

DA Form 1 – Development application details

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

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

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

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

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

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

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

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

PART 1 – APPLICANT DETAILS

1) Applicant details	
Applicant name(s) (individual or company full name)	John & Iolanda Di Bartolo and Frank & Santina Di Bartolo
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)	AU012702

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

PART 2 – LOCATION DETAILS

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

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

3.1) Street address and lot on plan

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

a)	Unit No.	Street No.	Street Name and Type	Suburb
		11	Wilson Street	Mossman
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)
	4873	45	RP707231	Douglas Shire Council
b)	Unit No.	Street No.	Street Name and Type	Suburb
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)

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

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

☐ Coordinates of premises by longitude and latitude

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

☐ Coordinates of premises by easting and northing

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

3.3) Additional premises

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

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

☐ In or adjacent to a water body or watercourse or in or above an aquifer
Name of water body, watercourse or aquifer:

☐ On strategic port land under the *Transport Infrastructure Act 1994*
Lot on plan description of strategic port land:
Name of port authority for the lot:

☐ In a tidal area
Name of local government for the tidal area (if applicable):
Name of port authority for tidal area (if applicable):

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

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

5) Are there any existing easements over the premises?

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

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

PART 3 – DEVELOPMENT DETAILS

Section 1 – Aspects of development

6.1) Provide details about the first development aspect

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

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

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

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

c) What is the level of assessment?

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

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

Reconfiguring a Lot (Access Easement)

e) Relevant plans

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

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

6.2) Provide details about the second development aspect

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

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

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

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

c) What is the level of assessment?

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

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

e) Relevant plans

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

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

6.3) Additional aspects of development

☐ Additional aspects of development are relevant to this development application and the details for these aspects that would be required under Part 3 Section 1 of this form have been attached to this development application

- ☒ Not required

Section 2 – Further development details

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

Division 1 – Material change of use

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

8.1) Describe the proposed material change of use			
Provide a general description of the proposed use	Provide the planning scheme definition (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?	
1	
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 type="checkbox"/> Boundary realignment (complete 12))	<input checked="" 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)

12.2) What is the reason for the boundary realignment?

--

13) What are the dimensions and nature of any existing easements being changed and/or any proposed easement? (attach schedule if there are more than two easements)

Existing or proposed?	Width (m)	Length (m)	Purpose of the easement? (e.g. pedestrian access)	Identify the land/lot(s) benefitted by the easement
Proposed	5	66.4	Vehicle Access	Lot 2 on RP709604

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"/> Stormwater	<input type="checkbox"/> Water infrastructure
<input type="checkbox"/> Drainage work	<input type="checkbox"/> Earthworks	<input type="checkbox"/> Sewage infrastructure
<input type="checkbox"/> Landscaping	<input type="checkbox"/> Signage	<input type="checkbox"/> Clearing vegetation
<input type="checkbox"/> Other – please specify: _____		

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:	
-----------------------------	--	-----------	--

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	

11 WILSON STREET, MOSSMAN - RECONFIGURING A LOT (ACCESS EASEMENT)

Town Planning Report



AU012702
B
19 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	18/10/2023
B	Application Submission	S Leggerini	P Clifton	P Clifton	19/10/2023

Approval for issue

P Clifton



19 October 2023

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

Prepared by:

Prepared for:

RPS

J & I & F & S Di Bartolo

Sam Leggerini
Planner

135 Abbott Street
Cairns QLD 4870

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

Contents

SUMMARY	1
1 INTRODUCTION	2
2 SITE DETAILS	3
2.1 Site Particulars	3
2.2 Planning Context	4
3 PROPOSAL	6
4 LEGISLATIVE REQUIREMENTS	7
4.1 Assessment Manager	7
4.2 Categories of Assessment	7
4.3 Referrals	7
4.4 Public Notification	7
5 STATUTORY PLANNING ASSESSMENT	8
5.1 Overview	8
5.2 State and Regional Assessment Benchmarks	8
5.2.1 Regional Plan	8
5.2.2 State Planning Policy	8
5.2.3 Development Assessment under Schedule 10 (SDAP)	8
5.3 Local Authority Assessment Benchmarks	8
6 CONCLUSION	10

Tables

Table 1: Summary	1
Table 2: Site Particulars	3
Table 3: Planning Context	4
Table 4: Categories of Assessment	7
Table 5: Planning Scheme Code Responses	8

Figures

Figure 1 Site Location	3
Figure 2 Zoning	5
Figure 3 Proposal Plan	6

Appendices

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

SUMMARY

Table 1: Summary

Details			
Site Address:	11 Wilson Street, Mossman		
Real Property Description:	Lot 45 on RP707231		
Site Area:	1,335m ²		
Regional Plan Land Use Designation:	Urban Footprint		
Zone/Precinct:	Low-medium Density Residential		
Neighbourhood Plan/Precinct:	Mossman Local Plan		
Owner(s):	John & Iolanda Di Bartolo and Frank & Santina Di Bartolo		
Proposal			
Brief Description/ Purpose of Proposal	Reconfiguring a Lot (Access Easement)		
Application Details			
Aspect of Development	Preliminary approval	Development permit	
Material change of use	<input type="checkbox"/>	<input type="checkbox"/>	
Building Work	<input type="checkbox"/>	<input type="checkbox"/>	
Operational Work	<input type="checkbox"/>	<input type="checkbox"/>	
Reconfiguration of a Lot	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Assessment Category	<input checked="" type="checkbox"/> Code	<input type="checkbox"/> Impact	
Public Notification	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes	
Superseded Planning Scheme Application	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	
Referral Agencies			
Agency	Concurrence	Advice	Pre-lodgement response
Nil	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
Other			
Applicant contact person	Sam Leggerini Planner D: +61 7 4031 1336 E: sam.leggerini@rpsgroup.com.au		

1 INTRODUCTION

RPS AAP Consulting Pty Ltd has been engaged by J & I & F & S Di Bartolo to seek development approval for Reconfiguring a Lot (Access Easement) on land located at 11 Wilson Street, Mossman, and described as Lot 45 on RP707231 in favour of 14 Front Street, Mossman, described as Lot 2 on RPS709604.

Lot 45 on RP707231 is a regular shaped lot with an area of 1,335m² and a road frontage to Willson Street of approximately 20.40 metres. The site is currently improved by a single dwelling house located approximately in the centre of the site and an outbuilding located towards the rear of the site. An access driveway from Wilson Street runs the length of the site adjacent to the northern side boundary and provides informal access to 14 Front Street, Mossman, to the west.

This application is for a Development Permit for Reconfiguring a Lot to formalise the existing access arrangement. The access easement would be 5 metres wide and contain an area of approximately 332m² and would be located adjacent to the northern boundary of Lot 45 on RP707231.

Under the Douglas Shire Planning Scheme 2018 Version 1.0, the site is identified within the Low-medium Density Residential Zone, the Mossman Local Plan area and is affected by the following overlays:

- Acid Sulfate Soils;
- Landscape Values; and
- Transport Network.

In accordance with the Tables of Assessment, Reconfiguring a Lot for the purposes of establishing an access easement, 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 11 Wilson Street, Mossman and is described as Lot 45 on RP707231.

Lot 45 on RP707231 is a regular shaped lot with an area of 1,335m² and a road frontage to Willson Street of approximately 20 metres. The site is currently improved by a single dwelling house located approximately in the centre of the site and an outbuilding located towards the rear of the site. A vehicle access runs the length of the site adjacent to the northern side boundary from Wilson Street, which provides informal access to land to the west at 14 Front Street.

The area containing the site can be categorised by a mix of development. To the north and east of the site is primarily residential development, with a mix of single detached dwellings and multiple dwelling development. To the west land fronting Front Street forms the town centre of Mossman and contains retail and commercial uses. To the south, the site adjoins a lot that is being used as a vehicle depot.

Table 2: Site Particulars

Site Particulars	
Site Address	11 Wilson Street, Mossman
Real Property Description	Lot 45 on RP707231
Site Area	1,335m ²
Landowner(s)	John & Iolanda Di Bartolo and Frank & Santina Di Bartolo

The site location and its extent is shown in **Figure 1** below. A Certificate of title confirming site ownership details is included at **Appendix A**.



Figure 1 Site Location

Source: Queensland Globe 2023

2.2 Planning Context

The planning context of the site includes the following:

Table 3: Planning Context

Instrument	Designation
State Planning Policy Mapping	
Safety and Resilience to Hazards	<ul style="list-style-type: none"> Natural Hazard Risk and Resilience <ul style="list-style-type: none"> Flood hazard area – Level 1 – Queensland floodplain assessment overlay
Development Assessment Mapping	
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"> Low-medium Density Residential Zone
Local Plan	<ul style="list-style-type: none"> Mossman Local Plan
Overlays	<ul style="list-style-type: none"> Acid Sulfate Soils <ul style="list-style-type: none"> Acid Sulfate Soils (5-20m AHD) Landscape Values <ul style="list-style-type: none"> Scenic Buffer Area – Gateway

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



Figure 2 Zoning

Source: Douglas Shire Planning Scheme 2018 Version 1.0

3 PROPOSAL

It is proposed to establish an Access Easement over Lot 45 on RP707231 in favour of Lot 2 on RP709604 to create the legal right of access from Wilson Street into the rear parking area on Lot 2. The proposed easement would be 5 metres wide and have an area of approximately 332m². It would be located over the existing vehicle access that runs along the length of the site adjacent to the northern boundary of Lot 45.

