

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)	Sandra Simpson
Contact name (only applicable for companies)	c/- RPS AAP Consulting Pty Ltd, Sam Leggerini
Postal address (P.O. Box or street address)	PO Box 1949
Suburb	Cairns
State	Queensland
Postcode	4870
Country	Australia
Contact number	+61 7 4031 1336
Email address (non-mandatory)	Sam.leggerini@rpsgroup.com.au
Mobile number (non-mandatory)	
Fax number (non-mandatory)	
Applicant's reference number(s) (if applicable)	AU011937

2) Owner's consent	
2.1) Is written consent of the owner required for this development application?	
<input checked="" type="checkbox"/> Yes – the written consent of the owner(s) is attached to this development application	
<input 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
		27	Warner Street	Port Douglas
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)
	4877	44	PTD20910	Douglas Shire Council
b)	Unit No.	Street No.	Street Name and Type	Suburb
		29	Warner Street	Port Douglas
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)
	4877	45	PTD20910	Douglas Shire Council

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

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

- ☐ Coordinates of premises by longitude and latitude

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

- ☐ Coordinates of premises by easting and northing

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

3.3) Additional premises

- ☐ Additional premises are relevant to this development application and the details of these premises have been attached in a schedule to this development application
☒ Not required

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

<input type="checkbox"/> In or adjacent to a water body or watercourse or in or above an aquifer
Name of water body, watercourse or aquifer:
<input type="checkbox"/> On strategic port land under the <i>Transport Infrastructure Act 1994</i>
Lot on plan description of strategic port land:
Name of port authority for the lot:
<input type="checkbox"/> In a tidal area
Name of local government for the tidal area (if applicable):
Name of port authority for tidal area (if applicable):
<input type="checkbox"/> On airport land under the <i>Airport Assets (Restructuring and Disposal) Act 2008</i>
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? <i>(tick only one box)</i>
<input type="checkbox"/> Material change of use <input checked="" type="checkbox"/> Reconfiguring a lot <input type="checkbox"/> Operational work <input type="checkbox"/> Building work
b) What is the approval type? <i>(tick only one box)</i>
<input checked="" type="checkbox"/> Development permit <input type="checkbox"/> Preliminary approval <input type="checkbox"/> Preliminary approval that includes a variation approval
c) What is the level of assessment?
<input checked="" type="checkbox"/> Code assessment <input type="checkbox"/> Impact assessment <i>(requires public notification)</i>
d) Provide a brief description of the proposal <i>(e.g. 6 unit apartment building defined as multi-unit dwelling, reconfiguration of 1 lot into 3 lots):</i>
Reconfiguring a Lot (Boundary Realignment)
e) Relevant plans <i>Note: Relevant plans are required to be submitted for all aspects of this development application. For further information, see DA Forms guide: Relevant plans.</i>
<input checked="" type="checkbox"/> 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? <i>(tick only one box)</i>
<input type="checkbox"/> Material change of use <input type="checkbox"/> Reconfiguring a lot <input type="checkbox"/> Operational work <input type="checkbox"/> Building work
b) What is the approval type? <i>(tick only one box)</i>
<input type="checkbox"/> Development permit <input type="checkbox"/> Preliminary approval <input type="checkbox"/> Preliminary approval that includes a variation approval
c) What is the level of assessment?
<input type="checkbox"/> Code assessment <input type="checkbox"/> Impact assessment <i>(requires public notification)</i>
d) Provide a brief description of the proposal <i>(e.g. 6 unit apartment building defined as multi-unit dwelling, reconfiguration of 1 lot into 3 lots):</i>
e) Relevant plans <i>Note: Relevant plans are required to be submitted for all aspects of this development application. For further information, see DA Forms Guide: Relevant plans.</i>
<input type="checkbox"/> Relevant plans of the proposed development are attached to the development application
6.3) Additional aspects of development
<input type="checkbox"/> 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
<input checked="" type="checkbox"/> Not required

Section 2 – Further development details

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

Division 1 – Material change of use

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

8.1) Describe the proposed material change of use			
Provide a general description of the proposed use	Provide the planning scheme definition (include each definition in a new row)	Number of dwelling units (if applicable)	Gross floor area (m ²) (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?	
Two	
9.2) What is the nature of the lot reconfiguration? (tick all applicable boxes)	
<input type="checkbox"/> Subdivision (complete 10))	<input type="checkbox"/> Dividing land into parts by agreement (complete 11))
<input checked="" 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				
10.2) Will the subdivision be staged?				
<input type="checkbox"/> Yes – provide additional details below				
<input 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 ²)	Lot on plan description	Area (m ²)
Lot 44 on PTD20910	708	Lot 44	751
Lot 45 on PTD20910	708	Lot 45	670
12.2) What is the reason for the boundary realignment?			
To address the encroachment of structures from Lot 44 into Lot 45			

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

Division 3 – Operational work

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

14.1) What is the nature of the operational work?	
<input type="checkbox"/> Road work <input type="checkbox"/> Drainage work <input type="checkbox"/> Landscaping <input type="checkbox"/> Other – please specify:	<input type="checkbox"/> Stormwater <input type="checkbox"/> Earthworks <input type="checkbox"/> Signage <input type="checkbox"/> Water infrastructure <input type="checkbox"/> Sewage infrastructure <input type="checkbox"/> Clearing vegetation
14.2) Is the operational work necessary to facilitate the creation of new lots? (e.g. subdivision)	
<input type="checkbox"/> Yes – specify number of new lots:	
<input type="checkbox"/> No	
14.3) What is the monetary value of the proposed operational work? (include GST, materials and labour)	
\$	

PART 4 – ASSESSMENT MANAGER DETAILS

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

PART 5 – REFERRAL DETAILS

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

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

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

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

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

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

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

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

18) Has any referral agency provided a referral response for this development application?		
<input type="checkbox"/> Yes – referral response(s) received and listed below are attached to this development application		
<input 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

19) Information request under Part 3 of the DA Rules
<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
Note: By not agreeing to accept an information request I, the applicant, acknowledge: <ul style="list-style-type: none"> • that this development application will be assessed and decided based on the information provided when making this development application and the assessment manager and any referral agencies relevant to the development application are not obligated under the DA Rules to accept any additional information provided by the applicant for the development application unless agreed to by the relevant parties • Part 3 of the DA Rules will still apply if the application is an application listed under section 11.3 of the DA Rules. Further advice about information requests is contained in the DA Forms Guide .

PART 7 – FURTHER DETAILS

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

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

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

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

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

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

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

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

23) Further legislative requirements

Environmentally relevant activities

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

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

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

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

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

Hazardous chemical facilities

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

- ☐ Yes – Form 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 for further information about hazardous chemical notifications.

Clearing native vegetation

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

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

☒ No

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

Environmental offsets

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

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

☒ No

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

Koala habitat in SEQ Region

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

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

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

☒ No

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

Quarry materials from land under tidal waters

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

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

Note: Contact the Department of Environment and Science at 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 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 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 for information requirements regarding development of Queensland heritage places.

Name of the heritage place:		Place ID:	
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Brothels

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

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

Decision under section 62 of the Transport Infrastructure Act 1994

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

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

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

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

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

☒ No

Note: See guidance materials at www.planning.dsdmip.qld.gov.au 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	

Individual owner's consent for making a development application under the *Planning Act 2016*

We, Kevin Charles Simpson and Dale Andrew Simpson

as owner of the premises identified as follows:

29 Warner Street, Port Douglas, described as Lot 45 on PTD20910

consent to the making of a development application under the *Planning Act 2016* by:

Sandra Simpson

on the premises described above for:

Reconfiguring a Lot (Boundary Realignment)

Dale

Signature

08.10.23

Date

K.C. Simpson

Signature

8/10/23

Date

27 AND 29 WARNER STREET, PORT DOUGLAS – RECONFIGURING A LOT (BOUNDARY REALIGNMENT)

Town Planning Report



AU011937
B
10 October 2023

REPORT

Document status

Version	Purpose of document	Authored by	Reviewed by	Approved by	Review date
A	Client Review	S Leggerini	P Clifton	P Clifton	4/09/2023
B	Application Submission	S Leggerini	P Clifton	P Clifton	10/10/2023

Approval for issue

P Clifton



10 October 2023

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Prepared by:

Prepared for:

RPS

Sandra Simpson

Sam Leggerini
Town Planner

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T +61 7 4031 1336
E sam.leggerini@rpsgroup.com.au

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Appendix A Certificate(S) of Title
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Appendix C Proposal Plans
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SUMMARY

Table 1: Summary

Details			
Site Address:	27 Warner Street, Port Douglas 29 Warner Street, Port Douglas		
Real Property Description:	Lot 44 on PTD20910 Lot 45 on PTD20910		
Site Area:	708m ² (27 Warner Street) 708m ² (29 Warner Street)		
Regional Plan Land Use Designation:	Urban Footprint		
Zone/Precinct:	Centre Zone		
Neighbourhood Plan/Precinct:	Port Douglas Craiglie Local Plan – Precinct 1a Town Centre		
Owner(s):	Sandra Judith Simpson (Lot 44 on PTD20910) Kevin Charles Simpson and Dale Andrew Simpson (Lot 45 on PTD20910)		
Proposal			
Brief Description/ Purpose of Proposal	Reconfiguring a Lot (Boundary Realignment)		
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
Nil	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
Other			
Applicant contact person	Sam Leggerini Town Planner D: +61 7 4031 1336 E: sam.leggerini@rpsgroup.com.au		

1 INTRODUCTION

RPS AAP Consulting Pty Ltd has been engaged by Sandra Simpson to seek development approval for Reconfiguring a Lot (Boundary Realignment) on land located at 27 and 29 Warner Street, Port Douglas, and described as Lot 44 and Lot 45 on PTD20910.

Lot 44 and Lot 45 on PTD20910 are both regular shaped lots with an areas of 708m² and frontages to Warner Street of approximately 20 metres. Lot 44 is currently improved by two a small industrial/commercial development comprising single storey buildings and Lot 45 is currently vacant.

This application is for Development Permit for Reconfiguring a Lot (Boundary Realignment) to address an encroachment from Lot 44 into Lot 45 and to realign the property boundary with the existing wall of the commercial/industry buildings on Lot 44. No other development would occur as part of the proposal and the built form on the overall site would remain the same.

Under the Douglas Shire Planning Scheme 2018 Version 1.0, the site is identified within the Centre Zone, Port Douglas-Craiglie Local Plan area and is affected by the following overlays:

- Acid Sulfate Soils;
- Coastal Environment;
- Flood and Storm Tide Hazard;
- Natural Areas; and
- Transport Network.

In accordance with the Tables of Assessment, Reconfiguring a Lot, is identified as requiring the approval of a Code Assessable application by Douglas Shire Council. As the Assessment Manager, the Council, in determining the application, can only have regard to the applicable Assessment Benchmarks contained within the Planning Scheme and no other matter.

This report provides greater details on the nature of the proposal and provides an assessment of the proposal against the relevant code requirements of the Douglas Shire Planning Scheme 2018 Version 1.0. Based on this assessment the application is recommended for approval subject to reasonable and relevant conditions.

2 SITE DETAILS

2.1 Site Particulars

The subject site is located at 27 and 29 Warner Street, Port Douglas, and is described as Lot 44 and Lot 45 on PTD20910.

Lot 44 and Lot 45 on PTD20910 are both regular shaped lots with an areas of 708m² and frontages to Warner Street of approximately 20 metres. Lot 44 is currently improved with two detached commercial/industry buildings with vehicle access from Warner Street running through the centre of the two buildings. Lot 45 is currently vacant.

The area containing the site can be categorised by a mix of development. To the north of the site, on the opposite side of Warner Street, are single detached dwellings and to the east is a hostel accommodation and light industry uses. To the west Warner Street becomes a secondary retail strip associated with the town centre of Port Douglas located along Macrossan Street to the north. To the south the site adjoins the Port Douglas Neighbourhood Centre.

Table 2: Site Particulars

Site Particulars	
Site Address	27 Warner Street, Port Douglas 29 Warner Street, Port Douglas
Real Property Description	Lot 44 on PTD20910 Lot 45 on PTD20910
Site Area	708m ² (27 Warner Street) 708m ² (29 Warner Street)
Landowner(s)	Sandra Judith Simpson (Lot 44 on PTD20910) Kevin Charles Simpson and Dale Andrew Simpson (Lot 45 on PTD20910)

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**.

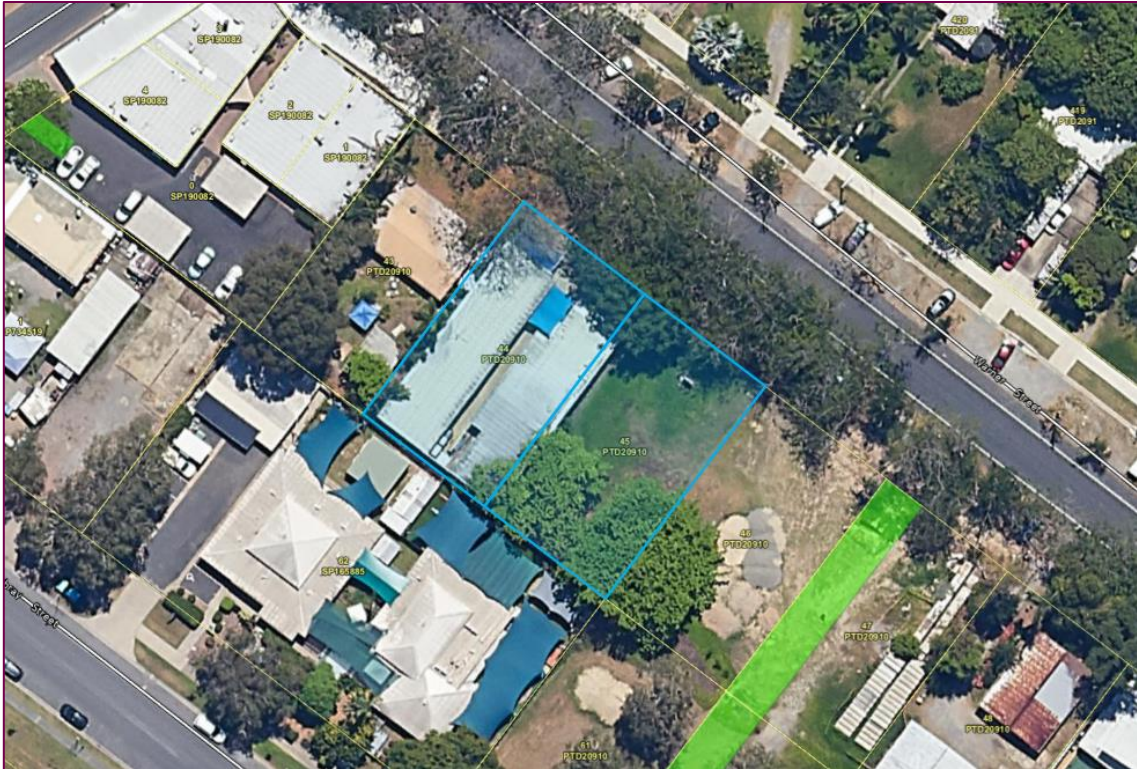


Figure 1 Site Location

Source: Queensland Globe 2023

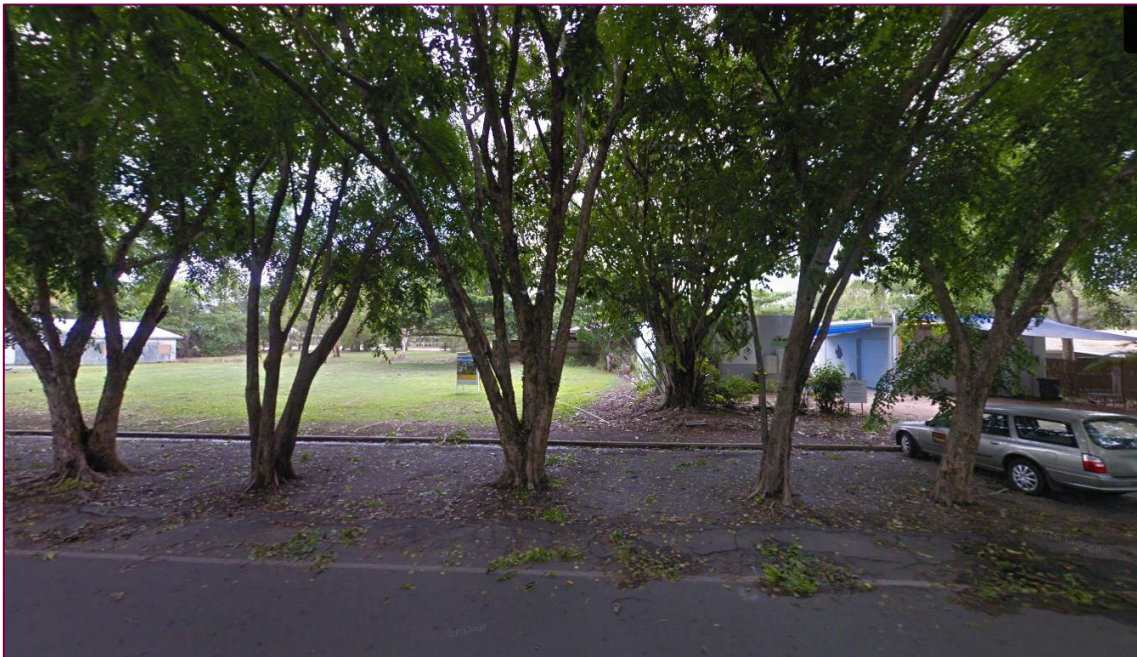


Figure 2 Warner Street Frontage

Source: Google Maps 2023

2.2 Planning Context

The planning context of the site is identified in table 3 below.

Table 3: Planning Context

Instrument	Designation
State Planning Policy Mapping	
Safety and Resilience to Hazards	<ul style="list-style-type: none"> Natural Hazards Risk and Resilience <ul style="list-style-type: none"> Flood hazard area - Level 1 - Queensland floodplain assessment overlay Flood hazard area - Local Government flood mapping area Erosion prone area High storm tide inundation area
Development Assessment Mapping	
Coastal Protection	<ul style="list-style-type: none"> Coastal area – erosion prone area Coastal area – high storm tide inundation area
Native Vegetation Clearing	<ul style="list-style-type: none"> Category X on the regulated vegetation management map
Far North Queensland Regional Plan 2009 2031	
Regional Plan designation	<ul style="list-style-type: none"> Urban Footprint
Douglas Shire Planning Scheme 2018 Version 1.0	
Strategic framework designation	<ul style="list-style-type: none"> Urban Area
Zoning	<ul style="list-style-type: none"> Centre Zone
Local Plan	<ul style="list-style-type: none"> Port Douglas Craiglie Local Plan <ul style="list-style-type: none"> Precinct 1 – 1a Town Centre
Overlays	<ul style="list-style-type: none"> Acid Sulfate Soils <ul style="list-style-type: none"> < 5m AHD Coastal Environment <ul style="list-style-type: none"> Erosion Prone Area Flood and Storm Tide Hazard <ul style="list-style-type: none"> High Storm Tide Hazard 100 Year ARI - Mosman and Port Douglas Flood Studies Natural Areas <ul style="list-style-type: none"> MSES – Regulated Vegetation (Intersecting a Watercourse) Transport Network <ul style="list-style-type: none"> Collector Road

Zoning of the subject site and surrounding lands is shown on **Figure 3**. Other relevant mapping, including overlays is provided at **Appendix B**



Figure 3 Zoning

Source: Douglas Shire Planning Scheme 2018 Version 1.0

3 PROPOSAL

It is proposed to realign the common boundary between Lot 44 and Lot 45 on PTD20910 to address an encroachment from the buildings on Lot 44 into Lot 45 of approximately 1.13 metres. To rectify this encroachment, it is proposed to undertake a boundary realignment to ensure that the building is wholly contained within Lot 44. The realigned common boundary would be consistent with the existing wall of the building on Lot 44 and would transfer a total of 40m² from Lot 45 to Lot 44.

