

97 Anderson Street Manunda QLD 4870 T. 07 4041 0445 E. info@planztp.com M. PO Box 181 Edge Hill QLD 4870 ABN. 83 128 085 870

planztp.com

5 August 2022

Our ref: 81619:

Chief Executive Officer Douglas Shire Council PO Box 723 Mossman Qld 4873 via email: enquiries@douglas.qld.gov.au

Attention: Jenny Elphinstone

Dear Jenny

Development Application (Code) seeking a Preliminary Approval for Building Work Assessable Against the Planning Scheme for a shed at 40 Nicole Drive, Cape Tribulation (Lot 4 RP738897)

I am pleased to submit this application for Building work assessable against the Planning Scheme at 40 Nicole Drive, Cape Tribulation, described as Lot 4 on RP738897.

The relevant information for the application is:

Applicant: Hirst SMSF PTY LTD c/- Planz Town Planning

Mailing address: PO Box 181

Edge Hill Qld 4870

Application fee: \$344

If you require any further information, please call me.

Yours sincerely,

Susie Lord Planz Town Planning

Att:

- 1. DA Form 2
- 2. Planning Report

DA Form 2 – Building work details

Approved form (version 1.2 effective 7 February 2020) made under Section 282 of the Planning Act 2016.

This form must be used to make a development application involving building work.

For a development application involving **building work only**, use this form (*DA Form 2*) only. The DA Forms Guide provides advice about how to complete this form.

For a development application involving **building work associated and any other type of assessable development** (i.e. material change of use, operational work or reconfiguring a lot), use *DA Form 1 – Development application details* **and** parts 4 to 6 of this form (*DA Form 2*).

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

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

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

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

PART 1 – APPLICANT DETAILS

1) Applicant details	
Applicant name(s) (individual or company full name)	Hirst SMSF PTY LTD
Contact name (only applicable for companies)	C/- Planz Town Planning
Postal address (PO Box or street address)	PO Box 181
Suburb	Edge Hill
State	QLD
Postcode	4870
Country	
Contact number	4041 0445
Email address (non-mandatory)	info@planztp.com
Mobile number (non-mandatory)	
Fax number (non-mandatory)	
Applicant's reference number(s) (if applicable)	P81619

PART 2 – LOCATION DETAILS

2) Location of the premises (complete 2.1 and 2.2 if applicable)
Note: Provide details below and attach a site plan for any or all premises part of the development application. For further information, see <u>DA</u> Forms Guide: Relevant plans.
2.1) Street address and lot on plan
Street address AND lot on plan (all lots must be listed), or
Street address AND lot on plan for an adjoining or adjacent property of the premises (appropriate for development in water but adjoining or adjacent to land e.g. jetty, pontoon. All lots must be listed).



Unit No.	Street No.	Street Name and Type	Suburb
40 Nicole Drive Cape Tribulation		Cape Tribulation	
Postcode Lot No. Plan Type and Number (e.g. RP, SP) Local Government Area(s)		Local Government Area(s)	
4 RP738897 Douglas Shire Council		Douglas Shire Council	
2.2) Additional premises			
Additional premises are relevant to this development application and the details of these premises have been			

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

Not required

3) Are there any existing easements over the premises?

Note: Easement uses vary throughout Queensland and are to be identified correctly and accurately. For further information on easements and how they may affect the proposed development, see the <u>DA Forms Guide</u>

Yes – All easement locations, types and dimensions are included in plans submitted with this development application

🛛 No

PART 3 – FURTHER DETAILS

4) Is the application only for building work assessable against the building assessment provisions?

Yes – proceed to 8)

🛛 No

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

Douglas Shire Council

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

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

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

🛛 No

7) Information request under Part 3 of the DA Rules

I agree to receive an information request if determined necessary for this development application

I do not agree to accept an information request for this development application

Note: By not agreeing to accept an information request I, the applicant, acknowledge:

 that this development application will be assessed and decided based on the information provided when making this development application and the assessment manager and any referral agencies relevant to the development application are not obligated under the DA Rules to accept any additional information provided by the applicant for the development application unless agreed to by the relevant parties.

• Part 3 of the DA Rules will still apply if the application is an application listed under section 11.3 of the DA Rules.

Further advice about information requests is contained in the DA Forms Guide.

8) Are there any associated development applications or current approvals? Yes – provide details below or include details in a schedule to this development application No List of approval/development application Reference Date Approval MCUI 2021_4081/1 5 August 2021 Douglas Shire Council Approval Approval Development application

9) Has the portable long serv	ice leave levy been paid?			
	Yes – a copy of the receipted QLeave form is attached to this development application			
No − I, the applicant will provide evidence that the portable long service leave levy has been paid before the assessment manager decides the development application. I acknowledge that the assessment manager may give a development approval only if I provide evidence that the portable long service leave levy has been paid				
Not applicable (e.g. building and construction work is less than \$150,000 excluding GST)				
Amount paid Date paid (dd/mm/yy) QLeave levy number (A, B or E)				
\$				

10) Is this development application in response to a show cause notice or required as a result of an enforcement notice?
Yes – show cause or enforcement notice is attached
⊠ No
11) Identify any of the following further legislative requirements that apply to any aspect of this development

application		nat upply to any upped of the d	
The proposed development is on a place entered in the Queensland Heritage Register or in a local government's Local Heritage Register. See the guidance provided at <u>www.des.qld.gov.au</u> about the requirements in relation to the development of a Queensland heritage place			
Name of the heritage place:		Place ID:	

PART 4 – REFERRAL DETAILS

12) Does this development application include any building work aspects that have any referral requirements?

 \Box Yes – the *Referral checklist for building work* is attached to this development application \boxtimes No – proceed to Part 5

13) Has any referral agency provided a referral response for this development application?

☐ Yes – referral response(s) received and listed below are attached to this development application ☐ No

Referral requirement	Referral agency	Date referral response
Identify and describe any changes made to the proposed referral response and this development application, or inc <i>(if applicable)</i>		

PART 5 – BUILDING WORK DETAILS

14) Owner's details		
Tick if the applicant is also the owner and proceed to 15). Otherwise, provide the following information.		
Name(s) (individual or company full name)		
Contact name (applicable for companies)		
Postal address (P.O. Box or street address)		
Suburb		
State		

Postcode	
Country	
Contact number	
Email address (non-mandatory)	
Mobile number (non-mandatory)	
Fax number (non-mandatory)	

15) Builder's details

Tick if a builder has not yet been engaged to undertake the work and proceed to 16). Otherwise provide the following information.

Name(s) (individual or company full name)	
Contact name (applicable for companies)	
QBCC licence or owner – builder number	
Postal address (P.O. Box or street address)	
Suburb	
State	
Postcode	
Contact number	
Email address (non-mandatory)	
Mobile number (non-mandatory)	
Fax number (non-mandatory)	

16) Provide details about the pr	oposed building work			
What type of approval is being	sought?			
Development permit				
🛛 Preliminary approval				
b) What is the level of assessm	ent?			
⊠ Code assessment				
Impact assessment (requires p	oublic notification)			
c) Nature of the proposed build	ing work (tick all applicable be	oxes)		
New building or structure		🗌 Repairs, altera	ations or additions	
Change of building classifica	ation (involving building work)	Swimming po	ol and/or pool fence	
Demolition	Demolition Relocation or removal			
d) Provide a description of the v	vork below or in an attached	schedule.		
Shed				
e) Proposed construction mater	ials			
	Double brick	Steel	Curtain glass	
External walls	Brick veneer	Timber	Aluminium	
	Stone/concrete	Fibre cement	Other	
Frame Timber Steel Aluminium				
Floor Concrete Timber Other				
Boof covoring Slate/concrete Tiles Fibre cement				
Roof covering I bit control I Aluminium Steel Other				
f) Existing building use/classification? (<i>if applicable</i>)				

g) New building use/classification? (if applicable)

h) Relevant plans

Note: Relevant plans are required to be submitted for all aspects of this development application. For further information, see <u>DA Forms Guide:</u> <u>Relevant plans</u>.

