

**From:** Johnathan Burns  
**Sent:** 7 May 2019 19:15:46 +1000  
**To:** Planning (Shared)  
**Subject:** ROL Application 106 Bryde Rd Mareeba - RAL/19/0008  
**Attachments:** 1RP747548 Title.pdf, DAForm1-Developmentapplicationdetails.docx, Venturato ROL Owners Consent.pdf, Venturato ROL Application APPENDIX 2.pdf, Venturato ROL application.pdf

Please find attached the required forms and supporting information for an ROL (1 into 2) development application over land at 106 Bryde Road, Mareeba.

Should you require any additional information, please don't hesitate to contact Scope Town Planning on 0450 781 841 or via [scopetownplanning@gmail.com](mailto:scopetownplanning@gmail.com)

Regards

**Johnathan Burns**

**SCOPE TOWN PLANNING**

# CURRENT TITLE SEARCH

## NATURAL RESOURCES, MINES AND ENERGY, QUEENSLAND

Request No: 31091540

Search Date: 27/04/2019 13:31

Title Reference: 21393216

Date Created: 22/03/1989

Previous Title: 21029245

### REGISTERED OWNER

Dealing No: 714950387 22/02/2013

WADE MARK VENTURATO

### ESTATE AND LAND

Estate in Fee Simple

LOT 1 REGISTERED PLAN 747548  
Local Government: MAREEBA

### EASEMENTS, ENCUMBRANCES AND INTERESTS

1. Rights and interests reserved to the Crown by  
Deed of Grant No. 20449211 (POR 144)
2. EASEMENT No 601420621 (T461450D) 22/01/1990  
BENEFITING THE LAND  
OVER EASEMENT A ON RP727824
3. MORTGAGE No 714950388 22/02/2013 at 13:35  
COMMONWEALTH BANK OF AUSTRALIA A.B.N. 48 123 123 124

ADMINISTRATIVE ADVICES - NIL

UNREGISTERED DEALINGS - NIL

### CERTIFICATE OF TITLE ISSUED - No

Caution - Charges do not necessarily appear in order of priority

\*\* End of Current Title Search \*\*

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Requested By: D-ENQ PROPERTY & TITLE SEARCH

# DA Form 1 – Development application details

**Approved form (version 1.1 effective 22 JUNE 2018) made under section 282 of the Planning Act 2016.**

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

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

For a development application involving **building work associated with any other type of assessable development (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)	Scope Town Planning on behalf of the Land Owner
Contact name (only applicable for companies)	Johnathan Burns
Postal address (P.O. Box or street address)	8 Jacana Close
Suburb	Mareeba
State	Qld.
Postcode	4880
Country	Australia
Contact number	0450781841
Email address (non-mandatory)	<a href="mailto:scopetownplanning@gmail.com">scopetownplanning@gmail.com</a>
Mobile number (non-mandatory)	
Fax number (non-mandatory)	
Applicant's reference number(s) (if applicable)	19003

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

## PART 2 – LOCATION DETAILS

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

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

#### 3.1) Street address and lot on plan

☒ Street address **AND** lot on plan (all lots must be listed), **or**

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

a)	Unit No.	Street No.	Street Name and Type	Suburb
		106	Bryde Road	Mareeba
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)
	4880	1	RP747548	Mareeba 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)	Latitude(s)	Datum	Local Government Area(s) (if applicable)
		<input type="checkbox"/> WGS84 <input type="checkbox"/> GDA94 <input type="checkbox"/> Other:	

☐ Coordinates of premises by easting and northing

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

#### 3.3) Additional premises

☐ Additional premises are relevant to this development application and their details have been attached in a schedule to this application

☒ Not required

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

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

Name of water body, watercourse or aquifer:

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

Lot on plan description of strategic port land:

Name of port authority for the lot:

☐ In a tidal area

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

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

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

Name of airport:

<input type="checkbox"/> Listed on the Environmental Management Register (EMR) under the <i>Environmental Protection Act 1994</i>	
EMR site identification:	
<input type="checkbox"/> Listed on the Contaminated Land Register (CLR) under the <i>Environmental Protection Act 1994</i>	
CLR site identification:	

#### 5) Are there any existing easements over the premises?

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

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

## PART 3 – DEVELOPMENT DETAILS

### Section 1 – Aspects of development

#### 6.1) Provide details about the first development aspect

a) What is the type of development? *(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):*

ROL 1 into 2

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

### Division 1 – Material change of use

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

#### 8.1) Describe the proposed material change of use

Provide a general description of the proposed use	Provide the planning scheme definition (include each definition in a new row)	Number of dwelling units (if applicable)	Gross floor area (m <sup>2</sup> ) (if applicable)

#### 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?

1

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

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

### 10) Subdivision

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

Intended use of lots created	Residential	Commercial	Industrial	Other, please specify:
Number of lots created	2			

#### 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 <sup>2</sup> )	Lot on plan description	Area (m <sup>2</sup> )

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: <table border="1" style="display: inline-table; width: 300px; height: 20px;"></table> |                                     |  |

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

Mareeba Shire Council

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

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

## PART 5 – REFERRAL DETAILS

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

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

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

#### Matters requiring referral to the **Chief Executive of the Planning Regulation 2017:**

- ☐ Clearing native vegetation
- ☐ Contaminated land (*unexploded ordnance*)
- ☐ 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
- ☐ Queensland heritage place (*on or near a Queensland heritage place*)
- ☐ Infrastructure – designated premises
- ☐ Infrastructure – state transport infrastructure
- ☐ Infrastructure – state transport corridors and future state transport corridors
- ☐ Infrastructure – state-controlled transport tunnels and future state-controlled transport tunnels
- ☐ Infrastructure – near a state-controlled road intersection
- ☐ On Brisbane core port land near a State transport corridor or future State transport corridor
- ☐ On Brisbane core port land – ERA
- ☐ On Brisbane core port land – tidal works or work in a coastal management district
- ☐ On Brisbane core port land – hazardous chemical facility
- ☐ On Brisbane core port land – taking or interfering with water
- ☐ On Brisbane core port land – referable dams
- ☐ On Brisbane core port land - fisheries
- ☐ Land within Port of Brisbane's port limits
- ☐ 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 – construction of new levees or modification of existing 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*)
- ☐ Local heritage places



Matters requiring referral to the <b>chief executive of the distribution entity or transmission entity</b> : <input type="checkbox"/> Electricity infrastructure
Matters requiring referral to: <ul style="list-style-type: none"> <li>• The <b>Chief executive of the holder of the licence</b>, if not an individual</li> <li>• The <b>holder of the licence</b>, if the holder of the licence is an individual</li> </ul> <input type="checkbox"/> Oil and gas infrastructure
Matters requiring referral to the <b>Brisbane City Council</b> : <input type="checkbox"/> Brisbane core port land
Matters requiring referral to the <b>Minister under the Transport Infrastructure Act 1994</b> : <input type="checkbox"/> Brisbane core port land (inconsistent with Brisbane port LUP for transport reasons) <input type="checkbox"/> Strategic port land
Matters requiring referral to the <b>relevant port operator</b> : <input type="checkbox"/> Land within Port of Brisbane's port limits (below high-water mark)
Matters requiring referral to the <b>Chief Executive of the relevant port authority</b> : <input type="checkbox"/> Land within limits of another port (below high-water mark)
Matters requiring referral to the <b>Gold Coast Waterways Authority</b> : <input type="checkbox"/> Tidal works, or work in a coastal management district in Gold Coast waters
Matters requiring referral to the <b>Queensland Fire and Emergency Service</b> : <input type="checkbox"/> Tidal works marina ( <i>more than six vessel berths</i> )

<b>18) Has any referral agency provided a referral response for this development application?</b>		
<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 the development application the subject of this form, or include details in a schedule to this development application ( <i>if applicable</i> ).		

## PART 6 – INFORMATION REQUEST

<b>19) Information request under Part 3 of the DA Rules</b>
<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
<b>Note:</b> By not agreeing to accept an information request I, the applicant, acknowledge:
<ul style="list-style-type: none"> <li>• 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</li> <li>• Part 3 of the DA Rules will still apply if the application is an application listed under section 11.3 of the DA Rules.</li> </ul>
Further advice about information requests is contained in the <a href="#">DA Forms Guide</a> .

## PART 7 – FURTHER DETAILS

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

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

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

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

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

Amount paid	Date paid (dd/mm/yy)	QLeave levy number
\$		

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](http://www.qld.gov.au). An ERA requires an environmental authority to operate. See [www.business.qld.gov.au](http://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](http://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](http://www.qld.gov.au) for further information on environmental offsets.

**Koala conservation**

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

☐ Yes

☒ No

**Note:** See guidance materials at [www.des.qld.gov.au](http://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](http://www.dnrme.qld.gov.au) for further information.

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

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

**Waterway barrier works**

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

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

☒ No

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

**Marine activities**

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

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

☒ No

**Note:** See guidance materials at [www.daf.qld.gov.au](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](http://www.dnrme.qld.gov.au) and [www.business.qld.gov.au](http://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](http://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](http://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](http://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](http://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

## 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 development application

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

☒ Yes

Relevant plans of the development are attached to this development application

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

☒ Yes

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

☐ Yes

☒ Not applicable

### 25) Applicant declaration

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

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

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

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

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

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

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

## PART 9 – FOR OFFICE USE ONLY

Date received:

Reference number(s):

### Notification of engagement of alternative assessment manager

Prescribed assessment manager

Name of chosen assessment manager

Date chosen assessment manager engaged

Contact number of chosen assessment manager

Relevant licence number(s) of chosen assessment

manager	
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#### QLeave notification and payment

*Note: For completion by assessment manager if applicable*

Description of the work	
QLeave project number	
Amount paid (\$)	
Date paid	
Date receipted form sighted by assessment manager	
Name of officer who sighted the form	



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

I, **WADE MARK VENTURATO**

[Insert full name.]

as owner of the premises identified as follows:

**106 BRYDE RD, MAREBA  
(LOT 1, RP747548)**

[Insert street address, lot or plan reference or coordinates of the premises the subject of the application.]

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

**WADE MARK VENTURATO**

[Insert name of applicant.]

on the premises described above for:

**SUBDIVIDING 106 BRYDE RD, MAREBA  
LOT 1, RP747548**

[Insert details of the proposed development (e.g. major change of use for existing apartment building.)]



[signature of owner and  
date signed]  
**26-4-19**

## APPENDIX 2:

### ASSESSMENT AGAINST THE MAREEBA SHIRE PLANING CODES

This development is Code Assessable against the Mareeba Shire Planning Scheme (2017 alignment).

APPLICATION		PREMISES	
FILE NO:	19003	ADDRESS:	106 Bryde Road, Mareeba
APPLICANT:	Scope Town Planning	RPD:	Lot 1 on RP747548
LODGED BY:	Scope Town Planning	AREA:	10,000m <sup>2</sup>
DATE LODGED:		OWNER :	Mr Wade Venturato
TYPE OF APPROVAL:	Development Permit		
PROPOSED DEVELOPMENT:	Reconfiguration of a Lot (1 into 2) Reconfiguration of a Lot (ROL) Subdivision creating 2 lots		
PLANNING SCHEME:	Mareeba Shire Council Planning Scheme (2017 alignment)		
ZONE:	Rural		
LEVEL OF ASSESSMENT:	CODE		
SUBMISSIONS:	planning@msc.qld.gov.au		

### Relevant Development Codes

The following Development Codes are considered to be applicable to the assessment of the application:

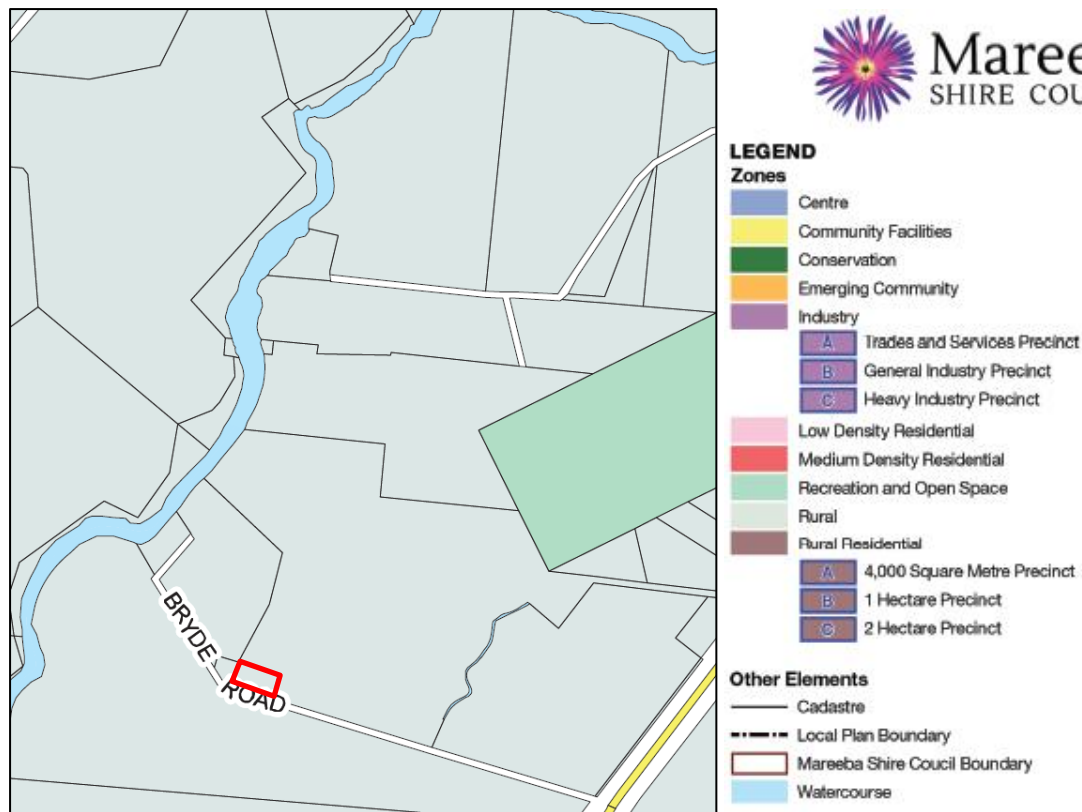
1. 6.2.9 Rural zone code
2. 8.2.1 Agricultural land overlay code
3. 8.2.2 Airport environs overlay code
4. 9.4.2 Landscaping code
5. 9.4.3 Parking and access code
6. 9.4.4 Reconfiguring a lot code
7. 9.4.5 Works, services and infrastructure code



SCOPE



## 1. Rural Zone Code



The site, Lot 1 on RP747548 is located in the Rural Zone and is subject to assessment against the Rural Zone Code of the Mareeba Shire Council Planning Scheme.

