



SETTLEMENT AREAS NORTH OF THE DAINTREE RIVER LOCALITY



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4.2.2 Settlement Areas North of the Daintree River Locality Code

Purpose

The purpose of this Code is to facilitate the achievement of the following outcomes for the Settlement Areas North of the Daintree River Locality:

- protect the values of the WTWHA by ensuring that adjacent settlement areas are limited in extent and have a character and identity which are complementary to those values;
- ensure that all development remains low key and sustainable and within the development limits imposed by the Daintree River ferry crossing and the vehicular capacity of the Alexandra Range crossing and the local Road network;
- provide adequate services and facilities for settlement areas and an appropriate level of economic opportunity for local residents;
- ensure that all development is designed and operated to achieve an environmentally sustainable outcome by taking into account the specific values of the area and/or Management Area and Precinct in which it is located and the site's constraints and opportunities;
- ensure that all development is sensitive and sympathetic to its remote location in an area of unique Biodiversity and Scenic Amenity value; and
- ensure the natural forested landscape character of the locality is protected and enhanced.

Applicability

This Code applies to assessable development in the Settlement Areas North of the Daintree River Locality for:

- Material Change of Use;
- Reconfiguring a Lot;
- Operational Work Associated with Reconfiguring a Lot;
- Operational Work – Filling or Excavation not associated with a Material Change of Use;
- Operational Work – Engineering Works not associated with a Material Change of Use;
- Operational Work – Placing an Advertising Device on Premises not associated with a Material Change of Use; and
- Building Work other than Minor Building Work not associated with a Material Change of Use, except when in the Rural Planning Area.



Elements of the Code

General Requirements – All Development in this Locality

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
<p>P1 The Height of Buildings and structures is subservient to the surrounding environment and is in keeping with the unique character of the Locality.</p>	<p>A1.1 In the Planning Areas in this Locality the maximum Height of Buildings/structures is 6.5 metres and 2 Storeys. In addition, the roof or any ancillary roof features do not exceed a maximum Height of 3.5 metres.</p>
<p>P2 Development is connected to sustainable on Site infrastructure services.</p>	<p>A2.1 Water storage is provided in tank/s with a minimum capacity to service the proposed use, including fire fighting capacity, and Access to the tank/s for fire trucks. Tank/s to be fitted with a 50 mm ball valve with a camlock fitting and installed and connected prior to occupation and sited so as to be visually unobtrusive.</p> <p>Water storage tanks are to be fitted with screening at the inlet to prevent the intrusion of leaves and insects.</p> <p>A2.2 On any roof exceeding 100 m², gutters are installed and the flow diverted to a storage tank.</p> <p>A2.3 An environmentally acceptable and energy efficient power supply is constructed, installed and connected prior to occupation and sited so as to be screened from the road.</p> <p>(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).</p>



<p>P3 Onsite wastewater does not adversely impact on the environmental quality of the water and soil resources or the amenity of residents, through the implementation of best environmental practice.</p>	<p>No Acceptable Solution.</p> <p>(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).</p>
<p>P4 The sustainability of the natural water resources of the area is protected for ecological and domestic consumption purposes.</p>	<p>A4.1 If groundwater is to be used development is limited to one bore per site and the bore is:</p> <ul style="list-style-type: none"> • Not located within 100 metres of a septic disposal trench (on the Site or adjoining Sites); and • not located within 100 metres of another bore. <p>A4.2 Surface water is to be used for domestic purposes only.</p>
<p>P5 Development does not adversely on areas of sensitive natural vegetation, foreshore areas, Watercourses and areas of tidal inundation which contribute to the Scenic Amenity and the natural values of the Locality⁵.</p>	<p>No Acceptable Solution.</p> <p>(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).</p>
<p>P6 Development is subservient to the surrounding natural environment in scale and intensity and is designed to be energy efficient and functional in a humid tropical rainforest environment.</p>	<p>A6.1 The exterior finishes and colours of Buildings are non-reflective and complement the colours of the surrounding vegetation and viewshed.</p> <p>A6.2 Buildings must be designed such that natural light is maximized and the need for internal lighting during daylight hours is minimized.</p>

⁵ The Environmental Protection Agency is a Concurrence Agency for assessable development within a Coastal Management District.