No other development would occur as a part of the proposal. A proposed plan is provided for reference at **Appendix C**.

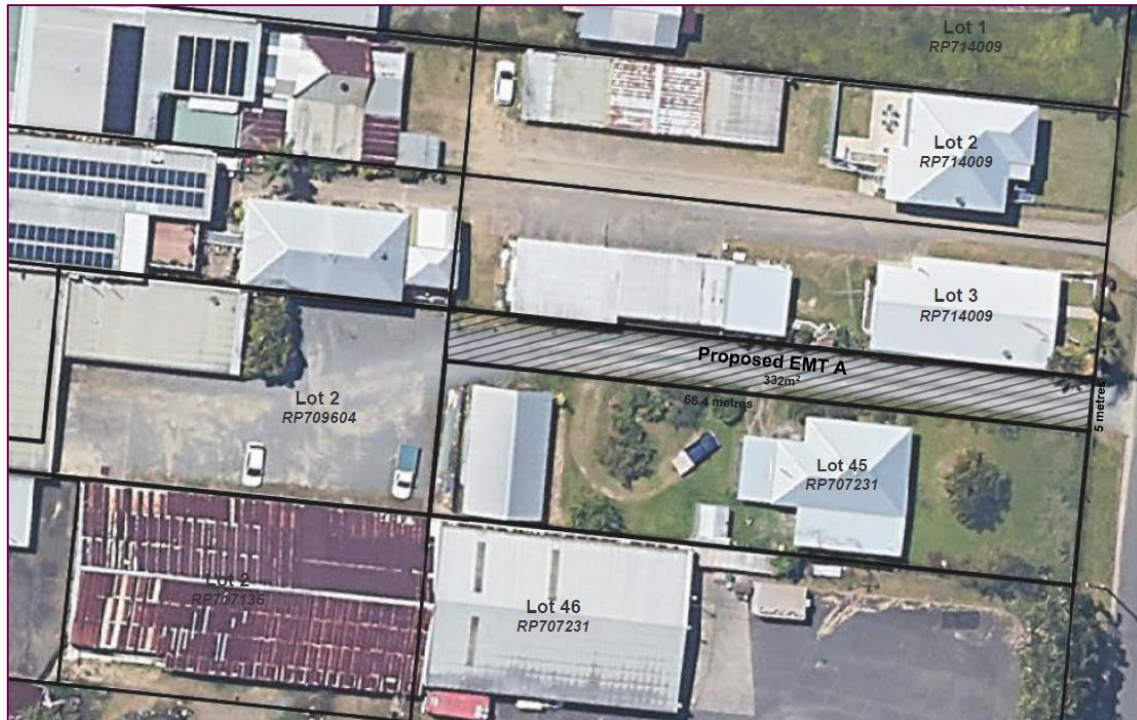


Figure 3 Proposal Plan

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 4: Categories of Assessment

Aspect of development	Categorising instrument	Category of assessment
Reconfiguring a Lot (Access Easement)	Table 5.6.g – Low-medium Density Residential Zone, Douglas Shire Planning Scheme 2018 Version 1.0	Code

4.3 Referrals

The 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 Regional Plan

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 State Planning Policy

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.

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 5: Planning Scheme Code Responses

Planning Scheme Codes	Applicability	Response
Zone and Local Plan codes		
Low-medium Density Residential Zone Code	Applies	Complies with the applicable Assessment Benchmarks.
Mossman Local Plan Code	Applies	Complies with the applicable Acceptable Outcomes.
Overlay Codes		
Acid Sulfate Soils Overlay Code	Applies	Complies with the applicable Acceptable Outcomes.

REPORT

Planning Scheme Codes	Applicability	Response
Landscape Values Overlay Code	Not applicable	No applicable assessment benchmarks
Transport Network Overlay Code	Applies	Complies with the applicable Acceptable Outcomes.
Development Codes		
Access, Parking and Servicing Code	Not applicable	The application is for an access easement over an existing access only No new access or car parking demand would be created by the development..
Environmental Performance Code	Not applicable	No Assessment Benchmarks are applicable to an access easement.
Filling and Excavation Code	Not applicable	No filling or excavation is proposed.
Infrastructure Works Code	Not applicable	No infrastructure related works are proposed or required.
Landscaping Code	Not applicable	No additional landscaping is proposed or required.
Reconfiguring a Lot Code	Applies	Complies with the applicable Acceptable Outcome.
Vegetation Management Code	Not applicable	No vegetation damage is proposed.

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

The proposed development is compliant with the relevant Assessment Benchmarks and, in accordance with the *Planning Act 2016*, the Council as Assessment Manager are obligated to approve the development.

6 CONCLUSION

RPS AAP Consulting Pty Ltd has been engaged by J & I & F & S Di Bartolo to seek development approval for Reconfiguring a Lot (Access Easement) on land located at 11 Wilson Street, Mossman, and described as Lot 45 on RP707231 in favour of 14 Front Street, Mossman, described as Lot 2 on RPS709604.

Lot 45 on RP707231 is a regular shaped lot with an area of 1,335m² and a road frontage to Willson Street of approximately 20.40 metres. The site is currently improved by a single dwelling house located approximately in the centre of the site and an outbuilding located towards the rear of the site. An access driveway from Wilson Street runs the length of the site adjacent to the northern side boundary and provides informal access to 14 Front Street, Mossman, to the west.

This application is for a Development Permit for Reconfiguring a Lot to formalise the existing access arrangement. The access easement would be 5 metres wide and contain an area of approximately 332m² and would be located adjacent to the northern boundary of Lot 45 on RP707231.

In accordance with the Tables of Assessment, Reconfiguring a Lot for the purposes of establishing an access easement, 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.

An assessment against the applicable Assessment Benchmarks has demonstrated that the development is compliant with the relevant Assessment Benchmarks and, in accordance with the *Planning Act 2016*, the Council as Assessment Manager are obligated to approve the development. The application is submitted for approval subject to reasonable and relevant conditions.

Appendix A

Certificate of Title

Queensland Titles Registry Pty Ltd
ABN 23 648 568 101

Title Reference:	21109168	Search Date:	16/10/2023 11:23
Date Title Created:	11/01/1980	Request No:	45966505
Previous Title:	20614204, 20614205		

ESTATE AND LAND

Estate in Fee Simple

LOT 45 REGISTERED PLAN 707231
Local Government: DOUGLAS

REGISTERED OWNER

JOHN DI BARTOLO
IOLANDA DI BARTOLO
FRANK DI BARTOLO
SANTINA DI BARTOLO

JOINT TENANTS

EASEMENTS, ENCUMBRANCES AND INTERESTS

1. Rights and interests reserved to the Crown by
Deed of Grant No. 10562121 (POR 72)

ADMINISTRATIVE ADVICES

NIL

UNREGISTERED DEALINGS

NIL

** End of Current Title Search **

Appendix B

Douglas Shire Council Planning Scheme Property Report

2018 Douglas Shire Council Planning Scheme Property Report

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

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

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 [11 Wilson Street MOSSMAN](#)

Lot Plan [45RP707231](#) (Freehold - 1335m²)



☒ 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







Low-medium Density Residential

More Information

- [View Section 6.2.7 Low-Medium Density Residential Zone Code](#)
- [View Section 6.2.7 Low-Medium Density Residential Zone Compliance table](#)
- [View Section 6.2.7 Low-Medium Density Residential Zone Assessment table](#)

Douglas Shire Planning Scheme 2018 version 1.0

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

 Local Plans	Applicable Precinct or Area Mossman Not Part of a Precinct	More Information <ul style="list-style-type: none"> View Section 7.2.3 Mossman Local Plan Code View Section 7.2.3 Mossman Local Plan Compliance table
 Acid Sulfate Soils	Applicable Precinct or Area Acid Sulfate Soils (5-20m 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
 Landscape Values	Scenic Buffer Area Gateway	More Information <ul style="list-style-type: none"> View Section 8.2.6 Landscape Values Overlay Code View Section 8.2.6 Landscape Values Overlay Compliance table
 Transport Noise Corridors	Applicable Precinct or Area Category 0: Noise Level < 58 dB(A)	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
 Transport Pedestrian Cycle	Applicable Precinct or Area District Route	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
 Transport Road Hierarchy	Applicable Precinct or Area Access 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
Low-medium Density Residential

- More Information**
- [View Section 6.2.7 Low-Medium Density Residential Zone Code](#)
 - [View Section 6.2.7 Low-Medium Density Residential Zone Compliance table](#)
 - [View Section 6.2.7 Low-Medium Density Residential Zone Assessment table](#)



☒ Selected Property

☐ Property

<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

Mossman

Not Part of a Precinct

More Information

- [View Section 7.2.3 Mossman Local Plan Code](#)
- [View Section 7.2.3 Mossman 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