**Table 6.2.9.3—Rural zone code - For accepted development subject to requirements and assessable development**

Performance outcomes	Acceptable outcomes	Complies	Comments
<b>For accepted development subject to requirements and assessable development</b>			
<b>Height</b>			
<b>PO1</b> Building height takes into consideration and respects the following: (a) the height of existing buildings on adjoining premises; (b) the development potential, with respect to height, on adjoining premises; (c) the height of buildings in the vicinity of the site; (d) access to sunlight and daylight for the site and adjoining sites; (e) privacy and overlooking; and (f) site area and street frontage length.	<b>AO1.1</b> Development, other than buildings used for rural activities, has a maximum building height of: (a) 8.5 metres; and (b) 2 storeys above ground level.	n/a	<b>No buildings are proposed.</b>
	<b>AO1.2</b> Buildings and structures associated with a rural activity including machinery, equipment, packing or storage buildings do not exceed 10 metres in height.	n/a	<b>No rural buildings or structures are proposed.</b>

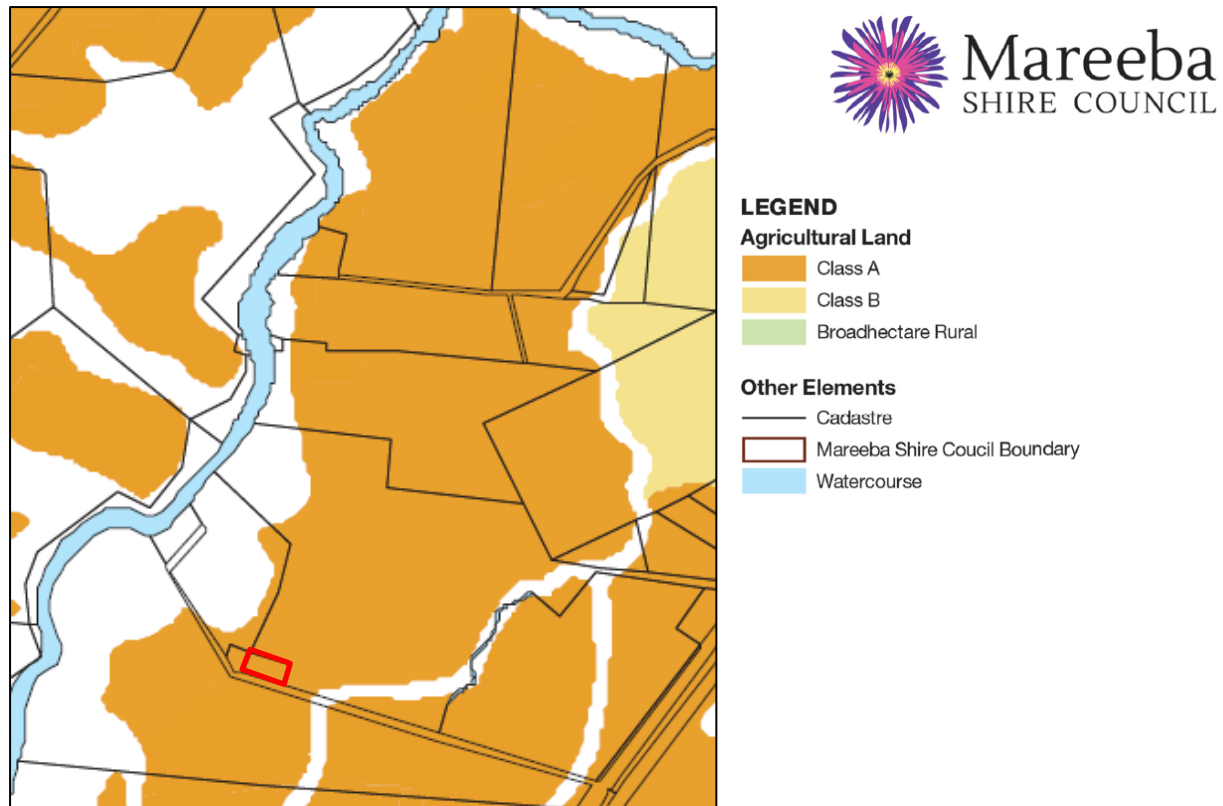
<b>Siting, where not involving a Dwelling house</b> Note—Where for Dwelling house, the setbacks of the Queensland Development Code apply.			
<b>PO2</b> Development is sited in a manner that considers and respects: <ul style="list-style-type: none"> <li>(a) the siting and use of adjoining premises;</li> <li>(b) access to sunlight and daylight for the site and adjoining sites;</li> <li>(c) privacy and overlooking;</li> <li>(d) air circulation and access to natural breezes;</li> <li>(e) appearance of building bulk; and</li> <li>(f) relationship with road corridors.</li> </ul>	<b>AO2.1</b> Buildings and structures include a minimum setback of: <ul style="list-style-type: none"> <li>(a) 40 metres from a frontage to a State-controlled road; and</li> <li>(b) 10 metres from a boundary to an adjoining lot.</li> </ul>	n/a	<b>No buildings are proposed.</b>
	<b>AO2.2</b> Buildings and structures, where for a Roadside stall, include a minimum setback of 0 metres from a frontage to a road that is not a State-controlled road.	n/a	<b>No roadside stall buildings or structures are proposed.</b>
	<b>AO2.3</b> Buildings and structures, except where a Roadside stall, include a minimum setback of: <ul style="list-style-type: none"> <li>(a) 10 metres from a frontage to a sealed road that is not a State-controlled road; and</li> <li>(b) 100 metres from a frontage to any other road that is not a State-controlled road;</li> </ul>	n/a	<b>No roadside stall buildings or structures are proposed.</b>

Accommodation density			
<b>PO3</b> The density of Accommodation activities: (a) respects the nature and density of surrounding land use; (b) is complementary and subordinate to the rural and natural landscape values of the area; and (c) is commensurate to the scale and frontage of the site.	<b>AO3.1</b> Residential density does not exceed one dwelling house per lot.	n/a	<b>No accommodation activities are proposed.</b>
	<b>AO3.2</b> Residential density does not exceed two dwellings per lot and development is for: (a) a secondary dwelling; or (b) Caretaker's accommodation and includes building work or minor building work with a maximum gross floor area of 100m <sup>2</sup> ; or (c) Rural worker's accommodation.	n/a	<b>No accommodation activities are proposed.</b>
For assessable development			
Site cover			
<b>PO4</b> Buildings and structures occupy the site in a manner that: (a) makes efficient use of land; (b) is consistent with the bulk and scale of buildings in the surrounding area; and (c) appropriately balances built and natural features.	<b>AO4</b> No acceptable outcome is provided.	n/a	<b>No buildings or structures are proposed.</b>

<p><b>PO5</b> Development complements and integrates with the established built character of the Rural zone, having regard to:</p> <ul style="list-style-type: none"> <li>(a) roof form and pitch;</li> <li>(b) eaves and awnings;</li> <li>(c) building materials, colours and textures; and</li> <li>(d) window and door size and location.</li> </ul>	<p><b>AO5</b> No acceptable outcome is provided.</p>	<p>n/a</p>	<p><b>No buildings or structures are proposed.</b></p>
<p><b>Amenity</b></p>			
<p><b>PO6</b> Development must not detract from the amenity of the local area, having regard to:</p> <ul style="list-style-type: none"> <li>(a) noise;</li> <li>(b) hours of operation;</li> <li>(c) traffic;</li> <li>(d) advertising devices;</li> <li>(e) visual amenity;</li> <li>(f) privacy;</li> <li>(g) lighting;</li> <li>(h) odour; and</li> <li>(i) emissions.</li> </ul>	<p><b>AO6</b> No acceptable outcome is provided.</p>	<p>✓</p>	<p><b>The proposed Reconfiguration of a Lot will not detract from the amenity of the local area.</b></p>

<b>PO7</b> Development must take into account and seek to ameliorate any existing negative environmental impacts, having regard to: (a) noise; (b) hours of operation; (c) traffic; (d) advertising devices; (e) visual amenity; (f) privacy; (g) lighting; (h) odour; and (i) emissions.	<b>AO7</b> No acceptable outcome is provided.	n/a	<b>The proposal is for the Reconfiguration of a Lot.</b>
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## 2. Agricultural Land Overlay Code



The site, Lot 1 on RP747548 is mapped in the Class A classification of the Agricultural Land Overlay of the Mareeba Shire Council Planning Scheme.

**Table 8.2.1.3 – Agricultural land overlay code - For accepted development subject to requirements and assessable development**

Performance outcomes	Acceptable outcomes	Complies	Comments
<b>For accepted development subject to requirements and assessable development</b>			
<b>PO1</b> The fragmentation or loss of productive capacity of land within the 'Class A' area or 'Class B' area identified on the <b>Agricultural land overlay maps (OM-001a-n)</b> is avoided unless: (a) an overriding need exists for the development in terms of public benefit; (b) no suitable alternative site exists; and (c) loss or fragmentation is minimised to the extent possible.	<b>AO1</b> Buildings and structures are not located on land within the 'Class A' area or 'Class B' area identified on the <b>Agricultural land overlay maps (OM-001a-n)</b> unless they are associated with: (a) animal husbandry; or (b) animal keeping; or (c) cropping; or (d) dwelling house; or (e) home based business; or (f) intensive animal industry (only where for feedlotting); or (g) intensive horticulture; or (h) landing; or (i) roadside stalls; or (j) winery.	✓	<p>The development site is located within the 'Class B' area.</p> <p>The existing lot is 10,000m<sup>2</sup> and is improved by a single dwelling house. Due to the relatively small area, the existing lot is not utilised for agricultural activities.</p> <p>As such, the subdivision of the lot into 2 x 5000m<sup>2</sup> lots is not considered to comprise a reduction of the productive capacity of the land. The subdivided lot will allow for a single dwelling house to be constructed on the site in the future.</p>

