

IDAS form 1—Application details

(Sustainable Planning Act 2009 version 3.0 effective 1 July 2013)

This form must be used for **ALL** development applications.

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 this form (*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 and any other IDAS form relevant to your application must be used for development applications relating to strategic port land and Brisbane core port land under the *Transport Infrastructure Act 1994* and airport land under the *Airport Assets (Restructuring and Disposal) Act 2008*. 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.

PLEASE NOTE: This form is not required to accompany requests for compliance assessment.

This form can also be completed online using MyDAS at www.dsdip.qld.gov.au/MyDAS

Mandatory requirements

Applicant details (Note: the applicant is the person responsible for making the application and need not be the owner of the land. The applicant is responsible for ensuring the information provided on all IDAS application forms is correct. Any development permit or preliminary approval that may be issued as a consequence of this application will be issued to the applicant.)

Name/s (individual or company name in full)

Timothy John Williams

For companies, contact name

Postal address

C/- Projex Partners Pty Ltd

Box 2133

Suburb	Cairns
--------	--------

State	Qld
-------	-----

Postcode	4870
----------	------

Country	Aus
---------	-----

Contact phone number

41415118

Mobile number (non-mandatory requirement)

Fax number (non-mandatory requirement)

Email address (non-mandatory requirement)

peterrobinson@projexpartners.com.au

Applicant's reference number (non-mandatory requirement)

589001

1. What is the nature of the development proposed and what type of approval is being sought?

Table A—Aspect 1 of the application (If there are additional aspects to the application please list in Table B—Aspect 2.)

- a) What is the nature of the development? (Please only tick one box.)
 Material change of use Reconfiguring a lot Building work Operational work
- b) What is the approval type? (Please only tick one box.)
 Preliminary approval under s241 of SPA Preliminary approval under s241 and s242 of SPA Development permit
- c) Provide a brief description of the proposal, including use definition and number of buildings or structures where applicable (e.g. six unit apartment building defined as a *multi-unit dwelling*, 30 lot residential subdivision etc.)

Dwelling house and shed
- d) What is the level of assessment? (Please only tick one box.)
 Impact assessment Code assessment

Table B—Aspect 2 of the application (If there are additional aspects to the application please list in Table C—Additional aspects of the application.)

- a) What is the nature of development? (Please only tick one box.)
 Material change of use Reconfiguring a lot Building work Operational work
- b) What is the approval type? (Please only tick one box.)
 Preliminary approval under s241 of SPA Preliminary approval under s241 and s242 of SPA Development permit
- c) Provide a brief description of the proposal, including use definition and number of buildings or structures where applicable (e.g. six unit apartment building defined as a *multi-unit dwelling*, 30 lot residential subdivision etc.)
- d) What is the level of assessment?
 Impact assessment Code assessment

Table C—Additional aspects of the application (If there are additional aspects to the application please list in a separate table on an extra page and attach to this form.)

- Refer attached schedule Not required

2. Location of the premises (Complete Table D and/or Table E as applicable. Identify each lot in a separate row.)

Table D—Street address and lot on plan for the premises or street address and lot on plan for the land adjoining or adjacent to the premises (Note: this table is to be used for applications involving taking or interfering with water). (Attach a separate schedule if there is insufficient space in this table.)

- Street address **and** lot on plan (All lots must be listed.)
- Street address **and** lot on plan for the land adjoining or adjacent to the premises (Appropriate for development in water but adjoining or adjacent to land, e.g. jetty, pontoon. All lots must be listed.)

Street address					Lot on plan description		Local government area (e.g. Logan, Cairns)
Lot	Unit no.	Street no.	Street name and official suburb/ locality name	Post-code	Lot no.	Plan type and plan no.	
i)			Mahogany Rd Diwan	4873	39	RP738675	Cairns
ii)							
iii)							

Planning scheme details (If the premises involves multiple zones, clearly identify the relevant zone/s for each lot in a separate row in the below table. Non-mandatory)

Lot	Applicable zone / precinct	Applicable local plan / precinct	Applicable overlay/s
i)	Conservation – Rainforest Residential		
ii)			
iii)			

Table E—Premises coordinates (Appropriate for development in remote areas, over part of a lot or in water not adjoining or adjacent to land e.g. channel dredging in Moreton Bay.) (Attach a separate schedule if there is insufficient space in this table.)

Coordinates (Note: place each set of coordinates in a separate row)				Zone reference	Datum	Local government area (if applicable)
Easting	Northing	Latitude	Longitude			
					<input type="checkbox"/> GDA94 <input type="checkbox"/> WGS84 <input type="checkbox"/> other	

3. Total area of the premises on which the development is proposed (indicate square metres)

10,660

4. Current use/s of the premises (e.g. vacant land, house, apartment building, cane farm etc.)

Vacant

5. Are there any current approvals (e.g. a preliminary approval) associated with this application? (Non-mandatory requirement)

X No Yes—provide details below

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

6. Is owner's consent required for this application? (Refer to notes at the end of this form for more information.)

No

X Yes—complete either Table F, Table G or Table H as applicable

Table F	
Name of owner/s of the land	
I/We, the above-mentioned owner/s of the land, consent to the making of this application.	
Signature of owner/s of the land	
Date	

Table G	
Name of owner/s of the land	Timothy John Williams
x <input type="checkbox"/> The owner's written consent is attached or will be provided separately to the assessment manager.	

Table H	
Name of owner/s of the land	
<input type="checkbox"/> By making this application, I, the applicant, declare that the owner has given written consent to the making of the application.	

7. Identify if any of the following apply to the premises (Tick applicable box/es.)

- Adjacent to a water body, watercourse or aquifer (e.g. creek, river, lake, canal)—complete Table I
- On strategic port land under the *Transport Infrastructure Act 1994*—complete Table J
- In a tidal water area—complete Table K
- On Brisbane core port land under the *Transport Infrastructure Act 1994* (No table requires completion.)
- On airport land under the *Airport Assets (Restructuring and Disposal) Act 2008* (no table requires completion)

Table I
Name of water body, watercourse or aquifer

Table J	
Lot on plan description for strategic port land	Port authority for the lot

Table K	
Name of local government for the tidal area (if applicable)	Port authority for the tidal area (if applicable)

8. Are there any existing easements on the premises? (e.g. for vehicular access, electricity, overland flow, water etc)

X No Yes—ensure the type, location and dimension of each easement is included in the plans submitted

9. Does the proposal include new building work or operational work on the premises? (Including any services)

No X Yes—ensure the nature, location and dimension of proposed works are included in plans submitted

10. Is the payment of a portable long service leave levy applicable to this application? (Refer to notes at the end of this form for more information.)

X No—go to question 12 Yes

11. Has the portable long service leave levy been paid? (Refer to notes at the end of this form for more information.)

X No

Yes—complete Table L and submit with this application the yellow local government/private certifier's copy of the receipted QLeave form

Table L		
Amount paid	Date paid (dd/mm/yy)	QLeave project number (6 digit number starting with A, B, E, L or P)

12. Has the local government agreed to apply a superseded planning scheme to this application under section 96 of the Sustainable Planning Act 2009?

X No

Yes—please provide details below

Name of local government	Date of written notice given by local government (dd/mm/yy)	Reference number of written notice given by local government (if applicable)

13. List below all of the forms and supporting information that accompany this application (Include all IDAS forms, checklists, mandatory supporting information etc. that will be submitted as part of this application. Note: this question does not apply for applications made online using MyDAS)

Description of attachment or title of attachment	Method of lodgement to assessment manager
Design drawings as listed on the transmittal sheet	Over the Counter (OtC)

Supporting Report	OtC

14. Applicant's declaration

X By making this application, I declare that all information in this application is true and correct (Note: it is unlawful to provide false or misleading information)

Notes for completing this form

- Section 261 of the *Sustainable Planning Act 2009* prescribes when an application is a properly-made application. Note, the assessment manager has discretion to accept an application as properly made despite any non-compliance with the requirement to provide mandatory supporting information under section 260(1)(c) of the *Sustainable Planning Act 2009*

Applicant details

- Where the applicant is not a natural person, ensure the applicant entity is a real legal entity.

Question 1

- Schedule 3 of the Sustainable Planning Regulation 2009 identifies assessable development and the type of assessment. Where schedule 3 identifies assessable development as “various aspects of development” the applicant must identify each aspect of the development on Tables A, B and C respectively and as required.

Question 6

- Section 263 of the *Sustainable Planning Act 2009* sets out when the consent of the owner of the land is required for an application. Section 260(1)(e) of the *Sustainable Planning Act 2009* provides that if the owner's consent is required under section 263, then an application must contain, or be accompanied by, the written consent of the owner, or include a declaration by the applicant that the owner has given written consent to the making of the application. If a development application relates to a state resource, the application is not required to be supported by evidence of an allocation or entitlement to a state resource. However, where the state is the owner of the subject land, the written consent of the state, as landowner, may be required. Allocation or entitlement to the state resource is a separate process and will need to be obtained before development commences.

Question 11

- The *Building and Construction Industry (Portable Long Service Leave) Act 1991* prescribes when the portable long service leave levy is payable.
- The portable long service leave levy amount and other prescribed percentages and rates for calculating the levy are prescribed in the *Building and Construction Industry (Portable Long Service Leave) Regulation 2002*.

Question 12

- The portable long service leave levy need not be paid when the application is made, but the *Building and Construction Industry (Portable Long Service Leave) Act 1991* requires the levy to be paid before a development permit is issued.
- Building and construction industry notification and payment forms are available from any Queensland post office or agency, on request from QLeave, or can be completed on the QLeave website at www.qleave.qld.gov.au. For further information contact QLeave on 1800 803 481 or visit www.qleave.qld.gov.au.

Privacy—The information collected in this form will be used by the Department of State Development, Infrastructure and Planning (DSDIP), assessment manager, referral agency and/or building certifier in accordance with the processing and assessment of your application. Your personal details should not be disclosed for a purpose outside of the IDAS process or the provisions about public access to planning and development information in the *Sustainable Planning Act 2009*, except where required by legislation (including the *Right to Information Act 2009*) or as required by Parliament. This information may be stored in relevant databases. The information collected will be retained as required by the *Public Records Act 2002*.

