

## DA Form 1 – Development application details

Approved form (version 1.0 effective 3 July 2017) made under section 282 of the Planning Act 2016.

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

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

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

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

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

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

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

### PART 1 – APPLICANT DETAILS

1) Applicant details	
Applicant name(s) (individual or company full name)	Shane Loughnan, Stephen Hull & Brian Gleeson
Contact name (only applicable for companies)	c/- Patrick Clifton, Gilvear Planning Pty Ltd
Postal address (P.O. Box or street address)	PO Box 228
Suburb	Babinda
State	QLD
Postcode	4861
Country	Australia
Contact number	0488001581
Email address (non-mandatory)	Patrick@gilvearplanning.com.au
Mobile number (non-mandatory)	0488001581
Fax number (non-mandatory)	
Applicant's reference number(s) (if applicable)	J000650

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



## PART 2 – LOCATION DETAILS

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

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

## 3.1) Street address and lot on plan

Street address **AND** lot on plan (all lots must be listed), **or**

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

a)	Unit No.	Street No.	Street Name and Type	Suburb
		4990	Captain Cook Highway	Oak Beach
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)
		1	RP744764	Douglas Shire Council
b)	Unit No.	Street No.	Street Name and Type	Suburb
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)

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

**Note:** Place each set of coordinates in a separate row. Only one set of coordinates is required for this part.

Coordinates of premises by longitude and latitude

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

Coordinates of premises by easting and northing

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

## 3.3) Additional premises

Additional premises are relevant to this development application and their details have been attached in a schedule to this application

Not required

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

In or adjacent to a water body or watercourse or in or above an aquifer

Name of water body, watercourse or aquifer:

Grants Creek

On strategic port land under the *Transport Infrastructure Act 1994*

Lot on plan description of strategic port land:

Name of port authority for the lot:

In a tidal area

Name of local government for the tidal area (if applicable):

Name of port authority for tidal area (if applicable):

On airport land under the *Airport Assets (Restructuring and Disposal) Act 2008*

Name of airport:

Listed on the Environmental Management Register (EMR) under the *Environmental Protection Act 1994*

EMR site identification:

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

<b>5) Are there any existing easements over the premises?</b> <i>Note: Easement uses vary throughout Queensland and are to be identified correctly and accurately. For further information on easements and how they may affect the proposed development, see DA Forms Guide.</i>
<input type="checkbox"/> Yes – All easement locations, types and dimensions are included in plans submitted with this development application <input checked="" type="checkbox"/> No

## PART 3 – DEVELOPMENT DETAILS

### Section 1 – Aspects of development

<b>6.1) Provide details about the first development aspect</b>
a) What is the type of development? <i>(tick only one box)</i> <input checked="" type="checkbox"/> Material change of use <input type="checkbox"/> Reconfiguring a lot <input type="checkbox"/> Operational work <input type="checkbox"/> Building work
b) What is the approval type? <i>(tick only one box)</i> <input checked="" type="checkbox"/> Development permit <input type="checkbox"/> Preliminary approval <input type="checkbox"/> Preliminary approval that includes a variation approval
c) What is the level of assessment? <input checked="" type="checkbox"/> Code assessment <input type="checkbox"/> Impact assessment <i>(requires public notification)</i>
d) Provide a brief description of the proposal <i>(e.g. 6 unit apartment building defined as multi-unit dwelling, reconfiguration of 1 lot into 3 lots):</i>  Material Change of Use of existing House to Caretaker's Residence
e) Relevant plans <i>Note: Relevant plans are required to be submitted for all aspects of this development application. For further information, see DA Forms guide: Relevant plans.</i> <input checked="" type="checkbox"/> Relevant plans of the proposed development are attached to the development application
<b>6.2) Provide details about the second development aspect</b>
a) What is the type of development? <i>(tick only one box)</i> <input type="checkbox"/> Material change of use <input type="checkbox"/> Reconfiguring a lot <input type="checkbox"/> Operational work <input type="checkbox"/> Building work
b) What is the approval type? <i>(tick only one box)</i> <input type="checkbox"/> Development permit <input type="checkbox"/> Preliminary approval <input type="checkbox"/> Preliminary approval that includes a variation approval
c) What is the level of assessment? <input type="checkbox"/> Code assessment <input type="checkbox"/> Impact assessment <i>(requires public notification)</i>
d) Provide a brief description of the proposal <i>(e.g. 6 unit apartment building defined as multi-unit dwelling, reconfiguration of 1 lot into 3 lots)</i>  e) Relevant plans <i>Note: Relevant plans are required to be submitted for all aspects of this development application. For further information, see DA Forms Guide: Relevant plans.</i> <input type="checkbox"/> Relevant plans of the proposed development are attached to the development application
<b>6.3) Additional aspects of development</b>
<input type="checkbox"/> Additional aspects of development are relevant to this development application and the details for these aspects that would be required under Part 3 Section 1 of this form have been attached to this development application <input checked="" type="checkbox"/> Not required

**Section 2 – Further development details**

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

**Division 1 – Material change of use**

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

8.1) Describe the proposed material change of use			
Provide a general description of the proposed use	Provide the planning scheme definition (include each definition in a new row)	Number of dwelling units (if applicable)	Gross floor area (m <sup>2</sup> ) (if applicable)
Caretaker's Residence	Caretaker's Residence	1	116

8.2) Does the proposed use involve the use of existing buildings on the premises?			
<input checked="" type="checkbox"/> Yes			
<input type="checkbox"/> No			

**Division 2 – Reconfiguring a lot**

*Note: This division is only required to be completed if any part of the development application involves reconfiguring a lot.*

9.1) What is the total number of existing lots making up the premises?	
9.2) What is the nature of the lot reconfiguration? (tick all applicable boxes)	
<input type="checkbox"/> Subdivision (complete 10))	<input type="checkbox"/> Dividing land into parts by agreement (complete 11))
<input type="checkbox"/> Boundary realignment (complete 12))	<input type="checkbox"/> Creating or changing an easement giving access to a lot from a construction road (complete 13))

10) Subdivision				
10.1) For this development, how many lots are being created and what is the intended use of those lots:				
Intended use of lots created	Residential	Commercial	Industrial	Other, please specify:
Number of lots created				
10.2) Will the subdivision be staged?				
<input type="checkbox"/> Yes – provide additional details below				
<input type="checkbox"/> No				
How many stages will the works include?				
What stage(s) will this development application apply to?				

11) Dividing land into parts by agreement – how many parts are being created and what is the intended use of the parts?				
Intended use of parts created	Residential	Commercial	Industrial	Other, please specify:
Number of parts created				

**12) Boundary realignment**  
**12.1) What are the current and proposed areas for each lot comprising the premises?**

Current lot		Proposed lot	
Lot on plan description	Area (m <sup>2</sup> )	Lot on plan description	Area (m <sup>2</sup> )

**12.2) What is the reason for the boundary realignment?**

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

Existing or proposed?	Width (m)	Length (m)	Purpose of the easement? <i>(e.g. pedestrian access)</i>	Identify the land/lot(s) benefitted by the easement

**Division 3 – Operational work**

*Note: This division is only required to be completed if any part of the development application involves operational work.*

**14.1) What is the nature of the operational work?**

<input type="checkbox"/> Road work	<input type="checkbox"/> Stormwater	<input type="checkbox"/> Water infrastructure
<input type="checkbox"/> Drainage work	<input type="checkbox"/> Earthworks	<input type="checkbox"/> Sewage infrastructure
<input type="checkbox"/> Landscaping	<input type="checkbox"/> Signage	<input type="checkbox"/> Clearing vegetation
<input type="checkbox"/> Other – please specify: <input style="width: 200px;" type="text"/>		

**14.2) Is the operational work necessary to facilitate the creation of new lots? *(e.g. subdivision)***

<input type="checkbox"/> Yes – specify number of new lots: <input style="width: 100px;" type="text"/>
<input type="checkbox"/> No

**14.3) What is the monetary value of the proposed operational work? *(include GST, materials and labour)***

\$

**PART 4 – ASSESSMENT MANAGER DETAILS**

**15) Identify the assessment manager(s) who will be assessing this development application**

**16) Has the local government agreed to apply a superseded planning scheme for this development application?**

Yes – a copy of the decision notice is attached to this development application

Local government is taken to have agreed to the superseded planning scheme request – relevant documents attached

No

**PART 5 – REFERRAL DETAILS**

**17) Do any aspects of the proposed development require referral for any referral requirements?**  
*Note: A development application will require referral if prescribed by the Planning Regulation 2017.*

No, there are no referral requirements relevant to any development aspects identified in this development application – proceed to Part 6

Matters requiring referral to the **chief executive of the Planning Regulation 2017:**

Clearing native vegetation

Contaminated land *(unexploded ordnance)*

<input type="checkbox"/> Environmentally relevant activities (ERA) <i>(only if the ERA have not been devolved to a local government)</i> <input type="checkbox"/> Fisheries – aquaculture <input type="checkbox"/> Fisheries – declared fish habitat area <input type="checkbox"/> Fisheries – marine plants <input type="checkbox"/> Fisheries – waterway barrier works <input type="checkbox"/> Hazardous chemical facilities <input type="checkbox"/> Queensland heritage place <i>(on or near a Queensland heritage place)</i> <input type="checkbox"/> Infrastructure – designated premises <input type="checkbox"/> Infrastructure – state transport infrastructure <input type="checkbox"/> Infrastructure – state transport corridors and future state transport corridors <input type="checkbox"/> Infrastructure – state-controlled transport tunnels and future state-controlled transport tunnels <input type="checkbox"/> Infrastructure – state-controlled roads <input type="checkbox"/> Land within Port of Brisbane’s port limits <input type="checkbox"/> SEQ development area <input type="checkbox"/> SEQ regional landscape and rural production area or SEQ Rural living area – community activity <input type="checkbox"/> SEQ regional landscape and rural production area or SEQ Rural living area – indoor recreation <input type="checkbox"/> SEQ regional landscape and rural production area or SEQ Rural living area – residential development <input type="checkbox"/> SEQ regional landscape and rural production area or SEQ Rural living area – urban activity <input type="checkbox"/> Tidal works or works in a coastal management district <input type="checkbox"/> Urban design <input type="checkbox"/> Water-related development – taking or interfering with water <input type="checkbox"/> Water-related development – removing quarry material <i>(from a watercourse or lake)</i> <input type="checkbox"/> Water-related development – referable dams <input type="checkbox"/> Water-related development – construction of new levees or modification of existing levees <i>(category 2 or 3 levees only)</i> <input type="checkbox"/> Wetland protection area
<b>Matters requiring referral to the local government:</b> <input type="checkbox"/> Airport land <input type="checkbox"/> Environmentally relevant activities (ERA) <i>(only if the ERA have been devolved to local government)</i> <input type="checkbox"/> Local heritage places
<b>Matters requiring referral to the chief executive of the distribution entity or transmission entity:</b> <input type="checkbox"/> Electricity infrastructure
<b>Matters requiring referral to:</b> <ul style="list-style-type: none"> <li>• The <b>chief executive of the holder of the licence</b>, if not an individual</li> <li>• The <b>holder of the licence</b>, if the holder of the licence is an individual</li> </ul> <input type="checkbox"/> Oil and gas infrastructure
<b>Matters requiring referral to the Brisbane City Council:</b> <input type="checkbox"/> Brisbane core port land
<b>Matters requiring referral to the Minister under the Transport Infrastructure Act 1994:</b> <input type="checkbox"/> Brisbane core port land <input type="checkbox"/> Strategic port land
<b>Matters requiring referral to the relevant port operator:</b> <input type="checkbox"/> Brisbane core port land (below high-water mark and within port limits)
<b>Matters requiring referral to the chief executive of the relevant port authority:</b> <input type="checkbox"/> Land within limits of another port
<b>Matters requiring referral to the Gold Coast Waterways Authority:</b> <input type="checkbox"/> Tidal works, or development in a coastal management district in Gold Coast waters
<b>Matters requiring referral to the Queensland Fire and Emergency Service:</b> <input type="checkbox"/> Tidal works, or development in a coastal management district

18) Has any referral agency provided a referral response for this development application?		
<input type="checkbox"/> Yes – referral response(s) received and listed below are attached to this development application <input checked="" type="checkbox"/> No		
Referral requirement	Referral agency	Date of referral response
Identify and describe any changes made to the proposed development application that was the subject of the referral response and the development application the subject of this form, or include details in a schedule to this development application (if applicable).		

