

# IDAS form 5—Material change of use assessable against a planning scheme

(Sustainable Planning Act 2009 version 3.1 effective 3 August 2015)

This form must be used for development applications for a material change of use assessable against a planning scheme.

You **MUST** complete **ALL** questions that are stated to be a mandatory requirement unless otherwise identified on this form.

For all development applications, you must:

- complete *IDAS form 1—Application details*
- complete any other forms relevant to your application
- provide any mandatory supporting information identified on the forms as being required to accompany your application.

Attach extra pages if there is insufficient space on this form.

All terms used on this form have the meaning given in the *Sustainable Planning Act 2009* (SPA) or the Sustainable Planning Regulation 2009.

This form must also be used for material change of use on 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* that requires assessment against the land use plan for that land. Whenever a planning scheme is mentioned, take it to mean land use plan for the strategic port land, Brisbane core port land or airport land.

## Mandatory requirements

- 1. Describe the proposed use.** (Note: this is to provide additional detail to the information provided in question 1 of *IDAS form 1—Application details*. Attach a separate schedule if there is insufficient space in this table.)

| General explanation of the proposed use | Planning scheme definition (include each definition in a new row) (non-mandatory) | No. of dwelling units (if applicable) or gross floor area (if applicable) | Days and hours of operation (if applicable) | No. of employees (if applicable) |
|---|---|---|---|----------------------------------|
| Multi-Unit Housing                      | Multi-Unit Housing  | 3   |   |                                  |
|   |   |   |   |                                  |
|   |   |   |   |                                  |
|   |   |   |   |                                  |
|   |   |   |   |                                  |

- 2. Are there any current approvals associated with the proposed material change of use?** (e.g. a preliminary approval.)

☒ No ☐ Yes—provide details below

| List of approval reference/s | Date approved (dd/mm/yy) | Date approval lapses (dd/mm/yy) |
|------------------------------|--------------------------|---------------------------------|
|                              |                          |                                 |

**3. Does the proposed use involve the following? (Tick all applicable boxes.)**

|  |                                     |    |                                     |     |
|--|-------------------------------------|----|-------------------------------------|-----|
| The reuse of existing buildings on the premises        | <input checked="" type="checkbox"/> | No | <input type="checkbox"/>            | Yes |
| New building work on the premises                      | <input type="checkbox"/>            | No | <input checked="" type="checkbox"/> | Yes |
| The reuse of existing operational work on the premises | <input checked="" type="checkbox"/> | No | <input type="checkbox"/>            | Yes |
| New operational work on the premises                   | <input type="checkbox"/>            | No | <input checked="" type="checkbox"/> | Yes |

**Mandatory supporting information****4. Confirm that the following mandatory supporting information accompanies this application**

| Mandatory supporting information  | Confirmation of lodgement  | Method of lodgement |
|---|--|---------------------|
| <b>All applications</b>   |  |                     |
| <p>A site plan drawn to an appropriate scale (1:100, 1:200 or 1:500 are <b>recommended</b> scales) which shows the following:</p> <ul style="list-style-type: none"> <li>the location and site area of the land to which the application relates (<i>relevant land</i>)</li> <li>the north point</li> <li>the boundaries of the relevant land</li> <li>any road frontages of the relevant land, including the name of the road</li> <li>the location and use of any existing or proposed buildings or structures on the relevant land (note: where extensive demolition or new buildings are proposed, two separate plans [an existing site plan and proposed site plan] may be appropriate)</li> <li>any existing or proposed easements on the relevant land and their function</li> <li>the location and use of buildings on land adjoining the relevant land</li> <li>all vehicle access points and any existing or proposed car parking areas on the relevant land. Car parking spaces for persons with disabilities and any service vehicle access and parking should be clearly marked</li> <li>for any new building on the relevant land, the location of refuse storage</li> <li>the location of any proposed retaining walls on the relevant land and their height</li> <li>the location of any proposed landscaping on the relevant land</li> <li>the location of any stormwater detention on the relevant land.</li> </ul> | <input checked="" type="checkbox"/> Confirmed  |                     |
| A statement about how the proposed development addresses the local government's planning scheme and any other planning instruments or documents relevant to the application.  | <input checked="" type="checkbox"/> Confirmed  |                     |
| A statement about the intensity and scale of the proposed use (e.g. number of visitors, number of seats, capacity of storage area etc.).  | <input checked="" type="checkbox"/> Confirmed  |                     |
| <p>Information that states:</p> <ul style="list-style-type: none"> <li>the existing or proposed floor area, site cover, maximum number of storeys and maximum height above natural ground level for existing or new buildings (e.g. information regarding existing buildings but not being reused)</li> <li>the existing or proposed number of on-site car parking bays, type of vehicle cross-over (for non-residential uses) and vehicular servicing arrangement (for non-residential uses).</li> </ul>   | <input checked="" type="checkbox"/> Confirmed<br><input type="checkbox"/> Not applicable |                     |