No other development would occur as a part of the proposal and the built form on the overall site would remain the same. Each of the lots would retain their existing access arrangements and services. Boundary Realignment proposal plans are provided at **Appendix C** and the proposed lots are summarised in **Table 4** below:

Table 4: Development Summary

Proposed Lot	Area	Frontage
Proposed Lot 44	748m ²	Approx 21.3 metres to Warner Street
Proposed Lot 45	668m ²	Approx 19 metres to Warner Street



Figure 4 Proposal Plan

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 5: Categories of Assessment

Aspect of development	Categorising instrument	Category of assessment
Reconfiguring a Lot (Boundary Realignment)	Table 5.6.a – Centre Zone, Douglas Shire Planning Scheme 2018 Version 1.0.	Code

4.3 Referrals

This application does not trigger 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 Statutory Planning assessment.

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*.

As Douglas Shire Council is the assessment manager the relevant categorising instrument is the Douglas Shire Planning Scheme 2018 Version 1.0.

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 identified in Part 2 of the Douglas Shire Planning Scheme 2018 Version 1.0, 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 advance the Far North Queensland Regional Plan 2009-2031, as it applies to 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)

As there are no referral triggers for the proposed development, no State Development Assessment Provisions (SDAP) apply to the proposal.

5.3 Local Authority Assessment Benchmarks

This application is to be assessed against the Douglas Shire Planning Scheme 2018 Version 1.0. The assessment benchmarks applicable under the Planning Scheme are addressed below.

Table 6: Planning Scheme Code Responses

Planning Scheme Codes	Location of Response	Comment
Zone and Local Plan Codes		
Centre Code	Applies	Complies with the applicable Assessment Benchmarks.
Port Douglas-Craigie Local Plan Code	Applies	Complies with the applicable Acceptable Outcomes.
Overlay Code		
Acid Sulfate Soils Overlay Code	Applies	Complies with the applicable Assessment Benchmarks.

REPORT

Planning Scheme Codes	Location of Response	Comment
Coastal Environment Overlay Code	Applies	Complies with the applicable Assessment Benchmarks.
Flood and Storm Tide Hazard Overlay Code	Applies	Consideration is required in relation to PO1, relating to development in a flood mapped area. Refer below
Natural Areas Overlay Code	Not applicable	There are no applicable Assessment Benchmarks. Council's Planning Scheme mapping identifies the site as containing MSES – Regulated Vegetation (Intersecting a Watercourse), this is not consistent with the State Planning Policy Mapping.
Transport Network Overlay Code	Applies	Complies with the applicable Acceptable Outcomes.
Development Codes		
Access, Parking and Servicing Code	Applies	Complies with the applicable Acceptable Outcomes.
Environmental Performance Code	Not applicable	No Assessment Benchmarks are applicable to the proposed Boundary Realignment.
Infrastructure Works Code	Applies	Applies with the applicable Assessment Benchmarks.
Reconfiguring a Lot Code	Applies	Complies with the applicable Acceptable Outcomes.

A detailed assessment against the applicable Planning Scheme Codes is provided as **Appendix D**.

5.3.1 Statement of Compliance

5.3.1.1 Flood and Storm Tide Hazard Overlay Code

Performance Outcome PO1 of the Flood and Storm Tide Hazard Overlay Code states:

PO1

Development is located and designed to:

- a) ensure the safety of all persons;*
- b) minimise damage to the development and contents of buildings;*
- c) provide suitable amenity;*
- d) minimise disruption to residents, recovery time, and rebuilding or restoration costs after inundation events.*

Note – For assessable development within the flood plain assessment sub-category, a flood study by a suitably qualified professional is required to identify compliance with the intent of the acceptable outcome.

The associated Acceptable Outcome AO1.1 states:

AO1.1

Development is sited on parts of the land that is not within the Flood and Storm tide hazards overlay maps contained in Schedule 2;

The application is for a boundary realignment between two existing lots within the Port Douglas Town Centre, where the principle of development has previously been accepted. The proposed development would not result in any new or exacerbate any existing flood impacts and is considered to satisfy the Performance Outcome.

6 CONCLUSION

RPS AAP Consulting Pty Ltd has been engaged by Sandra Simpson to seek development approval for Reconfiguring a Lot (Boundary Realignment) on land at 27 and 29 Warner Street, Port Douglas, described as Lot 44 and Lot 45 on PTD20910.

The purpose of the application is to address an encroachment from Lot 44 into Lot 45 and to realign the property boundary with the existing wall of the existing building on Lot 44. No other development would occur as part of the proposal and the built form on the overall site would remain the same.

Under the Douglas Shire Planning Scheme 2018 Version 1.0, the site is identified within the Centre Zone, Port Douglas-Craigie Local Plan area and is affected by the following overlays:

- Acid Sulfate Soils;
- Coastal Environment;
- Flood and Storm Tide Hazard;
- Natural Areas; and
- Transport Network.

In accordance with the Tables of Assessment, Reconfiguring a Lot, is identified as requiring the approval of a Code Assessable application by Douglas Shire Council. As the Assessment Manager, the Council, in determining the application can only have regard to the applicable Assessment Benchmarks contained within the Planning Scheme and no other matter.

The assessment of the proposal against the relevant code requirements of the Douglas Shire Planning Scheme 2018 Version 1.0 contained in this report, demonstrate that the proposed development is able to satisfy the relevant Assessment Benchmarks. Based on this assessment, the application is submitted for approval subject to reasonable and relevant conditions.

Appendix A

Certificate(S) of Title

Queensland Titles Registry Pty Ltd
ABN 23 648 568 101

Title Reference:	20935163	Search Date:	01/09/2023 14:57
Date Title Created:	22/02/1974	Request No:	45549322
Previous Title:	20039190		

ESTATE AND LAND

Estate in Fee Simple

LOT 44 CROWN PLAN PTD20910
Local Government: DOUGLAS

REGISTERED OWNER

Dealing No: 702214428 15/09/1997

SANDRA JUDITH SIMPSON

EASEMENTS, ENCUMBRANCES AND INTERESTS

1. Rights and interests reserved to the Crown by
Deed of Grant No. 10498067 (ALLOT 4 SEC 14)

ADMINISTRATIVE ADVICES

NIL

UNREGISTERED DEALINGS

NIL

** End of Current Title Search **

Queensland Titles Registry Pty Ltd
ABN 23 648 568 101

Title Reference:	20626047	Search Date:	01/09/2023 14:59
Date Title Created:	17/01/1962	Request No:	45549355
Previous Title:	20039192		

ESTATE AND LAND

Estate in Fee Simple

LOT 45 CROWN PLAN PTD20910
Local Government: DOUGLAS

REGISTERED OWNER

Dealing No: 718738328 10/05/2018

KEVIN CHARLES SIMPSON

DALE ANDREW SIMPSON

UNDER INSTRUMENT 718738328

PERSONAL REPRESENTATIVE

EASEMENTS, ENCUMBRANCES AND INTERESTS

1. Rights and interests reserved to the Crown by
Deed of Grant No. 10498068 (ALLOT 5 SEC 14)

ADMINISTRATIVE ADVICES

NIL

UNREGISTERED DEALINGS

NIL

** End of Current Title Search **

Appendix B

Douglas Shire Council Planning Scheme Property Reports

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.

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 [27 Warner Street PORT DOUGLAS](#)



Lot Plan [44PTD20910](#) (Freehold - 708m²)



☒ 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
Centre

More Information

- [View Section 6.2.1 Centre Zone Code](#)
- [View Section 6.2.1 Centre Zone Compliance table](#)
- [View Section 6.2.1 Centre 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.

 Local Plans	Applicable Precinct or Area Port Douglas - Craiglie Precinct 1 - 1a Town Centre	More Information <ul style="list-style-type: none"> View Section 7.2.4 Port Douglas/Craiglie Local Plan Code View Section 7.2.4 Port Douglas/Craiglie Local Plan Compliance table
 Acid Sulfate Soils	Applicable Precinct or Area Acid Sulfate Soils (< 5m AHD)	More Information <ul style="list-style-type: none"> View Section 8.2.1 Acid Sulfate Soils Overlay Code View Section 8.2.1 Acid Sulfate Soils Overlay Compliance table
 Coastal Processes	Applicable Precinct or Area Erosion Prone Area	More Information <ul style="list-style-type: none"> View Section 8.2.3 Coastal Environment Overlay Code View Section 8.2.3 Coastal Environment Overlay Compliance table
 Flood Storm	Applicable Precinct or Area High Storm Tide Hazard 100 Year ARI - Mosman and Port Douglas Flood Studies	More Information <ul style="list-style-type: none"> View Section 8.2.4 Flood and Storm Tide Hazard Overlay Code View Section 8.2.4 Flood and Storm Tide Hazard Overlay Compliance table
 Natural Areas	Applicable Precinct or Area MSES - Regulated Vegetation (Intersecting a Watercourse)	More Information <ul style="list-style-type: none"> View Section 8.2.7 Natural Areas Overlay Code View Section 8.2.7 Natural Areas Overlay Compliance table
 Transport Road Hierarchy	Applicable Precinct or Area Collector Road	More Information <ul style="list-style-type: none"> View Section 8.2.10 Transport Network Overlay Code View Section 8.2.10 Transport Network Overlay Compliance table

Zoning

Applicable Zone
Centre

- More Information
- [View Section 6.2.1 Centre Zone Code](#)
 - [View Section 6.2.1 Centre Zone Compliance table](#)
 - [View Section 6.2.1 Centre 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
Precinct 1 - 1a Town Centre

- 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	Transport Investigation Corridor <input checked="" type="checkbox"/> Transport Investigation Corridors	Major Road Connections <input checked="" type="checkbox"/> Major Road Connections
Major Road Connections (No Arrow) <input checked="" type="checkbox"/> Major Road Connections	Daintree River to Bloomfield <input checked="" type="checkbox"/> Daintree River to Bloomfield	Creb Track and Quaid Road <input checked="" type="checkbox"/> Creb Track	60 metre contour <input checked="" type="checkbox"/> 60 metre contour
Local Plan Boundary <input checked="" type="checkbox"/> Local Plan Boundary			
Local Plan Sub Precincts			
<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	
Local Plan Precincts			
<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		
Live Entertainment Precinct <input checked="" type="checkbox"/> Live Entertainment Precinct	Indicative Future Open Space <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

Coastal Processes

Applicable Precinct or Area
Erosion Prone Area

- More Information
- [View Section 8.2.3 Coastal Environment Overlay Code](#)
 - [View Section 8.2.3 Coastal Environment Overlay Compliance table](#)



☒ Selected Property

☐ Property

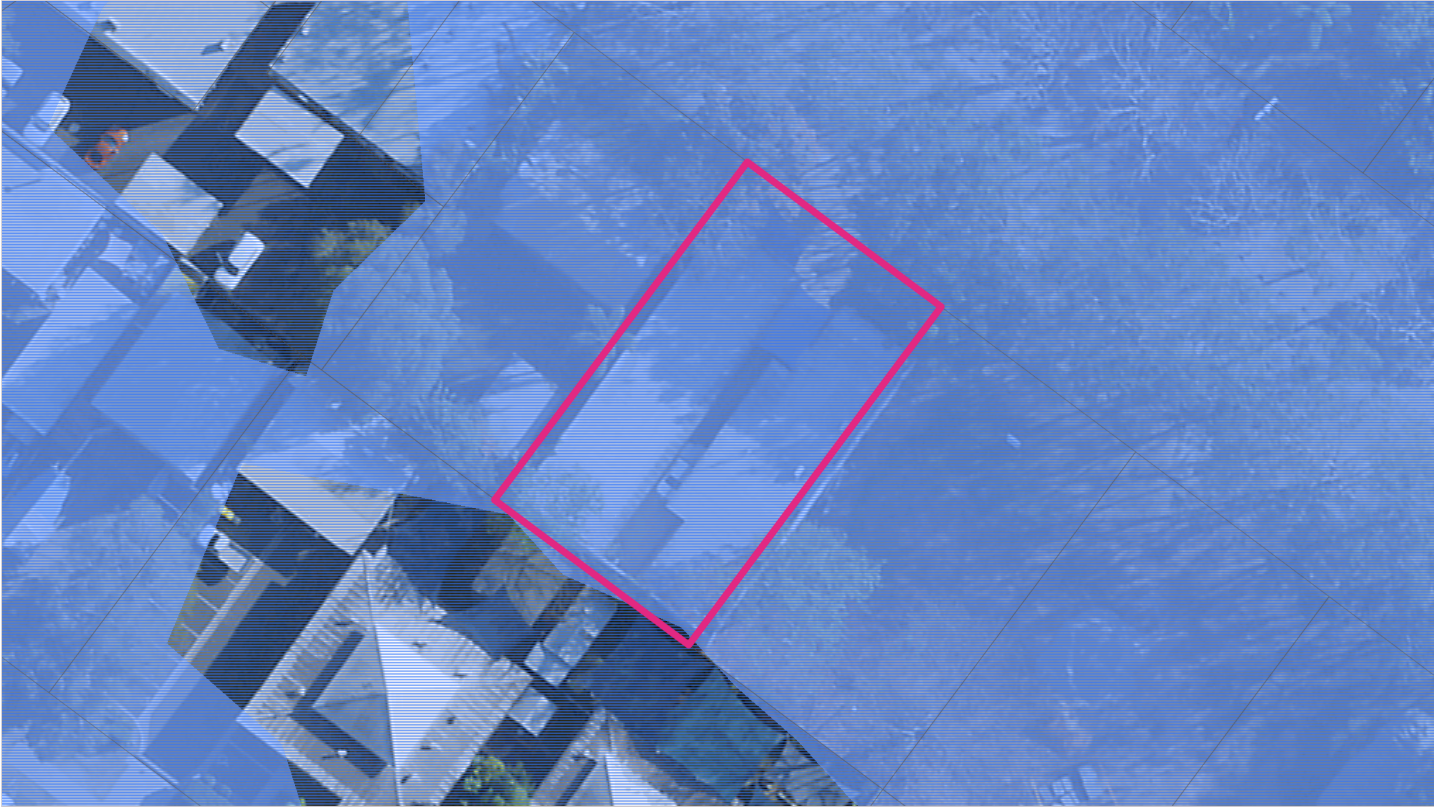
☐ Coastal Management District





☒ Erosion Prone Area

Flood Storm

Applicable Precinct or Area
High Storm Tide Hazard
100 Year ARI - Mosman and Port Douglas Flood Studies

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



<input checked="" type="checkbox"/> Selected Property	<input type="checkbox"/> Property	 Medium Storm Tide Hazard	 High Storm Tide Hazard
 100 Year ARI - Mossman Port Douglas and Daintree Flood Studies		 Floodplain Assessment Overlay	

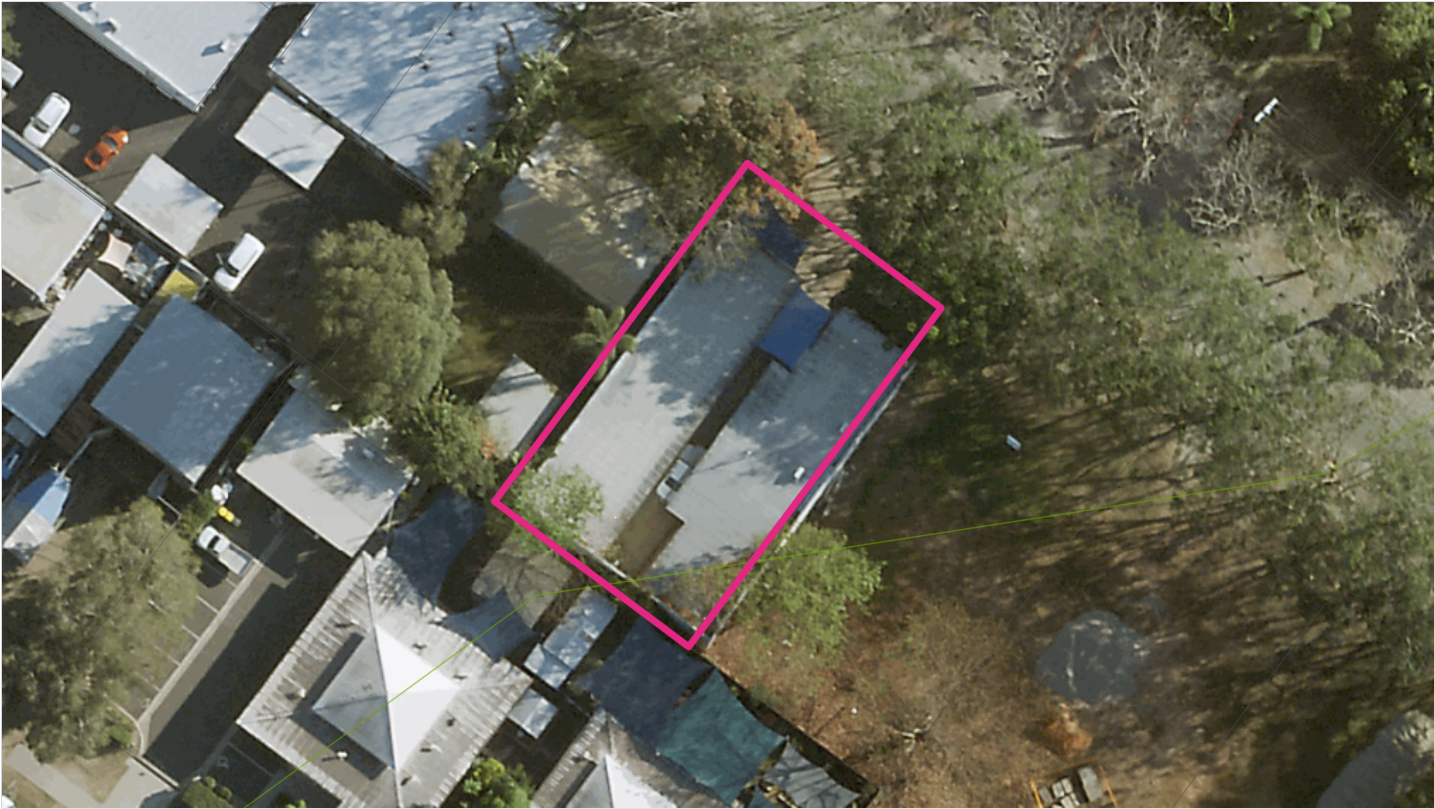
Natural Areas

Applicable Precinct or Area

MSES - Regulated Vegetation (Intersecting a Watercourse)

More Information

- [View Section 8.2.7 Natural Areas Overlay Code](#)
- [View Section 8.2.7 Natural Areas Overlay Compliance table](#)



<input checked="" type="checkbox"/> Selected Property	<input type="checkbox"/> Property	MSES - Regulated Vegetation (Intersecting a Watercourse)
MSES - High Ecological Value Waters (Watercourse)	MSES - Wildlife Habitat	MSES - Regulated Vegetation
MSES - Protected Area	MSES - Marine Park	MSES - Legally Secured Offset Area
MSES - High Ecological Value Waters (Wetland)	MSES - High Ecological Significance Wetlands	

Transport Road Hierarchy

Applicable Precinct or Area
Collector 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

- | | | | |
|---|--|---|---|
|  Access Road |  Arterial Road |  Collector Road |  Industrial Road |
|  Major Rural Road |  Minor Rural Road |  Sub Arterial Road |  Unformed Road |
|  all others | | | |

☐ Major Transport Corridor Buffer Area

Disclaimer

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

2018 Douglas Shire Council Planning Scheme Property Report

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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 [29 Warner Street PORT DOUGLAS](#)

Lot Plan [45PTD20910](#) (Freehold - 708m²)



☒ 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
Centre

More Information

- [View Section 6.2.1 Centre Zone Code](#)
- [View Section 6.2.1 Centre Zone Compliance table](#)
- [View Section 6.2.1 Centre 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.

