

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)	DMS Lamond Pty Ltd
Contact name (only applicable for companies)	Brooke Nikora
Postal address (P.O. Box or street address)	31 Turpentine Rd
Suburb	Diwan
State	QLD
Postcode	4873
Country	
Contact number	0451995726
Email address (non-mandatory)	Brooke.nikora@gmail.com
Mobile number (non-mandatory)	
Fax number (non-mandatory)	
Applicant's reference number(s) (if applicable)	

2) Owner's consent	
2.1) Is written consent of the owner required for this development application?	
☐ Yes – the written consent of the owner(s) is attached to this development application	
☒ 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
		31	Turpentine Rd	
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)
		176	RP739774	
b)	Unit No.	Street No.	Street Name and Type	Suburb
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)

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

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

- ☐ Coordinates of premises by longitude and latitude

Longitude(s)	Latitude(s)	Datum	Local Government Area(s) (if applicable)
		☐ WGS84 ☐ GDA94 ☐ Other:	

- ☐ Coordinates of premises by easting and northing

Easting(s)	Northing(s)	Zone Ref.	Datum	Local Government Area(s) (if applicable)
		☐ 54 ☐ 55 ☐ 56	☐ WGS84 ☐ GDA94 ☐ Other:	

3.3) Additional premises

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

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

- ☐ In or adjacent to a water body or watercourse or in or above an aquifer

Name of water body, watercourse or aquifer:

- ☐ On strategic port land under the *Transport Infrastructure Act 1994*

Lot on plan description of strategic port land:

Name of port authority for the lot:

- ☐ In a tidal area

Name of local government for the tidal area (if applicable):

Name of port authority for tidal area (if applicable):

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

Name of airport:

☐ Listed on the Environmental Management Register (EMR) under the <i>Environmental Protection Act 1994</i>
EMR site identification:
☐ Listed on the Contaminated Land Register (CLR) under the <i>Environmental Protection Act 1994</i>
CLR site identification:

5) Are there any existing easements over the premises?

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

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

PART 3 – DEVELOPMENT DETAILS

Section 1 – Aspects of development

6.1) Provide details about the first development aspect

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

- ☒ Material change of use ☐ Reconfiguring a lot ☐ Operational work ☐ Building work

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

- ☒ Development permit ☐ Preliminary approval ☐ Preliminary approval that includes a variation approval

c) What is the level of assessment?

- ☒ Code assessment ☐ Impact assessment *(requires public notification)*

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

Home Based Business (B&B)

e) Relevant plans

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

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

6.2) Provide details about the second development aspect

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

- ☐ Material change of use ☐ Reconfiguring a lot ☐ Operational work ☐ Building work

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

- ☐ Development permit ☐ Preliminary approval ☐ Preliminary approval that includes a variation approval

c) What is the level of assessment?

- ☐ Code assessment ☐ Impact assessment *(requires public notification)*

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

e) Relevant plans

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

- ☐ Relevant plans of the proposed development are attached to the development application

6.3) Additional aspects of development

- ☐ Additional aspects of development are relevant to this development application and the details for these aspects that would be required under Part 3 Section 1 of this form have been attached to this development application
- ☐ Not required

Section 2 – Further development details

7) Does the proposed development application involve any of the following?	
Material change of use	☐ Yes – complete division 1 if assessable against a local planning instrument
Reconfiguring a lot	☐ Yes – complete division 2
Operational work	☐ Yes – complete division 3
Building work	☐ Yes – complete DA Form 2 – Building work details

Division 1 – Material change of use

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

8.1) Describe the proposed material change of use			
Provide a general description of the proposed use	Provide the planning scheme definition (include each definition in a new row)	Number of dwelling units (if applicable)	Gross floor area (m ²) (if applicable)
8.2) Does the proposed use involve the use of existing buildings on the premises?			
☐ Yes			
☐ No			

Division 2 – Reconfiguring a lot

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

9.1) What is the total number of existing lots making up the premises?	
9.2) What is the nature of the lot reconfiguration? (tick all applicable boxes)	
☐ Subdivision (complete 10))	☐ Dividing land into parts by agreement (complete 11))
☐ Boundary realignment (complete 12))	☐ Creating or changing an easement giving access to a lot from a constructed road (complete 13))

10) Subdivision				
10.1) For this development, how many lots are being created and what is the intended use of those lots:				
Intended use of lots created	Residential	Commercial	Industrial	Other, please specify:
Number of lots created				
10.2) Will the subdivision be staged?				
☐ Yes – provide additional details below				
☐ No				
How many stages will the works include?				
What stage(s) will this development application apply to?				

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

12) Boundary realignment			
12.1) What are the current and proposed areas for each lot comprising the premises?			
Current lot		Proposed lot	
Lot on plan description	Area (m ²)	Lot on plan description	Area (m ²)
12.2) What is the reason for the boundary realignment?			

13) What are the dimensions and nature of any existing easements being changed and/or any proposed easement? (attach schedule if there are more than two easements)				
Existing or proposed?	Width (m)	Length (m)	Purpose of the easement? (e.g. pedestrian access)	Identify the land/lot(s) benefitted by the easement

Division 3 – Operational work

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

14.1) What is the nature of the operational work?	
☐ Road work ☐ Drainage work ☐ Landscaping ☐ Other – please specify:	☐ Stormwater ☒ Earthworks ☐ Signage ☐ Water infrastructure ☐ Sewage infrastructure ☐ Clearing vegetation
14.2) Is the operational work necessary to facilitate the creation of new lots? (e.g. subdivision)	
☐ Yes – specify number of new lots:	
☐ No	
14.3) What is the monetary value of the proposed operational work? (include GST, materials and labour)	
\$	

PART 4 – ASSESSMENT MANAGER DETAILS

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

PART 5 – REFERRAL DETAILS

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

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

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

☐ Heritage places – Local heritage places
Matters requiring referral to the Chief Executive of the distribution entity or transmission entity:
☐ Infrastructure-related referrals – Electricity infrastructure
Matters requiring referral to:
• 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
☐ Infrastructure-related referrals – Oil and gas infrastructure
Matters requiring referral to the Brisbane City Council:
☐ Ports – Brisbane core port land
Matters requiring referral to the Minister responsible for administering the <i>Transport Infrastructure Act 1994</i>:
☐ Ports – Brisbane core port land <i>(where inconsistent with the Brisbane port LUP for transport reasons)</i>
☐ Ports – Strategic port land
Matters requiring referral to the relevant port operator , if applicant is not port operator:
☐ 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:
☐ Ports – Land within limits of another port <i>(below high-water mark)</i>
Matters requiring referral to the Gold Coast Waterways Authority:
☐ 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:
☐ 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?		
☐ Yes – referral response(s) received and listed below are attached to this development application		
☐ No		
Referral requirement	Referral agency	Date of referral response
Identify and describe any changes made to the proposed development application that was the subject of the referral response and 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
☒ I agree to receive an information request if determined necessary for this development application
☐ I do not agree to accept an information request for this development application
Note: By not agreeing to accept an information request I, the applicant, acknowledge: • that this development application will be assessed and decided based on the information provided when making this development application and the assessment manager and any referral agencies relevant to the development application are not obligated under the DA Rules to accept any additional information provided by the applicant for the development application unless agreed to by the relevant parties • Part 3 of the DA Rules will still apply if the application is an application listed under section 11.3 of the DA Rules. Further advice about information requests is contained in the DA Forms Guide.

