

From: Johnathan Burns
Sent: Tue, 15 Sep 2020 19:14:16 +1000
To: Planning (Shared)
Subject: DA ROL 114 Mines Rd, Mareeba
Attachments: 50199451_276886_title_search.pdf, DAForm1-Developmentapplicationdetails.docx, 20003 Gostelow APPENDIX 1.pdf, ROL Development Application 20003 Gostelow.pdf, 20003 Gostelow Signed letter of consent.pdf

Please find attached the required forms and supporting information for an ROL (1 into 2) development application over land at 114 Mines Road, Mareeba (2RP736579).

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

Regards

Johnathan Burns

SCOPE TOWN PLANNING

DA Form 1 – Development application details

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

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

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

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

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

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

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

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

PART 1 – APPLICANT DETAILS

1) Applicant details	
Applicant name(s) (individual or company full name)	Scope Town Planning on behalf of the Land Owner
Contact name (only applicable for companies)	Johnathan Burns
Postal address (P.O. Box or street address)	8 Jacana Close
Suburb	Mareeba
State	Qld.
Postcode	4880
Country	Australia
Contact number	0450781841
Email address (non-mandatory)	scopetownplanning@gmail.com
Mobile number (non-mandatory)	
Fax number (non-mandatory)	
Applicant's reference number(s) (if applicable)	20003

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

PART 2 – LOCATION DETAILS

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

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

3.1) Street address and lot on plan

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

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

a)	Unit No.	Street No.	Street Name and Type	Suburb
		114	Mines Road	Mareeba
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)
	4880	2	RP736579	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)
		☐ WGS84 ☐ GDA94 ☐ Other:	

☐ Coordinates of premises by easting and northing

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

3.3) Additional premises

☐ Additional premises are relevant to this development application and 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:

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

5) Are there any existing easements over the premises?

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

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

PART 3 – DEVELOPMENT DETAILS

Section 1 – Aspects of development

6.1) Provide details about the first development aspect

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

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

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

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

c) What is the level of assessment?

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

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

ROL 1 into 2

e) Relevant plans

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

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

6.2) Provide details about the second development aspect

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

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

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

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

c) What is the level of assessment?

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

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

e) Relevant plans

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

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

6.3) Additional aspects of development

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

Section 2 – Further development details

7) Does the proposed development application involve any of the following?

- | | |
|------------------------|--|
| Material change of use | ☐ Yes – complete division 1 if assessable against a local planning instrument |
| Reconfiguring a lot | ☒ Yes – complete division 2 |
| Operational work | ☐ Yes – complete division 3 |
| Building work | ☐ Yes – complete <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)

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

- ☐ Yes
- ☐ No

Division 2 – Reconfiguring a lot

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

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

1

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

- | | |
|--|--|
| ☒ Subdivision (complete 10)) | ☐ Dividing land into parts by agreement (complete 11)) |
| ☐ Boundary realignment (complete 12)) | ☐ Creating or changing an easement giving access to a lot from a construction road (complete 13)) |

10) Subdivision

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

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

10.2) Will the subdivision be staged?

- ☐ Yes – provide additional details below
- ☒ No

How many stages will the works include?

What stage(s) will this development application apply to?

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

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

12) Boundary realignment

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

Current lot		Proposed lot	
Lot on plan description	Area (m 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?

☐ Road work	☐ Stormwater	☐ Water infrastructure	
☐ Drainage work	☐ Earthworks	☐ Sewage infrastructure	
☐ Landscaping	☐ Signage	☐ Clearing vegetation	
☐ Other – please specify: <table border="1" style="width: 100%;"><tr><td></td></tr></table>			

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

☐ Yes – specify number of new lots:	
☐ No	

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

\$

PART 4 – ASSESSMENT MANAGER DETAILS

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

Mareeba Shire Council

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

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

PART 5 – REFERRAL DETAILS

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

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

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

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

- ☐ Clearing native vegetation
- ☐ Contaminated land (*unexploded ordnance*)
- ☐ Environmentally relevant activities (ERA) (*only if the ERA have not been devolved to a local government*)
- ☐ Fisheries – aquaculture
- ☐ Fisheries – declared fish habitat area
- ☐ Fisheries – marine plants
- ☐ Fisheries – waterway barrier works
- ☐ Hazardous chemical facilities
- ☐ Queensland heritage place (*on or near a Queensland heritage place*)
- ☐ Infrastructure – designated premises
- ☐ Infrastructure – state transport infrastructure
- ☐ Infrastructure – state transport corridors and future state transport corridors
- ☐ Infrastructure – state-controlled transport tunnels and future state-controlled transport tunnels
- ☐ Infrastructure – near a state-controlled road intersection
- ☐ On Brisbane core port land near a State transport corridor or future State transport corridor
- ☐ On Brisbane core port land – ERA
- ☐ On Brisbane core port land – tidal works or work in a coastal management district
- ☐ On Brisbane core port land – hazardous chemical facility
- ☐ On Brisbane core port land – taking or interfering with water
- ☐ On Brisbane core port land – referable dams
- ☐ On Brisbane core port land - fisheries
- ☐ Land within Port of Brisbane's port limits
- ☐ SEQ development area
- ☐ SEQ regional landscape and rural production area or SEQ rural living area – tourist activity or sport and recreation activity
- ☐ SEQ regional landscape and rural production area or SEQ rural living area – community activity
- ☐ SEQ regional landscape and rural production area or SEQ rural living area – indoor recreation
- ☐ SEQ regional landscape and rural production area or SEQ rural living area – urban activity
- ☐ SEQ regional landscape and rural production area or SEQ rural living area – combined use
- ☐ Tidal works or works in a coastal management district
- ☐ Reconfiguring a lot in a coastal management district or for a canal
- ☐ Erosion prone area in a coastal management district
- ☐ Urban design
- ☐ Water-related development – taking or interfering with water
- ☐ Water-related development – removing quarry material (*from a watercourse or lake*)
- ☐ Water-related development – referable dams
- ☐ Water-related development – construction of new levees or modification of existing levees (*category 3 levees only*)
- ☐ Wetland protection area

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

- ☐ Airport land
- ☐ Environmentally relevant activities (ERA) (*only if the ERA have been devolved to local government*)
- ☐ Local heritage places

Matters requiring referral to the chief executive of the distribution entity or transmission entity : ☐ Electricity infrastructure
Matters requiring referral to: • The Chief executive of the holder of the licence, if not an individual • The holder of the licence, if the holder of the licence is an individual ☐ Oil and gas infrastructure
Matters requiring referral to the Brisbane City Council : ☐ Brisbane core port land
Matters requiring referral to the Minister under the Transport Infrastructure Act 1994 : ☐ Brisbane core port land (inconsistent with Brisbane port LUP for transport reasons) ☐ Strategic port land
Matters requiring referral to the relevant port operator : ☐ Land within Port of Brisbane's port limits (below high-water mark)
Matters requiring referral to the Chief Executive of the relevant port authority : ☐ Land within limits of another port (below high-water mark)
Matters requiring referral to the Gold Coast Waterways Authority : ☐ Tidal works, or work in a coastal management district in Gold Coast waters
Matters requiring referral to the Queensland Fire and Emergency Service : ☐ Tidal works marina (<i>more than six vessel berths</i>)

18) Has any referral agency provided a referral response for this development application?		
☐ Yes – referral response(s) received and listed below are attached to this development application ☒ No		
Referral requirement	Referral agency	Date of referral response
Identify and describe any changes made to the proposed development application that was the subject of the referral response and 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
☒ I agree to receive an information request if determined necessary for this development application ☐ I do not agree to accept an information request for this development application
Note: By not agreeing to accept an information request I, the applicant, acknowledge:
• that this development application will be assessed and decided based on the information provided when making this development application and the assessment manager and any referral agencies relevant to the development application are not obligated under the DA Rules to accept any additional information provided by the applicant for the development application unless agreed to by the relevant parties • Part 3 of the DA Rules will still apply if the application is an application listed under section 11.3 of the DA Rules.
Further advice about information requests is contained in the DA Forms Guide .

