

Our Ref: 31236-004-01

Your Ref:

1 July 2019

The Chief Executive Officer Mareeba Shire Council PO Box 154

MAREEBA QLD 4880

Attention: Planning and Approvals – C. Ewin

Dear Carl

DEVELOPMENT APPLICATION FOR RECONFIGURATION OF A LOT (1 LOT INTO 6 LOTS) & ACCESS EASEMENTS 19 KULLAROO CLOSE, KURANDA – LOT 2 ON RP734383

We act on behalf of the Applicants, G. Owen & C. Retter in relation to the abovementioned.

On behalf of the Applicants we now submit to Mareeba Shire Council an application seeking a Development Permit for Reconfiguring a Lot (1 lots into 6 lots) and associated access easements on land located at 19 Kullaroo Close, Kuranda, precisely described as Lot 2 on RP734383. The following has been prepared to assist with Council's assessment of the proposed development:

THE SITE

The subject land is located 19 Kularoo Close, precisely described as Lot 2 on RP734383. Figure 1 below identifies the subject site.

Subject Land

Figure 1: Satellite image of the subject land (source – Queensland Globe June 2019)

surveying town planning project management mapping and GIS

Townsville Burdekin Mackay

Woree Plaza, 12-20 Toogood Road, Woree Q 4870

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s.r. motti p.j. murphy r.j. melick g.l. allwood

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Cairns

Principals

The subject land parcel is irregular in shape and encompasses a total site area of approximately 2.88 hectares. The subject site is located within the Low Density Residential Zone, as identified under the Mareeba Shire Planning Scheme.

The subject land parcel incorporates approximately 30.4 metres of road frontage onto Kullaroo Close and currently contains two (2) existing residential dwellings and associated outbuildings located within the western region of the site. The north and eastern regions of the site are vegetated and is identified as remnant vegetation.

The subject development site is located within an established residential area on the outskirts of the Kuranda Village Centre. The locality is characterised by detached dwellings on traditional to medium sized residential allotments. The subject site adjoins the Jumrum Creek Environmental Park along its northern boundary and the Barron Gorge National Park to the eastern boundary.

The development site is located within 1 kilometre south of the Business and Village Centre of Kuranda and approximately 1.5 kilometres east of the Kennedy Highway at its closest point. The land is fully serviced with access to all required utilities including water supply, stormwater, electricity, telecommunications and sewerage infrastructure. An existing vehicular access point is located on the Kullaroo Close.

Photographs of the site are included with Attachment C.

The Title Searches included at *Attachment B* confirms that applicants are the registered owners of the subject land. A current SmartMap and copy of the current survey plan, RP734383 are also included at *Attachment B*, which identifies the existing lot configuration.

CURRENT DEVELOPMENT APPROVAL

A Development Permit for Material Change of Use – Residential Units (Fifteen x2 Bedroom Residential Units) and Reconfiguring a Lot – Subdivision (1 into 15 Standard Format Lots and Common Property) was granted by Council 23 December 2013. The approval has remained current through the applicant's request to extend the currency period.

PROPOSAL

Approval of the Development Application will authorise a Development Permit for Reconfiguring a Lot for the creation of six (6) residential lots. The development of the site will be undertaken in three (3) stages as identified on the plans of proposed reconfiguration, Brazier Motti Drawing No. 31236/003B, 31236/004B & 31236/005A included within *Attachments D-F*.

Details on the proposed staging is provided below.

Stage 1

Stage 1 will create proposed Lots 1, 3, 200 and the associated easements for access, drainage and services as depicted on Brazier Motti Plan 31236/003B included within *Attachment D*. The balance of the developable land will remain within proposed Lot 200. An easement for drainage purposes will be granted in Gross to Council over the natural overland path flow within proposed Lot 200 ensuring the lawful point of discharge is continued for the proposed lots. The natural overland flow path is depicted within Photographs 6, 7 & 10 with *Attachment C*.

Remnant vegetation within proposed Lot 3 will be protected by the means of a statutory covenant for environmental purposed registered on title, depicted as Covenant A on the associated proposal plan. The existing dwellings will be contained within proposed Lots 3 & 200. Environmental covenants over the remaining remnant vegetation will be created during subsequent stages of the development.

The initial section of the driveway contained within the 10.0m wide access strip will be constructed to width of 4.0m from Kullaroo Close allowing passing of vehicles. The remainder of the driveway fronting proposed Lots 4 and 5 will be constructed as part of Stage 3. The access strips/easements are of sufficient width to contain all necessary services. All proposed lots will be connected to Council's existing sewerage infrastructure that currently traverses the southern boundary of the site.



Stage 2

Stage 2 will create proposed Lot 4 as depicted on proposal plan 31236/004B contained within *Attachment E*. Proposed Lot 4 will utilise the driveway constructed during Stage 1. No further works onsite other than connection to services will be required. Emt C will be created within proposed Lot 4 for the future access of lots contained within Stage 3.

Remnant vegetation within proposed Lot 4 will placed within an environmental covenant.

Stage 3

Stage 3 will develop the balance of the site in creation of Lots 2, 5 & 6 and the associated easements and covenants as depicted in proposal plan 31236/005A within *Attachment F*.

With the remainder of the driveway only servicing proposed Lots 4-6, the access strip within proposed Lots 4 & 5 will be reduced to 8.0m and constructed driveway width to 3.0m. The constructed driveway will extend the full length of the access strip to the western boundary of proposed Lot 6.

PLANNING ACT 2016 CONSIDERATIONS

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

[2] · [4] · [2] · [4] ·	
Assessable Development	The proposed development constitutes assessable development under the Mareeba Shire Planning Scheme. Accordingly, pursuant to Section 44(3) of the <i>Planning Act 2016</i> a development approval is required.
Assessment Manager	Pursuant to Schedule 8 of the <i>Planning Regulation 2017</i> the Assessment Manager for this development application is Mareeba Shire Council.
Category of Assessment	The Mareeba Shire Planning Scheme identifies that the proposed development is Code Assessable development.
Public Notification	The Application is Code Assessable, therefore, in accordance with section 53 of the <i>Planning Act 2016</i> public notification is not required.
Referrals	The application does not trigger referral to any referral agencies.

MAREEBA SHIRE COUNCIL PLANNING SCHEME

Under the Mareeba Shire Planning Scheme the site is included in the Low Density Residential Zone. The Table of Assessment for the Low Density Residential Zone identifies that Reconfiguring a Lot is Code Assessable.