PART 7 – FURTHER DETAILS

20) Are there any associated development applications or current approvals? (e.g. a preliminary approval)

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

List of approval/development application references	Reference number	Date	Assessment manager
☐ Approval ☐ Development application			
☐ Approval ☐ Development application			

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

- ☐ Yes – a copy of the receipted QLeave form is attached to this development application
☐ No – I, the applicant will provide evidence that the portable long service leave levy has been paid before the assessment manager decides the development application. I acknowledge that the assessment manager may give a development approval only if I provide evidence that the portable long service leave levy has been paid
☒ Not applicable (e.g. building and construction work is less than \$150,000 excluding GST)

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

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

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

23) Further legislative requirements

Environmentally relevant activities

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

- ☐ Yes – the required attachment (form ESR/2015/1791) for an application for an environmental authority accompanies this development application, and details are provided in the table below
☒ No

Note: Application for an environmental authority can be found by searching “ESR/2015/1791” as a search term at www.qld.gov.au. An ERA requires an environmental authority to operate. See www.business.qld.gov.au for further information.

Proposed ERA number:		Proposed ERA threshold:	
Proposed ERA name:			

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

Hazardous chemical facilities

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

- ☐ Yes – Form 69: Notification of a facility exceeding 10% of schedule 15 threshold is attached to this development application
☐ No

Note: See www.business.qld.gov.au for further information about hazardous chemical notifications.

Clearing native vegetation

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

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

☒ No

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

Environmental offsets

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

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

☒ No

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

Koala habitat in SEQ Region

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

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

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

☒ No

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

Water resources

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

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

☒ No

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

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

Marine activities

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

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

☒ No

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

Quarry materials from a watercourse or lake

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

- ☐ Yes – I acknowledge that a quarry material allocation notice must be obtained prior to commencing development
☒ No

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

Quarry materials from land under tidal waters

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

- ☐ Yes – I acknowledge that a quarry material allocation notice must be obtained prior to commencing development
☒ No

Note: Contact the Department of Environment and Science at www.des.qld.gov.au for further information.

Referable dams

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

- ☐ Yes – the 'Notice Accepting a Failure Impact Assessment' from the chief executive administering the *Water Supply Act* is attached to this development application
☒ No

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

Tidal work or development within a coastal management district

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

- ☐ Yes – the following is included with this development application:
- ☐ Evidence the proposal meets the code for assessable development that is prescribed tidal work (*only required if application involves prescribed tidal work*)
 - ☐ A certificate of title
- ☒ No

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

Queensland and local heritage places

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

- ☐ Yes – details of the heritage place are provided in the table below
☒ No

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

Name of the heritage place:		Place ID:	
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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

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

☒ Yes

Relevant plans of the development are attached to this development application

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

☒ Yes

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

☐ Yes

☒ Not applicable

25) Applicant declaration

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

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

Note: It is unlawful to intentionally provide false or misleading information.

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

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

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

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

PART 9 – FOR 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	

Chief Executive Officer
Douglas Shire Council
64-66 Front Street
Mossman QLD 4873

6 October 2025

**Development Application for Home Based Business (B&B)
31 Turpentine Road, Diwan**

Attention: Planning Department

Please find attached a development application for a Material Change of Use (B&B) for 3x tourist cabins to be used for holiday accommodation at 31 Turpentine Rd, Diwan.

The land is within the Conservation Zone where a home based business is made code assessable by the 2018 Douglas Shire Planning Scheme. The site is also within Precinct 5 'Low Impact Rural Production precinct' of the Cape Tribulation and Daintree Coast Local Plan. The proposal is consistent with the planning intent for this local plan designation.

This application document includes the following components:

1. DA Form 1
2. Planning report
3. Statements addressing the relevant codes from the 2018 Douglas Shire Planning Scheme
4. Proposal plans

Council is invited to seek further information or impose reasonable and relevant conditions on a development permit. There are no infrastructure charges applicable to the Home based business use.

Regards

Brooke Nikora
DMS Lamond Pty Ltd

1.0 Proposal

The development application is for a Material Change of Use for a Home Based Business (B&B) It is proposed to develop a home based business for the purpose of tourist accommodation, at 31 Turpentine Road, Diwan. The Home Based Business is code assessable in the conservation zone and within Precinct 5 'Low Impact Rural Production and Tourism Enterprise Precinct'.

The proposal is inclusive of the development of three one bedroom visitor cabins. The cabins are proposed with a 40 square metre gross floor area (GFA) and each have an open deck of equal area attached. In order to provide adequate electricity demand for the cabins, an additional 6 x 6m shed is required to accommodate an upgraded battery bank power system which will provide a central power unit for the interpretive facility and house already approved and developed on the land. The cabins are required to be 40 square metres in GFA due to market conditions which have evolved over time. No further clearing is required to establish the cabins. Clearing was undertaken in the 1950's and the site was largely remediated from 1994 onwards as it was grazing land up until then.

Water is to be provided by individual tanks no less than 11,000 litres each at each cabin unit. Council may choose to condition this requirement.

On-site effluent disposal will be via a new land application system with a system sizing factor for three bedrooms. An onsite design has not occurred, however the site is not constrained by limited area. There is ample space for a system install and a condition is welcomed to have a system design prepared in accordance with the Queensland Wastewater Code.

Site access is already established via a bitumen driveway. Additional internal driveway and parking area is to be constructed.

Internal power trenching to the frontage of the property has existed for 20 years and will be utilised to connect the cabins to the new central battery storage building.

2.0 History

The site was cleared prior to 1950 and was used in conjunction with the surrounding 20 acre titles for cattle grazing. The site was issued with a development permit for a farm shed in 1993, an interpretive facility and dwelling house in 1998 and an additional storage shed. Among other lawful uses established on site, the existing buildings are reflective of those uses listed. The site was a bare grazing field split by a creek and a thin riparian corridor up until landscaping was implemented which included mounding and planting the boundaries and the implementation of a forestry plantation and orchard from 1994.

3.0 Site Characteristics

The site is a level 8 hectare allotment with more than 400 metres of frontage to Turpentine Road. It is bisected by an unnamed creek running through the middle which is supported by a riparian corridor.

4.0 Confirmation of No Referral Trigger

A review of Schedule 10 of the Planning Regulation 2017 has been undertaken and no referral triggers exist.

5.0 Code Assessment:

A home based business is code assessable in the Conservation Zone when in Precinct 5- Low Impact Rural Production and Tourism Enterprise precinct.

The application includes statements addressing all relevant codes from the 2018 Douglas Shire Planning Scheme.

5.1 Conservation Zone Code

See code responses below. The proposal complies with the benchmark.

5.2 Cape Tribulation and Daintree Coast Local Plan Code

See code responses below. The proposal complies with the benchmark.

5.3 Filling and Excavation Code

There is no filling and excavation other than for bored piers for building footings proposed.

5.4 Flood and Storm Tide Hazard Code

The code is applicable from the tables of assessment and overlay mapping, however, the code is not relevant given the site does not flood outside the banks of the bisecting creek. We have owned the property for 30 years and have creek flood heights marked on site from the largest rain event in the last 30 years being Cyclone Jasper. The creek did not break its banks in this event.

The site is circa 10m AHD and is not affected by storm tide inundation. No conditions are necessary for the proposed development in terms of flood, particularly as the cabins are on 900mm stumps.

5.5 Natural Areas Overlay Code

The code is applicable from the tables of assessment however the code is not relevant as there is no clearing proposed and the riparian corridor mapped is mapped in error covering areas which do not have any growth. For this reason, no code assessment is required, albeit that the proposal fully complies with the acceptable outcomes relevant.

6.0 Acid Sulfate Soils Overlay Code

The code is not applicable as the excavation threshold of 100 cubic metres is not met.

7.0 Conclusion

The proposed cabins are consistent with the planning intent for precinct 5 of the local plan, which is the code which prevails to the extent of inconsistency above the zone code. The planning scheme supports the establishment of low impact tourism in the locality and no planning concerns are raised by the proposal. Proposal plans are attached below.

