

# PLANNING PLUS

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**Development Application for Preliminary Approval including a Variation Request under Section 43 and 50(3) of the *Planning Act 2016* to vary the effect of the Mareeba Shire Planning Scheme for Use Rights associated with the 'Anzac Avenue Commercial Zone' over Land at 47 Anzac Avenue, Mareeba, more particularly described as Lot 53 on SP204554**

December 2020

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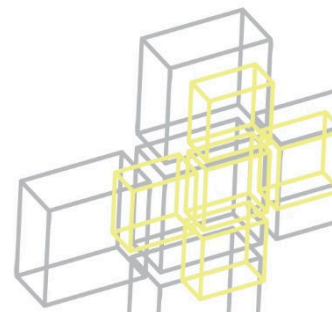
Client Manager: Evan Yelavich

Report Number: 20-14/001050

Version / Date: 1 / December 2020

Prepared for:

**ARMBRIDGE PTY LTD**



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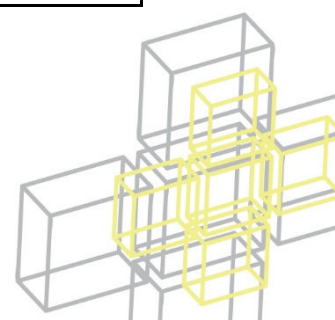
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Document	Status	Orig	Review	Review Date
Version	Purpose of Document			
1	Development Application	EY	EY	03/12/2020

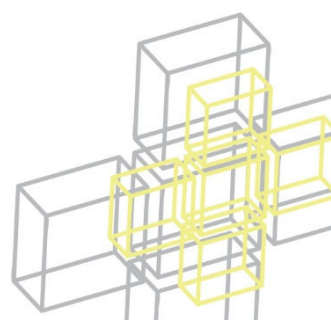


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## Annexures

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Annexure 3:	QLD Globe Aerial Overlay
Annexure 4:	SmartMap
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Annexure 6:	Anzac Avenue Commercial Zone Assessment Tables & Code



## Executive Summary

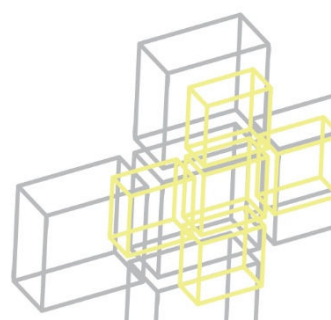
This Planning Report has been prepared by Planning Plus (QLD) Pty Ltd (Planning Plus) on behalf of Armbridge Pty Ltd (the 'applicant') in support of an application to Mareeba Shire Council seeking a Preliminary Approval including a Variation Request under Section 43 and 50(3) of the Planning Act 2016 to vary the effect of the Mareeba Shire Planning Scheme for Use Rights associated with the 'Anzac Avenue Commercial Zone' over land at 47 Anzac Avenue, Mareeba, more particularly described as Lot 53 on SP204554.

The application is being made to achieve use rights over the site which are consistent with a local/neighbourhood centre, as well as which reflect the site's exposure to the Kennedy Highway. To this end, the application seeks to facilitate a range of convenience-type uses which would serve the immediately-surrounding community, as well as uses which rely on highway/arterial road exposure and high amounts of passing traffic.

The development proposed is 'assessable development' as defined under Section 44 of the *Planning Act 2016* and thus requires assessment against local Planning Scheme provisions and relevant State legislation. This report provides an overview of the development proposed and addresses the various planning considerations relevant to Council and State Agencies' assessment of the proposal.

In summary, the report concludes that:

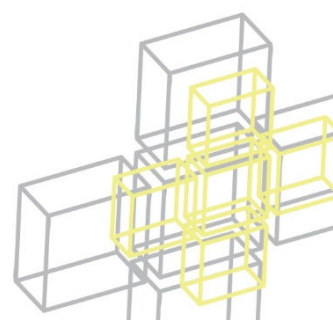
- The submitted information conforms to the requirements for making an 'impact-assessable' development application under the *Planning Act 2016*; and
- Adequate justification exists to override the Mareeba Shire Planning Scheme and depart from the current Residential zoning.



## 1.0. Application Details

A copy of DA Form 1 is included as **Annexure 1**.

<b>Applicant:</b>	Armbridge Pty Ltd
<b>Registered Owners:</b>	Armbridge Pty Ltd Refer to Title Search ( <b>Annexure 2</b> )
<b>Contact:</b>	Mr Evan Yelavich C/- Planning Plus Pty Ltd PO Box 399 REDLYNCH QLD 4870 Ph: 4039 3409 E: <a href="mailto:evan@planningplusqld.com.au">evan@planningplusqld.com.au</a>
<b>Real Property Description:</b>	Lot 53 on SP204554
<b>Location:</b>	47 Anzac Avenue, Mareeba
<b>Tenure:</b>	Freehold
<b>Local Government Authority:</b>	Mareeba Shire Council
<b>Contaminated Land or Environmental Management Registers:</b>	Nil
<b>Easements and Encumbrances:</b>	Refer to Title Search ( <b>Annexure 2</b> )
<b>Proposal:</b>	Preliminary Approval including a Variation Request under Section 43 and 50(3) of the Planning Act 2016 to vary the effect of the Mareeba Shire Planning Scheme for Use Rights associated with the 'Anzac Avenue Commercial Zone'
<b>Our Reference:</b>	20-14/001050



## 2.0. Site Information

### 2.1. Site Details

The land the subject of this application is situated at 47 Anzac Avenue, Mareeba, and is described as Lot 53 on SP204554. A QLD Globe Aerial Overlay and SmartMap of the site are included for reference as **Annexures 3 & 4**, respectively.

The site covers an area of 4,061m<sup>2</sup> and includes frontage to both Anzac Avenue and the Kennedy Highway. The site is currently vacant and is flat and clear of any vegetation and is understood to have access to all necessary urban infrastructure including water supply, sewer, electricity and telecommunications.

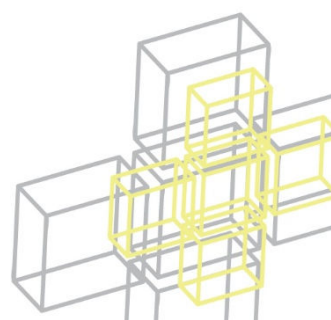
### 2.2. Planning Context

The planning context of the site is summaries as follows:

Regional Plan:	Urban Footprint
Planning Scheme Local Plan:	N/A
Planning Scheme Zone:	Residential
Planning Scheme Overlays:	<ul style="list-style-type: none"><li>• Airport Environs (8km Bird and Bat Strike Zone)</li><li>• Residential Dwelling</li><li>• Transport Infrastructure (State Controlled Road / Collector Road)</li></ul>

### 2.3. Locality

The site is located approximately 2km south-east of the Mareeba CBD. The area is predominately residential in nature, although land to the west of the site on Anzac Avenue comprises the Mareeba Bowls Club and a child care centre.



### 3.0. Proposal

This application seeks to vary the effect of the Mareeba Shire Planning Scheme for use rights associated with the 'Anzac Avenue Commercial Zone' over the subject site.

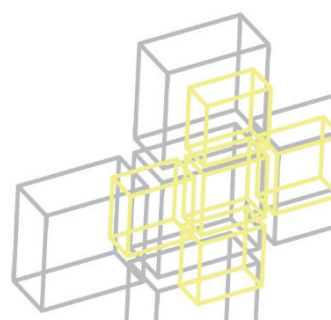
In contrast to the current Residential zoning of the site, the application is being made to achieve use rights which are consistent with a local/neighbourhood centre, as well as which reflect the site's exposure to the Kennedy Highway. To this end, the application seeks to facilitate a range of convenience-type uses which would serve the immediately-surrounding community, as well as uses which rely on highway/arterial road exposure and high amounts of passing traffic. The following uses have been identified as being characteristic of the above and appropriate for the site:

- Food and drink outlet
- Health care services
- Office
- Outdoor sales
- Service industry
- Shop
- Showroom

Cummings Economics has prepared a Need Analysis to support the proposed uses, and a copy of the report is included as **Annexure 5**. The report finds that sufficient 'need' exists for the proposed uses on the basis that:

- Mareeba has reached a size where separate neighbourhood centres are appropriate to service the local convenience needs of residents, as opposed to solely relying on the central business district which will continue to cater for high-order services; and
- Limited commercial facilities currently exist to service traffic on the Kennedy Highway between Mareeba and Cairns and traffic volumes continue to grow.

In order to regulate future development on the site, the proposal seeks to establish the 'Anzac Avenue Commercial Zone' over the site. A custom Table of Assessment and Zone Code has been prepared to facilitate the above-mentioned uses and regulate the built form and future operations on the site to reflect the specific characteristics of the site. A copy of this document is included as **Annexure 6** and further discussion is provided at Section 5.5.2 of this submission.



## **4.0. Legislative Considerations**

### **4.1. Planning Act 2016**

This section provides an overview of the legislative context of the application under the provisions of the *Planning Act 2016*.

#### **4.1.1. Assessable Development**

The proposed development is identified as 'assessable' under the *Planning Act 2016* due to the effect of the *Planning Regulation 2017*.

#### **4.1.2. Assessment Manager**

The Assessment Manager for this development application is Mareeba Shire Council as determined by Schedule 8 of the *Planning Regulation 2017*.

#### **4.1.3. Level of Assessment**

An application including a Variation Request is subject to 'impact assessment'.

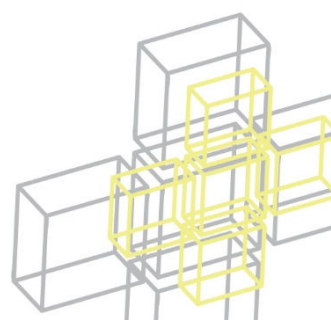
#### **4.1.4. Referral Agencies**

A review of Schedule 10 of the *Planning Regulation 2017* indicates that the application will trigger referral to the following State Agencies:

- Department of Transport and Main Roads pursuant to –
  - Part 9, Division 4, Subdivision 2, Table 4.

#### **4.1.5. Public Notification**

This application requires public notification for a period of 30 business days.





## 5.0. Assessment Benchmarks

### 5.1. Overview

This section provides an assessment of the application against relevant state and local statutory assessment benchmarks.

### 5.2. State Planning Policy

The State Planning Policy is relevant to the assessment of this application where a state interest is not appropriately reflected in the Planning Scheme relevant to the site. It is understood that all State Planning Policies which are relevant to this application are adequately reflected in the Mareeba Shire Planning Scheme.

### 5.3. Regional Plan

The Far North Queensland Regional Plan 2009-2031 identifies the subject site as being within the 'Urban Footprint'. The proposal is considered to be consistent with the intent of the plan.

### 5.4. State Development Assessment Provisions (SDAP)

The following codes have been identified as being applicable to the proposal:

- State Code 1: Development in a state-controlled road environment

#### Comment

No physical development is being proposed so no meaningful assessment can be undertaken against the code provisions at this stage. Further assessment will be undertaken as part of the future Development Permit applications as all proposed uses require 'code assessment' and will therefore trigger referral to TMR.

### 5.5. Mareeba Shire Planning Scheme

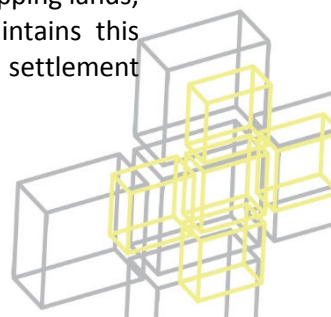
An assessment of the proposal against all relevant components of the Mareeba Shire Planning Scheme is provided below.

#### 5.5.1. Strategic Framework

##### *5.5.1.1 Settlement pattern and built environment*

#### Strategic outcomes

- (1) Mareeba Shire is intended to support a widely dispersed population in a variety of settings, including rural towns, small rural settlements, villages, rural residential areas, cropping lands, grazing lands and broad-hectare grazing properties. Future development maintains this settlement pattern and the distinct character that it provides to the shire. The settlement



pattern also ensures the continuing viability of the shire's rural economy, particularly through the provision of high quality services.

Comment: Proposal is consistent with the intended settlement pattern of the region.

- (2) Mareeba Shire is supported by a network of compact, activity centres of varying scales. These activity centres form the primary focus for population growth. Each activity centre will maintain its individual character while growing to support and service the local economies of its catchments. The level of service provision within each activity centre is consistent with its role and function within the defined activity centre hierarchy. Growth is managed to ensure a high level of centre amenity and streetscape character is maintained, thus fostering vibrant, lively hubs of social interaction, trade and exchange.

Comment: Proposal contributes to the intended function of Mareeba as the major regional activity centre.

- (3) Residential areas and urban expansion areas support strategically located and logically sequenced residential development, maximising the efficient utilisation of new and existing infrastructure, particularly active and public transport. Residential development, including infill housing in designated areas, is focussed in Mareeba and the Kuranda district. A diversity of housing choices is developed within proximity to services and activity centres while protecting the character of the shire.

Housing for aged persons, both for independent and assisted living, is provided to support the aging population of the shire. Aged care development is provided in suitable locations in the residential areas and urban expansion areas of the shire.

