

Ref: 1462

26 November 2023

Chief Executive Officer
Douglas Shire Council
PO Box 723
MOSSMAN QLD 4873

Attention: Environment & Planning

Dear Sir/Madam

**DEVELOPMENT APPLICATION FOR MATERIAL CHANGE OF USE FOR DWELLING HOUSE
L178 CEDAR ROAD, COW BAY – LOT 178 ON RP738148**

We refer to the above and advise we now submit to Council an application for a Material Change of Use for a Dwelling House, on land located at L178 Cedar Road, Cow Bay, being properly described as Lot 178 on RP738148.

The following provides a review of the of the subject land, a detailed description of the proposed development, a review of the legislative provisions and an assessment of the proposed development against the relevant provisions the Douglas Shire Planning Scheme 2018.

THE SITE

The subject land is located at Cedar Road, Cow Bay and is properly described as Lot 178 on RP738148. The site is a rectangular configuration, with a total land area of approximately 1.01 hectares. The land has direct frontage to Cedar Road of approximately 73.4 metres.

The site is currently void of any buildings or structures and is covered with vegetation, with the topography of the being generally flat. The site is located to the north of the Daintree River and development in the locality comprises detached dwellings on large lifestyle lots and larger areas of conservation.

PROPOSAL

This Development Application seeks approval from Douglas Shire Council for a Material Change of Use for a Dwelling House. The plans detailing the proposed Dwelling House are included at *Attachment B*.

The proposed Dwelling House is located towards the front boundary, approximately 24.59 metres from the Cedar Road frontage (at the closest point). The Dwelling House is also setback approximately 23.26 metres from the eastern boundary, 85.99 metres from the rear (southern) boundary and 22.53 metres from the western boundary.

As identified on the plans, the proposed Dwelling House (including the external decks) has a floor area of approximately 343.6m². The proposed Dwelling House has a pavilion style floor plan, and comprises a kitchen, dining, living room, two (2) bedrooms, bathroom, study and laundry. The Dwelling House includes expansive decks and a swimming pool. The exterior finishes of the Dwelling House will be non-reflective and will be consistent with the surrounding environment.

Access will be provided by a single driveway from Cedar Road. The proposed driveway and car parking area will be gravel construction.

The extent of clearing will be limited to the Dwelling House and surrounding buffer area, access driveway and on-site wastewater treatment.

An “All-Waste” septic tank discharging into an “Advanced Enviro-Septic” bed is being proposed for the Dwelling House. The onsite wastewater treatment and disposal system has been designed by Earth Test. The report and design are included at *Attachment C*.

PLANNING ACT 2016 CONSIDERATIONS

The table below provides an overview of the legislative context of the development application under the provisions of the *Planning Act 2016* and *Planning Regulation 2017*.

Assessable Development

Under the local categorising instrument, Douglas Shire Planning Scheme 2018 a Material Change of Use for a Dwelling House in the Conservation Zone is assessable development. Accordingly, pursuant to section 44(3) of the *Planning Act 2016* a development approval is required.

Assessment Manager

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

Level of Assessment

The Table of Assessment for the Conservation Zone under the Douglas Shire Planning Scheme 2018 identifies that an application for a Material Change of Use for a Dwelling House, when within Precinct 2 of the Cape Tribulation and Daintree Coast Local Plan is Code Assessable.

Public Notification

As the Development Application is Code Assessable only, the application does not need to be publicly notified.

Referral Agencies

A review of the Development Assessment Mapping System (DAMS) and Schedule 10 of the *Planning Regulations 2017* has confirmed that the development does not trigger referral for any matters.

DOUGLAS SHIRE COUNCIL PLANNING SCHEME 2018

Douglas Shire Planning Scheme 2018 is the applicable Local Categorising Instrument for this development application. The following sections of this report provide an assessment of the proposed development against the relevant provisions of the Douglas Shire Planning Scheme 2018.

Zone	
Conservation Zone Code	
Local Plan	
Cape Tribulation and Daintree Coast Local Plan	
Overlays	
<i>Acid Sulfate Soils</i>	Land is located within 5m to 20m AHD area
<i>Bushfire Hazard</i>	Land is within High Potential and Medium Potential Bushfire Intensity areas
<i>Landscape Values</i>	Land is within High Landscape Values area
<i>Natural Areas</i>	Land contains MSEs – Regulated Vegetation
<i>Transport Network (Road Hierarchy)</i>	Subject land adjoins a Major Rural Road

The Table of Assessment for the Conservation Zone identifies that a Material Change of Use for a Dwelling House, when within Precinct 2 of the Cape Tribulation and Daintree Coast Local Plan requires assessment against the following planning scheme Codes:

- Conservation Zone
- Cape Tribulation and Daintree Coast Local Plan Code

- Acid Sulfate Soils Overlay Code
- Bushfire Hazard Overlay Code
- Natural Areas Overlay Code
- Dwelling House Code
- Access, Parking and Servicing Code
- Filling and Excavation Code
- Landscaping Code

An assessment of the proposed development against the relevant provisions of the applicable Codes is provided below and at *Attachment D*.

	APPLICABLE CODE	ASSESSMENT AGAINST CODE
Zone	Conservation Zone	<p>The proposed development is for a single Dwelling House, which has been designed and site to be complementary with the surrounding environment and maintain the habitat, conservation and scenic values of the site.</p> <p>A complete assessment of the proposed Dwelling House against the relevant assessment benchmarks of the Conservation Zone Code is provided at <i>Attachment D</i>.</p>
Local Plan Code	Cape Tribulation and Daintree Coast Local Plan Code	<p>The proposed development is for a single Dwelling House, which has been sited to minimise impacts on conservation, biological, ecological and scenic amenity values to the maximum extent possible.</p> <p>A complete assessment of the proposed Dwelling House against the relevant assessment benchmarks of the Cape Tribulation and Daintree Coast Local Plan Code is provided at <i>Attachment D</i>.</p>
Overlays	Acid Sulfate Soils Overlay Code	<p>The existing ground levels of the subject land, where the Dwelling House is proposed are in the order of 10m to 11m AHD. Excavation or filling will be very minor and limited to establishing the building pad and footings.</p> <p>Accordingly, the proposed development is considered to comply with the relevant assessment benchmarks of the Acid Sulfate Soils Overlay Code.</p>
	Bushfire Hazard Overlay Code	<p>The proposed development is for a Dwelling House, which is not identified as a 'vulnerable use'.</p> <p>A condition of approval can be imposed regarding the house construction to ensure that it is in accordance with AS3959-2009 and AS3959-2018.</p> <p>A designated vehicle access and driveway will be provided to the proposed Dwelling House, which will allow for safe evacuation for occupants and easy access by firefighting appliances.</p> <p>A water storage tank will be provided on site (10,000 litre), which will also be provided with a 50mm ball valve with a camlock fitting, which is available for firefighting purposes and can be accessed by firefighting appliances.</p> <p>The proposed development is considered to comply with the relevant assessment benchmarks of the Bushfire Hazard Overlay Code. The above provides a sufficient assessment against the provisions of the Code.</p>
	Natural Areas Overlay Code	<p>The subject land is significantly vegetated, which is identified on the overlay mapping as being MSES – Regulated Vegetation.</p> <p>The extent of vegetation clearing will be limited to that for the Dwelling House and surrounding buffer area, vehicle access and driveway and on-</p>

		<p>site wastewater treatment. Vegetation on the balance of the allotment will be maintained.</p> <p>As identified on the site plan, the proposed Dwelling House is located to ensure that majority of the existing vegetation on site is retained, to preserve the existing habitat and maintain ecological functions and processes.</p> <p>The proposed development is considered to comply with the relevant assessment benchmarks of the Natural Areas Overlay Code. The above provides a sufficient assessment against the provisions of the Code.</p>
	Transport Network Overlay Code	<p>The proposed development for a Dwelling House includes the provision of a new vehicle crossover and access driveway from Cedar Road. A condition can be imposed requiring that the access be constructed in accordance with the FNQROC Development Manual.</p> <p>Cedar Road is identified as a Major Rural Road. Access from Cedar Road for the proposed land use is consistent with the intended role and function of the road and will not compromise the safety or efficiency of the transport network.</p> <p>The proposed development is considered to comply with the relevant assessment benchmarks of the Transport Network Overlay Code. The above provides a sufficient assessment against the provisions of the Code.</p>
	Development Codes	
	Use Code	
	Dwelling House Code	<p>The proposed Dwelling House is intended to be occupied by a single household.</p> <p>The proposed Dwelling House includes an enclosed garage, adjoining the house which provides for two (2) car parking spaces.</p> <p>As identified on the plans, the proposed Dwelling House is a single storey building and less than 8.5 metres (approximately 4.5 metres in height), which meets the Acceptable Outcome for building height in the Conservation Zone.</p> <p>The proposed development is considered to comply with the relevant assessment benchmarks of the Dwelling House Code. The above provides a sufficient assessment against the provisions of the Code.</p>
	Other Development Codes	
	Access, Parking and Servicing Code	<p>The proposed Dwelling House includes a double garage, adjoining the house which provides for two (2) car parking spaces.</p> <p>Access will be provided by a single driveway from Cedar Road and will be a gravel driveway, consistent with driveway surfaces in the area. It is considered that the access point and driveway are such that all vehicle movements to and from the site are safe and efficient.</p> <p>A condition can be imposed requiring that the access be constructed in accordance with the FNQROC Development Manual.</p> <p>The proposed development is considered to comply with the relevant assessment benchmarks of the Access, Parking and Servicing Code. The above provides a sufficient assessment against the provisions of the Code.</p>
	Filling and Excavation Code	<p>Excavation or filling on site will be very minor and limited to establishing the building pad and footings. The extent of earthworks will not adversely</p>

		<p>impact on the character or amenity of the site or create any land stability issues.</p> <p>The works on site will not result in a change to the stormwater runoff characteristics of the site or have a detrimental impact on the site, nearby land or adjacent road reserves.</p> <p>The proposed development is considered to comply with the relevant assessment benchmarks of the Filling and Excavation Code. The above provides a sufficient assessment against the provisions of the Code.</p>
	Landscaping Code	<p>The proposed development will result in clearing for the Dwelling House and surrounding buffer area, access driveway and on-site wastewater treatment area. Vegetation on the balance of the allotment will be maintained to appropriately screen the development from adjoining roads and properties. Any additional landscaping provided on site will be endemic or native species and contribute to a high quality landscape character.</p> <p>The proposed development is considered to comply with the relevant assessment benchmarks of the Landscaping Code. The above provides a sufficient assessment against the provisions of the Code.</p>
	Vegetation Management Code	<p>The proposed development will result in clearing for the Dwelling House and surrounding buffer area, access driveway and on-site wastewater treatment area. Any vegetation damage would be undertaken to give effect to any development approval granted as a result of this application.</p>

CONCLUSION

This report supports the Development Application to Douglas Shire Council for a Material Change of Use for a Dwelling House on land located at L178 Cedar Road, Cow Bay.

This report has provided a review of the of the subject land, a description of the proposed development, identified the applicable legislative provisions and provided an assessment of the proposed development against the relevant provisions the Douglas Shire Planning Scheme 2018.

The proposed Dwelling House is consistent with the applicable assessment benchmarks and is considered to be a suitable use and development of the site. The Dwelling House is consistent in terms of scale and intensity to other forms of development in the locality and proposed development can be established without adverse impact on the character and amenity of the area.