8.0 Proposal Plans



Drawing: Site Plan

Drawing No. 010
Plan: 1 of 3

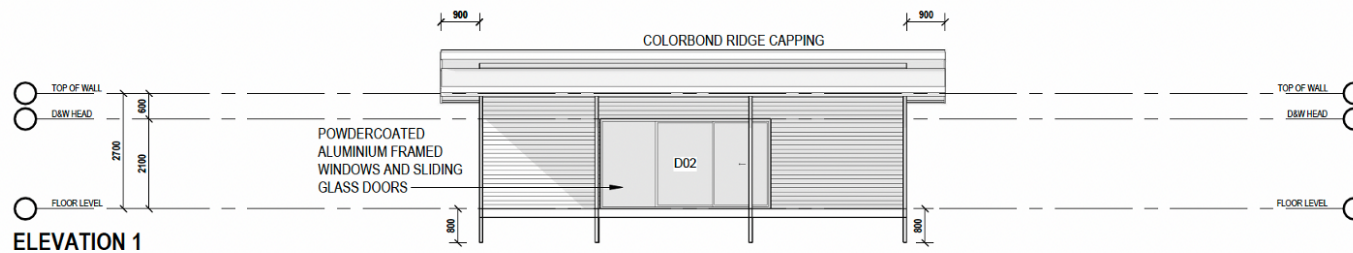
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1 October 2025

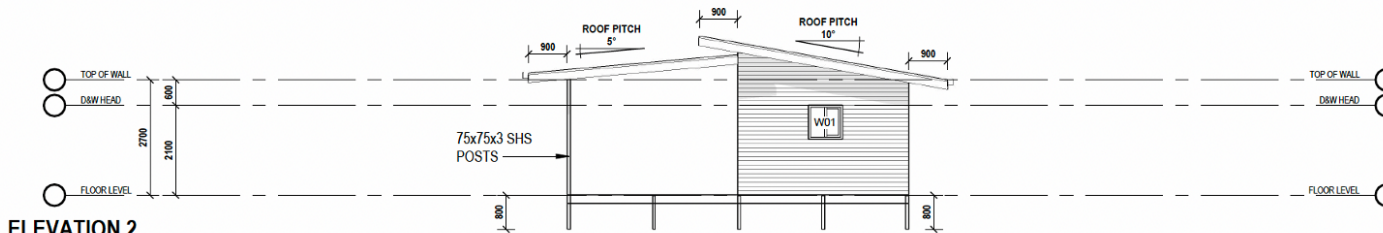


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 PO BOX 876 ATHONTON QLD 4883 33-35 ALBRECHT ST TOLGA INDUSTRIAL ESTATE, QLD, 4882 PH: 07 4095 4008 EMAIL: info@sshng.com.au WEB: www.superiorsteelhomesnq.com.au QBCC. 1097802					
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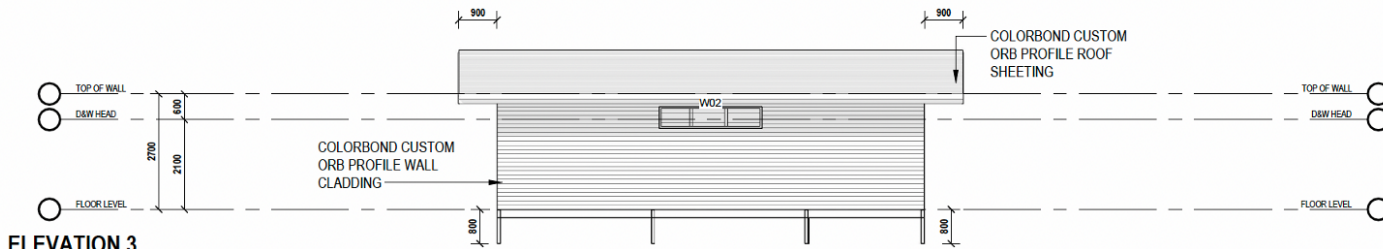
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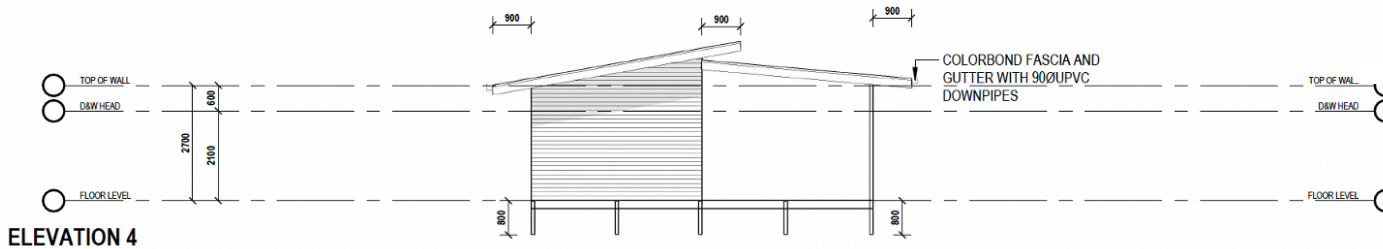
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ELEVATION 2



