

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

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

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

PART 1 – APPLICANT DETAILS

1) Applicant details	
Applicant name(s) (individual or company full name)	Port Douglas Concrete Pools Pty Ltd
Contact name (only applicable for companies)	
Postal address (P.O. Box or street address)	C/o - GMA Certification Pty Ltd PO Box 2760
Suburb	Nerang
State	QLD
Postcode	4211
Country	
Contact number	4098 5150
Email address (non-mandatory)	adminpd@gmacert.com.au
Mobile number (non-mandatory)	
Fax number (non-mandatory)	
Applicant's reference number(s) (if applicable)	20224205

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

PART 2 – LOCATION DETAILS

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

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

3.1) Street address and lot on plan

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

a)	Unit No.	Street No.	Street Name and Type	Suburb
		92	De Meio Dr	LOWER DAINTREE
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)
	4873	15	RP 865078	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. Only one set of coordinates is required for this part.

- ☐ Coordinates of premises by longitude and latitude

Longitude(s)	Longitude(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

Longitude(s)	Longitude(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

<input type="checkbox"/>	In or adjacent to a water body or watercourse or in or above an aquifer	Name of water body, watercourse or aquifer:
<input type="checkbox"/>	On strategic port land under the <i>Transport Infrastructure Act 1994</i>	Lot on plan description of strategic port land: Name of port authority for the lot:
<input type="checkbox"/>	In a tidal area	Name of local government for the tidal area (if applicable): Name of port authority for tidal area (if applicable):
<input type="checkbox"/>	On airport land under the <i>Airport Assets (Restructuring and Disposal) Act 2008</i>	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? <i>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.</i>	
<input checked="" type="checkbox"/> Yes – All easement locations, types and dimensions are included in plans submitted with this development application	
<input type="checkbox"/> 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 type="checkbox"/> Material change of use	<input type="checkbox"/> Reconfiguring a lot	<input type="checkbox"/> Operational work	<input checked="" 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>			
New Construction of Swimming Pool			
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 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			
<input checked="" type="checkbox"/> Not required			

Section 2 – Further development details

7) Does the proposed development application involve any of the following?	
Material change of use	<input 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 checked="" type="checkbox"/> Yes – complete DA Form 2 – <i>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 (<i>include each definition in a new row</i>)	Number of dwelling units (<i>if applicable</i>)	Gross floor area (m ²) (<i>if applicable</i>)

8.2) Does the proposed use involve the use of existing buildings on the premises?	
<input type="checkbox"/> Yes	
<input 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?				

9.2) What is the nature of the lot reconfiguration? (<i>tick all applicable boxes</i>)	
<input type="checkbox"/> Subdivision (<i>complete 10</i>)	<input type="checkbox"/> Dividing land into parts by agreement (<i>complete 11</i>)
<input type="checkbox"/> Boundary realignment (<i>complete 12</i>)	<input type="checkbox"/> Creating or changing an easement giving access to a lot from a construction road (<i>complete 13</i>)

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	
<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"/> Stormwater	<input type="checkbox"/> Water infrastructure	
<input type="checkbox"/> Drainage work	<input type="checkbox"/> Earthworks	<input type="checkbox"/> Sewage infrastructure	
<input type="checkbox"/> Landscaping	<input type="checkbox"/> Signage	<input type="checkbox"/> Clearing vegetation	
<input type="checkbox"/> Other – please specify:			
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"/> Local government is taken to have agreed to the superseded planning scheme request – relevant documents attached <input checked="" type="checkbox"/> No	

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

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

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

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

- ☐ Clearing native vegetation
- ☐ Contaminated land (*unexploded ordnance*)
- ☐ Environmentally relevant activities (ERA) (*only if the ERA have 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 corridors and future State transport corridors
- ☐ 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 have 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 Transport Infrastructure Act 1994 : <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: By not agreeing to accept an information request I, the applicant, acknowledge:
<ul style="list-style-type: none"> • that this development application will be assessed and decided based on the information provided when making this development application and the assessment manager and any referral agencies relevant to the development application are not obligated under the DA Rules to accept any additional information provided by the applicant for the development application unless agreed to by the relevant parties • Part 3 of the DA Rules will still apply if the application is an application listed under section 11.3 of the DA Rules.
Further advice about information requests is contained in the DA Forms Guide.

PART 7 – FURTHER DETAILS

20) Are there any associated development applications or current approvals? (e.g. a preliminary approval)			
<input type="checkbox"/> Yes – provide details below or include details in a schedule to this development application <input checked="" type="checkbox"/> 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)		
<input type="checkbox"/> Yes – a copy of the receipted QLeave form is attached to this development application <input type="checkbox"/> 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 <input checked="" type="checkbox"/> 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?	
<input type="checkbox"/> Yes – show cause or enforcement notice is attached <input checked="" type="checkbox"/> No	

23) Further legislative requirements	
<u>Environmentally relevant activities</u>	
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 <i>Environmental Protection Act 1994</i>?	
<input type="checkbox"/> 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 <input checked="" type="checkbox"/> No	
<i>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.</i>	
Proposed ERA number:	Proposed ERA threshold:
Proposed ERA name:	
<input type="checkbox"/> Multiple ERAs are applicable to this development application and the details have been attached in a schedule to this development application.	
<u>Hazardous chemical facilities</u>	
23.2) Is this development application for a hazardous chemical facility?	
<input type="checkbox"/> Yes – <i>Form 69: Notification of a facility exceeding 10% of schedule 15 threshold</i> is attached to this development application <input checked="" type="checkbox"/> No	
<i>Note: See www.business.qld.gov.au for further information about hazardous chemical notifications.</i>	

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 within an assessable development area 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 <http://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:	
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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		

DA Form 2 – Building work details

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

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

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

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

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

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

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

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

PART 1 – APPLICANT DETAILS

1) Applicant details	
Applicant name(s) (individual or company full name)	Port Douglas Concrete Pools Pty Ltd
Contact name (only applicable for companies)	
Postal address (PO Box or street address)	C/- GMA Certification Pty Ltd PO Box 2760
Suburb	Nerang
State	QLD
Postcode	4211
Country	
Contact number	4098 5150
Email address (non-mandatory)	adminpd@gmacer.com.au
Mobile number (non-mandatory)	
Fax number (non-mandatory)	
Applicant's reference number(s) (if applicable)	20224205

PART 2 – LOCATION DETAILS

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

Unit No.	Street No.	Street Name and Type	Suburb
	92	De Meio Dr	LOWER DAINTREE
Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)
4873	15	RP 865078	Douglas Shire Council

2.2) 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

3) Are there any existing easements over the premises?

Note: Easement uses vary throughout Queensland and are to be identified correctly and accurately. For further information on easements and how they may affect the proposed development, see the [DA Forms Guide](#)

- ☒ Yes – All easement locations, types and dimensions are included in plans submitted with this development application
- ☐ No

PART 3 – FURTHER DETAILS

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

- ☐ Yes – (proceed to 8)
- ☒ No

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

Douglas Shire Council

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

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

7) Information request under Part 3 of the DA Rules

- ☒ I agree to receive an information request if determined necessary for this development application
- ☐ I do not agree to accept an information request for this development application
- Note:** By not agreeing to accept an information request I, the applicant, acknowledge:
- that this development application will be assessed and decided based on the information provided when making this development application and the assessment manager and any referral agencies relevant to the development application are not obligated under the DA Rules to accept any additional information provided by the applicant for the development application unless agreed to by the relevant parties.
 - Part 3 of the DA Rules will still apply if the application is an application listed under section 11.3 of the DA Rules.
- Further advice about information requests is contained in the [DA Forms Guide](#).

8) Are there any associated development applications or current approvals?

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

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

9) Has the portable long service leave levy been paid?

- ☐ Yes – a copy of the receipted QLeave form is attached to this development application

<input type="checkbox"/> 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 <input checked="" type="checkbox"/> Not applicable (e.g. building and construction work is less than \$150,000 excluding GST)		
Amount paid	Date paid (dd/mm/yy)	QLeave levy number (A, B or E)
\$		

10) Is this development application in response to a show cause notice or required as a result of an enforcement notice? <input type="checkbox"/> Yes – show cause or enforcement notice is attached <input checked="" type="checkbox"/> No
--

11) Identify any of the following further legislative requirements that apply to any aspect of this development application			
<input type="checkbox"/> The proposed development is on a place entered in the Queensland Heritage Register or in a local government's Local Heritage Register . See the guidance provided at www.des.qld.gov.au about the requirements in relation to the development of a Queensland heritage place			
Name of the heritage place:		Place ID:	

PART 4 – REFERRAL DETAILS

12) Does this development application include any building work aspects that have any referral requirements? <input type="checkbox"/> Yes – the Referral checklist for building work is attached to this development application <input checked="" type="checkbox"/> No – proceed to Part 5
--

13) 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 type="checkbox"/> No		
Referral requirement	Referral agency	Date referral response
Identify and describe any changes made to the proposed development application that was the subject of the referral response and the development application the subject of this form, or include details in a schedule to this development application (if applicable)		

PART 5 – BUILDING WORK DETAILS

14) Owner's details <input type="checkbox"/> Tick if the applicant is also the owner and proceed to 15). Otherwise, provide the following information.	
Name(s) (individual or company full name)	Linda O'leary
Contact name (applicable for companies)	Linda O'leary
Postal address (P.O. Box or street address)	92 De Meio Dr
Suburb	LOWER DAINTREE
State	QLD
Postcode	4873
Contact number	
Email address (non-mandatory)	networkproductions@hotmail.com
Mobile number (non-mandatory)	0419 144 960
Fax number (non-mandatory)	

15) Builder's details	
<input type="checkbox"/> Tick if a builder has not yet been engaged to undertake the work and proceed to 16). Otherwise provide the following information.	
Name(s) <i>(individual or company full name)</i>	Port Douglas Concrete Pools Pty Ltd
Contact name <i>(applicable for companies)</i>	
QBCC licence or owner – builder number	1029688
Postal address <i>(P.O. Box or street address)</i>	19 Mossman St
Suburb	Mossman
State	QLD
Postcode	4873
Contact number	0438 169 425 construction
Email address <i>(non-mandatory)</i>	sales@portdouglaspools.com.au
Mobile number <i>(non-mandatory)</i>	0447 834 631 (Admin)
Fax number <i>(non-mandatory)</i>	

16) Provide details about the proposed building work	
a) What type of approvals is being sought?	
<input checked="" type="checkbox"/> Development permit <input type="checkbox"/> Preliminary approval	
b) What is the level of assessment?	
<input checked="" type="checkbox"/> Code assessment <input type="checkbox"/> Impact assessment <i>(requires public notification)</i>	
c) Nature of the proposed building work (tick all applicable boxes)	
<input type="checkbox"/> New building or structure <input type="checkbox"/> Change of building classification <i>(involving building work)</i> <input type="checkbox"/> Demolition	
<input type="checkbox"/> Repairs, alterations or additions <input checked="" type="checkbox"/> Swimming pool and/or pool fence <input type="checkbox"/> Relocation or removal	
d) Provide a description of the work below or in an attached schedule.	
New Construction of Swimming Pool	
e) Proposed construction materials	
External walls	<input type="checkbox"/> Double brick <input type="checkbox"/> Brick veneer <input checked="" type="checkbox"/> Stone/concrete
	<input type="checkbox"/> Steel <input type="checkbox"/> Timber <input type="checkbox"/> Fibre cement
	<input type="checkbox"/> Curtain glass <input type="checkbox"/> Aluminium <input type="checkbox"/> Other
Frame	<input type="checkbox"/> Timber <input type="checkbox"/> Other
	<input type="checkbox"/> Steel <input type="checkbox"/> Aluminium
Floor	<input type="checkbox"/> Concrete <input type="checkbox"/> Timber
	<input type="checkbox"/> Other
Roof covering	<input type="checkbox"/> Slate/concrete <input type="checkbox"/> Aluminium
	<input type="checkbox"/> Tiles <input type="checkbox"/> Steel
	<input type="checkbox"/> Fibre cement <input type="checkbox"/> Other
f) Existing building use/classification? <i>(if applicable)</i>	
1a dwelling and 10a shed	

g) New building use/classification? (if applicable)		
10b pool		
h) 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 works are attached to the development application		
17) What is the monetary value of the proposed building work?		
49,190.00		
18) Has Queensland Home Warranty Scheme Insurance been paid?		
<input checked="" type="checkbox"/> Yes – provide details below		
<input type="checkbox"/> No		
Amount paid	Date paid (dd/mm/yy)	Reference number
\$543.10	24/10/2022	014504157

PART 6 – CHECKLIST AND APPLICANT DECLARATION

19) Development application checklist	
The relevant parts of <i>Form 2 – Building work details</i> have been completed	<input checked="" type="checkbox"/> Yes
This development application includes a material change of use, reconfiguring a lot or operational work and is accompanied by a completed <i>Form 1 – Development application details</i>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> Not applicable
Relevant plans of the development are attached to this development application <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"/> Yes
The portable long service leave levy for QLeave has been paid, or will be paid before a development permit is issued	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> Not applicable
20) Applicant declaration	
<input checked="" type="checkbox"/> By making this development application, I declare that all information in this development application is true and correct <input checked="" type="checkbox"/> 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 <i>Electronic Transactions Act 2001</i> <i>Note: It is unlawful to intentionally provide false or misleading information.</i>	
<p>Privacy – Personal information collected in this form will be used by the assessment manager and/or chosen assessment manager, any referral agency and/or building certifier (including any professional advisers which may be engaged by those entities) while processing, assessing and deciding the development application. All information relating to this development application may be available for inspection and purchase, and/or published on the assessment manager's and/or referral agency's website. Personal information will not be disclosed for a purpose unrelated to the <i>Planning Act 2016</i>, <i>Planning Regulation 2017</i> and the DA Rules except where:</p> <ul style="list-style-type: none"> such disclosure is in accordance with the provisions about public access to documents contained in the <i>Planning Act 2016</i> and the <i>Planning Regulation 2017</i>, and the access rules made under the <i>Planning Act 2016</i> and <i>Planning Regulation 2017</i>; or required by other legislation (including the <i>Right to Information Act 2009</i>); or otherwise required by law. <p>This information may be stored in relevant databases. The information collected will be retained as required by the <i>Public Records Act 2002</i>.</p>	

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

Date received: Reference numbers:

For completion by the building certifier		
Classification(s) of approved building work		
10b		
Name	QBCC Certification Licence number	QBCC Insurance receipt number
GMA Certification Group		

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

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

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

Additional building details required for the Australian Bureau of Statistics			
Existing building use/classification? (if applicable)			
New building use/classification?			
Site area (m ²)	4936	Floor area (m ²)	21

Referral checklist for building work

This referral checklist is required where any aspect of building work for a development application requires referral as identified in *DA Form 2 – Building work details*.

All relevant referral requirements for the development application are to be identified on this checklist. This checklist is to accompany *DA Form 2 – Building work details* for all development applications for building work that require referral.

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

1) Referral requirements relevant to any building work identified on *DA Form 2 – Building work details*

Note: The Planning Regulation 2017 will determine if referral is required for a development application.

