

From: Planz Town Planning
Sent: Mon, 2 Nov 2020 14:08:03 +1000
To: Natacha Jones;Info (Shared)
Cc: Carl Ewin;Brian Millard
Subject: MCU Indoor Sports and Recreation at 9 Wallace Drive Mareeba Lot 30NR804457
Attachments: 1. Cover Letter MCU Indoor Sport and Entertainment 9 Wallace Drive Mareeba .pdf, 2. DA Form 1 - CrossFit 9 Wallace Drive Mareeba.pdf, 3. Signed Landowners Consent 9 Wallace Drive.pdf, 4. P72105 MCU Indoor Sport and Entertainment 9 Wallace Dr 2 Nov 2020.pdf

Dear Natacha, Carl and Brian,

I am pleased to lodge this application for Material Change of Use Indoor Sport and Recreation at 9 Wallace Drive, Mareeba.

On the application form we have agreed to accept an information request if more information is required.

The relevant information for the application is:

Applicant: Simon and Nadine Cockrem
c/- Planz Town Planning
Mailing address: PO Box 181
Edge Hill, Cairns QLD 4870
Landowner: G & A Marinelli Pty Ltd (Landowners Consent is attached)
Application Fee: \$1,610.00

Attachments included in this email :

1. Cover Letter
2. DA form 1
3. Landowner consent
4. Planning Report
5. Proposal Plans (attached to 4. *Planning Report*)

If you contact our office, we will arrange for payment.

Many thanks and regards
Susie

Planz Town Planning
PO Box 181 Edge Hill, QLD 4870
Phone. 07 4041 0445
www.planztp.com info@planztp.com



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2 November 2020

Our ref: P72105

Chief Executive Officer
Mareeba Shire Council
PO Box 359
Mareeba QLD 4880

**New Planning Application: Material Change of Use –
Indoor Sports and Recreation at 9 Wallace Drive, Mareeba on Lot 30NR804457**

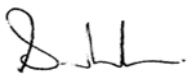
I am pleased to lodge this development application on behalf of Simon and Nadine Cockrem from CrossFit Mareeba Gym. The application is for a Material Change of Use - Indoor Sports and Recreation at 9 Wallace Drive, Mareeba (Lot 30NR804457).

The relevant information for the application is:

Applicant:	Simon and Nadine Cockrem c/- Planz Town Planning
Mailing address:	PO Box 181 Edge Hill, Cairns QLD 4870
Landowner:	G & A Marinelli Pty Ltd
Application Fee:	\$1,610.00

If you require any further information please do call me.

Yours faithfully,



Susie Lord
Planz Town Planning

Att. DA Form 1
Landowners Consent
Planning Report
Proposal Plans

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) <i>(individual or company full name)</i>	Simon and Nadine Cockrem
Contact name <i>(only applicable for companies)</i>	Planz Town Planning
Postal address <i>(P.O. Box or street address)</i>	PO Box 181
Suburb	Edge Hill
State	QLD
Postcode	4870
Country	Australia
Contact number	07 4041 0445
Email address <i>(non-mandatory)</i>	info@planztp.com
Mobile number <i>(non-mandatory)</i>	0447323384
Fax number <i>(non-mandatory)</i>	N/A
Applicant's reference number(s) <i>(if applicable)</i>	P72105

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
		9	WALLACE DRIVE	MAREEBA
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)
	4880	30	NR804457	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 checked="" type="checkbox"/> GDA94 <input type="checkbox"/> Other:	Mareeba Shire Council

☐ 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):*

Crossfit Mareeba gym

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)
CrossFit Mareeba Gym	Indoor sport and recreation	N/A	264m ²
8.2) Does the proposed use involve the use of existing buildings on the premises?			
<input checked="" type="checkbox"/> Yes			
<input type="checkbox"/> No			

Division 2 – Reconfiguring a lot

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

9.1) What is the total number of existing lots making up the premises?	
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?				
<input type="checkbox"/> Yes – provide additional details below				
<input type="checkbox"/> No				
How many stages will the works include?				
What stage(s) will this development application apply to?				

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

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

12) Boundary realignment

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

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

12.2) What is the reason for the boundary realignment?

--

13) What are the dimensions and nature of any existing easements being changed and/or any proposed easement? (attach schedule if there are more than two easements)

Existing or proposed?	Width (m)	Length (m)	Purpose of the easement? (e.g. pedestrian access)	Identify the land/lot(s) benefitted by the easement

Division 3 – Operational work

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

14.1) What is the nature of the operational work?

- | | | |
|--|-------------------------------------|--|
| <input type="checkbox"/> Road work | <input type="checkbox"/> Stormwater | <input type="checkbox"/> Water infrastructure |
| <input type="checkbox"/> Drainage work | <input type="checkbox"/> Earthworks | <input type="checkbox"/> Sewage infrastructure |
| <input type="checkbox"/> Landscaping | <input type="checkbox"/> Signage | <input type="checkbox"/> Clearing vegetation |
| <input type="checkbox"/> Other – please specify: <table border="1" style="display: inline-table; width: 300px; height: 20px;"></table> | | |

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

<input type="checkbox"/> Yes – specify number of new lots:	
<input type="checkbox"/> 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 : <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 Transport Infrastructure Act 1994 : <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 checked="" type="checkbox"/> No		
Referral requirement	Referral agency	Date of referral response
Identify and describe any changes made to the proposed development application that was the subject of the referral response and the development application the subject of this form, or include details in a schedule to this development application (<i>if applicable</i>).		

PART 6 – INFORMATION REQUEST

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: By not agreeing to accept an information request I, the applicant, acknowledge:
<ul style="list-style-type: none"> • 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
<input type="checkbox"/> Approval <input type="checkbox"/> Development application			
<input type="checkbox"/> Approval <input type="checkbox"/> Development application			

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

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

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

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

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

23) Further legislative requirements

Environmentally relevant activities

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

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

Note: Application for an environmental authority can be found by searching “ESR/2015/1791” as a search term at www.qld.gov.au. 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:	
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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 <i>DA Form 2 – Building work details</i> 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 (see 21))	<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.</p> <p>Personal information will not be disclosed for a purpose unrelated to the <i>Planning Act 2016</i>, Planning Regulation 2017 and the DA Rules except where:</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 Planning Regulation 2017, and the access rules made under the <i>Planning Act 2016</i> and Planning Regulation 2017; 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	
Name of chosen assessment manager	
Date chosen assessment manager engaged	
Contact number of chosen assessment manager	
Relevant licence number(s) of chosen assessment manager	

QLeave notification and payment

Note: For completion by assessment manager if applicable

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

*I / we:

*On behalf of:

Of premises identified as:
Insert street address

9 Wallace Drive, Mareeba

Described as:
Insert Real Property Description

Lot 30 NR804457

Consent to Planz Town
Planning making
application for:

Material Change of Use – Indoor Sport and
Recreation

*  G + A MARINELLI PTY LTD 12/10/2020.
[Signature of Owner / Director** / Body Corporate**] [Date]

** If signing on behalf of Company or Body Corporate - insert name of Company or Body Corporate

[Signature of Owner / Director / Body Corporate]

[Date]

** If signing on behalf of Company or Body Corporate - insert name of Company or Body Corporate

****Guide – To determine who is the owner of the land**

Landowner: The Person, Company, or Body Corporate shown on the rates notice or lease documents.

When there are multiple owners: The consent of each owner must be obtained.

When there are multiple lots: The consent of each of those landowners is required.

When the owner is a company: The company must consent to the application in accordance with Section 127 of The Corporations Act 2001

Easements: The consent of easement owners is not always required. This is considered on an application by application basis.

Leases: If the land leased to you from someone else, Council or State, the lessors (not you) of the land must give the owner's consent.

State owned land: If the land is state-owned land that is leased or subleased, The State as the lessor of the land must give owner's consent

Power of attorney: If power of attorney has been granted authorising another person to sign on the owner's behalf, a certified copy of the power of attorney is required to accompany the consent.



DEVELOPMENT PERMIT

MATERIAL CHANGE OF USE – INDOOR SPORT AND RECREATION
9 WALLACE DRIVE, MAREEBA

2 NOVEMBER 2020

PREPARED BY

PLANZ TOWN PLANNING PTY LTD

on behalf of

SIMON AND NADINE COCKREM

CREATING GREAT PLACES FOR PEOPLE

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Application Summary

Application details	
Proposal	MCU- Indoor Sports and Recreation
Applicant	Simon and Nadine Cockrem
Property Owner	G & A Marinelli Pty Ltd
Address	9 Wallace Drive, Mareeba
Real Property Description	30NR804457
Lot Size	1,789m ²
Zone	Industry
Current Use	Industry
Level of Assessment	Code
Applicable Codes	Industry zone Mareeba local plan Airport environs overlay Transport infrastructure overlay Sports and recreation activities Landscaping Parking and access Works, services and infrastructure
Referral Triggers	None
Council Division	Mareeba Shire Council

1 PROPOSED DEVELOPMENT

1.1 Nature of the Proposal

This application is for a Material Change of Use – Indoor Sport and Recreation on Lot 30 NR804457 at 9 Wallace Drive, Mareeba. The site is located in the Industry zone and the use is Code assessable. Referral is not required and the site is connected to Council’s sewerage and water supply services.

The use for *Indoor sport and recreation* are defined as:

Indoor sport and recreation: Premises used for leisure, sport or recreation conducted wholly or mainly indoors. Examples of the use include amusement parlour, bowling alley, gymnasium, squash courts, enclosed tennis courts.



Figure 1: Zone map extract

The main compliance considerations for the assessment is parking. This matter is addressed in **Section 2** of this report and the development complies with the performance outcomes. Council is requested to approve the application subject to reasonable conditions.

1.2 The Site

The site is located on the corner of Wallace Drive and Slade Street (**figure 2**). The existing building on the site is made up of four tenancy spaces. There are three kerb crossovers to the sheds that are adjacent to Slade Street. In addition to the three crossovers, there are two access driveways to the site; one along Wallace Drive and one along Slade Street (**figure 3**).

