made to Part 5.

### 9.4.7.2 Purpose

- (1) The purpose of the Reconfiguring a lot code is to regulate development for reconfiguring a lot.
- (2) The purpose of the code will be achieved through the following overall outcomes:
  - (a) development results in a well-designed pattern of streets supporting walkable communities;
  - (b) lots have sufficient areas, dimensions and shapes to be suitable for their intend use taking into account environmental features and site constraints;
  - (c) road networks provide connectivity that is integrated with adjoining existing or planned development while also catering for the safe and efficient access for pedestrians, cyclists and for public transport;
  - (d) lots are arranged to front all streets and parkland such that development enhances personal safety, traffic safety, property safety and security; and contributes to streetscape and open space quality;
  - (e) development does not diminish environmental and scenic values, and where relevant, maintains and enhances public access and use of natural areas, rivers, dams, creeks and the foreshore, in a way that protects natural resources;
  - (f) people and property are not placed at risk from natural hazards;
  - (g) a range of functional parkland, including local and district parks, major areas of parkland with a region-wide focus and open space links are available for the use and enjoyment of residents and visitors to the region;
  - (h) the appropriate standard of infrastructure is provided.

### 9.4.7.3 Criteria for assessment

Table 9.4.7.3.a – Reconfiguring a lot code – assessable development

Performance outcomes		Acceptable outcomes	
General lot design standards			
<b>PO1</b> Lots comply with the lot reconfiguration outcomes of the applicable Zone code in Part 5.	<b>AO1</b> No acceptable outcomes are prescribed.	<b>Complies with PO1.</b> <b>The minimum lot size of 1,000m<sup>2</sup>, frontage of 20m and rectangle of 20 x 25m have been achieved with the design of the development.</b>	



<b>PO2</b> New lots are generally rectangular in shape with functional areas for land uses intended by the zone.	<b>A02</b> Boundary angles are not less than 45 degrees.	Complies with A02.
<b>PO3</b> Lots have legal and practical access to a public road.	<b>A03</b> Each lot is provided with: (a) direct access to a gazetted road reserve; or (b) access to a gazetted road via a formal access arrangement registered on the title.	Complies with A03.
<b>PO4</b> Development responds appropriately to its local context, natural systems and site features.	<b>A04</b> Existing site features such as: (a) significant vegetation and trees; (b) waterways and drainage paths; (c) vistas and vantage points are retained and/or	Complies with A04. <b>There is no significant vegetation on the site. Existing vegetation will be retained on site with the exception of three trees on the alignment of the access road. A single oil palm will need to be removed from the road reserve to allow access from Port Douglas Road. There are no waterways on the site.</b>



Performance outcomes	Acceptable outcomes	
	are incorporated into open space, road reserves, near to lot boundaries or as common property.	
<b>PO5</b> New lots which have the capability of being further reconfigured into smaller lots at a later date are designed to not compromise ultimate development outcomes permitted in the relevant zone.	<b>AO5</b> The ability to further reconfigure land at a later date is demonstrated by submitting a concept plan that meets the planning scheme requirements for the applicable Zone.	<b>Not applicable. Further subdivision of the site is not encouraged by the scheme. The site is likely to be further developed by a higher density form of residential development.</b>
<b>PO6</b> Where existing buildings or structures are to be retained, development results in: <ul style="list-style-type: none"> <li>(a) boundaries that offer regular lot shapes and usable spaces;</li> <li>(b) existing improvements complying with current building and amenity standards in relation to boundary setbacks.</li> </ul> Note - This may require buildings or structures to be modified, relocated or demolished to meet setback standards, resolve encroachments and the like.	<b>AO6</b> Development ensures setbacks between existing buildings or structures and proposed boundaries satisfy relevant building standards or zone code requirements, whichever is the greater.	<b>Complies with AO6.</b>  <b>The existing dwelling that will be retained achieves setback requirements.</b>



<p><b>P07</b></p> <p>Where rear lots are proposed, development:</p> <ul style="list-style-type: none"> <li>(a) provides a high standard of amenity for residents and other users of the site and adjoining properties;</li> <li>(b) positively contributes to the character of adjoining properties and the area;</li> <li>(c) does not adversely affect the safety and efficiency of the road from which access is gained.</li> </ul>	<p><b>A07.1</b></p> <p>Where rear lots are to be established:</p> <ul style="list-style-type: none"> <li>(a) the rear lot is generally rectangular in shape, avoiding contrived sharp boundary angles;</li> <li>(b) no more than 6 lots directly adjoin the rear lot;</li> <li>(c) no more than one rear lot occurs behind the road frontage lot;</li> <li>(d) no more than two access strips to rear lots directly adjoin each other;</li> <li>(e) access strips are located only on one side of the road frontage lot.</li> </ul> <p><b>A07.2</b></p> <p>Access strips to the rear lot have a minimum width dimension of:</p> <ul style="list-style-type: none"> <li>(a) 4.0 metres in Residential Zones.</li> <li>(b) 8.0 metres in Industrial Zones category.</li> <li>(c) 5.0 metres in all other Zones.</li> </ul> <p>Note - Rear lots are generally not appropriate in non-Residential or non-Rural zones.</p> <p><b>A07.3</b></p> <p>Access strips are provided with a sealed pavement of sufficient width to cater for the intended traffic, but no less than:</p> <ul style="list-style-type: none"> <li>(a) 3.0 metres in Residential Zone.</li> <li>(b) 6.0 metres in an Industrial Zone.</li> <li>(c) 3.5 metres in any other Zone.</li> </ul>	<p><b>Not applicable.</b></p>
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Performance outcomes		Acceptable outcomes
<b>Structure plans</b>		
<p>Additional requirements for:</p> <ul style="list-style-type: none"> <li>(a) a site which is more than 5,000m<sup>2</sup> in any of the Residential zones; or</li> </ul> <p>within these zones, and</p> <ul style="list-style-type: none"> <li>(b) creates 10 or more lots; or</li> <li>(c) involves the creation of new roads and/or public use land.</li> </ul> <p>or</p> <ul style="list-style-type: none"> <li>(d) For a material change of use involving: <ul style="list-style-type: none"> <li>(i) preliminary approval to vary the effect of the planning scheme;</li> <li>(ii) establishing alternative Zones to the planning scheme.</li> </ul> </li> </ul> <p>Note - This part is to be read in conjunction with the other parts of the code</p>		
<p><b>PO8</b></p> <p>A structure plan is prepared to ensure that neighbourhood design, block and lot layout, street network and the location and provision on any open space recognises previous planning for the area and its surroundings, and integrates appropriately into its surroundings.</p>	<p><b>AO8.1</b></p> <p>Neighbourhood design, lot and street layout, and open space provides for, and integrates with, any:</p> <ul style="list-style-type: none"> <li>(a) approved structure plan;</li> <li>(b) the surrounding pattern of existing or approved subdivision.</li> </ul> <p>Note - Planning scheme policy SC14– Structure planning provides guidance on meeting the performance outcomes.</p> <p><b>AO8.2</b></p> <p>Neighbourhood design, lot and street layouts enable future connection and integration with adjoining undeveloped land.</p>	<p><b>Complies with AO8.1.</b></p> <p><b>The lot and street layout is not inconsistent with developments in the surrounding medium residential area.</b></p> <p><b>Complies with AO8.2.</b></p> <p><b>Future pedestrian connection could potentially be provided to the east and south. However, the site is constrained between the road corridor to the west, existing development to the north, recreation and open space to the east and an undeveloped parcel zoned medium density residential to the south.</b></p>



