

28 July 2020

The Chief Executive Officer
Mareeba Shire Council
PO Box 154
MAREEBA QLD 4880



Dear Sir/Madam

**DEVELOPMENT APPLICATION FOR A DEVELOPMENT PERMIT
MATERIAL CHANGE OF USE – DUAL OCCUPANCY
ON LAND DESCRIBED AS LOT 82 ON SP256994
LOCATED AT 21 DAMIEN STREET, MAREEBA**

I refer to the aforementioned development application seeking a Development Permit for a Material Change of Use – Dual Occupancy on land described as Lot 82 on SP256994 located at 21 Damien Street, Mareeba.

Please find attached the following documents to assist with Council's assessment of the application:

Attachment A: DA Form 1;
Attachment B: Zoning Map; and
Attachment C: Proposal Plans.

Property Description

Property Description: Lot 82 on SP256994
Total Subject Area: 869m²
Zoning: Low Density Residential

Title search for subject Lot 82 on SP256994 confirms ownership by Lance Colin Gostelow and Amanda Gostelow. The title search for Lot 82 on SP256994 identifies that there is an existing easement over the north-eastern portion of the site being for the purpose of stormwater drainage.

Site Characteristics

The subject land includes Lot 82 on SP256994 which covers a total area of approximately 869 square metres and has frontage to Damien Street along its south-western boundary where primary access is provided. The site is irregular in shape and is currently clear of any improvements. The subject land parcel is located within the Low Density Residential Zone, as identified under the Mareeba Shire Council Planning Scheme.

The subject allotment is located within an establishing low-density residential area north of Seary Road, with uses in the locality generally comprising single detached houses situated on small to medium sized allotments.

Basic infrastructure such as water, sewerage, electricity and telecommunications are located within the road reserve fronting the site and access to these services is readily available. Overall, the subject land parcel is gently sloping, however incorporates areas of generally flat ground. The site incorporates overland flow paths that fall away to the north-east of the site, toward the rear property boundary.

As identified on Figure 1 below, the subject land parcel is predominately located within a low-density residential landscape setting north of Seary Road.

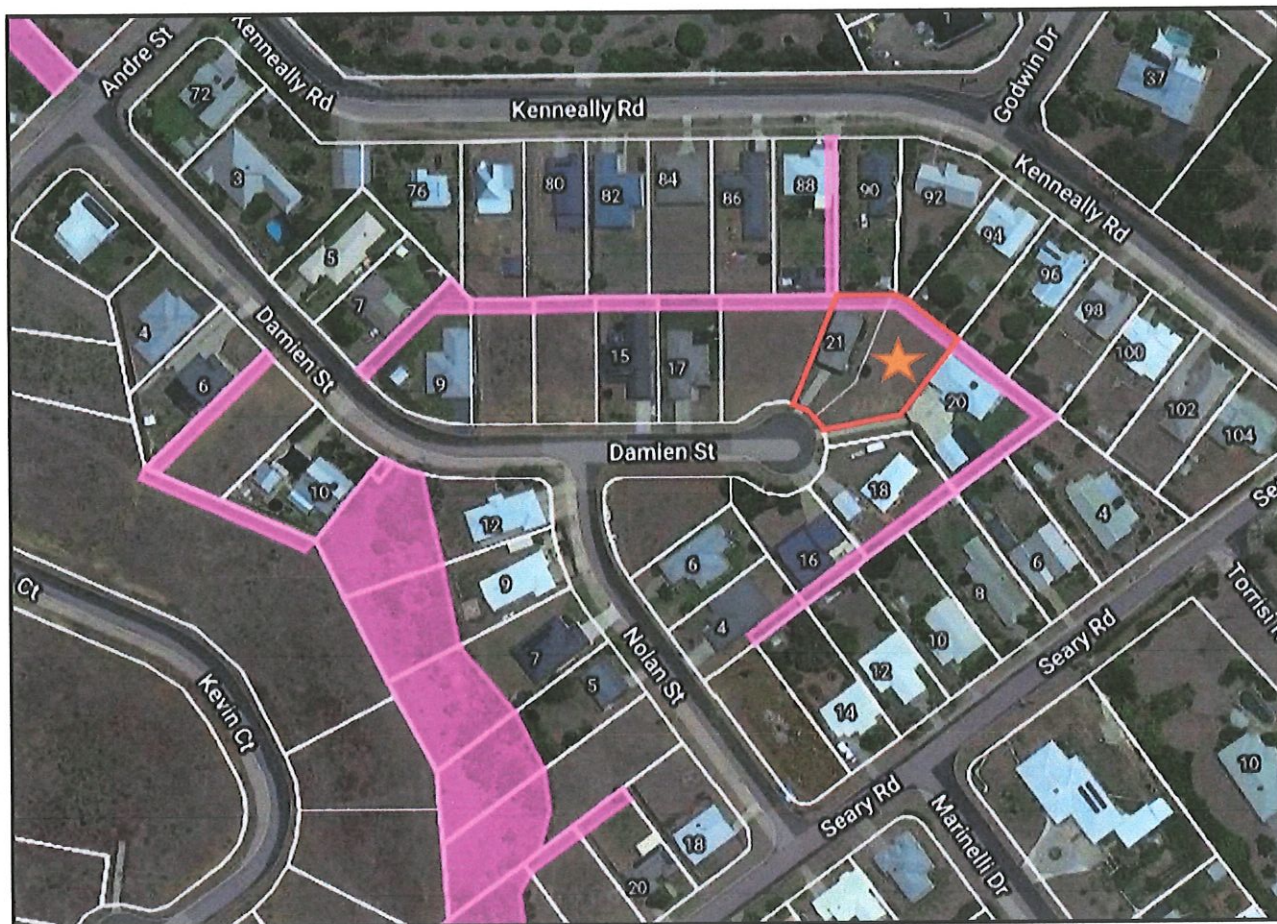


Figure 1: Aerial Photo of the subject site (source – Queensland Globe 2018)

Surrounding Area

The subject land parcel is located within the Mareeba locality and is within 3 kilometres south of the Mareeba CBD. Furthermore, the subject site is located within 100 metres north of Seary Road and approximately 65 metres west from Kenneally Road.