PART 7 – FURTHER DETAILS

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

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

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

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

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

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

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

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

23) Further legislative requirements

Environmentally relevant activities

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

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

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

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

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

Hazardous chemical facilities

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

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

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

Clearing native vegetation

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

section 22A of the *Vegetation Management Act 1999*?

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

☒ No

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

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

Environmental offsets

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

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

☒ No

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

Koala 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:

Brothels

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

☐ Yes – this development application demonstrates how the proposal meets the code for a development application for a brothel under Schedule 3 of the *Prostitution Regulation 2014*

☒ No

Decision under section 62 of the Transport Infrastructure Act 1994

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

☐ Yes - this application will be taken to be an application for a decision under section 62 of the *Transport Infrastructure Act 1994* (subject to the conditions in section 75 of the *Transport Infrastructure Act 1994* being satisfied)

☒ No

PART 8 – CHECKLIST AND APPLICANT DECLARATION

24) Development application checklist

I have identified the assessment manager in question 15 and all relevant referral requirement(s) in question 17

☒ Yes

Note: See the Planning Regulation 2017 for referral requirements

If building work is associated with the proposed development, Parts 4 to 6 of *DA Form 2 – Building work details* have been completed and attached to this development application

☐ Yes

☒ Not applicable

Supporting information addressing any applicable assessment benchmarks is with development application

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

☒ Yes

Relevant plans of the development are attached to this development application

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

☒ Yes

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

☐ Yes

☒ Not applicable

25) Applicant declaration

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

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

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

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

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

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

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

PART 9 – FOR OFFICE USE ONLY

Date received: Reference number(s):

Notification of engagement of alternative assessment manager

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

manager	
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QLeave notification and payment

Note: For completion by assessment manager if applicable

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

APPENDIX 1:

ASSESSMENT AGAINST THE MAREEBA SHIRE PLANING CODES

APPLICATION		PREMISES	
FILE NO:	20003	ADDRESS:	114 Mines Road
APPLICANT:	Kenny and Debbie Gostelow	RPD:	2RP736579
LODGED BY:	Scope Town Planning	AREA:	237810m ²
DATE LODGED:	September 2020	OWNER :	K & D Gostelow
TYPE OF APPROVAL:	ROL 1 into 2 Lots		
PROPOSED DEVELOPMENT:	ROL		
	Subdivision creating 2 Lots		
PLANNING SCHEME:	Mareeba Shire Council Planning Scheme (2017 alignment)		
ZONE:	Rural Residential		
LEVEL OF ASSESSMENT:	Code		
SUBMISSIONS:	N/A		

As identified in Part 5 of the Planning Scheme, this development is required to satisfy the Performance Criteria of the following Codes:

- Rural Residential Zone Code
- Reconfiguring a Lot Code
- Agricultural Land Overlay Code
- Airport Environs Overlay Code.

1. Rural Residential Zone Code

The development site is located within the Rural Residential Zone of the Mareeba Shire Planning Scheme (2017 Alignment). The site is identified as being in the 'A': 4000m² Precinct.

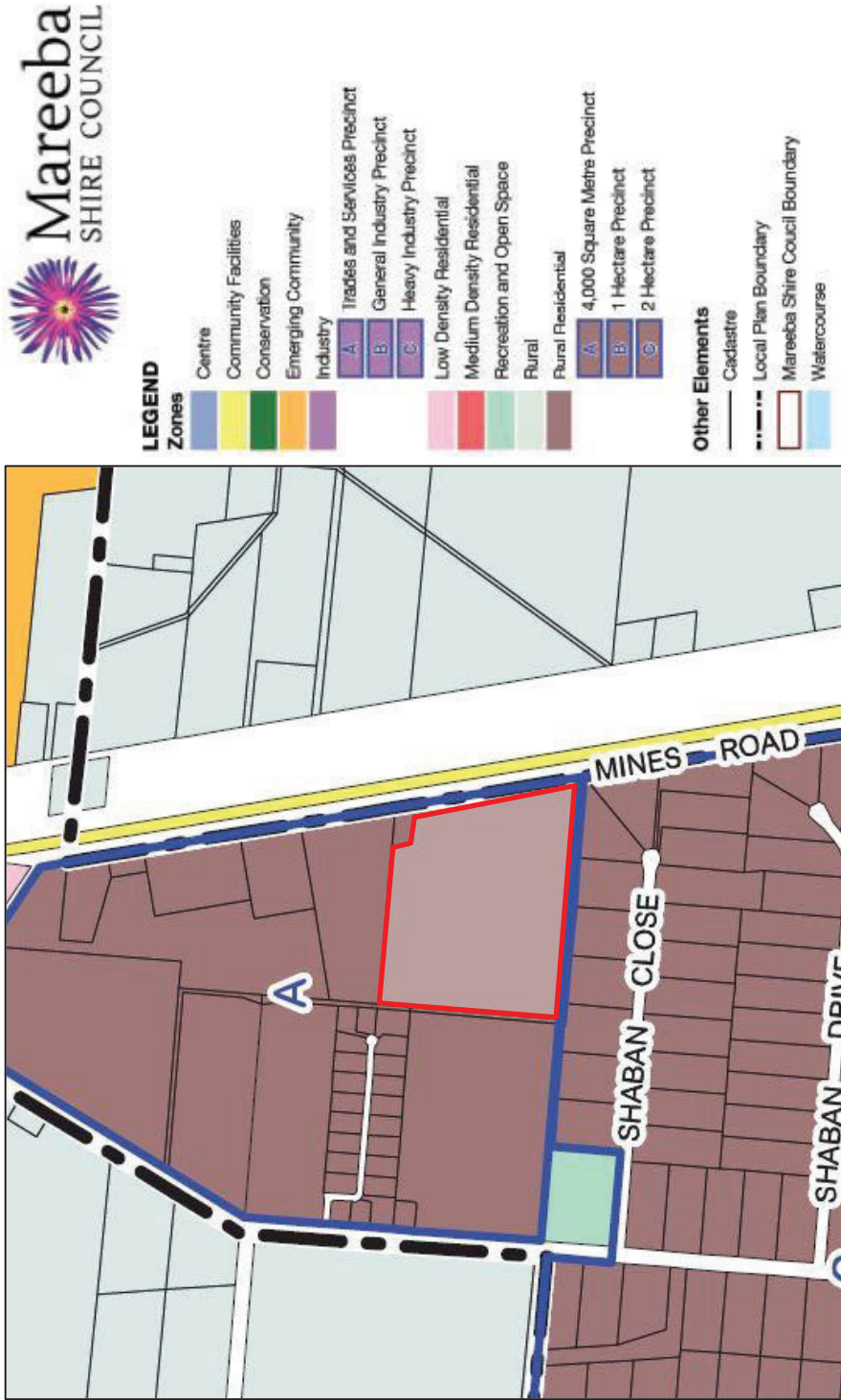


Table 6.2.10.3—Rural residential zone code - For accepted development subject to requirements and assessable development.

