

# 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) | Tariq Hussain  |
| Contact name (only applicable for companies)        | c/- RPS AAP Consulting Pty Ltd, Patrick Clifton  |
| Postal address (P.O. Box or street address)         | PO Box 1949  |
| Suburb  | Cairns   |
| State   | QLD  |
| Postcode  | 4870   |
| Country   | Australia  |
| Contact number                                      | (07) 4276 1027   |
| Email address (non-mandatory)                       | <a href="mailto:patrick.clifton@rpsgroup.com.au">patrick.clifton@rpsgroup.com.au</a> ;<br><a href="mailto:stacey.devaney@rpsgroup.com.au">stacey.devaney@rpsgroup.com.au</a> |
| Mobile number (non-mandatory)                       |  |
| Fax number (non-mandatory)                          |  |
| Applicant's reference number(s) (if applicable)     | AU010304   |

| 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                   |
|    |          | 133        | Davidson Street                    | Port Douglas             |
|    | Postcode | Lot No.    | Plan Type and Number (e.g. RP, SP) | Local Government Area(s) |
|    | 4877     | 3          | RP728667                           | 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<br><input type="checkbox"/> GDA94<br><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<br><input type="checkbox"/> 55<br><input type="checkbox"/> 56 | <input type="checkbox"/> WGS84<br><input type="checkbox"/> GDA94<br><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):*

Reconfiguring a Lot (1 Lot into 2 Lots) + Access Easement

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<br>(include each definition in a new row) | Number of dwelling units<br>(if applicable) | Gross floor area (m <sup>2</sup> )<br>(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  | 2           |            |            |                        |
| 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?<br>(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 |
| Proposed   | 5.5       | 19.5       | Access and Services                               | Proposed lot 1                                      |
|  |           |            |   |   |

### 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<br><input type="checkbox"/> Drainage work<br><input type="checkbox"/> Landscaping<br><input type="checkbox"/> Other – please specify: | <input type="checkbox"/> Stormwater<br><input type="checkbox"/> Earthworks<br><input type="checkbox"/> Signage<br><input type="checkbox"/> Water infrastructure<br><input type="checkbox"/> Sewage infrastructure<br><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<br><input type="checkbox"/> The local government is taken to have agreed to the superseded planning scheme request – relevant documents attached<br><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   |
| <p><b>Note:</b> By not agreeing to accept an information request I, the applicant, acknowledge:</p> <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> <p>Further advice about information requests is contained in the <a href="#">DA Forms Guide</a>.</p> |

## 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<br><input type="checkbox"/> Development application |                  |      |                    |
| <input type="checkbox"/> Approval<br><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.dsdmp.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.dsdmp.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: |  |
|-----------------------------|--|-----------|--|

### **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              |                      |

# 133 DAVIDSON STREET, PORT DOUGLAS – DEVELOPMENT APPLICATION FOR RECONFIGURING A LOT (1 INTO 2)

## Town Planning Report



AU010304  
B  
19 June 2023

## REPORT

### Document status

| Version | Purpose of document | Authored by | Reviewed by | Approved by | Review date |
|---------|---------------------|-------------|-------------|-------------|-------------|
| A       | Planning Report     | S. Devaney  | P Clifton   | P Clifton   | 19/06/2023  |
| B       | Client Review       | S. Devaney  | T. Hussain  |             | 19/06/2023  |

### Approval for issue

Patrick Clifton



19 June 2023

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

Prepared by:

Prepared for:

**RPS**

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## Contents

|  |           |
|--|-----------|
| <b>SUMMARY .....</b>   | <b>3</b>  |
| <b>1 INTRODUCTION .....</b>  | <b>4</b>  |
| <b>2 SITE DETAILS .....</b>  | <b>5</b>  |
| 2.1 Site Particulars .....   | 5         |
| 2.2 Planning Context .....   | 6         |
| <b>3 PROPOSAL .....</b>  | <b>8</b>  |
| 3.1 Overview .....   | 8         |
| <b>4 LEGISLATIVE REQUIREMENTS .....</b>                                  | <b>9</b>  |
| 4.1 Assessment Manager .....   | 9         |
| 4.2 Categories of Assessment .....                                       | 9         |
| 4.3 Referrals .....  | 9         |
| 4.4 Public Notification .....  | 9         |
| <b>5 STATUTORY PLANNING ASSESSMENT .....</b>                             | <b>10</b> |
| 5.1 Overview .....   | 10        |
| 5.2 State and Regional Assessment Benchmarks .....                       | 10        |
| 5.2.1 State Planning Policy .....  | 10        |
| 5.2.2 Regional Plan .....  | 10        |
| 5.2.3 Development Assessment under Schedule 10 (SDAP) .....              | 10        |
| 5.3 Local Authority Assessment Benchmarks .....                          | 10        |
| 5.4 Statement of Compliance – Planning Scheme Benchmark Assessment ..... | 11        |
| 5.4.1 Tourist Accommodation Zone Code .....                              | 11        |
| 5.4.2 Reconfiguring a Lot Code .....                                     | 12        |
| <b>6 CONCLUSION .....</b>  | <b>14</b> |

## Tables

|   |          |
|---|----------|
| <b>Table 1: Summary .....</b>                 | <b>3</b> |
| Table 2: Site Particulars .....               | 5        |
| Table 3: Planning Context .....               | 6        |
| Table 4: Categories of Assessment .....       | 9        |
| Table 5: Planning Scheme Code Responses ..... | 10       |

## Figures

|  |   |
|--|---|
| Figure 1: Site Location .....                | 5 |
| Figure 2: Davidson Street Frontage .....     | 6 |
| Figure 3: Zoning .....                       | 7 |
| Figure 4: Proposed Plan of Subdivision ..... | 8 |

## Appendices

|   |
|---|
| Appendix A Certificate of Title                               |
| Appendix B Douglas Shire Planning Scheme 2018 Property Report |
| Appendix C Proposal Plans                                     |
| Appendix D Planning Scheme Code Responses                     |



## SUMMARY

Table 1: Summary

| Details                                |   |  |  |
|--|---|--|--|
| Site Address:                          | 133 Davidson Street, Port Douglas   |  |  |
| Real Property Description:             | Lot 3 on RP728667   |  |  |
| Site Area:                             | 800m <sup>2</sup>   |  |  |
| Regional Plan Land Use Designation:    | Urban Footprint   |  |  |
| Zone:                                  | Tourist Accommodation Zone  |  |  |
| Local Plan/Precinct:                   | Port Douglas/ Craiglie Local Plan   |  |  |
| Owner(s):                              | Tariq Muhammad Hussain  |  |  |
| Proposal                               |   |  |  |
| Brief Description/ Purpose of Proposal | Reconfiguring a Lot (1 into 2) and Access Easement  |  |  |
| Application Details                    |   |  |  |
| Aspect of Development                  | Preliminary approval  | Development permit                     |  |
| Material change of use                 | <input type="checkbox"/>  | <input type="checkbox"/>               |  |
| Building Work                          | <input type="checkbox"/>  | <input type="checkbox"/>               |  |
| Operational Work                       | <input type="checkbox"/>  | <input type="checkbox"/>               |  |
| Reconfiguration of a Lot               | <input type="checkbox"/>  | <input checked="" type="checkbox"/>    |  |
| Assessment Category                    | <input checked="" type="checkbox"/> Code  | <input type="checkbox"/> Impact        |  |
| Public Notification                    | <input checked="" type="checkbox"/> No  | <input type="checkbox"/> Yes           |  |
| Superseded Planning Scheme Application | <input type="checkbox"/> Yes  | <input checked="" type="checkbox"/> No |  |
| Referral Agencies                      |   |  |  |
| Agency                                 | Concurrence   | Advice                                 | Pre-lodgement response                                   |
| Not applicable                         | <input type="checkbox"/>  | <input type="checkbox"/>               | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| Pre-lodgement / Consultation           |   |  |  |
| Entity                                 |   | Date                                   | Contact Name   |
| Council DA Team                        | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No                                     | 16/5/2023                              | Jenny Elphinstone  |
| Other                                  |   |  |  |
| Applicant contact person               | Patrick Clifton<br>Senior Principal Planner<br>D: +61 7 4276 1017<br>E: Patrick.clifton@rpsgroup.com.au |  |  |



# 1 INTRODUCTION

RPS has been engaged by Tariq Hussain to seek development approval for Reconfiguring a Lot located at 133 Davidson Street, Port Douglas, and described as Lot 3 on RP728667.

The site is a single regular shaped parcel of land with an area of 800m<sup>2</sup> and with frontage to Davidson Street of approximately 23 metres. The site is currently developed with a Multiple Dwelling development, in accordance with the 1981 Planning Scheme, which is understood to have been constructed in 1993. Access to the development is provided by a shared driveway located adjacent to the southern boundary of the site and from Davidson Street. The original Town Planning Consent required one (1) covered car park per dwelling and one (1) additional space per four units. The site is also provided with connections to all urban services with a sewer line to the rear of the site and water supply within Davidson Street.

The area containing the site is characterised by a mix of dual occupancy and multiple dwelling developments within the site sharing common boundaries with dual occupancy developments and multiple dwelling development being located further to the south and north.

It is proposed to subdivide the land to create two (2) lots with each containing one of the existing dwellings and the curtilage. Lot 1 would have an area of 449m<sup>2</sup> and Lot 2 would have an area of 351m<sup>2</sup>. Access to each lot from Davidson Street and services would be contained within an easement. No other development would occur as part of the development and the built form on the overall site would remain the same. Each lot has capacity to contain two (2) car parking spaces

Under the Douglas Shire Council Planning Scheme 2018, the site has the following designations /classifications:

- Zone – Tourist Accommodation;
- Local Plan – Port Douglas/Craiglie Local Plan;
- Overlays:
  - Acid Sulfate Soils (<5m AHD)
  - Landscape Values
  - Transport Network (Access Road)

In accordance with the Tables of Assessment, Reconfiguring a Lot is identified as a Code Assessable Development Application. As Code Assessable, in determining the application, the Council as the Assessment Manager, can only have regard to the relevant Assessment benchmarks established in the Planning Scheme Codes.

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

2 SITE DETAILS

2.1 Site Particulars

The subject site is a single regularly shaped allotment located with frontage to Davidson Street of approximately 23 metres and is described as Lot 3 on RP728667. The site is an existing Multiple Dwelling development, as prescribed in the Town Planning Consent Permit of 1992, comprising two attached dwelling units sharing a party wall. Both dwellings share a driveway from Davidson Street. The total site has an area of approximately 800m<sup>2</sup>.

The locality containing the site is generally characterised by a mix of Dual Occupancy and Multiple Dwelling development. The lots adjoining the subject site have been developed for Dual Occupancies, with developments further to the north and south and accessed from Davidson Street are for Multiple Dwellings.

Table 2: Site Particulars

| Site Particulars          |                                   |
|---------------------------|-----------------------------------|
| Site Address              | 133 Davidson Street, Port Douglas |
| Real Property Description | Lot 3 on RP728667                 |
| Site Area                 | 800m <sup>2</sup>                 |
| Landowner(s)              | Tariq Hussain                     |

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

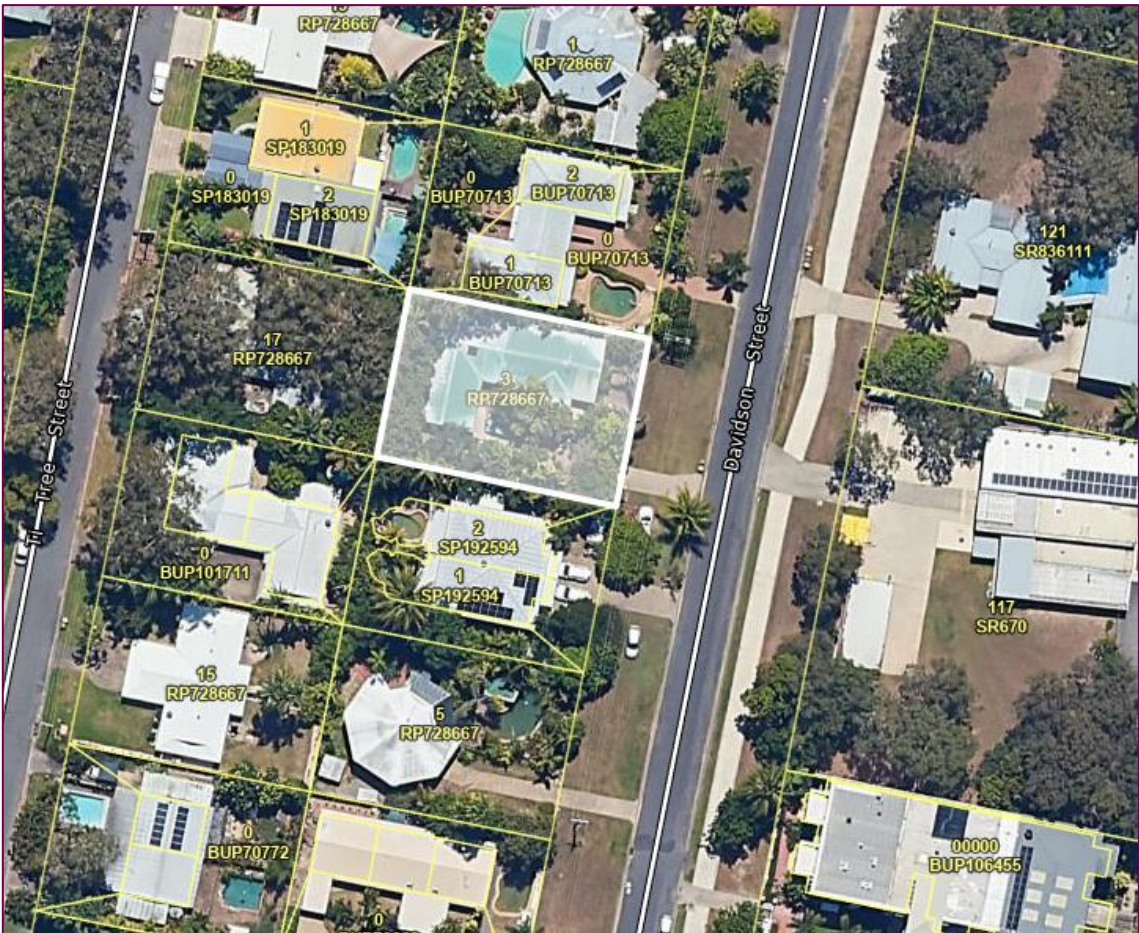


Figure 1: Site Location

Source: Queensland Globe



**Figure 2: Davidson Street Frontage**

Source: Google Earth

## 2.2 Planning Context

The planning context of the site is summarised in **Table 3** below:

**Table 3: Planning Context**

| Instrument  | Designation  |
|---|--|
| <b>State Planning Policy Mapping</b>                |  |
| Safety and Resilience to Hazards                    | <b>Natural Hazards and Risk Resilience</b> <ul style="list-style-type: none"> <li>Flood hazard area - Level 1 - Queensland floodplain assessment overlay.</li> <li>Flood hazard area - Local Government flood mapping area.</li> </ul> |
| <b>Development Assessment Mapping</b>               |  |
| Native Vegetation Clearing                          | <ul style="list-style-type: none"> <li>Category X on the regulated vegetation management map.</li> </ul>   |
| <b>Far North Queensland Regional Plan 2009-2031</b> |  |
| Regional Plan designation                           | Urban Footprint  |
| <b>Douglas Shire Council Planning Scheme 2018</b>   |  |
| Strategic framework designation                     | Urban Area   |
| Zone  | Tourist Accommodation Zone   |
| Local Plan  | Port Douglas/Craiglie Local Plan – No precinct.  |
| Overlays  | <ul style="list-style-type: none"> <li>Acid Sulfate Soils Overlay (&lt;5m AHD);</li> <li>Landscape Values Overlay; and</li> <li>Transport Network Overlay.</li> </ul>  |

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

A Douglas Shire Council Planning Scheme Property Report is provided at **Appendix B**





Figure 3: Zoning

Source: Douglas Shire Planning Scheme 2018

### 3 PROPOSAL

#### 3.1 Overview

It is proposed to subdivide the land to create two freehold lots and an easement for access and services. Lot 1 would have an area of 449m<sup>2</sup> and Lot 2 would have an area of 351m<sup>2</sup>. Access to the proposed lots would be from Davidson Street via an easement registered on lot 2 in favour of lot 1. No other development would occur as part of the development and the built form on the site would remain the same.

