

IDAS form 1—Application details

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

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

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

For all development applications, you must:

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

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

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

This form and any other IDAS form relevant to your application must be used for development applications relating to strategic port land and Brisbane core port land under the *Transport Infrastructure Act 1994* and airport land under the *Airport Assets (Restructuring and Disposal) Act 2008*. Whenever a planning scheme is mentioned, take it to mean land use plan for the strategic port land, Brisbane core port land or airport land.

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

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

Mandatory requirements

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

Name/s (individual or company name in full)

The Australian Chocolate Farm

For companies, contact name

Darryl & Jennifer Kirk

Postal address

Po Box 1170

Suburb Mossman

State Nth Qld

Postcode 4873

Country Australia

Contact phone number

07-40981316

Mobile number (non-mandatory requirement)

Darryl 0423 182 399 Jenny 0429 826 966

Fax number (non-mandatory requirement)

n/a

DOUGLAS SHIRE COUNCIL	
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Great state. Great opportunity.

Email address (non-mandatory requirement)

Jendaz_kirk

@ Hotmail.com

Applicant's reference number (non-mandatory requirement)

422778 DSC

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

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

a) What is the nature of the development? (Please only tick one box.)

☒ Material change of use ☐ Reconfiguring a lot ☐ Building work ☐ Operational work

b) What is the approval type? (Please only tick one box.)

☐ Preliminary approval under s241 of SPA ☐ Preliminary approval under s241 and s242 of SPA ☒ Development permit

c) Provide a brief description of the proposal, including use definition and number of buildings or structures where applicable (e.g. six unit apartment building defined as a *multi-unit dwelling*, 30 lot residential subdivision etc.)

Purpose built sheds x 2 @ 6mtr x6mtr to use for making and displaying the chocolate from our own cocoa farm.

One shed to be food safe for making chocolates on site, small retail of chocolate and souvenir items , with further 10mtr carports/covered area to provide a sheltered resting area for tourists and visitors to our business which will be an Interactive walking tour of our working cocoa farm and a display of the process from cocoa bean to chocolate. Operating to primarily attract tourists to the Mossman area and showcase the Australian commercial cocoa industry from Australian grown cocoa.

As we are both qualified chefs and Darryl also a chocolatier we would like to offer a VIP dining experience amongst the cocoa farm, sell dry cocoa bean and our own brand of chocolates from our own cocoa.

With 12 acres we also feel we can also accommodate 1or 2 maximum cabins onsite for o/n stays so the tourist can have a broader experience and stay in the area longer.

d) What is the level of assessment? (Please only tick one box.)

☒ Impact assessment ☐ Code assessment

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

a) What is the nature of development? (Please only tick one box.)

☒ Material change of use ☐ Reconfiguring a lot ☐ Building work ☐ Operational work

b) What is the approval type? (Please only tick one box.)

☐ Preliminary approval under s241 of SPA ☐ Preliminary approval under s241 and s242 of SPA ☐ Development permit

c) Provide a brief description of the proposal, including use definition and number of buildings or structures where applicable (e.g. six unit apartment building defined as a *multi-unit dwelling*, 30 lot residential subdivision etc.)

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d) What is the level of assessment?

☒ Impact assessment ☐ Code assessment

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

☐ Refer attached schedule ☐ Not required

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

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

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

Street address					Lot on plan description		Local government area (e.g. Logan, Cairns)
Lot	Unit no.	Street no.	Street name and official suburb/ locality name	Post-code	Lot no.	Plan type and plan no.	
i)		Lot 1	Mountainview drive	4873	1	RP857603	Douglas Shire
ii)			Shannonvale				
iii)	(Dual Access)		43r Borzi road		1	SP121806	Dual access property

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

Lot	Applicable zone / precinct	Applicable local plan / precinct	Applicable overlay/s
i)			
ii)			
iii)			

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

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

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

Total land area 4.711 ha

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

Vacant land

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

☒ No ☐ Yes—provide details below

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

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

☐ No
☒ Yes—complete either Table F, Table G or Table H as applicable

Table F

Name of owner/s of the land **Darryl & Jennifer Kirk**

I/We, the above-mentioned owner/s of the land, consent to the making of this application.

Signature of owner/s of the land

Date **13-12-2016**

Table G

Name of owner/s of the land

☐ The owner's written consent is attached or will be provided separately to the assessment manager.

Table H

Name of owner/s of the land

☐ By making this application, I, the applicant, declare that the owner has given written consent to the making of the application.

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

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

Table I

Name of water body, watercourse or aquifer

Ball creek

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

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

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

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

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

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

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

- ☒ No—go to question 12 ☐ Yes

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

- ☐ No
☐ Yes—complete Table L and submit with this application the yellow local government/private certifier's copy of the receipted QLeave form

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

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

- ☒ No
☐ Yes—please provide details below

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

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

Description of attachment or title of attachment	Method of lodgement to assessment manager
Cover letter	Hard copy
IDAS form 1	Hard copy
IDAS form 5	Hard copy
Confirmation of fee reduction letter and email DSC ref: 422778	Hard copy
Geoff Ward Plumbing Site Report	Hard Copy
Rural Planning Area Code	Hard Copy
Rural Areas and Rural Settlement Locality Guide	Hard Copy
Natural Hazards Code	Hard Copy
Filling and Excavation Code	Hard Copy
Design and Siting of Advertising Code	Hard Copy
Tourism Attraction Code	Hard Copy
Vehicle Parking and Access Code	Hard Copy
Home Based Business	Hard Copy
Host Farmstay	Hard Copy

14. Applicant's declaration

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

Notes for completing this form

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

Applicant details

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

Question 1

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

Question 6

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

Question 7

- If the premises is listed on either the Contaminated Land Register (CLR) or the Environmental Management Register (EMR) under the *Environmental Protection Act 1994* it may be necessary to seek compliance assessment. Schedule 18 of the Sustainable Planning Regulation 2009 identifies where compliance assessment is required.

Question 11

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

Question 12

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

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

OFFICE USE ONLY

Date received

Reference numbers

NOTIFICATION OF ENGAGEMENT OF A PRIVATE CERTIFIER

To

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

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

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

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

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

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

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

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

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

For all development applications, you must:

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

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

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

This form must also be used for material change of use on strategic port land and Brisbane core port land under the *Transport Infrastructure Act 1994* and airport land under the *Airport Assets (Restructuring and Disposal) Act 2008* that requires assessment against the land use plan for that land. Whenever a planning scheme is mentioned, take it to mean land use plan for the strategic port land, Brisbane core port land or airport land.

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

Mandatory requirements

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

General explanation of the proposed use	Planning scheme definition (include each definition in a new row) (non-mandatory)	No. of dwelling units (if applicable) or gross floor area (if applicable)	Days and hours of operation (if applicable)	No. of employees (if applicable)
Interactive cocoa farm tours, chocolate making, educational tours, small retail, light lunches, cocoa bean to bar processing display,	Tourist Attraction	2 Buildings 1- 6mtr x 7.5mtr 2- 12 mtr x 8 mtr	7 days 8am-6pm Quiet/wet season by apt'	6-8 Plus casuals when busy
One cabin for the tourist to stay overnight and get a broader experience of both our cocoa operation but also the Mossman area.	Host Farm Stay	1- unit 8 mtr x 4.5 mtr	7 days/nights	1 cleaner

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

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

OFFICE USE ONLY

Date received

Reference numbers

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

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

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

Mandatory supporting information

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

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

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

☒ No ☐ Yes—provide details below

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

The Australian Chocolate Farm

Jennifer & Darryl Kirk

Po Box 1170

Mossman 4873 Nth Qld.

E: kirkyskoko@gmail.com

Mob: Darryl 0423182399

Jenny 0429826966

Re: Cover Letter -applying for Material Change of Use on a portion of our property to accommodate a Tourist Attraction & Host Farm Stay.

Material Change of Use & Fee Reduction Approval (Council Ref No:422778)

To whom it may concern.

The Australian Chocolate Farm wishes to apply for a proposed business venture, establishing both a Tourist Attraction and Host Farm Accommodation located solely on our Shannonvale property.

We intend to build new purpose built buildings for this attraction. The entrance will be off the front of our land being Lot 1 Mountainview Cres, Shannonvale. The road leads to the quarry we are the last property on the right.

As per our site plan the entire venture is set back approximately 100 mtrs from the roadway although still visible from Mountainview Cres, the cabin would be completely hidden from sight .There is a pre-existing road with road base.

We plan 2 buildings for the Tourist Attraction. The larger of the two would serve as retail for the sale of our own chocolates and chocolate products made on site from our cocoa beans. As Darryl is a chocolatier and our product proven on the world stage this year when he achieved both Silver and Bronze in the International Chocolate Awards in New York and London we feel we have a unique point of difference to attract both tourists and locals. We both have a longstanding career in hospitality.

A small café for light refreshments (no alcohol) and light lunches and an interactive display of the bean to bar process for visitors that do a farm tour. The farm "tour" would include a walk into the cocoa plantation close to the main building to learn about the cocoa tree.

The smaller building would contain a small scale commercial kitchen to make the chocolate and any food for light meals. We do not require a large kitchen to do this.

Operating Hours:

We intend to be available to cater mostly to the visiting tourist so would open 7 days from 8am - 6pm. With scheduled tour times. Not less than 48 weeks per year. Our prime focus is our Australian grown cocoa and our single origin chocolate. To promote Mossman and the shire to attract and keep tourists in the area longer.

We envisage two types of visitors to the attraction.

- Those who might be on a tour with time constraints or just wanting a brief visit to buy chocolates, visit the café, get a quick basic understanding of chocolate production.
- The serious chocoholics and who want a deeper understanding of the whole bean to bar process. And the self-drive visitor not with any time constraints.

As chocolate production is an involved process and we are also fortunate to be in a beautiful location we wanted to be able to offer overnight accommodation for those with a serious interest or just to keep the tourist in the area longer as we are so close to many other attractions, the Shannonvale

winery, Mossman gorge, the Daintree etc. Having had previous food business's in the area we are passionate to attract and keep more visitors and give them a reason to stay overnight in our part of the shire.

Anticipated visitors daily would be 50-100 in tourist season and 0-50 on the quiet days.

We would sell our chocolates onsite and online only. We will package onsite.

The site allows easy flat access with ample manoeuvring area. We will meet all local council requirements to maintain the acceptable standards for our shire. As the land area is currently just grassy and flat we can plan the trees and garden areas to suit. There is ample designated parking area with easy entry and exit suitable for all vehicles.

Initially we plan 1 x disability toilet with a design that will allow us to add a further toilet if needed later.

We have had the site soil tested and spoken with a private building certifier (Jeff Evans) who advised we need to add a second septic tank to accommodate the venture.

Water will be supplied from the bore on the property.

Summary:

- We anticipate the tourist attraction open to the general public to visit the retail/café' outlet to purchase chocolates, chocolate products or light meals & refreshments
- Farm tours will be promoted to the self-drive visitor and smaller(minibus) tour groups.
- We intend to operate 7 days, 8am-6pm, with scheduled tours approx. 6-8 per day ,15 Pax maximum per tour to accommodate the small tour group timetables
- Reduced days and hours in quiet season
- We wish to employ permanent locals not passing backpackers.
- We anticipate to make approx.' 250kilos chocolate on site per year.

We look forward to council's support

Thank You

Darryl and Jenny Kirk

(Friday, 16 December 2016)

YOUR REF:
OUR REF: 422778

30 June 2014

Darryl & Jennifer Kirk
The Australian Chocolate Farm
PO Box 1170
Mossman, QLD, 4873

Dear Mr and Mrs Kirk

**PRE-LODGEEMENT 'WITHOUT PREJUDICE' ENQUIRY – PROPOSED
TOURIST ATTRACTION AT MOUNTAIN VIEW DRIVE, SHANNONVALE**

Development Proposal

It is noted that you intend to establish The Australian Chocolate Farm "Farm Tours" (Tourist Attraction) on your residence at 43 Borzi Rd, Shannonvale with the entrance proposed to be located off Mountain View Drive, Shannonvale. The site is situated in the Rural Areas and Rural Settlement Locality, within the Rural Planning Area.

Your proposal is identified as a Tourist Attraction and an Impact Assessable Land Use within the Rural Planning Area. Impact Assessable development is assessed against the entire Planning Scheme and triggers the requirement to publically notify the development.

It is noted that you intend to erect a purpose built shed for activities relating directly to the Tourist Attraction containing toilet facilities, enclosed food area to display chocolate making process, retail services and area for tables and chairs for tastings of chocolates as part of the tours.

Under the Planning Scheme the proposed development falls within the land use definition of Tourist Attraction which is defined as "the use of premises for an activity or range of activities which showcase the surrounding environmental or agricultural/rural attractions and are designed and operated primarily to attract tourists. The use includes – interpretive/educational facilities...small scale ancillary facilities such as:

- Retail outlet for the sale of souvenirs and similar items
- Kiosk, or
- Restaurant.

Planning Scheme Requirements

Douglas Shire Planning Scheme, 2008		Code Applicability
Planning Area	Rural	✓
Defined Use	Tourist Attraction	✓
General	Vehicle parking and access code	✓
	Design and Siting of advertising devices code	✓

Issues to be addressed

Proposed Use

Further clarification would be required in relation to the purpose built shed with respect to the refreshments being offered and to whom. The proposal would need to clarify if the refreshments / rest area would be ancillary to the Tourist Attraction use or do you anticipate making trade available to the general public who are not partaking in any of the other activities available onsite.

Onsite Effluent

As part of any future development application, it will be necessary to provide information to demonstrate that a sufficient onsite effluent facility exists or is able to be provided to accommodate the increased demand. It is recommended that you make contact with a hydraulic consultant or suitable qualified expert who can assist you in this regard and provide that detail as supporting information to the development application.

Development Approvals Required

A development application for Material Change of Use will be required for the proposed Tourist Attraction. The prescribed application fee for a Tourist Attraction use is \$8,321.00 however given the nature and scale of the proposed development as detailed in your enquiry a fee of \$1464.00 is considered more appropriate and would apply in this instance.

The application for Material Change of Use must include a submission fully detailing the nature of the proposal, including supporting information to address the above planning scheme codes. It is also requested that the following be provided:-

1. Detailed description of the proposal including, hours of operation, anticipated patronage and whether you intend to provide a service to the general public i.e passing trade;
2. Accurate and scaled site plan and floor plans of existing and proposed buildings and an indication of the drainage of the site, to the extent necessary;
3. Details of the onsite effluent facility and the ability to accommodate additional demand generated by the development;



EARTH TEST

Site Classification

And

Wastewater Management System

For

Darryl Kirk

At

43 Borzi Road

Shannonvale

Postal address: Earth Test, PO Box 1042, Tolga, Qld 4882. Phone: 4095 4734
e-mail: len@earthtest.com.au



INTRODUCTION:

Earth Test has been engaged by Darryl Kirk to assess, design and report on Site Classification and a Domestic Wastewater Management System at 43 Borzi Road, Shannonvale.

Real Property Description:-

Lot 1, on SP 121806

Local Authority: Douglas Shire Council.

It is understood the intention is to construct a one bedroom cabin, Souvenir Shop and kitchen at the site.

A site and soil evaluation was carried out in November 2016.

SITE FACTORS:

The site was identified during a meeting with the owners on-site.