Relevant plans of the proposed works are attached to the development application

17) What is the monetary value of the proposed building work?

\$unknown

18) Has Queensland Home Warranty Scheme Insurance been paid?				
Yes – provide details below				
No				
Amount paid Date paid (dd/mm/yy) Reference number				
\$				

PART 6 – CHECKLIST AND APPLICANT DECLARATION

19) Development application checklist	
The relevant parts of Form 2 – Building work details have been completed	⊠ Yes
This development application includes a material change of use, reconfiguring a lot or operational work and is accompanied by a completed <i>Form 1 – Development application details</i>	☐ Yes ⊠ Not applicable
Relevant plans of the development are attached to this development application Note : Relevant plans are required to be submitted for all aspects of this development application. For further information, see <u>DA Forms Guide: Relevant plans.</u>	🛛 Yes
The portable long service leave levy for QLeave has been paid, or will be paid before a development permit is issued (<i>see 9</i>)	 ☐ Yes ☑ Not applicable

20) Applicant declaration

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

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

Privacy – Personal information collected in this form will be used by the assessment manager and/or chosen assessment manager, any referral agency and/or building certifier (including any professional advisers which may be engaged by those entities) while processing, assessing and deciding the development application.

All information relating to this development application may be available for inspection and purchase, and/or published on the assessment manager's and/or referral agency's website.

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

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

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

PART 7 – FOR COMPLETION BY THE ASSESSMENT MANAGER – FOR OFFICE USE ONLY

Date received: Reference	numbers:	
For completion by the building certifier Classification(s) of approved building work		
Name QBCC Certification Licence QBCC Insurance receipt number number		

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

Additional information required by the local government			
Confirm proposed construction	materials:		
External walls	 Double brick Brick veneer Stone/concrete 	 Steel Timber Fibre cement 	Curtain glass Aluminium Other
Frame	☐ Timber ☐ Other	Steel	Aluminium
Floor	Concrete	Timber	Other
Roof covering	Slate/concrete	☐ Tiles ☐ Steel	Fibre cement Other

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

Additional building details required for the Australian Bureau of Statistics			
Existing building use/classification? (if applicable)			
New building use/classification?			
Site area (m ²)		Floor area (m ²)	



APPLICATION FOR PRELIMINARY APPROVAL

BUILDING WORK ASSESSABLE AGAINST THE PLANNING SCHEME – SHED 40 NICOLE DRIVE, CAPE TRIBULATION LOT 4 RP738897

5 AUGUST 2022

PREPARED BY

PLANZ TOWN PLANNING PTY LTD

on behalf of

Hirst SMSF Pty Ltd



Contents

1	Propos	ed Development	1
	1.1	Nature of the Proposal	1
	1.2	The Site	2
2	Planniı	ng Considerations	3
	2.1	State Interest	3
	2.2	Planning Scheme Assessment	3
3	Infrast	ructure	5
Арр	endix 1	Assessment against the planning scheme	6
	6.2.3 (Conservation zone code	6
	7.2.1 (Cape Tribulation and Daintree Coast local plan code1	3
Арр	endix 2:	Proposal plans	5



Application Summary

Application details	
Proposal	Building Work Assessable Against the Planning Scheme – Shed
Approval sought	Preliminary approval
Applicant	Hirst SMSF Pty Ltd (Chris Hirst)
Property Owner	Hirst SMSF Pty Ltd
Address	40 Nicole Drive, Cape Tribulation
Real Property Description	4SP738897
Lot Size	22,130m² (2.2 ha)
Zone	Conservation – Precinct 5
Current Use	Cropping (tropical fruit frarm), Caretaker's accommodation associated with Lots 4 RP738897 (farm) and 5RP738897 (Short-term accommodation)
Level of Assessment	Code
Applicable Codes	6.2.3 Conservation zone7.2.1 Cape Tribulation & Daintree Coast Local Plan – Precinct 5
Referral Triggers	Not applicable



1 PROPOSED DEVELOPMENT

1.1 Nature of the Proposal

This application is over land described as 40 Nicole Drive, Cape Tribulation on Lot 4 RP738897and is for Building Work Assessable Against the Planning Scheme.



Figure 1: Aerial image of the site

The proposed development is for a shed associated with the existing uses occurring on the site. The proposed shed has an area of approximately 98m² and will provide covered storage for plant and equipment associated with the existing uses occurring on-site.

The assessment against the applicable benchmarks has identified that there are no significant matters to be raised with Council for consideration. Council is requested to approve the application subject to reasonable conditions.

Body Text



1.2 The Site

The site is located at the entrance to existing small subdivision at Cape Tribulation, north of the Daintree River. The site has been used as a tropical fruit farm for more than 20 years in conjunction with tourist accommodation use occurring on the adjacent site to the north.



Figure 2: Image of existing tropical fruit farm

While the site, surrounds and most of the land in the Daintree in the Conservation zone, it is the Cape Tribulation / Daintree Local Plan that provides direction on the nature of uses permitted. The site is designated **Precinct 5 - Low Impact Rural Production and Tourism Enterprise**.



Figure 3: Extract from Local Plan map



2 PLANNING CONSIDERATIONS

2.1 State Interest

The Planning Regulations and State Development Assessment Provisions (SDAP) set out the matters of interest to the State for development assessment.

A review against the SDAP has identified that referral is not required for this application.

2.2 Planning Scheme Assessment

The proposed Building work is identified as being Code assessable development in the Douglas Shire Planning Scheme. In considering the proposal against the applicable codes, there are Performance Outcomes and Acceptable Outcomes which are to be considered:

- 1. Assessable development must demonstrate that the Performance Outcomes can be achieved.
- The Acceptable Outcomes that are nominated in the Codes are just one means by which the Performance Outcomes may be achieved.

The proposal satisfies the Purpose and Overall Outcomes of the relevant Planning Scheme Codes as identified in **Appendix 1**. The assessment and compliance table for this development is shown below.

Council is requested to approve the application subject to reasonable conditions.