|  |  |  |
|--|--|--|
| A statement addressing the relevant part(s) of the State Development Assessment Provisions (SDAP).   | <input type="checkbox"/> Confirmed<br><input checked="" type="checkbox"/> Not applicable |  |
| <b>When the application involves the reuse of existing buildings</b>   |  |  |
| Plans showing the size, location, existing floor area, existing site cover, existing maximum number of storeys and existing maximum height above natural ground level of the buildings to be reused.   | <input type="checkbox"/> Confirmed<br><input checked="" type="checkbox"/> Not applicable |  |
| <b>When the application involves new building work (including extensions)</b>  |  |  |
| Floor plans drawn to an appropriate scale (1:50, 1:100 or 1:200 are <b>recommended</b> scales) which show the following: <ul style="list-style-type: none"> <li>the north point</li> <li>the intended use of each area on the floor plan (for commercial, industrial or mixed use developments only)</li> <li>the room layout (for residential development only) with all rooms clearly labelled</li> <li>the existing and the proposed built form (for extensions only)</li> <li>the gross floor area of each proposed floor area.</li> </ul> | <input checked="" type="checkbox"/> Confirmed  |  |
| Elevations drawn to an appropriate scale (1:100, 1:200 or 1:500 are <b>recommended</b> scales) which show plans of all building elevations and facades, clearly labelled to identify orientation (e.g. north elevation)  | <input checked="" type="checkbox"/> Confirmed  |  |
| Plans showing the size, location, proposed site cover, proposed maximum number of storeys, and proposed maximum height above natural ground level of the proposed new building work.   | <input checked="" type="checkbox"/> Confirmed<br><input type="checkbox"/> Not applicable |  |
| <b>When the application involves reuse of other existing work</b>  |  |  |
| Plans showing the nature, location, number of on-site car parking bays, existing area of landscaping, existing type of vehicular cross-over (non-residential uses), and existing type of vehicular servicing arrangement (non-residential uses) of the work to be reused.  | <input type="checkbox"/> Confirmed<br><input checked="" type="checkbox"/> Not applicable |  |
| <b>When the application involves new operational work</b>  |  |  |
| Plans showing the nature, location, number of new on-site car parking bays, proposed area of new landscaping, proposed type of new vehicle cross-over (non-residential uses), proposed maximum new vehicular servicing arrangement (non-residential uses) of the proposed new operational work.  | <input checked="" type="checkbox"/> Confirmed<br><input type="checkbox"/> Not applicable |  |

**Privacy**—Please refer to your assessment manager, referral agency and/or building certifier for further details on the use of information recorded in this form.

#### OFFICE USE ONLY

Date received

Reference numbers

The *Sustainable Planning Act 2009* is administered by the Department of Infrastructure, Local Government and Planning. This form and all other required application materials should be sent to your assessment manager and any referral agency.

| PERFORMANCE CRITERIA  | ACCEPTABLE SOLUTIONS  | SOLUTION <sup>1</sup>        | COMMENTS   | COUNCIL USE ONLY |
|---|---|------------------------------|--|------------------|
| <b>Elements of the Code</b>   |   |                              |  |                  |
| <b>Site Requirements</b>  |   |                              |  |                  |
| <b>P1</b> A Site for Multi-Unit Housing/Holiday Accommodation/Retirement Facilities has sufficient area and dimensions to accommodate the Buildings/structures, open space, car parking and associated vehicular Access, Landscaping and recreation facilities for the enjoyment of guests. | <b>A1.1</b> The Site has a minimum area of 1000m <sup>2</sup> .<br><br><b>AND</b><br><br>The Site has a minimum Road Frontage of 25 metres.   | ✓<br><br><br><br>✓           | Proposal complies.<br><br><br><br>Proposal complies.   |                  |
| <b>P2</b> The building bulk is reduced through effective design and materials.  | <b>A2.1</b> The overall length of any Building does not exceed 30 metres.<br><br><b>A2.2</b> The length of any continuous wall plane does not exceed 15 metres.<br><br><b>A2.3</b> Building bulk is reduced by balconies, patios, recesses and variations in exterior building materials and colours.<br><br><b>A2.4</b> Elevations provide visual interest through building elements, exterior colours, textures and materials.<br><br><b>AND</b><br><br>Buildings are designed in accordance with the requirements of the Planning Scheme Policy No 2 – Building Design and Architectural Elements. | ✓<br><br>✓<br><br>✓<br><br>✓ | Proposal complies.<br><br>Proposal complies.<br><br>Proposal complies.<br><br>Proposal complies. |                  |
| <b>P3</b> The development addresses the Main Street Frontage to facilitate casual surveillance and to enhance the amenity of the streetscape.   | <b>A3.1</b> The Building has balconies, windows or patios that face the Main Street Frontage, and remain unenclosed.<br><br><b>A3.2</b> Perimeter fencing to any street Frontage complies with any specific fencing requirements detailed in the relevant Planning Area Code.   | ✓<br><br>✓                   | Proposal complies.<br><br>Proposal complies.   |                  |

Solution: ✓ = Acceptable Solution  
 A/S = Alternative Solution  
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| <b>P4</b> The development does not adversely affect the privacy or liveability of adjoining development, and achieves a pleasant living environment for residents. | <b>A4.1</b> Windows and openings of Habitable Rooms do not overlook Habitable Rooms of adjoining developments.<br><br>OR<br><br>Where Habitable Rooms overlook Habitable Rooms of adjoining developments, privacy is protected by fixed external screens or other suitable elements to avoid overlooking. | ✓                     | Proposal complies.  |                  |
|  | <b>A4.2</b> Screening is provided where any windows, balconies or patios overlook other windows, balconies or patios of other Dwelling Units/Private Rooms within the development.  | ✓                     | Proposal complies/is capable of complying.  |                  |
| <b>P5</b> Vehicle parking areas and driveways are safe, convenient and have minimal impacts on adjoining development.  | <b>A5.1</b> Vehicle parking areas are located under or behind the Building so they are not visually prominent from the street.  | ✓                     | Proposal complies.  |                  |
|  | <b>A5.2</b> The car parking area is: <ul style="list-style-type: none"> <li>• illuminated at night;</li> <li>• well ventilated to avoid fumes being trapped;</li> <li>• screened from adjoining development;</li> <li>• 60% covered.</li> </ul>   | ✓                     | Proposal complies.  |                  |
|  | <b>A5.3</b> The driveway is a minimum of 2 metres from the side or rear boundary.<br><br>OR<br><br>A minimum of 1 metre with an average of 1.5 metre Landscaping screen is provided along the side or rear boundary adjacent to the driveway.   | A/S                   | The driveway adjoins the eastern boundary of each lot. Although non-compliant with A5.3, the development is located in a safe and convenient location and is not considered to have an impact on the adjoining development. |                  |

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|---|--|-----------------------|--------------------|------------------|
| <b>P6</b> Development does not adversely impact on the natural environment. | <b>A6.1</b> The siting of Multi-Unit Housing/Holiday Accommodation minimises cut unless required for a basement or semi-basement car park. | ✓                     | Proposal complies. |                  |