The table below provides an overview of the planning scheme elements applicable to the subject land and the proposed development provisions under the Mareeba Shire Planning Scheme:

Zone	Low Density Residential Zone			
Local Plan	Not Applicable			
Overlays	 Environmental Significance Overlay (wildlife habitat) Hill and Slope Overlay Residential Dwelling House and Outbuilding Overlay Transport Network Overlay (Access Road) 			



The Table of Assessment also identifies that the proposed development is assessable against the following planning scheme codes:

Applicable Codes	Low Density Zone Code
	Environmental Significance Overlay Code
	Hill and Slope Overlay Code
	Residential Dwelling House and Outbuilding Overlay Code
	Transport Infrastructure Overlay Code
	Landscaping Code
	Parking and Access Code
	Works, Services and Infrastructure Code
	Reconfiguring a Lot Code

All aspects of the proposed development are considered to be generally consistent with the relevant acceptable measures and/or performance criteria of each of the applicable codes identified above. An assessment against the applicable codes is provided below:

LOW DENSITY RESIDENTIAL ZONE CODE

The subject lot is included in the Low Density Residential Zone. The purpose of the Low Density Residential Zone is to provide for predominantly dwelling houses supported by community uses and small-scale services and facilities to cater for local residents.

Taking into the consideration of constraints on the subject land (vegetation and slope), the proposed reconfiguration is of a scale and nature that contributes to the proper and orderly development of the locality and is unlikely to have any significant impacts on the infrastructure, environment or community of the surrounding area.

The proposal is considered consistent with the purpose of the Low Density Residential Zone and provides allotments which are of sufficient size and dimensions to allow for an appropriate building envelope, provision of associated utilities, vehicle crossover, parking and private open space.

ENVIRONMENTAL SIGNIFICANCE OVERLAY CODE

The subject land is identified as having areas described a wildlife habitat. Accordingly assessment against the Environmental Significance Overlay Code is applicable.

Statutory covenants will be registered on title for the protection of remnant vegetation within the proposed lots. Each proposed lot contains sufficient area clear of vegetation to site a dwelling and associated infrastructure. No further clearing of remnant vegetation will be required as a result of the development.

Overall it is considered that the proposed development achieves consistency with the applicable acceptable and performance outcomes of the Environmental Significance Overlay Code

HILL AND SLOPE OVERLAY CODE

The subject land is identified as being within the Hill and Slope Area. Accordingly assessment against the Hill and Slope Overlay Code is applicable.

While the areas of site is identified as being within the hillslopes area, the topography of the cleared area of proposed Lot 4 is quite usable and will not require complex engineering solutions. Photographs 5-7 contained within *Attachment C* further reinforces that the subject land is usable and suitable for the proposed development.

It is considered that the proposed development will not have an impact on the ecological values, landscape character or scenic amenity of the hillslopes.

Overall it is considered that the proposed development achieves consistency with the applicable Acceptable and Performance Outcomes of the Hill and Slope Overlay Code



RESIDENTIAL DWELLING AND OUTBUILDING OVERLAY CODE

The purpose of the Residential Dwelling and Outbuilding Overlay Code is to ensure that dwelling houses, including residential outbuildings, are appropriately designed, located and serviced within the residential areas of the shire.

The proposed development seeks to create six (6) residential lots. The code will be addressed at the time that dwellings are constructed within the proposed lots.

TRANSPORT INFRASTRUCTURE OVERLAY CODE

The purpose of the Transport Network Overlay Code is to ensure that development provides transport infrastructure that supports a safe, efficient transport network, including the active transport network.

Access to the site will continue to be via Kullaroo Close. No new roads are required to service the development. Proposed Lot 1 will be accessed directly from Kullaroo Close via the existing crossover. Proposed Lots 2-6 will be accessed via a shared driveway. Vehicle crossovers and driveways will be constructed in accordance with the requirements of the FNQROC Development Manual.

Overall, the proposed development is consistent with intended role and function of the transport network, does not compromise the safety and efficiency of Kullaroo Close and is consistent with the Transport Network Overlay Code.

LANDSCAPING CODE

The Landscaping Code seeks to ensure all development is landscaped to a standard that compliments site and locality.

It is intended to provide landscaping within the access strips contained within proposed Lots 2, 4 & 5. The approval can be appropriately conditioned to ensure that landscaping will be undertaken within the access strips.

Overall it is considered that the proposed development achieves consistency with the applicable acceptable outcomes and performance outcomes of the Landscaping Code.

PARKING AND ACCESS CODE

The Parking and Access Code seeks to ensure sufficient parking is designed to service new developments.

The proposed development seeks to create six (6) low density residential lots. Proposed Lot 1 will be accessed directly from Kullaroo Close via the existing crossover. Proposed Lots 2-6 will be accessed via shared driveway.

With a width of 10m, the initial section of the access strip from Kullaroo Close is of sufficient width to contain a 4.0m driveway, passing bay, service conduits, drainage infrastructure and landscaping. As the remainder of the driveway only services proposed Lots 4-6, the access strip within proposed Lots 4 & 5 will be reduced to 8.0m and constructed driveway width to 3.0m. The constructed driveway will extend the full length of the access strip to the western boundary of proposed Lot 6.

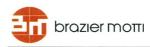
The access crossover and driveways will be constructed in accordance with FNQROC standards. Access and services easements will be created over the access strips to provide lawful access to the respective lots. All proposed lots are of sufficient area to accommodation the required parking in accordance with Table 9.4.3.3B.

Overall it is considered that the proposed development achieves consistency with the applicable acceptable outcomes and performance outcomes of the Parking and Access Code.

WORKS, SERVICES AND INFRASTRUCTURE CODE

The Infrastructure Works Code seeks to ensure that development is safely and efficiently serviced by and connected to infrastructure.

The proposed development will seek to utilise the existing infrastructure services which are available to the site, this will include connection to Council's water supply, sewerage network, stormwater, electricity and



telecommunications. Connections to each of the required infrastructure services will be undertaken in accordance with the specifications of the FNQROC Development Manual.

The development can be appropriately conditioned requiring connections to the applicable services.

Overall it is considered that the proposed development achieves consistency with the applicable acceptable outcomes and performance outcomes of the Infrastructure Works Code.

RECONFIGURING A LOT CODE

The Reconfiguring a Lot Code seeks to ensure that development results in lots that are suitable for their intended use, locality, are of a high standard of amenity, and provide all necessary infrastructure and services.

The proposed reconfiguration seeks to subdivide the existing allotment to create six (6) residential allotments and associated access easements. The proposed allotments are fairly regularly shaped and have areas that range from approximately 848m² to approximately 1.1ha. All lots have sufficient cleared areas to site a dwelling and associated infrastructure. It can be noted that the cleared, non-constrained areas with the proposed lots are greater than the minimum areas specified by Table 9.4.43B.

All proposed lots will be provided will appropriate access to Kullaroo Close and connections to the required services. The existing dwellings and structures contained within proposed Lots 2 & 3 are located greater than 2.0m from the proposed boundaries.