The Lot has an area of 4.711 acres and is predominantly covered with grass and existing cocoa plantation.

The water supply to the site is from a bore as shown on the site plan.

No rock outcrops were noted at the site. An intermittent watercourse is shown on the site plan. One Dynamic Cone Penetrometer test was performed at location DCP1 and two boreholes BH1 & BH2 as shown on the site plan.

Atterberg Limits tests were performed on a disturbed sample from Borehole1.



BH1 being drilled at 43 Borzi Road, Shannonvale

**SITE INVESTIGATION REPORT****BOREHOLE LOG**

CLIENT: Darryl Kirk.		DATE SAMPLED: 21/11/2016
PROJECT: 43 Borzi Road, Shannonvale.		Sampled by: L. Quinn
REPORT DATE: 2/12/2016		
BOREHOLE No: BH1		
DEPTH (m)	DESCRIPTION	COMMENTS
0.0-1.8	Brown Clayey-Silt	Disturbed sample 0.6- 0.9m.
1.8	River Gravel	Watertable not encountered

**ATTERBERG LIMITS TEST REPORT****CLIENT:** Darryl Kirk**SAMPLE No:** SI 425-16**PROJECT:** 43 Borzi Road, Shannonvale**DATE SAMPLED:** 21/11/2016**SAMPLE DETAILS:** BH1 0.6-0.9m**Sampled by:** L. Quinn**REPORT DATE:** 2/12/2016**Tested By:** G. Negri

TEST METHOD		RESULT
Liquid Limit:	AS 1289.3.1.2	24%
Plastic Limit:	AS 1289.3.2.1	20%
Plasticity Index:	AS 1289.3.3.1	4%
Linear Shrinkage:	AS 1289.3.4.1	3.5%
Length Of Mould:		250.2mm
Cracking, Crumbling, Curling, Number Of Breaks:		Nil
Sample History:		Air Dried
Preparation Method:		Dry Sieved
Insitu Moisture Content:		8.7%
% Passing 0.075mm:		36%

**DYNAMIC CONE PENETROMETER REPORT**
AS 1289.6.3.2**CLIENT:** Darryl Kirk**SAMPLE No:** SI 425-16**PROJECT:** 43 Borzi Road, Shannonvale.**DATE SAMPLED:** 21/11/2016**SAMPLE DETAILS:** Site "DCP1" as per site plan.**Tested By:** L. Quinn**REPORT DATE:** 2/12/2016

DEPTH (Metres)	Site: DCP1
	No Blows
0.0 – 0.1	3
0.1 – 0.2	3
0.2 – 0.3	3
0.3 – 0.4	4
0.4 – 0.5	3
0.5 – 0.6	4
0.6 – 0.7	4
0.7 – 0.8	3
0.8 – 0.9	3
0.9 – 1.0	4
1.0 – 1.1	3
1.1 – 1.2	3
1.2 – 1.3	4
1.3 – 1.4	
1.4 – 1.5	
1.5 – 1.6	
1.6 – 1.7	
1.7 – 1.8	
1.8 – 1.9	
1.9 – 2.0	



SITE CLASSIFICATION

43 Borzi Road, Shannonvale.

The Dynamic Cone Penetrometer test results indicate adequate allowable bearing pressure to 1.5m.

The Atterberg Limits test results indicate a slightly reactive soil.

The characteristic surface movement (y_s) is estimated to be in the $0 < y_s \leq 20\text{mm}$ range. According to TABLE 2.3 of AS 2870-2011 the site must be classified **CLASS-"S"**.

To comply with the "Building Services Board Subsidence Policy" advice should be sought from a Registered Professional Engineer for footing design.

All site works must be carried out in accordance with AS 3798-2007 "Guidelines on earthworks for commercial and residential developments"

If the depth of any cut exceeds 0.5m or uncontrolled fill exceeds 0.4m the classification shall be reconsidered.

Because this investigation is limited in scope and extent, it is possible that areas may exist which differ from those shown on the test hole records and used in the site classification. Should any variation from the reported conditions be encountered during excavation work, this office must be notified immediately so that reappraisal of the classification can be made.

Leonard Quinn.
Earth Test.

**SITE AND SOIL EVALUATION****43 Borzi Road, Shannonvale.**

The site and soil evaluation carried out on 21/11/2016 provided the following results.

Site Assessment

<u>Site Factor</u>	<u>Result</u>
Slope	1 Degree
Shape	Linear-Planar
Aspect	North
Exposure	Good.
Erosion/land slip	Not noted.
Boulders/rock outcrop	Not noted
Vegetation	Grass near cocoa plantation.
Watercourse/Bores	As shown on site plan.
Water table	Not encountered during investigation.
Fill	Not noted.
Flooding	Not likely.
Channelled run-off	Not found
Soil surface conditions	Firm, Moist
Other site specific factors	Nil

Soil Assessment

<u>Soil Property</u>	<u>Result</u>
Colour	Brown
Texture	Loam
Structure	High
Coarse Fragments	Nil
Measured Permeability Ksat (m/d)	Not measured
Dispersion	Slakes
Soil Category	3
Resultant Design Load Rate, DLR (mm/day)	30



WASTEWATER MANAGEMENT SYSTEM

An "All-Waste" septic tank discharging into an "Advanced Enviro-Septic" bed is considered suitable for this site.

This system has been designed to conform to the requirements of the following codes, acts, regulations and standards. All work to be carried out in accordance with the following codes.

- AS/NZ 1547:2012 On-site domestic-wastewater management.
- Queensland PLUMBING AND DRAINAGE ACT 2002.
- Queensland STANDARD PLUMBING AND DRAINAGE REGULATION 2003.
- Queensland PLUMBING AND WASTEWATER CODE.

SYSTEM SIZING FACTORS.

A population equivalent of two (2) persons has been chosen for the proposed one bedroom cabin, thirty six (36) persons visiting the site during plantation tours and a kitchen.

The site is connected to a bore water supply system.

Standard water-reduction fixtures must be used to ensure the integrity of the system.

They shall include:-

- Dual flush 6/3 Litre water closets.
- Shower-flow restrictors.
- Aerator faucets (taps).
- Water-conserving automatic washing machines.

Note: - Garbage grinders are not permitted.

The total flow was calculated using the "Department of Natural Resources and Mines (Determining Capacity of Sewage Treatment Plants based on Use Conditions) guidelines. The guide gives a flow allowance of 100 L/Person/Day for Hotels/Motels and 10 L/Person/Day for Coffee/Tea Shops/Kiosk.

The daily flow for the site (2 persons @ 100 L/person/day for the cabin, 36 persons @ 10 L/person/day for the souvenir shop and 200L/Day for the kitchen) will be 760L/day.

From AS/NZ 1547:2012 Table J1 the minimum capacity of the All-Waste septic tank required is 3000 L.

The tank must NOT be fitted with an outlet filter.



LAND-APPLICATION SYSTEM

DISPOSAL AREA SIZING

From AS/NZ 1547:2012 APPENDIX L, L4 DESIGN AREA SIZING, L4.2 Sizing

$$L = Q / (DLR \times W)$$

Where:

L = length in m

Q = design daily flow in L/day

DLR = Design Loading Rate in mm/d

W = Width in m

$$\begin{aligned} L &= 760 / (30 \times 2.01) \\ &= 12.6\text{m.} \end{aligned}$$

Use one 2.01m wide by 12.6m long Advanced Enviro-Septic bed.

See site plan and detail cross-section.

SYSTEM SAND

All configurations of Advanced Enviro-Septic® require a minimum of 150mm of system sand surrounding the circumference of the pipe. This sand, typically gravelly coarse sand, must adhere to the following percentage and quality restrictions.

AS Sieve Size (mm)	Percent Passing %
9.50	100
4.75	95-100
2.36	80-100
1.18	50-85
0.600	25-60
0.300	5-30
0.150	0-10
0.075	0-2

If there is any doubt if the sand media will pass requirements please contact Earth Test for further advice.



SYSTEM INSTALLATION

Avoid compaction by keeping people and machinery off the finished trench or bed floor.
The system shall be installed by a licensed plumber in accordance with the manufacturer's recommendations and the relevant Australian Standards.

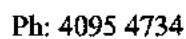
Operation and Maintenance

Homeowners should be fully informed of the proper operation and maintenance requirements of the on-site wastewater system.

Leonard Quinn
Earth Test



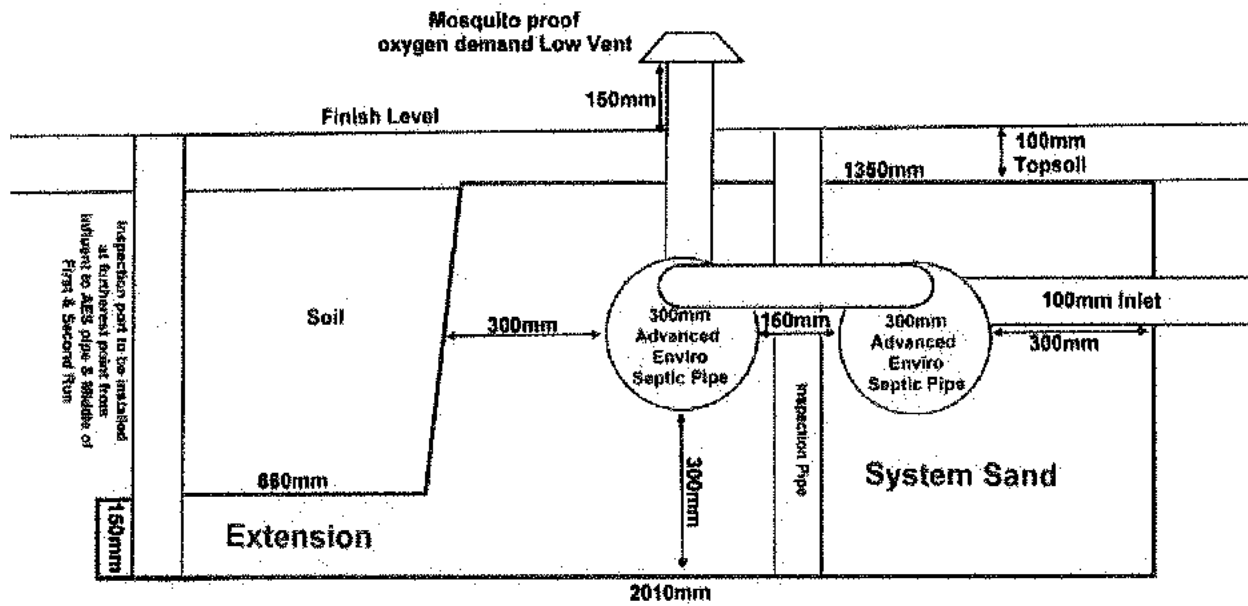
SITE PLAN
43 Borzi Road, Shannonsvale.
NOT TO SCALE





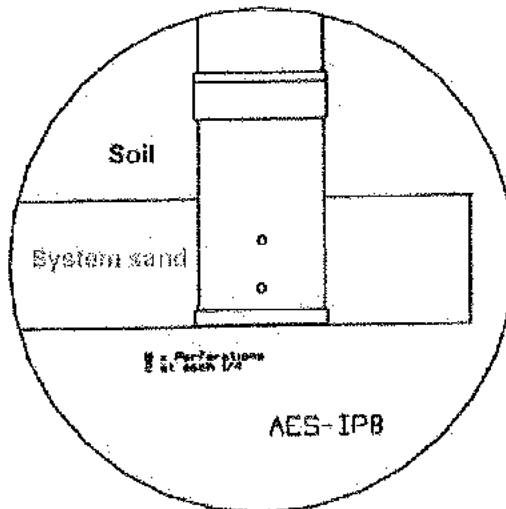
EARTH TEST

QBSA Lic No. 1017941.



Base must be scarrified 200mm deep. Parallel to AES Pipes

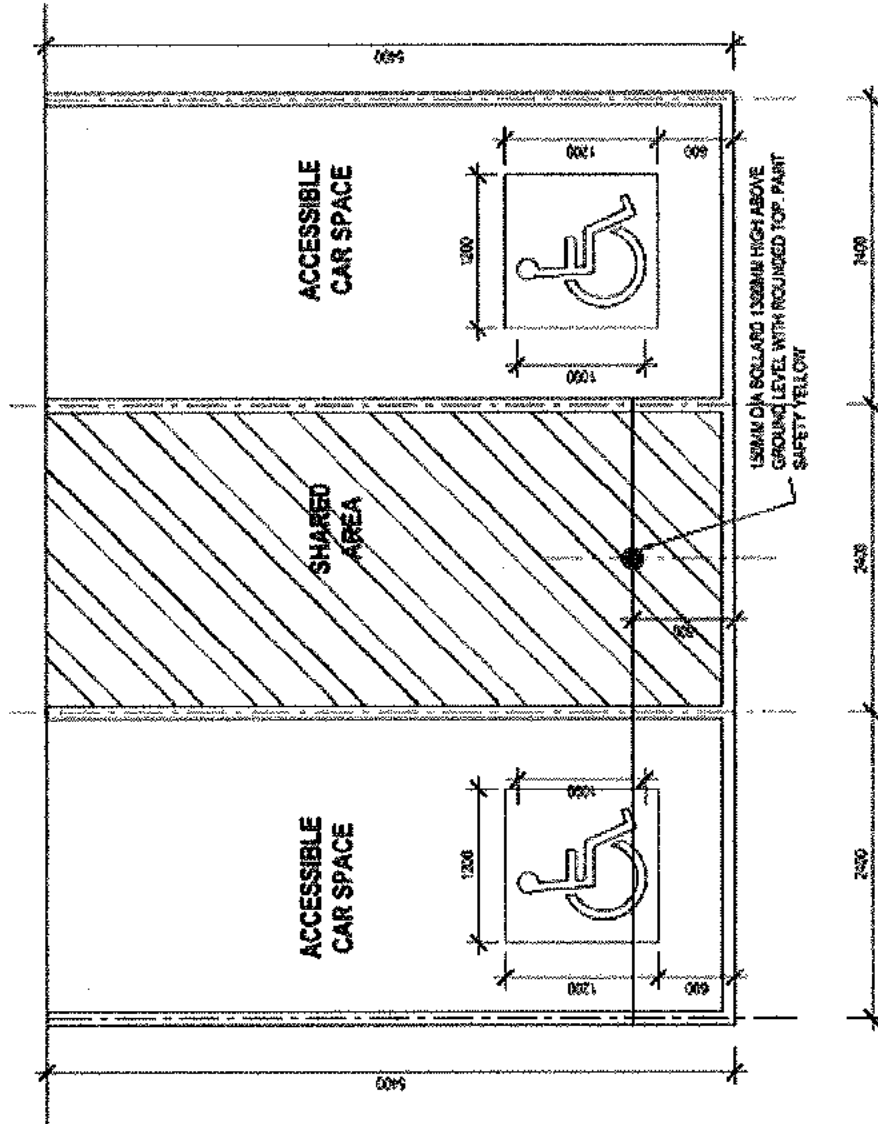
**2010mm Wide Two Pipe
Advanced Enviro-Septic Cross-Section**