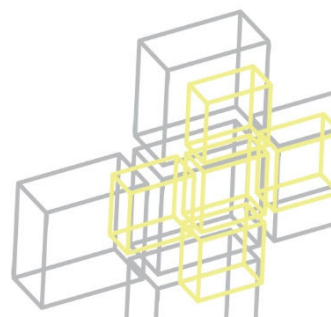
Comment: Mareeba includes significant areas of residential-zoned land and the proposal does not compromise this strategic outcome.

- (4) Rural residential areas are intended to support rural residential development of varying densities, to prevent further fragmentation and alienation of rural areas, conservation areas and biodiversity areas within the regional landscape. Rural residential areas predominantly maintain the current density of development, with infill subdivision of rural residential areas generally limited to identified areas where consistent with the desired character and where adequate services and infrastructure are available or can be adequately and cost-effectively provided.

Comment: Not applicable.

- (5) Primary industries in Rural areas are not compromised or fragmented by incompatible and/or unsustainable development, including but not limited to subdivision that results in a detrimental impact on rural productivity. The valued, relaxed rural lifestyle, character and scenic qualities of the rural area are preserved and enhanced. The rural area is largely maintained to its current extent, while accommodating development directly associated with or reliant on natural resources including rural activities and tourism. Rural areas protect the shire's agricultural area and ensure food security. Other rural areas predominantly remain agricultural grazing properties.

Comment: Not applicable.



- (6) Industry areas support the industrial development in the shire and are protected from encroachment by incompatible or sensitive uses. The Mareeba major industry area is the predominant supply of industrial land which will cater for high impact industry and major industrial developments into the future. Smaller industry areas are strategically located across the shire to service local needs.

Comment: Not applicable.

- (7) The built environment is ecologically sustainable, achieving energy and resource efficiency and favouring architecture that is sensitive to local character. Development reflects sustainable tropical design principles, is climate responsive and preserves natural features.

Comment: Proposal is capable of complying with this strategic outcome.

- (8) Risks to infrastructure, buildings and the community posed by bushfires, cyclones, flooding, landslides and other extreme events are minimised. Development is considerate of the potential increased incidence of these hazards induced by climate change.

Comment: Proposal is capable of complying with this strategic outcome.

#### Element—Activity centres network

- (1) The scale of development in activity centres is consistent with their role and function within the defined hierarchy of activity centres, which consists of a major regional activity centre, a village activity centre, rural activity centres and rural villages.

Comment: Proposal is consistent with the role of Mareeba as the major regional activity centre.

- (2) Centre activities are focussed in major regional activity centres, particularly development which draws on a wide catchment. Other activity centres promote local self-containment by facilitating a diverse range of services in support of local catchments and communities.

Comment: Proposal is located in the major regional activity centre of Mareeba and can draw on a wide catchment given its highway location. The proposal may also promote self-containment by servicing the immediate local catchment.

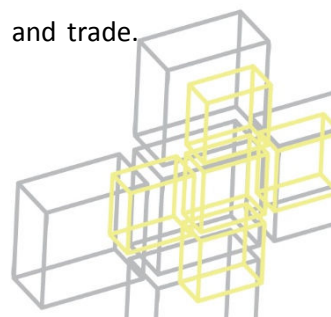
- (3) Other than small scale industry areas, commercial activities will not occur outside centre areas unless there is an overriding need in the public interest, there are no alternative sites in centre areas, there is no adverse impact on centre areas or the area surrounding the development and the site is readily accessible by a range of transport modes.

Comment: Proposal is limited to uses which will not adversely impact on centre areas or the area surrounding the development and the site is readily accessible.

- (4) Ribbon or strip commercial activities along state controlled roads and local collector roads is generally avoided outside of the centre areas where possible.

Comment: Proposal is a small-scale commercial activity in a unique location at the corner of a highway and collector road, with access available via the collector road.

- (5) Centre areas provide vibrant settings for community activity, social interaction and trade. Each centre retains its individual character.



Comment: Proposal is a small-scale commercial activity and is not considered to represent a centre area.

- (6) Centre areas provide high quality and attractive streetscapes, active shopfronts, comfortable pedestrian environments and spaces for social interaction.

Comment: Proposal is a small-scale commercial activity and is not considered to represent a centre area.

#### Element—Major regional activity centre

- (1) The role and function of Mareeba as the major regional activity centre for services in Mareeba Shire is strengthened. Mareeba is to accommodate 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.

Comment: Proposal contributes to the intended function of Mareeba as the major regional activity centre.

- (2) Development within Mareeba over time enhances the Shire's self-sufficiency in terms of services offered, business and employment opportunities.

Comment: Proposal will result in additional services and employment in Mareeba.

- (3) Mareeba is characterised by a relative lack of development constraints, and is supported by an expanding major industry area and Mareeba Airport. Mareeba has significant residential, industrial and commercial growth potential.

Comment: Proposal seeks to service a growing residential area of Mareeba, with significant further residential-zoned land in the locality.

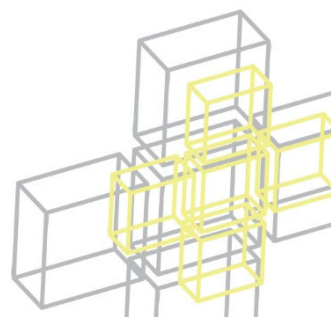
- (4) The centre area of Mareeba continues to be focussed on the core area around Byrnes Street (between Rankin and Lloyd Streets), with significant expansion of centre activities within underutilised sites within the Byrnes Street core, in Walsh Street and south along Byrnes Street. New development will improve the streetscape of the town centre including streetscape improvement.

Comment: Proposal is limited in size and scope such that it will not undermine the role of the Mareeba CBD.

- (5) Regional scale services and employment are provided in Mareeba, including:
  - (a) primary, secondary and tertiary educational establishments;
  - (b) major supermarkets and large format retailers;
  - (c) factory outlets and warehouses;
  - (d) government administration;
  - (e) hospitals and social services;
  - (f) major recreation and health and fitness facilities.

Comment: Proposal is limited to local-scale services but does not compromise this outcome.

#### Element – Village activity centre



Comment: Not applicable.

Element—Rural activity centres

Comment: Not applicable.

Element – Rural villages

Comment: Not applicable.

Element—Residential areas and development

- (1) Residential development, including Multiple dwellings and Dual occupancy, are sensitively integrated into the existing character of residential streets, predominantly in residential areas adjoining the centre areas of Mareeba and Kuranda. Infill development accounts for 20 percent of new dwellings constructed in Mareeba by 2031.

Comment: Not applicable.

- (2) Population growth is focused on infill sites within existing residential areas and greenfield developments in residential areas and urban expansion areas to the east and south of Mareeba. An investigation area to the north of Mareeba will be considered for potential urban growth outside the life of the planning scheme.

Comment: Subject site is located adjacent to a residential growth area to the east of Mareeba and will therefore service a growing population.

- (3) Residential expansion occurs in residential areas immediately adjacent to established activity centres and is logically sequenced to ensure efficient servicing by existing physical infrastructure networks.

Comment: Not applicable.

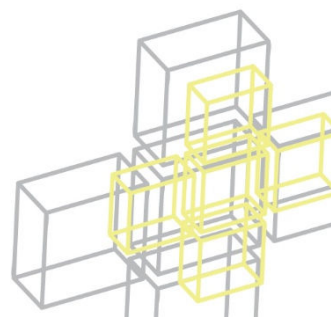
- (4) Residential areas contain predominantly low density residential development and are characterised by traditional detached housing and Dual occupancy development.

Comment: Proposal seeks an alternative form of development given the site's location adjacent to existing non-residential land uses and position at the corner of two major roads.

- (5) A range of mixed housing, affordable housing and social housing is provided in response to the diverse and changing demography of Mareeba Shire. This development is located in residential areas in a manner consistent with the character and amenity of the shire's activity centres.

Comment: Not applicable.

- (6) Residential subdivision design and greenfield development considers and respects:
  - (a) topography;
  - (b) climate responsive design and solar orientation;
  - (c) efficient traffic flows and connectivity;
  - (d) pedestrian and cycle movement;
  - (e) efficient and sustainable infrastructure provision;



- (f) environmental values;
- (g) parkland and open space links;
- (h) mixed lot sizes and dwelling types;
- (i) water sensitive urban design;
- (j) good quality agricultural land;
- (k) the character and scale of surrounding development.

Comment: Not applicable.

Element—Urban expansion and investigation areas

Comment: Not applicable.

Element—Aged care and retirement areas

Comment: Not applicable.

Element—Rural residential areas

Comment: Not applicable.

Element—Rural areas

Comment: Not applicable.

Element—Industry areas

Comment: Not applicable.

Element—Sustainable design

Comment: No building designs are proposed at this stage.

Element—Natural hazard mitigation

- (1) The risk of loss of life and property associated with bushfires, cyclones, flooding, landslides and other weather related events are minimised through the appropriate use of land having regard to its level of susceptibility to the hazard or potential hazard.

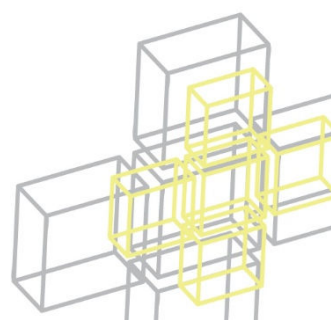
Comment: Subject site is not at risk of natural hazards other than cyclone.

- (2) Development in an area subject to a natural hazard incorporates appropriate siting and design measures that mitigate risks to infrastructure, buildings and the community.

Comment: No building designs are proposed at this stage.

- (3) Development considers the potential for increased occurrence of natural hazards as a result of climate change, including greater frequency of extreme weather events and increased rainfall intensities.

Comment: Proposal is capable of complying.



- (4) Development incorporates emergency response measures to ensure the impacts of natural hazards can be minimised.

Comment: Proposal is capable of complying.

#### Element—Indigenous communities

Comment: Not applicable.

### **5.5.1.2 Natural resources and environment**

#### Strategic outcomes

- (1) Mareeba Shire's outstanding natural environment, ecological processes and biodiversity values, including those within conservation areas and biodiversity areas, are conserved, enhanced and restored. Minimal loss of native vegetation is achieved in the shire through limited clearing of biodiversity areas, strategically located rehabilitation areas and the replanting of native vegetation. The impacts of pests and weeds on the natural environment is minimised and managed.

Comment: Subject site does not include significant natural features.

- (2) Natural corridors through the landscape, including ecological corridors, and natural areas which provide linkages between areas of significant biodiversity and habitat value are protected and enhanced. Opportunities are realised to connect habitat fragments across the regional landscape through strategic rehabilitation and protection of potential habitat connection corridors, such as habitat linkages. The resilience of natural systems and wildlife to respond to climate change is strengthened by providing maximum connectivity across a range of habitats, allowing species to migrate and retreat.

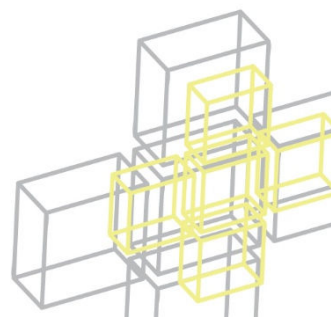
Comment: Subject site does not form part of a natural corridor.

- (3) The physical condition, ecological health, environmental values and water quality of surface water and groundwater systems, including but not limited to major waterbodies and major watercourses, is protected, monitored and improved. The impacts of Mareeba Shire's water quality, wetland and riparian health on the Great Barrier Reef and the Gulf of Carpentaria are recognised through integrating sustainable catchment management practices into land use planning. Riparian areas and areas surrounding ecologically significant wetlands will be enhanced as part of new development.

Comment: Proposed development can be designed to ensure appropriate water quality outcomes.

- (4) The shire secures a safe, reliable and adequate water supply, which is efficiently used and appropriately managed to ensure social, economic and environmental sustainability. Important strategic sources of water, including the Barron Basin, contingent water supplies and underground aquifers are recognised for their role in supporting the shire's community, primary industries and economic base. Their social, economic and environmental function is not compromised by land uses and development.

Comment: Proposed development does not compromise this outcome.



- (5) The air and acoustic environment of Mareeba Shire is managed to ensure its maintenance or improvement. Development maintains or enhances the health and well-being of the community and the natural environment.

Comment: Proposed development includes provisions to ensure appropriate air and acoustic outcomes.

- (6) Risks to health and safety caused by contaminated land are managed, including through the remediation of contaminated sites and the careful management of unexploded ordinances.

Comment: Not applicable.

Element: Conservation areas

Comment: Not applicable.

Element—Pest and weed management

- (1) Development within, adjoining or surrounding conservation areas, biodiversity areas, wetlands or watercourses avoids the incursion of weeds and pests through best practice management practices, sensitive design, landscaping and appropriate setback and buffer distances.

Comment: Site does not include or impact on any sensitive natural areas.

- (2) Wildlife predation from domestic animals in biodiversity areas is avoided by restricting cats and dogs, providing sufficient fencing or other appropriate mitigation measures.

Comment: Not applicable.