The ultimate form of the development would be two lots with each lot containing an attached Dwelling Unit, divided by a party wall. Each lot would retain the existing shared access and car parking arrangements, providing two spaces per dwelling. An easement would be provided over the shared driveway for access and services.

The site plan is shown below in **Figure 4** and the proposed plan of subdivision is included at **Appendix C**.



**Figure 4: Proposed Plan of Subdivision**

Source: RPS AAP Consulting Pty Ltd

## 4 LEGISLATIVE REQUIREMENTS

### 4.1 Assessment Manager

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

### 4.2 Categories of Assessment

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

**Table 4: Categories of Assessment**

| Aspect of development                      | Categorising instrument  | Category of assessment |
|--|--|------------------------|
| Development Permit for Reconfiguring a Lot | Table 5.6.n Tourist Accommodation Zone, Douglas Shire Planning Scheme 2018 | Code Assessment        |

### 4.3 Referrals

The application is not identified as triggering any referrals in accordance with Schedule 10 of the *Planning Regulation 2017*.

### 4.4 Public Notification

This application does not require public notification as it is subject to Code Assessment only.

## 5 STATUTORY PLANNING ASSESSMENT

### 5.1 Overview

As the application is subject to code assessment, the assessment benchmarks, and the matters the assessment manager must have regard to, are those identified in section 45(3) of the *Planning Act 2016* and sections 26 and 27 of the *Planning Regulation 2017*.

### 5.2 State and Regional Assessment Benchmarks

#### 5.2.1 State Planning Policy

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

As detailed in Part 2 of the Douglas Shire Planning Scheme 2018, it is understood that all aspects of the State Planning Policy have been adequately reflected in the Planning Scheme. Accordingly, no further assessment against the State Planning Policy is required in this instance.

#### 5.2.2 Regional Plan

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

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

#### 5.2.3 Development Assessment under Schedule 10 (SDAP)

Schedule 10 of the *Planning Regulation 2017* identifies the matters that the assessment manager and/or referral agency assessment must have regard to if the application is identified as triggering referral to the state. In this instance, the application does not trigger referral and, therefore, no state codes apply.

### 5.3 Local Authority Assessment Benchmarks

This application is to be assessed against the Douglas Shire Planning Scheme 2018. The assessment benchmarks applicable under the Planning Scheme are identified below.

**Table 5: Planning Scheme Code Responses**

| Planning Scheme Codes                | Applicability | Comment  |
|--------------------------------------|---------------|--|
| <b>Zone code</b>                     |               |  |
| Tourist Accommodation Zone Code      | Applies       | Consideration is required in respect of Performance Outcomes PO2, PO11, PO12 and PO13, which are discussed in further detail in section 5.4.1 below. |
| <b>Local Plan code</b>               |               |  |
| Port Douglas/Craigie Local Plan Code | Applies       | Complies with relevant Acceptable Outcomes.  |

| Planning Scheme Codes            | Applicability  | Comment  |
|----------------------------------|----------------|--|
| <b>Overlay Codes</b>             |                |  |
| Acid Sulfate Soils Overlay Code  | Not applicable | The proposed development would not involve any excavation or filling.  |
| Landscape Values Overlay         | Not applicable | It is not identified as an Assessment Benchmark for a Reconfiguring a Lot.   |
| Transport Network Overlay Code   | Not applicable | No applicable Assessment Benchmarks  |
| <b>Development Codes</b>         |                |  |
| Access, Parking and Service Code | Applies        | Complies with relevant Acceptable Outcomes and existing approval requirements.   |
| Environmental Performance Code   | Not applicable | No applicable Assessment Benchmarks  |
| Filling & Excavation Code        | Not applicable | No filling or excavation is proposed.  |
| Infrastructure Works Code        | Applies        | Complies with relevant Acceptable Outcomes.  |
| Landscaping Code                 | Applies        | Complies with relevant Assessment Benchmarks.  |
| Reconfiguration of a Lot Code    | Applies        | Consideration is required in respect of Performance Outcomes PO1, which is discussed in further detail in section 5.4.2 below. |
| Vegetation Management Code       | Not applicable | No applicable Assessment Benchmarks  |

A detailed assessment against the relevant Planning Scheme Codes is provided at **Appendix D**.

## 5.4 Statement of Compliance – Planning Scheme Benchmark Assessment

### 5.4.1 Tourist Accommodation Zone Code

Performance Outcome PO2 of the Tourist Accommodation Zone Code states:

#### **PO2**

*Buildings are setback to:*

- (a) *maintain the character and amenity of the area;*
- (b) *achieve separation from neighbouring buildings and from road frontages.*

The associated Acceptable Outcome states:

#### **AO2**

*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.

The proposed development would retain existing buildings that are setback 6 metre from the street frontage, 1.5 metres from the side boundary and 3.7 metres from the rear boundary. The proposal would facilitate two (2) separate lots with a party wall as the common boundary and a zero (0) metre setback.

This form of development is consistent with the character and amenity of the locality and consistent with nearby built form, including development at 137 and 139 Davidson Street, which is built in proximity of the rear boundary and 139 Davidson Street, which has a reduced side boundary setback. Similar setbacks are also constructed at properties on Ti Tree Street to the west of the site and within the area containing the site.

The proposed development is considered to be consistent with the Performance Outcome in that it maintains the character and amenity of the area and achieves separation from neighbouring buildings and road frontage. It is considered that the proposed development would satisfy the requirements of the Performance Outcome.

Performance Outcome PO11 of the Tourist Accommodation Zone Code states:

**PO11**

*New lots contain a minimum area of 1000m<sup>2</sup>.*

There is no identified Acceptable Outcome to support the Performance Outcome.

The subject site has an area of 800m<sup>2</sup> and the proposed development would result in Lot 1 with an area of 449m<sup>2</sup> and Lot 2 with an area of 351m<sup>2</sup>, with each lot containing a dwelling unit. Whilst the proposed lots would not achieve the dimensional requirements of the Performance Outcomes, the proposal seeks to reconfigure the existing lot, containing a Multiple Dwelling to create two freehold lots.

The proposed reconfiguration would not adversely affect the built form of the area or the purpose of the zone code and would provide a development of an appropriate scale and achieves an attractive built form consistent with the purpose of the zone code.

Performance Outcome PO12 of the Tourist Accommodation Zone Code states:

**PO12**

*New lots contain a minimum road frontage of 20 metres.*

There is no identified Acceptable Outcome to support the Performance Outcome.

The proposed street frontages would be below the minimum 20 metres; however, the proposed development relates to an existing multiple dwelling and is in keeping with similar development within the surrounding locality. The proposed reconfiguration would not affect the built form or the character of the area or compromise the purpose of the zone code.

Performance Outcome PO13 of the Tourist Accommodation Zone Code states:

**PO13**

*New lots contain a 25 metre x 20 metre rectangle.*

There is no identified Acceptable Outcome to support the Performance Outcome.

The proposed development would not achieve the dimensional requirements of the Performance Outcome; however, the proposed development seeks to reconfigure the existing lot, containing a Dual Occupancy, to create two freehold lots each containing a dwelling unit. The proposed reconfiguration would not adversely affect the built form or the outcomes of the zone by achieving development of an appropriate scale and consistent with existing development within the locality.

## 5.4.2 Reconfiguring a Lot Code

Performance Outcome PO1 of the Reconfiguring a Lot Code states:

**PO1**

*Lots comply with the lot reconfiguration outcomes of the applicable Zone code in Part 5.*

## REPORT

---

There is no identified Acceptable Outcome to support the Performance Outcome.

The proposed development would be able to comply with the reconfiguration outcomes of the Tourist Accommodation Zone code by providing lots with sufficient area, dimensions and appropriate scale that achieves a built form consistent with the character of the area. The purpose of the zone code would not be compromised by the proposal.

It is considered that the proposed development would satisfy the requirements of the Performance Outcome.

## 6 CONCLUSION

RPS has been engaged by Tariq Hussain to seek development approval for Reconfiguring a Lot located at 133 Davidson Street, Port Douglas, and described as Lot 3 on RP728667.

The site is a single regular shaped parcel of land with an area of 800m<sup>2</sup> and with frontage to Davidson Street of approximately 23 metres. The site is currently developed with a Multiple Dwelling development, in accordance with the 1981 Planning Scheme, which is understood to have been constructed in 1993. Access to the development is provided by a shared driveway located adjacent to the southern boundary of the site and from Davidson Street. The original Town Planning Consent required one (1) covered car park per dwelling and one (1) additional space per four units. The site is also provided with connections to all urban

It is proposed to subdivide the land to create two (2) lots with each containing one of the existing dwellings and the curtilage. Lot 1 would have an area of 449m<sup>2</sup> and Lot 2 would have an area of 351m<sup>2</sup>. Access to each lot from Davidson Street and services would be contained within an easement. No other development would occur as part of the development and the built form on the overall site would remain the same. Each lot has capacity to contain two (2) car parking spaces.

The area containing the site is characterised by a mix of dual occupancy and multiple dwelling developments within the site sharing common boundaries with dual occupancy developments and multiple dwelling development being located further to the south and north.

In accordance with the Tables of Assessment, Reconfiguring a Lot is identified as a Code Assessable Development Application. As Code Assessable, in determining the application, the Council as the Assessment Manager, can only have regard to the relevant Assessment benchmarks established in the Planning Scheme Codes.

The assessment undertake in this report demonstrates that the proposed development satisfies the relevant planning Assessment Benchmarks. Based on this assessment the proposal is submitted for approval subject to reasonable and relevant conditions.

## Appendix A

### Certificate of Title

Queensland Titles Registry Pty Ltd  
ABN 23 648 568 101

|                            |                 |                     |                  |
|----------------------------|-----------------|---------------------|------------------|
| <b>Title Reference:</b>    | <b>20967141</b> | <b>Search Date:</b> | 26/05/2023 14:20 |
| <b>Date Title Created:</b> | 02/10/1974      | <b>Request No:</b>  | 44548632         |
| <b>Previous Title:</b>     | 20204112        |                     |                  |

#### ESTATE AND LAND

Estate in Fee Simple

LOT 3 REGISTERED PLAN 728667  
Local Government: DOUGLAS

#### REGISTERED OWNER

Dealing No: 721248060 11/11/2021

TARIQ MUHAMMAD HUSSAIN

#### EASEMENTS, ENCUMBRANCES AND INTERESTS

1. Rights and interests reserved to the Crown by  
Deed of Grant No. 10495138 (POR 39)

#### ADMINISTRATIVE ADVICES

NIL

#### UNREGISTERED DEALINGS

NIL

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

## Appendix B

# Douglas Shire Planning Scheme 2018 Property Report

## 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 [133 Davidson Street PORT DOUGLAS](#)



Lot Plan [3RP728667](#) (Freehold - 800m<sup>2</sup>)



Selected Property



Easements



Property

### Douglas Shire Planning Scheme 2018 version 1.0

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

#### Zoning

#### Applicable Zone







Tourist Accommodation

#### More Information

- [View Section 6.2.14 Tourist Accommodation Zone Code](#)
- [View Section 6.2.14 Tourist Accommodation Zone Compliance table](#)
- [View Section 6.2.14 Tourist Accommodation 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><br>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><br>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="#">Landscape Values</a>           | <b>Scenic Buffer Area</b><br>View corridor  | <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><br>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 Pedestrian Cycle</a> | <b>Applicable Precinct or Area</b><br>Neighbourhood Route   | <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><br>Access Road<br>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

Tourist Accommodation

More Information

- [View Section 6.2.14 Tourist Accommodation Zone Code](#)
- [View Section 6.2.14 Tourist Accommodation Zone Compliance table](#)
- [View Section 6.2.14 Tourist Accommodation Zone Assessment table](#)



☒ Selected Property

☐ Property

Zoning

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

Local Plans

**Applicable Precinct or Area**  
Port Douglas - Craiglie

- 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](#)



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

☐ Property

**Acid Sulfate Soils**

☒ Acid Sulfate Soils (< 5m AHD)

☐ Acid Sulfate Soils (5-20m AHD)

☐ all others















Landscape Values

**Scenic Buffer Area**  
View corridor

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



|  |  |   |   |  |   |
|--|--|---|---|--|---|
|  Selected Property |  Property | <b>Scenic Buffer Area</b><br> Gateway<br> View corridor |  Lookout<br> all others |  Scenic route |  Scenic route buffer |
|--|--|---|---|--|---|

|   |   |  |  |
|---|---|--|--|
| <b>Landscape Values</b><br> Coastal scenery |  High landscape values |  Medium Landscape Value |  all others |
|---|---|--|--|



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](#)



Transport Pedestrian Cycle

**Applicable Precinct or Area**  
Neighbourhood Route








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



☒ Selected Property

☐ Property

**Pedestrian and Cycle Network**

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



Transport Road Hierarchy

Applicable Precinct or Area

Access Road  
Major Transport Corridor Buffer Area (State Controlled Road)

More Information

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



☒ Selected Property

☐ Property

Road Hierarchy

- |   |   |   |  |
|---|---|---|--|
| <span style="color: yellow;">—</span> Access Road   | <span style="color: black;">—</span> Arterial Road    | <span style="color: purple;">—</span> Collector Road  | <span style="color: brown;">—</span> Industrial Road |
| <span style="color: red;">—</span> Major Rural Road | <span style="color: green;">—</span> Minor Rural Road | <span style="color: blue;">—</span> Sub Arterial Road | <span style="color: grey;">—</span> Unformed Road    |
| <span style="color: black;">—</span> all others     |   |   |  |

☐ Major Transport Corridor Buffer Area

Disclaimer

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

# Appendix C

## Proposal Plans



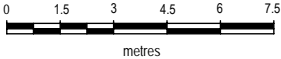
AERIAL IMAGERY.

The aerial photography used in this plan has not been rectified. The image has been overlaid as best fit on the boundaries shown and position is approximate only.  
Date of Capture:09/2022  
©StateofQueensland(DepartmentofResources)2023



IMPORTANT NOTE

- This plan was prepared for the sole purposes of the client for the specific purpose of accompanying an application to the Douglas Shire Council for a reconfiguration of a lot described on this plan. This plan is strictly limited to the Purpose and does not apply directly or indirectly and will not be used for any other application, purpose, use or matter. The plan is presented without the assumption of a duty of care to any other person (other than the Client) ("Third Party") and may not be relied on by Third Party.
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  - RPS AAP Consulting Pty Ltd relying on information provided to it by the Client or a Third Party where the information is incorrect, incomplete, inaccurate, out-of-date or unreasonable;
  - any inaccuracies or other faults with information or data sourced from a Third Party;
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  - the Client or any Third Party not verifying information in this plan where recommended by RPS AAP Consulting Pty Ltd;
  - lodgement of this plan with any local authority against the recommendation of RPS AAP Consulting Pty Ltd;
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- Without limiting paragraph 1 or 2 above, this plan may not be copied, distributed, or reproduced by any process unless this note is clearly displayed on the plan.
- Scale shown is correct for the original plan and any copies of this plan should be verified by checking against the bar scale.
- The dimensions, area, size and location of improvements, flood information (if shown) and number of lots shown on this plan are approximate only and may vary.
- Cadastral boundaries are obtained by title dimensions and/or digitising from existing cadastral maps. These boundaries have not been verified and are approximate only.