The proposed reconfiguration responds to the constraints on the land and the amenity to the surrounding locality. Overall it is considered that the proposed development achieves consistency with the applicable Acceptable and Performance Outcomes of the Reconfiguring a Lot Code.

CONCLUSION

The abovementioned has demonstrated that the proposed Reconfiguration of a Lot at 19 Kullaroo Close, Kuranda has been assessed against the assessment benchmarks of the Mareeba Shire Planning Scheme and is considered to comply with the relevant provisions.

Taking into the consideration of constraints on the subject land, the proposed reconfiguration is of a scale and nature that contributes to the proper and orderly development of the locality and is unlikely to have any significant impacts on the infrastructure, environment or community of the surrounding area.

The proposal is considered consistent with the purpose of the Low Density Residential Zone and provides allotments which are of sufficient size and dimensions to allow for an appropriate building envelope, provision of associated utilities, vehicle crossover, parking and private open space.

Accordingly, subject to the imposition of reasonable and relevant conditions, we request that Council issue a Development Permit for Reconfiguring of a Lot as detailed in above.

SUPPORTING DOCUMENTS

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

Attachment A: DA Form 1;

Attachment B: Title Search, SmartMap, Survey Plan RP734383;

Attachment C: Photographs of site;

Attachment D: Plan of Proposed Reconfiguration – Stage 1 (Brazier Motti Drawing No. 31236/003B)
Attachment E: Plan of Proposed Reconfiguration – Stage 2 (Brazier Motti Drawing No. 31236/004B)
Plan of Proposed Reconfiguration – Stage 3 (Brazier Motti Drawing No. 31236/005A)



We trust that the enclosed documentation is sufficient to allow Council's assessment of the proposed development, however, should you have any further queries or wish to discuss please do not hesitate to contact this office.

Yours faithfully,

MICHAEL TESSARO Senior Planner Brazier Motti Pty Ltd

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)	G. Owen & C. Retter c/- Brazier Motti
Contact name (only applicable for companies)	
Postal address (P.O. Box or street address)	PO Box 1185
Suburb	Cairns
State	Qld
Postcode	4870
Country	Australia
Contact number	4033 2377
Email address (non-mandatory)	cns.planning@braziermotti.com.au
Mobile number (non-mandatory)	
Fax number (non-mandatory)	
Applicant's reference number(s) (if applicable)	31236-004-01

2) Owner's consent
2.1) Is written consent of the owner required for this development application?
Yes – the written consent of the owner(s) is attached to this development application
No − proceed to 3)



PART 2 - LOCATION DETAILS

Listed on the Environmental Management Register (EMR) under the Environmental Protection Act 1994				
EMR site identification:				
Listed on the Contaminated Land Register (CLR) under the Environmenta	l Protection Act 1994			
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 <u>DA Forms Guide</u> .				
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? (tid	ck only one box)				
Development permit	☐ Preliminary approval	Preliminary approval th a variation approval	at includes		
c) What is the level of assessme	ent?				
	☐ Impact assessment (requ	ires public notification)			
d) Provide a brief description of lots):	the proposal (e.g. 6 unit apartment	building defined as multi-unit dwellin	g, reconfiguration of 1 lot into 3		
ROL – 1 lot into 6 lots with associ	ciated easements in 3 stages.				
e) Relevant plans Note: Relevant plans are required to be Relevant plans. Relevant plans of the propos	·				
	·	1 11			
6.2) Provide details about the se	econd development aspect				
a) What is the type of development	· · · · · · · · · · · · · · · · · · ·				
<i>'</i>	· · · · · · · · · · · · · · · · · · ·	☐ Operational work	☐ Building work		
a) What is the type of developme	ent? (tick only one box) Reconfiguring a lot	Operational work	☐ Building work		
a) What is the type of developmed Material change of use	ent? (tick only one box) Reconfiguring a lot	☐ Operational work ☐ Preliminary approval th approval			
a) What is the type of developmed Material change of use b) What is the approval type? (tick)	ent? (tick only one box) Reconfiguring a lot ck only one box) Preliminary approval	☐ Preliminary approval th			
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a) What is the type of developmed Material change of use b) What is the approval type? (tide) Development permit c) What is the level of assessment Code assessment d) Provide a brief description of	ent? (tick only one box) Reconfiguring a lot ck only one box) Preliminary approval ent? Impact assessment (requ	Preliminary approval th approval ires public notification)	at includes a variation		

6.3) Additional aspects of de			rolovant to	this developm	ont application	on and the	details for the	eo aenocte
that would be required unde								
Section 2 – Further develo	nma	nt deta	aile					
7) Does the proposed development				ve any of the fo	llowing?			
Material change of use		1		division 1 if asse		nst a local	planning instru	ıment
Reconfiguring a lot	\boxtimes	Yes – c	complete of	division 2			·	
Operational work		Yes – c	complete of	division 3				
Building work		Yes – c	complete	DA Form 2 – Bu	uilding work a	letails		
Division 1 – Material change Note: This division is only required to l	of us	S <mark>C</mark> oleted if an	y part of the	e develonment annli	ication involves a	a material ch	ange of use asses	sahle against a
ocal planning instrument.				частортот арра	oanon mivorvoo e	. material of	ango or doo dooo	odbio againor a
8.1) Describe the proposed i								
Provide a general description proposed use	n of the			e planning sche h definition in a nev			er of dwelling if applicable)	Gross floor area (m²) (if applicable)
8.2) Does the proposed use	involve	e the us	e of existi	ng buildings on	the premises	?		
Yes								
□ No								
Division 2 – Reconfiguring a	lot							
Note : This division is only required to be 9.1) What is the total numbe						reconfiguring	a lot.	
1	i Oi GX	isting to	is making	up the premise	·			
9.2) What is the nature of the	e lot re	configu	ration? (tid	ck all applicable box	res)			
Subdivision (complete 10))		gc.	(/	bv agreen	nent (complete 1)	1))
			from a construction road (complete 13))					
10) Subdivision 10.1) For this development,	how m	any lots	are bein	g created and w	hat is the inte	ended use	of those lots:	
Intended use of lots created	F	Resident	tial	Commercial	Industria	al	Other, please	specify:
Number of lots created	6	3						
10.2) Will the subdivision be	stage	d?						
✓ Yes – provide additional of the last of the	details	below						
How many stages will the wo	orks in	clude?		3				
What stage(s) will this development application apply to?			1-3					