<p><b>PO9</b> Neighbourhood design results in a connected network of walkable streets providing an easy choice of routes within and surrounding the neighbourhood.</p>	<p><b>AO9.1</b> Development does not establish cul-de-sac streets unless:</p> <ul style="list-style-type: none"> <li>(a) cul-de-sacs are a feature of the existing pattern of development in the area;</li> <li>(b) there is a physical feature or incompatible zone change that dictates the need to use a cul-de-sac streets.</li> </ul> <p><b>AO9.2</b> Where a cul-de-sac street is used, it:</p> <ul style="list-style-type: none"> <li>(a) is designed to be no longer than 150 metres in length;</li> <li>(b) is designed so that the end of the cul-de-sac is visible from its entrance;</li> <li>(c) provides connections from the top of the cul-de-sac to other streets for pedestrians and cyclists, where appropriate.</li> </ul> <p><b>AO9.3</b> No more than 6 lots have access to the turning circle or turning-tee at the end of a cul-de-sac street.</p>	<p><b>Complies with AO9.1.</b></p> <p><b>A cul-de-sac is proposed as this is the only practical way to access the site for the proposed 9 lots. The vegetated recreation and open space to the east precludes a through road.</b></p> <p><b>Complies with AO9.2.</b></p> <p><b>The access road is approximately 130m long within the site and the end has line of sight from the access point to Port Douglas Road.</b></p> <p><b>Complies with AO9.3.</b> <b>Only 2 lots have direct access to the turning tee.</b></p>
<p><b>PO10</b> Neighbourhood design supports diverse housing choices through block sizes and lot design. In developing areas, significant changes in lot size and frontage occur at the rear of lots rather than on opposite sides of a street.</p>	<p><b>PO10</b> No acceptable outcomes are prescribed.</p>	<p><b>Complies with PO10.</b></p> <p><b>The layout and size of the lots supports a range of dwelling designs and high density development options.</b></p>





Performance outcomes	Acceptable outcomes	
<b>PO11</b> Provision of physical and social infrastructure in developing residential neighbourhoods is facilitated through the orderly and sequential development of land.  Note - Part 4 – Local government infrastructure plan may identify specific levels of infrastructure to be provided within development sites.	<b>AO11.1</b> New development adjoins adjacent existing or approved urban development.  <b>AO11.2</b> New development is not established beyond the identified Local government infrastructure plan area.	<b>Complies with AO11.1.</b>  <b>Complies with AO11.2</b>
<b>Urban parkland and environmental open space</b>		
<b>PO12</b> Where appropriate development maintains and enhances public access and use of natural areas, rivers, dams, creeks and the foreshore.	<b>AO12</b> No acceptable outcomes are prescribed.	<b>Not applicable.</b>
<b>PO13</b> Development provides land to: <ul style="list-style-type: none"> <li>(a) meet the recreation needs of the community;</li> <li>(b) provide an amenity commensurate with the structure of neighbourhoods and land uses in the vicinity; and adjacent to open space areas;</li> <li>(c) provide for green corridors and linkages.</li> </ul>	<b>AO13</b> No acceptable outcomes are prescribed.  Note - Part 4 – Priority infrastructure plan and Planning scheme policy SC14 – Structure Plans provides guidance in providing open space and recreation land.	<b>Complies with PO13.</b>  <b>The development provides an amenity commensurate with the medium residential zone code requirements and adjoins the green corridor which is recreation and open space to the east of the site.</b>

**AO14**

Lot size, dimensions, frontage and orientation permits buildings to be established that will facilitate casual surveillance to urban parkland and environmental open space.

**AO14.1**

Urban parkland is regular in shape.

**AO14.2**

At least 75% of the urban parkland's frontage is provided as road.

**AO14.3**

Urban parkland and environmental open space areas are positioned to be capable of being overlooked by surrounding development.

**AO14.4**

Surrounding lots are orientated so that facades will front and overlook the urban parkland and environmental open space.

**AO14.5**



The number of lots that back onto, or are side-orientated to the urban parkland and environmental open space is minimised.



Inconsistent design solution - low total number of lots complying with the acceptable outcomes.

**Not applicable.**



Performance outcomes	Acceptable outcomes	
	 <p>  Lots orientated to front and overlook park to provide casual surveillance.            Consistent design solution - high total number of lots complying with the acceptable outcomes.         </p>	
<b>Private subdivisions (gated communities)</b>		
<b>PO15</b> Private subdivisions (gated communities) do not compromise the establishment of connected and integrated infrastructure and open space networks.	<b>PO15</b> No acceptable outcomes are prescribed.	<b>Not applicable.</b>
<b>Additional requirements for reconfiguration involving the creation of public streets or roads</b>		
<b>PO16</b> The function of new roads is clearly identified and legible and provides integration, safety and convenience for all users.	<b>AO16</b> No acceptable outcomes are prescribed.  Note - The design and construction standards are set out in Planning scheme policy SC5 – FNQROC Regional Development Manual, with reference to the specifications set out in Sections D1 and D3.	<b>Complies with PO16.</b> <b>The design of the access street will comply with the FNQROC standards.</b>
<b>PO17</b> Street design supports an urban form that creates walkable neighbourhoods. Street design: <ul style="list-style-type: none"> <li>(a) is appropriate to the function(s) of the street;</li> <li>(b) meets the needs of users and gives priority to the needs of vulnerable users.</li> </ul>	<b>AO17</b> No acceptable outcomes are prescribed.	<b>Complies with PO17.</b> <b>The design of the access street will comply with the FNQROC standards.</b>