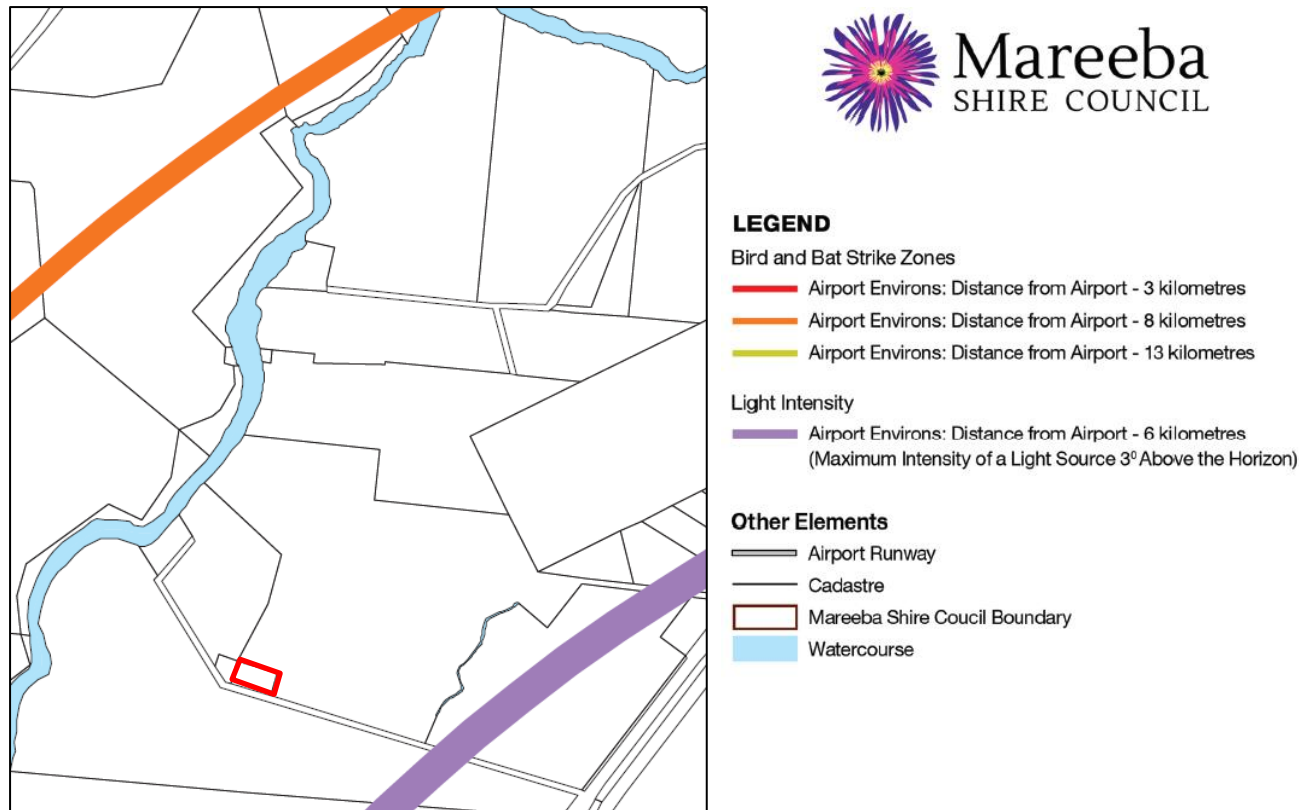


Performance outcomes	Acceptable outcomes	Complies	Comments
<b>For assessable development</b>			
<b>PO2</b> Sensitive land uses in the 'Class A' area, 'Class B' area or the 'Broadhectare rural' area identified on the <b>Agricultural land overlay maps (OM-001a-n)</b> are designed and located to: <ul style="list-style-type: none"> <li>(a) avoid land use conflict;</li> <li>(b) manage impacts from agricultural activities, including chemical spray drift, odour, noise, dust, smoke and ash;</li> <li>(c) avoid reducing primary production potential; and</li> <li>(d) not adversely affect public health, safety and amenity.</li> </ul>	<b>AO2</b> No acceptable outcome is provided.	✓	<p>The development site is located within the 'Class B' area.</p> <p>The proposal does not involve sensitive land uses however it may accommodate a single dwelling house in the future.</p> <p>As such, the future intended use is considered to be appropriate as it is located between 2 adjoining dwelling houses and an additional dwelling house on the proposed lot would not result in a reduction of the productive capacity of the land. Furthermore, existing agricultural activities on adjoining Lot 12 on SP158013 are taken as to be currently mitigating impacts on the existing dwellings and an additional dwelling would not further stress those activities.</p>

Performance outcomes	Acceptable outcomes	Complies	Comments
<b>PO3</b> Development in the 'Class A' area or 'Class B' area identified on the <b>Agricultural land overlay maps (OM-001a-n)</b> : (a) ensures that agricultural land is not permanently alienated; (b) ensures that agricultural land is preserved for agricultural purposes; and (c) does not constrain the viability or use of agricultural land.	<b>AO3</b> No acceptable outcome is provided.	✓	<p>The development site is located within the 'Class B' area.</p> <p>The existing lot is 10,000m<sup>2</sup> and is improved by a single dwelling house. Due to the relatively small area, the existing lot is not utilised for agricultural activities and a subsequent subdivision of the lot would not further impede the agricultural capacity of the site nor further alienate the lot from agricultural land.</p> <p>It is noteworthy that the existing site is contained behind vegetation preserved by the owner of the adjoining lot providing a natural separation from the agricultural activities.</p>
<b>If for Reconfiguring a lot</b>			
<b>PO4</b> The 'Broadhectare rural area' identified on the <b>Agricultural land overlay maps (OM-001a-n)</b> is retained in very large rural holdings viable for broad scale grazing and associated activities.	<b>AO4</b> Development does not involve the creation of a new lot within the 'Broadhectare rural' area identified on the <b>Agricultural land overlay maps (OM-001a-n)</b> .	n/a	The development site is not located within the 'Broadhectare rural area' of the overlay.

Performance outcomes	Acceptable outcomes	Complies	Comments
<b>PO5</b> Reconfiguring a lot in the 'Class A' area, 'Class B' area or the 'Broadhectare rural' area identified on the <b>Agricultural land overlay maps (OM-001a-n)</b> that is severed by a gazetted road occurs only where it does not fragment land used for agricultural purposes.	<b>AO5</b> No acceptable outcome is provided.	n/a	The development site is not severed by a gazetted road.
<b>PO6</b> Any Reconfiguring a lot in the 'Class A' area, 'Class B' area or the 'Broadhectare rural' area identified on the <b>Agricultural land overlay maps (OM-001a-n)</b> , including boundary realignments, only occurs where it: (a) improves agricultural efficiency; (b) facilitates agricultural activity; or (c) facilitates conservation outcomes; or (d) resolves boundary issues where a structure is built over the boundary line of two lots.	<b>AO6</b> No acceptable outcome is provided.	✓	<p>The development site is located within the 'Class B' area.</p> <p>The existing lot is 10,000m<sup>2</sup> and is improved by a single dwelling house. Due to the relatively small area, the existing lot is not utilised for agricultural activities and a subsequent subdivision of the lot would not further impede the agricultural capacity of the site nor further alienate the lot from agricultural land.</p> <p>As such, the proposed subdivision is considered to have no bearing upon the agricultural efficiency of the land however, the future addition of a single dwelling house has the potential to provide additional accommodation for employees of the local agricultural industry, thereby improving the efficiency of and facilitating agricultural activities in the local area.</p>

### 3. Airport Environs Overlay Code



The site, Lot 1 on RP747548 is mapped between the 3km and 8km distance (~7.2km) from airport range of the Airport Environs Overlay of the Mareeba Shire Council Planning Scheme.

**Table 8.2.2.3 - Airport environs overlay code - For accepted development subject to requirements and assessable development**

Performance outcomes	Acceptable outcomes	Complies	Comments
<b>For accepted development subject to requirements and assessable development</b>			
<b>Protection of operational airspace</b>			
<b>PO1</b> Development does not interfere with movement of aircraft or the safe operation of an airport or aerodrome where within the: (a) Airport environs: OLS area of Mareeba Airport identified on <b>Airport environs overlay map (OM-002c)</b> ; or (b) Airport environs: OLS area of Cairns Airport identified on <b>Airport environs overlay map (OM-002c.1)</b> ; or (c) 'Airport environs: Airport buffer - 1 kilometre' of an aerodrome identified on <b>Airport environs overlay map (OM-002f)</b> ; or (d) 'Airport environs: Airport buffer - 3 kilometres' of an aerodrome identified on <b>Airport environs overlay map (OM-002f)</b> .	<b>AO1.1</b> Development does not exceed the height of the Obstacle Limitation Surface (OLS) where located within the Airport environs: OLS area of: (a) Mareeba Airport identified on <b>Airport environs overlay map (OM-002c)</b> ; or (b) Cairns Airport identified on <b>Airport environs overlay map (OM-002c.1)</b> .	✓	The proposal is for the Reconfiguration of a Lot. No building work is proposed.
	<b>AO1.2</b> Development has a maximum height of 10 metres where within the 'Airport environs: Airport buffer - 1 kilometre' of an aerodrome identified on <b>Airport environs overlay map (OM-002f)</b> .	✓	The proposal is for the Reconfiguration of a Lot. No building work is proposed.
	<b>AO1.3</b> Development has a maximum height of 15 metres where within the 'Airport environs: Airport buffer - 3 kilometres' of an aerodrome identified on <b>Airport environs overlay map (OM-002f)</b> .	✓	The proposal is for the Reconfiguration of a Lot. No building work is proposed.

Lighting			
<b>PO2</b> Development does not include lighting that: (a) has the potential to impact on the efficient and safe operation of Mareeba Airport or an aerodrome; or (b) could distract or confuse pilots.	<b>AO2</b> Development within the 'Airport environs: Distance from airport - 6 kilometres' area for Mareeba Airport identified on <b>Airport environs overlay map (OM-002b)</b> or the 'Airport environs: Airport buffer - 3 kilometres' of an aerodrome identified on <b>Airport environs overlay map (OM-002f)</b> does not: (a) involve external lighting, including street lighting, that creates straight parallel lines of lighting that are more than 500 metres long; and (b) does not contain reflective cladding upwards shining lights, flashing lights or sodium lights.	✓	<b>The proposal is for the Reconfiguration of a Lot. No lighting work is proposed.</b>
Noise exposure			
<b>PO3</b> Development not directly associated with Mareeba Airport is protected from aircraft noise levels that may cause harm or undue interference.	<b>AO3</b> Sensitive land uses are acoustically insulated to at least the minimum standards specified by AS2021 Acoustics - Aircraft Noise Intrusion - Building Siting and Construction where located within the 'Airport environs: 20-25 ANEF' area identified on <b>Airport environs overlay map (OM-002d)</b> .	✓	<b>The proposal is for the Reconfiguration of a Lot. No building work is proposed.</b>
Public safety			
<b>PO4</b> Development does not compromise public safety or risk to property.	<b>AO4</b> Development is not located within the 'Airport environs: Mareeba Airport public safety area' identified on <b>Airport environs overlay map (OM-002e)</b> .	n/a	<b>The site is not located within the public safety area.</b>

State significant aviation facilities associated with Mareeba Airport			
<b>P05</b> Development does not impair the function of state significant aviation facilities by creating: (a) physical obstructions; or (b) electrical or electro-magnetic interference; or (c) deflection of signals.	<b>AO5.1</b> Development within 'Airport environs: Zone B (600 metre buffer)' for the 'Saddle Mountain VHF' facility identified on <b>Airport environs overlay map (OM-002a.1)</b> does not exceed a height of 640 metres AHD.	n/a	The site is not located within 'zone B (600 metre buffer)'.
	<b>AO5.2</b> Development within 'Airport environs: Zone B (4,000 metre buffer)' for the 'Hahn Tableland Radar (RSR)' facility identified on <b>Airport environs overlay map (OM-002a)</b> does not exceed a height of 950 metres AHD, unless associated with Hann Tableland Radar facility.	n/a	The site is not located within 'zone B (4,000 metre buffer)'.
	<b>AO5.3</b> Building work does not occur within 'Airport environs: Zone A (200 metre buffer)' of the 'Biboohra CVOR' facility identified on <b>Airport environs overlay map (OM-002a)</b> unless associated with the Biboohra CVOR facility.	n/a	The site is not located within 'zone A (200 metre buffer)'.
	<b>AO5.4</b> Development within 'Airport environs: Zone B (1,500 metre buffer)' of the 'Biboohra CVOR' facility identified on <b>Airport environs overlay map (OM-002a)</b> , but outside 'Zone A (200 metre buffer)' identified on <b>Airport environs overlay map (OM-002a)</b> , does not include: (a) the creation of a permanent or temporary physical line of sight obstruction above 13 metres in height; or (b) overhead power lines exceeding 5 metres in height; or (c) metallic structures exceeding 7.5 metres in height; or (d) trees and open lattice towers exceeding 10 metres in height; or (e) wooden structures exceeding 13 metres in height.	n/a	The site is not located within 'zone B (1,500 metre buffer)'.

For assessable development			
Mareeba Airport			
Protection of operational airspace			
<b>PO6</b> Development within the vicinity of Mareeba Airport or an aerodrome does not interfere with the: (a) movement of aircraft; or (b) safe operation of the airport or facility.	<b>AO6.1</b> Development involving sporting and recreational aviation activities such as parachuting, hot air ballooning or hang gliding, does not occur within the Airport environs: OLS area of: (a) Mareeba Airport identified on <b>Airport environs overlay map (OM-002c)</b> ; or (b) Cairns Airport identified on <b>Airport environs overlay map (OM-002c.1)</b> .	n/a	<b>The proposal is for the Reconfiguration of a Lot. No building work is proposed. No activities identified in AO6.1 are proposed.</b>
	<b>AO6.2</b> Development involving temporary or permanent aviation activities does not occur within the 'Airport environs: Airport buffer - 3 kilometres' of an aerodrome identified on <b>Airport environs overlay map (OM-002f)</b> .	n/a	<b>The proposal is for the Reconfiguration of a Lot. No aviation activities are proposed.</b>
<b>PO7</b> Development does not affect air turbulence, visibility or engine operation in the operational airspace of Mareeba Airport or regional aerodromes.	<b>AO7</b> Development does not result in the emission of a gaseous plume, at a velocity exceeding 4.3 metres per second, or smoke, dust, ash or steam within: (a) the Airport environs: OLS area of Mareeba Airport identified on <b>Airport environs overlay map (OM-002c)</b> ; or (b) the Airport environs: OLS area of Cairns Airport identified on <b>Airport environs overlay map (OM-002c.1)</b> ; or (c) the 'Airport environs: Airport buffer - 1 kilometre' of a regional aerodrome identified on <b>Airport environs overlay map (OM-002f)</b> .	✓	<b>The proposal is for the Reconfiguration of a Lot. No building work is proposed. No emissions are associated with the proposal.</b>



Managing bird and bat strike hazard to aircraft			
<b>PO8</b> Development in the environs of Mareeba Airport or an aerodrome does not contribute to the potentially serious hazard from wildlife (bird or bat) strike.	<b>AO8.1</b> Development within the 'Airport environs: Distance from airport - 8 kilometres' Bird and bat strike zone of Mareeba Airport identified on <b>Airport environs overlay map (OM-002b)</b> or the 'Airport environs: Airport buffer - 3 kilometres' of an aerodrome identified on <b>Airport environs overlay map (OM-002f)</b> provides that potential food and waste sources are covered and collected so that they are not accessible to wildlife.	✓	The site is located within 8km distance from the airport. The proposal is for the Reconfiguration of a Lot. There will be no food waste sources generated by the proposal.
	<b>AO8.2</b> Development within the 'Airport environs: Distance from airport - 3 kilometres' Bird and bat strike zone of Mareeba Airport identified on <b>Airport environs overlay map (OM-002b)</b> or the 'Airport environs: Airport buffer - 1 kilometre' of an aerodrome identified on <b>Airport environs overlay map (OM-002f)</b> does not include: <ul style="list-style-type: none"> <li>(a) food processing; or</li> <li>(b) abattoir; or</li> <li>(c) intensive horticulture; or</li> <li>(d) intensive animal husbandry; or</li> <li>(e) garden centre; or</li> <li>(f) aquaculture.</li> </ul>	n/a	The site is not located within 3km of the airport or the 1km buffer.
	<b>AO8.3</b> Putrescible waste disposal sites do not occur within the 'Airport environs: Distance from airport - 13 kilometres' Bird and bat strike zone of: <ul style="list-style-type: none"> <li>(a) Mareeba Airport identified on <b>Airport environs overlay map (OM-002b)</b>; or</li> <li>(b) Cairns Airport identified on <b>Airport environs overlay map (OM-002b.1)</b>.</li> </ul>	n/a	The proposal is for the Reconfiguration of a Lot.

