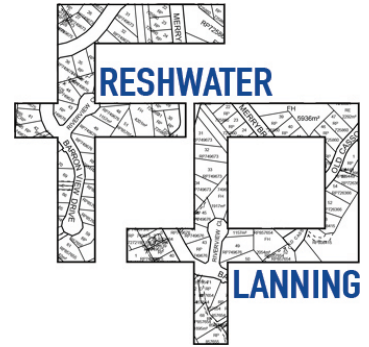


Your Ref: MCU/21/0009  
Our Ref: F24/35



03 October, 2024

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

**Attention: Brian Millard and Carl Ewin  
Regional Planning Group**

Dear Sir,

**RE: DEVELOPMENT APPLICATION MCU/21/0009  
REQUEST TO CHANGE DEVELOPMENT APPROVAL –  
APPLICATION FOR RECONFIGURING A LOT – SUBDIVISION (2 LOTS INTO 26 LOTS) AND A  
MATERIAL CHANGE OF USE – MULTIPLE DWELLINGS (25 X DWELLING HOUSES).  
LOT 48 ON SP320488 AND LOT 2 ON SP298298, MERINDAH CLOSE AND KAROBEAN DRIVE,  
MAREEBA.**

This request for a Change to Development Approval MCU/21/0009 for a Reconfiguring a Lot – Subdivision (2 Lots into 26 Lots) AND Material Change of Use – Multiple Dwelling (25 x Dwelling Houses) over land described as Lot 48 on SP320488 and Lot 2 on SP298298, situated on Merindah Close and Karobean Drive, Mareeba is made on behalf of BTM & S Stankovich Pty Ltd, the owners and original applicants of the site.

This Change to Development Approval is provided in response to recent discussions with Council, interests of the surrounding Residents, the current economic trends and market along with the current Housing Crisis of the ever-growing Mareeba Shire population. Details of the requested to Change to the Approval and of the reasons for these are set out below in accordance with *Division 2 Changing Development Approvals – Subdivision 2 Changes after Appeal Period – Section 77 – 79 of the Planning Act 2016*.

### **The Approval**

The Mareeba Shire Council Approved a Development Permit for a Reconfiguring a Lot – Subdivision (2 Lots into 26 Lots) AND Material Change of Use – Multiple Dwelling (25 x Dwelling Houses) over land described as Lot 48 on SP320488 and Lot 2 on SP298298, situated on Merindah Close and Karobean Drive, Mareeba at Council's Ordinary Meeting held on 15 September, 2021. Since this time, continued development within the Amaroo Residential Estate has progressed leading toward the requirement to undertake the Merindah Close development.

## Changing the Approval

As noted above, arising from the continued Development of the Amaroo Residential Estate, in addition to the further development of the Amaroo Business Village and the newly created parkland fronting the site, Freshwater Planning Pty Ltd, the Applicant, and Council engaged in discussions in relation to the amending the Approval to remove the Approved Office and Warehouse Allotment. It is requested that the Approved Office and Warehouse area be returned back to Residential Land as a part of the Merindah Close development. This request has been a direct result of the interest of the surrounding residents, the installation of the new Park fronting the site, the further and future development of the Amaroo Business Village and the proponents best efforts to aid in resolving the current Housing Crisis within Queensland and in particular the Tablelands.

The sought Change to the Development Approval is to remove the Approved Office and Warehouse (MCU/21/0006) replacing this with an additional Residential Allotment and Dwelling House. This will aid in ensuring that the Amaroo Business Village Uses remain as existing, complimenting the aesthetics and amenity of the Business Zone and adjoining Residential Estate. The proposed Change results in the provision of a supplementary Residential Allotment and Dwelling House (26 in total) in lieu of the Approved Office and Warehouse. It is considered appropriate that the proposed Change to Approval to update the existing Approved Plans, for the purposes outlined above, over the site is acceptable and appropriate.

No change to the Conditions of Approval, other than the Approved Plans and updated numbering (from 25 to 26), is provided with this Change to Development Approval. It is further understood that this Change to Development Approval will also require an updated Infrastructure Charges Notice to reflect the proposed Changes.

It is considered that the proposed Change to Development Approval results in a more appropriate outcome to all interested parties while ensuring to maintain and enhance the existing aesthetics and amenity of the Amaroo Residential Estate and Business Village. The proposal will continue to foster Residential Growth within the Amaroo Residential Estate, surrounding Residential Area and the Mareeba Township.