Public transport network		
<b>PO18</b> Development provides a street pattern that caters for the extension of public transport routes and infrastructure including safe pedestrian pick-up and set-down up facilities.	<b>AO18</b> No acceptable outcomes are prescribed.	<b>Complies with PO18.</b> <b>The site has access to existing public transport and the principle cycling network route on Port Douglas Road.</b>
Pest plants		
<b>PO19</b> Development activities and sites provide for the removal of all pest plants and implement ongoing measures to ensure that pest plants do not reinfest the site or nearby sites.  Editor's note - This does not remove or replace all land owner's obligations or responsibilities under the Land Protection (Pest and Stock Route Management) Act 2002.	<b>AO19</b> Pest plants detected on a development site are removed in accordance with a management plan prepared by an appropriately qualified person prior to earthworks commencing.  Note - A declaration from an appropriately qualified person validates the land being free from pest plants. Declared pest plants include locally declared and State declared pest plants.	<b>Can be conditioned to comply with AO19.</b>

## 9.4.9 Vegetation management code

### 9.4.9.1 Application

- (1) This code applies to assessing operational works for vegetation damage if:
  - (a) assessable development where the code is an applicable code identified in the assessment criteria column of a table of assessment;
  - (b) impact assessable development, to the extent relevant.
- (2) When using this code, reference should be made to Part 5.

### 9.4.9.2 Purpose

- (1) The purpose of the Vegetation management code is achieved through the overall outcomes.
- (2) The purpose of the code will be achieved through the following overall outcomes:
  - (a) vegetation is protected from inappropriate damage;
  - (b) where vegetation damage does occur it is undertaken in a sustainable manner;
  - (c) significant trees are maintained and protected;
  - (d) biodiversity and ecological values are protected and maintained;
  - (e) habitats for rare, threatened and endemic species of flora and fauna are protected and maintained;
  - (f) landscape character and scenic amenity is protected and maintained;
  - (g) heritage values are protected and maintained.

### 9.4.9.3 Criteria for assessment

**Table 9.4.9.3.a – Vegetation management –assessable development**

Note – All vegetation damage is to have regard to the provisions of AS4373-2009 Pruning of Amenity Trees

Performance outcomes	Acceptable outcomes
For self-assessable and assessable development	

**PO1**

Vegetation is protected to ensure that:

- (a) the character and amenity of the local area is maintained;
- (b) vegetation damage does not result in fragmentation of habitats;
- (c) vegetation damage is undertaken in a sustainable manner;
- (d) the Shire's biodiversity and ecological values are maintained and protected;
- (e) vegetation of historical, cultural and / or visual significance is retained;
- (f) vegetation is retained for erosion prevention and slope stabilisation.

**AO1.1**

Vegetation damage is undertaken by a statutory authority on land other than freehold land that the statutory authority has control over;

or

**AO1.2**

Vegetation damage is undertaken by or on behalf of the local government on land controlled, owned or operated by the local government;

or

**AO1.3**

Vegetation damage, other than referenced in AO1.1 or AO1.2 is the damage of:

- (a) vegetation declared as a pest pursuant to the *Land Protection (Pest and Stock Route Management) Act 2002*; or
- (b) vegetation identified within the local government's register of declared plants pursuant to the local government's local laws; or
- (c) vegetation is located within a Rural zone and the trunk is located within ten metres of an existing building; or
- (d) vegetation is located within the Conservation zone or Environmental management zone

**Complies with AO1.5.**

**Three trees will need to be removed for the access road construction on the site. One oil palm is required to be removed on Port Douglas Road to allow access to the site.**



Performance outcomes	Acceptable outcomes
	<p>and the trunk is located within three metres of an existing or approved structure, not including a boundary fence;.</p> <p>or</p> <p><b>AO1.4</b> Vegetation damage that is reasonably necessary for carrying out work that is:</p> <ul style="list-style-type: none"> <li>(a) authorised or required under legislation or a local law;</li> <li>(b) specified in a notice served by the local government or another regulatory authority;</li> </ul> <p>or</p> <p><b>AO1.5</b> Vegetation damage for development where the damage is on land the subject of a valid development approval and is necessary to give effect to the development approval;</p> <p>or</p> <p><b>AO1.6</b> Vegetation damage is in accordance with an approved Property Map of Assessable Vegetation issued under the <i>Vegetation Management Act 1999</i>;</p> <p>or</p> <p><b>AO1.7</b> Vegetation damage is essential to the maintenance of an existing fire break;</p> <p>or</p> <p><b>AO1.8</b></p>





	<p>Vegetation damage is essential to prevent interference to overhead service cabling;</p> <p>or</p> <p><b>AO1.9</b> Vegetation damage is for an approved Forest practice, where the lot is subject to a scheme approved under the <i>Vegetation Management Act 1999</i>;</p> <p>or</p> <p><b>AO1.10</b> Vegetation damage is undertaken in accordance with section 584 of the <i>Sustainable Planning Act 2009</i>.</p> <p><b>AO1.11</b> Vegetation damage where it is necessary to</p>	
	<p>remove one tree in order to protect an adjacent more significant tree (where they are growing close to one another).</p> <p><b>AO1.12</b> Private property owners may only remove dead, dying, structurally unsound vegetation following receipt of written advice from, at minimum, a fully qualified Certificate V Arborist. A copy of the written advice is to be submitted to Council for its records, a minimum of seven business days prior to the vegetation damage work commencing.</p>	
<p><b>PO2</b> Vegetation damaged on a lot does not result in a nuisance</p>	<p><b>AO2.1</b> Damaged vegetation is removed and disposed of at an approved site;</p> <p>or</p> <p><b>AO2.2</b> Damaged vegetation is mulched or chipped if used onsite.</p>	<p><b>Can be conditioned to comply with AO2.1 or AO2.2.</b></p>



For assessable development		
<b>PO3</b> Vegetation damage identified on the Places of significance overlay lot does not result in a negative impact on the site's heritage values.	<b>AO3</b> No acceptable outcomes are prescribed.	<b>Not applicable.</b>

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## Attachment 6

### Assessment against SDAP Codes



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

**Table 1.1 Development in general**

Performance outcomes	Acceptable outcomes	Response
<b>Buildings, structures, infrastructure, services and utilities</b>		
<b>PO1</b> The location of the development does not create a safety hazard for users of the <b>state-controlled road</b> .	<p><b>AO1.1</b> Development is not located in a <b>state-controlled road</b>.</p> <p>AND</p> <p><b>AO1.2</b> Development can be maintained without requiring access to a <b>state-controlled road</b>.</p>	<p><b>Complies with PO1</b></p> <p>There is an existing access to the site from the State controlled Port Douglas Road. This access will be retired and a new access will be required for the development. The only practical access due to the constraints of the site is the State controlled Port Douglas Road.</p> <p>The proposed new access road entrance is approximately 40m further from the Port Douglas Road and Old Port Road intersection which should improve the safety of the road network.</p> <p>The new access is also out of the turning lane zone for the Old Port Road.</p> <p>The plans of development show the intended widening of the lane to provide a left-in, left-out only access to the site.</p>
<b>PO2</b> The design and construction of the development does not adversely impact the <b>structural integrity</b> or physical condition of the <b>state-controlled road</b> or <b>road transport infrastructure</b> .	No acceptable outcome is prescribed.	<p><b>Complies with PO2.</b></p> <p>The proposed new access road entrance will not adversely impact the structural integrity or physical condition of the state road.</p> <p>There is an existing access to the site from the State controlled Port Douglas Road. This access</p>