☒ 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

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

☒ Live Entertainment Precinct

Indicative Future Open Space

☒ Indicative Future Open Space

☒ Road Reserve Esplanade

Acid Sulfate Soils

Applicable Precinct or Area
Acid Sulfate Soils (5-20m AHD)

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



☒ Selected Property

☐ Property

Acid Sulfate Soils

☒ Acid Sulfate Soils (< 5m AHD)

☐ Acid Sulfate Soils (5-20m AHD)









☐ all others





Landscape Values

Scenic Buffer Area
Gateway

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



 Selected Property	 Property	Scenic Buffer Area  Gateway  View corridor	 Lookout  all others	 Scenic route	 Scenic route buffer
--	--	---	---	--	---

Landscape Values  Coastal scenery	 High landscape values	 Medium Landscape Value	 all others
---	---	--	--

Transport Noise Corridors

Applicable Precinct or Area

Category 0: Noise Level < 58 dB(A)

More Information

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



☒ Selected Property

☐ Property

Transport Noise Corridors Mandatory Area

- | | | |
|---|---|--|
| <input type="checkbox"/> Category 0: Noise Level < 58 dB(A) | <input type="checkbox"/> Category 1: 58 dB(A) =< Noise Level < 63 dB(A) | <input type="checkbox"/> Category 2: 63 dB(A) < Noise Level < 68 dB(A) |
| <input type="checkbox"/> Category 3: 68 dB(A) =< Noise Level < 73 dB(A) | <input type="checkbox"/> Category 4: Noise Level >= 73 dB(A) | <input type="checkbox"/> all others |

Transport Noise Corridors Voluntary Area

- | | | |
|---|---|--|
| <input type="checkbox"/> Category 0: Noise Level < 58 dB(A) | <input type="checkbox"/> Category 1: 58 dB(A) =< Noise Level < 63 dB(A) | <input type="checkbox"/> Category 2: 63 dB(A) < Noise Level < 68 dB(A) |
| <input type="checkbox"/> Category 3: 68 dB(A) =< Noise Level < 73 dB(A) | <input type="checkbox"/> Category 4: Noise Level >= 73 dB(A) | <input type="checkbox"/> all others |

Transport Pedestrian Cycle

Applicable Precinct or Area
District Route








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



☒ Selected Property

☐ Property

Pedestrian and Cycle Network

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

Transport Road Hierarchy

Applicable Precinct or Area
Access Road

- 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.

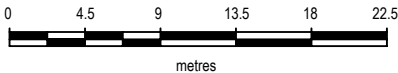
Appendix C

Proposal Plans



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:
 - Third Party publishing, using or relying on the plan;
 - 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 1:450 IS APPLICABLE ONLY
TO THE ORIGINAL SHEET SIZE. (A3)

AMENDMENTS

RPS CLIENT MANAGER P Clifton		SURVEYED NA	
COMPILED SL 12/10/23		CAD REF NA	
SHEET SIZE A3	SHEET OF SHEETS 1		

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



© COPYRIGHT PROTECTS THIS PLAN
Unauthorised reproduction or amendment not permitted. Please contact the author.

J & I Di Bartolo and F & S Di Bartolo

Proposal Plan
Plan of Proposed Access Easement
over Lot 45 on RP707231

SCALE 1:450	DATE 12/10/2023	DRAWING NO. AU012702	ISSUE A
----------------	--------------------	-------------------------	------------

Appendix D

Planning Scheme Code Responses

6.2.7 Low-medium density residential zone code

6.2.7.1 Application

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

6.2.7.2 Purpose

- (1) The purpose of the Low-medium density residential zone code is to provide for a range and mix of dwelling types including dwelling houses and multiple dwellings supported by community uses and small-scale services and facilities that cater for local residents.
- (2) The local government purpose of the code is to:
 - (a) implement the policy direction set in the Strategic Framework, in particular:
 - i. Theme 1 : Settlement pattern, Element 3.4.2 – Urban settlement, Element 3.4.5 Residential areas and activities, Element 3.4.7 – Mitigation of hazards.
 - ii. Theme 4 : Strong community and identity, Element 3.7.3 – Active communities, Element 3.7.4 – Sense of place, community and identity, Element 3.7.5 – Housing choice and affordability.
 - iii. Theme 6 : Infrastructure and transport, Element 3.9.2 - Energy, Element 3.9.3 – Water and waste management, Element 3.9.4 Transport, Element 3.9.5 – Information technology.
 - (b) establish a low-medium density residential character consisting predominantly of low-rise 1 and 2 storey dwelling houses, dual occupancies and multiple dwellings.
 - (c) provide for a diversity in housing choice through other housing types to cater for different housing needs and family structures.
 - (d) provide support for compatible small scale non-residential use activities.
 - (e) ensure development occurs on appropriately sized and shaped lots.
- (3) The purpose of the code will be achieved through the following overall outcomes:
 - (a) Development provides a range of residential dwelling choices including multiple dwellings and other forms of permanent-living residential development, including Residential care facilities.
 - (b) Development encourages and facilitates urban consolidation and the efficient use of physical and social infrastructure.
 - (c) Development is designed to provide safe and walkable neighbourhoods.
 - (d) Development maintains a high level of residential amenity having regard to traffic, noise, dust, odour, lighting and other locally specific impacts.
 - (e) Development is reflective and responsive to the environmental constraints of the land.

- (f) Development provides a high level of amenity and is reflective of the surrounding character of the area.
- (g) Development is supported by necessary community facilities, open space and recreational areas and appropriate infrastructure to support the needs of the local community.

Criteria for assessment

Table 6.2.7.3.a – Low-medium density residential zone code – assessable development

Performance outcomes	Acceptable outcomes	Applicant response
For self-assessable and assessable development		
PO1 The height of all buildings and structures must be in keeping with the residential character of the area	AO1 Buildings and structures are not more than 8.5 metres and two storeys in height. Note – Height is inclusive of roof height.	Not applicable No new buildings or structures are proposed.
Setbacks (other than for a dwelling house)		
PO2 Buildings are setback to: <ul style="list-style-type: none"> (a) maintain the character of residential neighbourhoods; (b) achieve separation from neighbouring buildings and from road frontages; (c) maintain a cohesive streetscape; (d) provide daylight access, privacy and appropriate landscaping. 	AO2 Buildings are setback: <ul style="list-style-type: none"> (a) a minimum of 6 metres from the main street frontage; (b) a minimum of 4 metres from any secondary street frontage; (c) 4.5 metres from a rear boundary; (d) 2 metres from a side or an average of half of the height of the building at the side setback, whichever is the greater. 	Not applicable No new buildings or structures are proposed.
Site coverage		

Performance outcomes	Acceptable outcomes	Applicant response
PO3 The site coverage of all buildings does not result in a built form that is bulky or visually obtrusive.	AO3 The site coverage of any building is limited to 50%.	Not applicable No new buildings or structures are proposed.
For assessable development		
PO4 The establishment of uses is consistent with the outcomes sought for the Low-medium density residential zone and protects the zone from the intrusion of inconsistent uses.	AO4 Uses identified in Table 6.2.7.3.b are not established in the Low-medium density residential zone.	Not applicable No new uses are proposed.
PO5 Development is located, designed, operated and managed to respond to the natural characteristics, features and constraints of the site and surrounds. Note – Planning scheme policy – Site assessments provides guidance on identifying the characteristics and features and constraints of a site and its surrounds.	AO5 No acceptable outcomes are prescribed.	Complies with PO5 The proposed development would formalise the existing access arrangement on an unconstrained site.
PO6 Development does not adversely affect the residential character and amenity of the area in terms of traffic, noise, dust, odour, lighting or other physical or environmental impacts.	AO6 No acceptable outcomes are prescribed.	Complies with PO6 The proposed development would formalise the existing access arrangement on the site.
PO7 New lots contain a minimum area of 450m ² .	AO7 No acceptable outcomes are prescribed.	Not applicable No new lots are proposed.

Performance outcomes	Acceptable outcomes	Applicant response
PO8 New lots have a minimum road frontage of 15 metres.	AO8 No acceptable outcomes are prescribed.	Not applicable No new lots are proposed.
PO9 New lots contain a 20 metre x 15 metre rectangle.	AO9 No acceptable outcomes are prescribed.	Not applicable No new lots are proposed.

Table 6.2.7.3.b - Inconsistent uses within the Low-medium density residential zone

Inconsistent uses		
<ul style="list-style-type: none"> • Adult store • Agricultural supplies store • Air services • Animal husbandry • Aquaculture • Bar • Brothel • Bulk landscape supplies • Car wash • Club • Crematorium • Cropping • Detention facility 	<ul style="list-style-type: none"> • Hospital • Hotel • Indoor sport and recreation • Intensive animal industry • Intensive horticulture • Landing • Low impact industry • Major electricity infrastructure • Major sport, recreation and entertainment facility • Marine industry • Medium impact industry • Motor sport facility • Nature based tourism 	<ul style="list-style-type: none"> • Parking station • Permanent plantation • Port services • Renewable energy facility • Research and technology industry • Resort complex • Roadside stall • Rooming accommodation • Rural industry • Rural workers accommodation • Service industry • Shop • Shopping Centre

<ul style="list-style-type: none"> • Emergency services • Extractive industry • Food and drink outlet • Function facility • Funeral parlour • Garden centre • Hardware and trade supplies • High impact industry 	<ul style="list-style-type: none"> • Nightclub entertainment facility • Non-resident workforce accommodation • Office • Outdoor sales • Outstation 	<ul style="list-style-type: none"> • Showroom • Special industry • Theatre • Tourist attraction • Transport depot • Veterinary services • Warehouse • Wholesale nursery • 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.