Performance outcomes		Acceptable outcomes	Complies	Comments
For accepted development subject to requirements and assessable development				
Height				
PO1 Building height takes into consideration and respects the following: (a) the height of existing buildings on adjoining premises; (b) the development potential, with respect to height, on adjoining premises; (c) the height of buildings in the vicinity of the site; (d) access to sunlight and daylight for the site and adjoining sites; (e) privacy and overlooking; and (f) site area and street frontage length.	AO1 Development has a maximum building height of: (a) 8.5 metres; and (b) 2 storeys above ground level.	N/A	The proposal is for an ROL. The future dwelling house and shed proposed for the site will be designed by a builder and will comply all requirements of the Zone Code.	
Outbuildings and residential scale				
PO2 Domestic outbuildings: (a) do not dominate the lot on which they are located; and (b) are consistent with the scale and character of development in the Rural residential zone.	AO2.1 On lots less than 2 hectares, domestic outbuildings do not exceed: (a) 150m ² in gross floor area; and (b) 5.5 metres above natural ground level. AO2.2 On lots greater than 2 hectares, domestic outbuildings do not exceed: (a) 200m ² in gross floor area; and (b) 8.5 metres above natural ground level.	N/A	The proposal is for an ROL. The future dwelling house and shed proposed for the site will be designed by a builder and will comply all requirements of the Zone Code.	
		N/A	The proposal is for an ROL. The future dwelling house and shed proposed for the site will be designed by a builder and will comply all requirements of the Zone Code.	

Performance outcomes		Acceptable outcomes		Complies	Comments
Siting					
PO3 Development is sited in a manner that considers and respects:	(a) the siting and use of adjoining premises; (b) access to sunlight and daylight for the site and adjoining sites; (c) privacy and overlooking; (d) opportunities for casual surveillance of adjoining public spaces; (e) air circulation and access to natural breezes; (f) appearance of building bulk; and (g) relationship with road corridors.	AO3 Buildings and structures include a minimum setback of: (a) 40 metres from a frontage to a State-controlled Road; (b) 6 metres from a frontage to any other road; (c) 10 metres from a boundary to an adjoining lot in the 2 hectare precinct, 1 hectare precinct or the Rural zone or Conservation zone; (d) 5 metres from a boundary to an adjoining lot in the 4,000m ² precinct; and (e) 3 metres from a side or rear boundary otherwise.	✓	The proposed dwelling house will be set back a minimum of 6m from the Mines Road frontage. The proposed dwelling house will be located well in excess of 5m from adjoining lots in the 4000m ² precinct. The proposed dwelling house will be set back well in excess of 3m from any other side or rear boundary.	
Accommodation density					
PO4 The density of Accommodation activities:	(a) contributes to housing choice and affordability; (b) respects the nature and density of surrounding land use; (c) does not cause amenity impacts beyond the reasonable expectation of accommodation density for the zone; and (d) is commensurate to the scale and frontage of the site.	AO4 Development provides a maximum density for Accommodation activities of 1 dwelling or accommodation unit per lot.	✓	The purpose of the proposed ROL is to provide a Lot for 1 dwelling house.	

Performance outcomes		Acceptable outcomes	Complies	Comments
For assessable development				
Site cover				
PO5 Buildings and structures occupy the site in a manner that:	(a) makes efficient use of land; (b) is consistent with the bulk and scale of surrounding buildings; and (c) appropriately balances built and natural features.	AO5 No acceptable outcome is provided.	✓	The proposed future dwelling house and shed location on the site is appropriate in size, bulk and scale for the site.
Building design				
PO6 Building facades are appropriately designed to:	(a) include visual interest and architectural variation; (b) maintain and enhance the character of the surrounds; (c) provide opportunities for casual surveillance; (d) include a human scale; and (e) encourage occupation of outdoor space.	AO6 No acceptable outcome is provided.	N/A	The proposal is for an ROL. The future dwelling house and shed proposed for the site will be designed by a builder and will comply all requirements of the Zone Code.
PO7 Development complements and integrates with the established built character of the Rural residential zone, having regard to:	(a) roof form and pitch; (b) eaves and awnings; (c) building materials, colours and textures; and (d) window and door size and location.	AO7 No acceptable outcome is provided.	N/A	The proposal is for an ROL. The future dwelling house and shed proposed for the site will be designed by a builder and will comply all requirements of the Zone Code.

Performance outcomes		Acceptable outcomes		Complies	Comments
Non-residential development					
PO8 Non-residential development: (a) is consistent with the scale of existing development; (b) does not detract from the amenity of nearby residential uses; (c) does not impact on the orderly provision of non-residential development in other locations in the shire; and (d) directly supports the day to day needs of the immediate residential community; or (e) has a direct relationship to the land on which the use is proposed.		AO8 No acceptable outcome is provided.	N/A		The proposal is for an ROL. The future dwelling house and shed proposed for the site will be designed by a builder and will comply all requirements of the Zone Code.
Amenity					
PO9 Development must not detract from the amenity of the local area, having regard to: (a) noise; (b) hours of operation; (c) traffic; (d) advertising devices; (e) visual amenity; (f) privacy; (g) lighting; (h) odour; and (i) emissions.		AO9 No acceptable outcome is provided.	✓		The proposed lot reconfiguration does not detract from the amenity of the local area as it does not include any infrastructure changes resulting in intensification of traffic, lighting etc.
PO10 Development must take into account and seek to ameliorate any existing negative environmental		AO10 No acceptable outcome is provided.	✓		The existing use is not considered to have any negative environmental impacts and the proposed lot

Performance outcomes	Acceptable outcomes	Complies	Comments
impacts, having regard to: (a) noise; (b) hours of operation; (c) traffic; (d) advertising devices; (e) visual amenity; (f) privacy; (g) lighting; (h) odour; and (i) emissions.			reconfiguration does not result in any negative environmental impacts.

2. Reconfiguring a lot Code

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

Performance outcomes		Acceptable outcomes	Complies	Comments
Area and frontage of lots				
PO1 Lots include an area and frontage that: (a) is consistent with the design of lots in the surrounding area; (b) allows the desired amenity of the zone to be achieved; (c) is able to accommodate all buildings, structures and works associated with the intended land use; (d) allow the site to be provided with sufficient access; (e) considers the proximity of the land to: (i) centres; (ii) public transport services; and (iii) open space; and (f) allows for the protection of environmental features; and (g) accommodates site constraints.	AO1.1 Lots provide a minimum area and frontage in accordance with Table 9.4.4.3B .	✓	The development site is located within Rural Residential Precinct 'A' and is allocated a minimum lot size of 4000m² in Table 9.4.4.3B. The proposed subdivision results in 2 Lots of ~200,810m² and ~37,000m². The new lot will have a road frontage to Mines Road of ~150m. Access is obtained directly via Mines Road. The proposal accommodates the desired land use of a single dwelling which does not impede the continued agricultural use of the land. The site is cleared of vegetation and void of significant environmental features or constraints.	