Planning Scheme Assessment Table Codes		Applicability	
Zone Code	6.2.3	Conservation	✓
Local Plan	7.2.1	Cape Tribulation and Daintree Coast	√
	8.2.1	Acid Sulphate Soils	N/A
	8.2.2	Bushfire Hazard	N/A
	8.2.3	Coastal Environment	N/A
	8.2.4	Flood and Storm Tide Hazard	N/A
Overlay	8.2.5	Hillslopes	N/A
Codes	8.2.6	Landscape Values	N/A
	8.2.7	Natural Areas	N/A
	8.2.8	Places of Significance	N/A
8	8.2.9	Potential Landslip Hazard	N/A
	8.2.10	Transport Network	N/A
Use Codes	9.3.8	Dwelling House	N/A
	9.4.1	Access, Parking and Service	N/A
	9.4.2	Advertising devices	N/A
	9.4.3	Environmental performance	N/A
	9.4.4	Filling and Excavation	N/A
Other Development	9.4.5	Infrastructure works	N/A
Codes	9.4.6	Landscaping	N/A
	9.4.7	Reconfiguring a lot code	N/A
	9.4.8	Ship-Sourced Pollutants Reception Facilities in Marinas	N/A
	9.4.9	Vegetation management	N/A



3 INFRASTRUCTURE

The proposed shed does not have any impact on the demand or provision of infrastructure at the site.



APPENDIX 1: ASSESSMENT AGAINST THE PLANNING SCHEME

6.2.3 Conservation zone code

Purpose

The purpose of the Conservation zone code is to provide for the protection, restoration and management of areas identified as supporting significant biological diversity and ecological integrity.

The local government purpose of the code is to:

- (a) implement the policy direction set in the Strategic Framework, in particular:
 - (i) Theme 2 : Environmental and landscape values, Element 3.5.2 Aboriginal cultural heritage values, Element 3.5.3 Biodiversity, Element 3.5.3 Coastal zones.
 - (ii) Theme 3 Natural resource management, Element 3.6.2 Land and catchment management.
 - (iii) Theme 4 Strong communities and identity, Element 3.7.8 Strengthening indigenous communities.
- (b) conserve and maintain the integrity of biodiversity values, wildlife, habitats and other significant ecological assets and processes over time, across public and private lands.

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

- (a) Biological diversity, ecological integrity and scenic amenity are protected;
- (b) Any recreational or other uses of areas that are in the control of the Crown, or the Council, such as reserves, national parks and the Wet Tropics World Heritage Area or areas adjacent to these areas, are consistent with the management plans of the controlling authority so that conservation and scenic values of these areas are not adversely affected;
- (c) Any use of land in private ownership does not affect the environmental, habitat, conservation or scenic values of that land or surrounding area;
- (d) Any low intensity facilities based on the appreciation of the natural environment or nature based recreation only establish where there is a demonstrated need and provided they have a minimal impact on the environmental and scenic amenity values of the site or surrounding area.
- (e) The provisions of the Return to Country Local Plan facilitate economic and social opportunities on traditional Indigenous lands;



(f) Further lot reconfigurations other than amalgamations, boundary realignments to resolve encroachments, or for the practical needs of essential community infrastructure, or to facilitate Return to Country outcomes do not occur.

Table 6.2.3.3.a – Conservation zone – assessable development

Performance outcomes	Acceptable outcomes	Applicant response
For assessable development		
PO1 The establishment of uses is consistent with the outcomes sought for the Conservation zone and protects the zone from the intrusion of inconsistent uses.	AO1 Uses identified in Table 6.2.3.3.b are not established in the Conservation zone.	Not applicable The proposed development is for a Shed.
PO2 The height of buildings is compatible with the character of the area and does not adversely affect the amenity of the area.	AO2 Buildings and structures are not more than 8.5 metres in height and two storeys. Note - Height is inclusive of roof height.	Complies with the acceptable outcome The shed has a maximum height of 4.5m.
PO3 Development is setback from site boundaries so they are screened from view from the boundaries of adjoining properties and adjoining roads to maintain the scenic values of the area.	 AO3 Buildings and structures are setback not less than: (a) 40 metres from the frontage of a State-controlled road, existing or proposed arterial road, existing or proposed sub-arterial road, as identified on the Transport network overlay maps contained in Schedule 2; (b) 25 metres from Cape Tribulation Road frontage; (c) 20 metres from any other road frontage (d) 10 metres from side and rear boundaries. 	Complies with the acceptable outcome The shed will be setback approx. 60m from the front boundary (Nicole Drive), and approx. 30m from the southern boundary.
PO4 The site coverage of all buildings and structures does not have an adverse effect on the conservation or scenic amenity values of the site and surrounding area and buildings are subservient to the natural environment.	AO4 Development is sited in an existing cleared area or an area approved for clearing, but which is not yet cleared until a development permit to carry out Building Works is issued. Any clearing is limited to a maximum area of 700m ² and is sited clear of the high bank of any watercourse. Note – The 700m ² area of clearing does not include an access driveway.	Complies with the acceptable outcome The shed will be located in an already cleared area of the site.



Performance outcomes	Acceptable outcomes	Applicant response
P05 Development is consistent with the overall outcomes sought for the Conservation zone.	AO5 No acceptable outcomes are prescribed.	 Complies with the performance outcome The proposed development is for a shed that will store plant and equipment of the existing uses occurring on the site. The proposed development is consistent with the purpose and overall outcomes of the code as the development does not adversely impact on: the integrity of biodiversity values, wildlife, habitats and other significant ecological assets of that land or surrounding area; and the environmental, habitat, conservation or scenic values of that land or surrounding area.
PO6 Development complements, and is subservient to the surrounding environment and is in keeping with the ecological, landscape and scenic values of the area.	AO6 The exterior finishes and colours of all development are non-reflective and consist of colours that blend easily with surrounding native vegetation and view-shed.	Complies with the acceptable outcome The colour of the shed will be ironstone (deep grey).
 PO7 Development is screened from view from adjoining roads and properties with a dense screen of endemic/native landscape which: (a) is informal in character and complementary to the existing natural environment; provides screening; enhances the visual appearance of the development. Note – Planning scheme policy – Landscaping provides further guidance on meeting the performance outcome. 	 A07.1 For any development, the balance area of the site not built upon, including all setback areas must be landscaped/revegetated with dense three tier, endemic planting which is maintained to ensure successful screening is achieved. A07.2 Endemic palm species, where used, are planted as informal accent features and not as avenues and not in a regular pattern. 	Complies with the acceptable outcome The shed will be located in an already cleared area of the site and will be setback approx. 60m from the front boundary (Nicole Drive), and approx. 30m from the southern boundary. Not applicable.
P08 Development is complementary to the surrounding environment.	AO8.1 Development harmonises with the surrounding environment, for example, through suspended, light- weight construction on sloping sites, which requires minimal excavation or fill.	Complies with the acceptable outcome The shed will be located in an already cleared area of the site.