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

- ☐ Premises seaward of coastal building line
- ☐ Declared fish habitat area
- ☐ State transport corridor
- ☐ Future State transport corridor
- ☐ Queensland heritage place
- ☐ Koala habitat in SEQ region

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

- ☒ Particular class 1 and 10 buildings and structures involving possible amenity and aesthetic impacts
- ☐ Particular buildings for residential purposes
- ☐ Design and siting
- ☐ Fire safety in particular budget accommodation buildings
- ☐ Higher risk personal appearance services
- ☐ Building work for residential services
- ☐ Building work for removal or rebuilding
- ☐ Building work for particular class 1 buildings relating to material change of use
- ☐ Temporary accommodation buildings
- ☐ Building work relating to end of trip facilities for Queensland Development Code, part 4.1
- ☐ Building work for class 1 building on premises with on-site wastewater management system
- ☐ Flood hazard area
- ☐ Local heritage place

Matters requiring referral to the **Queensland Fire and Emergency Service**:

- ☐ Fire safety systems – special fire services required or alternative solution proposed
- ☐ Fire safety systems – budget accommodation building
- ☐ Fire safety systems – residential care building
- ☐ Water-based fire safety installations
- ☐ Fire safety for farm buildings

Matters requiring referral to **Safe Food Production QLD**:

- ☐ Retail meat premises

Matters requiring referral to the **Chief Health Officer under the Hospital and Health Boards Act 2011**:

- ☐ Private health facilities

Matters requiring referral to the **Chief Executive of the Pastoral Workers' Accommodation Act 1980**:

- ☐ Pastoral workers' accommodation

Matters requiring referral to the **relevant service provider**:

- ☐ Building work over or near relevant infrastructure relating to Queensland Development Code, part 1.4





GMA Certification Group

Leaders in Certification Services

PLANNING STATEMENT

For: Port Douglas Concrete Pool on behalf of
Linda & Michael O'leary

At: 92 De Meio Drive, Lower Daintree (Lot 15
RP865078)

Prepared By: GMA Certification Group

File Ref No: 20224205

Revision: A



Liability limited by a scheme approved under the Professional Standards Legislation
Member Australian Institute of Building Surveyors Professional Standards Scheme

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1.0 Introduction

This report has been prepared in behalf of Linda and Michael O'leary and Port Douglas Concrete Pools Pty Ltd in support of a Development Application to Douglas Shire Council for a Development Permit for Building Works Assessable Against the Planning Scheme for the purpose of a concrete pool on land located at 92 De Meio Drive and described as Lot 15 on RP865078.

The application site is a single, regular shaped residential allotment located at de Meio Drive and described as Lot 15 on RP865078. The site has an area of 4,936m² and has frontage to De Meio Drive of approximately 49 metres.

It is proposed to construct a concrete pool on the site to be used on conjunction with the existing dwelling house use. The pool would be established within an existing cleared and benched area and setback 10 metres from the front boundary and 9.2 metres from the northern side boundary.

The application is identified as being Code Assessable and consideration is required to be given to the assessment benchmarks only. The proposed development is considered to be consistent with the Assessment Benchmarks and is considered to be a suitable addition of the site use. The development is considered to be consistent in terms of scale and intensity to other forms of development in the locality and the site can contain the use without adverse impact on the amenity of the area.

The application is submitted for approval, subject to reasonable and relevant conditions.

2.0 Development Summary

Address:	92 De Meio Drive, Lower Daintree
Real Property Description:	Lot 15 RP865078
Easements & Encumbrances:	Nil
Site Area/Frontage:	Area: 4,936m ² Frontage: 49 metres
Registered Owner:	Linda and Michael O'Leary
Proposal:	Concrete Pool
Approval Sought:	Development Permit
Level of Assessment:	Code Assessment
State Interests – State Planning Policy	<ul style="list-style-type: none"> • Economic Growth – Agricultural land classification, in part; • Environment and Heritage – MSES Wildlife Habitat (endangered or vulnerable), MSES Regulated vegetation (essential habitat); • Safety and Resilience to Hazards – Bushfire Prone Area.
State Interests – SARA Mapping:	<ul style="list-style-type: none"> • Native Vegetation Clearing –Category A or B area that is least concern regional ecosystem; and essential habitat.
Referral Agencies:	Nil
State Development Assessment Provisions:	N/A
Regional Plan Designation:	Regional Landscape and Rural Production Area
Zone:	Environmental Management Zone
Overlays:	<ul style="list-style-type: none"> • Bushfire Hazard Overlay; • Hillslopes Overlay; • Acid Sulfate Soils;

- Landscape Values Overlay; and,
 - Natural Areas Overlay.
-

3.0 Site and Locality

The application site is a single, regular shaped residential allotment located at de Meio Drive and described as Lot 15 on RP865078. The site has an area of 4,936m² and has frontage to De Meio Drive of approximately 49 metres.

The site contains a single dwelling and contains mature vegetation over the western portion. In the north east of the site and adjacent the road frontage, an area of approximately 1,600m² has been cleared of vegetation for the purpose of the construction of the existing dwelling house. Access to the site is provided by an existing concrete driveway that terminates at the existing dwelling located approximately 10 metres from the site frontage.

The area containing the site is characterised by cane paddocks and vegetated hillsides with the exception of the strip of residential allotments along De Meio Drive, which have predominantly been developed with dwelling houses.



Photo 1 – Site Location (Source Queensland Globe)

4.0 Proposal

It is proposed to develop a concrete pool on the site. It would be an above ground concrete pool and would be constructed within the existing cleared area approximately 10m from the front boundary and 9.2m from the Northern side boundary.



Figure 1: Extract of proposed site plan.

Proposal Plans are attached at [Appendix 2](#).

The key development features of the proposed development are summarised in the table below:

Development Feature	Proposal
Site Area:	4,936m ²
Frontage:	Approx. 49 metres
Height:	1.7 metres
Size:	Maximum 7m in length by 3m in width
Site Cover:	0.00425%
Setbacks:	Front (east) – 10 metres Side (north) – 9.2 metres

5.0 Statutory Planning Considerations

This section provides a summary of the legislative framework affecting the application pursuant to the Planning Act 2016.

5.1 Planning Act 2016

5.1.1 Categorisation of Development

The proposed development is not identified as prohibited development having regard to the relevant instruments that can prohibit development under the *Planning Act 2016*, including

- Schedule 10 of the *Planning Regulations 2017*
- Relevant Categorising Instruments.

The development is made assessable under the Douglas Shire Council Planning Scheme, which is a categorising instrument for the purpose of s43 of the *Planning Act 2016*.

5.1.2 Assessment Manager

Pursuant to Schedule 8 of the *Planning Regulations 2017*, the Assessment Manager for the application is the Douglas Shire Council.

5.1.3 Level of Assessment

The application involves the development of a Concrete Pool to be used on conjunction with the existing Dwelling House use. The table below identifies the level of assessment and the categorising section of the Douglas Shire Council Planning Scheme.

Development	Categorising Section	Level of Assessment
Dwelling House	Table 5.6.d	Code Assessable

5.1.4 Statutory Considerations for Assessable Development

As the application is subject to Code Assessment, in deciding the application pursuant to s60 of the *Planning Act 2016*, the Council, as Assessment Manager, can only have regard to the matters established in the relevant planning benchmarks.

This assessment is further discussed in Section 6.0 of this report and a detailed assessment of the proposed development against the assessment benchmarks is provided at [Appendix 3](#).

5.1.5 State Planning Policy

The application site has the following State Planning Policy designations/classifications:

- Economic Growth – Agricultural land classification, in part;
- Environment and Heritage – MSES Wildlife Habitat (endangered or vulnerable), MSES Regulated vegetation (essential habitat);
- Safety and Resilience to Hazards - Bushfire Prone Area.

It is understood that the Minister has identified that the State Planning Policy has been appropriately integrated into the Douglas Shire Council Planning Scheme and consequently no further assessment is required in this instance.

5.1.6 Regional Plan

The application site is identified in the Regional Landscape and Rural Production Area designation of the FNQ Regional Plan. Consistent with the State Planning Policies, it is understood that the Planning Scheme has been determined to appropriately advance the Regional Plan and, on that basis, no further assessment is required in this instance.

5.1.7 Referral Agencies

There are no referral agencies identified in respect of this application.

5.1.8 State Development Assessment Provisions

As there are no referral agencies for the application, no State Development Assessment Provisions Apply to the assessment.

6.0 Local Planning Considerations

6.1 Douglas Shire Council Planning Scheme

Within the Douglas Shire Council Planning Scheme (2018), the site is identified within the Environmental Management Zone and is affected by the following overlays:

- Bushfire Hazard Overlay;
- Hillslopes Overlay;
- Acid Sulfate Soils
- Landscape Values Overlay; and
- Natural Areas Overlay.

The Table below identifies the applicable Assessment Benchmarks contained within the Planning Scheme.

Assessment Benchmark	Applicability	Compliance
Environmental Management Zone Code	Applies	Complies with All applicable Acceptable Outcomes
Bushfire Hazard Overlay Code	Applies	Complies or able to comply with all applicable Acceptable Outcomes.
Hillslopes Overlay Code	Applies	Generally complies with the applicable Acceptable Outcomes. Further consideration is required in respect of Performance Outcome PO1. Refer below.
Landscape Values Overlay Code	Not applicable	Not identified as an Assessment Benchmark
Natural Areas Overlay Code	Applies	Complies with all applicable Acceptable Outcomes.
Acid Sulfate Soils Overlay Code	Applies	Complies with all applicable Acceptable Outcomes.

Filling and Excavation Code	Not applicable	No excavation or filling proposed. No applicable Assessment Benchmarks
Infrastructure Works Code	Applies	Complies with all applicable Acceptable Outcomes.

6.1.1 Statement of Compliance – Benchmark Assessment

6.1.2.1 Hillslopes Overlay Code

Performance Outcome PO1 of the Hillslopes Overlay Code requires that the landscape character and visual amenity quality of hillslopes areas be retained to protect the scenic backdrop to the region. Acceptable Outcome AO1.1 identifies, as an acceptable outcome, development is located on parts of the site that are not within the Hillslopes constraint subcategory as shown on the Hillslopes overlay Maps contained in schedule 2.

The Dwelling House would be located within the Hillslopes constraint sub category and therefore does not comply with AO1.1; however, it would be located on an existing cleared building pad that is accessed via an existing driveway. No additional vegetation removal or significant earthworks would be required to facilitate the proposed development. Consequently, the existing landscape character and visual amenity quality of the hillslopes area would not be adversely affected by the proposed development. The proposed development is considered to comply with Performance Outcome PO1 and, therefore, the Assessment Benchmark.

7.0 Summary and Conclusion

This report has been prepared in behalf of Linda and Michael O'Leary in support of a Development Application to Douglas Shire Council for a Development Permit for Material Change of Use for the purpose of a Pool on land located at 92 De Meio Drive and described as Lot 16 on RP865078.

The application is identified as being Code Assessable and consideration is required to be given to the assessment benchmarks only. The proposed development is considered to be consistent with the Assessment Benchmarks and is considered to be a suitable use of the site. The development is considered to be consistent in terms of scale and intensity to other forms of development in the locality and the site can contain the use without adverse impact on the amenity of the area.

The application is submitted for approval, subject to reasonable and relevant conditions.

Appendix 1.

CERTIFICATE OF TITLE

Queensland Titles Registry Pty Ltd
ABN 23 648 568 101

Title Reference:	50073549	Search Date:	25/10/2022 16:32
Date Title Created:	01/06/1995	Request No:	42637293
Previous Title:	20900121		

ESTATE AND LAND

Estate in Fee Simple

LOT 15 REGISTERED PLAN 865078
Local Government: DOUGLAS

REGISTERED OWNER

Dealing No: 721507925 25/02/2022

LINDA DAPHNE O'LEARY
MICHAEL BRIAN O'LEARY

JOINT TENANTS

EASEMENTS, ENCUMBRANCES AND INTERESTS

1. Rights and interests reserved to the Crown by
Deed of Grant No. 20849177 (POR 15)

ADMINISTRATIVE ADVICES

NIL

UNREGISTERED DEALINGS

NIL

** End of Current Title Search **

WARNING: PLAN MAY BE ROLLED - A FOLDED OR MUTILATED PLAN WILL NOT BE ACCEPTED

865078

PLAN MUST BE DRAWN WITHIN BLACK LINES

865078

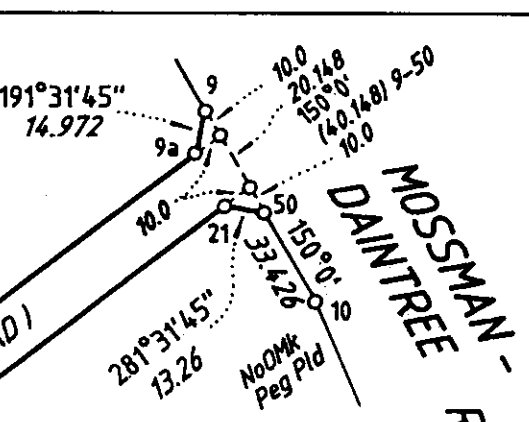
865078

PLAN MUST BE DRAWN WITHIN BLACK LINES

865078

REFERENCE		MARKS	
STN	TO	BRG	DIST
9	Pin	99°24'	1.01
22	Pin (0.5 Deep)	255°28'	0.93
23	Pin	275°13'	1.685
24	Pin	178°38'	2.22
25	Nail in conc driveway	23°32'30"	5.715
26	Nail in conc driveway	159°15'	2.145
28	Nail in head wall	111°10'	8.77
29	Nail in head wall	357°35'	0.64
30	Pin	319°23'	0.81
31	Pin	57°25'	1.074
32	Spike in bit	93°17'	13.335
35	Pin	341°51'	1.94
36	Pin	148°44'	0.995
37	Pin	357°05'	5.265

38	Pin	66°26'	1.45
39	Pin	245°36'	0.995
40	Pin	210°32'	2.75
41	Pin	155°20'	1.99
42	Pin	9°32'	2.905
43	Pin	261°05'	7.525
10	Pin	323°29'	1.05
50	Pin	80°49'	21.195
51	Pin	314°57'	10.065



NEW ROAD (Including 1036m² Pathway)
9-50-21-22-23-24-30-52-53-38-54-32-33-9

I, JEREMY MATTHEW SCRIVEN hereby certify that this plan is accurate at this date of recertification
[Signature]
Licensed Surveyor Date 7-2-95