[Local Plans](#)

Applicable Precinct or Area

Port Douglas - Craiglie
Precinct 1 - 1a Town Centre

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](#)

[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](#)

[Coastal Processes](#)

Applicable Precinct or Area

Erosion Prone Area

More Information

- [View Section 8.2.3 Coastal Environment Overlay Code](#)
- [View Section 8.2.3 Coastal Environment Overlay Compliance table](#)

[Flood Storm](#)

Applicable Precinct or Area

High Storm Tide Hazard
100 Year ARI - Mosman and Port Douglas Flood Studies

More Information

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

[Natural Areas](#)

Applicable Precinct or Area

MSES - Regulated Vegetation (Intersecting a Watercourse)

More Information

- [View Section 8.2.7 Natural Areas Overlay Code](#)
- [View Section 8.2.7 Natural Areas Overlay Compliance table](#)

[Transport Road Hierarchy](#)

Applicable Precinct or Area

Collector Road

More Information

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

Zoning

Applicable Zone
Centre

- More Information
- [View Section 6.2.1 Centre Zone Code](#)
 - [View Section 6.2.1 Centre Zone Compliance table](#)
 - [View Section 6.2.1 Centre 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
Precinct 1 - 1a Town Centre

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	Transport Investigation Corridor <input checked="" type="checkbox"/> Transport Investigation Corridors	Major Road Connections <input checked="" type="checkbox"/> Major Road Connections
Major Road Connections (No Arrow) <input checked="" type="checkbox"/> Major Road Connections	Daintree River to Bloomfield <input checked="" type="checkbox"/> Daintree River to Bloomfield	Creb Track and Quaid Road <input checked="" type="checkbox"/> Creb Track	60 metre contour <input checked="" type="checkbox"/> 60 metre contour
Local Plan Boundary <input checked="" type="checkbox"/> Local Plan Boundary			
Local Plan Sub Precincts			
<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	
Local Plan Precincts			
<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		
Live Entertainment Precinct <input checked="" type="checkbox"/> Live Entertainment Precinct	Indicative Future Open Space <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](#)



Coastal Processes

Applicable Precinct or Area
Erosion Prone Area

- More Information
- [View Section 8.2.3 Coastal Environment Overlay Code](#)
 - [View Section 8.2.3 Coastal Environment Overlay Compliance table](#)



☒ Selected Property

☐ Property

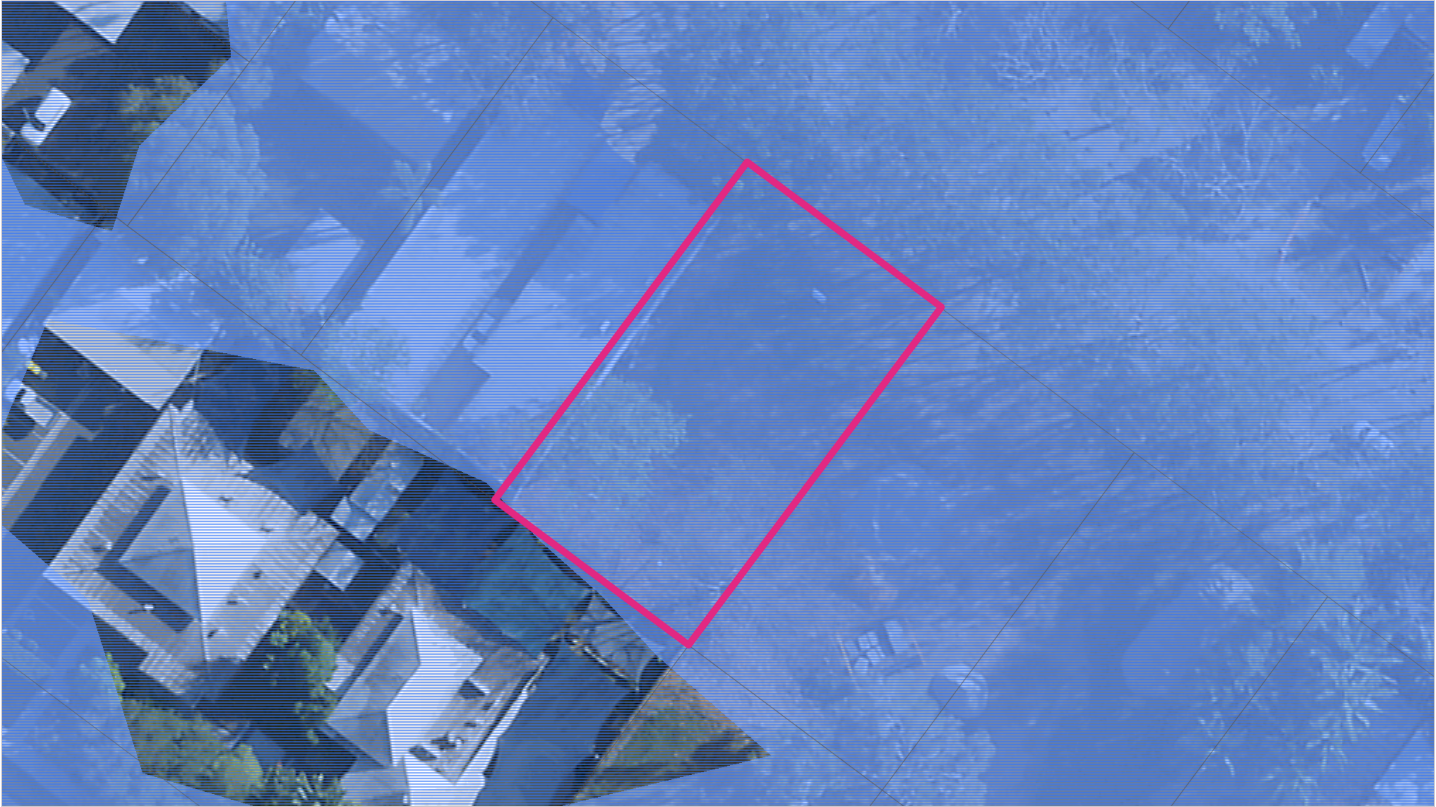
☐ Coastal Management District

☒ Erosion Prone Area

Flood Storm

Applicable Precinct or Area
High Storm Tide Hazard
100 Year ARI - Mosman and Port Douglas Flood Studies

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



Natural Areas

Applicable Precinct or Area
MSES - Regulated Vegetation (Intersecting a Watercourse)

- More Information**
- [View Section 8.2.7 Natural Areas Overlay Code](#)
 - [View Section 8.2.7 Natural Areas Overlay Compliance table](#)



Transport Road Hierarchy

Applicable Precinct or Area
Collector 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

- | | | | |
|---|--|---|---|
|  Access Road |  Arterial Road |  Collector Road |  Industrial Road |
|  Major Rural Road |  Minor Rural Road |  Sub Arterial Road |  Unformed Road |
|  all others | | | |

☐ Major Transport Corridor Buffer Area

Disclaimer

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

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

Lot 1
SP190082

Lot 43
PTD20910

Lot 44
751m²

Lot 45
670m²

Lot 46
PTD20910

Lot 46
PTD20910

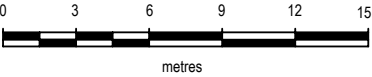
Warner Street

Existing Property Boundary



IMPORTANT NOTE

- This plan was prepared for the sole purposes of the client for the specific purpose of accompanying an application to 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.
- RPS AAP Consulting Pty Ltd will not be liable (in negligence or otherwise) for any direct or indirect loss, damage, liability or claim arising out of or incidental to:
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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;
 - RPS AAP Consulting Pty Ltd relying on surface indicators that are incorrect or inaccurate;
 - 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;
 - the accuracy, reliability, suitability or completeness of any approximations or estimates made or referred to by RPS AAP Consulting Pty Ltd in this plan.
- 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 1:300 IS APPLICABLE ONLY
TO THE ORIGINAL SHEET SIZE. (A3)

AMENDMENTS					
RPS CLIENT MANAGER		SURVEYED			
P Clifton		NA			
COMPILED		CAD REF			
SL 30/09/23		NA			
SHEET SIZE	SHEET OF	<div><div>RPS AAP Consulting Pty Ltd ACN 117 883 173 135 Abbott Street CAIRNS QLD 4870 PO Box 1949 CAIRNS QLD 4870 T +61 7 4031 1336 W rpsgroup.com.au</div><div> A TETRA TECH COMPANY</div></div>			
A3	SHEETS 1				
	SHEETS 1				
© COPYRIGHT PROTECTS THIS PLAN					
Unauthorised reproduction or amendment not permitted. Please contact the author.					
SANDRA SIMPSON					
<div>Proposal Plan</div> <div>Plan of Boundary Realignment</div> <div>Cancelling Lot 44 and Lot 45 on</div> <div>PTD20910</div>					
SCALE	DATE	DRAWING NO.	ISSUE		
1:300	30/08/2023	AU011937-1	A		

Appendix D

Planning Scheme Code Responses

6.2.1 Centre zone code

6.2.1.1 Application

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

6.2.1.2 Purpose

- (1) The purpose of the Centre zone code is to provide for a mix of land uses and activities.
 - (a) These uses include, but are not limited to, business, retail, professional, administrative, community, entertainment, cultural and residential activities.
 - (b) Centres are found at a variety of scales based on their location and surrounding activities.
- (2) The local government purpose of the code is to:
 - (a) implement the policy direction set in the Strategic Framework, in particular:
 - (i) Theme 1 : Settlement pattern, Element 3.4.3 Activity Centres.
 - (ii) Theme 4 : Strong communities and identity, Element 3.7.4 Sense of place,community and identity, Element 3.7.6 Arts and Culture
 - (iii) Theme 5 : Economy, Element 3.8.2 – Economic growth and diversification,Element 3.8.3 Tourism.
 - (b) provide for a mix of uses and level of economic and social activity to serve community needs.
- (3) The purpose of the code will be achieved through the following overall outcomes:
 - (a) Development creates a range of retail, commercial, community and residential uses.
 - (b) Development is consistent with any location specific provisions contained within a Local Plan.
 - (c) Development provides activation and surveillance at ground level where adjoining roads or other public spaces.
 - (d) Development is integrated and coordinated both within the site and in relation to surrounding land uses and activities.
 - (e) Development provides a built form that establishes a cohesive streetscape and continuous pedestrian connections and shelters.
 - (f) Development is sensitively designed and managed to mitigate impacts on surrounding sensitive land uses.
 - (g) Development has access to infrastructure and services.

Criteria for assessment

Table 6.2.6.1.a – Centre zone code – assessable development

Performance outcomes	Acceptable outcomes	Applicant response
For self-assessable and assessable development		
PO1 The height of all buildings is in keeping with the character of the surrounding residential neighbourhoods and must not adversely affect the amenity of the neighbourhood.	AO1 The maximum height of buildings and structures is: (a) in accordance with the provisions of any applicable local plan; (b) if no local plan applies, not more than 8.5 metres and two storeys in height. Note - Height is inclusive of the roof height.	Not applicable The application is for Reconfiguring a Lot only.
PO2 The siting of buildings contributes to the use of the land, desired amenity and character of the area and protects the amenity of other land uses.	AO2.1 Buildings and structures are setback to road frontages: (a) in accordance with the provisions of any applicable local plan; (b) a minimum of 6 metres where no local plan applies or there are no particular provisions specified in the local plan for the site.	Not applicable The application is for Reconfiguring a Lot only.
	AO2.2 Where adjoining land in the Industry zone, buildings are setback: (a) 0 metres from the side and rear boundaries; or (b) 2.5 metres or ¼ of the height of the building,	Not applicable The site does not adjoin an Industry Zone.

Performance outcomes	Acceptable outcomes	Applicant response
	<p>whichever is the greater; and</p> <p>(c) not any distance between 0 metres and 2.5 metres.</p>	
	<p>AO2.3</p> <p>Where adjoining land in any other zone, buildings are setback 3 metres or ¼ of the height of the building, whichever is the greater and are provided with an acoustic barrier in accordance with the recommendations of a qualified acoustic expert.</p>	<p>Not applicable</p> <p>All land adjoining the site is within the centre zone or is road reserve.</p>
	<p>AO2.4</p> <p>Setback areas are provided with a 2 metre landscaped strip capable of deep planting, which is kept clear of service equipment and storage areas:</p> <p>(a) adjacent to the road frontage in all areas not required for pedestrian or vehicular access for the setback area nominated in AO2.1(b) above;</p> <p>(b) adjacent to the boundary with the other zone for the setback area nominated in AO2.3 above.</p>	<p>Complies with AO2.4</p> <p>No change would occur to the existing landscaping as part of this development.</p>
<p>PO3</p> <p>The site coverage of buildings ensures that there is sufficient space available to cater for services, landscaping and on-site parking.</p>	<p>AO3</p> <p>Site coverage does not exceed 80%, unless otherwise specified in a Local plan.</p>	<p>Not applicable</p> <p>The application is for Reconfiguring a Lot only.</p>

Performance outcomes	Acceptable outcomes	Applicant response
For assessable development		
PO4 The establishment of uses is consistent with the outcomes sought for the Centre zone and protects the zone from the intrusion of inconsistent uses.	AO4 Inconsistent uses as identified in Table 6.2.1.3.b are not established in the Centre zone.	Not applicable The application is for Reconfiguring a Lot only.
PO5 Development provides a range of convenient goods and services for the daily needs of discrete residential communities.	AO5 Development complies with the requirements specified in a local plan.	Complies with AO5 Refer to assessment against the Port Douglas-Craigie Local Plan Code.
PO6 Development does not lower the standard of amenity in terms of air, noise, odour, electrical interference and vibrations at any land use associated with the: (a) the Accommodation activity group, located outside the Centre zone; (b) the Sensitive land use activity group, located outside the Centre zone.	AO6 No acceptable outcomes are prescribed.	Not applicable The application is for Reconfiguring a Lot only.
PO7 Reconfiguration of land results in (a) a practical layout for centre land use activities, generally consisting of regular	AO7 No acceptable outcomes are prescribed.	Complies with PO7 The proposed lots would be rectangular in shape and have an area of 751m ² and 670m ² .

Performance outcomes	Acceptable outcomes	Applicant response
rectangular-shaped lots. (b) lots no less than 600m ² in area.		

Table 6.2.6.3.b - Inconsistent uses within the Centre Zone

Inconsistent uses		
<ul style="list-style-type: none"> • Air services • Animal husbandry • Animal keeping • Aquaculture • Brothel • Cemetery • Crematorium • Cropping • Detention facility • Environment facility • Extractive industry • High impact industry • Intensive animal industry • Intensive horticulture 	<ul style="list-style-type: none"> • Major electrical infrastructure • Major sport and entertainment facility • Marine industry, except where located within sub- precinct 1b Waterfront North in the Port Douglas / Craiglie Local Plan. • Medium impact industry • Motor sport facility • Outstation • Permanent plantation 	<ul style="list-style-type: none"> • Relocatable home park • Renewable energy facility, being a wind farm • Resort complex • Retirement facility • Roadside stall • Rural industry • Rural workers accommodation • Special industry • Tourist park • Transport depot • Utility installation • Winery

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

7.2.4 Port Douglas/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
For self assessable and assessable development		
Development in the Port Douglas / Craiglie local plan area generally		
PO1 Pedestrians, cyclists, motorists and public transport users can easily move into and through the precinct along planned connectivity routes, identified on the Port Douglas / Craiglie local plan maps contained in Schedule 2.	AO1 A pedestrian and cycle movement network is integrated and delivered through development.	Not applicable The existing pedestrian and cycle movement network would not be impacted by the development.
PO2 Development retains and enhances key landscape elements including character trees and areas of significant vegetation contributing to the character and quality of the local plan area and	AO2.1 Development provides for the retention and enhancement of existing mature trees and character vegetation that contribute to the lush tropical character of the town, including:	Complies with AO2.1 No vegetation removal is proposal as a part of the development.

Performance outcomes	Acceptable outcomes	Compliance
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).	<ul style="list-style-type: none"> (a) the tree covered backdrop of Flagstaff Hill; (b) natural vegetation along watercourses, in particular the Mowbray River, Beor Creek and Dickson Inlet; (c) the tidal vegetation along the foreshore; (d) beachfront vegetation along Four Mile Beach, including the fringe of Coconut Palms; (e) the oil palm avenues along the major roads; (f) the lush landscaping within major roundabouts at key nodes; (g) Macrossan Street and Warner Street; (h) Port Douglas waterfront. 	
	<p>AO2.2</p> <p>Development protects and does not intrude into important views and vistas as identified on the Port Douglas Townscape Plan map contained in Schedule 2, in particular:</p> <ul style="list-style-type: none"> (a) Flagstaff Hill; (b) Four Mile Beach; (c) Across to the ranges over Dickson Inlet; (d) Mowbray Valley. 	<p>Complies with AO2.1</p> <p>No changes to the overall built form of the site are proposed.</p>
	<p>AO2.3</p> <p>Important landmarks, memorials and monuments are retained.</p>	<p>Complies with AO2.3</p> <p>The proposed development would not adversely affect any monuments, landmarks and memorials.</p>

Performance outcomes	Acceptable outcomes	Compliance
PO3 Development contributes to the protection, reinforcement and where necessary enhancement of gateways and key intersections identified on the Port Douglas / Craiglie local plan maps contained in Schedule 2.	AO3 Development adjacent to the gateways and nodes as identified on the Port Douglas / Craiglie local plan maps contained in Schedule 2 incorporates architectural features and landscaping treatments and design elements that enhance the sense of arrival and way finding within the town.	Not applicable The site is not adjacent to any identified gateways or nodes.
PO4 Landscaping of development sites complements the existing tropical character of Port Douglas and Craiglie.	AO4 Landscaping incorporates the requirements of Planning scheme policy SC6.7 – Landscaping, in particular landscaping should be capable of achieving a 60% screening of development within 5 years and predominantly consists of endemic vegetation.	Complies with AO4 No change would occur to the existing landscaping on the site as a part of this development.
PO5 Development does not compromise the safety and efficiency of the State-controlled road network.	AO5 Direct access is not provided to a State-controlled road where legal and practical access from another road is available.	Complies with AO5 Direct access is not provided to a State-controlled road.
For assessable development		
Additional requirements in Precinct 1 – Port Douglas precinct		
PO6 The views and vistas identified on the Port Douglas / Craiglie local plan maps contained in Schedule 2 are maintained.	AO6.1 Development does not impede continued views to scenic vistas and key streetscapes within the local plan area.	Not applicable The application is for reconfiguring a Lot only.

