

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)
ARTS + CRAFT SHED		600 SQM	240 days/year	owner
Shopping Facility in existing Building		LOCKABLE SHED	7 hours/day	

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)

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 checked="" 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 checked="" 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 N/A	
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 checked="" 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 checked="" 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.

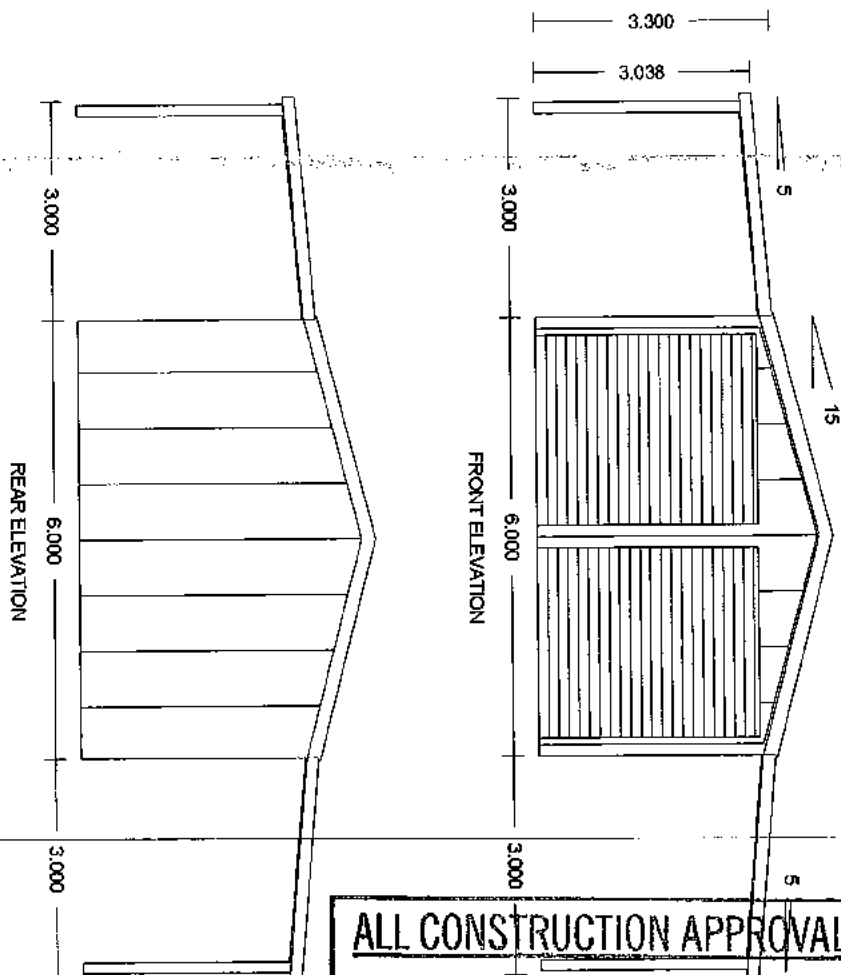
OFFICE USE ONLY

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.

4 BUILDINGS DIMENSIONS



ALL CONSTRUCTION APPROVALS

Permit No: 1 2 8 6 6 Date: 20 SEP 2011

The building work described on this drawing/specification conforms with the provisions of the Building Act 1975 and is subject to the conditions of the Development Permit.

ALL CONSTRUCTION APPROVALS

ALL BUILDING WORK IS TO BE BUILT IN ACCORDANCE WITH THE BUILDING ACT 1975 AND ANY CONDITIONS ON THE ISSUED DECISION NOTICE.

APPLICATION NO: 12866 Date: 20.9.11

MARTIN ACCATINO A1186665

PROPOSED Garage 12.000x12.000x3.038-3.300 C2

At Lot 1 Cape Tribulation Road Cape Tribulation

For David Gordon

Wall Colour - CB To Be Adv

Roof colour - CB To Be Adv

Barge Colour - CB To Be Adv

Roller Door Colour - CB To Be Adv

Ref No 4262-C1

Quote No QaAUS15051014463685 Scale 1:100

All Work To Be In Accordance With Accompanying Engineers Details

AUS-STEEL Far North

254 Hartley Street Bungalow, QLD. 4870

Ph: 07 4035 5548

www.aussteelsheds.com
cna@aussteelsheds.com

Fax: 07 4035 5549

10.09.14.

• 4. RE: INTENSITY AND SCALE OF THE PROPOSED USE.

It is expected that during tourist season, the attendance would be significantly increased. The car parking area is relatively small, the entryway and exit are easily ~~and~~ accessed and visibility in both directions very good. Attendance numbers really just depends on the road traffic, we want to keep it all on a relatively small scale. Number of visitors on any day would perhaps be
So what we would be looking at is opening for the 2 week period over the easter break and then for the high season period which is 244 days of the year.

IDAS form 1—Application details

(Sustainable Planning Act 2009 version 4.1 effective 4 July 2014)

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)

DAVID & MARNEA GORDON

For companies, contact name

Postal address

2039 RN CAPE TRIBULATION RD.,

Suburb

DINAN

State

QLD.

Postcode

4873

Country

AUSTRALIA

Contact phone number

07 40 989 124

Mobile number (non-mandatory requirement)

0458 989 124 (NO RECEPTION)

Fax number (non-mandatory requirement)

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.)

<input checked="" type="checkbox"/> Street address and lot on plan (All lots must be listed.)							
<input checked="" type="checkbox"/> 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)		2857 R	Capricornia Rd	4875	1	RP 745175	CAIRNS
ii)			Dunn				
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 planning	Rainforest Comm. - community precinct	
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)

3.2 H.

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

Residential

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)

☒ 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 ☐ 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.)

☒ 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.)

☒ 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?

☒ 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)

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
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>

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
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>

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Same questions over & over
must be seen to answer these
questions.



4.2.2 Settlement Areas North of the Daintree River Locality Code

Purpose

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

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

Applicability

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

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



Elements of the Code

General Requirements – All Development in this Locality

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
<p>P1 The Height of Buildings and structures is subservient to the surrounding environment and is in keeping with the unique character of the Locality.</p> <p style="text-align: center;">N/A .</p>	<p>A1.1 In the Planning Areas in this Locality the maximum Height of Buildings/structures is 6.5 metres and 2 Storeys. In addition, the roof or any ancillary roof features do not exceed a maximum Height of 3.5 metres.</p>
<p>P2 Development is connected to sustainable on Site infrastructure services.</p> <p style="text-align: center;">N/A .</p>	<p>A2.1 Water storage is provided in tank/s with a minimum capacity to service the proposed use, including fire fighting capacity, and Access to the tank/s for fire trucks. Tank/s to be fitted with a 50 mm ball valve with a camlock fitting and installed and connected prior to occupation and sited so as to be visually unobtrusive.</p> <p>Water storage tanks are to be fitted with screening at the inlet to prevent the intrusion of leaves and insects.</p> <p>A2.2 On any roof exceeding 100 m², gutters are installed and the flow diverted to a storage tank.</p> <p>A2.3 An environmentally acceptable and energy efficient power supply is constructed, installed and connected prior to occupation and sited so as to be screened from the road.</p> <p>(Information that the Council may request to demonstrate compliance with the Performance Criteria is outlined in Planning Scheme Policy No 10 – Reports and Information the Council May Request, for code and impact assessable development).</p>



<p>P3 Onsite wastewater does not adversely impact on the environmental quality of the water and soil resources or the amenity of residents, through the implementation of best environmental practice.</p> <p style="text-align: center;">N/A.</p>	<p>No Acceptable Solution.</p> <p>(Information that the Council may request to demonstrate compliance with the Performance Criteria is outlined in Planning Scheme Policy No 10 – Reports and Information the Council May Request, for code and impact assessable development).</p>
<p>P4 The sustainability of the natural water resources of the area is protected for ecological and domestic consumption purposes.</p> <p style="text-align: center;">N/A.</p>	<p>A4.1 If groundwater is to be used development is limited to one bore per site and the bore is:</p> <ul style="list-style-type: none"> • Not located within 100 metres of a septic disposal trench (on the Site or adjoining Sites); and • not located within 100 metres of another bore. <p>A4.2 Surface water is to be used for domestic purposes only.</p>
<p>P5 Development does not adversely on areas of sensitive natural vegetation, foreshore areas, Watercourses and areas of tidal inundation which contribute to the Scenic Amenity and the natural values of the Locality⁵.</p> <p style="text-align: center;">No.</p>	<p>No Acceptable Solution.</p> <p>(Information that the Council may request to demonstrate compliance with the Performance Criteria is outlined in Planning Scheme Policy No 10 – Reports and Information the Council May Request, for code and impact assessable development).</p>
<p>P6 Development is subservient to the surrounding natural environment in scale and intensity and is designed to be energy efficient and functional in a humid tropical rainforest environment.</p> <p style="text-align: center;">Yes.</p>	<p>A6.1 The exterior finishes and colours of Buildings are non-reflective and complement the colours of the surrounding vegetation and viewshed.</p> <p>A6.2 Buildings must be designed such that natural light is maximized and the need for internal lighting during daylight hours is minimized.</p>

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



<p>N/A.</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>P7 Landscaping of development Sites ensures the native landscape character of the Locality is dominant.</p> <p>Yes.</p>	<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>
<p>P8 Site Access driveways and Roads within the Locality are retained as safe, slow speed, scenic drives.</p> <p>Yes.</p>	<p>A8.1 Site Access driveways and existing or proposed Roads comply with the relevant requirements of Planning Scheme Policy No 6 – FNQROC Development Manual and are maintained as low speed gravel Roads to maintain the scenic drive experience and to discourage the use of Roads by through-traffic.</p> <p>AND</p> <p>Where existing Roads/tracks are 4 wheel drive only, upgrading to facilitate conventional vehicles and an increase in through-traffic does not occur.</p>
<p>P9 The onsite impacts on natural flow regimes and erosion and sedimentation</p>	<p>A9.1 Excavation and Fill is kept to a minimum and involves not more than</p>