Performance outcomes		Acceptable outcomes		Complies	Comments
Existing buildings and easements					
PO2 Reconfiguring a lot which contains existing land uses or existing buildings and structures ensures: (a) new lots are of sufficient area and dimensions to accommodate existing land uses, buildings and structures; and (b) any continuing use is not compromised by the reconfiguration.	AO2.1 Each land use and associated infrastructure is contained within its individual lot.	✓	The proposal accommodates the desired land use of a single dwelling which does not impede the continued agricultural use of the land.		
	AO2.2 All lots containing existing buildings and structures achieve the setback requirements of the relevant zone.	✓	The existing structures and land use on the existing Lot will be retained without affecting site setback requirements.		
PO3 Reconfiguring a lot which contains an existing easement ensures: (a) future buildings, structures and accessways are able to be sited to avoid the easement; and (b) the reconfiguration does not compromise the purpose of the easement or the continued operation of any infrastructure contained within the easement.	AO3 No acceptable outcome is provided.	N/A	There are no existing easements encumbering the existing Lot.		
Boundary realignment					
PO4 The boundary realignment retains all attendant and existing infrastructure connections and potential connections.	AO4 No acceptable outcome is provided.	N/A	The proposal is not for a Boundary Realignment.		

Performance outcomes		Acceptable outcomes	Complies	Comments
Access and road network				
PO5 Access to a reconfigured lot (including driveways and paths) must not have an adverse impact on:		AO5 No acceptable outcome is provided.	✓	The proposed Lot will gain access directly via Mines Road as illustrated in Figure 2 of the report. The selected access will not have any adverse outcomes.
(a) safety; (b) drainage; (c) visual amenity; (d) privacy of adjoining premises; and (e) service provision.				
PO6 Reconfiguring a lot ensures that access to a lot can be provided that:		AO6 Vehicle crossover and access is provided in accordance with the design guidelines and specifications set out in Planning Scheme Policy 4 – FNQROC Regional Development Manual.	✓	The proposed Lot will gain access directly via Mines Road as illustrated in Figure 2 of the report. The selected access will not have any adverse outcomes. Construction of the Crossover and driveway will be undertaken by the builder and will comply with all Standards as required.
(a) is consistent with that provided in the surrounding area; (b) maximises efficiency and safety; and (c) is consistent with the nature of the intended use of the lot.				
Note—The Parking and access code should be considered in demonstrating compliance with PO6.				
PO7 Roads in the Industry zone are designed having regard to:		AO7 No acceptable outcome is provided.	N/A	The development site is not located in the Industry Zone.
(a) the intended use of the lots; (b) the existing use of surrounding land; (c) the vehicular servicing requirements of the intended use; (d) the movement and turning requirements of B-Double vehicles.				
Note—The Parking and access code should be considered in demonstrating compliance with PO7.				
Rear lots				

Performance outcomes		Acceptable outcomes		Complies	Comments
PO8 Rear lots are designed to: (a) provide a high standard of amenity for residents and other users of the site; (b) provide a high standard of amenity for adjoining properties; and (c) not adversely affect the safety and efficiency of the road from which access is gained.	AO8.1 Rear lots are designed to facilitate development that adjoins or overlooks a park or open space.	N/A	The proposed Reconfiguration does not involve or result in the creation of rear lots.		
	AO8.2 No more than two rear lots are created behind any lot with a road frontage.	N/A	The proposed Reconfiguration does not involve or result in the creation of rear lots.		
	AO8.3 Access to lots is via an access strip with a minimum width of: (a) 4 metres where in the Low density residential zone or Medium density residential zone; or (b) 8 metres otherwise.	N/A	The proposed Reconfiguration does not involve or result in the creation of rear lots.		
	AO8.4 A single access strip is provided to a rear lot along one side of the lot with direct frontage to the street. Note—Figure A provides further guidance in relation to the desired outcome.	N/A	The proposed Reconfiguration does not involve or result in the creation of rear lots.		
	AO8.5 No more than 1 in 10 lots created in a new subdivision are rear lots.	N/A	The proposed Reconfiguration does not involve or result in the creation of rear lots.		
	AO8.6 Rear lots are not created in the Centre zone or the Industry zone.	N/A	The proposed Reconfiguration does not involve or result in the creation of rear lots.		

Performance outcomes		Acceptable outcomes	Complies	Comments
Crime prevention and community safety				
PO9 Development includes design features which enhance public safety and seek to prevent opportunities for crime, having regard to: (a) sightlines; (b) the existing and intended pedestrian movement network; (c) the existing and intended land use pattern; and (d) potential entrapment locations.		AO9 No acceptable outcome is provided.	✓	The proposed Reconfiguration does not result in changes which might reduce the crime prevention aspects of the existing use.
Pedestrian and cycle movement network				
PO10 Reconfiguring a lot must assist in the implementation of a Pedestrian and cycle movement network to achieve safe, attractive and efficient pedestrian and cycle networks.		AO10 No acceptable outcome is provided.	N/A	Not Applicable to this development proposal as there is no pedestrian or cycle network near the site.
Public transport network				
PO11 Where a site includes or adjoins a future public transport corridor or future public transport site identified through a structure planning process, development: (a) does not prejudice the future provision of the identified infrastructure; (b) appropriately treats the common boundary with the future corridor; and (c) provides opportunities to integrate with the adjoining corridor where a it will include an element which will attract pedestrian movement.		AO11 No acceptable outcome is provided.	N/A	Not Applicable to this development proposal.

Performance outcomes		Acceptable outcomes		Complies	Comments
Residential subdivision					
PO12 Residential lots are: (a) provided in a variety of sizes to accommodate housing choice and diversity; and (b) located to increase variety and avoid large areas of similar lot sizes.	AO12 No acceptable outcome is provided.	✓	The proposal adds to the variety of lot sizes in the local area.		
Rural residential zone					
PO13 New lots are only created in the Rural residential zone where land is located within the 4,000m ² precinct, the 1 hectare precinct or the 2 hectare precinct.	AO13 No acceptable outcome is provided.	✓	The proposed Reconfiguration is located within the 4,000m ² Precinct of the Rural Residential Zone.		
Additional provisions for greenfield development only					
PO14 The subdivision design provides the new community with a local identity by responding to: (a) site context (b) site characteristics (c) setting (d) landmarks (e) natural features; and (f) views.	AO14 No acceptable outcome provided.	N/A	This proposal is not a 'greenfield development'.		
PO15 The road network is designed to provide a high level of connectivity, permeability and circulation for local vehicles, public transport, pedestrians and cyclists.	AO15 No acceptable outcome provided.	N/A	This proposal is not a 'greenfield development'.		