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|---|---|-----------------------|---|------------------|
| <b>Landscaping and Open Space</b>   |   |                       |   |                  |
| <b>P7</b> The development provides a functional and usable Landscaping and Recreation Area for the use of guests. | <b>A7.1</b> Landscaping and Recreation Areas must be provided at a minimum rate of:<br><b>P1</b> 30 m <sup>2</sup> for the first bedroom of each Dwelling Unit; plus<br><b>P2</b> 15 m <sup>2</sup> for each additional bedroom of each Dwelling Unit; or<br><b>P3</b> 15 m <sup>2</sup> for each Private Room.<br><br>AND<br><br>A minimum of 4 metres by 4 metres of Landscaping and Recreation Area is provided for each Dwelling Unit which is directly accessible from a habitable living room.<br><br>OR<br><br>At least 50% of the total Landscaping and Recreation Area required for all Dwelling Units/Private Rooms specified above is provided as one communal area, having a minimum dimension of 6 metres. | A/S                   | The proposal provides sufficient, functional and usable landscaping and recreation areas to accommodate each individual dwelling. |                  |
|   | <b>A7.2</b> Each Dwelling Unit/Private Room is provided with a private roofed balcony, or patio with a minimum area of 6 m <sup>2</sup> and a minimum depth of 2 metres.<br><br>In the case of each Dwelling Unit if the private roofed balcony, or patio is directly accessible to the private open space area required in A7.1 above, the area of the balcony, or patio can be used in the calculation of the private open space area up to a maximum area of 6 m <sup>2</sup> for each Dwelling Unit.  | ✓                     | Proposal complies.  |                  |

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|---|---|-----------------------|---|------------------|
|   | <p><b>A7.3</b> Any swimming pool, including surrounding coping or paving, located within the front Setback Is Setback a minimum of 3 metres from the Main Street Frontage.</p> <p>AND</p> <p>No suspended or above ground swimming pool structures are located within the 6 metre Setback to the Main Street Frontage.</p>                            | ✓                     | Proposal complies.  |                  |
| <b>P8</b> The development provides residents with a range of on Site services and facilities. | <p><b>A8.1</b> A communal clothes drying area of 30m2 is provided in a central location.</p> <p>OR</p> <p>Each Dwelling Unit has its own clothes drying area designated in their private open space and screened from view from public vantage points and other Dwelling Units on Site or on adjacent Sites.</p>                                      | ✓                     | Proposal complies. Each dwelling is provided with its own clothes drying area.    |                  |
|   | <p><b>A8.2</b> A refuse bin storage area is provided and located for convenient use by all guests and is readily accessible to waste management contractors.</p> <p>AND</p> <p>The refuse bin storage area is screened from view from public Roads, is roofed and drained to sewer and has a hose and hose cock attached to provide for cleaning.</p> | ✓                     | Proposal complies. Each dwelling will be provided with individual bin facilities. |                  |
| Retirement Facility – Additional Provisions   |   |                       |   |                  |
| Location and Amenity  |   |                       |   |                  |
| <b>P9</b> Retirement Facilities are located in areas which offer convenience to               | <b>A9.1</b> Retirement Facilities are conveniently located in established areas in close proximity to public  | N/A                   | Not applicable.   |                  |

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|--|--|-----------------------|-----------------|------------------|
| residents, and are designed to be compatible with the locality and surrounding area in which they are located.     | transport, Shopping Facilities and health care services.   |                       |                 |                  |
| <b>Design Layout</b>   |  |                       |                 |                  |
| <b>P10</b> Retirement Facilities are designed to provide for the amenity and security of residents <sup>44</sup> . | <b>A10.1</b> The Retirement Facility incorporates covered walkways wide enough to accommodate wheelchairs and ramps, where necessary, which provide on Site weather protection between all areas of the complex. | <b>N/A</b>            | Not applicable. |                  |
|  | <b>A10.2</b> Decorative perimeter security fencing and gates are provided to ensure the safety and security of residents and the fencing complies with the relevant Planning Area Code.                          | <b>N/A</b>            | Not applicable. |                  |
|  | <b>A10.3</b> Security screens are provide on all Dwelling Units or residential rooms to ensure the safety and security of residents, while allowing for the capture of prevailing breezes.                       | <b>N/A</b>            | Not applicable. |                  |

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|---|--|-----------------------|-----------------|------------------|
| <b>P11</b> The internal layout of the Retirement Facility and the location of the Retirement Facility allows for the safe evacuation of residents in an emergency and provides for emergency services to efficiently Access the Site. | <b>A11.1</b> The design of the Retirement Facility ensures that external circulation and Access and egress points on the Site facilitate the evacuation of the Site in an efficient manner.                                | N/A                   | Not applicable. |                  |
|   | <b>A11.2</b> The Site of the Retirement Facility is not prone to inundation and all circulation pathways throughout the Site are constructed above 3.2 metres AHD.   | N/A                   | Not applicable. |                  |
|   | <b>A11.3</b> The location and Site of the Retirement Facility are readily accessible to emergency vehicles.  | N/A                   | Not applicable. |                  |
| <b>Ancillary Facilities</b>   |  |                       |                 |                  |
| <b>P12</b> Retirement Facilities provides residents with a range of on Site services and facilities.  | <b>A12.1</b> Retirement Facilities incorporate a range of ancillary services and facilities, such as: lounge areas, library/reading room, TV games/recreation room, pharmacy, hairdresser, convenience store and the like. | N/A                   | Not applicable. |                  |