Performance outcomes	Acceptable outcomes	Response
		will be retired and a new access will be required for the development. The only practical access due to the constraints of the site is the State controlled Port Douglas Road.
<b>PO3</b> The location of the development does not obstruct <b>road transport infrastructure</b> or adversely impact the operating performance of the <b>state-controlled road</b> .	No acceptable outcome is prescribed.	<b>Complies with PO3.</b> The proposed new access road entrance is approximately 40m further from the Port Douglas Road and Old Port Road intersection which should improve the performance of the road network.
<b>PO4</b> The location, placement, design and operation of advertising devices, visible from the <b>state-controlled road</b> , do not create a safety hazard for users of the <b>state-controlled road</b> .	No acceptable outcome is prescribed.	<b>Not applicable.</b>
<b>PO5</b> The design and construction of buildings and <b>structures</b> does not create a safety hazard by distracting users of the <b>state-controlled road</b> .	<b>AO5.1</b> Facades of buildings and <b>structures</b> fronting the <b>state-controlled road</b> are made of non-reflective materials.  AND  <b>AO5.2</b> Facades of buildings and <b>structures</b> do not direct or reflect point light sources into the face of oncoming traffic on the <b>state-controlled road</b> .  AND  <b>AO5.3</b> External lighting of buildings and <b>structures</b> is not directed into the face of oncoming traffic on the <b>state-controlled road</b> .  AND	<b>Not applicable.</b>

Performance outcomes	Acceptable outcomes	Response
	<b>AO5.4</b> External lighting of buildings and <b>structures</b> does not involve flashing or laser lights.	
<b>PO6</b> Road, pedestrian and bikeway bridges over a <b>state-controlled road</b> are designed and constructed to prevent projectiles from being thrown onto the <b>state-controlled road</b> .	<b>AO6.1</b> Road, pedestrian and bikeway bridges over the <b>state-controlled road</b> include throw protection screens in accordance with section 4.11 of the Design Criteria for Bridges and Other Structures Manual, Department of Transport and Main Roads, 2020.	<b>Not applicable</b>
<b>Landscaping</b>		
<b>PO7</b> The location of landscaping does not create a safety hazard for users of the <b>state-controlled road</b> .	<b>AO7.1</b> Landscaping is not located in a <b>state-controlled road</b> .  AND  <b>AO7.2</b> Landscaping can be maintained without requiring access to a <b>state-controlled road</b> .  AND  <b>AO7.3</b> Landscaping does not block or obscure the sight lines for vehicular access to a <b>state-controlled road</b> .	<b>Complies with AO7.1, AO7.2 and AO7.3.</b>
<b>Stormwater and overland flow</b>		
<b>PO8</b> Stormwater run-off or overland flow from the development site does not create or exacerbate a safety hazard for users of the <b>state-controlled road</b> .	No acceptable outcome is prescribed.	<b>Complies with PO8.</b>  <b>Stormwater will flow to the drainage reserve to the east of the lot.</b>
<b>PO9</b> Stormwater run-off or overland flow from the development site does not result in a material worsening of the operating performance of the <b>state-controlled road</b> or <b>road transport infrastructure</b> .	No acceptable outcome is prescribed.	<b>Complies with PO9.</b>  <b>Stormwater will flow to the drainage reserve to the east of the lot.</b>
<b>PO10</b> Stormwater run-off or overland flow from the development site does not adversely impact	No acceptable outcome is prescribed.	<b>Complies with PO10.</b>



Performance outcomes	Acceptable outcomes	Response
the <b>structural integrity</b> or physical condition of the <b>state-controlled road</b> or <b>road transport infrastructure</b> .		<b>Stormwater will flow to the drainage reserve to the east of the lot.</b>
<b>PO11</b> Development ensures that stormwater is lawfully discharged.	<p><b>AO11.1</b> Development does not create any new points of discharge to a <b>state-controlled road</b>.</p> <p>AND</p> <p><b>AO11.2</b> Development does not concentrate flows to a <b>state-controlled road</b>.</p> <p>AND</p> <p><b>AO11.3</b> Stormwater run-off is discharged to a <b>lawful point of discharge</b>.</p> <p>AND</p> <p><b>AO11.4</b> Development does not worsen the condition of an existing <b>lawful point of discharge</b> to the <b>state-controlled road</b>.</p>	<p><b>Complies with AO11.1, AO11.2, AO11.3 and AO11.4.</b></p> <p><b>Stormwater will be directed to a lawful point of discharge to the east of the lot away from the State controlled road.</b></p>
<b>Flooding</b>		
<b>PO12</b> Development does not result in a material worsening of flooding impacts within a <b>state-controlled road</b> .	<p><b>AO12.1</b> For all flood events up to 1% <b>annual exceedance probability</b>, development results in negligible impacts (within +/- 10mm) to existing flood levels within a <b>state-controlled road</b>.</p> <p>AND</p> <p><b>AO12.2</b> For all flood events up to 1% <b>annual exceedance probability</b>, development results in negligible impacts (up to a 10% increase) to existing peak velocities within a <b>state-controlled road</b>.</p>	<p><b>Complies with AO12.1, AO12.2 and AO12.3.</b></p> <p><b>The site will drain to the east of the lot away from the State controlled road.</b></p>

Performance outcomes	Acceptable outcomes	Response
	<p>AND</p> <p><b>AO12.3</b> For all flood events up to 1% <b>annual exceedance probability</b>, development results in negligible impacts (up to a 10% increase) to existing time of submergence of a <b>state-controlled road</b>.</p>	
<b>Drainage Infrastructure</b>		
<b>PO13</b> Drainage infrastructure does not create a safety hazard for users in the <b>state-controlled road</b> .	<p><b>AO13.1</b> Drainage infrastructure is wholly contained within the development site, except at the <b>lawful point of discharge</b>.</p> <p>AND</p> <p><b>AO13.2</b> Drainage infrastructure can be maintained without requiring access to a <b>state-controlled road</b>.</p>	<b>Complies with AO13.1 and AO13.2.</b>
<b>PO14</b> Drainage infrastructure associated with, or within, a <b>state-controlled road</b> is constructed, and designed to ensure the <b>structural integrity</b> and physical condition of existing drainage infrastructure and the surrounding drainage network.	No acceptable outcome is prescribed.	<p><b>Complies with PO14.</b></p> <p><b>A culvert will be constructed for the access road on the road reserve to allow free drainage in the table drain for Port Douglas Road.</b></p>