	<p>A6.3 The development incorporates building design features and architectural elements detailed in Planning Scheme Policy No 2 – Building Design and Architectural Elements.</p> <p>A6.4 The noise of generators is controlled by design or the generator is enclosed in a sound insulated building with a residential approved muffler. The noise level generated is less than 65 dBA when measured from a distance of 7 metres.</p> <p>A6.5 Any fuel storage associated with an on site generator and storage of 20 Litres or more of fuel is enclosed in a building and banded.</p>
<p>P7 Landscaping of development Sites ensures the native landscape character of the Locality is dominant.</p>	<p>A7.1 Landscaping utilises only native species and complies with the requirements of Planning Scheme Policy No 7 – Landscaping.</p> <p style="text-align: center;">AND</p> <p>All of the existing Landscaping to be retained and all of the proposed Landscaping is 100% endemic or native species and the details are provided on a Landscape Plan.</p>
<p>P8 Site Access driveways and Roads within the Locality are retained as safe, slow speed, scenic drives.</p>	<p>A8.1 Site Access driveways and existing or proposed Roads comply with the relevant requirements of Planning Scheme Policy No 6 – FNQROC Development Manual and are maintained as low speed gravel Roads to maintain the scenic drive experience and to discourage the use of Roads by through-traffic.</p> <p style="text-align: center;">AND</p> <p>Where existing Roads/tracks are 4 wheel drive only, upgrading to facilitate conventional vehicles and an increase in through-traffic does not occur.</p>
<p>P9 The onsite impacts on natural flow regimes and erosion and sedimentation are</p>	<p>A9.1 Excavation and Fill is kept to a minimum and involves not more than</p>



<p>minimised.</p>	<p>5% of the cleared area of the lot.</p> <p>A9.2 All exposed surfaces must incorporate erosion and sediment controls during construction and must be maintained until revegetation or other permanent stabilization has occurred.</p> <p>A9.3 There is no disturbance to tree roots and trenching does not involve any damage to tree roots.</p> <p>A9.4 On Site drainage and stormwater management:</p> <p>P1 maintains natural flow regimes; P2 minimises impervious surfaces; P3 avoids concentration of flows, but where there is any form of concentration of flow, energy dissipation measures are installed at the outlet to avoid erosion (eg: rock rip rap, gravel beds, diffusers etc).</p>
<p>P10 The land use aspirations in any Indigenous Land Use Agreement (ILUA) are acknowledged and facilitated.</p>	<p>A10.1 Development is consistent with any ILUA relating to the land and the relevant provisions of the Planning Scheme.</p>

General Requirements – House

<p>PERFORMANCE CRITERIA</p>	<p>ACCEPTABLE SOLUTIONS</p>
<p>P11 Development minimises the loss of vegetation and habitat connectivity on Site and is sited to protect the environmental values of the Site⁶.</p>	<p>A11.1 The elements of development and Access to the site are included in a Designated Development Area (DDA).</p> <p>A11.2 Development is sited in an existing cleared area or in an area approved for Clearing under the Local Law – Vegetation Management but which is not cleared until a Building Permit is issued.</p>
	<p>A11.3 Any new Clearing is limited to a maximum area of 700 m² and is sited clear of the High Bank of any Watercourse.</p>

⁶ Vegetation clearing is required to be undertaken in accordance with Local Law – Vegetation Management.



	(The 700m ² area of new Clearing does not include an access driveway).
P12 All existing native vegetation on a House Site, other than that required and approved to be cleared to provide for the construction of a House and Access thereto, is protected to ensure the environmental integrity of the Locality.	No Acceptable Solution. (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).
P13 Wildlife movement, fauna habitat and habitat corridors are protected and domestic impacts minimised.	A13.1 Fences are limited in extent to the confines of the cleared area around the House and any associated gates are self closing. A13.2 External lighting is to be kept to the minimum necessary for orientation, safety and security. Flood lights must not point up and areas of retained vegetation should, in general, not be illuminated. Where appropriate, outdoor lights are controlled by movement detectors and/or have timers.
P14 House Sites have efficient and safe vehicle Access and manoeuvring areas on Site and to the Site to an acceptable standard for the Locality.	A14.1 Vehicle Access is limited to one access per lot and sited in an approved location clear of significant vegetation, any Watercourse or steep slopes. A14.2 Vehicular Access, with a maximum width of 4 metres, follows the contours of the Site, avoids large tree specimens or significant vegetation and habitat corridors and is constructed and maintained to a minimum gravel standard of 75 mm of road base on a compacted soil surface. A14.3 Vehicular Access is constructed prior to the construction of the House.