Overall, it is considered that the proposed development is an appropriate response to the site and subject to the imposition of reasonable and relevant conditions, Council can issue a Development Permit for a Material Change of Use for a Dwelling House.

SUPPORTING DOCUMENTS

Please see enclosed the following attachments to assist with Council's assessment of the application:

- Attachment A: DA Form 1 and Landowners Consent Letter;
- Attachment B: Plans of Proposed Dwelling House;
- Attachment C: Site Classification and Wastewater Management System Report; and
- Attachment D: Assessment Against Douglas Shire Council Planning Scheme Codes.

We trust that the enclosed documentation is sufficient to allow Council's consideration, however, should you have any further queries or wish to discuss please do not hesitate to contact the undersigned on 0402 806 016 or erin@mdlandsurveys.com.au.

Yours Sincerely



Erin Berthelsen
Senior Planner

DA Form 1 – Development application details

Approved form (version 1.3 effective 28 September 2020) 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 only 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 (i.e. material change of use, operational work or reconfiguring a lot)**, 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.

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)	MD Land Surveys
Contact name (only applicable for companies)	Erin Berthelsen
Postal address (P.O. Box or street address)	228 Draper Street
Suburb	Parramatta Park
State	Queensland
Postcode	4870
Country	Australia
Contact number	0402 806 016
Email address (non-mandatory)	erin@mdlandsurveys.com.au
Mobile number (non-mandatory)	0402 806 016
Fax number (non-mandatory)	
Applicant's reference number(s) (if applicable)	1462

2) Owner's consent	
2.1) Is written consent of the owner required for this development application?	
<input checked="" type="checkbox"/> Yes – the written consent of the owner(s) is attached to this development application	
<input 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
		L178	Cedar Road	Cow Bay
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)
	4873	178	RP738148	Douglas Shire Council
b)	Unit No.	Street No.	Street Name and Type	Suburb
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)

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

Note: Place each set of coordinates in a separate row.

☐ 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 the details of these premises have been attached in a schedule to this development 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:	
<input type="checkbox"/> Listed on the Environmental Management Register (EMR) under the <i>Environmental Protection Act 1994</i>	
EMR site identification:	
<input type="checkbox"/> Listed on the Contaminated Land Register (CLR) under the <i>Environmental Protection Act 1994</i>	
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? <i>(tick only one box)</i>
<input checked="" type="checkbox"/> Material change of use <input type="checkbox"/> Reconfiguring a lot <input type="checkbox"/> Operational work <input type="checkbox"/> Building work
b) What is the approval type? <i>(tick only one box)</i>
<input checked="" type="checkbox"/> Development permit <input type="checkbox"/> Preliminary approval <input type="checkbox"/> Preliminary approval that includes a variation approval
c) What is the level of assessment?
<input checked="" type="checkbox"/> Code assessment <input type="checkbox"/> Impact assessment <i>(requires public notification)</i>
d) Provide a brief description of the proposal <i>(e.g. 6 unit apartment building defined as multi-unit dwelling, reconfiguration of 1 lot into 3 lots):</i>
Dwelling House
e) Relevant plans
<i>Note: Relevant plans are required to be submitted for all aspects of this development application. For further information, see DA Forms guide: Relevant plans.</i>
<input checked="" type="checkbox"/> Relevant plans of the proposed development are attached to the development application
6.2) Provide details about the second development aspect
a) What is the type of development? <i>(tick only one box)</i>
<input type="checkbox"/> Material change of use <input type="checkbox"/> Reconfiguring a lot <input type="checkbox"/> Operational work <input type="checkbox"/> Building work
b) What is the approval type? <i>(tick only one box)</i>
<input type="checkbox"/> Development permit <input type="checkbox"/> Preliminary approval <input type="checkbox"/> Preliminary approval that includes a variation approval
c) What is the level of assessment?
<input type="checkbox"/> Code assessment <input type="checkbox"/> Impact assessment <i>(requires public notification)</i>
d) Provide a brief description of the proposal <i>(e.g. 6 unit apartment building defined as multi-unit dwelling, reconfiguration of 1 lot into 3 lots):</i>
e) Relevant plans
<i>Note: Relevant plans are required to be submitted for all aspects of this development application. For further information, see DA Forms Guide: Relevant plans.</i>
<input type="checkbox"/> Relevant plans of the proposed development are attached to the development application
6.3) Additional aspects of development
<input checked="" type="checkbox"/> Additional aspects of development are relevant to this development application and the details for these aspects that would be required under Part 3 Section 1 of this form have been attached to this development application

☐ 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)
Residential Dwelling	Dwelling house	n/a	Refer plans

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

<input type="checkbox"/> Yes
<input checked="" type="checkbox"/> No

Division 2 – Reconfiguring a lot

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

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

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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 constructed road (complete 13))

10) Subdivision

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

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

10.2) Will the subdivision be staged?

<input type="checkbox"/> Yes – provide additional details below	
<input type="checkbox"/> No	
How many stages will the works include?	
What stage(s) will this development application apply to?	

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

12) Boundary realignment			
12.1) What are the current and proposed areas for each lot comprising the premises?			
Current lot		Proposed lot	
Lot on plan description	Area (m 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"/> Drainage work <input type="checkbox"/> Landscaping <input type="checkbox"/> Other – please specify:	<input type="checkbox"/> Stormwater <input type="checkbox"/> Earthworks <input type="checkbox"/> Signage <input type="checkbox"/> Water infrastructure <input type="checkbox"/> Sewage infrastructure <input type="checkbox"/> Clearing vegetation
14.2) Is the operational work necessary to facilitate the creation of new lots? (e.g. subdivision)	
<input type="checkbox"/> Yes – specify number of new lots:	
<input type="checkbox"/> No	
14.3) What is the monetary value of the proposed operational work? (include GST, materials and labour)	
\$	

PART 4 – ASSESSMENT MANAGER DETAILS

15) Identify the assessment manager(s) who will be assessing this development application
Douglas Shire Council
16) Has the local government agreed to apply a superseded planning scheme for this development application?
<input type="checkbox"/> Yes – a copy of the decision notice is attached to this development application <input type="checkbox"/> The local government is taken to have agreed to the superseded planning scheme request – relevant documents attached <input checked="" type="checkbox"/> No

PART 5 – REFERRAL DETAILS

17) Does this development application include any aspects that have any referral requirements?

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

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

Matters requiring referral to the **Chief Executive of the Planning Act 2016**:

- ☐ Clearing native vegetation
- ☐ Contaminated land (*unexploded ordnance*)
- ☐ Environmentally relevant activities (ERA) (*only if the ERA has not been devolved to a local government*)
- ☐ Fisheries – aquaculture
- ☐ Fisheries – declared fish habitat area
- ☐ Fisheries – marine plants
- ☐ Fisheries – waterway barrier works
- ☐ Hazardous chemical facilities
- ☐ Heritage places – Queensland heritage place (*on or near a Queensland heritage place*)
- ☐ Infrastructure-related referrals – designated premises
- ☐ Infrastructure-related referrals – state transport infrastructure
- ☐ Infrastructure-related referrals – State transport corridor and future State transport corridor
- ☐ Infrastructure-related referrals – State-controlled transport tunnels and future state-controlled transport tunnels
- ☐ Infrastructure-related referrals – near a state-controlled road intersection
- ☐ Koala habitat in SEQ region – interfering with koala habitat in koala habitat areas outside koala priority areas
- ☐ Koala habitat in SEQ region – key resource areas
- ☐ Ports – Brisbane core port land – near a State transport corridor or future State transport corridor
- ☐ Ports – Brisbane core port land – environmentally relevant activity (ERA)
- ☐ Ports – Brisbane core port land – tidal works or work in a coastal management district
- ☐ Ports – Brisbane core port land – hazardous chemical facility
- ☐ Ports – Brisbane core port land – taking or interfering with water
- ☐ Ports – Brisbane core port land – referable dams
- ☐ Ports – Brisbane core port land – fisheries
- ☐ Ports – Land within Port of Brisbane's port limits (*below high-water mark*)
- ☐ SEQ development area
- ☐ SEQ regional landscape and rural production area or SEQ rural living area – tourist activity or sport and recreation activity
- ☐ SEQ regional landscape and rural production area or SEQ rural living area – community activity
- ☐ SEQ regional landscape and rural production area or SEQ rural living area – indoor recreation
- ☐ SEQ regional landscape and rural production area or SEQ rural living area – urban activity
- ☐ SEQ regional landscape and rural production area or SEQ rural living area – combined use
- ☐ Tidal works or works in a coastal management district
- ☐ Reconfiguring a lot in a coastal management district or for a canal
- ☐ Erosion prone area in a coastal management district
- ☐ Urban design
- ☐ Water-related development – taking or interfering with water
- ☐ Water-related development – removing quarry material (*from a watercourse or lake*)
- ☐ Water-related development – referable dams
- ☐ Water-related development – levees (*category 3 levees only*)
- ☐ Wetland protection area

Matters requiring referral to the **local government**:

- ☐ Airport land
- ☐ Environmentally relevant activities (ERA) (*only if the ERA has been devolved to local government*)
- ☐ Heritage places – Local heritage places

Matters requiring referral to the Chief Executive of the distribution entity or transmission entity: <input type="checkbox"/> Infrastructure-related referrals – 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"/> Infrastructure-related referrals – Oil and gas infrastructure
Matters requiring referral to the Brisbane City Council: <input type="checkbox"/> Ports – Brisbane core port land
Matters requiring referral to the Minister responsible for administering the <i>Transport Infrastructure Act 1994</i>: <input type="checkbox"/> Ports – Brisbane core port land (<i>where inconsistent with the Brisbane port LUP for transport reasons</i>) <input type="checkbox"/> Ports – Strategic port land
Matters requiring referral to the relevant port operator , if applicant is not port operator: <input type="checkbox"/> Ports – Land within Port of Brisbane's port limits (<i>below high-water mark</i>)
Matters requiring referral to the Chief Executive of the relevant port authority: <input type="checkbox"/> Ports – Land within limits of another port (<i>below high-water mark</i>)
Matters requiring referral to the Gold Coast Waterways Authority: <input type="checkbox"/> Tidal works or work in a coastal management district (<i>in Gold Coast waters</i>)
Matters requiring referral to the Queensland Fire and Emergency Service: <input type="checkbox"/> Tidal works or work in a coastal management district (<i>involving a marina (more than six vessel berths)</i>)

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

PART 6 – INFORMATION REQUEST

19) Information request under Part 3 of the DA Rules
<input checked="" type="checkbox"/> I agree to receive an information request if determined necessary for this development application <input type="checkbox"/> I do not agree to accept an information request for this development application
Note: <i>By not agreeing to accept an information request I, the applicant, acknowledge:</i> <ul style="list-style-type: none"> • <i>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</i> • <i>Part 3 of the DA Rules will still apply if the application is an application listed under section 11.3 of the DA Rules.</i> <i>Further advice about information requests is contained in the DA Forms Guide.</i>

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 – 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)
\$		

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 ESR/2015/1791) 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 “ESR/2015/1791” as a search term 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.business.qld.gov.au for further information about hazardous chemical notifications.

Clearing native vegetation

23.3) Does this development application involve **clearing native vegetation** that requires written confirmation that 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 includes written confirmation from the chief executive of the *Vegetation Management Act 1999* (s22A determination)

☒ No

Note: 1. Where a development application for operational work or material change of use requires a s22A determination and this is not included, the development application is prohibited development.
2. See <https://www.qld.gov.au/environment/land/vegetation/applying> for further information on how to obtain a s22A determination.