- (3) Plants used for landscaping and street trees are ideally native species, appropriate for the purpose and the local environment, and do not introduce invasive or exotic plants into the shire.

Comment: Proposal is capable of complying.

- (4) Operational works ensure appropriate management practices are adopted to minimise the spread of weed species.

Comment: Proposal is capable of complying.

Element—Biodiversity areas

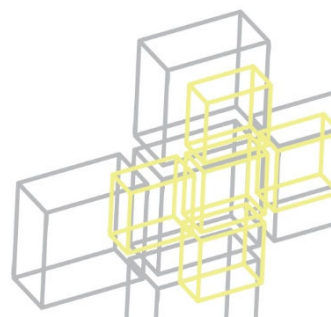
Comment: Not applicable.

Element—Strategic rehabilitation and ecological corridors

Comment: Not applicable.

Element—Watercourses and wetlands

Comment: Not applicable.





#### Element—Water resources

Comment: Not applicable.

#### Element—Air and noise quality

- (1) The health, well-being, amenity and safety of the community and the environment is protected from the impacts of air emissions, noise and odour through appropriate management and adequate separation distances.

Comment: Proposed development includes provisions to ensure appropriate air and acoustic outcomes.

- (2) Mareeba's major industry area accommodates uses with the potential to impact on air and acoustic qualities.

Comment: Not applicable.

- (3) Land uses which emit high level of noise, including for example motor sports, gun clubs and the like will be appropriately located and managed to mitigate acoustic impacts.

Comment: Not applicable.

- (4) Sensitive land uses are appropriately separated from areas containing or designated for activities that generate noise and air emissions.

Comment: Proposed development includes provisions to ensure appropriate air and acoustic outcomes.

#### Element—Contaminated land

Comment: Not applicable.

### ***5.5.1.3 Community identity and diversity***

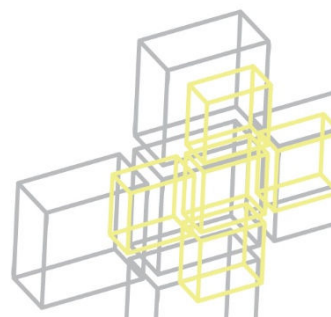
#### Strategic outcomes

- (1) Mareeba Shire is characterised by a diverse cultural, scenic and natural character and identity. Valued streetscapes, town centres, built and natural features and precincts of character housing will be preserved and enhanced through sympathetic new development and redevelopment of existing buildings.

Comment: Not applicable.

- (2) Heritage places and areas of historical significance are conserved and enhanced through sensitive re-use. Indigenous cultural heritage within the landscape is protected, or developed in consultation with Traditional Owners.

Comment: Not applicable.



- (3) The outstanding landscape qualities and scenic routes of Mareeba Shire are conserved and protected from development that diminishes their visual and aesthetic values. The rural character, evidence of geomorphologic history and natural features within the regional landscape are preserved through sensitive development which complements iconic views, rainforest, hill slopes, bushland and rural vistas.

Comment: Not applicable.

- (4) Development integrates a range of well linked and accessible open space and recreational areas within residential areas and centre areas and their surrounds. Open space and recreation areas are retained for community use, protected from incompatible development and incorporate important biodiversity areas and buffers to wetlands and watercourses. Open space supports a range of recreational activities which are consistent with community demand and encourage healthy and active lifestyles, including sporting and leisure facilities and trail networks.

Comment: Not applicable.

- (5) A range of community facilities, that meet the needs of the Mareeba Shire community, is provided, maintained and enhanced. Facilities that cater for cultural events, community activities, sports and recreation are sensitively developed and integrated into the surrounding area. The range and location of community facilities caters for a wide cross section of interests and users in dispersed locations.

Comment: Not applicable.

- (6) Easily accessible health care services and facilities are provided that meet community needs. Public health and safety is fostered in the design of the built environment in Mareeba Shire, including by promoting surveillance, activity and recreation.

Comment: Proposal includes opportunities for health care services in a convenient, accessible location.

#### Element—Local character

Comment: Not applicable.

#### Element—Cultural heritage

Comment: Not applicable.

#### Element—Scenic amenity

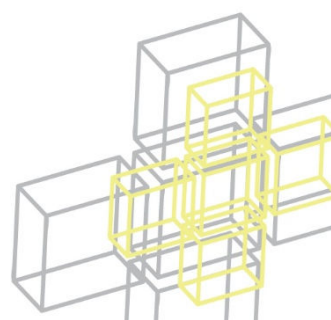
Comment: Not applicable.

#### Element—Open space and recreation

Comment: Not applicable.

#### Element—Community facilities

Comment: Not applicable.



### Element—Health

- (1) The establishment of new medical services and facilities, particularly in small communities with limited access to healthcare, is facilitated.

Comment: Proposal may include new medical facilities.

- (2) Access to existing health facilities and regional hospitals is enhanced by consolidation and improvements within their immediate vicinity, such as:
  - (a) enhanced pedestrian orientation and infrastructure;
  - (b) universal housing to support ageing and impaired residents who may require regular medical treatment;
  - (c) the integration of universal design principles into the built environment, ensuring access to both the able bodied and the physically disabled.

Comment: Not applicable.

- (3) Areas within walking distance of key regional hospitals and health care services provide infill development opportunity for people who depend on access to these facilities.

Comment: Not applicable.

### Element – Safe and healthy communities

- (1) An active and healthy community is supported through encouraging compact residential areas and centre areas, with a high degree of accessibility and permeability that promotes an increase in active transport.

Comment: Proposal promotes walkable neighbourhoods by placing services in close proximity to the residents to be served.

- (2) New development integrates access to existing areas and facilities for sports and recreation. New sports and recreational facilities are accessible to a large number of users by mixed transit modes.

Comment: Not applicable.

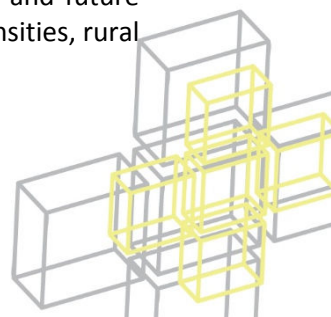
- (3) New development integrates the principles of Crime Prevention Through Environmental Design (CPTED) to limit opportunities for crime and vandalism.

Comment: Proposal is capable of complying.

### ***5.5.1.4 Transport and infrastructure***

#### Strategic outcomes

- (1) Local collector road and state controlled road networks support the identified hierarchy of activity centres and the rural economy of Mareeba Shire. The location, density and scale of development supports the efficient and convenient movement of goods, services and people. Roads are progressively upgraded (including construction of future state roads and future local connections) and maintained to a high standard to support higher urban densities, rural production, tourism, commerce, industry and major trip generators.



Comment: Proposal is appropriately located with respect to higher-order roads and can be designed to ensure the continued efficient functioning of the road network.

- (2) The rail network is recognised as important strategic infrastructure resulting from significant past investment. Use of the rail network for tourist, passenger and freight movements throughout the shire is protected and enhanced.

Comment: Not applicable.

- (3) Designated freight routes are appropriately managed and upgraded. Designated freight routes, active elements of the rail network and planned and designated future state roads are not prejudiced by inappropriate land uses to ensure the efficient transportation of essential goods and services, now and in the future.

Comment: Proposal can be designed to ensure the continued efficient functioning of the road network.

- (4) Street layout and design, including in new development, supports mixed transit modes, including buses, pedestrians, cyclists and mobility devices, particularly in activity centres. Centre areas and destinations are safely and conveniently accessible to cyclists and pedestrians through the provision of a permeable and highly connected active transport network, including principal cycle routes, and the provision of end of trip facilities.

Comment: Proposal can be designed to appropriately integrate relevant transport modes.

- (5) The Mareeba Airport provides a strategic, regional hub for air traffic, aviation services and industries in the shire. The expansion of Mareeba Airport is facilitated as an airport enterprise area that encourages aviation compatible business, industry and commercial enterprises to co-locate to create an aviation dependant activity cluster where the activity centre hierarchy is maintained and where the operational efficiency and safety of the Mareeba Airport is ensured through the appropriate design and location of development.

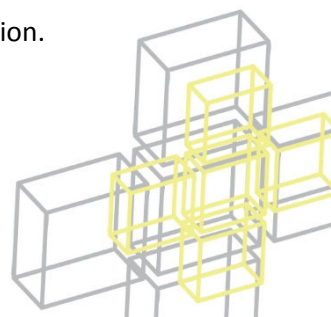
Comment: Not applicable.

- (6) New development is appropriately sequenced and coordinated with existing and future water, wastewater, stormwater and transport infrastructure, to ensure the operations of existing infrastructure are not compromised and community needs continue to be met. New infrastructure is provided to development in accordance with Council's desired standards of service and supports a consolidated urban form to maximise return on investment. The ongoing operation of key infrastructure elements is not prejudiced by inappropriate development.

Comment: Proposal will include appropriate upgrades to the relevant infrastructure networks.

- (7) The shire is provided with sustainable and adequate waste disposal facilities that have minimal adverse impact on the environment. Transfer stations and waste disposal facilities are separated and not compromised by incompatible development or sensitive land uses. Urban development provides appropriately located and adequate space for waste storage and collection.

Comment: Proposal can be designed to provide for appropriate waste storage and collection.



- (8) The generation and consumption of energy is sustainable and efficient. Over reliance on distant coal-fired power stations for electricity supply is minimised through the establishment of renewable energy generation facilities and localised and domestic- scale energy generation, where the integrity and function of local electricity networks is not compromised. Power stations, high-voltage transmission lines and sub stations, including electricity infrastructure and energy generation facilities, are protected from incompatible development.

Comment: Not applicable.

- (9) Mareeba Shire is supported by affordable and reliable high-speed telecommunications that are delivered through facilities that minimise visual impact.

Comment: Not applicable.

- (10) Out of sequence development and development in excess of planning assumptions provides contributions or upgrades to road, pedestrian and cycle, water and sewerage, and stormwater networks that are commensurate with the anticipated impacts generated by the development.

Comment: Proposal will include appropriate upgrades to the relevant infrastructure networks.

#### Element—Road network

- (1) The shire's road network is upgraded and extended to provide for the safe, efficient movement of vehicles and to cater for new development.

Comment: Not applicable.

- (2) The design and layout of new roads compliments the function and hierarchy of the existing road network and results in high levels of connectivity, accessibility and legibility to motorists and residents.

Comment: Not applicable.

- (3) Planned future state roads and future local connections are integrated into new development and protected from development that would compromise their construction and future operation.

Comment: Proposal will be designed to comply with future road planning requirements.

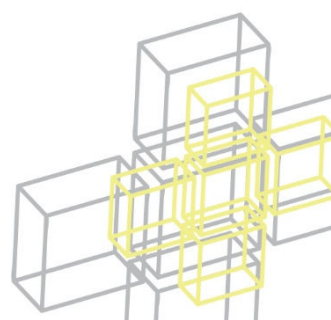
- (4) Development provides off-street parking, loading and manoeuvring areas where possible and practicable.

Comment: Proposal is capable of complying.

- (5) Development of new roads and upgrades to existing roads are designed and constructed in accordance with the FNQROC Regional Development Manual as amended.

Comment: Proposal is capable of complying.

#### Element—Rail network



Comment: Not applicable.

#### Element - Freight

Comment: Not applicable.

#### Element—Public and active transport

- (1) New urban development is designed to support increased public transport patronage and promote active transport.

Comment: Proposal will support activate transport by placing services within a walkable distance of residential areas.

- (2) Mareeba Shire’s activity centres are well serviced with walking and cycling infrastructure, including:

- (a) footpaths;
- (b) shade trees;
- (c) seating along key routes and in major trip generation areas;
- (d) bike paths and lanes, including principal cycle routes;
- (e) end of trip facilities.

Comment: Proposal can be designed to include these elements.

- (3) Centre development provides for safe and convenient pedestrian mobility and access, and the provision for public transport and interchange facilities.

Comment: Proposal is capable of complying.

- (4) The operational requirements of bus routes are incorporated into new residential subdivisions where appropriate, creating efficient flow throughs for vehicular traffic and facilitating future expansion of public transport.

Comment: Not applicable.

#### Element—Air transport

Comment: Not applicable.

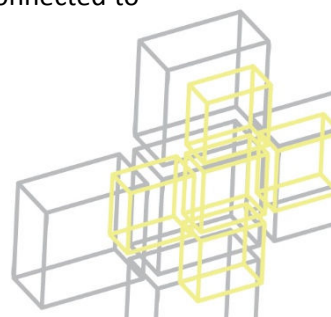
#### Element—Water supply and wastewater services

- (1) Development is provided with adequate water and wastewater infrastructure in accordance with Council's Desired Standards of Service.

Comment: Proposal will include necessary infrastructure connections.

- (2) Water storage, sewerage disposal and reticulation infrastructure is utilised and extended economically and efficiently to new development.

Comment: Proposal is located in an existing urban area so will be able to be efficiently connected to infrastructure.



- (3) Development in rural areas will demonstrate that it has access to adequate potable water and fire-fighting water supply on-site.

Comment: Not applicable.

- (4) In areas not serviced by reticulated sewerage, on-site effluent disposal systems ensure the environment or amenity is not adversely impacted.