### PART 6 – INFORMATION REQUEST

19) Information request under Part 3 of the DA Rules
<input checked="" type="checkbox"/> I agree to receive an information request if determined necessary for this development application <input type="checkbox"/> I do not agree to accept an information request for this development application <b>Note:</b> By not agreeing to accept an information request I, the applicant, acknowledge: <ul style="list-style-type: none"> <li>• that this development application will be assessed and decided based on the information provided when making this development application and the assessment manager and any referral agencies relevant to the development application are not obligated under the DA Rules to accept any additional information provided by the applicant for the development application unless agreed to by the relevant parties</li> <li>• Part 3 of the DA Rules will still apply if the application is an application listed under section 11.3 of the DA Rules.</li> </ul> Further advice about information requests is contained in the <u>DA Forms Guide</u> .

### PART 7 – FURTHER DETAILS

20) Are there any associated development applications or current approvals? (e.g. a preliminary approval)			
<input type="checkbox"/> Yes – provide details below or include details in a schedule to this development application <input checked="" type="checkbox"/> No			
List of approval/development application references	Reference number	Date	Assessment manager
<input type="checkbox"/> Approval <input type="checkbox"/> Development application			
<input type="checkbox"/> Approval <input type="checkbox"/> Development application			

21) Has the portable long service leave levy been paid? (only applicable to development applications involving building work or operational work)		
<input type="checkbox"/> Yes – the yellow local government/private certifier's copy of the receipted QLeave form is attached to this development application <input type="checkbox"/> No – I, the applicant will provide evidence that the portable long service leave levy has been paid before the assessment manager decides the development application. I acknowledge that the assessment manager may give a development approval only if I provide evidence that the portable long service leave levy has been paid <input checked="" type="checkbox"/> Not applicable		
Amount paid	Date paid (dd/mm/yy)	QLeave levy number (A, B or E)
\$		

22) Is this development application in response to a show cause notice or required as a result of an enforcement notice?
<input type="checkbox"/> Yes – show cause or enforcement notice is attached <input checked="" type="checkbox"/> No

**23) Further legislative requirements****Environmentally relevant activities**

23.1) Is this development application also taken to be an application for an environmental authority for an **Environmentally Relevant Activity (ERA)** under section 115 of the *Environmental Protection Act 1994*?

Yes – the required attachment (form EM941) for an application for an environmental authority accompanies this development application, and details are provided in the table below

No

**Note:** Application for an environmental authority can be found by searching “EM941” at [www.qld.gov.au](http://www.qld.gov.au). An ERA requires an environmental authority to operate. See [www.business.qld.gov.au](http://www.business.qld.gov.au) for further information.

Proposed ERA number:		Proposed ERA threshold:	
Proposed ERA name:			

Multiple ERAs are applicable to this development application and the details have been attached in a schedule to this development application.

**Hazardous chemical facilities**

23.2) Is this development application for a **hazardous chemical facility**?

Yes – *Form 69: Notification of a facility exceeding 10% of schedule 15 threshold* is attached to this development application

No

**Note:** See [www.justice.qld.gov.au](http://www.justice.qld.gov.au) for further information.

**Clearing native vegetation**

23.3) Does this development application involve **clearing native vegetation** that requires written confirmation the chief executive of the *Vegetation Management Act 1999* is satisfied the clearing is for a relevant purpose under section 22A of the *Vegetation Management Act 1999*?

Yes – this development application is accompanied by written confirmation from the chief executive of the *Vegetation Management Act 1999* (s22A determination)

No

**Note:** See [www.qld.gov.au](http://www.qld.gov.au) for further information.

**Environmental offsets**

23.4) Is this development application taken to be a prescribed activity that may have a significant residual impact on a **prescribed environmental matter** under the *Environmental Offsets Act 2014*?

Yes – I acknowledge that an environmental offset must be provided for any prescribed activity assessed as having a significant residual impact on a prescribed environmental matter

No

**Note:** The environmental offset section of the Queensland Government’s website can be accessed at [www.qld.gov.au](http://www.qld.gov.au) for further information on environmental offsets.

**Koala conservation**

23.5) Does this development application involve a material change of use, reconfiguring a lot or operational work within an assessable development area under Schedule 10, Part 10 of the Planning Regulation 2017?

Yes

No

**Note:** See guidance materials at [www.ehp.qld.gov.au](http://www.ehp.qld.gov.au) for further information.

**Water resources**

23.6) Does this development application involve **taking or interfering with artesian or sub artesian water, taking or interfering with water in a watercourse, lake or spring, taking overland flow water or waterway barrier works**?

Yes – the relevant template is completed and attached to this development application

No

**Note:** DA templates are available from [www.dilgp.qld.gov.au](http://www.dilgp.qld.gov.au).

23.7) Does this application involve **taking or interfering with artesian or sub artesian water, taking or interfering with water in a watercourse, lake or spring, or taking overland flow water** under the *Water Act 2000*?

Yes – I acknowledge that a relevant water authorisation under the *Water Act 2000* may be required prior to



commencing development

No

**Note:** Contact the Department of Natural Resources and Mines at [www.dnrm.qld.gov.au](http://www.dnrm.qld.gov.au) for further information.

### **Marine activities**

23.8) Does this development application involve **aquaculture, works within a declared fish habitat area or removal, disturbance or destruction of marine plants?**

Yes – an associated resource allocation authority is attached to this development application, if required under the *Fisheries Act 1994*

No

**Note:** See guidance materials at [www.daf.qld.gov.au](http://www.daf.qld.gov.au) for further information.

### **Quarry materials from a watercourse or lake**

23.9) Does this development application involve the **removal of quarry materials from a watercourse or lake** under the *Water Act 2000*?

Yes – I acknowledge that a quarry material allocation notice must be obtained prior to commencing development

No

**Note:** Contact the Department of Natural Resources and Mines at [www.dnrm.qld.gov.au](http://www.dnrm.qld.gov.au) for further information.

### **Quarry materials from land under tidal waters**

23.10) Does this development application involve the **removal of quarry materials from land under tidal water** under the *Coastal Protection and Management Act 1995*?

Yes – I acknowledge that a quarry material allocation notice must be obtained prior to commencing development

No

**Note:** Contact the Department of Environment and Heritage Protection at [www.ehp.qld.gov.au](http://www.ehp.qld.gov.au) for further information.

### **Referable dams**

23.11) Does this development application involve a **referable dam** required to be failure impact assessed under section 343 of the *Water Supply (Safety and Reliability) Act 2008* (the Water Supply Act)?

Yes – the 'Notice Accepting a Failure Impact Assessment' from the chief executive administering the Water Supply Act is attached to this development application

No

**Note:** See guidance materials at [www.dews.qld.gov.au](http://www.dews.qld.gov.au) for further information.

### **Tidal work or development within a coastal management district**

23.12) Does this development application involve **tidal work or development in a coastal management district?**

Yes – the following is included with this development application:

Evidence the proposal meets the code for assessable development that is prescribed tidal work (*only required if application involves prescribed tidal work*)

A certificate of title

No

**Note:** See guidance materials at [www.ehp.qld.gov.au](http://www.ehp.qld.gov.au) for further information.

### **Queensland and local heritage places**

23.13) Does this development application propose development on or adjoining a place entered in the **Queensland heritage register** or on a place entered in a local government's **Local Heritage Register**?

Yes – details of the heritage place are provided in the table below

No

**Note:** See guidance materials at [www.ehp.qld.gov.au](http://www.ehp.qld.gov.au) for information requirements regarding development of Queensland heritage places.

Name of the heritage place:		Place ID:	
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### **Brothels**

23.14) Does this development application involve a **material change of use for a brothel?**

Yes – this development application demonstrates how the proposal meets the code for a development application for a brothel under Schedule 3 of the *Prostitution Regulation 2014*

No

**Decision under section 62 of the *Transport Infrastructure Act 1994***

23.15) Does this development application involve new or changed access to a state-controlled road?

- Yes - this application will be taken to be an application for a decision under section 62 of the *Transport Infrastructure Act 1994* (subject to the conditions in section 75 of the *Transport Infrastructure Act 1994* being satisfied)
- No

**PART 8 – CHECKLIST AND APPLICANT DECLARATION**

**24) Development application checklist**

I have identified the assessment manager in question 15 and all relevant referral requirement(s) in question 17 <i>Note: See the Planning Regulation 2017 for referral requirements</i>	<input checked="" type="checkbox"/> Yes
If building work is associated with the proposed development, Parts 4 to 6 of <i>Form 2 – Building work details</i> have been completed and attached to this development application	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> Not applicable
Supporting information addressing any applicable assessment benchmarks is with development application <i>Note: This is a mandatory requirement and includes any relevant templates under question 23, a planning report and any technical reports required by the relevant categorising instruments (e.g. local government planning schemes, State Planning Policy, State Development Assessment Provisions). For further information, see DA Forms Guide: Planning Report Template.</i>	<input checked="" type="checkbox"/> Yes
Relevant plans of the development are attached to this development application <i>Note: Relevant plans are required to be submitted for all aspects of this development application. For further information, see DA Forms Guide: Relevant plans.</i>	<input checked="" type="checkbox"/> Yes
The portable long service leave levy for QLeave has been paid, or will be paid before a development permit is issued ( <i>see 21</i> )	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> Not applicable

**25) Applicant declaration**

By making this development application, I declare that all information in this development application is true and correct

Where an email address is provided in Part 1 of this form, I consent to receive future electronic communications from the assessment manager and any referral agency for the development application where written information is required or permitted pursuant to sections 11 and 12 of the *Electronic Transactions Act 2001*

*Note: It is unlawful to intentionally provide false or misleading information.*

**Privacy** – Personal information collected in this form will be used by the assessment manager and/or chosen assessment manager, any relevant referral agency and/or building certifier (including any professional advisers which may be engaged by those entities) while processing, assessing and deciding the development application. All information relating to this development application may be available for inspection and purchase, and/or published on the assessment manager’s and/or referral agency’s website.

Personal information will not be disclosed for a purpose unrelated to the *Planning Act 2016*, *Planning Regulation 2017* and the *DA Rules* except where:

- such disclosure is in accordance with the provisions about public access to documents contained in the *Planning Act 2016* and the *Planning Regulation 2017*, and the access rules made under the *Planning Act 2016* and *Planning Regulation 2017*; or
- required by other legislation (including the *Right to Information Act 2009*); or
- otherwise required by law.

This information may be stored in relevant databases. The information collected will be retained as required by the *Public Records Act 2002*.

**PART 9 – FOR OFFICE USE ONLY**

Date received:  Reference number(s):

Notification of engagement of alternative assessment manager	
Prescribed assessment manager	
Name of chosen assessment manager	
Date chosen assessment manager engaged	
Contact number of chosen assessment manager	
Relevant licence number(s) of chosen assessment manager	

QLeave notification and payment	
<i>Note: For completion by assessment manager if applicable</i>	
Description of the work	
QLeave project number	
Amount paid (\$)	
Date paid	
Date receipted form sighted by assessment manager	
Name of officer who sighted the form	

The *Planning Act 2016*, the *Planning Regulation 2017* and the *DA Rules* are administered by the Department of Infrastructure, Local Government and Planning. This form and all other required development application materials should be sent to the assessment manager.



gilvear planning

GENUINE | VERSATILE | DEDICATED

# Planning Report

Material Change of Use (Caretakers Residence),  
4990 Captain Cook Highway, Oak Beach, Lot 1 on  
RP744764



# Prepared for Shane Loughnan

DOUGLAS SHIRE COUNCIL

Our Reference                      J000650

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Site                                      4990 Captain Cook Highway, Oak Beach

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Date                                      20 November 2017

# Important Note

Apart from fair dealing for the purposes of private study, research, criticism, or review as permitted under the Copyright Act, no part of this Report may be reproduced by any process without the written consent of Gilvear Planning Pty Ltd ('Gilvear Planning').

