

DA Form 1 – Development application details

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

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

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

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

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

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

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

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

PART 1 – APPLICANT DETAILS

1) Applicant details	
Applicant name(s) <i>(individual or company full name)</i>	Owltail Pty Ltd ATF Blockey Family Trust (Cape Trib Farm)
Contact name <i>(only applicable for companies)</i>	Merran BLOCKEY
Postal address <i>(P.O. Box or street address)</i>	3939 Cape Tribulation Road
Suburb	Cape Tribulation
State	Queensland
Postcode	4873
Country	Australia
Contact number	(07) 4098 0042
Email address <i>(non-mandatory)</i>	merran@capetribfarm.com.au
Mobile number <i>(non-mandatory)</i>	0438 565 028
Fax number <i>(non-mandatory)</i>	
Applicant's reference number(s) <i>(if applicable)</i>	

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

PART 2 – LOCATION DETAILS

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

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

3.1) Street address and lot on plan

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

a)	Unit No.	Street No.	Street Name and Type	Suburb
		3939	Cape Tribulation Road	Cape Tribulation
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)
	4873	L1	RP741071	Douglas Shire
b)	Unit No.	Street No.	Street Name and Type	Suburb
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)

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

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

☐ Coordinates of premises by longitude and latitude

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

☐ Coordinates of premises by easting and northing

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

3.3) Additional premises

- ☐ Additional premises are relevant to this development application and their details have been attached in a schedule to this application
☒ Not required

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

☐ In or adjacent to a water body or watercourse or in or above an aquifer
 Name of water body, watercourse or aquifer:

☐ On strategic port land under the *Transport Infrastructure Act 1994*
 Lot on plan description of strategic port land:
 Name of port authority for the lot:

☐ In a tidal area
 Name of local government for the tidal area (if applicable):
 Name of port authority for tidal area (if applicable):

☐ On airport land under the *Airport Assets (Restructuring and Disposal) Act 2008*
 Name of airport:

☐ Listed on the Environmental Management Register (EMR) under the *Environmental Protection Act 1994*
 EMR site identification:

☐ Listed on the Contaminated Land Register (CLR) under the *Environmental Protection Act 1994*

CLR site identification:

5) 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 DA Forms Guide.

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

☒ No

PART 3 – DEVELOPMENT DETAILS

Section 1 – Aspects of development

6.1) Provide details about the first development aspect

a) What is the type of development? *(tick only one box)*

☐ Material change of use

☐ Reconfiguring a lot

☐ Operational work

☒ Building work

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

☒ Development permit

☐ Preliminary approval

☐ Preliminary approval that includes a variation approval

c) What is the level of assessment?

☒ Code assessment

☐ Impact assessment *(requires public notification)*

d) Provide a brief description of the proposal *(e.g. 6 unit apartment building defined as multi-unit dwelling, reconfiguration of 1 lot into 3 lots):*

Building Works Assessable Against the Planning Scheme (Dwelling House) - Relinquish the existing 'Farmhouse' from being the building used on the site as the house. Develop a new farmhouse as residence.

e) Relevant plans

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

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

6.2) Provide details about the second development aspect

a) What is the type of development? *(tick only one box)*

☒ Material change of use

☐ Reconfiguring a lot

☐ Operational work

☐ Building work

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

☒ Development permit

☐ Preliminary approval

☐ Preliminary approval that includes a variation approval

c) What is the level of assessment?

☒ Code assessment

☐ Impact assessment *(requires public notification)*

d) Provide a brief description of the proposal *(e.g. 6 unit apartment building defined as multi-unit dwelling, reconfiguration of 1 lot into 3 lots):*

Material Change of Use for the Tourism Attraction (Small Scale) – Seek planning approval for Fruit Tasting and Farm Tour at Cape Trib Farm. This small scale tourism operation enhances our main business which is production of exotic, tropical fruit.

e) Relevant plans

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

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

6.3) Additional aspects of development

☐ Additional aspects of development are relevant to this development application and the details for these aspects that would be required under Part 3 Section 1 of this form have been attached to this development application

☒ Not required

Section 2 – Further development details

7) Does the proposed development application involve any of the following?