## 4. Landscaping Code

The proposed Reconfiguration of a Lot (1 into 2) is subject to assessment against the Landscaping Code as prescribed by the Tables of Assessment (Part 5) of the Mareeba Shire Council Planning Scheme.

**Table 9.4.2.3A—Landscaping code - For accepted development subject to requirements and assessable development**

Performance outcomes	Acceptable outcomes	Complies	Comments
<b>For accepted development subject to requirements and assessable development</b>			
<b>PO1</b> Development, other than in the Rural zone, includes landscaping that: <ul style="list-style-type: none"> <li>(a) contributes to the landscape character of the Shire;</li> <li>(b) compliments the character of the immediate surrounds;</li> <li>(c) provides an appropriate balance between built and natural elements; and</li> <li>(d) provides a source of visual interest.</li> </ul>	<b>AO1</b> Development, other than in the Rural zone, provides: <ul style="list-style-type: none"> <li>(a) a minimum of 10% of the site as landscaping;</li> <li>(b) planting in accordance with Planning Scheme Policy 6 - Landscaping and preferred plant species;</li> <li>(c) for the integration of retained significant vegetation into landscaping areas;</li> <li>(d) on-street landscaping works in accordance with the Design Guidelines set out in Section D9 Landscaping, of the Planning Scheme Policy 4 - FNQROC Regional Development Manual.</li> </ul> <p>Note—Where development exceeds a site cover of 90%, areas of landscaping may be provided above ground level to achieve a total supply of landscaping equivalent to 10% of the site area.</p>	n/a	<b>The site is located in the Rural Zone.</b>



Performance outcomes	Acceptable outcomes	Complies	Comments
<b>PO2</b> Development, other than in the Rural zone, includes landscaping along site frontages that: <ul style="list-style-type: none"> <li>(a) creates an attractive streetscape;</li> <li>(b) compliments the character of the immediate surrounds;</li> <li>(c) assists to break up and soften elements of built form;</li> <li>(d) screen areas of limited visual interest or servicing;</li> <li>(e) provide shade for pedestrians; and</li> <li>(f) includes a range and variety of planting.</li> </ul>	<b>A02</b> Development, other than in the Rural zone, includes a landscape strip along any site frontage: <ul style="list-style-type: none"> <li>(a) with a minimum width of 2 metres where adjoining a car parking area;</li> <li>(b) with a minimum width of 1.5 metres in all other locations; and</li> <li>(c) in accordance with Planning Scheme Policy 6 - Landscaping and preferred plant species.</li> </ul> <p>Note—Where development is setback from a frontage less than 1.5 metres, the setback area is provided as a landscape strip.</p>	n/a	<b>The site is located in the Rural Zone.</b>
<b>PO3</b> Development includes landscaping and fencing along side and rear boundaries that:	<b>A03.1</b> Development provides landscape treatments along side and rear boundaries in accordance with <b>Table 9.4.2.3B</b> .	n/a	<b>The proposal is for the Reconfiguration of a Lot. No building work or associated landscaping work is proposed. The site contains existing landscaping and fencing.</b>

Performance outcomes	Acceptable outcomes	Complies	Comments
(a) screens and buffer land uses; (b) assists to break up and soften elements of built form; (c) screens areas of limited visual interest; (d) preserves the amenity of sensitive land uses; and (e) includes a range and variety of planting.	<b>A03.2</b> Shrubs and trees provided in landscape strips along side and rear boundaries: (a) are planted at a maximum spacing of 1 metre; (b) will grow to a height of at least 2 metres; (c) will grow to form a screen of no less than 2 metres in height; and (d) are mulched to a minimum depth of 0.1 metres with organic mulch.	n/a	<b>The proposal is for the Reconfiguration of a Lot. No building work or associated landscaping work is proposed. The site contains existing landscaping and fencing.</b>
	<b>A03.3</b> Any landscape strip provided along a side or rear boundary is designed in accordance with Planning Scheme Policy 6 - Landscaping and preferred plant species.	n/a	<b>The proposal is for the Reconfiguration of a Lot. No building work or associated landscaping work is proposed. The site contains existing landscaping and fencing.</b>

Performance outcomes	Acceptable outcomes	Complies	Comments
<b>PO4</b> Car parking areas are improved with a variety of landscaping that: <ul style="list-style-type: none"> <li>(a) provides visual interest;</li> <li>(b) provides a source of shade for pedestrians;</li> <li>(c) assists to break up and soften elements; and</li> <li>(d) improves legibility.</li> </ul>	<b>AO4.1</b> Landscaping is provided in car parking areas which provides: <ul style="list-style-type: none"> <li>(a) a minimum of 1 shade tree for every 4 parking spaces, or part thereof, where the car parking area includes 12 or more spaces;</li> <li>(b) a minimum of 1 shade tree for every 6 parking spaces, or part thereof, otherwise; and</li> <li>(c) where involving a car parking area in excess of 500m<sup>2</sup>: <ul style="list-style-type: none"> <li>(i) shade structures are provided for 50% of parking spaces; and</li> <li>(ii) a minimum of 10% of the parking area as landscaping.</li> </ul> </li> </ul> <p>Note—Where a shade structure is provided over part of a car parking area, shade tree planting is not required in this area of the car parking area.</p>	n/a	The proposal is for the Reconfiguration of a Lot. No building work or associated car parking or landscaping work is proposed.
	<b>AO4.2</b> Landscaping in car parking areas is designed in accordance with Planning Scheme Policy 6 - Landscaping and preferred plant species.	n/a	The proposal is for the Reconfiguration of a Lot. No building work or associated car parking or landscaping work is proposed.

Performance outcomes	Acceptable outcomes	Complies	Comments
<b>PO5</b> Landscaping areas include a range and variety of planting that: (a) is suitable for the intended purpose and local conditions; (b) contributes to the natural character of the Shire; (c) includes native species; (d) includes locally endemic species, where practical; and (e) does not include invasive plants or weeds.	<b>A05.1</b> Plant species are selected from the Plant Schedule in Planning Scheme Policy 6 - Landscaping and preferred plant species.	n/a	<b>The proposal is for the Reconfiguration of a Lot. No building work or associated landscaping work is proposed.</b>
	<b>A05.2</b> A minimum of 25% of (new and existing) plants is provided as larger, advanced stock with a minimum plant height of 0.7 metres and mulched to a minimum depth of 0.1 metres with organic mulch.	n/a	<b>The proposal is for the Reconfiguration of a Lot. No building work or associated landscaping work is proposed. The site contains existing landscaping.</b>
<b>PO6</b> Landscaping does not impact on the ongoing provision of infrastructure and services to the Shire.	<b>A06.1</b> Tree planting is a minimum of (a) 2 metres from any underground water, sewer, gas, electricity or telecommunications infrastructure; and (b) 4 metres from any inspection chamber.	n/a	<b>The proposal is for the Reconfiguration of a Lot. No building work or associated landscaping work is proposed. The site contains existing landscaping.</b>
	<b>A06.2</b> Vegetation below or within 4 metres of overhead electricity lines and power poles has a maximum height of 3.5 metres at maturity.	n/a	<b>The proposal is for the Reconfiguration of a Lot. No building work or associated landscaping work is proposed. The site contains existing landscaping.</b>

Performance outcomes	Acceptable outcomes	Complies	Comments
	<b>AO6.3</b> Vegetation adjoining an electricity substation boundary, at maturity, will have: <ul style="list-style-type: none"> <li>(a) a height of less than 4 metres; and</li> <li>(b) no foliage within 3 metres of the substation boundary, unless the substation has a solid wall along any boundary.</li> </ul>	n/a	<b>The proposal is for the Reconfiguration of a Lot. No building work or associated landscaping work is proposed. The site contains existing landscaping.</b>
<b>For assessable development</b>			
<b>PO7</b> Landscaping areas are designed to: <ul style="list-style-type: none"> <li>(a) be easily maintained throughout the ongoing use of the site;</li> <li>(b) allow sufficient area and access to sunlight and water for plant growth;</li> <li>(c) not cause a nuisance to occupants of the site or members of the public; and</li> <li>(d) maintain or enhance the safety of pedestrians through the use of Crime Prevention Through Environmental Design principles.</li> </ul>	<b>AO7</b> No acceptable outcome is provided.	n/a	<b>The proposal is for the Reconfiguration of a Lot. No building work or associated landscaping work is proposed. The site contains existing landscaping.</b>

## 5. Parking and Access Code

The proposed Reconfiguration of a Lot (1 into 2) is subject to assessment against the Parking and Access Code as prescribed by the Tables of Assessment (Part 5) of the Mareeba Shire Council Planning Scheme.

**Table 9.4.3.3A—Parking and access code – For accepted development subject to requirements and assessable development**

Performance outcomes	Acceptable outcomes	Complies	Comments
<b>For accepted development subject to requirements and assessable development</b>			
<b>Car parking spaces</b>			
<b>PO1</b> Development provides sufficient car parking to accommodate the demand likely to be generated by the use, having regard to the: <ul style="list-style-type: none"> <li>(a) nature of the use;</li> <li>(b) location of the site;</li> <li>(c) proximity of the use to public transport services;</li> <li>(d) availability of active transport infrastructure; and</li> <li>(e) accessibility of the use to all members of the community.</li> </ul>	<b>AO1</b> The number of car parking spaces provided for the use is in accordance with Table 9.4.3.3B.  Note—Car parking spaces provided for persons with a disability are to be considered in determining compliance with AO1.	n/a	<b>The proposal is for the Reconfiguration of a Lot. No building work or associated car parking is proposed. The site contains ample space for any future car parking requirements.</b>



Vehicle crossovers			
<b>PO2</b> Vehicle crossovers are provided to: (a) ensure safe and efficient access between the road and premises; (b) minimize interference with the function and operation of roads; and (c) minimise pedestrian to vehicle conflict.	<b>AO2.1</b> Vehicular access to/from Council roads is designed and constructed in accordance with the Standard drawings in Planning Scheme Policy 4 - FNQROC Regional Development Manual.	✓	<b>The site contains 2 existing crossovers including an appropriately constructed crossover capable of providing access to the proposed new lot.</b>
	<b>AO2.2</b> Development on a site with two or more road frontages provides vehicular access from: (a) the primary frontage where involving Community activities or Sport and recreation activities, unless the primary road frontage is a State-controlled road; or (b) from the lowest order road in all other instances.	n/a	<b>The site has frontage to only one road.</b>
	<b>AO2.3</b> Vehicular access for particular uses is provided in accordance with Table 9.4.3.3E.	n/a	<b>The proposal is for the Reconfiguration of a Lot. No building work or uses listed in Table 9.4.3.3E are proposed.</b>

<p><b>PO3</b></p> <p>Access, manoeuvring and car parking areas include appropriate pavement treatments having regard to:</p> <ul style="list-style-type: none"> <li>(a) the intensity of anticipated vehicle movements;</li> <li>(b) the nature of the use that they service; and</li> <li>(c) the character of the surrounding locality.</li> </ul>	<p><b>AO3</b></p> <p>Access, manoeuvring and car parking areas include pavements that are constructed in accordance with Table 9.4.3.3C.</p>	<p>n/a</p>	<p><b>The proposal is for the Reconfiguration of a Lot. No building work or associated car parking is proposed.</b></p>
<p><b>For assessable development</b></p>			
<p><b>Parking area location and design</b></p>			
<p><b>PO4</b></p> <p>Car parking areas are located and designed to:</p> <ul style="list-style-type: none"> <li>(a) ensure safety and efficiency in operation; and</li> <li>(b) be consistent with the character of the surrounding locality.</li> </ul>	<p><b>AO4.1</b></p> <p>Car parking spaces, access and circulation areas have dimensions in accordance with AS/NZS 2890.1 Off-street car parking.</p>	<p>n/a</p>	<p><b>The proposal is for the Reconfiguration of a Lot. No building work or associated car parking is proposed. The site contains ample space for any future car parking requirements.</b></p>
	<p><b>AO4.2</b></p> <p>Disabled access and car parking spaces are located and designed in accordance with AS/NZS 2890.6 Parking facilities - Off-street parking for people with disabilities.</p>	<p>n/a</p>	<p><b>The proposal is for the Reconfiguration of a Lot. No building work or associated car parking is proposed. The site contains ample space for any future car parking requirements.</b></p>
	<p><b>AO4.3</b></p> <p>The car parking area includes designated pedestrian routes that provide connections to building entrances.</p>	<p>n/a</p>	<p><b>The proposal is for the Reconfiguration of a Lot. No building work or associated car parking is proposed. The site contains ample space for any future car parking requirements.</b></p>