Performance outcomes		Acceptable outcomes	Complies	Comments
PO16 The road network is designed to: (a) minimise the number of cul-de-sacs; (b) provide walkable catchments for all residents in cul-de-sacs; and (c) include open cul-de-sacs heads. Note—Figure B provides further guidance in relation to the desired outcome.	PO17 Reconfiguring a lot provides safe and convenient access to the existing or future public transport network.	AO16 No acceptable outcome provided.	N/A	This proposal is not a 'greenfield development'.
		AO17 The subdivision locates 90% of lots within 400 metres walking distance of a future public transport route.	N/A	This proposal is not a 'greenfield development'.
		AO18 No acceptable outcome provided.	N/A	This proposal is not a 'greenfield development'.
		AO19.1 A minimum of 10% of the site area is dedicated as open space.	N/A	This proposal is not a 'greenfield development'.
		AO19.2 A maximum of 30% of the proposed open space can consist of land identified as significant vegetation or riparian corridor buffer.	N/A	This proposal is not a 'greenfield development'.
PO18 The staging of the lot reconfiguration prioritises delivery of link roads to facilitate efficient bus routes.	PO19 Provision is made for sufficient open space to: (a) meet the needs of the occupiers of the lots and to ensure that the environmental and scenic values of the area are protected; (b) retain riparian corridors, significant vegetation and habitat areas and provides linkages between those areas; and (c) meet regional, district and neighbourhood open space requirements.			

Performance outcomes		Acceptable outcomes	Complies	Comments
PO20 A network of parks and community land is provided:	(a) to support a full range of recreational and sporting activities; (b) to ensure adequate pedestrian, cycle and vehicle access; (c) which is supported by appropriate infrastructure and embellishments; (d) to facilitate links between public open spaces; (e) which is co-located with other existing or proposed community infrastructure; (f) which is consistent with the preferred open space network; and (g) which includes a diversity of settings;	AO20 No acceptable outcome is provided.	N/A	This proposal is not a 'greenfield development'.

3. Agricultural Land Overlay Code

The development site is located within the Agricultural Land Overlay area of the Mareeba Shire Planning Scheme (2017 alignment). The site is identified as being in the 'Class A' mapping area.



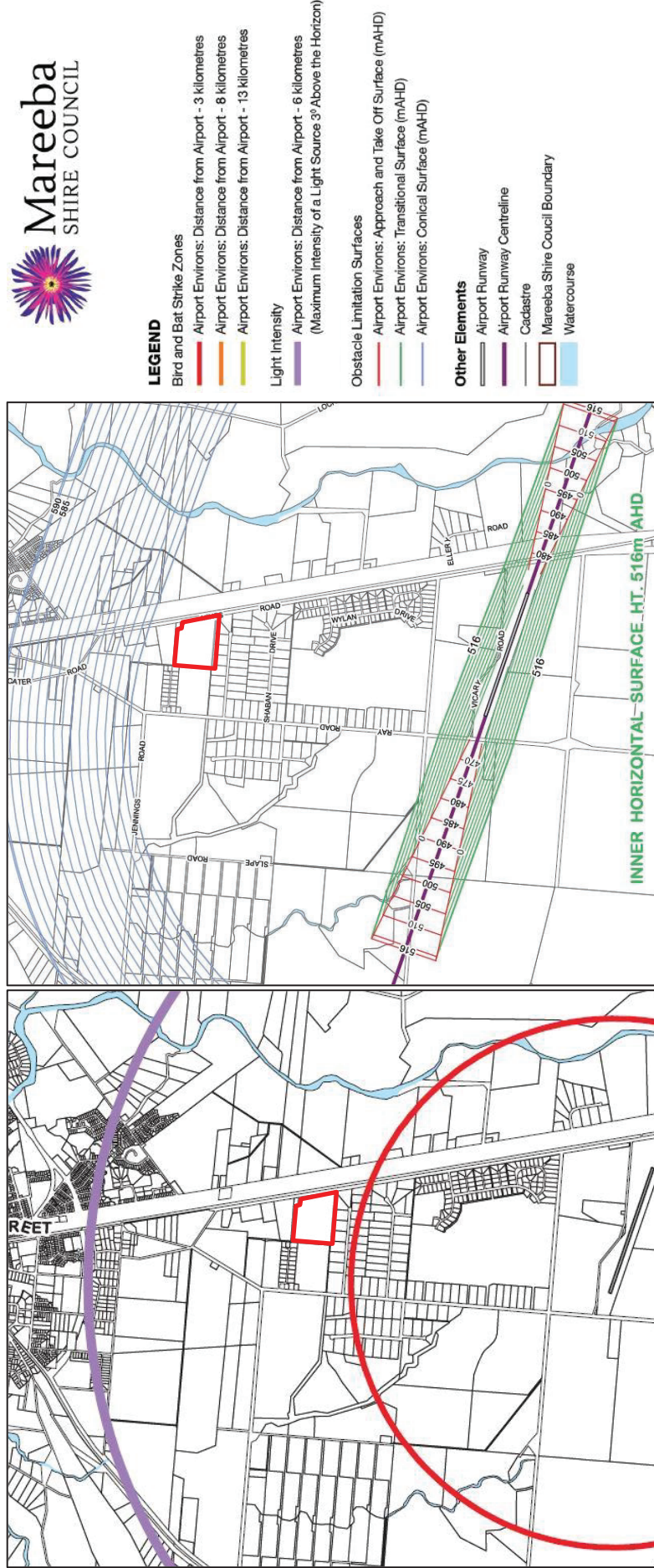
Table 8.2.1.3 – Agricultural land overlay code - For accepted development subject to requirements and assessable development.

Performance outcomes		Acceptable outcomes	Complies	Comments
For accepted development subject to requirements and assessable development				
PO1 The fragmentation or loss of productive capacity of land within the 'Class A' area or 'Class B' area identified on the Agricultural land overlay maps (OM-001a-n) is avoided unless: (a) an overriding need exists for the development in terms of public benefit; (b) no suitable alternative site exists; and (c) loss or fragmentation is minimised to the extent possible.	AO1 Buildings and structures are not located on land within the 'Class A' area or 'Class B' area identified on the Agricultural land overlay maps (OM-001a-n) unless they are associated with: (a) animal husbandry; or (b) animal keeping; or (c) cropping; or (d) dwelling house; or (e) home based business; or (f) intensive animal industry (only where for feedlotting); or (g) intensive horticulture; or (h) landing; or (i) roadside stalls; or (j) winery.	✓	The proposed Reconfiguration provides for the future construction of a single Dwelling House and Shed which are located within the Class 'A' area mapped over the site.	
For assessable development				
PO2 Sensitive land uses in the 'Class A' area, 'Class B' area or the 'Broadhectare rural' area identified on the Agricultural land overlay maps (OM-001a-n) are designed and located to: (a) avoid land use conflict; (b) manage impacts from agricultural activities, including chemical spray drift, odour, noise, dust, smoke and ash; (c) avoid reducing primary production potential; and (d) not adversely affect public health, safety and amenity.	AO2 No acceptable outcome is provided.	N/A	The proposed Reconfiguration is not for the provision of a sensitive use.	