General Requirements – Tourist and Commercial/Community Development

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
P15 Development minimises the loss of vegetation and habitat connectivity on Site and is sited to protect the environmental	A15.1 The elements of development and Access to the site are included in a Designated Development Area (DDA).



<p>values of the Site⁷.</p>	<p>A15.2 Development is sited in an existing cleared area.</p> <p style="text-align: center;">AND</p> <p>Where the existing cleared area is greater than that required for the use, the balance of the clearing is revegetated and rehabilitated.</p> <p style="text-align: center;">OR</p> <p>Where no clearing exists, development is sited in an area approved for clearing under the Local Law – Vegetation Management but which is not cleared until a Building Permit is issued.</p> <p>A15.3 Any new clearing is limited to a maximum area of 700 m² and is sited clear of the High Bank of any Watercourse.</p> <p>(The 700 m² of new clearing does not include an access driveway).</p>
<p>P16 Development is sited so that it is not clearly visible from any public Road or public viewing point.</p>	<p>A16.1 Any Tourist or other development is effectively screened from view either by existing native vegetation located within the Setback area/s or by the planting of additional native trees identified on an approved Landscape Plan prepared by a suitably qualified professional and lodged at Development Application stage..</p>

⁷ Vegetation clearing is required to be undertaken in accordance with Local Law – Vegetation Management.



	A16.2 Any Commercial development, which relies on passing trade, is partially screened from the Road Frontage by filtered views using native vegetation located within the Setback area/s or by the planting of additional native trees identified on an approved Landscape Plan prepared by a suitably qualified professional and lodged at Development Application stage
P17 Native fauna, their habitat and corridors are protected from development or the impact of the operations of the development.	A17.1 No fences or barriers are Erected within 10 metres of an area identified as a fauna habitat or corridor and no perimeter fences or barriers are Erected around the development Site.
P18 Development Sites have efficient and safe vehicle Access and manoeuvring areas on Site and to the Site, to an acceptable standard for the Locality.	A18.1 Vehicular Access with a maximum width of 6 metres is sited in an approved location, follows the contours of the Site, avoids large tree specimens or significant vegetation and habitat corridors, is clear of significant vegetation, any Watercourse or steep slopes and is constructed and maintained to a standard commensurate with the use. A18.2 Vehicular Access is constructed prior to the construction of the development.
P19 The establishment of a Caretaker's Residence reduces traffic impacts in the Locality.	A19.1 A Caretaker's Residence only establishes in association with an operational Commercial / Community activity located on the same Site.

Specific Provisions for the Settlement Area of Degarra/Bloomfield

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
P20 For the future economic and social well being of all residents, opportunities are provided for local commercial development and employment opportunities in the Degarra/Bloomfield area.	A20.1 The development of commercial activities at Degarra/Bloomfield which service the residents of the local area and passing tourists/travellers are to occur in the area designated for that purpose on the Locality Map subject to an assessment of the opportunities and constraints of the Site.



	<p>A20.2 Home Industry uses are also supported generally in the Degarra/Bloomfield area, subject to an assessment of the opportunities and constraints of the Site.</p>
<p>P21 For the future social well being of residents of the Wujal Wujal Community, alternative-housing options will be supported in the Degarra/Bloomfield area.</p>	<p>A21.1 Within the area designated for that purpose on the Locality Map the development of Outstations/Seasonal Camps will be supported, provided:</p> <ul style="list-style-type: none"> • the number of Expanded Houses is limited to a maximum of one Expanded House for every 500 m² of Site area; <p style="text-align: center;">AND</p> <ul style="list-style-type: none"> • the siting and design of any Expanded Houses takes account of the opportunities and constraints of the Site. <p>A21.2 Other community services and facilities may also be supported by Council within this designated area on the Locality Map, subject to an assessment of the opportunities and constraints of the Site.</p>
<p>P22 The development of recreational facilities to service the local community at Degarra/Bloomfield is supported and encouraged.</p>	<p>A22.1 Part of Lot 10 on RP 903517, adjacent to the Bloomfield River, is developed for a multi purpose sporting complex (including clubhouse and ancillary facilities) to service the local community.</p> <p>A22.2 The design and siting of a multi purpose sporting complex on part of Lot 10 takes account of the opportunities and constraints of the Site.</p>