2.242 ha

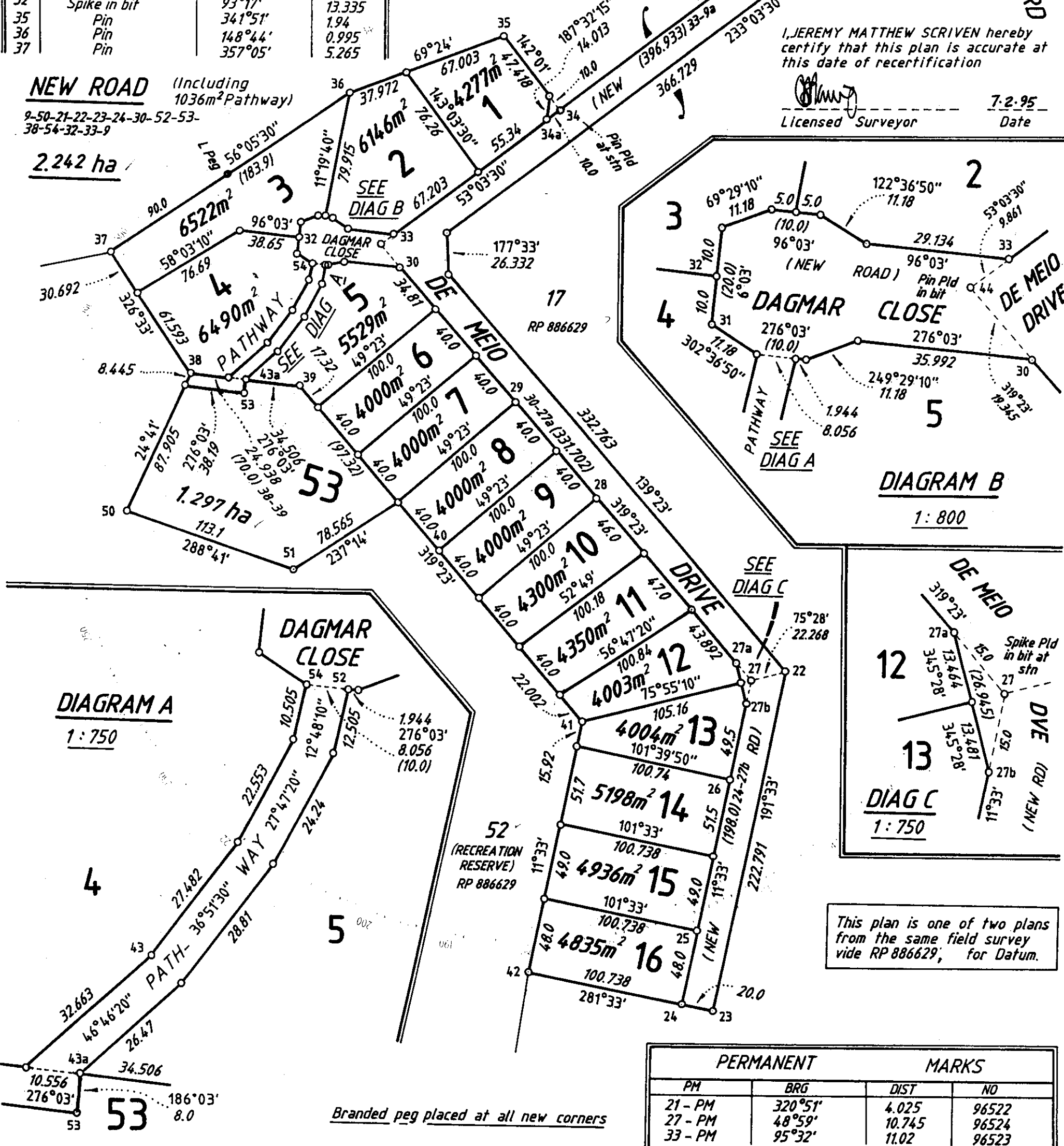


DIAGRAM A
1:750

DIAGRAM B
1:800

DIAGRAM C
1:750

This plan is one of two plans from the same field survey vide RP 886629, for Datum.

PERMANENT		MARKS	
PM	BRG	DIST	NO
21 - PM	320°51'	4.025	96522
27 - PM	48°59'	10.745	96524
33 - PM	95°32'	11.02	96523

Branded peg placed at all new corners

I, JEREMY MATTHEW SCRIVEN hereby certify that I have surveyed the land comprised in this plan by Brett Stanley Campbell Surveying Graduate for whose work I accept responsibility, that the plan is accurate, that the said survey was performed in accordance with the Surveyors Act 1977 and the Surveyors Regulation 1992 and that the said survey was completed on 3/10/94

[Signature]
Licensed Surveyor Date 24-10-94

PLAN OF LOTS 1-16 & 53

Cancelling part of Lot 2 on plan SR 401 & part of Lot 2 on RP 726444

ORIGINAL Portion 15

MERIDIAN Vide Plan SR 401	MAP REF PM	SCALE 1:2500	FILE REF	No SURVEY RECORDS DEPOSITED ENDORSED <i>[Signature]</i>	REGISTERING DIST NORTHERN
---------------------------------	---------------	-----------------	----------	---	------------------------------

PARISH COUNTY **WHYANBEEL Solander**
TOWN/LOCALITY **Douglas S/C**
LOCAL AUTHORITY **Cairns**
LAND AGENTS/MINING DISTRICT
MINING FIELD
REGISTERED PLAN 865078

Council of the **Shire** of **Douglas** certifies that all the requirements of this Council, the Local Government Acts and all By-Laws have been complied with and approves this Plan of Subdivision SUBJECT TO the granting of an Easement in Gross, being Easement A in Lot 4 by the registered proprietor in favour of The Council of the Shire of Douglas for purposes of Right of Way and Water Supply Pipeline.

Dated this **4th** day of **NOVEMBER** 1994.

[Signature]
A/Mayor or
Chairman

[Signature]
Town or
A/Shire Clerk

I/We **REDENTORE DE MEIO**

(Names in full)

Registered Owner/s
• as Proprietor/s of this land.

• as Lessee/s of Minor's Homestead public use land in accordance with
agree to this plan and dedicate the new road as shown hereon to public use.
Section 50 of the
Land Title Act 1994

Signature of • Proprietor/s • Lessee/s • Owner/s

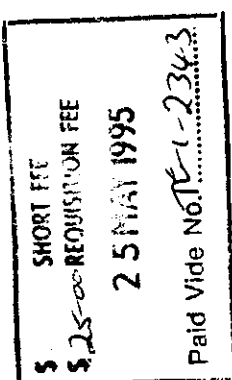
• Rule out which is inapplicable.

Council of the Shire of Douglas certifies that all requirements of this Council, the Local Government Acts and all By-Laws have been complied with and approves this subdivision subject to the transfer of Lot 53, in Fee Simple, to the Council of the Shire of Douglas.

Dated this **30th** day of **MARCH** 1995

[Signature]
Mayor

[Signature]
Chief Executive
Officer

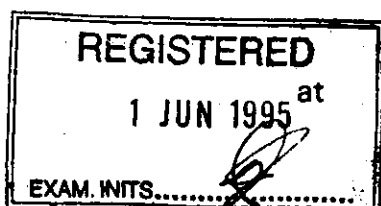


Re-endorsed 5/5/95 ALF

File Ref.
Deposited **28/10/1994**
Audited **08/11/94 MJS**
Passed **08/11/94 MJS**
Survey Records: File/Field Notes
Charted **/ /**
Original Grant
20377132 (POR 15)
20849177 (SRR 2, 84)
N16270 (S2)

Particulars entered in Register Book

Vol. **20900121**
Folio **20818136**



Previous Title

C/T **20900121**

Lot 2 on RP 726444

D/G **20818136**

Lot 2 on Plan SR 401

For Additional Plan &
Document Notings
Refer to CISP

TITLE REF	DESCRIPTION	NEW LOTS	ROAD	EMTS
20900121	Lot 2 on RP 726444	1-16 & 53	New Road	A&B
20818136	Lot 2 on Plan SR 401	1 & 5-10	New Road	-

Lot	Vol.	Fol.	Lot	Vol.	Fol.	Lot	Vol.	Fol.
1	50073535		16	50073550				
2		6	53		1			
3		7						
4		8						
5		9						
6		40						
7		1						
8		2						
9		3						
10		4						
11		5						
12		6						
13		7						
14		8						
15		9						

Lodged by **C. FOX & ASSOCIATES**
TOWNSVILLE
Greer & Timmis (M)

Received
Registrar of Titles

Fees Payable

Postal fee and postage

Logt. Exam. & Ass. **27.00**

New Title **68.00**

Entd. on Deeds

Photo Fee **14.00**

Total **181.00**

Short Fees Paid

Rec No **563203**

Rec **355**

DATE **28-10-94**

\$781.00
04/04/1995
11:37

700588172



TE 400 NT PLAN OF SURV ORIG

Appendix 2.

PROPOSAL PLANS

LINDA O'LEARY 92 DE MEO DRIVE, LOWER DAINTREE
Mick



PROJECT 92 De Meio Drive, Lower Daintree
SK-01

PROJECT NO. 304700768 019.100
Designed B.Melita
Date 14/10/22 **Sheet** 1 of 3



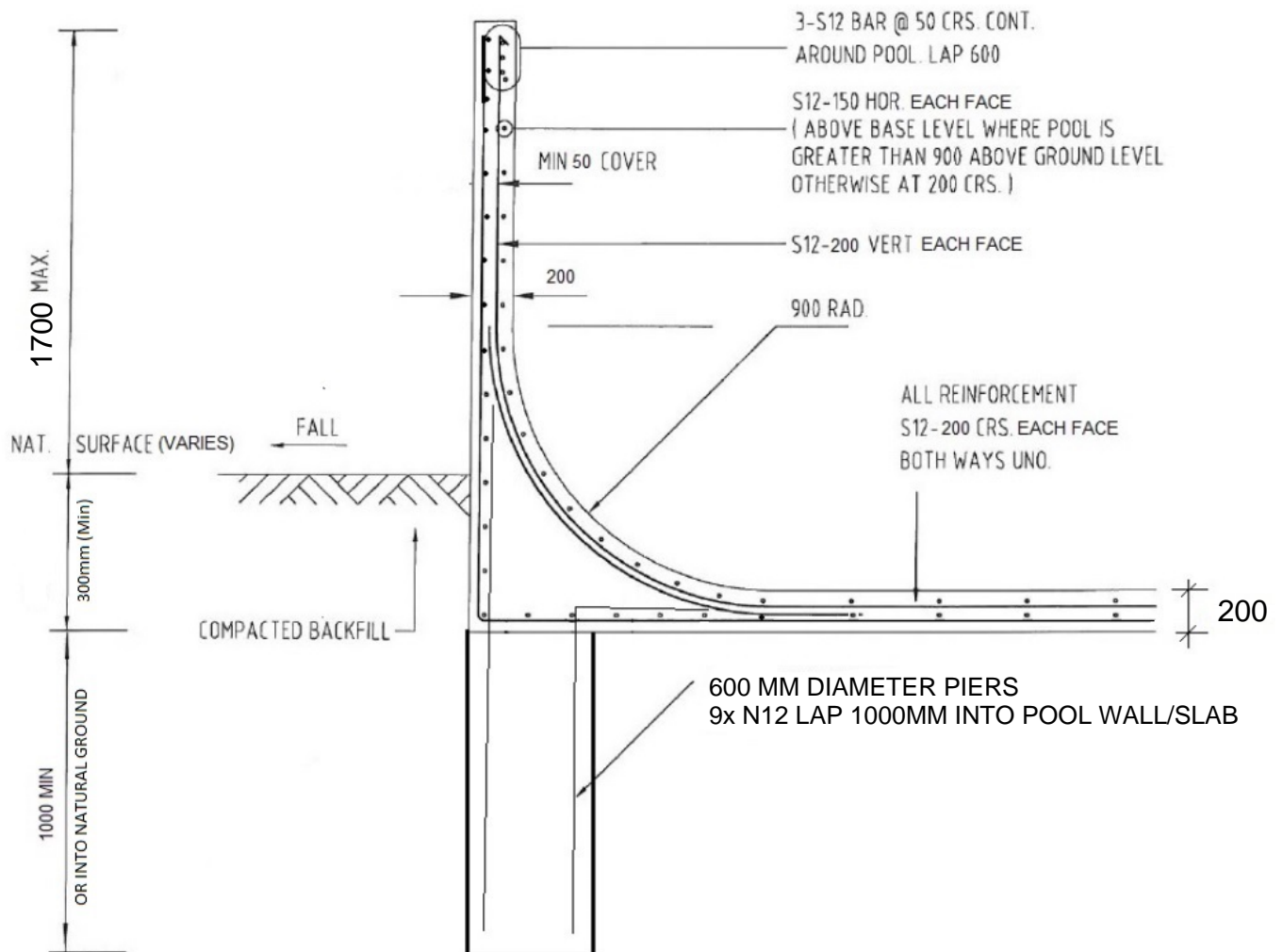
PROJECT

92 De Meio Drive, Lower Daintree
SK-01

PROJECT NO. 304700768 019.100

Designed B.Melita

Date 14/10/22 **Sheet** 2 **of** 3



SECTION

1
SK01
Page 1

Notes:

- 304700768.019.100 SK01 Pages 1-3 TAKE PRECEDENCE OVER THE STANDARD POOL DRAWINGS. REFER TO ANNOTATED DRAWINGS FOR ADDITIONAL DETAILS.
- THE EXISTING VERANDAH AND RETAINING WALLS SHOULD BE MONITORED AND PROPPED DURING EXCAVATION. NO DESIGN HAS BEEN UNDERTAKEN FOR THE EXISTING STRUCTURES.
- PIERS SHOULD BE FOUNDED IN NATURAL MATERIAL AND AT A MINIMUM BELOW THE BASE OF THE RETAINING WALL
- MAXIMUM POOL DEPTH 1.8M
- PIER END BEARING ASSUMED TO BE 200KPa, PIERS CAN BE REDUCED TO BE 450MM DIAMETER WITH 6x N12 BARS IF GEOTECH PROVIDE ALLOWABLE END BEARING OF 400KPa

Appendix 3.

PLANNING BENCHMARK ASSESSMENT



20224205 – Lot 15 De Meio Drive, Lower Daintree

6.2.4 Environmental management zone code

6.2.6.1 Application

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

6.2.4.2 Purpose

- (1) The purpose of the Environmental management zone code is to recognise environmentally sensitive areas and provide for houses on lots and other low impact activities where suitable.

These areas are protected from intrusion of any urban, suburban, centre or industrial land use.

- (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 : Environment and landscape values, Element 3.5.3 – Biodiversity, Element 3.5.5 – Scenic amenity.
 - (b) protect and buffer areas of environmental significance from inappropriate development.
- (3) The purpose of the code will be achieved through the following overall outcomes:
 - (a) Development is generally restricted to a dwelling house;
 - (b) Adverse impacts on natural systems, both on-site and on adjoining land are minimised through the location, design and management of development;
 - (c) Development reflects and responds to the natural features and environmental values of the area;



20224205 – Lot 15 De Meio Drive, Lower Daintree

- (d) Visual impacts are minimised through the location and design of development;
- (e) Development does not adversely affect water quality;
- (f) Development responds to land constraints, including but not limited to topography, vegetation, bushfire, landslide and flooding.

6.2.4.3 Criteria for assessment

Table 6.2.4.3.a – Environmental management zone – assessable development

Performance outcomes	Acceptable outcomes	Compliance
For self-assessable and assessable development		
PO1 The height of all buildings and structures is in keeping with the natural characteristics of the site. Buildings and structures are low-rise and not unduly visible from external sites	AO1 Buildings and structures are not more than 8.5 metres and two storeys in height. Note – Height is inclusive of the roof height.	Complies with AO1 The proposed dwelling would be 1.7m above ground level.
	AO1.2 Buildings have a roof height not less than 2 metres.	Complies with AO1.2 The proposal does not include a roofed structure.