11) Dividing land in parts?	to parts by aç	greement – hov	w many parts are	being	created and wha	t is the i	ntended use of the	
Intended use of par	ts created	Residential	Commerc	al	Industrial	Oth	Other, please specify:	
Number of parts cre	eated							
			•		•			
12) Boundary realig 12.1) What are the		proposed areas	for each lot com	prising	the premises?			
,	Curre					roposed	lot	
Lot on plan descrip	tion	Area (m ²)		Lot c	Lot on plan description		Area (m²)	
12.2) What is the re	eason for the	boundary reali	anment?					
, , , , , , , , , , , , , , , , , , ,			9					
13) What are the di	mensions and	d nature of any	existing easeme	ents be	ing changed and	or any p	proposed easement?	
Existing or	Width (m)	Length (m)	Purpose of the	aasam	ent2 (o.g.	Identify	the land/lot(s)	
proposed?	vviditi (iii)	Length (III)	pedestrian access)	casciii	ent: (e.g.		ted by the easement	
Proposed Emt A	10	56.1	Access & Servi	ces	es		·	
Proposed Emt C	8	50.4	Access & Servi	ces		5 & 6		
Proposed Emt D	8	39.2	Access & Services		6			
Division 3 – Operati Note: This division is only r		malatad if any nar	t of the development	onnlinati	ion involves eneration	od work		
14.1) What is the na				аррисац	on involves operation	iai wurk.		
Road work	atare or the o	perational work	Stormwater		☐ Water in	frastruct	IIro	
☐ Drainage work		F	Earthworks		☐ Sewage			
☐ Landscaping		7			☐ Clearing			
Other – please s	specify.							
	, poon y .							
14.2) Is the operation	onal work ned	cessarv to facili	itate the creation	of new	/ lots? (e.a. subdivis	sion)		
Yes – specify nu					(3	,		
□ No								
14.3) What is the m	onetary value	of the propos	ed operational w	ork? (ir	naluda CST matarial	a and labo		
\$	ionetary value	e of the propos	sed operational w	OIK: (II	icidde GST, material	s anu iabo	ui)	
Ψ								
PART 4 – ASSI	-SSMEN	TMANAGI	ER DETAILS	3				
7(1(1 + 7(00)	LOOIVILIA	1 1017 (1 47 () 1		,				
15) Identify the ass	essment mar	ager(s) who w	ill be assessing t	his dev	elopment application	ation		
Mareeba Shire Cou		O ()	<u> </u>					
16) Has the local go		reed to apply a	a superseded pla	nnina s	scheme for this d	evelopm	ent application?	
Yes – a copy of						ovolopii	ют арриосиот.	
				•	• •	est – rel	evant documents	
attached	io tanon to	agrood t	2 0 3aporoodot	- Piaiiii	g conomo roqu	101	J. S.I. GOOGIIIOIIIO	
⊠ 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 chief exec	eutive of the distribution entit	ty or transmission antity:		
Electricity infrastructure	dive of the distribution entit	y or transmission entity.		
Matters requiring referral to:				
The Chief executive of the holder of the licence, if not an individual				
The holder of the licence, if the holder	er of the licence is an individual			
Oil and gas infrastructure				
Matters requiring referral to the Brisbane	City Council:			
Brisbane core port land		_		
Matters requiring referral to the Minister u				
☐ Brisbane core port land (inconsistent w☐ Strategic port land	ith Brisbane port LUP for transp	port reasons)		
Matters requiring referral to the relevant p	ort operator:			
Land within Port of Brisbane's port limit	s (below high-water mark)			
Matters requiring referral to the Chief Exec	cutive of the relevant port au	thority:		
Land within limits of another port (below	v high-water mark)			
Matters requiring referral to the Gold Coas	st Waterways Authority:			
☐ Tidal works, or work in a coastal manaç	gement district in Gold Coast w	raters		
Matters requiring referral to the Queenslan	nd Fire and Emergency Servi	ice:		
☐ Tidal works marina (more than six vessel berths)				
18) Has any referral agency provided a ref				
Yes – referral response(s) received and	d listed below are attached to the	nis development application		
⊠ No				
Referral requirement	Referral agency	Date of referral response		
Identify and describe any changes made to referral response and the development app				
development application (if applicable).				
ART A INFORMATION REQ	LIFOT			
PART 6 – INFORMATION REQ	UEST			
19) Information request under Part 3 of the	e DA Rules			
☐ I agree to receive an information reques		his development application		
I do not agree to except an information request for this development application				

F

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

PART 7 - FURTHER DETAILS

20) Are there any associated dev	relanment applications or curren	t approvale? (o.g. a proliminary ar	aproval)		
20) Are there any associated development applications or current approvals? (e.g. a preliminary approval) Yes – provide details below or include details in a schedule to this development application					
⊠ No					
List of approval/development application references	Reference number	Date	Assessment manager		
☐ Approval ☐ Development application					
☐ Approval ☐ Development application					
			•		
21) Has the portable long service operational work)	e leave levy been paid? (only appl	icable to development applications inv	olving building work or		
☐ Yes – a copy of the receipted	QLeave form is attached to this	development application			
	de evidence that the portable lo				
assessment manager decides th					
a development approval only if I	·		been paid		
Not applicable (e.g. building a		, , , , , , , , , , , , , , , , , , ,			
·	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 requireme	nts				
Environmentally relevant activ					
		tion for an environmental autho	ority for an		
23.1) Is this development application also taken to be an application for an environmental authority for an Environmentally Relevant Activity (ERA) under section 115 of the <i>Environmental Protection Act</i> 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 a requires an environmental authority to op			<u>v.qld.gov.au</u> . An ERA		
Proposed ERA number:		Proposed ERA threshold:			
Proposed ERA name:					
· ·	able to this development applicament applicament application.	ation and the details have beer	attached in a		
Multiple ERAs are applic		ation and the details have beer	attached in a		
Multiple ERAs are applic schedule to this develope	ment application.		attached in a		
Multiple ERAs are applic schedule to this developed. Hazardous chemical facilities	ment application. ation for a hazardous chemical	facility?			
Multiple ERAs are application schedule to this developed Hazardous chemical facilities 23.2) Is this development application of application	ment application. ation for a hazardous chemical	facility?			
Multiple ERAs are application schedule to this developed Hazardous chemical facilities 23.2) Is this development application of Yes – Form 69: Notification of	ment application. ation for a hazardous chemical f a facility exceeding 10% of sch	facility? nedule 15 threshold is attached			