Performance outcomes	Acceptable outcomes	Applicant response
	 AO8.2 A driveway or parking areas are constructed and maintained to: (a) minimise erosion, particularly in the wet season; (b) minimise cut and fill; (c) follow the natural contours of the site; (d) minimise vegetation clearing. 	Complies with the acceptable outcome No new driveway or parking areas are proposed.
	 A08.3 Buildings and structures are erected on land not exceeding a maximum gradient of 1 in 6 (16.6%). or On land steeper than 1 in 6 (16.6%) gradient: (a) A split level building form is utilised; (b) A single plane concrete slab is not utilised; (c) Any voids between building and ground level, or between outdoor decks and ground level are screened from view using lattice/battens and/or landscaping. and (d) is accompanied by a Geotechnical Report prepared by a qualified engineer at development application stage which includes certification that the site can be stabilised, followed by a certificate upon completion of works. 	Complies with the acceptable outcome The shed will be located in an already cleared area of the site that has a slope less than 1 in 6.
	AO8.4 Buildings and structures are sited below any ridgelines and are sited to avoid protrusion above the surrounding tree-level canopy.	Complies with the acceptable outcome The shed will be located in an already cleared area of the site that is below ridgelines and will not protrude above the tree-level canopy.
PO9 Development is located to: (a) protect the ecological values of the site and surrounding land;	AO9 No acceptable outcomes are prescribed.	Complies with the performance outcome The shed will be located on an already cleared area of the site to ensure that the development:



Performance outcomes	Acceptable outcomes	Applicant response
 (b) maintain the scenic values of the area; (c) maintain appropriate setbacks to waterways, watercourses, wetlands, tidal areas and overland flow paths; (d) avoid areas that are vulnerable to natural hazards; (e) minimise to the greatest extent possible on site excavation and filling; (f) provide buffers to cultural, historical or ecological features; (g) minimise visibility from external sites or public viewing points; (h) minimises to the greatest extent possible the loss of native vegetation and fauna habitat. 		 protects the ecological values of the site and surrounding land; maintains the scenic values of the area; maintains appropriate setbacks to waterways, watercourses, wetlands, tidal areas and overland flow paths; avoids areas that are vulnerable to natural hazards; minimises to the greatest extent possible on site excavation and filling; provides buffers to cultural, historical or ecological features; minimises to the greatest extent possible the loss of native vegetation and fauna habitat.
 PO10 Development does not result in adverse impacts on: (a) ecological function or features; (b) on-site or surrounding waterways and wetlands. 	AO10 No acceptable outcomes are prescribed.	Complies with the performance outcome The shed will be located on an already cleared area of the site to ensure that there are no adverse impacts on ecological function or features on the subject site or the surrounding waterways and wetlands.
PO11 Rehabilitation of natural processes on disturbed sites is undertaken to improve the environmental integrity of the area.	AO11 No acceptable outcomes are prescribed	Complies with the performance outcome The proposed development is located on the site to avoid adverse impacts.
PO12 Fencing is designed to not impede the free movement of native fauna through the site.	AO12 No acceptable outcomes are prescribed.	Complies with the performance outcome No fencing is proposed as part of the development.
PO13 New lots contain a minimum lot size of 200 hectares, unless:	AO13 No acceptable outcomes are prescribed.	Complies with the performance outcome No new lots are proposed.



Perf	ormance outcomes	Acceptable outcomes	Applicant response
(a)	the lot reconfiguration results in no additional lots (e.g. amalgamation, boundary realignments);		
(b)	 the reconfiguration is limited to one additional lot to accommodate an existing or approved: (i) Telecommunications facility; (ii) Utility installation; 		
	the lot reconfiguration facilitates and outcome consistent with the Return to Country local plan. - Boundary realignments must result in an improved nmental outcome or resolve encroachments.		



Table 6.2.3.3.b – Inconsistent uses within the Conservation zone

Inconsistent uses		
 Adult store Agricultural supplies store Air services Animal husbandry Aquaculture Bar Brothel Bulk landscape supplies Car wash Caretaker's accommodation Cemetery Child care centre Club Community care centre 	 Garden centre Hardware and trade supplies High impact industry Hospital Hotel Indoor sport and entertainment Intensive animal industry Intensive horticulture Landing Low impact industry Major sport, recreation and entertainment facility Marine industry Market 	 Resort complex Retirement facility Roadside stall Rooming accommodation Rural activities (unless in accordance with the exceptions nominated in the Table of Assessment for the Conservation Zone in Part 5) Rural workers accommodation Sales office Service Station Shop Shopping centre Showroom
 Community residence Community use Crematorium Cropping Detention facility Dual occupancy Dwelling unit 	 Motor sport facility Multiple dwelling Nightclub entertainment facility Office Outdoor sales Parking station Place of worship 	 Special industry Substation Theatre Tourist attraction Tourist park Transport depot Utility installation
 Educational establishment Extractive industry Food and drink outlet Function facility 	 Port services Relocatable home park Research and technology industry Residential care facility 	 Veterinary services Warehouse Wholesale nursery Winery

Function facility
 Function facility
 • Residential care facility
 • Winery
Note – This table does not imply that all other uses not listed in the table are automatically consistent uses within the zone. Assessable development must still demonstrate consistency through the
assessment process.



7.2.1 Cape Tribulation and Daintree Coast local plan code

Purpose

The purpose of the Daintree River - Bloomfield River local plan is to retain the attraction of the area as a very low-key, largely undeveloped nature-based recreation environment, based on the exploration and appreciation of the natural environment and to ensure that any development that does occur is appropriate and does not place additional pressures on the values of area.

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

- (a) areas within the local plan are appropriately managed to protect biological diversity, water catchment quality, ecological functioning, beach protection and coastal management, scenic amenity, and historical and cultural values;
- (b) the natural character of the locality is protected, and where degraded, restored or enhanced;
- (c) new development does not occur, with the exception of development located within, and consistent with the respective precinct intents for:
 - (i) Precinct 1 Conservation precinct
 - (ii) Precinct 2 Low impact residential precinct;
 - (iii) Precinct 3 Low impact commercial precinct;
 - (iv) Precinct 4 Low impact community purpose precinct;
 - (v) Precinct 5 Low impact rural production and tourism enterprise precinct;
 - (vi) Precinct 6 Low impact tourism accommodation precinct;
- (d) where development occurs it is:
 - (i) very low scale and remains within the limits imposed by the vehicular capacity of the Daintree River ferry crossing, the Alexandra Range road crossing and the local road network;
 - (ii) sensitive and sympathetic to its remote location in an area of unique biodiversity, ecological, conservation and scenic amenity value;
 - (iii) self-contained through the use of appropriate on-site or nearby rain water collection and storage, sewerage treatment and electricity generation;
- (e) adequate services and facilities for settlement areas and an appropriate level of economic opportunity for local residents are provided

Precinct 5 - Low impact rural production and tourist enterprise precinct

The purpose of Precinct 5 as detailed on the Local Plan maps contained in Schedule 2 is to recognise existing rural areas and permit their continued use, while encouraging low-impact tourism enterprise including bed and breakfast, short term accommodation (being farm stay accommodation) and nature based tourism (being forest stay accommodation) as an alternative land use, where significant restoration and/or rehabilitation measures are undertaken as an incentive.



The overall outcomes sought for Precinct 5 are to:

- (a) provide for continued rural production activities where lawfully established and to permit low-key ancillary tourism enterprise such as farm attractions, roadside stalls in appropriate locations;
- (b) provide for other tourism enterprise in the form of bed and breakfast, farm stay accommodation or forest stay accommodation as an alternative land use to primary production, where significant rehabilitation of habitat is achieved.
- (c) facilitate other existing tourism enterprises based on the appreciation of the natural environment.
- (d) ensure development, including waste treatment is limited to existing cleared areas;
- (e) development, including primary production, is carried out in accordance with an Environmental Management Plan.