This Report has been prepared for Shane Loughnan for the sole purpose of making a Development Application seeking a Development Permit for Material Change of Use (Caretakers Residence) on land at 4990 Captain Cook Highway, Oak Beach (Lot 1 on RP744764). This report is strictly limited to the purpose, and facts and circumstances stated within. It is not to be utilized for any other purpose, use, matter or application.

Gilvear Planning has made certain assumptions in the preparation of this report, including:

- a) That all information and documents provided to us by the Client or as a result of a specific search or enquiry were complete, accurate and up to date;
- b) That information obtained as a result of a search of a government register or database is complete and accurate.

Gilvear Planning is not aware of any particular fact or circumstance, which would render these assumptions incorrect, as at the date of preparation of the Report.

While every effort has been made to ensure accuracy, Gilvear Planning does not accept any responsibility in relation to any financial or business decisions made by parties other than those for whom the original report was prepared for and/or provided to. If a party other than the Client uses or relies upon facts, circumstances and / or content of this Report without consent of Gilvear Planning, Gilvear Planning disclaims all risk and the other party assumes such risk and releases and indemnifies and agrees to keep indemnified Gilvear Planning from any loss, damage, claim or liability arising directly or indirectly from the use of or reliance on this report.

Signed on behalf of  
Gilvear Planning Pty Ltd



**Kristy Gilvear**  
**DIRECTOR**  
**20 November 2017**

# Table of Contents

<b>1.0 Introduction .....</b>	<b>1</b>
<b>2.0 Summary.....</b>	<b>2</b>
<b>3.0 Site Description .....</b>	<b>4</b>
<b>4.0 Proposal .....</b>	<b>5</b>
<b>5.0 Statutory Planning Considerations .....</b>	<b>7</b>
<b>5.1 Planning Act 2016 (PA) .....</b>	<b>7</b>
5.1.1 Confirmation of Development.....	7
5.1.2 Assessable Development.....	7
5.1.3 Assessment Manager .....	7
5.1.4 Level of Assessment .....	7
5.1.5 Statutory Considerations for Assessable Development .....	7
5.1.6 Referral Triggers.....	8
5.1.7 State Resource.....	8
5.1.8 Regional Plan .....	8
5.1.9 State Planning Policy .....	8
5.1.10 State Development Assessment Provisions .....	9
<b>6.0 Local Planning Considerations .....</b>	<b>10</b>
<b>6.1 Douglas Shire Planning Scheme .....</b>	<b>10</b>
6.1.1 Statement of Compliance.....	11
6.1.1.1 rural areas and rural settlements locality code .....	11
6.1.1.2 rural PLanning Area Code .....	11
6.1.1.3 Natural Hazards Overlay code .....	11
6.1.1.4 caretakers residence code .....	11
6.1.1.5 Secondary Codes.....	12
Landscaping code .....	12
vehicle parking and access code.....	12
<b>7.0 Summary and Conclusions.....</b>	<b>13</b>

# 1.0 Introduction

This report has been prepared on behalf of Shane Loughnan (the 'applicant') in support of a Development Application to Douglas Shire Council, seeking a Development Permit for the Material Change of Use for the purpose of a Caretakers Residence on land at 4990 Captain Cook Highway, Oak Beach, described as Lot 1 on RP744764 ('the subject site').

The subject site is located at 4990 Captain Cook Highway, Oak Beach, and is described as Lot 1 on RP744764. The site is an irregular shaped allotment with an area of 4.824 hectares and frontage to Captain Cook Highway of approximately 270 metres.

The site is improved by a single storey dwelling and shed, which is located in the north of the site adjacent the side boundary with access provided to the site from a constructed driveway off Captain Cook Highway.

The area containing the site is characterised by coastal vegetation, rural farmland and rural residential dwellings. To the east is the original residential area of Oak Beach and the ocean and to the west, on the opposite side of the Captain Cook Highway, is a relatively recent rural residential development. Topographically, the site and area is relatively flat with Grants Creek, which adjoins the site to the south, flowing from the west to the ocean in the east.

It is proposed to plant an orchard on the site and convert the existing dwelling house into a Caretaker's Residence. A concurrent application for a dwelling house is to be lodged with a building certifier to provide for the construction of a dwelling on the site as accepted development.

The application is submitted for approval, subject to reasonable and relevant conditions.



## 2.0 Summary

### PROPOSAL SUMMARY

<b>Address:</b>	4990 Captain Cook Highway, Oak Beach
<b>Real Property Description:</b>	Lot 1 on RP744764
<b>Site Area/Frontage:</b>	Area: 4.843ha Frontage, Captain Cook Highway: Approx. 270 metres
<b>Owners:</b>	Shane Francis Loughnan, Stephen Keith hull, Brian Francis Gleeson
<b>Easements &amp; Encumbrances:</b>	Nil
<b>Proposal:</b>	Material Change of Use – Caretakers Residence
<b>Approvals Sought:</b>	Development Permit
<b>Level of Assessment:</b>	Code Assessment
<b>Zone:</b>	Rural Planning Area
<b>Overlays (Precincts):</b>	Natural Hazards – Bushfire (Medium Risk) Acid Sulfate Soils Overlay - < 20m AHD
<b>Local Area Plan (Precincts):</b>	N/A
<b>Regional Plan Designation:</b>	Regional Landscape and Rural Production Area
<b>State Interests – State Planning Policy:</b>	<ul style="list-style-type: none"><li>• Economic Growth<ul style="list-style-type: none"><li>– Agricultural Land Classification – class A and B</li></ul></li><li>• Environment and Heritage<ul style="list-style-type: none"><li>– MSES Regulated Vegetation (essential habitat)</li><li>– MSES Regulated Vegetation (category B &amp; R)</li><li>– MSES Wildlife Habitat</li></ul></li></ul>

- Coastal Management District
- Safety and Resilience to Hazards
  - Bushfire Prone Area – (Potential Impact Buffer)
- Infrastructure
  - State-controlled Road

---

**State Interests –** Native Vegetation Clearing

**SARA Mapping:**

- Predominantly category X

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**Referral Agencies:** Nil

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**State Development** N/A

**Assessment Provisions:**

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## 3.0 Site Description

The subject site is located at 4990 Captain Cook Highway, Oak Beach, and is described as Lot 1 on RP744764. The site is an irregular shaped allotment with an area of 4.824 hectares and frontage to Captain Cook Highway of approximately 270 metres.

The site is improved by a single storey dwelling and shed, which is located in the north of the site adjacent the side boundary. The site is predominantly cleared with vegetation located adjacent the side and rear boundaries. There are three dams that have been excavated on the site. Two are located either side of the entrance adjacent the front boundary and both contain water. The other is located centrally on the site and surrounds, in part, a constructed building pad.

Entrance to the site is provided from the Captain Cook highway by a formed and surfaced driveway, which terminates at the existing dwelling house.

The area containing the site is characterised by coastal vegetation, rural farmland and rural residential dwellings. To the east is the original residential area of Oak Beach and the ocean and to the west, on the opposite side of the Captain Cook Highway, is a relatively recent rural residential development. Topographically, the site and area is relatively flat with Grants Creek, which adjoins the site to the south, flowing from the west to the ocean in the east.



Photo 1: Aerial View of Site (source: Qld Globe)

# 4.0 Proposal

It is proposed to develop the site for the purpose of an orchard and undertake a material change of use of the existing dwelling to Caretakers Residence. A concurrent application is to be made to a building certifier for the development of a dwelling house on the site as accepted development.

The proposed caretakers residence would be contained within the existing dwelling without requiring any building works or alterations. Under the Douglas Shire Council a Caretakers Residence is defined as:

### *Caretakers Residence*

*Means the use of premises comprising one Dwelling Unit for the use by a caretaker or manager, including their Household, who is employed for care taking or management purposes in connection with a commercial, industrial, recreational or other non-residential use conducted on the premises.*

*The use does not include:*

- a manager's unit located within Multi-Unit Housing; Holiday Accommodation; or Short Term Accommodation.*

The existing Dwelling House/Proposed Caretakers comprises a single storey building with an internal floor area of 116m<sup>2</sup> a shaded deck and entrance containing three bedrooms, kitchen, dining and living room. A single carport is established to the side of the building.

Access to the caretaker's residence would be via the existing access arrangements and no changes to the access are proposed as part of this application.

Plans of the existing dwelling/proposed caretaker's residence are included in [Attachment 1](#).

Key Features of the proposal are summarised in the following table:

ELEMENT / PROVISION	PROPOSAL
<b>Site Area:</b>	4.843 hectares
<b>Frontage:</b>	Captain Cook Highway – Approx. 270 metres
<b>Site Cover:</b>	< 5%
<b>Height (m/storey)</b>	Single storey
<b>Setbacks</b>	Approx. 57 Metres to Captain Cook Highway. Approx. 3 metres to side boundary

**Access:** Via an existing access off Captain Cook Highway

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**Parking** Single carport.

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# 5.0 Statutory Planning Considerations

This section provides an overview of the legislative context of the application under the provision of the *Planning Act 2016*.

## 5.1 Planning Act 2016 (PA)

### 5.1.1 Confirmation of Development

The proposed development is not prohibited. This has been established by considering all relevant instruments, which can provide prohibitions under the *Planning Act 2016*; including:

- Schedule 10 of the *Planning Regulation 2017*; and
- Relevant categorising instruments.

### 5.1.2 Assessable Development

The development proposed by this application is made assessable under the Douglas Shire Planning Scheme, which is a categorising instrument for the purposes of Section 43(1) of the *Planning Act 2016*.

### 5.1.3 Assessment Manager

The Assessment Manager is the Douglas Shire Council as determined by Schedule 8 of the *Planning Regulation 2017*.

### 5.1.4 Level of Assessment

The table below summarises the assessable development subject to this application and the relevant level of assessment for each aspect of development.

ASPECT OF DEVELOPMENT	REFERENCE	LEVEL OF ASSESSMENT
<b>Material Change of Use – Caretakers Residence</b>	Rural Areas and Rural Settlements Locality – Table 1	Code Assessable

### 5.1.5 Statutory Considerations for Assessable Development

As the development is subject to Code Assessment the relevant considerations of the Assessment Manager in making the decision pursuant to section 60 *Planning Act 2016*, are outlined in 45(3) and s30 & 31 of the *Planning Regulations 2017*. These are discussed further in section 6.0 and within the Code Compliance contained in **Attachment 2**.

### 5.1.6 Referral Triggers

There are no referral agencies triggered for this application pursuant to Schedule 10 of the *Planning Regulation 2017*.

### 5.1.7 State Resource

The proposal does not involve any State Resources.

### 5.1.8 Regional Plan

The subject site is within the Regional Landscape and Rural Production Area of the Far North Queensland Regional Plan. The site has already been established for the purpose of a dwelling house, consequently, it is not considered necessary to provide a detailed assessment of the proposed development against the requirements of the Regional Plan in this instance.

### 5.1.9 State Planning Policy

The site is subject to the following State Interests of the State Planning Policy:

- Economic Growth
  - Agricultural Land Classification – class A and B
- Environment and Heritage
  - MSES Regulated Vegetation (essential habitat)
  - MSES Regulated Vegetation (category B & R)
  - MSES Wildlife Habitat
  - Coastal Management District
- Safety and Resilience to Hazards
  - Bushfire Prone Area – (Potential Impact Buffer)
- Infrastructure State
  - controlled Road

An assessment of the proposed development against the relevant State Planning Policies is provided in the table below:

STATE INTEREST	ASSESSMENT BENCHMARK	COMMENT
Liveable Communities	Development in an urban area for Material Change of Use or Reconfiguration of a Lot; accessed by common private title and includes buildings not covered by other legislation or planning provision mandating fire hydrants.	Not Applicable:

Mining & Extractive Resources	Development within KRA, within or for a resource/processing or separation area for a KRA or affected by a relevant Transport Route	Not applicable:  The project is not located on a site designated as a KRA, nor a route for transport, nor within a separation area.
Water Quality	Development for urban purposes involving premises or disturbance of land area 2,500m <sup>2</sup> or greater; OR  Particular development within a water supply buffer area.	Not Applicable:  Development does not include operational works for urban purposes that involves disturbance of more than 2500m <sup>2</sup> of land.
Natural Hazards, Risk & Resilience	Development on land within a flood, bushfire, landslide or coastal hazard area.	Applicable:  Whilst Development proposed is located within area subject to or containing natural hazards (Bushfire), it is noted that the site is identified within the Potential Impact Buffer rather than a Bushfire Prone Area. The proposal would not increase risk exposure above the existing use of the site.
Transport Infrastructure	Development on land in areas surrounding state transport infrastructure is compatible with and supports the most efficient use of the infrastructure and does not adversely affect the infrastructure.	Not applicable:  The development would not involve a new access to the state controlled road reserve or increase the number of traffic movements on the state controlled road reserve.