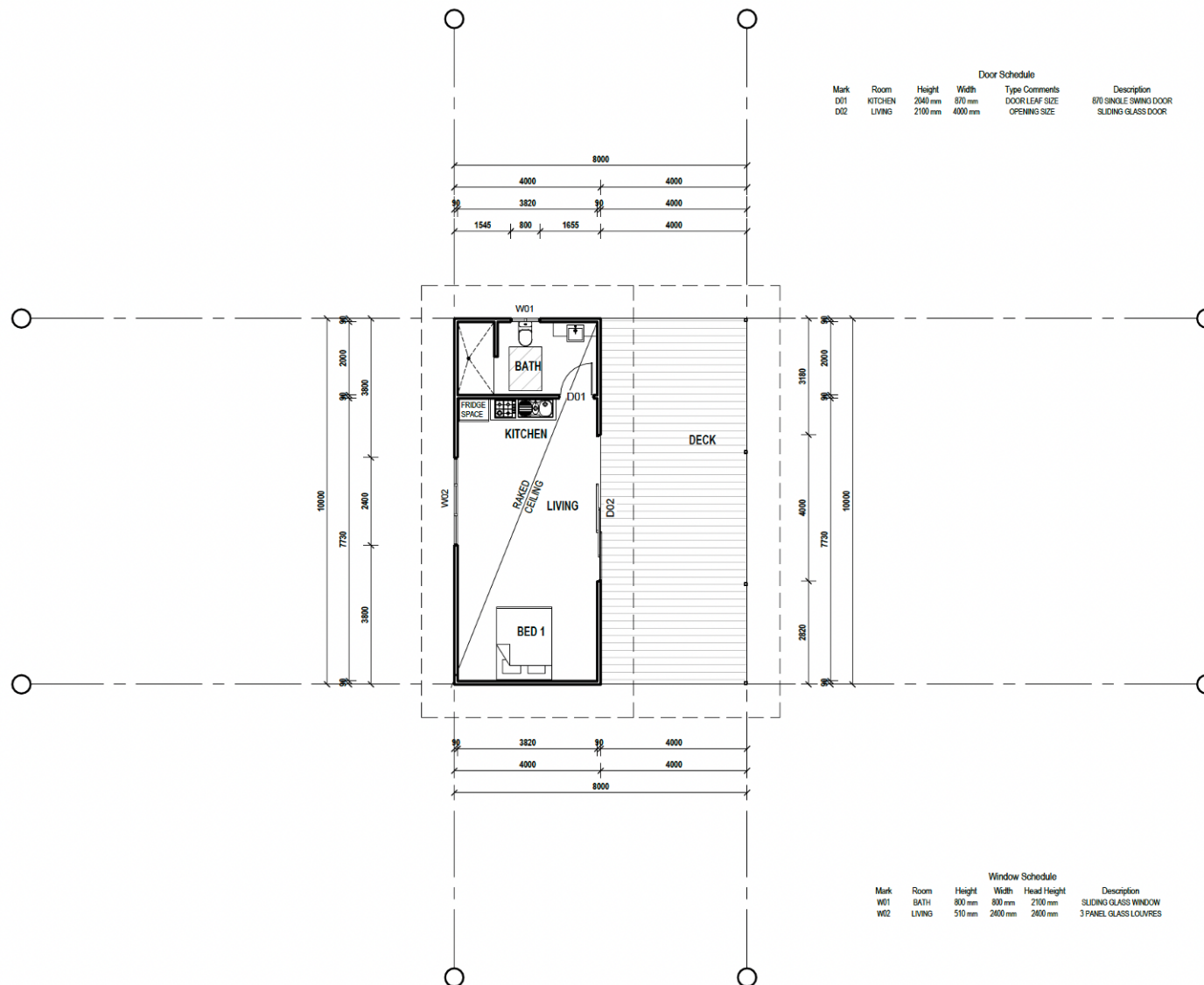
ELEVATION 3



ELEVATION 4

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Door Schedule					
Mark	Room	Height	Width	Type Comments	Description
D01	KITCHEN	2040 mm	870 mm	DOOR LEAF SIZE	Ø70 SINGLE SWING DOOR
D02	LIVING	2100 mm	4000 mm	OPENING SIZE	SLIDING GLASS DOOR



ELEVATION KEY

FLOOR AREAS LEGEND	
DECK	40.00 m²
LIVING	40.00 m²
	80.00 m²

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31 TURPENTINE ROAD			
DIWAN			
CLIENT			
PO BOX 876 QBCC. 1097802			
ATHERTON QLD 4883			
33-35 ALBRECHT ST			
TOLGA INDUSTRIAL ESTATE, QLD, 4882			
PH: 07 4095 4008			
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Conservation zone code

Application

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

Purpose

- (1) The purpose of the Conservation zone code is to provide for the protection, restoration and management of areas identified as supporting significant biological diversity and ecological integrity.
- (2) The local government purpose of the code is to:
 - (a) implement the policy direction set in the Strategic Framework, in particular:
 - (i) Theme 2 : Environmental and landscape values, Element 3.5.2 – Aboriginal cultural heritage values, Element 3.5.3 – Biodiversity, Element 3.5.3 – Coastal zones.
 - (ii) Theme 3 – Natural resource management, Element 3.6.2 – Land and catchment management.
 - (iii) Theme 4 – Strong communities and identity, Element 3.7.8 – Strengthening indigenous communities.
 - (b) conserve and maintain the integrity of biodiversity values, wildlife, habitats and other significant ecological assets and processes over time, across public and private lands.
- (3) The purpose of the code will be achieved through the following overall outcomes:
 - (a) Biological diversity, ecological integrity and scenic amenity are protected;
 - (b) Any recreational or other uses of areas that are in the control of the Crown, or the Council, such as reserves, national parks and the Wet Tropics World Heritage Area or areas adjacent to these areas, are consistent with the management plans of the controlling authority so that conservation and scenic values of these areas are not adversely affected;
 - (c) Any use of land in private ownership does not affect the environmental, habitat, conservation or scenic values of that land or surrounding area;
 - (d) Any low intensity facilities based on the appreciation of the natural environment or nature based recreation only establish where there is a demonstrated need and provided they have a minimal impact on the environmental and scenic amenity values of the site or surrounding area.
 - (e) The provisions of the Return to Country Local Plan facilitate economic and social opportunities on traditional Indigenous lands;
 - (f) Further lot reconfigurations other than amalgamations, boundary realignments to resolve encroachments, or for the practical needs of essential community infrastructure, or to facilitate Return to Country outcomes do not occur.

Assessment criteria

Table 0.a - Conservation zone – assessable development

Performance outcomes	Acceptable outcomes	Compliance commentary
For assessable development		
PO1 The establishment of uses is consistent with the outcomes sought for the Conservation zone and protects the zone from the intrusion of inconsistent uses.	A01 Uses identified in are not established in the Conservation zone.	Complies
PO2 The height of buildings is compatible with the character of the area and does not adversely affect the amenity of the area.	A02 Buildings and structures are not more than 8.5 metres in height and two storeys. Note - Height is inclusive of roof height.	Complies, the cabins are 4m tall and the battery system shed is to be 4m tall.
PO3 Development is setback from site boundaries so they are screened from view from the boundaries of adjoining properties and adjoining roads to maintain the scenic values of the area.	A03 Buildings and structures are setback not less than: (a) 40 metres from the frontage of a State-controlled road, existing or proposed arterial road, existing or proposed sub-arterial road, as identified on the Transport network overlay maps contained in Schedule 2; (b) 25 metres from Cape Tribulation Road frontage;	Complies, The closest cabin to the frontage boundary is 48 metres and 40 metres from the nearest side boundary.

Performance outcomes	Acceptable outcomes	Compliance commentary
	(c) 20 metres from any other road frontage (d) 10 metres from side and rear boundaries.	
PO4 The site coverage of all buildings and structures does not have an adverse effect on the conservation or scenic amenity values of the site and surrounding area and buildings are subservient to the natural environment.	A04 Development is sited in an existing cleared area or an area approved for clearing, but which is not yet cleared until a development permit to carry out Building Works is issued. Any clearing is limited to a maximum area of 700m ² and is sited clear of the high bank of any watercourse. Note – The 700m ² area of clearing does not include an access driveway.	Complies
PO5 Development is consistent with the overall outcomes sought for the Conservation zone.	A05 No acceptable outcomes are prescribed.	Complies. Any use of land in private ownership does not affect the environmental, habitat, conservation or scenic values of that land or surrounding area.
PO6 Development complements, and is subservient to the surrounding environment and is in keeping with the ecological, landscape and scenic values of the area.	A06 The exterior finishes and colours of all development are non-reflective and consist of colours that blend easily with	The applicant proposes to supply exterior colours for Council's endorsement prior to the issue of a development permit for building work and kindly requests that this be conditioned.

Performance outcomes	Acceptable outcomes	Compliance commentary
	surrounding native vegetation and view-shed.	
P07 Development is screened from view from adjoining roads and properties with a dense screen of endemic/native landscape which: (a) is informal in character and complementary to the existing natural environment; (b) provides screening; (c) enhances the visual appearance of the development. Note – Planning scheme policy – Landscaping provides further guidance on meeting the performance outcome.	A07.1 For any development, the balance area of the site not built upon, including all setback areas must be landscaped/revegetated with dense three tier, endemic planting which is maintained to ensure successful screening is achieved. A07.2 Endemic palm species, where used, are planted as informal accent features and not as avenues and not in a regular pattern.	Complies with AO, dense three tier planting on the boundaries was established more than 20 years ago and is established providing a high quality buffer. Note that additional internal screen planting is proposed to give the cabins adequate privacy from one another and to enhance the visitor experience. If Council wishes to impose a condition for a supplementary landscaping plan then this would be acceptable as a condition of approval.
P08 Development is complementary to the surrounding environment.	A08.1 Development harmonises with the surrounding environment, for example, through suspended, light-weight construction on sloping sites, which requires minimal excavation or fill. A08.2	Complies.

Performance outcomes	Acceptable outcomes	Compliance commentary
	A driveway or parking areas are constructed and maintained to: (a) minimise erosion, particularly in the wet season; (b) minimise cut and fill; (c) follow the natural contours of the site; (d) minimise vegetation clearing. AO8.3 Buildings and structures are erected on land not exceeding a maximum gradient of 1 in 6 (16.6%) or On land steeper than 1 in 6 (16.6%) gradient: (a) A split level building form is utilised; (b) A single plane concrete slab is not utilised; (c) Any voids between building and ground level, or between outdoor decks and ground level are screened from view using lattice/battens and/or landscaping.	Small gravel internal paths are prosed to access the cabins by vehicle. No specific conditions are necessary here. Driveways will allow vehicle access up to each cabin. Complies, the land is not sloping.