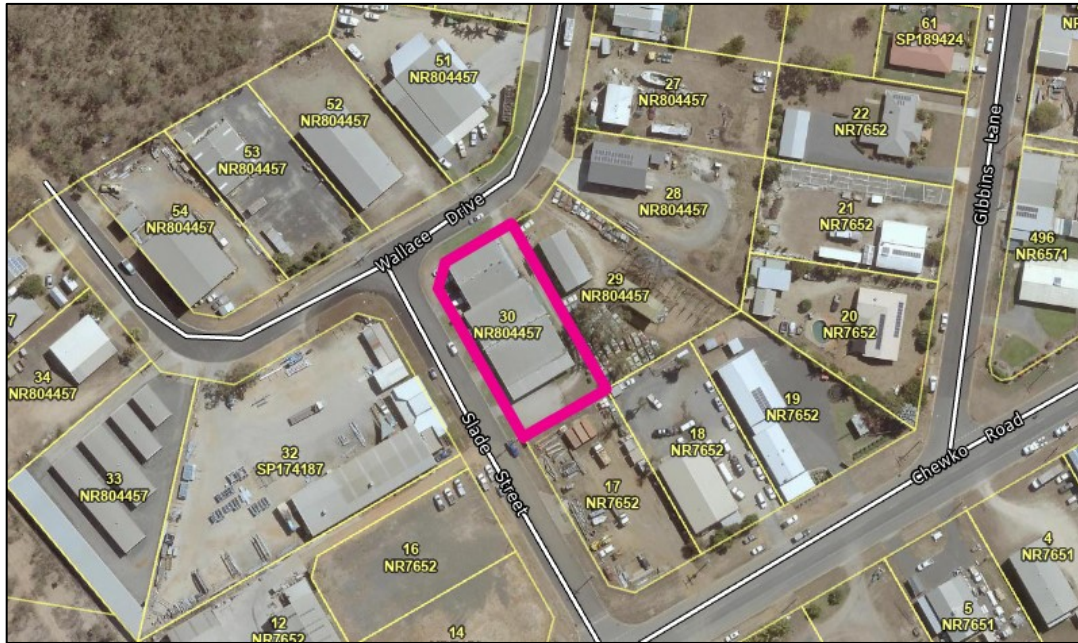


Figure 2: Site location



Figure 3: Kerb crossovers and access driveways

1.3 The Applicant and Operation of the use

The *CrossFit Mareeba* Gym has been operating since July 2014 and is recognised within the industry as one of the best facilities in Australia, in terms of quality of equipment, spacious layout, training climate and calibre of coaching. CrossFit provides elite training programs, however also provides functional fitness to a diverse range of clients from as young as 11 years up to over 65 years. The operation and business model is different to a conventional gymnasium as a CrossFit gym is a fitness training and coaching facility; clients do not simply turn up to use the gym – each workout is led by a CrossFit coach and clients must book into a class.

Currently operates out of 159 Walsh Street, Mareeba and the operators are choosing to move to the new premises. The site has four tenancies with the middle tenancy shed (tenancy 3) to be used by *CrossFit Mareeba* (**figure 4**). The tenancy is approximately 264m². The applicant will also run his Joinery business out of the southern tenancy (tenancy 4). The owner of the sheds will operate out of the other 2 tenancies.

As the CrossFit gym has been operating since July 2014, the applicant has reliable information on hours of operation, class size and nature of clients. The class sizes are typically 5-12 clients and one coach. The maximum class size is 16 as higher numbers do not allow for quality coaching and evaluation in the allotted time frame. There are two early class (5:30am & 6:30am), one “mum’s and dad’s” class (9:00am), one after school class (4:10pm), and one evening class 5:30pm. The most popular class time is 5:30am. Outside of these hours the gym is closed to members, however the gym has been open for one on one training by appointment in the past and may be again in the future. The CrossFit classes are summarised in the table below:

Current operating hours		Class times
Monday -Wednesday	5:30am – 7:15pm	5:30am, 6:30am, 9:00am, 4:10pm, 5:30pm
Thursday	5:30am – 6:15pm	5:30am, 6:30am, 9:00am, 4:10pm
Friday	5:30am – 6:30pm	5:30am, 6:30am, 9:00am, 4:10pm, 5:30pm
Saturday	7:00am – 8:00pm	7:00am
Sunday	Closed	

The applicant also advises that some clients:

- come 2 days a week, and attendance 4 days a week is encouraged
- are private 1 on 1 training classes outside the normal sessions

- a majority of clients are couples – e.g. married, sisters, mother / daughter or friends who train together, arriving in the same vehicle

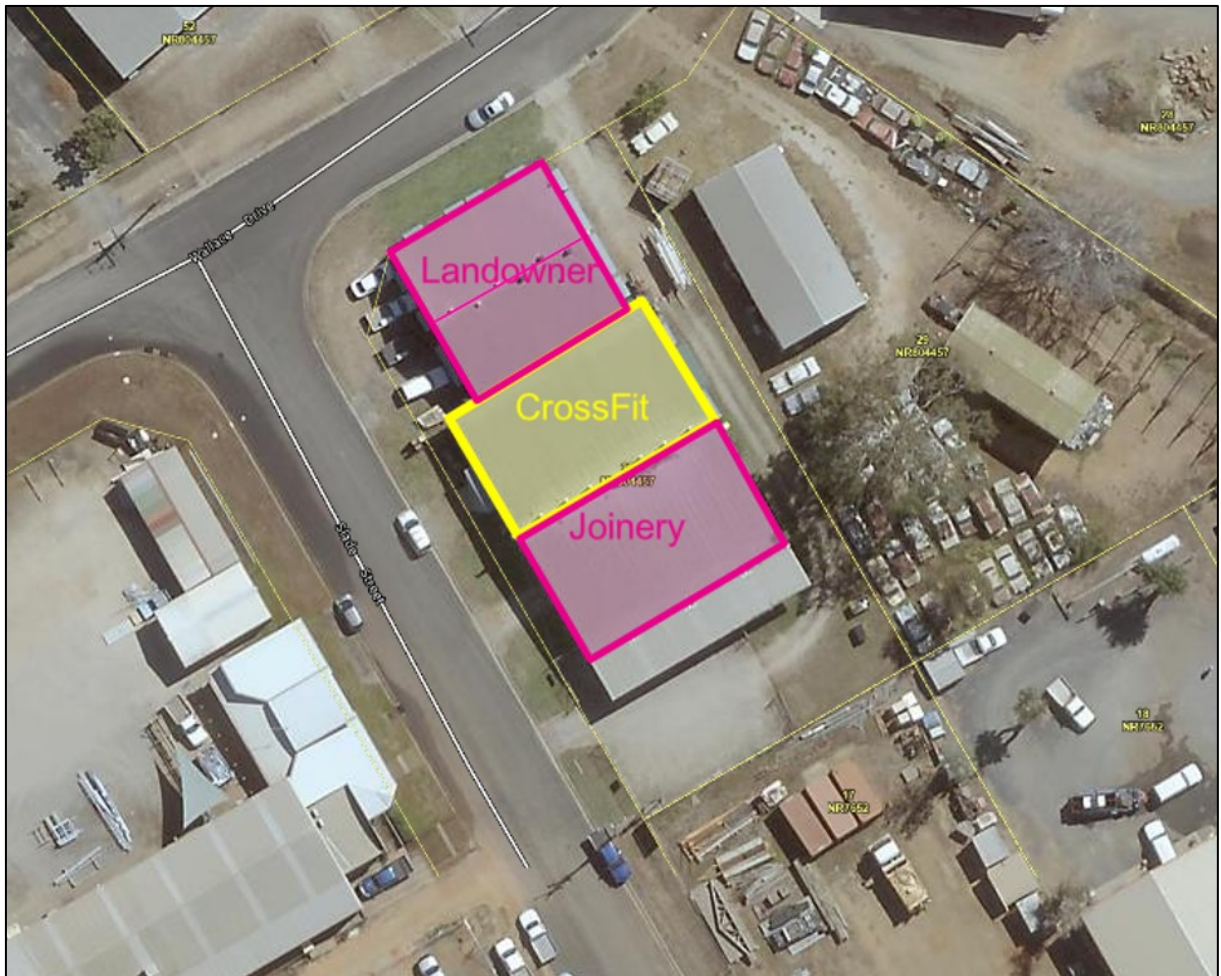


Figure 4: Proposed CrossFit Mareeba onsite location

2 PLANNING CONSIDERATIONS

2.1 State Interest

The Planning Regulations and State Development Assessment Provisions (SDAP) set out the matters of interest to the state for development assessment (**Figure 2**).

The site is mapped as having:

- Water resources – water resource planning area boundaries

Referral is not required for this application.



Figure 2: State mapping

2.2 Planning Scheme Assessment

The proposed use is Code Assessable Development against the Mareeba Planning Scheme. In considering the proposal against the relevant codes, there are Performance Outcomes and Acceptable Outcomes which are to be considered:

1. Assessable development must demonstrate that the Performance Outcomes can be achieved.
2. The Acceptable Outcomes that are nominated in the Codes are just one means by which the Performance Outcomes may be achieved.

The proposal satisfies the Purpose and Overall Outcomes of the Planning Scheme Codes, as identified in **Appendix 1**. The assessment and compliance table for this development is shown below.

Planning Scheme Assessment Table Codes		Applicability
Zone Code	6.2.5 Industry	✓
Local Plan Code	7.2.2 Mareeba	✓
Overlay Codes	8.2.1 Agricultural land	N/A
	8.2.2 Airport Environs	✓
	8.2.3 Bushfire Hazard	N/A
	8.2.4 Environmental significance	N/A
	8.2.5 Extractive Resources	N/A
	8.2.6 Flood Hazard	N/A
	8.2.7 Heritage	N/A
	8.2.8 Hill and slope	N/A
	8.2.9 Regional infrastructure corridors and substations	N/A
	8.2.10 Residential dwelling house and outbuilding	N/A
	8.2.11 Scenic amenity	N/A
	8.2.12 Transport infrastructure	✓
Use Codes	9.3.7 Sport and Recreation Activities	✓
Other Development Codes	9.4.1 Advertising devices	N/A
	9.4.2 Landscaping	✓
	9.4.3 Parking and access code	✓
	9.4.4 Reconfiguring a lot code	N/A
	9.4.5 Works, services and infrastructure	✓

2.3 Compliance

Parking

The main compliance issue associated with this development is parking spaces. There is no minimum number of parking spaces nominated in the Industry zone. Table 9.4.3.3B states parking '*as determined by Council*'.