#### 5.1.10 State Development Assessment Provisions

The application is for an excluded material change of use, Caretaker's Residence, and does not involve a new or changed access to the state transport corridor. Furthermore, it does not involve the clearing of any vegetation. Consequently, there are no State Agency referrals and there are no relevant State Development Assessment Provisions applying to the proposal.



# 6.0 Local Planning Considerations

## 6.1 Douglas Shire Planning Scheme

Within the Douglas Shire Planning Scheme, the site is identified within the Rural Areas and Rural Settlements Locality and within the Rural Planning Area. The site is also affected by a The Acid Sulfate Soils Overlay and the Natural Hazards Overlay.

The following table outlines the relevant codes, the applicability of the relevant Code and a summary of the compliance with assessment benchmarks.

APPLICABLE CODES	APPLICABILITY	COMPLIANCE SUMMARY
<b>Rural Areas and Rural Settlement Locality Code</b>	Applies	Able to Comply with the relevant Performance Criteria and Acceptable Solutions.
<b>Rural Planning Area Code</b>	Applies.	Complies with the relevant Performance Criteria.
<b>Natural Hazards Overlay Code</b>	Applies	Able to Comply with the relevant Performance Criteria and Acceptable Solutions.
<b>Acid Sulfate Soils Overlay Code</b>	Not Applicable	The proposed development would not involve excavation or fill.
<b>Caretakers Residence Code</b>	Applies	Generally complies with the Acceptable Solutions and complies with the Performance Criteria.
SECONDARY CODES		
<b>Landscaping Code</b>	Applies.	Complies with the relevant Performance Criteria and Acceptable Solutions.
<b>Vehicular Parking and Access Code</b>	Applies	Complies with the relevant Performance Criteria and Acceptable Solutions
<b>Filling and Excavation Code</b>	Not Applicable	The proposed caretakers Residence is an existing Dwelling House and no fill or excavation is required to facilitate the material change of use.

A detailed assessment of the proposal against the applicable codes is contained in [Attachment 2](#), and demonstrates that the development complies or is capable of complying with the relevant assessment criteria. Below is a summary or statement of compliance with respect to the various codes.

### 6.1.1 Statement of Compliance

#### 6.1.1.1 RURAL AREAS AND RURAL SETTLEMENTS LOCALITY CODE

The proposed Caretaker's Residence is an existing Dwelling House and would not result in the loss of Good Quality Agricultural Land (GQAL). The proposed change of use would have no greater impact on the amenity of the rural area than the present use of the site for a dwelling house.

The proposed development is able to satisfy the Purpose and relevant Performance Criteria and Acceptable Solutions of the code.

#### 6.1.1.2 RURAL PLANNING AREA CODE

The proposed Caretakers Residence is an existing Dwelling House and would not have a greater impact on the retention of GQAL or the amenity of the area than the existing use.

No additional vegetation clearing is required to facilitate the development to ensure the retention of existing remnant vegetation on the site and the existing built form is considered to be consistent with the rural locality.

The proposed development is able to satisfy the Purpose and relevant Performance Criteria and Acceptable Solutions of the code.

#### 6.1.1.3 NATURAL HAZARDS OVERLAY CODE

The proposed Caretakers Residence is an existing Dwelling House and would not result in a greater risk from hazard than the existing use of the premises.

The proposed development is able to satisfy the Purpose and relevant Performance Criteria and Acceptable Solutions of the code.

#### 6.1.1.4 CARETAKERS RESIDENCE CODE

The existing dwelling house has a floor area and facilities consistent with the required for a Caretakers Residence. No additional works are required to meet the requirements of the Caretakers Residence Code.

The proposed development is able to satisfy the Purpose and relevant Performance Criteria and Acceptable Solutions of the code.

#### 6.1.1.5 SECONDARY CODES

##### LANDSCAPING CODE

The proposed Caretakers Residence is an existing Dwelling House and no additional vegetation removal or landscaping is required to facilitate the development.

The Caretakers Residence would be screened from views external to the site by the existing dense vegetation to the site and no additional landscaping or significant planting is proposed or required to achieve the Purpose and relevant Performance Criteria and Acceptable Solutions of the code.

##### VEHICLE PARKING AND ACCESS CODE

The proposed house would be accessed via the existing access off Captain Cook Highway with on-site car parking provided by a single carport directly accessible from the house. Car parking would be provided to meet the needs of the visitors to this minor development.

The proposed development is able to satisfy the Purpose and relevant Performance Criteria and Acceptable Solutions of the code.

## 7.0 Summary and Conclusions

This report has been prepared on behalf of Shane Loughnan (the 'applicant') in support of a Development Application to Douglas Shire Council, seeking a Development Permit for the Material Change of Use for the purpose of a Caretakers Residence on land at 4990 Captain Cook Highway, Oak Beach, described as Lot 1 on RP744764 ('the subject site').

The subject site is located at 4990 Captain Cook Highway, Oak Beach, and is described as Lot 1 on RP744764. The site is an irregular shaped allotment with an area of 4.824 hectares and frontage to Captain Cook Highway of approximately 270 metres.

The site is improved by a single storey dwelling and shed, which is located in the north of the site adjacent the side boundary with access provided to the site from a constructed driveway off Captain Cook Highway.

The area containing the site is characterised by coastal vegetation, rural farmland and rural residential dwellings. To the east is the original residential area of Oak Beach and the ocean and to the west, on the opposite side of the Captain Cook Highway, is a relatively recent rural residential development. Topographically, the site and area is relatively flat with Grants Creek, which adjoins the site to the south, flowing from the west to the ocean in the east.

It is proposed to plant an orchard on the site and convert the existing dwelling house into a Caretakers Residence. A concurrent application for a dwelling house is to be lodged with a building certifier to provide for the construction of a dwelling on the site as accepted development.

The proposed Material Change of Use is able to satisfy all of the relevant Performance Criteria and generally satisfies the Acceptable Outcomes.

The application is submitted for approval, subject to reasonable and relevant conditions.

# Attachment 1

PROPOSAL PLANS

# Attachment 2

CODE COMPLIANCE

# Attachment 3

Certificate of Title

# CURRENT TITLE SEARCH

DEPT OF NATURAL RESOURCES AND MINES, QUEENSLAND

Request No: 17386467

Search Date: 14/11/2013 10:29

Title Reference: 21346067

Date Created: 04/08/1987

Previous Title: 21296223

## REGISTERED OWNER

Interest

Dealing No: 706982176 12/09/2003

SHANE FRANCIS LOUGHNAN

9/17

STEPHEN KEITH HULL

4/17

BRIAN FRANCIS GLEESON

4/17

AS TENANTS IN COMMON

## ESTATE AND LAND

Estate in Fee Simple

LOT 1 REGISTERED PLAN 744764  
County of SOLANDER Parish of MOWBRAY  
Local Government: CAIRNS

## EASEMENTS, ENCUMBRANCES AND INTERESTS

1. Rights and interests reserved to the Crown by  
Deed of Grant No. 20449130 (POR 60)
2. MORTGAGE No 706982180 12/09/2003 at 11:05  
SUNCORP-METWAY LTD A.B.N. 66 010 831 722

ADMINISTRATIVE ADVICES - NIL

UNREGISTERED DEALINGS - NIL

## CERTIFICATE OF TITLE ISSUED - No

Caution - Charges do not necessarily appear in order of priority

\*\* End of Current Title Search \*\*

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Requested By: D APPLICATIONS CITEC CONFIRM





## Natural Hazards Code

An assessment of the Application in regard to compliance with the Purpose of the Code is provided below:

Purpose Statement:	Comment
The purpose of this Code is to ensure that development does not occur in areas prone to the natural hazard of bushfires and to minimise any risks associated with bushfires in the Shire.	The proposed Caretakers Residence is an existing dwelling house and would not result in an increase in risk associated with bushfire.

An assessment of the Application in regard to Code Performance Criteria and Acceptable Solutions is provided below:

Performance Criteria	Acceptable Solutions	Comment / Compliance
<b>Bushfire</b>		
P1 Development does not compromise the safety of people or property from bushfire.	A1.1 Any development on land identified as High Risk Hazard on any Natural Hazards Overlay on any Locality Map complies with the relevant requirements of State Planning Policy 1/03 – Mitigating the Adverse Impacts of Flood, Bushfire and Landslide.  AND  Development complies with a Bushfire Management Plan prepared for the site.	Not Applicable – the site is identified in being medium risk hazard area.
P2 Development maintains the safety of people and property by: <ul style="list-style-type: none"> <li>• avoiding areas of High or Medium Risk Hazard; or</li> <li>• mitigating the risk through: <ul style="list-style-type: none"> <li>– lot design and the siting of Buildings; and</li> </ul> </li> </ul>	A2.1 Development is located on a Site that is not subject to High or Medium Risk Hazard.  OR  For all development (if development is proposed to be located on a Site that is subject to High or Medium	The proposed Caretakers Residence is an existing Dwelling House and no additional building works are required to facilitate the proposal.

Performance Criteria	Acceptable Solutions	Comment / Compliance
<ul style="list-style-type: none"> <li>- including firebreaks that provide adequate:</li> <li>• Setbacks between Building/structures and hazardous vegetation, and</li> <li>• Access for fire fighting/other emergency vehicles;</li> <li>- providing adequate Road Access for fire fighting/other emergency vehicles and safe evacuation; and</li> <li>- providing an adequate and accessible water supply for fire-fighting purposes</li> </ul>	<p>Risk Hazard), then:</p> <p>Buildings and structures on lots greater than 2500 m<sup>2</sup>:</p> <ul style="list-style-type: none"> <li>• are sited in locations of lowest hazard within the lot; and</li> <li>• achieve Setbacks from hazardous vegetation of 1.5 times the predominant mature canopy tree Height or 10 metres, whichever is the greater; and</li> <li>• 10 metres from any retained vegetation strips or small areas of vegetation; and</li> <li>• are sited so that elements of the development least susceptible to fire are sited closest to the bushfire hazard.</li> </ul> <p>Building and structures on lots less than or equal to 2500 m<sup>2</sup>, maximize Setbacks from hazardous vegetation.</p> <p>AND</p> <p>For uses involving new or existing Buildings with a Gross Floor Area greater than 50 m<sup>2</sup> each lot has:</p> <ul style="list-style-type: none"> <li>• a reliable reticulated water supply that has sufficient flow and pressure characteristics for fire fighting purposes at all times (minimum pressure and flow is 10 litres a second at 200 kPa); or</li> </ul>	

Performance Criteria	Acceptable Solutions	Comment / Compliance
	<ul style="list-style-type: none"> <li>• an on Site water storage of not less than 5000 litres (eg. accessible dam or tank with fire brigade tank fittings, swimming pool).</li> </ul>	
	<p>A2.2 For development that will result in multiple Buildings or lots (if development is proposed to be located on a Site that is subject to High or Medium Risk Hazard), then:</p> <p>Residential lots are designed so that their size and shape allow for:</p> <ul style="list-style-type: none"> <li>• efficient emergency Access to Buildings for fire fighting appliances (eg. by avoiding long narrow lots with long Access drives to Buildings); and</li> <li>• Setbacks and Building siting in accordance with 2.1 (a) above.</li> </ul> <p>AND</p> <p>Firebreaks are provided by:</p> <ul style="list-style-type: none"> <li>• a perimeter Road that separates lots from areas of bushfire hazard and that Road has: <ul style="list-style-type: none"> <li>- a minimum cleared width of 20 metres; and</li> <li>- a constructed Road width and all-weather standard complying with Council standards.</li> </ul> </li> </ul>	<p>Not Applicable – the proposed development is a single Caretakers Residence only.</p>