	<p><b>AO4.4</b> Parking and any set down areas are:</p> <ul style="list-style-type: none"> <li>(a) wholly contained within the site;</li> <li>(b) visible from the street where involving Commercial activities, Community activities, Industrial activities or a use in the Recreation and open space zone;</li> <li>(c) are set back behind the main building line where involving a Dual occupancy, Multiple dwelling, Residential care facility or Retirement facility; and</li> <li>(d) provided at the side or rear of a building in all other instances.</li> </ul>	n/a	<p><b>The proposal is for the Reconfiguration of a Lot. No building work or associated car parking is proposed. The site contains ample space for any future car parking requirements.</b></p>
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Site access and manoeuvring			
<b>PO5</b> Access to, and manoeuvring within, the site is designed and located to: <ul style="list-style-type: none"> <li>(a) ensure the safety and efficiency of the external road network;</li> <li>(b) ensure the safety of pedestrians;</li> <li>(c) provide a functional and convenient layout; and</li> <li>(d) accommodate all vehicles intended to use the site.</li> </ul>	<b>A05.1</b> Access and manoeuvrability is in accordance with : <ul style="list-style-type: none"> <li>(a) AS28901 – Car Parking Facilities (Off Street Parking); and</li> <li>(b) AS2890.2 – Parking Facilities (Off-street Parking) Commercial Vehicle Facilities.</li> </ul> <p>Note—Proposal plans should include turning circles designed in accordance with AP34/95 (Austroads 1995) Design Vehicles and Turning Path Templates.</p>	n/a	<b>The proposal is for the Reconfiguration of a Lot. No building work or associated car parking is proposed. The site contains ample space for any future car parking requirements.</b>
	<b>A05.2</b> Vehicular access has a minimum sight distance in accordance with Part 5 of AUSTROADS.	✓	<b>The site contains an existing crossover capable of providing access with acceptable sight distances for future uses.</b>
	<b>A05.3</b> Vehicular access is located and designed so that all vehicles enter and exit the site in a forward gear.	✓	<b>The site contains an existing crossover and ample space capable of providing access with acceptable manoeuvrability for future uses.</b>

	<b>AO5.4</b> Pedestrian and cyclist access to the site: (a) is clearly defined; (b) easily identifiable; and (c) provides a connection between the site frontage and the entrance to buildings and end of trip facilities (where provided).	n/a	<b>The proposal is for the Reconfiguration of a Lot. No pedestrian or cyclist access is required.</b>
<b>PO6</b> Development that involves an internal road network ensures that it's design: (a) ensure safety and efficiency in operation; (b) does not impact on the	<b>AO6.1</b> Internal roads for a Tourist park have a minimum width of: (a) 4 metres if one way; or (b) 6 metres if two way.	n/a	<b>The proposal is for the Reconfiguration of a Lot. No internal roads are proposed.</b>

<p>amenity of residential uses on the site and on adjoining sites, having regard to matters of:</p> <ul style="list-style-type: none"> <li>(i) hours of operation;</li> <li>(ii) noise</li> <li>(iii) light; and</li> <li>(iv) odour;</li> </ul> <p>(c) accommodates the nature and volume of vehicle movements anticipated to be generated by the use;</p> <p>(d) allows for convenient access to key on-site features by pedestrians, cyclists and motor vehicles; and</p> <p>(e) in the Rural zone, avoids environmental degradation.</p>	<p><b>AO6.2</b></p> <p>For a Tourist park, internal road design avoids the use of cul-de-sacs in favour of circulating roads, where unavoidable, cul-de-sacs provide a full turning circle for vehicles towing caravans having:</p> <ul style="list-style-type: none"> <li>(a) a minimum approach and departure curve radius of 12 metres; and</li> <li>(b) a minimum turning circle radius of 8 metres.</li> </ul>	n/a	<p><b>The proposal is for the Reconfiguration of a Lot. No internal roads are proposed.</b></p>
	<p><b>AO6.3</b></p> <p>Internal roads are imperviously sealed and drained, apart from those for an Energy and infrastructure activity or Rural activity.</p>	n/a	<p><b>The proposal is for the Reconfiguration of a Lot. No internal roads are proposed.</b></p>
	<p><b>AO6.4</b></p> <p>Speed control devices are installed along all internal roads, apart from those for an Energy and infrastructure activity or Rural activity, in accordance with Complete Streets.</p>	n/a	<p><b>The proposal is for the Reconfiguration of a Lot. No internal roads are proposed.</b></p>

	<b>AO6.5</b> Internal roads, apart from those for an Energy and infrastructure activity or Rural activity, are illuminated in accordance with AS 4282 (as amended) - Control of Obtrusive effects of outdoor lighting.	n/a	<b>The proposal is for the Reconfiguration of a Lot. No internal roads are proposed.</b>
	<b>AO6.6</b> Where involving an accommodation activity, internal roads facilitate unobstructed access to every dwelling, accommodation unit, accommodation site and building by emergency services vehicles.	n/a	<b>The proposal is for the Reconfiguration of a Lot. No internal roads are proposed.</b>
	<b>AO6.7</b> For an Energy and infrastructure activity or Rural activity, internal road gradients: (a) are no steeper than 1:5; or (b) are steeper than 1:5 and are sealed.	n/a	<b>The proposal is for the Reconfiguration of a Lot. No internal roads are proposed.</b>

Servicing			
<b>PO7</b> Development provides access, maneuvering and servicing areas on site that: <ul style="list-style-type: none"> <li>(a) accommodate a service vehicle commensurate with the likely demand generated by the use;</li> <li>(b) do not impact on the safety or efficiency of internal car parking or maneuvering areas;</li> <li>(c) do not adversely impact on the safety or efficiency of the road network;</li> <li>(d) provide for all servicing functions associated with the use; and</li> <li>(e) are located and designed to minimise their impacts on adjoining sensitive land uses and streetscape quality.</li> </ul>	<b>A07.1</b> All unloading, loading, service and waste disposal areas are located: <ul style="list-style-type: none"> <li>(a) on the site;</li> <li>(b) to the side or rear of the building, behind the main building line;</li> <li>(c) not adjacent to a site boundary where the adjoining property is used for a sensitive use.</li> </ul>	n/a	The site contains ample space capable of providing acceptable manoeuvrability for future uses.
	<b>A07.2</b> Unloading, loading, service and waste disposal areas allow service vehicles to enter and exit the site in a forward gear.	n/a	The site contains ample space capable of providing acceptable manoeuvrability for future uses.
	<b>A07.3</b> Development provides a servicing area, site access and maneuvering areas to accommodate the applicable minimum servicing vehicle specified in Table 9.4.3.3B.	n/a	The site contains ample space capable of providing acceptable manoeuvrability for future uses.



Maintenance			
<b>PO8</b> Parking areas are used and maintained for their intended purpose.	<b>AO8.1</b> Parking areas are kept and used exclusively for parking and are maintained in a suitable condition for parking and circulation of vehicles.	n/a	<b>The proposal is for the Reconfiguration of a Lot. No building work or associated car parking is proposed. The site contains ample space for any future car parking requirements.</b>
	<b>AO8.2</b> All parking areas will be compacted, sealed, drained, line marked and maintained until such time as the development ceases.	n/a	<b>The proposal is for the Reconfiguration of a Lot. No building work or associated car parking is proposed. The site contains ample space for any future car parking requirements.</b>
End of trip facilities			
<b>PO9</b> Development within the Centre zone; Industry zone or Emerging community zone provides facilities for active transport users that: <ul style="list-style-type: none"> <li>(a) meet the anticipated demand generated from the use;</li> <li>(b) comprise secure and convenient bicycle parking and storage; and</li> <li>(c) provide end of trip facilities for all active transport users.</li> </ul>	<b>AO9.1</b> The number of bicycle parking spaces provided for the use is in accordance with Table 9.4.3.3D.	n/a	<b>The proposal is for the Reconfiguration of a Lot. No building work or associated end of trip facilities are required.</b>
	<b>AO9.2</b> End of trip facilities are provided in accordance with Table 9.4.3.3D.	n/a	<b>The proposal is for the Reconfiguration of a Lot. No building work or associated end of trip facilities are required.</b>

If for Educational establishment or Child care centre where involving more than 100 vehicle movements per day or Renewable energy facility, Sport and recreation activities or Tourist park			
<b>PO10</b> The level of traffic generated by the development on the surrounding local road network must not result in unacceptable impacts on adjacent land and local road users.	<b>AO10</b> A traffic impact report is prepared by a suitably qualified person that identifies: <ul style="list-style-type: none"> <li>(a) the expected traffic movements to be generated by the facility;</li> <li>(b) any associated impacts on the road network; and</li> <li>(c) any works that will be required to address the identified impacts.</li> </ul>	n/a	The proposal is for the Reconfiguration of a Lot.
If for Educational establishment or Child care centre where involving more than 100 vehicle movements per day or Renewable energy facility, Sport and recreation activities or Tourist park			
<b>PO11</b> The level of traffic generated by the development on the surrounding local road network must not result in unacceptable impacts on adjacent land and local road users.	<b>AO11</b> A traffic impact report is prepared by a suitably qualified person that identifies: <ul style="list-style-type: none"> <li>(a) the expected traffic movements to be generated by the facility;</li> <li>(b) any associated impacts on the road network; and</li> <li>(c) any works that will be required to address the identified impacts.</li> </ul>	n/a	The proposal is for the Reconfiguration of a Lot.

## 6. Reconfiguring a Lot Code

The proposed Reconfiguration of a Lot (1 into 2) is subject to assessment against the Reconfiguring a Lot Code as prescribed by the Tables of Assessment (Part 5) of the Mareeba Shire Council Planning Scheme.

**Table 9.4.4.3A—Reconfiguring a lot code – For assessable development**

Performance outcomes	Acceptable outcomes	Complies	Comments
<b>Area and frontage of lots</b>			
<b>PO1</b> Lots include an area and frontage that: <ul style="list-style-type: none"> <li>(a) is consistent with the design of lots in the surrounding area;</li> <li>(b) allows the desired amenity of the zone to be achieved;</li> <li>(c) is able to accommodate all buildings, structures and works associated with the intended land use;</li> <li>(d) allow the site to be provided with sufficient access;</li> <li>(e) considers the proximity of the land to:                             <ul style="list-style-type: none"> <li>(i) centres;</li> <li>(ii) public transport services; and</li> <li>(iii) open space; and</li> </ul> </li> <li>(f) allows for the protection of environmental features; and</li> <li>(g) accommodates site constraints.</li> </ul>	<b>AO1.1</b> Lots provide a minimum area and frontage in accordance with <b>Table 9.4.4.3B</b> .	✓	<p>The site has an existing area of 10,000m<sup>2</sup>, well less than the minimum prescription of 60ha for the Rural zone. The proposed subdivision will result in 2 x 5,000m<sup>2</sup> lots which is consistent with the size of adjoining Lot 1 on RP727823 which has an area of less than 5,000m<sup>2</sup>. The site has an existing street frontage of ~130m, well below the prescribes minimum of 400m in the Rural Zone and the resultant lots will have street frontages of ~65m. The adjoining Lot 1 on RP727823 has a street frontage of ~80m. As Lots 1 on RP727823 and the proposal site, Lot 1 on RP747548 are both existing lots with areas and dimensions inconsistent with the Rural Zone planning parameters, the proposed subdivision is considered to have no additional detrimental effect upon the Rural capacity of the area.</p> <p>For additional information, refer to the Planning Report.</p>

Existing buildings and easements			
<b>PO2</b> Reconfiguring a lot which contains existing land uses or existing buildings and structures ensures: (a) new lots are of sufficient area and dimensions to accommodate existing land uses, buildings and structures; and (b) any continuing use is not compromised by the reconfiguration.	<b>AO2.1</b> Each land use and associated infrastructure is contained within its individual lot.	✓	<b>The site contains an existing single dwelling house and axillary structures which will remain completely contained within the proposed subdivision (proposed Lot 2).</b>
	<b>AO2.2</b> All lots containing existing buildings and structures achieve the setback requirements of the relevant zone.	✓	<b>The site contains an existing single dwelling house and axillary structures which are sited well within the minimum setback requirements for the Rural Zone.</b>
<b>PO3</b> Reconfiguring a lot which contains an existing easement ensures: (a) future buildings, structures and accessways are able to be sited to avoid the easement; and (b) the reconfiguration does not compromise the purpose of the easement or the continued operation of any infrastructure contained within the easement.	<b>AO3</b> No acceptable outcome is provided.	n/a	<b>The site contains no Easements.</b>

Boundary realignment			
<b>PO4</b> The boundary realignment retains all attendant and existing infrastructure connections and potential connections.	<b>AO4</b> No acceptable outcome is provided.	✓	The site contains an existing single dwelling house and axillary structures which will remain completely contained within the proposed subdivision (proposed Lot 2).  The site is capable of containing all required infrastructure associated with the potential use (dwelling house) of the proposed vacant lot.
Access and road network			
<b>PO5</b> Access to a reconfigured lot (including driveways and paths) must not have an adverse impact on: (a) safety; (b) drainage; (c) visual amenity; (d) privacy of adjoining premises; and (e) service provision.	<b>AO5</b> No acceptable outcome is provided.	✓	The site contains 2 existing crossovers which cause no adverse impacts.