Performance outcomes	Acceptable outcomes	Applicant response	
All development in the Cape Tribulation and Daintre	All development in the Cape Tribulation and Daintree Coast local plan area		
 PO1 Development does not result in a demand which exceeds the capacity of: (a) the Daintree River ferry crossing; (b) Alexandra Range Road; (c) the local road network. 	AO1 No acceptable outcomes are prescribed.	Complies with the performance outcome The proposed development does not increase the demand for the Daintree River ferry crossing or the road network.	
PO2 Development provides a suitable standard of self- sufficient service for: (b) potable water; water for fire fighting purposes; electricity supply.	 AO2.1 Water storage is provided in tank/s with a minimum capacity to service the proposed use, including fire fighting capacity, and access to the tank/s for fire trucks. Tank/s are to be: (a) fitted with a 50mm ball valve and camlock fitting; (b) installed and connected prior to occupation; (c) sited so as to be visually unobtrusive. 	Complies with the acceptable outcome The proposed development is for a Shed associated with the existing uses on the site. Any additional water storage will comply with the acceptable outcome.	
	AO2.2 Water storage tanks are to be fitted with screening at their inlets to prevent the intrusion of leaves and insects.	Complies with the acceptable outcome The proposed development is for a Shed associated with the existing uses on the site. Any additional water storage will comply with the acceptable outcome.	

Table 7.2.1.10 a – Cape Tribulation and Daintree Coast local plan – assessable development



Performance outcomes	Acceptable outcomes	Applicant response
	AO2.3 An environmentally acceptable and energy efficient power supply is constructed, installed and connected prior to occupation and sited so as to be screened from the road.	Complies with the acceptable outcome The proposed development will utilise the existing power supply on the site as required.
PO3 On-site waste water does not adversely impact on the environmental quality of the water and soil resources or amenity of residents, through the implementation of best environmental practice.	AO3 No acceptable outcomes are prescribed	Complies with the acceptable outcome The proposed development will not increase the demand for on-site waste water disposal.
PO4 The sustainability of the natural water resources of the area is protected for ecological and domestic consumption purposes.	 AO4.1 If groundwater is to be used, development is limited to one bore per site and the bore is: not located within 100 metres of a septic disposal trench (on the site or adjoining sites); not located within 100 metres of another bore. AO4.2 Surface water is to be used for domestic purposes only. 	Complies with the acceptable outcomes No additional water demand will occur.
PO5 Development does not adversely impact on areas of sensitive natural vegetation, foreshore areas, watercourses and/or areas of tidal inundation	AO5 No acceptable outcomes are prescribed	Complies with the performance outcome The proposed development will be located in an already cleared area of the site.
PO6 Development is subservient to the surrounding natural environment in scale and intensity and is designed to be functional in a humid tropical rainforest environment.	AO6.1 The exterior finishes and colours of buildings are non-reflective and complement the colours of the surrounding vegetation and view shed.	Complies with the acceptable outcome The colour of the shed will be ironstone (deep grey).
	AO6.2 The noise of generators is controlled by design, or the generator is enclosed within a sound insulated building with a residential approved muffler. The noise level generated is less than 65 dBA when measured from a distance of 7 metres.	Complies with the acceptable outcome The proposed development will utilise the existing power supply on the site as required.



Performance outcomes	Acceptable outcomes	Applicant response
	AO6.3 Any fuel storage associated with an on-site generator, with storage of 20 litres or more of fuel, is enclosed with a building and provided with a bund.	Complies with the acceptable outcome The proposed development will utilise the existing power supply on the site as required.
PO7 Landscaping of the development ensures that the endemic character of the local area is dominant.	AO7.1 Landscaping complies with the requirements of Planning Scheme Policy 7 – Landscaping; AO7.2	Complies with the performance outcome Landscaping is not proposed for this development as the existing landscaping will remain.
	All of the existing landscaping to be retained and all of the proposed landscaping is 100% endemic or native species and the details are provided on a landscape plan.	Complies with acceptable outcome Existing landscaping will be retained.
PO8 Site access driveways and roads within the local plan area are retained as safe, slow speed, scenic drives.	AO8.1 Site access driveways and existing or proposed roads comply with the relevant requirements of Planning Scheme Policy 5 – FNQROC Development Manual and are maintained as low speed gravel roads to maintain the scenic drive experience and to discourage the use of roads by through-traffic;	Complies with acceptable outcome The access driveway will comply with the relevant requirements.
	AO8.2 Where existing roads/tracks are 4-wheel drive only, upgrading to facilitate conventional vehicles and an increase in through traffic does not occur.	Not applicable
PO9 The on-site impacts on natural flow regimes and erosion and sedimentation are minimised.	AO9.1 Filling and excavation is kept to a minimum and involves not more than 5% of the cleared area of the lot.	Complies with the acceptable outcome Limited cut/fill is proposed to facilitate the development.
	AO9.2 All exposed surfaces must incorporate erosion and sediment controls during construction and must be maintained until revegetation, or other permanent stabilisation, has occurred.	Complies with the acceptable outcome Appropriate environmental controls will be implemented during construction.



Performance outcomes	Acceptable outcomes	Applicant response
	AO9.3 This is no disturbance to tree roots and trenching does not involve any damage to tree roots.	Complies with the acceptable outcome The proposed development will be located in an already cleared area of the site.
	 AO9.4 On-site drainage and stormwater management: (a) maintains natural flow regimes; (b) minimises impervious surfaces; (c) avoids concentration of flows, but where there is any form of concentration of flow, energy dissipation measures are installed at the outlet to avoid erosion (e.g. rock rip rap, gravel beds, diffusers etc.) 	Complies with the acceptable outcome On-site drainage and stormwater management will seek to maintain natural flow regimes and avoid the concentration of flows.
General requirements – Dwelling house	-	
PO10 Development minimises the loss of vegetation and habitat connectivity on site and is sited to protect the	AO10.1 The elements of development and access to the site are included in a Designated Development Area (DDA).	Not applicable The proposed development is for a Shed.
environmental values of the site.	 AO10.2 Development is sited in an existing cleared area or in an area approved for vegetation clearing. AO10.3 Any new clearing is limited to a maximum area of 700m2 and is sited to be clear of the high bank of any watercourse. 	Not applicable The proposed development is for a Shed.
PO11 All existing native vegetation on a house site, other than that required and approved to be cleared for the construction of a house and access thereto, is protected to ensure the environmental integrity of the local plan area.	Note – The 700m ² of clearing does not include an access driveway AO11 No acceptable solutions are prescribed.	Not applicable The proposed development is for a Shed.
PO12	A012.1	Not applicable The proposed development is for a Shed.



Performance outcomes	Acceptable outcomes	Applicant response
Wildlife movement, fauna habitat and habitat corridors are protected and domestic impacts are minimised.	Fences are limited in extent to the confines of the cleared area around the house and any associated gates are self-closing.	
	AO12.2 External lighting is to be kept to the minimum necessary for orientation, safety and security. Flood lights must not point up, and areas of retained vegetation should, in general, not be illuminated. Where appropriate, outdoor lights are controlled by movement detectors and/or timers.	
PO13 House sites have efficient and safe vehicle access and manoeuvring areas on site, and to the site, to an acceptable standard for the local plan area.	 AO13.1 Vehicle access is limited to one access per lot and sited in an approved location, clear of any watercourses. AO13.2 Vehicular access is a maximum width of 4 metres, avoids large tree specimens and/or significant vegetation and habitat corridors and is constructed and maintained to a minimum gravel standard of 75mm of road base on a compacted soil surface. AO13.3 Vehicular access is constructed prior to house 	Not applicable The proposed development is for a Shed.
Additional requirements for Nature based tourism, I	construction.	
PO14 Forest stay accommodation provides a local	A014 Forest stay accommodation:	Not applicable The proposed development is for a Shed.
economic opportunity for permanent residents of those parts of the Shire which are isolated and constrained by a lack of urban services and facilities.	 (a) is confined to: (i) Precinct 2 – Low impact residential precinct; (ii) Precinct 5 – Low impact rural and tourism enterprise precinct; (iii) Precinct 6 – Low impact tourism accommodation precinct. (b) does not occur above the 60 metre contour; 	