Performance outcomes	Acceptable outcomes	Compliance
	AO6.2 Unless otherwise specified within this Local Plan, buildings are set back not less than 6 metres from the primary street frontage.	Not applicable The boundary realignment would not affect the existing setbacks on the site.
P07 Vehicle access, parking and service areas: (a) do not undermine the relationship between buildings and street or dominate the streetscape; (b) are designed to minimise pedestrian vehicle conflict; (c) are clearly identified and maintain ease of access at all times.	AO7.1 For all buildings, parking is: (a) to the side of buildings and recessed behind the main building line; or (b) behind buildings; or (c) wrapped by the building façade, and not visible from the street.	Not applicable The application is for reconfiguring a Lot only.
	AO7.2 Ground level parking incorporates clearly defined pedestrian routes.	Not applicable The application is for reconfiguring a Lot only.
	AO7.3 Any porte-cocheres, disabled and pedestrian accesses are accommodated within the boundary of new or refurbished development.	Not applicable The application is for reconfiguring a Lot only.
	AO7.4 Where the development is an integrated mixed-use development incorporating short term accommodation or multiple dwellings and either	Not applicable The application is for reconfiguring a Lot only.

Performance outcomes	Acceptable outcomes	Compliance
	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.	
	AO7.5 On-site car parking available for public use is clearly signed at the site frontage.	Not applicable The application is for reconfiguring a Lot only.
	AO7.6 Boom gates, pay machines or other regulatory devices to control access to a publicly available car parking area are not constructed or installed.	Not applicable The application is for reconfiguring a Lot only.
PO8 Precinct 1 – Port Douglas precinct is not characterised by a proliferation of advertising signs.	AO8 No acceptable outcomes are prescribed.	Not applicable The application is for reconfiguring a Lot only.
Additional requirements for Sub-precinct 1a – Town Centre sub-precinct		
PO9 Building heights: (a) do not overwhelm or dominate the town centre; (b) respect the desired streetscape; (c) ensure a high quality appearance when viewed from both within the town centre sub-	AO9 Buildings and structures are not more than 3 storeys and 13.5 metres in height, with a roof height of not less than 3 metres. Note – Height is inclusive of the roof height.	Not applicable The application is for Reconfiguring a Lot only.

Performance outcomes	Acceptable outcomes	Compliance
<p>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>PO10</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>AO10</p> <p>No acceptable outcomes are prescribed.</p>	<p>Not applicable</p> <p>The application is for Reconfiguring a Lot only.</p>
<p>PO11</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>AO11</p> <p>No acceptable outcomes are prescribed.</p>	<p>Not applicable</p> <p>The application is for Reconfiguring a Lot only.</p>
<p>PO12</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 pedestrians;</p> <p>(c) changes in gradient of the street.</p>	<p>AO12</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 pedestrian areas on adjoining sites;</p> <p>(c) connect without any lip or step to adjoining footpaths.</p>	<p>Not applicable</p> <p>The application is for Reconfiguring a Lot only.</p>

Performance outcomes	Acceptable outcomes	Compliance
AO13 Buildings do not result in a reduction of views and vistas from public places to: (a) Flagstaff Hill; (b) Dickson Inlet; (c) public open space; (d) places of significance.	AO13 No acceptable outcomes are prescribed.	Not applicable The application is for Reconfiguring a Lot only.
PO14 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.	AO14 Development is built up to the street frontage/s at the street level and incorporates a light frame awning, a minimum of 3 metres in width for the length of the street frontage/s; or If a development includes an outdoor dining area at ground/footpath level, the dining area has a maximum setback of 3 metres and the required awning is still maintained along the length of the street frontage/s. Note – PO24 provides more detail on awning design.	Not applicable The application is for Reconfiguring a Lot only
PO15 Development is predominantly commercial in nature with any tourist accommodation having a secondary focus and not located on the street-level frontage where active frontages are encouraged as identified the Port Douglas local plan maps contained in Schedule 2.	AO15.1 Centre activities establish: at street level on active street frontages; a maximum of one level above street level.	Not applicable The application is for Reconfiguring a Lot only.
	AO15.2 Any residential development activities or short	Not applicable

Performance outcomes	Acceptable outcomes	Compliance
	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.	The application is for Reconfiguring a Lot only.
PO16 Detailed building design: <ul style="list-style-type: none"> (a) enhances the visual amenity of the streetscape; (b) has a legible and attractive built form that is visually enhanced by architectural elements; (c) contributes to a distinctive tropical north Queensland, seaside tourist town character; (d) integrates major landscaping elements to maximise their aesthetic value to ensure that the lush, vegetated character of the Town Centre sub-precinct is maintained. 	AO16 No acceptable outcomes are prescribed.	Not applicable The application is for Reconfiguring a Lot only.
PO17 Buildings exhibit variations to their external appearance and the shape of the built form to provide visual interest through: <ul style="list-style-type: none"> (a) surface decoration; (b) wall recesses and projections; (c) a variation in wall finishes; windows, balconies, awnings and other visible structural elements. (d) differentiating between the lower, middle and upper parts of the building by varying the 	AO17 No acceptable outcomes are prescribed.	Not applicable The application is for Reconfiguring a Lot only.

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

Performance outcomes	Acceptable outcomes	Compliance
façades.		
PO20 Buildings are finished with high quality materials, selected for: <ul style="list-style-type: none"> (a) their ability to contribute the character of Town Centre sub-precinct; (b) easy maintenance, durability and an ability not to readily stain, discolour or deteriorate. 	AO20 No acceptable outcomes are prescribed.	Not applicable The application is for Reconfiguring a Lot only.
PO21 Buildings do not incorporate any type of glass or other materials that are likely to reflect the sun's rays in a manner that may create a nuisance, discomfort or a hazard.	AO21 No acceptable outcomes are prescribed.	Not applicable The application is for Reconfiguring a Lot only.
PO22 Façades and elevations do not include large blank walls. Openings and setbacks are used to articulate vertical building surfaces.	AO22.1 Development has a maximum length of unbroken building facade of 20 metres and a maximum extent of overall development in the same style/design along the street frontage/s of 40 metres.	Not applicable The application is for Reconfiguring a Lot only.
	AO22.2 Any break in the building façade varies the alignment by a 1 metre minimum deviation.	Not applicable The application is for Reconfiguring a Lot only.
	AO22.3 A minimum of three of the following building	Not applicable

Performance outcomes	Acceptable outcomes	Compliance
	<p>design features and architectural elements detailed below are incorporated to break the extended facade of a development:</p> <ul style="list-style-type: none"> (a) a change in roof profile; (b) a change in parapet coping; (c) a change in awning design; (d) a horizontal or vertical change in the wall plane; or (e) a change in the exterior finishes and exterior colours of the development. 	The application is for Reconfiguring a Lot only.
<p>PO23</p> <p>Building facades that face public spaces at ground level:</p> <ul style="list-style-type: none"> (a) complement the appearance of the development and surrounding streetscape; (b) enhance the visual amenity of the public place; (c) include a variety of human scale architectural elements and details; (d) provide an opportunity for the casual and convenient surveillance of public space from within the development. 	<p>AO23</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"> (a) a minimum of 70% of the façade area is comprised of windows, wall openings or shop fronts that permit the casual surveillance of the public space from the development; (b) a visually prominent main entrance that faces the principal public place; (c) vertical architectural elements and features are incorporated at 3 metre or less intervals along the length of the façade. 	<p>Not applicable</p> <p>The application is for Reconfiguring a Lot only.</p>
<p>PO24</p> <p>Awnings for pedestrian shelter are consistent with the character setting of the Town Centre sub-precinct and:</p>	<p>AO24</p> <p>No acceptable outcomes are prescribed.</p>	<p>Not applicable</p> <p>The application is for Reconfiguring a Lot only.</p>

Performance outcomes	Acceptable outcomes	Compliance
<ul style="list-style-type: none"> (a) extend and cover the footpath to provide protection from the sun and rain; (b) include lighting under the awning; (c) are continuous across the frontage of the site; (d) align to provide continuity with existing or future awnings on adjoining sites; (e) are a minimum of 3.0 metres in width and generally not more than 3.5 metres above pavement height; (f) do not extend past a vertical plane, 1.2 metres inside the kerb-line to enable street trees to be planted and grow; (g) are cantilevered from the main building with any posts within the footpath being non load-bearing. 		
<p>PO25</p> <p>Development integrates with the streetscape and landscaping improvements for Port Douglas.</p>	<p>AO25</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>Note - Planning scheme policy SC6.7 - Landscaping provides guidance on meeting the Performance Outcome.</p>	<p>Not applicable</p> <p>The application is for Reconfiguring a Lot only.</p>
<p>Additional requirements for Sub-precinct 1b – Waterfront North sub-precinct</p>		

Performance outcomes	Acceptable outcomes	Compliance
PO26 The establishment of uses is consistent with the outcomes sought for sub-precinct 1b – Waterfront North.	AO26 Uses identified as inconsistent uses in Table 7.2.4.4.b – inconsistent uses in sub-precinct 1b – Waterfront North sub-precinct are not established in sub-precinct 1b - Waterfront North.	Not applicable The site is not within Sub-precinct 1b – Waterfront North sub-precinct.
PO27 The bulk and scale of buildings is consistent with surrounding development and steps down to complement the open space areas in the adjoining limited development sub-precinct.	AO27 Buildings and structures are not more than: <ul style="list-style-type: none"> (a) 3 storeys and 13.5 metres in height , with a roof height of not less than 3 metres, in those parts of the precinct south of Inlet Street; (b) 2 storeys and 8.5 metres in height, with a roof height of not less than 3 metres, in those parts of the precinct north of Inlet Street. Note – Height is inclusive of roof height.	Not applicable The site is not within Sub-precinct 1b – Waterfront North sub-precinct.
PO28 Building design, streetscape, pedestrian paths and street front spaces promote integration with the surrounding area and the rest of Precinct 1 – Port Douglas Precinct.	AO28 No acceptable outcomes are prescribed.	Not applicable The site is not within Sub-precinct 1b – Waterfront North sub-precinct.
PO29 Public pedestrian access along the water’s edge is maximised.	AO29.1 Public pedestrian access is provided along the frontage of the water’s edge consisting of a boardwalk of a minimum width of 4 metres that is available of 24-hour use.	Not applicable The site is not within Sub-precinct 1b – Waterfront North sub-precinct.
	AO29.2	Not applicable

Performance outcomes	Acceptable outcomes	Compliance
	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'.	The site is not within Sub-precinct 1b – Waterfront North sub-precinct.
	AO29.3 Built envelopes are setback a minimum of 3.0 metres from the board walk, with a shelter/shade zone between the building envelopes and the boardwalk consisting of shade structure, canopies, verandahs and the like.	Not applicable The site is not within Sub-precinct 1b – Waterfront North sub-precinct.
PO30 Buildings: (a) address street frontages; (b) ensure main entrances front the street or public spaces.	AO30 No acceptable outcomes are prescribed.	Not applicable The site is not within Sub-precinct 1b – Waterfront North sub-precinct.
PO31 Setbacks at ground level provide for: (a) connection between pedestrian paths and public places; (b) areas for convenient movement of pedestrians; (c) changes in gradient.	AO31 Setbacks at ground level: (a) are clear of columns and other obstructions; (b) have pavement matching the gradient of adjoining footpaths and connecting pedestrian areas on adjoining sites; (c) connect without any lip or step to adjoining footpaths.	Not applicable The site is not within Sub-precinct 1b – Waterfront North sub-precinct.
PO32 Buildings do not result in a reduction of views and	AO32	Not applicable The site is not within Sub-precinct 1b – Waterfront

Performance outcomes	Acceptable outcomes	Compliance
vistas from public places to: (a) Dickson Inlet; (b) public open space; (c) places of significance.	No acceptable outcomes are prescribed.	North sub-precinct.
PO33 Development enhances the distinctive tropical resort town and identity of Port Douglas and encourages pedestrian activity at ground level including shade protection across the footpath and open space areas.	AO33 No acceptable outcomes are prescribed.	Not applicable The site is not within Sub-precinct 1b – Waterfront North sub-precinct.
PO34 Development is predominantly commercial in nature with any tourist accommodation having a secondary focus and not located on the street-level frontage where active frontages are encouraged as identified the Port Douglas local plan maps contained in Schedule 2.	AO34.1 Centre activities establish: (a) at street level on active street frontages; (b) a maximum of one level above street level.	Not applicable The site is not within Sub-precinct 1b – Waterfront North sub-precinct.
	AO34.2 Residential development activities or short term accommodation is located above street /ground floor level of the active frontage, but not on or up to the street / public frontage in any development, including mixed use development.	Not applicable The site is not within Sub-precinct 1b – Waterfront North sub-precinct.
PO35 Detailed building design: (a) enhances the visual amenity of the	AO35 No acceptable outcomes are prescribed.	Not applicable The site is not within Sub-precinct 1b – Waterfront North sub-precinct.

Performance outcomes	Acceptable outcomes	Compliance
<p>streetscape;</p> <p>(b) has a legible and attractive built form that is visually enhanced by architectural elements;</p> <p>(c) contributes to a distinctive tropical north Queensland, seaside tourist town character;</p> <p>(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.</p>		
<p>PO36</p> <p>Buildings exhibit variations to their external appearance and the shape of the built form to provide visual interest through:</p> <p>(a) surface decoration;</p> <p>(b) wall recesses and projections;</p> <p>(c) a variation in wall finishes; windows, 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>AO36</p> <p>No acceptable outcomes are prescribed.</p>	<p>Not applicable</p> <p>The site is not within Sub-precinct 1b – Waterfront North sub-precinct.</p>
<p>PO37</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</p>	<p>AO37</p> <p>No acceptable outcomes are prescribed.</p>	<p>Not applicable</p> <p>The site is not within Sub-precinct 1b – Waterfront North sub-precinct.</p>

Performance outcomes	Acceptable outcomes	Compliance
<p>create a coherent roofscape for the Waterfront North 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>PO38</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>(e) enriching the North Queensland tropical character of the Waterfront North sub-precinct;</p> <p>(f) architectural interest to building façades.</p>	<p>AO38</p> <p>No acceptable outcomes are prescribed.</p>	<p>Not applicable</p> <p>The site is not within Sub-precinct 1b – Waterfront North sub-precinct.</p>
<p>PO39</p> <p>Buildings are finished with high quality materials, 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</p>	<p>AO39</p> <p>No acceptable outcomes are prescribed.</p>	<p>Not applicable</p> <p>The site is not within Sub-precinct 1b – Waterfront North sub-precinct.</p>

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

Performance outcomes	Acceptable outcomes	Compliance
	(e) a change in the exterior finishes and exterior colours of the development.	
PO42 Building facades that face public spaces at ground level: (a) complement the appearance of the development and surrounding streetscape; (b) enhance the visual amenity of the public place; (c) include a variety of human scale architectural elements and details; (d) provide an opportunity for the casual and convenient surveillance of public space from within the development.	AO42 Building facades at the ground floor of development that face public space are designed to ensure: (a) a minimum of 70% of the façade area is comprised of windows, wall openings or shop fronts that permit the casual surveillance of the public space from the development; (b) a visually prominent main entrance that faces the principal public place; (c) vertical architectural elements and features are incorporated at 3 metre or less intervals along the length of the façade.	Not applicable The site is not within Sub-precinct 1b – Waterfront North sub-precinct.
PO43 Awnings for pedestrian shelter are consistent with the character setting of the Waterfront North sub-precinct and: (a) extend and cover the footpath to provide protection from the sun and rain; (b) include lighting under the awning; (c) are continuous across pedestrian circulation areas; (d) align to provide continuity with existing or future awnings on adjoining sites; (e) are a minimum of 3 metres in width and	AO43 No acceptable outcomes are prescribed.	Not applicable The site is not within Sub-precinct 1b – Waterfront North sub-precinct. Not applicable The site is not within Sub-precinct 1b – Waterfront North sub-precinct.

Performance outcomes	Acceptable outcomes	Compliance
<p>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>PO44</p> <p>The Balley Hooley rail line and turn-table is retained and incorporated into development and maintains its functionality.</p>	<p>AO44.1</p> <p>Bally Hooley rail line and turn-table is retained and incorporated into development to maintain its functionality.</p>	<p>Not applicable</p> <p>The site is not within Sub-precinct 1b – Waterfront North sub-precinct.</p>
	<p>AO44.2</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>Not applicable</p> <p>The site is not within Sub-precinct 1b – Waterfront North sub-precinct.</p>
<p>PO45</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 the impact of:</p> <p>(a) noise;</p> <p>(b) odour;</p> <p>(c) hazardous materials;</p>	<p>AO45</p> <p>No acceptable outcomes are prescribed.</p>	<p>Not applicable</p> <p>The site is not within Sub-precinct 1b – Waterfront North sub-precinct.</p>

Performance outcomes	Acceptable outcomes	Compliance
(d) waste and recyclable material storage.		
PO46 Formalised public spaces and pedestrian paths/areas on freehold land are made accessible to the public.	AO46 No acceptable outcomes are prescribed.	Not applicable The site is not within Sub-precinct 1b – Waterfront North sub-precinct.
PO47 Buildings, civic spaces, roads and pedestrian links are enhanced by: (a) appropriate landscape design and planting; (b) themed planting that defines entry points, and creates strong 'entry corridors' into the waterfront; (c) lighting and well-considered discrete signage that complements building and landscape design; (d) public artwork and other similar features that reflect the heritage and character of the Port Douglas Waterfront.	AO47 No acceptable outcomes are prescribed.	Not applicable The site is not within Sub-precinct 1b – Waterfront North sub-precinct.
PO48 Buildings are designed and sited to provide vistas along shared pedestrian/open space and movement areas in suitable locations.	AO48 No acceptable outcomes are prescribed.	Not applicable The site is not within Sub-precinct 1b – Waterfront North sub-precinct.
PO49 Development does not diminish the viability of marine-based industrial uses that directly serve	AO49 No acceptable outcomes are prescribed.	Not applicable The site is not within Sub-precinct 1b – Waterfront North sub-precinct.

Performance outcomes	Acceptable outcomes	Compliance
the Port Douglas tourist and fishing operators and private boat owners, particularly with respect to the slipway operation.		
PO50 Marine infrastructure to service the tourism, fishing and private boating community is provided.	AO50 No acceptable outcomes are prescribed.	Not applicable The site is not within Sub-precinct 1b – Waterfront North sub-precinct.
PO51 Changes to the Port Douglas Waterfront quay-line do not cause adverse impacts to the environmentally sensitive Dickson Inlet.	AO51 Development that results in changes to the Port Douglas Waterfront quay-line is only established where an Ecological assessment report provides support to the changes. Note - Planning scheme policy SC6.8 – Natural environment provides guidance on preparing an ecological assessment report.	Not applicable The site is not within Sub-precinct 1b – Waterfront North sub-precinct.
Additional requirements for Sub-precinct 1c – Waterfront South sub-precinct		
PO52 The establishment of uses is consistent with the outcomes sought for Precinct 1c – Waterfront South.	AO52 Uses identified as inconsistent uses Table 7.2.4.4.c – are not established in Precinct 1c – Waterfront South.	Not applicable The site is not within Sub-precinct 1c – Waterfront South sub-precinct.
PO53 Development does not adversely impact on the natural environment, natural vegetation or	AO53.1 An Ecological assessment report is prepared identifying the environmental qualities of the surrounding natural and built features which are to	Not applicable The site is not within Sub-precinct 1c – Waterfront South sub-precinct.