<p><b>PO6</b> Reconfiguring a lot ensures that access to a lot can be provided that:</p> <ul style="list-style-type: none"> <li>(a) is consistent with that provided in the surrounding area;</li> <li>(b) maximises efficiency and safety; and</li> <li>(c) is consistent with the nature of the intended use of the lot.</li> </ul> <p>Note—The Parking and access code should be considered in demonstrating compliance with PO6.</p>	<p><b>AO6</b> Vehicle crossover and access is provided in accordance with the design guidelines and specifications set out in Planning Scheme Policy 4 – FNQROC Regional Development Manual.</p>	<p>✓</p>	<p><b>The site contains 2 existing crossovers including an appropriately constructed crossover capable of providing access to the proposed new lot.</b></p>
<p><b>PO7</b> Roads in the Industry zone are designed having regard to:</p> <ul style="list-style-type: none"> <li>(a) the intended use of the lots;</li> <li>(b) the existing use of surrounding land;</li> <li>(c) the vehicular servicing requirements of the intended use;</li> <li>(d) the movement and turning requirements of B-Double vehicles.</li> </ul> <p>Note—The Parking and access code should be considered in demonstrating compliance with PO7.</p>	<p><b>AO7</b> No acceptable outcome is provided.</p>	<p>n/a</p>	<p><b>The site is not located in the Industry Zone.</b></p>

Rear lots			
<b>PO8</b> Rear lots are designed to: <ul style="list-style-type: none"> <li>(a) provide a high standard of amenity for residents and other users of the site;</li> <li>(b) provide a high standard of amenity for adjoining properties; and</li> <li>(c) not adversely affect the safety and efficiency of the road from which access is gained.</li> </ul>	<b>A08.1</b> Rear lots are designed to facilitate development that adjoins or overlooks a park or open space.	n/a	<b>No rear lots are proposed.</b>
	<b>A08.2</b> No more than two rear lots are created behind any lot with a road frontage.	n/a	<b>No rear lots are proposed.</b>
	<b>A08.3</b> Access to lots is via an access strip with a minimum width of: <ul style="list-style-type: none"> <li>(a) 4 metres where in the Low density residential zone or Medium density residential zone; or</li> <li>(b) 8 metres otherwise.</li> </ul>	n/a	<b>No rear lots are proposed.</b>
	<b>A08.4</b> A single access strip is provided to a rear lot along one side of the lot with direct frontage to the street. Note—Figure A provides further guidance in relation to the desired outcome.	n/a	<b>No rear lots are proposed.</b>
	<b>A08.5</b> No more than 1 in 10 lots created in a new subdivision are rear lots.	n/a	<b>No rear lots are proposed.</b>
	<b>A08.6</b> Rear lots are not created in the Centre zone or the Industry zone.	n/a	<b>No rear lots are proposed.</b>

<b>Crime prevention and community safety</b>			
<b>PO9</b> Development includes design features which enhance public safety and seek to prevent opportunities for crime, having regard to: (a) sightlines; (b) the existing and intended pedestrian movement network; (c) the existing and intended land use pattern; and (d) potential entrapment locations.	<b>AO9</b> No acceptable outcome is provided.	✓	<b>The proposal is for the Reconfiguration of a Lot. No existing or future crime prevention or community safety attributes are adversely effected by the proposal.</b>
<b>Pedestrian and cycle movement network</b>			
<b>PO10</b> Reconfiguring a lot must assist in the implementation of a Pedestrian and cycle movement network to achieve safe, attractive and efficient pedestrian and cycle networks.	<b>AO10</b> No acceptable outcome is provided.	✓	<b>The proposal does not hinder the implementation of the pedestrian or cycle networks.</b>



<b>Public transport network</b>			
<b>PO11</b> Where a site includes or adjoins a future public transport corridor or future public transport site identified through a structure planning process, development: <ul style="list-style-type: none"> <li>(a) does not prejudice the future provision of the identified infrastructure;</li> <li>(b) appropriately treats the common boundary with the future corridor; and</li> <li>(c) provides opportunities to integrate with the adjoining corridor where a it will include an element which will attract pedestrian movement.</li> </ul>	<b>AO11</b> No acceptable outcome is provided.	n/a	<b>The site does not include or adjoin a future public transport corridor or future public transport site.</b>
<b>Residential subdivision</b>			
<b>PO12</b> Residential lots are: <ul style="list-style-type: none"> <li>(a) provided in a variety of sizes to accommodate housing choice and diversity; and</li> <li>(b) located to increase variety and avoid large areas of similar lot sizes.</li> </ul>	<b>AO12</b> No acceptable outcome is provided.	n/a	<b>The proposal is for the Reconfiguration of a Lot on Rural zoned land. No building work is proposed.</b>

<b>Rural residential zone</b>			
<b>PO13</b> New lots are only created in the Rural residential zone where land is located within the 4,000m <sup>2</sup> precinct, the 1 hectare precinct or the 2 hectare precinct.	<b>AO13</b> No acceptable outcome is provided.	n/a	<b>The proposal is for the Reconfiguration of a Lot on Rural zoned land. No building work is proposed.</b>
<b>Additional provisions for greenfield development only</b>			
<b>PO14</b> The subdivision design provides the new community with a local identity by responding to: <ul style="list-style-type: none"> <li>(a) site context</li> <li>(b) site characteristics</li> <li>(c) setting</li> <li>(d) landmarks</li> <li>(e) natural features; and</li> <li>(f) views.</li> </ul>	<b>AO14</b> No acceptable outcome provided.	n/a	<b>The proposal is not a greenfield development.</b>
<b>PO15</b> The road network is designed to provide a high level of connectivity, permeability and circulation for local vehicles, public transport, pedestrians and cyclists.	<b>AO15</b> No acceptable outcome provided.	n/a	<b>The proposal is not a greenfield development.</b>

<p><b>PO16</b> The road network is designed to:</p> <ul style="list-style-type: none"> <li>(a) minimise the number of cul-de-sacs;</li> <li>(b) provide walkable catchments for all residents in cul-de-sacs; and</li> <li>(c) include open cul-de-sacs heads.</li> </ul> <p>Note—Figure B provides further guidance in relation to the desired outcome.</p>	<p><b>AO16</b> No acceptable outcome provided.</p>	n/a	<b>The proposal is not a greenfield development.</b>
<p><b>PO17</b> Reconfiguring a lot provides safe and convenient access to the existing or future public transport network.</p>	<p><b>AO17</b> The subdivision locates 90% of lots within 400 metres walking distance of a future public transport route.</p>	n/a	<b>The proposal is not a greenfield development.</b>
<p><b>PO18</b> The staging of the lot reconfiguration prioritises delivery of link roads to facilitate efficient bus routes.</p>	<p><b>AO18</b> No acceptable outcome provided.</p>	n/a	<b>The proposal is not a greenfield development.</b>
<p><b>PO19</b> Provision is made for sufficient open space to:</p> <ul style="list-style-type: none"> <li>(a) meet the needs of the occupiers of the lots and to</li> </ul>	<p><b>AO19.1</b> A minimum of 10% of the site area is dedicated as open space.</p>	n/a	<b>The proposal is not a greenfield development.</b>

<p>ensure that the environmental and scenic values of the area are protected;</p> <p>(b) retain riparian corridors, significant vegetation and habitat areas and provides linkages between those areas; and</p> <p>(c) meet regional, district and neighbourhood open space requirements.</p>	<p><b>AO19.2</b> A maximum of 30% of the proposed open space can consist of land identified as significant vegetation or riparian corridor buffer.</p>	<p>n/a</p>	<p><b>The proposal is not a greenfield development.</b></p>
<p><b>PO20</b> A network of parks and community land is provided:</p> <p>(a) to support a full range of recreational and sporting activities;</p> <p>(b) to ensure adequate pedestrian, cycle and vehicle access;</p> <p>(c) which is supported by appropriate infrastructure and embellishments;</p> <p>(d) to facilitate links between public open spaces;</p> <p>(e) which is co-located with other existing or proposed community infrastructure;</p> <p>(f) which is consistent with the preferred open space network; and</p> <p>(g) which includes a diversity of settings;</p>	<p><b>AO20</b> No acceptable outcome is provided.</p>	<p>n/a</p>	<p><b>The proposal is not a greenfield development.</b></p>

## 7. Works, Services and Infrastructure Code

The proposed Reconfiguration of a Lot (1 into 2) is subject to assessment against the Works, Services and Infrastructure Code as prescribed by the Tables of Assessment (Part 5) of the Mareeba Shire Council Planning Scheme.

**Table 9.4.5.3 - Works, services and infrastructure code – For accepted development subject to requirements and assessable development**

Performance outcomes	Acceptable outcomes	Complies	Comments
<b>For accepted development subject to requirements and assessable development</b>			
<b>Water supply</b>			
<b>PO1</b> Each lot has an adequate volume and supply of water that: <ul style="list-style-type: none"> <li>(a) meets the needs of users;</li> <li>(b) is adequate for fire-fighting purposes;</li> <li>(c) ensures the health, safety and convenience of the community; and</li> <li>(d) minimises adverse impacts on the receiving environment.</li> </ul>	<b>AO1.1</b> Development is connected to a reticulated water supply system in accordance with the Design Guidelines and Specifications set out in the Planning Scheme Policy 4 – FNQROC Regional Development Manual other than where located: <ul style="list-style-type: none"> <li>(a) in the Conservation zone, Rural zone or Rural residential zone; and</li> <li>(b) outside a reticulated water supply service area.</li> </ul>	n/a	<b>The site is not within the reticulated water supply area.</b>

Performance outcomes	Acceptable outcomes	Complies	Comments
	<p><b>AO1.2</b> Development, where located outside a reticulated water supply service area and in the Conservation zone, Rural zone or Rural residential zone is provided with:</p> <p>(a) a bore or bores are provided in accordance with the Design Guidelines set out in the Planning Scheme Policy 4 – FNQROC Regional Development Manual; or</p> <p>(b) on-site water storage tank/s:</p> <p>(i) with a minimum capacity of 90,000L;</p> <p>(ii) fitted with a 50mm ball valve with a camlock fitting; and</p> <p>(iii) which are installed and connected prior to the occupation or use of the development.</p>	✓	<p><b>The site contains an existing single dwelling house supplied by its own services. The proposed additional lot will be provided with an adequate water supply by way of a new water bore.</b></p>

Wastewater disposal			
<b>PO2</b> Each lot provides for the treatment and disposal of effluent and other waste water that: <ul style="list-style-type: none"> <li>(a) meets the needs of users;</li> <li>(b) is adequate for fire-fighting purposes;</li> <li>(c) ensures the health, safety and convenience of the community; and</li> <li>(d) minimises adverse impacts on the receiving environment.</li> </ul>	<b>AO2.1</b> Development is connected to a reticulated sewerage system in accordance with the Design Guidelines and Specifications set out in the Planning Scheme Policy 4 – FNQROC Regional Development Manual other than where located: <ul style="list-style-type: none"> <li>(a) in the Conservation zone, Rural zone or Rural residential zone; and</li> <li>(b) outside a reticulated sewerage service area.</li> </ul>	n/a	<b>The site is not within the reticulated sewerage area.</b>
	<b>AO2.2</b> An effluent disposal system is provided in accordance with ASNZ 1547 On-Site Domestic Wastewater Management (as amended) where development is located: <ul style="list-style-type: none"> <li>(a) in the Conservation zone, Rural zone or Rural residential zone; and</li> <li>(b) outside a reticulated sewerage service area.</li> </ul>	✓	<b>The site contains an existing single dwelling house supplied by its own services. The proposed additional lot will be provided with an adequate on-site effluent disposal system.</b>

Stormwater infrastructure			
<b>PO3</b> Stormwater infrastructure is designed and constructed to collect and convey the design storm event to a lawful point of discharge in a manner that mitigates impacts on life and property.	<b>AO3.1</b> Where located within a Priority infrastructure area or where stormwater infrastructure is available, development is connected to Council's stormwater network in accordance with the Design Guidelines and Specifications set out in the Planning Scheme Policy 4 – FNQROC Regional Development Manual.	n/a	The site is not located within a priority infrastructure area.
	<b>AO3.2</b> On-site drainage systems are constructed: (a) to convey stormwater from the premises to a lawful point of discharge; and (b) in accordance with the Design Guidelines and Specifications set out in the Planning Scheme Policy 4 – FNQROC Regional Development Manual.	✓	The proposed additional lot will be provided with a legal point of discharge to Bryde Road for stormwater connections to service future development as required by the approval conditions.