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|---|--|-----------------------|--|------------------|
| <b>Elements of the Code</b>   |  |                       |  |                  |
| <b>General Requirements</b>   |  |                       |  |                  |
| <b>P1</b> Buildings and structures complement the height and surrounding development.<br><br>AND<br>Buildings are limited to two storeys.<br><br>OR<br>In the High Scale locations depicted on the Locality Plan, development of three storeys is appropriate | <b>A1.1</b><br><br>In the Planning Areas (and parts thereof) listed below the maximum height of buildings/structures is 6.5 metres. In addition, the roof (including any ancillary roof features) does not exceed a maximum height of 3.5 metres above the intersection of the pitching part of the roof and the wall of the building: <ul style="list-style-type: none"> <li>• Residential 1.</li> <li>• Industry.</li> <li>• Conservation.</li> <li>• Community and Recreational Facilities.</li> <li>• Residential 2.</li> <li>• Tourist and Residential (Medium Scale).</li> <li>• Commercial (Medium Scale outside the Tourist Centre).</li> <li>• Commercial (High Scale outside the Tourist Centre).</li> <li>• Commercial (High Scale within the Tourist Centre and on the high side of Macrossan Street) – in this instance there is no specified number of storeys, however the maximum height prevails.</li> </ul><br>OR<br><br>In the Planning Areas (parts thereof) listed below the maximum height of buildings/structures is 10 metres and 3 storeys. In addition, the roof (including any ancillary roof features) does not exceed a maximum height of 3.5 metres above the intersection of the pitching part of the roof and the wall of the building: <ul style="list-style-type: none"> <li>• Tourist and Residential (High Scale).</li> </ul><br>Commercial (High Scale within the Tourist Centre and on the low side of Macrossan Street through to Warner Street). | ✓                     | The proposal complies. The site is located within the Tourist and Residential Planning Area (High Scale – Elsewhere) Plot ratio. |                  |

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|--|---|-----------------------|-----------------------------------|------------------|
| <b>P2</b> Development is connected to available urban services.  | <b>A2.1</b> Development is connected to available urban services by underground connections, wherever possible.   | ✓                     | Proposal is capable of complying. |                  |
|  | AND/OR<br>Contributions are paid when applicable in accordance with the requirements of the Planning Scheme Policy No 11 – Water Supply and Sewerage Headworks and Works External Contributions.                              | ✓                     | Proposal is capable of complying. |                  |
| <b>P3</b> Landscaping of development sites complements the existing tropical seaside resort town character of Port Douglas and creates a dominant tropical vegetation streetscape. | <b>A3.1</b> Landscaping of a development site complies with Planning Scheme Policy No 7 – Landscaping with particular emphasis on appropriate species for Port Douglas.   | ✓                     | Proposal is capable of complying. |                  |
| <b>P4</b> Development sites are provided with efficient and safe vehicle access and manoeuvring areas on site and to the site, to an acceptable standard for the Locality.         | <b>A4.1</b> All roads, driveways and manoeuvring areas on site and adjacent to the site are designed and maintained to comply with the specifications set out in the Planning Scheme Policy No 6 – FNQROC Development Manual. | ✓                     | Proposal complies.                |                  |

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|--|---|-----------------------|-----------------|------------------|
| <b>Tourist Centre</b>  |   |                       |                 |                  |
| <b>P5</b> Development in the Tourist Centre enhances the distinct tropical resort town character and identity of Port Douglas and encourages pedestrian activity at street level including shade protection across the entire footpath for the length of the building. | <b>A5.1</b> Development is built up to the street frontage/s at ground level and incorporates a light frame awning a minimum of 3 metres wide for the length of the street frontage/s.<br><br>OR<br><br>If a development includes an outdoor dining area at ground/footpath level, the dining area has a maximum setback of 6 metres and the required awning is still maintained along the length of the street frontage/s. | N/A                   | Not applicable. |                  |
| <b>P6</b> Development in the Tourist Centre is predominantly commercial in nature with any tourist accommodation having a secondary focus and not located on the street-level frontage.  | <b>A6.1</b> Commercial development established at ground level and a maximum of one level above ground with any residential tourist development establishing on levels above ground or on ground level but not on the street frontage, in any mixed use development.  | N/A                   | Not applicable. |                  |

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| <b>P7</b> Development in the Tourist Centre is of a height and scale which complements the village character of the town and remains subservient to the natural environment and the backdrop of Flagstaff Hill in particular. | <b>A7.1</b> The achievement of the maximum building/structure height specified in A1.1 relies on compliance with Acceptable Solutions A7.2, A7.3, A7.4 and A8.1 below.   | N/A                   | Not applicable. |                  |
|   | <b>A7.2</b> Development has a maximum length of unbroken building façade of 20 metres and a maximum extent of overall development in the same style/design along the street frontages of 40 metres.  | N/A                   | Not applicable. |                  |
|   | <b>A7.3</b> Any break in the building façade varies the alignment by a 1 metre minimum deviation.  | N/A                   | Not applicable. |                  |
|   | <b>A7.4</b> A minimum of three of the following building design elements detailed below are incorporated to break the extended façade of a development: <ul style="list-style-type: none"> <li>• A change in roof profile.</li> <li>• A change in parapet coping.</li> <li>• A change in awning design.</li> <li>• A horizontal or vertical change in the wall plane.</li> <li>• A change in the exterior finishes and exterior colours of the development.</li> </ul> Planning Scheme Policy No 2 – Building Design and Architectural Elements should be referred to for demonstrating compliance with elements listed above. | N/A                   | Not applicable. |                  |
|   | <b>A7.5</b> Any building which does not comply with A7.2, A7.3 and A7.4 above is limited to one storey and/or 4.5 metres in height.  | N/A                   | Not applicable. |                  |