7.2.3 Mossman local plan code

7.2.3.1 Application

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

7.2.3.2 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 Mossman local plan code.

The Mossman local plan area is located at the northern end of the Captain Cook Highway where it continues on to the Daintree township as the Mossman-Daintree Road. The local plan area contains the rural and local administrative centre of Mossman.

The town of Mossman is located on a flat plain framed by the southern portion of the Daintree National Park to the west and Mount Beaufort to the east. The lush Daintree National Park dominates the town with striking views across to Mt Demi (Manjal Dimbi) and the spectacular Mossman Bluff above the Mossman Gorge. South Mossman River and North Mossman river provide significant natural entry and exit gateways to the town supported by Marrs Creek to the west. Parker Creek divides the town midway separating the commercial township from the more predominately residential areas in the southern half of the town.

Mossman developed as a strong sugar producing region at the end of the nineteenth century and quickly developed into a prosperous small town. From the mid-1930s the main commercial street was Mill Street. However Front Street, being the main access from Port Douglas and the Daintree also saw a concentration of commercial development from the 1930s onward. The town focusses on "the Triangle" and central grassed area at the five way junction at the northern end of the town providing a focal community hub that contributes significantly to the town's central setting.

The Mossman Sugar Mill in the north eastern part of the town is the northern most sugar mill in Queensland with its building and chimney stack dominating the town centre while forming part of an important vista along Mill Street looking toward Mount Beaufort. The mill is also the central focus of the cane rail network that radiates outward through the town adding an important character element that contributes to the appeal of the sugar town. Part of the cane rail network runs east-west through the Triangle occasionally delaying north-south vehicular traffic during cane harvesting months.

Mossman is a discrete linear township surrounded by sugar cane cultivation. The established business centre serves much of the northern part of the Shire with generally lower order goods and services. Service industries are concentrated at the southern end of the town providing for the general needs of the community. A limited area of expansion is available if the need arises.

Much of the township's character is derived from its picturesque rural setting and heritage character. Significant stands of mature vegetation (raintrees and fig trees) dominate parts of the streetscape providing a much valued and identifiable feature to the town.

At the southern end of town centre, Johnston Road heads west from Front Street providing access to the Mossman Gorge, a popular tourist attraction and small indigenous community in the Daintree National Park to the west of the town. This intersection is another important focal point, particularly for tourists finding their way to the gorge. Johnston Road also provides access to the hospital and showgrounds on the western side of the town and the developing residential area off Daintree Horizon Drive: currently the main expanding residential estate in the township.

A more contemporary shopping facility is available at the southern end of Front Street on the western side of the road. Expansion of this shopping precinct has recently been completed. It is not intended that this precinct be expanded any further, and any form of redevelopment of the older retail component, will occur as an integrated development.

On the south western side of the town, off Coral Sea Drive, is a rural residential subdivision providing a green backdrop to the town. It is not intended that further lot reconfiguration occur in this area in order to protect the appeal of the hillside on the western flank of the township.

The indigenous Mossman Gorge community is located approximately three kilometres to the west of Mossman township where improved infrastructure, housing and economic opportunities are to be facilitated.

The Mossman North community located approximately two kilometres north of the Mossman township will remain as a residential community.

7.2.3.3 Purpose

- (1) The purpose of the Mossman local plan code is to facilitate development which creates a vibrant and independent community which supports the needs of the local community and surrounding rural areas, while protecting and enhancing the unique local and historic character of the town.
- (2) The purpose of the code will be achieved through the following overall outcomes:
 - (a) Mossman will continue to develop as the major administrative, commercial and industrial centre in Douglas Shire.
 - (b) The key built form and main street character of the town centre is to be retained and reinforced.
 - (c) Mossman's identity as Queensland's northern-most sugar mill town is strengthened through the development of a distinct, ordered and attractive streetscape which responds to the tropical climate and the special features of the town's setting and layout.
 - (d) Mossman's distinct character is enhanced through appropriate building design and landscaping.
 - (e) The significant avenues of raintrees and fig trees and other such vegetation that contribute significantly to township identity are protected.
 - (f) Residential development is encouraged within designated areas to consolidate Mossman's character as a permanent residential settlement.

- (g) Residential areas are pleasant, functional, distinctive and well-defined and residential amenity is maintained and enhanced with all residential areas having good access to services and facilities, while minimising any land use conflicts associated with different urban activities or nearby rural activities.
 - (h) Development in the Low-medium density residential zone provides a range of housing options and contributes to a high standard of residential amenity, scale and design consistent with the character of Mossman.
 - (i) Opportunities for a limited range of tourist accommodation and services are facilitated to cater for the requirements of tourists passing through Mossman or visiting the Mossman Gorge.
 - (j) To provide the opportunity for an alternative truck route to by-pass the town centre for safer and less disruptive access between the sugar mill and Cairns (subject to further investigation as a local initiative).
 - (k) Improved local land use planning, housing and infrastructure arrangements enable private home ownership, economic development and municipal service delivery for the Mossman Gorge community.
 - (l) Mossman North will remain as a residential land use community only, with no further outward expansion intended.
 - (m) Conflicts between alternative land uses are minimised.
 - (n) Mossman's role as an industrial service centre is enhanced by facilitating the expansion of industrial development adjacent to existing industrial areas and protecting industrial areas from encroachment of incompatible land use activities.
 - (o) Remnant vegetation areas, riverine corridors and natural features are protected by ensuring any adjacent development is low key and sensitive to its surroundings.
- (3) The purpose of the code will be further achieved through the following overall outcomes:
- (a) Precinct 1 – Mossman North precinct;
 - (b) Precinct 2 – Foxton Avenue precinct;
 - (c) Precinct 3 – Junction Road residential precinct;
 - (d) Precinct 4 – Junction Road industry precinct;
 - (e) Precinct 5 – Town Centre precinct;

- (f) Precinct 6 – Front Street precinct;
- (g) Precinct 7 – Emerging community precinct;
- (h) Precinct 8 – Mossman South industry precinct;
- (i) Precinct 9 – Mossman Gorge community precinct

Precinct 1 – Mossman North precinct

- (4) In addition to the overall outcomes, the outcomes sought for the precinct are to ensure that:
 - (a) development is restricted to low density residential uses only.
 - (b) development reliant on exposure to the Mossman-Daintree Road does not occur.

Precinct 2 – Foxton Avenue precinct

- (5) In addition to the overall outcomes, the outcomes sought for the precinct are to ensure that:
 - (a) development occurs that is compatible with the establishment of a botanical garden, including a range of ancillary tourist facilities (not tourist accommodation), educational facilities and research facilities.
 - (b) Development takes into account physical constraints with particular attention paid to flooding and vegetation.
 - (c) development is adequately separated from, and protects, the existing cane railway track along the south boundary of the land;
 - (d) development does not impact on the environmental values of Marrs Creek.

Precinct 3 – Junction Road residential precinct

- (6) In addition to the overall outcomes, the outcomes sought for the precinct are to ensure that:
 - (a) land within the Junction Road residential precinct is developed taking into account the opportunities and constraints with particular attention paid to flooding and vegetation. Any form of urban development is to be free from flood inundation and will not impact on current drainage regimes;
 - (b) development in the form of lot reconfiguration consists of lot sizes and shapes that match the character and configuration of surrounding

lots;

- (c) development on the site does not impact on the environmental values of the North Mossman River.

Precinct 4 – Junction Road industry precinct

- (7) In addition to the overall outcomes, the outcomes sought for the precinct are to ensure that:
 - (a) the Mossman Mill is located within Precinct 4 and is the catalyst for encouraging and accommodating further industrial development.
 - (b) low and medium impact industry uses are located within the Junction Road industry precinct to service the needs of the sugar mill and to consolidate allied industrial uses;
 - (c) residential areas on the western side of Junction Street are protected from any industrial use, including industrial lot reconfiguration, by a dense screen of vegetation.

Precinct 5 – Town Centre precinct

- (8) In addition to the overall outcomes, the outcomes sought for the precinct are to ensure that:
 - (a) key elements which contribute to the character and integrity of the town centre are retained;
 - (b) the sense of place which characterises the main town intersection of Foxton Avenue, Mill Street and Junction Road is reinforced with new development or redevelopment contributing to the existing continuity of built form by being built up to the street frontage;
 - (c) the cane tram line which runs along Mill Street, the vista down Mill Street to Mount Beaufort and the sugar mill chimney are retained as unique features of the town and its sugar town heritage;
 - (d) views from Front Street of the mountains (from various vantage points) are maintained;
 - (e) avenue planting within the town centre along the centre median in Front Street is maintained and extended to reinforce the character of the town centre.