Electricity supply			
<p><b>PO4</b> Each lot is provided with an adequate supply of electricity</p>	<p><b>AO4</b> The premises:</p> <ul style="list-style-type: none"> <li>(a) is connected to the electricity supply network; or</li> <li>(b) has arranged a connection to the transmission grid; or</li> <li>(c) where not connected to the network, an independent energy system with sufficient capacity to service the development (at near average energy demands associated with the use) may be provided as an alternative to reticulated electricity where: <ul style="list-style-type: none"> <li>(i) it is approved by the relevant regulatory authority; and</li> <li>(ii) it can be demonstrated that no air or noise emissions; and</li> <li>(iii) it can be demonstrated that no adverse impact on visual amenity will occur.</li> </ul> </li> </ul>	<p>✓</p>	<p><b>The site is connected to the reticulated electricity supply. The additional lot will be provided with an electrical connection as required.</b></p>

Telecommunications infrastructure			
<b>PO5</b> Each lot is provided with an adequate supply of telecommunication infrastructure	<b>AO5</b> Development is provided with a connection to the national broadband network or telecommunication services.	✓	<b>The site is connected to the reticulated telecommunications supply. The additional lot will be provided with a telecommunications connection as required.</b>
Existing public utility services			
<b>PO6</b> Development and associated works do not affect the efficient functioning of public utility mains, services or installations.	<b>AO6</b> Public utility mains, services are relocated, altered or repaired in association with the works so that they continue to function and satisfy the relevant Design Guidelines and Specifications set out in the Planning Scheme Policy 4 – FNQROC Regional Development Manual.	✓	<b>The proposed subdivision will not interfere with existing public utility services. No alterations to public utility services are proposed.</b>
Excavation or filling			
<b>PO7</b> Excavation or filling must not have an adverse impact on the: (a) streetscape; (b) scenic amenity; (c) environmental values; (d) slope stability; (e) accessibility; or	<b>AO7.1</b> Excavation or filling does not occur within 1.5 metres of any site boundary.	n/a	<b>The proposal does not include any excavation or filling.</b>
	<b>AO7.2</b> Excavation or filling at any point on a lot is to be no greater than 1.5 metres above or below natural ground level.	n/a	<b>The proposal does not include any excavation or filling.</b>

(f) privacy of adjoining premises.	<b>A07.3</b> Earthworks batters: (a) are no greater than 1.5 metres in height; (b) are stepped with a minimum width 2 metre berm; (c) do not exceed a maximum of two batters and two berms (not greater than 3.6 metres in total height) on any one lot; (d) have a slope no greater than 1 in 4; and (e) are retained.	n/a	<b>The proposal does not include any earthworks batters.</b>
	<b>A07.4</b> Soil used for filling or spoil from excavation is not stockpiled in locations that can be viewed from: (a) adjoining premises; or (b) a road frontage, for a period exceeding 1 month from the commencement of the filling or excavation.	n/a	<b>The proposal does not include any excavation or filling.</b>
	<b>A07.5</b> All batters and berms to be constructed in accordance with the Design Guidelines and Specifications set out in the Planning Scheme Policy 4 – FNQROC Regional Development Manual.	n/a	<b>The proposal does not include any batters or berms.</b>

	<b>A07.6</b> Retaining walls have a maximum height of 1.5 metres and are designed and constructed in accordance with the Design Guidelines and Specifications set out in the Planning Scheme Policy 4 – FNQROC Regional Development manual.	n/a	<b>The proposal does not include any retaining walls.</b>
	<b>A07.7</b> Excavation or filling at any point on a lot is to include measures that protect trees at the foot or top of cut or fill batters by the use of appropriate retaining methods and sensitive earth removal or placement and in accordance with the Design Guidelines and Specifications set out in the Planning Scheme Policy 4 – FNQROC Regional Development manual.	n/a	<b>The proposal does not include any excavation or filling.</b>

For assessable development			
Transport network			
<b>PO8</b> The development has access to a transport network of adequate standard to provide for the safe and efficient movement of vehicles, pedestrians and cyclists.	<b>AO8.1</b> Vehicle access, crossovers, road geometry, pavement, utilities and landscaping to the frontage/s of the site are designed and constructed in accordance with the Design Guidelines and Specifications set out in the Planning Scheme Policy 4 – FNQROC Regional Development manual.	✓	<b>The site contains an existing crossover plus a secondary crossover which will be utilized for the additional lot. The site has existing access to the transport network via Bryde Road.</b>
	<b>AO8.2</b> Development provides footpath pavement treatments in accordance with Planning Scheme Policy 9 – Footpath Paving.	n/a	<b>The site is not located in an urban area and does not require a pedestrian footpath.</b>
Public infrastructure			
<b>PO9</b> The design, construction and provision of any infrastructure that is to be dedicated to Council is cost effective over its life cycle and incorporates provisions to minimise adverse impacts.	<b>AO9</b> Development is in accordance with the Design Guidelines and Specifications set out in the Planning Scheme Policy 4 – FNQROC Regional Development Manual.	n/a	<b>The proposal does not involve any infrastructure requiring dedication to council.</b>

Stormwater quality			
<p><b>PO10</b> Development has a non-worsening effect on the site and surrounding land and is designed to:</p> <ul style="list-style-type: none"> <li>(a) optimise the interception, retention and removal of waterborne pollutants, prior to the discharge to receiving waters;</li> <li>(b) protect the environmental values of waterbodies affected by the development, including upstream, on-site and downstream waterbodies;</li> <li>(c) achieve specified water quality objectives;</li> <li>(d) minimise flooding;</li> <li>(e) maximise the use of natural channel design principles;</li> <li>(f) maximise community benefit; and</li> <li>(g) minimise risk to public safety.</li> </ul>	<p><b>AO10.1</b> The following reporting is prepared for all Material change of use or Reconfiguring a lot proposals:</p> <ul style="list-style-type: none"> <li>(a) a Stormwater Management Plan and Report that meets or exceeds the standards of design and construction set out in the Queensland Urban Drainage Manual (QUDM) and the Design Guidelines and Specifications set out in the Planning Scheme Policy 4 – FNQROC Regional Development Manual; and</li> <li>(b) an Erosion and Sediment Control Plan that meets or exceeds the Soil Erosion and Sedimentation Control Guidelines (Institute of Engineers Australia), including: <ul style="list-style-type: none"> <li>(i) drainage control;</li> <li>(ii) erosion control;</li> <li>(iii) sediment control; and</li> <li>(iv) water quality outcomes.</li> </ul> </li> </ul>	n/a	<p><b>The proposal is for the Reconfiguration of a Lot however no building works or further development is proposed. No physical changes to the site will be made. As such, a Stormwater Management Plan and Report and Erosion and Sediment Control Plan are not considered appropriate nor financially viable for the scale of the development.</b></p>

	<p><b>AO10.2</b> For development on land greater than 2,500m<sup>2</sup> or that result in more than 5 lots or more than 5 dwellings or accommodation units, a Stormwater Quality Management Plan and Report prepared and certified by a suitably qualified design engineer (RPEQ) is prepared that demonstrates that the development:</p> <ul style="list-style-type: none"> <li>(a) meets or exceeds the standards of design and construction set out in the Urban Stormwater Quality Planning Guideline and the Queensland Water Quality Guideline;</li> <li>(b) is consistent with any local area stormwater water management planning;</li> <li>(c) accounts for development type, construction phase, local climatic conditions and design objectives; and</li> <li>(d) provides for stormwater quality treatment measures reflecting land use constraints, such as soil type, landscape features (including landform), nutrient hazardous areas, acid sulfate soil and rainfall erosivity.</li> </ul>	n/a	<p><b>The proposal is for the Reconfiguration of a Lot however no building works or further development is proposed. No physical changes to the site will be made. As such, a Stormwater Management Plan and Report are not considered appropriate nor financially viable for the scale of the development.</b></p>
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<p><b>PO11</b> Storage areas for stormwater detention and retention:</p> <ul style="list-style-type: none"> <li>(a) protect or enhance the environmental values of receiving waters;</li> <li>(b) achieve specified water quality objectives;</li> <li>(c) where possible, provide for recreational use;</li> <li>(d) maximise community benefit; and</li> <li>(e) minimise risk to public safety.</li> </ul>	<p><b>AO11</b> No acceptable outcome is provided.</p>	<p>n/a</p>	<p><b>The proposal does not include and Stormwater detention or retention areas on the site.</b></p>
<p><b>Excavation or filling</b></p>			
<p><b>PO12</b> Traffic generated by filling or excavation does not impact on the amenity of the surrounding area.</p>	<p><b>AO12.1</b> Haul routes used for transportation of fill to or from the site only use major roads and avoid residential areas.</p>	<p>n/a</p>	<p><b>The proposal does not include any excavation or filling.</b></p>
	<p><b>AO12.2</b> Transportation of fill to or from the site does not occur:</p> <ul style="list-style-type: none"> <li>(a) within peak traffic times; and</li> <li>(b) before 7am or after 6pm Monday to Friday;</li> <li>(c) before 7am or after 1pm Saturdays; and</li> <li>(d) on Sundays or Public Holidays.</li> </ul>	<p>n/a</p>	<p><b>The proposal does not include any excavation or filling.</b></p>



<b>PO13</b> Air pollutants, dust and sediment particles from excavation or filling do not cause significant environmental harm or nuisance impacts.	<b>AO13.1</b> Dust emissions do not extend beyond the boundary of the site.	n/a	<b>The proposal does not include any excavation or filling.</b>
	<b>AO13.2</b> No other air pollutants, including odours, are detectable at the boundary of the site.	n/a	<b>The proposal does not include any excavation or filling.</b>
	<b>AO13.3</b> A management plan for control of dust and air pollutants is prepared and implemented.	n/a	<b>The proposal does not include any excavation or filling.</b>
<b>PO14</b> Access to the premises (including driveways and paths) does not have an adverse impact on: (a) safety; (b) drainage; (c) visual amenity; and (d) privacy of adjoining premises.	<b>AO14</b> Access to the premises (including all works associated with the access): (a) must follow as close as possible to the existing contours; (b) be contained within the premises and not the road reserve, and (c) are designed and constructed in accordance with the Design Guidelines and Specifications set out in the Planning Scheme Policy 4 – FNQROC Regional Development manual.	n/a	<b>The proposal does not include any excavation or filling.</b>
<b>Weed and pest management</b>			
<b>PO15</b> Development prevents the spread of weeds, seeds or other pests into clean areas or away from infested areas.	<b>AO15</b> No acceptable outcome is provided.	✓	<b>The proposed subdivision does not involve physical changes to the site. Due care will be taken regarding the prevention of the spread of weeds and pests.</b>

Contaminated land			
<b>PO16</b> Development is located and designed to ensure that users and nearby sensitive land uses are not exposed to unacceptable levels of contaminants.	<b>AO16</b> Development is located where: (a) soils are not contaminated by pollutants which represent a health or safety risk to users; or (b) contaminated soils are remediated prior to plan sealing, operational works permit, or issuing of building works permit.	✓	<b>The proposed subdivision does not involve physical changes to the site. No building or works are proposed and nearby dwellings will not be exposed to any contaminants.</b>
Fire services in developments accessed by common private title			
<b>PO17</b> Fire hydrants are located in positions that will enable fire services to access water safely, effectively and efficiently.	<b>AO17.1</b> Fire hydrants are located in access ways or private roads held in common private title at a maximum spacing of: (a) 120 metres for residential development; and (b) 90 metres for any other development.	n/a	<b>The site is not accessed via common private title.</b>
	<b>AO17.2</b> Fire hydrants are located at all intersections of access ways or private roads held in common private title.	n/a	<b>The site is not accessed via common private title.</b>

# DEVELOPMENT APPLICATION

## DEVELOPMENT PERMIT:

### RECONFIGURATION OF A LOT

(1 into 2 Lots)

106 Bryde Road, Mareeba QLD. 4880

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LOT 1 ON RP747548

PREPARED BY: SCOPE TOWN PLANNING

MAY 2019



PLANNING FOR LOCALS

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<b>APPLICATION SUMMARY</b>		
<b>PROPOSAL</b>		<b>Reconfiguration of a Lot (1 into 2)</b>
<b>STREET ADDRESS</b>		<b>106 Bryde Road, Mareeba Qld. 4880</b>
<b>REAL PROPERTY ADDRESS</b>		<b>Lot 1 on RP747548</b>
<b>APPLICANT</b>		<b>Scope Town Planning for Land Owner</b>
<b>LAND OWNER</b>		<b>Mr Wade Venturato</b>
<b>AREA</b>		<b>10,000m<sup>2</sup></b>
<b>ZONE</b>		<b>Rural</b>
<b>PRECINCT</b>		<b>N/A</b>
<b>EASEMENTS</b>		<b>Easement 601420621 over Easement A on RP727824</b>
<b>ASSESSMENT LEVEL</b>		<b>Code</b>
<b>IMPROVEMENTS</b>		<b>Dwelling House, Shed, Partially cleared land</b>
<b>PROPOSED AREA</b>	<b>Lot 1</b>	<b>5,000m<sup>2</sup></b>
	<b>Lot 2</b>	<b>5,000m<sup>2</sup></b>
<b>APPLICABLE PLANNING CODES</b>		<b>Rural Zone Code</b>
		<b>Reconfiguring a Lot Code</b>
		<b>Landscaping Code</b>
		<b>Parking and Access Code</b>
		<b>Works, Services and Infrastructure Code</b>
		<b>Agricultural Land Overlay Code</b>
		<b>Airport Environs Overlay Code</b>
<b>APPLICABLE REFERRALS</b>		<b>N/A</b>

# 1 PROPOSAL

## 1.1 Introduction

This application is for a Development Permit for the Reconfiguration of a Lot (1 into 2 Lots) for Rural zoned land located at 106 Bryde Road, Mareeba Qld. 4880 formally known as Lot 1 on RP747548.

The intent of the proposed Reconfiguration of Lot 1 on RP747548 is to provide an additional, unencumbered lot for the possible future establishment of improvements. This proposal does not include any building works. The proposed lot configuration is illustrated in **Appendix A**.

Although the proposed lot reconfiguration results in an additional lot in a Rural Zone, it is not considered as inappropriate as the lot is currently only 10,000m<sup>2</sup> and is not utilized for rural uses. As the neighboring lot is less than 5000m<sup>2</sup> and the proposed lots are 5,000m<sup>2</sup>, the proposal is considered consistent with the size of lots previously allowed in the locality.

## 1.2 Site Summary

The site is composed of 1 lot identified as Lot 1 on RP747548 located in a rural area just 6.5km from Mareeba (**Figures 1 & 2**). The site has little remaining natural vegetation with a dozen established fruit trees and cleared areas of land. The established dwelling and detached shed are situated on the eastern side of the site with ample cleared land on the western side for future buildings (**Figure 3**).