Specific Provisions for the Settlement Area of Daintree Lowlands

Northern Management Area – Cape Tribulation to Thornton Beach

Rainforest Conservation Precinct

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
<p>P23 The biodiversity value of the area and the habitat of endemic species is protected on land included in the Rainforest Conservation Precinct⁸.</p>	<p>A23.1 No new development occurs in the Rainforest Conservation Precinct whether on vacant land or already developed land.</p> <p style="text-align: center;">EXCEPT THAT</p> <p>Vacant land which meets one or more of the following criteria and is listed on Council's Register:</p> <ul style="list-style-type: none"> (a) Land which has previously been lawfully cleared and currently remains cleared; or (b) Land which is the subject of a current Clearing Permit but has yet to be cleared; or (c) Land which is the subject of a current Operational Works Permit, <p>can be developed for a House or, where appropriate, a Caretaker's Residence, subject to compliance with all the relevant Codes.</p> <p style="text-align: center;">IN ADDITION</p> <p>Minor extensions can be undertaken to an existing development.</p> <p style="text-align: center;">PROVIDED</p>

⁸ Any existing land use activities undertaken in association with a lawfully established land use, such as ongoing maintenance and operational activities, can continue, notwithstanding the Rainforest Conservation Precinct designation, until such time as the cessation of the lawful land use.



	<p>The extensions are limited to a maximum area of 30% of the existing gross floor area for a House.</p> <p style="text-align: center;">OR</p> <p>The extent of extensions are determined on a site specific/use specific basis for other land uses.</p> <p style="text-align: center;">AND PROVIDED</p> <p>No further on site clearing is required to accommodate the extensions for either a House or any other land use development.</p>
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Rainforest Residential Precinct

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
<p>P24 Land included in the Rainforest Residential Precinct is only developed for a House and Bed and Breakfast Accommodation where it can be demonstrated that the scale of the Bed and Breakfast Accommodation can establish on the site and not detrimentally impact on the environmental or scenic values of the Site and the surrounding area.</p>	<p>A24.1 Development in the Rainforest Residential Precinct is limited to one House per lot.</p> <p>A24.2 Establishment of Bed and Breakfast Accommodation only occurs on land in the Rainforest Residential Precinct on which a House has been approved and constructed.</p> <p style="text-align: center;">AND</p> <p>Is limited to existing cleared areas on the land confirmed by Council's Environmental Officer as a preferred location/s for development, in order to protect the integrity of existing vegetation on the site.</p> <p style="text-align: center;">EXCEPT THAT</p> <p>Bed and Breakfast can establish within an existing House where there is no existing cleared area to facilitate development in separate building/s.</p>



A24.3 Bed and Breakfast Accommodation only establishes in accordance with the following criteria:

- a) a maximum of 4 bedrooms (8 Bed Spaces) where a site has a minimum area of 4 hectares;
- b) a maximum of 3 bedrooms (6 Bed Spaces) where a site has a minimum area of 3 hectares;
- c) a maximum of 2 bedrooms (4 Bed Spaces) where a site has a minimum area of 2 hectares; and
- d) a maximum of 1 bedroom (2 Bed Spaces) where a site has a minimum area of 1 hectare.

A24.4 Development on any site in the Rainforest Residential Precinct with frontage to the Esplanade is setback from the Esplanade 250 metres,

EXCEPT THAT

Lots 2 and 3 on RP 726706 have a minimum development setback from the Esplanade of 100 metres.

UNLESS

An existing clearing exists on site and is confirmed by Council's Environmental Officer as a preferred location for development, in order to protect the integrity of existing vegetation on the site.



Rainforest Tourism Precinct

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
<p>P25 Development on land in the Rainforest Tourism Precinct complements, protects and enhances the environmental and scenic values of the site.</p>	<p>A25.1 Only one House establishes per lot.</p> <p>A25.2 Development in the Rainforest Tourism Precinct is limited to existing cleared areas on the site.</p> <p>A25.3 No development is to occur above the 60m contour line.</p> <p>A25.4 Any new Primary Industry activity or a change in Primary Industry activity has minimal impact on the existing natural values of the Site and the surrounding area⁹.</p> <p>A25.5 Rural activities are carried out in accordance with a Property Management Plan.</p> <p>A25.6 The balance area of the Development Site, including any existing cleared area/s not identified for development, is/are revegetated / rehabilitated in accordance with a Landscaping Plan.</p> <p>(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).</p>
<p>P26 Large partially cleared sites are revegetated and rehabilitated in association with small scale environmentally sustainable development.</p>	<p>A26.1 Lots with a maximum area greater than 65 hectares and containing cleared areas are developed for Forest Stay Accommodation or Staff Quarters</p>

⁹ Examples of inconsistent Primary Industry activity include: animal grazing due to the potential environmental impacts associated with erosion and runoff; and non-endemic fruit trees, crops and flower farms due to the potential for dispersal of seeds which may naturalise and alter the natural environment.