Dominant land uses adjacent to, and/or within proximity to the premises are represented by the surrounding zones which include:-

- North: Low Density Residential
- East: Low Density Residential
- South: Low Density Residential
- West: Low Density Residential

As demonstrated above, the locality is generally comprised of land uses consistent with the low density residential designation. Having regard to the above features of the surrounding locality, it is considered that the proposed Dual Occupancy will continue to be consistent with the strategic intent for the subject property and would be in keeping with the local character of the area.

Attachment B contains a Zoning Map identifying the site in relation to the surrounding area.

Proposal

Approval of the Development Application will authorise a Development Permit for a Material Change of Use – Dual Occupancy over land described as Lot 82 on SP256994 located at 21 Damien Street, Mareeba.

The proposal consists of the construction of a new duplex upon an existing land parcel incorporating an overall site area of 869m². The new single storey duplex is to be positioned central upon the site and approximately 19 metres from the front property boundary.

The proposed duplex will incorporate one (1) two-bedroom unit and one (1) three-bedroom unit that will be separated by a fire rated internal wall. Both units will include a rear patio area incorporating an overall floor area of approximately 28.5 square metres, a single bay garage connecting to the existing driveway into the site, dining and living rooms, kitchen, laundry, common bathroom (with the 3 bedroom unit containing an ensuite for the master bedroom) and access to private open space areas.

The proposed built form is single storey and incorporates an overall height of approximately 4.8 metres at its highest point, which has been designed to comply with the height provisions designated for the Low Density Residential Zone.

The proposed duplex will have vehicular access direct from the proposed driveway upon the site, which will allow for safe ingress to and egress from the secure on-site garage spaces. Sufficient landscape and open space areas throughout the site will be achieved as part of the proposed layout.

The building footprint of the proposed duplex will cover an area of approximately 31% of the total site area. The development will complement the strategic intent of the area to which it is located, while providing for a low impact residential use upon the subject site.

Proposal plans prepared by Allan Ballard and Anne Taylor are provided at *Attachment C*, which identifies the proposed dual occupancy layout upon the site.

Mareeba Shire Planning Scheme

Under the Mareeba Shire Planning Scheme the site is included in the **Low Density Residential Zone** as identified on **Zone Map – Mareeba Centre ZM016b**. The Assessment Table for the Low Density Residential Zone identifies that the level of assessment required for the proposed Material Change of Use – Dual Occupancy is **Code Assessment**. All aspects of the proposed development are considered to be compliant with the relevant Overall Outcomes, Performance Outcomes or Acceptable Outcomes of each of the applicable codes identified below:

- Low Density Residential Zone Code;
- Accommodation Activities Code;
- Landscaping Code;
- Parking and Access Code; and
- Works, Services and Infrastructure Code.

Low Density Residential Zone Code

Mareeba Shire Council's purpose of the Low Density Residential Zone Code is to

- (a) maintain the integrity of established residential areas, which are characterized primarily by Dwelling houses and Dual occupancy development;*
- (b) provide opportunities for other forms of residential development where existing character and amenity will not be compromised; and*
- (c) facilitate non-residential development that directly supports the day to day needs of the immediate residential community, in new residential areas.*

The built form height proposed is compliant with the prescribed height limit for the Low Density Residential Zone, while the building design incorporates similar built form and architectural features, height, materials and roof pitch to existing dwellings located throughout the immediate area.

The proposed development incorporates good urban design and offers quality, functional, efficient and attractive living spaces. The scale and density of the proposed development contributes to achieving a high standard of residential amenity. In particular, the proposal does not compromise the specified residential density or the gross floor area for a dual occupancy within the Low Density Residential Zone.

The proposed building setbacks to all surrounding site boundaries will be in accordance with the acceptable setback provisions for a single storey building. It is considered, that the proposal as detailed in this report, is a continuation of orderly development that would be consistent with and maintain the local character of the area and zone to which it is located.

Overall it is considered that the proposed development achieves consistency with the applicable acceptable measures and performance criteria of the Low Density Residential Zone Code.

Accommodation Activities Code

The purpose of the Accommodation Activities Code is to facilitate the provision of Accommodation activities in appropriate locations throughout the shire.

The proposed development design will minimise any adverse impacts upon the natural environment and amenity of surrounding uses, while positively integrating to the existing site characteristics. The subject site is supported by well-connected access to public transport, cycling and pedestrian networks in the locality.

The building footprint of the proposed duplex will cover an area of approximately 31% of the total site area. The proposed building setbacks to all surrounding site boundaries will be in accordance with the acceptable setback provisions for a single storey building. Moreover, each proposed unit will be provided with a significant amount of private open space (both covered and uncovered) within the rear portion of the site.

Individual refuse bin storage areas will be provided upon the site that are sufficient to meet the anticipated demand for refuse storage and cleaning. The proposed development also achieves Council's standards for landscaping and private open space areas, provides a sufficient number of on-site car parking spaces and the proposed residential density is considered appropriate for the site.

Overall it is considered that the proposed development achieves consistency with the applicable acceptable measures and performance criteria of the Accommodation Activities Code.

Landscaping Code

The Landscaping Code seeks to ensure that all development is landscaped to a standard that:

- (a) complements the scale and appearance of the development;*
- (b) protects and enhances the amenity and environmental values of the site;*
- (c) complements and enhances the streetscape and local landscape character; and*
- (d) ensures effective buffering of incompatible land uses to protect local amenity.*

Provision for sufficient landscape and open space areas throughout the site is allowed for with the proposed development design layout. In particular, a minimum 10% of the total site area will be provided as dedicated landscape areas. It is expected that Council will condition that dedicated landscape space must be provided upon the site.

Landscaping will be implemented throughout the site, in particular within the front setback area between the proposed built form and the road reserve area to ensure that it will assist in softening elements of built form, while creating an attractive streetscape presence.

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

Parking and Access Code

The Parking and Access Code seeks to ensure that:

- (a) parking areas are appropriately designed, constructed and maintained;*
- (b) the efficient functioning of the development and the local road network; and*
- (c) all development provides sufficient parking, loading/service and manoeuvring areas to meet the demand generated by the use.*

In accordance with Table 9.4.3.3B, an adequate number of on-site car parking spaces is proposed as part of this development, with a total of one (1) covered space per unit and the provision for an additional one (1) uncovered visitor spaces being provided for the duplex. It is expected that Council will condition that a dedicated visitor car space will be provided upon the site.

