

Our Ref: M5-20

12 November 2020

Chief Executive Officer
Mareeba Shire Council
65 Rankin Street
Mareeba, QLD, 4880

Attention: Planning Department

Dear Sir/Madam,

**DEVELOPMENT APPLICATION SEEKING A DEVELOPMENT PERMIT
MATERIAL CHANGE OF USE – MULTIPLE DWELLING (4x2 BEDROOM UNITS)
LOCATED AT 94 WALSH STREET, MAREEBA
FORMALLY DESCRIBED AS LOT 42 ON M3565**

We act on behalf of our client, Pamela, Robert and Raymond Cater in preparing and submitting the following development application which seeks a Development Permit for a Material Change of Use over the subject allotment under the *Planning Act 2016* located at 94 Walsh Street, Mareeba to facilitate a Multiple Dwelling development.

The subject site covers an area of 1,012m², with a frontage of 20.116m along Walsh Street. The site backs onto the previously tenanted QITE building at the rear, of which the building is built to boundary with a block wall some five (5) metres high. The subject site is suitably located within walking distance to services and facilities within the CBD, the hospital, schools and parkland in the immediate area. This development provides a suitable development solution for the site which is zoned within the Medium Density Residential Zone.

By way of this development application, the applicant is seeking specific approval to undertake the development as detailed within the attached planning report and approval of the plans. The report will include a complete assessment of the proposed development against the relevant assessment benchmarks within the Mareeba Shire Planning Scheme 2016. In terms of application fees, the current fees and charges schedule stipulates that the application fee for the proposed development is \$1,610.00. Please contact our office on 0411 344 110 to process the payment over the phone.

Should there be any questions or queries in relation to the development application presented, we would appreciate if you could contact our office immediately. We also ask if possible that a copy of all correspondence be forwarded to our office via email.

Yours faithfully,



Ramon Samanes
Director, U&i Town Plan
Bachelor of Applied Science, Majoring in Environmental and Urban Planning

PLANNING REPORT

DEVELOPMENT APPLICATION FOR A MATERIAL CHANGE OF USE – MULTIPLE DWELLING (4x2 BEDROOM UNITS)

PROJECT LOCATION:

SITUATED AT 94 WALSH STREET, MAREEBA
FORMALLY DESCRIBED AS LOT 42 ON M3565

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ASSESSMENT MANAGER:	MAREEBA SHIRE COUNCIL, PLANNING DEPARTMENT
DEVELOPMENT TYPE:	DEVELOPMENT PERMIT – MATERIAL CHANGE OF USE (CODE ASSESSABLE)
PROPOSED WORKS:	MULTIPLE DWELLING (4x2 BEDROOM UNITS)
REAL PROPERTY DESCRIPTION:	LOT 42 ON M3565
LOCATION:	94 WALSH STREET, MAREEBA
ZONE:	MEDIUM DENSITY RESIDENTIAL ZONE
APPLICANT:	PAMELA, ROBERT & RAYMOND C/- U&I TOWN PLAN
OWNERS:	CATER NO2 TRUST
ASSESSMENT CRITERIA:	MATERIAL CHANGE OF USE (CODE ASSESSABLE)
REFERRAL AGENCIES:	NO REFERRALS APPLY TO THIS DEVELOPMENT
STATE PLANNING:	THE PROPOSAL DOES NOT TRIGGER ASSESSMENT AGAINST THE STATE DEVELOPMENT ASSESSMENT PROVISIONS.

IMPORTANT NOTE

Apart from fair dealing for the purposes of private study, research, criticism, or review as permitted under the Copyright Act, no part of this Report may be reproduced by any process without the written consent of R&A Samanes Pty Ltd ('U&i Town Plan').

This Report has been prepared for Pamela, Robert and Raymond Cater for the sole purpose of making a Development Application seeking a Development Permit for a Material Change of Use on land at 94 Walsh Street, Mareeba (over Lot 42 on M3565) for the purpose of obtaining approval for Multiple Dwellings (4x2 bedroom units). This report is strictly limited to the purpose, and facts and circumstances stated within. It is not to be utilised for any other purpose, use, matter or application.

U&i Town Plan has made certain assumptions in the preparation of this report, including:

- a) That all information and documents provided to us by the Client or as a result of a specific search or enquiry were complete, accurate and up to date;*
- b) That information obtained as a result of a search of a government register or database is complete and accurate.*

U&i Town Plan is not aware of any particular fact or circumstance, which would render these assumptions incorrect, as at the date of preparation of the Report.

While every effort has been made to ensure accuracy, U&i Town Plan does not accept any responsibility in relation to any financial or business decisions made by parties' other than those for whom the original report was prepared for and/or provided to. If a party other than the Client uses or relies upon facts, circumstances and/or content of this Report without consent of U&i Town Plan, U&i Town Plan disclaims all risk and the other party assumes such risk and releases and indemnifies and agrees to keep indemnified U&i Town Plan from any loss, damage, claim or liability arising directly or indirectly from the use of or reliance on this report.

1.0 EXECUTIVE SUMMARY

This development application is seeking a development permit for a Material Change of Use under the *Planning Act 2016* at 94 Walsh Street, Mareeba to facilitate the approval of 4x2 Bedroom Multiple Dwelling development. By way of this development application, the applicant is seeking specific approval to undertake the development as detailed in this planning report and approval of the plans.

The conclusion of this report is that all the requirements set by the assessment criteria can be met and that the strategic level policy outcomes sought by the planning scheme and any applicable State planning instruments can be achieved. It is the opinion of the applicant that once all the policy requirements have been considered by assessing authorities and equitably balanced with the site constraints and benefits of the proposal; the assessment process established under the Planning Act will result in the approval of this development application and the issuing of a development permit subject to conditions. This opinion is based on the level of strategic and analytical justification provided in support of the proposal and the decision-making requirements imposed on regulatory authorities under the Planning Act.

2.0 SITE DESCRIPTION

The subject site covers an area of 1,012m², with a frontage of 20.116m along Walsh Street. The site backs onto the previously tenanted QITE building at the rear, of which the building is built to boundary with a block wall some five (5) metres high. The subject site is suitably located within walking distance to services and facilities within the CBD, the hospital, schools and parkland in the immediate area. This development provides a suitable development solution for the site which is zoned within the Medium Density Residential Zone.



Figure 1: Aerial View of the Subject Land (© The State of Queensland, all rights reserved, 2019.)

A site summary is provided below:

Table 2.0: Site summary

Street address:	94 Walsh Street, Mareeba
Real property description:	Lot 42 on M3565
Local government area	Mareeba Shire Council
Tenure:	Freehold title
Site area:	1,012m ²
Zone:	Medium Density Residential Zone
Current use:	Vacant Allotment
Road frontage:	Walsh Street
Adjacent uses:	Surrounding Residential properties
Topography / Vegetation:	The site appears to fall slightly from west to east towards the Walsh Street. The site is void of any structures. A mango tree at the rear of the site will be removed as part of this development.
Easements:	n/a



Figure 2: Site Locality (© The State of Queensland, all rights reserved, 2019.)

3.0 DEVELOPMENT PROPOSAL

This development application is seeking a development permit for a Material Change of Use under the *Planning Act 2016* at 94 Walsh Street, Mareeba to facilitate the approval of 4x2 Bedroom Multiple Dwelling development. By way of this development application, the applicant is seeking specific approval to undertake the development as detailed in this planning report and approval of the plans.