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| <p><b>P8</b> Development in the Tourist Centre is climate-responsive, contributes positively to the character of the Locality, is complementary in scale to surrounding development and does not exceed a base plot ratio of 0.5:1 and a maximum plot ratio of 1:1.</p> <p>AND</p> <p>Will not achieve the maximum plot ratio specified above unless the development incorporates building design features and architectural elements detailed in Planning Scheme Policy No 2 – Building Design and Architectural Elements (and referred to in the Acceptable Solutions).</p> | <p><b>A8.1</b> Development incorporates the following design features and corresponding plot ratio bonuses [in brackets]:</p> <ul style="list-style-type: none"> <li>• Appropriate roof form and roofing materials [10% plot ratio bonus].</li> <li>• Appropriate fenestration in combination with roof form [5% plot ratio bonus].</li> <li>• Appropriate window openings with window awnings, screens or eaves shading 80% of the window opening – refer Planning Scheme Policy No 2 – Building Design and Architecture Elements [15% plot ratio bonus].</li> <li>• Minimum of 700mm eaves [15% plot ratio bonus].</li> <li>• Orientation of the building to address the street/s [5% plot ratio bonus].</li> <li>• Sheltered pedestrian access by enclosed covered common area walkway of 1.5 metres in width from the car parking area/s to the development [5% plot ratio bonus].</li> <li>• Inclusion of windows and balconies to the street façade of the building [10% plot ratio bonus].</li> <li>• Provision of lattices, battens or privacy screens [5% of plot ratio bonus].</li> </ul> <p>The overall length of a building does not exceed 30 metres and the overall length of any continuous wall does not exceed 15 metres [10% plot ratio bonus].</p> | <p>N/A</p>            | <p>Not applicable.</p> |                  |

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|--|--|---------------------------|---|------------------|
| <b>P9</b> Car parking generated by:<br>(a) The commercial component of development is fully or partly accommodated on the site of the development, depending on the availability of alternative public car parking nearby with any balance to be paid in lieu of providing on-site car parking for commercial development in accordance with Planning Scheme Policy No 3 – Car Parking Contributions.<br><br>The residential component of any mixed use development is provided on the site for the full allocation for units and visitor parking and is held in a common pool for common use. | <b>A9.1</b> In respect to P9, a minimum of 30% of the car parking requirements for the commercial component of development is provided on the site of a development fronting Grant, Macrossan, Owen or Wharf Street, with 100% on-site provision applying for a commercial component along other streets in the Tourist Centre.<br><br><b>AND</b><br>Any balance is paid in lieu of providing on-site car parking for commercial development in accordance with Planning Scheme Policy No 3 – Car Parking Contributions. | N/A                       | Not applicable.   |                  |
| <b>P10</b> The use of on-site public car parking in the Tourist Centre is maximised.   | <b>A10.1</b> On site car parking available for public use in the Tourist Centre is clearly sign-posted at the site frontage.<br><br><b>A10.2</b> Signage for car parking for public use is to be a standard blue and white sign with a directional arrow unless otherwise specified.<br><br><b>A10.3</b> Boom gates, pay machines or other regulatory devices to control access to public car parking areas are not constructed/erected.   | N/A<br><br>N/A<br><br>N/A | Not applicable.<br><br>Not applicable.<br><br>Not applicable. |                  |
| <b>P11</b> Car parking and access in the Tourist Centre:<br>(a) Does not dominate street frontages, especially along streets with high pedestrian traffic and pedestrian oriented development.<br>(b) Facilitates pedestrian connectivity.<br><br>Is safe and convenient.  | <b>A11.1</b> In respect of P11(a) along Grant, Macrossan, Owen and Wharf Streets, on-site car parking and access is minimised, and where possible, shared access driveways and access easements are to be provided to limit the number of vehicles crossing.   | N/A                       | Not applicable.   |                  |

Solution: ✓ = Acceptable Solution  
 A/S = Alternative Solution  
 N/A = Not applicable to this proposal



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|--|---|-----------------------|-----------------|------------------|
| <b>P12</b> Residents in residential accommodation located within the Tourist Centre are protected from noise intrusion associated with night time activities, bars and nightclubs. | <b>A12.1</b> No Acceptable Solution.<br><br>(Information that Council may request to demonstrate compliance with the Performance Criteria is outlined in Planning Scheme Policy No 10 – Reports and Information Council May Request, for code and impact assessable development). | <b>N/A</b>            | Not applicable. |                  |
| <b>P13</b> Safe and convenient pedestrian linkages are promoted in the Tourist Centre.   | <b>A13.1</b> One centrally located pedestrian access is provided via a sheltered walkway/arcade from Macrossan Street to Warner Street between Grant Street and Owen Street.  | <b>N/A</b>            | Not applicable. |                  |

Solution: ✓ = Acceptable Solution  
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|--|--|-----------------------|--------------------|------------------|
| <b>Local Centres</b>   |  |                       |                    |                  |
| <b>P14</b> Local Centres outside the Tourist Centre service the surrounding residential area and do not adversely impact on the viability of the Tourist Centre. | <b>A14.1</b> The Net Lettable Area of each of the existing Local Centres does not exceed 300m <sup>2</sup> and is apportioned equally between the total number of lots which comprise the Local Centre.  | N/A                   | Not applicable.    |                  |
|  | <b>A14.2</b> Any proposed new Local Centre with a maximum Net Lettable Area of 500m <sup>2</sup> , only establishes when an identifiable population of 1000 persons is located more than 2km from any existing Local Centre or the Tourist Centre. | N/A                   | Not applicable.    |                  |
|  | <b>A14.3</b> Any new Local Centre is located at a "gateway" location to a residential area, which best serves the surrounding residential area.  | N/A                   | Not applicable.    |                  |
| <b>Residential Development Outside Tourist Area</b>  |  |                       |                    |                  |
| <b>P15</b> Existing residential housing estates are protected from incursion by higher density residential uses.   | <b>A15.1</b> Multi-unit housing does not establish in the residential estate of Solander and the areas in Reef Park estate included in Residential 1 Planning Area.  | ✓                     | Proposal complies. |                  |

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 N/A = Not applicable to this proposal