Performance outcomes	Acceptable outcomes	Compliance commentary
	and (d) is accompanied by a Geotechnical Report prepared by a qualified engineer at development application stage which includes certification that the site can be stabilised, followed by a certificate upon completion of works. AO8.4 Buildings and structures are sited below any ridgelines and are sited to avoid protrusion above the surrounding tree-level canopy.	
PO9 Development is located to: (a) protect the ecological values of the site and surrounding land; (b) maintain the scenic values of the area; (c) maintain appropriate setbacks to waterways, watercourses, wetlands, tidal areas and overland flow paths; (d) avoid areas that are vulnerable to natural hazards; (e) minimise to the greatest extent possible on site excavation and filling; (f) provide buffers to cultural, historical or ecological features;	AO9 No acceptable outcomes are prescribed.	Complies, the development of the three cabins and battery system shed is within existing cleared areas and is minimalistic in scale. No natural processes are affected and site enhancement through native landscaping is well underway.

Performance outcomes	Acceptable outcomes	Compliance commentary
(g) minimise visibility from external sites or public viewing points; (h) minimises to the greatest extent possible the loss of native vegetation and fauna habitat.		
PO10 Development does not result in adverse impacts on: (a) ecological function or features; (b) on-site or surrounding waterways and wetlands.	A010 No acceptable outcomes are prescribed.	Complies.
PO11 Rehabilitation of natural processes on disturbed sites is undertaken to improve the environmental integrity of the area.	A011 No acceptable outcomes are prescribed	Complies, additional landscaping is proposed between the cabins and within areas that the cabins have outlook toward. However, many other areas on the land have existing use rights, so PO11 will be complied with.
PO12 Fencing is designed to not impede the free movement of native fauna through the site.	A012 No acceptable outcomes are prescribed.	Complies, no fencing is proposed.
PO13 New lots contain a minimum lot size of 200 hectares, unless: (a) the lot reconfiguration results in no additional lots (e.g. amalgamation, boundary realignments); (b) the reconfiguration is limited to one additional lot to accommodate an existing or approved: (i) Telecommunications facility; (ii) Utility installation; (c) the lot reconfiguration facilitates and outcome consistent with the Return to Country local plan. Note – Boundary realignments must result in an improved environmental outcome or resolve encroachments.	A013 No acceptable outcomes are prescribed.	n/a



Local plan codes

Cape Tribulation and Daintree Coast local plan code

Criteria for assessment

Table 0.a – Cape Tribulation and Daintree Coast local plan – assessable development

All development in the Cape Tribulation and Daintree Coast local plan area		Compliance Commentary
PO1 Development does not result in a demand which exceeds the capacity of: (a) the Daintree River ferry crossing; (b) Alexandra Range Road; (c) the local road network.	AO1 No acceptable outcomes are prescribed.	Complies. Three tourist cabins will not create any considerable demand.
PO2 Development provides a suitable standard of self-sufficient service for: (a) potable water; (b) water for fire fighting purposes; (c) electricity supply.	AO2.1 Water storage is provided in tank/s with a minimum capacity to service the proposed use, including fire fighting capacity, and access to the tank/s for fire trucks. Tank/s are to be: (a) fitted with a 50mm ball valve and camlock fitting; (b) installed and connected prior to occupation; (c) sited so as to be visually unobtrusive. AO2.2 Water storage tanks are to be fitted with screening at their inlets to prevent the intrusion of leaves and insects. AO2.3 An environmentally acceptable and energy efficient power supply is constructed, installed and connected prior to occupation and sited so as to be screened from the road.	Will comply, a condition may be imposed and is invited. Three tanks are proposed for the three cabins each of minimum 11,000 litres. Will comply Proposed battery storage facility demonstrates compliance AO2.3
PO3 On-site waste water does not adversely impact on the environmental quality of the water	AO3 No acceptable outcomes are prescribed.	Will comply, a soil test and design report is being undertaken at present and will comply with the Queensland Wastewater Code. A condition is invited to have the report submitted to Council prior to

All development in the Cape Tribulation and Daintree Coast local plan area		Compliance Commentary
and soil resources or amenity of residents, through the implementation of best environmental practice.		the issue of a development permit for building work for endorsement.
PO4 The sustainability of the natural water resources of the area is protected for ecological and domestic consumption purposes.	AO4.1 If groundwater is to be used, development is limited to one bore per site and the bore is: not located within 100 metres of a septic disposal trench (on the site or adjoining sites); not located within 100 metres of another bore. AO4.2 Surface water is to be used for domestic purposes only.	Complies. Rainwater and storage tanks are proposed.
PO5 Development does not adversely impact on areas of sensitive natural vegetation, foreshore areas, watercourses and/or areas of tidal inundation.	AO5 No acceptable outcomes are prescribed.	Complies, no clearing is proposed.
PO6 Development is subservient to the surrounding natural environment in scale and intensity and is designed to be functional in a humid tropical rainforest environment.	AO6.1 The exterior finishes and colours of buildings are non-reflective and complement the colours of the surrounding vegetation and view shed. AO6.2 The noise of generators is controlled by design, or the generator is enclosed within a sound insulated building with a residential approved muffler. The noise level generated is less than 65 dBA when measured from a distance of 7 metres. AO6.3 Any fuel storage associated with an on-site generator, with storage of 20 litres or more of fuel, is enclosed with a building and provided with a bund.	Exterior colours have not been determined. Council is invited to condition that the external colour scheme be endorsed prior to the issue of a development permit for building work. Complies. Complies.
PO7	AO7.1 Landscaping complies with the requirements of Planning Scheme Policy 7 – Landscaping;	Will comply, Council may issue a condition to provide a landscaping plan.

All development in the Cape Tribulation and Daintree Coast local plan area		Compliance Commentary
Landscaping of the development ensures that the endemic character of the local area is dominant.	A07.2 All of the existing landscaping to be retained and all of the proposed landscaping is 100% endemic or native species and the details are provided on a landscape plan.	Complies
PO8 Site access driveways and roads within the local plan area are retained as safe, slow speed, scenic drives.	A08.1 Site access driveways and existing or proposed roads comply with the relevant requirements of Planning Scheme Policy 5 – FNQROC Development Manual and are maintained as low speed gravel roads to maintain the scenic drive experience and to discourage the use of roads by through-traffic; A08.2 Where existing roads/tracks are 4-wheel drive only, upgrading to facilitate conventional vehicles and an increase in through traffic does not occur.	Complies, access exists as per Council installation in 1994.
PO9 The on-site impacts on natural flow regimes and erosion and sedimentation are minimised.	A09.1 Filling and excavation is kept to a minimum and involves not more than 5% of the cleared area of the lot. A09.2 All exposed surfaces must incorporate erosion and sediment controls during construction and must be maintained until revegetation, or other permanent stabilisation, has occurred. A09.3 This is no disturbance to tree roots and trenching does not involve any damage to tree roots. A09.4 On-site drainage and stormwater management: (a) maintains natural flow regimes; (b) minimises impervious surfaces; (c) avoids concentration of flows, but where there is any form of concentration of flow, energy dissipation measures are installed at the outlet to avoid erosion (e.g. rock rip rap, gravel beds, diffusers etc.)	Complies Complies Complies Complies

Additional requirements for Precinct 5 – Low impact rural production and tourism enterprise precinct

All development in the Cape Tribulation and Daintree Coast local plan area		Compliance Commentary
PO25 Development complements, protects and enhances the environmental and scenic values of the site.	AO25.1 One dwelling house establishes per lot. AO25.2 Any other development is limited to existing cleared areas on the site. AO25.3 No development is to occur above the 60 metre contour line. AO25.4 Any new primary production activity or a change to a primary production activity has minimal impact on the existing natural values of the site and surrounding area.	Complies Complies Complies N/A
PO26 Large cleared or partially cleared sites are revegetated and rehabilitated in association with suitably small scale environmentally sustainable development.	AO26 The balance area of the development, including any existing area/s not identified for development is/are revegetated / rehabilitated in accordance with a landscape plan.	Areas of the land are covered by other uses, however, the immediate area affected by the cabins requires further landscaping which will occur as part of a landscaping plan.
PO27 Development is carried out in accordance with a site specific and development specific Environmental Management Plan. Note – Planning scheme policy SC6.4 – Environmental management plans provides further guidance on meeting the performance outcome.	AO27 No acceptable outcomes are prescribed.	Complies. The on-site effluent disposal design report is a management plan for wastewater. As there is no clearing, commercial or trade waste, noise or emissions being created by the cabins, no additional environmental management plans are necessary.