Performance Criteria	Acceptable Solutions	Comment / Compliance
	<p>OR</p> <ul style="list-style-type: none"> <li>• where it is not practicable to comply with fire break provisions above, maintenance trails are located as close as possible to the boundaries of the lots and the adjoining bushland hazard, and the fire/maintenance trails: <ul style="list-style-type: none"> <li>- have a minimum cleared width of 6 metres; and</li> <li>- have a formed width and gradient, and erosion control devices to Council standards; and</li> <li>- have vehicular Access at each end; and</li> <li>- provide passing bays and turning areas for fire fighting applicants; and</li> <li>- are either located on public land, or within an Access easement that is granted in favour of the Council and Queensland Fire Rescue Service (QFRS).</li> </ul> </li> </ul> <p>AND</p> <p>sufficient cleared breaks of 6 metres minimum width in retained bushland within the development (eg. creek corridors and other retained vegetation) to allow burning of sections and Access for bushfire response.</p> <p>AND</p> <p>Roads are designed and</p>	

Performance Criteria	Acceptable Solutions	Comment / Compliance
	<p>constructed in accordance with applicable Council and State government standards and:</p> <ul style="list-style-type: none"> <li>• have a maximum gradient of 12.5%; and</li> <li>• exclude culs-de-sac, except where a perimeter Road isolates the development from hazardous vegetation or the culs-de-sac are provided with an alternative Access linking the cul-de-sac to other through Roads.</li> </ul>	
<p>P3 Public safety and the environment are not adversely affected by the detrimental impacts of bushfire on hazardous materials manufactured or stored in bulk.</p>	<p>A3.1 Development complies with a Bushfire Management Plan prepared for the site.</p>	<p>Not Applicable – no hazardous materials would be stored on the site in bulk.</p>

## Vehicle Parking and Access Code

An assessment of the Application in regard to compliance with the Purpose of the Code is provided below:

Purpose Statement:	Comment
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	The proposed development would provide a designated covered car parking spaces for the residents of the Caretakers Residence.
Sufficient bicycle parking and end of trip facilities are provided on-Site to cater for customer and staff	Dedicated cycle parking is not considered necessary in this instance.
On-Site parking is provided so as to be accessible and convenient, particularly for any short-term use.	The car parking spaces would be directly accessible from the Caretakers Residence.
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	The car parking demand for this minor development and associated traffic movements would have a negligible impact on the road network.
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	No new access points are proposed as part of this development. Access would be via the existing driveway from Captain Cook Highway.

An assessment of the Application in regard to Code Performance Criteria and Acceptable Solutions is provided below:

Performance Criteria	Acceptable Solutions	Comment / Compliance
<b>Vehicle Parking Numbers</b>		
P1 Sufficient parking spaces are provided on the Site to accommodate the amount and type of vehicle traffic expected to	A1.1 The minimum number of vehicle parking spaces provided on the Site is not less than the number prescribed in Schedule 1 of	The proposed development requires a single car parking space, which is provided.

Performance Criteria	Acceptable Solutions	Comment / Compliance
<p>be generated by the use or uses of the Site, having particular regard to:</p> <ul style="list-style-type: none"> <li>• the desired character of the area in which the Site is located;</li> <li>• the nature of the particular use and its specific characteristics and scale;</li> <li>• the number of employees and the likely number of visitors to the Site;</li> <li>• the level of local accessibility;</li> <li>• the nature and frequency of any public transport serving the area;</li> <li>• whether or not the use involves the retention of an existing Building and the previous requirements for car parking for the Building;</li> <li>• whether or not the use involves an identified Valuable Conservation Feature and Valuable Site; and,</li> <li>• whether or not the use involves the retention of significant vegetation.</li> </ul>	<p>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><b>Parking for People with Disabilities</b></p>		



Performance Criteria	Acceptable Solutions	Comment / Compliance
<p>P2 Parking spaces are provided to meet the needs of vehicle occupants with disabilities.</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"> <li>• Medical, higher education, entertainment facilities and shopping centres – 2 spaces;</li> <li>• All other uses – 1 space.</li> </ul>	<p>Dedicated spaces are not considered necessary in this instance.</p>
	<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"> <li>• Medical, higher education, entertainment facilities and shopping centres – 3% (to the closest whole number) of the total number of spaces required;</li> <li>• All other uses – 2% (to the closest whole number) of the total number of spaces required.</li> </ul>	<p>Not Applicable</p>
<b>Motor Cycles</b>		
<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"> <li>• ordinary vehicles do not demand parking in the spaces reserved for motor cycles due to capacity constraints; and,</li> <li>• it is a reflection of the make-up of the likely</li> </ul>	<p>A3.1 Parking for motorcycles is substituted for ordinary vehicle parking to a maximum level of 2% per cent of total ordinary parking. AND The motorcycle parking complies with other elements of this Code.</p>	<p>Given the minor nature of the development and the anticipated low demand from motorcycle parking, specific motorcycle parking is not considered required in this instance.</p>

Performance Criteria	Acceptable Solutions	Comment / Compliance
<p>vehicle fleet that uses the parking; and,</p> <ul style="list-style-type: none"> <li>• it is not a reflection of the lower cost of providing motorcycle parking.</li> </ul>		
<b>Compact Vehicles</b>		
<p>P4 A proportion of the parking spaces provided may be for compact vehicles.</p> <p>The proportion of total parking provided for compact vehicles is selected considering:</p> <ul style="list-style-type: none"> <li>• compact vehicles spaces are not available to non-compact vehicles; and,</li> <li>• it is a reflection of the proportion of the likely vehicle fleet that uses the parking; and,</li> <li>• 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,</li> <li>• the scale of parking spaces, likely users and the likely degree of familiarity with the availability of such spaces.</li> </ul>	<p>A4.1 For parking areas exceeding 100 spaces for short term users or 50 spaces for long-term users, parking is provided for compact vehicles as a substitute for ordinary vehicle parking so that:</p> <ul style="list-style-type: none"> <li>• compact vehicle parking does not exceed 10% of total vehicle parking required; and,</li> <li>• the parking location is proximate to the entry locations for parking users; and,</li> <li>• the parking provided complies with other elements of this Code.</li> </ul>	<p>Not Applicable.</p>
<b>Bicycles Parking</b>		
<p>P5 Sufficient bicycle parking spaces with appropriate security and end of trip facilities are provided on-Site to accommodate the amount of bicycles</p>	<p>A5.1 The minimum number of bicycle parking spaces provided on Site is not less than the number prescribed in Schedule 1 of this Code, for the particular use or</p>	<p>No bicycle parking is required.</p>

Performance Criteria		Acceptable Solutions	Comment / Compliance
expected to be generated by the use or uses.		uses.	
Vehicular Access to the Site			
P6	<p>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"> <li>• the amount and type of vehicular traffic;</li> <li>• the type of use (eg long-stay, short-stay, regular, casual);</li> <li>• Frontage Road traffic conditions;</li> <li>• the nature and extent of future street or intersection improvements;</li> <li>• current and future on street parking arrangements;</li> <li>• the capacity of the adjacent street system; and</li> <li>• the available sight distance.</li> </ul>	<p>A6.1 The location of the Access points is in accordance with the provisions of the relevant Australian Standards. AND Where the Site has Frontage to more than one street, the Access is from the lowest order street.</p>	No additional vehicle access is proposed as part of this development. Access would form the existing driveway off Captain Cook Highway.
		<p>A6.2 All redundant Accesses must be removed and a suitable barrier Erected to prevent further use of the Access.</p>	Not Applicable
		<p>A6.3 Only one Access point is to be provided to each Site unless stated otherwise in another Code.</p>	Not Applicable
Accessibility and Amenity for Users			
P7	On-Site vehicle parking is provided where it is convenient, attractive and safe to use, and does not	<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</p>	All car parking spaces would be conveniently located for the visitors to the site.

Performance Criteria	Acceptable Solutions	Comment / Compliance
detract from an attractive or existing streetscape character.	<p>the Building entry, where such provision is in keeping with the desired character of the area in which the Site is located.</p> <p>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 nonresidential 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>	
P8 The layout of parking areas provides a high degree of amenity and accessibility for different users.	<p>A8.1 The layout of the parking area provides for the accessibility and amenity of the following:</p> <ul style="list-style-type: none"> <li>• People with Disabilities</li> <li>• Cyclists</li> <li>• Motorcyclists</li> <li>• Compact Vehicles</li> <li>• Ordinary Vehicles</li> <li>• Service Delivery Vehicles.</li> </ul>	The car parking space would be directly accessible from the Caretakers Residence.
	<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>	Not Applicable
<b>Access Driveways</b>		
P9 The dimensions of Access driveways cater for all vehicles likely to enter the Site and minimises the	<p>A9.1 Access driveways are designed in accordance with the provisions of the relevant Australian</p>	It is proposed to retain the existing driveway to the site as part of this development.

Performance Criteria		Acceptable Solutions	Comment / Compliance
	disruption of vehicular, cyclist and pedestrian traffic.	Standards.	
P10	The surface construction materials of Access driveways within the Road reserve contribute to the streetscape and alerts pedestrians to the location of the driveway.	A10.1 Surface construction materials are consistent with the current or intended future streetscape or character of the area and contrast with the surface construction materials of any adjacent footpath.	It is proposed to retain the existing driveway to the site as part of this development.
<b>Access for People with Disabilities</b>			
P11	Access for people with disabilities is provided to the Building from the parking area and from the street.	A11.1 Access for people with disabilities is provided in accordance with the relevant provisions of the Australian Standards.	Dedicated spaces and access are not considered necessary in this instance.
<b>Access for Pedestrians</b>			
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.	Dedicated access not considered necessary in this instance.
<b>Access for Cyclists</b>			
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 line marking.	Not Applicable
<b>Dimensions of Parking Spaces</b>			
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	The proposed car parking has been designed to meet the relevant Australian Standards and the needs of the prospective residents.