OFFICE USE ONLY

Date received

Reference numbers

NOTIFICATION OF ENGAGEMENT OF A PRIVATE CERTIFIER

To

Council. I have been engaged as the private certifier for the building work referred to in this application

Date of engagement	Name	BSA Certification license number	Building classification/s

QLEAVE NOTIFICATION AND PAYMENT (For completion by assessment manager or private certifier if applicable.)

Description of the work	QLeave project number	Amount paid (\$)	Date paid	Date receipted form sighted by assessment manager	Name of officer who sighted the form

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

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

(Sustainable Planning Act 2009 version 3.0 effective 1 July 2013)

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.

This form can also be completed online using MyDAS at www.dsdip.qld.gov.au/MyDAS

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)

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 type="checkbox"/> | No | <input type="checkbox"/> | Yes |
| New building work on the premises | <input type="checkbox"/> | No | <input type="checkbox"/> | Yes |
| The reuse of existing operational work on the premises | <input type="checkbox"/> | No | <input type="checkbox"/> | Yes |
| New operational work on the premises | <input type="checkbox"/> | No | <input 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
All applications		
<p>A site plan drawn to an appropriate scale (1:100, 1:200 or 1:500 are recommended scales) which shows the following:</p> <ul style="list-style-type: none"> the location and site area of the land to which the application relates (<i>relevant land</i>) the north point the boundaries of the relevant land any road frontages of the relevant land, including the name of the road 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) any existing or proposed easements on the relevant land and their function the location and use of buildings on land adjoining the relevant land 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 for any new building on the relevant land, the location of refuse storage the location of any proposed retaining walls on the relevant land and their height the location of any proposed landscaping on the relevant land the location of any stormwater detention on the relevant land. 	<input 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 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 type="checkbox"/> Confirmed	
<p>Information that states:</p> <ul style="list-style-type: none"> 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) 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). 	<input type="checkbox"/> Confirmed <input type="checkbox"/> Not applicable	

A statement addressing the relevant part(s) of the State Development Assessment Provisions (SDAP).	<input type="checkbox"/> Confirmed <input type="checkbox"/> Not applicable	
When the application involves the reuse of existing buildings		
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 <input type="checkbox"/> Not applicable	
When the application involves new building work (including extensions)		
Floor plans drawn to an appropriate scale (1:50, 1:100 or 1:200 are recommended scales) which show the following: <ul style="list-style-type: none"> the north point the intended use of each area on the floor plan (for commercial, industrial or mixed use developments only) the room layout (for residential development only) with all rooms clearly labelled the existing and the proposed built form (for extensions only) the gross floor area of each proposed floor area. 	<input type="checkbox"/> Confirmed	
Elevations drawn to an appropriate scale (1:100, 1:200 or 1:500 are recommended scales) which show plans of all building elevations and facades, clearly labelled to identify orientation (e.g. north elevation)	<input 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 type="checkbox"/> Confirmed <input type="checkbox"/> Not applicable	
When the application involves reuse of other existing work		
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 <input type="checkbox"/> Not applicable	
When the application involves new operational work		
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 type="checkbox"/> Confirmed <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 State Development, Infrastructure and Planning. This form and all other required application materials should be sent to your assessment manager and any referral agency.

Our Reference: 589-001-002L

2 December 2013

**The CEO
Cairns regional Council
PO Box 359
CAIRNS QLD 4870**

ATTENTION: CITY ASSESSMENT

Dear Sir/Madam

Enclosed is an application for a Material Change of Use (code assessable) for a Dwelling House at Mahogany Road, Diwan for Timothy Williams.

The subject land is in the Conservation Zone – Rainforest Residential Precinct.

Much of the land around the subject land has already been developed for dwelling houses and the proposal is entirely consistent both with the Town Planning Scheme and the character/amenity of the area.

The house has been designed by MMP Architects, bearing in mind Council's objectives of ensuring that the house is largely unseen from the road and the landscape character of the locality is maintained. In addition to this, the design is post and beam construction so as to have minimum impact on the site.

The storage shed is part of the proposal.

The site was largely cleared when the owner purchased it over a decade ago. He desired to live in a forest surrounding and consequently allowed the block to re-generate and it is now typical of open re-growth in a semi-mature and open state.

Soils on the site are friable loams, typical of the locality and it is anticipated that a total area of about 200 square metres (maximum) will be necessary to accommodate domestic wastewater disposal areas. The actual system chosen will depend on availability and cost at the time. The domestic wastewater treatment and disposal system will be applied for in the normal course of events and it will be code compliant.

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MACKAY
5 Peel Street,
Mackay, QLD 4740
PO Box 11011, Mackay QLD 4740
t: (07) 4957 4988
e: mackay@projexpartners.com.au



The owner is a landscaper by trade and intends to enhance the vegetation on the site in accordance with the character and endemic species of the locality in order to achieve the lifestyle he and his family desire.

It is considered that the application complies with the Council's planning intent and all the relevant code provisions.

Council is asked to approve the application subject to minimal conditions.

Yours faithfully

PETER ROBINSON

Encl: town planning repot
IDAS forms 1 & 5
MMP Architects drawings
Owners consent
fee

Individual owner's consent to the making of a development application under the *Sustainable Planning Act 2009*

I, Timothy John Williams [owner's name in full]

as owner of premises identified as follows:

Lot 39 RP738675 situated at Mahogany Rd, Diwan

[insert street address, lot or plan description, or coordinates of the premises the subject of the application]

consent to the making of a development application under the *Sustainable Planning Act 2009* by

Tim Williams

[insert name of applicant]

on the premises described above for the purposes of:

House

[insert nature of the proposed development, e.g. material change of use for three-storey apartment building]



[signature of owner]

signed on the

24th day of October 2013



Material Change of Use - House

Mahogany Rd, Diwan

For Tim Williams

PLANNING REPORT

December 2013



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DOCUMENT CONTROL SHEET

Project

Material Change of Use - House
Mahogany Rd, Diwan
Lot 39 RP738675

For Tim Williams

Planning Report

Document History and Status

Revision	Date Issued	Author	Approved by	Date approved	Revision type
Draft 1	6.11.2013	LB			First Draft
Final	2.12.13	PR	PR		Final Report

Printed	2.12.13
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Author	Peter Robinson
Client	Tim Williams
Project	Material Change of Use – House, Mahogany Rd, Diwan
Document Version	Final Report

Projex Partners Pty. Ltd. is a registered lobbyist with the Queensland Integrity Commission. It is expected that from time to time tasks defined as lobbying will occur in the process of obtaining the Development Permit in a timely way and on terms that are lawful, reasonable and relevant to the application made. Should lobbying occur, Peter Robinson is the principal person in our firm who will undertake the lobbying process.

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APPENDICES

Appendix 1 – Assessment of Code Compliance

Appendix 2 – Architect’s Drawings



1.0 -- BACKGROUND

The site the subject of this application is described as Lot 39 on PR738675, located at Mahogany Road, Diwan in the locality locally known as 'The Daintree'.

The site is owned by Timothy Williams, who purchased it with the intention of building a family residence in a location and setting that suited their preferred lifestyle.

I am advised the owner is a landscaper by trade and has a personal philosophy of environmental protection, one of the reasons he sought to live in the Daintree and purchased the land over a decade ago. At that time the land (like much of the surroundings) was almost devoid of trees. He has facilitated regrowth since managing the property by control of weeds and understorey vegetation to promote healthy trees.

The architect, who has visited the site advises that the 'forest' is more or less of uniform size regrowth typically no greater than 100 – 150 mm in diameter.

The owner commissioned McElroy Morrisson Pierce Architects to prepare a design for a dwelling that was sympathetic to and consistent with the environmental and natural values of the site and the surrounding area.

The architects determined that a planning application was necessary to use the land for the purpose of a dwelling.

The owner commissioned Projex Partners Pty Ltd to prepare an application for material change of use based on the architect's drawings.

This report provides parts of the mandatory information required by the Schedule to the IDAS forms, including an assessment against the planning scheme provisions.

2.0 -- CONTEXT

2.1 -- The Locality

Diwan is situated north of the Daintree River and west of Cow Bay.

Historically, large sections of the locality were cleared many decades ago, largely for grazing (dairy) and horticultural purposes. Changes in the dairying industry in the early to mid parts of the 20th century made dairying unviable and the holdings were generally not large enough to be sustainable for producing beef. Even so, fattening operations continued on the cleared areas, some up to as recently as a decade or so ago.

Commencing in about the 1970s, large parts of the locality including most of the old grazing land was acquired by developers (principally Quaid) and subdivided into rural residential allotments typically about one hectare in size, particularly where previously cleared.