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 habitat in SEQ Region

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

☐ Yes – the development application involves premises in the koala habitat area in the koala priority area

☐ Yes – the development application involves premises in the koala habitat area outside the koala priority area

☒ No

Note: If a koala habitat area determination has been obtained for this premises and is current over the land, it should be provided as part of this development application. See koala habitat area guidance materials at www.des.qld.gov.au for further information.

Water resources

23.6) Does this development application involve **taking or interfering with underground water through an artesian or subartesian bore, taking or interfering with water in a watercourse, lake or spring, or taking overland flow water under the Water Act 2000**?

☐ Yes – the relevant template is completed and attached to this development application and I acknowledge that a relevant authorisation or licence under the *Water Act 2000* may be required prior to commencing development

☒ No

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

DA templates are available from <https://planning.dsdmip.qld.gov.au/>. If the development application involves:

- Taking or interfering with underground water through an artesian or subartesian bore: complete DA Form 1 Template 1
- Taking or interfering with water in a watercourse, lake or spring: complete DA Form 1 Template 2
- Taking overland flow water: complete DA Form 1 Template 3.

Waterway barrier works

23.7) Does this application involve **waterway barrier works**?

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

☒ No

DA templates are available from <https://planning.dsdmip.qld.gov.au/>. For a development application involving waterway barrier works, complete DA Form 1 Template 4.

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, Mines and Energy at www.dnrme.qld.gov.au and www.business.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 Science at www.des.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.dnrme.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.des.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.des.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

Walkable neighbourhoods assessment benchmarks under Schedule 12A of the Planning Regulation

23.16) Does this development application involve reconfiguring a lot into 2 or more lots in certain residential zones (except rural residential zones), where at least one road is created or extended?

☐ Yes – Schedule 12A is applicable to the development application and the assessment benchmarks contained in schedule 12A have been considered

☒ No

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

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 requirements

If building work is associated with the proposed development, Parts 4 to 6 of [DA 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 the development application ☒ Yes
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](#).

Relevant plans of the development are attached to this development application ☒ Yes
Note: Relevant plans are required to be submitted for all aspects of this development application. For further information, see [DA Forms Guide: Relevant plans](#).

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 COMPLETION OF THE ASSESSMENT MANAGER – 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 (dd/mm/yy)	
Date receipted form sighted by assessment manager			
Name of officer who sighted the form			

Individual owner's consent for making a development application under the *Planning Act 2016*

I, 

as owner of the premises identified as follows:

178 Cedar Road, Cow Bay

consent to the making of a development application under the *Planning Act 2016* by:

MD Land Surveys

on the premises described above for:

Material Change of Use



31 July 2023



This building shall be constructed in accordance with the relevant state Building Act, the NCC, all relevant Australian Standards and the manufactures instructions for relevant elements. Any substitution of any structural members or variations of any part of the design will void any responsibilities of the draftsperson for structural integrity and performance of the building/structure. All plans are copyright and may not be reproduced in whole or and part without written permission from Neo Building Design. Do not scale. Confirm all dimensions & levels before commencing construction, Any discrepancies to be reported to the draftsperson immediately. **Notes to be read in conjunction with General Notes page.**



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Project.	Page Title	Drawn.	Date
Proposed Residence At 178 Cedar Rd COW BAY	3D Views	J.Krueger	
Scale at A3:		Issue.	Sheet
		SK-B	A-002



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**Proposed Residence At
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Page Title
3D Views

Scale at A3:

Drawn.	Date
J.Krueger	
Issue.	Sheet
SK-B	A-003



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Date

Issue.

SK-B

Sheet

A-004



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Issue.

SK-B

Sheet

A-005



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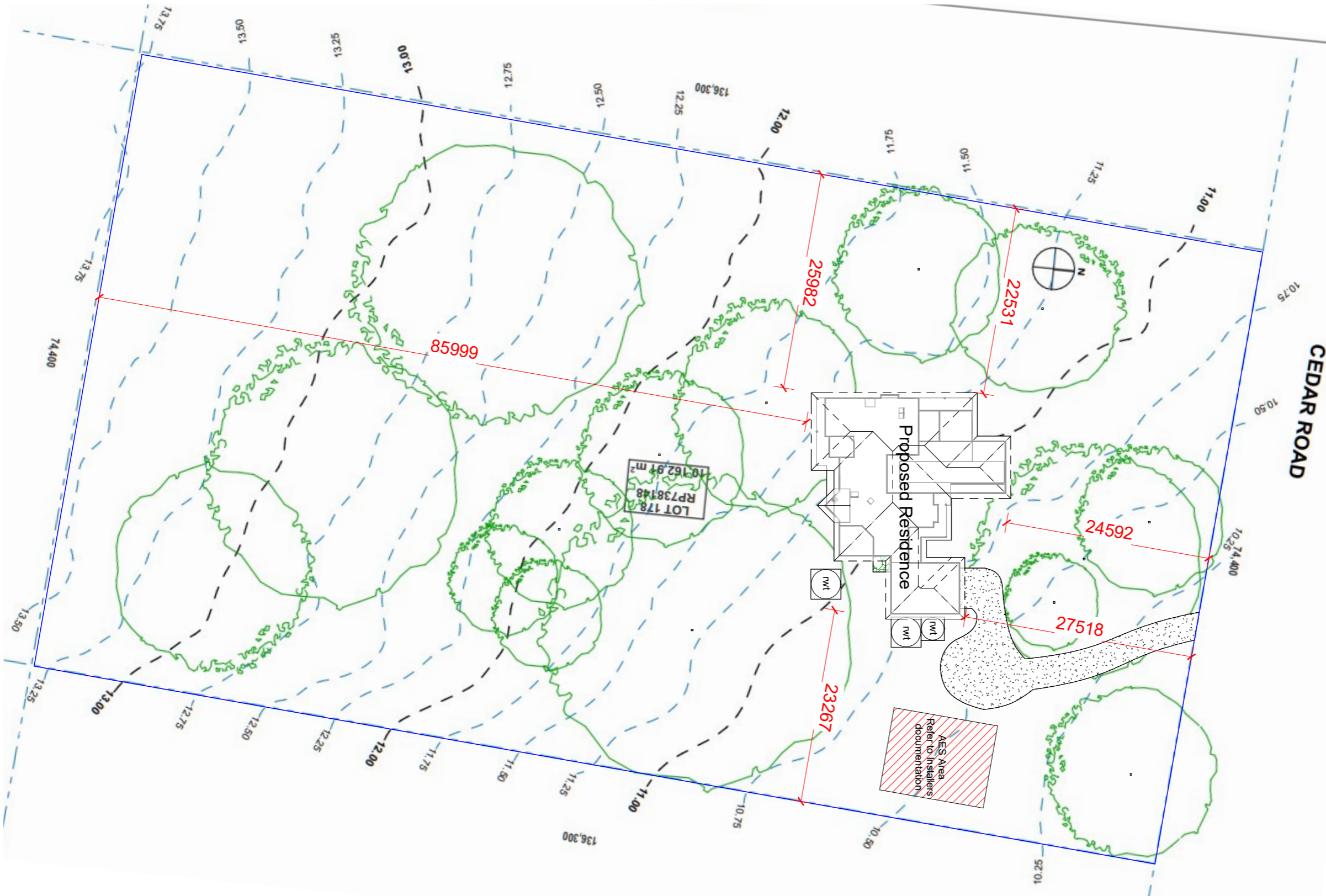
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Project.
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Page Title
3D Views

Scale at A3:

Drawn.	Date
J.Krueger	
Issue.	Sheet
SK-B	A-006



CONTOURS / SERVICES NOTE:
Location and extent of underground services may have not been provided or are unknown at time of drafting (sewer and storm water lines, manholes and house connection points etc). Builder is to establish extent of the these services before commencing construction and make any necessary adjustments.

Contours & Services may have been plotted from as constructed or disclosure plans which have varying accuracies.

Vegetation, spot levels and other existing features and information may have been omitted from this site plan for clarity. Refer to Surveyor's original drawings for more detail.

It is the BUILDERS responsibility to locate any services before construction commences

Lot No.	178
Description.	RP738148
Council	Douglas Shire
Site Area	10150m2
Footprint Area	465m2
Site Cover %	5%

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178 Cedar Rd COW BAY

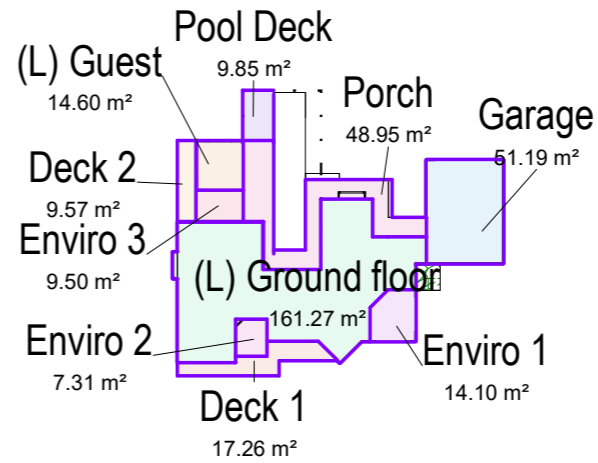
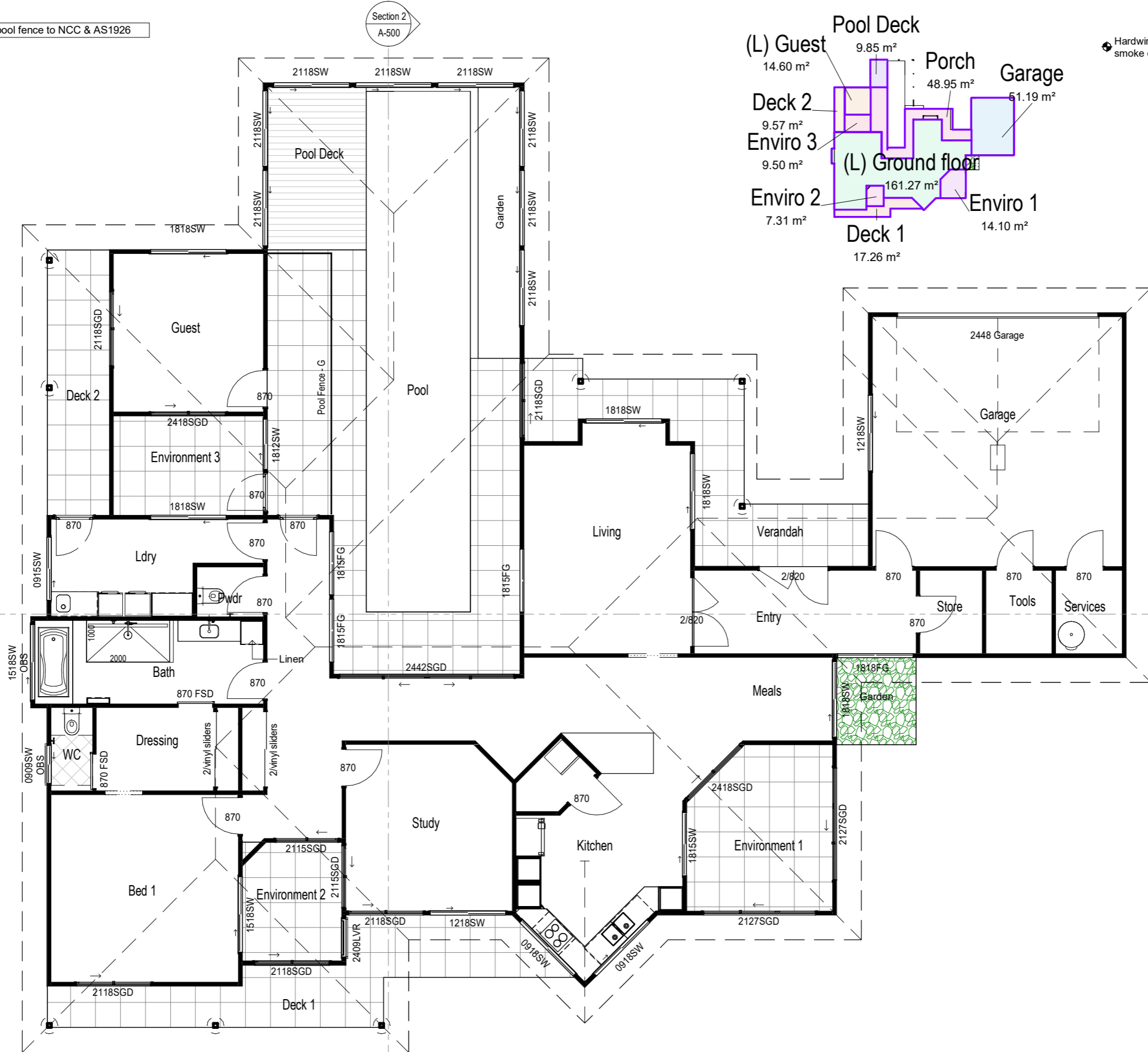
Page Title
Site Plan

