

**APPLICATION FOR MATERIAL CHANGE OF USE – HOUSE (RURAL SETTLEMENT PLANNING AREA) –
MILKY PINE ROAD, KIMBERELY**

The proposed house will adhere to the following codes that are deemed as relevant to our application:

Settlement Areas North of the Daintree River Locality Code

A1.1 In the Conservation Planning Area in this Locality the maximum Height of the buildings/structure will be 6.5 metres and 2 storeys. In addition, the roof or any ancillary roof features will not exceed a maximum Height of 3.5 metres.

A2.1 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 to be fitted with a 50mm ball valve with a camlock fitting and installed and connected prior to occupation and sited so as to be visually unobtrusive.

Water storage tanks are to be fitted with screening at the inlet to prevent the intrusion of leaves and insects.

A2.2 On any roof exceeding 100 m², gutters are installed and the flow diverted to a storage tank.

A2.3 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.

A4.1 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); and
- not located within 100 metres of another bore.

A4.2 Surface water is to be used for domestic purposes only.

A6.1 The exterior finishes and colours of Buildings are non-reflective and complement the colours of the surrounding vegetation and viewshed.

A6.2 Buildings must be designed such that natural light is maximized and the need for internal lighting during daylight lighting is minimised.

A6.3 The development incorporates building design features and architectural elements detailed in Planning Scheme Policy No 2 – Building Design and Architectural Elements.

A6.4 The noise of generators is controlled by design or the generator is enclosed in a sound insulated building with a residential approved muffler. The noise level generated is less than 65 dBA when measured from a distance of 7 metres.

A6.5 Any fuel storage associated with an onsite generator and storage of 20 Litres or more of fuel is enclosed in a building and bunded.

A7.1 Landscaping utilises only native species and complies with the requirements of Planning Scheme Policy No 7 – Landscaping.

AND

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.

A8.1 Site Access driveways and existing or proposed Roads comply with the relevant requirements of Planning Scheme Policy No 6 – FNQROC Development Manual and are maintained as low speed gravel Roads to maintain the scenic drive experience and to discourage the use of Roads by through-traffic.

A9.1 Excavation and Fill is kept to a minimum and involves not more than 5% of the cleared area of the lot.

A9.2 All exposed surfaces must incorporate erosion and sediment controls during construction and must be maintained until revegetation or other permanent stabilization has occurred.

A9.3 There is no disturbance to tree roots and trenching does not involve any damage to tree roots.

A9.4 On Site drainage and stormwater management:

P1 maintains natural flow regimes; P2 minimises impervious surfaces; P3 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 (eg: rock rip rap, gravel beds, diffusers etc).

A10.1 Development is consistent with any ILUA relating to the land and the relevant provisions of the Planning Scheme.

A11.1 The elements of development and Access to the site are included in a Designated Development Area (DDA).

A11.3 Any new Clearing is limited to a maximum area of 700 m² and is sited clear of the High Bank of any Watercourse.

A13.1 Fences are limited in extent to the confines of the cleared area around the House and any associated gates are self-closing.

A13.2 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 have timers.

A14.1 Vehicle Access is limited to one access per lot and sited in an approved location clear of significant vegetation, any Watercourse or steep slopes.

A14.2 Vehicular Access, with a maximum width of 4 metres, follows the contours of the Site, avoids large tree specimens or significant vegetation and habitat corridors and is constructed and maintained to a minimum gravel standard of 75 mm of road base on a compacted soil surface.

A14.3 Vehicular Access is constructed prior to the construction of the House.

A15.1 The elements of development and Access to the site are included in a Designated Development Area (DDA).

Where no clearing exists, development is sited in an area approved for clearing under the Local Law – Vegetation Management but which is not cleared until a Building Permit is issued.

A15.3 Any new clearing is limited to a maximum area of 700 m² and is sited clear of the High Bank of any Watercourse. (The 700 m² of new clearing does not include an access driveway).

A16.1 Any Tourist or other development is effectively screened from view either by existing native vegetation located within the Setback area/s or by the planting of additional native trees identified

on an approved Landscape Plan prepared by a suitably qualified professional and lodged at Development Application stage.