Performance outcomes	Acceptable outcomes	Applicant response
	(c) is located on lots of 10 hectares or greater.	
PO15 Forest stay accommodation remains ancillary to the primary residential use and the natural values of the land and the use is compatible with the character and amenity of the locality.	AO15.1 The maximum number of gusts is 10 (10 bed spaces) with up to a maximum of 4 staff (4 bed spaces); Note – Staff includes permanent residents of the dwelling house involved in catering for the use.	Not applicable The proposed development is for a Shed.
	AO15.2 None of the accommodation, whether for guests or staff, is self-contained as the use operates only in association with an existing dwelling on the site.	Not applicable The proposed development is for a Shed.
	AO15.3 Forest stay accommodation is located on a site which has an existing cleared area.	Not applicable The proposed development is for a Shed.
	AO15.4 The natural values of the balance area of the site are protected and enhanced with organised tours being conducted for visiting guests.	Not applicable The proposed development is for a Shed.
	 AO15.5 If forest stay accommodation is provided in buildings which are separate from the dwelling: (a) 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 50m² (inclusive of verandahs/patios etc.); or (b) a maximum of one communal bunkhouse is provided with a maximum area of 150m2 to accommodate 10 guests (10 bed spaces) (inclusive of verandahs/patios etc.); 	Not applicable The proposed development is for a Shed.



Performance outcomes	Acceptable outcomes	Applicant response
	 (c) a maximum of two communal bunkhouses are provided with a maximum area of 150m² each to accommodate a maximum of 20 guests (20 bed spaces) (inclusive of verandahs/patios etc). AO15.6 No kitchen or cooking facilities, with the exception of those located within the existing dwelling on the site are provided in association with the forest stay accommodation. 	
PO16 Development ensures guests are accommodated for short-stay and the dwelling is not the usual residence of the guest.	AO16 Development involves guests staying a maximum of 14 consecutive nights.	Not applicable The proposed development is for a Shed.
PO17 Development ensures that effluent disposal and treatment minimise odour and impacts on the natural environment.	AO17 Development provides an on-site effluent treatment system that is adequately sized to effectively treat effluent from the dwelling house and any additional persons occupying the premises as guests.	Not applicable The proposed development is for a Shed.
Additional requirements for Precinct 1 – Conservati	on precinct	
PO18 The biodiversity value of the area and the habitat of endemic species is protected on land included in the Rainforest Conservation precinct.	 AO18 No new development occurs whether on undeveloped or developed land except for: Undeveloped land that meets one or more of the following criteria: Land which has been previously been lawfully cleared and currently remains cleared; (a) Land which is the subject of a current Clearing Permit, but has yet to be cleared; (b) Land which is subject of a current Operational Works Permit, can be developed for a house subject to compliance with all relevant codes.	Not applicable as the site is located in Precinct 5.



Performance outcomes	Acceptable outcomes	Applicant response
	In addition, minor extensions can be undertaken to an existing development, provided:	
	(a) The extensions are limited to 30% of the existing gross floor area of the house at the commencement date of the planning scheme.	
	or	
	(b) The extent of extensions are determined on a site specific/use specific basis for other land uses,	
	and	
	(c) No further clearing is required to accommodate the extensions for either a house or any other land use development.	
Additional requirements for Precinct 2– Low impact	residential precinct	
 PO19 Development is for; (a) a detached dwelling of limited size and scale and necessary outbuildings and infrastructure; (b) home occupations, including bed and breakfast accommodation, where it can be demonstrated that the bed and breakfast accommodation can establish on the site and not detrimentally impact on the scenic values of the site and surrounding areas; (c) Nature based tourism, being Forest stay accommodation where in compliance with other requirements contained within this code 	 AO19.1 Development is limited to one dwelling house per lot. AO19.2 Establishment of bed and breakfast accommodation only occurs on land on which a dwelling house has been approved and constructed. AO19.3 Bed and breakfast accommodation is limited to cleared areas on the land; 	Not applicable as the site is located in Precinct 5.
requirements contained within this code.	or	
	AO19.4 Bed and breakfast accommodation is established within an existing house, where there is no additional vegetation clearing required to accommodate the use;	



Performance outcomes	Acceptable outcomes	Applicant response
	 AO19.5 Bed and breakfast accommodation occurs on a site with a minimum area of 1 hectare, and thereafter occurs at a rate of 1 bedroom (2 beds) per hectare, up to a maximum of 4 bedrooms (8) beds per site. AO19.6 Development is setback a minimum of 100 metres to an Esplanade or a foreshore frontage. 	
Additional requirements for Precinct 3 – Low impact	t commercial precinct	
PO20 Commercial development is located in a convenient location and meets the requirements of the local community and visitors to the area.	AO20 Commercial development is located within Precinct 3 and has frontage to Cape Tribulation Road.	Not applicable as the site is located in Precinct 5.
PO21 Development is small scale and provides a necessary service to the surrounding community.	AO21 No acceptable outcomes are prescribed.	Not applicable as the site is located in Precinct 5.
PO22 Development is carried out in accordance with a site- specific, and development specific Environmental Management Plan. Note – Planning scheme policy SC6.4 – Environmental management plans provides further guidance on meeting the performance outcome.	AO22 No acceptable outcomes are prescribed.	Not applicable as the site is located in Precinct 5.
Additional requirements for Precinct 4 – Low impact	t community purpose precinct	
PO23 Development results in a small scale expansion of an existing use which provides a necessary service to the surrounding community; or	AO23 No acceptable outcomes are prescribed.	Not applicable as the site is located in Precinct 5.



Performance outcomes	Acceptable outcomes	Applicant response
Development results in a new community use or public purpose use for which there is an identified need within the surrounding community.		
PO24 Development is carried out in accordance with a site specific and development specific Environmental Management Plan.	AO24 No acceptable outcomes are prescribed.	Not applicable as the site is located in Precinct 5.
Note – Planning scheme policy SC6.4 – Environmental management plans provides further guidance on meeting the performance outcome.		
Additional requirements for Precinct 5 – Low impac	t rural production and tourism enterprise precinct	
PO25 Development complements, protects and enhances the environmental and scenic values of the site.	AO25.1 One dwelling house establishes per lot.	Complies with the acceptable outcome The proposed development is for a Shed.
	AO25.2 Any other development is limited to existing cleared areas on the site.	Complies with the acceptable outcome The proposed development is located in an already cleared area of the site.
	AO25.3 No development is to occur above the 60 metre contour line.	Complies with the acceptable outcome The proposed development is below the 60 metre contour.
	AO25.4 Any new primary production activity or a change to a primary production activity has minimal impact on the existing natural values of the site and surrounding area.	Complies with the acceptable outcome The proposed development is for a Shed and does not involve a new primary production activity.
PO26 Large cleared or partially cleared sites are revegetated and rehabilitated in association with suitably small scale environmentally sustainable development.	AO26 The balance area of the development, including any existing area/s not identified for development is/are revegetated / rehabilitated in accordance with a landscape plan.	Complies with the performance outcome The site does not contain large cleared or partially cleared sites that can be revegetated or rehabilitated.
P027	AO27 No acceptable outcomes are prescribed.	Complies with the performance outcome