20224205 – Lot 15 De Meio Drive, Lower Daintree

Performance outcomes	Acceptable outcomes	Compliance
	(considered to be a drafting error and should read 'of less than' rather than 'not less than')	
PO2 Buildings and structures are set back to: <ul style="list-style-type: none"> (a) maintain the natural character of the area; (b) achieve separation from neighbouring buildings and from road frontages 	AO2 Buildings and structures are set back not less than: <ul style="list-style-type: none"> (a) 40 metres from the frontage of a state controlled road; (b) 25 metres from the frontage to Cape Tribulation Road; (c) 6 metres from any other road; (d) 6 metres from the side and rear boundaries of the site. 	Complies with AO2 The proposed pool would have a minimum setback to any boundary of 9.2 metres.
For assessable development		
PO3 Development is consistent with the purpose of the Environmental management zone and protects the zone from the intrusion of inconsistent uses.	AO3 Inconsistent uses as identified in Table 6.2.4.3.b are not established in the Environmental management zone.	Complies with AO3 The existing use is a dwelling house and is not identified as an inconsistent use.



20224205 – Lot 15 De Meio Drive, Lower Daintree

Performance outcomes	Acceptable outcomes	Compliance
PO4 The site coverage of all buildings and structures and associated services do not have an adverse effect on the environmental or scenic values of the site.	AO4 No acceptable outcomes are prescribed.	Complies with AO4 The proposed pool is minor in scale and would not have a site coverage that would adversely affect the environmental or scenic values.
PO5 Development is located, designed, operated and managed to respond to the characteristics, features and constraints of the site and its surrounds. Note - Planning scheme policy – Site assessments provides guidance on identifying the characteristics, features and constraints of a site and its surrounds.	AO5.1 Buildings, structures and associated access, infrastructure and private open space are sited: <ul style="list-style-type: none"> (a) within areas of the site which are already cleared; or (b) within areas of the site which are environmentally degraded; (c) to minimise additional vegetation clearing. 	Complies with AO5.1 The proposed pool would be sited within an existing cleared area.
	AO5.2	Complies with AO5.2



20224205 – Lot 15 De Meio Drive, Lower Daintree

Performance outcomes	Acceptable outcomes	Compliance
	Buildings and structures and associated infrastructure are not located on slopes greater than 1 in 6 (16.6%) or on a ridgeline	The proposed pool would be located on the lower portion of the site and would not be on slopes greater than 1 in 6.
PO6 Buildings and structures are responsive to steep slope through innovative construction techniques so as to: <ul style="list-style-type: none"> (a) maintain the geotechnical stability of slopes; (b) minimise cut and/or fill; (c) minimise the overall height of development 	AO6.1 Where development on land steeper than 1 in 6 (16.6%) cannot be avoided, development follows the natural contours of the land and single plane concrete slab on-ground methods of construction are not utilised.	Not applicable The development would not occur on land with a slope of greater than 1 in 6.
	AO6.2 Access and vehicle manoeuvring and parking areas are constructed and maintained to: <ul style="list-style-type: none"> (a) minimise erosion; (b) minimise cut and fill; (c) follow the natural contours of the site. 	Complies with AO6.2 The existing concrete driveway will not be affected by the proposed pool.
PO7	AO7	Complies with AO7



20224205 – Lot 15 De Meio Drive, Lower Daintree

Performance outcomes	Acceptable outcomes	Compliance
The exterior finishes of buildings and structures are consistent with the surrounding natural environment	The exterior finishes and colours of buildings and structures are non-reflective and are moderately dark to darker shades of grey, green, blue and brown or the development is not visible external to the site.	The outer face of the pool will be a neutral grey colour however foliage will be planted to conceal the outer faces of the pool from view from the front and side boundaries. The pool fencing will be clear glass pool fencing panels.
PO8 Development does not adversely affect the amenity of the zone and adjoining land uses in terms of traffic, noise, dust, odour, lighting or other physical or environmental impacts.	AO8 No acceptable outcomes are prescribed.	Complies with AO8 A pool used on conjunction with the existing dwelling is a development envisaged by the Planning Scheme on the site and given the modest scale of the development it would not have an adverse impact on the amenity of the zone.
PO9 The density of development ensures that the environmental and scenic amenity values of the site and surrounding area are not adversely affected.	AO9 The maximum residential density is one dwelling house per lot.	Complies with AO9 Only one dwelling house is existing with no new dwellings proposed.
PO10	AO10	Not applicable



20224205 – Lot 15 De Meio Drive, Lower Daintree

Performance outcomes	Acceptable outcomes	Compliance
<p>Lot reconfiguration results in no additional lots.</p> <p>Note - Boundary realignments to resolve encroachments and lot amalgamation are considered appropriate.</p>	No acceptable outcomes are prescribed.	No lot reconfiguration is proposed.

Table 6.2.4.3.b — Inconsistent uses within the Environmental management zone.

Inconsistent uses		
<ul style="list-style-type: none"> • Adult store • Agricultural supplies store • Air services • Aquaculture • Bar • Brothel • Bulk landscape supplies • Car wash • Caretaker's accommodation • Cemetery • Child care centre • Club • Community care centre • Community residence • Community use • Crematorium 	<ul style="list-style-type: none"> • Hardware and trade supplies • Health care services • High impact industry • Hospital • Hotel • Indoor sport and entertainment • Intensive animal industry • Intensive horticulture • Landing • Low impact industry • Major electricity infrastructure • Major sport, recreation and entertainment facility • Marine industry • Market • Motor sport facility 	<ul style="list-style-type: none"> • Renewable energy facility • Relocatable home park • Research and technology industry • Residential care facility • Resort complex • Retirement facility • Rooming accommodation • Rural industry • Rural workers accommodation • Sales office • Service Station • Shop • Shopping centre • Short-term accommodation • Showroom • Special industry



20224205 – Lot 15 De Meio Drive, Lower Daintree

<ul style="list-style-type: none">• Cropping• Detention facility• Dual occupancy• Dwelling unit• Educational establishment• Food and drink outlet• Function facility• Garden centre	<ul style="list-style-type: none">• Multiple dwelling• Nightclub entertainment facility• Office• Outdoor sales• Outstation• Parking station• Place of worship• Port services	<ul style="list-style-type: none">• Substation• Theatre• Transport depot• Utility installation• Veterinary services• Warehouse• Wholesale nursery• Winery
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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.



20224205. – Lot 15 De Meio Drive, Daintree

8.2.1 Acid sulfate soils overlay code

8.2.1.1 Application

- (1) This code applies to assessing a material change of use, reconfiguring a lot, operational work or building work within the Acid sulfate soils overlay, if:
 - (a) self-assessable or assessable development where the code is identified as being applicable in the Assessment criteria for the Overlay Codes contained in the Levels of Assessment Tables in section 5.6;
 - (b) impact assessable development.
- (2) Land in the Acid sulphate soils overlay is identified on the Acid sulfate soils overlay map in Schedule 2 and includes the following sub-categories:
 - (a) Land at or below the 5m AHD sub-category;
 - (b) Land above the 5m AHD and below the 20m AHD sub-category.
- (3) When using this code, reference should be made to Part 5.

8.2.1.2 Purpose

- (1) The purpose of the acid sulfate soils overlay code is to:
 - (a) implement the policy direction in the Strategic Framework, in particular:
 - (i) Theme 2: Environment and landscape values, Element 3.5.4 Coastal zones.
 - (ii) Theme 3: Natural resource management, Element 3.6.2 land and catchment management, Element 3.6.3 Primary production, forestry and fisheries.
- (2) enable an assessment of whether development is suitable on land within the Acid sulfate soils overlay sub-categories.



20224205. – Lot 15 De Meio Drive, Daintree

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

- (a) Development ensures that the release of any acid and associated metal contaminant is avoided by not disturbing acid sulfate soils when excavating, removing soil or extracting ground water or filling land;
- (b) Development ensures that disturbed acid sulphate soils, or drainage waters, are treated and, if required, on-going management practices are adopted that minimise the potential for environmental harm from acid sulfate soil and protect corrodible assets from acid sulfate soil.

8.2.1.3 Criteria for assessment

Table Error! No text of specified style in document..a – Acid sulphate soils overlay code –assessable development

Performance outcomes	Acceptable outcomes	Compliance
For assessable development		
PO1 The extent and location of potential or actual acid sulfate soils is accurately identified.	AO1.1 No excavation or filling occurs on the site. or AO1.2 An acid sulfate soils investigation is undertaken.	Complies No excavation is proposed however, minimal compacted backfill is proposed to support the above ground pool shell. The land proposed to be backfilled is an existing raised and levelled outdoor open space developed as part of the dwelling



20224205. – Lot 15 De Meio Drive, Daintree

Performance outcomes	Acceptable outcomes	Compliance
	Note - Planning scheme policy SC 6.12– Potential and actual acid sulfate soils provides guidance on preparing an acid sulfate soils investigation.	house construction. No natural soils will be disturbed as part of the additional compacted fill.
PO2 Development avoids disturbing potential acid sulfate soils or actual acid sulfate soils, or is managed to avoid or minimise the release of acid and metal contaminants.	AO2.1 The disturbance of potential acid sulfate soils or actual acid sulfate soils is avoided by: <ul style="list-style-type: none"> (a) not excavating, or otherwise removing, soil or sediment identified as containing potential or actual acid sulfate soils; (b) not permanently or temporarily extracting groundwater that results in the aeration of previously saturated acid sulfate soils; (c) not undertaking filling that results in: (d) actual acid sulfate soils being moved below the water table; (e) previously saturated acid sulfate soils being aerated. 	Complies No excavation is proposed however, minimal compacted backfill is proposed to support the above ground pool shell. The land proposed to be backfilled is an existing raised and levelled outdoor open space developed as part of the dwelling house construction. No natural soils will be disturbed as part of the additional compacted fill.



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Performance outcomes	Acceptable outcomes	Compliance
	<p>or</p> <p>AO2.2</p> <p>The disturbance of potential acid sulfate soils or actual acid sulfate soils is undertaken in accordance with an acid sulfate soils management plan and avoids the release of metal contaminants by:</p> <ul style="list-style-type: none"> (a) neutralising existing acidity and preventing the generation of acid and metal contaminants; (b) preventing the release of surface or groundwater flows containing acid and metal contaminants into the environment; (c) preventing the in situ oxidisation of potential acid sulfate soils and actual acid sulfate soils through ground water level management; (d) appropriately treating acid sulfate soils before disposal occurs on or off site; (e) documenting strategies and reporting 	



20224205. – Lot 15 De Meio Drive, Daintree

Performance outcomes	Acceptable outcomes	Compliance
	<p>requirements in an acid sulfate soils environmental management plan.</p> <p>Note - Planning scheme policy SC 6.12 – Acid sulfate soils provides guidance on preparing an acid sulfate soils management plan.</p>	
<p>PO3</p> <p>No environmental harm is caused as a result of exposure to potential acid sulfate soils or actual acid sulfate soils.</p>	<p>AO3</p> <p>No acceptable outcomes are prescribed.</p>	<p>Complies</p> <p>No excavation is proposed however, minimal compacted backfill is proposed to support the above ground pool shell. The land proposed to be backfilled is an existing raised and levelled outdoor open space developed as part of the dwelling house construction. No natural soils will be disturbed as part of the additional compacted fill house construction.</p>



20224205 – Lot 15 De Meio Drive, Lower Daintree

8.2.2 Bushfire hazard overlay code

Note - Land shown on the bushfire hazard overlay map is designated as the bushfire prone area for the purposes of section 12 of the Building Regulations 2006. The bushfire hazard area (bushfire prone area) includes land covered by the high and medium hazard areas as well as the buffer area category on the overlay map.

8.2.2.1 Application

- (1) This code applies to assessing a material change of use, reconfiguring a lot, operational works or building work in the Bushfire hazard overlay, if:
 - (a) self-assessable or assessable where the code is identified as being applicable in the Assessment criteria for the Overlay Codes contained in the Levels of Assessment Tables in section 5.6;
 - (b) impact assessable development.
- (2) Land in the Bushfire hazard overlay is identified on the Bushfire hazard overlay map in Schedule 2 and includes the following sub-categories:
 - (a) Medium bushfire risk sub-category;
 - (b) High bushfire risk sub-category;
 - (c) Very high bushfire risk sub-category;
 - (d) Potential impact buffer sub-category.
- (3) When using this code, reference should be made to Part 5.

8.2.2.2 Purpose

- (1) The purpose of the Bushfire overlay code is to:
 - (a) implement the policy direction in the Strategic Framework, in particular:
 - (i) Theme 1 Settlement pattern: Element 3.4.7 Mitigation of hazards;



20224205 – Lot 15 De Meio Drive, Lower Daintree

- (ii) Theme 6 Infrastructure and transport: Element 3.9.2 Energy.
- (b) enable an assessment of whether development is suitable on land within the Bushfire risk overlay sub-categories.
- (2) The purpose of the code will be achieved through the following overall outcomes:
 - (a) development avoids the establishment or intensification of vulnerable activities within or near areas that are subject to bushfire hazard;
 - (b) development is designed and located to minimise risks to people and property from bushfires;
 - (c) bushfire risk mitigation treatments are accommodated in a manner that avoids or minimises impacts on the natural environment and ecological processes;
 - (d) development involving the manufacture or storage of hazardous materials does not increase the risk to public safety or the environment in a bushfire event;
 - (e) development contributes to effective and efficient disaster management response and recovery capabilities.

Note - A site based assessment may ground-truth the extent of hazardous vegetation and extent and nature of the bushfire hazard area (bushfire prone area). Such assessments should be undertaken using the methodology set out in Planning scheme policy SC6.9 - Natural Hazards.



20224205 – Lot 15 De Meio Drive, Lower Daintree

8.2.2.3 Criteria for assessment

Table Error! No text of specified style in document..a – Bushfire hazard overlay code –assessable development

Performance outcomes		Acceptable outcomes	Compliance
For self-assessable and assessable development			
Compatible development			
<p>PO1</p> <p>A vulnerable use is not established or materially intensified within a bushfire hazard area (bushfire prone area) unless there is an overriding need or other exceptional circumstances.</p> <p>Note - See the end of this code for examples of vulnerable uses.</p>	<p>AO1</p> <p>Vulnerable uses are not established or expanded.</p> <p>Note – Where, following site inspection and consultation with Council, it is clear that the mapping is in error in identifying a premises as being subject to a medium, high, very high bushfire hazard or potential impact buffer sub-category, Council may supply a letter exempting the need for a Bushfire Management Plan.</p> <p>Note – Where the assessment manager has not previously approved a Bushfire Management Plan (either by condition of a previous development approval), the development proponent will be expected to prepare such a plan.</p> <p>Note – Planning scheme policy SC6.9 - Natural</p>	<p>Complies with AO1</p> <p>A Dwelling House, included associated outbuildings and pools, is not identified as a vulnerable use.</p>	



20224205 – Lot 15 De Meio Drive, Lower Daintree

Performance outcomes	Acceptable outcomes	Compliance
	hazards, provides a guide to the preparation of a Bushfire Management Plan.	
PO2 Emergency services and uses providing community support services are able to function effectively during and immediately after a bushfire hazard event.	AO2 Emergency Services and uses providing community support services are not located in a bushfire hazard sub-category and have direct access to low hazard evacuation routes.	Not applicable The proposal does not involve emergency services.
PO3 Development involving hazardous materials manufactured or stored in bulk is not located in bushfire hazard sub-category.	AO3 The manufacture or storage of hazardous material in bulk does not occur within bushfire hazard sub-category.	Not applicable The proposal does not involve hazardous materials.
Development design and separation from bushfire hazard – reconfiguration of lots		
PO4.1 Where reconfiguration is undertaken in an urban area or is for urban purposes or smaller scale rural residential purposes, a separation distance from hazardous vegetation is provided to achieve a radiant heat flux level of 29kW/m ² at the edge of	AO4.1 No new lots are created within a bushfire hazard sub-category. or	Not applicable The proposal does not involve lot reconfiguration.