There is the potential to have 18 parking spaces onsite (**figure 5**). In the southern section of the site there are four existing parking spaces and two existing informal parking spaces (**figure 6**). There are also nine potential parking spaces along the south-east boundary (**figure 5 & 7**), and there are also three informal parking spaces along the western side of the building (**figure 5**).

As described in **Section 1.3** of this report, the operation of the use only allows a maximum of 16 clients which is also usually limited to the early morning classes or afternoon classes (outside of business hours), with the occasional personal training during the day or on demand. The number of persons onsite is controlled.

As stated in **Section 1.3** and **figure 4** of this report, the applicant is going to run his Joinery business out of the southern tenancy of the building. The applicant also advised that the Landowner, who has the northern two tenancy spaces (**figure 4**), has stated to the applicant that their business only requires one parking space onsite. As the applicant is the main occupant of the site there is sufficient parking space that will cater for the CrossFit gym (**figure 5**).



Figure 5: Parking - Existing and potential



Figure 6: Six undercover parking (four concrete - two grass)



Figure 7: Potential nine parking spaces along south-east boundary

In summary, there are enough parking spaces onsite that sufficiently accommodate the likely demand that will be generated by the Indoor sports and recreation use in regards to:

1. There is potential to have at least 18 onsite parking spaces
2. The nature and operation of the use
 - number of persons onsite is controlled
 - peak hours are outside of business hours
3. The applicant runs his Joinery business onsite in another tenancy (parking will not conflict)

APPENDIX 1: ASSESSMENT AGAINST THE PLANNING SCHEME

6.2.5 Industry zone code

Purpose

The purpose of the Industry zone code is to provide for a range of service, low, medium, or high impact industrial uses.

It may include non-industrial and business uses that support the industrial activities where they do not compromise the long-term use of the land for industrial purposes.

Mareeba Shire Council's purpose of the Industry zone code is to facilitate industrial activity in order to:

- (a) contribute to and strengthen the economic development of the region;
- (b) service the needs of the communities in the shire; and
- (c) provide for a variety of employment opportunities.

The shire's industrial areas will vary in their role and level of service provision and cater for different scales and types of industrial development. Three precincts are identified within the zone in order to establish a hierarchy of industrial areas catering for lower impact to higher impact industries:

- (a) The Trades and services precinct is intended to accommodate service industry and low impact industries. This precinct encompasses the majority of the existing smaller industrial areas which are often located in commercial areas or adjoining residential areas. The precinct is strategically located in serviced areas to provide light industry, service and trades industries to meet local needs and located. Higher impact industries may be appropriate in some locations within this precinct where it can be demonstrated that they will not have any adverse impacts on surrounding development and land uses;
- (b) The General industry precinct is intended to accommodate medium impact industries and existing high impact industries. This precinct encompasses the central industrial area of Mareeba. Further expansion of high impact industries is not encouraged due to the proximity of the precinct to residential areas, meaning a transition to lower impact industries is supported; and

- (c) The Heavy industry precinct is intended to accommodate a range of industrial uses including high impact industries and encompasses the Chillagoe industrial area, the Mareeba major industrial area and the Mareeba Airport industrial area.

The purpose of the code will be achieved through the following overall outcomes:

- (a) Uses and works for industrial purposes are located, designed and managed to maintain safety to people, avoid significant adverse effects on the natural environment and minimise impacts on surrounding non-industrial land;
- (b) Development is sited having regard to its servicing capabilities in terms of transport, water, sewage, electricity, telecommunications infrastructure, proximity to other associated industries and work force;
- (c) Development maximises the use of existing transport infrastructure and has access to an appropriate level of transport infrastructure and facilities;
- (d) Development is supported by necessary transport infrastructure which is designed to provide and promote safe and efficient public transport use, walking and cycling;
- (e) Development is reflective of and responsive to the environmental constraints of the land;
- (f) The scale, character and built form of development contributes to an appropriate standard of amenity;
- (g) Non-industrial uses, such as offices, retail uses and caretaker's accommodation that directly support the industrial area are facilitated;
- (h) The viability of both existing and future industrial activities is protected from the intrusion of incompatible uses;
- (i) Adverse impacts on natural features and processes both on-site and from adjoining areas are minimised through location, design, operation and management of development;
- (j) Industrial uses are adequately separated and buffered from sensitive land uses to minimise the likelihood of environmental harm including environmental nuisance occurring;
- (k) Land included in the Industry zone is to be protected from incompatible uses to ensure that industrial activities may continue and expand; and
- (l)** Development is appropriately coordinated and sequenced to ensure the most effective use of land within the zone.

Table 6.2.5.3—Industry zone code - For accepted development subject to requirements and assessable development

Performance Outcomes	Acceptable Outcomes	Applicant Response
For accepted development subject to requirements and assessable development		
Height		
PO1 Building height takes into consideration and respects the following: <ul style="list-style-type: none"> (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) site area and street frontage length. 	AO1 Development has a maximum building height of: <ul style="list-style-type: none"> (a) 8.5 metres within 10 metres of any common boundary with land in the Low-density residential zone, the Medium density residential zone or the Rural residential zone; (b) 35 metres for all buildings and structures where involving a Telecommunication facility; and (c) 12 metres otherwise. 	Complies The building is already existing
Siting		
PO2 Development is sited in a manner that considers and respects: <ul style="list-style-type: none"> (a) the siting and use of adjoining premises; (b) appearance of building bulk; and (c) relationship with road corridors. 	AO2 Buildings and structures include a minimum setback of: <ul style="list-style-type: none"> (a) 3 metres from any road frontage; (b) 6 metres from side and rear boundaries where adjoining land in the Low-density residential zone, the Medium density residential zone or the Rural residential zone; and (c) 0 metres from side and rear boundaries otherwise. 	Complies The building is already existing
For assessable development		
Site cover		
PO3 Buildings and structures occupy the site in a manner that: <ul style="list-style-type: none"> (a) makes efficient use of land; (b) is consistent with the bulk and scale of surrounding buildings. 	AO3 No acceptable outcome is provided.	Not applicable Development is to take up a tenancy space in an already existing building
Building design		
PO4 Building facades are appropriately designed to maintain and enhance the character of the surrounds.	AO4 Buildings in the Industrial zone include: <ul style="list-style-type: none"> (a) a main entrance which is easily identifiable and is directly accessible from the primary road frontage; and 	Complies Development is to take up a tenancy space in an already existing building

	(b) any office space sited and oriented towards the primary road frontage.	
PO5 Development complements and integrates with the established built character of the Industry zone, having regard to: <ul style="list-style-type: none"> (a) roof form and pitch; (b) building materials, colours and textures; and (c) window and door size and location. 	A05 No acceptable outcome is provided.	Complies with performance criteria Development is to take up a tenancy space in an already existing building
Non-industrial uses		
PO6 Development involving a non-industrial use: <ul style="list-style-type: none"> (a) has access to adequate infrastructure and essential services; (b) is complementary in nature to the character and amenity of the Industry zone; and (c) does not negatively impact on the operation of existing uses within the Industry zone. 	A06 No acceptable outcome is provided.	Complies with performance criteria The site is connected to council's infrastructure services. Development does not have a detrimental effect of the Industry zone. The nature of the development compliments the surrounding character of the Industry zone
Amenity		
PO7 Development must not detract from the amenity of the local area, having regard to: <ul style="list-style-type: none"> (a) noise; (b) hours of operation; (c) traffic; (d) advertising devices; (e) visual amenity; (f) privacy; (g) lighting; (h) odour; and (i) emissions. 	A07 No acceptable outcome is provided.	Complies with performance criteria Development will not have a negative impact on the surrounding amenity in regards to: <ol style="list-style-type: none"> 1. noise 2. hours of operation 3. traffic 4. advertising devices 5. visual amenity 6. privacy 7. lighting 8. odour 9. emissions

<p>PO8 Development must take into account and seek to ameliorate any existing negative environmental impacts, having regard to:</p> <ol style="list-style-type: none"> 1. noise; 2. hours of operation; 3. traffic; 4. advertising devices; 5. visual amenity; 6. privacy; 7. lighting; 8. odour; and 9. emissions. 	<p>AO8 No acceptable outcome is provided.</p>	<p>Will comply with performance criteria were necessary</p>
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7.2.2 Mareeba local plan code

Purpose

The purpose of the Mareeba local plan code is to:

- (a) facilitate the continued use of the historic stables area adjacent to the Mareeba Racecourse for residential horse keeping;
- (b) facilitate the continued development of the Mareeba Airport;
- (c) facilitate efficient development that accords with local lifestyle and amenity expectations;
- (d) identify and direct urban growth opportunities;
- (e) facilitate a more vibrant and integrated town centre;
- (f) enhance accessibility to, and activation of, the Barron River and Centenary Lakes as important physical assets for Mareeba;
- (g) enhance Mareeba's heritage and cultural elements; and
- (h) facilitate the development of an appropriate site for special industry.

Ten precincts have been identified in the Mareeba local plan to achieve this purpose:

- (a) The Town centre core precinct will be maintained as the retail and cultural heart of Mareeba. Development will be managed to increase the walkability of the precinct and better integrate the street and built environments. Character elements of the precinct will be maintained and new buildings or works to existing buildings will be respectful of character values.
- (b) The Town centre fringe precinct consists of commercial and residential uses. The precinct will facilitate destination specific commercial development where it can be demonstrated that design measures can be incorporated to adequately mitigate any impacts upon residential amenity. The precinct will not detract from the role of the Town centre core precinct as the town's primary retail and commercial precinct.
- (c) The Mareeba Airport precinct includes the existing airport facilities and an area on the south west side of the runway that is intended to be development for aviation based industry. The precinct will facilitate the continuing development of the Mareeba Airport, for passenger and freight

movements, and other activities associated with the airport's primary function including industry, where it is demonstrated that these uses do not compromise efficient aircraft operation.