Performance outcomes		Acceptable outcomes		Complies	Comments
PO3 Development in the 'Class A' area or 'Class B' area identified on the Agricultural land overlay maps (OM-001a-n) : (a) ensures that agricultural land is not permanently alienated; (b) ensures that agricultural land is preserved for agricultural purposes; and (c) does not constrain the viability or use of agricultural land.		AO3 No acceptable outcome is provided.		N/A	The proposal accommodates the desired land use of a single dwelling which does not impede the continued agricultural use of the land.
If for Reconfiguring a lot					
PO4 The 'Broadacre rural area' identified on the Agricultural land overlay maps (OM-001a-n) is retained in very large rural holdings viable for broad scale grazing and associated activities.		AO4 Development does not involve the creation of a new lot within the 'Broadacre rural' area identified on the Agricultural land overlay maps (OM-001a-n) .		N/A	The site is not located within the Broadacre rural area.
PO5 Reconfiguring a lot in the 'Class A' area, 'Class B' area or the 'Broadacre rural' area identified on the Agricultural land overlay maps (OM-001a-n) that is severed by a gazetted road occurs only where it does not fragment land used for agricultural purposes.		AO5 No acceptable outcome is provided.		N/A	The proposal does not involve any roads which sever the lots.
PO6 Any Reconfiguring a lot in the 'Class A' area, 'Class B' area or the 'Broadacre rural' area identified on the Agricultural land overlay maps (OM-001a-n) , including boundary realignments, only occurs where it: (a) improves agricultural efficiency; (b) facilitates agricultural activity; or (c) facilitates conservation outcomes; or (d) resolves boundary issues where a structure is built over the boundary line of two lots.		AO6 No acceptable outcome is provided.		✓	The proposed Reconfiguration involves land in the Class 'A' area and is proposed to accommodate a new Dwelling House and Shed. The new, smaller allotment, will facilitate agricultural use of the lot without impeding the agricultural use of the existing lot.

4. Airport Environs Overlay Code

The development site is located within the Airport Environs Overlay area of the Mareeba Shire Planning Scheme (2017 alignment). The site is identified as being in the Bird and Bat Strike Zone; 3-8 km Distance from Airport range (~3.1km), Light Intensity area; less than 6km (~3.1km) and inside of the Conical Surface area.



Airport Environs: Bird and Bat Strike zone.

Airport Environs: Obstacle Limitation Surfaces

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

Performance outcomes		Acceptable outcomes	Complies	Comments
For accepted development subject to requirements and assessable development				
Protection of Operational Airspace				
PO1 Development does not interfere with movement of aircraft or the safe operation of an airport or aerodrome where within the: (a) Airport environs: OLS area of Mareeba Airport identified on Airport environs overlay map (OM-002c) ; or (b) Airport environs: OLS area of Cairns Airport identified on Airport environs overlay map (OM-002c.1) ; or (c) 'Airport environs: Airport buffer - 1 kilometre' of an aerodrome identified on Airport environs overlay map (OM-002f) ; or (d) 'Airport environs: Airport buffer - 3 kilometres' of an aerodrome identified on Airport environs overlay map (OM-002f) .	AO1.1 Development does not exceed the height of the Obstacle Limitation Surface (OLS) where located within the Airport environs: OLS area of: (a) Mareeba Airport identified on Airport environs overlay map (OM-002c) ; or (b) Cairns Airport identified on Airport environs overlay map (OM-002c.1) .	N/A	The proposal site is not located within the OLS or Airport Buffer areas mapped over the site.	
	AO1.2 Development has a maximum height of 10 metres where within the 'Airport environs: Airport buffer - 1 kilometre' of an aerodrome identified on Airport environs overlay map (OM-002f) .	N/A	The proposal site is not located within the OLS or Airport Buffer areas mapped over the site.	
	AO1.3 Development has a maximum height of 15 metres where within the 'Airport environs: Airport buffer - 3 kilometres' of an aerodrome identified on Airport environs overlay map (OM-002f) .	N/A	The proposal site is not located within the OLS or Airport Buffer areas mapped over the site.	

Performance outcomes		Acceptable outcomes		Complies	Comments
Lighting					
PO2	Development does not include lighting that: (a) has the potential to impact on the efficient and safe operation of Mareeba Airport or an aerodrome; or (b) could distract or confuse pilots.	AO2 Development within the 'Airport environs': Distance from airport - 6 kilometres' area for Mareeba Airport identified on Airport environs overlay map (OM-002b) or the 'Airport environs: Airport buffer - 3 kilometres' of an aerodrome identified on Airport environs overlay map (OM-002f) does not: (a) involve external lighting, including street lighting, that creates straight parallel lines of lighting that are more than 500 metres long; and (b) does not contain reflective cladding upwards shining lights, flashing lights or sodium lights.	✓	The proposal is for the Reconfiguration of a Lot to accommodate a Dwelling House and Shed. The site is located outside of the 3km buffer radius of Mareeba Airport. The proposal does not involve any lighting or reflective surfaces detrimental to the safe operation of airport activities.	
Noise Exposure					
PO3	Development not directly associated with Mareeba Airport is protected from aircraft noise levels that may cause harm or undue interference.	AO3 Sensitive land uses are acoustically insulated to at least the minimum standards specified by AS2021 Acoustics - Aircraft Noise Intrusion - Building Siting and Construction where located within the 'Airport environs: 20-25 ANEF' area identified on Airport environs overlay map (OM-002d) .	✓	The proposed Reconfiguration is not affected by Noise Exposure and does not involve any sensitive land uses.	

Performance outcomes		Acceptable outcomes		Complies	Comments
Public Safety					
PO4 Development does not compromise public safety or risk to property.		AO4 Development is not located within the 'Airport environs: Mareeba Airport public safety area' identified on Airport environs overlay map (OM-002e) .	N/A		The proposal site is not located within the Airport Environs Public Safety Area.
State significant aviation facilities associated with Mareeba Airport					
PO5 Development does not impair the function of state significant aviation facilities by creating: (a) physical obstructions; or (b) electrical or electro-magnetic interference; or (c) deflection of signals.		AO5.1 Development within 'Airport environs: Zone B (600 metre buffer)' for the 'Saddle Mountain VHF' facility identified on Airport environs overlay map (OM-002a.1) does not exceed a height of 640 metres AHD.	N/A		The proposal site is not located within the Airport Environs Zone B area.
		AO5.2 Development within 'Airport environs: Zone B (4,000 metre buffer)' for the 'Hahn Tableland Radar (RSR)' facility identified on Airport environs overlay map (OM-002a) does not exceed a height of 950 metres AHD, unless associated with Hann Tableland Radar facility.	N/A		The proposal site is not located within the Airport Environs Zone B area.
		AO5.3 Building work does not occur within 'Airport environs: Zone A (200 metre buffer)' of the 'Bibohra CVOR' facility identified on Airport environs overlay map (OM-002a) unless associated with the Bibohra CVOR facility.	N/A		The proposal site is not located within the Airport Environs Zone A area.

Performance outcomes	Acceptable outcomes	Complies	Comments
	AO5.4 Development within 'Airport environs: Zone B (1,500 metre buffer)' of the 'Biboohra CVOR' facility identified on Airport environs overlay map (OM-002a), but outside 'Zone A (200 metre buffer)' identified on Airport environs overlay map (OM-002a), does not include: (a) the creation of a permanent or temporary physical line of sight obstruction above 13 metres in height; or (b) overhead power lines exceeding 5 metres in height; or (c) metallic structures exceeding 7.5 metres in height; or (d) trees and open lattice towers exceeding 10 metres in height; or (e) wooden structures exceeding 13 metres in height.	N/A	The proposal site is not located within the Airport Environs Zone A or Zone B areas.
For assessable development			
Mareeba Airport			
Protection of operational airspace			
PO6 Development within the vicinity of Mareeba Airport or an aerodrome does not interfere with the: (a) movement of aircraft; or (b) safe operation of the airport or facility.	AO6.1 Development involving sporting and recreational aviation activities such as parachuting, hot air ballooning or hang gliding, does not occur within the Airport environs: OLS area of: (a) Mareeba Airport identified on Airport environs overlay map (OM-002c); or (b) Cairns Airport identified on Airport environs overlay map (OM-002c.1).	N/A	The proposal is for the Reconfiguration for a Lot to accommodate a Dwelling House.