Material change of use	<input checked="" type="checkbox"/> Yes – complete division 1 if assessable against a local planning instrument
Reconfiguring a lot	<input type="checkbox"/> Yes – complete division 2
Operational work	<input type="checkbox"/> Yes – complete division 3
Building work	<input type="checkbox"/> Yes – complete <i>DA Form 2 – Building work details</i>

Division 1 – Material change of use

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

8.1) Describe the proposed material change of use

Provide a general description of the proposed use	Provide the planning scheme definition (include each definition in a new row)	Number of dwelling units (if applicable)	Gross floor area (m ²) (if applicable)
Fruit Tasting and Farm Tour	Tourism Attraction (Small Scale)	NA	NA

8.2) Does the proposed use involve the use of existing buildings on the premises?

- ☒ Yes
☐ No

Division 2 – Reconfiguring a lot

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

9.1) What is the total number of existing lots making up the premises?

--

9.2) What is the nature of the lot reconfiguration? (tick all applicable boxes)

- | | |
|--|--|
| <input type="checkbox"/> Subdivision (complete 10)) | <input type="checkbox"/> Dividing land into parts by agreement (complete 11)) |
| <input type="checkbox"/> Boundary realignment (complete 12)) | <input type="checkbox"/> Creating or changing an easement giving access to a lot from a construction road (complete 13)) |

10) Subdivision

10.1) For this development, how many lots are being created and what is the intended use of those lots:

Intended use of lots created	Residential	Commercial	Industrial	Other, please specify:
Number of lots created				

10.2) Will the subdivision be staged?

- ☐ Yes – provide additional details below
☐ No

How many stages will the works include?	
What stage(s) will this development application apply to?	

11) Dividing land into parts by agreement – how many parts are being created and what is the intended use of the parts?

Intended use of parts created	Residential	Commercial	Industrial	Other, please specify:
Number of parts created				

12) Boundary realignment

12.1) What are the current and proposed areas for each lot comprising the premises?

Current lot		Proposed lot	
Lot on plan description	Area (m ²)	Lot on plan description	Area (m ²)

12.2) What is the reason for the boundary realignment?

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

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

Division 3 – Operational work

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

14.1) What is the nature of the operational work?

- | | | |
|---|-------------------------------------|--|
| <input type="checkbox"/> Road work | <input type="checkbox"/> Stormwater | <input type="checkbox"/> Water infrastructure |
| <input type="checkbox"/> Drainage work | <input type="checkbox"/> Earthworks | <input type="checkbox"/> Sewage infrastructure |
| <input type="checkbox"/> Landscaping | <input type="checkbox"/> Signage | <input type="checkbox"/> Clearing vegetation |
| <input type="checkbox"/> Other – please specify: <input type="text"/> | | |

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

- ☐ Yes – specify number of new lots:
- ☐ No

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

\$

PART 4 – ASSESSMENT MANAGER DETAILS

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

Douglas Shire Council

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

- ☐ Yes – a copy of the decision notice is attached to this development application
- ☐ Local government is taken to have agreed to the superseded planning scheme request – relevant documents attached
- ☒ No

PART 5 – REFERRAL DETAILS

17) Do any aspects of the proposed development require referral for any referral requirements?

Note: A development application will require referral if prescribed by the Planning Regulation 2017.

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

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

- ☐ Clearing native vegetation
- ☐ Contaminated land (unexploded ordnance)

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

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

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

Referral requirement	Referral agency	Date of referral response

Identify and describe any changes made to the proposed development application that was the subject of the referral response and the development application the subject of this form, or include details in a schedule to this development application (if applicable).

PART 6 – INFORMATION REQUEST**19) Information request under Part 3 of the DA Rules**

- ☒ 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.

PART 7 – FURTHER DETAILS**20) Are there any associated development applications or current approvals? (e.g. a preliminary approval)**

- ☐ Yes – provide details below or include details in a schedule to this development application
- ☒ No

List of approval/development application references	Reference number	Date	Assessment manager
<input type="checkbox"/> Approval			
<input type="checkbox"/> Development application			
<input type="checkbox"/> Approval			
<input type="checkbox"/> Development application			

21) Has the portable long service leave levy been paid? (only applicable to development applications involving building work or operational work)

- ☐ Yes – the yellow local government/private certifier's 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

Amount paid	Date paid (dd/mm/yy)	QLeave levy number (A, B or E)
\$		

22) Is this development application in response to a show cause notice or required as a result of an enforcement notice?