A17.1 No fences or barriers are Erected within 10 metres of an area identified as a fauna habitat or corridor and no perimeter fences or barriers are Erected around the development Site.

A18.1 Vehicular Access with a maximum width of 6 metres is sited in an approved location, follows the contours of the Site, avoids large tree specimens or significant vegetation and habitat corridors, is clear of significant vegetation, any Watercourse or steep slopes and is constructed and maintained to a standard commensurate with the use.

A18.2 Vehicular Access is constructed prior to the construction of the development.

Rural Settlement Planning Area Code

A1.1 Uses identified as inconsistent uses in the Assessment Table are not established in the Rural Settlement Planning Area.

A2.1 The maximum Site Coverage for all Buildings (including Outbuildings) contained on an allotment is 450 m²

A2.2 An Outbuilding used for purposes ancillary to a House has a maximum Site Coverage not greater than 20% of the total Site Coverage specified in A2.1 above.

A4.1 At the time that a Site is developed for any purpose, the Road Frontage Setback areas are landscaped so that 10 metres of the Setback area immediately adjacent to any Road Frontage, where the minimum total Setback required is 20 metres or greater, is landscaped with Dense Planting.

A5.1 White and shining metallic finishes are avoided on external surfaces in prominent view.

A7.1 Building/structures are Erected on land with a maximum slope not exceeding 15%. OR Development proposed to be Erected on land with a maximum slope between 15% and 33% is accompanied by a Geotechnical Report prepared by a qualified engineer at development application stage.

OR

Development proposed to be Erected on land with a maximum slope above 33% is accompanied by a Specialist Geotechnical Report prepared by a qualified engineer at development application stage which includes sign-off that the Site can be stabilised.

AND

Any Building/structures proposed to be Erected on land with a maximum slope above 15% are accompanied by an additional Geotechnical Report prepared by a qualified engineer at building application stage.

A8.1 A split level building form is utilised.

A8.2 A single plane concrete slab is not utilised.

A8.3 Any voids between the floor of the Building and Ground Level, or between outdoor decks and Ground Level, are screened from view by using lattice/batten screening and/or Landscaping.

A9.1 Buildings/structures are sited below any ridgelines and are sited to avoid protruding above the surrounding tree level.

A10.1 All stormwater drainage discharges to a lawful point of discharge and does not adversely affect downstream, upstream, underground stream or adjacent properties.

Natural Hazards Overlay Code

(On the natural hazards overlay on the locality maps the land area is identified as a low risk hazard)

A1.1 Any development on land identified as High Risk Hazard on any Natural Hazards Overlay on any Locality Map complies with the relevant requirements of State Planning Policy 1/03 – Mitigating the Adverse Impacts of Flood, Bushfire and Landslide.

AND

Development complies with a Bushfire Management Plan prepared for the site.

A2.1 Development is located on a Site that is not subject to High or Medium Risk Hazard.

OR

For all development (if development is proposed to be located on a Site that is subject to High or Medium Risk Hazard), then: Buildings and structures on lots greater than 2500 m²:

- are sited in locations of lowest hazard within the lot; and
- achieve Setbacks from hazardous vegetation of 1.5 times the predominant mature canopy tree Height or 10 metres, whichever is the greater; and
- 10 metres from any retained vegetation strips or small areas of vegetation; and
- are sited so that elements of the development least susceptible to fire are sited closest to the bushfire hazard.

Building and structures on lots less than or equal to 2500 m², maximise Setbacks from hazardous vegetation.

AND

For uses involving new or existing Buildings with a Gross Floor Area greater than 50 m² each lot has:

- a reliable reticulated water supply that has sufficient flow and pressure characteristics for fire fighting purposes at all times (minimum pressure and flow is 10 litres a second at 200 kPa); or
- An on Site water storage of not less than 5000 litres (eg. accessible dam or tank with fire brigade tank fittings, swimming pool).

A2.2 For development that will result in multiple Buildings or lots (if development is proposed to be located on a Site that is subject to High or Medium Risk Hazard), then:

Residential lots are designed so that their size and shape allow for:

- Efficient emergency Access to Buildings for fire-fighting appliances (eg. by avoiding long narrow lots with long Access drives to Buildings); and
- Setbacks and Building siting in accordance with 2.1 (a) above.