It is not expected that the proposed use will generate a significant volume of traffic. The proposed on-site driveway and manoeuvring areas will be of sufficient area to ensure that appropriate circulation and turning areas are provided for the vehicles that will be visiting the premises in accordance with the provisions of the relevant Council Standards.

A new vehicular access crossover to service the proposed development will be constructed in accordance with the Design Guidelines and Specifications set out in the Planning Scheme Policy 4 – FNQROC Regional Development manual.

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 purpose of the Works, Services and Infrastructure Code is to ensure that all development is appropriately serviced by physical infrastructure, public utilities and services and that work associated with development is carried out in a manner that does not adversely impact on the surrounding area.

This development proposal is a continuation of existing urban development and it is confirmed that provision for appropriate stormwater drainage, reticulated water, sewerage infrastructure, electricity and telecommunications is readily available to service the proposed development and that connection is anticipated to be carried out in accordance with the relevant Council standards.

A new vehicular access crossover to service the proposed development will be constructed in accordance with the Design Guidelines and Specifications set out in the Planning Scheme Policy 4 – FNQROC Regional Development manual. Furthermore, it is not expected that any significant fill or excavation works will be required to be undertaken as part of this development.

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

Referral Agencies

The Development Assessment Process incorporates a referral process, established through the *Planning Regulation 2017*, enabling relevant state agencies to have input in the assessment process.

A review of Schedule 10 of the *Planning Regulation 2017* against the proposed development indicates that there are **no** referral agencies applicable to this application.

Conclusion

The proposed Material Change of Use – Dual Occupancy is appropriately located and will not adversely affect the character or amenity of the locality or the zone. Furthermore, it is considered that the proposed development is generally consistent with the relevant provisions of the Mareeba Shire Council Planning Scheme 2016. It is also noted that site treatments are able to be managed by conditions.

Site treatments are able to be managed by conditions. The proposal is considered a logical development given the site's inclusion within the established Mareeba Centre locality that is well supported by essential infrastructure and services. Furthermore, the development is generally in accordance with the provisions prescribed by the Mareeba Shire Council Planning Scheme.


The following conclusions can be drawn from the above referenced planning aspects of the proposal:

- The proposed land development is appropriately located and it is considered that there are sufficient grounds to support the proposed development at this location as it will not adversely affect the character or amenity of the locality or the zone;
- The proposal allows for the efficient expansion of existing urban development within the area. The proposal consists of establishing a dual occupancy upon an urban site that is appropriately sized and located within Mareeba;
- The subject site achieves the required site criteria to suitably accommodate the built form construction;
- The proposed development does not intend to modify existing land contours, therefore ensuring that overland flow paths do not directly or indirectly cause nuisance to a downstream or adjoining property;

- The proposed subdivision adequately addresses the elements of the Low Density Residential Zone Code, Accommodation Activities Code, Landscaping Code, Parking and Access Code, Works, Services and Infrastructure Code including each of the relevant overall outcomes, performance outcomes and/or acceptable outcomes;
- The proposed development is responsive to all environmental constraints and is expected to have no impact on the landscape character and visual amenity;
- The proposal will not have a detrimental impact on the function of the existing and future street and traffic network; and
- The proposed use is of a scale and nature that contributes to the proper and orderly development of the locality.

On balance, it is considered that the proposed development is an appropriate response to the site and, subject to the imposition of reasonable and relevant conditions, Council will be able to issue a permit for Material Change of Use – Dual Occupancy.

Yours faithfully,



Lance Gostelow

ATTACHMENT A

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)	Lance and Amanda Gostelow
Contact name (only applicable for companies)	
Postal address (P.O. Box or street address)	PO Box 1827
Suburb	Mareeba
State	QLD
Postcode	4880
Country	Australia
Contact number	0401 439 698
Email address (non-mandatory)	lancenmanda@bigpond.com.au
Mobile number (non-mandatory)	
Fax number (non-mandatory)	
Applicant's reference number(s) (if applicable)	

2) Owner's consent	
2.1) Is written consent of the owner required for this development application?	
<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
		21	Damien Street	Mareeba
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)
		82	SP256994	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):*

Material Change of Use – Dual Occupancy

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 checked="" type="checkbox"/> Yes – complete division 1 if assessable against a local planning instrument
Reconfiguring a lot	<input type="checkbox"/> Yes – complete division 2
Operational work	<input type="checkbox"/> Yes – complete division 3
Building work	<input 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 ²) (if applicable)
Duplex	Dual Occupancy		

8.2) Does the proposed use involve the use of existing buildings on the premises?

<input type="checkbox"/> Yes		
<input checked="" type="checkbox"/> No		

Division 2 – Reconfiguring a lot

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

9.1) What is the total number of existing lots making up the premises?

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

<input 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				

10.2) Will the subdivision be staged?

Yes – provide additional details below

No

How many stages will the works include?	
What stage(s) will this development application apply to?	

11) Dividing land into parts by agreement – how many parts are being created and what is the intended use of the parts?

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

12) Boundary realignment

12.1) What are the current and proposed areas for each lot comprising the premises?

Current lot		Proposed lot	
Lot on plan description	Area (m ²)	Lot on plan description	Area (m ²)

12.2) What is the reason for the boundary realignment?

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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: <input type="text"/>		

14.2) Is the operational work necessary to facilitate the creation of new lots? (e.g. subdivision)

<input type="checkbox"/> Yes – specify number of new lots: <input type="text"/>
<input type="checkbox"/> No

14.3) What is the monetary value of the proposed operational work? (include GST, materials and labour)

\$ <input type="text"/>

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?