	<p>.A26.2 Any Forest Stay Accommodation is limited to a maximum of 20 guests (20 Bed Spaces) and provides staff accommodation for a minimum of 6 staff (6 Bed Spaces).</p> <p>A26.3 Any Staff Quarters accommodates a maximum of 26 staff (26 Bed Spaces).</p> <p>AND</p> <p>Contains a mix of accommodation types, in the form of both self contained and non-self contained accommodation.</p> <p>AND</p> <p>The Staff Quarters remain on one land title with the provision of communal recreation areas and car parking areas for the use of tenants.</p>
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Central Management Area – Upper Cooper Creek to McLean Creek

Rainforest Conservation Precinct

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
<p>P27 The biodiversity value of the area and the habitat of endemic species is protected on land included in the Rainforest Conservation Precinct¹⁰.</p>	<p>A27.1 No new development occurs in the Rainforest Conservation Precinct whether on vacant land or already developed land.</p> <p style="text-align: center;">EXCEPT THAT</p> <p>Vacant land which meets one or more of the following criteria and is listed on Council’s Register:</p> <ul style="list-style-type: none"> (d) Land which has previously been lawfully cleared and currently remains cleared; or (e) Land which is the subject of a current Clearing Permit but has yet to be cleared; or (f) Land which is the subject of a current Operational Works Permit, <p>can be developed for a House or, where appropriate, a Caretaker’s Residence, subject to compliance with all the relevant Codes.</p> <p style="text-align: center;">IN ADDITION</p> <p>Minor extensions can be undertaken to an existing development.</p> <p style="text-align: center;">PROVIDED</p> <p>The extensions are limited to a maximum area of 30% of the existing gross floor area for a House.</p> <p style="text-align: center;">OR</p>

¹⁰ Any existing land use activities undertaken in association with a lawfully established land use, such as ongoing maintenance and operational activities, can continue, notwithstanding the Rainforest Conservation Precinct designation, until such time as the cessation of the lawful land use.



	<p>The extent of extensions are determined on a site specific/use specific basis for other land uses.</p> <p>AND PROVIDED</p> <p>No further on site clearing is required to accommodate the extensions for either a House or any other land use development.</p>
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Rainforest Residential Precinct

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
<p>P28 Land included in the Rainforest Residential Precinct is only developed for a House and Bed and Breakfast Accommodation where it can be demonstrated that the scale of the Bed and Breakfast Accommodation can establish on the site and not detrimentally impact on the environmental or scenic values of the Site and the surrounding area.</p>	<p>A28.1 Development in the Rainforest Residential Precinct is limited to one House per lot.</p> <p>A28.2 Establishment of Bed and Breakfast Accommodation only occurs on land in the Rainforest Residential Precinct on which a House has been approved and constructed.</p> <p style="text-align: center;">AND</p> <p>Is limited to existing cleared areas on the land confirmed by Council's Environmental Officer as a preferred location/s for development, in order to protect the integrity of existing vegetation on the site.</p> <p style="text-align: center;">EXCEPT THAT</p> <p>Bed and Breakfast can establish within an existing House where there is no existing cleared area to facilitate development in separate building/s.</p> <p>A28.3 Bed and Breakfast Accommodation only establishes in accordance with the following criteria:</p> <ul style="list-style-type: none"> - a maximum of 3 bedrooms (6 Bed Spaces) where a site has a minimum area of 3 hectares.