20224205 – Lot 15 De Meio Drive, Lower Daintree

Performance outcomes	Acceptable outcomes	Compliance
<p>the proposed lot(s).</p> <p>Note - “Urban purposes” and “urban area” are defined in the <i>Sustainable Planning Regulations 2009</i>.</p> <p>Reconfiguration will be taken to be for rural residential purposes where proposed lots are between 2000m² and 2ha in area. “Smaller scale” rural residential purposes will be taken to be where the average proposed lot size is 6000m² or less.</p> <p>Note - The radiant heat levels and separation distances are to be established in accordance with method 2 set out in AS3959-2009.</p>		
<p>PO4.2</p> <p>Where reconfiguration is undertaken for other purposes, a building envelope of reasonable dimensions is provided on each lot which achieves radiant heat flux level of 29kW/m² at any point.</p>	<p>AO4.2</p> <p>Lots are separated from hazardous vegetation by a distance that:</p> <ul style="list-style-type: none"> (a) achieves radiant heat flux level of 29kW/m² at all boundaries; and (b) is contained wholly within the development site. <p>Note - Where a separation distance is proposed to be achieved by utilising existing cleared developed areas</p>	<p>Not applicable</p> <p>The proposal does not involve lot reconfiguration.</p>



20224205 – Lot 15 De Meio Drive, Lower Daintree

Performance outcomes	Acceptable outcomes	Compliance
	<p>external to the site, certainty must be established (through tenure or other means) that the land will remain cleared of hazardous vegetation.</p> <p>For staged developments, temporary separation distances, perimeter roads or fire trails may be absorbed as part of subsequent stages.</p> <p>Note - The achievement of a cleared separation distance may not be achievable where other provisions within the planning scheme require protection of certain ecological, slope, visual or character features or functions.</p>	
<p>PO5</p> <p>Where reconfiguration is undertaken in an urban area or is for urban purposes, a constructed perimeter road with reticulated water supply is established between the lots and the hazardous vegetation and is readily accessible at all times for urban fire fighting vehicles. The access is available for both fire fighting and maintenance/defensive works.</p>	<p>AO5.1</p> <p>Lot boundaries are separated from hazardous vegetation by a public road which:</p> <ul style="list-style-type: none"> (a) has a two lane sealed carriageway; (b) contains a reticulated water supply; (c) is connected to other public roads at both ends and at intervals of no more than 500m; (d) accommodates geometry and turning radii in accordance with Queensland Fire and Emergency Services' Fire Hydrant and Vehicle 	<p>Not applicable</p> <p>The proposal does not involve lot reconfiguration.</p>



20224205 – Lot 15 De Meio Drive, Lower Daintree

Performance outcomes	Acceptable outcomes	Compliance
	<p>Access Guidelines;</p> <p>(e) has a minimum of 4.8m vertical clearance above the road;</p> <p>(f) is designed to ensure hydrants and water access points are not located within parking bay allocations; and</p> <p>(g) incorporates roll-over kerbing.</p>	
	<p>AO5.2</p> <p>Fire hydrants are designed and installed in accordance with AS2419.1 2005, unless otherwise specified by the relevant water entity.</p> <p>Note - Applicants should have regard to the relevant standards set out in the reconfiguration of a lot code and works codes in this planning scheme.</p>	<p>Not applicable</p> <p>The proposal does not involve lot reconfiguration.</p>
<p>PO6</p> <p>Where reconfiguration is undertaken for smaller scale rural residential purposes, either a constructed perimeter road or a formed, all weather fire trail is established between the lots and the hazardous vegetation and is readily</p>	<p>AO6</p> <p>Lot boundaries are separated from hazardous vegetation by a public road or fire trail which has:</p> <p>(a) a reserve or easement width of at least 20m;</p> <p>(b) a minimum trafficable (cleared and formed) width of 4m capable of accommodating a 15</p>	<p>Not applicable</p> <p>The proposal does not involve lot reconfiguration.</p>



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Performance outcomes	Acceptable outcomes	Compliance
accessible at all times for the type of fire fighting vehicles servicing the area. The access is available for both fire fighting and maintenance/hazard reduction works.	<p>tonne vehicle and which is at least 6m clear of vegetation;</p> <p>(c) no cut or fill embankments or retaining walls adjacent to the 4m wide trafficable path;</p> <p>(d) a minimum of 4.8m vertical clearance;</p> <p>(e) turning areas for fire-fighting appliances in accordance with Queensland Fire and Emergency Services' Fire Hydrant and Vehicle Access Guidelines;</p> <p>(f) a maximum gradient of 12.5%;</p> <p>(g) a cross fall of no greater than 10 degrees;</p> <p>(h) drainage and erosion control devices in accordance with the standards prescribed in a planning scheme policy;</p> <p>(i) vehicular access at each end which is connected to the public road network at intervals of no more than 500m;</p> <p>(j) designated fire trail signage;</p> <p>(k) if used, has gates locked with a system authorised by Queensland Fire and Emergency Services; and</p>	



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Performance outcomes	Acceptable outcomes	Compliance
	(l) if a fire trail, has an access easement that is granted in favour of Council and Queensland Fire and Emergency Services.	
P07 Where reconfiguration is undertaken for other purposes, a formed, all weather fire trail is provided between the hazardous vegetation and either the lot boundary or building envelope, and is readily accessible at all times for the type of fire fighting vehicles servicing the area. However, a fire trail will not be required where it would not serve a practical fire management purpose.	A07 Lot boundaries are separated from hazardous vegetation by a public road or fire trail which has: <ul style="list-style-type: none"> (a) a reserve or easement width of at least 20m; (b) a minimum trafficable (cleared and formed) width of 4m capable of accommodating a 15 tonne vehicle and which is at least 6m clear of vegetation; (c) no cut or fill embankments or retaining walls adjacent to the 4m wide trafficable path; (d) a minimum of 4.8m vertical clearance; (e) turning areas for fire-fighting appliances in accordance with Queensland Fire and Emergency Services' Fire Hydrant and Vehicle Access Guidelines; (f) a maximum gradient of 12.5%; (g) a cross fall of no greater than 10 degrees; 	Not applicable The proposal does not involve lot reconfiguration.



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Performance outcomes	Acceptable outcomes	Compliance
	<ul style="list-style-type: none"> (h) drainage and erosion control devices in accordance with the standards prescribed in a planning scheme policy; (i) vehicular access at each end which is connected to the public road network; (j) designated fire trail signage; (k) if used, has gates locked with a system authorised by Queensland Fire and Emergency Services; and (l) if a fire trail, has an access easement that is granted in favour of Council and Queensland Fire and Emergency Services. 	
<p>PO8</p> <p>The development design responds to the potential threat of bushfire and establishes clear evacuation routes which demonstrate an acceptable or tolerable risk to people.</p>	<p>AO8</p> <p>The lot layout:</p> <ul style="list-style-type: none"> (a) minimises the length of the development perimeter exposed to, or adjoining hazardous vegetation; (b) avoids the creation of potential bottle-neck points in the movement network; (c) establishes direct access to a safe assembly 	<p>Not applicable</p> <p>The proposal does not involve lot reconfiguration.</p>



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Performance outcomes	Acceptable outcomes	Compliance
	<p>/evacuation area in the event of an approaching bushfire; and</p> <p>(d) ensures roads likely to be used in the event of a fire are designed to minimise traffic congestion.</p> <p>Note - For example, developments should avoid finger-like or hour-glass subdivision patterns or substantive vegetated corridors between lots.</p> <p>In order to demonstrate compliance with the performance outcome, a bushfire management plan prepared by a suitably qualified person may be required. The bushfire management plan should be developed in accordance with the Public Safety Business Agency (PSBA) guideline entitled “Undertaking a Bushfire Protection Plan.</p> <p>Advice from the Queensland Fire and Emergency Services (QFES) should be sought as appropriate</p>	
<p>PO9</p> <p>Critical infrastructure does not increase the potential bushfire hazard.</p>	<p>AO9</p> <p>Critical or potentially hazardous infrastructure such as water supply, electricity, gas and telecommunications are placed underground.</p>	<p>Not applicable</p> <p>The proposal does not involve lot reconfiguration.</p>



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Performance outcomes	Acceptable outcomes	Compliance
Development design and separation from bushfire hazard – material change of use		
<p>PO10</p> <p>Development is located and designed to ensure proposed buildings or building envelopes achieve a radiant heat flux level at any point on the building or envelope respectively, of:</p> <p>(e) 10kW/m² where involving a vulnerable use; or (f) 29kW/m² otherwise.</p> <p>The radiant heat flux level is achieved by separation unless this is not practically achievable.</p> <p>Note - The radiant heat levels and separation distances are to be established in accordance with method 2 set out in AS3959-2009.</p>	<p>AO10</p> <p>Buildings or building envelopes are separated from hazardous vegetation by a distance that:</p> <p>(a) achieves a radiant heat flux level of at any point on the building or envelope respectively, of 10kW/m² for a vulnerable use or 29kW/m² otherwise; and (b) is contained wholly within the development site.</p> <p>Note - Where a separation distance is proposed to be achieved by utilising existing cleared developed areas external to the site, certainty must be established (through tenure or other means) that the land will remain cleared of hazardous vegetation.</p> <p>For staged developments, temporary separation distances, perimeter roads or fire trails may be absorbed as part of subsequent stages.</p> <p>Note - The achievement of a cleared separation distance may not be achievable where other provisions within the planning scheme require protection of certain</p>	<p>Complies with AO10</p> <p>The pool would be located in an existing cleared area and would be separated from hazardous vegetation.</p>



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Performance outcomes	Acceptable outcomes	Compliance
	ecological, slope, visual or character features or functions.	
<p>PO11</p> <p>A formed, all weather fire trail is provided between the hazardous vegetation and the site boundary or building envelope, and is readily accessible at all times for the type of fire fighting vehicles servicing the area. However, a fire trail will not be required where it would not serve a practical fire management purpose.</p> <p>Note - Fire trails are unlikely to be required where a development site involves less than 2.5ha</p>	<p>AO11</p> <p>Development sites are separated from hazardous vegetation by a public road or fire trail which has:</p> <ul style="list-style-type: none"> (a) a reserve or easement width of at least 20m; (b) a minimum trafficable (cleared and formed) width of 4m capable of accommodating a 15 tonne vehicle and which is at least 6m clear of vegetation; (c) no cut or fill embankments or retaining walls adjacent to the 4m wide trafficable path; (d) a minimum of 4.8m vertical clearance; (e) turning areas for fire-fighting appliances in accordance with Queensland Fire and Emergency Services' Fire Hydrant and Vehicle Access Guidelines; (f) a maximum gradient of 12.5%; 	<p>Complies with AO11</p> <p>The pool would be separated from Hazardous Vegetation and would not be affected by the existing fire trail.</p>



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Performance outcomes	Acceptable outcomes	Compliance
	<ul style="list-style-type: none"> (g) a cross fall of no greater than 10 degrees; (h) drainage and erosion control devices in accordance with the standards prescribed in a planning scheme policy; (i) vehicular access at each end which is connected to the public road network which is connected to the public road network at intervals of no more than 500m; (j) designated fire trail signage; (k) if used, has gates locked with a system authorised by Queensland Fire and Emergency Services; and (l) if a fire trail, has an access easement that is granted in favour of Council and Queensland Fire and Emergency Services. 	
All development		
PO12 All premises are provided with vehicular access that enables safe evacuation for occupants and	AO12 Private driveways: <ul style="list-style-type: none"> (a) do not exceed a length of 60m from the street 	Complies with AO1 Access is provided by an existing driveway that has a length of 16 metres. The development of the



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Performance outcomes	Acceptable outcomes	Compliance
easy access by fire fighting appliances.	<p>to the building;</p> <p>(b) do not exceed a gradient of 12.5%;</p> <p>(c) have a minimum width of 3.5m;</p> <p>(d) have a minimum of 4.8m vertical clearance;</p> <p>(e) accommodate turning areas for fire-fighting appliances in accordance with Queensland Fire and Emergency Services' Fire Hydrant and Vehicle Access Guidelines; and</p> <p>(f) serve no more than 3 dwellings or buildings.</p>	pool will not affect the existing driveway.
<p>PO13</p> <p>Development outside reticulated water supply areas includes a dedicated static supply that is available solely for fire fighting purposes and can be accessed by fire fighting appliances.</p>	<p>AO13</p> <p>A water tank is provided within 10m of each building (other than a class 10 building) which:</p> <p>(a) is either below ground level or of non-flammable construction;</p> <p>(b) has a take off connection at a level that allows the following dedicated, static water supply to be left available for access by fire fighters:</p> <p>(i) 10,000l for residential buildings</p>	<p>Able to comply with AO13</p> <p>The development is for a class 10 building and does not require compliance with PO13. However, the pool will provide an additional water source for fire fighting services should it be needed.</p>



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Performance outcomes	Acceptable outcomes	Compliance
	<p>Note – A minimum of 7,500l is required in a tank and the extra 2,500l may be in the form of accessible swimming pools or dams.</p> <ul style="list-style-type: none"> (ii) 45,000l for industrial buildings; and (iii) 20,000l for other buildings; <ul style="list-style-type: none"> (c) includes shielding of tanks and pumps in accordance with the relevant standards; (d) includes a hardstand area allowing medium rigid vehicle (15 tonne fire appliance) access within 6m of the tank; (e) is provided with fire brigade tank fittings – 50mm ball valve and male camlock coupling and, if underground, an access hole of 200mm (minimum) to accommodate suction lines; and (f) is clearly identified by directional signage provided at the street frontage. 	
<p>PO14</p> <p>Landscaping does not increase the potential bushfire risk.</p>	<p>AO14</p> <p>Landscaping uses species that are less likely to exacerbate a bushfire event and does not increase fuel loads within separation areas.</p>	<p>Able to comply with AO14</p> <p>The application does not propose any landscaping; however Council are invited to secure future compliance by way of a condition of approval, if</p>



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Performance outcomes	Acceptable outcomes	Compliance
		necessary.
PO15 The risk of bushfire and the need to mitigate that risk is balanced against other factors (such as but not limited to, biodiversity or scenic amenity).	AO15 Bushfire risk mitigation treatments do not have a significant impact on the natural environment or landscape character of the locality where this has value.	Not applicable No bushfire mitigation measures are proposed.



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8.2.5 Hillslopes overlay code

8.2.5.1 Application

- (1) This code applies to assessing a material change of use, reconfiguring a lot, operational work or building work within the Hillslopes overlay, if:
 - (a) self assessable or assessable development where the code is identified as being applicable in the Assessment criteria for the Overlay Codes contained in the Levels of Assessment Tables in section 5.6;
 - (b) impact assessable development.
- (2) Land in the Hillslopes overlay is identified on the Hillslopes overlay map in Schedule 2 and includes the following sub-categories:
 - (a) Hillslopes constraint sub-category.
- (3) When using this code, reference should be made to Part 5.