AES Inspection point detail



ADVANCED ENVIRO-SEPTIC™ "Always The First Option"		Advanced Enviro-septic Design Calculator v8.5	
"Always the BEST Option" until site and soil conditions rule it out.			
Site Address	43 Beccs Road, Sharncliffe	State	QLD
Post Code			
Client Name	Donny Kak		
Designer Name	Earth Test	Designer ID Number	40954734
Designer Lic. Number		Designer Lic. Number (QLD)	1017941
Est. Number		Phone / Business Number	
Project Area Designation	Sharncliffe	Designer AES Lic. Number	
You calculated in a guide only, including soil classification, surface water, water taken and all other site conditions addressed by the qualified designer.			
System Designer will also enter personal data only.			
Enter the AES litre/meter loading rate, "30" for Advanced Secondary or "18" Secondary			
Is this a new installation? Y or N	Y	This design is for a SECONDARY system.	
Number of person	76	Maximum single vent size is 60mm or 2 x 50mm house vents.	
Daily Design Flow Allowance Litre/Person/Day	10	A septic tank outlet filter is NOT RECOMMENDED	
Number of rows required to suit site constraints	2	The maximum lth of a single AES pipe run is 30 meters	
Infiltration surface Soil Category as established by site and soil evaluation. CATEGORY	3		
Design Loading Rate based on site & soil evaluation CLR (mm/day)	30	Soil conditioning may be necessary. Ref AS1547 & Comments.	
Bore log depth below system Base/area	1450	Min depth below bore/area is 600mm to establish water table or restrictive layer	
Enter System footprint Slope in % for standard AES systems to calculate extension	1.5	Some Councils have minimum falls to Land application areas?	
Is this design a gravity system with no outlet filter? Y or N	Y	A House Vent & LOW VENT required on this system.	
PLEASE CHECK YOU HAVE FALL FROM TANK TO AES SYSTEM PIPES			
REMARKS: "The calculator does not replace the designer."			
Ripping of receiving surface is required in clay sub structures in Cat 4,5,6. In addition refer to AS 1547. Always excavate and rip parallel to the site slope/AES pipe.			
Designers need to be familiar with special requirements of Local Authorities. IE - Minimum falls from Septic tank outlets to Land application areas. etc.			
Designers are reminded to practice good construction techniques as per AS 1547 and as provided on AES installation instructions supplied with components.			
AES System Dimensions		AES Dimensions	
Total System load - litres / day (DL)	760	AES System	System Extension
Min Length of AES pipe rows to treat loading	10.0	lth m (L)	12.6
Number of FULL AES Pipe lengths per row	4	Width m(W)	0.66
Total Capacity of AES System pipe in Litres	1696	Sand Depth	0.15
		Area m2	8.3
DO YOU WISH TO USE CUT LENGTHS OF PIPE IN THIS DESIGN? (ENTER Y)			
IF YOU WISH TO USE A THINER LAYERED DESIGN ENTER "Y"			
AES INFILTRATION FOOT PRINT AREA - L x W (L x W)		Length	Width
For this Basic Serial design is		12.6	0.66
		1.01	0.15
		28.3	m2 total
AES System Material			
AES PIPE	AES 5 mtr Lths required	8	mtr
AESC	AESC Couplings required	6	ea
AESD	AESD Filter adapter	4	ea
AESDGV	AES Drogen demand vent	1	ea
AES-IPB	AES 100mm inspection point base	2	ea
AES EQ	AES Speed Flow Equator	1	ea
TOTAL SYSTEM SAND REQUIRED (Guide Only)		17	m3
PLEASE email your AES CALL and Drawings to:			
DESIGNREVIEW@ADVANCED-SEPTIC.COM.AU			
ADVANCED ENVIRO-SEPTIC™ "Always The First Option"		Digitally signed by Kane Dickson DN: cn=Kane Dickson, o=Chankar Environmental, ou=Design Review, email=designreview@advanced-septic.com.au, c=AU Date: 2016.12.02 16:07:17 +10100 Designreview@advanced-septic.com.au	
The AES Calculator is a design aid to assist checking of the AES configuration and configuration and is a guide only. Site and soil conditions referencing the AS 1547 standard are calculated and designed by a Qualified Designer.			
Chankar Environmental has no responsibility for the soil parameters, loading calculations or fall entered by the designer for this calculator.			
AES pipes can be cut to length on site. They are supplied in 3 meter lth only.			
AES Design V8.5 Calculator Copy Right - Chankar Environmental Pty Ltd 1.11.2016			





3

Mountainview Drive

Quarry →

Cocoa farm
1.4 hect
1400 trees

134 mts

140 mts

19

22

Parking

Vacant land
ours

Road base drive

38

6 Kitchen
7.5

8
12

*
*
*
*
*
*
*

45

229 mtrs

35

Kitchen area 45 sq mt

1-2 x 2.4 Shared disable toilet.

(1) Approx 2200kg per annum.

(2) 45 sq mts.

(3) None

(4) 12 pax

(5) Yes - will only need and area size of kitchen table.
packaging will be done by hand.



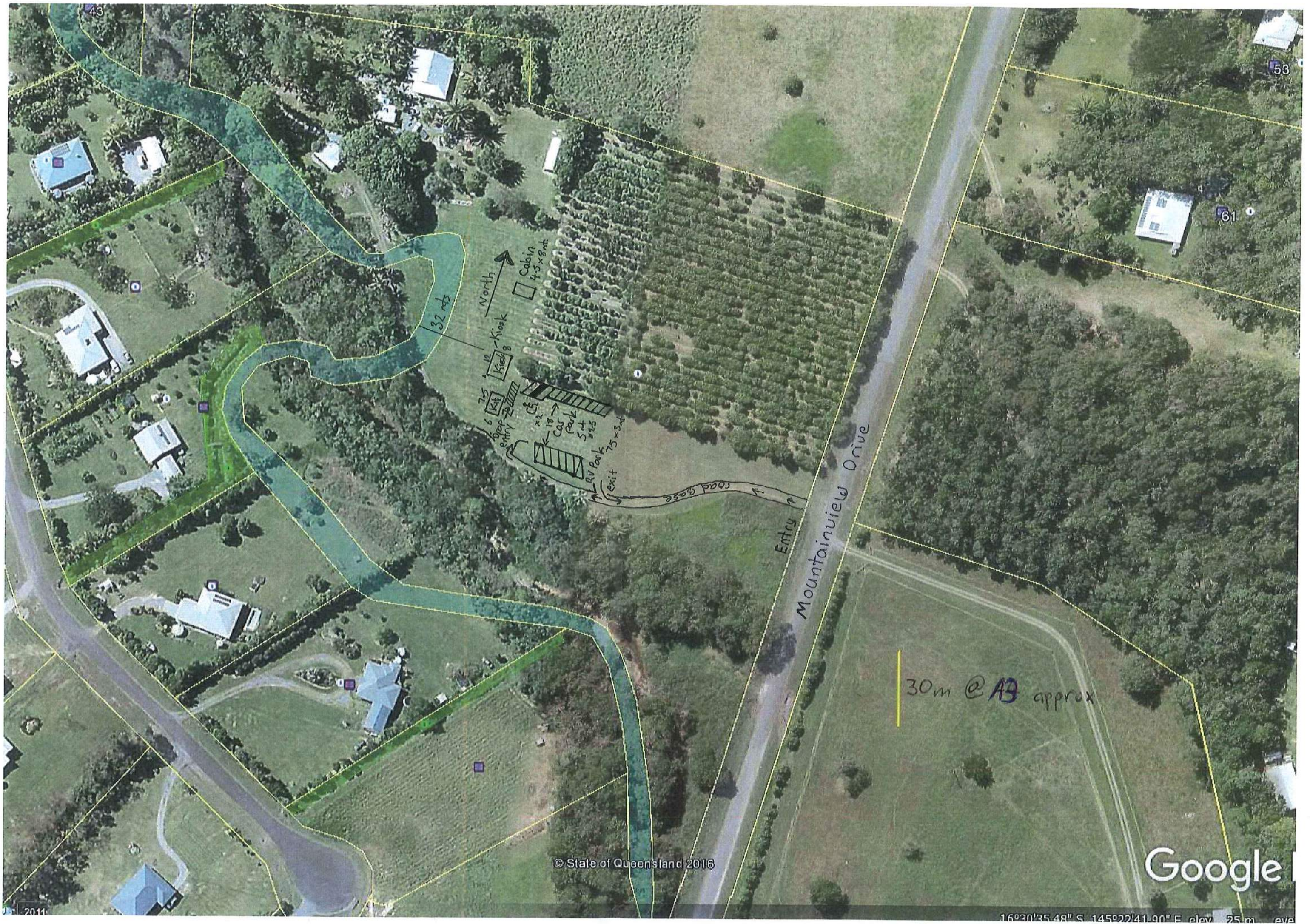
(<http://framesteel.com.au/wp-content/uploads/2015/11/Studio-Pod-Granny-Flat-Brisbane-Logan-Reserve-1.jpg>)

Flat Pack Granny Flat Kit – The Studio Pod – 4.42m x 7.94m

This Brisbane Granny Flat is a great idea for the use as a Office, Studio, Teenagers Retreat or even a play room for the kids and much more.

Granny Flat Kit – The Studio Pod Features

- Open Plan Living***
- 2 x Large Glass Sliding Doors***



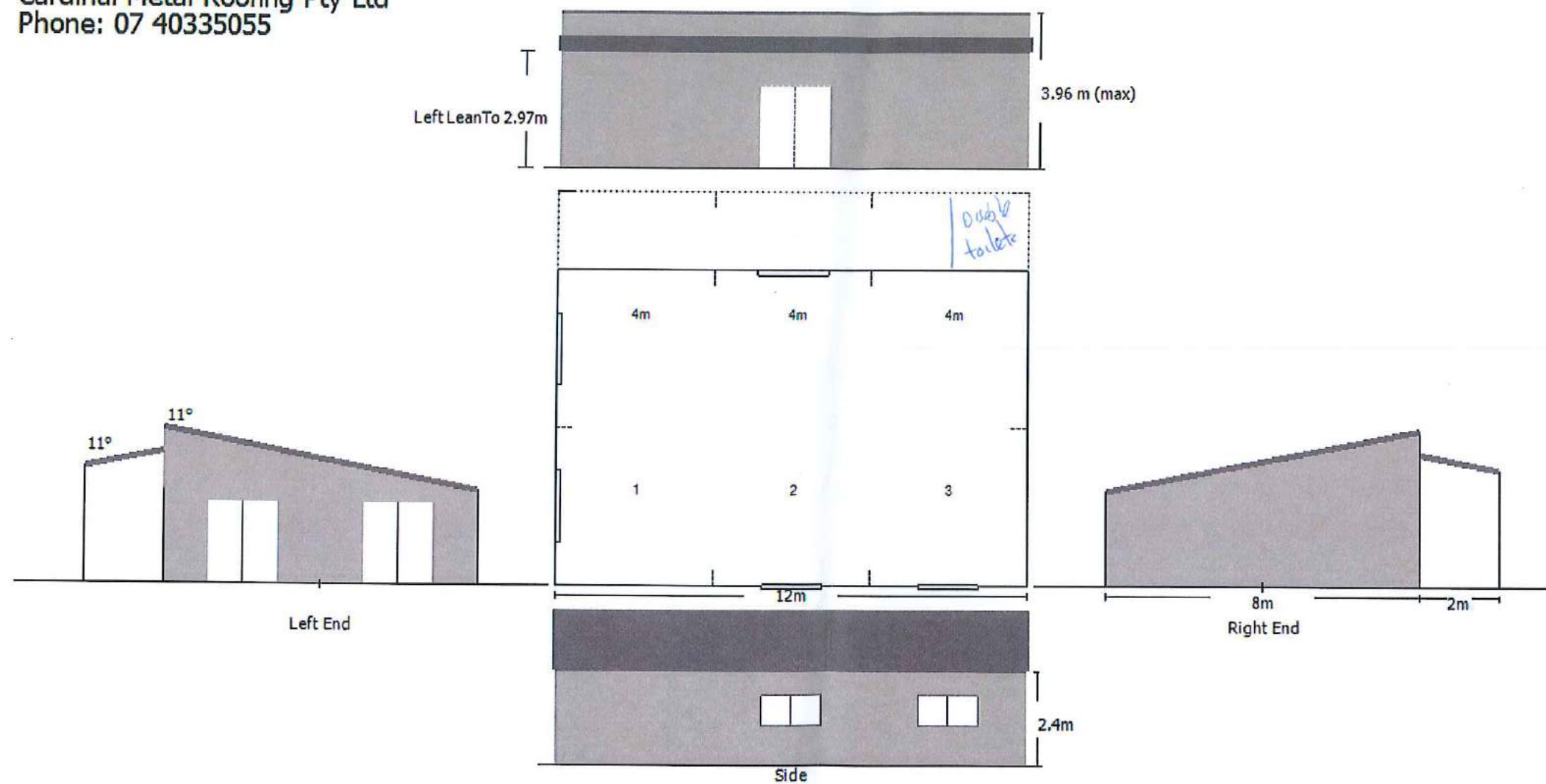
30m @ A3 approx

© State of Queensland 2016

Google

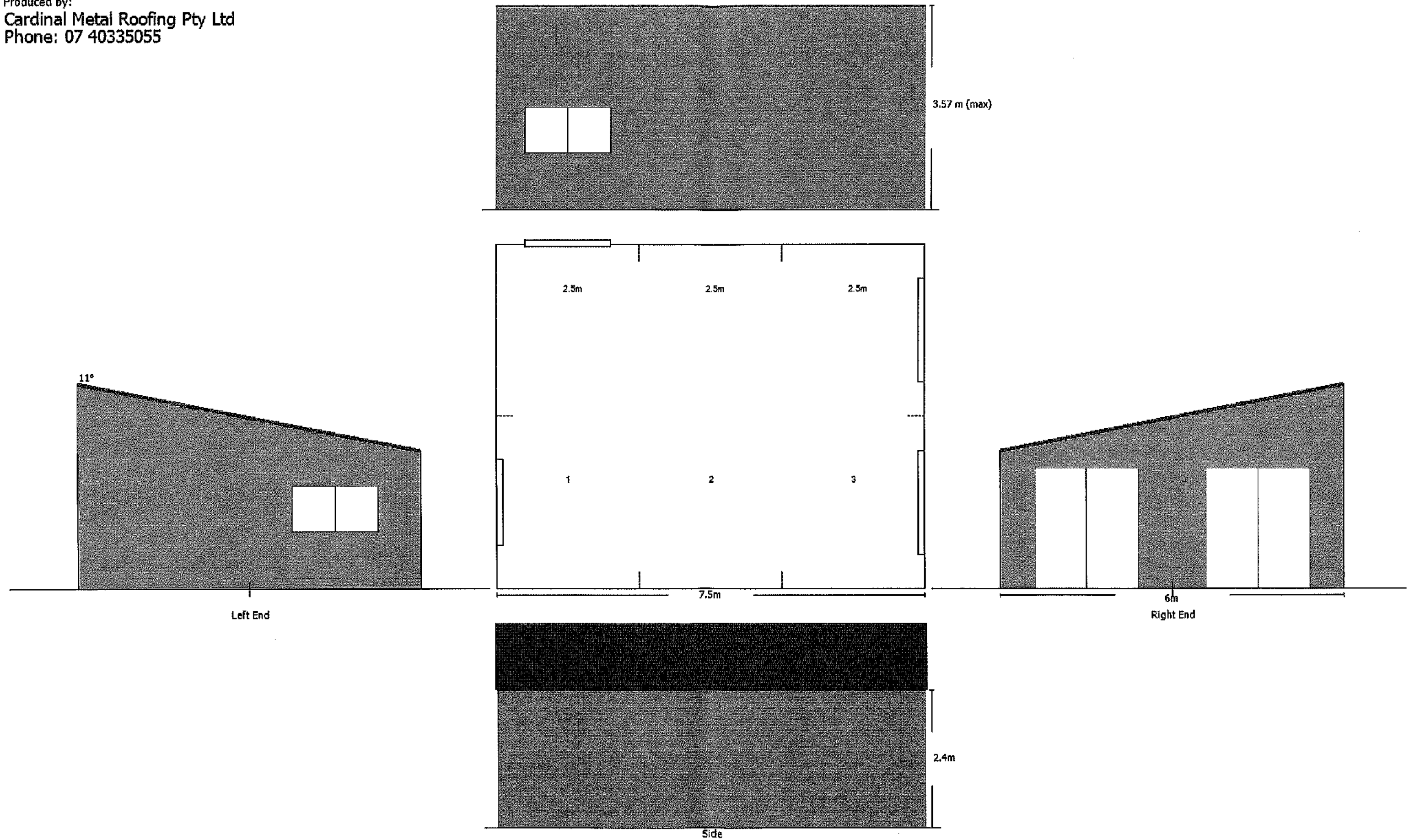
16°30'35.48" S 145°22'41.90" E elev 25m eye

Building For:
Darryl Kirk -Kiosk
43 Borzi Rd Shannonvale
Job Number: 13185
Produced by:
Cardinal Metal Roofing Pty Ltd
Phone: 07 40335055



The local distributor you are dealing with is an authorised independent distributor of Fair Dinkum Sheds' products and enters into agreements with its customers on its own behalf and not as an agent of Fair Dinkum Sheds.