Scale at A3: 1 : 500

Drawn.	Date
J.Krueger	
Issue.	Sheet
SK-B	A-100

Pool Fence - G Selected Glass pool fence to NCC & AS1926

Section 2
A-500



Hardwired interconnected
smoke detector

Living Areas Only

Name	Area
(L) Ground floor	161.27 m ²
(L) Guest	14.60 m ²
Grand total	175.87 m ²

Total Area

Name	Area
(L) Ground floor	161.27 m ²
Garage	51.19 m ²
Porch	48.95 m ²
Deck 1	17.26 m ²
(L) Guest	14.60 m ²
Enviro 1	14.10 m ²
Pool Deck	9.85 m ²
Deck 2	9.57 m ²
Enviro 3	9.50 m ²
Enviro 2	7.31 m ²
Grand total	343.59 m ²

Section 1
A-500

Section 1
A-500

Elevation D (South)



Section 2
A-500



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Project.

Proposed Residence At
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Page Title

Ground Floor Plan

Drawn.

J.Krueger

Date

Issue.

SK-B

Sheet

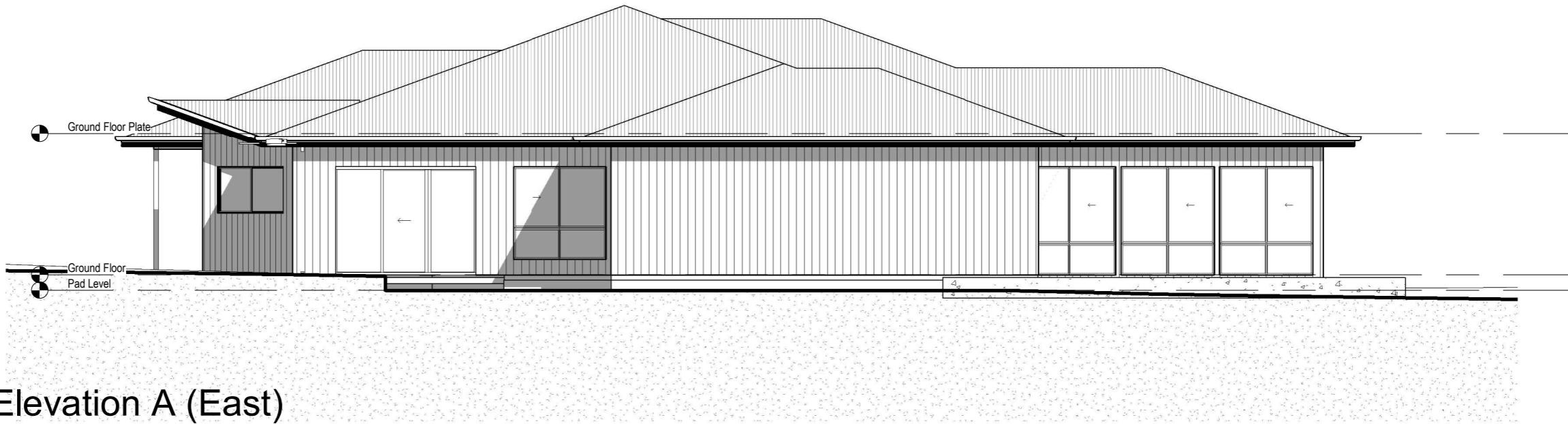
A-200

Scale at A3:

As indicated

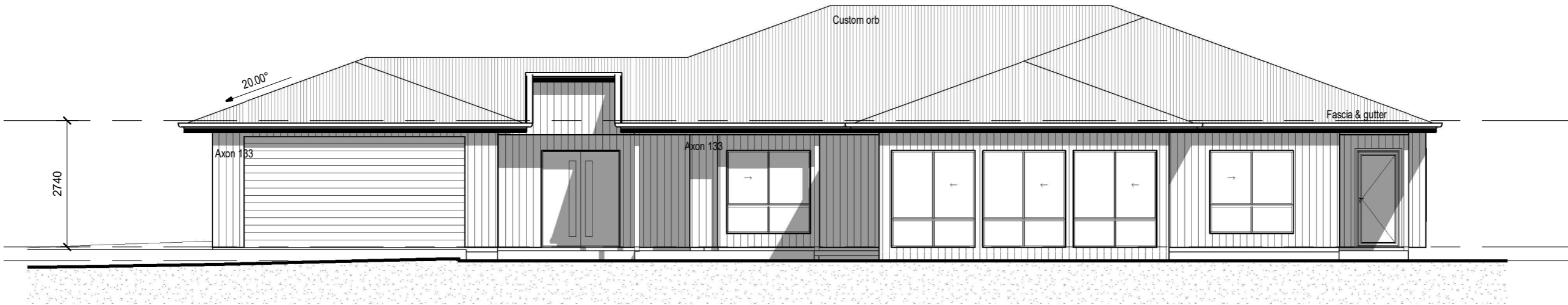
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Axon 133	James Hardie Scyon Axon 133mm Wall Cladding (paint finish)
Custom orb	Colorbond Custom Orb Sheeting
Fascia & gutter	Colorbond Metal Fascia & Gutter System



Elevation A (East)

Scale: 1 : 100



Elevation B (North)

Scale: 1 : 100

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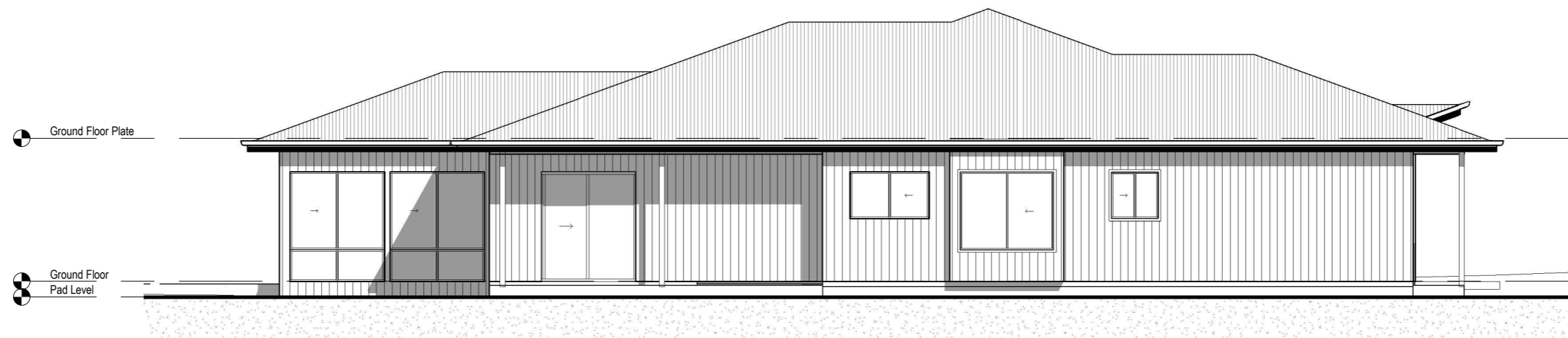
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Project.
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Page Title
Elevations

Scale at A3: 1 : 100

Drawn.	Date
J.Krueger	
Issue.	Sheet
SK-B	A-300



Elevation C (West)

Scale: 1 : 100



Elevation D (South)

Scale: 1 : 100

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Project.	Page Title	Drawn.	Date
Proposed Residence At 178 Cedar Rd COW BAY	Elevations	J.Krueger	
Scale at A3:		Issue.	Sheet
1 : 100		SK-B	A-301

6.2.3 Conservation zone code

6.2.3.1 Application

- (1) This code applies to assessing development in the Conservation zone.
- (2) When using this code, reference should be made to Part 5.

6.2.3.2 Purpose

- (1) 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.
- (2) 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.
- (3) 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.

6.2.3.3 Criteria for assessment**Table 6.2.3.3.a – Conservation zone – assessable development**

Performance outcomes	Acceptable outcomes	Applicant response
For assessable development		
P01 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.	Complies AO1 The proposed development is for a Dwelling House - Dwelling House development is not identified as an 'inconsistent use' within the Conservation Zone.
P02 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 AO2 The proposed Dwelling House is a single storey building and less than 8.5 metres (approximately 4.5 metres in height).
P03 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: <ul style="list-style-type: none"> (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 AO3 The proposed Dwelling House is setback (from the closest point) approximately 24.59 metres from the Cedar Road frontage
P04 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 AO4 The proposed Dwelling House has a development footprint of approximately 465m ² . It is not expected that the extent of clearing will exceed 700m ² . It is also noted that there are no watercourses traversing the property.
P05 Development is consistent with the overall outcomes sought for the Conservation zone.	AO5 No acceptable outcomes are prescribed.	Complies P05 The proposed development is for a Dwelling House - Dwelling House development is not identified as an 'inconsistent use' within the Conservation Zone.

Performance outcomes	Acceptable outcomes	Applicant response
		The development footprint is kept to a minimum to maintain the environmental, habitat, conservation and scenic values of the land and surrounding area.
Performance outcomes	Acceptable outcomes	Applicant response
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.	Can be Conditioned to Comply The exterior finishes of the Dwelling House will be non-reflective and will be consistent with the surrounding environment. The following condition can be imposed regarding the exterior colours and finishes. <i>"The exterior finishes and colours of buildings must be non-reflective and must blend with the natural colours of the surrounding environment."</i>
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; (b) provides screening; (c) enhances the visual appearance of the development. Note – Planning scheme policy – Landscaping provides further guidance on meeting the performance outcome.	AO7.1 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. AO7.2 Endemic palm species, where used, are planted as informal accent features and not as avenues and not in a regular pattern.	Complies PO7 The subject land is significantly vegetated. The extent of clearing will be limited to that Dwelling House and surrounding buffer area, access driveway and on-site wastewater treatment. Vegetation on the balance of the allotment will be maintained to appropriately screen the development from adjoining roads and properties.
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 AO8.3 The design of the proposed Dwelling House is complementary with the surrounding environment and will not result in significant excavation or fill.