- ☐ Yes – show cause or enforcement notice is attached
- ☒ No

23) Further legislative requirements

Environmentally relevant activities

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

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

☒ No

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

Proposed ERA number:

Proposed ERA threshold:

Proposed ERA name:

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

Hazardous chemical facilities

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

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

☒ No

Note: See www.justice.qld.gov.au for further information.

Clearing native vegetation

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

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

☒ No

Note: See www.qld.gov.au for further information.

Environmental offsets

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

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

☒ No

Note: The environmental offset section of the Queensland Government's website can be accessed at www.qld.gov.au for further information on environmental offsets.

Koala conservation

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

☐ Yes

☒ No

Note: See guidance materials at www.ehp.qld.gov.au for further information.

Water resources

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

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

☒ No

Note: DA templates are available from www.dilgp.qld.gov.au.

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

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

commencing development

☒ No

Note: Contact the Department of Natural Resources and Mines at www.dnrm.qld.gov.au for further information.

Marine activities

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

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

☒ No

Note: See guidance materials at www.daf.qld.gov.au for further information.

Quarry materials from a watercourse or lake

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

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

☒ No

Note: Contact the Department of Natural Resources and Mines at www.dnrm.qld.gov.au for further information.

Quarry materials from land under tidal waters

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

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

☒ No

Note: Contact the Department of Environment and Heritage Protection at www.ehp.qld.gov.au for further information.

Referable dams

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

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

☒ No

Note: See guidance materials at www.dews.qld.gov.au for further information.

Tidal work or development within a coastal management district

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

☐ Yes – the following is included with this development application:

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

☐ A certificate of title

☒ No

Note: See guidance materials at www.ehp.qld.gov.au for further information.

Queensland and local heritage places

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

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

☒ No

Note: See guidance materials at www.ehp.qld.gov.au for information requirements regarding development of Queensland heritage places.

Name of the heritage place:

Place ID:

Brothels

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

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

☒ No

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

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

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

PART 8 – CHECKLIST AND APPLICANT DECLARATION**24) Development application checklist**

I have identified the assessment manager in question 15 and all relevant referral requirement(s) in question 17

☒ Yes**Note:** See the *Planning Regulation 2017* for referral requirementsIf building work is associated with the proposed development, Parts 4 to 6 of *Form 2 – Building work details* have been completed and attached to this development application☐ Yes☒ Not applicable

Supporting information addressing any applicable assessment benchmarks is with development application

Note: This is a mandatory requirement and includes any relevant templates under question 23, a planning report and any technical reports required by the relevant categorising instruments (e.g. local government planning schemes, State Planning Policy, State Development Assessment Provisions). For further information, see *DA Forms Guide: Planning Report Template*.☒ Yes

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 *DA Forms Guide: Relevant plans*.☒ Yes

The portable long service leave levy for QLeave has been paid, or will be paid before a development permit is issued (see 21))

☐ Yes☒ Not applicable**25) Applicant declaration**☒ By making this development application, I declare that all information in this development application is true and correct☒ Where an email address is provided in Part 1 of this form, I consent to receive future electronic communications from the assessment manager and any referral agency for the development application where written information is required or permitted pursuant to sections 11 and 12 of the *Electronic Transactions Act 2001***Note:** It is unlawful to intentionally provide false or misleading information.

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

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

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

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

PART 9 – FOR OFFICE USE ONLY

Date received:

Reference number(s):

Notification of engagement of alternative assessment manager

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

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

5. 0 Statements addressing the relevant acceptable outcomes from Douglas Shire Council development codes:

9.3.17 Rural activities code

Fruit Tasting and Farm Tour at Cape Trib Farm has been developed to educate interested people about the exotic, tropical fruit we grow and how it is eaten. Our core business of producing tropical fruit for the southern wholesale markets in Australia is not impacted by this small scale tourism attraction as the season for picking and packing of our main crops occurs during the Wet Season when we do not open Cape Trib Farm to the public. This is also a period of time in the year when tourism is very quiet in Cape Tribulation. (AO12.1)

Our farm is 16.1 hectares and the farm tour covers a small part of this. (AO1.1)

Fruit Tasting and Farm Tours only operate during the months of April through to December. During the peak tourism season between the months of June to October, we run Fruit Tasting five days a week – Monday, Wednesday, Friday, Saturday, Sunday). During the months of April, May, November and December we run Fruit Tasting on three days per week (Saturday, Wednesday, Friday). Each Fruit Tasting and Farm Tour has a maximum of 30 visitors for the daily tour. (AO4) During the low season, visitor numbers to Cape Trib Farm is significantly reduced and we do not run the tour unless we have a minimum of five guests. There are many days during these months when we do not run the tour as a result of this.