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|--|---|-----------------------|--|------------------|
| <b>P16</b> Residential development, other than a house, is climate-responsive, contributes positively to the character of the Locality, is complementary in scale to surrounding development and does not exceed the identified plot ratio designated on the Locality Map/s (that is): <ul style="list-style-type: none"> <li>Land designated High Scale has a base plot ratio of 0.5:1 and a maximum plot ratio of 0.8:1.</li> <li>Land designated Medium Scale has a base plot ratio of 0.3:1 and a maximum plot ratio of 0.45:1.</li> </ul> <p style="text-align: center;">OR</p> <ul style="list-style-type: none"> <li>Land designated Low Scale has a base plot ratio of 0.25:1 and a maximum plot ratio of 0.35:1.</li> </ul> <p style="text-align: center;">AND</p> <p>Will not achieve the maximum plot ratio specified above unless the development incorporates building design features and architectural elements detailed in Planning Scheme Policy No 2 – Building Design and Architectural Elements (and referred to in the Acceptable Solutions).</p> | <b>A16.1</b> Development incorporates the following design features and corresponding plot ratio bonuses [in brackets]: <ul style="list-style-type: none"> <li>Appropriate roof form and roofing material [1-% plot ratio bonus].</li> <li>Appropriate fenestration in combination with roof form [5% plot ratio bonus].</li> <li>Appropriate window openings with window awnings, screens or eaves shading 80% of the window opening – refer Planning Scheme Policy No 2 – Building Design and Architecture Elements [15% plot ratio bonus].</li> <li>Minimum of 700mm eaves [15% plot ratio bonus].</li> <li>Orientation of the building to address the street/s [5% plot ratio bonus].</li> <li>Sheltered pedestrian access by enclosed covered common area walkway of 1.2 metres in width from the car parking area/s to the development [5% plot ratio bonus].</li> <li>Inclusion of windows and balconies to the street façade of the building [10% plot ratio bonus].</li> <li>Provision of lattice, battens or privacy screens [5% of plot ratio bonus].</li> </ul> <p>The overall length of a building does not exceed 30 metres and the overall length of any continuous wall does not exceed 15 metres [10% plot ratio bonus].</p> | ✓                     | Proposal complies. Plot ratio is 0.69:1 and includes several bonus plot ratio features.  |                  |
| <b>P17</b> The site coverage of any residential or tourist development does not result in a built form that is bulky or visually obtrusive.  | <b>A17.1</b> The site coverage of any residential or tourist development, other than a house, is limited to: <ul style="list-style-type: none"> <li>45% at ground level.</li> <li>40% at first floor level.</li> <li>35% at second floor level, if applicable.</li> </ul>   | A/S                   | <p>The proposed dwellings present a site cover of 52.76% at ground level and 32.32% at the first floor level.</p> <p>The non-compliance is considered negligible and does not result in a built form which is bulky or visually obtrusive.</p> |                  |

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|--|--|-----------------------|-----------------|------------------|
| <b>P18</b> Tourist development provides a range of services and facilities for the recreational convenience of in-house guests   | <b>A18.1</b> Tourist development provides a range of recreational facilities and small scale commercial services such as restaurant/bars, shop/boutique, and tour booking office, for the enjoyment of in-house guests.  | <b>N/A</b>            | Not applicable. |                  |
| Other Development  |  |                       |                 |                  |
| <b>P19</b> Industrial development is limited to Service Industry and is located in existing or identified Industrial areas and is of a scale and intensity of development which is acceptable in the Locality. | <b>A19.1</b> Service Industry development is located in the identified Industrial areas of: <ul style="list-style-type: none"><li>Special Management Area 3 – Service Industry Precincts (Craiglie).</li></ul> Special Management Area 4 – Service Industry Precincts (Mahogany Street). | <b>N/A</b>            | Not applicable. |                  |
| Community Facilities   |  |                       |                 |                  |
| <b>P20</b> Community facilities are provided to service the local community and visitors in convenient and accessible locations.   | <b>A20.1</b> Community facilities are conveniently located within or near the Tourist Centre and in close proximity to existing community facilities to service the needs of local residents and visitors.   | <b>N/A</b>            | Not applicable. |                  |
|  | <b>A20.2</b> Public car parking areas are provided within or in close proximity to the Tourist Centre, existing community facilities, sporting/recreation grounds and Four Mile Beach.   | <b>N/A</b>            | Not applicable. |                  |
| Protection of Scenic Amenity   |  |                       |                 |                  |
| <b>P21</b> The views and vistas of Four Mile Beach from the intersection of Davidson Street and Macrossan Street to the beach front are maintained.  | <b>A21.1</b> Any development in Macrossan Street between Davidson Street and the beach front, outside the Tourist Centre, is designed with Macrossan Street as the main street frontage and the buildings are setback 6 metres from the main street frontage.                            | <b>N/A</b>            | Not applicable. |                  |

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|--|--|-----------------------|-----------------|------------------|
| <b>P22</b> Development does not adversely impact on areas of sensitive natural vegetation, foreshore areas, watercourses and areas of tidal inundation which contribute the Scenic Amenity and natural values of the Locality. | No Acceptable Solution.<br><br>(Information that the Council may request to demonstrate compliance with the Performance Criteria is outlined in Planning Scheme Policy No 10 – Reports and Information the Council May Request, for code and impact assessable development). | N/A                   | Not applicable. |                  |
| <b>Special Management Areas – Special Management Area 1 – Flagstaff Hill</b>   |  |                       |                 |                  |
| <b>P23</b> Flagstaff Hill is protected from inappropriate development to protect the Hill as an important natural landmark feature of Port Douglas and as a vegetated backdrop to the Tourist Centre.                          | <b>A23.1</b> Only houses on large allotments are developed in Special Management Area 1 – Flagstaff Hill.  | N/A                   | Not applicable. |                  |