8.2.4 Flood and storm tide hazard overlay code

8.2.4.1 Application

- (1) This code applies to assessing a material change of use, reconfiguring a lot, operational work or building work within the Flood and storm tide hazard 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 Flood and storm tide hazard overlay is identified on the Flood and storm tide hazard overlay map in Schedule 2 and includes the:
 - (a) Storm tide – high hazard sub-category;
 - (b) Storm tide – medium hazard sub-category;
 - (c) Flood plain assessment sub-category;
 - (d) 100 ARI Mossman, Port Douglas and Daintree Township Flood Studies sub-category.
- (3) When using this code, reference should be made to Part 5.

Note - The Flood and storm tide hazards overlay maps contained in Schedule 2 identify areas (Flood and storm tide inundation areas) where flood and storm tide inundation modelling has been undertaken by the Council. Other areas not identified by the Flood and inundation hazards overlay maps contained in Schedule 2 may also be subject to the defined flood event or defined storm tide event.

8.2.4.2 Purpose

- (1) The purpose of the Flood and storm tide hazard 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 6 Infrastructure and transport: Element 3.9.2 Energy.
 - (b) enable an assessment of whether development is suitable on land within the Flood and storm tide hazard sub-categories.
- (2) The purpose of the code will be achieved through the following overall outcomes:
 - (a) development siting, layout and access responds to the risk of the natural hazard and minimises risk to personal safety;
 - (b) development achieves an acceptable or tolerable risk level, based on a fit for purpose risk assessment;
 - (c) the development is resilient to natural hazard events by ensuring siting and design accounts for the potential risks of natural hazards to property;
 - (d) the development supports, and does not unduly burden disaster management response or recovery capacity and capabilities;
 - (e) the development directly, indirectly and cumulatively avoids an unacceptable increase in severity of the natural hazards and does not significantly increase the potential for damage on site or to other properties;

- (f) the development avoids the release of hazardous materials as a result of a natural hazard event;
- (g) natural processes and the protective function of landforms and/or vegetation are maintained in natural hazard areas;
- (h) community infrastructure is located and designed to maintain the required level of functionality during and immediately after a hazard event.

Criteria for assessment

Table 8.2.4.3.a – Flood and storm tide hazards overlay code –assessable development

Performance outcomes	Acceptable outcomes	Applicant response
For self-assessable and assessable development		
PO1 Development is located and designed to: ensure the safety of all persons; minimise damage to the development and contents of buildings; provide suitable amenity; minimise disruption to residents, recovery time, and rebuilding or restoration costs after inundation events. Note – For assessable development within the flood plain assessment sub-category, a flood study by a suitably qualified professional is required to identify compliance with the intent of the acceptable outcome.	AO1.1 Development is sited on parts of the land that is not within the Flood and Storm tide hazards overlay maps contained in Schedule 2; or For dwelling houses, AO1.2 Development within the Flood and Storm Tide hazards overlay maps (excluding the Flood plain assessment sub-category) is designed to provide immunity to the Defined Inundation Event as outlined within plus a freeboard of 300mm.	Complies with AO1.2, the Q100 height is known on site and the finished floor levels are circa 3000mm higher with the cabins being 900mm above ground at their respective locations on site.

Performance outcomes	Acceptable outcomes	Applicant response
	AO1.3 New buildings are: (a) not located within the overlay area; (b) located on the highest part of the site to minimise entrance of flood waters; (c) provided with clear and direct pedestrian and vehicle evacuation routes off the site. AO1.4 In non urban areas, buildings and infrastructure are set back 50 metres from natural riparian corridors to maintain their natural function of reducing velocity of floodwaters.	The entire property is nominated within the overlay area, however this is considered a mapping area as the property is around 10m AHD and has never flooded outside the creek banks. There is no flood risk to the cabins in their locations and this is evidenced by the conflict with the planning scheme mapping which has an overlay on the site for flood hazard mapping and hillslopes overlay area mapping. These features cannot occur in the same location. The proposal complies with PO1, no people or property are remotely at risk.
For assessable development		
PO2 The development is compatible with the level of risk associated with the natural hazard.	AO2 The following uses are not located in land inundated by the Defined Flood Event (DFE) / Storm tide: (a) Retirement facility; (b) Community care facility; (c) Child care centre.	N/A
PO3 Development siting and layout responds to flooding potential and maintains personal safety	For Material change of use AO3.1 New buildings are: (a) not located within the overlay area; (b) located on the highest part of the site to minimise entrance of flood waters; (c) provided with clear and direct pedestrian and vehicle evacuation routes off the site. or AO3.2 The development incorporates an area on site that is at least 300mm above the highest known flood inundation level with sufficient space to accommodate the likely population of the development safely for a relatively short time until flash flooding subsides or people can be evacuated.	Complies with AO3.2, flood heights for the Q100 are known within the creek banks on site and are documented. The proposed development areas are well in excess of 300mm immune. Complies

Performance outcomes	Acceptable outcomes	Applicant response
	or AO3.3 Where involving an extension to an existing dwelling house that is situated below DFE /Storm tide, the maximum size of the extension does not exceed 70m² gross floor area. Note – If part of the site is outside the Hazard Overlay area, this is the preferred location of all buildings. For Reconfiguring a lot AO3.4 Additional lots: (a) are not located in the hazard overlay area; or (b) are demonstrated to be above the flood level identified for the site. Note - If part of the site is outside the Hazard Overlay area, this is the preferred location for all lots (excluding park or other open space and recreation lots). Note – Buildings subsequently developed on the lots will need to comply with the relevant building assessment provisions under the <i>Building Act 1975</i>. AO3.5 Road and/or pathway layout ensures residents are not physically isolated from adjacent flood free urban areas and provides a safe and clear evacuation route path: (a) by locating entry points into the reconfiguration above the flood level and avoiding culs-de-sac or other non-permeable layouts; and (b) by direct and simple routes to main carriageways. AO3.6 Signage is provided on site (regardless of whether the land is in public or private ownership) indicating the	N/A Complies

Performance outcomes	Acceptable outcomes	Applicant response
	position and path of all safe evacuation routes off the site and if the site contains, or is within 100m of a floodable waterway, hazard warning signage and depth indicators are also provided at key hazard points, such as at floodway crossings or entrances to low-lying reserves. or AO3.7 There is no intensification of residential uses within the flood affected areas on land situated below the DFE/Storm tide.	Complies