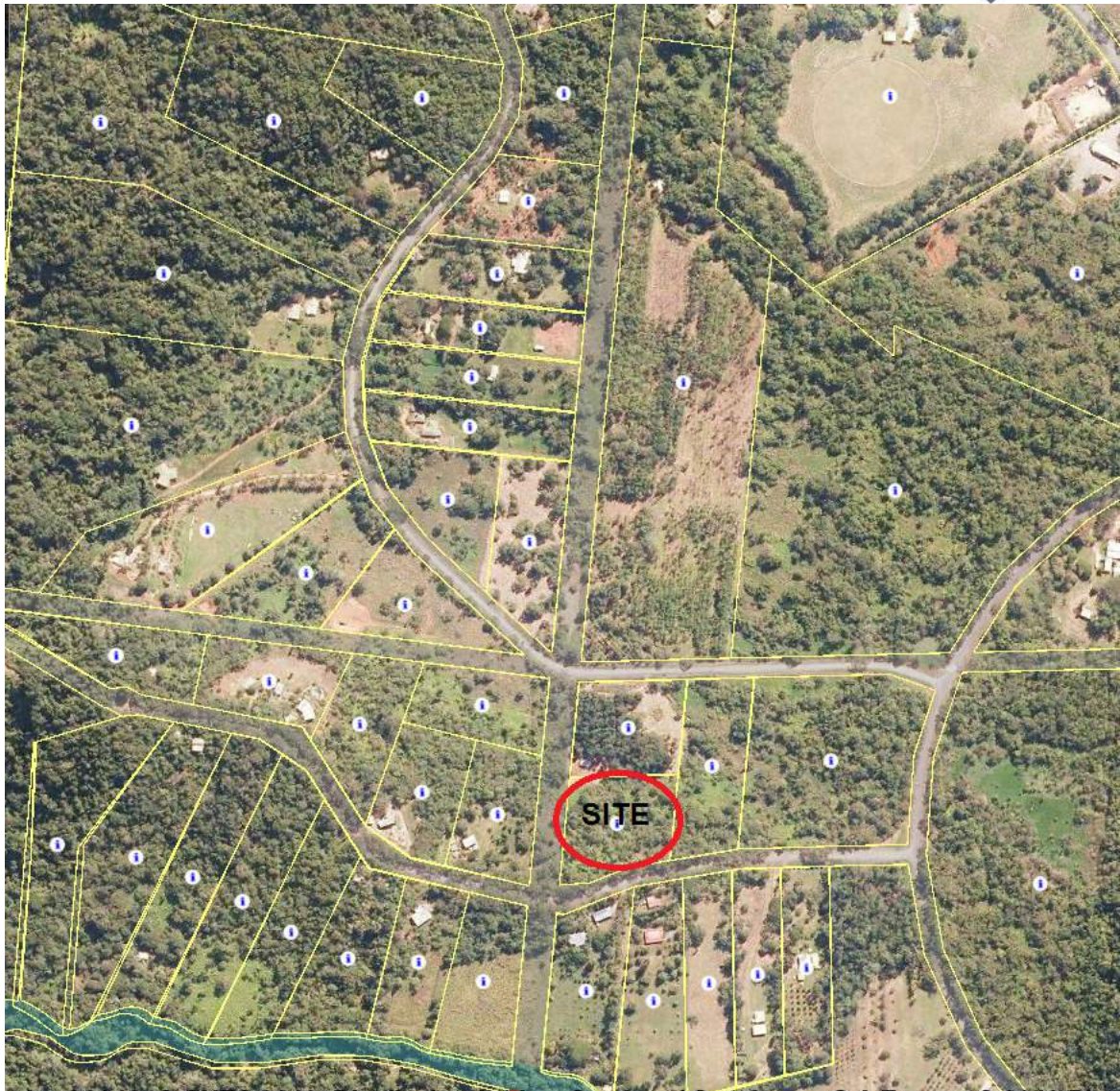
At that time, subdividers were not required to install urban infrastructure or to seal the access roads. As a consequence, these lots were not serviced by electricity, water supply or telecommunications when they were created and access roads were mainly narrow, unsealed gravel pavements.

Over time, infrastructure throughout the locality has improved somewhat with most roads being sealed, including Mahogany Road (on the frontage) and Cape Tribulation Road being the local rural arterial access. Telecommunications have been installed but there remains no reticulated water or power.

In the Diwan locality, a couple of hundred rural residential allotments were created with a significant proportion of those on the cleared land now occupied by dwellings.

The locality is zoned Conservation with the site and the immediate area around it included in the Rainforest Residential Precinct, consistent with the subdivision pattern, the density of dwellings constructed and the fact that the land was largely cleared. The aerial photograph below shows the locality, the general pattern of subdivision and the general pattern of past clearing as well as the substantial number of existing dwellings in the locality.

The locality is generally zoned Conservation and that part west of the Cape Tribulation Road in the Mahogany Road area is included in the Rainforest Residential Precinct. Under these provisions, use of the land for the purpose of a house is code assessable.



The Site in its Locality

2.2 -- The Site

The site is described as Lot 39 on RP738675.

It contains an area of 1.066 hectares and was created by subdivision in 1982.

The site has a frontage of some 110 metres to Mahogany Road – a two lane rural road with grass shoulders and dense vegetation on both sides, typical of the locality.

The site slopes gently down from the road, bottoming about ten metres below the road level, then descending more gently towards the rear property boundary.

There is a dense belt of vegetation along the road frontage with more open re-growth and cleared areas beyond.

The aerial photograph below represents the pattern of vegetation on the site.



The subject land appears more vegetated than it is in reality as due to the (usual) illusion created by the shadows of the trees.

Safe, serviceable access is available to the site at virtually any point along the frontage.

There is no protected vegetation on the site that is mapped under the Vegetation Management Act.

That part of the site proposed for the dwelling is well drained and there is no reason to believe that slopes are steep enough to cause any stability or erosion problems.

Experience in the locality is that soil types are such that they are near ideal for the acceptance of treated domestic wastewater.



There is sufficient vegetation on the frontage of the site in a band approximately 6-8 metres wide to ensure that any buildings including the proposed dwelling and shed will not be readily seen from passers by on Mahogany Road.

There is sufficient regrowth vegetation in the area generally and the topography is such that the proposed dwelling is unlikely to be readily seen, or seen at all from publicly accessible view points outside the site.

3.0 -- THE PROPOSAL

The proposal is to construct a three bedroom dwelling and a storage shed on the land.

The storage shed will be a single storey, 10m x 10m colour bond building, slab on ground. It will be setback approximately 20 metres from the road frontage on the crest of the low rise.

The proposed house is of post and beam construction, fundamentally on a single level.

It is proposed to construct the house in two stages. The first stage is a pavilion above car parking with an enclosed area of approximately 6m x 6m and an adjoining extensive deck. Initially, there will be a small kitchenette located in what will eventually be the walk-in wardrobe of the master bedroom.

The second stage, two steps below the level of the main bedroom is the main part of the house comprising kitchen, living area and two bedrooms, bathroom and laundry. The two stages are connected by an extensive deck and outdoor living area.

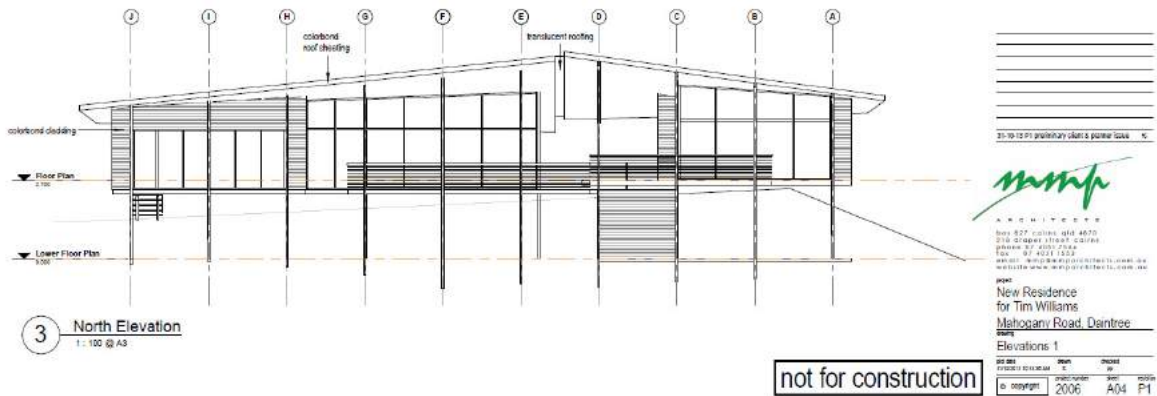
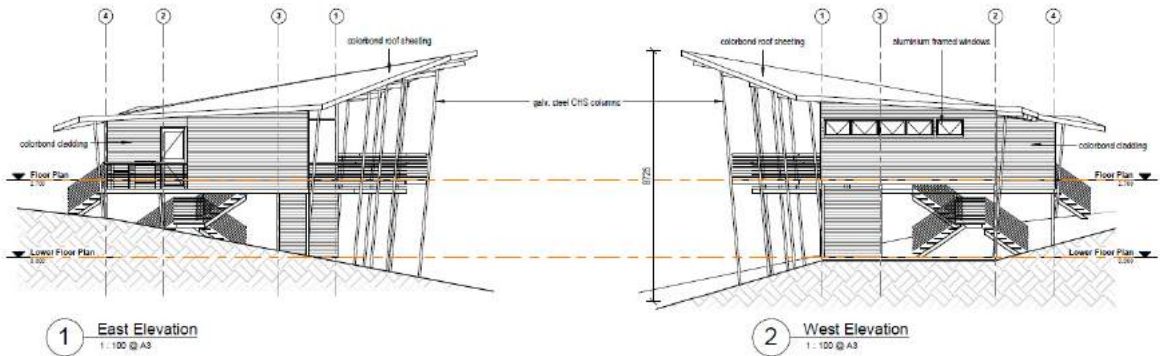
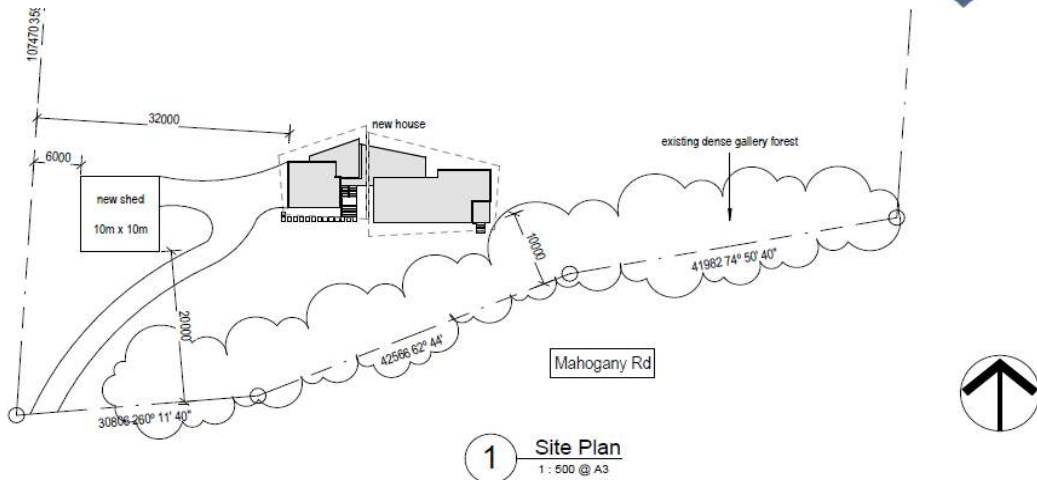
The building faces north away from the road for privacy purposes and to gain advantage of the limited views available across the back of the site.

The building has large overhangs which both increase the roof area for rainwater harvesting and to create deep shadows that reduce the visual presence of the building.

The location, height and orientation of the building have been chosen to ensure that, to the greatest degree possible, the building will not be able to be seen from Mahogany Road.

Colours and textures (shown on the drawings) are chosen so as to reduce the contrast between the building and the natural landscape and camouflage it into its surroundings.

The driveway has been angled to the boundary and curved to ensure that one end cannot be seen from the other and the buildings cannot be viewed from the road along the driveway. The grade is just over 10% down away from the road with erosion and sediment controls at its end and drainage dispersed across the site well away from the rear boundary so as not to impact the adjoining land.