8.2.5.2 Purpose

- (1) The purpose of the Hillslopes overlay code is to:
 - (a) implement the policy direction in the Strategic Framework, in particular:
 - (i) Theme 1 - Settlement pattern: Element 3.4.7 Mitigation of hazards;
 - (ii) Theme 2 – Environment and landscape values: Element 3.5.5 Scenic amenity.
 - (b) enable an assessment of whether development is suitable on land within the Hillslopes sub-categories.
- (2) The purpose of the code will be achieved through the following overall outcomes:



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- (a) development on hillslopes is safe, serviceable and accessible;
- (b) the ecological values, landscape character and visual quality of the hillslopes are protected from development so as to retain the scenic backdrop to the region;
- (c) Development on hillslopes is appropriate, having regard to the topographic constraints and environmental characteristics of the land;
- (d) Development responds to the constraints of the site including gradient and slope stability;
- (e) Works do not involve complex engineering solutions.

8.2.5.3 Criteria for assessment

Table 8.2.5.3.a – Hillslopes overlay code –assessable development

Performance outcomes	Acceptable outcomes	Compliance
For self-assessable development		
PO1 The landscape character and visual amenity quality of hillslopes areas is retained to protect the scenic backdrop to the region.	AO1.1 Development is located on parts of the site that are not within the Hillslopes constraint subcategory as shown on the Hillslopes overlay Maps contained in schedule 2.	Does not comply with AO1.1 The pool would be located within the Hillslopes constraint sub category; however, it would be located on an existing cleared area that would be accessed via an existing driveway. No additional vegetation removal or earthworks are required to facilitate the proposed development. The landscape character and visual amenity quality of



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Performance outcomes	Acceptable outcomes	Compliance
		the hillslopes area would not be adversely affected by the proposed development. The proposed development is considered to comply with Performance Outcome PO1.
For assessable development		
PO2 The landscape character and visual amenity quality of hillslopes areas is retained to protect the scenic backdrop to the region	AO2.1 Development does not occur on land with a gradient in excess of 1 in 6 (16.6%) or AO2.2 Where development on land steeper than 1 in 6 (16.6%) cannot be avoided, development follows the natural contours of the site.	Complies with AO2.1 The pool would be constructed on an existing levels surface. The land immediately surrounding the pool site does not have a slope greater than 1 in 6.
	AO2.3 Access ways and driveways are: <ul style="list-style-type: none"> (a) constructed with surface materials that blend with the surrounding environment; (b) landscaped with dense planting to minimise the visual impact of the construction; (c) provided with erosion control measures 	Complies with AO2.3 The dwelling house, and in conjunction the pool, is accessed via an existing gravel driveway.



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Performance outcomes	Acceptable outcomes	Compliance
	immediately after construction.	
	AO2.4 The clearing or disturbance of vegetation is limited to clearing and disturbance that: <ul style="list-style-type: none"> (a) is necessary for the construction of driveways; (b) is necessary to contain the proposed development; (c) minimises canopy clearing or disturbance; (d) minimises riparian clearing or disturbance. 	Not applicable No additional vegetation is required to be removed to facilitate the development.
	AO2.5 On land with slopes greater than 1 in 6 (16.6%) or greater, alternative construction methods to concrete slab on ground are utilised (i.e. split level or post and beam constructed buildings that minimise modification to the natural terrain of the land).	Not applicable The pool would be constructed on an existing levels surface. The land immediately surrounding the pool site does not have a slope greater then 1 in 6.



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Performance outcomes	Acceptable outcomes	Compliance
	AO2.6 Development does not alter the sky line.	Complies with AO2.6 The pool would be sited below the top of the ridge and would not affect the sky line.
	AO2.7 Buildings and structures: <ul style="list-style-type: none"> (a) are finished predominantly in the following exterior colours or surfaces: <ul style="list-style-type: none"> (i) moderately dark to darker shades of olive green, brown, green, blue, or charcoal; or (ii) moderately dark to darker wood stains that blend with the colour and hues of the surrounding vegetation and landscape; (b) are not finished in the following exterior colours or surfaces: <ul style="list-style-type: none"> (i) pastel or terracotta colours, reds, yellows, shades of white or beige, or other bright colours that do not 	Complies with AO2.7 The outer face of the pool will be a neutral grey colour however foliage will be planted to conceal the outer faces of the pool from view from the front and side boundaries. The pool fencing will be clear glass pool fencing panels.



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Performance outcomes	Acceptable outcomes	Compliance
	blend with the surrounding vegetation and landscape; (ii) reflective surfaces.	
	AO2.8 Exterior colour schemes limit the use of white or other light colours to exterior trim and highlighting of architectural features	Complies with AO2.8 The outer face of the pool will be a neutral grey colour however foliage will be planted to conceal the outer faces of the pool from view from the front and side boundaries. The pool fencing will be clear glass pool fencing panels.
	AO2.9 Areas between the first floor (including outdoor deck areas) and ground level are screened from view.	Not applicable There would be no area between the first floor and the ground.
	AO2.10 Recreational or ornamental features (including tennis courts, ponds or swimming pools) do not occur on land:	Not applicable No ornamental or recreational features are proposed.



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Performance outcomes	Acceptable outcomes	Compliance
	<ul style="list-style-type: none"> (a) with a gradient of 1 in 6 (16.6%) or more; (b) are designed to be sited and respond to the natural constraints of the land and require minimal earthworks. 	
<p>PO3</p> <p>Excavation or filling does not have an adverse impact on the amenity, safety, stability or function of the site or adjoining premises through:</p> <ul style="list-style-type: none"> (a) loss of privacy; (b) loss of access to sunlight; (c) intrusion of visual or overbearing impacts; (d) complex engineering solutions. 	<p>AO3</p> <p>Excavation or fill:</p> <ul style="list-style-type: none"> (a) is not more than 1.2 metres in height for each batter or retaining wall; (b) is setback a minimum of 2 metres from property boundaries; (c) is stepped with a minimum 2 metre wide berm to incorporate landscaping in accordance with Planning scheme policy SC6.7 – Landscaping; (d) does not exceed a maximum of 3 batters and 3 berms (i.e. not greater than 3.6 metres in height) on any one lot. 	<p>Not applicable</p> <p>No excavation or fill is proposed.</p>
Lot reconfiguration		



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Performance outcomes	Acceptable outcomes	Compliance
PO4 For development that involves reconfiguring a lot, lot layout and design is responsive to the natural constraints of the land and each lot is capable of being used for its intended purpose.	AO4.1 The frontage and depth of all lots is of sufficient width to: (a) allow driveways to follow the natural contours of the site and not exceed a gradient of 1 in 6 (16.6%); (b) accommodate any changes in gradient between the road and lot within the lot boundary and not within the road reserve.	Not applicable No reconfiguration is proposed.
	AO4.2 Development does not create new lots containing land of greater than 1 in 6 (16.6%), except where a rectangular area of land of lesser grade is contained within the new lots to accommodate the intended land use, with the balance left in its natural state to the greatest extent possible. Note – The size of rectangular areas is outlined within each zone code.	Not applicable No reconfiguration is proposed.



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Performance outcomes	Acceptable outcomes	Compliance
	AO4.3 Development does not alter ridgelines.	Not applicable No reconfiguration is proposed.
	AO4.4 Lots are designed to ensure rooflines of future buildings and structures do not protrude above a ridgeline.	Not applicable No reconfiguration is proposed.



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8.2.7 Natural areas overlay code

8.2.7.1 Application

- (1) This code applies to assessing a material change of use, reconfiguring a lot, operational work or building work within the Natural areas overlay, if:
 - (a) self-assessable or assessable development where the code is identified as being applicable in the Assessment criteria for the Overlay Codes contained in the Levels of Assessment Tables in section 5.6;
 - (b) impact assessable development.
- (2) Land in the Natural areas overlay is identified on the Natural areas overlay map in Schedule 2 and includes the following sub-categories:
 - (a) MSES – Protected area;
 - (b) MSES – Marine park;
 - (c) MSES – Wildlife habitat;
 - (d) MSES – Regulated vegetation;
 - (e) MSES – Regulated vegetation (intersecting a Watercourse);
 - (f) MSES – High ecological significance wetlands;
 - (g) MSES – High ecological value waters (wetlands);
 - (h) MSES – High ecological value waters (watercourse);
 - (i) MSES – Legally secured off set area.

Note – MSES = Matters of State Environmental Significance.



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(3) When using this code, reference should be made to Part 5.

8.2.7.2 Purpose

(1) The purpose of the Natural areas overlay code is to:

- (a) implement the policy direction in the Strategic Framework, in particular:
 - (i) Theme 2: Environment and landscape values, Element 3.5.3 Biodiversity, Element 3.5.4 Coastal zones;
 - (ii) Theme 3: Natural resource management Element 3.6.2 Land and catchment management, Element 3.6.3 Primary production, forestry and fisheries.
- (b) enable an assessment of whether development is suitable on land within the Biodiversity area overlay sub-categories.

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

- (a) development is avoided within:
 - (i) areas containing matters of state environmental significance (MSES);
 - (ii) other natural areas;
 - (iii) wetlands and wetland buffers;
 - (iv) waterways and waterway corridors.
- (b) where development cannot be avoided, development:
 - (i) protects and enhances areas containing matters of state environmental significance;
 - (ii) provides appropriate buffers;
 - (iii) protects the known populations and supporting habitat of rare and threatened flora and fauna species, as listed in the relevant State and Commonwealth legislation;



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- (iv) ensures that adverse direct or indirect impacts on areas of environmental significance are minimised through design, siting, operation, management and mitigation measures;
 - (v) does not cause adverse impacts on the integrity and quality of water in upstream or downstream catchments, including the Great Barrier Reef World Heritage Area;
 - (vi) protects and maintains ecological and hydrological functions of wetlands, waterways and waterway corridors;
 - (vii) enhances connectivity across barriers for aquatic species and habitats;
 - (viii) rehabilitates degraded areas to provide improved habitat condition, connectivity, function and extent;
 - (ix) protects areas of environmental significance from weeds, pests and invasive species.
- (c) strategic rehabilitation is directed to areas on or off site, where it is possible to achieve expanded habitats and increased connectivity.

8.2.7.3 Criteria for assessment

Table 8.2.7.3.a – Natural areas overlay code –assessable development

Performance outcomes	Acceptable outcomes	Compliance
For self-assessable and assessable development		
Protection of matters of environmental significance		
PO1	AO1.1	Complies with AO1.1



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Performance outcomes	Acceptable outcomes	Compliance
Development protects matters of environmental significance.	<p>Development avoids significant impact on the relevant environmental values.</p> <p>or</p> <p>AO1.2</p> <p>A report is prepared by an appropriately qualified person demonstrating to the satisfaction of the assessment manager, that the development site does not contain any matters of state and local environmental significance.</p> <p>or</p> <p>AO1.3</p> <p>Development is located, designed and operated to mitigate significant impacts on environmental values. For example, a report certified by an appropriately qualified person demonstrating to the satisfaction of the assessment manager, how the proposed development mitigates impacts, including on water</p>	<p>The proposed pool would be located in an existing cleared area and would not require the removal of any further vegetation or disturbance of areas of significance.</p>



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Performance outcomes	Acceptable outcomes	Compliance
	quality, hydrology and biological processes.	
Management of impacts on matters of environmental significance		
PO2 Development is located, designed and constructed to avoid significant impacts on matters of environmental significance.	AO2 The design and layout of development minimises adverse impacts on ecologically important areas by: <ul style="list-style-type: none"> (a) focusing development in cleared areas to protect existing habitat; (b) utilising design to consolidate density and preserve existing habitat and native vegetation; (c) aligning new property boundaries to maintain ecologically important areas; (d) ensuring that alterations to natural landforms, hydrology and drainage patterns on the development site do not negatively affect ecologically important areas; 	Complies with AO2 The pool would be located within an existing cleared area and would not require the removal of any further vegetation or further disturbance of areas of significance.



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Performance outcomes	Acceptable outcomes	Compliance
	(e) ensuring that significant fauna habitats are protected in their environmental context; and (f) incorporating measures that allow for the safe movement of fauna through the site.	
PO3 An adequate buffer to areas of state environmental significance is provided and maintained.	AO3.1 A buffer for an area of state environmental significance (Wetland protection area) has a minimum width of: (a) 100 metres where the area is located outside Urban areas; or (b) 50 metres where the area is located within Urban areas. or AO3.2 A buffer for an area of state environmental significance is applied and maintained, the width of	Not applicable The site is not located adjacent a wetland.



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Performance outcomes	Acceptable outcomes	Compliance
	which is supported by an evaluation of environmental values, including the function and threats to matters of environmental significance.	
PO4 Wetland and wetland buffer areas are maintained, protected and restored. Note – Wetland buffer areas are identified in AO3.1.	AO4.1 Native vegetation within wetlands and wetland buffer areas is retained.	Not applicable The site is not located adjacent a wetland.
	AO4.2 Degraded sections of wetlands and wetland buffer areas are revegetated with endemic native plants in patterns and densities, which emulate the relevant regional ecosystem.	Not applicable The site is not located adjacent a wetland.
PO5 Development avoids the introduction of non-native pest species (plant or animal) that pose a	AO5.1 Development avoids the introduction of non-native pest species.	Able to comply with AO5.1 Minimal landscaping to shield the pool face from view is proposed. Council are invited to attach a



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Performance outcomes	Acceptable outcomes	Compliance
risk to ecological integrity.		condition to any approval granted to ensure long term compliance, if necessary.
	AO5.2 The threat of existing pest species is controlled by adopting pest management practices for long-term ecological integrity.	Able to comply with AO5.2 Minimal landscaping to shield the pool face from view is proposed. Council are invited to attach a condition to any approval granted to ensure long term compliance, if necessary..
Ecological connectivity		
PO6 Development protects and enhances ecological connectivity and/or habitat extent.	AO6.1 Development retains native vegetation in areas large enough to maintain ecological values, functions and processes. and	Complies with AO6.1 The pool would be located within an existing cleared area and no further clearing would be required to facilitate the development.



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Performance outcomes	Acceptable outcomes	Compliance
	AO6.2 Development within an ecological corridor rehabilitates native vegetation. and	Complies with AO6.2 The pool would be located within an existing cleared area and no further clearing would be required to facilitate the development.
	AO6.3 Development within a conservation corridor mitigates adverse impacts on native fauna, feeding, nesting, breeding and roosting sites and native fauna movements.	Complies with AO6.3 The pool would be located within an existing cleared area and no further clearing would be required to facilitate the development.
P07 Development minimises disturbance to matters of state environmental significance (including existing ecological corridors).	AO7.1 Development avoids shading of vegetation by setting back buildings by a distance equivalent to the height of the native vegetation. and	Complies with AO7.1 The proposed development would be separated from existing vegetation, which would be located at a higher elevation than the proposed pool. There would be no opportunity for overshadowing of



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Performance outcomes	Acceptable outcomes	Compliance
		existing vegetation.
	AO7.2 Development does not encroach within 10 metres of existing riparian vegetation and watercourses.	Not applicable The site does not contain riparian vegetation.
Waterways in an urban area		
PO8 Development is set back from waterways to protect and maintain: (a) water quality;	AO8.1 Where a waterway is contained within an easement or a reserve required for that purpose, development does not occur within the easement or reserve; or	Not applicable The site does not contain a waterway.