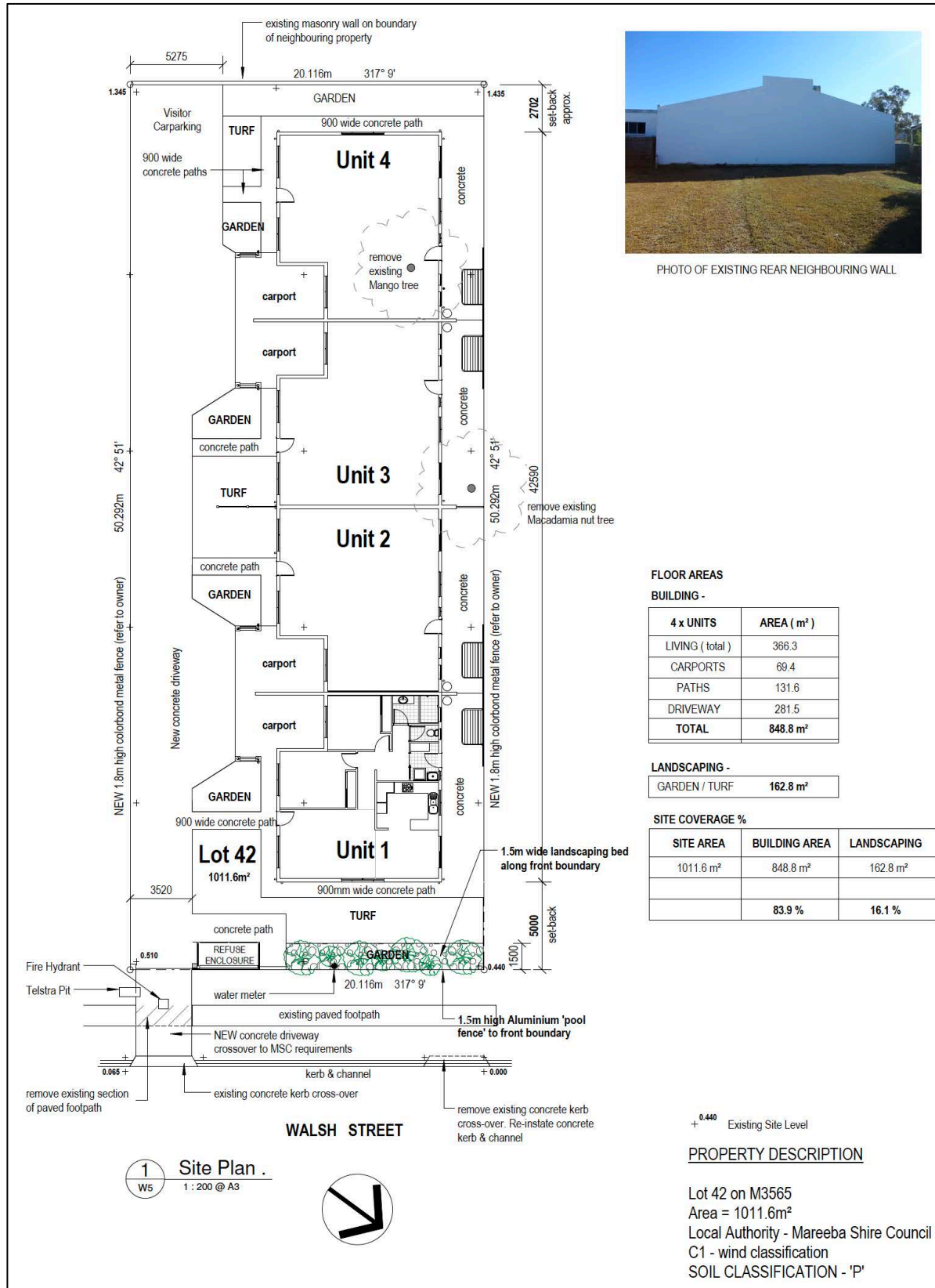


Figure 3: Extract from Site Plan (Prepared by Allan Ballard)

See *Appendix 3: Development Plans* for further detail.

3.1 Development Definition

The proposal is described as a “Material Change of Use” under the Planning Act and planning scheme, more specifically described as creating an easement for access to a lot from a constructed road. The proposal is defined under the Planning Act as follows:

material change of use, of premises, means any of the following that a regulation made under [section 284](#)(2)(a) does not prescribe to be minor change of use—

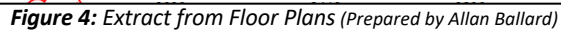
- (a) *the start of a new use of the premises;*
- (b) *the re-establishment on the premises of a use that has been abandoned;*
- (c) *a material increase in the intensity or scale of the use of the premises.*

3.2 Multiple Dwelling

The proposed use that you are seeking to establish for the site is either defined under the Mareeba Shire Planning Scheme 2016 as the following:

Column 1 Use	Column 2 Definition	Column 3 Examples include	Column 4 Does not include the following examples
Multiple dwelling	Premises containing three or more dwellings for separate households.	Apartments, flats, units, townhouses, row housing, triplex	Rooming accommodation, dual occupancy, duplex, granny flat, residential care facility, retirement facility

The proposed development is seeking approval for a Multiple Dwelling which comprises of four (4) x two (2) bedroom units on the site. The units have been orientated to make use of the north facing aspect as well as to capture the prevailing breezes from the south-east. The floor plan for the units are all identical, just mirrored between each pair of units. The insert below illustrates the layout of each of the proposed units. The layout and orientation of the units to be developed on the site a fully code compliant and provide



4.0 DEVELOPMENT APPLICATION DETAILS

This code assessable development application seeks a development permit for a Material Change of Use under the *Planning Act 2016* to facilitate the development of 4x2 bedroom multiple dwelling units. By way of this development application, the applicant is seeking specific approval of the following development permit to authorise the subdivision of the allotments as detailed in this planning report.

5.0 PLANNING JUSTIFICATION

This development application is made in accordance with the requirements of the *Planning Act 2016* and is for a Material Change of Use at 94 Walsh Street, Mareeba to facilitate the development of 4x2 bedroom multiple dwelling units. The proposal is considered to satisfy the requirements set by the applicable assessment benchmarks from the planning scheme, specifically the Medium Density Residential Zone Code and Accommodation Activities Code.

5.1 Mareeba Shire Planning Scheme 2016

Given that the application is code assessable, the application is required to be assessed against only the relevant codes within the planning scheme where applicable to the development. In particular, the following sections of the planning scheme are considered relevant to this development:

- Medium Density Residential Zone Code
- Accommodation Activities Code
- Landscape Code
- Parking and Access Code
- Works, Services and Infrastructure Code
- Airport Environs Overlay Code

Accordingly, an assessment of the proposed development against the above listed codes has been completed. Where the requirements of an Acceptable Outcome were impractical or inappropriate to address, the Performance Outcome was addressed and satisfied. By satisfying the requirements of the Performance Outcomes, the overall “Purpose” of the code was inherently satisfied, as was the Strategic Framework for the planning scheme. In terms of the assessment documented in this report, should any part of the development not comply with any sections of the codes, the relevant sections will be adequately referenced and addressed in further detail to ensure compliance has been achieved.

5.1.1 Medium Density Residential Zone Code

6.2.7.2 Purpose


- (1) The purpose of the medium density residential zone code is to provide for medium density multiple dwellings supported by community uses and small-scale services and facilities that cater for local residents.
- (2) Mareeba Shire Council's purpose of the Medium density residential zone code is to facilitate medium residential densities and a diversity of housing which caters for a range of households in locations which are proximate to town centres, community facilities and open space.

Small lot housing is facilitated and medium density development may include Dual occupancy and Multiple dwelling development in the form of town houses, apartments and units.