- (d) The Mareeba northern investigation precinct is intended to support long term future urban development beyond the life of the planning scheme. Development in this precinct (particularly subdivision) is limited so that the future urban intent is not compromised.
- (e) The Mareeba north-eastern expansion precinct, the Mareeba south-eastern expansion precinct and the Mareeba south-western expansion precinct are intended for urban residential development. These precincts are constrained by a range of important features including slopes, gullies, watercourses, open space and riparian linkages and the Mareeba Bypass. Development in these precincts preserves and enhances these features while supporting the development of a walkable and well connected transport network. Development in the Mareeba north-eastern expansion precinct supports the construction of a new bridge over the Barron River connecting Hastie Road with Lloyd Street to enable greater access to the town centre while small scale local centres are encouraged in the Mareeba south-western expansion precinct.
- (f) The Stable precinct defines an established area of residential properties incorporating horse stables adjoining the Mareeba Racecourse. The precinct is intended to protect the ongoing use of the stables on these properties, in association with residential uses.
- (g) The Industrial park precinct provides for the expansion, establishment and operation of General industry and Heavy industry uses within this precinct, where they are appropriately separated from incompatible uses.
- (h) The Noxious and hazardous industry precinct provides for the expansion, establishment and relatively unconstrained operation of Special industry in the precinct where the use is sufficiently isolated from other land uses and potential on and off site impacts can be adequately managed. Uses other than Special industry and High impact industry should not occur in this precinct in order to prevent compromising the intended function of the precinct.

The purpose of the code will be achieved through the following overall outcomes:

- (a) Development recognises and protects the town centre as Mareeba's most important commercial and social asset that is supported by substantial public and private investment in buildings, infrastructure and culture;

- (b) Development within the Town centre core precinct promotes greater walkability and integration between street and built environments through the consolidation and effective design of retail and commercial facilities;
- (c) Development within the Town centre fringe precinct, accommodates destination-specific premises that requires car and service vehicle access;
- (d) Development provides opportunities for greater utilisation of, and improved public access to, the Barron River and open spaces;
- (e) Development protects Mareeba's heritage places and tourist and cultural assets and enhances opportunities for their public appreciation;
- (f) Development facilitates the continuing growth of the Mareeba Airport for passenger and freight movements and industry associated with the airport's primary function. Activities in the Mareeba Airport precinct will be limited to ensure they do not compromise efficient aircraft operation;
- (g) Development in the Stable precinct facilitates the combination of stables and houses whilst maintaining a low density to minimise impacts;
- (h) Development provides for the expansion, establishment and relatively unconstrained operation of Special industry in the Noxious and hazardous industry precinct; and
- (i) The establishment and operation of a range of industries in the Industrial park precinct is supported.

Table 7.2.2.3—Mareeba local plan - For accepted development subject to requirements and assessable development

Performance outcomes	Acceptable outcomes	Applicant response
For accepted development subject to requirements and assessable development		
If affected by the vegetated buffer area element		
PO1 Industrial development is appropriately screened from view to minimise impacts on the: (a) visual amenity and character of the local plan area; and (b) amenity of nearby land uses.	AO1 A minimum 5 metre wide vegetated buffer area is provided in all areas of the site affected by the vegetated buffer element.	Not applicable
If in the Stable precinct		
PO2 Development facilitates the co-location of houses and stables while maintaining an appropriate level of amenity, having regard to emissions of: (a) noise; (b) odour; and	AO2 Stables house no more than 10 animals and are: (a) separated by a minimum distance of 3 metres from any residential building on the same site;	Not applicable

Performance outcomes	Acceptable outcomes	Applicant response
(c) light	(b) separated by a minimum distance of 5 metres from any residential building on an adjoining site; and (c) setback a minimum of 6 metres from any road frontage.	
If on a site with a frontage to the Byrnes Street core element		
PO3 Development with a frontage to the Byrnes Street core element is designed to minimise the dominance of vehicular access within the streetscape by: <ul style="list-style-type: none"> (a) providing vehicular access from an alternative frontage; (b) minimising the size of necessary vehicle access; and (c) maximising the area of the frontage used for pedestrian focussed activities. 	AO3.1 Where development has a frontage to the Byrnes Street core element, buildings are built to side boundaries, except for pedestrian access-ways and where alternative vehicular access is not available. In such instances, vehicular and pedestrian access-ways are not wider than 7 metres. Note—Refer to Figure A for further detail.	Not applicable
	AO3.2 Vehicular access is not provided from Byrnes Street where a site has more than one frontage.	Not applicable
If on a site affected by the Town centre fringe 6 metre setback element		
PO4 Larger destination-specific premises that require increased provision for car and service vehicle access are supported where it can be demonstrated that sufficient separation is provided between the use and adjoining residential uses to adequately mitigate any potential impacts on the amenity of adjoining premises, having regard to: <ul style="list-style-type: none"> (a) noise; (b) odour; (c) light; and (d) overlooking and privacy. 	AO4 Buildings and structures are setback a minimum of 6 metres from the boundary affected by the Town centre fringe 6 metre setback element.	Not applicable
If in the Town centre fringe precinct		
PO5 Development's address to the primary street frontage ensures: <ul style="list-style-type: none"> (a) car parking areas are not a dominant feature; and 	AO5.1 No more than 50% of car parking is to be located between the building and the primary street frontage.	Not applicable
	AO5.2	Not applicable

Performance outcomes	Acceptable outcomes	Applicant response
(b) sources of visual interest and casual surveillance of the street frontage are provided.	Buildings include uses that orientated toward the primary street frontage with entrances and windows addressing the street.	
For assessable development		
PO6 Development in the Mareeba local plan area: (a) promotes and does not prejudice the ongoing operation of Mareeba as the major regional activity centre of the Shire; (b) provides growth or redevelopment in areas within close proximity to the Town centre core precinct; (c) locates Community facilities in accessible locations within walking distance of the Town centre core precinct; and (d) contributes to the vibrancy and local identity of the Mareeba community.	AO6 No acceptable outcome is provided.	Complies with performance criteria Development is to take up a tenancy space in an already existing building. Development: 1. promotes Mareeba as the major regional activity centre of the Shire 2. contributes to the vibrancy and local identity of the Mareeba community
PO7 Development does prejudice the future construction of the Mareeba Bypass.	AO7 Development involving permanent buildings or structures does not occur on land affected by the Mareeba bypass element.	Not applicable Development is to take up a tenancy space in an already existing building
PO8 Development integrates the following elements identified on the Mareeba local plan maps: (a) open space elements; (b) indicative collector roads as higher order road linkages; (c) indicative minor roads in a similar design as shown as mapped; and (d) possible connections as important road linkages between developments.	AO8 No acceptable outcome is provided.	Not applicable Development is to take up a tenancy space in an already existing building
PO9 Development integrates small-scale local retail centres that: (a) service the local neighbourhood; and (b) do not prejudice the ongoing operation of the Mareeba town centre.	AO9 No acceptable outcome is provided.	Not applicable Development is to take up a tenancy space in an already existing building

Performance outcomes	Acceptable outcomes	Applicant response
If in the Stable precinct		
PO10 Development does not involve a density of residential development that is likely to prejudice the ongoing use of land within the precinct for stables, having regard to the existing level of amenity.	AO10.1 Development does not result in a higher accommodation density than currently exists.	Not applicable
	AO10.2 Development does not result in the creation of any new lots.	Not applicable
If in the Mareeba Airport precinct		
PO11 Development does not prejudice the ongoing operations or future development intentions of the Mareeba Airport.	AO11 Development is limited to activities which have a direct associated with aviation.	Not applicable
If in the Town centre core precinct		
PO12 Development is to be of a scale and form which complements the character of the precinct, having regard to: (a) building location; (b) building height; (c) interface with the street; and (d) scale of windows, doors and structural elements	AO12 No acceptable outcome is provided.	Not applicable
PO13 The character and style of buildings in the main street, including those representing the booming tobacco period of the 1950's and 1960's is maintained and protected.	AO13.1 Buildings are re-used for new uses without alteration to their : (a) height; (b) width (at street frontage); (c) vertical or horizontal patterning; and (d) materials. Note—Refer to Planning Scheme Policy 1 – Character Area Design Guidelines for additional guidance in relation to the development outcomes sought.	Not applicable
	AO13.2 Development on sites identified as building façade to be retained that retains the external (street facing) facade(s) of the building will qualify for a 10% reduction on car parking.	Not applicable

Performance outcomes	Acceptable outcomes	Applicant response
If in the Town centre fringe precinct		
PO14 Development does not undermine the role of the Town centre core precinct as Mareeba's primary retail and commercial precinct.	AO14 No acceptable outcome is provided.	Not applicable
If in the Noxious and hazardous industry precinct		
PO15 Appropriate provision is made for siting, managing and buffering uses in the Noxious and hazardous industry precinct to limit impacts on adjoining properties, 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. Note—A facility management plan can be prepared to demonstrate that the ongoing operation of the use will maintain compliance with this outcome.	AO15 No acceptable outcome is provided.	Not applicable
If in the Industrial park precinct		
PO16 Development that attracts the public into the Industrial park precinct does not develop within the Industrial park precinct.	AO16 No acceptable outcome is provided.	Not applicable
If in the Northern investigation precinct		
PO17 Development does not compromise the long term future urban intent of this precinct.	AO17 No acceptable outcome is provided.	Not applicable
If in the North-eastern expansion precinct, South-eastern expansion precinct or South-western expansion precinct		
PO18 Development provides an average net accommodation density of at least 12 dwellings or accommodation units per hectare.	AO18 No acceptable outcome is provided.	Not applicable

Performance outcomes	Acceptable outcomes	Applicant response
Note—Calculation of accommodation density excludes areas not developed as a result of provisions of an overlay.		
PO19 Development provides a wide range of housing options, including different dwelling sizes and types that meet the needs of a range of household compositions.	AO19 No acceptable outcome is provided.	Not applicable
PO20 The road network is to be developed in a logical and sequential manner to provide for the co-ordinated development of the precinct.	AO20 No acceptable outcome is provided.	Not applicable
PO21 The road network provides encourages walking and cycling to daily activities to reduce local vehicle trips by: <ul style="list-style-type: none"> (a) being based on a street grid network; (b) having walkable block sizes; (c) providing safe, efficient and provides for the needs of all users; (d) having a high level of connectivity for all users; and (e) being linked to destinations such as shops, open space and schools. 	AO21 No acceptable outcome is provided.	Not applicable

8.2.2 Airport environs overlay code

Purpose

The purpose of the Airport environs overlay code is to protect the current and ongoing operations of established airports, aerodromes and aviation infrastructure in Mareeba Shire.