Performance Criteria	Acceptable Solutions	Comment / Compliance
	<p>relevant Australian Standards.</p> <p>AND</p> <p>Parking spaces for special vehicles that are classified in accordance with the relevant Australian Standards meet the requirements of that Standard.</p> <p>AND</p> <p>Parking spaces for standard sized buses have the following minimum dimensions:</p> <ul style="list-style-type: none"> <li>• width: 4 metres</li> <li>• length: 20 metres</li> <li>• clear Height: 4 metres.</li> </ul> <p>AND</p> <p>Parking spaces for compact vehicles have the following minimum dimensions:</p> <ul style="list-style-type: none"> <li>• 15 per cent less in width measurements than required by Australian Standards for any ordinary vehicle; and,</li> <li>• 20 per cent less in length measurements than required by Australian Standards for any ordinary vehicle.</li> </ul> <p>AND</p> <p>Parking spaces for special vehicles meet the requirements dictated by the vehicle dimensions and maneuvering 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</p>	

Performance Criteria		Acceptable Solutions	Comment / Compliance
		Australian Standards.	
		A14.2 Parking spaces for bicycles meet the requirement of the relevant Australian Standard.	Dedicated spaces are not considered necessary in this instance.
<b>On-Site Driveways, Maneuvering Areas and Parking / Standing Areas</b>			
P15	On-Site driveways, maneuvering areas and vehicle parking/standing areas are designed, constructed and maintained such that they: <ul style="list-style-type: none"> <li>• are at gradients suitable for intended vehicle use;</li> <li>• consider the shared movements of pedestrians and cyclists;</li> <li>• are effectively drained and surfaced; and</li> <li>• are available at all times they are required.</li> </ul>	A15.1 On-Site driveways, vehicle maneuvering and loading/unloading areas: <ul style="list-style-type: none"> <li>• are sealed in urban areas:</li> </ul> AND <ul style="list-style-type: none"> <li>upgraded to minimise noise, dust and runoff in other areas of the Shire in accordance with the relevant Locality Code;</li> <li>• have gradients and other design features in accordance with the provisions of the relevant Australian Standards; and</li> <li>• drain adequately and in such a way that adjoining and downstream land is not adversely affected.</li> </ul>	The onsite driveway and car parking areas would be maintained at the existing standard.
		A15.2 Parking areas are kept and used exclusively for parking and are maintained in a suitable condition for parking.	The car port would be maintained in a suitable condition for parking.
<b>Vehicle Circulation, Queuing and Set Down Areas</b>			
P16	Sufficient area or appropriate circulation arrangements are provided to enable all vehicles expected to use the Site to drive on and off the Site in forward gear.	A16.1 Circulation and turning areas comply with the provisions of the relevant Australian Standards.	All vehicles would be able to enter and leave the site in a forward gear.
P17	An on-Site circulation system provides safe and practical Access to all	A17.1 Circulation driveways comply with the provisions of the relevant Australian	Given the minor nature of the development, all vehicles would be able to practically access those

Performance Criteria	Acceptable Solutions	Comment / Compliance
parking, loading/unloading and maneuvering areas.	Standards.	parts of the site necessary to meet the needs of the operation.
P18 Where vehicle queuing, set down or special vehicle parking is expected, sufficient queuing or parking area is provided to enable vehicles to stand without obstructing the free flow of moving traffic or pedestrian movement.	A18.1 Queuing and set down areas comply with the relevant Australian Standard and any relevant AUSTROAD Guidelines.	Not Applicable



## Rural Areas and Rural Settlements Locality Code

An assessment of the Application in regard to compliance with the Purpose of the Code is provided below:

<b>Purpose Statement:</b>	<b>Comment</b>
The purpose of this Code is to facilitate the achievement of the following outcomes for the Rural Areas and Rural Settlement Locality:	
Retain rural areas for primary industry.	Complies - The proposed change of use of an existing dwelling house to caretakers residence would not result in the alienation of agricultural land from primary industry purposes.
Conserve the rural character and rural landscape elements as important and distinctive to the scenic value of the Shire.	Complies - The proposed caretakers residence would be contained within the existing dwelling house and would not require the removal of any additional vegetation or additional building work.
Protect rural areas from encroachment by incompatible urban development.	Complies - The proposed change of use of a dwelling house to caretakers residence would not introduce incompatible urban development or result in the alienation of agricultural land from primary industry purposes.
Protect and conserve valuable riverine vegetation and systems in rural areas.	Complies - The proposed development would not be adjacent any riverine areas and would not impact on any riverine areas.
Retain the rural lifestyle opportunities and amenity of rural settlement areas with no further compromise to surrounding productive rural areas.	The change of use of a dwelling house to a caretaker's residence would not result in the alienation of agricultural land from primary industry purposes.
Ensure rural settlement areas remain unobtrusive and have no detrimental impact on the Scenic Amenity of surrounding rural areas.	The Caretaker's Residence is an existing dwelling house and no additional building work is required.
Facilitate any future land use aspirations of the local Indigenous communities which are compatible with achieving the other planning outcomes for the Area	Not Applicable.

An assessment of the Application in regard to Code Performance Criteria and Acceptable Solutions is provided below:

Performance Criteria	Acceptable Solutions	Comment / Compliance
<b>General Requirements</b>		
<p>P1 Buildings and structures complement the Height of surrounding development and/or are subservient to the surrounding environment and are in keeping with the character of the Locality.</p>	<p>A1.1 In all 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>The proposed development, at one storey, would be less than 6.5 metres in total height.</p>
<p>P2 Development is connected to all urban services or to sustainable on Site infrastructure services.</p>	<p>A2.1 Development is connected to available urban services by underground connections, wherever possible.</p> <p>AND/OR</p> <p>Contributions are paid when applicable in accordance with the requirements of Planning Scheme Policy No 11 – Water Supply and Sewerage Headworks and Works External Contributions.</p> <p>OR</p> <p>Water storage tank/s with a minimum capacity of not less than 30 000 litres 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</p>	<p>The existing dwelling house is provided with all necessary services.</p>

Performance Criteria	Acceptable Solutions	Comment / Compliance
	<p>50 mm ball valve with a camlock fitting and installed and connected prior to occupation and screened with Dense Planting.</p> <p>AND</p> <p>An environmentally acceptable and energy efficient power supply is constructed and connected prior to occupation and sited so as to be visually unobtrusive.</p> <p>AND</p> <p>On-site sewerage facilities are provided in accordance with the Onsite Sewerage Code</p>	
<p>P3 Landscaping of development Sites complements the existing rural character of the Locality.</p>	<p>A3.1 Landscaping utilises predominantly native species and complies with the requirements of Planning Scheme Policy No 7 – Landscaping with particular emphasis on appropriate species for this Locality.</p> <p>AND</p> <p>A minimum of 60% of the total proposed species are endemic or native species.</p>	<p>The proposed caretakers residence is an existing dwelling house and no additional landscaping is proposed.</p>
<p>P4 Development Sites are provided with efficient and safe vehicle Access and maneuvering</p>	<p>A4.1 All Roads, driveways and maneuvering areas on Site and adjacent to the Site are designed and</p>	<p>Access to the site would be via the existing access form Captain Cook Highway and the site</p>

Performance Criteria	Acceptable Solutions	Comment / Compliance
areas on Site and to the Site, to an acceptable standard for the Locality.	maintained to comply with the specifications set out in the Planning Scheme Policy No 6 – FNQROC Development Manual.	contains sufficient space to accommodate the turning movements of any vehicle.
<b>Protecting Rural / Rural Settlement Amenity – General</b>		
P5 Industrial development in a rural area relies on or has a strong nexus with the primary rural activity undertaken on Site or in the surrounding area.	A5.1 Any industrial development is limited to rural industrial activities which, by necessity, are related to primary industries in the surrounding area and require a rural location and where an urban location is inappropriate.	Not Applicable – No industrial development proposed.
P6 Any community facilities or service infrastructure located in a rural area or rural settlement areas are sited to protect the general amenity and the visual amenity of the surrounding rural area/rural settlement area.	A6.1 Community facilities are only sited in a rural area or a rural settlement area by necessity and where an urban location is inappropriate.	Not Applicable – No community facilities proposed.
	A6.2 Community facilities are screened from adjacent Roads by landscape buffers of Dense Planting a minimum of 5 metres in width.  AND  All side and rear boundaries are provided with Dense Planting for a minimum width of 1.5 metres.	Not Applicable – No community facilities proposed.

Performance Criteria	Acceptable Solutions	Comment / Compliance
<p>P7 Rural settlement areas are visually unobtrusive in the rural landscape to protect the integrity of the rural areas as a dominant landscape element of high quality.</p>	<p>A7.1 The old Rocky Point School Site is developed for residential purposes in accordance with the following:</p> <ul style="list-style-type: none"> <li>• reconfiguration is in accordance with the Rural Settlement Planning Area requirements specified in Table 1 of the Reconfiguring a Lot Code and all the relevant requirements of the Reconfiguring a Lot Code, taking account of the existing topography of the Site.</li> </ul> <p>AND</p> <p>The remnant vegetation on the western boundary of the Site is dedicated as public park.</p>	<p>Not Applicable.</p>
<p>P8 Areas at Rocky Point included in the Residential 1 Planning Area maintain the integrity of the dominant landscape qualities of the area and ensure safe Access onto Mossman-Daintree Road.</p>	<p>A8.1 The minimum lot size in this area is 3500 m2.</p> <p>AND</p> <p>Any proposed reconfiguration of existing lots in this area only occurs utilising the Access driveway servicing the existing lot, by including reciprocal Access easements over the existing Access driveway for any additional lots.</p>	<p>Not Applicable.</p>
	<p>A8.2 Any new lots are included in a Designated</p>	<p>Not Applicable.</p>

Performance Criteria	Acceptable Solutions	Comment / Compliance
	<p>Development Area (DDA) identified on the proposal plan of reconfiguration and ultimately, on the registered survey plan.</p>	
	<p>A8.3 Development located within a Designated Development Area is sited where Clearing is limited to a maximum area of 800 m<sup>2</sup> of the Site or 4% Site Coverage of the Site, whichever is the lesser. (The 800m<sup>2</sup> area of Clearing does not include an access driveway.)</p> <p>OR, ALTERNATIVELY</p> <p>If a greater part of the Site is to be cleared, that part of a Site not cleared is to be included in a Conservation Covenant to protect the integrity of the natural environment.</p>	Not Applicable.
	<p>A8.4 Clearing is limited to the DDA and the DDA is sited on that part of the lot, which is least constrained by slope, vegetation or Access constraints, and does not require extensive cut and fill and/or complex geotechnical solutions.</p>	Not Applicable.
	<p>A8.5 The DDA is sited so that the development of a House does not obstruct the views from any adjacent existing Houses.</p> <p>AND</p>	Not Applicable.

Performance Criteria	Acceptable Solutions	Comment / Compliance
	<p>Ensures the new House is not visually prominent from adjacent public viewing points, such as Mossman-Daintree Road and Rocky Point.</p>	
<p>P9 Development of Lot 32 on RP 850495, Vixies Road, Wonga Beach is connected to urban services.</p>	<p>A9.1 Any future reconfiguration of Lot 32 on RP 850495 for Rural Settlement purposes only occurs in association with connection to reticulated sewerage and water supply servicing Wonga Beach.</p>	<p>Not Applicable.</p>
<p>P10 The development of part of Lots 10 and 11 on SP 132055 for residential purposes is undertaken to protect the environmental values of the site and the scenic amenity of the local area.</p>	<p>A10.1 Residential development occurs on the more gently sloping part of the site, elevated above the steep bank adjacent to Mossman-Daintree Road.</p> <p>AND</p> <p>The area appropriate for residential development is determined on the basis of contour and vegetation surveys of the site.</p> <p>AND</p> <p>Only one access point from the site to the State-Controlled Road is permitted.</p> <p>AND</p> <p>At reconfiguration stage a broad vegetation screen is provided along the</p>	<p>Not Applicable.</p>

Performance Criteria	Acceptable Solutions	Comment / Compliance
	<p>elevated frontage of the site to the Mossman-Daintree Road so that the residential development is screened from the road.</p> <p>AND</p> <p>The balance of the site is protected from clearing to maintain the forested mountain landscape and no further reconfiguration of the balance area occurs.</p>	
<b>Protection of Scenic Amenity and Natural Values</b>		
<p>P11 Development does not adversely impact on areas of sensitive natural vegetation, foreshore areas, Watercourses and areas of tidal inundation which contribute to the Scenic Amenity and natural values of the Locality.</p>	<p>A11. No Acceptable Solution. 1 (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>The proposed caretakers residence is an existing dwelling house and located within an existing cleared. There would be no additional impact from the development on the existing vegetation on the site.</p>
<b>Indigenous Interests</b>		
<p>P12 The land use aspirations in any Indigenous Land Use Agreement (ILUA) are acknowledged and facilitated.</p>	<p>A12. Development is consistent with any ILUA relating to the land and the relevant provisions of the Planning Scheme. 1</p>	<p>Not Applicable.</p>



## Rural Planning Area Code

An assessment of the Application in regard to compliance with the Purpose of the Code is provided below:

<b>Purpose Statement:</b>	<b>Comment</b>
The purpose of this Code is to facilitate the achievement of the following outcomes for the Rural Planning Area:	
Conserve areas for use for primary production, particularly areas of GQAL.	Complies - The proposed change of use would not affect areas for primary production.
Facilitate the establishment of a wide range of agricultural and animal husbandry uses, together with other compatible primary production uses.	Complies - The proposed change of use would not affect the ability to facilitate agricultural and animal husbandry uses.
Facilitate the establishment of Extractive Industry operations, provided that the significant environmental impacts of such operations are contained within the Site.	Not Applicable - The site is not identified as a potential extractive industry site.
Ensure existing Extractive Industry operations are protected from incompatible land uses establishing in close proximity.	Not Applicable – The site is not located adjacent any extractive industry operations.
Ensure that rural activities are protected from the intrusion of incompatible uses.	Complies - the proposal would not introduce any incompatible uses.
Ensure that areas of remnant vegetation and riparian vegetation are retained or rehabilitated.	Complies - the proposal would not result in the loss of remnant vegetation.
Ensure that land which is not classified as GQAL, but which is important to the scenic landscape of the Shire, retains its rural character and function.	Complies – the proposed development would not adversely affect any land identified as GQAL.