<p>are minimised.</p> <p><i>Yes</i></p>	<p>5% of the cleared area of the lot.</p> <p>A9.2 All exposed surfaces must incorporate erosion and sediment controls during construction and must be maintained until revegetation or other permanent stabilization has occurred.</p> <p>A9.3 There is no disturbance to tree roots and trenching does not involve any damage to tree roots.</p> <p>A9.4 On Site drainage and stormwater management:</p> <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>P10 The land use aspirations in any Indigenous Land Use Agreement (ILUA) are acknowledged and facilitated.</p> <p><i>N/A</i></p>	<p>A10.1 Development is consistent with any ILUA relating to the land and the relevant provisions of the Planning Scheme.</p>

General Requirements – House

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

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



		(The 700m ² area of new Clearing does not include an access driveway).
P12	All existing native vegetation on a House Site, other than that required and approved to be cleared to provide for the construction of a House and Access thereto, is protected to ensure the environmental integrity of the Locality. N/A.	No Acceptable Solution. (Information that the Council may request to demonstrate compliance with the Performance Criteria is outlined in Planning Scheme Policy No 10 – Reports and Information the Council May Request, for code and impact assessable development).
P13	Wildlife movement, fauna habitat and habitat corridors are protected and domestic impacts minimised.	A13.1 Fences are limited in extent to the confines of the cleared area around the House and any associated gates are self closing. A13.2 External lighting is to be kept to the minimum necessary for orientation, safety and security. Flood lights must not point up and areas of retained vegetation should, in general, not be illuminated. Where appropriate, outdoor lights are controlled by movement detectors and/or have timers.
P14	House Sites have efficient and safe vehicle Access and manoeuvring areas on Site and to the Site to an acceptable standard for the Locality.	A14.1 Vehicle Access is limited to one access per lot and sited in an approved location clear of significant vegetation, any Watercourse or steep slopes. A14.2 Vehicular Access, with a maximum width of 4 metres, follows the contours of the Site, avoids large tree specimens or significant vegetation and habitat corridors and is constructed and maintained to a minimum gravel standard of 75 mm of road base on a compacted soil surface. A14.3 Vehicular Access is constructed prior to the construction of the House.

General Requirements – Tourist and Commercial/Community Development

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
P15 Development minimises the loss of	A15.1 The elements of development and



<p>vegetation and habitat connectivity on Site and is sited to protect the environmental values of the Site⁷.</p> <p><i>Yes.</i></p>	<p>Access to the site are included in a Designated Development Area (DDA).</p> <p>A15.2 Development is sited in an existing cleared area.</p> <p>AND</p> <p>Where the existing cleared area is greater than that required for the use, the balance of the clearing is revegetated and rehabilitated.</p> <p>OR</p> <p>Where no clearing exists, development is sited in an area approved for clearing under the Local Law – Vegetation Management but which is not cleared until a Building Permit is issued.</p> <p>A15.3 Any new clearing is limited to a maximum area of 700 m² and is sited clear of the High Bank of any Watercourse.</p> <p>(The 700 m² of new clearing does not include an access driveway).</p>
<p>P16 Development is sited so that it is not clearly visible from any public Road or public viewing point.</p> <p><i>NOT UNSIGHTLY FROM THE ROAD. BLENDS WITH SURROUNDING VEGETATION.</i></p>	<p>A16.1 Any Tourist or other development is effectively screened from view either by existing native vegetation located within the Setback area/s or by the planting of additional native trees identified on an approved Landscape Plan prepared by a suitably qualified professional and lodged at Development Application stage..</p>

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



	A16.2 Any Commercial development, which relies on passing trade, is partially screened from the Road Frontage by filtered views using native vegetation located within the Setback area/s or by the planting of additional native trees identified on an approved Landscape Plan prepared by a suitably qualified professional and lodged at Development Application stage
P17 Native fauna, their habitat and corridors are protected from development or the impact of the operations of the development. <i>Not Affected.</i>	A17.1 No fences or barriers are Erected within 10 metres of an area identified as a fauna habitat or corridor and no perimeter fences or barriers are Erected around the development Site.
P18 Development Sites have efficient and safe vehicle Access and manoeuvring areas on Site and to the Site, to an acceptable standard for the Locality. <i>No Development</i>	A18.1 Vehicular Access with a maximum width of 6 metres is sited in an approved location, follows the contours of the Site, avoids large tree specimens or significant vegetation and habitat corridors, is clear of significant vegetation, any Watercourse or steep slopes and is constructed and maintained to a standard commensurate with the use. A18.2 Vehicular Access is constructed prior to the construction of the development.
P19 The establishment of a Caretaker's Residence reduces traffic impacts in the Locality. <i>N/A -</i>	A19.1 A Caretaker's Residence only establishes in association with an operational Commercial / Community activity located on the same Site.

Specific Provisions for the Settlement Area of Degarra/Bloomfield

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



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



Specific Provisions for the Settlement Area of Daintree Lowlands

Northern Management Area – Cape Tribulation to Thornton Beach

Rainforest Conservation Precinct

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
<p>P23 The biodiversity value of the area and the habitat of endemic species is protected on land included in the Rainforest Conservation Precinct⁸.</p> <p><i>NOT WITHIN DEVELOPED AREA, WAS PREVIOUSLY ONLY GRAVEL.</i></p>	<p>A23.1 No new development occurs in the Rainforest Conservation Precinct whether on vacant land or already developed land.</p> <p>EXCEPT THAT</p> <p>Vacant land which meets one or more of the following criteria and is listed on Council's Register:</p> <ul style="list-style-type: none"> • Land which has previously been lawfully cleared and currently remains cleared; or • Land which is the subject of a current Clearing Permit but has yet to be cleared; or • Land which is the subject of a current Operational Works Permit, <p>can be developed for a House or, where appropriate, a Caretaker's Residence, subject to compliance with all the relevant Codes.</p> <p>IN ADDITION</p> <p>Minor extensions can be undertaken to an existing development.</p> <p>PROVIDED</p>

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



	<p>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 RP 726706 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>
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	<p>The extensions are limited to a maximum area of 30% of the existing gross floor area for a House.</p> <p>OR</p> <p>The extent of extensions are determined on a site specific/use specific basis for other land uses.</p> <p>AND PROVIDED</p> <p>No further on site clearing is required to accommodate the extensions for either a House or any other land use development.</p>
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Rainforest Residential Precinct

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
<p>P24 Land included in the Rainforest Residential Precinct is only developed for a House and Bed and Breakfast Accommodation where it can be demonstrated that the scale of the Bed and Breakfast Accommodation can establish on the site and not detrimentally impact on the environmental or scenic values of the Site and the surrounding area.</p>	<p>A24.1 Development in the Rainforest Residential Precinct is limited to one House per lot.</p> <p>A24.2 Establishment of Bed and Breakfast Accommodation only occurs on land in the Rainforest Residential Precinct on which a House has been approved and constructed.</p> <p>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>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>



Rainforest Tourism Precinct

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
<p>P25 Development on land in the Rainforest Tourism Precinct complements, protects and enhances the environmental and scenic values of the site.</p>	<p>A25.1 Only one House establishes per lot.</p> <p>A25.2 Development in the Rainforest Tourism Precinct is limited to existing cleared areas on the site.</p> <p>A25.3 No development is to occur above the 60m contour line.</p> <p>A25.4 Any new Primary Industry activity or a change in Primary Industry activity has minimal impact on the existing natural values of the Site and the surrounding area⁹.</p> <p>A25.5 Rural activities are carried out in accordance with a Property Management Plan.</p> <p>A25.6 The balance area of the Development Site, including any existing cleared area/s not identified for development, is/are revegetated / rehabilitated in accordance with a Landscaping Plan.</p> <p>(Information that the Council may request to demonstrate compliance with the Performance Criteria is outlined in Planning Scheme Policy No 10 – Reports and Information the Council May Request, for code and impact assessable development).</p>
<p>P26 Large partially cleared sites are revegetated and rehabilitated in association with small scale environmentally sustainable development.</p>	<p>A26.1 Lots with a maximum area greater than 65 hectares and containing cleared areas are developed for Forest Stay Accommodation or Staff Quarters</p>

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



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

Rainforest Conservation Precinct

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

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



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

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

Rainforest Tourism Precinct



PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
<p>P29 Development on land in the Rainforest Tourism Precinct complements, protects and enhances the environmental and scenic values of the site.</p>	<p>A29.1 Only one House establishes per lot.</p> <p>A29.2 Development in the Rainforest Tourism Precinct is limited to existing cleared areas on the Site.</p> <p>A29.3 Any new Primary Industry activity or a change in Primary Industry activity has minimal impact on the existing natural values of the Site and the surrounding area¹¹.</p> <p>A29.4 Rural activities are carried out in accordance with a Property Management Plan.</p> <p>A29.5 The balance area of the Development Site, including any existing cleared area/s not identified for development is/are revegetated / rehabilitated in accordance with a Landscaping Plan.</p> <p>(Information that the Council may request to demonstrate compliance with the Performance Criteria is outlined in Planning Scheme Policy No 10 – Reports and Information the Council May Request, for code and impact assessable development).</p>
<p>P30 Large partially cleared sites are revegetated and rehabilitated in association with small scale environmentally sustainable development.</p>	<p>A30.1 Lots with a maximum area greater than 100 hectares and containing cleared areas are developed for Forest Stay Accommodation.</p> <p>A30.2 Any Forest Stay Accommodation is limited to a maximum of 20 guests (20 Bed Spaces) and provides staff accommodation for a minimum of 6 staff (6 Bed Spaces).</p>

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



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



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

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



Eastern Management Area – Cow Bay

Rainforest Conservation Precinct

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

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



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

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



Rainforest Tourism Precinct

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

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



Rainforest Commercial/Community Precinct

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

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

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

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



	<p>A42.4 The balance area of the Development Site, including any existing cleared area/s not identified for development is/are revegetated / rehabilitated in accordance with a Landscaping Plan.</p> <p>(Information that the Council may request to demonstrate compliance with the Performance Criteria is outlined in Planning Scheme Policy No 10 – Reports and Information the Council May Request, for code and impact assessable development).</p>
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4.3.9 Conservation Planning Area Code

Purpose

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;
- ensure that any recreational or other uses of areas within 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;
- 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
- ensure that any low intensity facilities based on an appreciation of the natural environment 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.

Applicability

This Code applies to development that is assessable in the Conservation Planning Area for:

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



Elements of the Code

Consistent and Inconsistent Uses – General

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
P1 The establishment of uses is consistent with the outcomes sought for the Conservation Planning Area. <i>Yes.</i>	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. <p style="text-align: center;">OR</p> <ul style="list-style-type: none"> In the four Precincts included in the Conservation Planning Area in the Settlement Areas North of the Daintree River Locality

Site Coverage

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
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. <i>NOT INVASIVE VISUALLY.</i>	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 700 m ² and is sited clear of the High Bank of any Watercourse. (The 700 m ² area of new Clearing does not include an access driveway.)