Comment: Not applicable.

- (5) The ongoing operation of sewerage treatment plants and associated infrastructure is protected from incompatible and odour sensitive development.

Comment: Not applicable.

- (6) Upgrades and extensions to water and wastewater infrastructure are designed and constructed in accordance with the FNQROC Regional Development Manual as amended.

Comment: Proposal is capable of complying.

#### Element—Stormwater management

- (1) Water Sensitive Urban Design principles and adequate infrastructure are integrated into new development, ensuring:
- (a) water quality objectives are met;
  - (b) a no worsening effect on surrounding land and the environment is achieved;
  - (c) flooding and ponding of water is avoided

Comment: Proposal is capable of complying.

- (2) Stormwater is managed and measures are implemented to ensure erosion is prevented or minimised and contaminants are not released into surrounding environs.

Comment: Proposal is capable of complying.

#### Element—Waste management

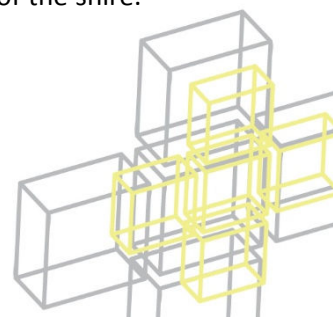
- (1) Waste facilities have adequate capacity to service the community and industry and provide a sustainable method of waste disposal.

Comment: Not applicable.

- (2) Waste facilities are designed and operated to minimise adverse impacts on the community and the environment and are protected from encroachment of inappropriate and odour sensitive development.

Comment: Not applicable

- (3) Significant waste management facilities, including Mareeba landfill and Springmount waste facility, provide for the long term solid waste disposal needs of the eastern part of the shire. Their ongoing operations are protected from incompatible development.



Comment: Not applicable.

- (4) On-site waste disposal and recycling areas are provided by development to meet operational requirements of storage, screening and collection.

Comment: Proposal is capable of complying.

#### Element—Energy supply

- (1) Adequate, sustainable, reliable and secure electricity supply infrastructure is provided to the shire, including new development.

Comment: Proposal is able to be efficiently connected to electricity supply.

- (2) High voltage major electrical infrastructure and energy generation facilities are protected from conflicting development.

Comment: Not applicable.

- (3) The shire's net carbon emissions are reduced by establishment of renewable energy generation facilities, maintaining compact urban areas and encouraging development that embraces energy efficient design features.

Comment: Not applicable.

- (4) Renewable energy facilities are connected to an existing, nearby, high voltage electricity network (with adequate capacity) without significant environment, social or amenity impact.

Comment: Not applicable.

#### Element—Information and communication technology

- (1) Households, businesses and industry within urban and rural communities are serviced with high-speed fibre-optic, high-speed wireless or satellite broadband internet connections across the shire.

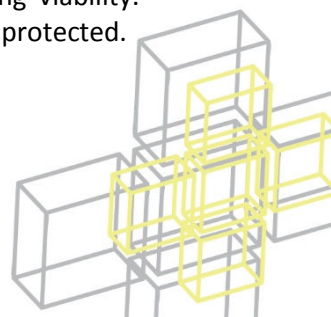
Comment: Proposal is able to be efficiently connected to telecommunications infrastructure.

- (2) Telecommunications facilities, particularly mobile phone towers, are located to ensure visual amenity is not compromised, with these facilities co-located wherever possible.

Comment: Not applicable.

#### **5.5.1.4 Economic development**

- (1) The rural economy that underpins the settlement pattern of Mareeba Shire prospers and diversifies, with traditional and emerging primary industries continuing to provide the economic base of the shire. Increasing opportunities for value-adding and processing primary product are realised on-farm and within surrounding towns. Agricultural areas and rural industries are protected from development which may compromise its ongoing viability. Infrastructure which supports agriculture and primary industry is maintained and protected.





Comment: Not applicable.

- (2) The rural area includes a range of uses which compliment dominant primary industry activities and enhance the shire's economy. Activities including rural industries, intensive agricultural uses, intensive animal industries and expanded forestry and permanent plantations are supported in appropriate locations where impacts on the environment and surrounding land uses are limited and manageable.

Comment: Not applicable.

- (3) Mareeba Shire is increasingly provided with retail and business opportunities and improved government services to enhance self-sufficiency. These opportunities and services are consolidated through the clustering and co-location of commercial uses in activity centres and are particularly focussed within Mareeba. Kuranda, as a village activity centre, maintains its level of self-reliance through servicing its local catchment with a range of services and employment opportunities.

Comment: Proposal provides opportunities for increased retail and business activity within the shire's main activity centre of Mareeba.

- (4) The natural environment, rural and scenic landscapes of Mareeba Shire provide a basis for the development of sustainable tourism enterprises. Mareeba Shire's geographic proximity to Cairns International Airport provides opportunities for increasing visitation and exposure to the shire. Large scale tourist accommodation facilities are developed in key sites across the shire and meet the needs of a range of users. The character and appeal of key activity centres, landscape features and scenic routes which attract tourists to Mareeba Shire will be maintained and enhanced. The western dry land savannah of the shire accommodates further nature and rural based tourism development.

Comment: Not applicable.

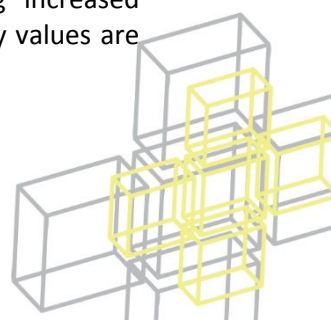
- (5) Industry areas provide for a range of industrial development, expansion, supporting infrastructure and employment opportunities consistent with their intended function in the shire. Industry areas are protected from incompatible development and sensitive land uses. The Mareeba Airport expands and caters for a hub of specialist aviation services.

Comment: Not applicable.

- (6) Catalysts for economic diversification and cultural activity such as educational establishments, emerging technology, research and development activities and the arts are encouraged in the shire, preferably near or within Mareeba or the Kuranda district. Creative industries flourish in Mareeba Shire, providing strong cultural legacies and sustained employment opportunities. The shire's unique wet tropical ecosystems and dry tropical savannahs provide further opportunities to develop regional tropical expertise and attract more environmental education and scientific research activities to the shire.

Comment: Not applicable.

- (7) The geological diversity and rare mineral occurrence of Mareeba Shire provide the basis for the establishment of mixed mining activities of varying scales, supporting increased employment and wealth within the shire, while ensuring ecological and amenity values are



not negatively impacted. Support services and infrastructure to existing and future mineral exploration, including workers accommodation, are encouraged in appropriate locations.

Comment: Not applicable.

- (8) Key resource areas (of local, regional and state significance) and associated haul routes are buffered from incompatible development. New resource operations establish in rural areas where impacts on surrounding land are manageable and environmental values can be protected.

Comment: Not applicable.

- (9) Flexibility and responsiveness allow for economic diversity and innovation, leading to a greater variety of employment opportunities that meet the changing needs of the community and economy. Small scale and emerging industries are supported in appropriate locations across the shire.

Comment: Not applicable.

- (10) Mareeba Shire positions itself as a major sustainable energy region of Australia, providing a significant portion of the shire's electricity supply through various renewable sources. Sustainable energy generation also contributes to the economy of the shire and provides an increasing source of employment. Energy generation facilities, including the Barron Gorge Hydroelectric Power Station, and any newly established power generation facilities are protected from incompatible development.

Comment: Not applicable.

- (11) Major employment generators within Mareeba Shire continue to support the economy and are protected from development which may prejudice their ongoing operation. New and expanded employment generators are promoted in appropriate locations across the shire, including within activity centres and rural areas.

Comment: Not applicable.

#### Element—Rural and Agricultural land

Comment: Not applicable.

#### Element—Rural enterprise

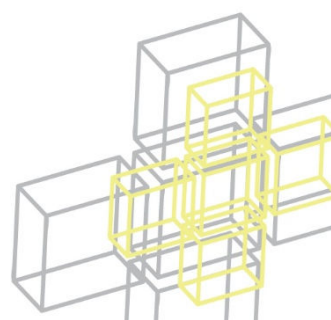
Comment: Not applicable.

#### Element—Intensive animal industries

Comment: Not applicable.

#### Element—Forestry and permanent plantations

Comment: Not applicable.



## Element—Retail and commercial development

(1) Commercial development will be facilitated by:

- (a) consolidation and co-location of centre activities in existing centre areas;
- (b) identification of space adjacent to centre areas to cater for the expansion of commercial activities;
- (c) infrastructure provision in areas identified as able to cater for new commercial development;
- (d) maintenance of a high standard of infrastructure, services and amenity in existing commercial areas to support further business investment and expansion.

Comment: Proposal seeks to establish a new, small-scale commercial development in an area which is appropriately-located with respect to higher-order roads and the surrounding residential catchment.

(2) Out-of-centre retail development is avoided and should only occur if there is a clearly demonstrated over-riding community need and evidence demonstrating that the development would not adversely impact existing centre areas.

Comment: Proposal includes an economic assessment to demonstrate 'need' and given the small scale of development and limitations on uses, existing centre areas will not be inappropriately impacted.

(3) Centre areas provide a vibrant, busy setting for community activity, social interaction and local trade and exchange. Each centre area retains its relaxed rural atmosphere and unique character, and provides for a high level of pedestrian activity.

Comment: Proposal is for a single, small-scale commercial development and is not considered to be a 'centre'.

(4) The following features are integrated or provided by new commercial development:

- (a) attractive streetscapes with shade trees and awnings;
- (b) active shop fronts;
- (c) pedestrian and cyclist comfort and convenience;
- (d) universal design principles;
- (e) spaces for community activity and social interaction;
- (f) CPTED initiatives.

Comment: Proposal is capable of complying. Codes which apply to future development will ensure compliance.

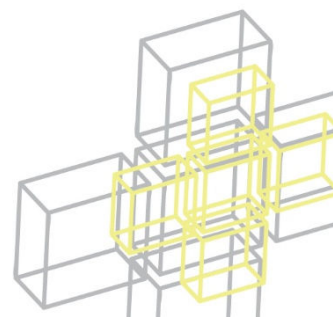
(5) Rural activity centres and rural villages may accommodate commercial development that supports their local community within residential areas in circumstances where no available land for centre purposes is designated. The use must demonstrate that any impacts on surrounding residences will not result in nuisance and will maintain rural amenity.

Comment: Not applicable.

## Element—Tourism

Comment: Not applicable.

## Element—Industry



Comment: Not applicable.

Element— Education, research, culture and the arts

Comment: Not applicable.

Element—Mining

Comment: Not applicable.

Element—Extractive resources

Comment: Not applicable.

Element—Small scale and emerging industries

Comment: Not applicable.

Element—Energy generation

Comment: Not applicable.

Element—Major employment generators

Comment: Not applicable.

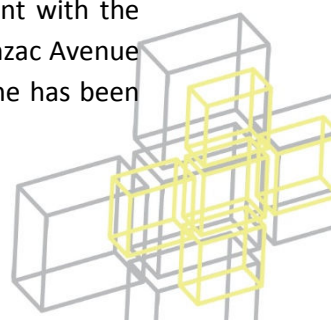
## **5.5.2 Code Assessment**

The proposal seeks to override the Planning Scheme by establishing a new zone, known as the Anzac Avenue Commercial Zone, over the subject site. A copy of this zone code is included as **Annexure 6**.

In addition to the existing code-assessable uses over the site under the Residential Zone, the Anzac Avenue Commercial Zone seeks to change the following land uses from impact-assessable to code-assessable via a new Table of Assessment:

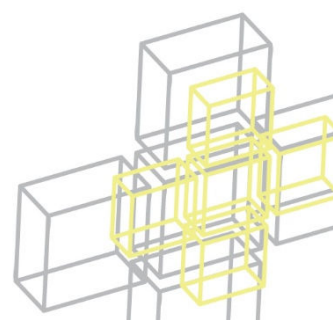
- Food and drink outlet
- Health care services
- Market
- Office
- Outdoor sales
- Service industry
- Shop
- Showroom

The proposed Anzac Avenue Commercial Zone Code is intended to operate supplementary to the relevant provisions of the Mareeba Shire Planning Scheme. Therefore all relevant provisions under the Scheme still apply to future development of the site, other than where inconsistent with the provisions of the Anzac Avenue Commercial Zone, in which case the provisions of the Anzac Avenue Commercial Zone prevail. For this reason, the proposed Anzac Avenue Commercial Zone has been



kept limited in scope so as not to simply duplicate the provisions of other relevant Planning Scheme codes.

In terms of the specific code provisions which have been included in the proposed Anzac Avenue Commercial Zone, these generally relate to building height, setbacks and boundary landscaping treatments. A building height limit of 8m / 2 storeys has been imposed, while setbacks of 3m to the side/rear boundary and 4m to road frontages applies. We note that the 4m road frontage setback has been selected as opposed to a typical 6m setback given the significant amount of road reserve which exists around the site which acts to effectively set development well back from the road network. Finally, a 2m landscaped strip has been imposed to all road frontages and to adjoining Lot 197 on NR3143, while a solid 1.8m fence also applies to the full side / rear boundary. These treatments are considered to ensure an attractive streetscape and mitigation of impacts on adjoining properties.