An assessment of the Application in regard to Code Performance Criteria and Acceptable Solutions is provided below:

Performance Criteria	Acceptable Solutions	Comment / Compliance
<b>Consistent and Inconsistent Uses</b>		
P1 The establishment of uses is consistent with the outcomes sought for the Rural Planning Area.	A1.1 Uses identified as inconsistent uses in the Assessment Table are not established in the Rural Planning Area	The proposed development is not identified as an inconsistent use.
<b>Good Quality Agricultural Land</b>		
P2 GQAL is only used for agricultural uses and primary production purposes.	A2.1 Agricultural land is used for agricultural uses in accordance with the classifications of the Agricultural Land Classes identified in the Shire and the requirements of State Planning Policy 1/92 – Development and the Conservation of Agricultural Land.	The proposed change of use would not affect the use any GQAL.
<b>Buffering Incompatible Land Uses</b>		
P3 A buffer is provided to separate agricultural activities that create odour, excessive noise or use agricultural chemicals, (including Aquaculture and Intensive Animal Husbandry), from residential development.	A3.1 A buffer is provided in accordance with the requirements of State Planning Policy 1/92 and Planning Guidelines – Separating Agricultural and Residential Land Uses (DNR 1997).	There are no identified buffering requirements in this instance.
<b>Building/Structure Setbacks and Screening</b>		
P4 Buildings/structures are Setback to: <ul style="list-style-type: none"> <li>• maintain the rural character of the area; and</li> <li>• achieve separation from neighbouring Buildings and from</li> </ul>	A4.1 Buildings/structures are Setback not less than: <ul style="list-style-type: none"> <li>• 40 metres from the property boundary adjoining a State Controlled Road; or</li> <li>• 25 metres from the property boundary</li> </ul>	The existing dwelling house does not comply with the minimum setback requirements; however the dwelling exists and no additional building work is proposed as part of this application.

Performance Criteria		Acceptable Solutions	Comment / Compliance
	Road Frontages.	<p>adjoining the Cape Tribulation Road; or</p> <ul style="list-style-type: none"> <li>• 20 metres from the property boundary fronting any other Road; and</li> <li>• 6 metres from the side and rear property boundaries of the Site</li> </ul>	
P5	Rural activities north of the Daintree River are screened to protect the Scenic Amenity of the area.	A5.1 A 10 metre Setback on rural land adjacent to any Road Frontage north of the Daintree River including Dense Planting of the setback area.	Not Applicable
<b>Rural Character</b>			
P6	Buildings/structures are designed to maintain the rural character of the area	A6.1 White and shining metallic finishes are avoided on external surfaces of Buildings located in prominent view	The building currently exists and no new building work is proposed.
<b>Protecting and Enhancing Native Vegetation and Adjacent Environmentally Sensitive Area</b>			
P7	Native vegetation existing along Watercourses and in or adjacent to areas of environmental value or areas of remnant vegetation of value is protected.	A7.1 No Acceptable Solution (Information that the Council may request to demonstrate compliance with the Performance Criteria is outlined in Planning Scheme Policy No 10 – Report and Information the Council May Request, for code and impact assessable development).	No native vegetation adjacent watercourses would be removed as part of this development.
<b>Sloping Sites</b>			
P8	Building/structures are designed and sited to be responsive to the constraints of sloping Sites.	A8.1 Building/structures are Erected on land with a maximum slope not exceeding 15%. OR Development proposed to be	Not Applicable – the site is not a sloping site.

Performance Criteria	Acceptable Solutions	Comment / Compliance
	<p>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>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 signoff that the Site can be stabilised.</p> <p>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>P9 The building style and construction methods used for development on sloping Sites are responsive to the Site constraints.</p>	<p>A9.1 A split level building form is utilised.</p>	<p>Not Applicable – the site is not a sloping site.</p>
	<p>A9.2 A single plane concrete slab is not utilised.</p>	<p>Not Applicable – the site is not a sloping site.</p>

Performance Criteria	Acceptable Solutions	Comment / Compliance
	A9.3 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.	Not Applicable – the site is not a sloping site.
P10 Development on sloping sites minimises any impact on the landscape character of the surrounding area.	A10.1 Buildings/structures are sited below any ridgelines and are sited to avoid protruding above the surrounding tree level.	Not Applicable – the site is not a sloping site.
P11 Development on sloping sites 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.	A11.1 All stormwater drainage discharges to a lawful point of discharge and does not adversely affect downstream, upstream, underground stream or adjacent properties.	Not Applicable – the site is not a sloping site.
<b>Sustainable Siting and Design of Houses in land where the Natural Areas and Scenic Amenity Code is triggered.</b>		
P12 A House sited on hillside land is sited in an existing cleared area, or in an area approved for Clearing.	A12.1 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 800 m2 and is sited clear of the High Bank of any Watercourse. EXCEPT In the World Heritage Areas and Environs Locality and the Settlement Areas North of the Daintree River Locality where the maximum clearing is limited to 700m2. (The 800m2 /700m2 area of Clearing does not include an access driveway.)	Not Applicable

Performance Criteria	Acceptable Solutions	Comment / Compliance
	A12.2 The approved area for the Clearing of the House is not cleared until a Building Permit is issued.	Not Applicable
P13 A House sited on hillside land is sited and designed so that it is subservient to the surrounding natural environment.	A13.1 A House is effectively screened from view by existing native trees in designated Setback area/s, or by the planting of additional native trees endemic to the local area.	Not Applicable
P14 The exterior finishes of a House complements the surrounding natural environment.	A14.1 The exterior finishes and colours of Building/s are non reflective and complement the colours of the surrounding vegetation and viewshed. AND For self assessable development the exterior colours of Buildings/structures are chosen from the following list of Colourbond Colours <ul style="list-style-type: none"> <li>• Jasper</li> <li>• Sandbank</li> <li>• Paperbark</li> <li>• Dune</li> <li>• Windspray</li> <li>• Woodland Grey</li> <li>• Bushland</li> <li>• Pale Eucalypt</li> <li>• Wilderness</li> <li>• Cottage Green</li> <li>• Plantation</li> <li>• Blue Ridge and</li> <li>• Ironstone</li> </ul>	Not Applicable
P15 A House is designed to be energy efficient and functional in a humid tropical rainforest	A15.1 The development incorporates building design features and architectural elements detailed in Planning	Not Applicable

Performance Criteria	Acceptable Solutions	Comment / Compliance
environment.	Scheme Policy No 2 – Building Design and Architectural Elements.	
P16 Any filling and excavation work does not create a detrimental impact on slope stability, erosion potential or Visual Amenity of the Site or the surrounding area.	A16.1 The height of cut and/or fill, whether retained or not, does not exceed 2 metres in height.	Not Applicable
P17 The bulk and scale of a House is not visually obtrusive and does not compromise the Visual Amenity of the site and the surrounding area.	A17.1 The Gross Floor Area of the House does not exceed 250m <sup>2</sup> .	Not Applicable

## Caretaker's Residence Code

An assessment of the Application in regard to compliance with the Purpose of the Code is provided below:

Purpose Statement:  The purpose of the code is to:	Comment
Facilitate the establishment of a Caretaker's Residence, which is used for genuine caretaking or property management purposes.	Complies – the proposed Caretakers Residence is intended to support an orchard to be developed on the site.
To ensure that an acceptable level of amenity is provided for the occupants.	Complies – the proposed Caretakers Residence is an existing dwelling house that has been constructed to a suitable standard.

An assessment of the Application in regard to Code Performance Criteria and Acceptable Solutions is provided below:

Performance Criteria	Acceptable Solutions	Comment / Compliance
P1 Only one Caretaker's Residence is established on one Site and in association with a legitimate caretaking or property management purpose operating on the Site.	A11 Only one Caretaker's Residence is established on one allotment identified on a Standard Format Plan.  AND The Caretaker's Residence is located on the same lot as the primary use.  EXCEPT THAT A Caretaker's Residence associated with primary production is located on the holding.	Complies – only one Caretakers Residence would be established on the same allotment as the primary use.
	A1.2 The Caretaker's Residence is occupied only by the proprietor, manager or caretaker of the primary use established on the Site, together with any immediate family of that person.	The Caretakers Residence would only be occupied by the caretaker and their family.
P2 A Caretaker's Residence is provided with an appropriate level of	A2.1 The Gross Floor Area of the Caretaker's Residence is not greater than 120 m <sup>2</sup> .	The Gross Floor Area of the Caretakers Residence is less than



<p>recreation and service facilities and is domestic in Height and scale.</p>		<p>120m<sup>2</sup>.</p>
	<p>A2.2 The Caretaker's Residence is provided with a Landscaping and Recreation Area at the rate of 30 m<sup>2</sup> for the first bedroom plus 15 m<sup>2</sup> for each additional bedroom, and</p> <ul style="list-style-type: none"> <li>• at least 35 m<sup>2</sup> is provided as private Recreation Area which is directly accessible from the residence and which has a minimum dimension of 3 metres.</li> </ul>	<p>The Caretakers Residence is provided with in excess of the open space requirement.</p>
	<p>A2.3 The private Recreation Area is fenced or screened to facilitate the private enjoyment of the space by the occupants of the Caretaker's Residence.</p>	<p>The Caretakers Residence would not be provided with a fenced open space area; however the residence would have access to the entire property and the residence is separated from any other residential use by a significant distance. The private enjoyment of the open space would not be compromised by not providing a fenced area.</p>
	<p>A2.4 The Caretaker's Residence is provided with:</p> <ul style="list-style-type: none"> <li>• an outdoor service court with a minimum area of 5 m<sup>2</sup> to facilitate clothes drying facilities;</li> <li>• an area for general storage;</li> <li>• an area for the storage of a garbage receptacle; and</li> <li>• a designated covered car parking space.</li> </ul>	<p>The proposed Caretakers Residence is provided with sufficient space to provide for the establishment of drying facilities and storage and would be provided with the designated car parking space under the existing car port.</p>

## Landscaping Code

An assessment of the Application in regard to compliance with the Purpose of the Code is provided below:

Purpose Statement	Comment
Ensure that new Landscaping incorporates plants which encourage Biodiversity	The proposed Caretakers Residence is an existing dwelling house and no new landscaping is proposed.
Maintain and strengthen the tropical and native landscape character of the Shire through high quality landscape works	The proposed Caretakers Residence is an existing dwelling house and no new landscaping works are proposed.
Ensure that Landscaping enhances the visual quality and unique identity of different parts of the Shire by featuring endemics	The proposed Caretakers Residence is an existing dwelling house and no new landscaping is proposed.
Create attractive streetscapes and public spaces through landscape design and the use of street trees and shade trees	N/A – there would not be any streetscape or public spaces proposed as part of this development.
Ensure that native species are incorporated into Landscaping, as a means of providing continuity between developed and undeveloped areas	The proposed Caretakers Residence is an existing dwelling house and no new landscaping is proposed.
Ensure that existing vegetation on Site is retained, protected during works and integrated with the built environment	The proposed Caretakers Residence is an existing dwelling house and no additional vegetation removal is required to facilitate the change of use.
Ensure preferred plant species are selected in accordance with the Plant Species Schedule in Planning Scheme Policy No 7 – Landscaping	The proposed Caretakers Residence is an existing dwelling house and no new landscaping is proposed.
Ensure that Landscaping screens Buildings to reduce their bulk and to enhance the landscape character of the Shire	The proposed Caretakers Residence is an existing dwelling house and is screened from view by existing landscaping and vegetation.