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|--|---|-----------------------|-----------------|------------------|
| <b>P24</b> All development on Flagstaff Hill is designed to minimise the visibility of the development and to ensure development is subservient to the natural landscape and topography of the site including through: <ul style="list-style-type: none"> <li>(a) Building design which minimises excavation and fillings.</li> <li>(b) Buildings being designed to step down the site and incorporate foundations and footings on piers or poles.</li> <li>(c) Buildings being visually unobtrusive and incorporating exterior finishes and muted colours which are non reflective and complement the colours of the surrounding vegetation and view shed.</li> </ul> Protection of views from public viewing points. | No Acceptable Solution.   | N/A                   | Not applicable. |                  |
| <b>Special Management Areas – Special Management Area 2 – Residential Growth Area</b>  |   |                       |                 |                  |
| <b>P25</b> The Residential Growth Area is development taking account of the opportunities and constraints and existing topographic and man made features of the whole of the site, and in particular, that part of the site identified as Investigation Zone (vegetation and flooding).  | <b>A25.1</b> No Acceptable Solution.<br><br>(Information that the Council may request to demonstrate compliance with the Performance Criteria is outlined in Planning Scheme Policy No 10 – Reports and Information the Council May Request, for code and impact assessable development). | N/A                   | Not applicable. |                  |
| <b>P26</b> Any reconfiguration layout ensures that access to the State-Controlled Road is minimised.   | <b>A26.1</b> Vehicle access to the Captain Cook Highway is limited to one access point via Andreasson Road with internal vehicular connectivity provided throughout the Residential Growth Area, if development occurs in stages.   | N/A                   | Not applicable. |                  |

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 A/S = Alternative Solution  
 N/A = Not applicable to this proposal

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|--|--|-----------------------|-----------------|------------------|
| <b>P30</b> The reconfiguration of Lot 83 on SR 724 for Industrial development proceeds in line with a demonstrated demand for Industrial land at Craiglie.                                     | <b>A30.1</b> Council will only support the staged reconfiguration of that part of Lot 83 on SR 724 designated in the Industry Planning Area, in association with a Needs Analysis, prepared in accordance with Planning Scheme Policy No 10 – Reports and Information the Council May Request, which demonstrates a clear demand for additional industrial land at Craiglie. | N/A                   | Not applicable. |                  |
|  | <b>A30.2</b> The Needs Analysis incorporates a methodology to be approved by Council for the staged development of any reconfiguration of land for industrial purposes, in line with the specified future demand scenario.   | N/A                   | Not applicable. |                  |
|  | <b>A30.3</b> The reconfiguration and/or redesignation for industrial development of that part of Lot 83 on SR 724 included in the Rural Planning Area does not occur in the life of this Planning Scheme, unless supported by another Needs Analysis prepared in accordance with A29.1 and A29.2.  | N/A                   | Not applicable. |                  |
| <b>P31</b> The parkland contribution associated with the reconfiguration of Lot 83 on SR 724 provides for the expansion of Teamster Park.  | <b>A31.1</b> Provision shall be made for a park contribution associated with the reconfiguration of Lot 83 on SR 724. Should the park contribution be provided in stages, the total contribution of land must be identified in one area in association with Stage 1 of any reconfiguration application.  | N/A                   | Not applicable. |                  |
| <b>P32</b> Development on the western side of Owen Street provides for a range of Service Industry uses, which may incorporate a minor, ancillary and necessarily associated retail component. | <b>A32.1</b> Service Industry development on the western side of Owen Street can be designed to designate up to a maximum of 30% of the total gross floor area of any building/s on the site for a retail component to be located at the front of the development, provided the retail component is allied to the primary Service Industry activity carried out on the site. | N/A                   | Not applicable. |                  |

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| <b>P33</b> The potential for conflict between Industrial development and any residential development is minimised. | <b>A33.1</b> Any residential development occurring immediately adjacent to Special Management Area 3 does not occur until road closures and road openings have been undertaken to provide physical separation between residential land and industrial land.<br><br>AND<br><br>New road alignments are generally sited in accordance with the access points identified on the relevant Locality Plan.  | N/A                   | Not applicable. |                  |
| <b>Special Management Areas – Special Management Area 4 – Service Industry Precincts (Mahogany Street)</b>         |   |                       |                 |                  |
| <b>P33</b> Development on Lot 147 on SR 866 supports the marine industries within Port Douglas.                    | <b>A33.1</b> Only Service Industry uses are located on that part of Lot 147 on SR 866 included in the Industry Planning Area.<br><br>AND<br><br>Only once lease arrangements on the land facilitate Service Industry uses.<br><br>AND<br><br>The proponent of the proposed Service Industry use provides written evidence to Council that it supports/services the marine industries in Port Douglas. | N/A                   | Not applicable. |                  |
| <b>P34</b> Development on Lot 147 on SR 866 provides for the protection of vegetation on the site.                 | <b>A34.1</b> Development is limited to that part of the site that is currently cleared in accordance with a vegetation assessment to determine the exact vegetation line along the boundaries of the Conservation and Industry Planning Areas.<br><br><b>A34.2</b> Buildings and structures are setback 4 metres from the vegetation line and 6 metres from the front boundary of the site.           | N/A                   | Not applicable. |                  |
| <b>P35</b> Development of Lot 147 on SR 866 is provided with appropriate access.                                   | <b>A35.1</b> Access to the site will be limited to existing access points (maximum of 2) outside the Conservation Planning Area and constructed to a standard suitable for Service Industry uses.   | N/A                   | Not applicable. |                  |

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|--|---|-----------------------|-----------------|------------------|
| <b>Special Management Areas – Special Management Area 5 – Waterfront Investigation Area Precinct</b>   |   |                       |                 |                  |
| <b>P36</b> The future Waterfront Precinct is protected from any new uses or intensification of existing uses, to allow for future waterfront industry, marine, maritime, port and community and recreation activities. | <b>A36.1</b> No Acceptable Solution.<br><br>(Information that the Council may request to demonstrate compliance with the Performance Criteria is outlined in Planning Scheme Policy No 10 – Reports and Information the Council May Request, for code and impact assessable development). | <b>N/A</b>            | Not applicable. |                  |