<input type="checkbox"/> Yes – a copy of the decision notice is attached to this development application
<input type="checkbox"/> Local government is taken to have agreed to the superseded planning scheme request – relevant documents attached
<input checked="" type="checkbox"/> No

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

18) Has any referral agency provided a referral response for this development application?		
<input type="checkbox"/> Yes – referral response(s) received and listed below are attached to this development application		
<input 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

19) Information request under Part 3 of the DA Rules
<input checked="" type="checkbox"/> I agree to receive an information request if determined necessary for this development application
<input type="checkbox"/> I do not agree to accept an information request for this development application
Note: <i>By not agreeing to accept an information request I, the applicant, acknowledge:</i>
<ul style="list-style-type: none"> • <i>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</i> • <i>Part 3 of the DA Rules will still apply if the application is an application listed under section 11.3 of the DA Rules.</i>
<i>Further advice about information requests is contained in the DA Forms Guide.</i>

PART 7 – FURTHER DETAILS

20) Are there any associated development applications or current approvals? (e.g. a preliminary approval)			
<input type="checkbox"/> Yes – provide details below or include details in a schedule to this development application <input checked="" type="checkbox"/> No			
List of approval/development application references	Reference number	Date	Assessment manager
<input type="checkbox"/> Approval <input type="checkbox"/> Development application			
<input type="checkbox"/> Approval <input type="checkbox"/> Development application			

21) Has the portable long service leave levy been paid? (only applicable to development applications involving building work or operational work)		
<input type="checkbox"/> Yes – a copy of the receipted QLeave form is attached to this development application <input type="checkbox"/> No – I, the applicant will provide evidence that the portable long service leave levy has been paid before the assessment manager decides the development application. I acknowledge that the assessment manager may give a development approval only if I provide evidence that the portable long service leave levy has been paid <input checked="" type="checkbox"/> Not applicable (e.g. building and construction work is less than \$150,000 excluding GST)		
Amount paid	Date paid (dd/mm/yy)	QLeave levy number
\$		

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

23) Further legislative requirements			
<u>Environmentally relevant activities</u>			
23.1) Is this development application also taken to be an application for an environmental authority for an Environmentally Relevant Activity (ERA) under section 115 of the <i>Environmental Protection Act 1994</i> ?			
<input type="checkbox"/> Yes – the required attachment (form ESR/2015/1791) for an application for an environmental authority accompanies this development application, and details are provided in the table below <input checked="" type="checkbox"/> No <i>Note: Application for an environmental authority can be found by searching "ESR/2015/1791" as a search term at www.qld.gov.au. An ERA requires an environmental authority to operate. See www.business.qld.gov.au for further information.</i>			
Proposed ERA number:		Proposed ERA threshold:	
Proposed ERA name:			
<input type="checkbox"/> Multiple ERAs are applicable to this development application and the details have been attached in a schedule to this development application.			
<u>Hazardous chemical facilities</u>			
23.2) Is this development application for a hazardous chemical facility ?			
<input type="checkbox"/> Yes – Form 69: Notification of a facility exceeding 10% of schedule 15 threshold is attached to this development application <input checked="" type="checkbox"/> No <i>Note: See www.business.qld.gov.au for further information about hazardous chemical notifications.</i>			

Clearing native vegetation

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

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

No

Note: 1. Where a development application for operational work or material change of use requires a s22A determination and this is not included, the development application is prohibited development.

2. See <https://www.qld.gov.au/environment/land/vegetation/applying> for further information on how to obtain a s22A determination.

Environmental offsets

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

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

No

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

Koala 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 Water Act 2000**?

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

No

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

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

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

Waterway barrier works

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

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

No

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

Marine activities

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

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

No

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

Quarry materials from a watercourse or lake

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

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

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

Quarry materials from land under tidal waters

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

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

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

Referable dams

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

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

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

Tidal work or development within a coastal management district

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

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

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

Queensland and local heritage places

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

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

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

Name of the heritage place:		Place ID:	
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Brothels

23.14) Does this development application involve a **material change of use for a brothel**?

- Yes – this development application demonstrates how the proposal meets the code for a development application for a brothel under Schedule 3 of the *Prostitution Regulation 2014*
 No

Decision under section 62 of the Transport Infrastructure Act 1994

23.15) Does this development application involve new or changed access to a state-controlled road?

- Yes - this application will be taken to be an application for a decision under section 62 of the *Transport Infrastructure Act 1994* (subject to the conditions in section 75 of the *Transport Infrastructure Act 1994* being satisfied)
 No

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 <i>Note: See the Planning Regulation 2017 for referral requirements</i>	<input checked="" type="checkbox"/> Yes
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	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> Not applicable
Supporting information addressing any applicable assessment benchmarks is with development application <i>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.</i>	<input checked="" type="checkbox"/> Yes
Relevant plans of the development are attached to this development application <i>Note: Relevant plans are required to be submitted for all aspects of this development application. For further information, see DA Forms Guide: Relevant plans.</i>	<input checked="" type="checkbox"/> Yes
The portable long service leave levy for QLeave has been paid, or will be paid before a development permit is issued (<i>see 21</i>)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> Not applicable

25) Applicant declaration	
<input checked="" type="checkbox"/> By making this development application, I declare that all information in this development application is true and correct <input checked="" type="checkbox"/> Where an email address is provided in Part 1 of this form, I consent to receive future electronic communications from the assessment manager and any referral agency for the development application where written information is required or permitted pursuant to sections 11 and 12 of the <i>Electronic Transactions Act 2001</i> <i>Note: It is unlawful to intentionally provide false or misleading information.</i>	
<p>Privacy – Personal information collected in this form will be used by the assessment manager and/or chosen assessment manager, any 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>, <i>Planning Regulation 2017</i> and the DA Rules except where:</p> <ul style="list-style-type: none"> • such disclosure is in accordance with the provisions about public access to documents contained in the <i>Planning Act 2016</i> and the <i>Planning Regulation 2017</i>, and the access rules made under the <i>Planning Act 2016</i> and <i>Planning Regulation 2017</i>; or • required by other legislation (including the <i>Right to Information Act 2009</i>); or • otherwise required by law. <p>This information may be stored in relevant databases. The information collected will be retained as required by the <i>Public Records Act 2002</i>.</p>	

PART 9 – FOR OFFICE USE ONLY

Date received: Reference number(s):

Notification of engagement of alternative assessment manager	
Prescribed assessment manager	<input type="text"/>
Name of chosen assessment manager	<input type="text"/>
Date chosen assessment manager engaged	<input type="text"/>

Contact number of chosen assessment manager	
Relevant licence number(s) of chosen assessment manager	

QLeave notification and payment	
<i>Note: For completion by assessment manager if applicable</i>	
Description of the work	
QLeave project number	
Amount paid (\$)	
Date paid	
Date received 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*

We, Lance Colin Gostelow and Amanda Gostelow

as owners of the premises identified as follows:

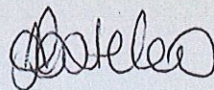
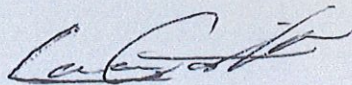
21 Damien Street, Mareeba – Lot 82 on SP256994

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

Lance and Amanda Gostelow

on the premises described above for:

Material Change of Use – Dual Occupancy



[signature of owners and
date signed]

ATTACHMENT B

LEGEND

- Zones**
- Centre
 - Community Facilities
 - Conservation
 - Emerging Community
 - Industry
 - Trades and Services Precinct
 - General Industry Precinct
 - Heavy Industry Precinct
 - Low Density Residential
 - Medium Density Residential
 - Recreation and Open Space
 - Rural
 - Rural Residential**
 - A 4,000 Square Metre Precinct
 - B 1 Hectare Precinct
 - C 2 Hectare Precinct

Other Elements

- Cadastre
- Local Plan Boundary
- Mareeba Shire Council Boundary
- Watercourse

Information

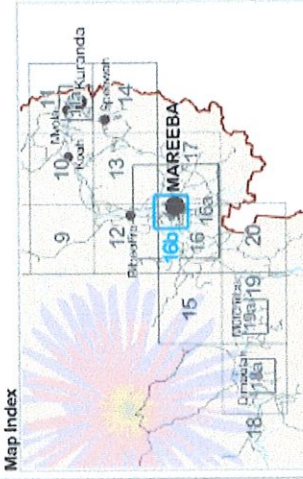
This map is intended to provide an overview of the information contained in the Mareeba Shire Council's Local Plan. It is not intended to be used as a legal document. The Council is not responsible for any loss or damage arising from the use of this map. The Council is not responsible for any loss or damage arising from the use of this map. The Council is not responsible for any loss or damage arising from the use of this map.

Note

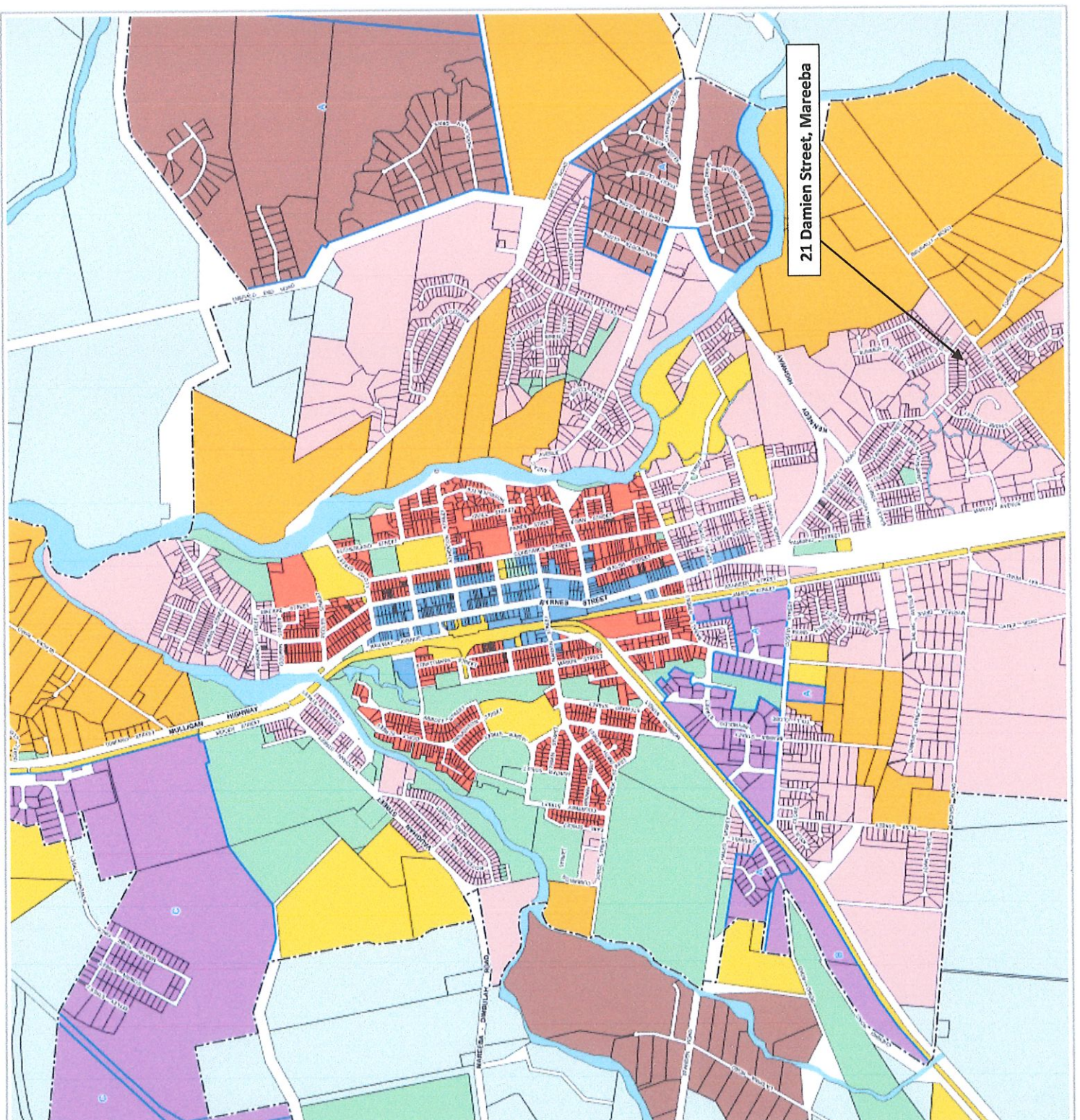
Where information on the map is obscured by other map elements, contact Council for clarification.