**Table 1.2 Vehicular access, road layout and local roads**

Performance outcomes	Acceptable outcomes	Response
<b>Vehicular access to a state-controlled road or within 100 metres of a state-controlled road intersection</b>		
<b>PO15</b> The location, design and operation of a <b>new or changed access</b> to a <b>state-controlled road</b> does not compromise the safety of users of the <b>state-controlled road</b> .	No acceptable outcome is prescribed.	<p><b>Complies with PO15.</b></p> <p><b>The retiring of the existing access and the location of the new access further from the Old Port Road intersection will provide an improved safety outcome.</b></p>

Performance outcomes	Acceptable outcomes	Response
<b>PO16</b> The location, design and operation of a <b>new or changed access</b> does not adversely impact the <b>functional requirements</b> of the <b>state-controlled road</b> .	No acceptable outcome is prescribed.	<b>Complies with PO16.</b>  The retiring of the existing access and the location of the new access further from the Old Port Road intersection will provide an improved functionality outcome.
<b>PO17</b> The location, design and operation of a <b>new or changed access</b> is consistent with the <b>future intent</b> of the <b>state-controlled road</b> .	No acceptable outcome is prescribed.	<b>Complies with PO17.</b>  The location of the new access will not adversely impact on any future proposed expansion of the State controlled road.
<b>PO18</b> <b>New or changed access</b> is consistent with the access for the relevant <b>limited access road policy</b> : 1. <b>LAR 1</b> where direct access is prohibited; or 2. <b>LAR 2</b> where access may be permitted, subject to assessment.	No acceptable outcome is prescribed.	<b>Not applicable as Port Douglas Road is not a LAR.</b>
<b>PO19</b> <b>New or changed access</b> to a <b>local road</b> within 100 metres of an intersection with a <b>state-controlled road</b> does not compromise the safety of users of the <b>state-controlled road</b> .	No acceptable outcome is prescribed.	<b>Complies with PO19.</b>  The retiring of the existing access and the location of the new access further from the Old Port Road intersection will provide an improved safety outcome.
<b>PO20</b> <b>New or changed access</b> to a <b>local road</b> within 100 metres of an intersection with a <b>state-controlled road</b> does not adversely impact on the operating performance of the intersection.	No acceptable outcome is prescribed.	<b>Complies with PO20.</b>  The retiring of the existing access and the location of the new access further from the Old Port Road intersection will provide an improved functionality outcome.
<b>Public passenger transport and active transport</b>		
<b>PO21</b> Development does not compromise the safety of users of <b>public passenger transport infrastructure, public passenger services</b> and <b>active transport infrastructure</b> .	No acceptable outcome is prescribed.	<b>Complies with PO21.</b>  The development will have no impact on public transport infrastructure, services or active transport infrastructure.

Performance outcomes	Acceptable outcomes	Response
		A new crossing with the principle cycling network route will be created and the existing one retired.
<b>PO22</b> Development maintains the ability for people to access <b>public passenger transport infrastructure, public passenger services</b> and <b>active transport infrastructure</b> .	No acceptable outcome is prescribed.	<p><b>Complies with PO22.</b></p> <p>The development will have no impact on the access to public transport infrastructure, services or active transport infrastructure.</p>
<b>PO23</b> Development does not adversely impact the operating performance of <b>public passenger transport infrastructure, public passenger services</b> and <b>active transport infrastructure</b> .	No acceptable outcome is prescribed.	<p><b>Complies with PO23.</b></p> <p>The development will have no impact on the operating performance of public transport infrastructure, services or active transport infrastructure.</p>
<b>PO24</b> Development does not adversely impact the <b>structural integrity</b> or physical condition of <b>public passenger transport infrastructure</b> and <b>active transport infrastructure</b> .	No acceptable outcome is prescribed.	<p><b>Complies with PO24.</b></p> <p>The development will have no impact on the structural integrity or physical condition of public transport infrastructure, services or active transport infrastructure.</p>

**Table 1.3 Network impacts**

Performance outcomes	Acceptable outcomes	Response
<b>PO25</b> Development does not compromise the safety of users of the <b>state-controlled road</b> network.	No acceptable outcome is prescribed.	<p><b>Complies with PO25.</b></p> <p>There is an existing access to the site from the State controlled Port Douglas Road. This access will be retired and a new access will be required for the development. The only practical access due to the constraints of the site is the State controlled Port Douglas Road.</p> <p>The proposed new access road entrance is approximately 40m further from the Port Douglas Road and Old Port Road intersection</p>

Performance outcomes	Acceptable outcomes	Response
		<p>which should improve the safety of the road network.</p> <p>The plans of development show the intended widening of the lane to provide a left-in, left-out only access to the site.</p>
<b>PO26</b> Development ensures <b>no net worsening</b> of the operating performance of the <b>state-controlled road</b> network.	No acceptable outcome is prescribed.	<p>Complies with PO26.</p> <p>The addition of 8 lots will have negligible impact on the operating performance of the state-controlled road network.</p>
<b>PO27</b> Traffic movements are not directed onto a <b>state-controlled road</b> where they can be accommodated on the <b>local road</b> network.	No acceptable outcome is prescribed.	<p>Complies with PO27.</p> <p>The only available practical access to the site is via Port Douglas Road.</p>
<b>PO28</b> Development involving haulage exceeding 10,000 tonnes per year does not adversely impact the pavement of a <b>state-controlled road</b> .	No acceptable outcome is prescribed.	Not applicable
<b>PO29</b> Development does not impede delivery of <b>planned upgrades</b> of <b>state-controlled roads</b> .	No acceptable outcome is prescribed.	<p>Complies with PO29.</p> <p>The development will not impact on any future upgrades to the state-controlled road as the road reserve adjacent to the property is approximately 90m wide.</p>
<b>PO30</b> Development does not impede delivery of <b>corridor improvements</b> located entirely within the <b>state-controlled road corridor</b> .	No acceptable outcome is prescribed.	<p>Complies with PO30.</p> <p>The development will not impact on any future upgrades to the state-controlled road corridor as the road reserve adjacent to the property is approximately 90m wide.</p>