Building/Structure Setbacks

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
<p>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.</p> <p><i>CAPE TRIBULATION ROAD FRONTAGE . MTRS FROM THE ROAD</i></p>	<p>A3.1 Buildings are Setback not less than:</p> <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.
<p>P4 Buildings/structures are Setback from Watercourses and other sensitive areas to ensure the environmental values of the area are not adversely affected.</p> <p><i>YES.</i></p>	<p>No Acceptable Solution</p> <p>(Information that the Council may request to demonstrate compliance with the Performance Criteria is outlined in Planning Scheme Policy No 10 – Reports and Information the Council May Request, for code and impact assessable development).</p>

Residential Density

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
<p>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.</p> <p><i>YES.</i></p>	<p>No Acceptable Solution.</p> <p>(Information that the Council may request to demonstrate compliance with the Performance Criteria is outlined in Planning Scheme Policy No 10 – Reports and Information the Council May Request, for code and impact assessable development).</p>



Landscaping

PERFORMANCE CRITERIA		ACCEPTABLE SOLUTIONS	
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 ³⁴ .	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.
		A6.2	Landscaping must be informal in character.
		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.

YES

³⁴ Vegetation clearing is required to be undertaken in accordance with Local Law – Vegetation Management.



Environmental Values – General

PERFORMANCE CRITERIA		ACCEPTABLE SOLUTIONS	
P7	Development does not adversely impact on the natural environment, natural vegetation or Watercourses. <i>NO</i>	No Acceptable Solution (Information that the Council may request to demonstrate compliance with the Performance Criteria is outlined in Planning Scheme Policy No 10 – Reports and Information the Council May Request, for code and impact assessable development).	
P8	Development is complementary to the surrounding environment. <i>yes.</i>	A8.1	Development harmonises with the surrounding environment, for example, through suspended, light weight construction on sloping Sites, which requires minimal excavation and fill.
		A8.2	A Development is subservient to the natural landscape in scale and in the use of exterior colours and finishes.
		A8.3	Any driveway or car park is constructed and maintained to: <ul style="list-style-type: none">• minimise erosion, particularly in the wet season; and• minimise cut and fill;• follow the natural contours of the Site; and• minimise vegetation Clearing.



Sloping Sites

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
<p>P9 Building/structures are designed and sited to be responsive to the constraints of sloping Sites.</p> <p style="text-align: center; font-size: 2em;">N/A</p>	<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>(Information that the Council may request as part of the Geotechnical Report are outlined in Planning Scheme Policy No 10 – Reports and Information the Council May Request, for code and impact assessable development.)</p>



<p>P10 The building style and construction methods used for development on sloping Sites are responsive to the Site constraints.</p> <p style="text-align: center;">N/A</p>	<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>P11 Development on sloping land minimises any impact on the landscape character of the surrounding area.</p> <p style="text-align: center;">N/A</p>	<p>A11.1 Buildings/structures are sited below any ridgelines and are sited to avoid protruding above the surrounding tree level.</p>
<p>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.</p> <p style="text-align: center;">N/A</p>	<p>A12.1 All stormwater drainage discharges to a lawful point of discharge and does not adversely affect downstream, upstream, underground stream or adjacent properties.</p>



Sustainable Siting and Design of Houses on Sloping Sites

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
<p>P13 A House sited on hillside land is sited in an existing cleared area, or in an area approved for Clearing</p> <p style="text-align: center;">N/A</p>	<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 700 m² and is sited clear of the High Bank of any Watercourse.</p> <p>(The 700 m² 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>P14 A House sited on hillside land is sited so that it is not clearly visible from any public Road.</p> <p style="text-align: center;">N/A</p>	<p>A14.1 A House is Setback a minimum of 25 metres from Cape Tribulation Road or 20 metres from any other Road Frontage.</p>
<p>P15 A House sited on hillside land is sited and designed so that it is subservient to the surrounding natural environment.</p> <p style="text-align: center;">N/A</p>	<p>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.</p>
<p>P16 The exterior finishes of a House complements the surrounding natural environment.</p> <p style="text-align: center;">N/A</p>	<p>A16.1 The exterior finishes and colours of Building/s are non reflective and complement the colours of the surrounding vegetation and viewshed.</p>
<p>P17 A House is designed to be energy efficient and functional in a humid tropical rainforest environment.</p> <p style="text-align: center;">N/A</p>	<p>A17.1 The development incorporates building design features and architectural elements detailed in Planning Scheme Policy No 2 – Building Design and Architectural Elements.</p>



4.6 General Codes

4.6.1 Design and Siting of Advertising Devices Code

Purpose

The purpose of this Code is to:

- ensure that Advertising Devices do not adversely impact on the streetscape or detract from the amenity of the locality;
- ensure that Advertising Devices are appropriate to the scale of surrounding Buildings and the locality;
- ensure that any Advertising Devices which are incorporated in the Site design of a development or the architecture of a Building, complement the Building or development;
- limit the number of Advertising Devices to avoid excessive signage throughout the Shire; and
- ensure that Advertising Devices do not dominate the surrounding vegetation, Landscaping or natural features of the environment and scenic amenity values of the Shire.

Applicability

This Code applies to assessable development for:

- Material Change of Use:

Except for the following Uses in all Localities:

- Caretaker's Residence
 - Educational Establishment
 - Home Industry
 - House
 - Outstation/Seasonal Camp
 - Primary Industry
 - Private Forestry
 - Public Utilities and Facilities
 - Special Residential Use
- Operational Work – Placing an Advertising Device on Premises not associated with a Material Change of Use.



Elements of the Code

Signage Type

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
<p>P1 Advertising Devices are subservient in scale to the primary use of the Site and relate to the use/s carried out on the Site.</p> <p>N/A</p> <p>N/A</p>	<p>A1.1 Where a Balloon, Blimp, Kite, Bunting, Flag, Banner or similar:</p> <ul style="list-style-type: none">• safely tethered to the ground, Building or structure;• maximum one per business;• displayed for one calendar month;• not located over or attached to the ground of a Council controlled Road or a State-Controlled Road (SCR). <p>A1.2 Where a Below Awning Sign:</p> <ul style="list-style-type: none">• maximum one per business, or one per Frontage;• maximum Height of 0.6 metres• ground clearance not less than 2.6 metres• maximum width of 0.3 metres;• maximum length of 2.5 metres and does not project beyond the awning.



<p>RE-USING EXISTING ADVERTISING SIGNS.</p> <p>DISPLAYED INSIDE OUR LAND BOUNDARY</p> <p>EXIT & ENTRY SIGNS.</p>	<p>A1.3 Where a Chalk Board or A Frame Sign:</p> <ul style="list-style-type: none">• maximum of one Chalk Board or A Frame Sign per business, or Frontage;• maximum Height of 1 metre;• maximum width of 0.6 metre;• able to be readily relocatable on a daily basis, if located within a Road reserve;• do not rotate or spin in the wind;• only allowable within a State-controlled Road reserve where the speed limit is 60 km/hr or less;• if located within the Road reserve, located a minimum of 1 metre from the kerb; <p>OR</p> <ul style="list-style-type: none">• where no kerb, a minimum of 10 metres from the edge of the Road carriageway. <p>A1.4 Where a Directional Sign:</p> <ul style="list-style-type: none">• if attached to a street sign, has the same dimensions as the street sign, unilluminated and advertising the name and distance/direction to the business;• maximum of one directional sign per business attached to any street sign;• if attached to a property boundary fence or gate, maximum area of 0.3 m², unilluminated and advertising only the name and distance/direction to the business which is carried out on the property;• maximum of one directional sign to any property boundary fence or gate for each Road Frontage.
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<p>N/A</p> <p>N/A</p> <p>N/A</p>	<p>A1.5 Where a Fascia Sign located on the fascia of an awning:</p> <ul style="list-style-type: none">• maximum of one fascia sign per business or one per Frontage;• maximum Height above Ground Level of 2.5 metres;• does not project above or below the fascia of the Building;• does not project within 0.45 metre Setback from the face of the kerb or where no kerb exists, 0.30 metre from the fascia. <p>A1.6 Where a Home Activity or Home Based Business Sign:</p> <ul style="list-style-type: none">• maximum of one sign per business;• maximum area of 0.3 m²;• located on the same premises as the Home Activity/ Home Based Business;• not illuminated;• advertises only the name and occupation of the operator of the business. <p>A1.7 Where a Projecting Wall Sign:</p> <ul style="list-style-type: none">• maximum of one projecting wall sign on any building facade or boundary wall;• does not project further than 0.75 metres from the building line;• minimum vertical clearance of 2.6 metres from the ground;• not located above any awning and located at ground floor level;• maximum surface area of 1 m²;• maximum depth of 0.3 metres;• does not project above the roof, parapet, or Building or wall line.
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<p>N/A.</p> <p>N/A.</p> <p>N/A.</p>	<p>A1.8 Where a Symbol, being any ornamental design or device not otherwise described, whether or not a message is included in the design or device:</p> <ul style="list-style-type: none">• maximum area of 1 m². <p>A1.9 Where a Tenancy Sign:</p> <ul style="list-style-type: none">• maximum of one tenancy sign per Site or development;• maximum Height of 5 metres;• maximum width of 1.5 metres;• maximum depth of 0.3 metres;• limited to one double sided sign with one advertising panel on each side of the sign, each advertising panel with a maximum area of 4 m²;• located on the boundary of a Site or fixed to a wall on the boundary of a Site to a Road Frontage. <p>A1.10 Where a Wall Sign:</p> <ul style="list-style-type: none">• maximum of one wall sign on any building facade or boundary wall;• maximum area of 4 m²;• maximum length of 3 metres;• maximum Height of 2 metres and sited at ground floor level of a Building or boundary wall;• does not project further than 0.10 metres from the face of the wall. <p>A1.11 Where a Window Sign:</p> <ul style="list-style-type: none">• limited to windows on ground floor level only of any Building, or ground floor level and one level above if the Building is of a commercial nature;• maximum area of 1.2 m²;• maximum Height of 1 metre;• maximum length of 2.4 metres.
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N/A	<p>A1.12 Where an Indirectly Illuminated Sign:</p> <ul style="list-style-type: none">• artificial light limited to illuminating the face of the sign;• does not cause light spillage from the source of external illumination;• complies with other relevant requirements for the particular type of Advertising Device, which are specified in this Code;• not located within a State-Controlled Road or on a Council Road.
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Signage Location