4.0 -- ASSESSMENT AGAINST THE PLANNING SCHEME

4.1 -- Introduction

The application is code assessable and will comply with the relevant codes. The assessment against the Desired Outcomes of each of the relevant codes is set out below and the assessment against the Performance Requirements is contained in Appendix 1.

The proposal complies with the intent and requirement of the Codes.

Douglas Shire Council Planning Scheme		Code Applicability	Compliance
Locality	Settlement Areas North of the Daintree	✓	✓
Planning Area Codes	Conservation Planning Area	✓	✓
Land Use	House	✓	✓
Overlay Codes	Acid Sulfate Soils	x	Site not mapped
	Cultural Heritage and Valuable Sites	x	Site not mapped
	Natural Hazards	✓	✓
General Codes	Design & Siting of Advertising Devices	x	NA
	Filling & Excavation	x	NA
	Landscaping	✓	✓
	Natural Areas and Scenic Amenity	x	NA
	Vehicle Parking & Access	✓	✓
	Sustainable Development	x	NA
	Vegetation Management Code	NA	At Op Woks Stage

4.2 -- Generally

4.2.1 -- Settlement Areas North of the Daintree Code

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;	Complies – vegetation retained and the buildings are setback and screened
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;	Complies – consistent with zone
Provide adequate services and facilities for settlement areas and an appropriate level of economic opportunity for local residents;	NA
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	Complies – all code compliant



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	NA
Ensure the natural forested landscape character of the locality is protected and enhanced.	Complies – buffer retained along the road

4.2.2 -- Conservation Planning Area Code

The Purpose of this Code is to facilitate the achievement of the following outcomes for the Conservation Planning Area:

Protect biological diversity, ecological integrity and Scenic Amenity;	Complies
Ensure that any recreational or other uses of areas with the Planning Area that are in the control of the Crown or the Council, such as Reserves, National Parks and the Wet Tropics World Heritage Area or areas adjacent to these areas, are consistent with the management plans of the controlling authority so that the conservation and scenic values of these areas are not adversely affected;	NA
Ensure that any use of land in private ownership in the Planning Area does not affect the environmental, habitat, conservation or scenic values of that land or surrounding area; and	Complies – the disturbance is limited to the area necessary to site the buildings and infrastructure – the vegetated buffer along the road is maintained to ensure the buildings are unobtrusive and likely totally unseen
Ensure that any low intensity facilities based on an appreciation of the natural environmental or nature based recreation only establish when there is a demonstrated need and provided they will have minimal impact on the environmental and Scenic Amenity values of the Site or the surrounding area.	NA

4.2.3 -- House Code

The purpose of this Code is to ensure that:

Houses and ancillary facilities are compatible with and complementary to surrounding development;	Complies – in fact this house is designed to be more compliant with the scheme intents and desire outcomes than many others in the locality
Houses do not adversely impact on the natural environment;	Complies
The location of Houses is appropriate and separated from incompatible noise and hazards; and	Complies
Houses contribute to the creation of a sense of place within residential areas or their local environment.	Complies – screened from the road so as to enhance the sense of remoteness and semi-wilderness

4.2.4 -- Natural Hazards Code

The purpose of this Code is to:

Ensure that development does not occur in areas prone to the natural hazard of bushfires and to minimise any risks associated with bushfires in the Shire.	Complies
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4.2.5 -- Landscaping Code

The purpose of this Code is to:

	Comments
Ensure that new Landscaping incorporates plants which encourage Biodiversity;	Will comply
Maintain and strengthen the tropical and native landscape character of the Shire through high quality landscape works;	Will comply
Ensure that Landscaping enhances the visual quality and unique identity of different parts of the Shire by featuring endemics;	Will comply
Create attractive streetscapes and public spaces through landscape design and the use of street trees and shade trees;	NA – the streetscape is already set and attractive
Ensure that native species are incorporated into Landscaping, as a means of providing continuity between developed and undeveloped areas;	Will comply
Ensure that existing vegetation on Site is retained, protected during works and integrated with the built environment;	Complies
Ensure preferred plant species are selected in accordance with the Plant Species Schedule in Planning Scheme Policy No 7 – Landscaping; and	Will comply
Ensure that Landscaping screens Buildings to reduce their bulk and to enhance the landscape character of the Shire.	Complies – see site plan

4.2.6 -- Vehicle Parking & Access Code

The purpose of this Code is to ensure that:

	Comments
Sufficient vehicle parking is provided on-Site to cater for all types of vehicular traffic accessing and parking on the Site, including staff, guests, patrons, residents and short term delivery vehicles;	Complies – 2 covered spaces + casual parking
Sufficient bicycle parking and end of trip facilities are provided on-Site to cater for customer and staff;	NA
On-Site parking is provided so as to be accessible and convenient, particularly for any short term use;	Complies
The provision of on-Site parking, loading/unloading facilities and the provision of Access to the Site, do not impact on the efficient function of the street network or on the area in which the development is located; and	NA
New vehicle Access points are safely located and are not in conflict with the preferred ultimate streetscape character and local character and do not unduly disrupt any current or future on-street parking arrangements.	Complies



4.2.7 -- Natural Areas and Scenic Amenity Code

This code does not apply as, if there were a Designated Development Area (DDA) DDA:-

- the DDA is not within, or partially within, an area of Remnant Vegetation – there is only regrowth on the site, OR
- the boundary of the DDA is not within 50 metres of an area of *Remnant Vegetation, OR
- the boundary of the DDA is within 50 metres of a Watercourse included in

4.2.8 -- Vegetation Management Code

The purpose of this Code is to provide for the protection and management of vegetation within the planning scheme area to facilitate sustainable development and to ensure the Region's biodiversity and ecological values, landscape character and amenity are maintained.

The Code is applicable at Operational Works Stage and not strictly relevant to this application. The assessment is include only to show compliance can be achieved

The purpose of the code will be achieved through the following overall outcomes:

Vegetation will be protected from inappropriate damage; and	Complies – minimal clearing proposed
Vegetation damage will be undertaken in a sustainable manner; and	Will comply (whatever that means)
Significant trees are maintained and protected; and	Will comply – there are no significant trees in the vicinity of the works as it is all relatively recent regrowth
The biodiversity and ecological values are protected and maintained; and	Complies
Habitats for rare, threatened and endemic species of flora and fauna are protected and maintained; and	NA
The landscape character and amenity is protected and maintained; and	Complies
Cultural heritage values are protected and maintained.	NA



5.0 -- CONCLUSIONS

The two buildings proposed for the site and the associated driveway have been designed as a package to ensure that Council's planning intents are achieved. Because the driveway is curved, views are not available along it. The buildings are setback sufficiently that they are not readily observed from Mahogany Road and in fact, when the building is complete and the site landscaping installed, it is unlikely that either of the two buildings will be able to be seen from Mahogany Road at all.

The proposal complies with all the relevant provisions of the codes.

The proposal is worthy of Council's approval subject to minimal reasonable and relevant conditions.

APPENDIX 1 – ASSESSMENT AGAINST THE PLANNING SCHEME CODES

Settlement Areas North of the Daintree Locality Code

Elements of the Code

General Requirements – All Development in this Locality

Performance Criteria	Acceptable Solutions	Comments
P1 The Height of Buildings and structures is subservient to the surrounding environment and is in keeping with the unique character of the Locality.	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.	Complies with the performance criteria. The design of the building has been calculated to reduce visual impact by the low slope of the roof and the creation of deep shadows under the verandah. The roof slopes opposite to the land so as to maximise the utility of roof water collection and screen it from distant views. The building is clearly less obtrusive than a more conventional building of 6.5m built elsewhere on site
P2 Development is connected to sustainable on Site infrastructure services.	<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 100m², 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>Will comply</p> <p>Will comply</p> <p>Will comply</p>
P3 Onsite wastewater does not adversely impact on the environmental quality of the water and soil resources or the amenity of the residents, through the implementation of best environmental practice.	No Acceptable Solution.	Will comply – code compliant system will be installed
P4 The sustainability of the natural water resources of the area is protected for ecological and domestic consumption purposes.	<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 	None proposed at present, however should that change it will comply

	<p>Site or adjoining Sites); and</p> <ul style="list-style-type: none"> - Not located within 100 metres of another bore. <p>A4.2 Surface water is to be used for domestic purposes only.</p>	NA
P5 Development does not adversely impact 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 Locality.	No Acceptable Solution.	Complies
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>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 maximised and the need for internal lighting during daylight hours is minimised.</p> <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>Complies. The architect advises colours will be drawn from the darker shades of the colorbond range</p> <p>Complies – see design. Largely single stacked rooms with large windows</p> <p>Complies</p> <p>Will comply + it is proposed to install a hybrid solar supplemented system</p> <p>Will comply</p>
P7 Landscaping of development Sites ensure the native landscape character of the Locality is dominant.	<p>A7.1 Landscaping utilises only native species and complies with the requirements of Planning Scheme Policy No. 7 – Landscaping.</p> <p>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>	Will comply
P8 Site Access driveways and Roads within the Locality are retained as safe, slow speed, scenic drives.	A8.1 Site Access driveways and existing or proposed Roads comply with the relevant requirements of Planning Scheme Policy No. 6 – FNQROC	Will comply the driveway is not steep and will be paved and drained to minimise erosion and other sources of nuisance. Further it is curved so as to not

	<p>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>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>expose the buildings . code compliant turning areas area provided</p>
<p>P9 The onsite impacts on natural flow regimes and erosion and sedimentation are minimised.</p>	<p>A9.1 Excavation and Fill is kept to a minimum and involves not more than 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> <ul style="list-style-type: none"> - Maintains natural flow regimes; - Minimises impervious surfaces; - 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>Complies – anticipated extent of clearing is less than 520 sqm</p> <p>Will comply</p> <p>Will comply outside the activity/building area</p> <p>Complies – no change proposed</p> <p>Complies – roof water directed to storage</p> <p>Will comply – see comment re driveway construction</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>	<p>NA</p>

General Requirements – House

Performance Criteria	Acceptable Solutions	Comments
<p>P11 Development minimises the loss of vegetation and habitat connectivity on Site and is sited to protect the environmental values of the Site.</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 700m² and</p>	<p>Complies with the performance criteria. The site was previously cleared and has been allowed to be populated with (relatively) sparse regrowth – NO DDA applies</p> <p>Will comply – the anticipated extent of clearing is less than 600</p>