SCALE 1:200 IS APPLICABLE ONLY TO THE ORIGINAL SHEET SIZE. (A4)

| AMENDMENTS         |          |          |
|--------------------|----------|----------|
|                    |          |          |
| RPS CLIENT MANAGER |          | SURVEYED |
| P Clifton          |          | NA       |
| COMPILED           |          | CAD REF  |
| SL 12/06/23        |          | NA       |
| SHEET SIZE         | SHEET OF | SHEETS   |
| A4                 | 1        | 1        |

RPS AAP Consulting Pty Ltd  
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135 Abbott Street  
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CAIRNS QLD 4870  
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W rpsgroup.com.au



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Tariq Hussain

Proposal Plan  
Proposed Reconfiguring a  
Lot - 1 Lot into 2 Lots  
133 Davidson Street  
Port Douglas

|       |            |             |       |
|-------|------------|-------------|-------|
| SCALE | DATE       | DRAWING NO. | ISSUE |
| 1:200 | 16/06/2023 | AU010304-1  | B     |



186°  
23.5m

3.7m

UNIT 1

2m d/way setback

R3

34.03m

96°

2.8m

R1

visitor parking  
2.3m x 5.5m

3.0m

R1

2.8m

UNIT 2

34.03m

276°

paling dividing fence

NOTE - All roof drainage to be taken to K&C inv. via 2 100 p PVC pipes - make good K&C cut in.

Provide 6 garden taps - Owner to locate

1.5m

R3

6.0m

3.0m

23.5m

1.5m

thick concrete  
y & parking,  
aggregate

DOUGLAS SHIRE COUNCIL

CONDITIONS APPLICABLE TO BUILDING PERMIT

5094

heavily landscaped area to  
The building permit issued in connection with this application,  
satisfaction of Council  
(i) Does not relieve the owner of their liability to ensure that  
4.5m x 4.25m (50m²)  
the works are carried out in accordance with the approved  
plans and specifications.

NOTE - All roof drainage to be taken to K&C inv. via 2 100 p PVC pipes - make good K&C after cut in.

Provide 6 garden hose  
taps - Owner to locate.

DOUGLAS SHIRE COUNCIL  
CONDITIONS APPLICABLE TO BUILDING PERMIT

heavily landscaped area to  
The building permit issued in connection with this application,  
satisfaction of Council  
(ii) Does not relieve the owner of responsibility to ensure that  
4.5 m x 4.25 m (30m<sup>2</sup>) to comply with the approved  
plans and specifications.

(ii) Does not limit the powers of the Council to undertake detailed work on the subject, but it is implied that the Council will be responsible for the detailed work.

(iii) Is given on the site, and the works are carried out strictly in accordance with the approved plans and specifications, the rules, regulations and bye-laws of the Shire Council and any other requirements that may be imposed.

(iv) Does not give comprehensive representation of a septic system, for the control of septic. Separate applications must be submitted for each of these items.

APPROVED

(Building Surveyor)

(Date)

provide concrete drive  
to K & C

Queensland Building Services Authority

Impressed Contract Schedule  
Received and Premium Paid

Date 12/1/93 Receipt No. 64126

Insurance Notification Receipt  
Signed

Date 1/1 Receipt No.

Owner Builder Permit

Number.....

DAVIDSON 14 EC

# SITE PLAN 1:200

Lot 3 RP 728667

PLAN 2 of 2

N. & J. WALKER

## Appendix D

### Planning Scheme Code Responses

## 6.2.14 Tourist Accommodation Zone code

### 6.2.14.1 Application

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

### 6.2.14.2 Purpose

- (1) The purpose of the Tourist accommodation zone code is to provide for short-term accommodation supported by community uses and small-scale services and facilities in locations where there are tourist attractions.
- (2) The local government purpose of the code is to:
  - (a) implement the policy direction set in the Strategic Framework, in particular:
    - i. Theme 4 : Strong communities and identity, Element 3.7.4 – Sense of place, community and identity.
    - ii. Theme 5 – Economy. Element 3.8.2 – Economic growth and diversification, Element 3.8.2 – Tourism.
  - (b) provide for tourist accommodation development to establish in areas close to commercial and recreational services and facilities.
- (3) The purpose of the code will be achieved through the following overall outcomes:
  - (a) A range of accommodation activities, with an emphasis on short-term accommodation is established at a scale and density to service tourist needs.
  - (b) Tourist 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 facilitates opportunities for establishing tourist facilities and services within, or adjacent to, tourist accommodation to complement the tourist accommodation and enhance the attractiveness of tourist areas.
  - (d) Development is designed to take into account the tropical climate by incorporating appropriate architectural elements and design features.
  - (e) Landscaping of tourist development is of a high quality and contributes to the visual dominance of tropical vegetation and the local streetscape.
  - (f) Community facilities, open space and recreational areas and appropriate infrastructure to support the needs of the local community are provided.

### 6.2.14.3 Criteria for assessment

**Table 6.2.14.3 — Tourist accommodation zone code - assessable development**

| Performance outcomes                                  | Acceptable outcomes | Compliance |
|---|---------------------|------------|
| <b>For self assessable and assessable development</b> |                     |            |

| Performance outcomes   | Acceptable outcomes   | Compliance  |
|--|---|---|
| <b>PO1</b><br>The height of all buildings and structures must be in keeping with the residential character of the area.  | <b>AO1</b><br>Buildings and structures are not more than 13.5 metres and 3 storeys in height.<br>Note – Height is inclusive of roof height.   | <b>Complies with AO1</b><br>The proposal is solely for Reconfiguring a Lot. Existing dwellings would be retained as single storey and no new buildings or structures are proposed.  |
| <b>Setbacks (other than for a dwelling house)</b>  |   |   |
| <b>PO2</b><br>Buildings are setback to: <ul style="list-style-type: none"> <li>(a) maintain the character and amenity of the area;</li> <li>(b) achieve separation from neighbouring buildings and from road frontages.</li> </ul> | <b>AO2</b><br>Buildings are setback: <ul style="list-style-type: none"> <li>(a) a minimum of 6 metres from the main street frontage;</li> <li>(b) a minimum of 4 metres from any secondary street frontage;</li> <li>(c) 4.5 metres from a rear boundary;</li> <li>(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.</li> </ul> | <b>Complies with PO2</b><br>The proposed development would retain existing buildings, which are adequately setback from the front boundary.<br>The proposal would facilitate two (2) separate lots with a party wall as the common boundary and a zero (0) metre setback.<br>This form of development is consistent with the character and amenity of the locality and consistent with nearby built form, including development at 137 and 139 Davidson Street, which have a reduced setback to the rear boundary, and 139 Davidson Street, which has a reduced side boundary setback. Similar setbacks are also constructed at properties on Ti Tree Street to the west of the site and within the area containing the site. |
| <b>Site coverage (other than for a dwelling house)</b>   |   |   |
| <b>PO3</b><br>The site coverage of all buildings does not result in a built form that is bulky or visually obtrusive.  | <b>AO3</b><br>The site coverage of any building is limited to 50%.  | <b>Complies with AO3</b><br>The proposal is for reconfiguring a lot only. No changes to the existing built form are proposed and the existing site coverage would be maintained.  |

| Performance outcomes   | Acceptable outcomes  | Compliance   |
|--|--|--|
| <b>Building proportions and scale (other than for a dwelling house)</b>  |  |  |
| <b>PO4</b><br>The proportions and scale of any development are in character with the area and local streetscape. | <b>AO4.1</b><br>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><br>The proposal is for reconfiguring a lot only. No changes to the existing built form are proposed. |
|  | <b>AO4.2</b><br>Balconies, patios and similar spaces are not enclosed or capable of being enclosed and used as a habitable room.   | <b>Not applicable</b><br>The proposal is for reconfiguring a lot only. No changes to the existing built form are proposed. |
|  | <b>AO4.3</b><br>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.  | <b>Not applicable</b><br>The proposal is for reconfiguring a lot only. No changes to the existing built form are proposed. |
|  | <b>AO4.4</b><br>Roof forms, materials and colours of buildings enhance the amenity of the street and locality, including: <ul style="list-style-type: none"> <li>(a) the roofs of buildings are light coloured and non-reflecting;</li> <li>(b) white and shining metallic finishes are avoided on external surfaces in prominent view.</li> </ul> Note – The building incorporates building design features and architectural elements detailed in Planning scheme policy SC6.2 – Building design and architectural elements. | <b>Not applicable</b><br>The proposal is for reconfiguring a lot only. No changes to the existing built form are proposed. |

| Performance outcomes  | Acceptable outcomes   | Compliance   |
|---|---|--|
| <b>Landscaping (other than for a dwelling house)</b>  |   |  |
| <b>PO5</b><br>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. | <b>AO5.1</b><br>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. | <b>Complies with AO5.1</b><br>The proposal is for reconfiguring a lot only. No changes to the existing built form are proposed and existing landscaping would be maintained. A minimum of 35% of the site is provided as landscaped areas. |
|   | <b>AO5.2</b><br>Within the frontage setback area, a minimum width of 2 metres of landscape area includes a minimum 75% dense planting.                                | <b>Complies with AO5.2</b><br>The proposal is for reconfiguring a lot only. No changes to the existing built form are proposed. The front setback area would be maintained as landscaped area.   |
|   | <b>AO5.3</b><br>Within the side and rear setback areas, a minimum width of 1.5 metres of landscape area includes 75% dense planting.                                  | <b>Not applicable</b><br>The proposal is for reconfiguring a lot only. No changes to the existing built form are proposed. The side setback areas are a minimum width of 1.5m and existing landscaping would be maintained.                |
| <b>For assessable development</b>   |   |  |
| <b>PO6</b><br>The establishment of uses is consistent with the outcomes sought for the Tourist accommodation zone and protects the zone from the intrusion of inconsistent uses.                        | <b>AO6.1</b><br>Inconsistent uses as identified in Table 6.2.14.3.b are not established in the Tourist accommodation zone.  | <b>Not applicable</b><br>The proposed development is for reconfiguring a lot associated within an existing lawful multiple dwelling, in accordance with the 1981 Planning Scheme.  |
| <b>PO7</b><br>Development is located, designed, operated and  | <b>AO7</b><br>No acceptable outcomes are prescribed   | <b>Complies with PO7</b><br>The proposed development is consistent with the  |



| Performance outcomes  | Acceptable outcomes  | Compliance  |
|---|--|---|
| <p>managed to respond to the characteristics, features and constraints of the site and surrounds.</p> <p>Note – Planning scheme policy – Site assessments provides guidance on identifying the characteristics, features and constraints of a site and its surrounds.</p> |  | locality and adjoining land uses.   |
| <p><b>PO8</b></p> <p>Development does not adversely affect the tropical, tourist and residential character and amenity of the area in terms of traffic, noise, dust, odour, lighting or other physical or environmental impacts.</p>                                      | <p><b>AO8</b></p> <p>No acceptable outcomes are prescribed.</p>  | <p><b>Complies with PO8</b></p> <p>The proposal for reconfiguring a lot is consistent with similar developments within the locality and would not adversely impact the amenity of the surrounding area.</p> |
| <p><b>PO9</b></p> <p>Any loading/unloading areas, servicing areas and outdoor storage areas are screened from public view or adjacent sensitive uses.</p>   | <p><b>AO9</b></p> <p>Outdoor loading/unloading, servicing and storage areas are sited or screened so they are:</p> <ul style="list-style-type: none"> <li>(a) not visible from any off-site public place;</li> <li>(b) not located adjacent to premises used for sensitive uses.</li> </ul>  | <p><b>Not applicable</b></p> <p>The proposal is for reconfiguring a lot only.</p>   |
| <p><b>PO10</b></p> <p>Tourist developments include recreational and ancillary services and facilities for the enjoyment of guests.</p>  | <p><b>AO10.1</b></p> <p>Development which includes accommodation for tourists incorporates a mix of the following recreational and ancillary services and facilities:</p> <ul style="list-style-type: none"> <li>(a) swimming pools;</li> <li>(b) tennis courts;</li> <li>(c) barbecue areas;</li> <li>(d) outdoor lounging / recreation areas;</li> </ul> | <p><b>Not applicable</b></p> <p>The proposed development is not for tourist accommodation.</p>  |

| Performance outcomes   | Acceptable outcomes  | Compliance  |
|--|--|---|
|  | (e) restaurants / bars;<br>(f) tourist-focussed shopping;<br>(g) tour booking office;<br>(h) spa / health clubs.   |   |
|  | <b>AO10.2</b><br>Any commercial services or facilities incorporated into a tourist development are small scale and predominantly service in-house guests only.   | <b>Not applicable</b><br>The proposed development is not for tourist accommodation.   |
|  | <b>AO10.3</b><br>Where a commercial service or facility offers services to persons over and above in-house guests, the commercial component provides on- site car parking for 50% of the floor area available for use in accordance with the relevant requirements of the Parking and access code. | <b>Not applicable</b><br>The proposed development is not for tourist accommodation.   |
| <b>PO11</b><br>New lots contain a minimum area of 1000m <sup>2</sup> . | <b>AO11</b><br>No acceptable outcomes are prescribed.  | <b>Complies with the Purpose of the Code</b><br>Whilst the proposed lots of 449m <sup>2</sup> and 351m <sup>2</sup> , are below the minimum lot size, the proposal relates to an existing multiple dwelling and achieves a built form consistent with the character of the area.<br>The proposed reconfiguration would not adversely affect the built form of the area or the purpose of the zone code. |
| <b>PO12</b><br>New lots have a minimum road frontage of 20 metres.     | <b>AO12</b><br>No acceptable outcomes are prescribed.  | <b>Complies with the Purpose of the Code</b><br>The street frontage is below the minimum 20m, however, the proposal relates to an existing multiple   |

| Performance outcomes  | Acceptable outcomes                                   | Compliance  |
|---|---|---|
|   |   | dwelling and is in keeping with similar development within the surrounding locality and is consistent with the amenity of the area.   |
| <b>PO13</b><br>New lots contain a 25 metre x 20 metre rectangle | <b>AO13</b><br>No acceptable outcomes are prescribed. | <b>Complies with the purpose of the Code</b><br>The proposal seeks to reconfigure the existing lot to create two freehold lots for the existing multiple dwelling.<br>The proposed reconfiguration is consistent with existing development within the locality. |

## 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.

### 7.2.4.2 Context and setting

Editor's note - This section is extrinsic material under section 15 of the *Statutory Instruments Act 1992* and is intended to assist in the interpretation of the Port Douglas/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/Craigie 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/Craigie 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) Craigie will develop as an integrated residential community with some low scale tourism development opportunities in appropriate locations. Craigie will also function as small scale commercial and light industry node, providing employment opportunities for the Shire's permanent resident population.
  - (d) All forms of development will complement the tropical image of the town through distinctive tropical vernacular, urban design and landscaping.
  - (e) Character will be enhanced through the identification of gateway sites, landmarks, main approach routes and pedestrian thoroughfares and view corridors;
  - (f) The Flagstaff Hill, Dickson Inlet, Four Mile Beach and other areas of scenic and environmental significance will be protected from development. Vegetation cover will dominate over built form.
  - (g) Vegetation, iconic to the character of Port Douglas, including the avenues of Oil Palms, is retained and where appropriate supplemented.
  - (h) Development will be indistinguishable from view from Four Mile Beach. In addition, any development on Flagstaff Hill will be indistinguishable when viewed from vantage points in Port Douglas.
  - (i) Residential areas are designed as pleasant, functional and distinctive, in visually well-defined areas.
- (4) The purpose of the code will be further achieved through the following overall outcomes:

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

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

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

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



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

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

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

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

- (k) Live entertainment activities are concentrated within the Live Entertainment Precinct and are subject to the recommendations of a suitably qualified acoustic engineer;
- (l) the functionality of the Balley Hooley tourist rail is retained.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

- (14) In addition to the overall outcomes, development in the Old Port Road / Mitre Street precinct facilitates the following overall outcomes:
- (a) the precinct is intended to be used for outdoor recreational land use activity, primarily as a golf course;
  - (b) areas of significant vegetation are protected from development and retained;