AND

Firebreaks are provided by:

- a perimeter Road that separates lots from areas of bushfire hazard and that Road has:
a minimum cleared width of

20 metres; and a constructed Road width and all-weather standard complying with Council standards.

OR

- where it is not practicable to comply with fire break provisions above, maintenance trails are located as close as possible to the boundaries of the lots and the adjoining bushland hazard, and the fire/maintenance trails:

- have a minimum cleared width of 6 metres; and have a formed width and gradient, and erosion control devices to Council standards; and have vehicular Access at each end; and provide passing bays and turning areas for fire-fighting applicants; and are either located on public land, or within an Access easement that is granted in favour of the Council and Queensland Fire Rescue Service (QFRS).

AND

Firebreaks are provided by:

- A perimeter Road that separates lots from areas of bushfire hazard and that Road has: a minimum cleared width of 20 metres; and a constructed Road width and all-weather standard complying with Council standards.

OR

- Where it is not practicable to comply with fire break provisions above, maintenance trails are located as close as possible to the boundaries of the lots and the adjoining bushland hazard, and the fire/maintenance trails:

- have a minimum cleared width of 6 metres; and have a formed width and gradient, and erosion control devices to Council standards; and have vehicular Access at each end; and provide passing bays and turning areas for fire-fighting applicants; and are either located on public land, or within an Access easement that is granted in favour of the Council and Queensland Fire Rescue Service (QFRS).

AND

A3.1 Development complies with a Bushfire Management Plan prepared for the site.

House Land Use Code

A1.1 A lot contains no more than one House.

A1.2 Ancillary Outbuildings have a maximum Site Coverage of 10% of the balance area of the Site not otherwise taken up by the House.

A2.1 The House is used by one Household.

A3.1 A minimum of 2 vehicle spaces are provided on Site and may be provided in tandem.

A3.2 At least one garage, carport or designated car space must be located at least 6 metres from the Main Street Frontage.

Filling and Excavation General Code

Note: There will be no need for filling or excavation as the house will be on poles.

Landscaping General Code

A1.1 Landscaping is undertaken in accordance with a Landscape Plan drawn to scale which complies with and illustrates all the relevant requirements of this Code and Planning Scheme Policy No 7 – Landscaping.

AND

Landscaping is maintained in accordance with the requirements specified in this Code and Planning Scheme Policy No 7 – Landscaping.

A2.1 A minimum of 80% of the proposed landscape area is open to the sky for sunlight and ventilation.

A2.2 The percentage of native or endemic species utilised in the Landscaping is as specified in the Locality Code.

OR

Where not specified in the Locality Code, in accordance with Planning Scheme Policy No. 7 – Landscaping.

A2.3 Landscaping includes planting layers comprised of canopy, middle storey, screening and groundcovers, with palm trees used as accent plants only.

A3.1 Existing native vegetation on Site is retained and incorporated into the Site design, wherever possible.

A3.2 Any mature vegetation on the Site which is removed or damaged during development of the Site is replaced with advanced native species.

A3.3 Where there is an existing landscape character in a street or locality which results from existing vegetation, similar species are planted on Site or on the street.

A3.4 Street trees are 100% native species which enhance the landscape character of the streetscape, with species chosen from the Plant Species Schedule in Planning Scheme Policy No 7 –

Landscaping.

A4.1 Species are selected in accordance with the Plant Species Schedule in Planning Scheme Policy No 7 – Landscaping.

A5.1 Where car parking areas are uncovered or open, shade trees are planted at regular intervals (a minimum of 1 shade tree is provided for every 5 car parks) throughout the car parking areas, and adjacent to driveways and internal Roadways.

A5.2 A minimum of 1 shade tree is provided for every 10 metres along a driveway or internal Roadway.

A5.3 Landscape beds and trees are protected by garden edging, bollards or wheel stops.

A5.4 Trees within car parking areas have a minimum planting area the equivalent of 1 car parking bay, with a minimum topsoil depth of 0.8 metre.

A6.1 Perimeter fencing to any street Frontage complies with the relevant Planning Area Code.

A6.2 Trees, shrubs and groundcovers are planted within any recessed areas along the fence line.