## 6. Conclusion

This Planning Report has been prepared by Planning Plus on behalf of Armbridge Pty Ltd (the 'applicant') in support of an application to Mareeba Shire Council seeking a Preliminary Approval including a Variation Request under Section 43 and 50(3) of the Planning Act 2016 to vary the effect of the Mareeba Shire Planning Scheme for Use Rights associated with the 'Anzac Avenue Commercial Zone' over land at 47 Anzac Avenue, Mareeba, described as Lot 53 on SP204554.

The development proposed is 'assessable development' as defined under Section 44 of the *Planning Act 2016* and thus requires assessment against local Planning Scheme provisions and relevant State legislation. This report provides an overview of the development proposed and addresses the various planning considerations relevant to Council and State Agencies' assessment of the proposal.

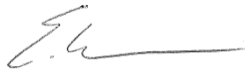
In summary, the report concludes that:

- The submitted information conforms to the requirements for making an 'impact-assessable' development application under the *Planning Act 2016*; and
- Adequate justification exists to override the Mareeba Shire Planning Scheme and depart from the current Residential zoning.

In light of the above, we present the application for Council's favourable consideration.

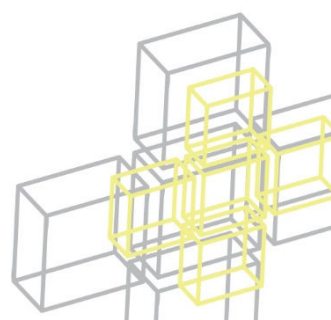
We trust the information provided herein is sufficient for Council's purpose, however should you require any further information, please do not hesitate to contact the undersigned.

Yours faithfully

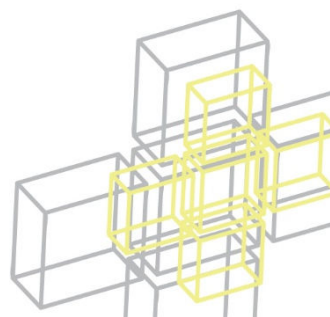


**Evan Yelavich**  
**Senior Planner**  
**Planning Plus Pty Ltd**

Encl.	Annexure 1:	DA Forms
	Annexure 2:	Title Searches
	Annexure 3:	QLD Globe Aerial Overlay
	Annexure 4:	SmartMap
	Annexure 5:	Needs Analysis – Cummings Economics
	Annexure 6:	Anzac Avenue Commercial Zone Assessment Tables & Code



# Annexure 1: DA Forms



# DA Form 1 – Development application details

Approved form (version 1.3 effective 28 September 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)	Armbridge Pty Ltd C/- Planning Plus
Contact name (only applicable for companies)	Evan Yelavich
Postal address (P.O. Box or street address)	PO Box 399
Suburb	Redlynch
State	QLD
Postcode	4870
Country	
Contact number	(07) 40393409
Email address (non-mandatory)	<a href="mailto:Evan@planningplusqld.com.au">Evan@planningplusqld.com.au</a>
Mobile number (non-mandatory)	
Fax number (non-mandatory)	
Applicant's reference number(s) (if applicable)	

2) Owner's consent	
2.1) Is written consent of the owner required for this development application?	
<input type="checkbox"/> Yes – the written consent of the owner(s) is attached to this development application	
<input checked="" 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
		47	Anzac Avenue	Mareeba
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)
	4880	53	SP204554	Mareeba Shire
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.

- ☐ 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

<input type="checkbox"/> In or adjacent to a water body or watercourse or in or above an aquifer	
Name of water body, watercourse or aquifer:	
<input type="checkbox"/> On strategic port land under the <i>Transport Infrastructure Act 1994</i>	
Lot on plan description of strategic port land:	
Name of port authority for the lot:	
<input type="checkbox"/> In a tidal area	
Name of local government for the tidal area (if applicable):	
Name of port authority for tidal area (if applicable):	
<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="text"/>
<input type="checkbox"/> Listed on the Contaminated Land Register (CLR) under the <i>Environmental Protection Act 1994</i>
CLR site identification: <input type="text"/>

**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):*

Use rights in accordance with the Anzac Avenue Commercial Zone.

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 DA Form 2 – Building work details

### 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 <sup>2</sup> ) (if applicable)
	<ul style="list-style-type: none"> <li>Food and drink outlet</li> <li>Health care services</li> <li>Office</li> <li>Outdoor sales</li> <li>Service industry</li> <li>Shop</li> <li>Showroom</li> </ul>		
8.2) Does the proposed use involve the use of existing buildings on the premises?			
<input type="checkbox"/> Yes			
<input checked="" type="checkbox"/> No			

### Division 2 – Reconfiguring a lot

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

9.1) What is the total number of existing lots making up the premises?				
9.2) What is the nature of the lot reconfiguration? (tick all applicable boxes)				
<input type="checkbox"/> Subdivision (complete 10))	<input type="checkbox"/> Dividing land into parts by agreement (complete 11))			
<input type="checkbox"/> Boundary realignment (complete 12))	<input type="checkbox"/> Creating or changing an easement giving access to a lot from a 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?				
<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 <sup>2</sup> )	Lot on plan description	Area (m <sup>2</sup> )

**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)**

☐ Yes – specify number of new lots: \_\_\_\_\_

☐ No

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

\$ \_\_\_\_\_

**PART 4 – ASSESSMENT MANAGER DETAILS**

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

Mareeba Shire Council

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

☐ Yes – a copy of the decision notice is attached to this development application

- ☐ The local government is taken to have agreed to the superseded planning scheme request – relevant documents attached
- ☒ 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*)

<input type="checkbox"/> Wetland protection area
Matters requiring referral to the <b>local government</b> :
<input type="checkbox"/> Airport land <input type="checkbox"/> Environmentally relevant activities (ERA) <i>(only if the ERA has been devolved to local government)</i> <input type="checkbox"/> Heritage places – Local heritage places
Matters requiring referral to the <b>Chief Executive of the distribution entity or transmission entity</b> :
<input type="checkbox"/> Infrastructure-related referrals – Electricity infrastructure
Matters requiring referral to:
<ul style="list-style-type: none"> <li>The <b>Chief Executive of the holder of the licence</b>, if not an individual</li> <li>The <b>holder of the licence</b>, if the holder of the licence is an individual</li> </ul> <input type="checkbox"/> Infrastructure-related referrals – Oil and gas infrastructure
Matters requiring referral to the <b>Brisbane City Council</b> :
<input type="checkbox"/> Ports – Brisbane core port land
Matters requiring referral to the <b>Minister responsible for administering the Transport Infrastructure Act 1994</b> :
<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 <b>relevant port operator</b> , 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 <b>Chief Executive of the relevant port authority</b> :
<input type="checkbox"/> Ports – Land within limits of another port <i>(below high-water mark)</i>
Matters requiring referral to the <b>Gold Coast Waterways Authority</b> :
<input type="checkbox"/> Tidal works or work in a coastal management district <i>(in Gold Coast waters)</i>
Matters requiring referral to the <b>Queensland Fire and Emergency Service</b> :
<input type="checkbox"/> Tidal works or work in a coastal management district <i>(involving a marina (more than six vessel berths))</i>

<b>18) Has any referral agency provided a referral response for this development application?</b>		
<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

<b>19) Information request under Part 3 of the DA Rules</b>
<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
<b>Note:</b> By not agreeing to accept an information request I, the applicant, acknowledge:
<ul style="list-style-type: none"> <li>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</li> <li>Part 3 of the DA Rules will still apply if the application is an application listed under section 11.3 of the DA Rules.</li> </ul>
Further advice about information requests is contained in the <a href="#">DA Forms Guide</a> .

## 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](http://www.qld.gov.au). An ERA requires an environmental authority to operate. See [www.business.qld.gov.au](http://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](http://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](http://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](http://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](http://www.dnrme.qld.gov.au) for further information.

DA templates are available from <https://planning.dsdmp.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.dsdmp.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](http://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](http://www.dnrme.qld.gov.au) and [www.business.qld.gov.au](http://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](http://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](http://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](http://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](http://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

### Walkable neighbourhoods assessment benchmarks under Schedule 12A of the Planning Regulation

23.16) Does this development application involve reconfiguring a lot into 2 or more lots in certain residential zones (except rural residential zones), where at least one road is created or extended?

☐ Yes – Schedule 12A is applicable to the development application and the assessment benchmarks contained in schedule 12A have been considered

☒ No

**Note:** See guidance materials at [www.planning.dsdmip.qld.gov.au](http://www.planning.dsdmip.qld.gov.au) for further information.

## PART 8 – CHECKLIST AND APPLICANT DECLARATION

### 24) Development application checklist

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

☒ Yes

**Note:** See the Planning Regulation 2017 for referral requirements

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

☐ Yes

☒ Not applicable

Supporting information addressing any applicable assessment benchmarks is with the development application

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

☒ Yes

Relevant plans of the development are attached to this development application

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

☐ Yes

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

☐ Yes

☒ Not applicable

### 25) Applicant declaration

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

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

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

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

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

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

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

## PART 9 – FOR COMPLETION OF THE ASSESSMENT MANAGER – FOR OFFICE USE ONLY

---

Date received:  Reference number(s):

### Notification of engagement of alternative assessment manager

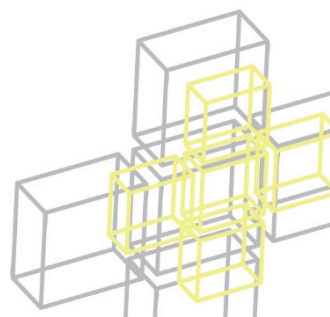
Prescribed assessment manager	
Name of chosen assessment manager	
Date chosen assessment manager engaged	
Contact number of chosen assessment manager	
Relevant licence number(s) of chosen assessment manager	

### 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	

## Annexure 2: Title Searches



# CURRENT TITLE SEARCH

NATURAL RESOURCES, MINES AND ENERGY, QUEENSLAND

Request No: 35699732

Search Date: 03/12/2020 08:00

Title Reference: 50681820

Date Created: 11/09/2007

Previous Title: 21459137

## REGISTERED OWNER

Dealing No: 710941228 28/08/2007

ARMBRIDGE PTY LTD TRUSTEE  
UNDER INSTRUMENT T475384H

## ESTATE AND LAND

Estate in Fee Simple

LOT 53 SURVEY PLAN 204554  
Local Government: MAREEBA

## EASEMENTS, ENCUMBRANCES AND INTERESTS

1. Rights and interests reserved to the Crown by  
Deed of Grant No. 20152037 (POR 53)

ADMINISTRATIVE ADVICES - NIL

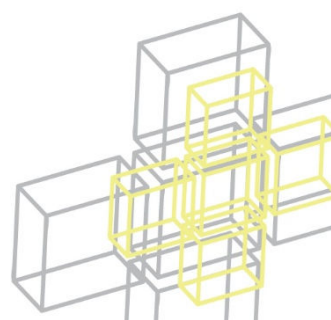
UNREGISTERED DEALINGS - NIL

Corrections have occurred - Refer to Historical Search

\*\* End of Current Title Search \*\*

COPYRIGHT THE STATE OF QUEENSLAND (NATURAL RESOURCES, MINES AND ENERGY) [2020]  
Requested By: D-ENQ PROPERTY & TITLE SEARCH