**Table 1.4 Filling, excavation, building foundations and retaining structures**

Performance outcomes	Acceptable outcomes	Response
<b>PO31</b> Development does not create a safety hazard for users of the <b>state-controlled road</b> or <b>road transport infrastructure</b> .	No acceptable outcome is prescribed.	<b>Not applicable – reconfiguring a lot only.</b> The development does not include filling excavation, building foundations and retaining structures.
<b>PO32</b> Development does not adversely impact the operating performance of the <b>state-controlled road</b> .	No acceptable outcome is prescribed.	<b>Not applicable – reconfiguring a lot only.</b> The development does not include filling excavation, building foundations and retaining structures.
<b>PO33</b> Development does not undermine, damage or cause subsidence of a <b>state-controlled road</b> .	No acceptable outcome is prescribed.	<b>Not applicable – reconfiguring a lot only.</b> The development does not include filling excavation, building foundations and retaining structures.
<b>PO34</b> Development does not cause ground water disturbance in a <b>state-controlled road</b> .	No acceptable outcome is prescribed.	<b>Not applicable – reconfiguring a lot only.</b> The development does not include filling excavation, building foundations and retaining structures.
<b>PO35</b> Excavation, boring, piling, blasting and fill compaction do not adversely impact the physical condition or <b>structural integrity</b> of a <b>state-controlled road</b> or <b>road transport infrastructure</b> .	No acceptable outcome is prescribed.	<b>Not applicable – reconfiguring a lot only.</b> The development does not include filling excavation, building foundations and retaining structures.
<b>PO36</b> Filling and excavation associated with the construction of <b>new or changed access</b> do not compromise the operation or capacity of existing drainage infrastructure for a <b>state-controlled road</b> .	No acceptable outcome is prescribed.	<b>Complies with PO36.</b> A new culvert will be constructed for the access road to the development to accommodate drainage in the road reserve.

## Table 1.5 Environmental emissions

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

Performance outcomes	Acceptable outcomes	Response
<b>Reconfiguring a lot</b>		
<b>Involving the creation of 5 or fewer new residential lots adjacent to a state-controlled road or type 1 multi-modal corridor</b>		

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Performance outcomes	Acceptable outcomes	Response
<b>PO37</b> Development minimises free field noise intrusion from a <b>state-controlled road</b> .	<p><b>AO37.1</b> Development provides a noise barrier or earth mound which is designed, sited and constructed:</p> <ol style="list-style-type: none"> <li>1. to achieve the maximum free field acoustic levels in reference table 2 (item 2.1);</li> <li>2. in accordance with: <ol style="list-style-type: none"> <li>a. Chapter 7 integrated noise barrier design of the Transport Noise Management Code of Practice: Volume 1 (Road Traffic Noise), Department of Transport and Main Roads, 2013;</li> <li>b. Technical Specification-MRTS15 Noise Fences, Transport and Main Roads, 2019;</li> <li>c. Technical Specification-MRTS04 General Earthworks, Transport and Main Roads, 2020.</li> </ol> </li> </ol> <p>OR</p> <p><b>AO37.2</b> Development achieves the maximum free field acoustic levels in reference table 2 (item 2.1) by <b>alternative noise attenuation measures</b> where it is not practical to provide a noise barrier or earth mound.</p> <p>OR</p> <p><b>AO37.3</b> Development provides a <b>solid gap-free fence</b> or other <b>solid gap-free structure</b> along the full extent of the boundary closest to the <b>state-controlled road</b>.</p>	<b>Not applicable as the RaL is for greater than 5 lots.</b>
<b>Involving the creation of 6 or more new residential lots adjacent to a state-controlled road or type 1 multi-modal corridor</b>		
<b>PO38</b> Reconfiguring a lot minimises free field noise intrusion from a <b>state-controlled road</b> .	<b>AO38.1</b> Development provides noise barrier or earth mound which is designed, sited and constructed:	<b>Complies with AO38.2.</b>



Performance outcomes	Acceptable outcomes	Response
	<ol style="list-style-type: none"> <li>to achieve the maximum free field acoustic levels in reference table 2 (item 2.1);</li> <li>in accordance with: <ol style="list-style-type: none"> <li>Chapter 7 integrated noise barrier design of the Transport Noise Management Code of Practice: Volume 1 (Road Traffic Noise), Department of Transport and Main Roads, 2013;</li> <li>Technical Specification-MRTS15 Noise Fences, Transport and Main Roads, 2019;</li> <li>Technical Specification-MRTS04 General Earthworks, Transport and Main Roads, 2020.</li> </ol> </li> </ol> <p>OR</p> <p><b>AO38.2</b> Development achieves the maximum free field acoustic levels in reference table 2 (item 2.1) by <b>alternative noise attenuation measures</b> where it is not practical to provide a noise barrier or earth mound.</p>	<p><b>The western portion of the site is located within the Transport Noise Corridors mandatory area category 1.</b></p> <p><b>Future dwellings located on proposed lots 1 and 9 will need to be designed to avoid adverse noise impacts on the amenity of the future residents.</b></p>
<b>Material change of use (accommodation activity)</b>		
<b>Ground floor level requirements adjacent to a state-controlled road or type 1 multi-modal corridor</b>		
<b>PO39</b> Development minimises noise intrusion from a <b>state-controlled road</b> in <b>private open space</b> .	<p><b>AO39.1</b> Development provides a noise barrier or earth mound which is designed, sited and constructed:</p> <ol style="list-style-type: none"> <li>to achieve the maximum free field acoustic levels in reference table 2 (item 2.2) for <b>private open space</b> at the ground floor level;</li> <li>in accordance with: <ol style="list-style-type: none"> <li>Chapter 7 integrated noise barrier design of the Transport Noise Management Code of Practice: Volume 1 (Road Traffic</li> </ol> </li> </ol>	<b>Not applicable – reconfiguring a lot only.</b>

Performance outcomes	Acceptable outcomes	Response
	<p>Noise), Department of Transport and Main Roads, 2013;</p> <p>b. Technical Specification-MRTS15 Noise Fences, Transport and Main Roads, 2019;</p> <p>c. Technical Specification-MRTS04 General Earthworks, Transport and Main Roads, 2020.</p> <p>OR</p> <p><b>AO39.2</b> Development achieves the maximum free field acoustic level in reference table 2 (item 2.2) for <b>private open space</b> by <b>alternative noise attenuation measures</b> where it is not practical to provide a noise barrier or earth mound.</p>	
<b>PO40</b> Development (excluding a <b>relevant residential building</b> or <b>relocated building</b> ) minimises noise intrusion from a <b>state-controlled road</b> in <b>habitable rooms</b> at the facade.	<p><b>AO40.1</b> Development (excluding a <b>relevant residential building</b> or <b>relocated building</b>) provides a noise barrier or earth mound which is designed, sited and constructed:</p> <ol style="list-style-type: none"> <li>1. to achieve the maximum building façade acoustic level in reference table 1 (item 1.1) for <b>habitable rooms</b>;</li> <li>2. in accordance with: <ol style="list-style-type: none"> <li>a. Chapter 7 integrated noise barrier design of the Transport Noise Management Code of Practice: Volume 1 (Road Traffic Noise), Department of Transport and Main Roads, 2013;</li> <li>b. Technical Specification-MRTS15 Noise Fences, Transport and Main Roads, 2019;</li> <li>c. Technical Specification-MRTS04 General Earthworks, Transport and Main Roads, 2020.</li> </ol> </li> </ol>	<b>Not applicable – reconfiguring a lot only.</b>