Performance outcomes	Acceptable outcomes	Compliance
watercourses.	<p>be managed.</p> <p>Note - Planning scheme policy SC6.8 – Natural environment provides guidance on preparing an ecological assessment report.</p>	
	<p>AO53.2</p> <p>An Environmental Management Plan is prepared to manage potential impacts of the operation of the development on surrounding natural areas.</p> <p>Note - Planning scheme policy SC6.4 – Environmental management plans contains information to demonstrate compliance and guidance on preparing an Environmental Management Plan.</p>	<p>Not applicable</p> <p>The site is not within Sub-precinct 1c – Waterfront South sub-precinct.</p>
<p>PO54</p> <p>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.</p>	<p>AO54</p> <p>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.</p>	<p>Not applicable</p> <p>The site is not within Sub-precinct 1c – Waterfront South sub-precinct.</p>
<p>PO55</p> <p>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.</p>	<p>AO55.1</p> <p>Development has a height of not more than 10 metres.</p>	<p>Not applicable</p> <p>The site is not within Sub-precinct 1c – Waterfront South sub-precinct.</p>
	<p>AO55.2</p> <p>Development is setback from all property boundaries not less than 3 metres.</p>	<p>Not applicable</p> <p>The site is not within Sub-precinct 1c – Waterfront South sub-precinct.</p>

Performance outcomes	Acceptable outcomes	Compliance
PO56 The site coverage of all buildings and structures ensures development: <ul style="list-style-type: none"> (a) is sited in an existing cleared area or in an area approved for clearing; (b) has sufficient area for the provision of services; (c) development does not have an adverse effect on the environmental, habitat, conservation or landscape values of the on-site and surrounding sensitive areas. 	AO56 No acceptable outcomes are prescribed.	Not applicable The site is not within Sub-precinct 1c – Waterfront South sub-precinct.
PO57 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"> (a) be accommodated on-site; (b) maximise safety and efficiency of loading; (c) protect the visual and acoustic amenity of sensitive land use activities; (d) minimise adverse impacts on natural characteristics of adjacent areas. 	AO57.1 Sufficient manoeuvring area is provided on-site to allow a Medium Rigid Vehicle to enter and leave the site in a forward gear.	Not applicable The site is not within Sub-precinct 1c – Waterfront South sub-precinct.
	AO57.2 Development is designed to ensure all service vehicles are contained within the site when being loaded/unloaded.	Not applicable The site is not within Sub-precinct 1c – Waterfront South sub-precinct.
	AO57.3 Driveways, parking and manoeuvring areas are constructed and maintained to: <ul style="list-style-type: none"> (a) minimise erosion from storm water runoff; (b) retain all existing vegetation. 	Not applicable The site is not within Sub-precinct 1c – Waterfront South sub-precinct.

Performance outcomes	Acceptable outcomes	Compliance
PO58 Development ensures adverse impacts from service vehicles on the road network, external to the site, are minimised.	AO58 No acceptable outcomes are prescribed.	Not applicable The site is not within Sub-precinct 1c – Waterfront South sub-precinct.
PO59 Entry to the site is landscaped to enhance the amenity of the area and provide a pleasant working environment.	AO59 Areas used for loading and unloading, storage, utilities and car parking are screened from public view: (a) by a combination of landscaping and screen fencing; (b) dense planting along any road frontage is a minimum width of 3 metres.	Not applicable The site is not within Sub-precinct 1c – Waterfront South sub-precinct.
PO60 Landscaping is informal in character and complementary to the existing natural environment, provides screening and enhances the visual appearance of the development.	AO60 For any development landscaping is in accordance with the Plant species schedule in Planning scheme policy SC6.7– Landscaping.	Not applicable The site is not within Sub-precinct 1c – Waterfront South sub-precinct.
Additional requirements for Sub-precinct 1d – Limited Development sub-precinct		
PO61 The height of buildings and structures contributes to the desired form and outcomes for the sub-precinct and are limited to a single storey.	AO61 Buildings and structures are not more than one storey and 4 metres in height. Note - Height is inclusive of the roof height.	Not applicable The site is not within Sub-precinct 1d – Limited Development sub-precinct.
Additional requirements for Sub-precinct 1e – Community and recreation sub-precinct		

Performance outcomes	Acceptable outcomes	Compliance
PO62 The precinct is developed for organised sporting activities and other community uses.	AO62 No acceptable outcomes are prescribed.	Not applicable The site is not within Sub-precinct 1e – Community and recreation sub-precinct.
Additional requirements for Sub-precinct 1f – Flagstaff Hill sub-precinct		
PO63 Flagstaff Hill is protected from inappropriate development to protect the hill as an important natural landmark feature of Port Douglas and as a vegetated backdrop to the Town centre.	AO63 No acceptable outcomes are prescribed.	Not applicable The site is not within Sub-precinct 1f – Flagstaff Hill sub-precinct.
PO64 All development on Flagstaff Hill is designed to minimise the visibility of the development and to ensure development is subservient to the natural landscape and topography of the site, including through: <ul style="list-style-type: none"> (a) building design which minimises excavation and filling; (b) buildings being designed to step down the site and incorporate foundations and footings on piers or poles; (c) buildings being visually unobtrusive and incorporating exterior finishes and muted colours which are non-reflective and complement the colours of the surrounding vegetation and view-shed; (d) protection of the views from public viewing 	AO64 No acceptable outcomes are prescribed.	Not applicable The site is not within Sub-precinct 1f – Flagstaff Hill sub-precinct.

Performance outcomes	Acceptable outcomes	Compliance
points in the Port Douglas precinct.		
Additional requirements for Precinct 3 – Craiglie Commercial and Light Industry precinct		
PO65 Development supports the tourism and marine industries in Port Douglas, along with the small-scale commercial and light industry land uses that support the local economy that would otherwise be better suited to a location outside the Port Douglas Town Centre Precinct.	AO65 Development consists of service and light industries and associated small scale commercial activities.	Not applicable The site is not within Precinct 3 – Craiglie Commercial and Light Industry precinct.
PO66 Development on lots adjacent to the Captain Cook Highway is sited, designed and landscaped to provide an attractive visual approach to Port Douglas with all buildings, structures and car parking areas setback a sufficient distance from the frontage to enable landscaping to soften or screen the appearance of the development.	AO66.1 Buildings and structures are setback 8 metres from the Captain Cook Highway frontage, or no closer to the Captain Cook Highway frontage than buildings and structures on adjoining sites (averaged), whichever is the greater.	Not applicable The site is not within Precinct 3 – Craiglie Commercial and Light Industry precinct.
	AO66.2 The setback area to the Captain Cook Highway frontage is landscaped with advanced dense planting including tree species (100 litre bag stock), which will, at maturity, exceed the height of the building(s) on the site.	Not applicable The site is not within Precinct 3 – Craiglie Commercial and Light Industry precinct.
	AO66.3 Advertising signs are discreet in appearance with no large advertising signs, including tenancy signs, located on or near the Captain Cook Highway frontage, or within any landscaped	Not applicable The site is not within Precinct 3 – Craiglie Commercial and Light Industry precinct.

Performance outcomes	Acceptable outcomes	Compliance
	setback area	
	AO66.4 Car parking areas, loading and other service areas are designed to be screened from the Captain Cook Highway and are located so as to not be visually prominent from the Captain Cook Highway.	Not applicable The site is not within Precinct 3 – Craiglie Commercial and Light Industry precinct.
Additional requirements for Precinct 6 – Very Low Residential Density / Low Scale Recreation / Low Scale Educational / Low Scale Entertainment Uses precinct		
PO67 No additional lots are created within the precinct.	AO67 No acceptable outcomes are prescribed.	Not applicable The site is not within Precinct 6 – Very Low Residential Density / Low Scale Recreation / Low Scale Educational / Low Scale Entertainment Uses precinct
PO68 Reconfigured lots have a minimum lot size of 2 hectares, unless the lot reconfiguration transfers lots to the higher parts of the land, to avoid the need to fill existing lots to accommodate dwelling houses.	AO68 No acceptable outcomes are prescribed.	Not applicable The site is not within Precinct 6 – Very Low Residential Density / Low Scale Recreation / Low Scale Educational / Low Scale Entertainment Uses precinct

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

<ul style="list-style-type: none"> • Agricultural supplies store • Air services • Animal husbandry • Animal keeping • Aquaculture • Brothel • Bulk landscape supplies • Car wash • Cemetery • Crematorium • Cropping • Detention facility • Dual occupancy • Dwelling house 	<ul style="list-style-type: none"> • Extractive industry • Funeral parlour • High impact industry • Intensive animal industry • Intensive horticulture • Major electricity infrastructure • Major sport, recreation and entertainment facility • Medium impact industry • Motor sport facility, • Outstation • Permanent plantation 	<ul style="list-style-type: none"> • Relocatable home park • Roadside stall • Rural industry • Rural workers accommodation • Service station • Showroom • Special industry • Tourist park • Transport depot • Veterinary services • Warehouse • Wholesale nursery • Winery
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Table 7.2.4.4.c — Inconsistent uses in sub-precinct 1c - Waterfront South sub-precinct

Inconsistent uses		
<ul style="list-style-type: none"> • Adult store • Agricultural supplies store • Air services • Animal husbandry • Animal keeping • Brothel 	<ul style="list-style-type: none"> • Hardware and trade supplies • Health care services • Home based business • Hospital • Hotel • Indoor sport and recreation 	<ul style="list-style-type: none"> • Permanent plantation • Place of worship • Relocatable home park • Residential care facility • Resort complex • Retirement facility

<ul style="list-style-type: none"> • Bulk landscape supplies • Car wash • Cemetery • Child care centre • Community care centre • Community residence • Community use • Crematorium • Cropping • Detention facility • Dual occupancy • Dwelling house • Dwelling unit • Extractive industry • Function facility • Funeral parlour • Garden centre 	<ul style="list-style-type: none"> • Intensive animal industry • Intensive horticulture • Major electricity infrastructure • Major sport, recreation and entertainment facility • Market • Motor sport facility • Multiple dwelling • Nature-based tourism • Nightclub entertainment facility • Outdoor sales • Outdoor sport and recreation • Outstation 	<ul style="list-style-type: none"> • Roadside stall • Rooming accommodation • Rural industry • Rural workers accommodation • Sales office • Shopping centre • Short-term accommodation • Showroom • Special industry • Theatre • Tourist attraction • Tourist park • Transport depot • Veterinary services • Warehouse • Wholesale nursery • Winery
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8.2.1 Acid sulfate soils overlay code

8.2.1.1 Application

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

8.2.1.2 Purpose

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

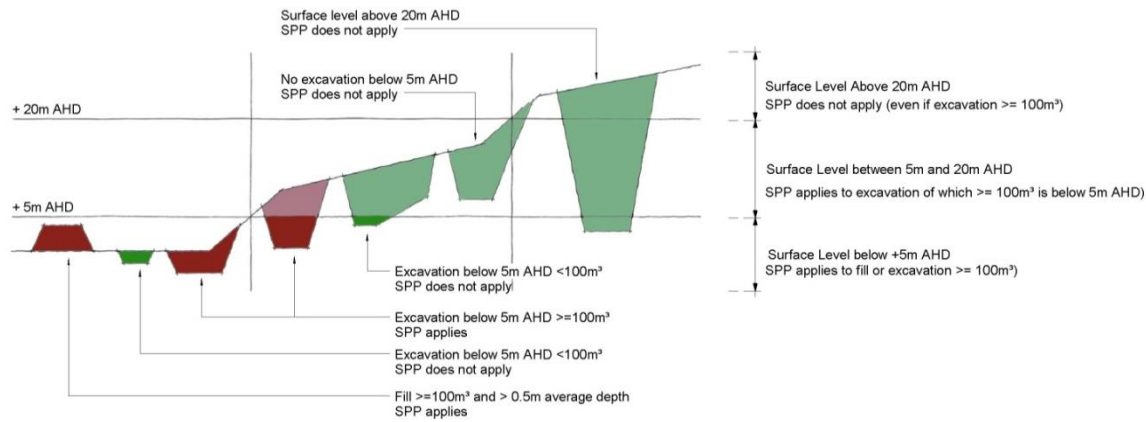
Criteria for assessment

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

Performance outcomes	Acceptable outcomes	Applicant response
For assessable development		
PO1 The extent and location of potential or actual acid sulfate soils is accurately identified.	AO1.1 No excavation or filling occurs on the site. or AO1.2 An acid sulfate soils investigation is undertaken. Note - Planning scheme policy SC 6.12– Potential and actual acid sulfate soils provides guidance on preparing an acid sulfate soils investigation.	Complies with AO1.1 No excavation or filling is proposed.
PO2 Development avoids disturbing potential acid sulfate soils or actual acid sulfate soils, or is managed to avoid or minimise the release of acid and metal contaminants.	AO2.1 The disturbance of potential acid sulfate soils or actual acid sulfate soils is avoided by: (a) not excavating, or otherwise removing, soil or sediment identified as containing potential or actual acid sulfate soils; (b) not permanently or temporarily extracting groundwater that results in the aeration of previously saturated acid sulfate soils; (c) not undertaking filling that results in: (i) actual acid sulfate soils being moved below the water table; (ii) previously saturated acid sulfate soils being aerated. Or	Complies with AO2.1 No disturbance of acid sulfate soils would occur as no excavation or filling is proposed.

Performance outcomes	Acceptable outcomes	Applicant response
	<p>AO2.2</p> <p>The disturbance of potential acid sulfate soils or actual acid sulfate soils is undertaken in accordance with an acid sulfate soils management plan and avoids the release of metal contaminants by:</p> <ul style="list-style-type: none"> (a) neutralising existing acidity and preventing the generation of acid and metal contaminants; (b) preventing the release of surface or groundwater flows containing acid and metal contaminants into the environment; (c) preventing the in situ oxidisation of potential acid sulfate soils and actual acid sulfate soils through ground water level management; (d) appropriately treating acid sulfate soils before disposal occurs on or off site; (e) documenting strategies and reporting requirements in an acid sulfate soils environmental management plan. <p>Note - Planning scheme policy SC 6.12 – Acid sulfate soils provides guidance on preparing an acid sulfate soils management plan.</p>	
<p>PO3</p> <p>No environmental harm is caused as a result of exposure to potential acid sulfate soils or actual acid sulfate soils.</p>	<p>AO3</p> <p>No acceptable outcomes are prescribed.</p>	<p>Complies with PO3</p> <p>No disturbance of acid sulfate soils would occur as no excavation or filling is proposed.</p>

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



8.2.3 Coastal environment overlay code

8.2.3.1 Application

- (1) This code applies to assessing a material change of use, reconfiguring a lot, operational work or building work within the Coastal environment overlay, if:
 - (a) self assessable or assessable development where the code is identified as being applicable in the Assessment criteria for the Overlay Codes contained in the Levels of Assessment Tables in section 5.6;
 - (b) impact assessable development.
- (2) Land in the Coastal hazard overlay is identified on the Coastal environment overlay map in Schedule 2 and includes the following sub-categories:
 - (a) Coastal management district sub-category;
 - (b) Erosion prone area sub-category.
- (3) When using this code, reference should be made to Part 5.

8.2.3.2 Purpose

- (1) The purpose of the Coastal environment overlay code is to:
 - (a) implement the policy direction in the Strategic Framework, in particular:
 - (i) Theme 1 Settlement pattern: Element 3.4.7 Mitigation of hazards;
 - (ii) Theme 2 Environment and landscape values: Element 3.5.4 Coastal zones;
 - (iii) Theme 3 Natural resource management: Element 3.6.2 Land and catchment management.
 - (b) enable an assessment of whether development is suitable on land within the Coastal processes sub-categories.
- (2) The purpose of the code will be achieved through the following overall outcomes:
 - (a) facilitate the protection of both coastal processes and coastal resources;
 - (b) facilitating coastal dependent development on the foreshore over other development;
 - (c) public access to the foreshore protects public safety;
 - (d) maintain the erosion prone area as a development free buffer zone (other than for coastal dependent, temporary or relocatable development);
 - (e) require redevelopment of existing permanent buildings or structures in an erosion prone area to avoid coastal erosion risks, manage coastal erosion risks through a strategy of planned retreat or mitigate coastal erosion risks;

- (f) require development to maintain or enhance natural processes and the protective function of landforms and vegetation that can mitigate risks associated with coastal erosion;
- (g) locate and design community infrastructure to maintain the required level of functionality during and immediately after a coastal hazard event.

Criteria for assessment

Table 8.2.3.3.a – Coastal environment overlay code – self-assessable and assessable development

Performance outcomes	Acceptable outcomes	Applicant response
For self-assessable and assessable development		
PO1 No works other than coastal protection works extend seaward of the coastal building line.	AO1.1 Development (including all buildings and other permanent structures such as swimming pools and retaining walls) does not extend seaward of a coastal building line. Note – Coastal building lines are declared under the Coastal Protection and Management Act 1995 and are administered by the State Department of Environment and Heritage Protection.	Not applicable The site does not contain a coastal building line.
	AO1.2 Coastal protection works are only undertaken as a last resort where coastal erosion presents an immediate threat to public safety or existing buildings or structures and the property cannot be relocated or abandoned.	Not applicable No coastal protection works are proposed.
	AO1.3 Coastal protection works are as far landward as practicable on the lot containing the property to the maximum extent reasonable.	Not applicable No coastal protection works are proposed.

Performance outcomes	Acceptable outcomes	Applicant response
	AO1.4 Coastal protection work mitigates any increase in the coastal hazard.	Not applicable No coastal protection works are proposed.
PO2 Where a coastal building line does not exist on a lot fronting the coast or a reserve adjoining the coast, development is setback to maintain the amenity and use of the coastal resource.	AO2 Where a coastal building line does not exist on a lot fronting the coast or a reserve adjoining the coast, development (including all buildings and structures such as swimming pools) and retaining walls are set back not less than 6 metres from the seaward boundary of the lot.	Not applicable The site does not adjoin the coast or a reserve.
For assessable development		
Erosion prone areas		
PO3 Development identifies erosion prone areas (coastal hazards).	AO3 No acceptable outcomes are prescribed.	Complies with PO3 Erosion prone areas are identified on the planning scheme maps.
PO4 Erosion prone areas are free from development to allow for natural coastal processes.	AO4.1 Development is not located within the Erosion prone area, unless it can be demonstrated that the development is for: <ul style="list-style-type: none"> (a) community infrastructure where no suitable alternative location or site exists for this infrastructure; or (b) development that reflects the preferred 	Not applicable The application is for a boundary realignment only.

Performance outcomes	Acceptable outcomes	Applicant response
	development outcomes in accordance with the zoning of the site (i.e. in the Low density residential zone, a dwelling house is a preferred development outcome in accordance with the zoning of the site)	
	AO4.2 Development involving existing permanent buildings and structures within an erosion prone area does not increase in intensity of its use by: <ul style="list-style-type: none"> (a) adding additional buildings or structures; or (b) incorporating a land use that will result in an increase in the number of people or employees occupying the site. 	Complies with AO4.2 The application is for a boundary realignment only.
Coastal management districts		
PO5 Natural processes and protective functions of landforms and vegetation are maintained.	PO5.1 Development within the coastal management district: <ul style="list-style-type: none"> (a) maintains vegetation on coastal land forms where its removal or damage may: <ul style="list-style-type: none"> (i) destabilise the area and increase the potential for coastal erosion, or (ii) interrupt the natural sediment trapping processes or dune or land building processes; (b) maintains sediment volumes of dunes and 	Not applicable The site is not within the Coastal Management District.