A7.1 One shade tree is provided for each private open space or private Recreation Area.

A7.2 Tree species provide 30% shade over the area within 5 years.

A7.3 A minimum of 50% of the Landscaping and Recreational Area is landscaped, with trees, shrubs, groundcovers, minimising large expanses of hardstand areas and structures.

A7.4 Plants are located to provide shelter and shade to Habitable Rooms and outdoor Recreation Areas from the hot summer sun.

A8.1 Landscaping of Dense Planting is planted along and near retaining walls, long blank walls of Buildings, mechanical and air-conditioning units, clothes drying areas, bin enclosures and other utility structures with appropriate trees, shrubs and groundcovers.

A9.1 Landscaping using similar endemic or native species, is planted on-Site on land adjoining an area of natural environmental value.

A10.1 Dense Planting along the front of the Site incorporates:

- shade canopy trees to provide shade to the Frontage of the Site within 5 years of planting;
- landscape screening of blank walls;
- low shrubs, groundcovers and mulch to completely cover unsealed ground.

A10.2 Dense Planting to the rear of the Site incorporates:

- 1 shade tree for an average of every 75 m², growing to the Building eave Height within 5 years of planting;
- screening shrubs to grow to 3 metres in Height within 2 years of planting;
- low shrubs, groundcovers and mulch to completely cover unsealed ground.

A10.3 Dense Planting to the side boundaries incorporates:

- trees planted for an average of every 10 metres where adjacent to a Building;
- low shrubs, groundcovers and mulch to completely cover unsealed ground.

A11.1 Dense Planting along the front boundary of the Site where a Building is Setback from the front alignment, incorporates:

- shade canopy trees to provide shade to the Frontage of the Site within 5 years of planting where appropriate;
- landscape screening of blank walls;
- low shrubs, groundcovers and mulch to completely cover unsealed ground.

A11.2 Dense Planting to the rear of the Site where a Building is Setback from the rear alignment, incorporates:

- 1 shade tree for an average of every 75 m² growing to the Building eave Height within 5 years of planting;
- screening shrubs to grow to 3 metres in Height within 2 years of planting;
- low shrubs, groundcovers and mulch to completely cover unsealed ground.

A11.3 Dense Planting to the side boundaries where visible from the street or adjoining a boundary to a different Planning Area, and where a Building is Setback from the side boundary, incorporates:

- trees planted for an average of every 10 metres where adjacent to a Building;
- screening shrubs, low shrubs and groundcover appropriate for the amount of space, light and ventilation of the area;
- low shrubs, groundcovers and mulch to completely cover unsealed ground.

A11.4 A minimum of 20% of shade trees and shrubs is incorporated in all areas of Landscaping growing to the Building eave Height within 5 years.

Maintenance and Drainage

A12.1 A maintenance program is undertaken in accordance with the Maintenance Schedule in Planning Scheme Policy No 7 – Landscaping.

A12.2 A reticulated irrigation system is provided to common Landscaping and Recreation Areas and planter boxes in accordance with Australian Standards, with 1 hose cock within each area.

A12.3 Turf areas are accessible by standard lawn maintenance equipment.

A12.4 Plant species are selected with long life expectancy and minimal maintenance requirements where on-Site management will be limited.

A12.5 Mulching is provided to all garden beds to reduce weed growth and to retain water, and is to be replenished every year in the ongoing maintenance program.

A13.1 Adequate drainage is provided to all paving, turf and garden beds, including the use of swales, spoon drains, subsurface drainage, field gullies, rock or pebble lined Watercourses and stormwater connections.

A13.2 Overland flow paths are not to be restricted by Landscaping works.

A13.3 Water runoff is re-used through draining of hard surface areas towards permeable surfaces, turf, garden beds and by minimising impervious surfaces on the Site.

A14.1 Trees located near pathways, driveways, Access points, parking areas and street corners have a minimum 3.0 meters of clear trunk.

A15.1 Security and foot lighting is provided to all common areas, including car parks, entries, driveways and pathways

A15.2 Hard surfaces are stable, non-slippery and useable in all weathers.

A15.3 Bushfire hazard is minimised with planting of bushfire resistant species near bushfire prone areas, (refer to the Bushfire Risk Overlay on the relevant Locality Map).