Rainforest Tourism Precinct

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
<p>P29 Development on land in the Rainforest Tourism Precinct complements, protects and enhances the environmental and scenic values of the site.</p>	<p>A29.1 Only one House establishes per lot.</p> <p>A29.2 Development in the Rainforest Tourism Precinct is limited to existing cleared areas on the Site.</p> <p>A29.3 Any new Primary Industry activity or a change in Primary Industry activity has minimal impact on the existing natural values of the Site and the surrounding area¹¹.</p> <p>A29.4 Rural activities are carried out in accordance with a Property Management Plan.</p> <p>A29.5 The balance area of the Development Site, including any existing cleared area/s not identified for development is/are revegetated / rehabilitated in accordance with a Landscaping Plan.</p> <p>(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).</p>
<p>P30 Large partially cleared sites are revegetated and rehabilitated in association with small scale environmentally sustainable development.</p>	<p>A30.1 Lots with a maximum area greater than 100 hectares and containing cleared areas are developed for Forest Stay Accommodation.</p> <p>A30.2 Any Forest Stay Accommodation is limited to a maximum of 20 guests (20 Bed Spaces) and provides staff accommodation for a minimum of 6 staff (6 Bed Spaces).</p>

¹¹ Examples of inconsistent Primary Industry activity include: animal grazing due to the potential environmental impacts associated with erosion and runoff; and non-endemic fruit trees, crops and flower farms due to the potential for dispersal of seeds which may naturalise and alter the natural environment.



<p>P31 Medium sized partially cleared sites are revegetated and rehabilitated in association with small scale environmentally sustainable development.</p>	<p>A31.1 Lots with a maximum area greater than 10 hectares and containing cleared areas are developed for Forest Stay Accommodation.</p> <p>A31.2 Any Forest Stay Accommodation is limited to a maximum of 10 guests (10 Bed Spaces) and provides staff accommodation for a minimum of 4 staff (4 Bed Spaces).</p>
<p>P32 Small cleared sites are revegetated and rehabilitated in association with small scale environmentally sustainable development.</p>	<p>A32.1 Establishment of Bed and Breakfast Accommodation only occurs on land in the Rainforest Tourism Precinct on which a House has been approved and constructed.</p> <p style="text-align: center;">AND</p> <p>Is limited to existing cleared areas on the land confirmed by Council's Environmental Officer as a preferred location/s for development, in order to protect the integrity of existing vegetation on the site.</p> <p style="text-align: center;">EXCEPT THAT</p> <p>Bed and Breakfast can establish within an existing House where there is no existing cleared area to facilitate development in separate building/s.</p> <p>A32.2 Bed and Breakfast Accommodation only establishes in accordance with the following criteria:</p> <ul style="list-style-type: none"> • a maximum of 3 bedrooms (6 Bed Spaces) where a site has a minimum area of 3 hectares.



<p>P33 A range of suitable options for access and transportation are provided for residents and tourists.</p>	<p>A33.1 Any limited commercial airport facility to service the local area is only established on the existing Cow Bay Airstrip located on Lot 551 on RP 748411.</p> <p>A33.2 Any proposed upgrading of the Cow Bay Airstrip for small scale commercial purposes must only occur if the residential and general amenity of the area is protected.</p>
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Rainforest Commercial/Community Precinct

<p>PERFORMANCE CRITERIA</p>	<p>ACCEPTABLE SOLUTIONS</p>
<p>P34 Commercial development is located in a convenient location and meets the requirements of the local community and visitors to the area.</p>	<p>A34.1 Commercial development is located within the Rainforest Commercial/Community Precinct on Cape Tribulation Road at Cow Bay.</p>
<p>P35 Community facilities are protected and established for the use of local residents in convenient locations, central to residential settlement. New community facilities establish, taking into account the environmental integrity of the site.</p>	<p>A35.1 Community facilities are located and established within the Rainforest Commercial/Community Precinct at Diwan and the Alexandra Bay Primary School.</p> <p style="text-align: center;">AND</p> <p>The QPWS Ranger Station site, being Lot 42 on RP 739765, is developed and the Ranger Station sited and operated taking into account the environmental integrity of the site.</p>



Eastern Management Area – Cow Bay

Rainforest Conservation Precinct

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
<p>P36 The biodiversity value of the area and the habitat of endemic species is protected on land included in the Rainforest Conservation Precinct¹².</p>	<p>A36.1 No new development occurs in the Rainforest Conservation Precinct whether on vacant land or already developed land.</p> <p style="text-align: center;">EXCEPT THAT</p> <p>Vacant land which meets one or more of the following criteria and is listed on Council's Register:</p> <ul style="list-style-type: none"> (g) Land which has previously been lawfully cleared and currently remains cleared; or (h) Land which is the subject of a current Clearing Permit but has yet to be cleared; or (i) Land which is the subject of a current Operational Works Permit, <p>can be developed for a House or, where appropriate, a Caretaker's Residence, subject to compliance with all the relevant Codes.</p> <p style="text-align: center;">IN ADDITION</p> <p>Minor extensions can be undertaken to an existing development.</p> <p style="text-align: center;">PROVIDED</p> <p>The extensions are limited to a maximum area of 30% of the existing gross floor area for a House.</p> <p style="text-align: center;">OR</p>

¹² Any existing land use activities undertaken in association with a lawfully established land use, such as ongoing maintenance and operational activities, can continue, notwithstanding the Rainforest Conservation Precinct designation, until such time as the cessation of the lawful land use.