- (3) The purpose of the code will be achieved through the following overall outcomes:
 - (a) Development provides a range of residential dwelling choices including Multiple dwellings in locations clustered around or near activity centres and transport networks;
 - (b) Development encourages and facilitates urban consolidation and the efficient use of physical and social infrastructure;
 - (c) Development is supported by employment nodes, community facilities and services, transport and commercial hubs where appropriate; Development provides and maintains a high level of amenity in the zone and is reflective of the desired character of the area;
 - (d) The scale and density of development facilitates an efficient land use pattern that supports safe and walkable neighbourhoods that are well connected to employment nodes, centres, open space and recreational areas, community services and educational opportunities;
 - (e) Other small-scale development that integrates personal employment and residential activities is encouraged, provided it complements local residential amenity;
 - (f) Development maintains a high level of residential amenity avoiding uses that introduce impacts associated with noise, hours of operation, traffic, advertising devices, visual amenity, privacy, lighting, odour and emissions;
 - (g) Non-residential development may be supported where such uses directly support the day to day needs of the immediate residential community; and
 - (h) Development responds to land constraints and mitigates any adverse impacts on adjacent land uses and the environment.

The proposed Multiple dwelling development presented achieves the purpose outcomes outlined above in the Medium Density Residential Zone, in that it provides an appropriate multiple dwelling housing outcome which is suitably located within close proximity to the CBD, community facilities (schools, hospital, day care) and open space areas. As such, we consider that the development is completely code compliant with the medium density residential zone code.

ASSESSMENT BENCHMARKS

Performance Outcomes	Acceptable Outcomes	Proposal Justification
For accepted development subject to requirements and assessable development		
Height		
PO1	AO1	Complies as the building is well below 8.5m in height. Satisfied.
Outbuildings and residential scale		
PO2	AO2	No particular outbuildings are proposed as part of this development. Satisfied.
Siting		
PO3	AO3.1 & AO3.2	<p>The buildings and structures associated with this development are proposed to be setback five (5) metres instead of the six (6) metres prescribed. The reasoning behind this encroachment is to allow a suitable setback and separation to be provided to the rear of the development as it faces a large block wall from the adjoining property. By pushing the development as little as a metre forward towards walsh street, has little to no impact on the amenity of the surrounding area, and in return provides huge improvement in terms of access at the rear of the site to both sunlight and natural breezes which will greatly improve air circulation. The photo below is evidence of how the increase separation will improve access to sunlight, with the large shade patch from the building extending into the site.</p>  <p>PHOTO OF EXISTING REAR NEIGHBOURING WALL</p> <p>Satisfied.</p>
Accommodation Density		
PO4	AO4	Well below the prescribed maximum unit and bedroom density for Multiple dwellings with 6.74 units, and 13.49 bedrooms allowed on the site under the provisions.

		Satisfied.
Gross Floor Area		
PO5	AO5	<p>The building and structure proposed as part of this development make efficient use of the land and a suitable and considered matter that is fully code compliant with the design planning provisions.</p> <p>Satisfied.</p>
For assessable development		
Building Design		
PO6 & PO7	AO6 & AO7	<p>The development is appropriately designed to provide visual interest and architectural variation, whilst maintaining the character of the surround. Overall the development positively contributes to the area and is well designed to provide a suitable outcome for the site.</p> <p>Satisfied.</p>
Non-residential development		
PO8	AO8	<p>Not applicable as the use is a residential development.</p> <p>Satisfied.</p>
Amenity		
PO9 & PO10	N/A	<p>The development is appropriately designed to provide visual interest and architectural variation, whilst maintaining the character of the surround. Overall the development positively contributes to the area and is well designed to provide a suitable outcome for the site.</p> <p>Satisfied.</p>

5.1.2 Accommodation Activities Code

9.3.1.2 Purpose

- (1) The purpose of the Accommodation activities code is to facilitate the provision of Accommodation activities in appropriate locations throughout the shire.
- (2) The purpose of the code will be achieved through the following overall outcomes:
 - (n) Accommodation activities are designed, located and operated to minimise any adverse impacts on the natural environment and amenity of surrounding uses;
 - (o) Accommodation activities in the Centre zone are facilitated where they can integrate and enhance the fabric of the centre and are located behind or above commercial development;
 - (p) Accommodation activities provide a high level of amenity and are reflective of the surrounding character of the area;
 - (q) Accommodation activities are generally established in accessible, well-connected locations with access or future access to public transport, cycling and pedestrian networks;
 - (r) Accommodation activities do not compromise the viability of the hierarchy and network of centres, namely:
 - (i) Mareeba as a major regional activity centre, which accommodates the most significant concentrations of regional-scale business, retail, entertainment, government administration, secondary and tertiary educational facilities and health and social services within the shire;
 - (ii) Kuranda as a village activity centre, which accommodates services, arts and cultural facilities, sports and recreation facilities, business and employment uses to support the village and its constituent surrounding rural and rural residential communities;
 - (iii) Chillagoe and Dimbulah as Rural activity centres, which provide commercial and community services to their rural catchments; and
 - (iv) Bibohra, Irvinebank, Julatten, Koah, Mutchilba, Mt Molloy, Myola and Speewah as rural villages, that have limited centre activities and other non-residential activities; and
 - (s) Accommodation activities are responsive to site characteristics and employ best practice industry standards.

ASSESSMENT BENCHMARKS

Performance Outcomes	Acceptable Outcomes	Proposal Justification
For accepted development subject to requirements and assessable development		
All Accommodation activities, apart from Dwelling House		
PO1	AO1	Complies with 800m ² minimum site area and 20m site frontage. The site is 1,012m ² in area and has a frontage of 20.116m Satisfied.
All Accommodation activities, apart from Tourist Park and Dwelling House		
PO2	AO2.1	The refuse area is suitably located and screened from view, with one (1) bin provided per unit, which is more than adequate to cater for the demand per 2 bedroom unit. The area is serviced with hose connection which can be used to clean the bins if required.

		Satisfied.
All Accommodation activities, apart from Dwelling House		
PO3	AO3	The units are effectively designed in accordance with the acceptable outcome to avoid overlooking and privacy issues for adjoining uses to the north of the site. This is achieved by way a 1.8m high Colourbond fence along the northern boundary and suitable setback of 2.4m to the relevant boundary. Satisfied.
PO4	AO4.1, AO4.2, AO4.3 & AO4.4	The units are provided with sufficient private open space which is easily accessible to each unit. The each have their own private courtyard at the rear where the cloth drying areas are provided (not visible from the street), and each have their own private garden and lawned area at the front of each unit, which is screen between one unit to the other. Communal open space area is not warranted for a small four (4) unit development. Satisfied.
If for Caretaker's Accommodation		
PO5	AO5.1 & AO5.2	Not applicable as the use does not involve caretaker's accommodation facility. Satisfied.
If for a Dwelling House		
PO6	AO6	Not applicable as the use does not involve dwelling house. Satisfied.
If for a Dual Occupancy		
PO7	N/A	Not applicable as the use does not involve dual occupancy. Satisfied.
If for Multiple Dwelling, Residential care facility or Retirement Facility		
PO8	AO8	Complies within 150m of a land within the centre zone. Satisfied.
PO9	AO9.1	The front of the units which face onto Walsh Street and the internal driveway have suitable treatments applied which provide suitable visual interest through articulation and variation. Satisfied.
	AO9.2	Complies, as there are no carports fronting that face the road. They are all located internally to each unit where only 2.5m of the carport hangs out. Satisfied.
	AO9.3	Overhangs on the awnings comply with the 600mm minimum prescribed. Satisfied.
	AO9.4	Complies with suitable roof forms as specified under the code.