Performance outcomes	Acceptable outcomes	Applicant response
	<p>AO8.2 A driveway or parking areas are constructed and maintained to:</p> <ul style="list-style-type: none"> (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. <p>AO8.3 Buildings and structures are erected on land not exceeding a maximum gradient of 1 in 6 (16.6%).</p> <p>or</p>	<p>Complies AO8.2 The proposed driveway and car parking area will be gravel construction and designed to minimise erosion and vegetation clearing.</p> <p>Complies AO8.3 Development is not proposed on land with a gradient of greater than 1 in 6.</p>
	<p>On land steeper than 1 in 6 (16.6%) gradient:</p> <ul style="list-style-type: none"> (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. <p>and</p> <ul style="list-style-type: none"> (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. <p>AO8.4 Buildings and structures are sited below any ridgelines and are sited to avoid protrusion above the surrounding tree-level canopy.</p>	<p>Complies AO8.4 Development is not located on a ridgeline and does not protrude above the surrounding tree canopy.</p>
<p>PO9 Development is located to:</p> <ul style="list-style-type: none"> (a) protect the ecological values of the site and surrounding land; (b) maintain the scenic values of the area; 	<p>AO9 No acceptable outcomes are prescribed.</p>	<p>Complies PO9 The extent of clearing will be limited to that Dwelling House and surrounding buffer area, access driveway and on-site wastewater treatment. The development footprint is kept to a minimum to maintain the ecological, environmental values and scenic values. Vegetation on the</p>

Performance outcomes	Acceptable outcomes	Applicant response
<p>(c) maintain appropriate setbacks to waterways, watercourses, wetlands, tidal areas and overland flow paths;</p> <p>(d) avoid areas that are vulnerable to natural hazards;</p> <p>(e) minimise to the greatest extent possible on site excavation and filling;</p> <p>(f) provide buffers to cultural, historical or ecological features;</p> <p>(g) minimise visibility from external sites or public viewing points;</p> <p>(h) minimises to the greatest extent possible the loss of native vegetation and fauna habitat.</p>		balance of the allotment will be maintained to appropriately screen the development from adjoining roads and properties.
Performance outcomes	Acceptable outcomes	Applicant response
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 PO10 There are no waterways wetlands or ecological features that are located on or traverse the site that will be adversely impacted as a result of the proposed Dwelling House.
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 PO11 The extent of clearing will be limited to that Dwelling House and surrounding buffer area, access driveway and on-site wastewater treatment. Where appropriate, disturbed parts will be rehabilitated to improve environmental integrity.
PO12 Fencing is designed to not impede the free movement of native fauna through the site.	AO12 No acceptable outcomes are prescribed.	Complies PO12 Any fencing will be designed to not impeded the free movement of native fauna through the site.
PO13 New lots contain a minimum lot size of 200 hectares, unless: (a) the lot reconfiguration results in no additional lots (e.g. amalgamation, boundary realignments);	AO13 No acceptable outcomes are prescribed.	Not Applicable No new lots are proposed.

Performance outcomes	Acceptable outcomes	Applicant response
<p>(b) the reconfiguration is limited to one additional lot to accommodate an existing or approved:</p> <ul style="list-style-type: none">(i) Telecommunications facility;(ii) Utility installation; <p>(c) the lot reconfiguration facilitates and outcome consistent with the Return to Country local plan.</p> <p>Note – Boundary realignments must result in an improved environmental outcome or resolve encroachments.</p>		

Table 6.2.3.3.b – Inconsistent uses within the Conservation zone

Inconsistent uses		
<ul style="list-style-type: none"> • 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 • Community residence • Community use • Crematorium • Cropping • Detention facility • Dual occupancy • Dwelling unit • Educational establishment • Extractive industry • Food and drink outlet • Function facility 	<ul style="list-style-type: none"> • 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 • Motor sport facility • Multiple dwelling • Nightclub entertainment facility • Office • Outdoor sales • Parking station • Place of worship • Port services • Relocatable home park • Research and technology industry • Residential care facility 	<ul style="list-style-type: none"> • 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 • Special industry • Substation • Theatre • Tourist attraction • Tourist park • Transport depot • Utility installation • Veterinary services • Warehouse • Wholesale nursery • 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

7.2.1.1 Application

- (1) This code applies to assessing development within the Cape Tribulation and Daintree Coast local plan area as identified on the Cape Tribulation and Daintree Coast local plan maps contained in Schedule 2.
- (2) When using this code, reference should be made to Part 5.

7.2.1.2 Context and setting

Editor's note - This section is extrinsic material under section 15 of the Statutory Instruments Act 1992 and is intended to assist in the interpretation of the Cape Tribulation and Daintree Coast local plan code.

The Cape Tribulation and Daintree Coast local plan area is located in the northern half of the Douglas Shire on land located predominantly to the north and east of the Daintree River. The local plan area contains land of extremely high biodiversity value and is where two World Heritage areas meet – the Wet Tropics World Heritage Area and the Great Barrier Reef World Heritage Area. The precinct is a biodiversity hotspot of international significance and predominantly consists of the Daintree National Park and other reserves. The local plan area provides significant habitat for the critically endangered Southern Cassowary, amongst many other species of fauna and flora and cultural and landscape heritage sites.

The natural environment, containing areas of the highest biodiversity value and flora and fauna unique to the area, are part of the immense drawcard to large numbers of domestic and international visitors. While such an economic resource is invaluable to the Shire, the area needs to be carefully managed to ensure these values are not diminished. However, a significant portion of the local plan area is privately owned freehold land and outside the boundaries of the Wet Tropics World Heritage Area, but is still equally important to the continued conservation of the biodiversity, environmental and scenic values of the area.

Prior to European settlement, the area formed part of the traditional land of the Eastern Kuku Yalanji people. In the late 1800s, limited European settlement commenced associated with timber getting and agriculture. From the 1920s onwards seasonal workers and miners also set up semi-permanent camps in the area. However such activity was restricted due to the relative isolation of the area. The settlement pattern in the area dramatically changed in the late 1970s to 1980s when approximately 950 residential lots were created. The 'rural residential style' allotments north of the Daintree River posed a risk of significant detrimental impacts on the ecology and landscape character of the area, particularly if fully developed. Such development would also result in a greater resident population leading to pressure for an increased level of service and extension of infrastructure, which in turn would lead to more development pressure. Such an outcome is contrary to the objectives of preserving the area's natural environment, landscape character and relative isolation to maintain the area's intrinsic attractiveness to tourists and residents.

Past successive planning regimes have progressively proceeded to rein in development rights within the area. Precincts were created and development was limited. In particular, decisive action was undertaken in 2004 to control and limit permanent residential development north of the Daintree River. This was necessary to ensure a critical population was not reached, and adverse effects from development were not felt on the water quality, biodiversity, scenic amenity and flora and fauna of the region.

Where development rights were extinguished, compensation was paid and / or land was bought as part of a buy-back scheme and retained for conservation purposes. The protection of the regional ecosystem and rare and threatened species is paramount in the limitation of development opportunities within the region.

7.2.1.3 Purpose

- (1) 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.
- (2) 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

7.2.1.4 Precinct 1 – Conservation precinct

- (1) The purpose of Precinct 1 as detailed on the Local Plan maps contained in Schedule 2 is to provide for the protection, restoration and management of areas identified as supporting significant biological diversity and ecological integrity.
- (2) The overall outcomes sought for Precinct 1 are to:
 - (a) ensure the conservation, protection and restoration of biological diversity and ecological integrity values of land , and to maintain scenic amenity values;
 - (b) ensure that further incompatible development, including houses, does not occur;
 - (c) ensure that where development does occur, it does not adversely affect environmental and scenic amenity values and is in keeping with the natural characteristics of the land.

7.2.1.5 Precinct 2- Low impact residential precinct

- (1) The purpose of Precinct 2 as detailed on the Local Plan maps contained in Schedule 2 is to allow for the construction of a single detached dwelling and necessarily associated infrastructure and outbuildings.
- (2) The overall outcomes sought for Precinct 2 are to:
 - (a) ensure development is for a single detached dwelling of limited scale and size and necessary outbuildings and infrastructure only;
 - (b) locate development within existing cleared areas, or where no cleared area exists, development is located such that impacts on conservation, biological, ecological and scenic amenity values are mitigated through the minimisation of excavation, fill and vegetation removal, to the maximum extent possible;
 - (c) ensure development is visually non-obtrusive.

7.2.1.6 Precinct 3 - Low impact commercial precinct

- (1) The purpose of Precinct 3 as detailed on the Local Plan maps contained in Schedule 2 is to recognise the existing commercial uses and permit their continued use.
- (2) The overall outcomes sought for Precinct 3 are to:
 - (a) ensure that is visually non-obtrusive.

7.2.1.7 Precinct 4 - Low impact community purpose precinct

- (1) The purpose of Precinct 4 as detailed on the Local Plan maps contained in Schedule 2 is to recognise the existing public purpose uses and permit their continued use.
- (2) The overall outcomes sought for Precinct 4 are to:



- (a) ensure the establishment and expansion of community and public purpose uses such as child care centre, community use, educational establishment, health care services, outdoor sport and recreation, utility installation on appropriate sites within the precinct;
- (b) locate development within existing cleared areas or where no cleared area exists, development is located such that impacts on conservation, biological, ecological and scenic amenity values are mitigated through the minimisation of excavation, fill and vegetation removal, to the maximum extent possible
- (c) services are provided which are appropriate and adequately cater for the demand;
- (d) carry out development in accordance with an Environmental Management Plan;
- (e) ensure development is visually non-obtrusive.

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

- (1) 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.
- (2) 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.

7.2.1.9 Precinct 6 - Low impact tourism accommodation precinct

- (1) The purpose of Precinct 6 as detailed on the Local Plan maps contained in Schedule 2 is to recognise existing small-scale tourist accommodation and ancillary low-key activities, based on and compatible with an appreciation of the natural environment and permit their continued use.
- (2) The overall outcomes sought for Precinct 6 are to:
 - (a) provide for continued small-scale tourist accommodation and ancillary low-key activities, based on and compatible with an appreciation of the natural environment in appropriate locations;
 - (b) ensure development, including treatment of waste, is confined to existing cleared areas;

- (c) carry out development in accordance with an Environmental Management Plan;
- (d) ensure development is visually non-obtrusive.

Criteria for assessment

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

Performance outcomes	Acceptable outcomes	Applicant response
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: <ul style="list-style-type: none"> (a) the Daintree River ferry crossing; (b) Alexandra Range Road; (c) the local road network. 	AO1 No acceptable outcomes are prescribed.	Complies PO1 The proposed development is for a Dwelling House, the demand generated will not exceed the capacity of the Daintree River ferry crossing, Alexandra Range Road or the local road network.
PO2 Development provides a suitable standard of self-sufficient service for: <ul style="list-style-type: none"> (a) 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: <ul style="list-style-type: none"> (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 AO2.1 Water supply is to be provided by installed water tanks sufficient for the dwelling house and for firefighting purposes. A condition of approval can be imposed regarding the water storage tank(s).
	AO2.2 Water storage tanks are to be fitted with screening at their inlets to prevent the intrusion of leaves and insects.	Complies AO2.2 A condition of approval can be imposed regarding the water storage tank(s) and ensuring that the tanks are fitted with screening to prevent intrusion of leaves and insects.
	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 AO2.3 The Dwelling House will be provided with solar panels and appropriate battery system for the provision of power supply.