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

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

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

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

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

**7.2.4.4 Criteria for assessment**

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

| Performance outcomes  | Acceptable outcomes  | Compliance  |
|---|--|---|
| <b>For self assessable and assessable development</b>   |  |   |
| <b>Development in the Port Douglas / Craiglie local plan area generally</b>   |  |   |
| <b>PO1</b><br>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><br>A pedestrian and cycle movement network is integrated and delivered through development.   | <b>Not applicable</b><br>The existing pedestrian and cycle movement networks would not be impacted by the proposed development. |
| <b>PO2</b><br>Development retains and enhances key landscape elements including character trees and areas of significant vegetation contributing to   | <b>AO2.1</b><br>Development provides for the retention and enhancement of existing mature trees and character vegetation that contribute to the lush | <b>Complies with AO2.1</b><br>The subject site does not contain any significant vegetation and all vegetation on the site would |

| Performance outcomes  | Acceptable outcomes   | Compliance  |
|---|---|---|
| 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). | 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> | be retained.  |
|   | <b>AO2.2</b><br>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: <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>   | <b>Complies with AO2.2</b><br>The proposed development would not intrude into any important views and vistas. |
|   | <b>AO2.3</b><br>Important landmarks, memorials and monuments  | <b>Complies with AO2.3</b><br>No important landmarks, memorials and   |

| Performance outcomes  | Acceptable outcomes   | Compliance   |
|---|---|--|
|   | are retained.   | monuments would be removed.  |
| <b>PO3</b><br>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. | <b>AO3</b><br>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. | <b>Not applicable</b><br>The site is not adjacent to any identified gateways or nodes.   |
| <b>PO4</b><br>Landscaping of development sites complements the existing tropical character of Port Douglas and Craiglie.  | <b>AO4</b><br>Landscaping incorporates the requirements of Planning scheme policy SC6.7 – Landscaping, in particular landscaping should be capable of achieving a 60% screening of development within 5 years and predominantly consists of endemic vegetation.   | <b>Complies with AO4</b><br>No existing vegetation would be removed from the site as a part of this development.                     |
| <b>PO5</b><br>Development does not compromise the safety and efficiency of the State-controlled road network.   | <b>AO5</b><br>Direct access is not provided to a State-controlled road where legal and practical access from another road is available.   | <b>Not applicable</b><br>The proposed development is not located adjacent to or within close proximity to the State-controlled road. |
| <b>For assessable development</b>   |   |  |
| <b>Additional requirements in Precinct 1 – Port Douglas precinct</b>  |   |  |
| <b>PO6</b><br>The views and vistas identified on the Port   | <b>AO6.1</b><br>Development does not impede continued views   | <b>Not applicable</b>  |

| Performance outcomes   | Acceptable outcomes   | Compliance  |
|--|---|---|
| Douglas / Craiglie local plan maps contained in Schedule 2 are maintained.   | to scenic vistas and key streetscapes within the local plan area.   | The site is not located within Precinct 1.                          |
|  | <b>AO6.2</b><br>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><br>The site is not located within Precinct 1. |
| <b>PO7</b><br>Vehicle access, parking and service areas:<br>(a) do not undermine the relationship between buildings and street or dominate the streetscape;<br>(b) are designed to minimise pedestrian vehicle conflict;<br>(c) are clearly identified and maintain ease of access at all times. | <b>AO7.1</b><br>For all buildings, parking is:<br>(a) to the side of buildings and recessed behind the main building line; or<br>(b) behind buildings; or<br>(c) wrapped by the building façade, and not visible from the street. | <b>Not applicable</b><br>The site is not located within Precinct 1. |
|  | <b>AO7.2</b><br>Ground level parking incorporates clearly defined pedestrian routes.  | <b>Not applicable</b><br>The site is not located within Precinct 1. |
|  | <b>AO7.3</b><br>Any porte-cocheres, disabled and pedestrian accesses are accommodated within the boundary of new or refurbished development.  | <b>Not applicable</b><br>The site is not located within Precinct 1. |
|  | <b>AO7.4</b><br>Where the development is an integrated mixed-use development incorporating short term   | <b>Not applicable</b><br>The site is not located within Precinct 1. |



| Performance outcomes   | Acceptable outcomes   | Compliance   |
|--|---|--|
|  | 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>A07.5</b><br>On-site car parking available for public use is clearly signed at the site frontage.  | <b>Not applicable</b><br>The site is not located within Precinct 1.  |
|  | <b>A07.6</b><br>Boom gates, pay machines or other regulatory devices to control access to a publicly available car parking area are not constructed or installed.   | <b>Not applicable</b><br>The site is not located within Precinct 1.  |
| <b>PO8</b><br>Precinct 1 – Port Douglas precinct is not characterised by a proliferation of advertising signs.               | <b>A08</b><br>No acceptable outcomes are prescribed.  | <b>Not applicable</b><br>The site is not located within Precinct 1.  |
| <b>Additional requirements for Sub-precinct 1a – Town Centre sub-precinct</b>  |   |  |
| <b>PO9</b><br>Building heights:<br>(a) do not overwhelm or dominate the town centre;<br>(b) respect the desired streetscape; | <b>A09</b><br>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.<br><br>Note – Height is inclusive of the roof height.   | <b>Not applicable</b><br>The site is not located within Precinct 1a. |

| Performance outcomes   | Acceptable outcomes  | Compliance  |
|--|--|---|
| <p>(c) ensure a high quality appearance when viewed from both within the town centre sub-precinct and external to the town centre sub-precinct;</p> <p>(d) remain subservient to the natural environment and the backdrop of Flagstaff Hill.</p> <p>(e) do not exceed 3 storeys.</p> |  |   |
| <p><b>PO10</b></p> <p>Building design, the streetscape, pedestrian paths and street front spaces promote integration with the surrounding area and the rest of Precinct 1 – Port Douglas Precinct.</p>   | <p><b>AO10</b></p> <p>No acceptable outcomes are prescribed.</p>   | <p><b>Not applicable</b></p> <p>The site is not located within Precinct 1a.</p> |
| <p><b>PO11</b></p> <p>Buildings:</p> <p>(a) address street frontages;</p> <p>(b) ensure main entrances front the street or public spaces;</p> <p>(c) do not focus principally on internal spaces or parking areas.</p>   | <p><b>AO11</b></p> <p>No acceptable outcomes are prescribed.</p>   | <p><b>Not applicable</b></p> <p>The site is not located within Precinct 1a.</p> |
| <p><b>PO12</b></p> <p>Setbacks at ground level provide for:</p> <p>(a) connection between pedestrian paths and public places;</p> <p>(b) areas for convenient movement of</p>  | <p><b>AO12</b></p> <p>Setbacks at ground level:</p> <p>(a) are clear of columns and other obstructions;</p> <p>(b) have pavement matching the gradient of adjoining footpaths and connecting</p> | <p><b>Not applicable</b></p> <p>The site is not located within Precinct 1a.</p> |

| Performance outcomes   | Acceptable outcomes  | Compliance  |
|--|--|---|
| <p>pedestrians;</p> <p>(c) changes in gradient of the street.</p>  | <p>pedestrian areas on adjoining sites;</p> <p>(c) connect without any lip or step to adjoining footpaths.</p>   |   |
| <p><b>AO13</b></p> <p>Buildings do not result in a reduction of views and vistas from public places to:</p> <p>(a) Flagstaff Hill;</p> <p>(b) Dickson Inlet;</p> <p>(c) public open space;</p> <p>(d) places of significance.</p>                  | <p><b>AO13</b></p> <p>No acceptable outcomes are prescribed.</p>   | <p><b>Not applicable</b></p> <p>The site is not located within Precinct 1a.</p> |
| <p><b>PO14</b></p> <p>Development enhances the distinctive tropical resort town and identity of Port Douglas and encourages pedestrian activity at street level including shade protection across the footpath for the length of the building.</p> | <p><b>AO14</b></p> <p>Development is built up to the street frontage/s at the street level and incorporates a light frame awning, a minimum of 3 metres in width for the length of the street frontage/s;</p> <p>or</p> <p>If a development includes an outdoor dining area at ground/footpath level, the dining area has a maximum setback of 3 metres and the required awning is still maintained along the length of the street frontage/s.</p> <p>Note – PO24 provides more detail on awning design.</p> | <p><b>Not applicable</b></p> <p>The site is not located within Precinct 1a.</p> |
| <p><b>PO15</b></p> <p>Development is predominantly commercial in nature with any tourist accommodation having a</p>  | <p><b>AO15.1</b></p> <p>Centre activities establish: at street level on active street frontages; a maximum of one level</p>  | <p><b>Not applicable</b></p> <p>The site is not located within Precinct 1a.</p> |

| Performance outcomes  | Acceptable outcomes  | Compliance   |
|---|--|--|
| 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.  | above street level.  |  |
|   | <b>AO15.2</b><br>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>Not applicable</b><br>The site is not located within Precinct 1a. |
| <b>PO16</b><br>Detailed building design:<br>(a) enhances the visual amenity of the streetscape;<br>(b) has a legible and attractive built form that is visually enhanced by architectural elements;<br>(c) contributes to a distinctive tropical north Queensland, seaside tourist town character;<br>(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><br>No acceptable outcomes are prescribed.  | <b>Not applicable</b><br>The site is not located within Precinct 1a. |
| <b>PO17</b><br>Buildings exhibit variations to their external appearance and the shape of the built form to provide visual interest through:<br>(a) surface decoration;<br>(b) wall recesses and projections;<br>(c) a variation in wall finishes; windows,   | <b>AO17</b><br>No acceptable outcomes are prescribed.  | <b>Not applicable</b><br>The site is not located within Precinct 1a. |

| Performance outcomes  | Acceptable outcomes  | Compliance  |
|---|--|---|
| <p>balconies, awnings and other visible structural elements.</p> <p>(d) differentiating between the lower, middle and upper parts of the building by varying the façade and/or the shape of the built form, where comprised of more than two storeys.</p>   |  |   |
| <p><b>P018</b></p> <p>Roofs are not characterised by a cluttered display of plant and equipment, in particular:</p> <p>(a) building caps and rooftops contribute to the architectural distinction of the building and create a coherent roofscape for the Town Centre sub-precinct;</p> <p>(b) service structures, lift motor rooms and mechanical plant and equipment are designed as an architectural feature of the building or are screened from public view;</p> <p>(c) rooftops are not used for advertising.</p> | <p><b>AO18</b></p> <p>No acceptable outcomes are prescribed.</p> | <p><b>Not applicable</b></p> <p>The site is not located within Precinct 1a.</p> |
| <p><b>P019</b></p> <p>Windows and sun/rain control devices are used in the building form, in particular, sun shading devices are provided to:</p> <p>(a) shade windows;</p> <p>(b) reduce glare;</p> <p>(c) assist in maintaining comfortable indoor temperatures;</p> <p>(d) minimising heat loads;</p>  | <p><b>AO19</b></p> <p>No acceptable outcomes are prescribed.</p> | <p><b>Not applicable</b></p> <p>The site is not located within Precinct 1a.</p> |

| Performance outcomes   | Acceptable outcomes  | Compliance  |
|--|--|---|
| <p>(e) enrich the North Queensland tropical character of the Town Centre sub-precinct;</p> <p>(f) provide architectural interest to building façades.</p>  |  |   |
| <p><b>PO20</b></p> <p>Buildings are finished with high quality materials, selected for:</p> <p>(a) their ability to contribute the character of Town Centre sub-precinct;</p> <p>(b) easy maintenance, durability and an ability not to readily stain, discolour or deteriorate.</p> | <p><b>AO20</b></p> <p>No acceptable outcomes are prescribed.</p>   | <p><b>Not applicable</b></p> <p>The site is not located within Precinct 1a.</p> |
| <p><b>PO21</b></p> <p>Buildings do not incorporate any type of glass or other materials that are likely to reflect the sun's rays in a manner that may create a nuisance, discomfort or a hazard.</p>  | <p><b>AO21</b></p> <p>No acceptable outcomes are prescribed.</p>   | <p><b>Not applicable</b></p> <p>The site is not located within Precinct 1a.</p> |
| <p><b>PO22</b></p> <p>Façades and elevations do not include large blank walls. Openings and setbacks are used to articulate vertical building surfaces.</p>  | <p><b>AO22.1</b></p> <p>Development has a maximum length of unbroken building facade of 20 metres and a maximum extent of overall development in the same style/design along the street frontage/s of 40 metres.</p> | <p><b>Not applicable</b></p> <p>The site is not located within Precinct 1a.</p> |
|  | <p><b>AO22.2</b></p> <p>Any break in the building façade varies the alignment by a 1 metre minimum deviation.</p>  | <p><b>Not applicable</b></p> <p>The site is not located within Precinct 1a.</p> |



| Performance outcomes   | Acceptable outcomes   | Compliance  |
|--|---|---|
|  | <p><b>AO22.3</b></p> <p>A minimum of three of the following building design features and architectural elements detailed below are incorporated to break the extended facade of a development:</p> <ul style="list-style-type: none"> <li>(a) a change in roof profile;</li> <li>(b) a change in parapet coping;</li> <li>(c) a change in awning design;</li> <li>(d) a horizontal or vertical change in the wall plane; or</li> <li>(e) a change in the exterior finishes and exterior colours of the development.</li> </ul>  | <p><b>Not applicable</b></p> <p>The site is not located within Precinct 1a.</p> |
| <p><b>PO23</b></p> <p>Building facades that face public spaces at ground level:</p> <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> | <p><b>AO23</b></p> <p>Building facades at the ground floor of development that face public space are designed to ensure:</p> <ul style="list-style-type: none"> <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>Not applicable</b></p> <p>The site is not located within Precinct 1a.</p> |

| Performance outcomes  | Acceptable outcomes   | Compliance  |
|---|---|---|
| <p><b>PO24</b></p> <p>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></p> <p>No acceptable outcomes are prescribed.</p>  | <p><b>Not applicable</b></p> <p>The site is not located within Precinct 1a.</p> |
| <p><b>PO25</b></p> <p>Development integrates with the streetscape and landscaping improvements for Port Douglas.</p>  | <p><b>AO25</b></p> <p>Development fronting Davidson Street, Macrossan Street, Wharf Street, Mowbray Street and Warner Street is designed to integrate with the on-street landscaping and design improvements as outlined within the Port Douglas landscape master plan contained within Planning scheme policy SC6.7 – Landscaping.</p> | <p><b>Not applicable</b></p> <p>The site is not located within Precinct 1a.</p> |

| Performance outcomes   | Acceptable outcomes  | Compliance   |
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|  | Note - Planning scheme policy SC6.7 - Landscaping provides guidance on meeting the Performance Outcome.  |  |
| <b>Additional requirements for Sub-precinct 1b – Waterfront North sub-precinct</b>   |  |  |
| <b>PO26</b><br>The establishment of uses is consistent with the outcomes sought for sub-precinct 1b – Waterfront North.  | <b>AO26</b><br>Uses identified as inconsistent uses in Table 7.2.4.4.b – inconsistent uses in sub-precinct 1b – Waterfront North sub-precinct are not established in sub-precinct 1b - Waterfront North.   | <b>Not applicable</b><br>The site is not located within Precinct 1b. |
| <b>PO27</b><br>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><br>Buildings and structures are not more than:<br>(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;<br>(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.<br>Note – Height is inclusive of roof height. | <b>Not applicable</b><br>The site is not located within Precinct 1b. |
| <b>PO28</b><br>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><br>No acceptable outcomes are prescribed.  | <b>Not applicable</b><br>The site is not located within Precinct 1b. |
| <b>PO29</b><br>Public pedestrian access along the water's edge   | <b>AO29.1</b><br>Public pedestrian access is provided along the frontage of the water's edge consisting of a   | <b>Not applicable</b><br>The site is not located within Precinct 1b. |

| Performance outcomes  | Acceptable outcomes  | Compliance   |
|---|--|--|
| is maximised.   | boardwalk of a minimum width of 4 metres that is available of 24-hour use.   |  |
|   | <b>AO29.2</b><br>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'.  | <b>Not applicable</b><br>The site is not located within Precinct 1b. |
|   | <b>AO29.3</b><br>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.                                  | <b>Not applicable</b><br>The site is not located within Precinct 1b. |
| <b>PO30</b><br>Buildings:<br>(a) address street frontages;<br>(b) ensure main entrances front the street or public spaces.  | <b>AO30</b><br>No acceptable outcomes are prescribed.  | <b>Not applicable</b><br>The site is not located within Precinct 1b. |
| <b>PO31</b><br>Setbacks at ground level provide for:<br>(a) connection between pedestrian paths and public places;<br>(b) areas for convenient movement of pedestrians; | <b>AO31</b><br>Setbacks at ground level:<br>(a) are clear of columns and other obstructions;<br>(b) have pavement matching the gradient of adjoining footpaths and connecting pedestrian areas on adjoining sites;<br>(c) connect without any lip or step to adjoining | <b>Not applicable</b><br>The site is not located within Precinct 1b. |