		Satisfied.
If for Residential Care Facility or Retirement Facility		
PO10	N/A	Not applicable as the use does not involve a residential care facility of retirement facility. Satisfied.
If for Home Based Business		
PO11 & PO12	All listed outcomes.	Not applicable as the use does not involve a Home Based Business. Satisfied.
If for Rural Worker's Accommodation		
PO13 & PO14	All listed outcomes.	Not applicable as the use does not involve rural workers' accommodation. Satisfied.
For Assessable development		
If for Caretaker's Accommodation		
PO15	N/A	Not applicable as the use does not involve caretaker's accommodation facility. Satisfied.
If for Residential Care Facility or Retirement Facility		
PO16	N/A	Not applicable as the use does not involve a residential care facility of retirement facility. Satisfied.
If for Tourist Park		
PO17, PO18, PO19 & PO20	N/A	Not applicable as the use does not involve a tourist park. Satisfied.

5.1.3 Landscaping Code

9.4.2.2 Purpose

- (1) 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.
- (2) 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.

ASSESSMENT BENCHMARKS

Performance Outcomes	Acceptable Outcomes	Proposal Justification
For accepted development subject to requirements and assessable development		
PO1	AO1	At approximately 140m ² , the total landscaped areas provided as part of this development sits around 14%. This achieves compliance with the code requirements. Satisfied.
PO2	AO2.1	The proposed development complies with the 1.5m wide landscape strip along the frontage of the site. Satisfied.
PO3	AO3.1 & AO3.2	The development includes suitable landscaping and fencing treatments along the side and rear boundaries that provides suitable screens to adjoining properties, and preserves the amenity of the area. Satisfied.
PO4	AO4.1 & AO4.2,	Landscaped areas at the front of each unit are provided adjacent to the carport locations, which provides visual interest and softens the aspect when viewed from Walsh Street.

		Satisfied.
PO5	AO5.1 & AO5.2	<i>The development complies and will be provided in accordance with the relevant landscaping policy.</i>
		Satisfied.
PO6	AO6.1, AO6.2 & AO6.3	<i>The landscaping will not impact on the ongoing provision of infrastructure and services to the shire.</i>
		Satisfied.
PO7	AO7	<i>The landscaped areas will be easily maintained moving forward and will thrive with generous access to sunlight and water for health plant grown. As such, these landscaped areas will look attractive and healthy into the future.</i>
		Satisfied.

5.1.4 Parking and Access Code

9.4.3.2 Purpose

- (1) 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.
- (2) 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.

Definition	Minimum number of Car parking spaces	Minimum Service Vehicle Space Provision
Multiple dwelling	<p>One covered space per dwelling.</p> <p>One dedicated vehicle wash-down bay for premises containing 5 or more dwellings.</p> <p>A minimum of 0.25 spaces per dwelling is to remain in common property for visitor use.</p>	Nil.

The proposed unit development provides the required parking for each unit, with one (1) covered space per dwelling.

The two (2) visitor parking spaces provided at the end of the driveway towards the rear boundary also satisfies compliance with the 0.25 visitor space requirement per unit. As such, the development is fully code compliant with the parking demands required for a multiple dwelling development.

Suitable pedestrian access and connections to the building entrances have been provided from the carports to each unit as well as from the internal driveway for visitors. In terms of access in and out of the site, a new crossover will be constructed from Walsh Street into the site, with a speed control device to be installed at the boundary as soon as you enter the site. From there the driveway is 3.5m wide in and out of the site with areas available in front of the units for vehicles to queue and allow vehicles to pass one way or the other. Overall the parking and access driveways as proposed are designed to comply with the relevant standards to accommodate all vehicles intended to use the site.

5.1.5 Works, Service and Infrastructure Code

9.4.5.2 Purpose

- (1) 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.
- (2) 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.

In terms of the services provided as part of this development, we have proposed the following to be provided as part of this development:

Water and Sewerage:

The proposed development will be connected and serviced by council's reticulated water and sewerage available to the site. As such, it is anticipated that a condition of approval relating to this aspect of the development may be applied to require relevant connections to be provided.

Stormwater:

In terms of stormwater, the on-site drainage systems have been designed - as illustrated on the site plan - to ensure the stormwater is captured on-site and directed to Walsh Street (lawful point of discharge), which complies with the relevant code requirements. As such, it is anticipated that a condition of approval relating to this aspect of the development may be applied.

Electricity:

The premises will be connected to the electrical supply network available from Walsh Street. As such, it is anticipated that a condition of approval relating to this aspect of the development may be applied.

Telecommunications:

The premises will be connected to the national broadband network. As such, it is anticipated that a condition of approval relating to this aspect of the development may be applied.

It is considered that the proposed material change of use development achieves compliance with the outcomes sought to be achieved within Works, Services and Infrastructure Code.

5.1.6 Airport Environs Overlay Code

8.2.2.2 Purpose

- (1) 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.
- (2) 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.

The site is within the 8kms buffer of the Mareeba Airport, on the Bird and Bat Strike Zones overlay mapping. The height of the existing buildings and structures on-site will not impact or interfere with the safe movement of aircraft. It is considered that the proposed development achieves the outcomes sought under Airports Environs Overlay Code and will in no way impact on the current and ongoing operations of the established airport infrastructure in Mareeba.

5.2 State Development Assessment Provisions

The State Development Assessment Provisions (SDAP) set out the matters of interest to the state for development assessment. The SDAP identifies the matters of interest – where relevant they have been addressed by heading in this section. Where the State is a referral agency for a development application under the provisions, the state code applies. In this particular instance, the proposed development does not trigger referral or assessment against any of the relevant state development assessment provisions.

5.3 Far North Regional Plan 2009-2031

The site is located within the 'Regional Landscape and Rural Production Area Regional Land Use Category of the Far North Queensland 2009-2031 (see also Attachment 3). The Minister has identified that the planning scheme, specifically the Strategic Framework, appropriately advances the FNQRP 2009- 2031. Hence, compliance with the FNQRP is demonstrated through the compliance with the Planning Scheme (refer to this report and attachments for demonstration of this compliance).

6.0 CONCLUSION

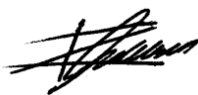
It is considered that the proposed development being a Material Change of Use over land described as Lot 42 on M3565 is appropriately designed to comply with the planning scheme requirements. In particular, the proposed development:

- Achieves compliance with the Performance Outcomes, Purposes and the Intent of the Medium Density Residential Zone Code;
- Achieves compliance with the Performance Outcomes, Purposes and the Intent of the Accommodation Activities Code;
- Satisfies compliance with the relevant applicable mapped Overlay, with particular regard to the Airport Environs Overlay;
- Does not conflict with the Far North Queensland Regional Plan 2009 – 2031, in particular the Rural Production Area Regional Land Use Category.

The applicant strongly believes that an assessment of the common material forming part of this development application in accordance with the decision-making rules established under the Planning Act will result in the approval of the development application and the issuing of a development permit subject to conditions.

The proposal is consistent with the "Purpose" of the Medium Density Residential Zone and Accommodation Activities Code and the applicable State level policy. The proposal constitutes works and a use of the site in a manner that meets the strategic outcomes sought by the planning instruments and the expectations of the community. The conclusion of this report is that all the requirements set by the assessment benchmarks can be met and that the strategic level policy outcomes sought by the planning scheme for the site and locality can be achieved. The common material provided as part of this development application contains sufficient justification to establish compliance with the assessment benchmarks. It is the applicant's opinion that the development application contains sufficient justification to warrant approval subject to reasonable and relevant conditions.

We request that Council provide a copy of the Draft Conditions with sufficient time for review prior to issuing a Decision Notice for the development. If you have any queries please do not hesitate to contact our office on 0411 344 110.



Ramon Samanes

Director, U&i Town Plan

Bachelor of Applied Science, Majoring in Environmental and Urban Planning

APPENDIX 1: DA FORM 1 – DEVELOPMENT APPLICATION DETAILS

DA Form 1 – Development application details

Approved form (version 1.2 effective 7 February 2020) 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 only building work.