Whilst Cape Trib Farm opens its gates at 9am, the Fruit Tasting and Farm Tour starts at 2pm and our gates close at 4pm. (AO5.2)

Cape Trib Farm is accessible directly from Cape Tribulation Road, which is a sealed bitumen road. (AO7) The driveway to the 'Farmhouse' and tasting area consists of gravel and road base. This driveway is redone every second year due primarily to the traffic during the Wet Season when we pick our fruit and have multiple vehicles traversing it. The driveway is in excellent condition as a result during the peak tourism season when the Fruit Tasting and Farm Tour predominantly occurs.

The 'Farmhouse' verandah and deck is where the 'fruit tasting' occurs. The preparation of fruit is done in the DSC approved Commercial Kitchen (please see attached 'Farmhouse' Floor Plan). No purpose built buildings are required for this tour. (AO8.1)

Fruit Tasting and Farm Tours occurs on our land which has been zone primary production. (AO12.1) The tour is directly related to our core business of growing and selling exotic, tropical fruit. We see the Fruit Tasting and Farm Tour as a complementary component to our business as it educates people about fruit they have never seen and would not be likely to try unless they knew what it was. (AO12.2)

Development Permit for

Material Change of Use for the Tourist Attraction (Small Scale)

Cape Trib Farm, 3939 Cape Tribulation Road, Cape Tribulation, Queensland 4873

It is fortuitous that during each tour we collect fruit waste such as skins, seeds, unwanted or disliked fruit segments. We also provide paper napkins. No other waste is produced as a result of this tour. The organic waste produced is valued in our fruit production and we use this as both composting material and fertiliser. We have an intensive composting program on the farm and are currently building up our 1000L Worm Farm. All waste material is used for these two activities. No waste from our Fruit Tasting leaves the farm. (AO11)

We have eight designated car parks that have been built from road base on the farm. The main driveway into the 'Farmhouse' has a one way loop at the end to allow for easy movement of vehicles. (AO10.3) The designated car parks are positioned off this loop. (AO10.2) Many of our fruit tasters walk to our farm as we are situated very close to the hub of tourism activities and accommodation places in Cape Tribulation. Excess parking is situated along the main driveway and can accommodate up to twenty vehicles although we have never had this many vehicles on the farm at any one time. (AO10.4)

We do not cater to mini bus tours or coaches. During the peak season we may have a maximum of 30 people for each of the five days we are open. This only occurs for the months of July and August with numbers dropping for the months of June, September, October. (AO15) As previously referred to, Cape Trib Farm does not run tours during the months of January through to March. Reduced days and reduced numbers during the other months of the year coincide with shoulder tourism activity. The majority of our visitors are families and the composition of our fruit tasters is 52% Australian and the rest from overseas. (AO15)

The Fruit Tasting and Farm Tour uses existing buildings, pathways through the farm, main driveway and parking areas. It does not impact on our primary production business and in fact, provides an opportunity for us as farmers, to distribute fruit that would otherwise be excess and left in the paddocks.

9.4.1 Access, parking and servicing code

Fruit Tasting occurs in the 'Farmhouse' which is located at the end of the gravel driveway directly off Cape Tribulation Road. The driveway has grassed areas on either side to allow for vehicles entering and exiting to pass each other with ease and safely.

There are currently eight designated parking sites available for visitors to the fruit tasting and farm tours. (AO1.1) This does not include parking for farm employees or our own personal vehicle parking which all occurs in or near the main shed area. Farmstay guests have parking spaces beside each of the five cabins. These eight designated parking spaces are only for visitors who participate in fruit tasting and the farm tour. (AO1.2)

Parking spaces have been constructed with road base and 20ml blue crush. The parking spaces are clearly defined with signage and all parking spaces are accessible off the loop/turnaround we have at the end of the driveway. (AO2)

Development Permit for

Material Change of Use for the Tourist Attraction (Small Scale)

Cape Trib Farm, 3939 Cape Tribulation Road, Cape Tribulation, Queensland 4873

Access to the 'Farmhouse' is not over telecommunications pits, water hydrants or sewer utility holes. (AO3.2) The driveway is on flat ground and clearly defined. (AO3.3) There is no on-street parking near Cape Tribulation. In 2018, we requested Douglas Shire Council to move the 80km/hr signpost to the northern side of the farm driveway because of speed and cars turning in. This change occurred in July of 2019 and there is now a 60km/hr zone outside the farm allowing for a smoother and safer left turn into the farm driveway.