Performance outcomes	Acceptable outcomes	Applicant response
	For Material change of use (Residential uses) A03.8 The design and layout of buildings used for residential purposes minimise risk from flooding by providing: (a) parking and other low intensive, non-habitable uses at ground level; Note - The high-set 'Queenslander' style house is a resilient low-density housing solution in floodplain areas. Higher density residential development should ensure only non-habitable rooms (e.g. garages, laundries) are located on the ground floor.	Complies
PO4 Development is resilient to flood events by ensuring design and built form account for the potential risks of flooding.	For Material change of use (Non-residential uses) A04.2 Non residential buildings and structures allow for the flow through of flood waters on the ground floor. Note - Businesses should ensure that they have the necessary contingency plans in place to account for the potential need to relocate property prior to a flood event (e.g. allow enough time to transfer stock to the upstairs level of a building or off site). Note - The relevant building assessment provisions under the <i>Building Act 1975</i> apply to all building work within the Hazard Area and need to take into account the flood potential within the area. A04.3 Materials are stored on-site: (a) are those that are readily able to be moved in a flood event; (b) where capable of creating a safety hazard by being shifted by flood waters, are contained in order to minimise movement in times of flood. Notes - (a) Businesses should ensure that they have the necessary contingency plans in place to account for the potential need to relocate property prior to a flood event (e.g. allow enough time to transfer stock to the upstairs level of a building or off site). (b) Queensland Government Fact Sheet 'Repairing your House after a Flood' provides information about water resilient products and building techniques.	N/A Complies,
PO5 Development directly, indirectly and cumulatively avoids any increase in water flow velocity or flood level and does not increase the potential flood damage either on site or on other properties.	For Operational works A05.1 Works in urban areas associated with the proposed development do not involve: (a) any physical alteration to a watercourse or floodway including vegetation clearing; or	N/A

Performance outcomes	Acceptable outcomes	Applicant response
Note – Berms and mounds are considered to be an undesirable built form outcome and are not supported.	(b) a net increase in filling (including berms and mounds). AO5.2 Works (including buildings and earthworks) in non urban areas either: (a) do not involve a net increase in filling greater than 50m³; or (b) do not result in any reductions of on-site flood storage capacity and contain within the subject site any changes to depth/duration/velocity of flood waters; or (c) do not change flood characteristics outside the subject site in ways that result in: (i) loss of flood storage; (ii) loss of/changes to flow paths; (iii) acceleration or retardation of flows or any reduction in flood warning times elsewhere on the flood plain.	

Performance outcomes	Acceptable outcomes	Applicant response
	For Material change of use AO5.3 Where development is located in an area affected by DFE/Storm tide, a hydraulic and hydrology report, prepared by a suitably qualified professional, demonstrates that the development maintains the flood storage capacity on the subject site; and (a) does not increase the volume, velocity, concentration of flow path alignment of stormwater flow across sites upstream, downstream or in the general vicinity of the subject site; and (b) does not increase ponding on sites upstream, downstream or in the general vicinity of the subject site. For Material change of use and Reconfiguring a lot AO5.4 In non urban areas, buildings and infrastructure are set back 50 metres from natural riparian corridors to maintain their natural function of reducing velocity of floodwaters. Note – Fences and irrigation infrastructure (e.g. irrigation tape) in rural areas should be managed to minimise adverse the impacts that they may have on downstream properties in the event of a flood.	
PO6 Development avoids the release of hazardous materials into floodwaters.	For Material change of use AO6.1 Materials manufactured or stored on site are not hazardous or noxious, or comprise materials that may cause a detrimental effect on the environment if discharged in a flood event; or AO6.2 If a DFE level is adopted, structures used for the manufacture or storage of hazardous materials are: (a) located above the DFE level;	Complies, no hazardous materials to be stored on site.

Performance outcomes	Acceptable outcomes	Applicant response
	or (b) designed to prevent the intrusion of floodwaters. AO6.3 Infrastructure is designed and constructed to resist hydrostatic and hydrodynamic forces as a result of inundation by the DFE. AO6.4 If a flood level is not adopted, hazardous materials and their manufacturing equipment are located on the highest part of the site to enhance flood immunity and designed to prevent the intrusion of floodwaters. Note – Refer to <i>Work Health and Safety Act 2011</i> and associated Regulation and Guidelines, the <i>Environmental Protection Act 1994</i> and the relevant building assessment provisions under the <i>Building Act 1975</i> for requirements related to the manufacture and storage of hazardous materials.	
PO7 The development supports, and does not unduly burden, disaster management response or recovery capacity and capabilities.	AO7 Development does not: (a) increase the number of people calculated to be at risk of flooding; (b) increase the number of people likely to need evacuation; (c) shorten flood warning times; and (d) impact on the ability of traffic to use evacuation routes, or unreasonably increase traffic volumes on evacuation routes.	Complies
PO8 Development involving community infrastructure: (d) remains functional to serve community need during and immediately after a flood event; is designed, sited and operated to avoid adverse impacts on the community or environment due to impacts of flooding on infrastructure, facilities or access and egress routes; retains essential site access during a flood event; is able to remain functional even when other infrastructure or services may be compromised in a flood event.	AO8.1 The following uses are not located on land inundated during a DFE/Storm tide: (e) community residence; and (b) emergency services; and (c) residential care facility; and (d) utility installations involving water and sewerage treatment plants; and (e) storage of valuable records or items of historic or cultural significance (e.g. archives, museums, galleries, libraries). or	N/A

Performance outcomes	Acceptable outcomes	Applicant response
	AO8.2 The following uses are not located on land inundated during a 1% AEP flood event: (a) community and cultural facilities, including facilities where an education and care service under the Education and care Services National law (Queensland) is operated or child care service under the <i>Child Care Act 2002</i> is conducted, (b) community centres; (c) meeting halls; (d) galleries; (e) libraries.	N/A
	The following uses are not located on land inundated during a 0.5% AEP flood event. (a) emergency shelters; (b) police facilities; (c) sub stations; (d) water treatment plant	N/A
	The following uses are not located on land inundated during a 0.2% AEP flood event: (a) correctional facilities; (b) emergency services; (c) power stations; (d) major switch yards. and/or AO8.3 The following uses have direct access to low hazard evacuation routes as defined in : (a) community residence; and (b) emergency services; and (c) hospitals; and	N/A

Performance outcomes	Acceptable outcomes	Applicant response
	(d) residential care facility; and (e) sub stations; and (f) utility installations involving water and sewerage treatment plants. AO8.4 Any components of infrastructure that are likely to fail to function or may result in contamination when inundated by flood, such as electrical switch gear and motors, telecommunications connections, or water supply pipeline air valves are: (a) located above DFE/Storm tide or the highest known flood level for the site; (b) designed and constructed to exclude floodwater intrusion / infiltration. AO8.5 Infrastructure is designed and constructed to resist hydrostatic and hydrodynamic forces as a result of inundation by a flood.	N/A N/A

9.3.11 Home based business code

9.3.11.1 Application

- (1) This code applies to assessing development for Home based business if:
 - (a) assessable development where the code is an applicable code identified in the assessment criteria column of a table of assessment; or
 - (b) impact assessable development.
- (2) When using this code, reference should be made to Part 5.

Note – Home based business excludes:

- Legitimate homestay arrangements organised by the Department of Education of up to 2 students, where accommodation is provided by a host family in their own dwelling to local or overseas students studying or training at an Australian educational establishment.
- Legitimate telecommuting (where an employee of an off-site business or organisation works from their dwelling and conducts work-related activities and communications electronically).

Note – Home based business includes:

- Bed and breakfast is the sub-ordinate use of a dwelling providing tourist and visitor short-stay accommodation. Bed and breakfast facilities are operated and maintained by the resident host of the dwelling and guests are generally provided with breakfast. A bed and breakfast does not include short term accommodation or rooming accommodation.
- Dog-day care facility for the residential care of, feeding and exercising of pets, excluding overnight boarding and does not include animal keeping.
- Home based child care is a home-based service providing care for a small group of children within a private dwelling. Home based child care does not include the care of children in the child's own home or care by relatives.
- Home based swimming tuition where involving a domestic sized swimming pool (i.e. – not purpose built for commercial use) and not involving the training of more than 3 non-resident children at any one time.

Note – For a proposal to be self –assessable, it must meet all the self- assessable outcomes of this code and any other applicable code. Where it does not meet all self-assessable outcomes, the proposal becomes assessable development and a development application is required. Where a development application is triggered, only the specific acceptable outcomes that the proposal fails to meet need to be assessed against the corresponding performance outcomes. Other self-assessable outcomes are that are met are not assessed as part of the development application.