The purpose of the code will be achieved through the following overall outcomes:

- (a) The ongoing operation of Mareeba Airport and its associated infrastructure are protected from incompatible development;
- (b) Aerodromes in Chillagoe and Dimbulah are maintained to support recreation, mining and rural uses;
- (c) Operational airspace is protected;
- (d) Threats to aviation safety such as bird and bat strike and distraction or blinding of pilots are avoided or minimised;
- (e) State significant aviation facilities associated with the Mareeba Airport are protected from encroachment by sensitive land uses; and
- (f) Development in the vicinity of airports, aerodromes and aviation infrastructure does not compromise public safety.

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

Performance outcomes	Acceptable outcomes	Applicant response
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:	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	Not applicable

Performance outcomes	Acceptable outcomes	Applicant response
(a) Airport environs: OLS area of Mareeba Airport identified on Airport environs overlay map (OM-002c) ; or	(b) Cairns Airport identified on Airport environs overlay map (OM-002c.1) .	
(b) Airport environs: OLS area of Cairns Airport identified on Airport environs overlay map (OM-002c.1) ; or	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) .	Not applicable
(c) 'Airport environs: Airport buffer - 1 kilometre' of an aerodrome identified on Airport environs overlay map (OM-002f) ; or	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) .	Not applicable
(d) 'Airport environs: Airport buffer - 3 kilometres' of an aerodrome identified on Airport environs overlay map (OM-002f) .		
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.	Not applicable
Noise exposure		
PO3	AO3	Not applicable

Performance outcomes	Acceptable outcomes	Applicant response
Development not directly associated with Mareeba Airport is protected from aircraft noise levels that may cause harm or undue interference.	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) .	
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) .	Not applicable
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.	Not applicable
	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.	Not applicable
	AO5.3 Building work does not occur within 'Airport environs: Zone A (200 metre buffer)' of the	Not applicable

Performance outcomes	Acceptable outcomes	Applicant response
	'Biboohra CVOR' facility identified on Airport environs overlay map (OM-002a) unless associated with the Biboohra CVOR facility.	
	A05.4 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: <ul style="list-style-type: none"> (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. 	Not applicable
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: <ul style="list-style-type: none"> (a) movement of aircraft; or safe operation of the airport or facility.	A06.1 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:	Not applicable

Performance outcomes	Acceptable outcomes	Applicant response
	(a) Mareeba Airport identified on Airport environs overlay map (OM-002c) ; or (b) Cairns Airport identified on Airport environs overlay map (OM-002c.1) .	
	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) .	Not applicable
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) .	Not applicable
Managing bird and bat strike hazard to aircraft		
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:	Complies

Performance outcomes	Acceptable outcomes	Applicant response
	Airport buffer - 3 kilometres' of an aerodrome identified on Airport environs 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 environs: Distance from airport - 3 kilometres' Bird and bat strike zone of Mareeba Airport identified on Airport environs overlay map (OM-002b) or the 'Airport environs: Airport buffer - 1 kilometre' of an aerodrome identified on Airport environs overlay map (OM-002f) does not include: <ul style="list-style-type: none"> (a) food processing; or (b) abattoir; or (c) intensive horticulture; or (d) intensive animal husbandry; or (e) garden centre; or (f) aquaculture. 	Not applicable
	AO8.3 Putrescible waste disposal sites do not occur within the 'Airport environs: Distance from airport - 13 kilometres' Bird and bat strike zone of: <ul style="list-style-type: none"> (a) Mareeba Airport identified on Airport environs overlay map (OM-002b); or (b) Cairns Airport identified on Airport environs overlay map (OM-002b.1). 	Not applicable

8.2.12 Transport Infrastructure overlay code

Purpose

The purpose of the Transport infrastructure overlay code is to promote the ongoing and expanded use of rail corridors within the shire for the transportation of passengers and freight

- (1) The purpose of the code will be achieved through the following overall outcomes:
- (a) Active 'Rail corridors' are protected from adjoining land uses which may prejudice their ongoing and expanded use;
 - (b) Inactive 'Rail corridors' are preserved and protected for potential reuse for passenger or freight movements;
 - (c) Non-residential development adjoining a 'Rail corridor' does not prevent the future use of the rail corridor by the site; and
 - (d) Development compliments the use of 'Rail corridors' for tourist activities.

Table 8.2.12.3 – Transport infrastructure overlay code - For accepted development subject to requirements and assessable development

Performance outcomes	Acceptable outcomes	Applicant response
For accepted development subject to requirements and assessable development		
PO1 Development does prejudice the: (a) ongoing operation of an active 'Rail corridor' identified on the Transport infrastructure overlay maps (OM-012a-j) ; or (b) the potential future use of an inactive 'Rail corridor' identified on the Transport infrastructure overlay maps (OM-012a-j) .	AO1 Buildings and structures are setback from a boundary with an active or inactive 'Rail corridor' identified on the Transport infrastructure overlay maps (OM-012a-j) a minimum of: (a) 40 metres where: (i) in the Rural zone; and (ii) on a site with an area of 2 hectares or greater; or (b) 5 metres otherwise.	Not applicable
For assessable development		

Performance outcomes	Acceptable outcomes	Applicant response
PO2 Non-residential development adjoining a rail corridor identified on the Transport infrastructure overlay maps (OM-012a-j) is designed to allow for the future use of the 'Rail corridor' by the land use.	AO2 No acceptable outcome is provided	Not applicable
PO3 Development adjoining a 'Rail corridor' identified on the Transport infrastructure overlay maps (OM-012a-j) used for the transportation of tourists is designed to: <ul style="list-style-type: none"> (a) provide visual interest; (b) screen or enhance areas of limited visual interest; and (c) complement and enhance the character of the shire. 	AO3 No acceptable outcome is provided	Not applicable

9.3.7 Sports and recreation activities code

Purpose

The purpose of the Sport and recreation activities code is to ensure Sport and recreation activities are appropriately designed and located to:

- (a) be conveniently accessible to the communities they serve; and
- (b) not detrimentally impact on the character or local amenity.

The purpose of the code will be achieved through the following overall outcomes:

- (a) Sport and recreation activities are located proximate to the residents they serve;
- (b) Sport and recreation activities and associated infrastructure is designed and sited to ensure the amenity of the local area is protected;
- (c) Sport and recreation activities involving a club provides this activity as ancillary to the primary use;
- (d) Outdoor sport and recreation activities incorporate appropriate infrastructure and amenities such as small-scale spectator seating; toilets; covered recreation areas; storage and dressing rooms; and
- (e) Night lighting of sport and recreation facilities is only installed where night time sport and recreation activities can be carried out without significantly impacting detrimentally on the local amenity.

Table 9.3.7.3—Sport and recreation code – For and assessable development

Performance outcomes	Acceptable outcomes	Applicant response
For assessable development		
Outdoor lighting		
PO1 Outdoor lighting associated with Sport and recreation activities does not impact on the amenity of adjoining land uses	AO1 Outdoor lighting is designed in accordance with AS 4282-1997 Control of Obtrusive effects of outdoor lighting.	Will be complied with where necessary
Location and design		

Performance outcomes	Acceptable outcomes	Applicant response
P02 The siting and design of Sport and recreation activities: (a) is compatible with the scale, intensity and character of development in the immediate vicinity; and (b) provides for convenient access to the use by the community, having regard to the nature of the use.	A02 No acceptable outcome is provided.	Complies with performance criteria The tenancy space is ideal for the use of the proposed development in relation to siting and design of the existing building. In relation to the community the site is easily accessible and has sufficient parking spaces. Development does not negatively impact the Industry zone.
Outdoor sport and recreation		
P03 Any buildings or structures associated with Outdoor sport and recreation are: (a) limited to the provision of facilities and services associated with the use; and (b) of a scale consistent with the character of the immediate surrounds.	A03 Ancillary buildings are limited to: (a) spectator seating to a maximum of 50 persons per stand; (b) toilets; (c) covered recreation areas; (d) changing rooms; (e) food and drink outlets; (f) storage facilities; and (g) stables.	Not applicable

9.4.2 Landscaping code

Purpose

The purpose of the Landscaping code is to ensure 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.

The purpose of the code will be achieved through the following overall outcomes:

- (a) Landscaping is a functional part of development design and is commensurate with the intended use;
- (b) Landscaping accommodates the retention of existing significant on-site vegetation where appropriate and practical;
- (c) Landscaping treatments complement the scale, appearance and function of the development;
- (d) Landscaping contributes to an attractive streetscape;
- (e) Landscaping enhances the amenity and character of the local area;
- (f) Landscaping enhances natural environmental values of the site and the locality;
- (g) Landscaping provides effective screening both on site, if required, and between incompatible land uses;
- (h) Landscaping provides shade in appropriate circumstances;
- (i) Landscape design enhances personal safety and reduces the potential for crime and vandalism; and
- (j) Intensive land uses incorporate vegetated buffers to provide effective screening of buildings, structures and machinery associated with the use.