	<p>The extent of extensions are determined on a site specific/use specific basis for other land uses.</p> <p>AND PROVIDED</p> <p>No further on site clearing is required to accommodate the extensions for either a House or any other land use development.</p>
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Rainforest Residential Precinct

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
<p>P37 Land included in the Rainforest Residential Precinct is only developed for a House.</p>	<p>A37.1 Development in the Rainforest Residential Precinct is limited to one House per lot.</p>



Rainforest Tourism Precinct

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
<p>P38 Development on land in the Rainforest Tourism Precinct complements, protects and enhances the environmental and scenic values of the site.</p>	<p>A38.1 Only one House establishes per lot.</p> <p>A38.2 No development is to occur above the 60 metre contour line.</p> <p>A38.3 Any new Primary Industry activity or a change in Primary Industry activity has minimal impact on the existing natural values of the site and on the surrounding area¹³.</p> <p>A38.4 Rural activities are carried out in accordance with a Property Management Plan.</p> <p>A38.5 The balance area of the Development Site, including any existing cleared area/s not identified for development is/are revegetated / rehabilitated in accordance with a Landscaping Plan.</p> <p>(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).</p>
<p>P39 Medium partially cleared sites are revegetated and rehabilitated in association with small scale environmentally sustainable development.</p>	<p>A39.1 Lots with a maximum area greater than 30 hectares and containing cleared areas are developed for Forest Stay Accommodation.</p> <p>A39.2 Any Forest Stay Accommodation is limited to a maximum of 10 guests (10 Bed Spaces) and provides staff accommodation for a minimum of 4 staff (4 Bed Spaces).</p>

¹³ Examples of inconsistent Primary Industry activity include: animal grazing due to the potential environmental impacts associated with erosion and runoff; and non-endemic fruit trees, crops and flower farms due to the potential for dispersal of seeds which may naturalise and alter the natural environment.



Rainforest Commercial/Community Precinct

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
P40 Community facilities are protected and established for use by local residents, in convenient locations and have no detrimental impact on the environment.	A40.1 The Waster Transfer Station located within the Commercial /Community Precinct on Cedar Road is operated under stringent environmental controls to protect the environmental integrity of the area.

Specific Provisions for the Settlement Areas of Forest Creek and Cape Kimberley

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
P41 Development in the Rural Settlement Planning Area consolidates and protects the values of the area and provides for Houses and where appropriate, Bed and Breakfast Accommodation.	<p>A41.1 Only one House per lot is allowed in the Rural Settlement Planning Area.</p> <p>A41.2 Establishment of Bed and Breakfast Accommodation only occurs on land in the Rural Settlement Planning Area on which a House has been approved and constructed.</p> <p style="text-align: center;">AND</p> <p>Is limited to existing cleared areas on the land confirmed by Council's Environmental Officer as a preferred location/s for development, in order to protect the integrity of existing vegetation on the site.</p>
P42 Land included in the Rural Planning Area is only developed for rural and/or tourism accommodation purposes which complement the values of the area.	<p>A42.1 Only one House establishes per lot.</p> <p>A42.2 Any new Primary Industry activity or a change in the Primary Industry activity has minimal impact on the existing natural values of the Site and the surrounding area¹⁴.</p> <p>A42.3 Rural activities are carried out in accordance with a Property Management Plan.</p>

¹⁴ Examples of inconsistent Primary Industry activity include: animal grazing due to the potential environmental impacts associated with erosion and runoff; and non-endemic fruit trees, crops and flower farms due to the potential for dispersal of seeds which may naturalise and alter the natural environment.



	<p>A42.4 The balance area of the Development Site, including any existing cleared area/s not identified for development is/are revegetated / rehabilitated in accordance with a Landscaping Plan.</p> <p>(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).</p>
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