Precinct 6 – Front Street precinct

- (9) In addition to the overall outcomes, the outcomes sought for the precinct are to ensure that any expansion of the development is integrated with the existing shopping facilities incorporating the following design parameters:

- (a) vehicular access is limited to:
 - (i) the existing access from Front Street opposite the Harper Street intersection;
 - (ii) the existing access at the southern boundary of the precinct limited to commercial vehicles and staff only.
- (b) any expansion complements the existing development in scale, height, roof alignment and colour;
- (c) any expansion is integrated with existing development such that the final development functions as one shopping/commercial development;
- (d) any expansion takes into account adjacent (existing and future) residential development and incorporates service areas, car parking and other utilities which are visually and acoustically screened to protect the residential amenity of the area.

Precinct 7 – Emerging community precinct

- (10) In addition to the overall outcomes, the outcomes sought for the precinct are to ensure:
 - (a) development takes into account the provision of road links, cycle links, pedestrian connections and parkland allocation, generally in accordance with the local plan, to ensure that each land subdivision does not compromise the future development of adjoining land. Open space is provided with extensive road frontage for visibility / utility.

Precinct 8 – Mossman south industry precinct

- (11) In addition to the overall outcomes, the outcomes sought for the precinct are to ensure that:
 - (a) low impact industry uses are the predominant form of industry within the Mossman South industry precinct;
 - (b) no uses that compete with the commercial and retail primacy of the town centre are established;
 - (c) development protects the amenity of adjacent and nearby residential land uses.

Precinct 9 – Mossman Gorge community precinct

- (12) In addition to the overall outcomes, the outcomes sought for the precinct are to ensure that:
 - (a) existing commercial, community and residential uses are recognised within the discrete area contained by the Mossman Gorge community;

- (b) a flexible approach to land use planning is advanced through the adoption of a structure plan for the community;
- (c) a flexible approach to lot reconfiguration is permitted to advance home ownership aspirations for the community;
- (d) infrastructure upgrading is undertaken and transitioned to Council for future maintenance.

7.2.3.4 Criteria for assessment

Table 7.2.3.4.a – Mossman local plan – assessable development

Performance outcome	Acceptable outcome	Compliance
For self-assessable and assessable development		
PO1 Building and structures complement the height of surrounding development.	AO1 Buildings and structures are not more than 8.5 metres in height, except where included in the Industry zone where buildings and structures are not more than 10 metres in height.	Not applicable The application is for Reconfiguring a Lot only.
For assessable development		
Development in the Mossman local plan area generally		
PO1 Development retains and enhances key landscape elements including character trees and areas of significant vegetation contributing to the character and quality of the local plan area and significant views and vistas and other landmarks important to the context of Mossman (as identified on the Mossman Townscape Plan map contained in Schedule 2).	AO1.1 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: <ul style="list-style-type: none"> (a) the tree covered backdrop of the low density subdivision at Coral Sea Drive and Gorge View Crescent; (b) natural vegetation along watercourses, in particular the Mossman River, the South 	Complies with AO1.1 No trees would be removed to facilitate the development.

Performance outcome	Acceptable outcome	Compliance
	<p>Mossman River, Parker Creek and Marrs Creek;</p> <p>(c) the avenue of planting in the town centre in Front Street;</p> <p>(d) the Raintrees in Foxton Avenue;</p> <p>(e) the trees on the eastern side of the Mossman-Daintree Road, just north of the North Mossman River;</p> <p>(f) the avenue planting of Melaleucas on the southern approach to the town along Alchera Drive;</p> <p>(g) Mossman sugar mill site.</p>	
	<p>AO1.2</p> <p>Development protects and does not intrude into important views and vistas as identified on the Mossman Townscape Plan map contained in Schedule 2, in particular:</p> <p>(a) Mount Demi (Manjal Dimbi);</p> <p>(b) Mossman Bluff;</p> <p>(c) Mount Beaufort;</p> <p>(d) Shannonvale Valley.</p>	<p>Complies with AO1.2</p> <p>The application is for Reconfiguring a Lot only.</p>
	<p>AO1.3</p> <p>Important landmarks, memorials and monuments</p>	<p>Complies with AO1.3</p> <p>The proposed development would not affect any</p>

Performance outcome	Acceptable outcome	Compliance
	are retained, including, but not limited to: (a) the cane tram line running east west through the town at Mill Street; (b) the general configuration of the 'Triangle' at the intersection of Front Street, Mill Street, Foxton Avenue and Junction Road	important landmarks, memorials and monuments.
PO2 Development contributes to the protection, reinforcement and where necessary enhancement of gateways and key intersections identified on the Mossman local plan maps contained in Schedule 2.	AO2 Development adjacent to the gateways and key intersections as identified on the Mossman 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 located adjacent to a gateway or key intersection identified in the local plan maps.
PO3 Landscaping of sites complements the existing tropical character of Mossman.	AO3 Landscaping incorporates the requirements of Planning scheme policy SC 6.2- Landscaping.	Not applicable No additional landscaping is proposed or required.
P04 Development does not compromise the safety and efficiency of the State-controlled road network.	AO4 Direct access is not provided to a State-controlled road where legal and practical access from another road is available.	Complies with AO4 No access would be provided from a state controlled road.
For assessable development		
Additional requirements for Precinct 2 – Foxton Avenue precinct		
PO5	AO5	Not applicable

Performance outcome	Acceptable outcome	Compliance
Development takes into account the opportunities and constraints with particular attention paid to flooding and vegetation.	Buildings and structures are located outside areas subject to flooding. Development is undertaken in accordance with the recommendations of a Drainage/Flood Study which outlines the necessary improvements to be undertaken on the site to make it suitable for development and avoid impacts on adjoining land.	The site is not within Precinct 2 – Foxton Avenue precinct.
PO6 Development is adequately separated from and protects the existing cane railway track along the southern boundary of the land.	PO6.1 Buildings and structures are setback a minimum of 10 metres from the cane railway.	Not applicable The site is not within Precinct 2 – Foxton Avenue precinct.
	PO6.2 Pedestrian access to the cane railway is restricted.	Not applicable The site is not within Precinct 2 – Foxton Avenue precinct.
Additional requirements for Precinct 3 – Junction Road residential precinct		
PO7 Land within the Junction Road residential precinct is developed taking into account of the opportunities and constraints with particular attention paid to flooding and vegetation. Any form of urban development is to be free from flood inundation and will not impact on current drainage regimes.	AO7 Development is undertaken in accordance with the recommendations of a Drainage/Flood Study which outlines the necessary improvements to be undertaken on the site to make it suitable for residential development and avoid impacts on adjoining land.	Not applicable The site is not within Precinct 3 – Junction Road residential precinct.
PO8 Development in the form of lot reconfiguration consists of lot sizes and shapes that match the	AO8.1 Lots have a minimum area of 800m ² .	Not applicable The site is not within Precinct 3 – Junction Road residential precinct.

Performance outcome	Acceptable outcome	Compliance
character and configuration of surrounding lots.	AO8.2 Lots have a minimum frontage of 20m.	Not applicable The site is not within Precinct 3 – Junction Road residential precinct.
PO9 Development on the site does not impact on the environmental values of the North Mossman River, with any land dedication along the creek provided with access to, at minimum, a partial esplanade road frontage.	AO9.1 Subject to any greater width requirement as a consequence of the studies required to satisfy AO8, a minimum riparian width of 30 metres is dedicated as open space along the frontage to the Mossman River.	Not applicable The site is not within Precinct 3 – Junction Road residential precinct.
	AO9.2 Practical road access is available to the minimum riparian width of 30 metres along the frontage to the Mossman River.	Not applicable The site is not within Precinct 3 – Junction Road residential precinct.
Additional requirements for Precinct 4 – Junction Road industry precinct		
PO10 Residential areas on the western side of Junction Road are protected from any industrial use, including industrial lot reconfiguration, by a dense screen of vegetation.	AO10.1 A dense screen of vegetation of at least 10 metres depth separates any industrial use, including any lot reconfiguration, along the full frontage of Junction Road except where road access is required.	Not applicable The site is not within Precinct 4 – Junction Road industry precinct.
	AO10.2 No individual lots will have direct access to Junction Road across the 10 metre dense screen of vegetation.	Not applicable The site is not within Precinct 4 – Junction Road industry precinct.