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
<p>P2 Advertising Devices are located in appropriate areas, relative to the land uses in the area and the amenity and character of the area⁴⁶.</p> <p><i>2 ADVERTISING SIGNS. CARPARK SIGNAGE</i></p>	<p>A2.1 Particular types of Advertising Devices are considered appropriate in the following locations:</p> <ul style="list-style-type: none"> Residential, Rural and Rural Settlement Areas: <ul style="list-style-type: none"> Home Activity/Home Based Business Sign; and Directional Sign Tourist and Residential Areas: <ul style="list-style-type: none"> Directional Sign; Projecting Wall Sign; Symbol; Wall Sign; and Indirectly Illuminated Sign. Commercial and Tourist Commercial Areas: <ul style="list-style-type: none"> Balloon, Blimp, Kite, Bunting, Flag, Banner or similar (temporary); Below Awning Sign; Chalk Board or A Frame Sign; Directional Sign; Fascia Sign; Projecting Wall Sign; Symbol; Tenancy Sign; Wall Sign; Window Sign; and Indirectly Illuminated Sign. Industrial Areas: <ul style="list-style-type: none"> Balloon, Blimp, Kite, Bunting, Flag, Banner or similar (temporary); Tenancy Sign; Wall Sign; Window Sign; and Indirectly Illuminated Sign.

⁴⁶ Any Advertising Device located on a State-Controlled Road, must comply with the requirements of the Transport Infrastructure Act 1994 and in particular the Ancillary Works and Encroachment Notice (No 1) 2001.



4.6.2 Filling and Excavation Code

Purpose

The purpose of this Code is to ensure that filling and excavation do not:

- affect visual/scenic amenity values of the Shire;
- cause flooding and drainage problems;
- impact upon the environment of an area;
- cause land instability; or
- adversely impact upon utility services.

ov/A

Applicability

This Code applies to assessable development for:

- Material Change of Use:

Except for the following Uses in all Localities:

- Business Facilities – using and existing Building
 - Home Activity
 - Off Premises Advertising Device
 - Primary Industry
 - Private Forestry
 - Restaurant – using and existing Building
 - Shopping Facility – using an existing Building
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- Operational Work Associated with Reconfiguring a Lot;
 - Operational Work – Filling or Excavation not associated with a Material Change of Use; and
 - Operational Work – Engineering Works not associated with a Material Change of Use;



Elements of the Code

Filling and Excavation – General

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
<p>P1 All filling and excavation work does not create a detrimental impact on the slope stability, erosion potential or visual amenity of the Site or the surrounding area.</p> <p><i>NO FILLING AND EXCAVATION WORK HAS BEEN UNDERTAKEN</i></p>	<p>A1.1 The height of cut and/or fill, whether retained or not, does not exceed 2 metres in height.</p> <p>AND</p> <p>Cuts in excess of those stated in A1.1 above are separated by benches/terraces with a minimum width of 1.2 metres that incorporate drainage provisions and screen planting.</p> <p>A1.2 Cuts are supported by batters, retaining or rock walls and associated benches/terraces are capable of supporting mature vegetation.</p> <p>A1.3 Cuts are screened from view by the siting of the Building/structure, wherever possible.</p> <p>A1.4 Topsoil from the Site is retained from cuttings and reused on benches/terraces.</p> <p>A1.5 No crest of any cut or toe of any fill, or any part of any retaining wall or structure, is located closer than 600 mm to any boundary of the property, unless the prior written approval of the adjoining landowner and the Council, has been obtained.</p> <p>A1.6 Non-retained cut and/or fill on slopes are stabilised and protected against scour and erosion by suitable measures, such as grassing, Landscaping or other protective/aesthetic measures.</p>



Visual Impact and Site Stability

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
<p>P2 Filling and excavation are carried out in such a manner that the visual/scenic amenity of the area and the privacy and stability of adjoining properties is not compromised.</p> <p style="text-align: center;">N/A</p>	<p>A2.1 The extent of filling or excavation does not exceed 40% of the Site area or 500 m² whichever is the lesser.</p> <p style="text-align: center;">EXCEPT THAT</p> <p>A2.1 does not apply to reconfiguration of 5 lots or more.</p> <p>A2.2 Filling and excavation does not occur within 2 metres of the Site boundary.</p>

Flooding and Drainage

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
<p>P3 Filling and excavation does not result in a change to the run off characteristics of a Site which then have a detrimental impact upon the Site or nearby land or adjacent Road reserves.</p> <p style="text-align: center;">N/A</p>	<p>A3.1 Filling and excavation does not result in the ponding of water on a Site or adjacent land or Road reserves.</p> <p>A3.2 Filling and excavation does not result in an increase in the flow of water across a Site or any other land or Road reserves.</p> <p>A3.3 Filling and excavation does not result in an increase in the volume of water or concentration of water in a Watercourse and overland flow paths.</p> <p>A3.4 Filling and excavation complies with the specifications set out in the Planning Scheme Policy No 6 – FNQROC Development Manual.</p>

Water Quality

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
<p>P4 Filling and excavation does not result in a reduction of the water quality of receiving waters.</p> <p style="text-align: center;">N/A</p>	<p>A4.1 Water quality is maintained to comply with the specifications set out in the Planning Scheme Policy No 6 – FNQROC Development Manual.</p>



4.6.3 Landscaping Code

Purpose

The purpose of this Code is to:

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

Applicability

This Code applies to assessable development for:

- Material Change of Use:

Except for the following Use:

- House (other than a House which is Code Assessable and then the Code applies)
- Operational Work Associated with Reconfiguring a Lot;



Elements of the Code

Landscape Design

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
<p>P1 Landscape design satisfies the purpose and the detailed requirements of this Code.</p> <p style="text-align: center;">YES</p>	<p>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.</p> <p style="text-align: center;">AND</p> <p>Landscaping is maintained in accordance with the requirements specified in this Code and Planning Scheme Policy No 7 – Landscaping.</p>

Landscape-Character and Planting

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
<p>P2 Landscaping contributes to a sense of place, is functional to the surroundings and provides dominant visual interest and form.</p> <p style="text-align: center;">YES.</p>	<p>A2.1 A minimum of 80% of the proposed landscape area is open to the sky for sunlight and ventilation.</p> <p>A2.2 The percentage of native or endemic species utilised in the Landscaping is as specified in the Locality Code.</p> <p style="text-align: center;">OR</p> <p>Where not specified in the Locality Code, in accordance with Planning Scheme Policy No. 7 – Landscaping.</p> <p>A2.3 Landscaping includes planting layers comprised of canopy, middle storey, screening and groundcovers, with palm trees used as accent plants only.</p>



<p>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 Landscaping⁴⁷.</p> <p>YES.</p>	<p>A3.1 Existing native vegetation on Site is retained and incorporated into the Site design, wherever possible.</p> <p>A3.2 Any mature vegetation on the Site which is removed or damaged during development of the Site is replaced with advanced native species.</p> <p>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.</p> <p>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.</p>
<p>P4 Plant species are selected with consideration to the scale and form of development, screening, buffering, streetscape, shading and the locality of the area.</p> <p>YES.</p>	<p>A4.1 Species are selected in accordance with the Plant Species Schedule in Planning Scheme Policy No 7 – Landscaping.</p>
<p>P5 Shade planting is provided in car parking areas where uncovered or open, and adjacent to driveways and internal Roadways.</p> <p>YES.</p>	<p>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.</p> <p>A5.2 A minimum of 1 shade tree is provided for every 10 metres along a driveway or internal Roadway.</p> <p>A5.3 Landscape beds and trees are protected by garden edging, bollards or wheel stops.</p> <p>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.</p>

⁴⁷ Vegetation clearing is required to be undertaken in accordance with Local Law – Vegetation Management.



Screening

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
<p>P6 Fences along street Frontages are articulated with appropriate Landscaping.</p> <p style="text-align: center;">YES</p>	<p>A6.1 Perimeter fencing to any street Frontage complies with the relevant Planning Area Code.</p> <p>A6.2 Trees, shrubs and groundcovers are planted within any recessed areas along the fence line.</p>
<p>P7 Landscaping within Recreation Areas of residential development are functional, well designed and enhance the residential amenity.</p> <p style="text-align: center;">N/A.</p>	<p>A7.1 One shade tree is provided for each private open space or private Recreation Area.</p> <p>A7.2 Tree species provide 30% shade over the area within 5 years.</p> <p>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.</p> <p>A7.4 Plants are located to provide shelter and shade to Habitable Rooms and outdoor Recreation Areas from the hot summer sun.</p>
<p>P8 Undesirable features are screened with Landscaping.</p> <p style="text-align: center;">N/A.</p>	<p>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.</p>
<p>P9 The environmental values of the Site and adjacent land are enhanced.</p> <p style="text-align: center;">N/A.</p>	<p>A9.1 Landscaping using similar endemic or native species, is planted on-Site on land adjoining an area of natural environmental value.</p>



Streetscape and Site Amenity

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
<p>P10 Landscaping for residential development enhances the streetscape and the visual appearance of the development.</p> <p style="text-align: center; font-size: 2em;">N/A</p>	<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.
<p>P11 Landscaping for non-residential development enhances the streetscape and the visual appearance of the development.</p> <p style="text-align: center; font-size: 2em;">YES</p>	<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



	<p>walls;</p> <ul style="list-style-type: none"> • 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 mulch to completely cover unsealed ground. <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

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
<p>P12 Landscaped areas are designed in order to be maintained in an efficient manner.</p> <p><i>SELF-MAINTAINING</i></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>P13 Stormwater runoff is minimised and re-used in Landscaping through water infiltration, where appropriate.</p> <p><i>YES.</i></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 minimising impervious surfaces on the Site.</p>



Safety

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
P14 Tree species and their location accommodate vehicle and pedestrian sight lines. <i>YES</i>	A14.1 Trees located near pathways, driveways, Access points, parking areas and street corners have a minimum 3.0 metres of clear trunk.
P15 The landscape design enhances personal safety and reduces the potential for crime and vandalism. <i>N/A</i>	<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>

Utilities and Services

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
P16 The location and type of plant species does not adversely affect the function and accessibility of services and facilities and service areas. <i>N/A</i>	<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>N/A.</p> <p>N/A</p> <p>N/A</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 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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4.6.4 Natural Areas and Scenic Amenity Code

Purpose

The purpose of this Code is to ensure that areas of natural value/environmental significance and Scenic Amenity value throughout the Shire are retained and conserved in order to:

- maintain and improve landscape integrity and Scenic Amenity values;
- retain areas in their natural state and protect them from inappropriate, visually obtrusive development;
- protect areas as valuable natural, environmental and scenic areas which are an asset to the Shire;
- maintain areas for their combination of landscape elements which create the dominant landscape character of the Shire;
- protect fauna habitat and linkages;
- maintain and improve the ecosystem functions of aquatic systems;
- maintain essential ecological processes;
- protect Biodiversity; and
- protect the unique environmental values of the Shire which are of International significance.