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Performance outcomes	Acceptable outcomes	Compliance
(b) hydrological functions; (c) ecological processes; (d) biodiversity values; (e) riparian and in-stream habitat values and connectivity; (f) in-stream migration.	AO8.2 Development does not occur on the part of the site affected by the waterway corridor. Note – Waterway corridors are identified within 8.	Not applicable The site does not contain a waterway.
Waterways in a non-urban area		
PO9 Development is set back from waterways to protect and maintain: (a) water quality; (b) hydrological functions; (c) ecological processes;	AO9 Development does not occur on that part of the site affected by a waterway corridor. Note – Waterway corridors are identified within table 8.2.7.3.b.	Not applicable The site does not contain a waterway.



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Performance outcomes	Acceptable outcomes	Compliance
(d) biodiversity values; (e) riparian and in-stream habitat values and connectivity; (f) in-stream migration.		

8.2.7.3.a — Widths of waterway corridors for waterways

Waterways classification	Waterway corridor width
Waterways in Urban areas	10 metres measured perpendicular from the top of the high bank.
Waterways in Other areas	For a dwelling house, 10 metres measured perpendicular from the top of the high bank. For all other development, 20 metres measured perpendicular from the top of the high bank.



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9.4.4 Filling and excavation code

9.4.4.1 Application

- (1) This code applies to assessing:
 - (a) operational work for filling or excavation which is self-assessable or code assessable development if this code is an applicable code identified in the assessment criteria column of a table of assessment; or
 - (b) a material change of use or reconfiguring a lot if:
 - (i) assessable development where this code is identified as a prescribed secondary code in the assessment criteria column of a table of assessment; or
 - (ii) impact assessable development, to the extent relevant.

Note—This code does not apply to building work that is regulated under the Building Code of Australia.

- (2) When using this code, reference should be made to Part 5.

9.4.4.2 Purpose

- (1) The purpose of the Filling and excavation code is to assess the suitability of development for filling or excavation.
- (2) The purpose of the code will be achieved through the following overall outcomes:
 - (a) filling or excavation does not impact on the character or amenity of the site and surrounding areas;
 - (b) filling and excavation does not adversely impact on the environment;
 - (c) filling and excavation does not impact on water quality or drainage of upstream, downstream or adjoining properties;
 - (d) filling and excavation is designed to be fit for purpose and does not create land stability issues;
 - (e) filling and excavation works do not involve complex engineering solutions.



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9.4.4.3 Criteria for assessment

Table 9.4.4.3.a – Filling and excavation code – for self-assessable and assessable development

Performance outcomes	Acceptable outcomes	Compliance
For self-assessable and assessable development		
Filling and excavation - General		
PO1 All filling and excavation work does not create a detrimental impact on the slope stability, erosion potential or visual amenity of the site or the surrounding area.	AO1.1 The height of cut and/or fill, whether retained or not, does not exceed 2 metres in height. and Cuts in excess of those stated in A1.1 above are separated by benches/ terraces with a minimum width of 1.2 metres that incorporate drainage provisions and screen planting.	Not Applicable The pool would be on existing level ground and minimal backfill would be required as part of the development. No cuts are proposed.
	AO1.2 Cuts are supported by batters, retaining or rock walls and associated benches/terraces are	Not Applicable The pool would be on existing level ground and minimal backfill would be required as part of the



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Performance outcomes	Acceptable outcomes	Compliance
	capable of supporting mature vegetation.	development. No cuts are proposed.
	AO1.3 Cuts are screened from view by the siting of the building/structure, wherever possible.	Not Applicable The pool would be on existing level ground and minimal backfill would be required as part of the development. No cuts are proposed.
	AO1.4 Topsoil from the site is retained from cuttings and reused on benches/terraces.	Not Applicable The pool would be on existing level ground and minimal backfill would be required as part of the development. No cuts are proposed.
	AO1.5 No crest of any cut or toe of any fill, or any part of any retaining wall or structure is closer than 600mm to any boundary of the property, unless the prior written approval of the adjoining landowner has been obtained.	Not Applicable The pool would be on existing level ground and minimal backfill would be required as part of the development. No cuts are proposed.



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Performance outcomes	Acceptable outcomes	Compliance
	<p>AO1.6</p> <p>Non-retained cut and/or fill on slopes are stabilised and protected against scour and erosion by suitable measures, such as grassing, landscaping or other protective/aesthetic measures.</p>	<p>Not Applicable</p> <p>The pool would be on existing level ground and minimal backfill would be required as part of the development. No cuts are proposed.</p>
Visual Impact and Site Stability		
<p>PO2</p> <p>Filling and excavation are carried out in such a manner that the visual/scenic amenity of the area and the privacy and stability of adjoining properties is not compromised.</p>	<p>AO2.1</p> <p>The extent of filling and excavation does not exceed 40% of the site area, or 500m² whichever is the lesser, except that AO2.1 does not apply to reconfiguration of 5 lots or more.</p>	<p>Not Applicable</p> <p>The pool would be on existing level ground and minimal backfill would be required as part of the development. No cuts are proposed..</p>
	<p>AO2.2</p> <p>Filling and excavation does not occur within 2 metres of the site boundary.</p>	<p>Not Applicable</p> <p>The pool would be on existing level ground and minimal backfill would be required as part of the development. No cuts are proposed.</p>



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Performance outcomes	Acceptable outcomes	Compliance
Flooding and drainage		
PO3 Filling and excavation does not result in a change to the run off characteristics of a site which then have a detrimental impact on the site or nearby land or adjacent road reserves.	AO3.1 Filling and excavation does not result in the ponding of water on a site or adjacent land or road reserves.	Not Applicable The pool would be on existing level ground and minimal backfill would be required as part of the development. No cuts are proposed...
	AO3.2 Filling and excavation does not result in an increase in the flow of water across a site or any other land or road reserves.	Not Applicable The pool would be on existing level ground and minimal backfill would be required as part of the development. No cuts are proposed.
	AO3.3 Filling and excavation does not result in an increase in the volume of water or concentration of water in a watercourse and overland flow paths.	Not Applicable The pool would be on existing level ground and minimal backfill would be required as part of the development. No cuts are proposed.
	AO3.4	Not Applicable



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Performance outcomes	Acceptable outcomes	Compliance
	Filling and excavation complies with the specifications set out in Planning Scheme Policy No SC5 – FNQROC Development Manual.	The pool would be on existing level ground and minimal backfill would be required as part of the development. No cuts are proposed.
Water quality		
PO4 Filling and excavation does not result in a reduction of the water quality of receiving waters.	AO4 Water quality is maintained to comply with the specifications set out in Planning Scheme Policy No SC5 – FNQROC Development Manual.	Not Applicable The pool would be on existing level ground and minimal backfill would be required as part of the development. No cuts are proposed.
Infrastructure		
PO5 Excavation and filling does not impact on Public Utilities.	AO5 Excavation and filling is clear of the zone of influence of public utilities.	Not Applicable The pool would be on existing level ground and minimal backfill would be required as part of the development. No cuts are proposed..



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9.4.5 Infrastructure works code

9.4.5.1 Application

- (1) This code applies to assessing:
 - (a) operational work which requires an assessment as a condition of a development permit or is assessable development if this code is identified in the assessment criteria column of a table of assessment;
 - (b) a material change of use or reconfiguring a lot if:
 - (i) assessable development where this code is identified in the assessment criteria column of the table of assessment;
 - (ii) impact assessable development, to the extent relevant.

Note – The Filling and excavation code applies to operational work for filling and excavation.

- (2) When using this code, reference should be made to Part 5.

9.4.5.2 Purpose

- (1) The purpose of the Infrastructure works code is to ensure that development is safely and efficiently serviced by, and connected to, infrastructure.
- (2) The purpose of the code will be achieved through the following overall outcomes:
 - (a) the standards of water supply, waste water treatment and disposal, stormwater drainage, local electricity supply, telecommunications, footpaths and road construction meet the needs of development and are safe and efficient;
 - (b) development maintains high environmental standards;
 - (c) development is located, designed, constructed and managed to avoid or minimise impacts arising from altered stormwater quality or flow, wastewater discharge, and the creation of non-tidal artificial waterways;



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- (d) the integrity of existing infrastructure is maintained;
- (e) development does not detract from environmental values or the desired character and amenity of an area.

9.4.5.3 Criteria for assessment

Table 9.4.5.3.a – Filling and excavation code –assessable development

Performance outcomes	Acceptable outcomes	Compliance
For self-assessable and assessable development		
Works on a local government road		
PO1 Works on a local government road do not adversely impact on footpaths or existing infrastructure within the road verge and maintain the flow, safety and efficiency of pedestrians, cyclists and vehicles.	AO1.1 Footpaths/pathways are located in the road verge and are provided for the hierarchy of the road and located and designed and constructed in accordance with Planning scheme policy SC5 – FNQROC Regional Development Manual.	Not applicable No works are proposed on a local government road.
	AO1.2 Kerb ramp crossovers are constructed in accordance with Planning scheme policy SC 5 –	Not applicable No works are proposed on a local government



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Performance outcomes	Acceptable outcomes	Compliance
	FNQROC Regional Development Manual.	road.
	AO1.3 New pipes, cables, conduits or other similar infrastructure required to cross existing footpaths: (a) are installed via trenchless methods; or (b) where footpath infrastructure is removed to install infrastructure, the new section of footpath is installed to the standard detailed in the Planning scheme policy SC5 – FNQROC Regional Development Manual, and is not less than a 1.2 metre section.	Not applicable No works are proposed on a local government road.
	AO1.4 Where existing footpaths are damaged as a result of development, footpaths are reinstated ensuring: (a) similar surface finishes are used; (b) there is no change in level at joins of new	Not applicable No works are proposed on a local government road.



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Performance outcomes	Acceptable outcomes	Compliance
	and existing sections; (c) new sections are matched to existing in terms of dimension and reinforcement.	
	AO1.5 Decks, verandahs, stairs, posts and other structures located in the road reserve do not restrict or impede pedestrian movement on footpaths or change the level of the road verges.	Not applicable No works are proposed on a local government road.
Accessibility structures		
PO2 Development is designed to ensure it is accessible for people of all abilities and accessibility features do not impact on the efficient and safe use of footpaths. Note – Accessibility features are those features	AO2.1 Accessibility structures are not located within the road reserve.	Not applicable No works are proposed on a local government road.
	AO2.2 Accessibility structures are designed in	Not applicable No works are proposed on a local government



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Performance outcomes	Acceptable outcomes	Compliance
required to ensure access to premises is provided for people of all abilities and include ramps and lifts.	accordance with AS1428.3.	road.
	AO2.3 When retrofitting accessibility features in existing buildings, all structures and changes in grade are contained within the boundaries of the lot and not within the road reserve.	Not applicable No works are proposed on a local government road.
Water supply		
PO3 An adequate, safe and reliable supply of potable, fire fighting and general use water is provided.	AO3.1 The premises is connected to Council's reticulated water supply system in accordance with the Design Guidelines set out in Section D6 of the Planning scheme policy SC5 – FNQROC Regional Development Manual; or AO3.2	Able to comply with AO3.2 No changes to existing water supplies are proposed.



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Performance outcomes	Acceptable outcomes	Compliance
	Where a reticulated water supply system is not available to the premises, on site water storage tank/s with a minimum capacity of 10,000 litres of stored water, with a minimum 7,500 litre tank, with the balance from other sources (e.g. accessible swimming pool, dam etc.) and access to the tank/s for fire trucks is provided for each new house or other development. Tank/s are to be fitted with a 50mm ball valve with a camlock fitting and installed and connected prior to occupation of the house and sited to be visually unobtrusive.	
Treatment and disposal of effluent		
PO4 Provision is made for the treatment and disposal of effluent to ensure that there are no adverse impacts on water quality and no adverse ecological impacts as a result of the system or as a result of increasing the cumulative effect of	AO4.1 The site is connected to Council's sewerage system and the extension of or connection to the sewerage system is designed and constructed in accordance with the Design Guidelines set out in Section D7 of the Planning scheme policy SC5 –	Complies with AO4.1 No changes to the existing sewerage system is proposed.



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Performance outcomes	Acceptable outcomes	Compliance
systems in the locality.	<p>FNQROC Regional Development Manual;</p> <p>or</p> <p>AO4.2</p> <p>Where not in a sewerage scheme area, the proposed disposal system meets the requirements of Section 33 of the <i>Environmental Protection Policy (Water) 1997</i> and the proposed on site effluent disposal system is designed in accordance with the <i>Plumbing and Drainage Act (2002)</i>.</p>	
Stormwater quality		
<p>PO5</p> <p>Development is planned, designed, constructed and operated to avoid or minimise adverse impacts on stormwater quality in natural and developed catchments by:</p>	<p>AO5.1</p> <p>A connection is provided from the premises to Council's drainage system;</p> <p>or</p> <p>AO5.2</p>	<p>Complies with AO5.1</p> <p>All stormwater would be discharged to a lawful point of discharge.</p>



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Performance outcomes	Acceptable outcomes	Compliance
(a) achieving stormwater quality objectives; (b) protecting water environmental values; (c) maintaining waterway hydrology.	An underground drainage system is constructed to convey stormwater from the premises to Council's drainage system in accordance with the Design Guidelines set out in Sections D4 and D5 of the Planning scheme policy SC5 – FNQROC Regional Development Manual.	
	AO5.3 A stormwater quality management plan is prepared, and provides for achievable stormwater quality treatment measures meeting design objectives listed in Table 9.4.5.3.b and Table 9.4.5.3.c, reflecting land use constraints, such as: (a) erosive, dispersive and/or saline soil types; (b) landscape features (including landform); (c) acid sulfate soil and management of nutrients of concern; (d) rainfall erosivity.	Not Applicable This is not considered applicable to a small pool.



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Performance outcomes	Acceptable outcomes	Compliance
	AO5.4 Erosion and sediment control practices are designed, installed, constructed, monitored, maintained, and carried out in accordance with an erosion and sediment control plan.	Able to comply with AO5.4 Erosion and sediment control practices would be employed during the construction phase.
	AO5.5 Development incorporates stormwater flow control measures to achieve the design objectives set out in Table 9.4.5.3.b and Table 9.4.5.3.c, including management of frequent flows, peak flows, and construction phase hydrological impacts. Note – Planning scheme policy SC5 – FNQROC Regional Development Manual provides guidance on soil and water control measures to meet the requirements of the <i>Environmental Protection Act 1994</i> . Note – During construction phases of development, contractors and builders are to have consideration in	Not applicable No considered applicable to a small pool.