Performance outcomes	Acceptable outcomes	Response
	OR  <b>AO40.2</b> Development (excluding a <b>relevant residential building</b> or <b>relocated building</b> ) achieves the maximum building façade acoustic level in reference table 1 (item 1.1) for <b>habitable rooms</b> by <b>alternative noise attenuation measures</b> where it is not practical to provide a noise barrier or earth mound.	
<b>PO41 Habitable rooms</b> (excluding a <b>relevant residential building</b> or <b>relocated building</b> ) are designed and constructed using materials to achieve the maximum internal acoustic level in reference table 3 (item 3.1).	No acceptable outcome is provided.	<b>Not applicable – reconfiguring a lot only.</b>
<b>Above ground floor level requirements (accommodation activity) adjacent to a state-controlled road or type 1 multi-modal corridor</b>		
<b>PO42</b> Balconies, podiums, and roof decks include: 1. a continuous <b>solid gap-free structure</b> or balustrade (excluding gaps required for drainage purposes to comply with the Building Code of Australia); 2. highly acoustically absorbent material treatment for the total area of the soffit above balconies, podiums, and roof decks.	No acceptable outcome is provided.	<b>Not applicable – reconfiguring a lot only.</b>
<b>PO43 Habitable rooms</b> (excluding a <b>relevant residential building</b> or <b>relocated building</b> ) are designed and constructed using materials to achieve the maximum internal acoustic level in reference table 3 (item 3.1).	No acceptable outcome is provided.	<b>Not applicable – reconfiguring a lot only.</b>
<b>Material change of use (other uses)</b>		
<b>Ground floor level requirements (childcare centre, educational establishment, hospital) adjacent to a state-controlled road or type 1 multi-modal corridor</b>		
<b>PO44</b> Development: 1. provides a noise barrier or earth mound that is designed, sited and constructed: a. to achieve the maximum free field acoustic level in reference table 2 (item	No acceptable outcome is provided.	<b>Not applicable – reconfiguring a lot only.</b>

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

Performance outcomes	Acceptable outcomes	Response
<ul style="list-style-type: none"> <li>b. Technical Specification-MRTS15 Noise Fences, Transport and Main Roads, 2019;</li> <li>c. Technical Specification-MRTS04 General Earthworks, Transport and Main Roads, 2020; or</li> <li>4. achieves the maximum building facade acoustic level in reference table 1 (item 1.2) by <b>alternative noise attenuation measures</b> where it is not practical to provide a noise barrier or earth mound.</li> </ul>		
<b>PO46</b> Development involving: <ul style="list-style-type: none"> <li>1. <b>indoor education areas</b> and <b>indoor play areas</b>; or</li> <li>2. sleeping rooms in a <b>childcare centre</b>; or</li> <li>3. <b>patient care areas</b> in a <b>hospital</b> achieves the maximum internal acoustic level in reference table 3 (items 3.2-3.4).</li> </ul>	No acceptable outcome is provided.	<b>Not applicable – reconfiguring a lot only.</b>
<b>Above ground floor level requirements (childcare centre, educational establishment, hospital) adjacent to a state-controlled road or type 1 multi-modal corridor</b>		
<b>PO47</b> Development involving a <b>childcare centre</b> or <b>educational establishment</b> which have balconies, podiums or elevated <b>outdoor play areas</b> predicted to exceed the maximum free field acoustic level in reference table 2 (item 2.3) due to noise from a <b>state-controlled road</b> are provided with: <ul style="list-style-type: none"> <li>1. a continuous <b>solid gap-free structure</b> or balustrade (excluding gaps required for drainage purposes to comply with the Building Code of Australia);</li> <li>2. highly acoustically absorbent material treatment for the total area of the soffit above balconies or elevated <b>outdoor play areas</b>.</li> </ul>	No acceptable outcome is provided.	<b>Not applicable – reconfiguring a lot only.</b>

Performance outcomes	Acceptable outcomes	Response
<b>PO48</b> Development including: 1. <b>indoor education areas</b> and <b>indoor play areas</b> in a <b>childcare centre</b> or <b>educational establishment</b> ; or 2. sleeping rooms in a <b>childcare centre</b> ; or 3. <b>patient care areas</b> in a <b>hospital</b> located above ground level, is designed and constructed to achieve the maximum internal acoustic level in reference table 3 (items 3.2-3.4).	No acceptable outcome is provided.	<b>Not applicable – reconfiguring a lot only.</b>
<b>Air, light and vibration</b>		
<b>PO49</b> Private open space, outdoor education areas and outdoor play areas are protected from air quality impacts from a <b>state-controlled road</b> .	<b>AO49.1</b> Each dwelling or unit has access to a <b>private open space</b> which is shielded from a <b>state-controlled road</b> by a building, <b>solid gap-free fence</b> , or other <b>solid gap-free structure</b> .  OR  <b>AO49.2</b> Each <b>outdoor education area</b> and <b>outdoor play area</b> is shielded from a <b>state-controlled road</b> by a building, <b>solid gap-free fence</b> , or other <b>solid gap-free structure</b> .	<b>Not applicable – reconfiguring a lot only.</b>
<b>PO50</b> Patient care areas within hospitals are protected from vibration impacts from a <b>state-controlled road</b> or <b>type 1 multi-modal corridor</b> .	<b>AO50.1</b> Hospitals are designed and constructed to ensure vibration in the patient treatment area does not exceed a vibration dose value of $0.1\text{m/s}^{1.75}$ .  AND  <b>AO50.2</b> Hospitals are designed and constructed to ensure vibration in the ward of a <b>patient care area</b> does not exceed a vibration dose value of $0.4\text{m/s}^{1.75}$ .	<b>Not applicable – reconfiguring a lot only.</b>

Performance outcomes	Acceptable outcomes	Response
<b>PO51</b> Development is designed and sited to ensure light from infrastructure within, and from users of, a <b>state-controlled road</b> or <b>type 1 multi-modal corridor</b> , does not: <ol style="list-style-type: none"> <li>intrude into buildings during night hours (10pm to 6am);</li> <li>create unreasonable disturbance during evening hours (6pm to 10pm).</li> </ol>	No acceptable outcomes are prescribed.	<b>Not applicable – reconfiguring a lot only.</b>