Applicability

This Code applies to assessable development for:

- Material Change of Use;
- Reconfiguring a Lot;
- Operational Work Associated with Reconfiguring a Lot;
- Operational Work – Filling or Excavation not associated with a Material Change of Use;
- Operational Work – Engineering Works not associated with a Material Change of Use;
- Operational Work – Placing an Advertising Device on Premises not associated with a Material Change of Use in the World Heritage and Environs Locality; and
- Building Work other than Minor Building Work not associated with a Material Change of Use in the World Heritage and Environs Locality

where the Designated Development Area (DDA) is within, or partially within, an area of *Remnant Vegetation,

OR

the boundary of the DDA is within 50 metres of an area of *Remnant Vegetation,

OR

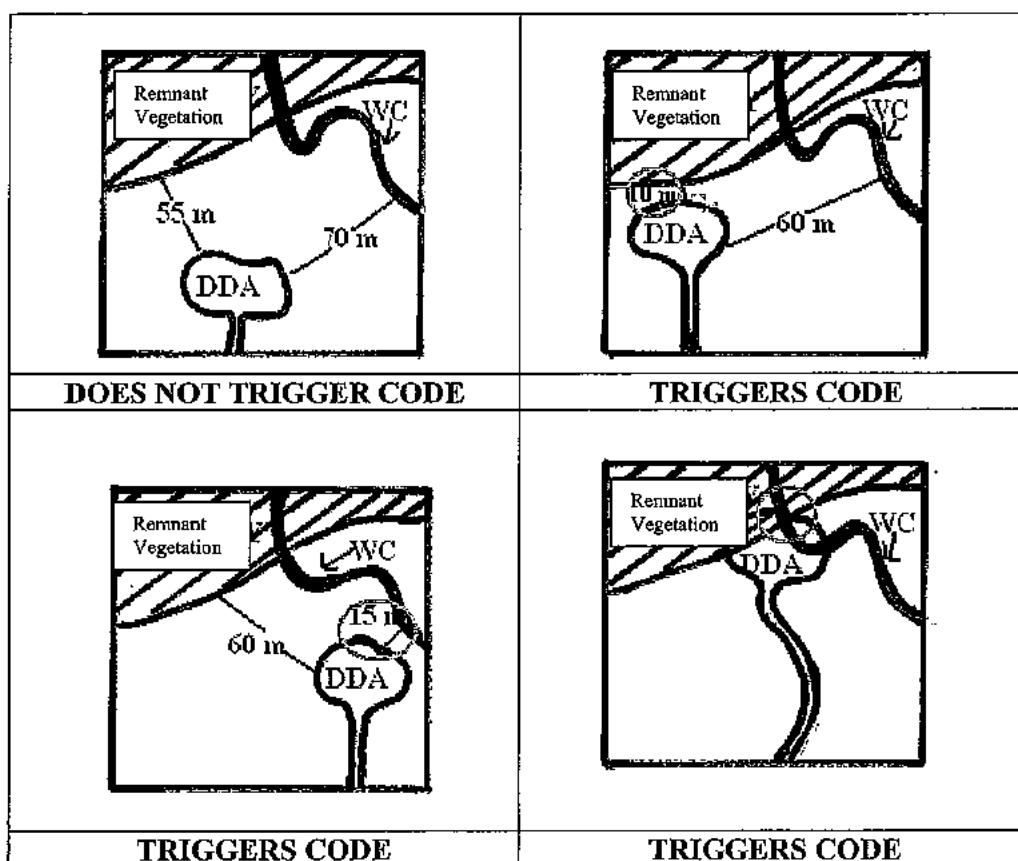


the boundary of the DDA is within 50 metres of a *Watercourse included in:

- Category 1 - Major Perennial Watercourse;
- Category 2 - Perennial Watercourse; or
- Category 3 – Minor Perennial Watercourse;

** as defined in the Administrative Definitions of this Planning Scheme*

SEE DIAGRAMS BELOW:



NOTE:

The boundary and the extent of Remnant Vegetation and the boundary of any Watercourse on a development Site is to be ground-truthed by Council prior to an application being made to Council⁴⁸.

The accurate location of a DDA will be determined on a site specific basis to identify the boundary of existing vegetation and the location of any watercourse on the development site.

⁴⁸ The boundary and the extent of Remnant Vegetation and the boundary of any Watercourse on a development Site will be ground-truthed by Council at no cost to the landowner – refer to Planning Scheme Policy No. 8 – Natural Areas and Scenic Amenity.



Elements of the Code

Development in Areas of Natural and Scenic Amenity Value

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
<p>P1 Where a development within a DDA triggers this Code, the natural and environmental values of the areas of Remnant Vegetation and/or Watercourse/s are protected from inappropriate development.</p> <p style="text-align: center;">N/A</p>	<p>A1.1 Buildings/structures Access Roads/car parking, infrastructure and landscape/recreation facilities are constructed within the DDA identified on a Site Plan drawn to scale.</p> <p>A1.2 Where internal Roads are required to service the development, the Roads are located within a DDA identified on a Site Plan drawn to scale.</p> <p>(Information that the Council may request to demonstrate compliance with the Performance Criteria is outlined in Planning Scheme Policy No 8 – Natural Areas and Scenic Amenity and Planning Scheme Policy No 10 – Reports and Information the Council May Request, for code and impact assessable development).</p>
<p>P2 Development does not adversely impact on the natural and environmental values and Scenic Amenity of areas identified as Remnant Vegetation and/or Watercourse/s.</p> <p style="text-align: center;">N/A</p>	<p>A2.1 Where development occurs, it is located on that part of the Site which poses the least threat to the natural and environmental values and Scenic Amenity, for example:</p> <ul style="list-style-type: none"> • adjacent to existing development; • within an existing cleared area; • within a disturbed area with little potential for rehabilitation; • within an area close to an Access Road; • removed from an identified area of important habitat. <p>A2.2 Development within the DDA is sited to minimise visual intrusion on the Site and the surrounding landscape.</p> <p>A2.3 No continuous boundary fence lines or barriers are Erected on an approved development Site within a DDA identified on a Site Plan drawn to scale.</p>



<p>N/A</p>	<p>A2.4 Infrastructure, such as water mains, sewers, electricity and telecommunication services, is sited underground, wherever reasonable, to protect Scenic Amenity, and is located within a DDA on a Site Plan drawn to scale.</p> <p>A2.5 Internal Roads associated with the development are designed and constructed to achieve a low speed environment.</p> <p>A2.6 Roads and infrastructure services do not cross the Setback area/riparian corridor; or if this is not possible, the number of crossings is minimised.</p> <p>A2.7 Setback areas/riparian corridors are provided in accordance with A4.1, A4.2, A4.3 and A4.4 below;</p> <p>AND</p> <p>The lowest intensity of development occurs adjacent to any Setback area/riparian corridor, and in the case of reconfiguration, larger lots are located adjacent to any Setback area/riparian corridor.</p> <p>A2.8 There is no fragmentation or alienation of any Remnant Vegetation.</p> <p>A2.9 Any natural, environmental or Scenic Amenity value of any balance area outside the DDA is protected.</p>
<p>P3 Any development involving filling and excavation minimises detrimental impacts on any aquatic environment.</p> <p>N/A</p>	<p>No Acceptable Solution.</p> <p>(Information that the Council may request to demonstrate compliance with the Performance Criteria is outlined in Planning Scheme Policy No 8 – Natural Areas and Scenic Amenity and Planning Scheme Policy No 10 – Reports and Information the Council May Request, for code and impact assessable development).</p>



Setback Areas/Riparian Corridors

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
<p>P4 Setback areas/riparian corridors adjacent to Watercourses are provided/maintained or re-established and revegetated with species endemic to the local area.</p> <p style="text-align: center;">N/A</p>	<p>A4.1 For residential reconfiguration (Residential 1, Residential 2 or Rural Settlement Planning Area), Aquaculture, Tourist Activities, Industrial Activities and other large scale developments or development likely to have an impact on water quality of adjacent Watercourse/s any degraded sections of the Setback area/riparian corridor are revegetated with endemic species typical of the riparian corridor in the area.</p> <p>A4.2 Revegetation occurs in accordance with a Landscape Plan prepared by a suitably qualified professional in compliance with the requirements of Planning Scheme Policy No 8 – Natural Areas and Scenic Amenities, Landscaping Code and Planning Scheme Policy No 7 – Landscaping.</p> <p>A4.3 The minimum width of the Setback area/riparian corridor, measured out from the shoulder of each high bank, for the respective categories of Watercourses, where a riparian corridor of vegetation already exists is:</p> <ul style="list-style-type: none"> • Category 1 – Major Perennial Watercourse – 30 metres • Category 2 – Perennial Watercourse – 20 metres • Category 3 – Minor Perennial – 10 metres, <p style="text-align: center;">AND</p> <p>buildings are sited clear of the Setback area/riparian corridor, in accordance with the relevant Setbacks outlined above.</p>



	<p style="text-align: center;">OR</p> <p>The minimum width of the Setback area/riparian corridor, measured out from the shoulder of each high bank, for the respective categories of Watercourses, where no riparian corridor of vegetation already exists is:</p> <ul style="list-style-type: none"> • Category 1 – Major Perennial Watercourse – 10 metres • Category 2 – Perennial Watercourse – 5 metres • Category 3 – Minor Perennial – 2.5 metres, <p style="text-align: center;">AND</p> <p>buildings are sited clear of the Setback area/riparian corridor, in accordance with the relevant Setbacks above.</p> <p>A4.4 Native vegetation within the Setback area/riparian corridor, other than identified noxious and environmental weeds, is retained.</p>
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Use of Setback Areas/Riparian Corridors