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

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

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

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

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

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

PART 1 – APPLICANT DETAILS

1) Applicant details	
Applicant name(s) (individual or company full name)	Pamela, Robert & Raymond c/- U&i Town Plan
Contact name (only applicable for companies)	Ramon Samanes
Postal address (P.O. Box or street address)	199 Byrnes Street
Suburb	Mareeba
State	QLD
Postcode	4880
Country	Australia
Contact number	0411344110
Email address (non-mandatory)	Ramon@uitownplan.com.au
Mobile number (non-mandatory)	0411344110
Fax number (non-mandatory)	
Applicant's reference number(s) (if applicable)	M5-20

2) Owner's consent

2.1) Is written consent of the owner required for this development application?

- ☒ Yes – the written consent of the owner(s) is attached to this development application
☐ No – proceed to 3)

PART 2 – LOCATION DETAILS

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

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

3.1) Street address and lot on plan

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

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

a)	Unit No.	Street No.	Street Name and Type	Suburb
		94	Walsh Street	Mareeba
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)
	4880	42	M3565	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)
c)	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.

☐ Coordinates of premises by longitude and latitude

Longitude(s)	Latitude(s)	Datum	Local Government Area(s) (if applicable)
		<input type="checkbox"/> WGS84 <input type="checkbox"/> GDA94 <input type="checkbox"/> Other:	

☐ Coordinates of premises by easting and northing

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

3.3) Additional premises

☐ Additional premises are relevant to this development application and the details of these premises have been attached in a schedule to this development 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 <i>(if applicable)</i> :	
Name of port authority for tidal area <i>(if applicable)</i> :	
<input type="checkbox"/> On airport land under the <i>Airport Assets (Restructuring and Disposal) Act 2008</i>	
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)*:

Multiple Dwelling (4x2 bedroom units)

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)
Unit Development (4x2 bedroom units)	Multiple Dwelling	4 x 2 bedroom units	n/q

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

☐ Yes

☒ No

Division 2 – Reconfiguring a lot

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

9.1) What is the total number of existing lots making up the premises?**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 constructed road (complete 13))

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

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

10.2) Will the subdivision be staged?

☐ Yes – provide additional details below

☐ No

How many stages will the works include?

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

11) Dividing land into parts by agreement – how many parts are being created and what is the intended use of the parts?				
Intended use of parts created	Residential	Commercial	Industrial	Other, please specify:
Number of parts created				

12) Boundary realignment			
12.1) What are the current and proposed areas for each lot comprising the premises?			
Current lot		Proposed lot	
Lot on plan description	Area (m ²)	Lot on plan description	Area (m ²)
12.2) What is the reason for the boundary realignment?			

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

PART 5 – REFERRAL DETAILS

17) Does this development application include any aspects that have 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 Act 2016:**

- ☐ Clearing native vegetation
- ☐ Contaminated land (*unexploded ordnance*)
- ☐ Environmentally relevant activities (ERA) (*only if the ERA has not been devolved to a local government*)
- ☐ Fisheries – aquaculture
- ☐ Fisheries – declared fish habitat area
- ☐ Fisheries – marine plants
- ☐ Fisheries – waterway barrier works
- ☐ Hazardous chemical facilities
- ☐ Heritage places – Queensland heritage place (*on or near a Queensland heritage place*)
- ☐ Infrastructure-related referrals – designated premises
- ☐ Infrastructure-related referrals – state transport infrastructure
- ☐ Infrastructure-related referrals – State transport corridor and future State transport corridor
- ☐ Infrastructure-related referrals – State-controlled transport tunnels and future state-controlled transport tunnels
- ☐ Infrastructure-related referrals – near a state-controlled road intersection
- ☐ Koala habitat in SEQ region – interfering with koala habitat in koala habitat areas outside koala priority areas
- ☐ Koala habitat in SEQ region – key resource areas
- ☐ Ports – Brisbane core port land – near a State transport corridor or future State transport corridor
- ☐ Ports – Brisbane core port land – environmentally relevant activity (ERA)
- ☐ Ports – Brisbane core port land – tidal works or work in a coastal management district
- ☐ Ports – Brisbane core port land – hazardous chemical facility
- ☐ Ports – Brisbane core port land – taking or interfering with water
- ☐ Ports – Brisbane core port land – referable dams
- ☐ Ports – Brisbane core port land – fisheries
- ☐ Ports – Land within Port of Brisbane's port limits (*below high-water mark*)
- ☐ 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 – 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 has been devolved to local government*)

<input type="checkbox"/> Heritage places – Local heritage places
Matters requiring referral to the Chief Executive of the distribution entity or transmission entity:
<input type="checkbox"/> Infrastructure-related referrals – 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"/> Infrastructure-related referrals – Oil and gas infrastructure
Matters requiring referral to the Brisbane City Council:
<input type="checkbox"/> Ports – Brisbane core port land
Matters requiring referral to the Minister responsible for administering the Transport Infrastructure Act 1994:
<input type="checkbox"/> Ports – Brisbane core port land <i>(where inconsistent with the Brisbane port LUP for transport reasons)</i>
<input type="checkbox"/> Ports – Strategic port land
Matters requiring referral to the relevant port operator , if applicant is not port operator:
<input type="checkbox"/> Ports – Land within Port of Brisbane's port limits <i>(below high-water mark)</i>
Matters requiring referral to the Chief Executive of the relevant port authority:
<input type="checkbox"/> Ports – Land within limits of another port <i>(below high-water mark)</i>
Matters requiring referral to the Gold Coast Waterways Authority:
<input type="checkbox"/> Tidal works or work in a coastal management district <i>(in Gold Coast waters)</i>
Matters requiring referral to the Queensland Fire and Emergency Service:
<input type="checkbox"/> Tidal works or work in a coastal management district <i>(involving a marina (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 this development application, 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
<p>Note: By not agreeing to accept an information request I, the applicant, acknowledge:</p> <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. <p>Further advice about information requests is contained in the DA Forms Guide.</p>

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 (A, B or E)
\$		

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 habitat in SEQ Region

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

☐ Yes – the development application involves premises in the koala habitat area in the koala priority area

☐ Yes – the development application involves premises in the koala habitat area outside the koala priority area

☒ No

Note: If a koala habitat area determination has been obtained for this premises and is current over the land, it should be provided as part of this development application. See koala habitat area guidance materials at www.des.qld.gov.au for further information.

Water resources

23.6) Does this development application involve **taking or interfering with underground water through an artesian or subartesian bore, taking or interfering with water in a watercourse, lake or spring, or taking overland flow water under the Water Act 2000?**

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

☒ No

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

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

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

Waterway barrier works

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

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

☒ No

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

Marine activities

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

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

☒ No

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

Quarry materials from a watercourse or lake

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

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

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

Quarry materials from land under tidal waters

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

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

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

Referable dams

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

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

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

Tidal work or development within a coastal management district

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

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

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

Queensland and local heritage places

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

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

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

Name of the heritage place:		Place ID:	
-----------------------------	--	-----------	--

Brothels

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

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

Decision under section 62 of the Transport Infrastructure Act 1994

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

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

PART 8 – CHECKLIST AND APPLICANT DECLARATION

24) Development application checklist	
I have identified the assessment manager in question 15 and all relevant referral requirement(s) in question 17 <i>Note: See the Planning Regulation 2017 for referral requirements</i>	<input checked="" type="checkbox"/> Yes
If building work is associated with the proposed development, Parts 4 to 6 of DA Form 2 – Building work details have been completed and attached to this development application	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> Not applicable
Supporting information addressing any applicable assessment benchmarks is with the 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 COMPLETION OF THE ASSESSMENT MANAGER – 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 (dd/mm/yy)	
Date receipted form sighted by assessment manager			
Name of officer who sighted the form			