	<p>is sited clear of the High Bank of any Watercourse.</p> <p>(The 700m² area of new Clearing does not include an access driveway).</p>	<p>sqm when taking into account the existing open areas – less when the driveway is excluded</p>
<p>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.</p>	<p>No Acceptable Solution.</p>	<p>Will comply</p>
<p>P13 Wildlife movement, fauna habitat and habitat corridors are protected and domestic impacts minimised.</p>	<p>A13.1 Fences are limited in extent to the confines of the cleared area around the House and any associated gates are self closing.</p> <p>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.</p>	<p>Will comply – no fencing is currently proposed</p> <p>Will comply</p>
<p>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.</p>	<p>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.</p> <p>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 75mm of road base on a compacted soil surface.</p> <p>A14.3 Vehicular Access is constructed prior to the construction of the House.</p>	<p>Complies</p> <p>Will comply</p> <p>Will comply – partly completed already on the lines of an old track</p>

Rainforest Residential Precinct

Performance Criteria	Acceptable Solutions	Comments
<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</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>Complies</p> <p>NA</p>

<p>surrounding area.</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>A24.3 Bed and Breakfast Accommodation only establishes in accordance with the following criteria:</p> <ul style="list-style-type: none"> - A maximum of 4 bedrooms (8 Bed Spaces) where a site has a minimum area of 4 hectares; - A maximum of 3 bedrooms (6 Bed Spaces) where a site has a minimum area of 3 hectares; - A maximum of 2 bedrooms (4 Bed Spaces) where a site has a minimum area of 2 hectares; and - A maximum of 1 bedroom (2 Bed Spaces) where a site has a minimum area of 1 hectare. <p>A24.4 Development on any site in the Rainforest Residential Precinct with frontage to the Esplanade is setback from the Esplanade 250 metres,</p> <p style="text-align: center;">EXCEPT THAT</p> <p>Lots 2 and 3 on RP726706 have a minimum development setback from the Esplanade of 100 metres.</p> <p style="text-align: center;">UNLESS</p> <p>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.</p>	<p style="text-align: center;">NA</p> <p style="text-align: center;">NA</p>
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Conservation Planning Area

Elements of the Code

Consistent and Inconsistent Uses – General

Performance Criteria	Acceptable Solutions	Comments
P1 The establishment of uses is consistent with the outcomes sought for the Conservation Planning Area.	A1.1 Uses identified as inconsistent uses in the Assessment Tables are not established in the: <ul style="list-style-type: none"> - Conservation Planning Area <li style="text-align: center;">OR - In the four Precincts in the Conservation Planning Area in the Settlement Areas North of the Daintree River Locality. 	Complies

Site Coverage

Performance Criteria	Acceptable Solutions	Comments
P2 The Site Coverage of all Buildings does not have an adverse effect on the conservation or Scenic Amenity values of the Site and Buildings are subservient to the natural environment.	A2.1 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. Any Clearing is limited to a maximum area of 700m ² and is sited clear of the High Bank of any Watercourse. (The 700m ² area of new Clearing does not include an access driveway.)	Will comply – the anticipated extent of clearing is less than 600 sqm when taking into account the existing open areas – less when the driveway is excluded

Building/Structure Setbacks

Performance Criteria	Acceptable Solutions	Comments
P3 Buildings/structures are Setback from the boundaries of the Site so they are screened from view from the boundaries of adjoining properties and adjoining Roads and so that the Scenic Amenity values of the area are not adversely affected.	A3.1 Buildings are Setback not less than: <ul style="list-style-type: none"> - A minimum of 40 metres from the Frontage of a State-Controlled Road; or - A minimum of 25 metres from Cape Tribulation Road Frontage; or - 20 metres from the Frontage to any other Road; and - 10 metres from the side and rear boundaries. 	Complies with the performance criteria. There is a buffer of existing relatively dense vegetation both on the road and on the lot adjacent to the road such that it is virtually impossible to see the buildings on the site. Similarly for the adjoin lots. The intervening topography and vegetation result in the proposed house being screened from localities outside the site.
P4 Buildings/structures are Setback from Watercourses and other sensitive areas to ensure the environmental values of the area are not adversely affected.	No Acceptable Solution	NA – none present

Residential Density

Performance Criteria	Acceptable Solutions	Comments
P5 Residential density of any development is very low to ensure that the conservation and Scenic Amenity values of the Site and the surrounding area are not adversely affected.	No Acceptable Solution	Complies

Landscaping

Performance Criteria	Acceptable Solutions	Comments
P6 Landscaping incorporates endemic/native vegetation, is informal in character and complementary to the existing natural environment, provides screening and enhances the visual appearance of the development.	<p>A6.1 For any development, the balance area of the Site not built upon must be landscaped/revegetated, predominantly with native vegetation and in accordance with the Plant Species Schedule in Planning Scheme Policy No. 7 – Landscaping.</p> <p>A6.2 Landscaping must be informal in character.</p> <p>A6.3 At the time that a Site is developed for any purpose, the Road Frontage Setback areas are landscaped/revegetated so that 10 metres of the Setback area immediately adjacent to any Road Frontage, where the minimum total Setback required is 20 metres or greater, is landscaped with Dense Planting.</p>	<p>Will comply</p> <p>Will comply</p> <p>Complies with the performance criteria. Will comply to the extent practical and feasible – the screening buffer will be reinforced as necessary</p>

Environment Values – General

Performance Criteria	Acceptable Solutions	Comments
P7 Development does not adversely impact on the natural environment, natural vegetation or Watercourses.	<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>	Complies with the performance criteria
P8 Development is complementary to the surrounding environment.	<p>A8.1 Development harmonises with the surrounding environment, for example, through suspended, light weight construction on sloping Sites, which requires minimal excavation and fill.</p> <p>A8.2 A Development is subservient to the natural landscape in scale and in the use of exterior colours and finishes.</p> <p>A8.3 Any driveway or car park is constructed and maintained to:</p> <ul style="list-style-type: none"> - Minimise erosion, particularly in the wet season; and - Minimise cut and fill; 	<p>Complies – this dwelling is designed to achieve the Council’s Planning intents (unlike much of the existing stock) as it is post and beam, low single pitch roof, large shaded overhangs etc</p> <p>Complies</p> <p>Will comply</p>



	<ul style="list-style-type: none"> - Follow the natural contours of the Site; and - Minimise vegetation Clearing. 	
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Sloping Sites

Performance Criteria	Acceptable Solutions	Comments
P9 Building/structures are designed and sited to be responsive to the constraints of sloping Sites.	<p>A9.1 Building/structures are Erected on land with a maximum slope not exceeding 15%.</p> <p style="text-align: center;">OR</p> <p>Development proposed to be Erected on land with a maximum slope between 15% and 33% is accompanied by a Geotechnical Report prepared by a qualified engineer at development application stage.</p> <p style="text-align: center;">OR</p> <p>Development proposed to be Erected on land with a maximum slope above 33% is accompanied by a Specialist Geotechnical Report prepared by a qualified engineer at development application stage which includes sign-off that the Site can be stabilised.</p> <p style="text-align: center;">AND</p> <p>Any Building/structures proposed to be Erected on land with a maximum slope above 15% are accompanied by an additional Geotechnical Report prepared by a qualified engineer at building application stage.</p>	<p>Complies</p> <p style="text-align: right;">NA</p>
P10 The building style and construction methods used for development on sloping Sites are responsive to the Site constraints.	<p>A10.1 A split level building form is utilised.</p> <p>A10.2 A single plane concrete slab is not utilised.</p> <p>A10.3 Any voids between the floor of the Building and Ground Level, or between outdoor decks and Ground Level, are screened from view by using lattice/batten screening and/or Landscaping.</p>	<p>Complies</p> <p>Complies</p> <p>Unnecessary - the features cannot be seen</p>
P11 Development on sloping land minimises any impact on the landscape character of the surround area.	A11.1 Buildings/structures are sited below any ridgelines and are sited to avoid protruding above the surrounding tree level.	Complies
P12 Development on sloping land ensures that the quality and quantity of stormwater traversing the Site does not cause any detrimental impact to the natural environment or to any other Sites.	A12.1 All stormwater drainage discharges to a lawful point of discharge and does not adversely affect downstream, upstream, underground stream or adjacent properties.	Complies

Sustainable Siting and Design of Houses on Sloping Sites

Performance Criteria	Acceptable Solutions	Comments
P13 A House sited on hillside land is sited in an existing cleared area, or in an area approved for Clearing.	<p>A13.1 A House 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 development occurs. The Clearing is limited to a maximum area of 700m² and is sited clear of the High Bank of any Watercourse.</p> <p>(The 700m² area of Clearing does not include an access driveway).</p> <p>A13.2 The approved area for the Clearing of the House is not cleared until a Building Permit is issued.</p>	<p>NA since scheme amendments were adopted</p> <p>Will comply</p>
P14 A House sited on hillside land is sited so that it is not clearly visible from any public Road.	A14.1 A House is Setback a minimum of 5 metres from Cape Tribulation Road or 20 metres from any other Road Frontage.	Complies with the performance criteria – screen of trees exist
P15 A House sited on hillside land is sited and designed so that it is subservient to the surrounding natural environment.	A15.1 A House is effectively screened from view by existing native trees planted in designated Setback area/s, or by the planting of additional native trees endemic to the local area.	NA – no a hillside
P16 The exterior finishes of a House complements the surrounding natural environment.	A16.1 The exterior finishes and colours of Building/s are non reflective and complement the colours of the surrounding vegetation and viewshed.	Complies – the colours are shown on the drawings
P17 A House is designed to be energy efficient and functional in a humid tropical rainforest environment.	A17.1 The development incorporates building design features and architectural elements detailed in Planning Scheme Policy No. 2 – Building Design and Architectural Elements.	Complies

House Code

Elements of the Code

General

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS	COMMENTS
P1 Buildings on a lot have the appearance and bulk of a single House with ancillary Outbuildings.	<p>A1.1 A lot contains no more than one House.</p> <p>A1.2 Ancillary Outbuildings have a maximum Site Coverage of 10% of the balance area of the Site not otherwise taken up by the House.</p>	<p>Complies</p> <p>Complies - <1%</p>
P2 The House is used for residential purposes.	A2.1 The House is used by one Household.	Will comply