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

Performance outcomes	Acceptable outcomes	Response
<b>PO52</b> Development does not impede delivery of a <b>future state-controlled road</b> .	<b>AO52.1</b> Development is not located in a <b>future state-controlled road</b> .  OR ALL OF THE FOLLOWING APPLY:  <b>AO52.2</b> Development does not involve filling and excavation of, or material changes to, a <b>future state-controlled road</b> .  AND  <b>AO52.3</b> The intensification of lots does not occur within a <b>future state-controlled road</b> .  AND  <b>AO52.4</b> Development does not result in the landlocking of parcels once a <b>future state-controlled road</b> is delivered.	<b>Complies with AO52.1.</b>
<b>PO53</b> The location and design of <b>new or changed access</b> does not create a safety hazard for users of a <b>future state-controlled road</b> .	<b>AO53.1</b> Development does not include <b>new or changed access</b> to a <b>future state-controlled road</b> .	<b>Complies with AO53.1.</b>

Performance outcomes	Acceptable outcomes	Response
<b>PO54</b> Filling, excavation, building foundations and <b>retaining structures</b> do not undermine, damage or cause subsidence of a <b>future state-controlled road</b> .	No acceptable outcome is prescribed.	<b>Not applicable – reconfiguring a lot only.</b>
<b>PO55</b> Development does not result in a material worsening of stormwater, flooding, overland flow or drainage impacts in a <b>future state-controlled road</b> or <b>road transport infrastructure</b> .	No acceptable outcome is prescribed.	<b>Complies with PO55.</b>  <b>Stormwater drainage will be directed to the east of the site away from the State controlled road.</b>
<b>PO56</b> Development ensures that stormwater is lawfully discharged.	<p><b>AO56.1</b> Development does not create any new points of discharge to a <b>future state-controlled road</b>.</p> <p>AND</p> <p><b>AO56.2</b> Development does not concentrate flows to a <b>future state-controlled road</b>.</p> <p>AND</p> <p><b>AO56.3</b> Stormwater run-off is discharged to a <b>lawful point of discharge</b>.</p> <p>AND</p> <p><b>AO56.4</b> Development does not worsen the condition of an existing <b>lawful point of discharge</b> to the <b>future state-controlled road</b>.</p>	<p><b>Complies with AO56.1, AO56.2, AO56.3 and AO56.4.</b></p> <p><b>Stormwater drainage will be directed to the east of the site away from the State controlled road.</b></p>



## Attachment 7 Planning Regulation Schedule 12A assessment



DEVELOPMENT & PROPERTY SERVICES

# Planning Regulation 2017 - Schedule 12A Assessment benchmarks for particular reconfiguring a lot

## Part 2 Assessment benchmarks

### 3 Purpose of part

(1) This part sets out assessment benchmarks for reconfiguring a lot to which this schedule applies.

(2) The purpose of this part is to ensure the reconfiguration supports convenient and comfortable walking for transport, recreation, leisure and exercise in the locality of the lot.

Benchmark	Response
<p><b>4 Connectivity</b></p> <p>The reconfiguration provides connectivity for pedestrians by—</p> <ul style="list-style-type: none"><li>(a) ensuring that any roads constructed or extended in association with the reconfiguration are connected in a grid-like pattern that is responsive to topography and other physical constraints; and</li><li>(b) ensuring that, to the extent topography and other physical constraints reasonably permit, any roads constructed or extended in association with the reconfiguration, or footpaths provided in relation to the reconfiguration—<ul style="list-style-type: none"><li>(i) connect to roads and footpaths in surrounding areas; or</li><li>(ii) allow for connection to future roads and footpaths in surrounding areas.</li></ul></li></ul>	<ul style="list-style-type: none"><li>(a) Not applicable as the development only includes a single road</li><li>(b) The development will be connected to Port Douglas Road and the principle cycling network route running parallel to Port Douglas Road.</li></ul>

<p><b>5 Maximum length of particular blocks</b></p> <p>(1) The reconfiguration provides for convenient pedestrian movement by ensuring the length of each boundary of a block for the reconfiguration does not exceed the lesser of—</p> <ul style="list-style-type: none"> <li>(a) a maximum length for a boundary of a block stated in a local assessment benchmark for the reconfiguration; or</li> <li>(b) 250m.</li> </ul> <p>(2) Subsection (1) does not apply in relation to a block for the reconfiguration that the development application for the reconfiguration states will be subdivided as part of a future stage of development.</p>	<p>(1) The length of the boundary of the block is approximately 130m</p>
<p><b>6 Street trees</b></p> <p>The reconfiguration provides shade for comfortable walking by—</p> <ul style="list-style-type: none"> <li>(a) if a local assessment benchmark for the reconfiguration requires the planting of more than 1 tree per 15m on each side of a new road—complying with the local assessment benchmark; or</li> <li>(b) otherwise—ensuring at least 1 tree is planted per 15m on each side of a new road.</li> </ul>	<p>(1) A landscape plan will be prepared as part of the operational works application and include street trees.</p>
<p><b>7 Footpaths</b></p> <p>The reconfiguration provides for convenient and comfortable pedestrian movement by ensuring—</p> <ul style="list-style-type: none"> <li>(a) for a new road used mainly for providing direct access to a created lot—a footpath is constructed—</li> </ul>	<p>(a) As the road only services the 9 proposed lots a separate footpath is not considered necessary. The road carriageway or nature strip can be used for pedestrian and cycling access.</p>

<ul style="list-style-type: none"> <li>(i) if a local assessment benchmark for the reconfiguration requires the construction of a footpath on both sides of the new road—on both sides of the road; or</li> <li>(ii) otherwise—on at least 1 side of the new road; or</li> <li>(b) for another new road—a footpath is constructed on both sides of the road.</li> </ul>	
<p><b>8 Parks and other areas of open space</b></p> <ul style="list-style-type: none"> <li>(1) The reconfiguration ensures access to areas for recreation, leisure or exercise by ensuring that, to the extent topography and other physical constraints reasonably permit, a part of each block for the reconfiguration is within 400m of a park or another area of open space that is accessible to the public.</li> <li>(2) In this section—</li> </ul> <p><b><i>park</i></b> includes—</p> <ul style="list-style-type: none"> <li>(a) an existing park; and</li> <li>(b) a park, to be provided under a development approval, if development of the park has started; and</li> <li>(c) land identified as a park in a local planning instrument; and</li> <li>(d) land identified in an LGIP for public park infrastructure.</li> </ul>	<ul style="list-style-type: none"> <li>(1) The access road to the development is approximately 600m from Four Mile Beach park.</li> </ul>