APPENDIX 2: OWNER'S CONSENT

CLIENT ACCEPTANCE FORM / OWNER'S CONSENT



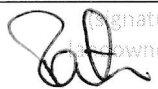
(TO BE COMPLETED AND RETURNED)

PROJECT:	Material Change of Use – Multiple Dwelling
PROJECT ADDRESS:	94 WALSH STREET, MAREEBA (LOT 42 ON M3565)

Client Details

Client:	PAMELA, ROBERT & RAYMOND CATER (enter client name) (primary contact)
Invoice Address:	199 BYRNES ST. MAREEBA 4880. QLD (enter invoice address)
Phone:	07- 40921133 (enter client phone)
Email:	cater@menslandmareeba.com.au (enter client email)
Accounts Contact:	LINA OR LEAH CATER. (enter accounts email & phone)

Landowner Details

Landowner Name/s:	CATER NO 2 TRUST (enter landowner name/s) As shown on rates notice
Address:	199 BYRNES ST MAREEBA QLD 4880. (enter address)
All Owners Signatures:	   (signatures from all landowners & Dated)

I / we, the party named below (the Client), confirm the commission of R&A Samanes Pty Ltd t/a U&I Town Plan (the Consultant), in relation to the project referenced above and accept all terms and conditions of the Quote and in particular confirm responsibility for payment of fees generated by this commission and payable to the Consultant strictly prior to lodgement of the Application and in other cases within 7 days of the date of invoice.

Signed:

Name:

Date:

Please complete, sign and return to: ramon@uitownplan.com.au

APPENDIX 3: DEVELOPMENT PLANS

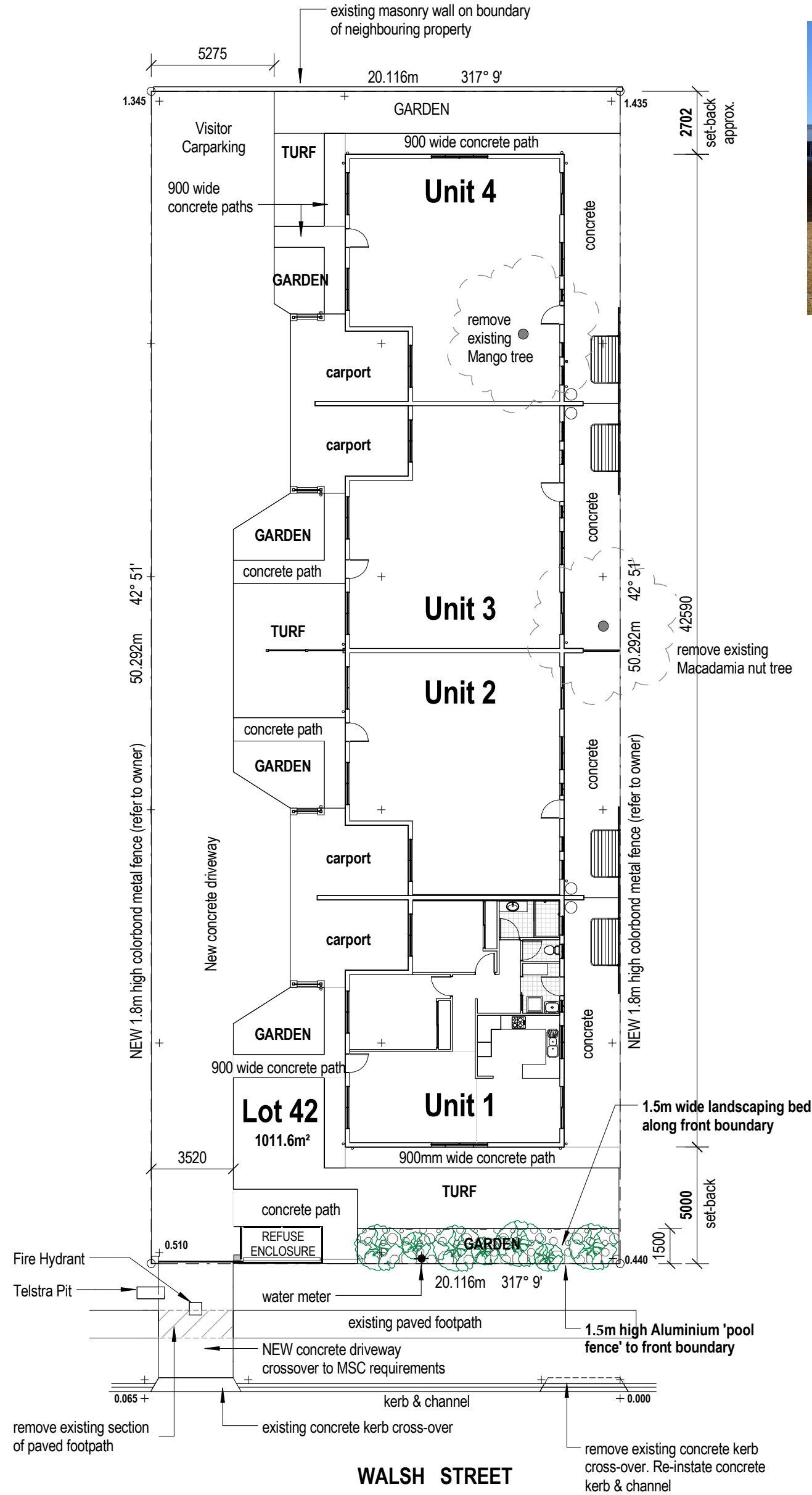


PHOTO OF EXISTING REAR NEIGHBOURING WALL

FLOOR AREAS

BUILDING -

4 x UNITS	AREA (m ²)
LIVING (total)	366.3
CARPORTS	69.4
PATHS	131.6
DRIVEWAY	281.5
TOTAL	848.8 m ²

LANDSCAPING -

GARDEN / TURF	162.8 m ²
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SITE COVERAGE %

SITE AREA	BUILDING AREA	LANDSCAPING
1011.6 m ²	848.8 m ²	162.8 m ²
	83.9 %	16.1 %

+ 0.440 Existing Site Level

PROPERTY DESCRIPTION

Lot 42 on M3565
Area = 1011.6m²
Local Authority - Mareeba Shire Council
C1 - wind classification
SOIL CLASSIFICATION - 'P'