Performance outcomes	Acceptable outcomes	Applicant response
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 PO3 The onsite wastewater treatment and disposal system has been designed by Earth Test in accordance with the requirements of the assessment benchmark. The report and design are included at Attachment D.
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 PO4.1 In addition to the rainwater tanks, there will be a bore onsite (one only) – the bore will be located such that it is not within 100 metres of the on-site waste water disposal area (on site or adjoining sites)
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 PO5 The extent of clearing will be limited to that Dwelling House and surrounding buffer area, access driveway and on-site wastewater treatment. The development footprint is kept to a minimum to maintain the environmental, habitat, conservation and scenic values of the land and surrounding area.
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. 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	AO6.1 - Can be Conditioned to Comply The exterior finishes of the Dwelling House will be non-reflective and will be consistent with the surrounding environment. The following condition can be imposed regarding the exterior colours and finishes. <i>"The exterior finishes and colours of buildings must be non-reflective and must blend with the</i>



Performance outcomes	Acceptable outcomes	Applicant response
	generated is less than 65 dBA when measured from a distance of 7 metres.	<p><i>natural colours of the surrounding environment."</i></p> <p>AO6.2 - Can be Conditioned to Comply A condition can be imposed regarding the noise from generators, air-conditioning units, service equipment or other mechanical equipment not emanating from the subject land to a degree that would create an environmental nuisance.</p>
Performance outcomes	Acceptable outcomes	Applicant response
	<p>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.</p>	<p>AO6.3 - Can be Conditioned to Comply A condition can be imposed requiring that all fuels must be stored in an undercover and secure location at all times.</p>
<p>P07 Landscaping of the development ensures that the endemic character of the local area is dominant.</p>	<p>AO7.1 Landscaping complies with the requirements of Planning Scheme Policy 7 – Landscaping;</p> <p>AO7.2 All of the existing landscaping to be retained and all of the proposed landscaping is 100% endemic or native species and the details are provided on a landscape plan.</p>	<p>Complies P07 The extent of clearing will be limited to that Dwelling House and surrounding buffer area, access driveway and on-site wastewater treatment. Vegetation on the balance of the allotment will be maintained to appropriately screen the development from adjoining roads and properties. Any additional landscaping provided on site will be endemic or native species.</p>
<p>P08 Site access driveways and roads within the local plan area are retained as safe, slow speed, scenic drives.</p>	<p>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</p>	<p>Complies AO8.1 The proposed driveway and car parking area will be gravel construction. A condition can be imposed requiring that the access be constructed in accordance with the FNQROC Development Manual.</p>



Performance outcomes	Acceptable outcomes	Applicant response
	<p>maintain the scenic drive experience and to discourage the use of roads by through-traffic;</p> <p>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.</p>	
<p>PO9 The on-site impacts on natural flow regimes and erosion and sedimentation are minimised.</p>	<p>AO9.1 Filling and excavation is kept to a minimum and involves not more than 5% of the cleared area of the lot.</p> <p>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.</p> <p>AO9.3 This is no disturbance to tree roots and trenching does not involve any damage to tree roots.</p> <p>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.)</p>	<p>Complies AO9.1 Excavation or filling will be very minor and limited to establishing the building pad and footings.</p> <p>Complies AO9.2 Appropriate erosion and sediment control will be provided in accordance with AO9.2.</p> <p>Complies AO9.3 Where possible disturbance to tree roots will be avoided.</p> <p>Complies AO9.3 The proposed development will not impact existing drainage across the premises.</p>
General requirements – Dwelling house		
<p>PO10 Development minimises the loss of vegetation and habitat connectivity on site and is sited to protect the environmental values of the site.</p>	<p>AO10.1 The elements of development and access to the site are included in a Designated Development Area (DDA).</p>	<p>Complies AO10.1 The extent of clearing will be limited to that Dwelling House and surrounding buffer area,</p>



Performance outcomes	Acceptable outcomes	Applicant response
		access driveway and on-site wastewater treatment.
	<p>AO10.2 Development is sited in an existing cleared area or in an area approved for vegetation clearing.</p> <p>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. Note – The 700m² of clearing does not include an access driveway</p>	<p>Complies AO10.3 The proposed Dwelling House has a development footprint of approximately 465m². It is not expected that the extent of clearing will exceed 700m². It is also noted that there are no watercourses traversing the property.</p>
<p>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.</p>	<p>AO11 No acceptable solutions are prescribed.</p>	<p>Complies PO11 The extent of clearing will be limited to that Dwelling House and surrounding buffer area, access driveway and on-site wastewater treatment. Vegetation on the balance of the allotment will be maintained to appropriately screen the development from adjoining roads and properties.</p>
<p>PO12 Wildlife movement, fauna habitat and habitat corridors are protected and domestic impacts are minimised.</p>	<p>AO12.1 Fences are limited in extent to the confines of the cleared area around the house and any associated gates are self-closing.</p> <p>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.</p>	<p>Complies PO12 Any fencing will be designed to not impeded the free movement of native fauna through the site.</p> <p>External lighting is to be kept to the minimum necessary for orientation, safety and security.</p>



Performance outcomes	Acceptable outcomes	Applicant response
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 construction.	Complies PO13.1 Proposed vehicle access is limited to one access per lot and is sited clear of any watercourses. Complies PO13.2 The access and driveway, where possible avoids large tree specimens and/or significant vegetation and habitat corridors. Complies PO13.3 The proposed vehicular access will be constructed prior to the house construction.
Performance outcomes	Acceptable outcomes	Applicant response
Additional requirements for Nature based tourism, being Forest stay accommodation		
PO14 Forest stay accommodation provides a local economic opportunity for permanent residents of those parts of the Shire which are isolated and constrained by a lack of urban services and facilities.	AO14 Forest stay accommodation: (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; (c) is located on lots of 10 hectares or greater.	Not Applicable
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 guests 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



Performance outcomes	Acceptable outcomes	Applicant response
	<p>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.</p> <p>AO15.3 Forest stay accommodation is located on a site which has an existing cleared area.</p> <p>AO15.4 The natural values of the balance area of the site are protected and enhanced with organised tours being conducted for visiting guests.</p>	
Performance outcomes	Acceptable outcomes	Applicant response
	<p>AO15.5 If forest stay accommodation is provided in buildings which are separate from the dwelling:</p> <p>(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.);</p> <p>or</p> <p>(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.);</p> <p>or</p> <p>(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).</p> <p>AO15.6</p>	Not Applicable



Performance outcomes	Acceptable outcomes	Applicant response
	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
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
Performance outcomes	Acceptable outcomes	Applicant response
Additional requirements for Precinct 1 – Conservation 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. In addition, minor extensions can be undertaken to an existing development, provided:	Not Applicable



Performance outcomes	Acceptable outcomes	Applicant response
	<p>(a) The extensions are limited to 30% of the existing gross floor area of the house at the commencement date of the planning scheme.</p> <p>or</p> <p>(b) The extent of extensions are determined on a site specific/use specific basis for other land uses,</p> <p>and</p> <p>(c) No further clearing is required to accommodate the extensions for either a house or any other land use development.</p>	
Additional requirements for Precinct 2– Low impact residential precinct		
<p>PO19 Development is for;</p> <p>(a) a detached dwelling of limited size and scale and necessary outbuildings and infrastructure;</p> <p>(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;</p> <p>(c) Nature based tourism, being Forest stay accommodation where in compliance with other requirements contained within this code.</p>	<p>AO19.1 Development is limited to one dwelling house per lot.</p> <p>AO19.2 Establishment of bed and breakfast accommodation only occurs on land on which a dwelling house has been approved and constructed.</p> <p>AO19.3 Bed and breakfast accommodation is limited to cleared areas on the land;</p> <p>or</p> <p>AO19.4</p>	<p>Complies AO19.1 The proposed development is for one (1) Dwelling House.</p>



Performance outcomes	Acceptable outcomes	Applicant response
	<p>Bed and breakfast accommodation is established within an existing house, where there is no additional vegetation clearing required to accommodate the use;</p> <p>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.</p> <p>AO19.6 Development is setback a minimum of 100 metres to an Esplanade or a foreshore frontage.</p>	
Additional requirements for Precinct 3 – Low impact commercial precinct		
<p>PO20 Commercial development is located in a convenient location and meets the requirements of the local community and visitors to the area.</p>	<p>AO20 Commercial development is located within Precinct 3 and has frontage to Cape Tribulation Road.</p>	Not Applicable
<p>PO21 Development is small scale and provides a necessary service to the surrounding community.</p>	<p>AO21 No acceptable outcomes are prescribed.</p>	Not Applicable
<p>PO22 Development is carried out in accordance with a site-specific, and development specific Environmental Management Plan.</p> <p>Note – Planning scheme policy SC6.4 – Environmental management plans provides further guidance on meeting the performance outcome.</p>	<p>AO22 No acceptable outcomes are prescribed.</p>	Not Applicable
Additional requirements for Precinct 4 – Low impact community purpose precinct		
<p>PO23</p>	<p>AO23 No acceptable outcomes are prescribed.</p>	Not Applicable



Performance outcomes	Acceptable outcomes	Applicant response
<p>Development results in a small scale expansion of an existing use which provides a necessary service to the surrounding community;</p> <p>or</p> <p>Development results in a new community use or public purpose use for which there is an identified need within the surrounding community.</p>		
<p>PO24 Development is carried out in accordance with a site specific and development specific Environmental Management Plan.</p> <p>Note – Planning scheme policy SC6.4 – Environmental management plans provides further guidance on meeting the performance outcome.</p>	<p>AO24 No acceptable outcomes are prescribed.</p>	<p>Not Applicable</p>
Performance outcomes	Acceptable outcomes	Applicant response
Additional requirements for Precinct 5 – Low impact rural production and tourism enterprise precinct		
<p>PO25 Development complements, protects and enhances the environmental and scenic values of the site.</p>	<p>AO25.1 One dwelling house establishes per lot.</p> <p>AO25.2 Any other development is limited to existing cleared areas on the site.</p> <p>AO25.3 No development is to occur above the 60 metre contour line.</p> <p>AO25.4 Any new primary production activity or a change to a primary production activity has minimal impact on the</p>	<p>Not Applicable</p>



Performance outcomes	Acceptable outcomes	Applicant response
	existing natural values of the site and surrounding area.	
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.	Not Applicable
PO27 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.	AO27 No acceptable outcomes are prescribed.	Not Applicable
Performance outcomes	Acceptable outcomes	Applicant response
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
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



Performance outcomes	Acceptable outcomes	Applicant response
PO30 Development is carried out in accordance with a site specific and development specific Environmental Management Plan. Note – Planning scheme policy – Environmental management plans SC6.4 provides further guidance on meeting the performance outcome.	AO30 No acceptable outcomes are prescribed.	Not Applicable



Site Classification

And

Wastewater Management System

For

At

Lot 178 Cedar Road

Cow Bay

INTRODUCTION:

Earth Test has been engaged by _____ to assess, design and report on Site Classification and a Domestic Wastewater Management System at Lot 178 Cedar Road, Cow Bay.

Real Property Description:-

Lot 178, on RP 738148

Local Authority: Douglas Shire Council.

It is understood the intention is to construct a dwelling at the site.

A site and soil evaluation was carried out in October 2018.

SITE FACTORS:

The site was identified by its site address, a photo is included to confirm the sites identity.

The lot has an area of about one hectare.

The water supply for the dwelling will be from a future bore.

Three Dynamic Cone Penetrometer tests were performed at locations DCP1, DCP2 and DCP3, and one borehole BH1 as shown on the site plan.