| Performance outcomes  | Acceptable outcomes   | Compliance   |
|---|---|--|
| (c) changes in gradient.  | footpaths.  |  |
| <b>PO32</b><br>Buildings do not result in a reduction of views and vistas from public places to:<br>(a) Dickson Inlet;<br>(b) public open space;<br>(c) places of significance.   | <b>AO32</b><br>No acceptable outcomes are prescribed.   | <b>Not applicable</b><br>The site is not located within Precinct 1b. |
| <b>PO33</b><br>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><br>No acceptable outcomes are prescribed.   | <b>Not applicable</b><br>The site is not located within Precinct 1b. |
| <b>PO34</b><br>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><br>Centre activities establish:<br>(a) at street level on active street frontages;<br>(b) a maximum of one level above street level.  | <b>Not applicable</b><br>The site is not located within Precinct 1b. |
|   | <b>AO34.2</b><br>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><br>The site is not located within Precinct 1b. |

| Performance outcomes   | Acceptable outcomes                                   | Compliance   |
|--|---|--|
| <b>PO35</b><br>Detailed building design:<br>(a) enhances the visual amenity of the streetscape;<br>(b) has a legible and attractive built form that is visually enhanced by architectural elements;<br>(c) contributes to a distinctive tropical north Queensland, seaside tourist town character;<br>(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><br>No acceptable outcomes are prescribed. | <b>Not applicable</b><br>The site is not located within Precinct 1b. |
| <b>PO36</b><br>Buildings exhibit variations to their external appearance and the shape of the built form to provide visual interest through:<br>(a) surface decoration;<br>(b) wall recesses and projections;<br>(c) a variation in wall finishes; windows, balconies, awnings and other visible structural elements.<br>(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>AO36</b><br>No acceptable outcomes are prescribed. | <b>Not applicable</b><br>The site is not located within Precinct 1b. |
| <b>PO37</b>  | <b>AO37</b>   | <b>Not applicable</b>  |



| Performance outcomes   | Acceptable outcomes  | Compliance  |
|--|--|---|
| <p>Roofs are not characterised by a cluttered display of plant and equipment, in particular:</p> <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 Waterfront North 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> | No acceptable outcomes are prescribed.                           | The site is not located within Precinct 1b.                                     |
| <p><b>PO38</b></p> <p>Windows and sun/rain control devices are used in the building form, in particular, sun shading devices are provided to:</p> <ul style="list-style-type: none"> <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) enriching the North Queensland tropical character of the Waterfront North sub-precinct;</li> <li>(f) architectural interest to building façades.</li> </ul>                                  | <p><b>AO38</b></p> <p>No acceptable outcomes are prescribed.</p> | <p><b>Not applicable</b></p> <p>The site is not located within Precinct 1b.</p> |
| <p><b>PO39</b></p> <p>Buildings are finished with high quality materials,</p>  | <p><b>AO39</b></p> <p>No acceptable outcomes are prescribed.</p> | <p><b>Not applicable</b></p> <p>The site is not located within Precinct 1b.</p> |

| Performance outcomes   | Acceptable outcomes   | Compliance  |
|--|---|---|
| <p>selected for:</p> <p>(a) their ability to contribute the character of Waterfront North sub-precinct;</p> <p>(b) easy maintenance, durability and an ability not to readily stain, discolour or deteriorate.</p> |   |   |
| <p><b>PO40</b></p> <p>Buildings do not incorporate any type of glass or other materials that are likely to reflect the sun's rays in a manner that may create a nuisance, discomfort or a hazard.</p>              | <p><b>AO40</b></p> <p>No acceptable outcomes are prescribed.</p>  | <p><b>Not applicable</b></p> <p>The site is not located within Precinct 1b.</p> |
| <p><b>PO41</b></p> <p>Façades and elevations do not include large blank walls and openings and setbacks are used to articulate vertical building surfaces.</p>   | <p><b>AO41.1</b></p> <p>Development has a maximum length of unbroken building facade of 20 metres and a maximum extent of overall development in the same style/design along the street frontage/s of 40 metres.</p>                    | <p><b>Not applicable</b></p> <p>The site is not located within Precinct 1b.</p> |
|  | <p><b>AO41.2</b></p> <p>Any break in the building façade varies the alignment by a 1 metre minimum deviation.</p>   | <p><b>Not applicable</b></p> <p>The site is not located within Precinct 1b.</p> |
|  | <p><b>AO41.3</b></p> <p>A minimum of three of the following building design features and architectural elements detailed below are incorporated to break the extended facade of a development:</p> <p>(a) a change in roof profile;</p> | <p><b>Not applicable</b></p> <p>The site is not located within Precinct 1b.</p> |

| Performance outcomes  | Acceptable outcomes  | Compliance   |
|---|--|--|
|   | <ul style="list-style-type: none"> <li>(b) a change in parapet coping;</li> <li>(c) a change in awning design;</li> <li>(d) a horizontal or vertical change in the wall plane; or</li> <li>(e) a change in the exterior finishes and exterior colours of the development.</li> </ul>   |  |
| <b>PO42</b><br>Building facades that face public spaces at ground level: <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> | <b>AO42</b><br>Building facades at the ground floor of development that face public space are designed to ensure: <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> | <b>Not applicable</b><br>The site is not located within Precinct 1b. |
| <b>PO43</b><br>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> </ul>  | <b>AO43</b><br>No acceptable outcomes are prescribed.  | <b>Not applicable</b><br>The site is not located within Precinct 1b. |

| Performance outcomes  | Acceptable outcomes  | Compliance  |
|---|--|---|
| <p>(c) are continuous across pedestrian circulation areas;</p> <p>(d) align to provide continuity with existing or future awnings on adjoining sites;</p> <p>(e) are a minimum of 3 metres in width and generally not more than 3.5 metres above pavement height;</p> <p>(f) do not extend past a vertical plane, 1.2 metres inside the street kerb-line to enable street trees to be planted and grow;</p> <p>(g) are cantilevered from the main building with any posts within the footpath being non load-bearing.</p> |  |   |
| <p><b>PO44</b></p> <p>The Balley Hooley rail line and turn-table is retained and incorporated into development and maintains its functionality.</p>   | <p><b>AO44.1</b></p> <p>Bally Hooley rail line and turn-table is retained and incorporated into development to maintain its functionality.</p>   | <p><b>Not applicable</b></p> <p>The site is not located within Precinct 1b.</p> |
|   | <p><b>AO44.2</b></p> <p>Where development provides floor area for the Bally Hooley rail station, the gross floor area of the rail line and station does not generate a requirement for additional vehicle parking.</p> | <p><b>Not applicable</b></p> <p>The site is not located within Precinct 1b.</p> |
| <p><b>PO45</b></p> <p>Development recognises the importance of and relationship between the marina, commercial and residential development in the Waterfront North sub-precinct, and includes measures to mitigate</p>  | <p><b>AO45</b></p> <p>No acceptable outcomes are prescribed.</p>   | <p><b>Not applicable</b></p> <p>The site is not located within Precinct 1b.</p> |

| Performance outcomes  | Acceptable outcomes                                   | Compliance   |
|---|---|--|
| the impact of:<br>(a) noise;<br>(b) odour;<br>(c) hazardous materials;<br>(d) waste and recyclable material storage.  |   |  |
| <b>PO46</b><br>Formalised public spaces and pedestrian paths/areas on freehold land are made accessible to the public.  | <b>AO46</b><br>No acceptable outcomes are prescribed. | <b>Not applicable</b><br>The site is not located within Precinct 1b. |
| <b>PO47</b><br>Buildings, civic spaces, roads and pedestrian links are enhanced by:<br>(a) appropriate landscape design and planting;<br>(b) themed planting that defines entry points, and creates strong 'entry corridors' into the waterfront;<br>(c) lighting and well-considered discrete signage that complements building and landscape design;<br>(d) public artwork and other similar features that reflect the heritage and character of the Port Douglas Waterfront. | <b>AO47</b><br>No acceptable outcomes are prescribed. | <b>Not applicable</b><br>The site is not located within Precinct 1b. |
| <b>PO48</b><br>Buildings are designed and sited to provide vistas along shared pedestrian/open space and  | <b>AO48</b><br>No acceptable outcomes are prescribed. | <b>Not applicable</b><br>The site is not located within Precinct 1b. |



| Performance outcomes   | Acceptable outcomes   | Compliance   |
|--|---|--|
| movement areas in suitable locations.  |   |  |
| <b>PO49</b><br>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><br>No acceptable outcomes are prescribed.   | <b>Not applicable</b><br>The site is not located within Precinct 1b. |
| <b>PO50</b><br>Marine infrastructure to service the tourism, fishing and private boating community is provided.  | <b>AO50</b><br>No acceptable outcomes are prescribed.   | <b>Not applicable</b><br>The site is not located within Precinct 1b. |
| <b>PO51</b><br>Changes to the Port Douglas Waterfront quay-line do not cause adverse impacts to the environmentally sensitive Dickson Inlet.   | <b>AO51</b><br>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.<br><br>Note - Planning scheme policy SC6.8 – Natural environment provides guidance on preparing an ecological assessment report. | <b>Not applicable</b><br>The site is not located within Precinct 1b. |
| <b>Additional requirements for Sub-precinct 1c – Waterfront South sub-precinct</b>   |   |  |
| <b>PO52</b><br>The establishment of uses is consistent with the outcomes sought for Precinct 1c – Waterfront   | <b>AO52</b><br>Uses identified as inconsistent uses Table 7.2.4.4.c – are not established in Precinct 1c –  | <b>Not applicable</b><br>The site is not located within Precinct 1c. |

| Performance outcomes  | Acceptable outcomes  | Compliance   |
|---|--|--|
| South.  | Waterfront South.  |  |
| <b>PO53</b><br>Development does not adversely impact on the natural environment, natural vegetation or watercourses.  | <b>AO53.1</b><br>An Ecological assessment report is prepared identifying the environmental qualities of the surrounding natural and built features which are to be managed.<br><br>Note - Planning scheme policy SC6.8 – Natural environment provides guidance on preparing an ecological assessment report.                                       | <b>Not applicable</b><br>The site is not located within Precinct 1c. |
|   | <b>AO53.2</b><br>An Environmental Management Plan is prepared to manage potential impacts of the operation of the development on surrounding natural areas.<br><br>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><br>The site is not located within Precinct 1c. |
| <b>PO54</b><br>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><br>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><br>The site is not located within Precinct 1c. |
| <b>PO55</b>   | <b>AO55.1</b>  | <b>Not applicable</b>  |

| Performance outcomes   | Acceptable outcomes   | Compliance   |
|--|---|--|
| 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.   | Development has a height of not more than 10 metres.  | The site is not located within Precinct 1c.                          |
|  | <b>AO55.2</b><br>Development is setback from all property boundaries not less than 3 metres.  | <b>Not applicable</b><br>The site is not within Precinct 1c.         |
| <b>PO56</b><br>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 landscape values of the on-site and surrounding sensitive areas.</li> </ul> | <b>AO56</b><br>No acceptable outcomes are prescribed.   | <b>Not applicable</b><br>The site is not located within Precinct 1c. |
| <b>PO57</b><br>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</li> </ul>                     | <b>AO57.1</b><br>Sufficient manoeuvring area is provided on-site to allow a Medium Rigid Vehicle to enter and leave the site in a forward gear. | <b>Not applicable</b><br>The site is not located within Precinct 1c. |
|  | <b>AO57.2</b><br>Development is designed to ensure all service vehicles are contained within the site when being loaded/unloaded.               | <b>Not applicable</b><br>The site is not located within Precinct 1c. |

| Performance outcomes   | Acceptable outcomes   | Compliance   |
|--|---|--|
| characteristics of adjacent areas.   | <b>AO57.3</b><br>Driveways, parking and manoeuvring areas are constructed and maintained to:<br>(a) minimise erosion from storm water runoff;<br>(b) retain all existing vegetation.  | <b>Not applicable</b><br>The site is not located within Precinct 1c. |
| <b>PO58</b><br>Development ensures adverse impacts from service vehicles on the road network, external to the site, are minimised.   | <b>AO58</b><br>No acceptable outcomes are prescribed.   | <b>Not applicable</b><br>The site is not located within Precinct 1c. |
| <b>PO59</b><br>Entry to the site is landscaped to enhance the amenity of the area and provide a pleasant working environment.  | <b>AO59</b><br>Areas used for loading and unloading, storage, utilities and car parking are screened from public view:<br>(a) by a combination of landscaping and screen fencing;<br>(b) dense planting along any road frontage is a minimum width of 3 metres. | <b>Not applicable</b><br>The site is not located within Precinct 1c. |
| <b>PO60</b><br>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><br>For any development landscaping is in accordance with the Plant species schedule in Planning scheme policy SC6.7– Landscaping.   | <b>Not applicable</b><br>The site is not located within Precinct 1c. |
| <b>Additional requirements for Sub-precinct 1d – Limited Development sub-precinct</b>  |   |  |

| Performance outcomes  | Acceptable outcomes  | Compliance   |
|---|--|--|
| <b>PO61</b><br>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><br>Buildings and structures are not more than one storey and 4 metres in height.<br>Note - Height is inclusive of the roof height. | <b>Not applicable</b><br>The site is not located within Precinct 1d. |
| <b>Additional requirements for Sub-precinct 1e – Community and recreation sub-precinct</b>  |  |  |
| <b>PO62</b><br>The precinct is developed for organised sporting activities and other community uses.  | <b>AO62</b><br>No acceptable outcomes are prescribed.  | <b>Not applicable</b><br>The site is not located within Precinct 1e. |
| <b>Additional requirements for Sub-precinct 1f – Flagstaff Hill sub-precinct</b>  |  |  |
| <b>PO63</b><br>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><br>No acceptable outcomes are prescribed.  | <b>Not applicable</b><br>The site is not located within Precinct 1f. |
| <b>PO64</b><br>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:<br>(a) building design which minimises excavation and filling;<br>(b) buildings being designed to step down the | <b>AO64</b><br>No acceptable outcomes are prescribed.  | <b>Not applicable</b><br>The site is not located within Precinct 1f. |



| Performance outcomes   | Acceptable outcomes  | Compliance   |
|--|--|--|
| <p>site and incorporate foundations and footings on piers or poles;</p> <p>(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;</p> <p>(d) protection of the views from public viewing points in the Port Douglas precinct.</p> |  |  |
| <b>Additional requirements for Precinct 3 – Craigie Commercial and Light Industry precinct</b>   |  |  |
| <p><b>PO65</b></p> <p>Development supports the tourism and marine industries in Port Douglas, along with the small-scale commercial and light industry land uses that support the local economy that would otherwise be better suited to a location outside the Port Douglas Town Centre Precinct.</p>   | <p><b>AO65</b></p> <p>Development consists of service and light industries and associated small scale commercial activities.</p>   | <p><b>Not applicable</b></p> <p>The site is not located within Precinct 3.</p> |
| <p><b>PO66</b></p> <p>Development on lots adjacent to the Captain Cook Highway is sited, designed and landscaped to provide an attractive visual approach to Port Douglas with all buildings, structures and car parking areas setback a sufficient distance from the frontage to enable landscaping to soften or screen the appearance of the development.</p>            | <p><b>AO66.1</b></p> <p>Buildings and structures are setback 8 metres from the Captain Cook Highway frontage, or no closer to the Captain Cook Highway frontage than buildings and structures on adjoining sites (averaged), whichever is the greater.</p> | <p><b>Not applicable</b></p> <p>The site is not located within Precinct 3.</p> |
|  | <p><b>AO66.2</b></p> <p>The setback area to the Captain Cook Highway frontage is landscaped with advanced dense planting including tree species (100 litre bag</p>   | <p><b>Not applicable</b></p> <p>The site is not located within Precinct 3.</p> |

| Performance outcomes   | Acceptable outcomes   | Compliance  |
|--|---|---|
|  | stock), which will, at maturity, exceed the height of the building(s) on the site.  |   |
|  | <b>AO66.3</b><br>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 | <b>Not applicable</b><br>The site is not located within Precinct 3. |
|  | <b>AO66.4</b><br>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.     | <b>Not applicable</b><br>The site is not located within Precinct 3. |
| <b>Additional requirements for Precinct 6 – Very Low Residential Density / Low Scale Recreation / Low Scale Educational / Low Scale Entertainment Uses precinct</b>  |   |   |
| <b>PO67</b><br>No additional lots are created within the precinct.   | <b>AO67</b><br>No acceptable outcomes are prescribed.   | <b>Not applicable</b><br>The site is not located within Precinct 6. |
| <b>PO68</b><br>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. | <b>AO68</b><br>No acceptable outcomes are prescribed.   | <b>Not applicable</b><br>The site is not located within Precinct 6. |