## Annexure 3: QLD Globe Aerial Overlay



17°0'12"S 145°26'24"E

17°0'12"S 145°26'31"E

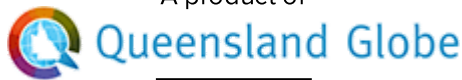


17°0'19"S 145°26'24"E

17°0'19"S 145°26'31"E

A product of

Legend located on next page



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Scale: 1:1000

Printed at: A4

Print date: 3/12/2020

**Datum:** Geocentric Datum of Australia 1994  
**Projection:** Web Mercator EPSG 102100

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**Queensland  
Government**

Department of Natural Resources, Mines and Energy

Natural parcel boundary



Road parcel



Land parcel



Easement parcel



Strata parcel



Volumetric parcel



Land parcel label

Railway



Road Crossing



Road

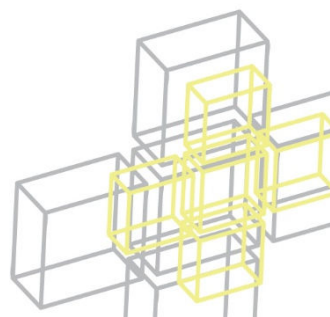


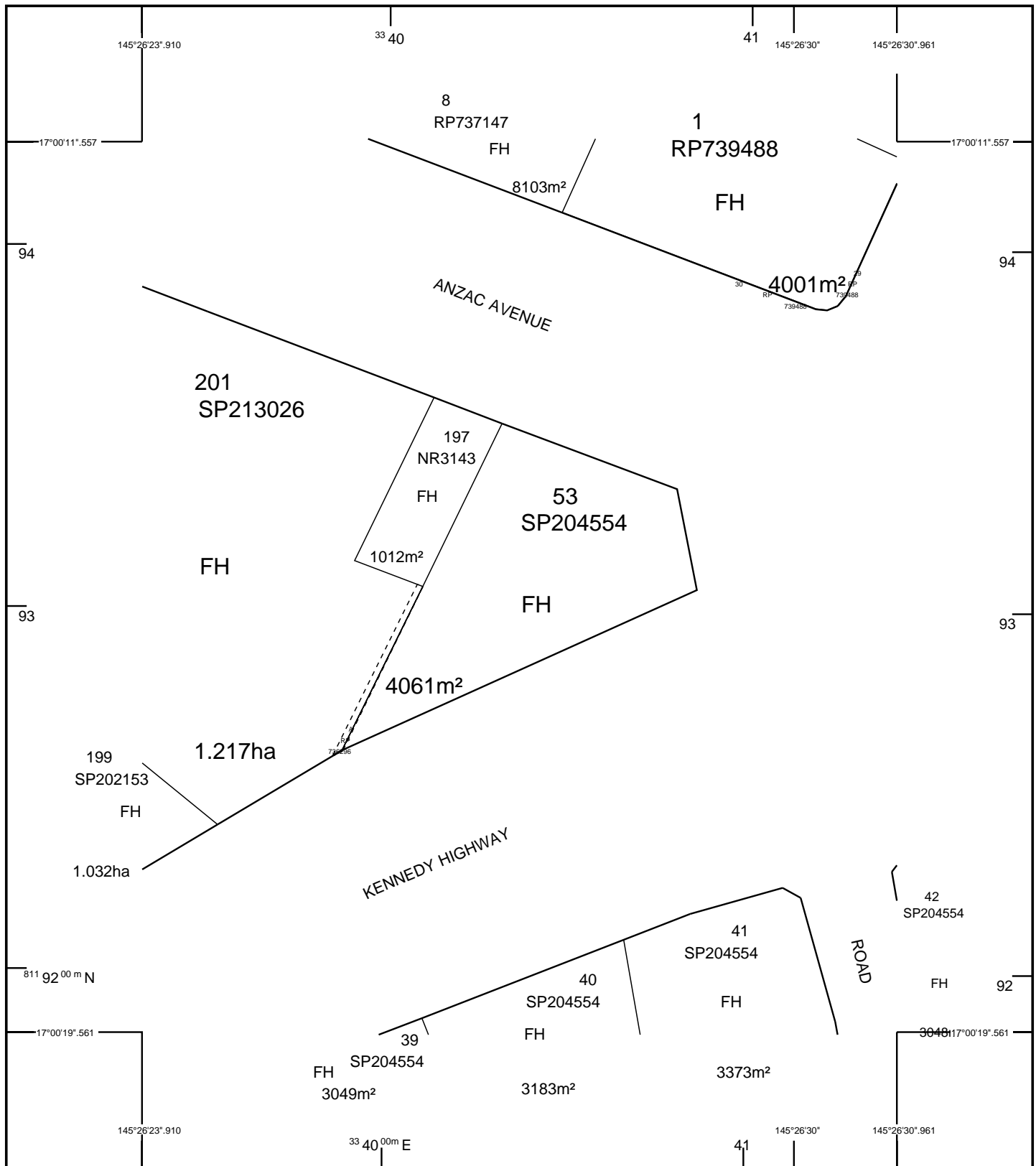
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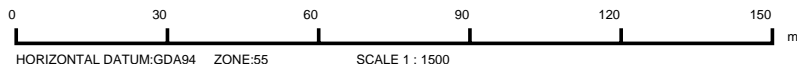


## Annexure 4: SmartMap

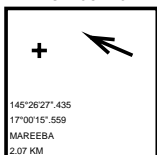




STANDARD MAP NUMBER  
7963-11144



MAP WINDOW POSITION &  
NEAREST LOCATION



#### SUBJECT PARCEL DESCRIPTION

DCDB	
Lot/Plan	53/SP204554
Area/Volume	4061m <sup>2</sup>
Tenure	FREEHOLD
Local Government	MAREEBA SHIRE
Locality	MAREEBA
Segment/Parcel	21250/12

#### CLIENT SERVICE STANDARDS

PRINTED (dd/mm/yyyy) 03/12/2020

DCDB 02/12/2020

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**SmartMap**

An External Product of  
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Based upon an extraction from the  
Digital Cadastral Data Base

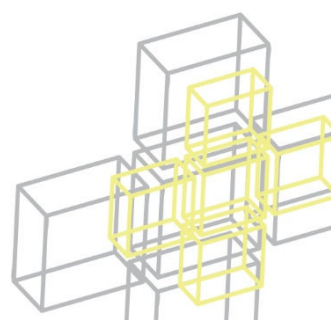


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(Department of  
Natural Resources,  
Mines and Energy) 2020.



# **Annexure 5: Needs Analysis – Cummings Economics**





# **Proposed Commercial Rezoning**

## **ANZAC AVENUE MAREEBA**

# **Need Analysis**

---

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**CUMMINGS ECONOMICS**  
**ABN: 99 734 489 175**

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**CE Ref J3334**  
**November 2020**

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## 1. INTRODUCTION

## 1.1 General

The following provides a Need Analysis in relation to the Rezoning Application from Residential to Commercial of the allotments located at the junction of Anzac Avenue Mareeba with the Kennedy Highway.

## 1.2 Subject Allotment Characteristics

Map 1 shows the general location. Map 2 shows the detailed location of the two allotments.

### Map 1 – Site General Location





Map 2 – Site Detailed Location



The allotment at the apex of the junction is vacant. The allotment next to it has a dwelling on it.

Next to it is the Mareeba Bowls Club complex including QT's Early Learning Centre.

It should be noted that the allotments in question are separated from other residential areas, are highly exposed to fast moving traffic along the Kennedy Highway, traffic noise and at night, car lights, giving the allotments inferior characteristics for residential purposes.

For commercial purposes however, the allotments have positive attributes of:

- High visibility
- Ease of access
- Compatibility with the neighbouring activity of the Bowls Club and Early Learning Centre.

## 2. BACKGROUND ON MAREEBA

Over the past decade, continuing growth of Mareeba has made it the largest Australian Bureau of Statistics (ABS) defined urban centre in the Tropical (Far) North Queensland region outside of the city of Cairns.

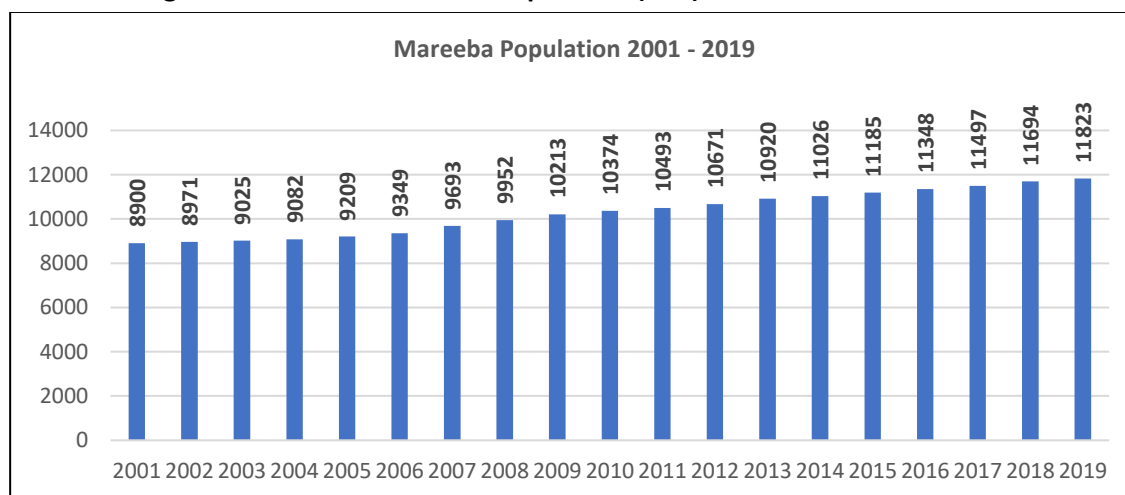
**Table 1: Population Mareeba Urban Centre (Usual Place of Residence), Census 2016**

Defined Urban Centre	Population UPR - 2016
Mareeba	7,741
Innisfail	7,236
Atherton	6,871

Source: Cummings Economics from ABS 2017 Census data.

Chart 1 illustrates the growth of the Mareeba Statistical Area Level 2.

**Chart 1: Long Term Growth Residential Population (ERP) Mareeba SA2**

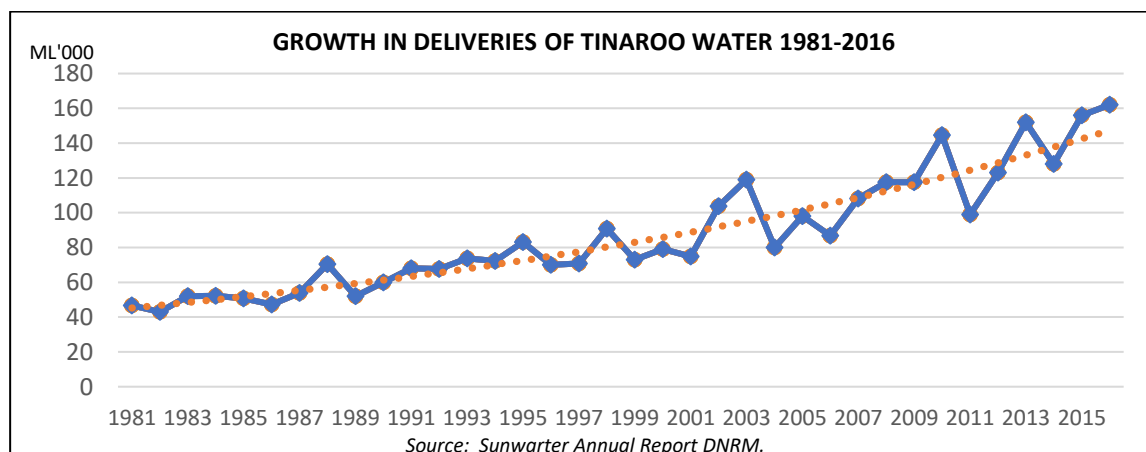


Source: Cummings Economics from ABS data.

This growth has been based on:

- Strong expansion of irrigated agricultural development in the region (see Chart 2 Take Up of Water from Lake Tinaroo)

**Chart 2: Growth in Deliveries of Tinaroo Water 1981 to 2016**



Source: Sunwarter Annual Report DNRM.



- Mareeba's location as an alternative to the restrained coastal land situation in Cairns for location of regional services (Lotus Glen Correctional Centre, Mareeba Airport (training and maintenance), and Mareeba Industrial Park).
- Mareeba's location as a service centre for growing population to the north in the Cooktown district, Lakeland and Peninsula, for the Southern Tablelands area and for the Gulf Savannah area.

There is every prospect that this growth will continue into the future.

### 3. COMMERCIAL ZONE CATCHMENT AREA

#### 3.1 General

The proposed commercial zone has two major catchments:

- 1) Its location in relation to the Kennedy Highway and access into Mareeba via Anzac Avenue;
- 2) The residential area east of the Barron River.

#### 3.2 Kennedy Highway

Queensland Main Roads traffic count data for a counter on the Kennedy Highway 100 metres east of the Anzac Avenue turnoff is as follows.

	<u>All Traffic</u> <u>AADT</u>	<u>(Light Traffic)</u> <u>(AADT)</u>
2015.....	7765 .....	(6822)
2019.....	7972 .....	(7151)

Thus, about 2.9 million vehicles a year pass the subject site and probably between five (5) and six (6) million persons a year in vehicles.