There is ample room on the farm for bicycle storage, motorbike storage and pedestrian access. (AO8, AO6, AO7) Servicing and loading areas for farm use are contained to the shed area which is set apart from the fruit tasting designated parking areas. (AO10.1)

Development Permit for

Material Change of Use for the Tourist Attraction (Small Scale)

Cape Trib Farm, 3939 Cape Tribulation Road, Cape Tribulation, Queensland 4873

13th August 2019

Cape Trib Farm
3939 Cape Tribulation Road
Cape Tribulation QLD 4873

Environment & Planning
Douglas Shire Council
64-66 Front St
Mossman QLD 4873

Development Application for

- ***'Building works assessable against the planning scheme'***
- ***'Material Change of Use for the Tourist Attraction (Small Scale)'***

We wish to relinquish the existing 'Farmhouse' from being the building used on the site as the family home.

Cape Trib Farm has evolved over the past 40 years of ownership by our family. Originally, the 'Farmhouse' was used as our family home. As our farm has diversified and incorporated low impact tourism in the form of farmstay and farm tour/fruit tasting, the old 'Farmhouse' has been modified and its purpose has changed to support those activities.

Necessity has demanded that all the bedrooms have been changed to: a Commercial Kitchen, Linen Room, Office and Storage Room. Existing spaces such as the lounge room, kitchen and verandah are now used by our farmstay guests and farm visitors. We have not used the 'Farmhouse' as our home (primary residence) for over five years now.

We ask that the 'Farmhouse' be retained as a domestic outbuilding for the home based B&B land use approved on site and the fruit tasting. Please find attached 'Farmhouse' floor plans and a site plan of Cape Trib Farm.

We also include plans for a proposed dwelling that will become our primary residence. Rather than find a new site, we have chosen to use an existing approved shed site close to the 'Farmhouse' so we do not increase our footprint on the farm. By using this site for the proposed dwelling, we are able to access the existing power supplies, communications and water infrastructure, thereby reducing any major disturbances to our orchard or the surrounding environment.

We wish to apply for planning approval for a Material Change of Use for Cape Trib Farm to be able to continue offering fruit tasting, a small scale tourism attraction at Cape Tribulation.

In 2014 we began Fruit Tasting at Cape Trib Farm. We believed we had applied for all necessary approvals and had inspections for the Commercial Kitchen that was built and the area used for Fruit Tasting. Each year since then, we have had inspections from the DSC Health Department and complied with water testing etc. In the process of applying for the Development Application to relinquish the 'Farmhouse' on the 1st of August 2019, we discovered that there had been no approval from the DSC Planning Dept for the Small Scale Tourism 'Fruit Tasting'. We apologise for this and wish to submit a Development Application for 'Material Change of Use for the Tourist Attraction (Small Scale)' at the same time as the 'Building Works Assessable against the Planning Scheme'.

During the peak tourism season from June through to October, within the hours of 9am until 4pm on Monday, Wednesday, Friday, Saturday and Sunday, we open Cape Trib Farm for fruit tasting. This involves the tasting of a selection of the seventy different types of exotic, tropical fruit we grow and an orchard tour. The purpose of the fruit tasting is to educate people about exotic tropical fruits, how to prepare them, nutritional qualities and how we grow them. Many of the people who purchase our exotic tropical fruit in the capital cities of Australia visit us to see how the fruit is grown. We do not open the farm during our major picking and packing months of January through to April. Outside of these months we do reduced days for visiting. We can have up to 30 people visiting the farm for fruit tasting.

Fruit Tasting at Cape Trib Farm is a small scale tourism venture that is popular with Day Visitors and families to the Cape Tribulation area. It is a secondary activity to our main business which is the production of exotic, tropical fruit for the southern markets.