Building For:
Darryl Kirk - Kitchen
43 Borzi Rd Shannonvale
Job Number: 13186
Produced by:
Cardinal Metal Roofing Pty Ltd
Phone: 07 40335055



Natural Areas and Scenic Amenities Code:

P1 –

A1.1 All buildings/structures, access roads, car parking infrastructure and landscaping facilities will be constructed within the DDA area

A1.2 Internal roads required to service the attraction will be located within the DDA

P2.

A2.1 The development will be adjacent to the existing cocoa farm. It will be within an existing cleared area next to the access road.

A2.2 The development within the DDA will not impact the surrounding landscape; it does not adversely impact on the natural environment

A2.3 There are no fences.

A2.4 All infrastructures will be built where reasonable, underground to protect the scenic amenity. Water, sewerage, electricity and telephone are to be connected.

A2.5 An existing gravel road will be used, as the attraction will be set back approximately 100mtrs from the road, speed signage will be used and speed bumps to ensure low speeds.

A2.6 Road will be U shape, for entry and exit and will not cross the Setback area/riparian corridor.

A2.7 N/A

A2.8 N/A

A2.9 There will be no change to the balance area outside the DDA

P3. N/A no filling or excavation required

P4. A corridor of trees was planted next to the watercourse by council approximately 10yrs ago to maintain the area.

A4.1 N/A

A4.2 N/A no revegetation required

A4.3 Category 3-Minor Perennial-10mtrs.

The corridor from the minor perennial watercourse to the DDA is more than 10mtrs, any buildings will be clear of the corridor.

A vegetation corridor is existing, planted by council 10yrs ago, more than 2.5mtrs. Any buildings will be setback well clear of the vegetation corridor.

A4.4 Native vegetation will be retained. The DDA is flat, clear, grassed area

P5

A5.1 N/A

A5.2 N/A

P6

A6.1 N/A

A6.2 Proposed development will be set back approx. 100mtrs from the road, single storey and will be designed to blend with the environment. Will be unobtrusive.



Elements of the Code

Development in Areas of Natural and Scenic Amenity Value

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



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



Setback Areas/Riparian Corridors

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



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

Use of Setback Areas/Riparian Corridors

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



Retaining and Protecting Highly Visible Areas

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



4.6.4 Natural Areas and Scenic Amenity Code

Purpose

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

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

Applicability

This Code applies to assessable development for:

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

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

OR

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

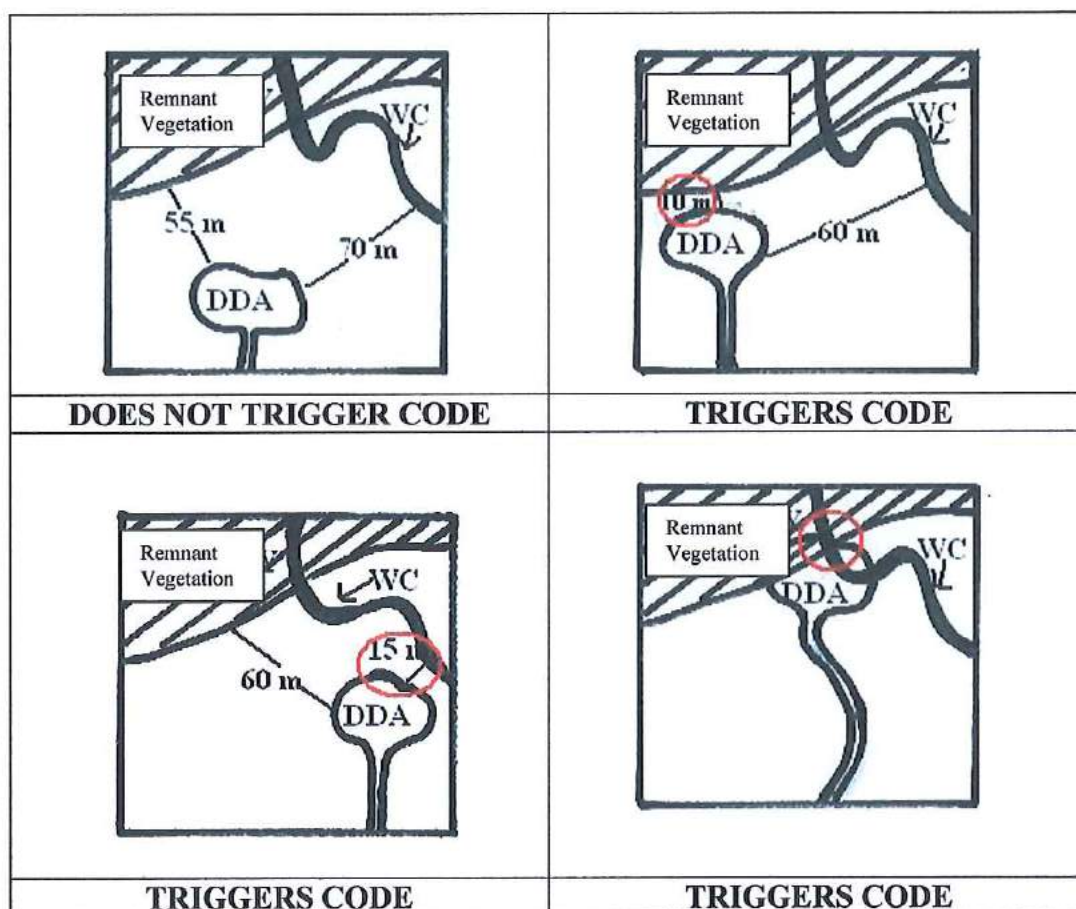
OR

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

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

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

SEE DIAGRAMS BELOW:



NOTE:

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

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

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

Rural Planning Area Code:

P1.

A1.1 The tourist attraction is not an inconsistent use in the assessment table

P2.

A2.1 We grow cocoa on our farm which is the agricultural use in accordance with the classifications of the Agricultural Land Classes identified in the shire and the requirements of State Planning Policy1/92- Development and Conservation of Agricultural Land.

P3.

A3.1 Our proposed business will not create odour, excessive noise or use agricultural chemicals. No buffer required.

P4.

A4.1 Our proposed buildings will be set back appro' 100 metres from the road and more than 6 metres from any side or rear boundaries. Rural character will be maintained. No neighbouring buildings.

P5.

A5.1 N/A

P6.

A6.1 Buildings will be in colour bond to blend in with the existing environment.

P7.

A7.1 All native vegetation along existing watercourses will be protected. Council did a planting programme along our creek approx. 10yrs ago .We will not need to clear any vegetation.

P8.

A8.1 N/A. Not a sloping site, structures will be on an area of flat ground.

Cont' -Rural Planning Area Code.

P9. N/A

P10. N/A

P11. N/A

P 12. N/A

P13. N/A

P14.

A14.1 The proposed structures will be in colour bond to complement the environment.

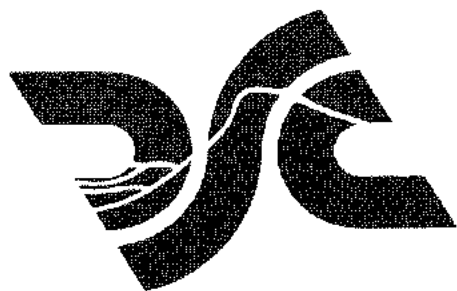
P15.

A15.2 We are intending to install energy efficient lighting and solar panels to be energy efficient.

P16. N/A

P17.

A17.1 We propose single storey structures set back approx.' 100 metres from the council road and will not compromise the visual amenity of the site and surrounding area.



RURAL





4.3 Codes for Planning Areas

4.3.1 Rural Planning Area Code

Purpose

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;
- facilitate the establishment of a wide range of agricultural and animal husbandry uses, together with other compatible primary production uses;
- facilitate the establishment of Farm Forestry in suitable locations;
- facilitate the establishment of Extractive Industry operations, provided that the significant environmental impacts of such operations are contained within the Site;
- ensure existing Extractive Industry operations are protected from incompatible land uses establishing in close proximity;
- ensure that rural activities are protected from the intrusion of incompatible uses;
- ensure that areas of remnant vegetation and riparian vegetation are retained or rehabilitated; and
- 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.

Applicability

This Code applies to self assessable and assessable development in the Rural Planning Area for:

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

For self-assessable development assessed against this Code, the applicable Acceptable Solutions are A4.1, A5.1, A12.1, A12.2, A14.1, A16.1 and A17.1.

Self assessable development which does not comply with the Acceptable Solutions listed above, will require Code Assessment.



P9	The building style and construction methods used for development on sloping Sites are responsive to the Site constraints.	A9.1	A split level building form is utilised.
		A9.2	A single plane concrete slab is not utilised.
		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.
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.
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.



Sloping Sites

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
<p>P8 Building/structures are designed and sited to be responsive to the constraints of sloping Sites.</p>	<p>A8.1 Building/structures are Erected on land with a maximum slope not exceeding 15%.</p> <p style="text-align: center;">OR</p> <p>Development proposed to be Erected on land with a maximum slope between 15% and 33% is accompanied by a Geotechnical Report prepared by a qualified engineer at development application stage.</p> <p style="text-align: center;">OR</p> <p>Development proposed to be Erected on land with a maximum slope above 33% is accompanied by a Specialist Geotechnical Report prepared by a qualified engineer at development application stage which includes sign-off that the Site can be stabilised.</p> <p style="text-align: center;">AND</p> <p>Any Building/structures proposed to be Erected on land with a maximum slope above 15% are accompanied by an additional Geotechnical Report prepared by a qualified engineer at building application stage.</p> <p>(Information that the Council may request as part of the Geotechnical Report are outlined in Planning Scheme Policy No 10 – Reports and Information the Council May Request, for code and impact assessable development.)</p>



Building/Structure Setbacks and Screening

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
<p>P4 Buildings/structures are Setback to:</p> <ul style="list-style-type: none"> • maintain the rural character of the area; and • achieve separation from neighbouring Buildings and from Road Frontages. 	<p>A4.1 Buildings/structures are Setback not less than:</p> <ul style="list-style-type: none"> • 40 metres from the property boundary adjoining a State-Controlled Road; or • 25 metres from the property boundary adjoining the Cape Tribulation Road; or • 20 metres from the property boundary fronting any other Road; and • 6 metres from the side and rear property boundaries of the Site.
<p>P5 Rural activities north of the Daintree River are screened to protect the Scenic Amenity of the area.</p>	<p>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.</p>

Rural Character

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
<p>P6 Buildings/structures are designed to maintain the rural character of the area.</p>	<p>A6.1 White and shining metallic finishes are avoided on external surfaces of Buildings located in prominent view.</p>

Protecting and Enhancing Native Vegetation and Adjacent Environmentally Sensitive Area

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
<p>P7 Native vegetation existing along Watercourses and in or adjacent to areas of environmental value or areas of remnant vegetation of value is protected²⁵.</p>	<p>No Acceptable Solution</p> <p>(Information that the Council may request to demonstrate compliance with the Performance Criteria is outlined in Planning Scheme Policy No 10 – Report and Information the Council May Request, for code and impact assessable development).</p>

²⁵ Vegetation clearing is required to be undertaken in accordance with Local Law – Vegetation Management.



Elements of the Code

Consistent and Inconsistent Uses

PERFORMANCE CRITERIA		ACCEPTABLE SOLUTIONS	
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.

Good Quality Agricultural Land

PERFORMANCE CRITERIA		ACCEPTABLE SOLUTIONS	
P2	GQAL ²⁴ 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.

Buffering Incompatible Land Uses

PERFORMANCE CRITERIA		ACCEPTABLE SOLUTIONS	
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).

²⁴ GQAL is rural land identified as 'suitable land with negligible to moderate limitations', on the *Land Suitability for Sugarcane Map* included in the document entitled: *Project Report Q091010 – Agricultural Land Suitability of the Wet Tropical Coast – Mossman – Julatten Area*, PR Wilson, Land Resources Branch, Queensland Department of Primary Industries 1991.

<p>P14 The exterior finishes of a House complements the surrounding natural environment.</p>	<p>A14.1 The exterior finishes and colours of Building/s are non reflective and complement the colours of the surrounding vegetation and viewshed.</p> <p style="text-align: center;">AND</p> <p>For self assessable development the exterior colours of Buildings/structures are chosen from the following list of Colourbond Colours:</p> <ul style="list-style-type: none"> • Jasper • Sandbank • Paperbark • Dune • Windspray • Woodland Grey • Bushland • Pale Eucalypt • Wilderness • Cottage Green • Plantation • Blue Ridge and • Ironstone.
<p>P15 A House is designed to be energy efficient and functional in a humid tropical rainforest environment.</p>	<p>A15.1 The development incorporates building design features and architectural elements detailed in Planning Scheme Policy No 2 – Building Design and Architectural Elements.</p>
<p>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.</p>	<p>A16.1 The height of cut and/or fill, whether retained or not, does not exceed 2 metres in height.</p>
<p>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.</p>	<p>A17.1 The Gross Floor Area of the House does not exceed 250m².</p>



Sustainable Siting and Design of Houses on land where the Natural Areas and Scenic Amenity Code is triggered

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
<p>P12 A House sited on hillside land is sited in an existing cleared area, or in an area approved for Clearing.</p>	<p>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.</p> <p style="text-align: center;">EXCEPT</p> <p>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.</p> <p>(The 800m²/700m² area of Clearing does not include an access driveway.)</p> <p>A12.2 The approved area for the Clearing of the House is not cleared until a Building Permit is issued.</p>
<p>P13 A House sited on hillside land is sited and designed so that it is subservient to the surrounding natural environment.</p>	<p>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.</p>

Design and Siting of Advertising Code.