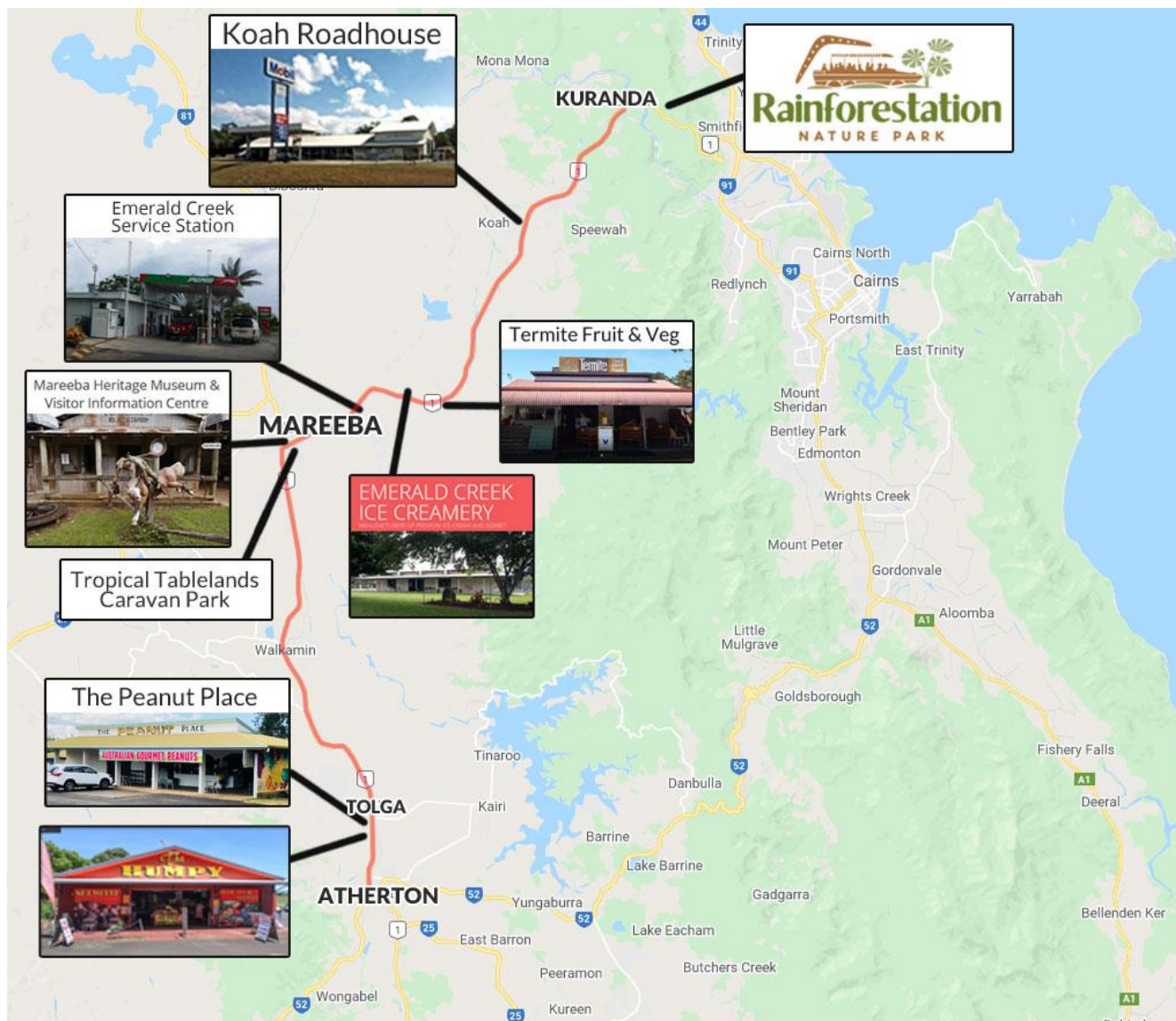
About 10% of the vehicles are heavy and 90% light. Growth in traffic over this period, 2015 to 2019, has been 2.6%, although growth in light traffic has been 4.8% over the four years.

Some of this traffic travel down Anzac Avenue to enter Mareeba via the John Doyle Bridge over the Barron River.

Although the proposed Hastie Road Medical and Business Centre will be able to meet some needs to service the population east of the Barron River, it is not well located to combine this with meeting a need to service traffic moving along the Kennedy Highway.

Currently, there is very limited commercial development to service traffic along the Kennedy Highway from the bottom of the Kuranda Range Road through to Tolga. There is a service station at Koah, a limited service station at Emerald Creek and roadside produce sales at Termite and just before Tolga. There is the Rainforestation tourism operation near Kuranda and Emerald Creek Ice-Creamery. Commercial developments along the Kennedy Highway in the immediate locality of Mareeba is restricted to the caravan park on the left and the Mareeba Heritage Centre on the right (Map 3 illustrates). The proposed small commercial area will add to these.

Map 3 – Commercial Development along the Kennedy Highway



### 3.3 Mareeba East of the Barron River

Mareeba, east of the Barron River, is covered by four ABS SA1 areas (see Map 4) with population given in the 2011 and 2016 Census as follows.

**Table 2: Population (Usual Place of Residence) Mareeba East of the Barron River, 2011 & 2016**

Area Code	2011	2016	% Growth
SA1 3117001 <sup>(1)</sup>	722	-	
SA1 3117025 <sup>(1)</sup>	-	499	
SA1 3117026 <sup>(1)</sup>	-	447	
<b>Sub total</b>	<b>722</b>	<b>946</b>	<b>+33%</b>
SA1 3117005	381	487	+28%
SA1 3117024	460	603	+31%
<b>Total</b>	<b>1563</b>	<b>2036</b>	<b>+30%</b>

Source: Cummings Economics from ABS 2011 & 2016 Census Data.

Note <sup>(1)</sup>: SA1 3117001 was split in 2016 into 3117025 & 3117026.

Growth is continuing in the area and on a repeat of past growth, population in the area is currently probably of the order of 2500.

This is a typical suburban population with incomes mainly above state averages (see Table 3 below), although the existence of the Savannah Lifestyle Resort in SAI-3117005 includes an older retiree population with lower annual income, but substantial wealth.

**Table 3: Median Annual Income, Mareeba East of the Barron River, Census 2016**

Area Code	3117005	3117024	3117025	3117026	(Qld)
Personal	\$527	\$643	\$7,381	\$726	(\$600)
Family	\$1,182	\$1,510	\$1,583	\$1,773	(\$1,661)
Household	\$986	\$1,516	\$1,375	\$1,769	(\$1,402)

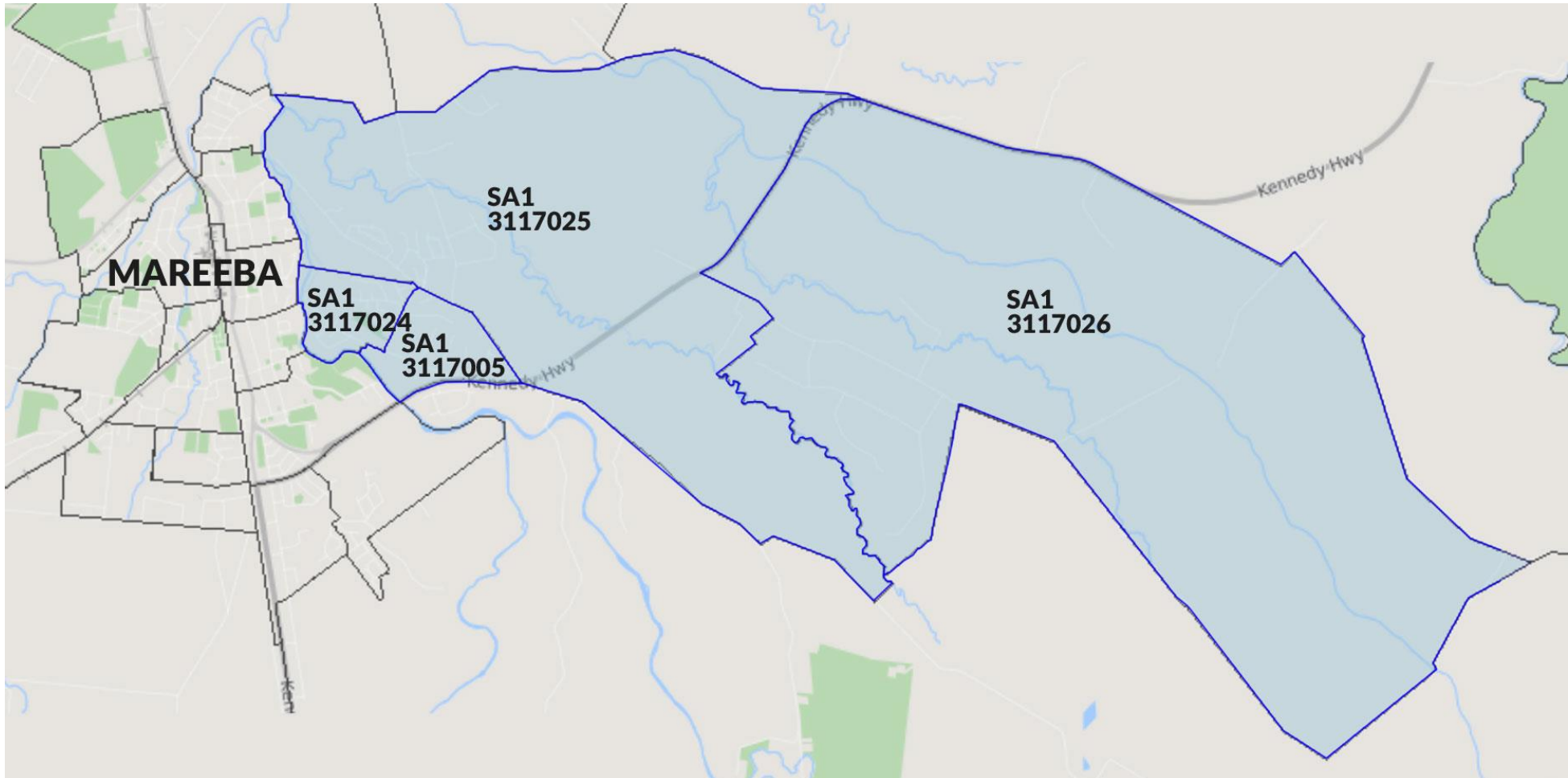
Source: Cummings Economics from ABS Census 2016 Data.

Apart from new residential houses, the area includes the following.

- Mareeba Bowls Club
- Garden Centre
- Early Learning Centre
- Savannah Lifestyle Resort
- Baptist Church
- Amaroo Medical Centre

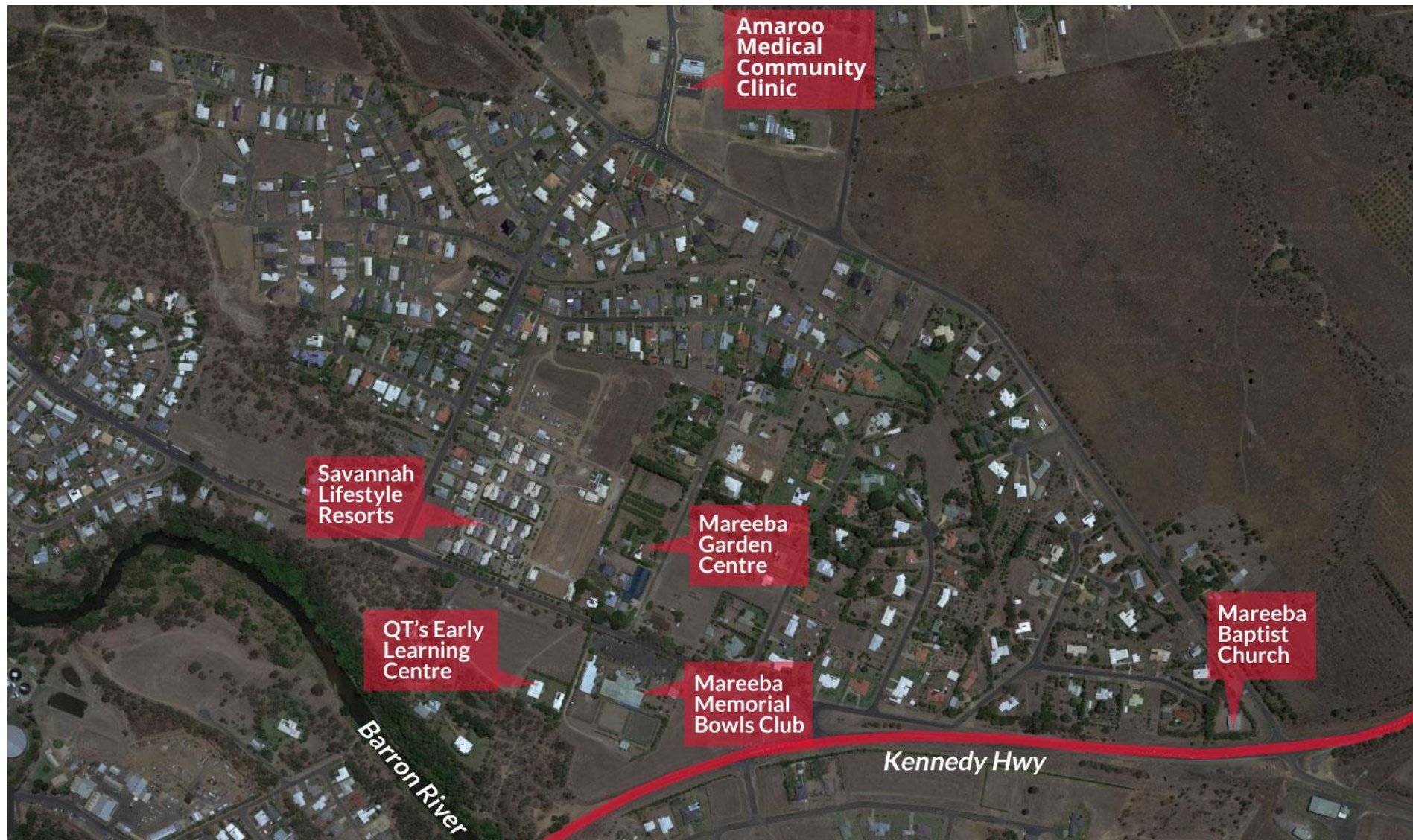
Map 4 shows locations. In addition, an area has been zoned next to the medical centre on Hastie Road for the Hastie Road Business Centre but not yet developed. There are substantial commercial facilities in the centre of Mareeba, especially focused on Byrne Street. However, Mareeba is growing to a size where development of neighbourhood commercial facilities will be viable. Population east of the Barron River now represents a substantial proportion of Mareeba's population. Apart from having to go around via the Kennedy Highway, the area east of the Barron River only has access to the central commercial facilities via the one crossing of the river. In terms of access to the central facilities, the area east of the Barron River has the greatest need for local neighbourhood facilities. Although there is planned to be a business centre on Hastie Road, the subject site is in a prime position to provide commercial facilities for the area east of the Barron River, of a type that also meets a need to service traffic along the Kennedy Highway.