Performance outcomes		Acceptable outcomes	Complies	Comments
		AO6.2 Development involving temporary or permanent aviation activities does not occur within the 'Airport environs: Airport buffer - 3 kilometres' of an aerodrome identified on Airport environs overlay map (OM-002f) .	N/A	The proposal is for the Reconfiguration for a Lot to accommodate a Dwelling House.
PO7 Development does not affect air turbulence, visibility or engine operation in the operational airspace of Mareeba Airport or regional aerodromes.		AO7 Development does not result in the emission of a gaseous plume, at a velocity exceeding 4.3 metres per second, or smoke, dust, ash or steam within: (a) the Airport environs: OLS area of Mareeba Airport identified on Airport environs overlay map (OM-002c) ; or (b) the Airport environs: OLS area of Cairns Airport identified on Airport environs overlay map (OM-002c.1) ; or (c) the 'Airport environs: Airport buffer - 1 kilometre' of a regional aerodrome identified on Airport environs overlay map (OM-002f) .	N/A	The proposal is for the Reconfiguration for a Lot to accommodate a Dwelling House and does not involve the expulsion of any gaseous plumes.
PO8 Development in the environs of Mareeba Airport or an aerodrome does not contribute to the potentially serious hazard from wildlife (bird or bat) strike.		AO8.1 Development within the 'Airport environs: Distance from airport - 8 kilometres' Bird and bat strike zone of Mareeba Airport identified on Airport environs overlay map (OM-002b) or the 'Airport environs: Airport buffer - 3 kilometres' of an	✓	The proposal is for the Reconfiguration for a Lot to accommodate a Dwelling House and does not involve any uses having the potential to attract birds or bats to the site.

Performance outcomes	Acceptable outcomes	Complies	Comments
	aerodrome identified on Airport enviros overlay map (OM-002f) provides that potential food and waste sources are covered and collected so that they are not accessible to wildlife.		
	AO8.2 Development within the 'Airport enviros: Distance from airport - 3 kilometres' Bird and bat strike zone of Mareeba Airport identified on Airport enviros overlay map (OM-002b) or the 'Airport enviros: Airport buffer - 1 kilometre' of an aerodrome identified on Airport enviros overlay map (OM-002f) does not include: (a) food processing; or (b) abattoir; or (c) intensive horticulture; or (d) intensive animal husbandry; or (e) garden centre; or (f) aquaculture.	✓	The proposal site is not located within 3km of the airport and does not involve any uses having the potential to attract birds or bats to the site.
	AO8.3 Putrescible waste disposal sites do not occur within the 'Airport enviros: Distance from airport - 13 kilometres' Bird and bat strike zone of: (a) Mareeba Airport identified on Airport enviros overlay map (OM-002b); or (b) Cairns Airport identified on Airport enviros overlay map (OM-002b.1).	✓	The proposal is for the Reconfiguration for a Lot to accommodate a Dwelling House and does not involve any uses having the potential to attract birds or bats to the site.

DEVELOPMENT APPLICATION

DEVELOPMENT PERMIT:

RECONFIGURATION OF A LOT (1 into 2)
To accommodate a NEW DWELLING and SHED

114 MINES RD, MAREEBA QLD. 4880
LOT 2 ON RP736579

PREPARED BY: SCOPE TOWN PLANNING

SEPTEMBER 2020



PLANNING FOR LOCALS

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APPENDIX 1: ASSESSMENT AGAINST THE PLANNING CODES (attached)

APPLICATION SUMMARY	
DEVELOPMENT APPLICATION	Reconfiguration of a Lot
PROPOSED USE	1 Lot into 2
ASSESSMENT LEVEL	Code
STREET ADDRESS	114 Mines Road, Mareeba, Qld. 4880
REAL PROPERTY ADDRESS	Lot 2 on RP736579
LAND AREA	237,810m ²
APPLICANT	Scope Town Planning c/- Land Owner
LAND OWNER	Kenny and Debbie Gostelow
LOCAL GOVERNMENT AREA	Mareeba Shire Council
PLANNING SCHEME	Mareeba Shire Planning Scheme
ZONE	Rural Residential Zone
PRECINCT	A: 4000m ² Precinct
EASEMENTS	Nil
IMPROVEMENTS	Dwelling House, Shed
APPLICABLE PLANNING CODES	Rural Residential Zone Code
	Reconfiguring a Lot Code
	Agricultural Land Overlay Code
	Airport Environs Overlay Code
APPLICABLE REFERRALS	N/A

1 Proposal

1.1 Introduction

This application is for a Development Permit for the Reconfiguration of a Lot for Rural Residential land located at 114 Mines Road, Mareeba Qld. 4880 formally known as Lot 2 on RP736579. **The site is located within the Rural Residential Zone and in the 4000m² Precinct.** This application also seeks approval for the construction of a dwelling and shed on the proposed lot.

This application is classified as **Code Assessable Development** against the relevant codes of the Mareeba Shire Planning Scheme (2017 alignment) for Reconfiguration of a Lot as prescribed by Table 5.6.1 – Reconfiguring a Lot which states that reconfiguration of a lot in the Rural Residential Zone is Code Assessable development when located within the 4000m² precinct.

1.2 Proposed Development

The proposed subdivision is a 1 into 2 reconfiguration of the 237,810m² Lot to provide 1 new 37,000m² lot as illustrated in **Figure 1** below. The applicant's intended use for the proposed site is for a private dwelling with shed.



Figure 1: Proposed 1 into 2 Reconfiguration of Lot 2 on RP 376579.

The proposed subdivision is desired to allow the construction of a Dwelling House and Shed. The majority of the proposed 37,000m² new Lot will remain vacant to maintain the desired agricultural use of the Rural Residential Zone.

The location of the proposed Crossover, Dwelling House and Shed to be constructed on the new Lot are shown on **Figure 2**.



Figure 2: Proposed location of new Crossover, Dwelling and Shed.

1.3 Site and Locality

The proposal site is situated on Mines Road south of Mareeba which gains access via a connection to the Kennedy Highway. The site is cleared and currently improved with a single dwelling house and large shed.

The site has an area of 237,810m² and is located amongst multiple subdivisions of large lots containing single dwellings. The site is zoned Rural Residential with an 'A' designation for lots no less than 4000m² in area.

The site is not burdened by nor a beneficiary of any easements. The site is affected by the Airport Environs and Agricultural Land overlay mapping.

Infrastructure required to service the site is accessible via the Mines Road boundary including Mines Road access, Reticulated Water, Council Waste Collection, Reticulated Electricity and Telecommunications.

Figure 3 provides an aerial image of the site and surrounding area.

Figure 4 provides zone information for the site based upon the Mareeba Shire Planning Scheme (2017 Alignment).