Performance outcomes	Acceptable outcomes	Applicant response
	<p>near-shore coastal landforms, or where a reduction in sediment volumes cannot be avoided, increased risks to development from coastal erosion are mitigated by location, design and construction and operating standards;</p> <p>(c) minimises the need for erosion control structures or riverine hardening through location, design and construction standards;</p> <p>(d) maintains physical coastal processes outside the development footprint for the development, including longshore transport of sediment along the coast;</p> <p>(e) reduces the risk of shoreline erosion for areas adjacent to the development footprint to the maximum extent feasible in the case of erosion control structures.</p>	
	<p>PO5.2</p> <p>Where development proposes the construction of an erosion control structure:</p> <p>(a) it is demonstrated that it is the only feasible option for protecting permanent structures from coastal erosion; and</p> <p>(b) those permanent structures cannot be abandoned or relocated in the event of coastal erosion occurring</p>	<p>Not applicable</p> <p>The site is not within the Coastal Management District.</p>
	<p>PO5.3</p>	<p>Not applicable</p> <p>The site is not within the Coastal Management</p>

Performance outcomes	Acceptable outcomes	Applicant response
	<p>Development involving reclamation:</p> <ul style="list-style-type: none"> (a) does not alter, or otherwise minimises impacts on, the physical characteristics of a waterway or the seabed near the reclamation, including flow regimes, hydrodynamic forces, tidal water and riverbank stability; (b) is located outside active sediment transport area, or otherwise maintains sediment transport processes as close as possible to their natural state; (c) ensures activities associated with the operation of the development maintain the structure and condition of vegetation communities and avoid wind and water run-off erosion. 	District.
<p>PO6</p> <p>Development avoids or minimises adverse impacts on coastal resources and their values to the maximum extent reasonable.</p>	<p>AO6.1</p> <p>Coastal protection work that is in the form of beach nourishment uses methods of placement suitable for the location that do not interfere with the long-term use of the locality, or natural values within or neighbouring the proposed placement site.</p> <p>and</p>	<p>Not applicable</p> <p>The site is not within the Coastal Management District.</p>
	<p>AO6.2</p> <p>Marine development is located and designed to expand on or redevelop existing marine infrastructure unless it is demonstrated that it is</p>	<p>Not applicable</p> <p>The site is not within the Coastal Management District.</p>

Performance outcomes	Acceptable outcomes	Applicant response
	not practicable to co-locate the development with existing marine infrastructure; and	
	AO6.3 Measures are incorporated as part of siting and design of the development to maintain or enhance water quality to achieve the environmental values and water quality objectives outlined in the Environmental Protection (Water) Policy 2009. and	Not applicable The site is not within the Coastal Management District.
	AO6.4 Development avoids the disturbance of acid sulfate soils, or where it is demonstrated that this is not possible, the disturbance of acid sulfate soils is carefully managed to minimise and mitigate the adverse effects of disturbance on coastal resources. and	Not applicable The site is not within the Coastal Management District.
	AO6.4 Design and siting of development protects and retains identified ecological values and underlying ecosystem processes within the development site to the greatest extent practicable.	Not applicable The site is not within the Coastal Management District.

Performance outcomes	Acceptable outcomes	Applicant response
PO7 Development is to maintain access to and along the foreshore for general public access.	A07.1 Development provides for regular access points for pedestrians including approved walking tracks, boardwalks and viewing platforms. and	Not applicable The site is not within the Coastal Management District.
	A07.2 Development provides for regular access points for vehicles including approved roads and tracks. or	Not applicable The site is not within the Coastal Management District.
	A07.3 Development demonstrates an alternative solution to achieve an equivalent standard of performance.	Not applicable The site is not within the Coastal Management District.

Performance outcomes	Acceptable outcomes	Applicant response
PO8 Public access to the coast is appropriately located, designed and operated.	AO8.1 Development maintains or enhances public access to the coast. or AO8.2 Development is located adjacent to state coastal land or tidal water and minimises and offsets any loss of access to and along the foreshore within 500 metres. or AO8.3 Development adjacent to state coastal land or tidal water demonstrates an alternative solution to achieve an equivalent standard and quality of access	Not applicable The site is not within the Coastal Management District.
PO9 Development adjacent to state coastal land or tidal water is located, designed and operated to: <ul style="list-style-type: none"> (a) maintain existing access to and along the foreshore; (b) minimise any loss of access to and along the foreshore, or (c) offset any loss of access to and along the foreshore by providing for enhanced alternative access in the general location. 	AO9.1 Development adjacent to state coastal land or tidal water: <ul style="list-style-type: none"> (a) demonstrates that restrictions to public access are necessary for: <ul style="list-style-type: none"> (i) the safe and secure operation of development; (ii) the maintenance of coastal landforms and coastal habitat; or (b) maintains public access (including public access infrastructure that has been 	Not applicable The site is not within the Coastal Management District.

Performance outcomes	Acceptable outcomes	Applicant response
	<p>approved by the local government or relevant authority) through the site to the foreshore for:</p> <ul style="list-style-type: none"> (i) pedestrians via access points including approved walking tracks, boardwalks and viewing platforms; (ii) vehicles via access points including approved roads or tracks. 	
	<p>AO9.2</p> <p>Development adjacent to state coastal land or tidal water:</p> <ul style="list-style-type: none"> (a) is located and designed to: <ul style="list-style-type: none"> (i) allow safe unimpeded access to, over, under or around built infrastructure located on, over or along the foreshore, for example through the provision of esplanades or easement corridors to preserve future access; (ii) ensure emergency vehicles can access the area near the development. or (b) minimises and offsets any loss of access to and along the foreshore within 500m of existing access points and development is located and designed to: <ul style="list-style-type: none"> (i) allow safe unimpeded access to, 	<p>Not applicable</p> <p>The site is not within the Coastal Management District.</p>

Performance outcomes	Acceptable outcomes	Applicant response
	<p>over, under or around built infrastructure located on, over or along the foreshore, and</p> <p>(ii) ensure emergency vehicles can access the area near the development.</p>	
<p>AO10</p> <p>Development that involves reconfiguring a lot for urban purposes adjacent to the coast is designed to ensure public access to the coast in consideration of public access demand from a whole-of-community basis and the maintenance of coastal landforms and coastal habitat.</p>	<p>AO10.1</p> <p>Development complies if consideration of public access demand from a whole-of-community basis and the maintenance of coastal landforms and coastal habitat is undertaken.</p> <p>or</p> <p>AO10.2</p> <p>Development demonstrates an alternative solution to achieve an equivalent standard and quality of access.</p>	<p>Not applicable</p> <p>The site is not within the Coastal Management District.</p>
<p>PO11</p> <p>Development maintains public access to State coastal land by avoiding private marine development attaching to, or extending across, non-tidal State coastal land.</p>	<p>AO11</p> <p>Private marine access structures and other structures such as decks or boardwalks for private use do not attach to or extend across State coastal land that is situated above high water mark</p>	<p>Not applicable</p> <p>The site is not within the Coastal Management District.</p>
<p>PO12</p> <p>Development in connection with an artificial waterway enhances public access to coastal waters.</p>	<p>AO12</p> <p>The artificial waterway avoids intersecting with or connection to inundated land or leased land where the passage, use or movement of vessels in water on the land could be restricted or</p>	<p>Not applicable</p> <p>The site is not within the Coastal Management District.</p>

Performance outcomes	Acceptable outcomes	Applicant response
	prohibited by the registered proprietor of the inundated land or leased land.	
Coastal landscapes, views and vistas		
PO13 Development maintains and / or enhances natural coastal landscapes, views and vistas.	AO13 No acceptable outcomes are prescribed.	Not applicable The application is for Reconfiguring a Lot only.
PO14 Coastal settlements are consolidated through the concentration of development within the existing urban areas through infill and conserving the natural state of the coastal area outside existing urban areas.	AO14 No acceptable outcomes are prescribed.	Not applicable The application is for Reconfiguring a Lot within an existing settlement area.
Private marine development		
PO15 Private marine development is to avoid attaching to, or extending across, non-tidal State coastal land.	AO15 Private marine development and other structures such as decks or boardwalks for private use do not attach to, or extend across, State coastal land that is situated above high water mark. Note – For occupation permits or allocations of State land, refer to the <i>Land Act 1994</i> .	Not applicable No private marine development is proposed.
PO16 The location and design of private marine development does not adversely affect the safety	AO16 Private marine development does not involve the erection or placement of any physical barrier	Not applicable No private marine development is proposed.

Performance outcomes	Acceptable outcomes	Applicant response
of members of the public access to the foreshore.	preventing existing access, along a public access way to the foreshores.	
PO17 Private marine development is of a height and scale and size compatible with the character and amenity of the location.	AO17 Private marine development has regard to: <ul style="list-style-type: none"> (a) the height, scale and size of the natural features of the immediate surroundings and locality; (b) the height, scale and size of existing buildings or other structures in the immediate surroundings and the locality; (c) if the relevant planning scheme states that desired height, scale or size of buildings or other structures in the immediate surroundings or locality – the stated desired height, scale or size. <p>Note – The prescribed tidal works code in the <i>Coastal Protection and Management Regulation 2003</i> outlines design and construction requirements that must be complied with.</p>	Not applicable No private marine development is proposed.
PO18 Private marine development avoids adverse impacts on coastal landforms and coastal processes.	AO18 Private marine development does not require the construction of coastal protection works, shoreline or riverbank hardening or dredging for marine access.	Not applicable No private marine development is proposed.
For dry land marinas and artificial waterways		

Performance outcomes	Acceptable outcomes	Applicant response
<p>PO19</p> <p>Dry land marinas and artificial waterways:</p> <ul style="list-style-type: none"> (a) avoid impacts on coastal resources; (b) do not contribute to the degradation of water quality; (c) do not increase the risk of flooding; (d) do not result in the degradation or loss of MSES; (e) do not result in an adverse change to the tidal prism of the natural waterway to which development is connected. (f) does not involve reclamation of tidal land other than for the purpose of: <ul style="list-style-type: none"> (i) coastal dependent development, public marine development; or (i) community infrastructure, where there is no feasible alternative; or (iii) strategic ports, boat harbours or strategic airports and aviation facilities in accordance with a statutory land use plan; or (iv) coastal protection works or works necessary to protect coastal resources and processes. 	<p>AO19</p> <p>No acceptable solutions are prescribed.</p>	<p>Not applicable</p> <p>No dryland marina or artificial waterways are proposed.</p>

8.2.4 Flood and storm tide hazard overlay code

8.2.4.1 Application

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

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

8.2.4.2 Purpose

- (1) The purpose of the Flood and storm tide hazard overlay code is to:
 - (a) implement the policy direction in the Strategic Framework, in particular:
 - (i) Theme 1 Settlement pattern: Element 3.4.7 Mitigation of hazards;
 - (ii) Theme 6 Infrastructure and transport: Element 3.9.2 Energy.
 - (b) enable an assessment of whether development is suitable on land within the Flood and storm tide hazard sub-categories.
- (2) The purpose of the code will be achieved through the following overall outcomes:
 - (a) development siting, layout and access responds to the risk of the natural hazard and minimises risk to personal safety;
 - (b) development achieves an acceptable or tolerable risk level, based on a fit for purpose risk assessment;
 - (c) the development is resilient to natural hazard events by ensuring siting and design accounts for the potential risks of natural hazards to property;

- (d) the development supports, and does not unduly burden disaster management response or recovery capacity and capabilities;
- (e) the development directly, indirectly and cumulatively avoids an unacceptable increase in severity of the natural hazards and does not significantly increase the potential for damage on site or to other properties;
- (f) the development avoids the release of hazardous materials as a result of a natural hazard event;
- (g) natural processes and the protective function of landforms and/or vegetation are maintained in natural hazard areas;
- (h) community infrastructure is located and designed to maintain the required level of functionality during and immediately after a hazard event.

Criteria for assessment

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

Performance outcomes	Acceptable outcomes	Applicant response
For self-assessable and assessable development		
PO1 Development is located and designed to: <ul style="list-style-type: none"> a) ensure the safety of all persons; b) minimise damage to the development and contents of buildings; c) provide suitable amenity; d) minimise disruption to residents, recovery time, and rebuilding or restoration costs after inundation events. Note – For assessable development within the flood plain assessment sub-category, a flood study by a suitably qualified professional is required to identify compliance with the intent of the acceptable outcome.	AO1.1 Development is sited on parts of the land that is not within the Flood and Storm tide hazards overlay maps contained in Schedule 2; or For dwelling houses,	Complies with PO1 The application is for a boundary realignment between two existing lots within the Port Douglas Town Centre, where the principle of development has previously been accepted. The proposed development would not result in any new or exacerbate any existing flood impacts.
	AO1.2 Development within the Flood and Storm Tide hazards overlay maps (excluding the Flood plain assessment sub-category) is designed to provide immunity to the Defined Inundation Event as outlined within Table 8.2.4.3.b plus a freeboard of 300mm.	
	AO1.3	Not applicable

Performance outcomes	Acceptable outcomes	Applicant response
	<p>New buildings are:</p> <ul style="list-style-type: none"> (a) not located within the overlay area; (b) located on the highest part of the site to minimise entrance of flood waters; (c) provided with clear and direct pedestrian and vehicle evacuation routes off the site. 	No new buildings are proposed.
	<p>AO1.4</p> <p>In non urban areas, buildings and infrastructure are set back 50 metres from natural riparian corridors to maintain their natural function of reducing velocity of floodwaters.</p>	<p>Not applicable</p> <p>The site is within an urban area.</p>
For assessable development		
<p>PO2</p> <p>The development is compatible with the level of risk associated with the natural hazard.</p>	<p>AO2</p> <p>The following uses are not located in land inundated by the Defined Flood Event (DFE) / Storm tide:</p> <ul style="list-style-type: none"> (a) Retirement facility; (b) Community care facility; (c) Child care centre. 	<p>Complies with AO2</p> <p>No retirement facility, Community care facility or Child care centre is proposed.</p>
<p>PO3</p> <p>Development siting and layout responds to flooding potential and maintains personal safety</p>	<p>For Material change of use</p> <p>AO3.1</p> <p>New buildings are:</p>	<p>Not applicable</p> <p>The application is for Reconfiguring a Lot only.</p>

Performance outcomes	Acceptable outcomes	Applicant response
	<p>(a) not located within the overlay area;</p> <p>(b) located on the highest part of the site to minimise entrance of flood waters;</p> <p>(c) provided with clear and direct pedestrian and vehicle evacuation routes off the site.</p> <p>or</p> <p>AO3.2</p> <p>The development incorporates an area on site that is at least 300mm above the highest known flood inundation level with sufficient space to accommodate the likely population of the development safely for a relatively short time until flash flooding subsides or people can be evacuated.</p> <p>or</p> <p>AO3.3</p> <p>Where involving an extension to an existing dwelling house that is situated below DFE /Storm tide, the maximum size of the extension does not exceed 70m² gross floor area.</p> <p>Note – If part of the site is outside the Hazard Overlay area, this is the preferred location of all buildings.</p>	
	<p>For Reconfiguring a lot</p> <p>AO3.4</p> <p>Additional lots:</p> <p>(a) are not located in the hazard overlay area;</p>	<p>Not applicable</p> <p>The proposed development is for a boundary realignment. No additional lots are proposed.</p>

Performance outcomes	Acceptable outcomes	Applicant response
	<p>or</p> <p>(b) are demonstrated to be above the flood level identified for the site.</p> <p>Note - If part of the site is outside the Hazard Overlay area, this is the preferred location for all lots (excluding park or other open space and recreation lots).</p> <p>Note – Buildings subsequently developed on the lots will need to comply with the relevant building assessment provisions under the <i>Building Act 1975</i>.</p>	
	<p>AO3.5</p> <p>Road and/or pathway layout ensures residents are not physically isolated from adjacent flood free urban areas and provides a safe and clear evacuation route path:</p> <p>(a) by locating entry points into the reconfiguration above the flood level and avoiding culs-de-sac or other non-permeable layouts; and</p> <p>(b) by direct and simple routes to main carriageways.</p>	<p>Not applicable</p> <p>No roads or pathways are proposed.</p>
	<p>AO3.6</p> <p>Signage is provided on site (regardless of whether the land is in public or private ownership) indicating the position and path of all safe evacuation routes off the site and if the site contains, or is within 100m of a floodable waterway, hazard warning signage and depth indicators are also provided at key hazard points, such as at floodway crossings or entrances to</p>	<p>Not applicable</p> <p>The site is not within 100 metres of a floodable waterway.</p>

Performance outcomes	Acceptable outcomes	Applicant response
	<p>low-lying reserves.</p> <p>or</p> <p>AO3.7</p> <p>There is no intensification of residential uses within the flood affected areas on land situated below the DFE/Storm tide</p>	
	<p>For Material change of use (Residential uses)</p> <p>AO3.8</p> <p>The design and layout of buildings used for residential purposes minimise risk from flooding by providing:</p> <p>(a) parking and other low intensive, non-habitable uses at ground level;</p> <p>Note - The high-set 'Queenslander' style house is a resilient low-density housing solution in floodplain areas. Higher density residential development should ensure only non-habitable rooms (e.g. garages, laundries) are located on the ground floor.</p>	<p>Not applicable</p> <p>The application is for Reconfiguring a Lot only.</p>
<p>PO4</p> <p>Development is resilient to flood events by ensuring design and built form account for the potential risks of flooding.</p>	<p>For Material change of use (Non-residential uses)</p> <p>AO4.2</p> <p>Non residential buildings and structures allow for the flow through of flood waters on the ground floor.</p> <p>Note - Businesses should ensure that they have the necessary contingency plans in place to account for the potential need to relocate property prior to a flood event (e.g. allow enough time to transfer stock to the upstairs level of a building or off site).</p>	<p>Not applicable</p> <p>The application is for Reconfiguring a Lot only.</p>

Performance outcomes	Acceptable outcomes	Applicant response
	<p>Note - The relevant building assessment provisions under the <i>Building Act 1975</i> apply to all building work within the Hazard Area and need to take into account the flood potential within the area.</p>	
	<p>AO4.3</p> <p>Materials are stored on-site:</p> <p>(a) are those that are readily able to be moved in a flood event;</p> <p>(b) where capable of creating a safety hazard by being shifted by flood waters, are contained in order to minimise movement in times of flood.</p> <p>Notes -</p> <p>a. Businesses should ensure that they have the necessary contingency plans in place to account for the potential need to relocate property prior to a flood event (e.g. allow enough time to transfer stock to the upstairs level of a building or off site).</p> <p>b. Queensland Government Fact Sheet 'Repairing your House after a Flood' provides information about water resilient products and building techniques.</p>	<p>Not applicable</p> <p>The application is for Reconfiguring a Lot only.</p>
<p>PO5</p> <p>Development directly, indirectly and cumulatively avoids any increase in water flow velocity or flood level and does not increase the potential flood damage either on site or on other properties.</p> <p>Note – Berms and mounds are considered to be an</p>	<p>For Operational works</p> <p>AO5.1</p> <p>Works in urban areas associated with the proposed development do not involve:</p> <p>(a) any physical alteration to a watercourse or floodway including vegetation clearing; or</p> <p>(b) a net increase in filling (including berms and</p>	<p>Not applicable</p> <p>The application is for Reconfiguring a Lot only.</p>

Performance outcomes	Acceptable outcomes	Applicant response
undesirable built form outcome and are not supported.	mounds).	
	AO5.2 Works (including buildings and earthworks) in non urban areas either: (a) do not involve a net increase in filling greater than 50m ³ ; or (b) do not result in any reductions of on-site flood storage capacity and contain within the subject site any changes to depth/duration/velocity of flood waters; or (c) do not change flood characteristics outside the subject site in ways that result in: (i) loss of flood storage; (ii) loss of/changes to flow paths; (iii) acceleration or retardation of flows or any reduction in flood warning times elsewhere on the flood plain.	Not applicable The application is for Reconfiguring a Lot only.
	For Material change of use AO5.3 Where development is located in an area affected by DFE/Storm tide, a hydraulic and hydrology report, prepared by a suitably qualified professional, demonstrates that the development maintains the flood storage capacity on the	Not applicable The application is for Reconfiguring a Lot only.