P1.

A1.1 - A1.12

Currently all our signage is undecided.

We have read each requirement for the above and will comply with all council regulations regarding signage.

P2.

A2.1 Advertising devices are undecided as yet but we will comply with all relevant council conditions and ensure they are located in an appropriate area relative to the land uses in the area and the amenity and character of the area.



4.6 General Codes

4.6.1 Design and Siting of Advertising Devices Code

Purpose

The purpose of this Code is to:

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

Applicability

This Code applies to assessable development for:

- Material Change of Use:

Except for the following Uses in all Localities:

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



Elements of the Code

Signage Type

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



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

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

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

Sustainable Development Code.

P1.

A1.1 A1.2 & A1.3 Buildings will be designed to utilize natural lighting and cooling. Multiple windows on all sides to ensure airflow through the buildings. Insulation used, shaded veranda's, solar lighting, and we plan a breezeway between two buildings for the tourist attraction. We need and want to make our buildings energy efficient and will comply with council regulations to achieve this.

P2

A2.1 Our buildings will require individual hot water systems. We plan to use electricity and solar complying with a system with a minimum of 24 Renewable Energy Certificates

A2.2 N/A

P3.

A3.1 N/A

P4.

A4.1 As we plan to have a small café serving m/tea and light lunches we will install a gas cook top with a range hood and a gas or electric oven with ample ventilation.

P5.

A5.1. We agree to all electrical appliances meeting the minimum standard of 4 stars in accordance with the Australian Energy Rating Label.

P6.

A6.1 Lighting N/A

A6.2 Average lighting power density will not exceed 10watts per square metre.

A6.3 As one building will be shop area the average lighting power density will not exceed 23 watts per square metre. We plan to use as much natural lighting possible as this is a daytime operated business.

A6.4 N/A

P7.

A7.1 Any air-conditioning units installed will comply with the minimum energy performance requirements specified in the Aust/NZ standard. AS/NZS 3823.2.2003

P8.

A8.1 We currently use bore water for our residence; we are not connected to town water and will be installing a second bore for the tourist attraction. If required we will install rainwater tanks as per criteria.

A8.2 N/A bore water in use. Not connected to town water

A8.3 N/A bore water in use. Not connected to town water

A8.4 N/A bore water in use. Not connected to town water

P9.

A9.1 All sink, tubs, basin taps or mixers will have a certified AAA water conservation rating

A9.2 All toilets will have 4ltr or less average flush cisterns and matched pans

A9.3 Any showers to have thermostatic mixers

P10.

A10.1 Any residential unit will have separated, built in temporary storage for recyclable materials and general waste

A10.2 All buildings will include a refuse bin storage area with sufficient capacity for recyclable and general waste, conveniently located, readily accessible and screened from view from the public road. Each area will be roofed, drained to sewer and include a hose cock for cleaning bins

P11.

A11.1 A/ N/A

B/ N/A

C/ impervious paving will be limited to pedestrian paths.

Any paving design and paving used will minimise heat reflection and site run off. All buildings will have large windows on every side for airflow and covered outdoor area.

A11.2 Landscape and recreation areas will be designed and planted to minimise water use and maximise airflow, Design will provide shade and airflow for N/E and Sth winds and minimise exposure to W and S/W winds

A11.3 Opportunities for water filtration onsite will be maximised.

There will be porous paving in low traffic areas, turf and garden beds, hard surfaces will drain to permeable surfaces and we agree to minimise the extent of impervious surfaces.

P12.

A12.1 We will install solar power for all hot water use with solar panels facing solar north.

P13. N/A no swimming pool



4.6.7 Sustainable Development Code

Purpose

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

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

Applicability

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

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



Elements of the Code

Energy Efficiency

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

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



	<p>Or</p> <ul style="list-style-type: none"> • have a minimum ceiling height of 2.7m and at least one ceiling fan. <p>A1.3 For non-residential buildings:</p> <ul style="list-style-type: none"> (a) glazed windows or door assemblies have a minimum WERS⁵² Rating of 3 stars for cooling, and (b) all external walls (excluding windows and other glazing) achieve an overall R-value not less than R1.5, and (c) all ceilings (excluding garages, open verandas and carports) achieve an overall R-value of R3.0.
<p>P2 Hot water systems support the efficient use of natural resources and minimise consequent pollution such as greenhouse gas emissions.</p>	<p>A2.1 For all buildings with individual hot water systems installed in each dwelling unit or tenancy, all hot water systems installed comprise:</p> <ul style="list-style-type: none"> (a) a system with a minimum of 24 Renewable Energy Certificates, or (b) a natural gas system, or (c) a liquid petroleum gas (LPG) system with a 5 star AGA Energy Rating Label. <p>A2.2 For all buildings with centrally installed hot water systems:</p> <ul style="list-style-type: none"> (a) a low NO_x gas water heating system/s supply hot water to all dwelling units or tenancies, or (b) solar water heaters supply hot water to all dwelling units or tenancies where less than 25% of water heating is provided by booster units,

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



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

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



Water Conservation and Reuse

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
<p>P8 Rainwater harvesting systems are incorporated into residential and non-residential buildings to ensure collection, treatment and reuse of rainwater on-site to reduce run-off and demand on the potable water supply. Internal fixtures supplied from a rainwater tank must have a continuous supply of water.</p>	<p>A8.1 All residential buildings provide rainwater storage tank/s on-site fitted with a first flush device and vermin-proof mesh strainer on the inlet and that has a capacity of:</p> <ul style="list-style-type: none"> (a) 30,000 litres per dwelling unit where located in the Rural Planning Area or the Rural Settlement Planning Area, or (b) 5,000 litres per dwelling unit where located in any other Planning Area. <p>All non-residential buildings provide rainwater storage tank/s on-site fitted with a first flush device and vermin-proof mesh strainer on the inlet and that has a capacity of 5,000 litres per toilet/urinal unit.</p> <p>A8.2 The rainwater tank is plumbed for external use for irrigation and pool top up and internal use for toilet cisterns and washing machine cold water taps.</p> <p>A8.3 A rainwater tank has –</p> <ul style="list-style-type: none"> (a) An automatic switching device providing supplementary water from the reticulated town water supply; or (b) A trickle top up system, providing supplementary water from the reticulated town water supply with – <ul style="list-style-type: none"> (i) A minimum flow rate of 2 litres per minute and a maximum flow rate of 4 litres per minute; and (ii) Top up valves installed in an accessible location; and



		<p>(iii) A storage volume of the reticulated town water supply top up shall be no more than and no less than 1000 litres</p> <p>A8.4 A backflow prevention device is installed to protect the potable water within the reticulated town water supply system in accordance with AS/NZS 3500:2003 Plumbing and Drainage.</p>
P9	Plumbing fittings must support the efficient use of water.	<p>A9.1 All sink, tub or basin taps or mixers have a certified AAA Water Conservation Rating.</p> <p>A9.2 All toilets have:</p> <ul style="list-style-type: none"> (a) 4 litre or less average flush cisterns (when calculated in accordance with Australian/New Zealand Standard AS/NZS 6400:2003), and (b) matched pans. <p>A9.3 All showers have thermostatic mixers.</p>

Waste Minimisation

PERFORMANCE CRITERIA		ACCEPTABLE SOLUTIONS
P10	Site and building design must facilitate efficient sorting and disposal to maximise recycling opportunities.	A10.1 For residential buildings, each dwelling unit has separated, built-in temporary storage for recyclable materials and general waste.



	<p>A10.2 All buildings include a refuse bin storage area:</p> <ul style="list-style-type: none"> (a) with sufficient capacity for the collection of recyclable materials and general refuse, and (b) located for convenient use by all residents/tenants and readily accessible to waste management contractors, and (c) screened from view from public roads, is roofed and drained to sewer and includes a hose cock to provide for cleaning of refuse bins.
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Landscaping and Irrigation

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



	<p>A11.3 Opportunities for water infiltration on-site are maximised through:</p> <ul style="list-style-type: none"> (a) minimising the extent of impervious surfaces, (b) use of porous paving in low traffic areas, (c) draining hard surfaces towards permeable surfaces, and (d) inclusion of turf and garden beds.
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Solar Panels

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
P12 Solar hot water systems are located for optimum performance.	A12.1 Solar hot water systems are located on the roof of a building and the panels face solar north.

Private Swimming Pools

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
<p>P13 A swimming pool for recreational use by residents of a residential building is designed and constructed to minimise its resource needs by consideration of:</p> <ul style="list-style-type: none"> • potential usage in terms of number of swimmers; • purpose (e.g, lap swimming, plunging, etc); • siting issues; and • filtration systems. 	A13.1 No Acceptable Solution.

Home Based Business Code.

P1.

A1.1 The home based business will be conducted by residents of the house.

A further 2 persons may be required in the busy period.

A1.2 The home based business will be located separate to the house, in a single building, within 20 metres of the house and will adhere to the maximum area requirements.

P2.

A2.1 Ample car parking is available with easy access

P3.

A3.1 The building will not be visible from any public road. The building will be consistent with the current building (our home) and blend into the natural landscape.

P4.

A4.1 The home based business will be well away from any boundary and will not produce any odour, dust, vibration or electrical interference.

A4.2 No noise excess.

A4.3 Only one vehicle will be associated with this business, parked onsite and will not exceed 4.49 tonnes.

A4.4 No vehicle or machinery will be fuelled or repaired on the site

A4.5 We will adhere to signage conditions.

A4.6 The home based business can easily comply with hours of operation.

It does not need to be conducted on a Sunday or public holiday.

P5.

A5.1 N/A

A5.2 N/A

A5.3 N/A

A5.4 N/A

A5.5 N/A

A5.6 N/A

P6.

A6.1 N/A

P7.

A7.1 N/A

A7.2 N/A

A7.3 N/A

A7.4 N/A

P8.

A8.1 Not in an area of high environmental value and not in conflict with natural areas.

P9.

A9.1 Planned farm accommodation is 2x4 beds, will not exceed 10bed.

To include ablution facilities for travelling public only.

A9.2 There would be no loss of GQAL

A9.3 The productive rural use of the land will remain the predominant use

A9.4 (2) separate buildings are planned with 2-4 beds in each, total of 8 bed maximum. No communal bunkhouse. Buildings will be located on the same lot and within 50mtrs.

A9.5 There will be no cooking facilities in the host farm accommodation.



4.5.11 Home Based Business Code

Purpose

The purpose of this Code is to ensure that:

- the amenity of the area in which the Home Based Business is intended to operate is protected from any adverse impacts;
- the operation of the business is secondary to the residential use, whether or not the residential use is carried out in a residential area; and
- the traffic, both pedestrian and vehicular, generated by the use can be accommodated within the local Road network without adverse impacts on the network.

Applicability

This Code applies to assessable development for a Material Change of Use for a Home Based Business, including Bed and Breakfast Accommodation, Forest Stay Accommodation and Host Farm Accommodation.

Elements of the Code

Siting and Design

PERFORMANCE CRITERIA		ACCEPTABLE SOLUTIONS	
P1	The Home Based Business is compatible with adjacent uses and is small scale and secondary to the primary residential use.	A1.1	The Home Based Business is conducted by residents of the House and no more than 2 persons, who are not residents of the House, employed in association with the business.
		A1.2	The Home Based Business is located within the House and is limited to a designated area of the House which is less than one third of the entire roofed area of the House.
			OR
			If the Home Based Business (other than Bed & Breakfast, Forest Stay and Host Farm Accommodation) is located separate to the House, it is located in only one Building which has a maximum area of 30m ² ; and is located within 20 metres of the House.



P2	The Home Based Business provides adequate car parking on Site for the traffic generated by the use in association with car parking for the residents.	A2.1	Car parking is located to provide easy Access to the premises from which the Home Based Business will operate.
P3	Any new Building/s to be Erected in association with a Home Based Business complement existing Buildings on Site and create no significant visual impacts from adjoining public Roads.	A3.1	Buildings are small scale and low key and are designed to be in character with the predominant built character and streetscape of the area. AND The exterior building materials and colours are consistent with any existing Buildings on Site and complement the surrounding natural landscape.
P4	The Home Based Business does not adversely affect the amenity of the locality containing the Site.	A4.1	The Home Based Business does not produce any odour, dust, vibration or electrical interference which is detectable at the boundary of the Site.
		A4.2	The Home Based Business does not produce any noise which exceeds the background noise level plus 5dB(A) (8.00 am to 6.00 pm).
		A4.3	No more than one commercial vehicle, not exceeding 4.49 tonnes gross vehicle mass is associated with the Home Based Business and is garaged/parked on the Site.
		A4.4	No vehicle or machinery is fuelled, serviced or repaired on the Site.
		A4.5	No sign other than a sign not exceeding 0.3 m ² and having only the name and occupation of the operator/operation is displayed.
		A4.6	The Home Based Business (other than Bed and Breakfast, Forest Stay and Host Farm Accommodation) is conducted between the hours of 8.00 am to 6.00 pm Monday to Friday and 8.00 am to 6.00 pm Saturday. The Home Based Business is not conducted at all on Sundays or on Public Holidays



Bed and Breakfast Accommodation – Additional Provisions

<p>P5 In the case of Bed and Breakfast Accommodation, the accommodation remains ancillary to the primary residential use.</p>	<p>A5.1 In Urban Areas no more than 2 bedrooms (a maximum of 4 Bed Spaces) and optional ensuite within a House are used for Bed and Breakfast Accommodation for the travelling public.</p> <p>A5.2 In Urban Areas no kitchen or cooking facilities, with the exception of those located within the existing House on the Site, are provided in association with the Bed and Breakfast Accommodation.</p> <p>A5.3 In Other Areas, no more than 4 bedrooms (a maximum of 8 Bed Spaces) and optional ensuite are used for Bed and Breakfast Accommodation for the travelling public.</p> <p>A5.4 In Other Areas, Bed and Breakfast Accommodation can be located in a maximum of 4 separate Building/s to the existing House, provided that each Building is a maximum of 50m² (inclusive of verandahs, patios etc) and located within 20 metres of the existing House and on the same lot.</p> <p>A5.5 In Other Areas, no kitchen or cooking facilities, with the exception of those located within the existing House on the Site, are provided in association with the Bed and Breakfast Accommodation.</p> <p>A5.6 In the Settlement Areas North of the Daintree River Locality the maximum number of bedrooms, (Bed Spaces), is as set out in the Locality Code and with all other relevant provisions for Other Areas set out above, in A5.4 and A5.5, being applicable.</p>
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Forest Stay Accommodation – Additional Provisions