P3 Resident's vehicles are accommodated on Site and are sited to minimise the dominance of car accommodation on the streetscape.	A3.1 A minimum of 2 vehicle spaces are provided on Site and may be provided in tandem.	Complies
	A3.2 At least one garage, carport or designated car space must be located at least 6 metres from the Main Street Frontage.	Complies

Natural Hazards Code

Elements of the Code

Bushfire

Performance Criteria	Acceptable Solutions	Comments
P1 Development does not compromise the safety of people or property from bushfire.	A1.1 Any development on land identified as High Risk Hazard on any Natural Hazards Overlay on any Locality Map complies with the relevant requirements of State Planning Policy 1/03 – Mitigating the Adverse Impacts of Flood, Bushfire and Landslide. AND Development complies with a Bushfire Management Plan prepared for the site.	NA
P2 Development maintains the safety of people and property by: <ul style="list-style-type: none"> avoiding areas of High or Medium Risk Hazard; or mitigating the risk through: <ul style="list-style-type: none"> Lot design and the siting of Buildings; and Including firebreaks that provide adequate: <ul style="list-style-type: none"> Setbacks between Building/structures and hazardous vegetation; and Access for fire fighting/other emergency vehicles; providing adequate Road Access for fire fighting/other emergency vehicles and safe evacuation; and providing an adequate and accessible water supply for fire-fighting purposes. 	A2.1 Development is located on a site that is not subject to High or Medium Risk Hazard. OR For all development (if development is proposed to be located on a Site that is subject to High or Medium Risk Hazard), then: Buildings and structures on lots greater than 2500m ² : <ul style="list-style-type: none"> are sited in locations of lowest hazard within the lot; and achieve Setbacks from hazardous vegetation of 1.5 times the predominant mature canopy tree Height or 10 metres, whichever is the greater; and 10 metres from any retained vegetation strips or small areas of vegetation; and 	Complies Will comply if conditioned to do so. The circumstances are such that bushfire risk is not considered so high that the habitat and amenity considerations warrant the setbacks in each instance. In any case on site storage with a dedicated pump capable of discharging 10l/sec at a pressure of 200 KPa for 10 minutes will be installed NA
	- are sited so that elements of the development least susceptible to	

	<p>fire are sited closest to the bushfire hazard. Buildings and structures on lots less than or equal to 2500 m² maximise Setbacks from hazardous vegetation. AND For uses involving new or existing Buildings with a Gross Floor Area greater than 50 m² each lot has:</p> <ul style="list-style-type: none"> - a reliable reticulated water supply that has sufficient flow and pressure characteristics for fire fighting purposes at all times (minimum pressure and flow is 10 litres a second at 200 kPa); or - an on Site water storage of not less than 5000 litres (eg accessible dam or tank with fire brigade tank fittings, swimming pool). <p>A2.2 For development that will result in multiple Buildings or lots (if development is proposed to be located on a Site that is subject to High or Medium Risk Hazard), then: Residential lots are designed so that their size and shape allow for:</p> <ul style="list-style-type: none"> - efficient emergency Access to Buildings for fire fighting appliances (eg by avoiding long narrow lots with long Access drives to Buildings); and - setbacks and Building siting in accordance with 2.1 (a) above. <p>AND Firebreaks are provided by:</p> <ul style="list-style-type: none"> • a perimeter road that separates lots from areas of bushfire hazard and that Road has: <ul style="list-style-type: none"> - a minimum cleared width of 20 metres; and - a constructed Road width and all-weather standard complying with Council standards. <p>OR</p> <ul style="list-style-type: none"> • where it is not practicable to comply with fire break provisions above, maintenance trails are located as close as possible to the boundaries of the lots and the adjoining bushland hazard, and the fire/maintenance trails: <ul style="list-style-type: none"> - have a minimum cleared width of 6 metres; and - have a formed width and gradient, and erosion control devices to Council 	<p>NA</p> <p>NA</p>
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	<p>standards; and</p> <ul style="list-style-type: none"> - have vehicular Access at each end; and - provide passing bays and turning areas for fire fighting appliances; and - are either located on public land, or within an Access easement that is granted in favour of the Council and Queensland Fire Rescue Service (QFRS). <p style="text-align: center;">AND</p> <ul style="list-style-type: none"> • Sufficient cleared breaks of 6 metres minimum width in retained bushland within the development (eg creek corridors and other retained vegetation) to allow burning of sections and Access for bushfire response. <p style="text-align: center;">AND</p> <p>Roads are designed and constructed in accordance with applicable Council and State government standards and;</p> <ul style="list-style-type: none"> • Have a maximum gradient of 12.5%; and • Exclude culs-de-sac, except where a perimeter Road isolates the development from hazardous vegetation or the culs-de-sac are provided with an alternative Access linking the cul-de-sac to other through Roads. 	
<p>P3 Public safety and the environment are not adversely affected by the detrimental impacts of bushfire on hazardous materials manufactured or stored in bulk.</p>	<p>A3.1 Development complies with a Bushfire Management Plan prepared for the site.</p>	<p>Will comply – bushfire plan will be developed at BA stage</p>

Landscaping Code

Elements of the Code

Landscaping Design

Performance Criteria	Acceptable Solutions	Comments
P1 Landscape design satisfies the purpose and the detailed requirements of this Code.	A1.1 Landscaping is undertaken in accordance with a Landscape Plan drawn to scale which complies with and illustrates all the relevant requirements of this Code and Planning Scheme Policy No 7 – Landscaping.	Will comply at BA stage
	AND Landscaping is maintained in accordance with the requirements specified in this Code and Planning Scheme Policy No 7 – Landscaping.	Will comply

Landscaping Character and Planting

Performance Criteria	Acceptable Solutions	Comments
P2 Landscaping contributes to a sense of place, is functional to the surroundings and provides dominant visual interest and form.	A2.1 A minimum of 80% of the proposed landscape area is open to the sky for sunlight and ventilation.	Complies
	A2.2 The percentage of native or endemic species utilised in the Landscaping is as specified in the Locality Code. OR Where not specified in the Locality Code, in accordance with Planning Scheme Policy No. 7 – Landscaping.	
P3 Landscaping is consistent with the existing landscape character of the area and native vegetation existing on the Site is to be retained wherever possible and integrated with new Landscaping.	A2.3 Landscaping includes planting layers comprised of canopy, middle storey, screening and groundcovers, with palm trees used as accent plants only.	Will comply to the greatest extent practical and feasible NA none proposed Will comply
	A3.1 Existing native vegetation on Site is retained and incorporated into the Site design, wherever possible.	
	A3.2 Any mature vegetation on the Site which is removed or damaged during development of the Site is replaced with advanced native species.	
	A3.3 Where there is an existing landscape character in a street or locality which results from existing vegetation, similar species are planted on Site or on the street.	

	A3.4 Street trees are 100% native species which enhance the landscape character of the streetscape, with species chosen from the Plant Species Schedule in Planning Scheme Policy No 7 – Landscaping.	NA street planting exists
P4 Plant species are selected with consideration to the scale and form of development, screening, buffering, streetscape, shading and the locality of the area.	A4.1 Species are selected in accordance with the Plant Species Schedule in Planning Scheme Policy No 7 – Landscaping.	Will comply
P5 Shade planting is provided in car parking areas where uncovered or open, and adjacent to driveways and internal Roadways.	A5.1 Where car parking areas are uncovered or open, shade trees are planted at regular intervals (a minimum of 1 shade tree is provided for every 5 car parks) throughout the car parking areas, and adjacent to driveways and internal Roadways. A5.2 A minimum of 1 shade tree is provided for every 10 metres along a driveway or internal Roadway. A5.3 Landscape beds and trees are protected by garden edging, bollards or wheel stops. A5.4 Trees within car parking areas have a minimum planting area the equivalent of 1 car parking bay, with a minimum topsoil depth of 0.8 metre.	NA
P6 Fences along street Frontages are articulated with appropriate Landscaping.	A6.1 Perimeter fencing to any street Frontage complies with the relevant Planning Area Code. A6.2 Trees, shrubs and groundcovers are planted within any recessed areas along the fence line.	NA – none proposed NA
P7 Landscaping within Recreation Areas of residential development are functional, well designed and enhance the residential amenity.	A7.1 One shade tree is provided for each private open space or private Recreation Area. A7.2 Tree species provide 30% shade over the area within 5 years. A7.3 A minimum of 50% of the Landscaping and Recreational Area is landscaped, with trees, shrubs, groundcovers, minimising large expanses of hardstand areas and structures. A7.4 Plants are located to provide shelter and shade to Habitable Rooms and outdoor Recreation Areas from the hot summer sun.	NA Will comply Will comply Will comply – existing retained trees will achieve objective
P8 Undesirable features are screened with Landscaping.	A8.1 Landscaping of Dense Planting is planted along and near retaining walls, long blank walls of Buildings, mechanical and air-conditioning units, clothes drying areas, bin enclosures and other utility structures with appropriate trees, shrubs and groundcovers.	NA

P9 The environmental values of the Site and adjacent land are enhanced.	A9.1 Landscaping using similar endemic or native species, is planted on-Site on land adjoining an area of natural environmental value.	Will comply
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Streetscape and Site Amenity

Performance Criteria	Acceptable Solutions	Comments
P10 Landscaping for residential development enhances the streetscape and the visual appearance of the development.	<p>A10.1 Dense Planting along the front of the Site incorporates:</p> <ul style="list-style-type: none"> • shade canopy trees to provide shade to the Frontage of the Site within 5 years of planting; • landscape screening of blank walls; • low shrubs, groundcovers and mulch to completely cover unsealed ground. <p>A10.2 Dense Planting to the rear of the Site incorporates:</p> <ul style="list-style-type: none"> • 1 shade tree for an average of every 75 m², growing to the Building eave Height within 5 years of planting; • screening shrubs to grow to 3 metres in Height within 2 years of planting; • low shrubs, groundcovers and mulch to completely cover unsealed ground. <p>A10.3 Dense Planting to the side boundaries incorporates:</p> <ul style="list-style-type: none"> • trees planted for an average of every 10 metres where adjacent to a Building; • low shrubs, groundcovers and mulch to completely cover unsealed ground. 	NA – the existing vegetation achieves the objective; no additional work is necessary
P11 Landscaping for non-residential development enhances the streetscape and the visual appearance of the development.	<p>A11.1 Dense Planting along the front boundary of the Site where a Building is Setback from the front alignment, incorporates:</p> <ul style="list-style-type: none"> • shade canopy trees to provide shade to the Frontage of the Site within 5 years of planting where appropriate; • landscape screening of blank walls; • low shrubs, groundcovers and mulch to completely cover unsealed ground. <p>A11.2 Dense Planting to the rear of the Site where a Building is Setback from the rear alignment, incorporates:</p> <ul style="list-style-type: none"> • 1 shade tree for an average of every 75 m² growing to the Building eave Height within 5 years of planting; • screening shrubs to grow to 3 metres in Height within 2 years of planting; • low shrubs, groundcovers and 	NA