Map 4 – ABS Statistical Areas Level 1, Mareeba – East of the Barron River





Map 5 – Existing Commercial Development Area, Mareeba - East of the Barron River



### 3.4 Potential Use of the Site

There is a range of potential uses of the site that mainly combine a demand from highway traffic with a demand from the catchment area east of the Barron River.

These include:

- 1) Service Station
- 2) Convenience Store
- 3) Takeaway
- 4) Café
- 5) Produce Sales
- 6) Outdoor Sales (Caravan, Boat)
- 7) Services
- 8) Offices (eg. real estate, bank, etc.)

The following looks at 'Need'.

#### **Service Stations**

There are four service stations in Mareeba, one at Koah and some pumps at Emerald Creek.

Average number of service stations per head of population in Australia is about one per 4,000 (see Note [Appendix 1](#)), but this will vary between dense city population areas with multiple pump stations and high population ratio and country areas with low number of pumps. The service station business has been changing, with new stations incorporating variously convenience store, takeaway and, at times, dining facilities.

Catchment population east of the Barron River is currently estimated to be about 2500 and with substantial additional land available and with the growth of Mareeba as an urban centre on its way towards 4000. The site has passing annual number of vehicles of about 2.5 million and likely to grow. The bulk of traffic moving between Cairns and the Tablelands passes over the Kuranda Range Road and along the Kennedy Highway. Much of this traffic is through traffic that will not turn into the Mareeba main shopping area where town service stations are located.

#### **Convenience Store**

Convenience stores normally provide an outlet for:

- Tobacco products
- Beverages
- Communication, travel and car accessories
- Snacks, confectionary and icecream
- Ready to eat food
- Printed material
- Groceries
- Health and beauty products

Ratio of convenience stores to population in Australia is one for every 2800 population with an average turnover of approximately \$560,000 (see Note [Appendix 1](#)).

Population east of the Barron River is already close to the national average and a convenience store in this location is likely to attract passing trade from the Kennedy Highway. Although there are store facilities in the Mareeba town centre, the growth of population east of the Barron River plus the growing traffic along the Kennedy Highway would suggest a 'Need'.

### **Takeaways**

Average ratio of takeaways to population in Australia is approximately one per 680 with average turnover approximately \$460,000 (see Note Appendix 1). Apart from the residential population of Mareeba east of the Barron River, a facility in this location is likely to meet a 'Need' to service traffic travelling along the Kennedy Highway.

### **Cafe**

Road travellers are often looking for a break and would provide clientele. However, the immediate residential catchment area including Savannah Lifestyle Resort within walking distance is likely to provide clientele. A cafe in the area would complement the Garden Centre also.

### **Produce Sales**

As a prime agriculture fruit and vegetable producing area, there is a proven market along the road for sale of local produce – Termite Fruit & Veg, The Peanut Place, The Humpy.

There is no such centre close to Mareeba itself and this highway location would provide an opportunity to meet a need in this field.

### **Hairdresser**

There is one hairdresser employed per 360 population in Australia and the immediate catchment area including Savannah Lifestyle Resort would provide an opportunity to meet this need.

### **Office (Real Estate Agents)/ Bank**

There is one real estate agent recorded per 400 population in Australia. On this basis, it is possible a real estate agent would locate in the centre. There are currently no facilities in the area east of the Barron River.

### **Caravan/Boat Sales**

There would appear to be no visible caravan/boat sales yard in the area such as south of Cairns and at Innisfail for caravans.

### **Overall Conclusion**

Between the growing needs of travellers along the Kennedy Highway and the growing population in the area of Mareeba east of the Barron River, there is a 'Need' for the proposed small commercial area at the junction of Anzac Avenue and the Kennedy Highway.



## APPENDIX 1 – Reference Note

### **Service Stations**

See New South Wales Service Stations Insight 2017 Knight Frank records 6400 service stations Australia wide, ie. approximately one per 4000 population. This is confirmed by other references.

### **Convenience Stores in Australia**

Number of businesses 8,919 and turnover approximately \$5bn, ie. approximately one per 2800 population and turnover per store approximately \$560,000.

Source: *IBIS World, 2019 Market Report.*

### **Fast Food & Takeaway food Service in Australia**

Number of businesses 35,666 and turnover approximately \$1.7bn ie. approximately one per 680 population and turnover per outlet approximately \$460,000.

Source: *IBIS World, 2019 Market Report.*

### **Hairdressers in Australia**

There were 66,700 people employed in hairdressers across Australia in 2018. This equals approximately one per 370 population.

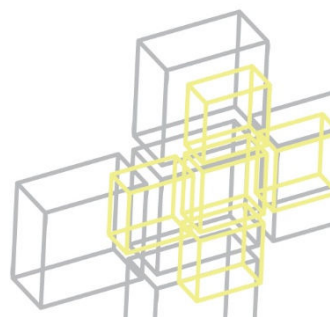
Source: [www.statistica.com](http://www.statistica.com)

### **Real Estate Agents in Australia**

There were 64,698 real estate agents in Australia. This equals approximately one per 380 population.

Source: *Real Estate Institute of Australia from ABS Census 2011.*

# **Annexure 6: Anzac Avenue Commercial Zone Assessment Tables & Code**



## **Division 1 – Assessment Tables for Anzac Avenue Zone**

### **1.1 Assessment categories for Anzac Avenue Commercial Zone**

The assessment categories are identified for development in the Anzac Avenue Commercial Zone in column 2 of tables 1 and 2 as follows-

- (a) Table 1 - making a material change of use for a defined use, listed in column 1; or
- (b) Table 2 - other development listed in column 1, including:
  - (i) carrying out building work not associated with a material change of use;
  - (ii) excavation or filling of land;
  - (iii) reconfiguring a lot;
  - (iv) carrying out operational work associated with reconfiguring a lot.

### **1.2 Relevant assessment benchmarks for accepted development and assessable development in the Anzac Avenue Commercial Zone**

- (1) The relevant assessment benchmarks in the Anzac Avenue Commercial Zone are referred to in column 3 of tables 1 and 2.
- (2) For development identified as accepted development or subject to code assessment, the relevant assessment benchmarks are the applicable codes.
- (3) If the provisions for accepted development are not met then development is code assessable.
- (4) For development which is not listed in column 1 or is an undefined use, impact assessment is required and development is to be assessed against the entire Planning Scheme.

TABLE 1

**ASSESSMENT CATEGORIES AND RELEVANT ASSESSMENT BENCHMARKS FOR ANZAC  
AVENUE COMMERCIAL ZONE—MAKING A MATERIAL CHANGE OF USE**

<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>
<b>Use</b>	<b>Assessment categories</b>	<b>Assessment benchmarks</b>
Food and drink outlet	<b>Code Assessment</b>	Anzac Avenue Commercial Zone Code Commercial Activities Code Landscaping Code Parking and Access Code Works, Services and Infrastructure Code Airport Environs Overlay Code
Health care services	<b>Code Assessment</b>	Anzac Avenue Commercial Zone Code Community Activities Code Landscaping Code Parking and Access Code Works, Services and Infrastructure Code Airport Environs Overlay Code
Office	<b>Code Assessment</b>	Anzac Avenue Commercial Zone Code Commercial Activities Code Landscaping Code Parking and Access Code Works, Services and Infrastructure Code Airport Environs Overlay Code
Outdoor sales	<b>Code Assessment</b>	Anzac Avenue Commercial Zone Code Commercial Activities Code Landscaping Code Parking and Access Code Works, Services and Infrastructure Code Airport Environs Overlay Code
Service industry	<b>Code Assessment</b>	Anzac Avenue Commercial Zone Code Industrial Activities Code Landscaping Code Parking and Access Code Works, Services and Infrastructure Code Airport Environs Overlay Code
Shop	<b>Code Assessment</b>	Anzac Avenue Commercial Zone Code Commercial Activities Code Landscaping Code Parking and Access Code Works, Services and Infrastructure Code Airport Environs Overlay Code
Showroom	<b>Code Assessment</b>	Anzac Avenue Commercial Zone Code Commercial Activities Code Landscaping Code Parking and Access Code Works, Services and Infrastructure Code Airport Environs Overlay Code
Any other use not listed in this table. Any other undefined use.	<b>Impact Assessment</b>	The Planning Scheme

TABLE 1

**ASSESSMENT CATEGORIES AND RELEVANT ASSESSMENT BENCHMARKS FOR ANZAC  
AVENUE COMMERCIAL ZONE—OTHER DEVELOPMENT**

Column 1 Type of development	Column 2 Assessment category	Column 3 Assessment benchmarks
<b>Building work not associated with material change of use</b>		
Carrying out building work not associated with a material change of use	<b>Accepted Development</b>	Anzac Avenue Commercial Zone Code Airport Environs Overlay Code
<b>Operational work</b>		
Excavation or filling of more than 50m <sup>3</sup> of material	<b>Code Assessment</b>	Anzac Avenue Commercial Zone Code Works, Services and Infrastructure Code
Involving an advertising device and complying with the relevant acceptable outcomes.	<b>Accepted Development</b>	Anzac Avenue Commercial Zone Code Advertising Devices Code Airport Environs Overlay Code
Involving an advertising device and <u>not</u> complying with the relevant acceptable outcomes.	<b>Code Assessment</b>	Anzac Avenue Commercial Zone Code Advertising Devices Code Airport Environs Overlay Code
<b>Reconfiguring a lot</b>		
Reconfiguring a lot	<b>Code Assessment</b>	Anzac Avenue Commercial Zone Code Reconfiguring a lot code Landscaping Code Parking and Access Code Works, Services and Infrastructure Code Airport Environs Overlay Code
<b>Operational works associated with reconfiguring a lot</b>		
Carrying out operational work for reconfiguring a lot	<b>Code Assessment</b>	Anzac Avenue Commercial Zone Code Reconfiguring a lot code Works, Services and Infrastructure Code

## Division 2 - Assessment Criteria for Anzac Avenue Commercial Zone

### 1.3 Anzac Avenue Commercial Zone Code

The provisions in this division comprise the Anzac Avenue Commercial Zone Code. They are-

- overall outcomes for Anzac Avenue Commercial Zone Code (section 1.4);
- performance outcomes and acceptable outcomes for the Anzac Avenue Commercial Zone Code (sections 1.5 and 1.6).

### 1.4 Overall outcomes for Anzac Avenue Commercial Zone Code

- (1) The overall outcomes are the purpose of the Anzac Avenue Commercial Zone Code.
- (2) The overall outcomes of the Anzac Avenue Commercial Zone Code are to achieve an area that:
  - (a) Ensures that the scale of retail and other development is such that development will not have an adverse impact on the functioning and role of the Mareeba CBD as a higher order and specialist retail destination, the focus for entertainment and recreation facilities, and the ability of the CBD to provide a range of business uses and educational facilities;
  - (b) is consistent in height and character with the existing character of the locality;
  - (c) is provided with safe and efficient access which does not adversely impact the efficient functioning of the surrounding road network; and
  - (c) achieves an attractive streetscape and protects the amenity of existing adjoining development.

### 1.5 Amenity, Townscape and Building Character

Performance Outcomes	Acceptable Outcomes
For Accepted Development and Code Assessable Development	
PO1 The attractiveness and amenity of the Anzac Avenue Commercial Zone Code is protected and enhanced through sensitive siting of uses and buildings.	AO1.1 Building height and the height of other structures does not exceed 8 metres and two (2) storeys; and  AO1.2 Air-conditioning, refrigeration plant, and other mechanical plant, are screened from public view.
PO2 Development maintain an attractive streetscape and has minimal impact upon the residential amenity of adjoining residential properties.	AO2.1 Buildings are setback and boundary treatments are undertaken in accordance with Table 1.6.1.

**Table 1.5.1—Setbacks and treatments to side and rear boundaries**

Design	Road frontages	Side / rear boundary
Building and structure setback	4 metres	3 metres
Boundary treatment	Landscape strip with a minimum width of 2m.	1.8m solid fence for full boundary; and Landscape strip with a minimum width of 2m to adjoining Lot 197 on NR3143.

## 1.6 Reconfiguring a Lot

Performance Outcomes	Acceptable Outcomes
<b>For Code Assessable Development</b>	
<p>P03 Lots are of sufficient area and dimensions to:</p> <ul style="list-style-type: none"> <li>(i) enable the siting and construction of a building and ancillary buildings; and</li> <li>(ii) provide vehicle access and parking; and</li> <li>(iii) to allow development that is in keeping with the predominant character of the locality.</li> </ul>	<p>AO3.1 Lots have a minimum area of 800m<sup>2</sup> and a minimum frontage of twenty (20) metres.</p>