**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> </ul> | <ul style="list-style-type: none"> <li>• Hardware and trade supplies</li> <li>• Health care services</li> <li>• Home based business</li> </ul> | <ul style="list-style-type: none"> <li>• Permanent plantation</li> <li>• Place of worship</li> <li>• Relocatable home park</li> </ul> |

|  |   |  |
|--|---|--|
| <ul style="list-style-type: none"> <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>• 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>• 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> |
|--|---|--|

## 9.4.1 Access, parking and servicing code

### 9.4.1.1 Application

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

### 9.4.1.2 Purpose

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

### 9.4.1.3 Criteria for assessment

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

| Performance outcomes   | Acceptable outcomes   | Applicant response   |
|--|---|--|
| <b>For self-assessable and assessable development</b>  |   |  |
| <b>PO1</b><br>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 of an existing building and the previous requirements for car parking for the building</li> <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>AO1.1</b><br>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.<br><br>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>Complies with PO1</b><br>The historic approval required provision of one (1) car space per Multiple Dwelling Unit and one (1) visitor space per 4 units. The proposed development would result in each lot containing a Dwelling House, which requires the provision of A minimum of 2 spaces which may be in tandem to satisfy the Acceptable Outcome.<br><br>The proposed development would provide for one cover spaces per dwelling house and an uncovered tandem space per dwelling. In addition the existing visitor space would be retained. (please refer to the approved building plans provided in <b>Appendix C</b> ). |
|  | <b>AO1.2</b><br>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.  | <b>Complies with AO1.2</b><br>Designated car parking spaces would be available for vehicle parking.  |
|  | <b>AO1.3</b><br>Parking for motorcycles is substituted for ordinary vehicle parking to a maximum level of 2% of total ordinary vehicle parking.   | <b>Not applicable</b><br>No motorcycle parking is required or proposed.  |
|  | <b>AO1.4</b>  | <b>Not applicable</b>  |



| Performance outcomes   | Acceptable outcomes   | Applicant response  |
|--|---|---|
|  | 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.  | Only a maximum of 5 spaces would be provided.   |
| <b>PO2</b><br>Vehicle parking areas are designed and constructed in accordance with relevant standards.  | <b>AO2</b><br>Vehicle parking areas are designed and constructed in accordance with Australian Standard:<br>(a) AS2890.1;<br>(b) AS2890.3;<br>(c) AS2890.6.   | <b>Complies with PO2</b><br>The car parking spaces lawfully exist and have been designed and constructed in accordance with relevant standard.        |
| <b>PO3</b><br>Access points are designed and constructed:<br>(a) to operate safely and efficiently;<br>(b) to accommodate the anticipated type and volume of vehicles<br>(c) to provide for shared vehicle (including cyclists) and pedestrian use, where appropriate;<br>(d) so that they do not impede traffic or pedestrian movement on the adjacent road area;<br>(e) so that they do not adversely impact upon existing intersections or future road or | <b>AO3.1</b><br>Access is limited to one access cross over per site and is an access point located, designed and constructed in accordance with:<br>(a) Australian Standard AS2890.1;<br>(b) Planning scheme policy SC6.5 – FNQROC Regional Development Manual - access crossovers. | <b>Complies with AO3.1</b><br>The existing access crossover would be retained as part of the development and included within the designated easement. |
|  | <b>AO3.2</b><br>Access, including driveways or access crossovers:<br>(a) are not placed over an existing:   | <b>Complies with AO3.2</b><br>The existing access crossover would be retained as part of the development.   |

| Performance outcomes   | Acceptable outcomes  | Applicant response  |
|--|--|---|
| <p>intersection improvements;</p> <p>(f) so that they do not adversely impact current and future on-street parking arrangements;</p> <p>(g) so that they do not adversely impact on existing services within the road reserve adjacent to the site;</p> <p>(h) so that they do not involve ramping, cutting of the adjoining road reserve or any built structures (other than what may be necessary to cross over a stormwater channel).</p> | <p>(i) telecommunications pit;</p> <p>(ii) stormwater kerb inlet;</p> <p>(iii) sewer utility hole;</p> <p>(iv) water valve or hydrant.</p> <p>(b) are designed to accommodate any adjacent footpath;</p> <p>(c) adhere to minimum sight distance requirements in accordance with AS2980.1.</p>   |   |
|  | <p><b>AO3.3</b></p> <p>Driveways are:</p> <p>(a) designed to follow as closely as possible to the existing contours, but are no steeper than the gradients outlined in Planning scheme policy SC6.5 – FNQROC Regional Development Manual;</p> <p>(b) constructed such that where there is a grade shift to 1 in 4 (25%), there is an area with a grade of no more than 1 in 6 (16.6%) prior to this area, for a distance of at least 5 metres;</p> <p>(c) on gradients greater than 1 in 6 (16.6%) driveways are constructed to ensure the cross-fall of the driveway is one way and directed into the hill, for vehicle safety and drainage purposes;</p> <p>(d) constructed such that the transitional change in grade from the road to the lot is</p> | <p><b>Complies with AO3.3</b></p> <p>The existing driveway and access crossover would be retained as part of the development.</p> |

| Performance outcomes  | Acceptable outcomes  | Applicant response   |
|---|--|--|
|   | <p>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>AO3.4</b></p> <p>Surface construction materials are consistent with the current or intended future streetscape or character of the area and contrast with the surface construction materials of any adjacent footpath.</p> | <p><b>Complies with AO3.4</b></p> <p>The existing access crossover would be retained as part of the development.</p> |
| <p><b>PO4</b></p> <p>Sufficient on-site wheel chair accessible car parking spaces are provided and are identified and reserved for such purposes.</p> | <p><b>AO4</b></p> <p>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>No accessible parking is required.</p>   |
| <p><b>PO5</b></p> <p>Access for people with disabilities is provided to the building from the parking area and from the street.</p>                   | <p><b>AO5</b></p> <p>Access for people with disabilities is provided in accordance with the relevant Australian Standard.</p>  | <p><b>Not applicable</b></p> <p>No accessible parking is required.</p>   |
| <p><b>PO6</b></p> <p>Sufficient on-site bicycle parking is provided to cater for the anticipated demand generated by the development</p>              | <p><b>AO6</b></p> <p>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>No bicycle parking is required.</p>  |

| Performance outcomes  | Acceptable outcomes   | Applicant response   |
|---|---|--|
| <b>PO7</b><br>Development provides secure and convenient bicycle parking which: (a) for visitors is obvious and located close to the building's main entrance; (b) for employees is conveniently located to provide secure and convenient access between the bicycle storage area, end-of-trip facilities and the main area of the building; (c) is easily and safely accessible from outside the site.   | <b>AO7.1</b><br>Development provides bicycle parking spaces for employees which are co-located with end-of-trip facilities (shower cubicles and lockers);   | <b>Not applicable</b><br>No bicycle parking is required.                             |
|   | <b>AO7.2</b><br>Development ensures that the location of visitor bicycle parking is discernible either by direct view or using signs from the street.   | <b>Not applicable</b><br>No bicycle parking is required.                             |
|   | <b>AO7.3</b><br>Development provides visitor bicycle parking which does not impede pedestrian movement.   | <b>Not applicable</b><br>No bicycle parking is required.                             |
| <b>PO8</b><br>Development provides walking and cycle routes through the site which: <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> | <b>AO8</b><br>Development provides walking and cycle routes which are constructed on the carriageway or through the site to: <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> | <b>Not applicable</b><br>No walking or cycling routes are required through the site. |
| <b>PO9</b>  | <b>AO9.1</b>  | <b>Not applicable</b>  |

| Performance outcomes   | Acceptable outcomes   | Applicant response   |
|--|---|--|
| <p>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> <li>(b) so that they do not interfere with the amenity of the surrounding area;</li> <li>(c) so that they allow for the safe and convenient movement of pedestrians, cyclists and other vehicles.</li> </ul> | <p>Access driveways, vehicle manoeuvring and onsite parking for service vehicles are designed and constructed in accordance with AS2890.1 and AS2890.2.</p>   | <p>No service vehicle access is required.</p>                              |
|  | <p><b>AO9.2</b></p> <p>Service and loading areas are contained fully within the site.</p>   | <p><b>Not applicable</b></p> <p>No service vehicle access is required.</p> |
|  | <p><b>AO9.3</b></p> <p>The movement of service vehicles and service operations are designed so they:</p> <ul style="list-style-type: none"> <li>(a) do not impede access to parking spaces;</li> <li>(b) do not impede vehicle or pedestrian traffic movement.</li> </ul>   | <p><b>Not applicable</b></p> <p>No service vehicle access is required.</p> |
| <p><b>PO10</b></p> <p>Sufficient queuing and set down areas are provided to accommodate the demand generated by the development.</p>   | <p><b>AO10.1</b></p> <p>Development provides adequate area on-site for vehicle queuing to accommodate the demand generated by the development where drive through facilities or drop-off/pick-up services are proposed as part of the use, including, but not limited to, the following land uses:</p> <ul style="list-style-type: none"> <li>(a) car wash;</li> <li>(b) child care centre;</li> <li>(c) educational establishment where for a school;</li> <li>(d) food and drink outlet, where including a</li> </ul> | <p><b>Not applicable</b></p> <p>No queuing is required.</p>                |

| Performance outcomes | Acceptable outcomes   | Applicant response                               |
|----------------------|---|--|
|                      | drive through facility;<br>(e) hardware and trade supplies, where including a drive-through facility;<br>(f) hotel, where including a drive-through facility;<br>(g) service station. |  |
|                      | <b>AO10.2</b><br>Queuing and set-down areas are designed and constructed in accordance with AS2890.1.   | <b>Not applicable</b><br>No queuing is required. |



## 9.4.5 Infrastructure works code

### 9.4.5.1 Application

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

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

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

### 9.4.5.2 Purpose

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

### 9.4.5.3 Criteria for assessment

**Table 9.4.5.3.a – Infrastructure works code –assessable development**

| Performance outcomes                                  | Acceptable outcomes | Applicant Response |
|---|---------------------|--------------------|
| <b>For self-assessable and assessable development</b> |                     |                    |

| Performance outcomes   | Acceptable outcomes  | Applicant Response   |
|--|--|--|
| <b>Works on a local government road</b>  |  |  |
| <b>PO1</b><br>Works on a local government road do not adversely impact on footpaths or existing infrastructure within the road verge and maintain the flow, safety and efficiency of pedestrians, cyclists and vehicles. | <b>AO1.1</b><br>Footpaths/pathways are located in the road verge and are provided for the hierarchy of the road and located and designed and constructed in accordance with Planning scheme policy SC5 – FNQROC Regional Development Manual.   | <b>Not applicable</b><br>No works are proposed on a local government road. |
|  | <b>AO1.2</b><br>Kerb ramp crossovers are constructed in accordance with Planning scheme policy SC 5 – FNQROC Regional Development Manual.  | <b>Not applicable</b><br>No works are proposed on a local government road. |
|  | <b>AO1.3</b><br>New pipes, cables, conduits or other similar infrastructure required to cross existing footpaths:<br>(a) are installed via trenchless methods; or<br>(b) where footpath infrastructure is removed to install infrastructure, the new section of footpath is installed to the standard detailed in the Planning scheme policy SC5 – FNQROC Regional Development Manual, and is not less than a 1.2 metre section. | <b>Not applicable</b><br>No works are proposed on a local government road. |
|  | <b>AO1.4</b><br>Where existing footpaths are damaged as a result of development, footpaths are reinstated ensuring:  | <b>Not applicable</b><br>No works are proposed on a local government road. |

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

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

| Performance outcomes   | Acceptable outcomes  | Applicant Response   |
|--|--|--|
| systems in the locality.   | FNQROC Regional Development Manual;<br>or<br><b>AO4.2</b><br>Where not in a sewerage scheme area, the proposed disposal system meets the requirements of Section 33 of the <i>Environmental Protection Policy (Water) 1997</i> and the proposed on site effluent disposal system is designed in accordance with the <i>Plumbing and Drainage Act (2002)</i> .                      |  |
| <b>Stormwater quality</b>  |  |  |
| <b>PO5</b><br>Development is planned, designed, constructed and operated to avoid or minimise adverse impacts on stormwater quality in natural and developed catchments by:<br>(a) achieving stormwater quality objectives;<br>(b) protecting water environmental values;<br>(c) maintaining waterway hydrology. | <b>AO5.1</b><br>A connection is provided from the premises to Council's drainage system;<br>or<br><b>AO5.2</b><br>An underground drainage system is constructed to convey stormwater from the premises to Council's drainage system in accordance with the Design Guidelines set out in Sections D4 and D5 of the Planning scheme policy SC5 – FNQROC Regional Development Manual. | <b>Complies with AO5.1</b><br>The development would retain its existing connections to Council's stormwater drainage system. |
|  | <b>AO5.3</b><br>A stormwater quality management plan is prepared, and provides for achievable stormwater quality treatment measures meeting design objectives listed in Table 9.4.5.3.b and Table  | <b>Complies with AO5.3</b><br>The development would retain its existing connection to Council's stormwater drainage system.  |

| Performance outcomes                  | Acceptable outcomes  | Applicant Response  |
|---------------------------------------|--|---|
|                                       | <p>9.4.5.3.c , reflecting land use constraints, such as:</p> <ul style="list-style-type: none"> <li>(a) erosive, dispersive and/or saline soil types;</li> <li>(b) landscape features (including landform);</li> <li>(c) acid sulfate soil and management of nutrients of concern;</li> <li>(d) rainfall erosivity.</li> </ul>   |   |
|                                       | <p><b>AO5.4</b></p> <p>Erosion and sediment control practices are designed, installed, constructed, monitored, maintained, and carried out in accordance with an erosion and sediment control plan.</p>  | <p><b>Not applicable</b></p> <p>No earthworks are proposed.</p>   |
|                                       | <p><b>AO5.5</b></p> <p>Development incorporates stormwater flow control measures to achieve the design objectives set out in <b>Error! Reference source not found.</b> and <b>Error! Reference source not found.</b>, including management of frequent flows, peak flows, and construction phase hydrological impacts.</p> <p>Note – Planning scheme policy SC5 – FNQROC Regional Development Manual provides guidance on soil and water control measures to meet the requirements of the <i>Environmental Protection Act 1994</i>.</p> <p>Note – During construction phases of development, contractors and builders are to have consideration in their work methods and site preparation for their environmental duty to protect stormwater quality.</p> | <p><b>Complies with AO5.35</b></p> <p>The development would retain its existing connection to Council's stormwater drainage system.</p> |
| <b>Non-tidal artificial waterways</b> |  |   |



| Performance outcomes  | Acceptable outcomes   | Applicant Response  |
|---|---|---|
| <b>PO6</b><br>Development involving non-tidal artificial waterways is planned, designed, constructed and operated to: <ul style="list-style-type: none"> <li>(a) protect water environmental values;</li> <li>(b) be compatible with the land use constraints for the site for protecting water environmental values;</li> <li>(c) be compatible with existing tidal and non-tidal waterways;</li> <li>(d) perform a function in addition to stormwater management;</li> <li>(e) achieve water quality objectives.</li> </ul> | <b>AO6.1</b><br>Development involving non-tidal artificial waterways ensures: <ul style="list-style-type: none"> <li>(a) environmental values in downstream waterways are protected;</li> <li>(b) any ground water recharge areas are not affected;</li> <li>(c) the location of the waterway incorporates low lying areas of the catchment connected to an existing waterway;</li> <li>(d) existing areas of ponded water are included.</li> </ul> | <b>Not applicable</b><br>This development application does not involve a non-tidal artificial waterway. |
|   | <b>AO6.2</b><br>Non-tidal artificial waterways are located: <ul style="list-style-type: none"> <li>(a) outside natural wetlands and any associated buffer areas;</li> <li>(b) to minimise disturbing soils or sediments;</li> <li>(c) to avoid altering the natural hydrologic regime in acid sulfate soil and nutrient hazardous areas.</li> </ul>   | <b>Not applicable</b><br>This development application does not involve a non-tidal artificial waterway. |
|   | <b>AO6.3</b><br>Non-tidal artificial waterways located adjacent to, or connected to a tidal waterway by means of a weir, lock, pumping system or similar ensures: <ul style="list-style-type: none"> <li>(a) there is sufficient flushing or a tidal range of &gt;0.3 m; or</li> </ul>  | <b>Not applicable</b><br>This development application does not involve a non-tidal artificial waterway. |