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

Performance outcomes	Acceptable outcomes	Applicant response
	AO6.2 If a DFE level is adopted, structures used for the manufacture or storage of hazardous materials are: (a) located above the DFE level; or (b) designed to prevent the intrusion of floodwaters.	
	AO6.3 Infrastructure is designed and constructed to resist hydrostatic and hydrodynamic forces as a result of inundation by the DFE.	Not applicable The application is for Reconfiguring a Lot only.
	AO6.4 If a flood level is not adopted, hazardous materials and their manufacturing equipment are located on the highest part of the site to enhance flood immunity and designed to prevent the intrusion of floodwaters. Note – Refer to <i>Work Health and Safety Act 2011</i> and associated Regulation and Guidelines, the <i>Environmental Protection Act 1994</i> and the relevant building assessment provisions under the <i>Building Act 1975</i> for requirements related to the manufacture and storage of hazardous materials.	Not applicable The application is for Reconfiguring a Lot only.
PO7 The development supports, and does not unduly burden, disaster management response or	AO7 Development does not:	Not applicable The application is for Reconfiguring a Lot only.

Performance outcomes	Acceptable outcomes	Applicant response
recovery capacity and capabilities.	<ul style="list-style-type: none"> (a) increase the number of people calculated to be at risk of flooding; (b) increase the number of people likely to need evacuation; (c) shorten flood warning times; and (d) impact on the ability of traffic to use evacuation routes, or unreasonably increase traffic volumes on evacuation routes. 	management responses or recovery.
<p>PO8</p> <p>Development involving community infrastructure:</p> <ul style="list-style-type: none"> (a) remains functional to serve community need during and immediately after a flood event; (b) is designed, sited and operated to avoid adverse impacts on the community or environment due to impacts of flooding on infrastructure, facilities or access and egress routes; (c) retains essential site access during a flood event; (d) is able to remain functional even when other infrastructure or services may be compromised in a flood event. 	<p>AO8.1</p> <p>The following uses are not located on land inundated during a DFE/Storm tide:</p> <ul style="list-style-type: none"> (a) community residence; and (b) emergency services; and (c) residential care facility; and (d) utility installations involving water and sewerage treatment plants; and (e) storage of valuable records or items of historic or cultural significance (e.g. archives, museums, galleries, libraries). <p>or</p> <p>AO8.2</p> <p>The following uses are not located on land inundated during a 1% AEP flood event:</p> <ul style="list-style-type: none"> (a) community and cultural facilities, including facilities where an education and care 	<p>Not applicable</p> <p>The application is for Reconfiguring a Lot only.</p>

Performance outcomes	Acceptable outcomes	Applicant response
	<p>service under the Education and care Services National law (Queensland) is operated or child care service under the <i>Child Care Act 2002</i> is conducted,</p> <p>(b) community centres;</p> <p>(c) meeting halls;</p> <p>(d) galleries;</p> <p>(e) libraries.</p> <p>The following uses are not located on land inundated during a 0.5% AEP flood event.</p> <p>(a) emergency shelters;</p> <p>(b) police facilities;</p> <p>(c) sub stations;</p> <p>(d) water treatment plant</p> <p>The following uses are not located on land inundated during a 0.2% AEP flood event:</p> <p>(a) correctional facilities;</p> <p>(b) emergency services;</p> <p>(c) power stations;</p> <p>(d) major switch yards.</p> <p>and/or</p> <p>AO8.3</p> <p>The following uses have direct access to low hazard evacuation routes as defined in Table 8.2.4.3.c :</p>	

Performance outcomes	Acceptable outcomes	Applicant response
	<ul style="list-style-type: none"> (a) community residence; and (b) emergency services; and (c) hospitals; and (d) residential care facility; and (e) sub stations; and (f) utility installations involving water and sewerage treatment plants. 	
	<p>AO8.4</p> <p>Any components of infrastructure that are likely to fail to function or may result in contamination when inundated by flood, such as electrical switch gear and motors, telecommunications connections, or water supply pipeline air valves are:</p> <ul style="list-style-type: none"> (a) located above DFE/Storm tide or the highest known flood level for the site; (b) designed and constructed to exclude floodwater intrusion / infiltration. 	<p>Not applicable</p> <p>The application is for Reconfiguring a Lot only.</p>
	<p>AO8.5</p> <p>Infrastructure is designed and constructed to resist hydrostatic and hydrodynamic forces as a result of inundation by a flood.</p>	<p>Not applicable</p> <p>The application is for Reconfiguring a Lot only.</p>

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

Minimum immunity to be achieved (floor levels)	Uses and elements of activities acceptable in the event
20% AEP level	<ul style="list-style-type: none"> Parks and open space.
5% AEP level	<ul style="list-style-type: none"> Car parking facilities (including car parking associated with use of land).
1% AEP level	<ul style="list-style-type: none"> All development (where not otherwise requiring an alternative level of minimum immunity).
0.5% AEP level	<ul style="list-style-type: none"> Emergency services (if for a police station); Industry activities (if including components which store, treat or use hazardous materials); Substation; Utility installation.
0.2% AEP level	<ul style="list-style-type: none"> Emergency services; Hospital; Major electricity infrastructure; Special industry.

Table 8.2.4.3.c - Degree of flood

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

Note: The evacuation times for various facilities or areas would (but not necessarily) be included in the Counter Disaster Plan.

Generally safe wading conditions assume even walking surfaces and no obstructions, steps, soft underfoot etc.

8.2.10 Transport network overlay code

8.2.10.1 Application

- (1) This code applies to assessing a material change of use, reconfiguring a lot, operational work or building work within the Transport network overlay; if:
 - (a) self-assessable or assessable development where the code is identified as being applicable in the Assessment criteria for the Overlay Codes contained in the Levels of Assessment Tables in section 5.6;
 - (b) impact assessable development.
- (2) Land within the Transport network overlay is identified on the Transport network (Road Hierarchy) overlay map and the Transport network (Pedestrian and Cycle) overlay map in Schedule 2 and includes the following sub-categories:
 - (a) Transport network (Road Hierarchy) overlay sub-categories:
 - i. State controlled road sub-category;
 - ii. Sub-arterial road sub-category;
 - iii. Collector road sub-category;
 - iv. Access road sub-category;
 - v. Industrial road sub-category;
 - vi. Major rural road sub-category;
 - vii. Minor rural road sub-category;
 - viii. Unformed road sub-category;
 - ix. Major transport corridor buffer area sub-category.
 - (b) Transport network (Pedestrian and Cycle) overlay sub-categories:
 - i. Principal route;
 - ii. Future principal route;
 - iii. District route;
 - iv. Neighbourhood route;
 - v. Strategic investigation route.
- (3) When using this code, reference should be made to Part 5.

8.2.10.2 Purpose

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

8.2.10.3 Criteria for assessment

Table 8.2.10.3.a – Transport network overlay code – assessable development

Performance outcomes	Acceptable outcome	Applicant response
For assessable development		
PO1 Development supports the road hierarchy for the region. Note -A Traffic impact assessment report prepared in accordance with Planning scheme policy SC6.10 - Parking and access is one way to demonstrate achievement of the Performance Outcomes.	AO1.1 Development is compatible with the intended role and function of the transport network as identified on the Transport network overlay maps contained in Schedule 2.	Complies with AO1.1 The proposed boundary realignment would not place additional impacts on the road network.
	AO1.2 Development does not compromise the safety and efficiency of the transport network.	Complies with AO1.2 The proposed boundary realignment would not place additional impacts on the road network.
	AO1.3	Complies with AO1.3

Performance outcomes	Acceptable outcome	Applicant response
	Development is designed to provide access via the lowest order road, where legal and practicable access can be provided to that road	The site has only one road frontage to Warner Street.
PO2 Transport infrastructure is provided in an integrated and timely manner. Note - A Traffic impact assessment report prepared in accordance with Planning scheme policy SC6.10 – Parking and access is one way to demonstrate achievement of the Performance Outcomes.	AO2 Development provides infrastructure (including improvements to existing infrastructure) in accordance with: (a) the Transport network overlay maps contained in Schedule 2; (b) any relevant Local Plan. Note – The Translink Public Transport Infrastructure Manual provides guidance on the design of public transport facilities.	Not applicable No infrastructure improvements are required.
PO3 Development involving sensitive land uses within a major transport corridor buffer area is located, designed and maintained to avoid or mitigate adverse impacts on amenity for the sensitive land use.	AO3 No acceptable outcomes are prescribed. Note – Part 4.4 of the Queensland Development Code provides requirements for residential building design in a designated transport noise corridor.	Not applicable The site is not located within the transport noise corridor buffer area or a major transport corridor.
PO4 Development does not compromise the intended role and function or safety and efficiency of major transport corridors. Note - A Traffic impact assessment report prepared in accordance with Planning scheme policy SC6.10 - Parking and access is one way to demonstrate achievement of the Performance Outcomes.	AO4.1 Development is compatible with the role and function (including the future role and function) of major transport corridors.	Not applicable No major transport corridors would be affected by the proposed development.
	AO4.2 Direct access is not provided to a major transport corridor where legal and practical access from another road is available.	Complies with AO4.2 No access would be provided from a major transport corridor.

Performance outcomes	Acceptable outcome	Applicant response
	AO4.3 Intersection and access points associated with major transport corridors are located in accordance with: (a) the Transport network overlay maps contained in Schedule 2; and (b) any relevant Local Plan.	Not applicable No intersections or access points associated with a major transport corridor are proposed.
	AO4.4 The layout of development and the design of the associated access is compatible with existing and future boundaries of the major transport corridor or major transport facility.	Complies with AO4.4 No major transport corridors have been identified in the immediate area.
PO5 Development retains and enhances existing vegetation between a development and a major transport corridor, so as to provide screening to potential noise, dust, odour and visual impacts emanating from the corridor.	AO5 No acceptable outcomes are prescribed.	Complies with AO5 No major transport corridors have been identified in the immediate area.
Pedestrian and cycle network		
PO6 Lot reconfiguration assists in the implementation of the pedestrian and cycle movement network to achieve safe, attractive and efficient pedestrian and cycle networks.	AO6.1 Where a lot is subject to, or adjacent to an element of the pedestrian and cycle Movement network (identified on the Transport network overlay maps contained in Schedule 2) the specific location of this element of the pedestrian and cycle network is incorporated in the design of the lot layout.	Complies with AO6.1 The proposed development would not adversely affect the function of the existing pedestrian or cycle network.

Performance outcomes	Acceptable outcome	Applicant response
	<p>AO6.2</p> <p>The element of the pedestrian and cycle network is constructed in accordance with the Design Guidelines set out in Sections D4 and D5 of the Planning scheme policy SC6.5 – FNQROC Regional Development Manual.</p>	<p>Not applicable</p> <p>No pedestrian or cycle network is required to be constructed as a part of this proposed development.</p>

9.4.1 Access, parking and servicing code

9.4.1.1 Application

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

9.4.1.2 Purpose

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

9.4.1.3 Criteria for assessment

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

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

Performance outcomes	Acceptable outcomes	Applicant response
PO2 Vehicle parking areas are designed and constructed in accordance with relevant standards.	AO2 Vehicle parking areas are designed and constructed in accordance with Australian Standard: (a) AS2890.1; (b) AS2890.3; (c) AS2890.6.	Not applicable The application is for Reconfiguring a Lot only.
PO3 Access points are designed and constructed: (a) to operate safely and efficiently; (b) to accommodate the anticipated type and volume of vehicles (c) to provide for shared vehicle (including cyclists) and pedestrian use, where appropriate; (d) so that they do not impede traffic or pedestrian movement on the adjacent road area; (e) so that they do not adversely impact upon existing intersections or future road or intersection improvements; (f) so that they do not adversely impact current and future on-street parking arrangements; (g) so that they do not adversely impact on	AO3.1 Access is limited to one access cross over per site and is an access point located, designed and constructed in accordance with: (a) Australian Standard AS2890.1; (b) Planning scheme policy SC6.5 – FNQROC Regional Development Manual - access crossovers.	Complies with AO3.1 The existing access to would be retained.
	AO3.2 Access, including driveways or access crossovers: (a) are not placed over an existing: (i) telecommunications pit; (ii) stormwater kerb inlet; (iii) sewer utility hole; (iv) water valve or hydrant.	Not applicable The existing access to would be retained and no new access is proposed.

Performance outcomes	Acceptable outcomes	Applicant response
<p>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>(b) are designed to accommodate any adjacent footpath;</p> <p>(c) adhere to minimum sight distance requirements in accordance with AS2980.1.</p>	
	<p>AO3.3</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 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</p>	<p>Not applicable</p> <p>The existing access to would be retained and no new access is proposed.</p>

Performance outcomes	Acceptable outcomes	Applicant response
	water drainage system.	
	AO3.4 Surface construction materials are consistent with the current or intended future streetscape or character of the area and contrast with the surface construction materials of any adjacent footpath.	Not applicable The existing access to would be retained and no new access is proposed.
PO4 Sufficient on-site wheel chair accessible car parking spaces are provided and are identified and reserved for such purposes.	AO4 The number of on-site wheel chair accessible car parking spaces complies with the rates specified in AS2890 Parking Facilities.	Not applicable The application is for Reconfiguring a Lot only.
PO5 Access for people with disabilities is provided to the building from the parking area and from the street.	AO5 Access for people with disabilities is provided in accordance with the relevant Australian Standard.	Not applicable The application is for Reconfiguring a Lot only.
PO6 Sufficient on-site bicycle parking is provided to cater for the anticipated demand generated by the development	AO6 The number of on-site bicycle parking spaces complies with the rates specified in Table 9.4.1.3.b	Not applicable The application is for Reconfiguring a Lot only.
PO7 Development provides secure and convenient bicycle parking which: (a) for visitors is obvious and located close to the building's main entrance;	AO7.1 Development provides bicycle parking spaces for employees which are co-located with end-of-trip facilities (shower cubicles and lockers);	Not applicable The application is for Reconfiguring a Lot only.

Performance outcomes	Acceptable outcomes	Applicant response
(b) for employees is conveniently located to provide secure and convenient access between the bicycle storage area, end-of-trip facilities and the main area of the building; (c) is easily and safely accessible from outside the site.	AO7.2 Development ensures that the location of visitor bicycle parking is discernible either by direct view or using signs from the street.	Not applicable The application is for Reconfiguring a Lot only.
	AO7.3 Development provides visitor bicycle parking which does not impede pedestrian movement.	Not applicable The application is for Reconfiguring a Lot only.
PO8 Development provides walking and cycle routes through the site which: <ul style="list-style-type: none"> (a) link to the external network and pedestrian and cyclist destinations such as schools, shopping centres, open space, public transport stations, shops and local activity centres along the safest, most direct and convenient routes; (b) encourage walking and cycling; (c) ensure pedestrian and cyclist safety. 	AO8 Development provides walking and cycle routes which are constructed on the carriageway or through the site to: <ul style="list-style-type: none"> (a) create a walking or cycle route along the full frontage of the site; (b) connect to public transport and existing cycle and walking routes at the frontage or boundary of the site. 	Not applicable The application is for Reconfiguring a Lot only.
PO9 Access, internal circulation and on-site parking for service vehicles are designed and constructed: <ul style="list-style-type: none"> (a) in accordance with relevant standards; 	AO9.1 Access driveways, vehicle manoeuvring and onsite parking for service vehicles are designed and constructed in accordance with AS2890.1 and AS2890.2.	Not applicable The existing access to would be retained and no new access is proposed.

Performance outcomes	Acceptable outcomes	Applicant response
<p>(b) so that they do not interfere with the amenity of the surrounding area;</p> <p>(c) so that they allow for the safe and convenient movement of pedestrians, cyclists and other vehicles.</p>	<p>AO9.2</p> <p>Service and loading areas are contained fully within the site.</p>	<p>Not applicable</p> <p>No service or loading areas are required for the proposed development.</p>
	<p>AO9.3</p> <p>The movement of service vehicles and service operations are designed so they:</p> <ul style="list-style-type: none"> (a) do not impede access to parking spaces; (b) do not impede vehicle or pedestrian traffic movement. 	<p>Not applicable</p> <p>The application is for Reconfiguring a Lot only.</p>
<p>PO10</p> <p>Sufficient queuing and set down areas are provided to accommodate the demand generated by the development.</p>	<p>AO10.1</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"> (a) car wash; (b) child care centre; (c) educational establishment where for a school; (d) food and drink outlet, where including a drive through facility; (e) hardware and trade supplies, where including a drive-through facility; (f) hotel, where including a drive-through 	<p>Not applicable</p> <p>No queuing or set down areas are required or proposed.</p>

Performance outcomes	Acceptable outcomes	Applicant response
	facility; (g) service station.	
	AO10.2 Queuing and set-down areas are designed and constructed in accordance with AS2890.1.	Not applicable No queuing or set down areas are required or proposed.

9.4.5 Infrastructure works code

9.4.5.1 Application

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

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

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

9.4.5.2 Purpose

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

9.4.5.3 Criteria for assessment

Table 9.4.5.3.a – Infrastructure works code –assessable development

Performance outcomes	Acceptable outcomes	Applicant Response
For self-assessable and assessable development		

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

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

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

Performance outcomes	Acceptable outcomes	Applicant Response
systems in the locality.	FNQROC Regional Development Manual; or AO4.2 Where not in a sewerage scheme area, the proposed disposal system meets the requirements of Section 33 of the <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> .	
Stormwater quality		
PO5 Development is planned, designed, constructed and operated to avoid or minimise adverse impacts on stormwater quality in natural and developed catchments by: (a) achieving stormwater quality objectives; (b) protecting water environmental values; (c) maintaining waterway hydrology.	AO5.1 A connection is provided from the premises to Council's drainage system; or AO5.2 An underground drainage system is constructed to convey stormwater from the premises to Council's drainage system in accordance with the Design Guidelines set out in Sections D4 and D5 of the Planning scheme policy SC5 – FNQROC Regional Development Manual.	Complies with AO5.1 The lots have existing service connections, which would be retained as part of the development.
	AO5.3 A stormwater quality management plan is prepared, and provides for achievable stormwater quality treatment measures meeting design objectives listed in Table 9.4.5.3.b and Table	Not applicable As no physical works are proposed, a stormwater quality management plan is not considered applicable.