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
<p>P5 Any use of a Setback area/riparian corridor does not adversely affect the integrity of the Setback area/riparian corridor.</p> <p style="text-align: center;">N/A</p>	<p>A5.1 Only low key, passive, low impact recreational facilities, including pedestrian and cycle paths or boardwalks, are located within the Setback area/riparian corridor.</p> <p>A5.2 The location of low key, passive, low impact recreational facilities, including pedestrian and cycle paths or boardwalks within the Setback area/riparian corridor, does not affect the connectivity function and landscape/environmental or Scenic Amenity values of the Setback area/riparian corridor.</p>



Retaining and Protecting Highly Visible Areas

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
<p>P6 Any development sited wholly or partially on land with a slope greater than 15% protects the Scenic Amenity values of the land from inappropriate and visually prominent development.</p> <p>N/A</p>	<p>A6.1 Land with a slope greater than 15% and including Remnant Vegetation remains undeveloped and in its natural state.</p> <p>A6.2 Any development remains unobtrusive and sited below the tree line and ridge line.</p> <p>(Information that the Council may request to demonstrate compliance with the Performance Criteria is outlined in Planning Scheme Policy No 8 – Natural Areas and Scenic Amenity and Planning Scheme Policy No 10 – Reports and Information the Council May Request, for code and impact assessable development).</p>



4.6.6 Vehicle Parking and Access Code

Purpose

The purpose of this Code is to ensure that:

- 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;
- sufficient bicycle parking and end of trip facilities are provided on-Site to cater for customer and staff.
- on-Site parking is provided so as to be accessible and convenient, particularly for any short term use;
- 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
- 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.

Applicability

This Code applies to self assessable or assessable development for:

- Material Change of Use.

Except for the following Uses in all Localities:

- Home Industry
- Off Premises Advertising Device

For self assessable development assessed against this Code, the applicable Acceptable Solutions is A1.1.

Self assessable development which does not comply with Acceptable Solution A1.1, will require Code Assessment.



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Elements of the Code

Vehicle Parking Numbers

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
<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><i>As can be seen on the previously submitted MUD MAP. ENTRY-EXIT POINTS AND LARGE AREA TO PARK AND DRIVE THROUGH.</i></p>



Parking for People with Disabilities

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
<p>P2 Parking spaces are provided to meet the needs of vehicle occupants with disabilities⁴⁹.</p> <p><i>Easy To Access.</i></p>	<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 required; • All other uses – 2% (to the closest whole number) of the total number of spaces required.

Motor Cycles

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
<p>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 motor cycles is selected so that:</p> <ul style="list-style-type: none"> • ordinary vehicles do not demand parking in the spaces reserved for motor cycles due to capacity constraints; and, • it is a reflection of the make-up of the likely vehicle fleet that uses the parking; and, • it is not a reflection of the lower cost of providing motorcycle 	<p>A3.1 Parking for motorcycles is substituted for ordinary vehicle parking to a maximum level of 2% per cent of total ordinary parking.</p> <p>AND</p> <p>The motorcycle parking complies with other elements of this Code.</p>

⁴⁹ Disabled access and facilities are provided in accordance with the Building Code of Australia and the Australian Standards.



parking.	
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Compact Vehicles

PERFORMANCE CRITERIA		ACCEPTABLE SOLUTIONS	
P4	<p>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> <ul style="list-style-type: none"> compact vehicles spaces are not available to non-compact vehicles; and, it is a reflection of the proportion of the likely vehicle fleet that uses the parking; and, compact vehicle spaces are located so as to be proximate to pedestrian destinations such that they present significant inclination for use by users of compact vehicles; and, the scale of parking spaces, likely users and the likely degree of familiarity with the availability of such spaces. 	A4.1	<p>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. <p><i>Ample Room</i></p>

Bicycles Parking

PERFORMANCE CRITERIA		ACCEPTABLE SOLUTIONS	
P5	<p>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.</p>	A5.1	<p>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.</p>



Vehicular Access to the Site

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
<p>P6 The location of Access points minimises conflicts and is designed to operate efficiently and safely taking into account:</p> <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 arrangements; • the capacity of the adjacent street system; and • the available sight distance. 	<p>A6.1 The location of the Access points is in accordance with the provisions of the relevant Australian Standards.</p> <p style="text-align: center;">AND</p> <p>Where the Site has Frontage to more than one street, the Access is from the lowest order street.</p> <p>A6.2 All redundant Accesses must be removed and a suitable barrier Erected to prevent further use of the Access.</p> <p>A6.3 Only one Access point is to be provided to each Site unless stated otherwise in another Code.</p> <p><i>All SHORT-STAY PARKING</i></p>

Accessibility and Amenity for Users

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
<p>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>	<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 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.</p>



<p>P8 The layout of parking areas provides a high degree of amenity and accessibility for different users.</p> <p><i>Yes.</i></p>	<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>
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Access Driveways

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
<p>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.</p>	<p>A9.1 Access driveways are designed in accordance with the provisions of the relevant Australian Standards.</p>
<p>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.</p>	<p>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.</p>

SEE PREVIOUSLY PROVIDED MAP.

Access for People with Disabilities⁵⁰

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
<p>P11 Access for people with disabilities is provided to the Building from the parking area and from the street.</p>	<p>A11.1 Access for people with disabilities is provided in accordance with the relevant provisions of the Australian Standards.</p>

⁵⁰ Disabled access and facilities are provided in accordance with the Building Code of Australia and the Australian Standards.



Access for Pedestrians

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
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.

Access for Cyclists

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
P13 Access for cyclists is provided to the Building or to bicycle parking area from the street.	A13.1 Access pathways for cyclists are provided in accordance with the relevant provisions of the Australian Standards.
	AND
	Where Access for cyclists is shared with Access for pedestrians and vehicles, the shared use is identified by signage and linemarking.

Dimensions of Parking Spaces

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
P14 Parking spaces must have adequate areas and dimensions to meet user requirements.	A14.1 Car parking for the disabled, ordinary car parking spaces and motorcycle parking spaces meet the requirements of the relevant Australian Standards.
	AND
	Parking spaces for special vehicles that are classified in accordance with the relevant Australian Standards meet the requirements of that Standard.
	AND
	Parking spaces for standard sized buses have the following minimum dimensions:
	<ul style="list-style-type: none"> • width: 4 metres • length: 20 metres • clear Height: 4 metres.
	AND



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

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
<p>P15 On-Site driveways, manoeuvring areas and vehicle parking/standing areas are designed, constructed and maintained such that they:</p> <ul style="list-style-type: none"> • are at gradients suitable for intended vehicle use; • consider the shared movements of pedestrians and cyclists; • are effectively drained and surfaced; and • are available at all times they are required. <p><i>YES.</i></p>	<p>A15.1 On-Site driveways, vehicle manoeuvring and loading/unloading areas:</p> <ul style="list-style-type: none"> • are sealed in urban areas: <p>AND</p> <p>upgraded to minimise noise, dust and runoff in other areas of the Shire in accordance with the relevant Locality Code;</p> <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. <p>A15.2 Parking areas are kept and used exclusively for parking and are maintained in a suitable condition for parking.</p>

Vehicle Circulation, Queuing and Set Down Areas

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
<p><i>YES</i> 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.</p>	<p>A16.1 Circulation and turning areas comply with the provisions of the relevant Australian Standards.</p>
<p><i>YES</i> P17 An on-Site circulation system provides safe and practical Access to all parking, loading/unloading and manoeuvring areas.</p>	<p>A17.1 Circulation driveways comply with the provisions of the relevant Australian Standards.</p>
<p><i>YES</i> 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.</p>	<p>A18.1 Queuing and set down areas comply with the relevant Australian Standard and any relevant AUSTROAD Guidelines.</p>



Schedule 1 – Car Parking Requirements

LAND USE	MINIMUM NUMBER OF SPACES
Residential Uses	
Caretaker's Residence <i>N/A</i>	1 car space.
Home Activity <i>N/A</i>	The parking required for a House plus 1 car space.
Home Based Business <i>N/A</i>	The parking required for a House plus 1 car space per 25 m ² of Net Lettable Area used for the Home Based Business.
	<u>Bed & Breakfast Accommodation.</u> The parking required for a House plus 1 car space per bedroom/2 Bed Spaces.
	<u>Forest Stay Accommodation.</u> The parking required for a House plus 1 car space per bedroom/2 Bed Spaces and/or 1 car space per 2 Bed Spaces in a communal bunkhouse and 2 car spaces for 6 staff or 1 car space for 4 staff.
	<u>Host Farm Accommodation.</u> The parking required for a House plus 1 car space per bedroom/2 Bed Spaces and/or 1 car space per 2 Bed Spaces in a communal bunkhouse.
House	2 spaces which may be in tandem.
Multi-Unit Housing <i>N/A</i>	Within the Port Douglas Tourist Centre – 1 car space per Dwelling Unit
	Outside the Port Douglas Tourist Centre and elsewhere in the Shire – 1.5 car spaces per Dwelling Unit In all cases, 60% of the car parking area is to be covered. Plus 1 bicycle space per 3 units and 1 visitor bicycle space per 12 units.
Outstation/Seasonal Camp <i>N/A</i>	1 car space per 2 bedrooms.
Retirement Facility <i>N/A</i>	1 car space per Dwelling Unit; plus 1 visitor car space per 5 Dwelling Units; plus 1 visitor car space per 10 hostel, nursing home or similar beds;
	plus 1 car space per 2 staff members; plus 1 car space for ambulance parking, designated accordingly.
Special Residential Use <i>N/A</i>	1 visitor car space per 5 bedrooms plus 1 car space per 2 staff members.