Kind regards

Merran and Jeremy Blockey
Cape Trib Farm
Owltail Pty Ltd ATF Blockey Family Trust

5. 0 Statements addressing the relevant acceptable outcomes from Douglas Shire Council development codes:

6.2.3 Conservation zone code

We propose to build a new dwelling house in existing cleared area that currently has an approved shed on it. Please see *Cape Trib Farm Site Plan 2019.jpg* (AO4)

No clearing is necessary to build the proposed dwelling. The flat site sits amongst tropical fruit trees, is more than 25m from Cape Tribulation Road frontage and is more than 10m from side or rear boundaries. (AO3) The proposed dwelling is 110m from Cape Tribulation Road, and 80m from the rear (closest) boundary.

The proposed dwelling is not more than 8.5m in height and is a two storey residence. (AO2) The proposed dwelling will be approximately 7m in height to the roof line.

The dwelling uses steel and is a light-weight construction (please see *BLOCKEY Jeremy and Merran – Custom Designed Home in Daintree – Floor Plan.pdf*) which requires no excavation or fill. (AO8.1)

There is currently a driveway to the existing shed site so no driveways or pathways need to be constructed. (AO8.2)

The proposed dwelling is not on land exceeding a gradient of 1 in 6. (AO8.3)

The proposed dwelling will not protrude above the surrounding orchard tree-level or forest canopy. (AO8.4)

The exterior finishes and colours of the proposed dwelling are non-reflective will blend easily with surrounding native vegetation. (AO6)

The proposed dwelling maintains appropriate setbacks to watercourses and does not impact on native vegetation or flora habitat. (PO9) Mason Creek is situated 100m to the rear of the proposed dwelling and runs parallel to the orchard boundary line. Please see *Cape Trib Site Plan.jpg*.

The proposed dwelling has minimal impact on the environment and scenic amenity values of the site or surrounding area. It is not an inconsistent use within the Conservation zone of the Douglas Shire Planning Scheme 2018. The proposed dwelling sits within the current orchard area (low impact rural production).

Development Permit for

Building Works Assessable Against the Planning Scheme (Dwelling House)

Cape Trib Farm, 3939 Cape Tribulation Road, Cape Tribulation, Queensland 4873

7.2.1 Cape Tribulation and Daintree Coast local plan code

7.2.1.8 Precinct 5 - Low impact rural production and tourist enterprise precinct

Cape Trib Farm is classified as low impact rural production and includes low impact tourism in the form of our farmstay (5 cabins and the 'Farmhouse') and our fruit tasting. We harvest approximately 24 tonnes of exotic tropical fruit between the months of January to May.

We have invested over \$44,000 in our solar power supply in the past two years, including new solar panels, inverter, AC Coupler and battery bank, and we are now sustainable using a generator only infrequently during the Wet Season when we are picking and processing tropical fruit, and during peak tourism seasons. The proposed dwelling will tap into the existing solar power supply so no new construction or installation is necessary. (AO2.3)

Water supply for the proposed dwelling will tap into existing on-site supplies. Cape Trib Farm has two large water storage tanks. (AO2.1) Annual testing of our water quality is completed to meet Douglas Shire Council Standards for our fruit tasting and farmstay guests.

The proposed dwelling is accessed by an existing driveway off the main driveway into the farm, which is not accessible to through traffic. The main driveway is low speed gravel and complies with the relevant requirements of Planning Scheme Policy 5 – FNQROC Development Manual. (AO8.1) The driveway to the proposed dwelling is limited to one access and is clear of any watercourses. (AO13.1) Vehicle access to the existing shed already exists. (AO13.3)

No fill or excavation is required for the construction of the proposed dwelling. (AO9.1)

The site sits amongst our tropical fruit trees. We use natural farming methods on Cape Trib Farm and effectively manage erosion by ensuring there is no bare soil and that contours of land are used for effective planting and holding of soil. As the proposed dwelling is of a steel pole construction, we do not anticipate any excavation or exposed surfaces. (AO9.2)

The proposed dwelling is on a site that is already cleared so there is no loss of vegetation or habitat connectivity. (AO10.2) There will be no disturbance to tree roots. (AO9.3)

An on-site effluent treatment system that is adequately sized for the proposed 2 bedroom dwelling has been developed by Earth Test. Please see attached document – '20190731 *Earth TestSepticReport.pdf*' (AO17) Waste treatment is limited to an existing cleared area in the orchard.