9.3.11.2 Purpose

- (1) The purpose of the Home based business code is to assess the suitability of development to which this code applies.
- (2) The purpose of the code will be achieved through the following overall outcomes:
 - (a) home based business activities are a small-scale business operating in association with the primary use of the dwelling without compromising the safety of, and amenity enjoyed by adjoining and nearby residents;
 - (b) home based businesses are:
 - (i) a small component of a dwelling;
 - (ii) operated by occupiers of the dwelling;
 - (iii) unobtrusive in nature and operation.
 - (c) The operation of a home based business:
 - (i) is conducted at times suited to a residential environment;
 - (ii) minimises adverse impacts on privacy and amenity of adjoining residential premises;
 - (iii) does not involve the repairing or maintaining of motor vehicles or boats;
 - (iv) does not involve the storage of dangerous goods;
 - (v) does not produce trade waste
 - (vi) does not involve the display of goods;
 - (vii) generates minimal visitor volumes, and generally on an appointment basis only;
 - (ix) generates vehicle types and volumes no greater than reasonably expected in a residential setting.

Table 9.3.11.3.a- Home based business code- assessable development

Performance outcomes	Acceptable outcomes	Applicant response
For self-assessable and assessable development		
PO1 The use: (a) is associated with a dwelling that is being used as a private residence; (b) is low-key in terms of scale, operating characteristics and the number of nonresident employees; (c) does not adversely impact on nearby residential amenity; (d) is compatible with domestic scale infrastructure.	AO1.1 The use is located within a dwelling unit or a domestic outbuilding and uses no more than 75m2 of gross floor area or 30% of the total floor area of the dwelling, whichever is the lesser. Note – Bed and breakfast, home based child care, a dog day care facility or home based swimming tuition may include use of the rest of the site (i.e. these uses are not restricted to operating within an enclosed structure). AO1.2 The use is conducted by a resident or residents of the premises and: (a) in a dwelling house has a maximum of 1 nonresident employee on site at any one time; (b) in a dual occupancy or multiple dwelling, has no other non-resident employees. AO1.3 The use does not: (a) involve the public display of goods or materials; (b) include hiring goods or equipment from the site; (c) impose an adverse load on utility infrastructure in comparison to normal domestic use of the premises; (d) involve more than 8 separate client visits per day. AO1.4 The home based business is conducted between the hours of 8.00am to 8.00pm Monday to Saturday (excluding public holidays), except where the home based business comprises office activities such	AO1.1- not applicable, see AO3.4 for compliance. AO1.2 complies AO1.3 complies AO1.4 not applicable

Performance outcomes	Acceptable outcomes	Applicant response
	as book-keeping or computer work. These hours include delivery vehicles. AO1.5 Not more than one vehicle associated with the use is parked, on or adjacent, to the premises and such vehicle does not exceed a capacity of 2.5 t (including delivery vehicles). AO1.6 Signage is limited to one non-illuminated sign: (a) no greater than 1.0 metre in length and 0.3 metres in width; (b) no higher than 1.5 metres in height; (c) displaying the occupier's name, business and contact details only. AO1.7 The home based business does not generate noise that is clearly audible and creates a disturbance with nearby sensitive land uses. AO1.8 The home based business: (a) has a source of power not exceeding a total connect load of 2.0kW; (b) places a demand on reticulated water supply of not more than 3L per day per m2 of the floor area related to the business; (c) does not involve the discharge of trade waste. AO1.9 The home based business does not store or use flammable and combustible liquids on site in amounts that exceed what is permitted for a residential dwelling under AS 1940-2004 The storage and handling of flammable and combustible liquids.	AO1.5 complies. AO1.6 complies- no signage proposed. AO1.7 complies, no noise generated. AO1.8 (a) does not comply, the use will generate a demand of around 10kw with an air con in each cabin and a fridge. This is commonplace for holiday accommodation and it appears the code is not reflective of realistic energy load for modern day establishments. The use is compliant with PO1 as it: (a) is associated with a dwelling that is being used as a private residence; (b) is low-key in terms of scale, operating characteristics and the number of non-resident employees being none; (c) does not adversely impact on nearby residential amenity as the land is large and has established boundary plantings and 40+ metre boundary setbacks; (d) is compatible with domestic scale infrastructure- in particular, domestic scale infrastructure in the Daintree where there is no power grid, so all residences must have a stand alone alternative energy battery bank of

Performance outcomes	Acceptable outcomes	Applicant response
		a reasonable scale. Most domestic house battery systems in the Daintree are between 5 and 15kw.
PO2 The home based business is conducted such that buildings on the site retain a residential appearance and character.	AO2 The external appearance and character of the dwelling is not modified to accommodate the home based business.	AO2 not relevant as AO3.4 is compliant and is the relevant benchmark.
If for Bed and Breakfast- additional requirements		
PO3 In the case of bed and breakfast accommodation, the accommodation remains ancillary to the primary residential use.	AO3.1 In 'Urban areas', no more than 2 bedrooms (a maximum of 4 bed spaces) and optional ensuites within a dwelling are used for bed and breakfast accommodation. AO3.2 In 'Urban areas', no kitchen or cooking facilities, with the exception of those located within the existing dwelling on site are provided in association with the bed and breakfast. AO3.3 In 'Other areas', no more than 4 bedrooms (a maximum of 8 bed spaces) and optional ensuites are used for bed and breakfast accommodation. AO3.4 In 'Other areas', bed and breakfast accommodation can be located in a maximum of 4 separate buildings to the existing house, provided that each building is a maximum of 50m2 (inclusive of verandahs / patios etc.) and located within 50 metres of the existing house and on the same lot.	AO3.3 complies, the proposal is for 3x one bedroom cabins. AO3.4 complies in part, the proposal is for only three separate buildings for B&B accommodation. However, the footprint id proposed at 80m2 to meet market standards for high quality accommodation and is sited on areas of the land which are cleared but are

Performance outcomes	Acceptable outcomes	Applicant response
	AO3.5 In 'Other areas', no kitchen or cooking facilities, with the exception of those located within the existing dwelling on site are provided in association with the bed and breakfast. AO3.6 In areas north of the Daintree River, the maximum number of bed spaces is set out in the Cape Tribulation and Daintree Coast local plan, with all other provisions for 'Other areas' set out above in AO3.4 and AO3.5 herein, being applicable.	around 120 metres from the main dwelling on site. This is because the proposal is not to clear any vegetation and provide privacy for guests. The proposal still complies with PO3 because the accommodation still remains ancillary to the primary residential use by being within walking distance but makes use of the large land parcel and its existing opportunities and constraints being cleared patches and level ground. The closed cleared areas to the primary dwelling are nominated for car parking hardstand for the interpretive facility on the land so this area cannot be taken up. AO3.5 is not complied with, the cabins include their own small kitchenette for basic meal prep but this is not a proper kitchen. To meet market expectations, and to accommodate the lack of food and beverage providers in the Daintree area, it is critical that this is provided. The proposal still complies with PO3 as the accommodation remains ancillary to the primary residential use of the land because individual meal prep does not change the use of the cabins by any way substantially. AO3.6 complies
PO4 Guests are accommodated for short-stay and the dwelling is not the usual residence of the guest.	AO4 Development involves guests staying a maximum of 14 consecutive nights.	AO4 complies
PO5 If outside a sewerage area, development ensures that effluent disposal and treatment minimise odour and impacts on the natural environment. AO5 Development provides an on-site effluent treatment system that is adequately sized to effectively treat effluent from the dwelling house and any additional persons occupying the premises as guests.	AO5 Development provides an on-site effluent treatment system that is adequately sized to effectively treat effluent from the dwelling house and any additional persons occupying the premises as guests.	AO5 can be conditioned to comply so that prior to the issue of a development permit for building work, a wastewater system design must be endorsed by Council.