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Performance outcomes	Acceptable outcomes	Compliance
	their work methods and site preparation for their environmental duty to protect stormwater quality.	
Non-tidal artificial waterways		
PO6 Development involving non-tidal artificial waterways is planned, designed, constructed and operated to: <ul style="list-style-type: none"> (a) protect water environmental values; (b) be compatible with the land use constraints for the site for protecting water environmental values; (c) be compatible with existing tidal and non-tidal waterways; (d) perform a function in addition to stormwater management; 	AO6.1 Development involving non-tidal artificial waterways ensures: <ul style="list-style-type: none"> (a) environmental values in downstream waterways are protected; (b) any ground water recharge areas are not affected; (c) the location of the waterway incorporates low lying areas of the catchment connected to an existing waterway; (d) existing areas of ponded water are included. 	Not applicable No non-tidal artificial waterways are proposed.
	AO6.2	Not applicable



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Performance outcomes	Acceptable outcomes	Compliance
(e) achieve water quality objectives.	<p>Non-tidal artificial waterways are located:</p> <ul style="list-style-type: none"> (a) outside natural wetlands and any associated buffer areas; (b) to minimise disturbing soils or sediments; (c) to avoid altering the natural hydrologic regime in acid sulfate soil and nutrient hazardous areas. 	No non-tidal artificial waterways are proposed
	<p>AO6.3</p> <p>Non-tidal artificial waterways located adjacent to, or connected to a tidal waterway by means of a weir, lock, pumping system or similar ensures:</p> <ul style="list-style-type: none"> (a) there is sufficient flushing or a tidal range of >0.3 m; or (b) any tidal flow alteration does not adversely impact on the tidal waterway; or (c) there is no introduction of salt water into 	<p>Not applicable</p> <p>No non-tidal artificial waterways are proposed</p>



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Performance outcomes	Acceptable outcomes	Compliance
	freshwater environments.	
	<p>AO6.4</p> <p>Non-tidal artificial waterways are designed and managed for any of the following end-use purposes:</p> <ul style="list-style-type: none"> (a) amenity (including aesthetics), landscaping or recreation; or (b) flood management, in accordance with a drainage catchment management plan; or (c) stormwater harvesting plan as part of an integrated water cycle management plan; or (d) aquatic habitat. 	<p>Not applicable</p> <p>No non-tidal artificial waterways are proposed</p>
	<p>AO6.5</p> <p>The end-use purpose of the non-tidal artificial waterway is designed and operated in a way that protects water environmental values.</p>	<p>Not applicable</p> <p>No non-tidal artificial waterways are proposed</p>



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Performance outcomes	Acceptable outcomes	Compliance
	AO6.6 Monitoring and maintenance programs adaptively manage water quality to achieve relevant water quality objectives downstream of the waterway.	Not applicable No non-tidal artificial waterways are proposed
	AO6.7 Aquatic weeds are managed to achieve a low percentage of coverage of the water surface area, and pests and vectors are managed through design and maintenance.	Not applicable No non-tidal artificial waterways are proposed
Wastewater discharge		
PO7 Discharge of wastewater to waterways, or off site: (a) meets best practice environmental management; (b) is treated to:	AO7.1 A wastewater management plan is prepared and addresses: (a) wastewater type; (b) climatic conditions;	Not applicable No waste water would be discharged from the site.



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Performance outcomes	Acceptable outcomes	Compliance
<ul style="list-style-type: none"> (i) meet water quality objectives for its receiving waters; (ii) avoid adverse impact on ecosystem health or waterway health; (iii) maintain ecological processes, riparian vegetation and waterway integrity; (iv) offset impacts on high ecological value waters. 	<ul style="list-style-type: none"> (c) water quality objectives; (d) best practice environmental management. 	
	<p>A07.2</p> <p>The waste water management plan is managed in accordance with a waste management hierarchy that:</p> <ul style="list-style-type: none"> (a) avoids wastewater discharge to waterways; or (b) if wastewater discharge cannot practicably be avoided, minimises wastewater discharge to waterways by re-use, recycling, recovery and treatment for disposal to sewer, surface water and ground water. 	<p>Not applicable</p> <p>No waste water would be discharged from the site.</p>
	<p>A07.3</p> <p>Wastewater discharge is managed to avoid or minimise the release of nutrients of concern so as to minimise the occurrence, frequency and</p>	<p>Not applicable</p> <p>No waste water would be discharged from the site.</p>



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Performance outcomes	Acceptable outcomes	Compliance
	intensity of algal blooms.	
	<p>AO7.4</p> <p>Development in coastal catchments avoids or minimises and appropriately manages soil disturbance or altering natural hydrology and:</p> <p>(a) avoids lowering ground water levels where potential or actual acid sulfate soils are present;</p> <p>(b) manages wastewater so that:</p> <p>(i) the pH of any wastewater discharges is maintained between 6.5 and 8.5 to avoid mobilisation of acid, iron, aluminium and other metals;</p> <p>(ii) holding times of neutralised wastewater ensures the flocculation and removal of any dissolved iron prior to release;</p> <p>(iii) visible iron floc is not present in any</p>	<p>Not applicable</p> <p>No waste water would be discharged from the site.</p>



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Performance outcomes	Acceptable outcomes	Compliance
	<p>discharge;</p> <p>(iv) precipitated iron floc is contained and disposed of;</p> <p>(v) wastewater and precipitates that cannot be contained and treated for discharge on site are removed and disposed of through trade waste or another lawful method.</p>	
Electricity supply		
<p>PO8</p> <p>Development is provided with a source of power that will meet its energy needs.</p>	<p>AO8.1</p> <p>A connection is provided from the premises to the electricity distribution network;</p> <p>or</p> <p>AO8.2</p> <p>The premises is connected to the electricity distribution network in accordance with the Design Guidelines set out in Section D8 of the Planning</p>	<p>Complies with AO8.1</p> <p>The site is provided with an existing connection to the electricity supply.</p>



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Performance outcomes	Acceptable outcomes	Compliance
	<p>scheme policy SC5 – FNQROC Regional Development Manual.</p> <p>Note - Areas north of the Daintree River have a different standard.</p>	
	<p>AO9.1</p> <p>Pad-mount electricity infrastructure is:</p> <p>(a) not located in land for open space or sport and recreation purposes;</p> <p>(b) screened from view by landscaping or fencing;</p> <p>(c) accessible for maintenance.</p>	<p>Not applicable</p> <p>No pad-mount electricity is proposed.</p>
<p>PO9</p> <p>Development incorporating pad-mount electricity infrastructure does not cause an adverse impact on amenity.</p>	<p>AO9.2</p> <p>Pad-mount electricity infrastructure within a building, in a Town Centre is designed and located to enable an active street frontage.</p> <p>Note – Pad-mounts in buildings in activity centres</p>	<p>Not applicable</p> <p>No pad-mount electricity is proposed.</p>



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Performance outcomes	Acceptable outcomes	Compliance
	should not be located on the street frontage.	
Telecommunications		
PO10 Development is connected to a telecommunications service approved by the relevant telecommunication regulatory authority.	AO10 The development is connected to telecommunications infrastructure in accordance with the standards of the relevant regulatory authority.	Complies with AO10 The site has existing telecommunications connectivity.
PO11 Provision is made for future telecommunications services (e.g. fibre optic cable).	AO11 Conduits are provided in accordance with Planning scheme policy SC5 – FNQROC Regional Development Manual.	Not applicable The site has existing telecommunications connectivity.
Road construction		
PO12 The road to the frontage of the premises is	AO12.1 The road to the frontage of the site is constructed	Complies with AO12.1 De Meio Drive is an existing constructed and



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Performance outcomes	Acceptable outcomes	Compliance
<p>constructed to provide for the safe and efficient movement of:</p> <p>(a) pedestrians and cyclists to and from the site;</p> <p>(b) pedestrians and cyclists adjacent to the site;</p> <p>(c) vehicles on the road adjacent to the site;</p> <p>(d) vehicles to and from the site;</p> <p>(e) emergency vehicles.</p>	<p>in accordance with the Design Guidelines set out in Sections D1 and D3 of the Planning scheme policy SC5 – FNQROC Regional Development Manual, for the particular class of road, as identified in the road hierarchy.</p>	<p>Council maintained road.</p>
	<p>AO12.2</p> <p>There is existing road, kerb and channel for the full road frontage of the site.</p>	<p>Not applicable</p> <p>De Meio Drive is an existing constructed and Council maintained road.</p>
	<p>AO12.3</p> <p>Road access minimum clearances of 3.5 metres wide and 4.8 metres high are provided for the safe passage of emergency vehicles.</p>	<p>Complies with AO12.3</p> <p>De Meio Drive is an existing constructed and Council maintained road.</p>
Alterations and repairs to public utility services		
<p>PO13</p> <p>Infrastructure is integrated with, and efficiently</p>	<p>AO13</p> <p>Development is designed to allow for efficient</p>	<p>Not applicable</p> <p>No alterations are required to public utility</p>



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Performance outcomes	Acceptable outcomes	Compliance
extends, existing networks.	connection to existing infrastructure networks.	services.
PO14 Development and works do not affect the efficient functioning of public utility mains, services or installations.	AO14.1 Public utility mains, services and installations are not required to be altered or repaired as a result of the development; or AO14.2 Public utility mains, services and installations are altered or repaired in association with the works so that they continue to function and satisfy the relevant Design Guidelines set out in Section D8 of the Planning scheme policy SC5 – FNQROC Regional Development Manual.	Not applicable No alterations are required to public utility services
Construction management		
PO15	AO15	Able to comply with AO15



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Performance outcomes	Acceptable outcomes	Compliance
Work is undertaken in a manner which minimises adverse impacts on vegetation that is to be retained.	<p>Works include, at a minimum:</p> <ul style="list-style-type: none"> (a) installation of protective fencing around retained vegetation during construction; (b) erection of advisory signage; (c) no disturbance, due to earthworks or storage of plant, materials and equipment, of ground level and soils below the canopy of any retained vegetation; (d) removal from the site of all declared noxious weeds. 	All appropriate protection and signage would be installed during the construction stage in accordance with legislative requirements.
<p>PO16</p> <p>Existing infrastructure is not damaged by construction activities.</p>	<p>AO16</p> <p>Construction, alterations and any repairs to infrastructure is undertaken in accordance with the Planning scheme policy SC5 – FNQROC Regional Development Manual.</p> <p>Note - Construction, alterations and any repairs to State-controlled roads and rail corridors are undertaken</p>	<p>Not applicable</p> <p>It is not proposed to alter any existing infrastructure.</p>



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Performance outcomes	Acceptable outcomes	Compliance
	in accordance with the Transport Infrastructure Act 1994.	
For assessable development		
High speed telecommunication infrastructure		
PO17 Development provides infrastructure to facilitate the roll out of high speed telecommunications infrastructure.	AO17 No acceptable outcomes are prescribed.	Not applicable Not considered applicable to a small pool.
Trade waste		
PO18 Where relevant, the development is capable of providing for the storage, collection treatment and disposal of trade waste such that: (a) off-site releases of contaminants do not occur;	AO18 No acceptable outcomes are prescribed.	Not applicable No trade waste would be generated by the proposed development.



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Performance outcomes	Acceptable outcomes	Compliance
<p>(b) the health and safety of people and the environment are protected;</p> <p>(c) the performance of the wastewater system is not put at risk.</p>		
Fire services in developments accessed by common private title		
<p>PO19</p> <p>Hydrants are located in positions that will enable fire services to access water safely, effectively and efficiently.</p>	<p>AO19.1</p> <p>Residential streets and common access ways within a common private title places hydrants at intervals of no more than 120 metres and at each intersection. Hydrants may have a single outlet and be situated above or below ground.</p>	<p>Not applicable</p> <p>No common private title is proposed.</p>
	<p>AO19.2</p> <p>Commercial and industrial streets and access ways within a common private title serving commercial properties such as factories and warehouses and offices are provided with above</p>	<p>Not applicable</p> <p>No common private title is proposed.</p>



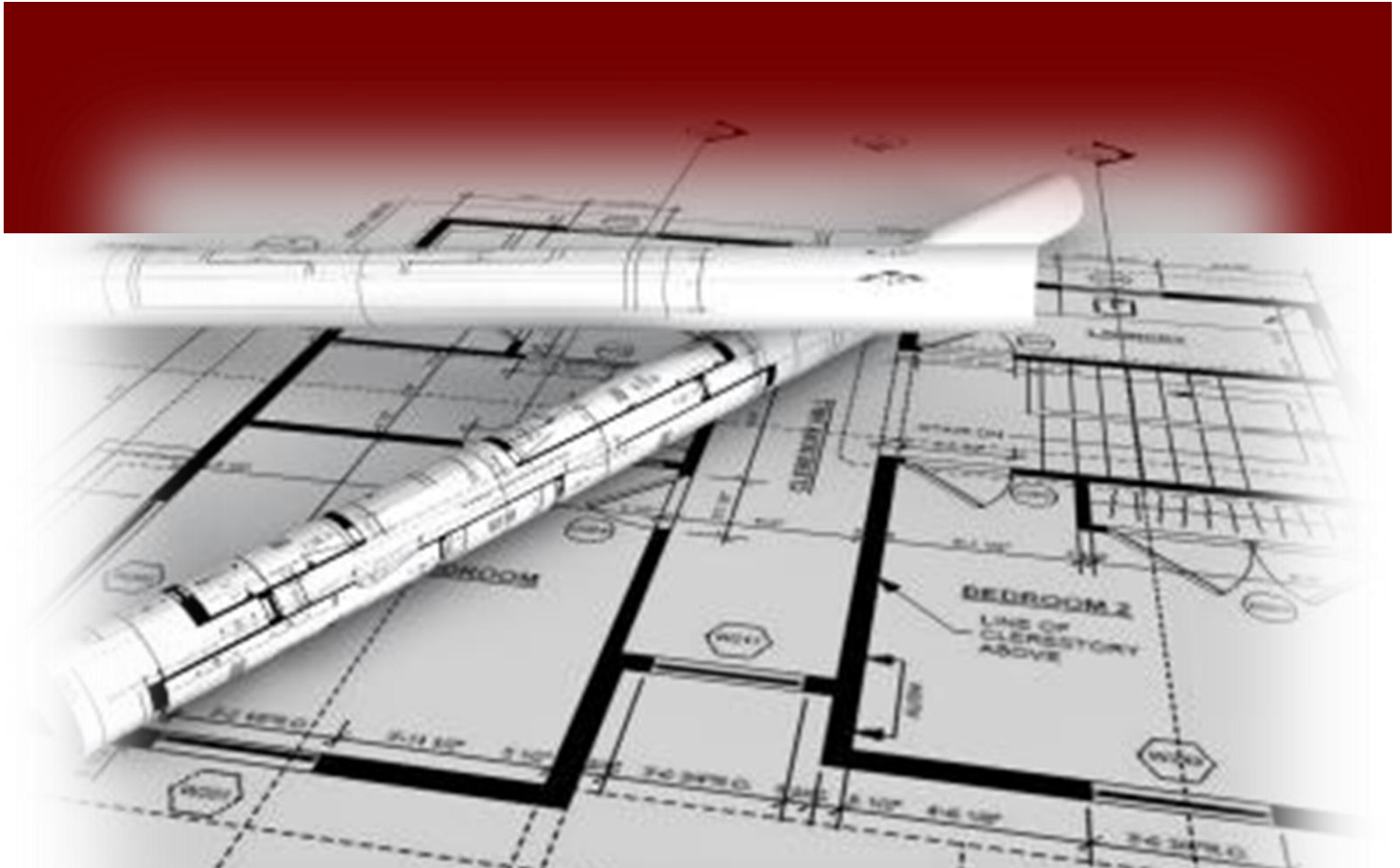
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Performance outcomes	Acceptable outcomes	Compliance
	or below ground fire hydrants located at not more than 90 metre intervals and at each intersection. Above ground fire hydrants have dual-valved outlets.	
PO20 Hydrants are suitable identified so that fire services can locate them at all hours. Note – Hydrants are identified as specified in the Department of Transport and Main Roads Technical Note: 'Identification of street hydrants for fire fighting purposes' available under 'Publications'.	AO20 No acceptable outcomes are prescribed.	Not applicable No common private title is proposed.



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