P6	Forest Stay Accommodation provides a local economic opportunity for permanent residents of those parts of the Shire which are isolated and constrained by lack of urban services and facilities.	A6.1	Forest Stay Accommodation only establishes in the Settlement Areas North of the Daintree River Locality and the World Heritage Areas and Environs Locality.
P7	In the case of Forest Stay Accommodation, the accommodation remains ancillary to the primary residential use and the significant natural values of the land and the use is compatible with the surrounding amenity of the locality.	A7.1	<p>The number of bedrooms (Bed Spaces) used for Forest Stay Accommodation and the number of staff accommodation (Bed Spaces) required to be provided are specified in the Locality Code.</p> <p style="text-align: center;">AND</p> <p>None of the accommodation, whether for guests or staff, is self contained as the use operates only in association with an existing House on the Site.</p> <p style="text-align: center;">AND</p> <p>Forest Stay Accommodation is located on a site which has an existing cleared area.</p> <p>A7.2</p> <p>The natural values of the balance area of the site are protected and enhanced with organised tours being conducted for visiting guests.</p> <p>A7.3</p> <p>If Forest Stay Accommodation is provided in Building/s which are separated from the House:</p> <ul style="list-style-type: none">• The maximum number of separate Building/s is determined based on each building containing a minimum of 2 Bed Spaces each, provided that each Building has a maximum area of 50 m² (inclusive of verandahs, patios etc); <p style="text-align: center;">OR</p>



	<ul style="list-style-type: none">• A maximum of one communal bunk house is provided with a maximum area of 150 m² to accommodate 10 guests (10 Bed Spaces) (inclusive of verandahs, patios etc); <p style="text-align: center;">OR</p> <ul style="list-style-type: none">• A maximum of two communal bunk houses are provided with a maximum area of 150 m² each to accommodate a maximum of 20 guests (20 Bed Spaces) (inclusive of verandahs, patios etc); <p style="text-align: center;">AND</p> <ul style="list-style-type: none">• The Building/s is/are located within 50 metres of the existing House and on the same lot. <p>A7.4 No kitchen or cooking facilities, with the exception of those located within the existing House on the Site, are provided in association with the Forest Stay Accommodation.</p>
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Host Farm Accommodation – Additional Provisions

<p>P8 Host Farm Accommodation establish in areas where existing rural practices are not in conflict with the natural areas and not in areas of high environmental value.</p>	<p>A8.1 Host Farm Accommodation only establishes in the Rural Areas and Rural Settlements Locality and no further Host Farm Accommodation establishes in the Settlement Areas North of the Daintree River Locality or the World Heritage Areas and Environs Locality.</p>
<p>P9 In the case of Host Farm Accommodation, the accommodation remains ancillary to the primary rural use of the land and is compatible with the agricultural amenity of the locality.</p>	<p>A9.1 No more than 5 bedrooms (a maximum of 10 Bed Spaces) and optional ensuites, or a communal bunkhouse comprising 10 Bed Spaces and ablution facilities are used for Host Farm Accommodation for the travelling public.</p> <p>A9.2 There is no loss of GQAL as a result of the Host Farm Accommodation.</p> <p>A9.3 The productive rural use remains as the predominant use of the land.</p> <p>A9.4 If Host Farm Accommodation is provided in Building/s which are separated from the House:</p> <ul style="list-style-type: none"> • A maximum of 5 separate Building/s (containing 2 Bed Spaces each) provided that each Building has a maximum area of 50m² (inclusive of verandahs, patios etc); or • A maximum of one communal bunkhouse (containing 10 Bed Spaces) with a maximum area of 150m² (inclusive of verandahs, patios etc). <p style="text-align: center;">AND</p> <p>The Building/s is/are located within 50 metres of the existing House and on the same lot.</p> <p>A9.5 No kitchen or cooking facilities, with the exception of those located within the existing House on the Site, are provided in association with the Host Farm Accommodation.</p>

Vehicle Parking & Access Code:

P1.Vehicle Parking Numbers

A1.1 The car parking area will provide for a minimum of 20 spaces able to accommodate all car types and small commuter buses. There is a gravel base road in existence with easy access, no barriers. Ample, unobstructed access from the bitumen road will allow for all vehicles, staff, emergency, delivery and tourist vehicles. There is easy access for RV vehicles.

There is no public transport to the site. The entire area is currently grassed.

P2.Disability parks

A2.1 @ wheelchair accessible spaces will be provided for closest to the main facility with a sealed path access to the buildings. Complying with Australian Standards

A2.2 N/A

P3 Motor Cycles

A3.1 Motorcycle parking area. There will be a designated area to provide a minimum of 10 motorcycles.

P4 Compact vehicles

A4.1 N/A

P5. Bicycles Parking

A5.1 We will provide a minimum of 10 bicycle parks with a bike stand allowing for bikes to be secured safely. We expect minimal bicycle customers. The tourist attraction will contain toilet facilities.

P6 Vehicular Access to the Site

A6.1 Single road access only from Mountainview drive. All short term vehicle traffic. There will be no on street parking. All parking is contained within the site.

A6.2 A barrier will be erected where the single access road continues on to our private property

A6.3 Only one access is provided to the site off Mountainview Drive

P7 Accessibility and Amenity For Users.

A7.1 The parking will be provided at the front of the site with easy access to the building entry. Should we offer onsite o/n stays at a later stage in the business plan they will have their own parking next to the cabin easily accessible.

P8 Layout of Parking

A8.1 Our planned layout of parking allows ample space for all potential vehicle classes

A8.2 N/A. Shade cover will be provided by shade trees already planted.

P9. Access Driveways

A9.1 The access driveway will be a minimum 5 mtr width.

P10.

A10.1 The current and original access road has been made with road base blending with the rural character of the area. No adjacent footpath but should we decide to build one it the surface will contrast with the road.

P11. Access for people with Disabilities

A11.1 Disability access to the tourist attraction will comply with Australian Standards. A sealed path will provide access from the disability parking bays which will be located closest to the main building.

P12. Access for Pedestrians

A12.1 A separate defined, safe pedestrian pathway will be provided to the building entry from the parking area. Not required from the street.

P13. Access for Cyclists.

A13.1 Access for cyclists will be shared with the main access road, a designated cycle lane will be marked.

P14. Dimensions of Parking Spaces.

A14.1 All parking spaces will meet the relevant Australian Standards. As we have a large land area to accommodate parking our spaces will be;

- Ordinary car width :2.5 length: 4.5
- Commuter Buses width: 3 mtr length: 7mtrs
- RV's width: 3mtr length: 7 mtrs
- Bicycles: bicycle rack provided as per Australian Standards
- Disability: Dual Park with share space between. Width: 6mtr length : 5mtr

P15. On site Driveways, Manoeuvring areas and Parking areas

A15.1 The areas required are mostly flat with a minimal gradient for the driveways. Available at all times when operating. Will be effectively surfaced and are suitable for the use. Surrounding land will not be adversely affected.

A15.2 Designated parking areas will be kept and used exclusively for parking and will be maintained.

P16. Vehicle Circulation, Queing and Set Down Areas.

A16.1 In our parking area we comply with the Australian Standard for turning and circulation. All vehicles using the site will drive on and off in a forward motion. The driveway will be circular. One entry point, one exit point with a drop off area at the front entrance to the main buildings.

P17.

A17.1 Our circulation driveway will comply with Australian Standards. 2.4 mtrs wide

P18.

A18.1 At the main entrance to the Tourist Attraction Buildings there will be a dual laneway with one lane designated to set down and pick up and the other flow through. Complying with Australian Standards.



4.6.6 Vehicle Parking and Access Code

Purpose

The purpose of this Code is to ensure that:

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

Applicability

This Code applies to self assessable or assessable development for:

- Material Change of Use.

Except for the following Uses in all Localities:

- Home Industry
- Off Premises Advertising Device

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

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



Elements of the Code

Vehicle Parking Numbers

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



Parking for People with Disabilities

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
<p>P2 Parking spaces are provided to meet the needs of vehicle occupants with disabilities⁴⁹.</p>	<p>A2.1 For parking areas with a total number of ordinary vehicle spaces less than 50, wheelchair accessible spaces are provided as follows:</p> <ul style="list-style-type: none"> • Medical, higher education, entertainment facilities and shopping centres – 2 spaces; • All other uses – 1 space. <p>A2.2 For parking areas with 50 or more ordinary vehicle spaces, wheelchair accessible spaces are provided as follows:</p> <ul style="list-style-type: none"> • Medical, higher education, entertainment facilities and shopping centres – 3% (to the closest whole number) of the total number of spaces required; • All other uses – 2% (to the closest whole number) of the total number of spaces required.

Motor Cycles

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
<p>P3 In recognition that motorcycles are low Road-space transport, a proportion of the parking spaces provided may be for motorcycles. The proportion provided for motor cycles is selected so that:</p> <ul style="list-style-type: none"> • ordinary vehicles do not demand parking in the spaces reserved for motor cycles due to capacity constraints; and, • it is a reflection of the make-up of the likely vehicle fleet that uses the parking; and, • it is not a reflection of the lower cost of providing motorcycle 	<p>A3.1 Parking for motorcycles is substituted for ordinary vehicle parking to a maximum level of 2% per cent of total ordinary parking.</p> <p style="text-align: center;">AND</p> <p>The motorcycle parking complies with other elements of this Code.</p>

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



parking.	
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Compact Vehicles

PERFORMANCE CRITERIA		ACCEPTABLE SOLUTIONS	
P4	<p>A proportion of the parking spaces provided may be for compact vehicles. The proportion of total parking provided for compact vehicles is selected considering:</p> <ul style="list-style-type: none"> • compact vehicles spaces are not available to non-compact vehicles; and, • it is a reflection of the proportion of the likely vehicle fleet that uses the parking; and, • compact vehicle spaces are located so as to be proximate to pedestrian destinations such that they present significant inclination for use by users of compact vehicles; and, • the scale of parking spaces, likely users and the likely degree of familiarity with the availability of such spaces. 	A4.1	<p>For parking areas exceeding 100 spaces for short term users or 50 spaces for long-term users, parking is provided for compact vehicles as a substitute for ordinary vehicle parking so that:</p> <ul style="list-style-type: none"> • compact vehicle parking does not exceed 10% of total vehicle parking required; and, • the parking location is proximate to the entry locations for parking users; and, • the parking provided complies with other elements of this Code.

Bicycles Parking

PERFORMANCE CRITERIA		ACCEPTABLE SOLUTIONS	
P5	<p>Sufficient bicycle parking spaces with appropriate security and end of trip facilities are provided on-Site to accommodate the amount of bicycles expected to be generated by the use or uses.</p>	A5.1	<p>The minimum number of bicycle parking spaces provided on Site is not less than the number prescribed in Schedule 1 of this Code, for the particular use or uses.</p>



Vehicular Access to the Site

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
<p>P6 The location of Access points minimises conflicts and is designed to operate efficiently and safely taking into account:</p> <ul style="list-style-type: none"> the amount and type of vehicular traffic; the type of use (eg long-stay, short-stay, regular, casual); Frontage Road traffic conditions; the nature and extent of future street or intersection improvements; current and future on-street parking arrangements; the capacity of the adjacent street system; and the available sight distance. 	<p>A6.1 The location of the Access points is in accordance with the provisions of the relevant Australian Standards.</p> <p style="text-align: center;">AND</p> <p>Where the Site has Frontage to more than one street, the Access is from the lowest order street.</p> <p>A6.2 All redundant Accesses must be removed and a suitable barrier Erected to prevent further use of the Access.</p> <p>A6.3 Only one Access point is to be provided to each Site unless stated otherwise in another Code.</p>

Accessibility and Amenity for Users

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
<p>P7 On-Site vehicle parking is provided where it is convenient, attractive and safe to use, and does not detract from an attractive or existing streetscape character.</p>	<p>A7.1 Short term visitor parking is provided at the front or on the main approach side of the Site, with easy Access to the Building entry, where such provision is in keeping with the desired character of the area in which the Site is located.</p> <p style="text-align: center;">AND</p> <p>In mixed use premises that include residential or accommodation uses (excluding, Port Douglas – Tourist Centre), at least 50% of the required number of parking spaces for the non-residential use/s on the Site is provided in an easily accessible location on the premises, so as to be convenient to use for customers and other visitors.</p>



<p>P8 The layout of parking areas provides a high degree of amenity and accessibility for different users.</p>	<p>A8.1 The layout of the parking area provides for the accessibility and amenity of the following:</p> <ul style="list-style-type: none"> • People with Disabilities • Cyclists • Motorcyclists • Compact Vehicles • Ordinary Vehicles • Service Delivery Vehicles. <p>A8.2 Where covered parking areas are required in accordance with Schedule 1 of this Code, sails or other secure structural forms of covering provide shade and weather protection for vehicles and passengers.</p>
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Access Driveways

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
<p>P9 The dimensions of Access driveways cater for all vehicles likely to enter the Site and minimises the disruption of vehicular, cyclist and pedestrian traffic.</p>	<p>A9.1 Access driveways are designed in accordance with the provisions of the relevant Australian Standards.</p>
<p>P10 The surface construction materials of Access driveways within the Road reserve contribute to the streetscape and alerts pedestrians to the location of the driveway.</p>	<p>A10.1 Surface construction materials are consistent with the current or intended future streetscape or character of the area and contrast with the surface construction materials of any adjacent footpath.</p>

Access for People with Disabilities⁵⁰

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

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



Access for Pedestrians

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
P12 Access for pedestrians is provided to the Building from the parking area and from the street.	A12.1 Defined, safe pedestrian pathways are provided to the Building entry from the parking area and from the street.

Access for Cyclists

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

Dimensions of Parking Spaces

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



	<p>Parking spaces for compact vehicles have the following minimum dimensions:</p> <ul style="list-style-type: none">• 15 per cent less in width measurements than required by Australian Standards for any ordinary vehicle; and,• 20 per cent less in length measurements than required by Australian Standards for any ordinary vehicle. <p>AND</p> <p>Parking spaces for special vehicles meet the requirements dictated by the vehicle dimensions and manoeuvring characteristics and provide sufficient clearance to obstructions and adjacent vehicles to achieve a level of service to users equivalent to that specified by the relevant Australian Standards.</p> <p>A14.2 Parking spaces for bicycles meet the requirement of the relevant Australian Standard.</p>
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On-Site Driveways, Manoeuvring Areas and Parking/Standing Areas

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

Vehicle Circulation, Queuing and Set Down Areas

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



Schedule 1 – Car Parking Requirements

LAND USE	MINIMUM NUMBER OF SPACES
Residential Uses	
Caretaker's Residence	1 car space.
Home Activity	The parking required for a House plus 1 car space.
Home Based Business	<p>The parking required for a House plus 1 car space per 25 m² of Net Lettable Area used for the Home Based Business.</p> <p><u>Bed & Breakfast Accommodation.</u></p> <p>The parking required for a House plus 1 car space per bedroom/2 Bed Spaces.</p> <p><u>Forest Stay Accommodation.</u></p> <p>The parking required for a House plus 1 car space per bedroom/2 Bed Spaces and/or 1 car space per 2 Bed Spaces in a communal bunkhouse and 2 car spaces for 6 staff or 1 car space for 4 staff.</p> <p><u>Host Farm Accommodation.</u></p> <p>The parking required for a House plus 1 car space per bedroom/2 Bed Spaces and/or 1 car space per 2 Bed Spaces in a communal bunkhouse.</p>
House	2 spaces which may be in tandem.
Multi-Unit Housing	<p>Within the Port Douglas Tourist Centre – 1 car space per Dwelling Unit</p> <p>Outside the Port Douglas Tourist Centre and elsewhere in the Shire – 1.5 car spaces per Dwelling Unit</p> <p>In all cases, 60% of the car parking area is to be covered.</p> <p>Plus 1 bicycle space per 3 units and 1 visitor bicycle space per 12 units.</p>
Outstation/Seasonal Camp	1 car space per 2 bedrooms.
Retirement Facility	<p>1 car space per Dwelling Unit;</p> <p>plus 1 visitor car space per 5 Dwelling Units;</p> <p>plus 1 visitor car space per 10 hostel, nursing home or similar beds;</p> <p>plus 1 car space per 2 staff members;</p> <p>plus 1 car space for ambulance parking, designated accordingly.</p>
Special Residential Use	1 visitor car space per 5 bedrooms plus 1 car space per 2 staff members.