	<p>mulch to completely cover unsealed ground.</p> <p>A11.3 Dense Planting to the side boundaries where visible from the street or adjoining a boundary to a different Planning Area, and where a Building is Setback from the side boundary, incorporates:</p> <ul style="list-style-type: none"> • trees planted for an average of every 10 metres where adjacent to a Building; • screening shrubs, low shrubs and groundcover appropriate for the amount of space, light and ventilation of the area; • low shrubs, groundcovers and mulch to completely cover unsealed ground. <p>A11.4 A minimum of 20% of shade trees and shrubs is incorporated in all areas of Landscaping growing to the Building eave Height within 5 years.</p>	
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Maintenance and Drainage

<p>P12 Landscaped areas are designed in order to be maintained in an efficient manner.</p>	<p>A12.1 A maintenance program is undertaken in accordance with the Maintenance Schedule in Planning Scheme Policy No 7 – Landscaping.</p> <p>A12.2 A reticulated irrigation system is provided to common Landscaping and Recreation Areas and planter boxes in accordance with Australian Standards, with 1 hose cock within each area.</p> <p>A12.3 Turf areas are accessible by standard lawn maintenance equipment.</p> <p>A12.4 Plant species are selected with long life expectancy and minimal maintenance requirements where on-Site management will be limited.</p> <p>A12.5 Mulching is provided to all garden beds to reduce weed growth and to retain water, and is to be replenished every year in the ongoing maintenance program.</p>	<p>Will comply</p> <p>NA</p> <p>Will comply</p> <p>Will comply</p> <p>Will comply</p>
<p>P13 Stormwater runoff is minimised and re-used in Landscaping through water infiltration, where appropriate.</p>	<p>A13.1 Adequate drainage is provided to all paving, turf and garden beds, including the use of swales, spoon drains, subsurface drainage, field gullies, rock or pebble lined Watercourses and stormwater connections.</p> <p>A13.2 Overland flow paths are not to be restricted by Landscaping works.</p> <p>A13.3 Water runoff is re-used through draining of hard surface areas towards permeable surfaces, turf, garden beds and by</p>	<p>Will comply to the greatest extent practical and feasible</p>

	minimising impervious surfaces on the Site.	
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Safety

P14 Tree species and their location accommodate vehicle and pedestrian sight lines.	A14.1 Trees located near pathways, driveways, Access points, parking areas and street corners have a minimum 3.0 metres of clear trunk.	Will comply
P15 The landscape design enhances personal safety and reduces the potential for crime and vandalism.	<p>A15.1 Security and foot lighting is provided to all common areas, including car parks, entries, driveways and pathways.</p> <p>A15.2 Hard surfaces are stable, non-slippery and useable in all weathers.</p> <p>A15.3 Bushfire hazard is minimised with planting of bushfire resistant species near bushfire prone areas, (refer to the Bushfire Risk Overlay on the relevant Locality Map).</p> <p>A15.4 Lighting for bicycle paths is provided in accordance with the relevant Australian Standards</p>	NA -

Utilities and Services

Performance Criteria	Acceptable Solutions	Comments
P16 The location and type of plant species does not adversely affect the function and accessibility of services and facilities and service areas.	<p>A16.1 Plant species are selected and sited with consideration to the location of overhead and underground services.</p> <p>A16.2 All underground services are to be located under pathways and below the eaves of the Building.</p> <p>A16.3 Irrigation control devices are located in the common Landscaping and Recreation Area.</p> <p>A16.4 Landscaping is located to enable trade persons to Access and view meters and other mechanical equipment within the Site.</p> <p>A16.5 Landscaping does not limit Access for service vehicles or rubbish trucks to utility areas, bin enclosures or docking areas.</p> <p>A16.6 Landscaping near electric lines or substations is designed and developed so that any vegetation at maturity or Landscaping structures or works do not exceed 40 metres in Height on land:</p> <ul style="list-style-type: none"> - in an electric line shadow; or - within 5.0 metres of an electric line shadow; or within 5.0 metres of a substation boundary. <p>A16.7 Elsewhere, vegetation is planted at a distance that is further</p>	Will comply

	<p>from the nearest edge of an electric line shadow or substation boundary than the expected maximum Height at maturity of the vegetation.</p> <p>A16.8 On a Site adjoining an electricity substation boundary, the vegetation foliage at maturity is not within 3.0 metres of the substation boundary. However, where a substation has a solid wall along any part of its boundary, foliage may extend to, but not above or beyond, that solid wall.</p>	
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Vehicle Parking and Access Code

Elements of the Code

Vehicle Parking Numbers

Performance Criteria	Acceptable Solutions	Comments
<p>P1 Sufficient parking spaces are provided on the Site to accommodate the amount and type of vehicle traffic expected to be generated by the use or uses of the Site, having particular regard to:</p> <ul style="list-style-type: none"> • The desired character of the area in which the Site is located; • The nature of the particular use and its specific characteristics and scale; • The number of employees and the likely number of visitors to the Site; • The level of local accessibility; • The nature and frequency of any public transport serving the area; • Whether or not the use involves the retention of an existing Building and the previous requirements for car parking for the Building; • Whether or not the use involves an identified Valuable Conservation Feature and Valuable Site; and • Whether or not the use involves the retention of significant vegetation. 	<p>A1.1 The minimum number of vehicle parking spaces provided on the Site is not less than the number prescribed in Schedule 1 of this Code for the particular use or uses. Where the number of spaces calculated from the Schedule is not a whole number, the number of spaces provided is the next highest whole number.</p>	<p>Complies</p>

Parking for People with Disabilities

Performance Criteria	Acceptable Solutions	Comments
P2 Parking spaces are provided to meet the needs of vehicle occupants with disabilities.	<p>A2.1 For parking areas with a total number of ordinary vehicle spaces less than 50, wheelchair accessible spaces are provided as follows:</p> <ul style="list-style-type: none"> - Medical, higher education, entertainment facilities and shopping centres – 2 spaces; - All other uses – 1 space. <p>A2.2 For parking areas with 50 or more ordinary vehicle spaces, wheelchair accessible spaces are provided as follows:</p> <ul style="list-style-type: none"> - Medical, higher education, entertainment facilities and shopping centres – 3% (to the closest whole number) of the total number of spaces requires; - All other uses – 2% (to the nearest whole number) of the total number of spaces required. 	<p>NA</p> <p>NA</p>

Motor Cycles

Performance Criteria	Acceptable Solutions	Comments
P3 In recognition that motorcycles are low Road-space transport, a proportion of the parking spaces provided may be for motorcycles. The proportion provided for motorcycles is selected so that:	<p>A3.1 Parking for motorcycles is substituted for ordinary vehicle parking to a maximum level of 2% of total ordinary parking.</p> <p style="text-align: center;">AND</p> <p>The motorcycle parking complies with other elements of this Code.</p>	NA

Compact Vehicles

Performance Criteria	Acceptable Solutions	Comments
P4 A proportion of the parking spaces provided may be for compact vehicles. The proportion of total parking provided for compact vehicles is selected considering:	<p>A4.1 For parking areas exceeding 100 spaces for short term users or 50 spaces for long-term users, parking is provided for compact vehicles as a substitute for ordinary vehicle parking so that:</p> <ul style="list-style-type: none"> • Compact vehicle parking does not exceed 10% of total vehicle parking required; and • The parking location is proximate to the entry locations for parking users; and • The parking provided complies with other elements of this Code. 	NA

<p>they present significant inclination for use by users of compact vehicles; and</p> <ul style="list-style-type: none"> The scale of parking spaces, likely users and the likely degree of familiarity with the availability of such spaces. 		
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Bicycle Parking

Performance Criteria	Acceptable Solutions	Comments
P5 Sufficient bicycle parking spaces with appropriate security and end of trip facilities are provided on-Site to accommodate the amount of bicycles expected to be generated by the use or uses.	A5.1 The minimum number of bicycle parking spaces provided on Site is not less than the number prescribed in Schedule 1 of this Code, for the particular use or uses.	NA

Vehicular Access to the Site

Performance Criteria	Acceptable Solutions	Comments
P6 The location of Access points minimises conflicts and is designed to operate efficiently and safely taking into account: <ul style="list-style-type: none"> The amount and type of vehicular traffic; The type of use (eg long-stay, short-stay, regular, casual); Frontage Road traffic conditions; The nature and extent of future street or intersection improvements; Current and future on-street parking requirements; The capacity of the adjacent street system; and The available sight distance. 	A6.1 The location of the Access points is in	Complies with the performance criteria

Accessibility and Amenity for Users

Performance Criteria	Acceptable Solutions	Comments
P7 On-Site vehicle parking is provided where it is convenient, attractive and safe to use, and does not detract from an attractive or existing streetscape character.	<p>A7.1 Short term visitor parking is provided at the front or on the main approach side of the Site, with easy Access to the Building entry, where such provision is in keeping with the desired character of the area in which the Site is located.</p> <p style="text-align: center;">AND</p> <p>In mixed use premises that include residential or accommodation uses (excluding Port Douglas – Tourist</p>	<p>Complies with the performance criteria – to comply with the Acceptable Solution would conflict with earlier provision about maintaining landscape character and not being able to view the buildings etc from the road</p> <p>NA</p>

	Centre), at least 50% of the required number of parking spaces for the non-residential use/s on the Site is provided in an easily accessible location on the premises, so as to be convenient to use for customers and other visitors.	
P8 The layout of parking areas provides a high degree of amenity and accessibility for different users.	<p>A8.1 The layout of the parking area provides for the accessibility and amenity of the following:</p> <ul style="list-style-type: none"> • People with Disabilities • Cyclists • Motorcyclists • Compact Vehicles • Ordinary Vehicles • Service Delivery Vehicles <p>A8.2 Where covered parking areas are required in accordance with Schedule 1 of this Code, sails or other secure structural forms of covering provide shade and weather protection for vehicles and passengers.</p>	Complies with the performance criteria