Performance outcomes	Acceptable outcomes	Applicant Response
	9.4.5.3.c , reflecting land use constraints, such as: (a) erosive, dispersive and/or saline soil types; (b) landscape features (including landform); (c) acid sulfate soil and management of nutrients of concern; (d) rainfall erosivity.	
	AO5.4 Erosion and sediment control practices are designed, installed, constructed, monitored, maintained, and carried out in accordance with an erosion and sediment control plan.	Not applicable As no physical works are proposed erosion and sediment control practices are not considered applicable.
	AO5.5 Development incorporates stormwater flow control measures to achieve the design objectives set out in Error! Reference source not found. and Error! Reference source not found. , including management of frequent flows, peak flows, and construction phase hydrological impacts. Note – Planning scheme policy SC5 – FNQROC Regional Development Manual provides guidance on soil and water control measures to meet the requirements of the <i>Environmental Protection Act 1994</i> . 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.	Not applicable As no physical works are proposed, a stormwater quality management plan is not considered applicable.
Non-tidal artificial waterways		

Performance outcomes	Acceptable outcomes	Applicant Response
PO6 Development involving non-tidal artificial waterways is planned, designed, constructed and operated to: <ul style="list-style-type: none"> (a) protect water environmental values; (b) be compatible with the land use constraints for the site for protecting water environmental values; (c) be compatible with existing tidal and non-tidal waterways; (d) perform a function in addition to stormwater management; (e) achieve water quality objectives. 	AO6.1 Development involving non-tidal artificial waterways ensures: <ul style="list-style-type: none"> (a) environmental values in downstream waterways are protected; (b) any ground water recharge areas are not affected; (c) the location of the waterway incorporates low lying areas of the catchment connected to an existing waterway; (d) existing areas of ponded water are included. 	Not applicable No artificial waterways are proposed.
	AO6.2 Non-tidal artificial waterways are located: <ul style="list-style-type: none"> (a) outside natural wetlands and any associated buffer areas; (b) to minimise disturbing soils or sediments; (c) to avoid altering the natural hydrologic regime in acid sulfate soil and nutrient hazardous areas. 	Not applicable No artificial waterways are proposed.
	AO6.3 Non-tidal artificial waterways located adjacent to, or connected to a tidal waterway by means of a weir, lock, pumping system or similar ensures: <ul style="list-style-type: none"> (a) there is sufficient flushing or a tidal range of >0.3 m; or (b) any tidal flow alteration does not adversely 	Not applicable No artificial waterways are proposed.

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

Performance outcomes	Acceptable outcomes	Applicant Response
	and pests and vectors are managed through design and maintenance.	
Wastewater discharge		
PO7 Discharge of wastewater to waterways, or off site: (a) meets best practice environmental management; (b) is treated to: (i) meet water quality objectives for its receiving waters; (ii) avoid adverse impact on ecosystem health or waterway health; (iii) maintain ecological processes, riparian vegetation and waterway integrity; (iv) offset impacts on high ecological value waters.	AO7.1 A wastewater management plan is prepared and addresses: (a) wastewater type; (b) climatic conditions; (c) water quality objectives; (d) best practice environmental management.	Not applicable No wastewater would be discharged from the site except through Council's waste water system.
	AO7.2 The waste water management plan is managed in accordance with a waste management hierarchy that: (a) avoids wastewater discharge to waterways; or (b) if wastewater discharge cannot practicably be avoided, minimises wastewater discharge to waterways by re-use, recycling, recovery and treatment for disposal to sewer, surface water and ground water.	Not applicable No wastewater would be discharged from the site except through Council's waste water system.
	AO7.3 Wastewater discharge is managed to avoid or minimise the release of nutrients of concern so as to minimise the occurrence, frequency and	Not applicable No wastewater would be discharged from the site except through Council's waste water system.

Performance outcomes	Acceptable outcomes	Applicant Response
	intensity of algal blooms.	
	<p>AO7.4</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, aluminum 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>Not applicable</p> <p>No wastewater would be discharged from the site except through Council's waste water system.</p>
Electricity supply		
PO8	AO8.1	Complies with AO8.1

Performance outcomes	Acceptable outcomes	Applicant Response
Development is provided with a source of power that will meet its energy needs.	<p>A connection is provided from the premises to the electricity distribution network;</p> <p>or</p> <p>AO8.2</p> <p>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.</p> <p>Note - Areas north of the Daintree River have a different standard.</p>	The lots have existing service connections, which would be retained as part of the development.
	<p>AO9.1</p> <p>Pad-mount electricity infrastructure is:</p> <p>(a) not located in land for open space or sport and recreation purposes;</p> <p>(b) screened from view by landscaping or fencing;</p> <p>(c) accessible for maintenance.</p>	<p>Not applicable</p> <p>No pad-mount electricity infrastructure is proposed.</p>
<p>PO9</p> <p>Development incorporating pad-mount electricity infrastructure does not cause an adverse impact on amenity.</p>	<p>AO9.2</p> <p>Pad-mount electricity infrastructure within a building, in a Town Centre is designed and located to enable an active street frontage.</p> <p>Note – Pad-mounts in buildings in activity centres should not be located on the street frontage.</p>	<p>Not applicable</p> <p>No pad-mount electricity infrastructure is proposed.</p>
Telecommunications		

Performance outcomes	Acceptable outcomes	Applicant Response
PO10 Development is connected to a telecommunications service approved by the relevant telecommunication regulatory authority.	AO10 The development is connected to telecommunications infrastructure in accordance with the standards of the relevant regulatory authority.	Complies with AO10 The lots have existing service connections, which would be retained as part of the development.
PO11 Provision is made for future telecommunications services (e.g. fibre optic cable).	AO11 Conduits are provided in accordance with Planning scheme policy SC5 – FNQROC Regional Development Manual.	Not applicable The lots have existing service connections, which would be retained as part of the development.
Road construction		
PO12 The road to the frontage of the premises is constructed to provide for the safe and efficient movement of: (a) pedestrians and cyclists to and from the site; (b) pedestrians and cyclists adjacent to the site; (c) vehicles on the road adjacent to the site; (d) vehicles to and from the site; (e) emergency vehicles.	AO12.1 The road to the frontage of the site is constructed in accordance with the Design Guidelines set out in Sections D1 and D3 of the Planning scheme policy SC5 – FNQROC Regional Development Manual, for the particular class of road, as identified in the road hierarchy.	Complies with AO12.1 The site has a frontage to Warner Street, which is a fully constructed and Council maintained road.
	AO12.2 There is existing road, kerb and channel for the full road frontage of the site.	Complies with AO12.2 The site has a frontage to Warner Street, which is a fully constructed and Council maintained road.
	AO12.3 Road access minimum clearances of 3.5 metres wide and 4.8 metres high are provided for the safe passage of emergency vehicles.	Not applicable No changes to the road access points are proposed.

Performance outcomes	Acceptable outcomes	Applicant Response
Alterations and repairs to public utility services		
PO13 Infrastructure is integrated with, and efficiently extends, existing networks.	AO13 Development is designed to allow for efficient connection to existing infrastructure networks.	Complies with AO13 No alterations are required to accommodate the development.
PO14 Development and works do not affect the efficient functioning of public utility mains, services or installations.	AO14.1 Public utility mains, services and installations are not required to be altered or repaired as a result of the development; or AO14.2 Public utility mains, services and installations are altered or repaired in association with the works so that they continue to function and satisfy the relevant Design Guidelines set out in Section D8 of the Planning scheme policy SC5 – FNQROC Regional Development Manual.	Not applicable No alterations to the infrastructure network would be required.
Construction management		
PO15 Work is undertaken in a manner which minimises adverse impacts on vegetation that is to be retained.	AO15 Works include, at a minimum: (a) installation of protective fencing around retained vegetation during construction; (b) erection of advisory signage; (c) no disturbance, due to earthworks or storage of plant, materials and equipment, of ground	Not applicable No works are proposed as a part of the development.

Performance outcomes	Acceptable outcomes	Applicant Response
	<p>level and soils below the canopy of any retained vegetation;</p> <p>(d) removal from the site of all declared noxious weeds.</p>	
PO16 Existing infrastructure is not damaged by construction activities.	AO16 Construction, alterations and any repairs to infrastructure is undertaken in accordance with the Planning scheme policy SC5 – FNQROC Regional Development Manual. Note - Construction, alterations and any repairs to State-controlled roads and rail corridors are undertaken in accordance with the Transport Infrastructure Act 1994.	Not applicable No constructure activities are proposed.
For assessable development		
High speed telecommunication infrastructure		
PO17 Development provides infrastructure to facilitate the roll out of high speed telecommunications infrastructure.	AO17 No acceptable outcomes are prescribed.	Complies with AO17 The lots have existing service connections, which would be retained as part of the development.
Trade waste		
PO18 Where relevant, the development is capable of providing for the storage, collection treatment and disposal of trade waste such that:	AO18 No acceptable outcomes are prescribed.	Not applicable The application is for reconfiguring a lot only, no trade waste would be produced.

Performance outcomes	Acceptable outcomes	Applicant Response
<p>(a) off-site releases of contaminants do not occur;</p> <p>(b) the health and safety of people and the environment are protected;</p> <p>(c) the performance of the wastewater system is not put at risk.</p>		
Fire services in developments accessed by common private title		
<p>PO19</p> <p>Hydrants are located in positions that will enable fire services to access water safely, effectively and efficiently.</p>	<p>AO19.1</p> <p>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.</p>	<p>Not applicable</p> <p>No common private title is proposed.</p>
	<p>AO19.2</p> <p>Commercial and industrial streets and access ways within a common private title serving commercial properties such as factories and warehouses and offices are provided with above or below ground fire hydrants located at not more than 90 metre intervals and at each intersection. Above ground fire hydrants have dual-valved outlets.</p>	<p>Not applicable</p> <p>No common private title is proposed.</p>
<p>PO20</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>AO20</p> <p>No acceptable outcomes are prescribed.</p>	<p>Not applicable</p> <p>No common private title is proposed.</p>

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
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Performance outcomes	Acceptable outcomes	Applicant response
General lot design standards		
PO1 Lots comply with the lot reconfiguration outcomes of the applicable Zone code in Part 5.	AO1 No acceptable outcomes are prescribed.	Complies with AO1 The proposed lots would exceed the accepted minimum 600m ² area under the centre zone.
PO2 New lots are generally rectangular in shape with functional areas for land uses intended by the zone.	AO2 Boundary angles are not less than 45 degrees.	Complies with AO2 The proposed lots would be rectangular in shape.
PO3 Lots have legal and practical access to a public road.	AO3 Each lot is provided with: (a) direct access to a gazetted road reserve; or (b) access to a gazetted road via a formal access arrangement registered on the title.	Complies with AO3 Each of the lots would retain access from Warner Street.
PO4 Development responds appropriately to its local context, natural systems and site features.	AO4 Existing site features such as: (a) significant vegetation and trees; (b) waterways and drainage paths; (c) vistas and vantage points are retained and/or are incorporated into open space, road reserves, near to lot boundaries or as common property.	Complies with AO4 The application is for Boundary Realignment only, no change to the existing overall built form of the site or vegetation is proposed.
PO5 New lots which have the capability of being further reconfigured into smaller lots at a later date are designed to not compromise ultimate	AO5 The ability to further reconfigure land at a later date is demonstrated by submitting a concept plan that meets the planning scheme	Not applicable The proposed lots would not be capable of further reconfiguration.




Performance outcomes	Acceptable outcomes	Applicant response
development outcomes permitted in the relevant zone.	requirements for the applicable Zone.	
<p>PO6</p> <p>Where existing buildings or structures are to be retained, development results in:</p> <ul style="list-style-type: none"> (a) boundaries that offer regular lot shapes and usable spaces; (b) existing improvements complying with current building and amenity standards in relation to boundary setbacks. <p>Note - This may require buildings or structures to be modified, relocated or demolished to meet setback standards, resolve encroachments and the like.</p>	<p>AO6</p> <p>Development ensures setbacks between existing buildings or structures and proposed boundaries satisfy relevant building standards or zone code requirements, whichever is the greater.</p>	<p>Complies with AO6</p> <p>The proposed development would ensure compliance with the relevant standards.</p>
<p>PO7</p> <p>Where rear lots are proposed, development:</p> <ul style="list-style-type: none"> (a) provides a high standard of amenity for residents and other users of the site and adjoining properties; (b) positively contributes to the character of adjoining properties and the area; (c) does not adversely affect the safety and efficiency of the road from which access is gained. 	<p>AO7.1</p> <p>Where rear lots are to be established:</p> <ul style="list-style-type: none"> (a) the rear lot is generally rectangular in shape, avoiding contrived sharp boundary angles; (b) no more than 6 lots directly adjoin the rear lot; (c) no more than one rear lot occurs behind the road frontage lot; (d) no more than two access strips to rear lots directly adjoin each other; (e) access strips are located only on one side of the road frontage lot. 	<p>Not applicable</p> <p>No rear lots are proposed.</p>
	<p>AO7.2</p> <p>Access strips to the rear lot have a minimum width dimension of:</p>	<p>Not applicable</p> <p>No rear lots are proposed.</p>

Performance outcomes	Acceptable outcomes	Applicant response
	(a) 4.0 metres in Residential Zones. (b) 8.0 metres in Industrial Zones category. (c) 5.0 metres in all other Zones. Note - Rear lots are generally not appropriate in non-Residential or non-Rural zones.	
	A07.3 Access strips are provided with a sealed pavement of sufficient width to cater for the intended traffic, but no less than: (a) 3.0 metres in Residential Zone. (b) 6.0 metres in an Industrial Zone. (c) 3.5 metres in any other Zone.	Not applicable No rear lots are proposed.
Structure plans Additional requirements for: (a) a site which is more than 5,000m ² in any of the Residential zones; or within these zones, and (b) creates 10 or more lots; or (c) involves the creation of new roads and/or public use land. or (d) For a material change of use involving: (i) preliminary approval to vary the effect of the planning scheme; (ii) establishing alternative Zones to the planning scheme. Note - This part is to be read in conjunction with the other parts of the code		
PO8 A structure plan is prepared to ensure that neighbourhood design, block and lot layout, street	A08.1 Neighbourhood design, lot and street layout, and open space provides for, and integrates	Not applicable The site has an area of less than 5,000m ² .

Performance outcomes	Acceptable outcomes	Applicant response
network and the location and provision on any open space recognises previous planning for the area and its surroundings, and integrates appropriately into its surroundings.	<p>with, any:</p> <ul style="list-style-type: none"> (a) approved structure plan; (b) the surrounding pattern of existing or approved subdivision. <p>Note - Planning scheme policy SC14– Structure planning provides guidance on meeting the performance outcomes.</p>	
	<p>AO8.2</p> <p>Neighbourhood design, lot and street layouts enable future connection and integration with adjoining undeveloped land.</p>	<p>Not applicable</p> <p>The site has an area of less than 5,000m².</p>
<p>PO9</p> <p>Neighbourhood design results in a connected network of walkable streets providing an easy choice of routes within and surrounding the neighbourhood.</p>	<p>AO9.1</p> <p>Development does not establish cul-de-sac streets unless:</p> <ul style="list-style-type: none"> (a) cul-de-sacs are a feature of the existing pattern of development in the area; (b) there is a physical feature or incompatible zone change that dictates the need to use a cul-de- sac streets. 	<p>Not applicable</p> <p>The site has an area of less than 5,000m².</p>
	<p>AO9.2</p> <p>Where a cul-de-sac street is used, it:</p> <ul style="list-style-type: none"> (a) is designed to be no longer than 150 metres in length; (b) is designed so that the end of the cul-de-sac is visible from its entrance; (c) provides connections from the top of the cul- de-sac to other streets for pedestrians and cyclists, where appropriate. 	<p>Not applicable</p> <p>The site has an area of less than 5,000m².</p>

Performance outcomes	Acceptable outcomes	Applicant response
	AO9.3 No more than 6 lots have access to the turning circle or turning-tee at the end of a cul-de-sac street.	Not applicable The site has an area of less than 5,000m ² .
PO10 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.	PO10 No acceptable outcomes are prescribed.	Not applicable The site has an area of less than 5,000m ² .
PO11 Provision of physical and social infrastructure in developing residential neighbourhoods is facilitated through the orderly and sequential development of land. Note - Part 4 – Local government infrastructure plan may identify specific levels of infrastructure to be provided within development sites.	AO11.1 New development adjoins adjacent existing or approved urban development.	Not applicable The site has an area of less than 5,000m ² .
	AO11.2 New development is not established beyond the identified Local government infrastructure plan area.	Not applicable The site has an area of less than 5,000m ² .
Urban parkland and environmental open space		
PO12 Where appropriate development maintains and enhances public access and use of natural areas, rivers, dams, creeks and the foreshore.	AO12 No acceptable outcomes are prescribed.	Not applicable The site has an area of less than 5,000m ² .
PO13 Development provides land to: (a) meet the recreation needs of the	AO13 No acceptable outcomes are prescribed. Note - Part 4 – Priority infrastructure plan and Planning scheme policy SC14 – Structure Plans provides guidance in providing	Not applicable The site has an area of less than 5,000m ² .

Performance outcomes	Acceptable outcomes	Applicant response
community; (b) provide an amenity commensurate with the structure of neighbourhoods and land uses in the vicinity; and adjacent to open space areas; (c) provide for green corridors and linkages.	open space and recreation land.	
AO14 Lot size, dimensions, frontage and orientation permits buildings to be established that will facilitate casual surveillance to urban parkland and environmental open space.	AO14.1 Urban parkland is regular in shape.	Not applicable The site has an area of less than 5,000m ² .
	AO14.2 At least 75% of the urban parkland's frontage is provided as road.	Not applicable The site has an area of less than 5,000m ² .
	AO14.3 Urban parkland and environmental open space areas are positioned to be capable of being overlooked by surrounding development.	Not applicable The site has an area of less than 5,000m ² .
	AO14.4 Surrounding lots are orientated so that facades will front and overlook the urban parkland and environmental open space.	Not applicable The site has an area of less than 5,000m ² .
	AO14.5 The number of lots that back onto, or are side-orientated to the urban parkland and environmental open space is minimised.	Not applicable The site has an area of less than 5,000m ² .

Performance outcomes	Acceptable outcomes	Applicant response
	 <p>Inconsistent design solution - low total number of lots complying with the acceptable outcomes.</p>  <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>	
Private subdivisions (gated communities)		
PO15 Private subdivisions (gated communities) do not compromise the establishment of connected and integrated infrastructure and open space networks.	PO15 No acceptable outcomes are prescribed.	Not applicable The site has an area of less than 5,000m ² .

Performance outcomes	Acceptable outcomes	Applicant response
Additional requirements for reconfiguration involving the creation of public streets or roads		
PO16 The function of new roads is clearly identified and legible and provides integration, safety and convenience for all users.	AO16 No acceptable outcomes are prescribed. Note - The design and construction standards are set out in Planning scheme policy SC5 – FNQROC Regional Development Manual, with reference to the specifications set out in Sections D1 and D3.	Not applicable The site has an area of less than 5,000m ² .
PO17 Street design supports an urban form that creates walkable neighbourhoods. Street design: (a) is appropriate to the function(s) of the street; (b) meets the needs of users and gives priority to the needs of vulnerable users.	AO17 No acceptable outcomes are prescribed.	Not applicable The site has an area of less than 5,000m ² .
Public transport network		
PO18 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.	AO18 No acceptable outcomes are prescribed.	Not applicable The site has an area of less than 5,000m ² .
Pest plants		
PO19 Development activities and sites provide for the removal of all pest plants and implement ongoing measures to ensure that pest plants do not	AO19 Pest plants detected on a development site are removed in accordance with a management plan prepared by an appropriately qualified person	Not applicable The site has an area of less than 5,000m ² .

Performance outcomes	Acceptable outcomes	Applicant response
<p>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>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>	