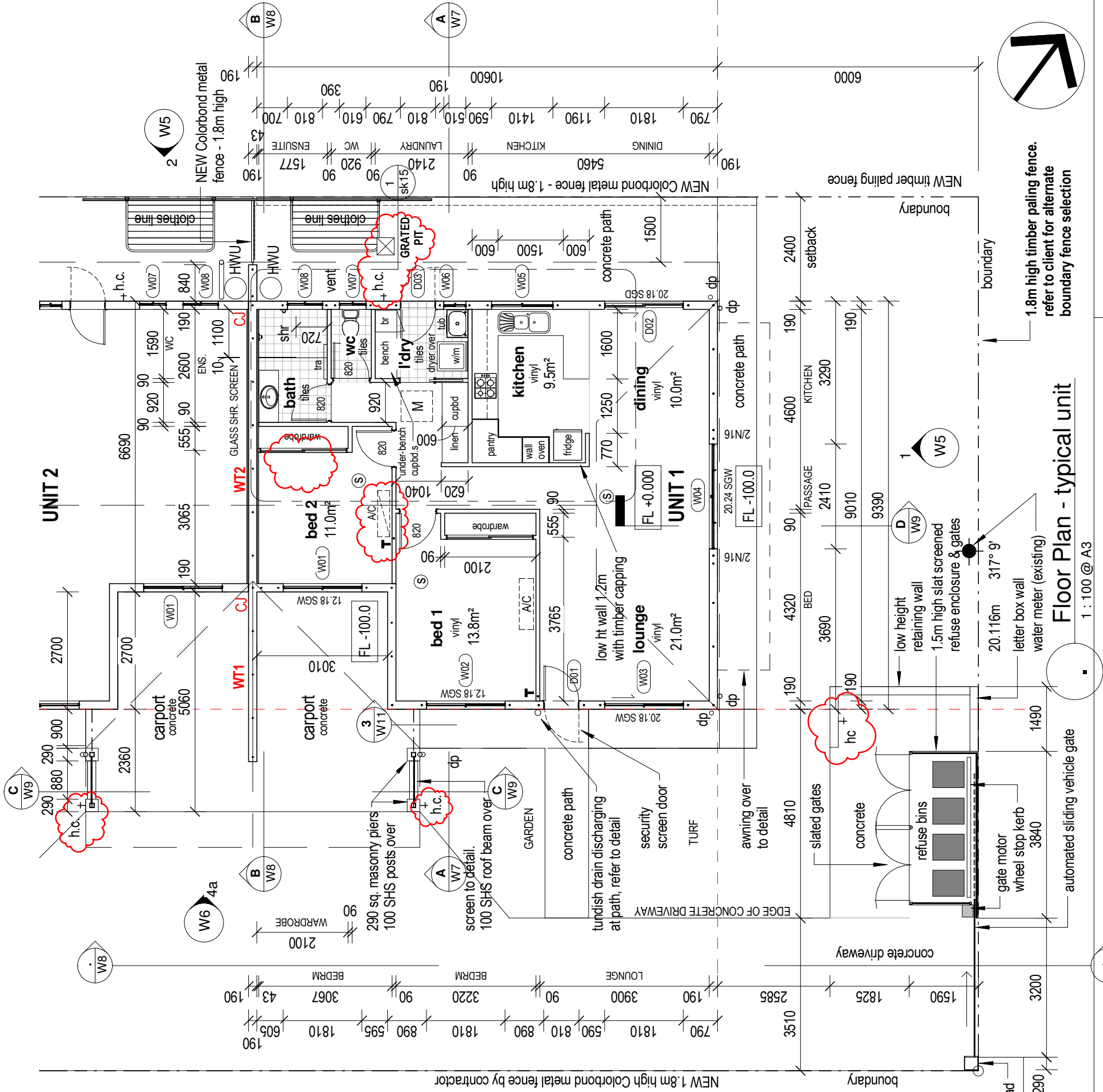
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Proposed Unit Development for
Cater Investments
94 Walsh street. Mareeba

REVISION		

drawing Site Plan			
plot date	drawn by	QBCC #	
12/11/2020 7:02:44 AM	A. Ballard	621922	
sheet number	project number	sheet	revision

DA01 18-01 1 of 1



Floor Plan - typical unit

1 : 100 @ A3

Proposed Unit Development for
Cater Investments
94 Walsh street. Mareeba

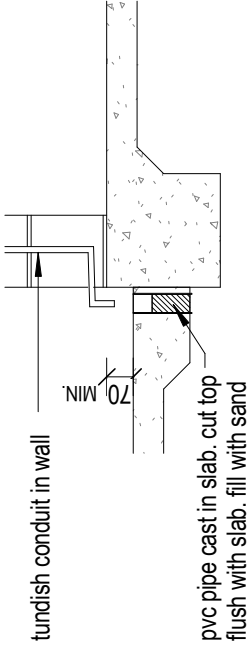
REVISION

A	14.09.20	TENDER issue
B	14.09.20	BUILDING APPROVAL
C	19.10.20	lighting plan amended. hose cocks added

Floor Plan

drawing	drawn	QBCC #
plot date	A. Ballard	621922
5/11/2020 6:39:39 AM	project number	sheet
revision	18-01	2 of 15

W2



1 Tundish Drain

1 : 20 @ A3

LEGEND :

- 240 v smoke detector mounted to ceiling, be hardwired to mains power & interconnected to each smoke alarm installed within whole of each unit. to comply with N.C.C. part 3.7.2.4. Smoke alarm to comply with A.S. 3786-2015.

Provide temperature control device to each hot water unit in accordance with A.S. 3500.4.2 1997 .

TOTAL Floor area (excl Carports) = 366.4m²

90mm MGP12 stud framed internal walls, 10mm plasterboard wall lining. Direct fix plasterboard to inside face of external masonry walls, typical. Fixing in accordance with Manufacturers specifications.

Dots within walls denote N12 vertical reinforcing rods at corners, beside openings (unless noted otherwise) & at 1200 crs. max.

ENERGY EFFICIENCY REQUIREMENTS

Electrical

Ceiling fans are required to be installed in each Bedroom, Lounge & Dining areas. 80% minimum energy efficient lighting installed to each unit, Carport & Drying Yard (minimum efficacy of 27 lumens per watt) .

Water

toilets—minimum 4-star WELS rated ; tapware—minimum 3-star WELS rated for kitchen sinks, basins and laundry troughs ; showerheads—minimum 3-star WELS rated.

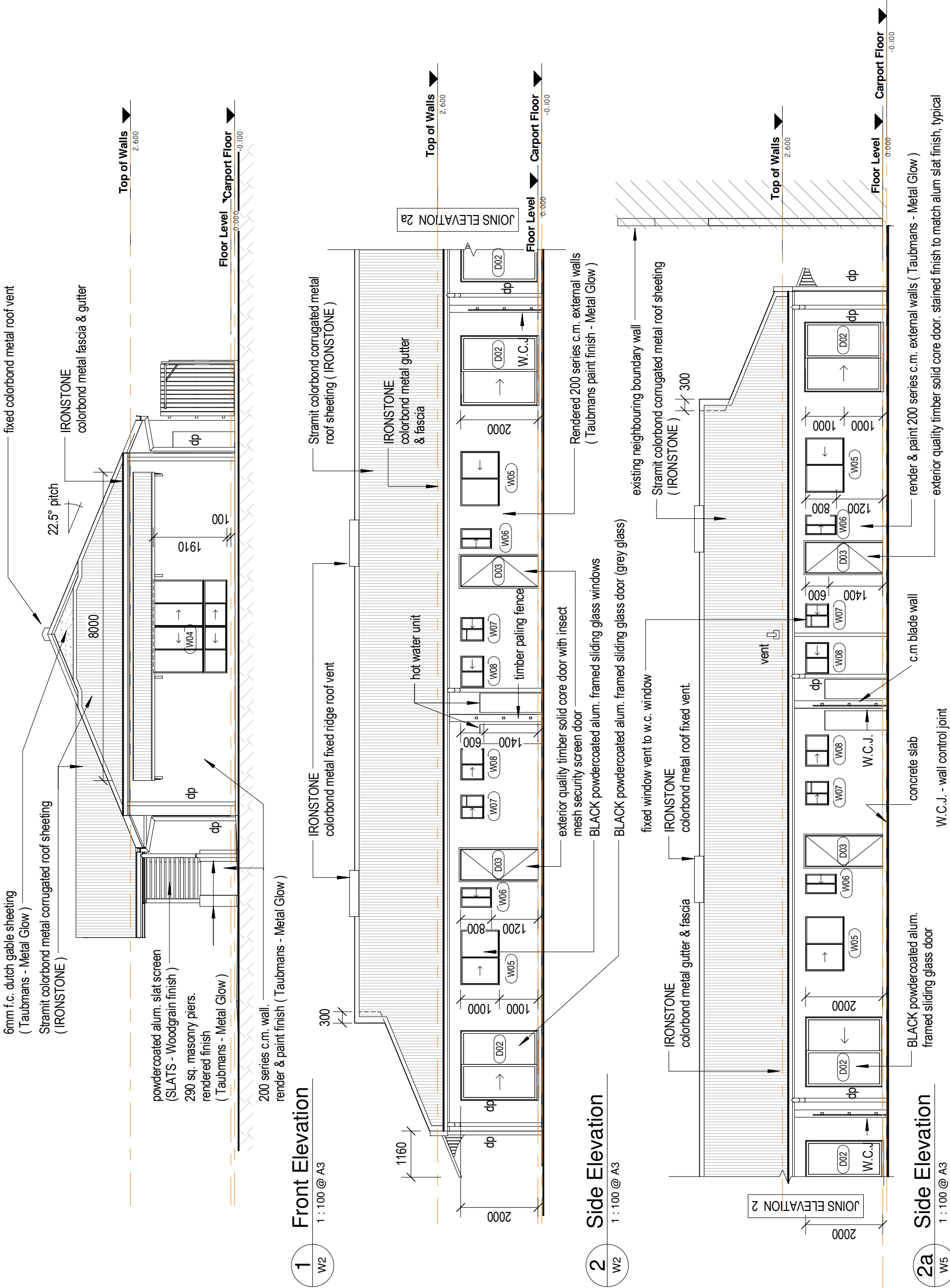
Airconditioner fan coil unit. Confirm with client -