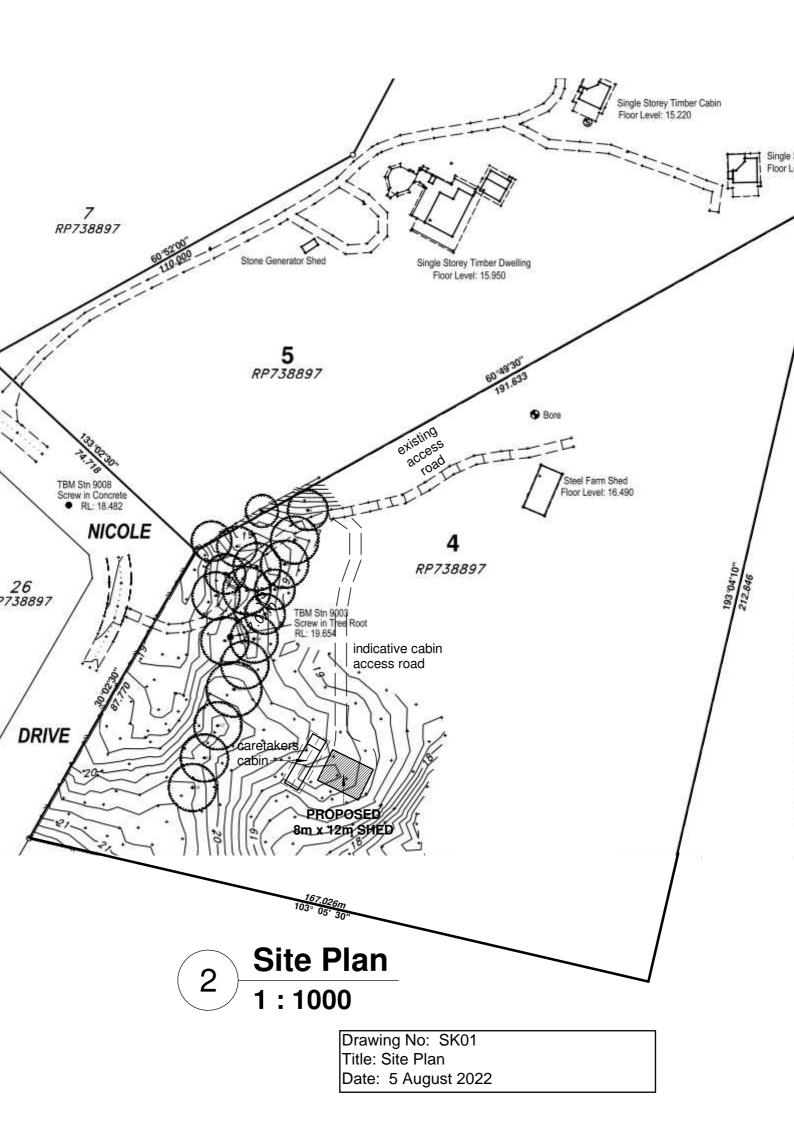


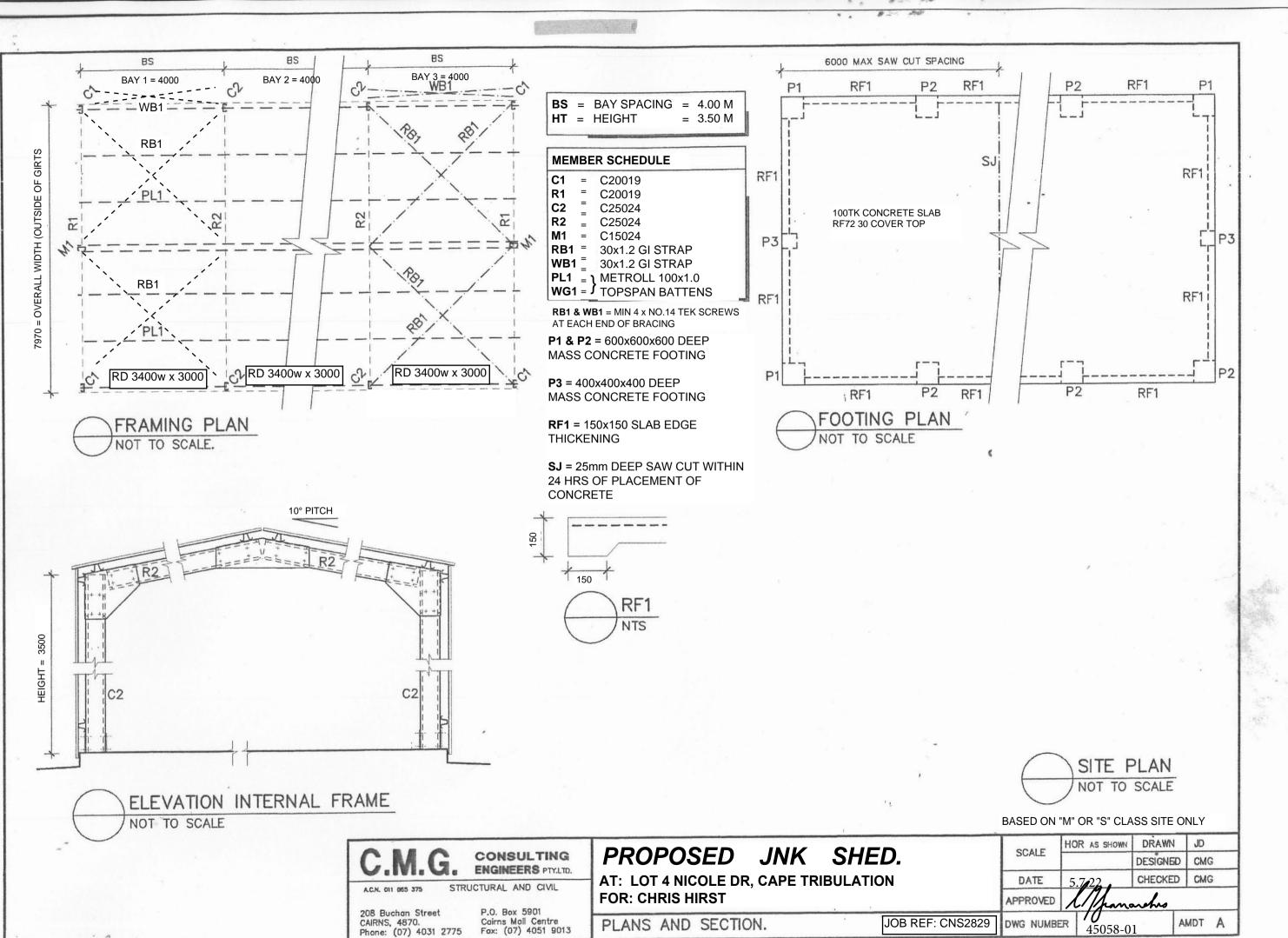
Performance outcomes	Acceptable outcomes	Applicant response	
Development is carried out in accordance with a site specific and development specific Environmental Management Plan.		The site contains an existing fruit farm that will continue without change.	
Note – Planning scheme policy SC6.4 – Environmental management plans provides further guidance on meeting the performance outcome.			
Additional requirements for Precinct 6 – Low impact tourist accommodation precinct			
PO28 Development complements, protects and enhances the environmental and scenic values of the site.	 AO28.1 One dwelling house establishes per lot. AO28.2 Any other development is limited to existing cleared areas on the site. AO28.3 No development is to occur above the 60 metre contour line. 	Not applicable as the site is located in Precinct 5.	
PO29 Development results in a small scale expansion of existing tourist accommodation and any associated activities, based on the appreciation of the natural environment.	AO29 No acceptable outcomes are prescribed.	Not applicable as the site is located in Precinct 5.	
PO30 Development is carried out in accordance with a site specific and development specific Environmental Management Plan.	AO30 No acceptable outcomes are prescribed.	Not applicable as the site is located in Precinct 5.	
Note – Planning scheme policy – Environmental management plans SC6.4 provides further guidance on meeting the performance outcome.			