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|---|---|-----------------------|--|------------------|
| <b>Consistent and Inconsistent Uses</b>   |   |                       |  |                  |
| <b>P1</b> The establishment of uses is consistent with the outcomes sought for the Tourist and Residential Planning Area.   | <b>A1.1</b> Uses identified as inconsistent uses in the Assessment Table are not established in the Tourist and Residential Planning Area.  | ✓                     | Proposal complies.   |                  |
| <b>Site Coverage – Other than a House</b>   |   |                       |  |                  |
| <b>P2</b> The Site Coverage of all Buildings, other than a House, does not result in a built form that is bulky or visually obtrusive.  | <b>A2.1</b> The Site Coverage of any Building, other than a House, is limited to: <ul style="list-style-type: none"> <li>• 45% at Ground Level;</li> <li>• 40% at first floor level; and</li> <li>• 35% at second floor level, if applicable.</li> </ul>  | A/S                   | The proposed dwellings present a site cover of 52.76% at ground level and 32.32% at the first floor level.<br><br>The non-compliance is considered negligible and does not result in a built form which is bulky or visually obtrusive.  |                  |
| <b>Building Setback and Sitting – Other than a House</b>  |   |                       |  |                  |
| <b>P3</b> Buildings, other than a House, are Setback to: <ul style="list-style-type: none"> <li>• maintain the character and amenity of the area; and</li> <li>• achieve separation from neighbouring Buildings and from Road Frontages.</li> </ul> | <b>A3.1</b> Buildings, other than a House is Setback: <ul style="list-style-type: none"> <li>• a minimum of 6 metres from the Main Street Frontage</li> <li>• a minimum of 4 metres from any secondary street Frontage; and</li> <li>• for side and rear boundary Setbacks:               <ul style="list-style-type: none"> <li>P1 1.5 metres; or</li> <li>P2 an average of half of the Height of the wall of the Building, whichever is the greater.</li> </ul> </li> </ul> | A/S                   | The proposed setbacks are as follows:<br><br>Main street frontage – 5.4m<br>Side (eastern) – Nil<br>Side (western) – between 4.1m and 4.3m<br>Rear – between Nil and 1.3m<br><br>Despite the non-compliant setbacks, the proposed development maintains the character and amenity of the area, and achieves separation from neighbouring buildings and from road frontages.<br><br>In particular, it is noted that the buildings on the adjoining lots are setback from the proposed development by a driveway, which provides an additional buffer between the existing and the proposed development. |                  |

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 A/S = Alternative Solution  
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|---|---|-----------------------|--|------------------|
| <b>Building Proportions and Scale – Other than a House</b>  |   |                       |  |                  |
| <b>P5</b> The proportions and scale of any development, other than a House, are in character with the area and local streetscape. | <b>A5.1</b> The overall length of a Building, other than a House, does not exceed 30 metres and the overall length of any continuous wall does not exceed 15 metres.  | ✓                     | Proposal complies.                         |                  |
|   | <b>A5.2</b> Balconies, patios and similar spaces are not enclosed or capable of being enclosed and used as a Habitable Room.<br><br>AND<br><br>Balconies, patios and similar spaces are designed to be open and of light weight appearance with a maximum of 20% of the façade being fully enclosed.  | ✓                     | Proposal complies.                         |                  |
|   | <b>A5.3</b> Roof forms, materials and colours of the Building enhance the amenity of the street and locality including: <ul style="list-style-type: none"> <li>• the roof of Buildings are light coloured and non-reflective; and</li> <li>• white and shining metallic finishes</li> </ul> Are avoided on external surfaces in prominent view.<br><br>The development incorporates building design features and architectural elements detailed in Planning Scheme Policy No 2 – Building Design and Architectural Elements. | ✓                     | Proposal complies/is capable of complying. |                  |

Solution: ✓ = Acceptable Solution  
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 N/A = Not applicable to this proposal

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|--|---|-----------------------|---|------------------|
| <b>Landscaping – Other than a House</b>  |   |                       |   |                  |
| <b>P6</b> A Site in the Tourist and Residential Planning Area which is developed for any residential purpose, other than a House, is landscaped to provide for the recreational amenity of residents/guests and also incorporates dominant tropical vegetation which enhances the streetscape and the amenity of the area. | <p><b>A6.1</b> A minimum of 35% of the Site is provided as Landscaping and Recreation Area. 30% of this total area is provided as Landscaping.</p> <p>UNLESS</p> <p>A greater percentage is specified in a Land Use Code.</p> <p>AND</p> <p><b>P1</b> within the Site Frontage Setback area a minimum width of 2 metres of Landscaping, including 75% Dense Planting; and</p> <p><b>P2</b> within the side and rear Setback areas a minimum width of 1.5 metres of Landscaping, including 75% Dense Planting is provided in accordance with the Landscaping Code.</p> <p>UNLESS</p> <p>A greater distance is specified in a Land Use Code</p> | <b>A/S</b>            | The proposed development provides sufficient landscaping and recreation areas for each dwelling, which is capable of incorporating dominant tropical vegetation which enhances the streetscape and the amenity of the area. |                  |

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 N/A = Not applicable to this proposal

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| <b>Recreation and Ancillary Facilities</b>   |  |                       |                 |                  |
| <b>P7</b> Tourist developments include recreational and ancillary services and facilities for the enjoyment and convenience of guests. | <b>A7.1</b> Development which includes accommodation for tourists incorporates a mix of the following recreational and ancillary services and facilities: <ul style="list-style-type: none"> <li>• swimming pool/s</li> <li>• tennis courts</li> <li>• BBQ areas</li> <li>• volleyball courts</li> <li>• outdoor lounging/Recreation Areas</li> <li>• Restaurants/bars</li> <li>• shops/boutique</li> <li>• tour booking office</li> <li>• spas/health clubs.</li> </ul> | N/A                   | Not applicable. |                  |
|  | <b>A7.2</b> Any commercial services or facilities incorporated into a tourist development are small scale and predominantly service in-house guests only.  | N/A                   | Not applicable. |                  |
|  | <b>A7.3</b> Where a commercial service or facility offers services to persons over and above in-house guests the commercial component provides on Site car parking for 50% of the floor area available for use in accordance with the relevant requirements of the Vehicle Parking and Access Code.  | N/A                   | Not applicable. |                  |

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 N/A = Not applicable to this proposal