air conditioner meets the minimum tested average 2.9 EER requirement OR minimum AEER of 2.75 to comply with the QDC.

Airconditioner condensate tundish in wall. Provide viewing panel in wall where connecting underslab into waste water drainage system.

br - broom cupboard

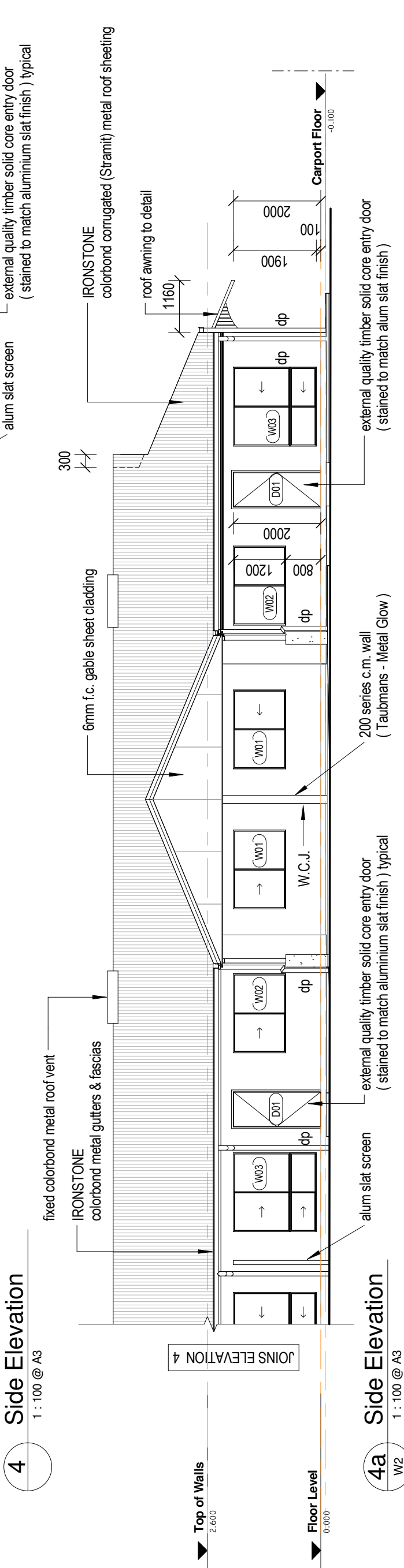
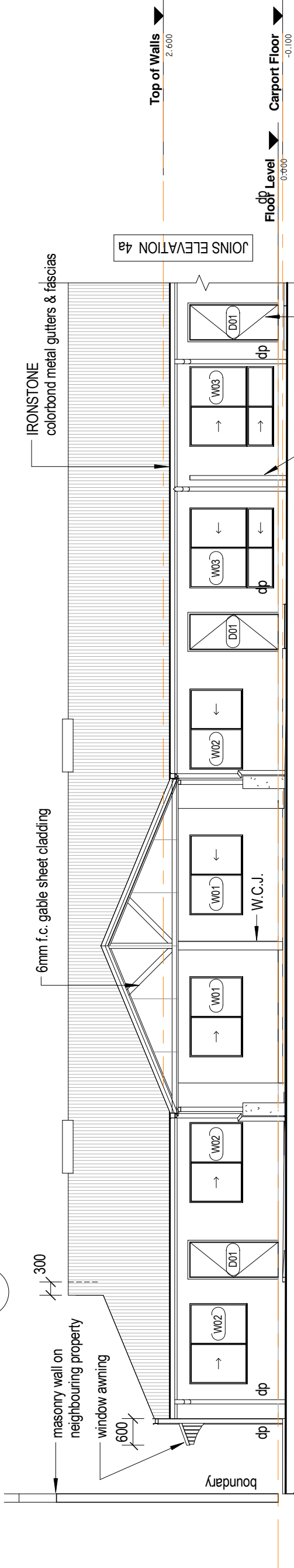
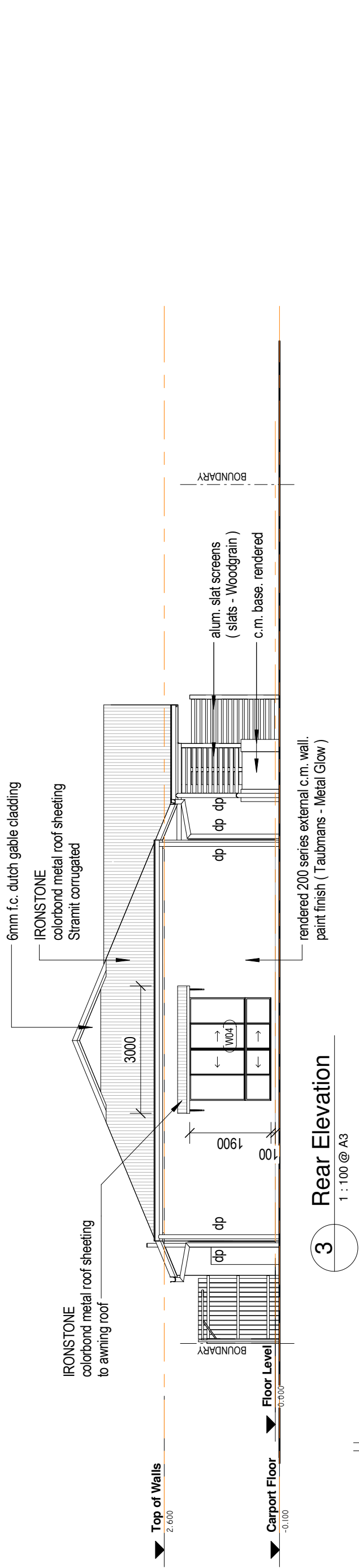
tra - towel rail



Proposed Unit Development for
Cater Investments
94 Walsh street. Mareeba

REVISION	
A	14.09.20 TENDER issue
B	14.09.20 BUILDING APPROVAL

Elevations 1 & 2			
plot date	drawn	QBCC #	
4/11/2020 6:33:07 AM	A. Ballard	621922	
sheet number	project number	sheet	revision



Proposed Unit Development for Cater Investments 94 Walsh street. Mareeba

REVISION		drawing
A	14.09.20	TENDER issue
B	14.09.20	BUILDING APPROVAL

Elevations 3 & 4		drawn	QBCC #
		A. Ballard	621922
		4/11/2020 6:33:08 AM	
		project number	sheet
		18-01	6 of 15
			B