| Performance outcomes | Acceptable outcomes   | Applicant Response  |
|----------------------|---|---|
|                      | (b) any tidal flow alteration does not adversely impact on the tidal waterway; or<br>(c) there is no introduction of salt water into freshwater environments.   |   |
|                      | <b>AO6.4</b><br>Non-tidal artificial waterways are designed and managed for any of the following end-use purposes:<br>(a) amenity (including aesthetics), landscaping or recreation; or<br>(b) flood management, in accordance with a drainage catchment management plan; or<br>(c) stormwater harvesting plan as part of an integrated water cycle management plan; or<br>(d) aquatic habitat. | <b>Not applicable</b><br>This development application does not involve a non-tidal artificial waterway. |
|                      | <b>AO6.5</b><br>The end-use purpose of the non-tidal artificial waterway is designed and operated in a way that protects water environmental values.  | <b>Not applicable</b><br>This development application does not involve a non-tidal artificial waterway. |
|                      | <b>AO6.6</b><br>Monitoring and maintenance programs adaptively manage water quality to achieve relevant water quality objectives downstream of the waterway.  | <b>Not applicable</b><br>This development application does not involve a non-tidal artificial waterway. |
|                      | <b>AO6.7</b>  | <b>Not applicable</b>   |

| Performance outcomes  | Acceptable outcomes  | Applicant Response   |
|---|--|--|
|   | Aquatic weeds are managed to achieve a low percentage of coverage of the water surface area, and pests and vectors are managed through design and maintenance.   | This development application does not involve a non-tidal artificial waterway.       |
| <b>Wastewater discharge</b>   |  |  |
| <b>PO7</b><br>Discharge of wastewater to waterways, or off site:<br>(a) meets best practice environmental management;<br>(b) is treated to:<br>(i) meet water quality objectives for its receiving waters;<br>(ii) avoid adverse impact on ecosystem health or waterway health;<br>(iii) maintain ecological processes, riparian vegetation and waterway integrity;<br>(iv) offset impacts on high ecological value waters. | <b>AO7.1</b><br>A wastewater management plan is prepared and addresses:<br>(a) wastewater type;<br>(b) climatic conditions;<br>(c) water quality objectives;<br>(d) best practice environmental management.  | <b>Not applicable</b><br>No wastewater would be discharged off-site or to waterways. |
|   | <b>AO7.2</b><br>The waste water management plan is managed in accordance with a waste management hierarchy that:<br>(a) avoids wastewater discharge to waterways; or<br>(b) if wastewater discharge cannot practicably be avoided, minimises wastewater discharge to waterways by re-use, recycling, recovery and treatment for disposal to sewer, surface water and ground water. | <b>Not applicable</b><br>No wastewater would be discharged off-site or to waterways. |
|   | <b>AO7.3</b><br>Wastewater discharge is managed to avoid or  | <b>Not applicable</b><br>No wastewater would be discharged off-site or to            |

| Performance outcomes      | Acceptable outcomes  | Applicant Response  |
|---------------------------|--|---|
|                           | <p>minimise the release of nutrients of concern so as to minimise the occurrence, frequency and intensity of algal blooms.</p>   | <p>waterways.</p>   |
|                           | <p><b>AO7.4</b></p> <p>Development in coastal catchments avoids or minimises and appropriately manages soil disturbance or altering natural hydrology and:</p> <p>(a) avoids lowering ground water levels where potential or actual acid sulfate soils are present;</p> <p>(b) manages wastewater so that:</p> <p>(i) the pH of any wastewater discharges is maintained between 6.5 and 8.5 to avoid mobilisation of acid, iron, aluminium and other metals;</p> <p>(ii) holding times of neutralised wastewater ensures the flocculation and removal of any dissolved iron prior to release;</p> <p>(iii) visible iron floc is not present in any discharge;</p> <p>(iv) precipitated iron floc is contained and disposed of;</p> <p>(v) wastewater and precipitates that cannot be contained and treated for discharge on site are removed and disposed of through trade waste or another lawful method.</p> | <p><b>Not applicable</b></p> <p>No wastewater would be discharged off-site or to waterways.</p> |
| <b>Electricity supply</b> |  |   |

| Performance outcomes  | Acceptable outcomes  | Applicant Response  |
|---|--|---|
| <b>PO8</b><br>Development is provided with a source of power that will meet its energy needs.                             | <b>AO8.1</b><br>A connection is provided from the premises to the electricity distribution network;<br>or<br><b>AO8.2</b><br>The premises is connected to the electricity distribution network in accordance with the Design Guidelines set out in Section D8 of the Planning scheme policy SC5 – FNQROC Regional Development Manual.<br>Note - Areas north of the Daintree River have a different standard. | <b>Able to comply with AO8.1</b><br>The development would be able to provide separate connections to each dwelling and lot. |
|   | <b>AO9.1</b><br>Pad-mount electricity infrastructure is:<br>(a) not located in land for open space or sport and recreation purposes;<br>(b) screened from view by landscaping or fencing;<br>(c) accessible for maintenance.   | <b>Not applicable</b><br>No pad-mount electricity infrastructure is proposed as part of this development.                   |
| <b>PO9</b><br>Development incorporating pad-mount electricity infrastructure does not cause an adverse impact on amenity. | <b>AO9.2</b><br>Pad-mount electricity infrastructure within a building, in a Town Centre is designed and located to enable an active street frontage.<br>Note – Pad-mounts in buildings in activity centres should not be located on the street frontage.  | <b>Not applicable</b><br>No padmount electricity infrastructure is proposed as part of this development.                    |

| Performance outcomes   | Acceptable outcomes  | Applicant Response  |
|--|--|---|
| <b>Telecommunications</b>  |  |   |
| <b>PO10</b><br>Development is connected to a telecommunications service approved by the relevant telecommunication regulatory authority.   | <b>AO10</b><br>The development is connected to telecommunications infrastructure in accordance with the standards of the relevant regulatory authority.  | <b>Able to comply with AO10</b><br>The proposed development would be able to provide separate connections to each dwelling and lot. |
| <b>PO11</b><br>Provision is made for future telecommunications services (e.g. fibre optic cable).  | <b>AO11</b><br>Conduits are provided in accordance with Planning scheme policy SC5 – FNQROC Regional Development Manual.   | <b>Not applicable</b><br>No conduits are required for this development proposal.  |
| <b>Road construction</b>   |  |   |
| <b>PO12</b><br>The road to the frontage of the premises is constructed to provide for the safe and efficient movement of:<br>(a) pedestrians and cyclists to and from the site;<br>(b) pedestrians and cyclists adjacent to the site;<br>(c) vehicles on the road adjacent to the site;<br>(d) vehicles to and from the site;<br>(e) emergency vehicles. | <b>AO12.1</b><br>The road to the frontage of the site is constructed in accordance with the Design Guidelines set out in Sections D1 and D3 of the Planning scheme policy SC5 – FNQROC Regional Development Manual, for the particular class of road, as identified in the road hierarchy. | <b>Not applicable</b><br>No new roads are proposed.   |
|  | <b>AO12.2</b><br>There is existing road, kerb and channel for the full road frontage of the site.  | <b>Not applicable</b><br>No new roads are proposed.   |
|  | <b>AO12.3</b><br>Road access minimum clearances of 3.5 metres  | <b>Not applicable</b>   |



| Performance outcomes   | Acceptable outcomes  | Applicant Response   |
|--|--|--|
|  | wide and 4.8 metres high are provided for the safe passage of emergency vehicles.  | No new roads are proposed.   |
| <b>Alterations and repairs to public utility services</b>  |  |  |
| <b>PO13</b><br>Infrastructure is integrated with, and efficiently extends, existing networks.                                    | <b>AO13</b><br>Development is designed to allow for efficient connection to existing infrastructure networks.  | <b>Complies with AO13</b><br>The development would allow for the efficient connection to existing infrastructure networks being existing developed land with access to all services. |
| <b>PO14</b><br>Development and works do not affect the efficient functioning of public utility mains, services or installations. | <b>AO14.1</b><br>Public utility mains, services and installations are not required to be altered or repaired as a result of the development;<br>or<br><b>AO14.2</b><br>Public utility mains, services and installations are altered or repaired in association with the works so that they continue to function and satisfy the relevant Design Guidelines set out in Section D8 of the Planning scheme policy SC5 – FNQROC Regional Development Manual. | <b>Not applicable</b><br>No alterations or repairs would be needed for public utility services as the development would maintain its existing connections to necessary services.     |
| <b>Construction management</b>   |  |  |
| <b>PO15</b><br>Work is undertaken in a manner which minimises adverse impacts on vegetation that is to be                        | <b>AO15</b><br>Works include, at a minimum:<br>(a) installation of protective fencing around   | <b>Not application</b><br>The proposal is for reconfiguring a lot only. No changes are proposed to the existing built form or  |

| Performance outcomes  | Acceptable outcomes   | Applicant Response   |
|---|---|--|
| retained.   | <p>retained vegetation during construction;</p> <p>(b) erection of advisory signage;</p> <p>(c) no disturbance, due to earthworks or storage of plant, materials and equipment, of ground level and soils below the canopy of any retained vegetation;</p> <p>(d) removal from the site of all declared noxious weeds.</p>  | car parking arrangements.  |
| <p><b>PO16</b></p> <p>Existing infrastructure is not damaged by construction activities.</p>  | <p><b>AO16</b></p> <p>Construction, alterations and any repairs to infrastructure is undertaken in accordance with the Planning scheme policy SC5 – FNQROC Regional Development Manual.</p> <p>Note - Construction, alterations and any repairs to State-controlled roads and rail corridors are undertaken in accordance with the Transport Infrastructure Act 1994.</p> | <p><b>Not application</b></p> <p>The proposal is for reconfiguring a lot only. No changes are proposed to the existing built form or car parking arrangements.</p> |
| <b>For assessable development</b>   |   |  |
| <b>High speed telecommunication infrastructure</b>  |   |  |
| <p><b>PO17</b></p> <p>Development provides infrastructure to facilitate the roll out of high speed telecommunications infrastructure.</p> | <p><b>AO17</b></p> <p>No acceptable outcomes are prescribed.</p>  | <p><b>Not applicable</b></p> <p>The development would retain its existing high speed telecommunications infrastructure.</p>  |

| Performance outcomes   | Acceptable outcomes   | Applicant Response  |
|--|---|---|
| <b>Trade waste</b>   |   |   |
| <b>PO18</b><br>Where relevant, the development is capable of providing for the storage, collection treatment and disposal of trade waste such that:<br>(a) off-site releases of contaminants do not occur;<br>(b) the health and safety of people and the environment are protected;<br>(c) the performance of the wastewater system is not put at risk. | <b>AO18</b><br>No acceptable outcomes are prescribed.   | <b>Not applicable</b><br>The development would be for residential purposes only therefore it would not involve trade waste. |
| <b>Fire services in developments accessed by common private title</b>  |   |   |
| <b>PO19</b><br>Hydrants are located in positions that will enable fire services to access water safely, effectively and efficiently.   | <b>AO19.1</b><br>Residential streets and common access ways within a common private title places hydrants at intervals of no more than 120 metres and at each intersection. Hydrants may have a single outlet and be situated above or below ground.  | <b>Not applicable</b><br>No common private title is proposed.   |
|  | <b>AO19.2</b><br>Commercial and industrial streets and access ways within a common private title serving commercial properties such as factories and warehouses and offices are provided with above or below ground fire hydrants located at not more than 90 metre intervals and at each intersection. Above ground fire hydrants have dual-valved | <b>Not applicable</b><br>No common private title is proposed.   |

| Performance outcomes   | Acceptable outcomes  | Applicant Response   |
|--|--|--|
|  | outlets.   |  |
| <p><b>PO20</b></p> <p>Hydrants are suitable identified so that fire services can locate them at all hours.</p> <p>Note – Hydrants are identified as specified in the Department of Transport and Main Roads Technical Note: 'Identification of street hydrants for fire fighting purposes' available under 'Publications'.</p> | <p><b>AO20</b></p> <p>No acceptable outcomes are prescribed.</p> | <p><b>Not applicable</b></p> <p>No common private title is proposed.</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  | Compliance  |
|--|--|---|
| <b>For self-assessable and assessable development</b>  |  |   |
| <b>Landscaping design</b>  |  |   |
| <b>PO1</b><br>Development provides landscaping that contributes to and creates a high quality landscape character for the site, street and local areas of the Shire by: ( <ul style="list-style-type: none"> <li>(a) promoting the Shire’s character as a tropical environment;</li> <li>(b) softening the built form of development;</li> <li>(c) enhancing the appearance of the development from within and outside the development and makes a positive contribution to the streetscape;</li> <li>(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;</li> <li>(e) where necessary, ensuring the privacy of habitable rooms and private outdoor recreation areas;</li> <li>(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;</li> <li>(g) ensuring private outdoor recreation space is</li> </ul> | <b>AO1</b><br>Development provides landscaping: <ul style="list-style-type: none"> <li>(a) in accordance with the minimum area, dimensions and other requirements of applicable development codes;</li> <li>(b) that is designed and planned in a way that meets the guidelines for landscaping outlined in Planning Scheme Policy SC6.7 – Landscaping;</li> <li>(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.</li> </ul> <p>Note - Planning scheme policy SC6.7 – Landscaping provides guidance on meeting the outcomes of this code. A landscape plan submitted for approval in accordance with the Planning policy is one way to achieve this outcome.</p> | <b>Not applicable</b><br>Existing landscaping would be maintained as part of this development proposal. |

| Performance outcomes   | Acceptable outcomes  | Compliance  |
|--|--|---|
| useable;<br>(h) providing long term soil erosion protection;<br>(i) providing a safe environment;<br>(j) integrating existing vegetation and other natural features of the premises into the development;<br>(k) not adversely affecting vehicular and pedestrian sightlines and road safety |  |   |
| <b>For assessable development</b>  |  |   |
| <b>PO2</b><br>Landscaping contributes to a sense of place, is functional to the surroundings and enhances the streetscape and visual appearance of the development.  | <b>AO2.1</b><br>No acceptable outcomes are specified.<br>Note - Landscaping is in accordance with the requirements specified in Planning scheme policy SC6.7 – Landscaping.  | <b>Not applicable</b><br>Existing landscaping would be maintained as part of this development proposal. |
|  | <b>AO2.2</b><br>Tropical urbanism is incorporated into building design.<br>Note – ‘Tropical urbanism’ includes many things such as green walls, green roofs, podium planting and vegetation incorporated into the design of a building | <b>Not applicable</b><br>Existing landscaping would be maintained as part of this development proposal. |
| <b>PO3</b><br>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.                            | <b>AO3.1</b><br>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.          | <b>Complies with AO3.1</b><br>Existing vegetation on site would be retained as part of the site design. |
|  | <b>AO3.2</b><br>Mature vegetation on the site that is removed or damaged during development is replaced with   | <b>Not applicable</b><br>No vegetation removal is proposed as part of this                              |