Map Index



**Zone Map -
Mareeba Centre**
ZONE MAP - ZM0165



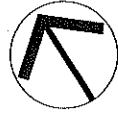
ATTACHMENT C

NEW concrete cross-over.
Refer to FNPROC dwg
S1015 Access Crossovers -
residential vehicle crossing

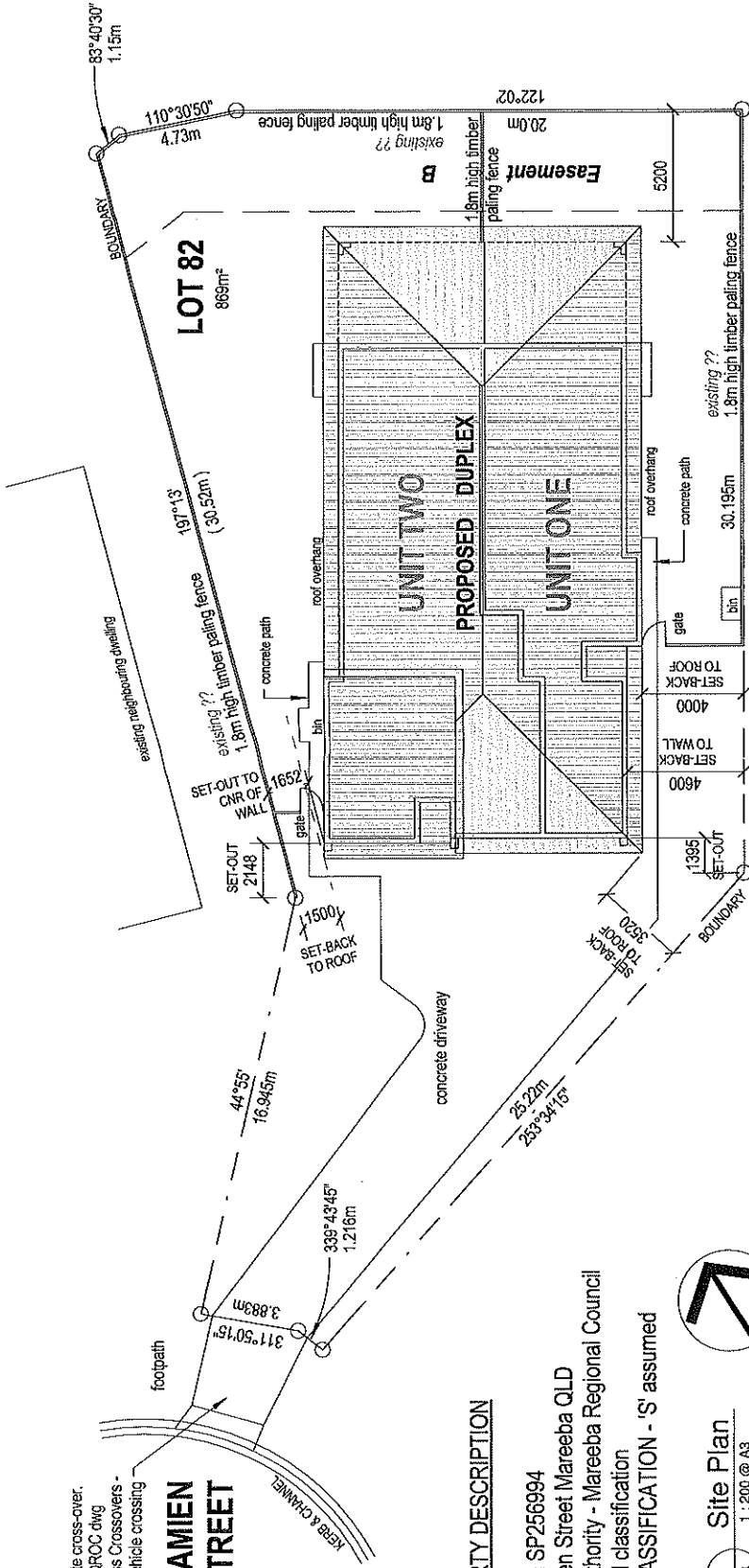
DAMIEN STREET

PROPERTY DESCRIPTION

Lot 82 on SP256994
21 Damien Street Mareeba QLD
Local Authority - Mareeba Regional Council
C2 - wind classification
SOIL CLASSIFICATION - 'S' assumed



1 Site Plan
W4 1:200 @ A3



BUILDING PLATFORM PREPARATION

1. AN AREA APPROXIMATELY 2000 PAST THE BUILDING LINES IS TO BE STRIPPED OF ALL TOPSOIL AND ALL ORGANIC MATTER ETC. IS TO BE GRUBBED OUT LEAVING FIRM STABLE MATERIAL ONLY. ALL TOP SOIL CAN BE STOCKPILED ON SITE FOR LATER USE IN LANDSCAPING.
2. ANY TREE STUMPS UNDER THE PLATFORM ARE TO BE REMOVED AND THE RESULTANT HOLES ARE TO BE BACKFILLED WITH APPROVED NON-PLASTIC FILL MATERIAL IN COMPACTED LAYERS NOT EXCEEDING 150 mm TO 95 % S.R.D.D.
3. THE BUILDING PLATFORM (CARPORT & GARAGE) SHALL THEN BE COMPACTED WITH A MINIMUM 10 TONNE VIBRATION ROLLER. THE USE OF VIBRATORY ROLLERS FOR EARTH WORKS COMPACTON MAY CAUSE SIGNIFICANT GROUND VIBRATION & CAREFUL SITE CONTROL OR THE USE OF HEAVY STATIC COMPACTON PLANT WILL BE REQUIRED TO AVOID DAMAGE TO ADJOINING BUILDINGS.
4. ANY FILL IS TO BE SPREAD IN LAYERS NOT EXCEEDING 150 mm & COMPACTED WITH THE ROLLER TO 95% S.R.D.D AT OPTIMUM MOISTURE CONTENT.
5. THE BUILDING PLATFORM IS TO BE SHAPED TO ALLOW FOR 50mm MINIMUM SAND BEDDING UNDER BUILDING SLABS & TO ENSURE THAT IT DRAINS TO ITS PERIMETER AND SUCH DRAINAGE IS TAKEN AWAY FROM THE BUILDING PLATFORM AREA.

existing neighbouring dwelling

6. ON COMPLETION OF ROLLING, THE BUILDER SHALL ENGAGE A SOIL TESTER TO CARRY OUT A MINIMUM OF 4 PENETROMETER TESTS OVER THE SITE, AND THE RESULTS SHALL BE FORWARDED TO THE DESIGN ENGINEER FOR APPROVAL PRIOR TO PROCEEDING WITH CONSTRUCTION.