Performance outcome	Acceptable outcome	Compliance
Additional requirements for Precinct 5 – Town Centre precinct		
PO11 Buildings in the precinct are designed and sited to complement the existing distinctive and cohesive character of the retail and business area, including: <ul style="list-style-type: none"> (a) buildings built to the frontage to reinforce the existing built-form character; (b) buildings that address the street; (c) development that incorporates awnings and verandahs providing weather protection for pedestrians. 	AO11 With respect to Front Street, Foxton Avenue, Mill Street and Johnston Road, development incorporates buildings that front the street designed with non-transparent awnings that: <ul style="list-style-type: none"> (a) provide for pedestrian shelter that are consistent with the character and setting of the town centre; (b) are a minimum of 3.2 metres and a maximum of 3.5 metres above the finished footpath level; (c) extend and cover the adjoining footpath with a 1.5 metre setback to the kerb; (d) are continuous across the frontage of the site; (e) are cantilevered from the main building and where posts are used, posts are non-load bearing; (f) include under awning lighting. 	Not applicable The site is not within Precinct 5 – Town Centre precinct.
PO12 Development in the precinct contributes positively to the character of the town and is complementary in scale to surrounding development.	AO12 Development incorporates the following design features: <ul style="list-style-type: none"> (a) 'built up to the front' alignment addressing the street frontage and continuing the scale of the existing built form and where necessary 	Not applicable The site is not within Precinct 5 – Town Centre precinct.

Performance outcome	Acceptable outcome	Compliance
	<p>providing car parking spaces at the rear of the site;*</p> <p>(b) appropriate built form and roofing material;</p> <p>(c) appropriate fenestration in combination with roof form;</p> <p>(d) appropriate window openings, screens or eaves shading 80% of window openings;</p> <p>(e) minimum of 700mm eaves;</p> <p>(f) orientation of the building to address the street/s;</p> <p>(g) sheltered pedestrian access by enclosed covered common area walkway of 1.5 metres in width from the car park area/s to the development;</p> <p>(h) ground level façades facing streets consist of windows, wall openings or shop fronts;</p> <p>(i) vertical architectural elements a minimum of 3 metres along the length of the ground level façade;</p> <p>(j) inclusion of windows and balconies on the upper levels facing the street façade;</p> <p>(k) provision of lattice, battens or privacy screens;</p> <p>(l) the overall length of a building does not exceed 30 metres and the overall length of</p>	

Performance outcome	Acceptable outcome	Compliance
	<p>any continuous wall does not exceed 15 metres;</p> <p>(m) Any air conditioning plant is screened from the street frontage and public view by use of architectural features.</p> <p>*Note - access to car parking must not adversely impact on 'built up to the front' alignment continuity.</p>	
PO13 Site coverage of all buildings: (a) does not result in a built form that is bulky or visually intrusive to the streetscape; (b) respects the individual character of the town centre.	AO13 Site cover does not exceed 60%.	Not applicable The site is not within Precinct 5 – Town Centre precinct.
PO14 Side and rear setbacks: (a) are appropriate for the scale of the development and the character of the town centre; (b) provide adequate daylight for habitable rooms on adjoining sites; (c) adequate separation between residential and non-residential uses.	AO14.1 For side boundary setbacks, no acceptable measures are specified.	Not applicable The site is not within Precinct 5 – Town Centre precinct.
	AO14.2 Buildings are setback a minimum of 6 metres from rear boundaries. Note: Building code requirements must be satisfied.	Not applicable The site is not within Precinct 5 – Town Centre precinct.
PO15	AO15	Not applicable

Performance outcome	Acceptable outcome	Compliance
Development in the precinct is predominantly retail or office based in nature or has a service delivery function.	Development at street level is limited to retail, office or restaurant/cafe based activities or personal services, with residential development limited to minor ancillary residential uses or to tourist accommodation located above ground level, or to the rear of the site at ground level.	The site is not within Precinct 5 – Town Centre precinct.
Additional requirements for Precinct 6 – Front Street precinct		
PO16 Vehicular access is limited to: <ul style="list-style-type: none"> (a) the existing access from Front Street opposite the Harper Street intersection; (b) the existing access at the southern boundary of the precinct limited to commercial vehicles and staff only. 	AO16 No acceptable outcomes are prescribed.	Not applicable The site is not within Precinct 6 – Front Street precinct.
PO17 Any expansion complements the existing development in scale, height, roof alignment and colour.	AO17 No acceptable outcomes are prescribed.	Not applicable The site is not within Precinct 6 – Front Street precinct.
PO18 Any expansion is integrated with existing development such that the final development functions as one shopping/commercial development.	AO18 No acceptable outcomes are prescribed.	Not applicable The site is not within Precinct 6 – Front Street precinct.
PO19	AO19	Not applicable

Performance outcome	Acceptable outcome	Compliance
Any expansion takes into account adjacent residential development and incorporates service areas, car parking and other utilities which are visually and acoustically screened to protect the residential amenity of the area.	No acceptable outcomes are prescribed.	The site is not within Precinct 6 – Front Street precinct.
Additional requirements for Precinct 7 – Emerging Community precinct		
PO20 Development provides road connections, pedestrian and cycling links and open space to establish integrated, connected communities with adjoining land.	AO20 No acceptable outcomes are prescribed.	Not applicable The site is not within Precinct 7 – Emerging Community precinct.
Additional requirements for Precinct 8 – Mossman South industry		
PO21 Low impact industry uses are the predominant form of industry.	AO21 Development for industrial purposes consists of service industry or low impact industry uses.	Not applicable The site is not within Precinct 8 – Mossman South industry.
PO22 No uses that compete with the commercial and retail primacy of the Mossman town centre are established.	AO22 Office or retail uses: (a) are ancillary to an industrial use; or (b) directly service the needs of the surrounding industrial precinct; (c) do not rely on passing trade from Alchera Drive.	Not applicable The site is not within Precinct 8 – Mossman South industry.
PO23	AO23	Not applicable

Performance outcome	Acceptable outcome	Compliance
Development protects the amenity of adjacent and nearby residential land uses.	No acceptable outcomes are prescribed.	The site is not within Precinct 8 – Mossman South industry.
Additional requirements for Precinct 9 – Mossman Gorge Community		
PO24 No uses that compete with commercial and retail activities in Mossman town centre are established.	AO24 No acceptable outcomes are prescribed.	Not applicable The site is not within Precinct 9 – Mossman Gorge Community.

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.

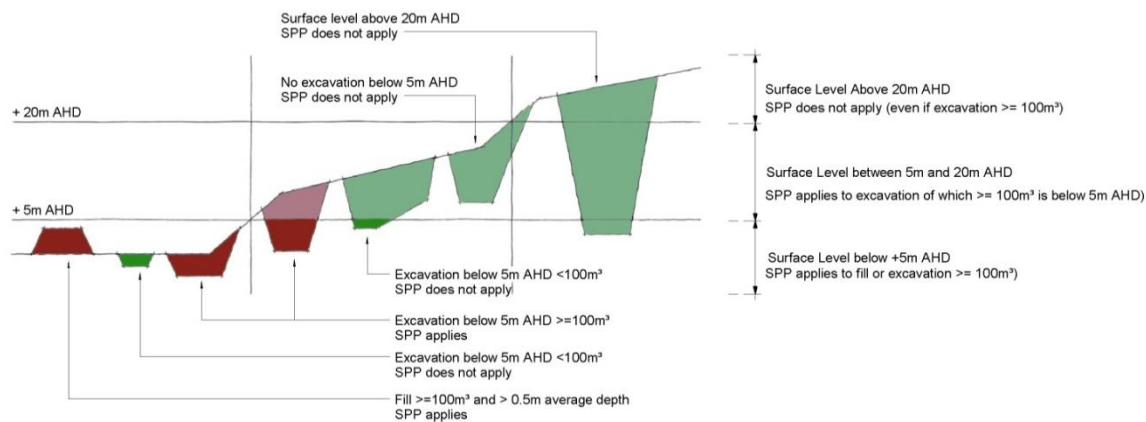
Criteria for assessment

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 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 excavation or filling is proposed.</p>

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



8.2.6 Landscape values overlay code

8.2.6.1 Application

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

8.2.6.2 Purpose

- (1) The purpose of the Landscape values overlay code is to:
 - (a) implement the policy direction of the Strategic Framework, in particular:
 - (i). Theme 2: Environment and landscape values Element 3.5.5 Scenic amenity;
 - (ii). Theme 3: Natural resource management Element 3.6.4 – Resource extraction.
 - (b) enable an assessment of whether development is suitable on land within the Landscape values overlay sub-categories.
- (2) The purpose of the code will be achieved through the following overall outcomes:
 - (a) areas of High landscape value are protected, retained and enhanced;
 - (b) areas of Medium landscape value are managed to integrate and limit the visual impact of development;
 - (c) the landscape values of the Coastal scenery area are managed to integrate and limit the visual impact of development;
 - (d) development maintains and enhances the significant landscape elements and features which contribute to the distinctive character and identity of Douglas Shire;

- (e) ridges and vegetated hillslopes are not developed in a way that adversely impacts on landscape values;
- (f) watercourses, forested mountains and coastal landscape character types remain predominantly natural in appearance in order to maintain the region's diverse character and distinctive tropical image, in particular:
 - (i). areas in the coastal landscape character type which are predominantly natural and undeveloped in appearance retain this natural landscape character;
 - (ii). watercourses which are predominantly natural and undeveloped in appearance retain this natural landscape character;
 - (iii). the rural character of cane fields and lowlands landscape character types which are predominantly rural or natural in appearance are maintained;
 - (iv). landscape values are maintained when viewed from lookouts, scenic routes, gateways and public places.
- (g) views towards High landscape value areas and the Coral Sea are not diminished;
- (h) development is consistent with the prevailing landscape character of its setting, and is neither visually dominant nor visually intrusive;
- (i) advertising devices do not detract from the landscape values, character types or amenity of an area.