An assessment of the Application in regard to Code Performance Criteria and Acceptable Solutions is provided below:

Performance Criteria	Acceptable Solutions	Comment / Compliance
<b>Landscape Design</b>		
P1 Landscape design satisfies	A1.1 Landscaping is undertaken in	The proposed Caretakers Residence

Performance Criteria	Acceptable Solutions	Comment / Compliance
<p>the purpose and the detailed requirements of this Code.</p>	<p>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>AND</p> <p>Landscaping is maintained in accordance with the requirements specified in this Code and Planning Scheme Policy No 7 – Landscaping.</p>	<p>is an existing dwelling house and no new landscaping is proposed.</p>
<b>Landscape-Character &amp; Planting</b>		
<p>P2 Landscaping contributes to a sense of place, is functional to the surroundings and provides dominant visual interest and form.</p>	<p>A2.1 A minimum of 80% of the proposed landscape area is open to the sky for sunlight and ventilation.</p>	<p>The minor nature of the proposed development, in the context of a larger site results in much of the existing site being retained in its present state with no additional building works or vegetation removal.</p>
	<p>A2.2 The percentage of native or endemic species utilised in the Landscaping is as specified in the Locality Code. OR Where not specified in the Locality Code, in accordance with Planning Scheme Policy No. 7 – Landscaping.</p>	<p>The proposed Caretakers Residence is an existing dwelling house and no new landscaping is proposed. A landscaping plan is not considered necessary in this instance.</p>
	<p>A2.3 Landscaping includes planting layers comprised of canopy, middle storey, screening and groundcovers,</p>	<p>The proposed Caretakers Residence is an existing dwelling house and no new landscaping is proposed.</p>

Performance Criteria	Acceptable Solutions	Comment / Compliance
	with palm trees used as accent plants only.	
<p>P3</p> <p>Landscaping is consistent with the existing landscape character of the area and native vegetation existing on the Site is to be retained wherever possible and integrated with new Landscaping<sup>47</sup>.</p>	<p>A3.1 Existing native vegetation on Site is retained and incorporated into the Site design, wherever possible.</p>	<p>The proposed Caretakers Residence is an existing dwelling house and no additional vegetation removal is required to facilitate the change of use.</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>It is not proposed to remove any mature vegetation as part of the development.</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>No street planting is proposed.</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>No street planting is proposed.</p>
<p>P4</p> <p>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>A4.1 Species are selected in accordance with the Plant Species Schedule in Planning Scheme Policy No 7 – Landscaping.</p>	<p>The proposed Caretakers Residence is an existing dwelling house and no additional vegetation removal is required to facilitate the change of use.</p>

<b>Performance Criteria</b>		<b>Acceptable Solutions</b>	<b>Comment / Compliance</b>	
P5	Shade planting is provided in car parking areas where uncovered or open, and adjacent to driveways and internal Roadways.	A5.1	Where car parking areas are uncovered or open, shade trees are planted at regular intervals (a minimum of 1 shade tree is provided for every 5 car parks) throughout the car parking areas, and adjacent to driveways and internal Roadways.	Not Applicable – no uncovered car parking is proposed.
		A5.2	A minimum of 1 shade tree is provided for every 10 metres along a driveway or internal Roadway.	Not Applicable – no uncovered car parking is proposed.
		A5.3	Landscape beds and trees are protected by garden edging, bollards or wheel stops.	Not Applicable – no uncovered car parking is proposed.
		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 metres.	Not Applicable – no uncovered car parking is proposed.
<b>Screening</b>				
P6	Fences along street Frontages are articulated with appropriate Landscaping.	A6.1	Perimeter fencing to any street Frontage complies with the relevant Planning Area Code.	The site is heavily vegetated with existing screening provided at the frontage and site boundaries.
		A6.2	Trees, shrubs and groundcovers are planted within any recessed areas along the fence line.	The site is heavily vegetated with existing screening provided at the frontage and site boundaries.
P7	Landscaping within Recreation Areas of residential development are functional, well	A7.1	One shade tree is provided for each private open space or private Recreation Area.	Multiple shade trees existing in site and are to be retained as part of the development.
		A7.2	Tree species provide 30%	Existing trees that are to be

Performance Criteria	Acceptable Solutions	Comment / Compliance
designed and enhance the residential amenity.	shade over the area within 5 years.	retained as part of the development shade more than 30% of the site.
	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.	Existing trees that are to be retained as part of the development shade more than 50% of the landscape and recreation area.
	A7.4 Plants are located to provide shelter and shade to Habitable Rooms and outdoor Recreation Areas from the hot summer sun.	The proposed Caretakers Residence is an existing dwelling house and no additional planting is required to facilitate the change of use.
P8 Undesirable features are screened with Landscaping.	A8.1 Landscaping of Dense Planting is planted along and near retaining walls, long blank walls of Buildings, mechanical and air-conditioning units, clothes drying areas, bin enclosures and other utility structures with appropriate trees, shrubs and groundcovers.	The site is heavily vegetated with existing screening provided at the frontage and site boundaries
P9 The environmental values of the Site and adjacent land are enhanced.	A9.1 Landscaping using similar endemic or native species is planted on-site on land adjoining an area of natural environmental value.	The proposed Caretakers Residence is an existing dwelling house and no additional vegetation removal is required to facilitate the change of use.
<b>Streetscape &amp; Site Amenity</b>		
P10 Landscaping for residential development enhances the	A10.1 Dense Planting along the	The existing landscaping to the site frontage is to be retained and no

Performance Criteria	Acceptable Solutions	Comment / Compliance
streetscape and the visual appearance of the development.	<p>front of the Site incorporates:</p> <ul style="list-style-type: none"> <li>• shade canopy trees to provide shade to the Frontage of the Site within 5 years of planting;</li> <li>• landscape screening of blank walls;</li> <li>• low shrubs, groundcovers and mulch to completely cover unsealed ground.</li> </ul>	further planting is considered necessary.
	<p>A10.2 Dense Planting to the rear of the Site incorporates:</p> <ul style="list-style-type: none"> <li>• 1 shade tree for an average of every 75 m<sup>2</sup>, growing to the Building eave Height within 5 years of planting;</li> <li>• screening shrubs to grow to 3 metres in Height within 2 years of planting;</li> <li>• low shrubs, groundcovers and mulch to completely cover unsealed ground.</li> </ul>	Dense planting covers the majority of the rear of the site and is to be retained as part of the development.
	<p>A10.3 Dense Planting to the side boundaries</p>	Dense planting covers the majority of the side boundaries of the site

Performance Criteria	Acceptable Solutions	Comment / Compliance
	<p>incorporates:</p> <ul style="list-style-type: none"> <li>• trees planted for an average of every 10 metres where adjacent to a Building;</li> <li>• low shrubs, groundcovers and mulch to completely cover unsealed ground.</li> </ul>	<p>and is to be retained as part of the development.</p>
<p>P11 Landscaping for non-residential development enhances the streetscape and the visual appearance of the development.</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"> <li>• shade canopy trees to provide shade to the Frontage of the Site within 5 years of planting where appropriate;</li> <li>• landscape screening of blank walls;</li> <li>• low shrubs, groundcovers and mulch to completely cover unsealed ground.</li> </ul> <p>A11.2 Dense Planting to the rear of the Site where a Building is Setback from the rear</p>	<p>The existing landscaping to the site frontage is to be retained and no further planting is considered necessary.</p> <p>Dense planting covers the majority of the rear of the site and is to be retained as part of the</p>



Performance Criteria	Acceptable Solutions	Comment / Compliance
	<p>alignment, incorporates:</p> <ul style="list-style-type: none"> <li>• 1 shade tree for an average of every 75 m<sup>2</sup> growing to the Building eave Height within 5 years of planting;</li> <li>• screening shrubs to grow to 3 metres in Height within 2 years of planting;</li> <li>• low shrubs, groundcovers and mulch to completely cover unsealed ground.</li> </ul>	development.
	<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: 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</p>	Dense planting covers the majority of the side boundaries of the site and is to be retained as part of the development.

Performance Criteria	Acceptable Solutions	Comment / Compliance
	ground.	
	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.	Dense and mature planting covers the majority of the vegetated areas of the site and is to be retained as part of the development.
<b>Maintenance &amp; Drainage</b>		
P12 Landscaped areas are designed in order to be maintained in an efficient manner.	A12.1 A maintenance program is undertaken in accordance with the Maintenance Schedule in Planning Scheme Policy No 7 – Landscaping.	Excluding the areas used for an orchard the site is to be predominantly retained in its natural state with limited intervention maintenance required.
	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.	Excluding the areas used for an orchard the site is to be predominantly retained in its natural state with limited intervention maintenance required
	A12.3 Turf areas are accessible by standard lawn maintenance equipment.	Turf areas would be limited to that surrounding the Caretakers Residence and would be accessible to provide standard lawn maintenance.
	A12.4 Plant species are selected with long life expectancy and minimal maintenance requirements where on- Site management will be limited.	Excluding the areas used for an orchard the site is to be predominantly retained in its natural state with limited intervention maintenance required
	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	Excluding the areas used for an orchard the site is to be predominantly retained in its natural state with limited intervention maintenance required.

Performance Criteria		Acceptable Solutions	Comment / Compliance
		maintenance program.	
P13	Stormwater runoff is minimised and re- used in Landscaping through water infiltration, where appropriate.	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.	Excluding the areas used for an orchard the site is to be predominantly retained in its natural state with limited stormwater management required.
		A13.2 Overland flow paths are not to be restricted by Landscaping works.	Excluding the areas used for an orchard the site is to be predominantly retained in its natural state.
		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.	Excluding the areas used for an orchard the site is to be predominantly retained in its natural state.
<b>Safety</b>			
P14	Tree species and their location accommodate vehicle and pedestrian sight lines.	A14.1 Trees located near pathways, driveways, Access points, parking areas and street corners have a minimum 3.0 metres of clear trunk.	Excluding the areas used for an orchard the site is to be predominantly retained in its natural state with existing sightlines maintained.
P15	The landscape design enhances personal safety and reduces the potential for crime and vandalism.	A15.1 Security and foot lighting is provided to all common areas, including car parks, entries, driveways and pathways.	Given the nature and scale of the development external lighting is not considered necessary to meet requirements of personal safety.
		A15.2 Hard surfaces are stable, non-slippery and useable in all weathers.	Hard surfaces will be maintained by the operator to ensure that they are not slippery.
		A15.3 Bushfire hazard is minimised	Excluding the areas used for an

Performance Criteria	Acceptable Solutions	Comment / Compliance
	with planting of bushfire resistant species near bushfire prone areas, (refer to the Bushfire Risk Overlay on the relevant Locality Map).	orchard the site is to be predominantly retained in its natural state with limited intervention required.
	A15.4 Lighting for bicycle paths is provided in accordance with the relevant Australian Standards	N/A no bicycle paths proposed.
<b>Utilities &amp; Services</b>		
P16 The location and type of plant species does not adversely affect the function and accessibility of services and facilities and service areas.	A16.1 Plant species are selected and sited with consideration to the location of overhead and underground services.	No additional planting is proposed in proximity of powerlines.
	A16.2 All underground services are to be located under pathways and below the eaves of the Building.	N/A there are no underground services.
	A16.3 Irrigation control devices are located in the common Landscaping and Recreation Area.	N/A irrigation is not proposed.
	A16.4 Landscaping is located to enable trade persons to Access and view meters and other mechanical equipment within the Site.	The site would be accessible to relevant tradespersons.
	A16.5 Landscaping does not limit Access for service vehicles or rubbish trucks to utility areas, bin enclosures or docking areas.	Existing landscaping, which would be retained, does not inhibit access.
	A16.6 Landscaping near electric lines or substations is	No landscaping in proximity to electricity lines is proposed as part

Performance Criteria	Acceptable Solutions	Comment / Compliance
	<p>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"> <li>• in an electric line shadow; or</li> <li>• within 5.0 metres of an electric line shadow; or</li> <li>• within 5.0 metres of a substation boundary.</li> </ul>	of this development.
	<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>	No landscaping in proximity to electricity lines is proposed as part of this development.
	<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>	N/A the site does not adjoin electricity infrastructure.