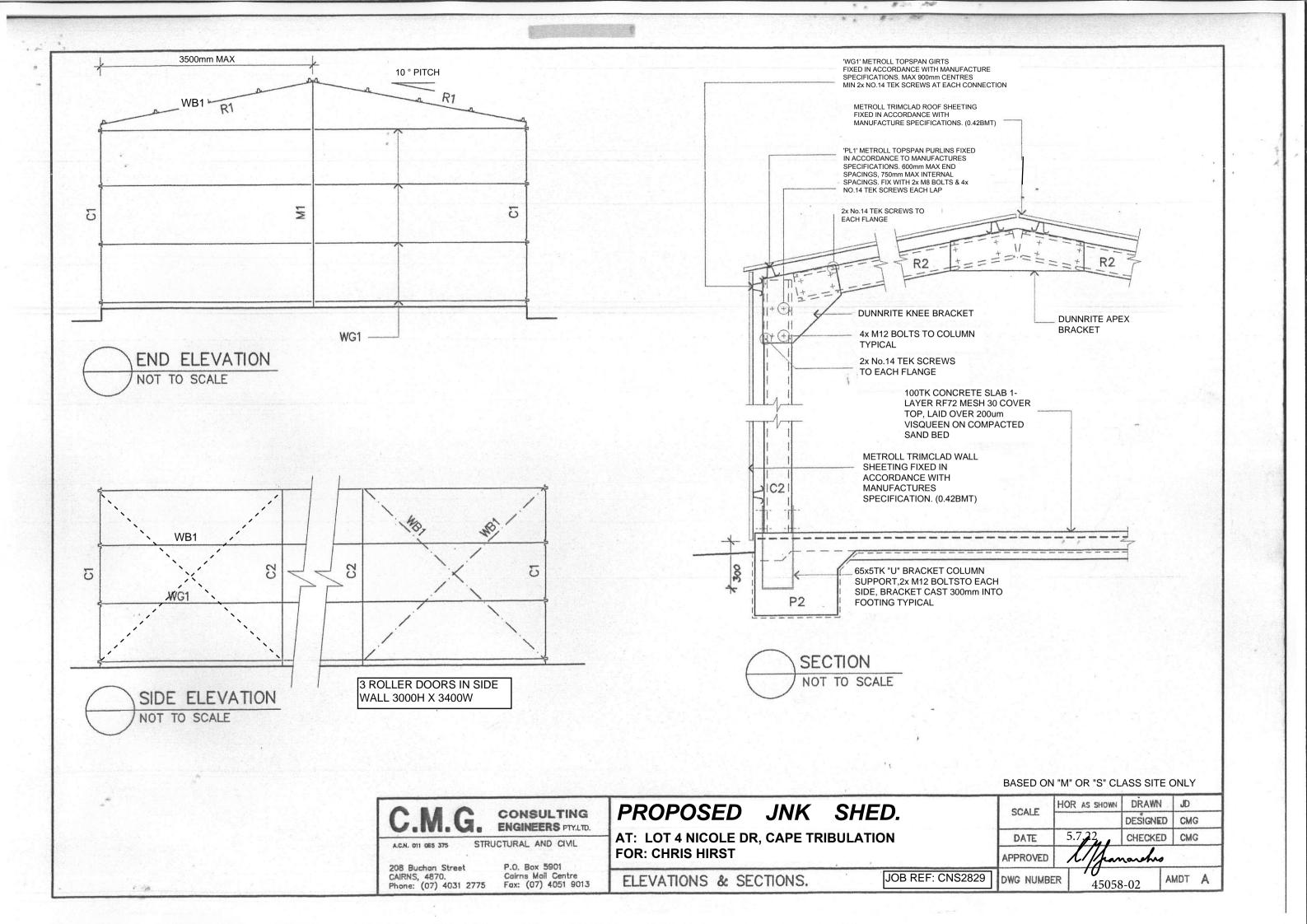


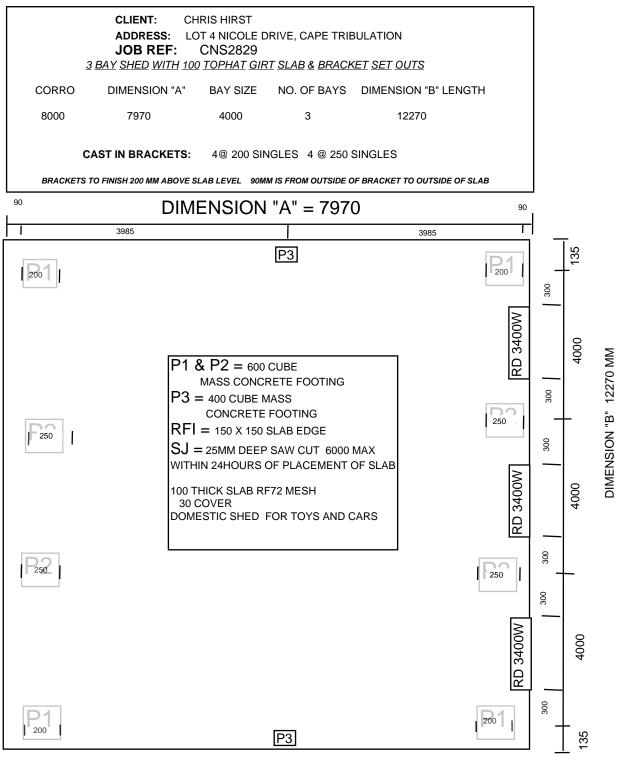
APPENDIX 2: PROPOSAL PLANS

Drawing or Document	Reference	Date
Site Plan	SK01	5 August 2022
Plans and Section	45058-01	5 July 2022
Elevations and Section	45058-02	5 July 2022
Slab Drawing	45058-01	5 July 2022

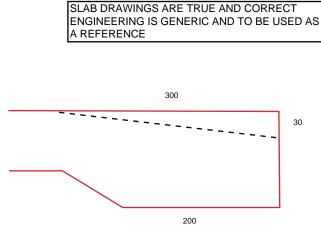








BOTH END WALLS SAME



150 X 150 EDGE BEAM 200 WIDE AT ROLLER DOOR **OPENINGS** RAMP IS 80MM WIDER EACH SIDE FOR RD TRACKS

Jeanarchis 45058-03