Tourist and Short Term Accommodation Uses		
Caravan Ground	Park/Camping N/A -	1 car space per caravan Site, tent Site or cabin plus- 1 visitor car space per 10 caravan Sites, tent Sites or cabins; plus- 1 vehicle washing space per 20 caravan Sites, tent Sites or cabins; plus- 1 car space for an on-Site manager.
Holiday Accommodation	N/A	<p><u>Non-Self Contained Rooms (motel or hotel):</u></p> <p>1 car space per room for the first ten rooms plus 1 car space for every 3 rooms for the remainder of rooms.</p> <p><u>Self Contained:</u></p> <p>Within the Port Douglas Tourist Centre – 1 car space per Dwelling Unit</p> <p>Outside the Port Douglas Tourist Centre and elsewhere in the Shire – 1.5 car spaces per Dwelling Unit</p> <p><u>Dual Key:</u></p> <p>1 car space for the self-contained element of the Dual Key Units; and</p> <p>30% of a car space for the non-Self Contained element of the Dual Key apartment.</p> <p>A parking bay for the loading and unloading of buses where thirty rooms/Dwelling Units or more.</p> <p>In all cases, 60% of car spaces are to be covered</p> <p>Plus 1 bicycle space per 10 rooms.</p>
Short Term Accommodation	N/A	<p>1 car space per Private Room for the first ten rooms, plus 1 car space for every 3 rooms for the remainder of rooms.</p> <p>1 car space per 10 beds where dormitory accommodation.</p> <p>A parking bay for the loading and unloading of buses where thirty rooms or more, or where 30 beds in the dormitory accommodation.</p> <p>In all cases, 60% of car parking spaces are to be covered.</p> <p>Plus 1 bicycle space per 4 rooms/4 beds and 1 visitor bicycle space per 16 rooms/16 beds.</p>
Staff Quarters	N/A	1 car space per 2 Bed Spaces



<p>Display Facilities</p> <p><i>YES.</i></p>	<p>For garden supplies, hardware & the like: 1 car space per 50 m² Net Lettable Area.</p> <p>For boats, caravans, machinery, motor vehicles and the like: 1 car space per 100 m² Net Lettable Area.</p> <p>EXCEPT THAT</p> <p><u>When located in the Town Centre and in the Mossman and Environs Locality</u></p> <p>All Display Facilities provide 1 car space per 25 m² of Net Lettable Area.</p>
<p>Restaurant</p> <p><i>N/A</i></p>	<p>1 car space per 25 m² of Net Lettable Area.</p> <p>Plus 1 bicycle space per 100 m² Net Lettable Area.</p> <p><u>In a Local Centre:</u></p> <p>1 car space per 50 m² of Net Lettable Area.</p> <p><u>In the Tourist Centre of Port Douglas:</u></p> <p>1 car space per 30 m² of Net Lettable Area.</p>
<p>Service Station</p> <p><i>N/A</i></p>	<p>1 car space per 15 m² of the floor area of any Shopping Facility, Restaurant or take-away food facilities. Staff parking at the rate of 1 car space per full time or part time staff member.</p>
<p>Tavern</p> <p><i>N/A</i></p>	<p>Licensed Facilities</p> <p>1 space per 10 m² of bar, lounge, beer garden, and other public area; plus</p> <p>1 space per 50 m² of floor area of liquor barn or bulk liquor sales area; plus if drive in bottle shop is provided queuing lane/s on site for 12 vehicles; plus parking for other uses incorporated in the Tavern, as listed in this Table.</p>
<p>Tourist Attraction</p> <p><i>YES.</i></p>	<p>Sufficient car spaces to accommodate the amount of vehicular traffic likely to be generated by the particular use.</p> <p>Plus 1 bicycle space per 200 m² Net Lettable Area.</p>
<p>Veterinary Facilities</p> <p><i>N/A</i></p>	<p>1 car space per 50 m² of Net Lettable Area.</p>



Industry and Associated Uses	
Aquaculture	1 car space per 2 staff members.
Extractive Industry	1 car space per 2 staff members.
Industry Class A and Class B	1 car space per 90 m ² of Net Lettable Area.
Intensive Animal Husbandry	1 car space per 2 staff members.
Primary Industry	1 car space per 2 staff members.
Private Forestry	1 car space per 2 staff members.
Service Industry	1 car space per 90 m ² of Net Lettable Area
Community Facilities	
Cemetery and Crematorium N/A	Sufficient car spaces to accommodate the amount of vehicular traffic likely to be generated by the particular use.
Educational Establishment N/A	<ul style="list-style-type: none"> primary and secondary school: 1 car space per 2 staff members tertiary and further education: 1 car space per 2 staff members plus 1 car space per 10 students for all other establishments : Designated area on Site for the short term setdown of students, in addition to the requirements above. <p>School – 1 bicycle space per 5 pupils over year 4</p> <p>University/TAFE – 2 bicycle spaces per 10 full time students</p>
Health Facility N/A	1 car space per 4 beds, plus 1 car space per 2 staff members, plus 1 car space for ambulance parking, designated accordingly, 1 bicycle space per 200 m ² Net Lettable Area.
Interpretive Facility N/A	Sufficient car spaces to accommodate the amount of vehicular traffic likely to be generated by the particular use.
Park and Open Space N/A	Sufficient car spaces to accommodate the amount of vehicular traffic likely to be generated by the particular use.
Place of Assembly N/A	1 car space per 15 m ² of Net Lettable Area. Plus 1 bicycle space per 200 m ² Net Lettable Area
Public Utilities and Facilities	1 car space per 2 staff members.
Telecommunication Facilities	1 car space per 2 staff members.



Recreation Uses		
Indoor Sports and Entertainment	N/A	<ul style="list-style-type: none"> • Squash Court or another court game: 4 car spaces per court. • Indoor Cricket 25 car spaces per cricket pitch. • Ten Pin bowling 3 car spaces per bowling lane. • Gymnasium 1 car space per 15 m² of Net Lettable Area. • Places where people congregate including Cinemas, Theatres, Convention Centre or Function Centre or the like. 1 car space per 15 m² of Net Lettable Area. • Unlicensed Clubrooms 1 car space per 45 m² of Net Lettable Area. • Licensed Clubrooms 1 car space per 15 m² of Net Lettable Area. <p>Plus 1 bicycle space per 4 employees</p>
Outdoor Sport and Recreation	N/A	<ul style="list-style-type: none"> • Coursing, horse racing, pacing or trotting 1 car space per 5 seated spectators plus, 1 car space per 5 m² of other spectator areas. • Football 50 car spaces per field. • Lawn Bowls 30 car spaces per green. • Swimming Pool 15 car spaces plus 1 car space per 100 m² of useable Site area. • Tennis or other Court game 4 car spaces per court. • Golf Course 4 car spaces per tee on the course, plus parking for club as per Indoor Entertainment. • Outdoor Cinema 1 car space per 5 m² of designated viewing area, plus 1 car space per 2 staff members. <p>Plus 1 bicycle space per 20 spectator places</p>

Note: A contribution may be required by Council if the car parking rate is different, where a new use is proposed in an existing Building.



4.6.7 Sustainable Development Code

Purpose

The purpose of this Code is to enhance the sustainability of development by increasing the extent to which it:

- protects the environment, including reducing greenhouse gas emissions, saving energy, conserving water and minimising waste; and
- enhances the economic, physical and social wellbeing of Shire's residents and communities, including lifecycle affordability, accessibility, safety and security.

Applicability

This Code applies to all assessable Material Change of Use, involving new Building Work other than minor alterations to an existing building, excluding the following uses:

- Caretaker's Residence,
- Car Park,
- Cemetery,
- Extractive Industry,
- Home Activity,
- Home Based Business (excluding Bed & Breakfast, Forest Stay & Host Farm Accommodation)
- Home Industry,
- House,
- Industry,
- Off Premise Advertising Device,
- Outstation/Seasonal Camp,
- Park & Open Space,
- Primary Industry,
- Private Forestry,
- Service Industry (excluding associated office), and
- Telecommunications Facility



Elements of the Code

Energy Efficiency

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
<p>P1 Buildings are designed and sited to:</p> <ul style="list-style-type: none"> maximise the thermal comfort achieved within the building using passive design measures; and minimise the need for energy reliant cooling appliances to achieve accepted levels of thermal comfort. <p>N/A</p>	<p>A1.1 For residential buildings, each dwelling unit achieves a minimum 5 star BERS™ or NatHERS™ (or equivalent) energy rating.</p> <p>OR</p> <p>A1.2 For residential buildings:</p> <ul style="list-style-type: none"> (a) all door openings and windows in habitable rooms that face between north and south east and south west and north are fully shaded by adjustable external shutters or blinds, and (b) glazed windows or door assemblies have a minimum WERS⁵¹ Rating of 3 stars for cooling, and (c) all external walls (excluding windows and other glazing) achieve an overall R-value not less than R1.5, and (d) all ceilings (excluding garages, open verandas and carports) achieve an overall R-value of R3.0, and (e) all habitable rooms have: <ul style="list-style-type: none"> have a window or door in opposite walls that are open-able to the outside; or have a direct flow path from an open-able window through the doorways or other openings within the dwelling unit to another window or opening to the outside; or open directly onto an unobstructed breezeway that is a minimum of 900 mm wide and open-able at both ends with a minimum 1.5m² opening; or have a minimum ceiling height of 2.7m and at least one ceiling fan.

⁵¹ "WERS" means the Window Energy Rating Scheme®. For details about WERS, see www.wers.net.



	<p>A1.3 For non-residential buildings:</p> <ul style="list-style-type: none"> (a) glazed windows or door assemblies have a minimum WERS⁵² Rating of 3 stars for cooling, and (b) all external walls (excluding windows and other glazing) achieve an overall R-value not less than R1.5, and (c) all ceilings (excluding garages, open verandas and carports) achieve an overall R-value of R3.0.
<p>P2 Hot water systems support the efficient use of natural resources and minimise consequent pollution such as greenhouse gas emissions.</p> <p style="text-align: center;">N/A</p>	<p>A2.1 For all buildings with individual hot water systems installed in each dwelling unit or tenancy, all hot water systems installed comprise:</p> <ul style="list-style-type: none"> (a) a system with a minimum of 24 Renewable Energy Certificates, or (b) a natural gas system, or (c) a liquid petroleum gas (LPG) system with a 5 star AGA Energy Rating Label. <p>A2.2 For all buildings with centrally installed hot water systems:</p> <ul style="list-style-type: none"> (a) a low NOx gas water heating system/s supply hot water to all dwelling units or tenancies, or (b) solar water heaters supply hot water to all dwelling units or tenancies where less than 25% of water heating is provided by booster units, or (c) electric heat pump water heaters supply hot water to all dwelling units or tenancies, or (d) a gas-fired cogeneration or fuel cell unit is installed which supplies electricity and uses waste heat for cooling/heating and hot water.