23.3) Does this development application involve clearing native vegetation that requires written confirmation that the chief executive of the <i>Vegetation Management Act 1999</i> is satisfied the clearing is for a relevant purpose under section 22A of the <i>Vegetation Management Act 1999</i> ?
 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 <i>Environmental Offsets Act 2014</i> ?
Yes – I acknowledge that an environmental offset must be provided for any prescribed activity assessed as having a significant residual impact on a prescribed environmental matter
No Note: The environmental offset section of the Queensland Government's website can be accessed at www.qld.gov.au for further information on environmental offsets.
Koala 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 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 <i>Water Act 2000</i> ?
☐ Yes – the relevant template is completed and attached to this development application and I acknowledge that a relevant authorisation or licence under the <i>Water Act 2000</i> may be required prior to commencing development ☐ No
Note: Contact the Department of Natural Resources, Mines and Energy at www.dnrme.qld.gov.au for further information.
DA templates are available from https://planning.dsdmip.qld.gov.au/ . If the development application involves:
 Taking or interfering with underground water through an artesian or subartesian bore: complete DA Form 1 Template 1 Taking or interfering with water in a watercourse, lake or spring: complete DA Form1 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 <i>resource</i> allocation authority is attached to this development application, if required under the <i>Fisheries Act 1994</i>
No
Note: See guidance materials at www.daf.qld.gov.au for further information. Quarry materials from a watercourse or lake
stuarry materials from a watercourse of 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.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 <i>Coastal Protection and Management Act 1995?</i>				
☐ 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.gld.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 <i>Water Supply (Safety and Reliability) Act 2008</i> (the Water Supply Act)?				
☐ Yes – the 'Notice Accepting a Failure Impact Assessment' from the chief executive administering the Water Supply Act is attached to this development application				
No Note: See guidance materials at www.dnrme.qld.gov.au for further information.				
Tidal work or development within a coastal management district				
23.12) Does this development application involve tidal work or development in a coastal management district?				
Yes – the following is included with this development application:				
Evidence the proposal meets the code for assessable development that is prescribed tidal work (only required if application involves prescribed tidal work) A certificate of title				
No No				
Note: See guidance materials at <u>www.des.qld.gov.au</u> 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.gld.gov.au for information requirements regarding development of Queensland heritage places.				
Name of the heritage place: Place ID:				
<u>Brothels</u>				
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 <i>Prostitution Regulation 2014</i> ☒ 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 <i>Transport Infrastructure Act 1994</i> (subject to the conditions in section 75 of the <i>Transport Infrastructure Act 1994</i> 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	⊠ v _{aa}			
requirement(s) in question 17 Note: See the Planning Regulation 2017 for referral requirements	⊠ Yes			
If building work is associated with the proposed development, Parts 4 to 6 of <i>DA Form 2</i> –	□ Voc			
Building work details have been completed and attached to this development application				
	☑ 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	⊠ Yes			
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 <u>DA</u> Forms Guide: Planning Report Template.				
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 <u>DA Forms Guide: Relevant plans.</u>				
The portable long service leave levy for QLeave has been paid, or will be paid before a	Yes			
development permit is issued (see 21))	Not applicable			
25) Applicant declaration				
By making this development application, I declare that all information in this development	t application is true and			
correct				
Where an email address is provided in Part 1 of this form, I consent to receive future electrical states and the states are the states and the states are the states and the states are th				
from the assessment manager and any referral agency for the development application where written information is required or permitted pursuant to sections 11 and 12 of the <i>Electronic Transactions Act 2001</i>				
Note : It is unlawful to intentionally provide false or misleading information.	1			
Privacy – Personal information collected in this form will be used by the assessment manage	 uer 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 <i>Planning Act 2016</i> , Planning Regulation 2017				
and the DA Rules except where:	ianning Regulation 2017			
 such disclosure is in accordance with the provisions about public access to documents contained in the <i>Planning</i> 				
Act 2016 and the Planning Regulation 2017, and the access rules made under the Planning				
Regulation 2017; or				
required by other legislation (including the <i>Right to Information Act 2009</i>); or				
• otherwise required by law.				
This information may be stored in relevant databases. The information collected will be retained as required by the <i>Public Records Act 2002.</i>				
T dollo Nocordo Act 2002.				
PART 9 – FOR OFFICE USE ONLY				
TAILT 3 - FOIL OIL TOL OOL OINLT				
Date received: Reference number(s):				
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				

manager	
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	

CURRENT TITLE SEARCH

NATURAL RESOURCES, MINES AND ENERGY, QUEENSLAND

Request No: 31562294

Search Date: 01/07/2019 10:13 Title Reference: 21095187

Date Created: 28/05/1979

Previous Title: 20863244

20990184

REGISTERED OWNER

Dealing No: 707205219 18/11/2003

GARTH VILLIERS OWEN

CATHERINE EVELYN RETTER JOINT TENANTS

ESTATE AND LAND

Estate in Fee Simple

LOT 2 REGISTERED PLAN 734383 Local Government: MAREEBA

EASEMENTS, ENCUMBRANCES AND INTERESTS

- 1. Rights and interests reserved to the Crown by Deed of Grant No. 20676027 (POR 6V)
- 2. MORTGAGE No 707205241 18/11/2003 at 11:30
 COMMONWEALTH BANK OF AUSTRALIA A.B.N. 48 123 123 124

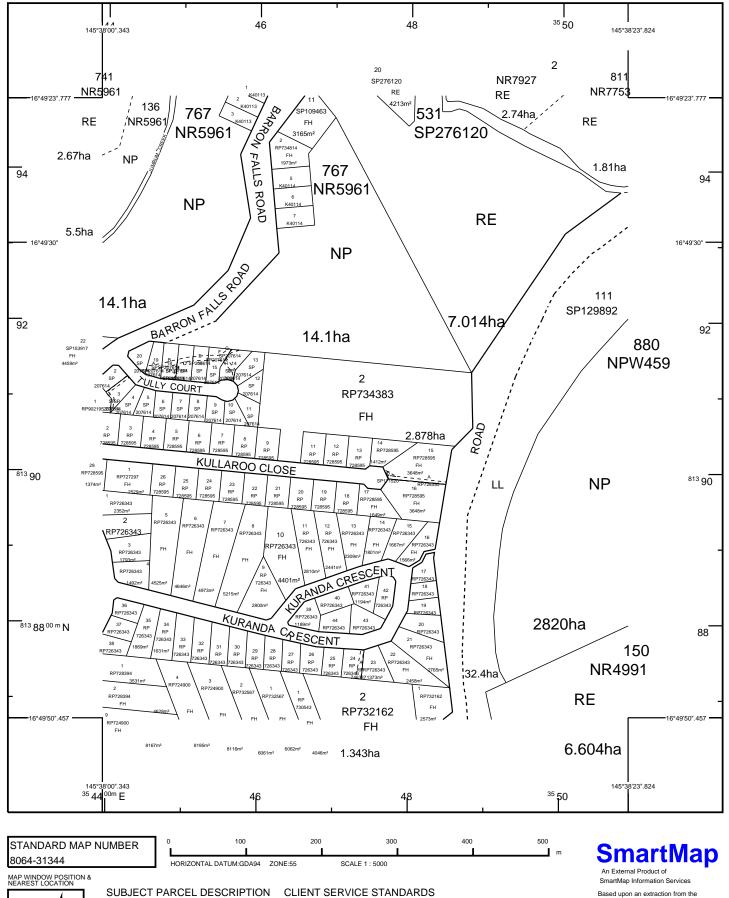
ADMINISTRATIVE ADVICES - NIL UNREGISTERED DEALINGS - NIL

CERTIFICATE OF TITLE ISSUED - No

Caution - Charges do not necessarily appear in order of priority

** End of Current Title Search **

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SUBJECT PARCEL DESCRIPTION

DCDB Lot/Plan 2/RP734383 Area/Volume 2.878ha FREEHOLD MAREEBA SHIRE Local Government KURANDA Locality

PRINTED (dd/mm/yyyy) 08/07/2019

07/07/2019

Users of the information recorded in this document (the Information) accept all responsibility and risk associated with the use of the Information and should seek independent professional advice in relation to dealings with property.