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



BH1 being sampled at Lot 178 Cedar Road, Cow Bay



SITE INVESTIGATION REPORT

BOREHOLE LOG

CLIENT: PROJECT: Lot 178 Cedar Road, Cow Bay. REPORT DATE: 1/08/2023		DATE SAMPLED: 10/10/2018 Sampled by: G. Negri & B. Wyatt
BOREHOLE No: BH1		
DEPTH (m) 0.0-0.5 0.5-1.0	DESCRIPTION Brown Silty-Clay Red-Brown Silty-Clay	COMMENTS Disturbed sample 0.6- 0.9m. Watertable not encountered



ATTERBERG LIMITS TEST REPORT

CLIENT:

SAMPLE No: SI 384.2-18

PROJECT: Lot 178 Cedar Road, Cow Bay

DATE SAMPLED: 10/10/2018

SAMPLE DETAILS: BH1 0.6-0.9m

Sampled by: G. Negri & B. Wyatt

REPORT DATE: 1/08/2023

Tested By: B. Wyatt

TEST METHOD	RESULT
Liquid Limit: AS 1289.3.1.2	48%
Plastic Limit: AS 1289.3.2.1	28%
Plasticity Index: AS 1289.3.3.1	20%
Linear Shrinkage: AS 1289.3.4.1	11.0%
Length Of Mould:	250.1mm
Cracking, Crumbling, Curling, Number Of Breaks:	Three Breaks
Sample History:	Air Dried
Preparation Method:	Dry Sieved
Insitu Moisture Content:	20.7%
% Passing 0.075mm:	%



DYNAMIC CONE PENETROMETER REPORT

AS 1289.6.3.2

CLIENT:

SAMPLE No: SI 384-18

PROJECT: Lot 178 Cedar Road, Cow Bay.

DATE SAMPLED: 10/10/2018

SAMPLE DETAILS: Sites "DCP1, DCP2 & DCP3" as per site plan.

Tested By: G. Negri & B. Wyatt

REPORT DATE: 1/08/2023

DEPTH (Metres)	Site: DCP1	Site: DCP2	Site: DCP3
	No Blows	No Blows	No Blows
0.0 – 0.1	6	3	3
0.1 – 0.2	5	4	4
0.2 – 0.3	4	5	3
0.3 – 0.4	5	4	4
0.4 – 0.5	5	4	4
0.5 – 0.6	6+	3	3
0.6 – 0.7	Tree Root	3	3
0.7 – 0.8	Stopped	4	4
0.8 – 0.9		3	3
0.9 – 1.0		3	3
1.0 – 1.1			
1.1 – 1.2			
1.2 – 1.3			
1.3 – 1.4			
1.4 – 1.5			
1.5 – 1.6			
1.6 – 1.7			
1.7 – 1.8			
1.8 – 1.9			
1.9 – 2.0			



SITE CLASSIFICATION

Lot 178 Cedar Road, Cow Bay.

“Abnormal moisture conditions (AS2870-2011 Clause 1.3.3)” exist at the site due to the future removal of trees

The Dynamic Cone Penetrometer test results indicate adequate allowable bearing pressure to 1.0m.

The Atterberg Limits test results indicate a moderately reactive soil.

Due to the presence of “Abnormal moisture conditions”, the site must be classified **CLASS-“P”**.

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

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

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

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

Gavin Negri
Earth Test

SITE AND SOIL EVALUATION

Lot 178 Cedar Road, Cow Bay.

The site and soil evaluation carried out on 10/10/2018 provided the following results.

Site Assessment

<u>Site Factor</u>	<u>Result</u>
Slope	Predominately level
Shape	Linear Planar
Aspect	Nil
Exposure	Good
Erosion/land slip	Not noted.
Boulders/rock outcrop	Not on lot
Vegetation	Extensive Rainforest
Watercourse	Not in area affected by Land Application Area.
Water table	Not encountered during investigation.
Fill	Not in Land Application Area.
Flooding	Not likely.
Channelled run-off	Not found
Soil surface conditions	Firm, dry
Other site specific factors	Not noted

Soil Assessment

<u>Soil Property</u>	<u>Result</u>
Colour	Brown
Texture	Clay-Loam
Structure	Moderately structured
Coarse Fragments	Nil
Measured Permeability Ksat (m/d)	Indicative Permeability 0.5-1.5
Dispersion	Slakes
Soil Category	4
Resultant Design Load Rating, DLR (mm/d)	15

WASTEWATER MANAGEMENT SYSTEM

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

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

- AS/NZ 1547:2012 On-site domestic-wastewater management.
- Queensland PLUMBING AND DRAINAGE ACT 2018.
- Queensland STANDARD PLUMBING AND DRAINAGE REGULATION 2019.
- Queensland PLUMBING AND WASTEWATER CODE.

SYSTEM SIZING FACTORS.

A population equivalent of four (4) persons has been chosen for the proposed two bedroom dwelling.

The site is to be connected to a bore water supply system.

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

They shall include:-

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

Note: - Garbage grinders are not permitted.

As per AS/NZ 1547:2012 Appendix H, Table H1 the “Typical wastewater design flow” for a “Reticulated water supply” gives a flow allowance of 150 L/Person/day.

The daily flow for the dwelling (4 persons @ 150 L/person/day) will be 600 L/day.

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

The tank must NOT be fitted with an outlet filter.



LAND-APPLICATION SYSTEM

DISPOSAL AREA SIZING

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

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

Where:

L = length in m

Q = design daily flow in L/day

DLR = Design Loading Rate in mm/d

W = Width in m

$$\begin{aligned} L &= 600/15 \times 3.17 \\ &= 12.6\text{m.} \end{aligned}$$

Use one 12.6m long by 3.17m wide advanced enviro septic bed.

See site plan and detail cross-section.

1kg gypsum per m² shall be applied to the scarified base before laying the sand

SYSTEM SAND

All Advanced Enviro-Septic systems require the use of “system sand” surrounding the pipe. This sand, typically washed coarse sand, must adhere to the following specification.

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

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

SYSTEM INSTALLATION

The entire bottom of the bed should be scarified a minimum of 200mm deep parallel to the AES pipes.

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

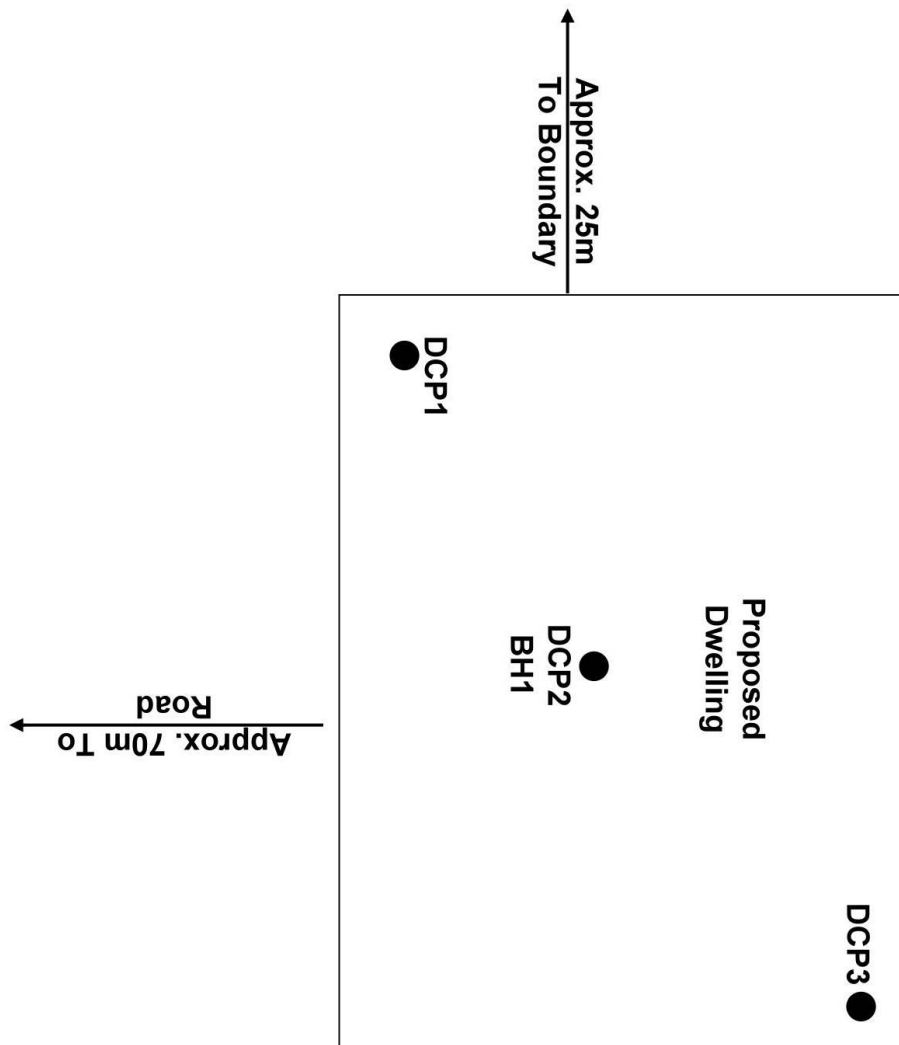
Operation and Maintenance

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

A handwritten signature in dark ink, appearing to read "Gavin Negri".

Gavin Negri
Earth Test

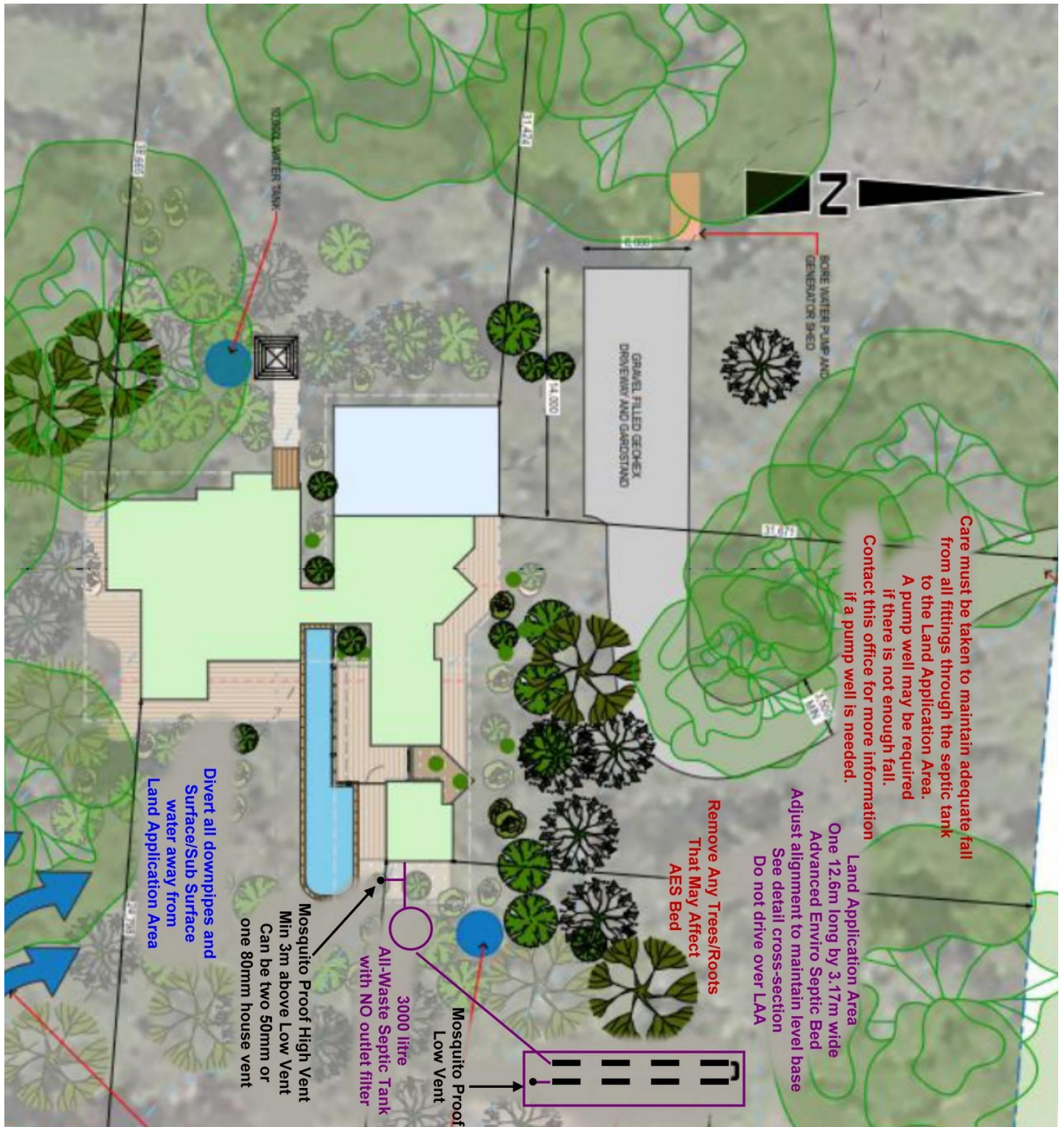
SITE PLAN
Lot 178 Cedar Road, Cow Bay.
NOT TO SCALE