Access Driveways

Performance Criteria	Acceptable Solutions	Comments
P9 The dimensions of Access driveways cater for all vehicles likely to enter the Site and minimises the disruption of vehicular, cyclist and pedestrian traffic.	A9.1 Access driveways are designed in accordance with the provisions of the relevant Australian Standards.	Complies
P10 The surface construction materials of Access driveways within the Road reserve contribute to the streetscape and alerts pedestrians to the location of the driveway.	A10.1 Surface construction materials are consistent with the current or intended future streetscape or character of the area and contrast with the surface construction materials of any adjacent footpath.	Complies – a minimum standard will be a properly constructed pavement with drainage and erosion control

Access for People with Disabilities

Performance Criteria	Acceptable Solutions	Comments
P11 Access for people with disabilities is provided to the Building from the parking area and the street.	A11.1 Access for people with disabilities is provided in accordance with the relevant provisions of the Australian Standards.	NA – a dwelling

Access for Pedestrians

Performance Criteria	Acceptable Solutions	Comments
P12 Access for pedestrians is provided to the Building from the parking area and from the street.	A12.1 Defined, safe pedestrian pathways are provided to the Building entry from the parking area and from the street.	Will comply to the greatest extent practical and feasible

Access for Cyclists

Performance Criteria	Acceptable Solutions	Comments
P13 Access for cyclists is provided to the Building or to bicycle parking area from the	A13.1 Access pathways for cyclists are provided in accordance with the relevant	Will comply – shared use is acceptable

street.	provisions of the Australian Standards. AND Where Access of cyclists is shared with Access for pedestrians and vehicles, the shared use is identified by signage and linemarking.	
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Dimensions of Parking Spaces

Performance Criteria	Acceptable Solutions	Comments
P14 Parking spaces must have adequate areas and dimensions to meet user requirements.	<p>A14.1 Car parking for the disabled, ordinary car parking spaces and motorcycle parking spaces meet the requirements of the relevant Australian Standards.</p> <p>AND</p> <p>Parking spaces for special vehicles that are classified in accordance with the relevant Australian Standards meet the requirements of that Standard.</p> <p>AND</p> <p>Parking spaces for standard sized buses have the following minimum dimensions:</p> <ul style="list-style-type: none"> • Width: 4 metres • Length: 20 metres • Clear Height: 4 metres <p>AND</p> <p>Parking spaces for compact vehicles have the following minimum dimensions:</p> <ul style="list-style-type: none"> • 15 per cent less in width measurements than required by Australian Standards for any ordinary vehicle; and • 20 per cent less in length measurements than required by Australian Standards for any ordinary vehicle. <p>AND</p> <p>Parking spaces for special vehicles meet the requirements dictated by the vehicle dimensions and manoeuvring characteristics and provide sufficient clearance to obstructions and adjacent vehicles to achieve a level of service to users equivalent to that specified by the relevant Australian Standards.</p>	<p>NA</p> <p>NA</p> <p>NA</p> <p>NA</p> <p>NA</p>

	A14.2 Parking spaces for bicycles meet the requirement of the relevant Australian Standard.	NA
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On-Site Driveways, Manoeuvring Areas and Parking/Standing Areas

Performance Criteria	Acceptable Solutions	Comments
P15 On-Site driveways, manoeuvring areas and parking/standing areas are designed, constructed and maintained such that they: <ul style="list-style-type: none"> • are at gradients suitable for intended vehicle use; • consider the shared movements of pedestrians and cyclists; • area effectively drained and surfaced; and • are available at all times they are required. 	A15.1 On-Site driveways, vehicle manoeuvring and loading/unloading areas: <ul style="list-style-type: none"> • are sealed in urban areas; AND Upgraded to minimise noise, dust and runoff in other areas of the Shire in accordance with the relevant Locality Code; <ul style="list-style-type: none"> • have gradients and other design features in accordance with the provisions of the relevant Australian Standards; and • drain adequately and in such a way that adjoining and downstream land is not adversely affected. A15.2 Parking areas are kept and used exclusively for parking and are maintained in a suitable condition for parking.	NA Complies Will comply

Vehicle Circulation, Queuing and Set Down Areas

Performance Criteria	Acceptable Solutions	Comments
P16 Sufficient area or appropriate circulation arrangements are provided to enable all vehicles expected to use the Site to drive on and off the Site in forward gear.	A16.1 Circulation and turning areas comply with the provisions of the relevant Australian Standards.	Complies
P17 An on-Site circulation system provides safe and practical Access to all parking, loading/unloading and manoeuvring areas.	A17.1 Circulation driveways comply with the provisions of the relevant Australian Standards.	NA
P18 Where vehicle queuing, set down or special vehicle parking is expected, sufficient queuing or parking area is provided to enable vehicles to stand without obstructing the free flow of moving traffic or pedestrian movement.	A18.1 Queuing and set down areas comply with the relevant Australian Standard and any relevant AUSTROAD Guidelines.	NA

Schedule 1 – Car Parking Requirements

LAND USE	MINIMUM NUMBER OF SPACES
Residential Uses	
House	2 spaces which may be in tandem

Vegetation Management Code

Elements of the Code

Performance Criteria	Acceptable Solutions	Comments
<p>P1 Vegetation must be protected to ensure that:</p> <ul style="list-style-type: none"> a) The character and amenity of the local area is maintained; and b) Vegetation damage does not result in fragmentation of habitats; and c) Vegetation damage is undertaken in a sustainable manner; and d) The regions biodiversity and ecological values are maintained and protected; and e) Vegetation of historical, cultural and/or visual significance is retained; f) Vegetation is retained for erosion prevention and slope stabilisation. 	<p>A1.1 The vegetation damage occurs on a lot, other than a lot in the Flagstaff Hill Special Management Area, and has a lot size equal to or less than 800m². OR</p>	Complies
	<p>A1.2 The lot is within an Urban Area or Rural Settlement Planning Area, other than the Flagstaff Hill Special Management Area, and the vegetation damage is within six (6) metres (measured from the centre of the tree's trunk, at ground level, to the nearest edge of the structure) of an existing or approved building or structure or within three (3) metres of a boundary fence. OR</p>	NA
	<p>A1.3 The lot is within a Conservation Planning Area or the Flagstaff Hill Special Management Area and the vegetation damage is within three (3) metres (measured from the centre of the tree's trunk, at ground level, to the nearest edge of the structure) of an existing or approved building or structure. OR</p>	Will comply – there is an issue of conflict with other codes eg Hazards which seem to require a greater extent of clearing. In this respect the owner desires to minimise clearing.
	<p>A1.4 The vegetation damage occurs within the path of, or within (3) metres (measured from the centre of the tree's trunk, at ground level, to the nearest edge of the structure/infrastructure) of the path of an approved road, water supply, sewerage or drainage works. OR</p>	NA
	<p>A1.5 The vegetation damage is essential for carrying out work authorised or required under another Act. OR</p>	NA
	<p>A1.6 The lot is within a Rural Planning Area and the vegetation damage is within ten (10) metres (measured from the centre of the tree's trunk, at ground level, to the nearest edge of the structure) of an existing or approved building or structure or within three (3) metres of a boundary fence. OR</p>	NA
	<p>A1.7 The lot is within the Rural or Rural Settlement Planning Area and the vegetation damage is for Routine Management, Essential Management or in accordance with a regular maintenance program in conjunction with an existing lawful rural pursuit. OR</p>	NA
	<p>A1.8 The vegetation damage is</p>	NA

	<p>considered to be one or more of the following:</p> <ul style="list-style-type: none"> a) Actually or potentially dangerous as a result of being dead, dying or diseased, structurally unsound, or having a growth form or habit which is hazardous and is presenting a threat to the safety of persons or property; b) Is the removal of vegetation which was planted for landscaping purposes. OR <p>A1.9 The vegetation damage is essential for the survey of a property boundary by a licensed cadastral surveyor. OR</p> <p>A1.10 The vegetation damage is to maintain an existing fire break. OR</p> <p>A1.11 The vegetation is damaged as the result of pruning essential to prevent interference to overhead service cabling. OR</p> <p>A1.12 The vegetation is damaged as the result of a regular maintenance program to remove part of the vegetation (eg fronds or seeds or deadwooding). OR</p> <p>A1.13 The vegetation damage is the removal and disposal, at an approved site, of a declared pest. OR</p> <p>A1.14 The vegetation is damaged as a result of an approved Forest Practice, where the lot is subject to a scheme approved under another law. OR</p> <p>A1.15 The vegetation is damaged in association with a traditional Aboriginal or Torres Strait Islander cultural activity, other than a commercial activity. (For assistance in clarification please contact Council's Development Assessment team on 4044 3044)</p>	<p>NA</p> <p>NA – although the bushfire management plan required to comply with the Hazards Codes may include such a provision.</p> <p>NA</p> <p>May be necessary</p> <p>May be necessary</p> <p>NA</p> <p>NA</p>
<p>P2 Vegetation damaged on a lot does not result in a nuisance.</p>	<p>A2.1 Damaged vegetation is removed and disposed of at an approved site. OR</p> <p>A2.2 Damaged vegetation is mulched or chipped and used onsite. OR</p> <p>A2.3 On a lot in the Rural Planning Area vegetation is disposed of by burning, approved by an appropriate authority.</p>	<p>Will comply</p> <p>Will comply</p> <p>NA</p>

<p>P3 Vegetation damage does not result in the removal of a healthy, significant tree from the streetscape.</p>	<p>A3.1 Vegetation damaged does not result in the removal of a significant tree from between the forward building line and the sites frontage or within six (6) metres of the sites frontage (if no building exists on-site.)</p>	<p>Will comply – casual observation indicates there may be no significant trees on site.</p>
<p>P4 Vegetation damage on a lot identified on a Local Heritage Overlay or on a lot identified on the Queensland Heritage Register does not result in a negative impact on the sites heritage values.</p>	<p>A4.1 The vegetation damage results in the removal of vegetation that is one or more of the following:</p> <ul style="list-style-type: none"> a) Actually or potentially dangerous as a result of being dead, dying or diseased, structurally unsound, or having a growth form or habit which is hazardous; b) Is a threat to the safety of persons or property; c) Restricting the habitability of the dwelling on the lot or a neighbouring lot. 	<p>NA</p>