| Performance outcomes   | Acceptable outcomes  | Compliance   |
|--|--|--|
|  | advanced species   | development application.   |
|  | <b>AO3.3</b><br>Where there is an existing landscape character in a street or locality which results from existing vegetation, similar species are incorporated into new development | <b>Not applicable</b><br>Existing landscaping would be maintained with this development proposal. There is no existing landscape character within Davidson Street.     |
|  | <b>AO3.4</b><br>Street trees are species which enhance the landscape character of the streetscape, with species chosen from the Planning scheme policy SC6.7 – Landscaping.          | <b>Not applicable</b><br>Davidson Street does not have street trees.   |
| <b>PO4</b><br>Plant species are selected with consideration to the scale and form of development, screening, buffering, streetscape, shading and the locality of the area. | <b>AO4</b><br>Species are selected in accordance with Planning scheme policy SC6.7 – Landscaping.  | <b>Not applicable</b><br>No new landscaping is required as part of this proposal.  |
| <b>PO5</b><br>Shade planting is provided in car parking areas where uncovered or open, and adjacent to driveways and internal roadways.                                    | <b>AO5</b><br>Species are selected in accordance with Planning scheme policy SC6.7 – Landscaping.  | <b>Complies with PO5</b><br>On-site car parking would be a combination of covered and uncovered. Existing vegetation provides suitable shading of uncovered car parks. |
| <b>PO6</b><br>Landscaped areas are designed in order to allow for efficient maintenance.   | <b>AO6.1</b><br>A maintenance program is undertaken in accordance with Planning scheme policy SC6.7 – Landscaping.   | <b>Able to comply with AO6.1</b><br>Existing vegetation would be maintained alongside existing maintenance measures. Council may wish to condition as appropriate.     |
|  | <b>AO6.2</b><br>Tree maintenance is to have regard to the 'Safe Useful Life Expectancy of Trees (SULE).<br><br>Note – It may be more appropriate to replace trees with a SULE of     | <b>Able to comply with AO6.2</b><br>Existing maintenance measures would be maintained. Council may wish to condition as appropriate.                                   |

| Performance outcomes   | Acceptable outcomes   | Compliance   |
|--|---|--|
|  | less than 20 years (as an example), and replant with younger healthy species  |  |
| <b>PO7</b><br>Podium planting is provided with appropriate species for long term survival and ease of maintenance, with beds capable of proper drainage.   | <b>A07.1</b><br>Podium planting beds are provided with irrigation and are connected to stormwater infrastructure to permit flush out.   | <b>Not applicable</b><br>No podium planting beds are proposed as part of this development.   |
|  | <b>A07.2</b><br>Species of plants are selected for long term performance designed to suit the degree of access to podiums and roof tops for maintenance.  | <b>Not applicable</b><br>No podium planting beds are proposed as part of this development.   |
| <b>PO8</b><br>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>A08</b><br>Weed and invasive species detected on a development site are removed in accordance with a management plan prepared by an appropriately qualified person.                            | <b>Able to comply with A08</b><br>Weeds and invasive species are able to be removed. Council may wish to condition as appropriate.   |
| <b>PO9</b><br>The landscape design enhances personal safety and reduces the potential for crime and vandalism  | <b>A09</b><br>No acceptable outcomes are specified.<br><br>Note - Planning scheme policy SC6.3 – Crime prevention through environmental design (CPTED) provides guidance on meeting this outcome. | <b>Complies with PO9</b><br>The existing landscape design will be maintained, which reduces the potential for crime and vandalism by being setback from the street frontage. |
| <b>PO10</b><br>The location and type of plant species does not adversely affect the function and accessibility of services and facilities and service areas.   | <b>A010</b><br>Species are selected in accordance with Planning scheme policy SC6.7 – Landscaping..   | <b>Not applicable</b><br>Existing vegetation would be maintained and no new planting is proposed.  |

## **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 intended 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  | Applicant response  |
|---|--|---|
| <b>General lot design standards</b>   |  |   |
| <b>PO1</b><br>Lots comply with the lot reconfiguration outcomes of the applicable Zone code in Part 5.              | <b>AO1</b><br>No acceptable outcomes are prescribed.   | <b>Able to comply with PO1</b><br>Refer to the assessment against the relevant Zone Code.<br>The proposed development seeks to create lots of 449m <sup>2</sup> and 351m <sup>2</sup> , respectively, below the accepted minimum lot size of 1,000m <sup>2</sup> . However, the proposal relates to an existing multiple dwelling development that is of an appropriate scale and achieves a built form consistent with the character of the area.<br>The proposed reconfiguration would not adversely affect the built form of the area or the purpose of the zone code. |
| <b>PO2</b><br>New lots are generally rectangular in shape with functional areas for land uses intended by the zone. | <b>AO2</b><br>Boundary angles are not less than 45 degrees.  | <b>Complies with AO2</b><br>All boundary angles would be 90 degrees.  |
| <b>PO3</b><br>Lots have legal and practical access to a public road.  | <b>AO3</b><br>Each lot is provided with:<br>(a) direct access to a gazetted road reserve; or<br>(b) access to a gazetted road via a formal access arrangement registered on the title. | <b>Complies with AO3</b><br>The proposed development would provide direct access to Davidson Street, a gazetted road.   |
| <b>PO4</b>  | <b>AO4</b>   | <b>Complies with AO4</b>  |

| Performance outcomes   | Acceptable outcomes   | Applicant response   |
|--|---|--|
| Development responds appropriately to its local context, natural systems and site features.  | Existing site features such as:<br>(a) significant vegetation and trees;<br>(b) waterways and drainage paths;<br>(c) vistas and vantage points are retained and/or are incorporated into open space, road reserves, near to lot boundaries or as common property. | The proposed development to create freehold lots on a lot containing an existing multiple dwelling development. There would be no change to the built form on the site and all existing landscaping would be retained.   |
| <b>PO5</b><br>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><br>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</b><br>The proposed lots would not be capable of further reconfiguration.  |
| <b>PO6</b><br>Where existing buildings or structures are to be retained, development results in:<br>(a) boundaries that offer regular lot shapes and usable spaces;<br>(b) existing improvements complying with current building and amenity standards in relation to boundary setbacks.<br><br>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><br>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 PO6</b><br>The proposed development would retain existing buildings, which are adequately setback from the front boundary.<br><br>The proposal would facilitate two (2) separate lots with a party wall as the common boundary and a zero (0) metre setback.<br>This form of development is consistent with the character and amenity of the locality and consistent with nearby built form, including development at 137 and 139 Davidson Street, which is built in close proximity of the rear boundary and 139 Davidson Street, which has a reduced side boundary setback. |
| <b>PO7</b><br>Where rear lots are proposed, development:<br>(a) provides a high standard of amenity for  | <b>AO7.1</b><br>Where rear lots are to be established:<br>(a) the rear lot is generally rectangular in  | <b>Complies with AO7.1</b><br>Proposed lot 2 would be rectangular in shape and would comprise 90 degree boundary angles. Only  |


| Performance outcomes   | Acceptable outcomes  | Applicant response   |
|--|--|--|
| residents and other users of the site and adjoining properties;<br>(b) positively contributes to the character of adjoining properties and the area;<br>(c) does not adversely affect the safety and efficiency of the road from which access is gained. | shape, avoiding contrived sharp boundary angles;<br>(b) no more than 6 lots directly adjoin the rear lot;<br>(c) no more than one rear lot occurs behind the road frontage lot;<br>(d) no more than two access strips to rear lots directly adjoin each other;<br>(e) access strips are located only on one side of the road frontage lot. | one rear lot would be created and the access would be along one side only.                   |
|  | <b>AO7.2</b><br>Access strips to the rear lot have a minimum width dimension of:<br>(a) 4.0 metres in Residential Zones.<br>(b) 8.0 metres in Industrial Zones category.<br>(c) 5.0 metres in all other Zones.<br>Note - Rear lots are generally not appropriate in non-Residential or non-Rural zones.                                    | <b>Complies with AO7.2</b><br>The access strip would have a minimum width of 5.5 metres.     |
|  | <b>AO7.3</b><br>Access strips are provided with a sealed pavement of sufficient width to cater for the intended traffic, but no less than:<br>(a) 3.0 metres in Residential Zone.<br>(b) 6.0 metres in an Industrial Zone.<br>(c) 3.5 metres in any other Zone.  | <b>Complies with AO7.3</b><br>The access strip would contain the existing concrete driveway. |
| <b>Structure plans</b><br>Additional requirements for:   |  |  |


| Performance outcomes  | Acceptable outcomes  | Applicant response  |
|---|--|---|
| (a) a site which is more than 5,000m <sup>2</sup> in any of the Residential zones; or within these zones, and<br>(b) creates 10 or more lots; or<br>(c) involves the creation of new roads and/or public use land.<br>or<br>(d) For a material change of use involving:<br>(i) preliminary approval to vary the effect of the planning scheme;<br>(ii) establishing alternative Zones to the planning scheme.<br>Note - This part is to be read in conjunction with the other parts of the code |  |   |
| <b>PO8</b><br>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.   | <b>AO8.1</b><br>Neighbourhood design, lot and street layout, and open space provides for, and integrates with, any:<br>(a) approved structure plan;<br>(b) the surrounding pattern of existing or approved subdivision.<br>Note - Planning scheme policy SC14– Structure planning provides guidance on meeting the performance outcomes. | <b>Not applicable</b><br>The site is less than 5,000m <sup>2</sup> in area. |
|   | <b>AO8.2</b><br>Neighbourhood design, lot and street layouts enable future connection and integration with adjoining undeveloped land.   | <b>Not applicable</b><br>The site is less than 5,000m <sup>2</sup> in area. |
| <b>PO9</b><br>Neighbourhood design results in a connected network of walkable streets providing an easy choice of routes within and surrounding the   | <b>AO9.1</b><br>Development does not establish cul-de-sac streets unless:<br>(a) cul-de-sacs are a feature of the existing   | <b>Not applicable</b><br>The site is less than 5,000m <sup>2</sup> in area. |



| Performance outcomes   | Acceptable outcomes   | Applicant response  |
|--|---|---|
| neighbourhood.   | <p>pattern of development in the area;</p> <p>(b) there is a physical feature or incompatible zone change that dictates the need to use a cul-de-sac streets.</p>   |   |
|  | <p><b>AO9.2</b></p> <p>Where a cul-de-sac street is used, it:</p> <p>(a) is designed to be no longer than 150 metres in length;</p> <p>(b) is designed so that the end of the cul-de-sac is visible from its entrance;</p> <p>(c) provides connections from the top of the cul-de-sac to other streets for pedestrians and cyclists, where appropriate.</p> | <p><b>Not applicable</b></p> <p>The site is less than 5,000m<sup>2</sup> in area.</p> |
|  | <p><b>AO9.3</b></p> <p>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>Not applicable</b></p> <p>The site is less than 5,000m<sup>2</sup> in area.</p> |
| <p><b>PO10</b></p> <p>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></p> <p>No acceptable outcomes are prescribed.</p>  | <p><b>Not applicable</b></p> <p>The site is less than 5,000m<sup>2</sup> in area.</p> |
| <p><b>PO11</b></p> <p>Provision of physical and social infrastructure in developing residential neighbourhoods is</p>  | <p><b>AO11.1</b></p> <p>New development adjoins adjacent existing or approved urban development.</p>  | <p><b>Not applicable</b></p> <p>The site is less than 5,000m<sup>2</sup> in area.</p> |

| Performance outcomes   | Acceptable outcomes   | Applicant response  |
|--|---|---|
| <p>facilitated through the orderly and sequential development of land.</p> <p>Note - Part 4 – Local government infrastructure plan may identify specific levels of infrastructure to be provided within development sites.</p>   | <p><b>AO11.2</b></p> <p>New development is not established beyond the identified Local government infrastructure plan area.</p>   | <p><b>Not applicable</b></p> <p>The site is less than 5,000m<sup>2</sup> in area.</p> |
| <b>Urban parkland and environmental open space</b>   |   |   |
| <p><b>PO12</b></p> <p>Where appropriate development maintains and enhances public access and use of natural areas, rivers, dams, creeks and the foreshore.</p>   | <p><b>AO12</b></p> <p>No acceptable outcomes are prescribed.</p>  | <p><b>Not applicable</b></p> <p>The site is less than 5,000m<sup>2</sup> in area.</p> |
| <p><b>PO13</b></p> <p>Development provides land to:</p> <p>(a) meet the recreation needs of the community;</p> <p>(b) provide an amenity commensurate with the structure of neighbourhoods and land uses in the vicinity; and adjacent to open space areas;</p> <p>(c) provide for green corridors and linkages.</p> | <p><b>AO13</b></p> <p>No acceptable outcomes are prescribed.</p> <p>Note - Part 4 – Priority infrastructure plan and Planning scheme policy SC14 – Structure Plans provides guidance in providing open space and recreation land.</p> | <p><b>Not applicable</b></p> <p>The site is less than 5,000m<sup>2</sup> in area.</p> |
| <p><b>AO14</b></p> <p>Lot size, dimensions, frontage and orientation permits buildings to be established that will facilitate casual surveillance to urban parkland and environmental open space.</p>  | <p><b>AO14.1</b></p> <p>Urban parkland is regular in shape.</p>   | <p><b>Not applicable</b></p> <p>The site is less than 5,000m<sup>2</sup> in area.</p> |
|  | <p><b>AO14.2</b></p> <p>At least 75% of the urban parkland's frontage is provided as road.</p>  | <p><b>Not applicable</b></p> <p>The site is less than 5,000m<sup>2</sup> in area.</p> |
|  | <p><b>AO14.3</b></p> <p>Urban parkland and environmental open</p>   | <p><b>Not applicable</b></p>  |

| Performance outcomes | Acceptable outcomes  | Applicant response  |
|----------------------|--|---|
|                      | space areas are positioned to be capable of being overlooked by surrounding development.   | The site is less than 5,000m <sup>2</sup> in area.                          |
|                      | <b>AO14.4</b><br>Surrounding lots are orientated so that facades willfront and overlook the urban parkland and environmental open space.   | <b>Not applicable</b><br>The site is less than 5,000m <sup>2</sup> in area. |
|                      | <b>AO14.5</b><br>The number of lots that back onto, or are side-orientated to the urban parkland and environmental open space is minimised.<br> | <b>Not applicable</b><br>The site is less than 5,000m <sup>2</sup> in area. |
|                      | Inconsistent design solution - low total number of lots complying with the acceptable outcomes.  |   |

| Performance outcomes  | Acceptable outcomes  | Applicant response  |
|---|--|---|
|   |  <p>Lots orientated to front and overlook park to provide casual surveillance.</p> <p>Consistent design solution - high total number of lots complying with the acceptable outcomes.</p> |   |
| <b>Private subdivisions (gated communities)</b>   |  |   |
| <b>PO15</b><br>Private subdivisions (gated communities) do not compromise the establishment of connected and integrated infrastructure and open space networks. | <b>PO15</b><br>No acceptable outcomes are prescribed.  | <b>Not applicable</b><br>The site is less than 5,000m <sup>2</sup> in area. |
| <b>Additional requirements for reconfiguration involving the creation of public streets or roads</b>  |  |   |
| <b>PO16</b><br>The function of new roads is clearly identified and legible and provides integration, safety and convenience for all users.                      | <b>AO16</b><br>No acceptable outcomes are prescribed.<br>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>Not applicable</b><br>No new roads are proposed                          |
| <b>PO17</b><br>Street design supports an urban form that  | <b>AO17</b><br>No acceptable outcomes are prescribed.  | <b>Not applicable</b><br>No new roads are proposed                          |

| Performance outcomes  | Acceptable outcomes   | Applicant response  |
|---|---|---|
| <p>creates walkable neighbourhoods. Street design:</p> <p>(a) is appropriate to the function(s) of the street;</p> <p>(b) meets the needs of users and gives priority to the needs of vulnerable users.</p>   |   |   |
| <b>Public transport network</b>   |   |   |
| <p><b>PO18</b></p> <p>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.</p>   | <p><b>AO18</b></p> <p>No acceptable outcomes are prescribed.</p>  | <p><b>Not applicable</b></p> <p>No new roads are proposed</p>   |
| <b>Pest plants</b>  |   |   |
| <p><b>PO19</b></p> <p>Development activities and sites provide for the removal of all pest plants and implement ongoing measures to ensure that pest plants do not reinfest the site or nearby sites.</p> <p>Editor's note - This does not remove or replace all land owner's obligations or responsibilities under the Land Protection (Pest and Stock Route Management) Act 2002.</p> | <p><b>AO19</b></p> <p>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.</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> <p>The subject site contains an existing dual occupancy, no pest plants are present.</p> |