Criteria for assessment

Table 8.2.6.3.a – Landscape Values overlay code – assessable development

Performance outcomes	Acceptable outcomes	Applicant response
For assessable development		
Development in a High landscape value area		
PO1 Development within High landscape value areas identified on the Landscape values overlay maps contained in Schedule 2: (a) avoids detrimental impacts on the landscape values of forested skylines, visible hillslopes,	AO1.1 Buildings and structures are not more than 8.5 metres and two storeys in height. Note - Height is inclusive of roof height.	Not applicable The site is not within a High landscape value area.
	AO1.2	Not applicable

Performance outcomes	Acceptable outcomes	Applicant response
ridgelines, the coastal foreshore or the shoreline of other water bodies through the loss of vegetation;	Buildings and structures are setback not less than 50 metres from ridgelines or peaks.	The site is not within a High landscape value area.
(b) is effectively screened from view from a road, lookout or other public place by an existing natural landform or native vegetation, or will be effectively screened by native vegetation within 3 years of construction;	AO1.3 Development is screened from view from roads or other public places by an existing natural landform or an existing native vegetation buffer.	Not applicable The site is not within a High landscape value area.
(c) retains existing vegetation and incorporates new landscaping to enhance existing vegetation and visually soften built form elements;	AO1.4 Where development on land steeper than 1 in 6 (16.6%) cannot be avoided: (a) development follows the natural; contours of the site; (b) buildings are split level or suspended floor construction, or a combination of the two; (c) lightweight materials are used to areas with suspended floors. Note - Examples of suitable lightweight materials include timber or fibre cement boards or sheeting for walls and factory treated metal sheeting for walls and roofs.	Not applicable The site is not within a High landscape value area.
(d) incorporates development of a scale, design, height, position on site, construction materials and external finishes that are compatible with the landscape values of the locality;		
(e) avoids detrimental impacts on landscape values and excessive changes to the natural landform as a result of the location, position on site, scale, design, extent and alignment of earthworks, roads, driveways, retaining walls and other on-ground or in-ground infrastructure;		
(f) avoids detrimental impacts on landscape values and views as a result of the location, position on site, scale, design and alignment of telecommunications facilities, electricity towers, poles and lines and other tall infrastructure;	AO1.5 The external features, walls and roofs of buildings and structures have a subdued and non-reflective palette. Note - Examples of suitable colours include shades of green, olive green, blue green, grey green, green blue, indigo, brown, blue grey, and green yellow.	Not applicable The site is not within a High landscape value area.

Performance outcomes	Acceptable outcomes	Applicant response
<p>(g) extractive industry operations are avoided.</p> <p>Note - A visual impact assessment is undertaken in accordance with Planning scheme policy SC6.6 – Landscape values in order to satisfy performance outcomes.</p>	<p>AO1.6</p> <p>No clearing of native vegetation occurs on land with a slope greater than 1 in 6 (16.5%).</p>	<p>Not applicable</p> <p>The site is not within a High landscape value area.</p>
	<p>AO1.7</p> <p>Where for accommodation activities or reconfiguration of a lot in a High landscape value area, development demonstrates that the height, design, scale, positioning on-site, proposed construction materials and external finishes are compatible with the landscape values.</p> <p>Note - A visual impact assessment undertaken in accordance with Planning scheme policy SC6.6 – Landscape values may be required.</p>	<p>Not applicable</p> <p>The site is not within a High landscape value area.</p>
	<p>AO1.8</p> <p>Advertising devices do not occur.</p>	<p>Not applicable</p> <p>The site is not within a High landscape value area.</p>
Development within the Medium landscape value area		
<p>PO2</p> <p>Development within Medium landscape value areas identified on the Landscape values overlay maps contained in Schedule 2:</p> <p>(a) avoids detrimental impacts on the landscape values of forested skylines, visible hillslopes, ridgelines, the coastal foreshore or the</p>	<p>AO2.1</p> <p>Buildings and structures are not more than 8.5 metres and two storeys in height.</p> <p>Note - Height is inclusive of the roof height.</p>	<p>Not applicable</p> <p>The site is not within the Medium landscape value area.</p>
	<p>AO2.2</p>	<p>Not applicable</p> <p>The site is not within the Medium landscape value</p>

Performance outcomes	Acceptable outcomes	Applicant response
<p>shoreline of other water bodies through the loss of vegetation;</p> <p>(b) is effectively screened from view from a road, lookout or other public place by an existing natural landform or native vegetation, or will be effectively screened by native vegetation within 5 years of construction;</p> <p>(c) retains existing vegetation and incorporates new landscaping to enhance existing vegetation and visually soften built form elements;</p> <p>(d) incorporates development of a scale, design, height, position on site, construction materials and external finishes that are compatible with the landscape values of the locality;</p> <p>(e) avoids detrimental impacts on landscape values and excessive changes to the natural landform as a result of the location, position on site, scale, design and alignment of earthworks, roads, driveways, retaining walls and other on-ground or in-ground infrastructure;</p> <p>(f) avoids detrimental impacts on landscape values and views as a result of the location, position on site, scale, design and alignment of telecommunications facilities, electricity towers, poles and lines and other tall infrastructure;</p> <p>(g) extractive industry operations are avoided, or</p>	<p>Development is screened from view from roads or other public places by an existing natural landform or an existing native vegetation buffer.</p> <p>AO2.3 Where development on land steeper than 1 in 6 (16.6%) cannot be avoided: (a) development follows the natural; contours of the site; (b) buildings are split level or suspended floor construction, or a combination of the two; (c) lightweight materials are used to areas with suspended floors. Note - Examples of suitable lightweight materials include timber or fibre cement boards or sheeting for walls and factorytreated metal sheeting for walls and roofs.</p> <p>AO2.4 The external features, walls and roofs of buildings and structures have a subdued and non-reflective palette. Note - Examples of suitable colours include shades of green, olive green, blue green, grey green, green blue, indigo, brown, blue grey, and green yellow</p> <p>AO2.5 No clearing of native vegetation occurs on land with a slope greater than 1 in 6 (16.6%).</p>	<p>area.</p> <p>Not applicable The site is not within the Medium landscape value area.</p> <p>Not applicable The site is not within the Medium landscape value area.</p> <p>Not applicable The site is not within the Medium landscape value area.</p>

Performance outcomes	Acceptable outcomes	Applicant response
<p>where they cannot be avoided, are screened from view.</p> <p>Note - A visual impact assessment is undertaken in accordance with Planning scheme policy SC6.6 – Landscape values in order to satisfy performance outcomes.</p>	<p>AO2.6</p> <p>Advertising devices do not occur.</p>	<p>Not applicable</p> <p>The site is not within the Medium landscape value area.</p>
Development within a Scenic route buffer / view corridor area		
<p>PO3</p> <p>Development within a Scenic route buffer / view corridor area as identified on the Landscape values overlay maps contained in Schedule 2:</p> <p>(a) retains visual access to views of the surrounding landscape, the sea and other water bodies;</p> <p>(b) retains existing vegetation and incorporates landscaping to visually screen and soften built form elements whilst not impeding distant views or view corridors;</p> <p>(c) incorporates building materials and external finishes that are compatible with the visual amenity and the landscape character;</p> <p>(d) minimises visual impacts on the setting and views in terms of:</p> <p>(i). the scale, height and setback of buildings;</p> <p>(ii). the extent of earthworks and impacts on the landform including the location and configuration of access roads</p>	<p>AO3.1</p> <p>Where within a Scenic route buffer / view corridor area, the height of buildings and structures is not more than identified within the acceptable outcomes of the applicable zone code.</p>	<p>Not applicable</p> <p>The application is for Reconfiguring a Lot only.</p>
	<p>AO3.2</p> <p>No clearing of native vegetation is undertaken within a Scenic route buffer area.</p>	<p>Complies with AO3.2</p> <p>No vegetation damage is proposed.</p>
	<p>AO3.3</p> <p>Where within a Scenic route buffer / view corridor area development is set back and screened from view from a scenic route by existing native vegetation with a width of at least 10 metres and landscaped in accordance with the requirements of the landscaping code.</p>	<p>Not applicable</p> <p>The application is for Reconfiguring a Lot only.</p>
	<p>AO3.4</p>	<p>Complies with AO3.4</p> <p>No advertising devices are proposed.</p>