The existing lot is serviced by an onsite septic system, bore water and reticulated electricity and telecom connections. The site has 2 established crossovers accessing Bryde Road which connects to Chewko Road leading into Mareeba.

## 1.3 Easements

The site is benefitted by Easement No. 601420621 located over Easement A on RP727824. The easement is located at the end of Bryde Road. Refer to **Figure 2**, Pg.5.



## 1.4 Level of Assessment

This application is **Code Assessable** development for the Reconfiguration of a Lot in a Rural Zone as prescribed by the Mareeba Shire Planning Scheme in Table 5.6.1 – Reconfiguring a lot (**Table 1**). **Figure 4** identifies lot 1 (the site) as being located in the Rural Zone.

## 5.6 Categories of development and assessment— Reconfiguring a lot

The following table identifies the categories of development and assessment for reconfiguring a lot.

**Table 5.6.1—Reconfiguring a lot**

Zone	Categories of development and assessment	Assessment benchmarks for assessable development and requirements for accepted development
Emerging community zone	Impact assessment	
	If not: (a) realigning the common boundaries of adjoining lots; or (b) creating an access easement.	The planning scheme
Rural residential zone	Impact assessment	
	If: (a) not located in the 4,000m <sup>2</sup> precinct, 1 hectare precinct or 2 hectare precinct; and (b) resulting in the creation of one or more additional lots.	The planning scheme
All zones other than the Emerging community zone or Rural residential zone	No change	Reconfiguring a lot code Relevant zone code Landscaping code Parking and access code Works, services and infrastructure code
<b>Code assessment</b>		
Any other reconfiguring a lot not listed in this table. Any reconfiguring a lot listed in this table and not meeting the description listed in the “Categories of development and assessment” column.		

**Table 1: Level of Assessment determined by the Mareeba Shire Planning Scheme.**

## 1.5 Recommendation

The proposed subdivision utilizes land located within the Rural Zone which has no future agricultural potential. The proposed additional lot is situated between the existing Dwelling House on the site and an adjoining lot containing a Dwelling House. Scope Town Planning recommends approval for the subdivision subject to due process and reasonable conditions.



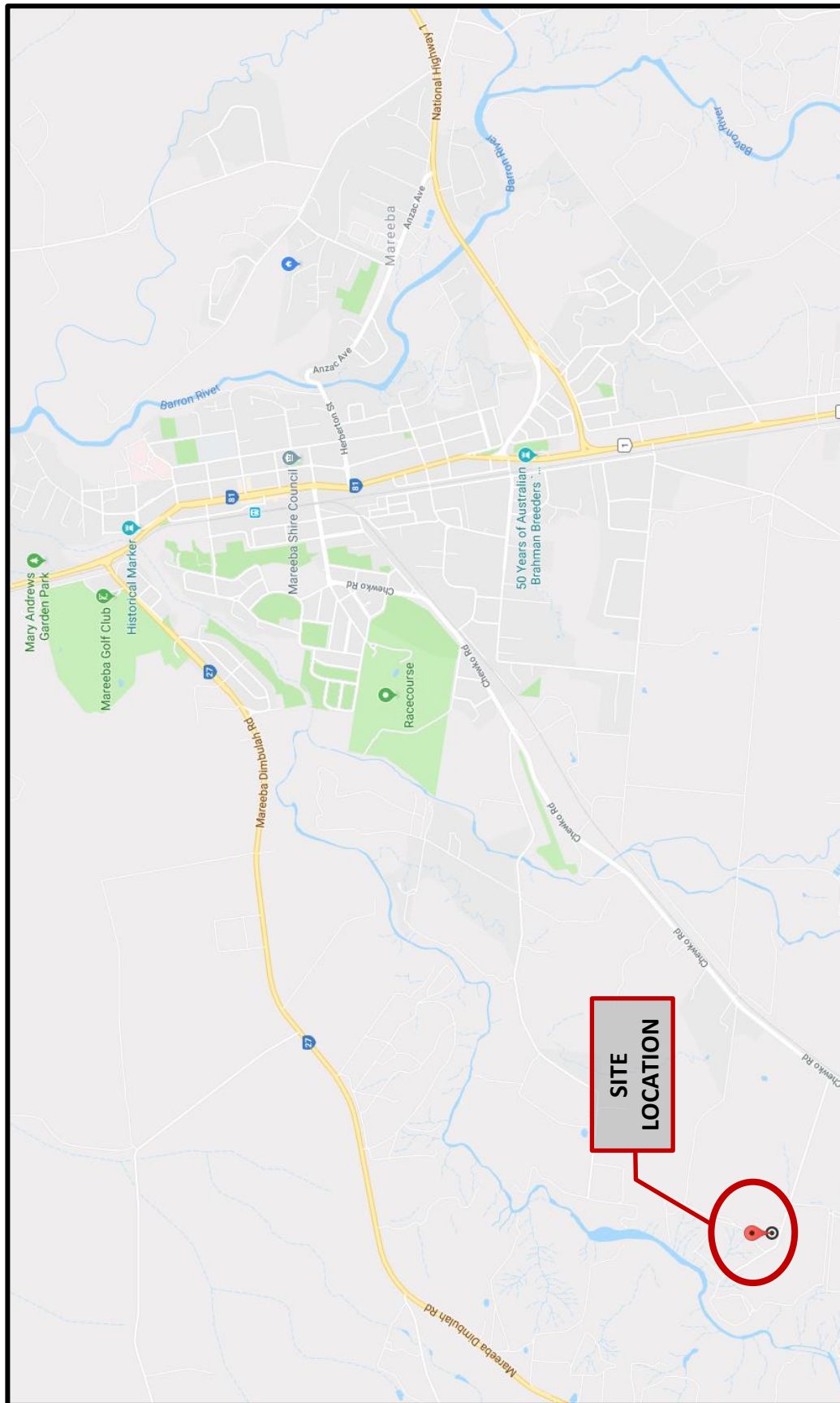


Figure 1: Site location in relation to Mareeba. (Google Maps)



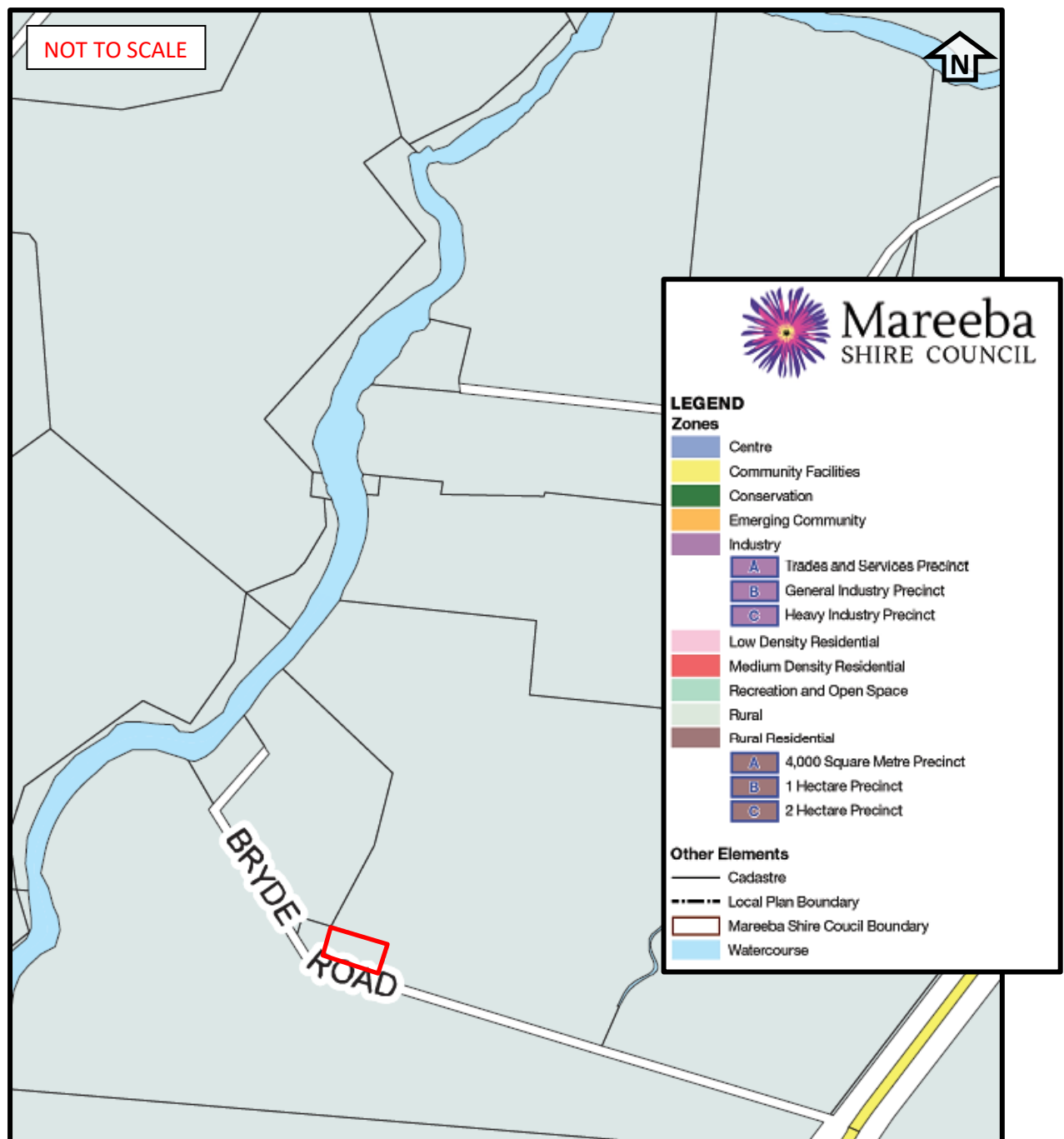








Figure 3: Aerial image showing existing improvements of the site. (Qld. Globe)



**Figure 4: Site located within Rural Zone.** (MSC Planning Scheme 2017)

## 2 PLANNING CONSIDERATIONS

### 2.1 Rural Lot Size

The Mareeba Shire Planning Scheme identifies the intent of Rural zoned land as being supportive of rural style living where some infrastructure is not generally provided due to the low intensity of development. Reconfiguration of Lots in the Rural zone is restricted to large lots capable of sustaining agricultural uses.

The proposed Reconfiguration of the Lot results in the creation of an additional lot with a small area and is a Code Assessable development proposal. A comparison of the existing lot configuration and the proposed lot configuration are shown in **Table 2**.

	Existing		Proposed	
<b>Lot 1</b>	10,000m <sup>2</sup>	1.0ha	5,000m <sup>2</sup>	0.5ha
<b>Lot 2</b>	-		5,000m <sup>2</sup>	0.5ha

**Table 2: Proposed lot reconfiguration.**

The proposed lots will maintain one established dwelling on Lot 2. No building works are proposed with this development application.

### 2.2 Infrastructure and Services

Existing Lot 1 is currently serviced by reticulated electricity and telecoms with sewer, water and storm water infrastructure being provided by the land owner. As per standard requirements, on-site sewer, water and storm water provisions will be made for the additional lot.

The site is accessed via Bryde Road and contains 2 existing crossovers. As the second crossover (refer **Figure 3**) is situated within the proposed additional lot (Lot 1), no additional crossover is required resultant of the proposed reconfiguration.





### 3 Assessment against the Planning Scheme

This site is included within the Rural Residential Planning Area and is Code Assessable under the Mareeba Shire Planning Plan 2017. The site is not identified within a precinct. **Table 4** identifies the proposals compliance with the relevant codes.

Mareeba Shire Planning Scheme (Alignment Amendment 2017)		CODE APPLICABILITY	COMPLIANCE
<b>Zone Code</b>	Rural	✓	Complies
<b>Use Code</b>	None applicable	✗	n/a
<b>Development Code</b>	Reconfiguring a lot	✓	Complies
	Landscaping	✓	Complies
	Parking and Access	✓	Complies
	Works, Services and Infrastructure	✓	Complies
<b>Local Plan</b>	None applicable	✗	n/a
<b>Overlay Codes</b>	Agricultural Land	✓	Complies
	Airport Environs	✓	Complies
	Bushfire Hazard	✗	n/a
	Environmental Significance	✗	n/a
	Extractive Resources	✗	n/a
	Flood Hazard	✗	n/a
	Heritage	✗	n/a
	Hill and Slope	✗	n/a
	Regional infrastructure Corridors and Substations	✗	n/a
	Residential Dwelling House and Outbuilding	✗	n/a
	Scenic Amenity	✗	n/a
	Transport Infrastructure	✗	n/a

**Table 4: Compliance of this development with relevant codes.**

The proposed Boundary Realignment is assessed against the applicable codes identified in Table 4 in **Appendix 2: Code Compliance Tables**.



#### **4 Application Referral**

Lot 1 on RP747548 is not affected by any State overlays apart from water resources and Native Vegetation Clearing - Category X. Water resources are adequately managed by the Mareeba Shire Planning Scheme and no native Vegetation clearing is proposed.

According to SARA's DA Mapping, the site is located within the Strategic Cropping Area classified as an Area of Regional Interest. No resource activities are proposed.

As such, the proposed subdivision is not referable to the State or any 3<sup>rd</sup> party agencies.



## APPENDIX 1: Existing and Proposed plans.



Existing Lot 1 on RP747548.



Proposed Lots 1 & 2.