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For further information on SmartMap products visit http://nrw.qld.gov.au/property/mapping/blinmap

Based upon an extraction from the Digital Cadastral Data Base



Queensland Government
(c) The State of Queensland, (Department of Natural Resources, Mines and Energy) 2019.

CORNERS STNS "TOWN... PARISH.... **CAIRNS**

COUNTY....

Lots 1 and 2 Cancelling Lot I on RP.25781 and

MERIDIAN

Lot 10 on RP.28595

RP. 25781

CROWN COPYRIGHT RESERVED, REGISTRAR OF TITLES, QUEENSLAND

SCALE 1:2000

REGISTERED PLAN 34383

Nares

CISP

PLAN OF

SURVEYED BY C. R. Hunter ..24. / ..3..././97.9

ORIGINAL PORTION

ORIGINAL GRANT

MAP REF.

6v

Vol. N676 Fol. 27

PROCLAIMED

SURVEY AREA

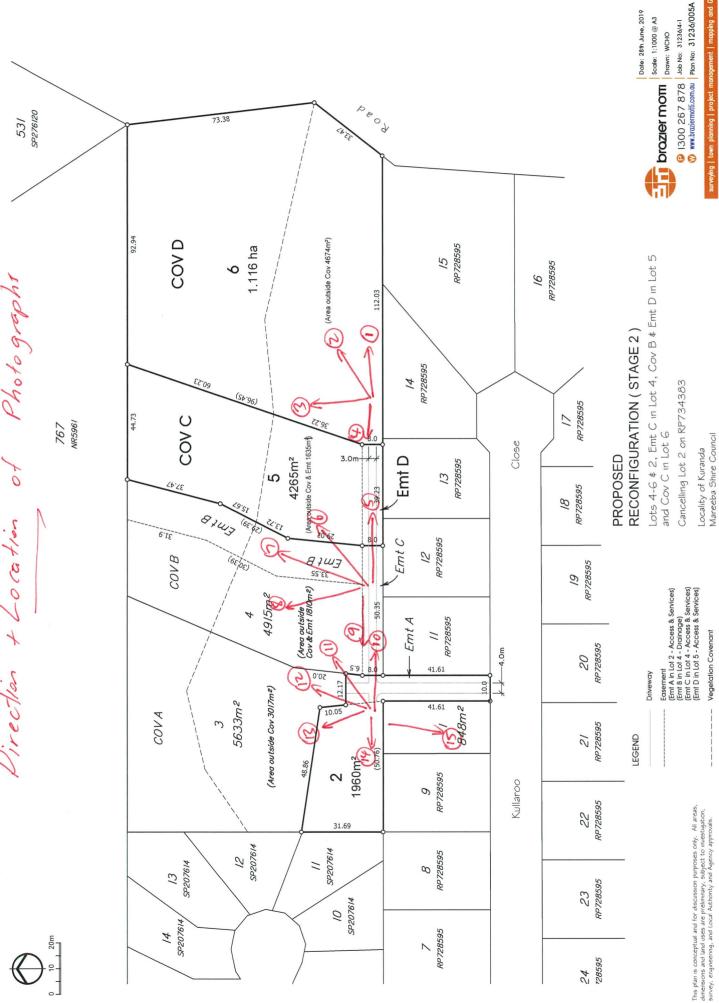
WALITING

1

REGISTERED PLAN 34303

34383

Direction + Location of Photographs



24





Photograph 1.



Photograph 2.





Photograph 3.



Photograph 4.





Photograph 5.



Photograph 6.





Photograph 7.



Photograph 8.





Photograph 9.



Photograph 10.





Photograph 11.



Photograph 12.





Photograph 13.



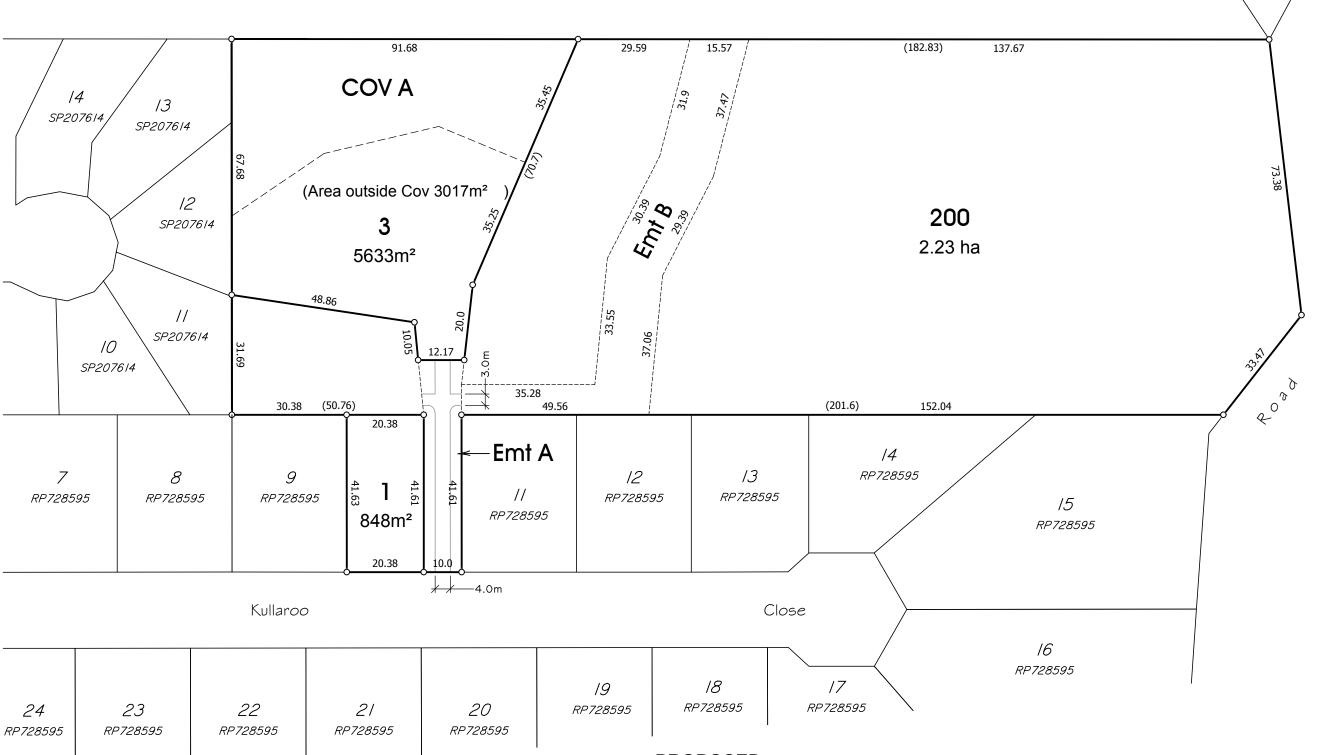
Photograph 14.