Performance outcomes	Acceptable outcomes	Applicant response
<p>and driveways;</p> <p>(iii). the scale, extent and visual prominence of advertising devices.</p> <p>Note - A visual impact assessment is undertaken in accordance with Planning scheme policy SC6.6 – Landscape values in order to satisfy performance outcomes.</p>	Development does not result in the replacement of, or creation of new, additional, or enlarged advertising devices.	
Development within the Coastal scenery area		
<p>PO4</p> <p>The landscape values of the Coastal scenery zone as identified on the Landscape values overlay maps contained in Schedule 2 are managed to integrated and limit the visual impact of development.</p> <p>Note - A visual impact assessment is undertaken in accordance with Planning scheme policy SC6.6 – Landscape values in order to satisfy performance outcomes.</p>	<p>AO4.1</p> <p>The dominance of the natural character of the coast is maintained or enhanced when viewed from the foreshore.</p>	<p>Not applicable</p> <p>The site is not within the Coastal scenery area.</p>
	<p>AO4.2</p> <p>Where located adjacent to the foreshore buildings and structures are setback:</p> <p>(a) Where no adjoining development, a minimum of 50 metres from the coastal high water mark and the setback area is landscaped with a native vegetation buffer that has a minimum width of 25 metres; or</p> <p>(b) Where there is adjoining development, setbacks will be consistent with that of adjoining buildings and structures, but not less than 10 metres from the coastal high water mark. The setback area is landscaped in accordance with the requirements of the Landscaping code.</p>	<p>Not applicable</p> <p>The site is not within the Coastal scenery area.</p>

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

8.2.10 Transport network overlay code

8.2.10.1 Application

- (1) This code applies to assessing a material change of use, reconfiguring a lot, operational work or building work within the Transport network overlay; if:
 - (a) self-assessable or assessable development where the code is identified as being applicable in the Assessment criteria for the Overlay Codes contained in the Levels of Assessment Tables in section 5.6;
 - (b) impact assessable development.
- (2) Land within the Transport network overlay is identified on the Transport network (Road Hierarchy) overlay map and the Transport network (Pedestrian and Cycle) overlay map in Schedule 2 and includes the following sub-categories:
 - (a) Transport network (Road Hierarchy) overlay sub-categories:
 - i. State controlled road sub-category;
 - ii. Sub-arterial road sub-category;
 - iii. Collector road sub-category;
 - iv. Access road sub-category;
 - v. Industrial road sub-category;
 - vi. Major rural road sub-category;
 - vii. Minor rural road sub-category;
 - viii. Unformed road sub-category;
 - ix. Major transport corridor buffer area sub-category.
 - (b) Transport network (Pedestrian and Cycle) overlay sub-categories:
 - i. Principal route;
 - ii. Future principal route;
 - iii. District route;
 - iv. Neighbourhood route;
 - v. Strategic investigation route.
- (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 access easement would formalise the existing access and provide vehicle access to land fronting Front Street. The proposed access is consistent with the road hierarchy.
	AO1.2 Development does not compromise the safety and efficiency of the transport network.	Complies with AO1.2 The proposed access easement would not result in any additional traffic generation that would compromise safety and efficiency.

Performance outcomes	Acceptable outcome	Applicant response
	AO1.3 Development is designed to provide access via the lowest order road, where legal and practicable access can be provided to that road	Complies with AO1.3 The site only has frontage to Wilson 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 within a major transport corridor buffer area.
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	Complies with AO4.2 No access would be provided from a major transport corridor.

Performance outcomes	Acceptable outcome	Applicant response
	another road is available.	
	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 The site does not front a major transport corridor.
	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.	Not applicable The site does not front a major transport corridor.
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.	Not applicable The site does not front a major transport corridor.
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	Not applicable The proposal is for an access easement only.

Performance outcomes	Acceptable outcome	Applicant response
	incorporated in the design of the lot layout.	
	AO6.2 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.	Not applicable The proposal is for an access easement only.

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;

9.4.7.3 the appropriate standard of infrastructure is provided.

9.4.7.4 Criteria for assessment

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

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.	Not applicable No changes to lot sizes are proposed.
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.	Not applicable No new lots are proposed
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.	Not applicable No new lots would be created by the proposed development.
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 No vegetation would be removed, earthworks undertaken or new lots created as part of this development.
PO5	AO5	Not applicable




Performance outcomes	Acceptable outcomes	Applicant response
New lots which have the capability of being further reconfigured into smaller lots at a later date are designed to not compromise ultimate development outcomes permitted in the relevant zone.	The ability to further reconfigure land at a later date is demonstrated by submitting a concept plan that meets the planning scheme requirements for the applicable Zone.	No new lots are proposed.
PO6 Where existing buildings or structures are to be retained, development results in: <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. Note - This may require buildings or structures to be modified, relocated or demolished to meet setback standards, resolve encroachments and the like.	AO6 Development ensures setbacks between existing buildings or structures and proposed boundaries satisfy relevant building standards or zone code requirements, whichever is the greater.	Not applicable No new boundaries would be established, the application is solely for the purposes of establishing an access easement.
PO7 Where rear lots are proposed, development: <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. 	AO7.1 Where rear lots are to be established: <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. 	Not applicable No rear lots are proposed.

Performance outcomes	Acceptable outcomes	Applicant response
	AO7.2 Access strips to the rear lot have a minimum width dimension of: (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.	Not applicable No rear lots are proposed.
	AO7.3 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		

Performance outcomes	Acceptable outcomes	Applicant response
PO8 A structure plan is prepared to ensure that neighbourhood design, block and lot layout, street network and the location and provision on any open space recognises previous planning for the area and its surroundings, and integrates appropriately into its surroundings.	AO8.1 Neighbourhood design, lot and street layout, and open space provides for, and integrates with, any: (a) approved structure plan; (b) the surrounding pattern of existing or approved subdivision. Note - Planning scheme policy SC14– Structure planning provides guidance on meeting the performance outcomes.	Not applicable The site has an area of less than 5,000m ²
	AO8.2 Neighbourhood design, lot and street layouts enable future connection and integration with adjoining undeveloped land.	Not applicable The site has an area of less than 5,000m ²
PO9 Neighbourhood design results in a connected network of walkable streets providing an easy choice of routes within and surrounding the neighbourhood.	AO9.1 Development does not establish cul-de-sac streets unless: (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.	Not applicable The site has an area of less than 5,000m ²
	AO9.2 Where a cul-de-sac street is used, it: (a) is designed to be no longer than 150 metres in length; (b) is designed so that the end of the cul-de-sac	Not applicable The site has an area of less than 5,000m ²

Performance outcomes	Acceptable outcomes	Applicant response
	<p>is visible from its entrance;</p> <p>(c) provides connections from the top of the cul- de-sac to other streets for pedestrians and cyclists, where appropriate.</p>	
	<p>AO9.3</p> <p>No more than 6 lots have access to the turning circle or turning-tee at the end of a cul-de-sac street.</p>	<p>Not applicable</p> <p>The site has an area of less than 5,000m²</p>
<p>PO10</p> <p>Neighbourhood design supports diverse housing choices through block sizes and lot design. In developing areas, significant changes in lot size and frontage occur at the rear of lots rather than on opposite sides of a street.</p>	<p>PO10</p> <p>No acceptable outcomes are prescribed.</p>	<p>Not applicable</p> <p>The site has an area of less than 5,000m²</p>
<p>PO11</p> <p>Provision of physical and social infrastructure in developing residential neighbourhoods is facilitated through the orderly and sequential development of land.</p> <p>Note - Part 4 – Local government infrastructure plan may identify specific levels of infrastructure to be provided within development sites.</p>	<p>AO11.1</p> <p>New development adjoins adjacent existing or approved urban development.</p>	<p>Not applicable</p> <p>The site has an area of less than 5,000m²</p>
	<p>AO11.2</p> <p>New development is not established beyond the identified Local government infrastructure plan area.</p>	<p>Not applicable</p> <p>The site has an area of less than 5,000m²</p>
Urban parkland and environmental open space		
<p>PO12</p> <p>Where appropriate development maintains and enhances public access and use of natural areas, rivers, dams, creeks and the foreshore.</p>	<p>AO12</p> <p>No acceptable outcomes are prescribed.</p>	<p>Not applicable</p> <p>The site has an area of less than 5,000m²</p>

Performance outcomes	Acceptable outcomes	Applicant response
PO13 Development provides land to: <ul style="list-style-type: none"> (a) meet the recreation needs of the 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. 	AO13 No acceptable outcomes are prescribed. Note - Part 4 – Priority infrastructure plan and Planning scheme policy SC14 – Structure Plans provides guidance in providing open space and recreation land.	Not applicable The site has an area of less than 5,000m ²
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	Not applicable The site has an area of less than 5,000m ²

Performance outcomes	Acceptable outcomes	Applicant response
	<p>environmental open space is minimised.</p>  <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	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
networks.		
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	AO19 Pest plants detected on a development site are removed in accordance with a management plan	Not applicable The site has an area of less than 5,000m ²

Performance outcomes	Acceptable outcomes	Applicant response
<p>measures to ensure that pest plants do not reinfest the site or nearby sites.</p> <p>Editor's note - This does not remove or replace all land owner's obligations or responsibilities under the Land Protection (Pest and Stock Route Management) Act 2002.</p>	<p>prepared by an appropriately qualified person prior to earthworks commencing.</p> <p>Note - A declaration from an appropriately qualified person validates the land being free from pest plants.</p> <p>Declared pest plants include locally declared and State declared pest plants.</p>	