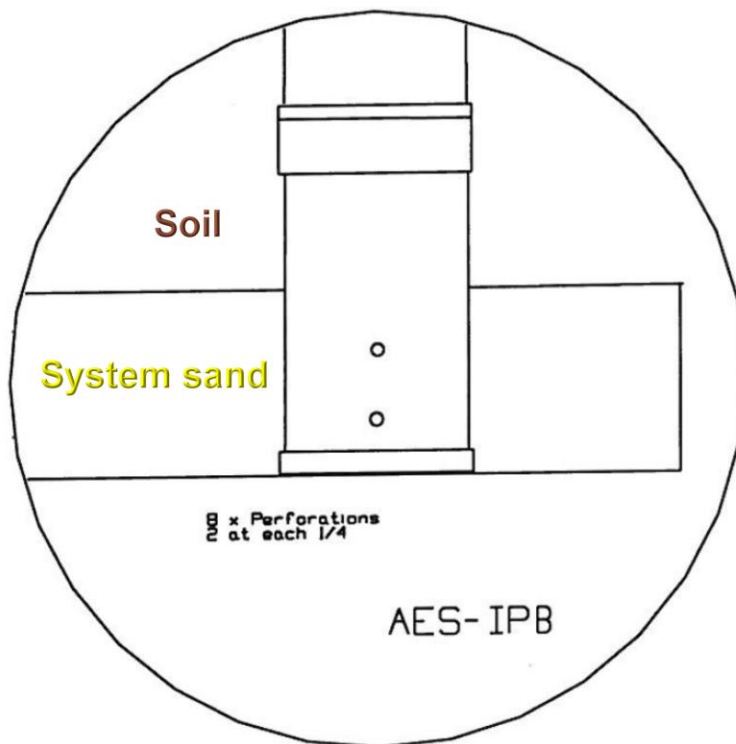
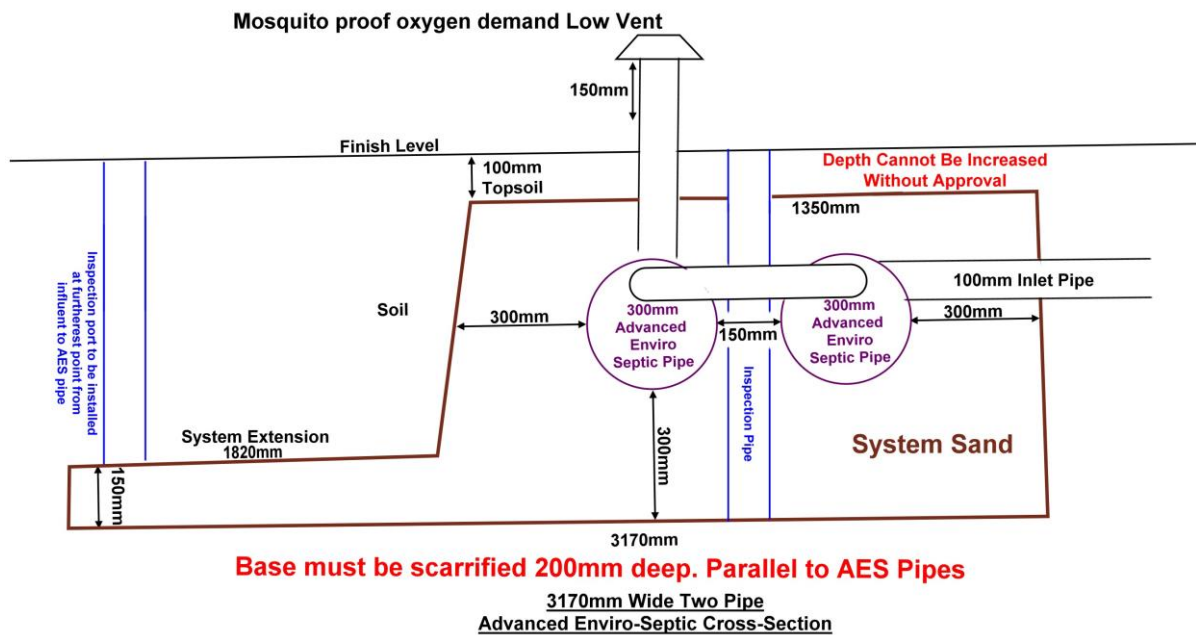


WASTEWATER SITE PLAN

Lot 178 Cedar Road, Cow Bay.

NOT TO SCALE





AES Inspection point detail

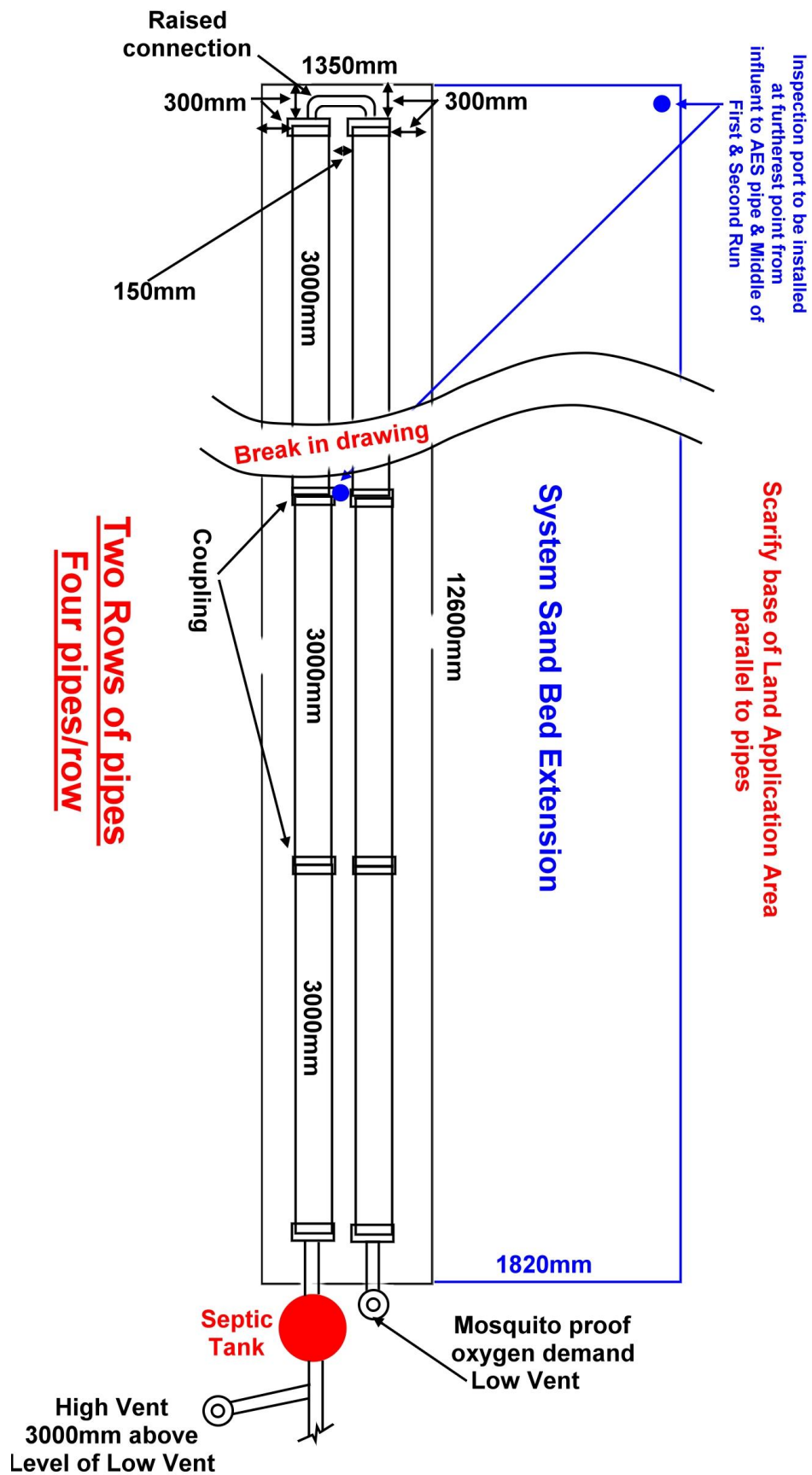


Table T5 - Setback distances for on-site sewerage facilities and greywater use facilities - Protection of surface water and groundwater.

Feature	Separation distance ❶		
	Advanced Secondary	Secondary	Primary❷
For onsite – see Table 2.1 in AS 1546.3			
For greywater – see Table 2.1 in AS 1546.4	Level 1 and Level 2	Level 3	Untreated
Top of bank of permanent water course	10	30	50
Top of bank of intermittent water course			
Top of bank of a lake, bay or estuary			
Top water level of a surface water source used for agriculture, aquaculture or stock purposes			
Open stormwater drainage channel or drain			
Bore or a dam			
Unsaturated soil depth to a permanent water table (vertically)	0.3	0.6	1.2

❶ Distances are given in metres and are measured from the edge of the irrigated wetted area to any point of the feature.

❷ Note: Primary effluent typically has a (BOD⁵) (Biochemical Oxygen Demand) of between 120 -240 mg/L and Total Suspended Solids of between 65 -180 mg/L.

Table T2 – Setback distances for subsurface land application area for a greywater treatment plant or an on-site sewage treatment plant

Feature	Horizontal separation distance❶		
	Up slope	Down slope	Level
Property boundaries, pedestrian paths, walkways, recreation areas, retaining wall, and footings for buildings and other structures.	2	4	2
Inground swimming pools	6	6	6
Inground potable water <i>tank</i> not exposed to primary effluent	6	6	6
Inground potable water <i>tank</i> exposed to primary effluent	15	15	15

❶ Distances are given in metres and are measured from the edge of trench/bed excavation or subsurface irrigation distribution pipework to the nearest point of the feature