⁵² "WERS" means the Window Energy Rating Scheme®. For details about WERS, see www.wers.net.



<p>P3 Where practicable, and consistent with density and design provisions, residents should have access to a non-mechanical clothes drying area:</p> <p>a) taking advantage of natural ventilation; and b) receiving ample sunlight,</p> <p>in a manner that does not impair visual amenity.</p> <p><i>YES</i></p>	<p>No Acceptable Solution</p>
<p>P4 Cooking appliances are energy efficient.</p> <p><i>N/A</i></p>	<p>A4.1 For residential buildings, each dwelling unit has:</p> <p>(a) a gas cook-top installed with a range hood; and (b) a gas oven with appropriate ventilation; or (c) a fan-forced electric oven</p>
<p>P5 All electrical appliances intended to be installed as standard into any residential building shall meet a minimum standard of 4 stars in accordance with the Australian Energy Rating Label.</p> <p><i>N/A</i></p>	<p>A5.1 All:</p> <ul style="list-style-type: none"> • Dishwashers; • Clothes dryers; • Clothes washers; • Airconditioners; and • Refrigerators/freezers <p>where installed with the development, shall meet a minimum 4 star rating in accordance with the Australian Energy Rating Label.</p>



<p>P6 Lighting is energy efficient.</p> <p>N/A.</p>	<p>A6.1 For residential buildings:</p> <ul style="list-style-type: none">(a) The minimum circuit efficacy for all common area lighting is 75 lumens per watt.(b) All common area lighting is fitted with automatic controllers.(c) Kitchens and living areas are fitted with energy efficient light fixtures such as fluorescent lights. <p>A6.2 For Business Facilities, the average lighting power density does not exceed 10 watts per square metre.</p> <p>A6.3 For Shops and Shopping Facilities, the average lighting power density does not exceed 23 watts per square metre.</p> <p>A6.4 Individual tenancies within non-residential buildings are fitted with energy efficient light fixtures such as fluorescent lighting.</p>
<p>P7 Air conditioning, where not covered by an Australian Energy Rating Label, is energy efficient.</p> <p>N/A.</p>	<p>A7.1 Air conditioning units or systems comply with the minimum energy performance requirements specified in the Australian/New Zealand Standard AS/NZS 3823.2.2003.</p>



Water Conservation and Reuse

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
<p>P8 Rainwater harvesting systems are incorporated into residential and non-residential buildings to ensure collection, treatment and reuse of rainwater on-site to reduce run-off and demand on the potable water supply. Internal fixtures supplied from a rainwater tank must have a continuous supply of water.</p> <p><i>WATER TANK ADJOINING SHEDS TO REUSE AND UTILISE THE RAINWATER</i></p>	<p>A8.1 All residential buildings provide rainwater storage tank/s on-site fitted with a first flush device and vermin-proof mesh strainer on the inlet and that has a capacity of:</p> <ul style="list-style-type: none"> (a) 30,000 litres per dwelling unit where located in the Rural Planning Area or the Rural Settlement Planning Area, or (b) 5,000 litres per dwelling unit where located in any other Planning Area. <p>All non-residential buildings provide rainwater storage tank/s on-site fitted with a first flush device and vermin-proof mesh strainer on the inlet and that has a capacity of 5,000 litres per toilet/urinal unit.</p> <p>A8.2 The rainwater tank is plumbed for external use for irrigation and pool top up and internal use for toilet cisterns and washing machine cold water taps.</p> <p>A8.3 A rainwater tank has –</p> <ul style="list-style-type: none"> (a) An automatic switching device providing supplementary water from the reticulated town water supply; or (b) A trickle top up system, providing supplementary water from the reticulated town water supply with – <ul style="list-style-type: none"> (i) A minimum flow rate of 2 litres per minute and a maximum flow rate of 4 litres per minute; and (ii) Top up valves installed in an accessible location; and (iii) A storage volume of the reticulated town water supply top up shall be no



PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
	more than and no less than 1000 litres.
N/A.	A8.4 A backflow prevention device is installed to protect the potable water within the reticulated town water supply system in accordance with AS/NZS 3500:2003 Plumbing and Drainage.
P9 Plumbing fittings must support the efficient use of water. N/A.	A9.1 All sink, tub or basin taps or mixers have a certified AAA Water Conservation Rating. A9.2 All toilets have: (a) 4 litre or less average flush cisterns (when calculated in accordance with Australian/New Zealand Standard AS/NZS 6400:2003), and (b) matched pans. A9.3 All showers have thermostatic mixers.

Waste Minimisation

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
P10 Site and building design must facilitate efficient sorting and disposal to maximise recycling opportunities. N/A.	A10.1 For residential buildings, each dwelling unit has separated, built-in temporary storage for recyclable materials and general waste. A10.2 All buildings include a refuse bin storage area: (a) with sufficient capacity for the collection of recyclable materials and general refuse, and (b) located for convenient use by all residents/tenants and readily accessible to waste management contractors, and (c) screened from view from public roads, is roofed and drained to sewer and includes a hose cock to provide for cleaning of refuse bins.



Landscaping and Irrigation

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
<p>P11 Landscaping must facilitate sustainable tropical design by:</p> <ul style="list-style-type: none"> • providing sufficient space for the retention and/or establishment of significant substantial vegetation, • using locally appropriate plant species, • using paving design and materials that minimise heat reflection and site run-off, • providing appropriate seasonal shade and passive cooling/heating of outdoor spaces throughout the year, • providing private open space located to maximise indoor/outdoor connections, and • design and plant selection to minimise water use and contribute to stormwater management. <p style="text-align: center;">Yes -</p>	<p>A11.1 Impervious paving is limited to:</p> <ul style="list-style-type: none"> (a) vehicle manoeuvring areas, (b) vehicle hard-stand areas, and (c) pedestrian movement paths. <p>A11.2 Landscape and recreation areas are planted to:</p> <ul style="list-style-type: none"> (a) ensure the penetration of prevailing north-east and south summer breezes and north-east winter morning sun, and (b) minimise exposure to the prevailing west and south-west winter winds, and (c) shade the western walls of buildings. <p>A11.3 Opportunities for water infiltration on-site are maximised through:</p> <ul style="list-style-type: none"> (a) minimising the extent of impervious surfaces, (b) use of porous paving in low traffic areas, (c) draining hard surfaces towards permeable surfaces, and (d) inclusion of turf and garden beds.

Solar Panels

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
<p>P12 Solar hot water systems are located for optimum performance.</p> <p style="text-align: center;">N/A -</p>	<p>A12.1 Solar hot water systems are located on the roof of a building and the panels face solar north.</p>



Private Swimming Pools

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
<p data-bbox="188 501 775 636">P13 A swimming pool for recreational use by residents of a residential building is designed and constructed to minimise its resource needs by consideration of:</p> <ul data-bbox="288 674 759 882" style="list-style-type: none">• potential usage in terms of number of swimmers;• purpose (e.g, lap swimming, plunging, etc);• siting issues; and• filtration systems.	<p data-bbox="799 501 1190 530">A13.1 No Acceptable Solution.</p> <p data-bbox="951 696 1070 779">N/A</p>



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YOUR REF: 2039R Cape Tribulation Rd
OUR REF: D# 428391

9 September 2014

David and Marney Gordon
2039 RN Cape Tribulation Road
DIWAN QLD 4873

Dear Sir / Madam

**RE PRELODGE MENT ENQUIRY RESPONSE
2039R CAPE TRIBULATION ROAD, DIWAN**

Council refers to your prelodgement enquiry dated 29 August 2014 (Council's electronic reference number D#427643, concerning the above and advises as follows.

Under the Douglas Shire Planning Scheme the land is included in the *Conservation Planning Area of the Settlement Areas North of the Daintree River Locality*. Under the *Conservation Planning Area* the land is within the *Rainforest Commercial / Community Precinct*.

The use of *Shopping facilities in an existing building* requires a code assessable approval from Council and this **does not** undergo public notification.

The Council's Planning Scheme is available on the Council's website: www.douglas.qld.gov.au.

The *SPA IDAS* Application forms are available on the State Government website at www.dsdiq.qld.gov.au

The application will need to include sketch plans of the proposed development, a report that assesses the development against the Planning Scheme codes and an application fee.

Council's application fee is \$1,516.70 (floor area not exceeding 100m²) Note for floor areas exceeding 100m² the fee is an additional \$318.05 for each additional 100m².

Council's assessment is against the following Planning Scheme Codes:

- Settlement Areas North of the Daintree River Locality Code
- Conservation Planning Area Code
- Natural Hazards Code
- Design and Siting of Advertising Devices Code
- Filling and Excavation Code
- Landscaping Code
- Natural Areas and Scenic Amenity Code
- Vehicle Parking and Access Code
- Sustainable Development Code

It is understood you do not have access to the internet and a copy of the above codes is attached for your information.

Other

The above advice is provided on a without prejudice basis.
The determination of an application is a matter for Council resolution.

Should you require further assistance on this matter please contact Jenny Elphinstone by telephone on (07) 4099 9482 or by email on jenny.elphinstone@douglas.qld.gov.au .

Yours faithfully



Donna Graham
Manager Development and Environment

Attached – Planning Scheme Codes



Service Station

Means the use of premises for:

- the retail sale of motoring requirements such as fuels, lubricants, oils and greases, batteries, tyres, spare parts, auto accessories, and general convenience items to the travelling public;
- the hire of a limited range of vehicles or trailers;
- the washing of motor vehicles for a fee, including facilities provided for the public to wash their own vehicles.

The use includes facilities commonly described as:

- garage; or
- car wash.

Shopping Facility

Means the use of premises for the display and retail sale of goods and for personal services such as betting (in the form of TAB agency or similar facility), hair and beauty care, laundromat, dry cleaning agent and other customer services.

The use includes:

- the hiring out of small domestic items such as appliances, entertainment, sporting and health equipment;
- the exchange of domestic items and clothing; and
- a small scale bakery, dressmaking establishment, jewellery manufacturing establishment, etc, where the use includes a shopfront retail component.

The use also includes facilities commonly described as shop, supermarket, department store, retail chain outlets and the like.

The use does not include facilities herein defined as Display Facilities.

*NOT A SHOPPING
FACILITY AS
DEFINED ABOVE*