7. RE-SPREAD TOP SOIL TO OWNERS REQUIREMENTS

8. ALL WORKS SHALL BE CARRIED OUT IN ACCORDANCE WITH THE RELEVANT AUTHORITIES & GENERALLY IN ACCORDANCE WITH A.S. 2870

9. THE CERTIFICATION OF THE FOOTINGS IS BASED ON A CLASS 'S' SITE CLASSIFICATION, MINIMUM SAFE BEARING CAPACITY 100 KPa.

OPTION #1

PROPOSED DUPLEX

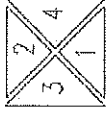
for Mr. L. and Mrs. A. GOSTELOW
21 Damien street. Mareeba QLD

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drawing Site Plan option 1

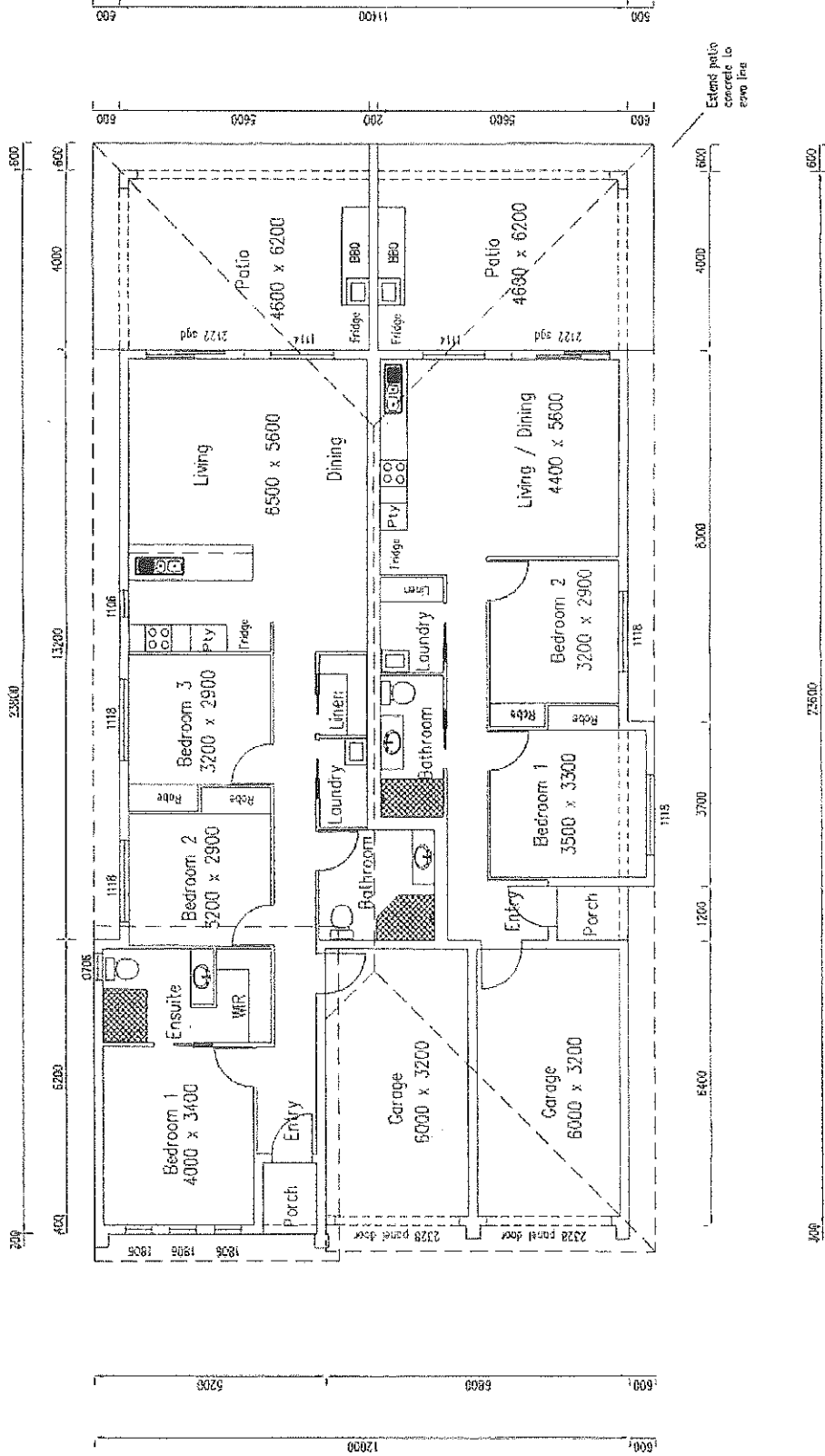
plot date	drawn	checked
3/07/2020 14:30 PM	A. Ballard	621922
sheet number	project number	revision
sk01	??	

PRELIMINARY



AREAS TOTAL = 289.86m²

UNIT ONE		UNIT TWO	
Living	= 72.09m ²	Living	= 111.82m ²
Garage	= 22.16m ²	Garage	= 20.99m ²
Patio	= 28.98m ²	Patio	= 28.98m ²
Porch	= 1.92m ²	Porch	= 1.92m ²
TOTAL	= 125.15m ²	TOTAL	= 163.71m ²