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



Retail Uses	
Shopping Facility	<p>1 car space per 25 m² of Net Lettable Area.</p> <p>Plus 1 bicycle space per 200 m² of Net Lettable Area and 1 visitor bicycle space per 500 m² over 1000 m²</p> <p><u>In a Local Centre:</u></p> <p>1 car space per 50 m² of Net Lettable Area.</p> <p><u>In the Tourist Centre of Port Douglas:</u></p> <p>1 car space per 30 m² of Net Lettable Area.</p>
Business and Commercial Uses	
Aircraft Landing Facility – Commercial	1 car space per 20 m ² of covered reception area, plus 1 car space per 2 staff, plus a covered bus setdown area adjacent to the entry to the reception area and 2 bus parking spaces.
Business Facilities	<p>1 car space per 25 m² of Net Lettable Area.</p> <p>Plus 1 bicycle space per 200 m² Net Lettable Area and 1 visitor bicycle space per 750 m² over 1000 m²</p> <p><u>In a Local Centre:</u></p> <p>1 car space per 50 m² of Net Lettable Area.</p> <p><u>In the Tourist Centre of Port Douglas:</u></p> <p>1 car space per 30 m² of Net Lettable Area.</p>
Child Care Centre	1 car space per full time staff member, plus 1 car space per 10 children to be used for setting down and picking up of children, with a minimum of 3 car spaces to be provided for set down/collection. Any drive-through facility can provide tandem short term parking for 3 car spaces for the setting down and picking up of children, on the basis that a passing lane is provided and linemarked to be kept clear of standing vehicles at all times.



Display Facilities	<p>For garden supplies, hardware & the like: 1 car space per 50 m² Net Lettable Area.</p> <p>For boats, caravans, machinery, motor vehicles and the like: 1 car space per 100 m² Net Lettable Area.</p> <p>EXCEPT THAT</p> <p><u>When located in the Town Centre and in the Mossman and Environs Locality</u></p> <p>All Display Facilities provide 1 car space per 25 m² of Net Lettable Area.</p>
Restaurant	<p>1 car space per 25 m² of Net Lettable Area.</p> <p>Plus 1 bicycle space per 100 m² Net Lettable Area.</p> <p><u>In a Local Centre:</u></p> <p>1 car space per 50 m² of Net Lettable Area.</p> <p><u>In the Tourist Centre of Port Douglas:</u></p> <p>1 car space per 30 m² of Net Lettable Area.</p>
Service Station	1 car space per 15 m ² of the floor area of any Shopping Facility, Restaurant or take-away food facilities. Staff parking at the rate of 1 car space per full time or part time staff member.
Tavern	<p>Licensed Facilities</p> <p>1 space per 10 m² of bar, lounge, beer garden, and other public area; plus</p> <p>1 space per 50 m² of floor area of liquor barn or bulk liquor sales area; plus if drive in bottle shop is provided queuing lane/s on site for 12 vehicles; plus parking for other uses incorporated in the Tavern, as listed in this Table.</p>
Tourist Attraction	<p>Sufficient car spaces to accommodate the amount of vehicular traffic likely to be generated by the particular use.</p> <p>Plus 1 bicycle space per 200 m² Net Lettable Area.</p>
Veterinary Facilities	1 car space per 50 m ² of Net Lettable Area.



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



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

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

Landscaping

P1

A1.1 We have a landscape plan which complies with PSP no 7.

It is simplistic and will be maintained in accordance with the landscape code

P2

A2.1 Currently the entire proposed site is an open grassed area and at least 80% will remain a grassed area fully open to sunlight and ventilation.

A2.2 The majority of any added landscaping will comply with the percentage of native or endemic species as specified in the locality code

A2.3 Landscaping will include screening as required, ground covers only on any aesthetic garden beds; there is no requirement for canopy or middle storey planting.

P3

A3.1 There is one row of native trees bordering the site which is to be retained

A3.2N/A ,no mature vegetation on the site

A3.3N/A , is no existing landscape character in the street, rural area.

A3.4 No street trees planned at this stage but we will comply with 100% native should they be required. We plan an open front with minimal landscaping.

P4

A4.1 The proposed tourist attraction is in a rural area, the main attraction is the current cocoa plantation. Any further planting of trees for screening, buffering, or shading around the attraction itself will comply with PSP no 7- Landscaping.

P5

A5.1 We have a 100 mtr row of established trees approx. 2 mtr apart.

Our car parking will run alongside these trees with ample shade provided and we are currently planting along the internal roadway.

A5.2 We will comply with a minimum of 1 shade tree every ten metres along the internal driveway.

A5.3 When garden beds are established we they will be protected by bollards, wheel stops or edging.

A5.4 Trees within our car parking area have a minimum topsoil depth of 0.8 metre and a minimum planting area the equivalent of 1 parking bay. We have ample area for car parking.

P6

A6.1 N/A we have no fencing

A6.2 N/A we have no fencing. We do not anticipate requiring fencing but should this change we will comply with the relevant planning area code.

P7.

A7.1 We will plant a minimum of 1 shade tree for each private open space or recreation area.

A7.2 Tree species used will provide 30% shade within 5 yrs.

A7.3 A minimum of 50% of the Landscaping and Recreational Area will be landscaped.

A7.4 Plants will be located to provide shelter from the hot summer sun to habitable rooms and outdoor recreation areas.

P8

A8.1 All undesirable features will be screened using appropriate landscaping.

P9.

A9.1 N/A

P10.

A10.1 N/A

A10.2 N/A

A10.3 N/A

P11.

A11.1 Landscaping non-residential development.

Buildings will be set well back from front boundary, we will plant shade canopy trees to the frontage of the site with additional landscaping to enhance the visual appearance of the development.

A11.2 There is existing dense planting at the rear of the site with shade trees and 3mtre screening shrubs. There will be no unsealed ground.

A11.3 Dense planting already exists on both side boundaries of the site.

A11.4 We agree to a minimum of 20% shade trees and shrubs will be incorporated in all areas of landscaping growing to the building eave height within 5 yrs.

P12.

A12.1 A landscaping maintenance programme will be undertaken in accordance with the Maintenance Schedule in Planning Scheme Policy No 7- Landscaping

A12.2 The common areas will have minimal landscaping as required and we will provide one hose cock per area.

A12.3 All turf areas will be easily accessible by standard lawn maintenance equipment.

A12.4 As landscaping is not our primary focus for this business we anticipate to keep it to a minimum with low maintenance plants and long life expectancy.

A12.5 All garden beds will be mulched annually in the maintenance programme.

P13.

A13.1 We will ensure adequate drainage; The site does not hold excess water. We have been here more than 20yrs and the site drains well. We will install drainage as required.

A13.2 Overland flow paths will not be restricted by landscaping.

A13.3 Water run-off will be re used.

P14.

A14.1 Trees located near pedestrian and vehicle lines will have 3.0 metres of clear trunk

P15.

A15.1 Security lighting will be provided to all common areas.

A15.2 Hard surfaces will be all weather, non-slip and stable.

A15.3 Plant species will be chosen to minimize bushfire hazard.

A15.4 N/A

P16.

A16.1 Overhead and underground services will be considered when selecting plant species.

A16.2 All underground services will be located under pathways and below eaves of buildings.

A16.3 irrigation control devices to be located in the common landscaping and recreation area.

A16.4 Landscaping will allow trade persons to access areas required.

A16.5 Landscaping will be minimal and not limit access to service vehicles.

A16.6 Landscaping near electric lines will not exceed 40mtrs in height and will not be within 5 mtr of a line shadow or 5 mtr of a substation boundary.

A16.7 No vegetation will be planted within the expected height at maturity of the vegetation.

A16.8 N/A



4.6.3 Landscaping Code

Purpose

The purpose of this Code is to:

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

Applicability

This Code applies to assessable development for:

- Material Change of Use:

Except for the following Use:

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



Elements of the Code

Landscape Design

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
<p>P1 Landscape design satisfies the purpose and the detailed requirements of this Code.</p>	<p>A1.1 Landscaping is undertaken in accordance with a Landscape Plan drawn to scale which complies with and illustrates all the relevant requirements of this Code and Planning Scheme Policy No 7 – Landscaping.</p> <p style="text-align: center;">AND</p> <p>Landscaping is maintained in accordance with the requirements specified in this Code and Planning Scheme Policy No 7 – Landscaping.</p>

Landscape-Character and Planting

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



<p>P3 Landscaping is consistent with the existing landscape character of the area and native vegetation existing on the Site is to be retained wherever possible and integrated with new Landscaping⁴⁷.</p>	<p>A3.1 Existing native vegetation on Site is retained and incorporated into the Site design, wherever possible.</p> <p>A3.2 Any mature vegetation on the Site which is removed or damaged during development of the Site is replaced with advanced native species.</p> <p>A3.3 Where there is an existing landscape character in a street or locality which results from existing vegetation, similar species are planted on Site or on the street.</p> <p>A3.4 Street trees are 100% native species which enhance the landscape character of the streetscape, with species chosen from the Plant Species Schedule in Planning Scheme Policy No 7 – Landscaping.</p>
<p>P4 Plant species are selected with consideration to the scale and form of development, screening, buffering, streetscape, shading and the locality of the area.</p>	<p>A4.1 Species are selected in accordance with the Plant Species Schedule in Planning Scheme Policy No 7 – Landscaping.</p>
<p>P5 Shade planting is provided in car parking areas where uncovered or open, and adjacent to driveways and internal Roadways.</p>	<p>A5.1 Where car parking areas are uncovered or open, shade trees are planted at regular intervals (a minimum of 1 shade tree is provided for every 5 car parks) throughout the car parking areas, and adjacent to driveways and internal Roadways.</p> <p>A5.2 A minimum of 1 shade tree is provided for every 10 metres along a driveway or internal Roadway.</p> <p>A5.3 Landscape beds and trees are protected by garden edging, bollards or wheel stops.</p> <p>A5.4 Trees within car parking areas have a minimum planting area the equivalent of 1 car parking bay, with a minimum topsoil depth of 0.8 metre.</p>

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



Screening

PERFORMANCE CRITERIA		ACCEPTABLE SOLUTIONS	
P6	Fences along street Frontages are articulated with appropriate Landscaping.	A6.1	Perimeter fencing to any street Frontage complies with the relevant Planning Area Code.
		A6.2	Trees, shrubs and groundcovers are planted within any recessed areas along the fence line.
P7	Landscaping within Recreation Areas of residential development are functional, well designed and enhance the residential amenity.	A7.1	One shade tree is provided for each private open space or private Recreation Area.
		A7.2	Tree species provide 30% shade over the area within 5 years.
		A7.3	A minimum of 50% of the Landscaping and Recreational Area is landscaped, with trees, shrubs, groundcovers, minimising large expanses of hardstand areas and structures.
		A7.4	Plants are located to provide shelter and shade to Habitable Rooms and outdoor Recreation Areas from the hot summer sun.
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.
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.



Streetscape and Site Amenity

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
<p>P10 Landscaping for residential development enhances the streetscape and the visual appearance of the development.</p>	<p>A10.1 Dense Planting along the front of the Site incorporates:</p> <ul style="list-style-type: none"> • shade canopy trees to provide shade to the Frontage of the Site within 5 years of planting; • landscape screening of blank walls; • low shrubs, groundcovers and mulch to completely cover unsealed ground. <p>A10.2 Dense Planting to the rear of the Site incorporates:</p> <ul style="list-style-type: none"> • 1 shade tree for an average of every 75 m², growing to the Building eave Height within 5 years of planting; • screening shrubs to grow to 3 metres in Height within 2 years of planting; • low shrubs, groundcovers and mulch to completely cover unsealed ground. <p>A10.3 Dense Planting to the side boundaries incorporates:</p> <ul style="list-style-type: none"> • trees planted for an average of every 10 metres where adjacent to a Building; • low shrubs, groundcovers and mulch to completely cover unsealed ground.
<p>P11 Landscaping for non-residential development enhances the streetscape and the visual appearance of the development.</p>	<p>A11.1 Dense Planting along the front boundary of the Site where a Building is Setback from the front alignment, incorporates:</p> <ul style="list-style-type: none"> • shade canopy trees to provide shade to the Frontage of the Site within 5 years of planting where appropriate; • landscape screening of blank



	<p>walls;</p> <ul style="list-style-type: none">• low shrubs, groundcovers and mulch to completely cover unsealed ground.
	<p>A11.2 Dense Planting to the rear of the Site where a Building is Setback from the rear alignment, incorporates:</p> <ul style="list-style-type: none">• 1 shade tree for an average of every 75 m² growing to the Building eave Height within 5 years of planting;• screening shrubs to grow to 3 metres in Height within 2 years of planting;• low shrubs, groundcovers and mulch to completely cover unsealed ground.
	<p>A11.3 Dense Planting to the side boundaries where visible from the street or adjoining a boundary to a different Planning Area, and where a Building is Setback from the side boundary, incorporates:</p> <ul style="list-style-type: none">• trees planted for an average of every 10 metres where adjacent to a Building;• screening shrubs, low shrubs and groundcover appropriate for the amount of space, light and ventilation of the area;• low shrubs, groundcovers and mulch to completely cover unsealed ground.
	<p>A11.4 A minimum of 20% of shade trees and shrubs is incorporated in all areas of Landscaping growing to the Building eave Height within 5 years.</p>



Maintenance and Drainage

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



Safety

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
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.
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.
	A15.2 Hard surfaces are stable, non-slippery and useable in all weathers.
	A15.3 Bushfire hazard is minimised with planting of bushfire resistant species near bushfire prone areas, (refer to the Bushfire Risk Overlay on the relevant Locality Map).
	A15.4 Lighting for bicycle paths is provided in accordance with the relevant Australian Standards

Utilities and Services

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
P16 The location and type of plant species does not adversely affect the function and accessibility of services and facilities and service areas.	A16.1 Plant species are selected and sited with consideration to the location of overhead and underground services.
	A16.2 All underground services are to be located under pathways and below the eaves of the Building.
	A16.3 Irrigation control devices are located in the common Landscaping and Recreation Area.
	A16.4 Landscaping is located to enable trade persons to Access and view meters and other mechanical equipment within the Site.
	A16.5 Landscaping does not limit Access for service vehicles or rubbish trucks to utility areas, bin enclosures or docking areas.



	<p>A16.6 Landscaping near electric lines or substations is designed and developed so that any vegetation at maturity or Landscaping structures or works do not exceed 40 metres in Height on land:</p> <ul style="list-style-type: none">• in an electric line shadow; or• within 5.0 metres of an electric line shadow; or within 5.0 metres of a substation boundary. <p>A16.7 Elsewhere, vegetation is planted at a distance that is further from the nearest edge of an electric line shadow or substation boundary than the expected maximum Height at maturity of the vegetation.</p> <p>A16.8 On a Site adjoining an electricity substation boundary, the vegetation foliage at maturity is not within 3.0 metres of the substation boundary. However, where a substation has a solid wall along any part of its boundary, foliage may extend to, but not above or beyond, that solid wall.</p>
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Natural Hazards Code:

P1.