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

Performance outcomes	Acceptable outcomes	Applicant response
For accepted development subject to requirements and assessable development		
PO1 Development, other than in the Rural zone, includes landscaping that: <ul style="list-style-type: none"> (a) contributes to the landscape character of the Shire; (b) compliments the character of the immediate surrounds; (c) provides an appropriate balance between built and natural elements; and (d) provides a source of visual interest. 	AO1 Development, other than in the Rural zone, provides: <ul style="list-style-type: none"> (a) a minimum of 10% of the site as landscaping; (b) planting in accordance with Planning Scheme Policy 6 - Landscaping and preferred plant species; (c) for the integration of retained significant vegetation into landscaping areas; (d) on-street landscaping works in accordance with the Design Guidelines set out in Section D9 Landscaping, of the Planning Scheme Policy 4 - FNQROC Regional Development Manual. <p>Note—Where development exceeds a site cover of 90%, areas of landscaping may be provided above ground level to achieve a total supply of landscaping equivalent to 10% of the site area.</p>	Not applicable Development is to take up a tenancy space in an already existing building in the Industry zone
PO2 Development, other than in the Rural zone, includes landscaping along site frontages that: <ul style="list-style-type: none"> (a) creates an attractive streetscape; (b) compliments the character of the immediate surrounds; (c) assists to break up and soften elements of built form; 	AO2 Development, other than in the Rural zone, includes a landscape strip along any site frontage: <ul style="list-style-type: none"> (a) with a minimum width of 2 metres where adjoining a car parking area; (b) with a minimum width of 1.5 metres in all other locations; and (c) in accordance with Planning Scheme Policy 6 - Landscaping and preferred plant species. 	Not applicable

Performance outcomes	Acceptable outcomes	Applicant response
(d) screen areas of limited visual interest or servicing; (e) provide shade for pedestrians; and (f) includes a range and variety of planting.	Note—Where development is setback from a frontage less than 1.5 metres, the setback area is provided as a landscape strip	
PO3 Development includes landscaping and fencing alongside and rear boundaries that: (a) screens and buffer land uses; (b) assists to break up and soften elements of built form; (c) screens areas of limited visual interest; (d) preserves the amenity of sensitive land uses; and (e) includes a range and variety of planting.	AO3.1 Development provides landscape treatments alongside and rear boundaries in accordance with Table 9.4.2.3B .	Not applicable
	AO3.2 Shrubs and trees provided in landscape strips alongside and rear boundaries: (a) are planted at a maximum spacing of 1 metre; (b) will grow to a height of at least 2 metres; (c) will grow to form a screen of no less than 2 metres in height; and (d) are mulched to a minimum depth of 0.1 metres with organic mulch.	Not applicable
	AO3.3 Any landscape strip provided along a side or rear boundary is designed in accordance with Planning Scheme Policy 6 - Landscaping and preferred plant species.	Not applicable
PO4 Car parking areas are improved with a variety of landscaping that: (a) provides visual interest; (b) provides a source of shade for pedestrians; (c) assists to break up and soften elements; and	AO4.1 Landscaping is provided in car parking areas which provides: (a) a minimum of 1 shade tree for every 4 parking spaces, or part thereof, where the car parking area includes 12 or more spaces;	Not applicable Shade structure is provided over part of the car parking area, the site does not require shade tree planting

Performance outcomes	Acceptable outcomes	Applicant response
(d) improves legibility.	(b) a minimum of 1 shade tree for every 6 parking spaces, or part thereof, otherwise; and (c) where involving a car parking area in excess of 500m ² : (i) shade structures are provided for 50% of parking spaces; and (ii) a minimum of 10% of the parking area as landscaping. Note—Where a shade structure is provided over part of a car parking area, shade tree planting is not required in this area of the car parking area.	
	A04.2 Landscaping in car parking areas is designed in accordance with Planning Scheme Policy 6 - Landscaping and preferred plant species.	Will be complied with where necessary
PO5 Landscaping areas include a range and variety of planting that: (a) is suitable for the intended purpose and local conditions; (b) contributes to the natural character of the Shire; (c) includes native species; (d) includes locally endemic species, where practical; and (e) does not include invasive plants or weeds.	A05.1 Plant species are selected from the Plant Schedule in Planning Scheme Policy 6 - Landscaping and preferred plant species.	Not applicable
	A05.2 A minimum of 25% of (new and existing) plants is provided as larger, advanced stock with a minimum plant height of 0.7 metres and mulched to a minimum depth of 0.1 metres with organic mulch.	Not applicable
PO6	A06.1 Tree planting is a minimum of	Not applicable

Performance outcomes	Acceptable outcomes	Applicant response
Landscaping does not impact on the ongoing provision of infrastructure and services to the Shire.	(a) 2 metres from any underground water, sewer, gas, electricity or telecommunications infrastructure; and (b) 4 metres from any inspection chamber.	
	AO6.2 Vegetation below or within 4 metres of overhead electricity lines and power poles has a maximum height of 3.5 metres at maturity.	Not applicable
	AO6.3 Vegetation adjoining an electricity substation boundary, at maturity, will have: (a) a height of less than 4 metres; and (b) no foliage within 3 metres of the substation boundary, unless the substation has a solid wall along any boundary.	Not applicable
For assessable development		
PO7 Landscaping areas are designed to: (a) be easily maintained throughout the ongoing use of the site; (b) allow sufficient area and access to sunlight and water for plant growth; (c) not cause a nuisance to occupants of the site or members of the public; and (d) maintain or enhance the safety of pedestrians through the use of Crime Prevention Through Environmental Design principles.	AO7 No acceptable outcome is provided.	Not applicable

9.4.3 Parking and access code

Purpose

The purpose of the Parking and access code is to ensure:

- (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.

The purpose of the code will be achieved through the following overall outcomes:

- (a) Land uses have a sufficient number of parking and bicycle spaces designed in a manner to meet the requirements of the user;
- (b) Parking spaces and associated manoeuvring areas are safe, functional and provide equitable access;
- (c) Suitable access for all types of vehicles likely to utilise a parking area is provided in a way that does not compromise the safety and efficiency of the surrounding road network;
- (d) Premises are adequately serviced to meet the reasonable requirements of the development; and
- (e) End of trip facilities are provided by new major developments to facilitate alternative travel modes.

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

Performance outcomes	Acceptable outcomes	Applicant response
For accepted development subject to requirements and assessable development		
Car parking spaces		
PO1 Development provides sufficient car parking to accommodate the demand likely to be generated by the use, having regard to the:	AO1 The number of car parking spaces provided for the use is in accordance with Table 9.4.3.3B .	Complies with performance criteria The minimum number of car parking spaces for this development, according to Table 9.4.3.3B is 'as

Performance outcomes	Acceptable outcomes	Applicant response
(a) nature of the use; (b) location of the site; (c) proximity of the use to public transport services; (d) availability of active transport infrastructure; and (e) accessibility of the use to all members of the community.	Note—Car parking spaces provided for persons with a disability are to be considered in determining compliance with AO1.	<i>determined by Council</i> '. There are at least 18 potential parking spaces onsite. See section 2.3 Compliance for further discussion
Vehicle crossovers		
PO2 Vehicle crossovers are provided to: (a) ensure safe and efficient access between the road and premises; (b) minimize interference with the function and operation of roads; and (c) minimise pedestrian to vehicle conflict.	AO2.1 Vehicular access to/from Council roads is designed and constructed in accordance with the Standard drawings in Planning Scheme Policy 4 - FNQROC Regional Development Manual.	Not applicable The road is already existing
	AO2.2 Development on a site with two or more road frontages provides vehicular access from: (a) the primary frontage where involving Community activities or Sport and recreation activities, unless the primary road frontage is a State-controlled road; or (b) from the lowest order road in all other instances.	Complies Access to the site is already existing from the primary frontage
	AO2.3 Vehicular access for particular uses is provided in accordance with Table 9.4.3.3E .	Not applicable The road is already existing
PO3 Access, manoeuvring and car parking areas include appropriate pavement treatments having regard to:	AO3 Access, manoeuvring and car parking areas include pavements that are constructed in accordance with Table 9.4.3.3C .	Not applicable The building has an existing paved car parking area

Performance outcomes	Acceptable outcomes	Applicant response
(a) the intensity of anticipated vehicle movements; (b) the nature of the use that they service; and (c) the character of the surrounding locality.		
For assessable development		
Parking area location and design		
PO4 Car parking areas are located and designed to: (a) ensure safety and efficiency in operation; and (b) be consistent with the character of the surrounding locality.	AO4.1 Car parking spaces, access and circulation areas have dimensions in accordance with AS/NZS 2890.1 Off-street car parking.	Not applicable
	AO4.2 Disabled access and car parking spaces are located and designed in accordance with AS/NZS 2890.6 Parking facilities - Off-street parking for people with disabilities.	Complies
	AO4.3 The car parking area includes designated pedestrian routes that provide connections to building entrances.	Complies The site has an already existing car parking area
	AO4.4 Parking and any set down areas are: (a) wholly contained within the site; (b) visible from the street where involving Commercial activities, Community activities, Industrial activities or a use in the Recreation and open space zone; (c) are set back behind the main building line where involving a Dual occupancy, Multiple dwelling, Residential care facility or Retirement facility; and	Complies

Performance outcomes	Acceptable outcomes	Applicant response
	(d) provided at the side or rear of a building in all other instances.	
Site access and manoeuvring		
PO5 Access to, and manoeuvring within, the site is designed and located to: <ul style="list-style-type: none"> (a) ensure the safety and efficiency of the external road network; (b) ensure the safety of pedestrians; (c) provide a functional and convenient layout; and (d) accommodate all vehicles intended to use the site. 	A05.1 Access and manoeuvrability is in accordance with: <ul style="list-style-type: none"> (a) AS28901 – Car Parking Facilities (Off Street Parking); and (b) AS2890.2 – Parking Facilities (Off-street Parking) Commercial Vehicle Facilities. <p>Note—Proposal plans should include turning circles designed in accordance with AP34/95 (Austroads 1995) Design Vehicles and Turning Path Templates.</p>	Will be complied with
	A05.2 Vehicular access has a minimum sight distance in accordance with Part 5 of AUSTROADS.	Complies
	A05.3 Vehicular access is located and designed so that all vehicles enter and exit the site in a forward gear.	Complies
	A05.4 Pedestrian and cyclist access to the site: <ul style="list-style-type: none"> (a) is clearly defined; (b) easily identifiable; and (c) provides a connection between the site frontage and the entrance to buildings and end of trip facilities (where provided). 	Complies
PO6 Development that involves an internal road network ensures that it's design: <ul style="list-style-type: none"> (a) ensure safety and efficiency in operation; 	A06.1 Internal roads for a Tourist park have a minimum width of: <ul style="list-style-type: none"> (a) 4 metres if one way; or 	Not applicable