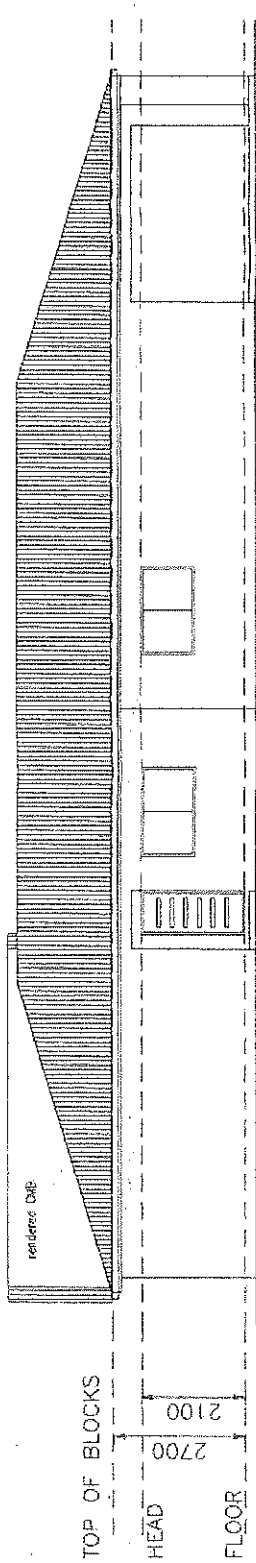


ALL PRIMARY BUILDING ELEMENTS RESISTANT TO TERMITE ATTACK

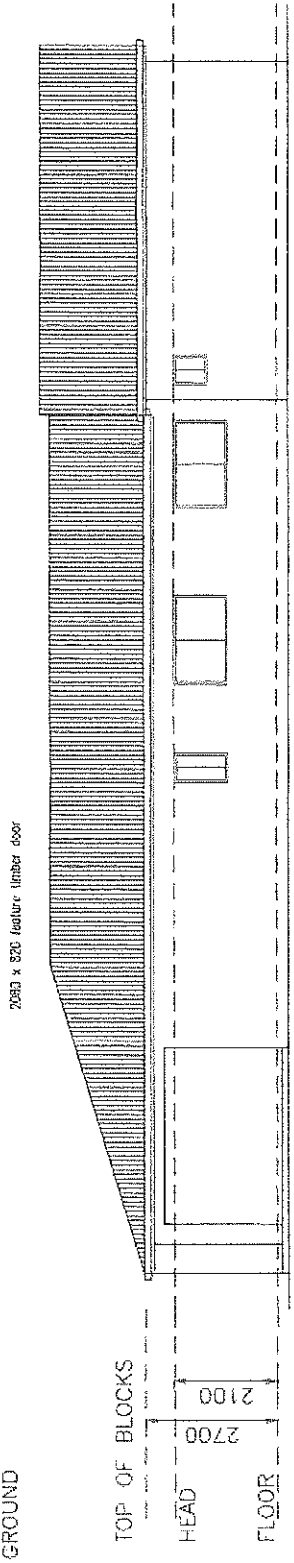
AMENDMENTS PROPOSED DUPLEX FLOOR PLAN	Scale	1:100
	DRAWING	4
WINDSPEED CLASSIFICATION	C2	

ALAN TAYLOR BUILDER INC.
 PO Box 285, Westport 0 4970 : Ph 0407 381 474
 Unit 4/2, 114 Ashbur Street, Cairns 0 4870
 alan@atbuilder.com.au alan@atbuilder.com.au
 COPYRIGHT ©BCC 1314840

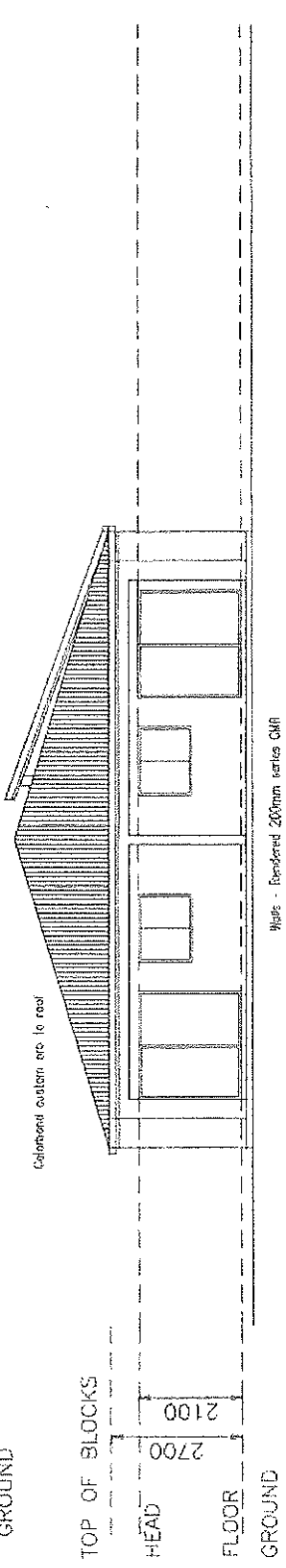
© = Smoke-draft



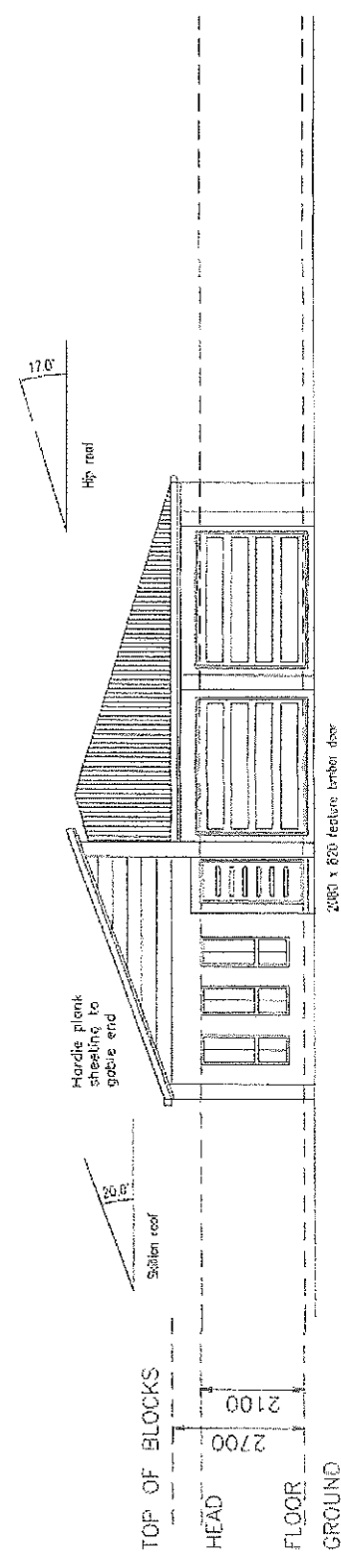
ELEVATION 1



ELEVATION 2



ELEVATION 3



ELEVATION 4

<p>ALAN TAYLOR BUILDER NO PO Box 219, Macleart 0 4970 : Ph 0407 383 474 Unit 416, 114 Auburn Street, Geelong 0 4620 alant@atbuilder.com Drawn by Jane Taylor</p>		<p>Scale: 1:100 DRAWING 5 WINDSPEED CLASSIFICATION C2</p>	
<p>AMENDMENTS</p>		<p>ELEVATIONS</p>	
<p>2080 x 820 feature timber door</p>		<p>2080 x 820 feature timber door</p>	
<p>Copyright QBCC 1314840</p>		<p>Copyright QBCC 1314840</p>	