A.1 The development will be contained on cleared private acreage and does not compromise the safety of people or property.

P2

A2.1.

- Structures will be setback in a low hazard area 10 mtrs from any hazardous vegetation.
- An onsite bore to be built with sufficient water flow for firefighting with additional access to Ball Creek nearby.
- Fire safety equipment will be kept on site.
- A clear and safe evacuation area will be designated

A2.2

- There will be easy and clear access for all firefighting and emergency personnel and vehicles
- There is a road with a minimum cleared 6 mtr width with vehicular access at each end and ample turning area.
- A firebreak is provided by Ball Creek, a tar sealed road and cleared land

P3

A3.1 Our Tourist attraction will have an emergency management plan prepared for this site.



4.4.3 Natural Hazards Code

Purpose

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.

Applicability

This Code applies to assessable development for:

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

on a Site identified as containing:

- Medium Risk Hazard; or
- High Risk Hazard;

as depicted on the Natural Hazards Overlay on the Locality Maps.



Elements of the Code

Bushfire

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
P1 Development does not compromise the safety of people or property from bushfire.	<p>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.</p> <p>AND</p> <p>Development complies with a Bushfire Management Plan prepared for the site.</p>



<p>P2 Development maintains the safety of people and property by:</p> <ul style="list-style-type: none"> • avoiding areas of High or Medium Risk Hazard; or • mitigating the risk through: <ul style="list-style-type: none"> - lot design and the siting of Buildings; and - including firebreaks that provide adequate: <ul style="list-style-type: none"> ▪ Setbacks between Building/structures and hazardous vegetation, and ▪ Access for fire fighting/other emergency vehicles; - providing adequate Road Access for fire fighting/other emergency vehicles and safe evacuation; and - providing an adequate and accessible water supply for fire-fighting purposes 	<p>A2.1 Development is located on a Site that is not subject to High or Medium Risk Hazard.</p> <p style="text-align: center;">OR</p> <p>For all development (if development is proposed to be located on a Site that is subject to High or Medium Risk Hazard), then:</p> <p>Buildings and structures on lots greater than 2500 m²:</p> <ul style="list-style-type: none"> • are sited in locations of lowest hazard within the lot; and • achieve Setbacks from hazardous vegetation of 1.5 times the predominant mature canopy tree Height or 10 metres, whichever is the greater; and • 10 metres from any retained vegetation strips or small areas of vegetation; and • are sited so that elements of the development least susceptible to fire are sited closest to the bushfire hazard. <p>Building and structures on lots less than or equal to 2500 m², maximise Setbacks from hazardous vegetation.</p> <p style="text-align: center;">AND</p>
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	<p>For uses involving new or existing Buildings with a Gross Floor Area greater than 50 m² each lot has:</p> <ul style="list-style-type: none">• a reliable reticulated water supply that has sufficient flow and pressure characteristics for fire fighting purposes at all times (minimum pressure and flow is 10 litres a second at 200 kPa); or• an on Site water storage of not less than 5000 litres (eg. accessible dam or tank with fire brigade tank fittings, swimming pool). <p>A2.2 For development that will result in multiple Buildings or lots (if development is proposed to be located on a Site that is subject to High or Medium Risk Hazard), then:</p> <p>Residential lots are designed so that their size and shape allow for:</p> <ul style="list-style-type: none">• efficient emergency Access to Buildings for fire fighting appliances (eg. by avoiding long narrow lots with long Access drives to Buildings); and• Setbacks and Building siting in accordance with 2.1 (a) above. <p>AND</p>
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	<p>Firebreaks are provided by:</p> <ul style="list-style-type: none">• a perimeter Road that separates lots from areas of bushfire hazard and that Road has:<ul style="list-style-type: none">- a minimum cleared width of 20 metres; and- a constructed Road width and all-weather standard complying with Council standards. <p>OR</p> <ul style="list-style-type: none">• where it is not practicable to comply with fire break provisions above, maintenance trails are located as close as possible to the boundaries of the lots and the adjoining bushland hazard, and the fire/maintenance trails:<ul style="list-style-type: none">- have a minimum cleared width of 6 metres; and- have a formed width and gradient, and erosion control devices to Council standards; and- have vehicular Access at each end; and- provide passing bays and turning areas for fire fighting applicants; and- are either located on public land, or within an Access easement that is granted in favour of the Council and Queensland Fire Rescue Service (QFRS). <p>AND</p>
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	<ul style="list-style-type: none"> • sufficient cleared breaks of 6 metres minimum width in retained bushland within the development (eg. creek corridors and other retained vegetation) to allow burning of sections and Access for bushfire response. <p style="text-align: center;">AND</p> <p>Roads are designed and constructed in accordance with applicable Council and State government standards and:</p> <ul style="list-style-type: none"> • have a maximum gradient of 12.5%; and • exclude culs-de-sac, except where a perimeter Road isolates the development from hazardous vegetation or the culs-de-sac are provided with an alternative Access linking the cul-de-sac to other through Roads.
<p>P3 Public safety and the environment are not adversely affected by the detrimental impacts of bushfire on hazardous materials manufactured or stored in bulk.</p>	<p>A3.1 Development complies with a Bushfire Management Plan prepared for the site.</p>

Filling & Excavation Code.

P1

A1.1 As the proposed area is flat ground no excavation or filling is required.

A1.2 N/A

A1.3 N/A

A1.4 N/A

A1.5 N/A

A1.6 N/A

P2

A2.1 The visual scenic amenity of the area and the privacy and stability of adjoining properties will not be compromised. No adjoining properties.

A2.2 There will be no filling or excavation is required within 2 mtr of the site boundary

P3.

A3.1 There will be no change to the run off characteristics of the site.

A3.2 N/A

A3.3 N/A

A3.4 N/A

P4.

A4.1 N/A. No filling or excavation required.



4.6.2 Filling and Excavation Code

Purpose

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

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

Applicability

This Code applies to assessable development for:

- **Material Change of Use:**

Except for the following Uses in all Localities:

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



Elements of the Code

Filling and Excavation – General

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



Visual Impact and Site Stability

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

Flooding and Drainage

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

Water Quality

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



RURAL AREAS & RURAL SETTLEMENT LOCALITY





4.2.6 Rural Areas and Rural Settlements Locality Code

Purpose

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;
- conserve the rural character and rural landscape elements as important and distinctive to the scenic value of the Shire;
- protect rural areas from encroachment by incompatible urban development;
- protect and conserve valuable riverine vegetation and systems in rural areas;
- retain the rural lifestyle opportunities and amenity of rural settlement areas with no further compromise to surrounding productive rural areas;
- ensure rural settlement areas remain unobtrusive and have no detrimental impact on the Scenic Amenity of surrounding rural areas; and
- facilitate any future land use aspirations of the local Indigenous communities which are compatible with achieving the other planning outcomes for the Area.

Applicability

This Code applies to self assessable and assessable development in the Rural Areas and Rural Settlements Locality for:

- Material Change of Use:

Except for:

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

For self assessable development assessment against this Code, the applicable Acceptable Solutions are A1.1 and A2.1 a), c) and e).

Self assessable development which does not comply with Acceptable Solution as listed above, outlined in this Code will require Code Assessment.



Elements of the Code

General Requirements

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
<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>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 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 On-site 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>P4 Development Sites are provided with efficient and safe vehicle Access and manoeuvring areas on Site and to the Site, to an acceptable standard for the Locality.</p>	<p>A4.1 All Roads, driveways and manoeuvring areas on Site and adjacent to the Site are designed and maintained to comply with the specifications set out in the Planning Scheme Policy No 6 – FNQROC Development Manual.</p>



Protecting Rural/Rural Settlement Amenity – General

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
<p>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.</p>	<p>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.</p>
<p>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.</p>	<p>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.</p> <p>A6.2 Community facilities are screened from adjacent Roads by landscape buffers of Dense Planting a minimum of 5 metres in width.</p> <p style="text-align: center;">AND</p> <p>All side and rear boundaries are provided with Dense Planting for a minimum width of 1.5 metres.</p>
<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 quality²¹.</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"> 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. <p style="text-align: center;">AND</p> <p>The remnant vegetation on the western boundary of the Site is dedicated as public park.</p>

²¹ Vegetation clearing is required to be undertaken in accordance with Local Law – Vegetation Management.



<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 style="text-align: center;">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>A8.2 Any new lots are included in a Designated 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 m² of the Site or 4% Site Coverage of the Site, whichever is the lesser. (The 800m² area of Clearing does not include an access driveway.)</p> <p style="text-align: center;">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 environment²².</p> <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>
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²² Vegetation clearing is required to be undertaken in accordance with Local Law – Vegetation Management.



	<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> <p>Ensures the new House is not visually prominent from adjacent public viewing points, such as Mossman-Daintree Road and Rocky Point.</p>
P9 Development of Lot 32 on RP 850495, Vixies Road, Wonga Beach is connected to urban services.	<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>
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>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 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>



Protection of Scenic Amenity and Natural Values

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
<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 Locality²³.</p>	<p>No Acceptable Solution.</p> <p>(Information that the Council may request to demonstrate compliance with the Performance Criteria is outlined in Planning Scheme Policy No 10 – Reports and Information the Council May Request, for code and impact assessable development).</p>

Indigenous Interests

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
<p>P12 The land use aspirations in any Indigenous Land Use Agreement (ILUA) are acknowledged and facilitated.</p>	<p>A12.1 Development is consistent with any ILUA relating to the land and the relevant provisions of the Planning Scheme.</p>

²³ The Environmental Protection Agency is a Concurrence Agency for assessable development within a Coastal Management District.

Rural Areas and Rural Settlement Locality Code:

P1.

A1.1 our proposed building will be subservient to the surrounding environment as we will build structures in keeping with the unique character of the locality.

P2.

A2.1 We propose a second bore specifically for the attraction complying with the code requirements and it will be screened with dense planting.

On site sewerage for the attraction to be constructed new and the use of both solar power and electricity to be connected.

P3

A3.1 Landscaping of our site will complement the existing rural character of the Locality. The buildings will be surrounded by native trees (60%) and cocoa trees.

P4.

A4.1 The site will be provided with efficient and safe vehicle access to and around the site including manoeuvring areas, to an acceptable standard for the locality and to council specification. There is existing gravel road base in place. There will be a designated parking area that will be adequate for at least 15 spaces suitable for car and mini buses.

P5.

A5.1 Our Tourist Attraction will be cocoa farm tours and chocolate related business which complements and is directly related to our existing rural cocoa plantation and farming practice.

This requires a rural location, an urban location is inappropriate

P6.

A6.1 N/A

A6.2 N/A

P7

A7.1 Buildings will be visually unobtrusive as set back from the road blending with the landscape

P8.

A8.1 N/A

A8.2 N/A

A8.3 N/A

A8.4 N/A

A8.5 N/A

Cont. 'Rural Areas and Rural Settlement Locality Code.

P9.

A9.1 N/A

P10

A10.1 N/A

Protection of Scenic Amenity and Natural Values.

P11.Our site does not impact adversely on areas of sensitive natural vegetation, foreshore or watercourse areas. We are not in a tidal area. Scenic amenity and natural values of the locality can be maintained.

P12 N/a

Tourist Attraction Code:

P1.

A1.1 The tourist attraction will not be located on GQAL

A1.2 Our proposed tourist attraction is based on cocoa which is the primary land use dominating the site

A1.3 Our tourist attraction will be located on an easily accessible location with all-weather access to the sealed bitumen road.

A1.4 The tourist attraction will be located on an existing lot that does not require reconfiguration to contain the use.

A1.5 We feel our tourist attraction would not adversely impact on surrounding uses, in terms of noise, traffic and general amenity as it is at the end of a road with only 1 neighbour further on who is already set well back from the road. The attraction does not require any increase in noise to operate; hours of operation can and would be controlled.

P2

A2.1 Our tourist attraction will have 2 new purpose built structures in colorbond compatible in scale, design and colour to the surrounding environment.

A2.2 Buildings/structures will be compatible, single story, and in scale with existing buildings in the locality and will be located unobtrusively well back from the bitumen road.

A2.3 The landscape will be appropriate to the facility and existing locality. It will be surrounded by native and cocoa trees.

As per Plant Species Schedule in Planning Scheme Policy.

P3

A3.1 We intend to have a small scale retail area, café and display area to showcase the bean to bar experience of cocoa. These are compatible and relevant to the theme of the tourist attraction.

P4

A4.1 N/A no ancillary buildings



4.5.20 Tourist Attraction Code

Purpose

The purpose of this Code is to:

- facilitate the development of Tourist Attractions in the Shire that showcase environmental, agricultural or rural attractions and which are compatible in character and scale with the surrounding environment and the locality;
- ensure that a Tourist Attraction is not located on GQAL; and
- ensure that a Tourist Attraction is located to be conveniently accessible and where there are minimal impacts on surrounding land uses.

Applicability

This Code applies to assessable development for a Material Change of Use for a Tourist Attraction.

Elements of the Code

Location and Compatibility

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS
<p>P1 Tourist Attractions are appropriately located to showcase existing environmental, agricultural or rural attractions and be complementary to surrounding uses, the environment and the locality.</p>	<p>A1.1 Tourist Attractions are not located on GQAL.</p>
	<p>A1.2 Tourist Attractions are based on environmental, agricultural or rural themes appropriate to the locality in which they are located and with the environmental, agricultural or rural activity remaining as the dominant or primary land use on the Site.</p>
	<p>A1.3 Tourist Attractions are located in accessible locations with all weather Access to a bitumen sealed Road.</p>
	<p>A1.4 Tourist Attractions are located on an existing lot or lots that do not require reconfiguration to contain the use.</p>
	<p>A1.5 Tourist Attractions do not adversely impact on surrounding uses, in terms of noise, traffic and general amenity.</p>



Amenity

PERFORMANCE CRITERIA		ACCEPTABLE SOLUTIONS	
P2	Any Buildings/structures associated with the Tourist Attraction are complementary to the surrounding environment.	A2.1	Buildings/structures are compatible in scale, design and colour to the surrounding natural and built environment.
		A2.2	Buildings/structures are compatible in scale with existing Buildings in the locality and are located on the Site so as to be unobtrusive.
		A2.3	Landscaping of the Site is appropriate to the facility and existing locality, with the retention of existing native vegetation and the inclusion of additional vegetation with species identified in the Plant Species Schedule in Planning Scheme Policy No 7 – Landscaping.

Ancillary facilities

PERFORMANCE CRITERIA		ACCEPTABLE SOLUTIONS	
P3	Any ancillary facilities or uses are compatible with and relevant to the theme of the Tourist Attraction.	A3.1	Any ancillary facilities or uses are limited to small-scale retail areas, café/Restaurant or display areas.
P4	Any ancillary Buildings are appropriate in terms of scale and design with the primary Tourist Attraction Building and provide connectivity and weather protection for patrons and staff.	A4.1	Any ancillary Buildings are compatible in scale, design and colour to the main Tourist Attraction Building and the surrounding environment.
		A4.2	Any ancillary Buildings are connected to the main Tourist Attraction Building with covered walkways 1.2 metres footspace.