Performance outcomes	Acceptable outcomes	Applicant response
(b) does not impact on the amenity of residential uses on the site and on adjoining sites, having regard to matters of: (i) hours of operation; (ii) noise (iii) light; and (iv) odour; (c) accommodates the nature and volume of vehicle movements anticipated to be generated by the use; (d) allows for convenient access to key on-site features by pedestrians, cyclists and motor vehicles; and (e) in the Rural zone, avoids environmental degradation.	(b) 6 metres if two way.	
	AO6.2 For a Tourist park, internal road design avoids the use of cul-de-sacs in favour of circulating roads, where unavoidable, cul-de-sacs provide a full turning circle for vehicles towing caravans having: (a) a minimum approach and departure curve radius of 12 metres; and (b) a minimum turning circle radius of 8 metres.	Not applicable
	AO6.3 Internal roads are imperviously sealed and drained, apart from those for an Energy and infrastructure activity or Rural activity.	Not applicable
	AO6.4 Speed control devices are installed along all internal roads, apart from those for an Energy and infrastructure activity or Rural activity, in accordance with Complete Streets.	Not applicable
	AO6.5 Internal roads, apart from those for an Energy and infrastructure activity or Rural activity, are illuminated in accordance with AS 4282 (as amended) - Control of Obtrusive effects of outdoor lighting.	Not applicable
	AO6.6 Where involving an accommodation activity, internal roads facilitate unobstructed access to every dwelling, accommodation unit, accommodation site and building by emergency services vehicles.	Not applicable

Performance outcomes	Acceptable outcomes	Applicant response
	A06.7 For an Energy and infrastructure activity or Rural activity, internal road gradients: (a) are no steeper than 1:5; or (b) are steeper than 1:5 and are sealed.	Not applicable
Servicing		
P07 Development provides access, maneuvering and servicing areas on site that: (a) accommodate a service vehicle commensurate with the likely demand generated by the use; (b) do not impact on the safety or efficiency of internal car parking or maneuvering areas; (c) do not adversely impact on the safety or efficiency of the road network; (d) provide for all servicing functions associated with the use; and (e) are located and designed to minimise their impacts on adjoining sensitive land uses and streetscape quality.	A07.1 All unloading, loading, service and waste disposal areas are located: (a) on the site; (b) to the side or rear of the building, behind the main building line; (c) not adjacent to a site boundary where the adjoining property is used for a sensitive use.	Complies
	A07.2 Unloading, loading, service and waste disposal areas allow service vehicles to enter and exit the site in a forward gear.	Not applicable
	A07.3 Development provides a servicing area, site access and maneuvering areas to accommodate the applicable minimum servicing vehicle specified in Table 9.4.3.3B .	Complies
Maintenance		
P08 Parking areas are used and maintained for their intended purpose.	A08.1 Parking areas are kept and used exclusively for parking and are maintained in a suitable condition for parking and circulation of vehicles.	Complies
	A08.2	Complies

Performance outcomes	Acceptable outcomes	Applicant response
	All parking areas will be compacted, sealed, drained, line marked and maintained until such time as the development ceases.	Parking spaces already exist on site
End of trip facilities		
PO9 Development within the Centre zone; Industry zone or Emerging community zone provides facilities for active transport users that: <ul style="list-style-type: none"> (a) meet the anticipated demand generated from the use; (b) comprise secure and convenient bicycle parking and storage; and (c) provide end of trip facilities for all active transport users. 	A09.1 The number of bicycle parking spaces provided for the use is in accordance with Table 9.4.3.3D .	Will be complied with
	A09.2 End of trip facilities are provided in accordance with Table 9.4.3.3D .	Complies
If for Educational establishment or Child care centre where involving more than 100 vehicle movements per day or Renewable energy facility, Sport and recreation activities or Tourist park		
PO10 The level of traffic generated by the development on the surrounding local road network must not result in unacceptable impacts on adjacent land and local road users.	AO10 A traffic impact report is prepared by a suitably qualified person that identifies: <ul style="list-style-type: none"> (a) the expected traffic movements to be generated by the facility; (b) any associated impacts on the road network; and any works that will be required to address the identified impacts.	Will be complied with where necessary

9.4.5 Works, services and infrastructure code

Purpose

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.

The purpose of the code will be achieved through the following overall outcomes:

- (a) Development provides an adequate, safe and reliable supply of potable, fire-fighting and general use water in accordance with relevant standards;
- (b) Development provides for the treatment and disposal of wastewater and ensures there are no adverse impacts on water quality, public health, local amenity or ecological processes;
- (c) Development provides for the disposal of stormwater and ensures that there are no adverse impacts on water quality or ecological processes;
- (d) Development connects to the road network and any adjoining public transport, pedestrian and cycle networks while ensuring no adverse impacts on the safe, convenient and efficient operation of these networks;
- (e) Development provides electricity and telecommunications services that meet its desired requirements;
- (f) Development is connected to a nearby electricity network with adequate capacity without significant environment, social or amenity impact;
- (g) Development does not affect the efficient functioning of public utility mains, services or installations;
- (h) Infrastructure dedicated to Council is cost effective over its life cycle;
- (i) Work associated with development does not cause adverse impacts on the surrounding area; and
- (j) Development prevents the spread of weeds, seeds or other pests.

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

Performance outcomes	Acceptable outcomes	Applicant response
For accepted development subject to requirements and assessable development		
Water supply		
PO1 Each lot has an adequate volume and supply of water that: <ul style="list-style-type: none"> (a) meets the needs of users; (b) is adequate for fire-fighting purposes; (c) ensures the health, safety and convenience of the community; and (d) minimises adverse impacts on the receiving environment. 	AO1.1 Development is connected to a reticulated water supply system in accordance with the Design Guidelines and Specifications set out in the Planning Scheme Policy 4 – FNQROC Regional Development Manual other than where located: <ul style="list-style-type: none"> (a) in the Conservation zone, Rural zone or Rural residential zone; and (b) outside a reticulated water supply service area. 	Complies
	AO1.2 Development, where located outside a reticulated water supply service area and in the Conservation zone, Rural zone or Rural residential zone is provided with: <ul style="list-style-type: none"> (a) a bore or bores are provided in accordance with the Design Guidelines set out in the Planning Scheme Policy 4 – FNQROC Regional Development Manual; or (b) on-site water storage tank/s: <ul style="list-style-type: none"> (i) with a minimum capacity of 90,000L; (ii) fitted with a 50mm ball valve with a camlock fitting; and (iii) which are installed and connected prior to the occupation or use of the development. 	Not applicable
Wastewater disposal		

PO2 Each lot provides for the treatment and disposal of effluent and other waste water that: <ul style="list-style-type: none"> (a) meets the needs of users; (b) is adequate for fire-fighting purposes; (c) ensures the health, safety and convenience of the community; and (d) minimises adverse impacts on the receiving environment. 	A02.1 Development is connected to a reticulated sewerage system in accordance with the Design Guidelines and Specifications set out in the Planning Scheme Policy 4 – FNQROC Regional Development Manual other than where located: <ul style="list-style-type: none"> (a) in the Conservation zone, Rural zone or Rural residential zone; and (b) outside a reticulated sewerage service area. 	Complies
	A02.2 An effluent disposal system is provided in accordance with ASNZ 1547 On-Site Domestic Wastewater Management (as amended) where development is located: <ul style="list-style-type: none"> (a) in the Conservation zone, Rural zone or Rural residential zone; and (b) outside a reticulated sewerage service area. 	Not applicable
Stormwater infrastructure		
PO3 Stormwater infrastructure is designed and constructed to collect and convey the design storm event to a lawful point of discharge in a manner that mitigates impacts on life and property.	A03.1 Where located within a Priority infrastructure area or where stormwater infrastructure is available, development is connected to Council's stormwater network in accordance with the Design Guidelines and Specifications set out in the Planning Scheme Policy 4 – FNQROC Regional Development Manual.	Not applicable
	A03.2 On-site drainage systems are constructed: <ul style="list-style-type: none"> (a) to convey stormwater from the premises to a lawful point of discharge; and (b) in accordance with the Design Guidelines and Specifications set out in the Planning Scheme 	Complies

	Policy 4 – FNQROC Regional Development Manual.	
Electricity supply		
PO4 Each lot is provided with an adequate supply of electricity	A04 The premises: (a) is connected to the electricity supply network; or (b) has arranged a connection to the transmission grid; or (c) where not connected to the network, an independent energy system with sufficient capacity to service the development (at near average energy demands associated with the use) may be provided as an alternative to reticulated electricity where: (i) it is approved by the relevant regulatory authority; and (ii) it can be demonstrated that no air or noise emissions; and (iii) it can be demonstrated that no adverse impact on visual amenity will occur. (iv)	Complies
Telecommunications infrastructure		
PO5 Each lot is provided with an adequate supply of telecommunication infrastructure	A05 Development is provided with a connection to the national broadband network or telecommunication services.	Will be complied with where necessary
Existing public utility services		
PO6	A06	Not applicable

Development and associated works do not affect the efficient functioning of public utility mains, services or installations.	Public utility mains, services are relocated, altered or repaired in association with the works so that they continue to function and satisfy the relevant Design Guidelines and Specifications set out in the Planning Scheme Policy 4 – FNQROC Regional Development Manual.	
Excavation or filling		
P07 Excavation or filling must not have an adverse impact on the: (a) streetscape; (b) scenic amenity; (c) environmental values; (d) slope stability; (e) accessibility; or (f) privacy of adjoining premises.	A07.1 Excavation or filling does not occur within 1.5 metres of any site boundary.	Not applicable
	A07.2 Excavation or filling at any point on a lot is to be no greater than 1.5 metres above or below natural ground level.	Not applicable
	A07.3 Earthworks batters: (a) are no greater than 1.5 metres in height; (b) are stepped with a minimum width 2 metre berm; (c) do not exceed a maximum of two batters and two berms (not greater than 3.6 metres in total height) on any one lot; (d) have a slope no greater than 1 in 4; and (e) are retained.	Not applicable
	A07.4 Soil used for filling or spoil from excavation is not stockpiled in locations that can be viewed from: (a) adjoining premises; or (b) a road frontage, for a period exceeding 1 month from the commencement of the filling or excavation.	Not applicable
	A07.5	Not applicable