Photograph 15.

767 NR5961



LEGEND

Driveway

(Emt A in Lot 200 - Access & Services) (Emt B in Lot 200 - Drainage)

---- Vegetation Covenant

PROPOSED RECONFIGURATION (STAGE 1)

Lots I, 3 \$ 200, Emts A \$ B in Lot 200 and Cov A in Lot 3 Cancelling Lot 2 on RP734383

Locality of Kuranda Mareeba Shire Council



53/ SP276120

> Date: 28th June, 2019 Scale: 1:1000 @ A3 Drawn: WCHO

www.braziermotti.com.au Plan No: 31236/003B



LEGEND

Driveway

(Emt A in Lot 200 - Access & Services) (Emt B in Lot 200 - Drainage)

---- Vegetation Covenant

RECONFIGURATION (STAGE 1)

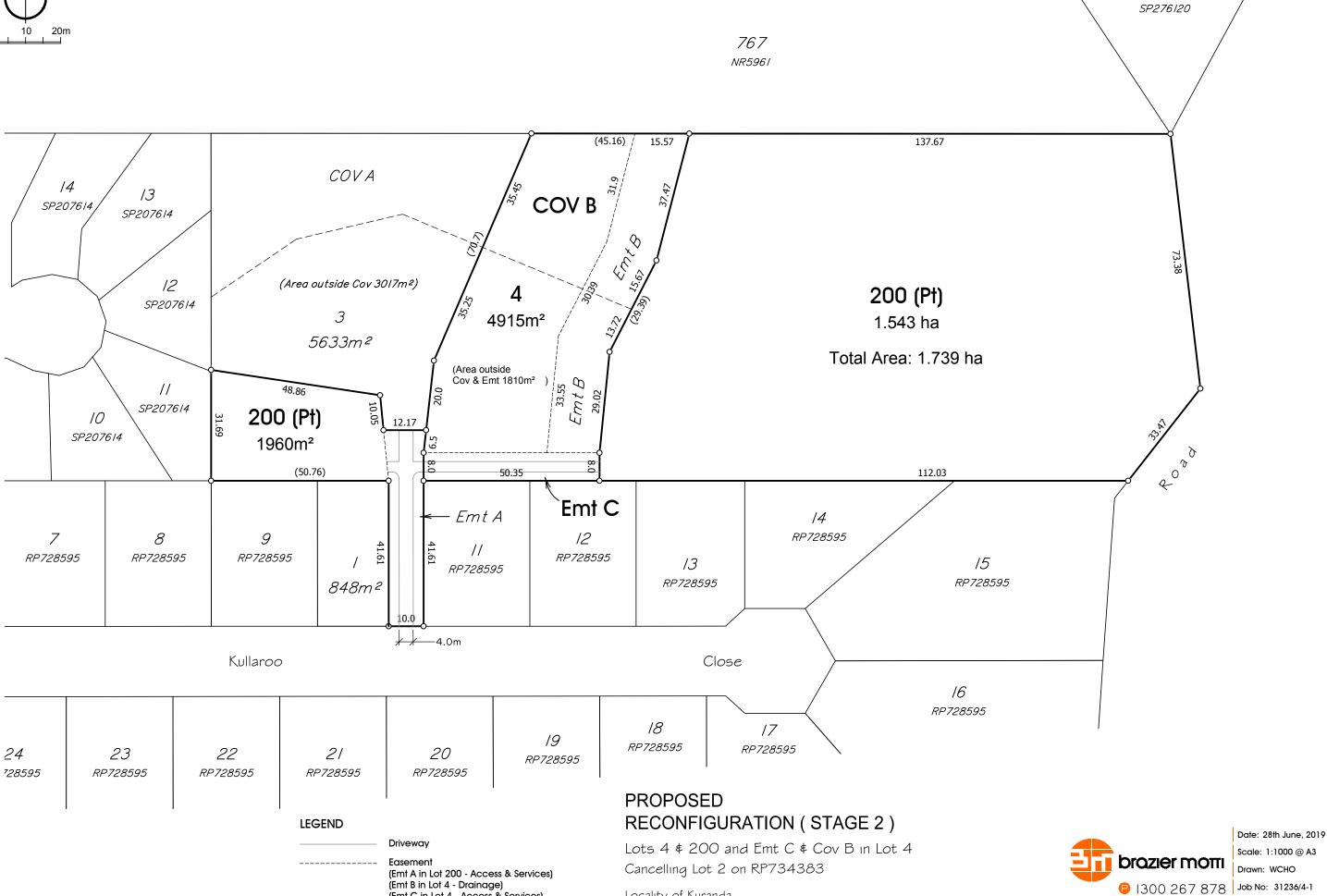
Lots I, 3 \$ 200, Emts A \$ B in Lot 200 and Cov A in Lot 3 Cancelling Lot 2 on RP734383

Locality of Kuranda Mareeba Shire Council



Date: 28th June, 2019 Scale: 1:1000 @ A3 Drawn: WCHO www.braziermotti.com.au Plan No: 31236/003B

This plan is conceptual and for discussion purposes only. All areas, dimensions and land uses are preliminary, subject to investigation, survey, engineering, and Local Authority and Agency approvals.