A16.6 Landscaping near electric lines or substations is designed and developed so that any vegetation at maturity of Landscaping structures or works do not exceed 40 metres in Height on land:

- in an electric line shadow or
- within 5.0 metres of an electric line shadow; or within 5.0 metres of a substation boundary.

A16.7 Elsewhere, vegetation is planted at a distance that is further from the nearest edge of an electric line shadow or substation boundary than the expected maximum height at maturity of the vegetation.

A 16.8 On a Site adjoining an electricity substation boundary, the vegetation foliage at maturity is not within 3.0 metres of the substation boundary. However, where a substation has a solid wall along any part of its boundary, foliage may extend to, but not above or beyond, that solid wall.

Natural Areas and Scenic Amenity Code

A 1.1 Buildings/structures Access Roads/car parking, infrastructure and landscape/recreation facilities are constructed within the DDA identified on site Plan drawn to scale.

A1.2 Where internal Roads are required to service the development, the Roads are located within a DDA identified on a Site Plan drawn to scale.

A 2.1 Where development occurs, it is located on that part of the Site which poses the least threat to the natural and environmental values and Scenic Amenity, for example:

- adjacent to existing development;
- within an existing cleared area;
- within a disturbed area with little potential for rehabilitation
- within an area close to an Access Road;
- removed from an identified area of important habitat.

A 2.2 Development within the DDA is sited to minimise the visual intrusion on the Site and the surrounding landscape

A 2.3 No continuous boundary fence lines or barriers are Erected on an approved development Site within a DDA identified on a Site plan drawn to scale.

A 2.4 Infrastructure, such as water mains, sewers, electricity and telecommunication services, is sited underground wherever reasonable, to protect Scenic Amenity, and is located within a DDA on a Site Plan drawn to scale.

A 2.5 Internal Roads associated with the development are designed and constructed to achieve a low speed environment.

Vehicle Parking and Access Code

A1.1 The minimum number of vehicle parking spaces provided on the Site is not less than the number prescribed in Schedule 1 of this Code for the particular use or uses. Where the number of spaces calculated from the Schedule is not a whole number, the number of spaces provided is the next highest whole number.

Schedule 1 – Car Parking Requirements

House – 2 spaces which may be in tandem

Proposed floor area:

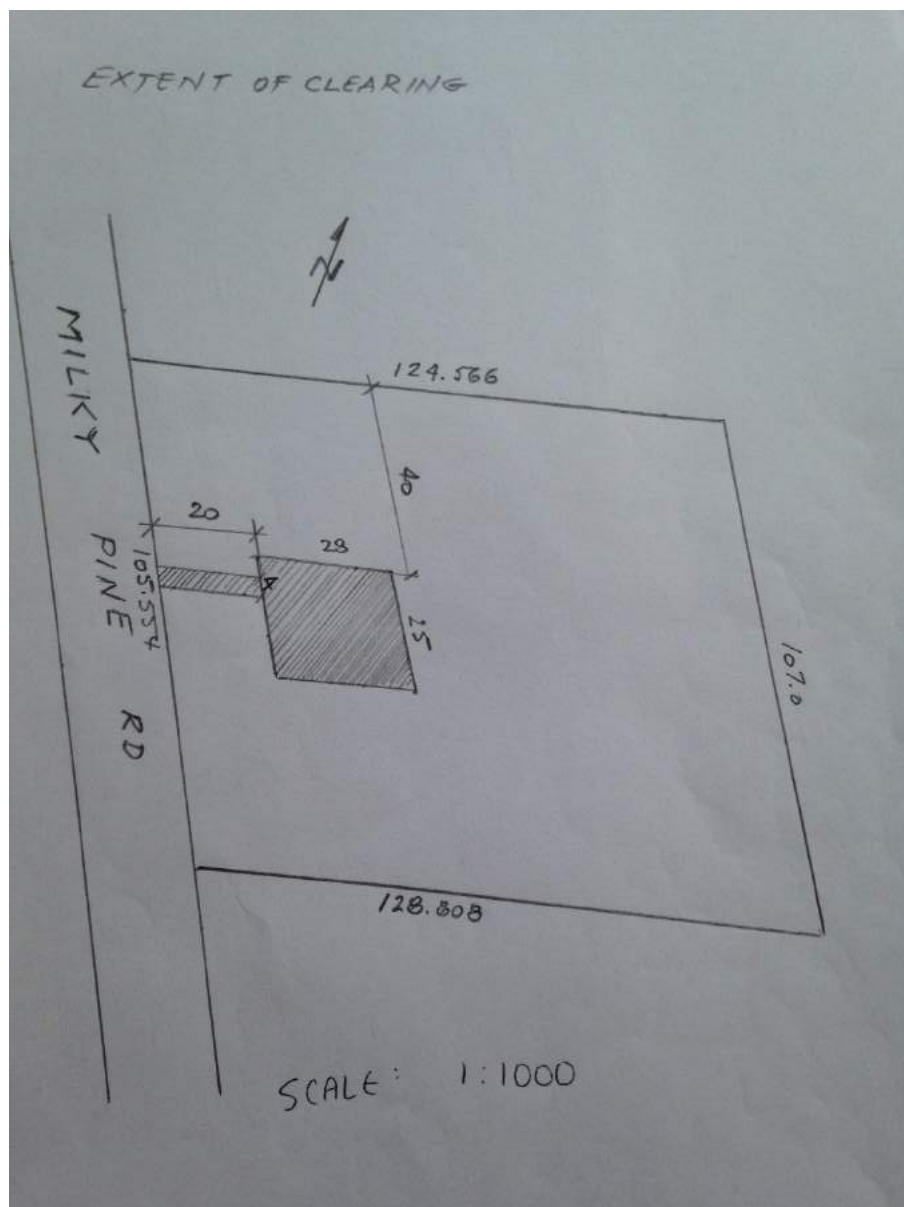
House: 136.5 square metres

Outdoor/Al Fresco area: 53.5 square metres

Carport: 33.5 square metres

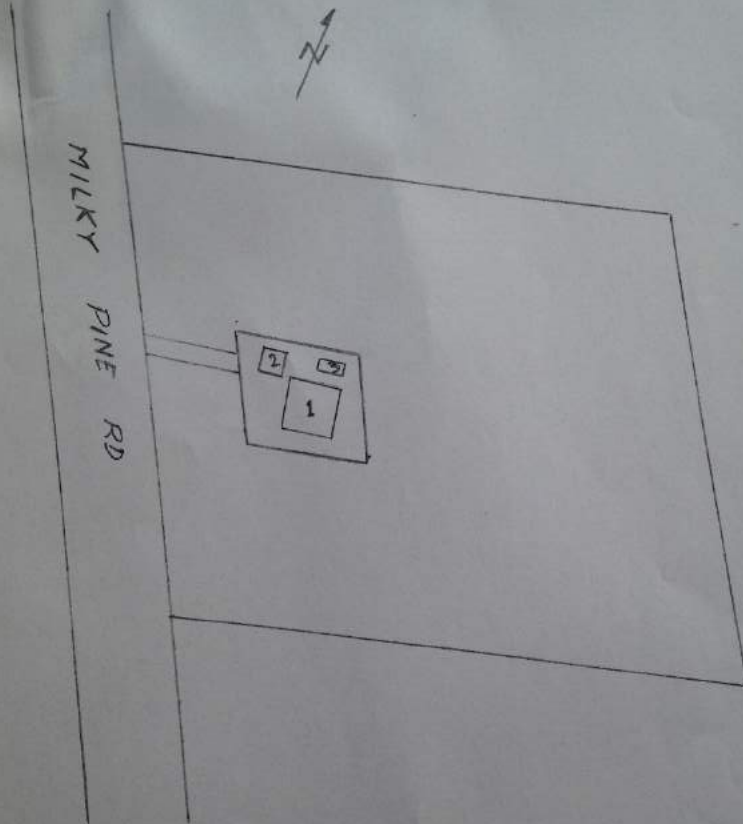
Shed: 10 square meters

Maximum height above natural ground will not exceed 7.5 metres



SITE PLAN

- 1 HOUSE
- 2 CARPORT
- 3 SHED



SCALE 1:1000