	All batters and berms to be constructed in accordance with the Design Guidelines and Specifications set out in the Planning Scheme Policy 4 – FNQROC Regional Development Manual.	
	A07.6 Retaining walls have a maximum height of 1.5 metres and are designed and constructed in accordance with the Design Guidelines and Specifications set out in the Planning Scheme Policy 4 – FNQROC Regional Development manual.	Not applicable
	A07.7 Excavation or filling at any point on a lot is to include measures that protect trees at the foot or top of cut or fill batters by the use of appropriate retaining methods and sensitive earth removal or placement and in accordance with the Design Guidelines and Specifications set out in the Planning Scheme Policy 4 – FNQROC Regional Development manual.	Not applicable
For assessable development		
Transport network		
PO8 The development has access to a transport network of adequate standard to provide for the safe and efficient movement of vehicles, pedestrians and cyclists.	A08.1 Vehicle access, crossovers, road geometry, pavement, utilities and landscaping to the frontage/s of the site are designed and constructed in accordance with the Design Guidelines and Specifications set out in the Planning Scheme Policy 4 – FNQROC Regional Development manual.	Not applicable Development is to take up a tenancy space in an already existing building
	A08.2 Development provides footpath pavement treatments in accordance with Planning Scheme Policy 9 – Footpath Paving.	Not applicable

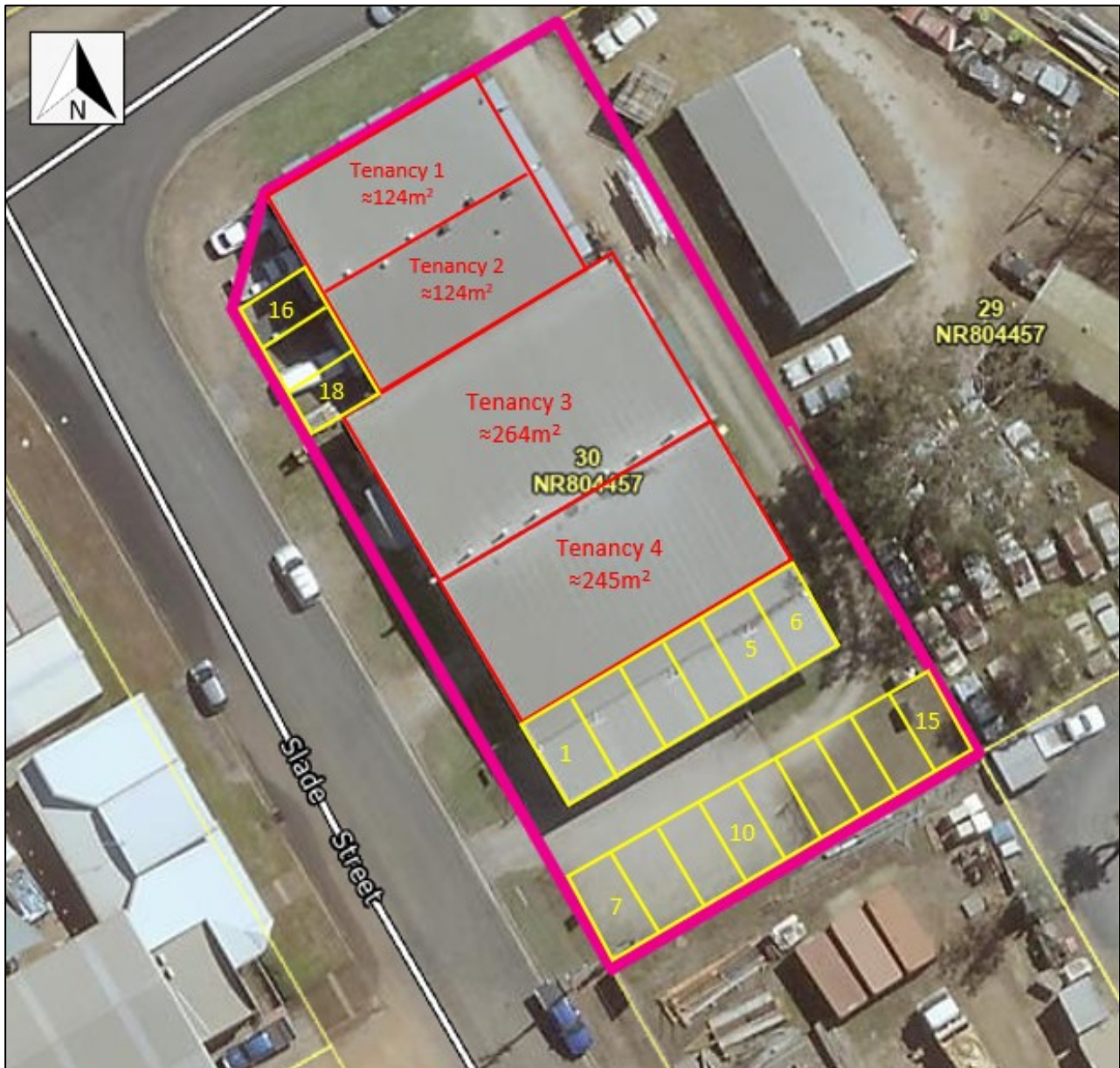
Public infrastructure		
PO9 The design, construction and provision of any infrastructure that is to be dedicated to Council is cost effective over its life cycle and incorporates provisions to minimise adverse impacts.	AO9 Development is in accordance with the Design Guidelines and Specifications set out in the Planning Scheme Policy 4 – FNQROC Regional Development Manual.	Not applicable
Stormwater quality		
PO10 Development has a non-worsening effect on the site and surrounding land and is designed to: <ul style="list-style-type: none"> (a) optimise the interception, retention and removal of waterborne pollutants, prior to the discharge to receiving waters; (b) protect the environmental values of waterbodies affected by the development, including upstream, on-site and downstream waterbodies; (c) achieve specified water quality objectives; (d) minimise flooding; (e) maximise the use of natural channel design principles; (f) maximise community benefit; and (g) minimise risk to public safety. 	AO10.1 The following reporting is prepared for all Material change of use or Reconfiguring a lot proposals: <ul style="list-style-type: none"> (a) a Stormwater Management Plan and Report that meets or exceeds the standards of design and construction set out in the Queensland Urban Drainage Manual (QUDM) and the Design Guidelines and Specifications set out in the Planning Scheme Policy 4 – FNQROC Regional Development Manual; and (b) an Erosion and Sediment Control Plan that meets or exceeds the Soil Erosion and Sedimentation Control Guidelines (Institute of Engineers Australia), including: <ul style="list-style-type: none"> (i) drainage control; (ii) erosion control; (iii) sediment control; and (iv) water quality outcomes. 	Will be complied with where necessary
	AO10.2 For development on land greater than 2,500m ² or that result in more than 5 lots or more than 5 dwellings or accommodation units, a Stormwater Quality Management Plan and Report prepared and certified by a suitably qualified design engineer	Not applicable

	<p>(RPEQ) is prepared that demonstrates that the development:</p> <ul style="list-style-type: none"> (a) meets or exceeds the standards of design and construction set out in the Urban Stormwater Quality Planning Guideline and the Queensland Water Quality Guideline; (b) is consistent with any local area stormwater water management planning; (c) accounts for development type, construction phase, local climatic conditions and design objectives; and (d) provides for stormwater quality treatment measures reflecting land use constraints, such as soil type, landscape features (including landform), nutrient hazardous areas, acid sulfate soil and rainfall erosivity. 	
<p>PO11 Storage areas for stormwater detention and retention:</p> <ul style="list-style-type: none"> (a) protect or enhance the environmental values of receiving waters; (b) achieve specified water quality objectives; (c) where possible, provide for recreational use; (d) maximise community benefit; and (e) minimise risk to public safety. 	<p>AO11 No acceptable outcome is provided.</p>	Not applicable
Excavation or filling		
<p>PO12 Traffic generated by filling or excavation does not impact on the amenity of the surrounding area.</p>	<p>AO12.1 Haul routes used for transportation of fill to or from the site only use major roads and avoid residential areas.</p>	Not applicable

	AO12.2 Transportation of fill to or from the site does not occur: (a) within peak traffic times; and (b) before 7am or after 6pm Monday to Friday; (c) before 7am or after 1pm Saturdays; and (d) on Sundays or Public Holidays.	Not applicable
PO13 Air pollutants, dust and sediment particles from excavation or filling, do not cause significant environmental harm or nuisance impacts.	AO13.1 Dust emissions do not extend beyond the boundary of the site.	Not applicable
	AO13.2 No other air pollutants, including odours, are detectable at the boundary of the site.	Not applicable
	AO13.3 A management plan for control of dust and air pollutants is prepared and implemented.	Not applicable
PO14 Access to the premises (including driveways and paths) does not have an adverse impact on: (a) safety; (b) drainage; (c) visual amenity; and (d) privacy of adjoining premises.	AO14 Access to the premises (including all works associated with the access): (a) must follow as close as possible to the existing contours; (b) be contained within the premises and not the road reserve, and (c) are designed and constructed in accordance with the Design Guidelines and Specifications set out in the Planning Scheme Policy 4 – FNQROC Regional Development manual.	Not applicable Access to the premises is already existing
Weed and pest management		
PO15 Development prevents the spread of weeds, seeds or other pests into clean areas or away from infested areas.	AO15 No acceptable outcome is provided.	Not applicable Development is to take up a tenancy space in an already existing building

Contaminated land		
PO16 Development is located and designed to ensure that users and nearby sensitive land uses are not exposed to unacceptable levels of contaminants	AO16 Development is located where: (a) soils are not contaminated by pollutants which represent a health or safety risk to users; or (b) contaminated soils are remediated prior to plan sealing, operational works permit, or issuing of building works permit.	Not applicable Development is to take up a tenancy space in an already existing building
Fire services in developments accessed by common private title		
PO17 Fire hydrants are located in positions that will enable fire services to access water safely, effectively and efficiently.	AO17.1 Fire hydrants are located in accessways or private roads held in common private title at a maximum spacing of: (a) 120 metres for residential development; and (b) 90 metres for any other development.	Will be complied with where necessary
	AO17.2 Fire hydrants are located at all intersections of accessways or private roads held in common private title.	Will be complied with where necessary

APPENDIX 2: PROPOSAL PLANS



by Planz Town Planning Pty Ltd



These drawings prepared for planning purposes only and must not be used for engineering or construction design. All areas and dimensions are indications only and require confirmation by licensed surveyor. Verify all dimensions and level before any work commences.

Project

Indoor Sport and Recreation
at 9 Wallace Drive, Mareeba

Real Property Description

Lot 30 on NR804457

Area

1,789m²

Drawing Title

Site Plan

Drawing Number

A01

Drawn

JM

Project Number

P72105

Date

28 October 2020

Client

CrossFit Mareeba