Locality of Kuranda

Mareeba Shire Council

(Emt C in Lot 4 - Access & Services)

---- Vegetation Covenant

surveying | town planning | project management | mapping and GIS

www.braziermotti.com.au Plan No: 31236/004B

53/



LEGEND

Driveway

Easement

(Emt A in Lot 2 - Access & Services) (Emt B in Lot 4 - Drainage) (Emt C in Lot 4 - Access & Services)

---- Vegetation Covenant

RECONFIGURATION (STAGE 2)

Lots 4 \$ 200 and Emt C \$ Cov B in Lot 4 Cancelling Lot 2 on RP734383

Locality of Kuranda Mareeba Shire Council



Date: 28th June, 2019 Scale: 1:1000 @ A3 Drawn: WCHO www.braziermotti.com.au Plan No: 31236/004B

53/ SP276120 767 NR5961 92.94 44.73 COVA 14 COVB COV D SP207614 COV C SP207614 6 5633m² 12 4 1.116 ha SP207614 4915m² (Area outside Cov 3017m²) 4265m² (Area outside Cov & Emt 1810m²) 48.86 EmtB (Area outside Cov & Emt 1635m²) // SP207614 (Area outside Cov 4674m²) 2 10 31.69 12.17 SP207614 1960m² 2000 (50.76)50.35 39.23 112.03 Emt C Emt D - Emt A 14 RP728595 7 8 9 12 // RP728595 RP728595 RP728595 RP728595 15 /3 RP728595 RP728595 RP728595 848m² -4.0m Kullaroo Close 16 RP728595 18 17 19 RP728595 RP728595 24 23 22 21 20 *RP728595* RP728595 RP728595 ⁷28595 RP728595 RP728595

This plan is conceptual and for discussion purposes only. All areas, dimensions and land uses are preliminary, subject to investigation, survey, engineering, and Local Authority and Agency approvals.

Driveway

---- Vegetation Covenant

LEGEND

Easement (Emt A in Lot 2 - Access & Services) (Emt B in Lot 4 - Drainage) (Emt C in Lot 4 - Access & Services)

(Emt D in Lot 5 - Access & Services)

PROPOSED RECONFIGURATION (STAGE 2)

Lots 4-6 \$ 2, Emt C in Lot 4, Cov B \$ Emt D in Lot 5 and Cov C in Lot 6

Cancelling Lot 2 on RP734383

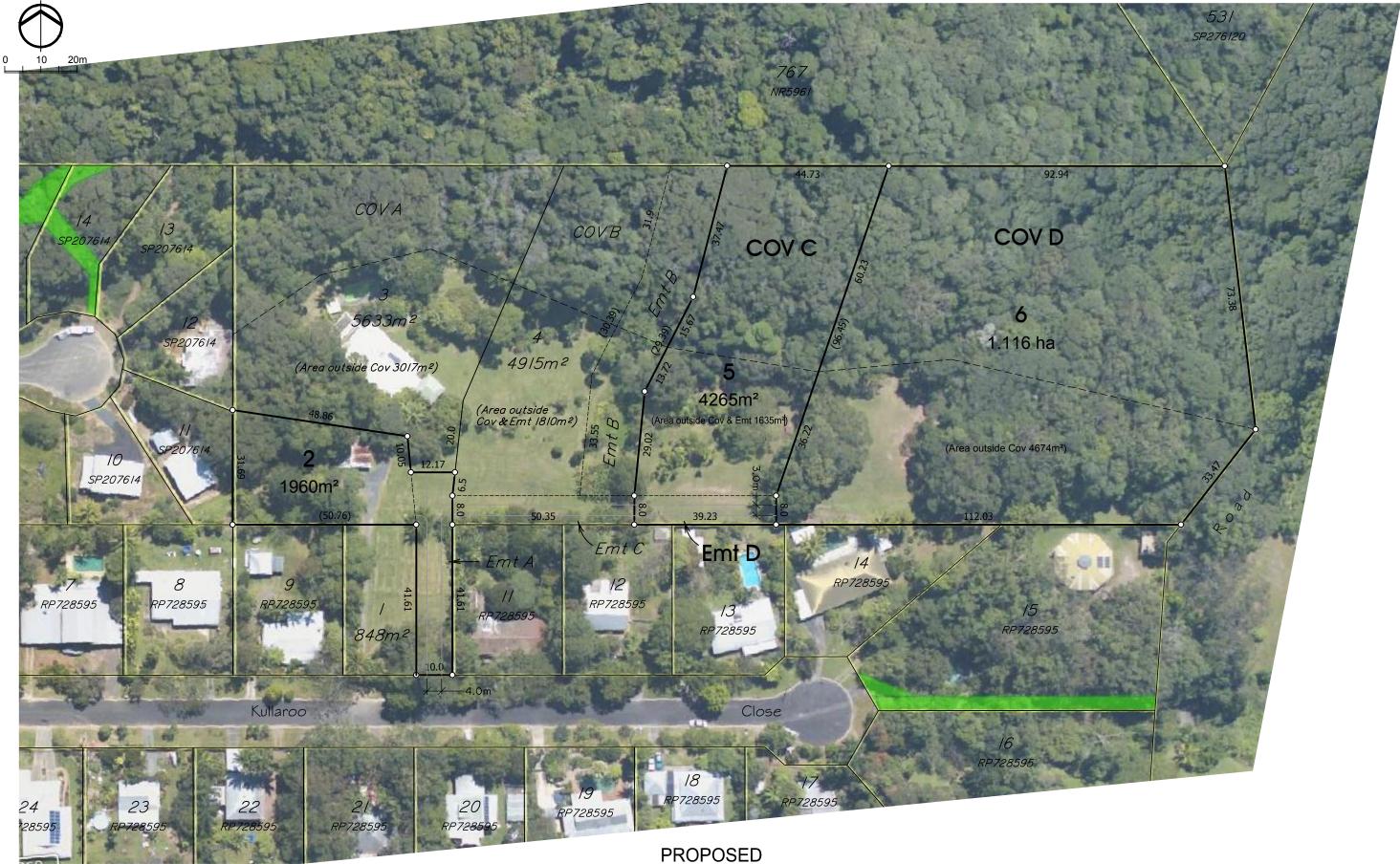
Locality of Kuranda Mareeba Shire Council



Date: 28th June, 2019 Scale: 1:1000 @ A3

₱ 1300 267 878 | Job No: 31236/4-1 www.braziermotti.com.au Plan No: 31236/005A

surveying | town planning | project management | mapping and GIS



LEGEND

Driveway

Easement

(Emt A in Lot 2 - Access & Services) (Emt B in Lot 4 - Drainage) (Emt C in Lot 4 - Access & Services)

(Emt D in Lot 5 - Access & Services)

---- Vegetation Covenant

RECONFIGURATION (STAGE 3)

Lots 2, 5 \$ 6, Cov C \$ Emt D in Lot 5 and Cov D in Lot 6

Cancelling Lot 2 on RP734383

Locality of Kuranda Mareeba Shire Council



Date: 28th June, 2019 Scale: 1:1000 @ A3 Drawn: WCHO