Figures 5 & 6 provide details of existing site infrastructure.



Figure 3: Aerial image of site and surrounding area.

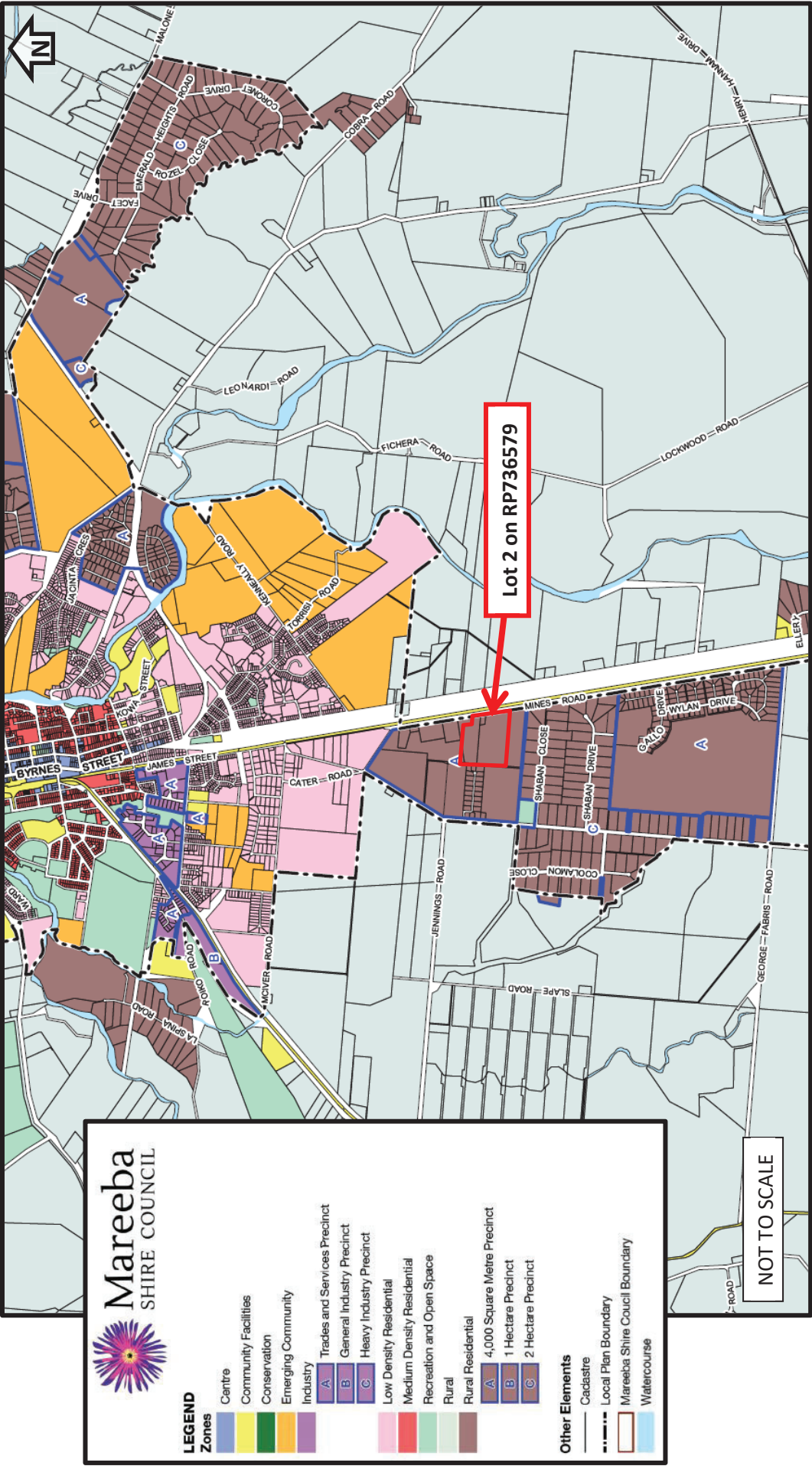


Figure 4: Mareeba S.P.S. Zoning.



2 Planning Considerations

2.1 Compliance with Planning Scheme

This site is located within the Rural Residential 'A' zoning area. The proposed subdivision is Code Assessable under the Mareeba Shire Council Planning Scheme (2017 alignment).

Table 1 identifies compliance with the relevant codes.

Table 1: Compliance of this development with relevant codes.

Mareeba Shire Council Planning Scheme		CODE APPLICABILITY	COMPLIANCE
Zone Code	Rural Residential	✓	Complies
Local Plan Code	Mareeba Local Plan	n/a	n/a
Overlay Codes	Agricultural Land	✓	Complies
	Airport Environs	✓	Complies
	Bushfire Hazard	n/a	n/a
	Environmental Significance	n/a	n/a
	Extractive Resources	n/a	n/a
	Flood Hazard	n/a	n/a
	Heritage	n/a	n/a
	Hill and Slope	n/a	n/a
	Regional Infrastructure Corridors and Substations	n/a	n/a
	Residential Dwelling House and Outbuilding	n/a	n/a
	Scenic Amenity	n/a	n/a
	Transport Infrastructure	n/a	n/a
Other Development Codes	Advertising Devices	n/a	n/a
	Landscaping	n/a	n/a
	Parking and Access	n/a	n/a
	Reconfiguring a Lot	✓	Complies
	Works, Services and Infrastructure	n/a	n/a

2.2 State agency referral items

This development does not trigger referral to any referral agencies.

3 Planning Summary

The proposed Reconfiguration of Lot 2 on RP736579 into 2 Lots will result in 2 lots of ~200,810m² and 37,000m² for rural residential use and is consistent with the desired outcomes of the Rural Residential Zone, 4000m² minimum lot size area. The proposed subdivision complies with the Acceptable Outcomes of the Code as shown in **Appendix 1**.

The site has access frontage to Mines Road, a Local Road with connectivity to the Kennedy Highway however it is unaffected by the Transport Noise buffer. The proposed subdivision does not affect the future use or development of the currently inactive railway corridor situated between the Kennedy Highway and Mines Road.

The site is located within the Airport Environs Overlay and complies with the Acceptable Outcomes of the Code as shown in **Appendix 1**.

The site is located in the Agricultural Land Overlay and is classified as 'Class A' Agricultural Land. The proposed subdivision complies with the Acceptable Outcomes of the Code as shown in **Appendix 1**.

As the site is not serviced by Reticulated Sewage collection, the owner will select an appropriate septic system as required during the building stage.

4 Recommendation

It is the professional opinion of Scope Town Planning that this proposal for the subdivision of Lot 2 on RP736579 into 2 Lots satisfies the desired outcomes and requirements of the Mareeba Shire Planning Scheme (2017 alignment) and that this application should be fairly assessed and approved by Mareeba Shire Council with reasonable conditions.

Appendix 1: Assessment against the Planning Codes

An assessment of the proposed subdivision has been prepared in Appendix 1 (attached).

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

I, Myles Kenneth and Debra Ann Gostelow

as owner of the premises identified as follows:

114 Mines Road, Mareeba Qld 4880
Lot 2 RP 736579

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

Scope Town Planning on behalf of Steven and Caitlin Gostelow

on the premises described above for:

Reconfiguration of a Lot (1 into 2)

M. Gostelow
D. Gostelow

4/9/2020