If successful the Development Permit for 'Building Works Assessable Against the Planning Scheme (Dwelling House)' enables the 'Farmhouse' to be retained as a domestic outbuilding for the home based B&B land use approved on site and the fruit tasting. The proposed dwelling will become the primary dwelling house on Cape Trib Farm. (AO25.1)

Development Permit for

Building Works Assessable Against the Planning Scheme (Dwelling House)

Cape Trib Farm, 3939 Cape Tribulation Road, Cape Tribulation, Queensland 4873

9.3.8 Dwelling house code

The proposed dwelling (2 bedrooms) will be occupied by a single household.

Our vehicles are already accommodated on-site in the main farm Shed (See attached document *Cape Trib Farm Site Plan 2019.jpg*). There is no need for car parking at the proposed site. Multiple car parking spaces are available on the farm near the Shed for our Farmstay guests. (AO2)

The proposed dwelling is not more than 8.5m in height. (AO3) The steel constructed dwelling is approximately 7m in height.

The proposed dwelling is a simple 2 bedroom house that incorporates many designs suited for living at Cape Tribulation. A deck at the front of the proposed dwelling house will enable 'outside living'. Ventilation and airflow is planned for in the proposed dwelling with large windows. Built above ground for airflow, the proposed dwelling is set back and not visible from either the driveway into Cape Trib Farm or Cape Tribulation Road. The proposed dwelling will be double storey but will not have any living space downstairs. We believe that this Home Fab constructed dwelling will sit comfortably and merge well with the natural environment of Cape Trib Farm.

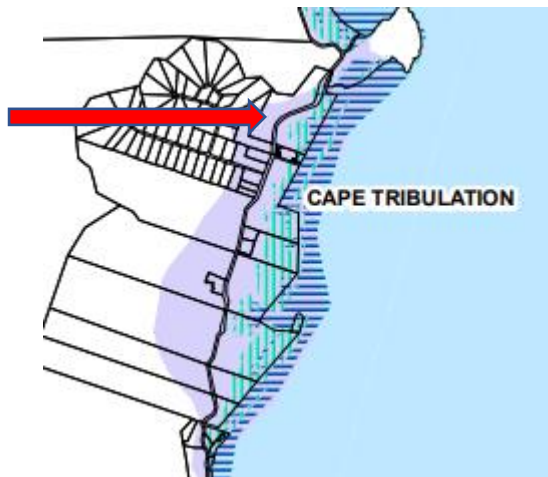
Development Permit for

Building Works Assessable Against the Planning Scheme (Dwelling House)

Cape Trib Farm, 3939 Cape Tribulation Road, Cape Tribulation, Queensland 4873

Flood and storm tide hazard overlay code

Cape Trib Farm and the site for the proposed dwelling is within the Flood and Storm Tide Inundation Overlay Map. It is classified as being in the Floodplain Assessment Overlay and although considered Low Risk, should be addressed for this Development Permit.



The proposed dwelling is located on the highest part of Cape Trib Farm that has been developed. (AO1.3) In the 42 years of living here, we have not seen tidal surges cross Cape Tribulation Road into the farm. (AO3.2) The proposed dwelling has clear and direct pedestrian and vehicle evacuation routes off the site via Cape Tribulation Road and up to Camelot Close.

The design and layout of the proposed dwelling minimises risk from flooding by:

- High set house (AO3.1) with no living areas on the ground level
- Use of steel foundations
- Flow through of flood waters on the ground level (AO4.2)

The proposed dwelling is not located in an area affected by DFE/ Storm tide. (AO5.2)

The site development of the proposed dwelling does have a small ditch situated behind it that can become inundated with STILL water during periods of very high rainfall (such as the 100 year event on January 26th 2019). If there is a damming effect or blockage in Mason Creek upstream (Camelot Close, Nicole Drive, Zena Close) such as we had occur on January 26 of this year, there is potential for increased water in Mason Creek that may flow into and over the side of the ditch and on to the ground beneath the proposed dwelling. This will not impact on living areas that are all situated on the first level.

Development Permit for

Building Works Assessable Against the Planning Scheme (Dwelling House)

Cape Trib Farm, 3939 Cape Tribulation Road, Cape Tribulation, Queensland 4873