This completes this Request to Change the Development Approval. Please do not hesitate to contact me, in the first instance, should you require further information in relation to the matter.

Yours faithfully,



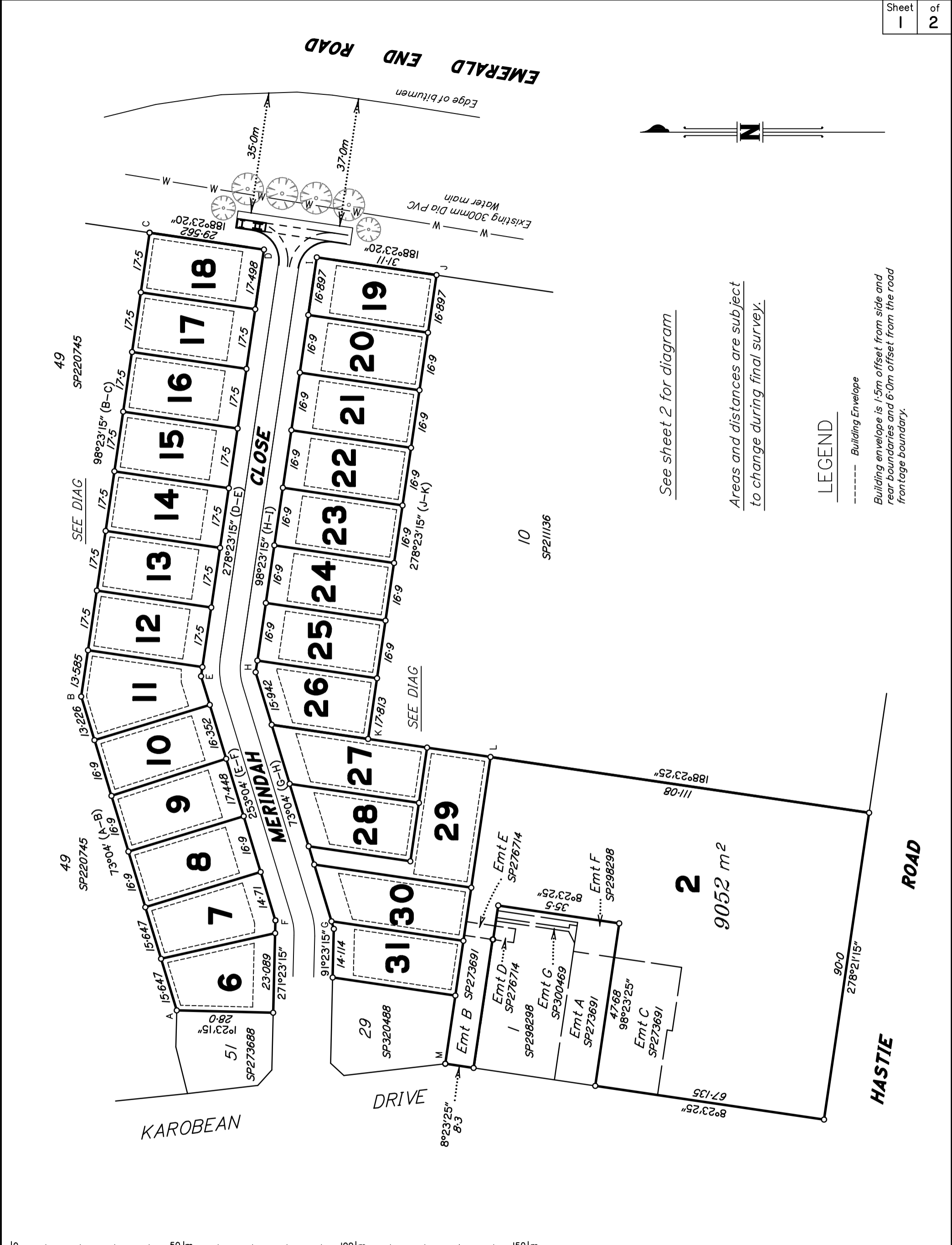
**MATTHEW ANDREJIC**

**FRESHWATER PLANNING PTY LTD**

P: 0402729004

E: [FreshwaterPlanning@outlook.com](mailto:FreshwaterPlanning@outlook.com)

17 Barron View Drive, FRESHWATER QLD 48707



See sheet 2 for diagram

Areas and distances are subject to change during final survey.

**LEGEND**

----- Building Envelope

Building envelope is 1.5m offset from side and rear boundaries and 6.0m offset from the road frontage boundary.

LOCAL GOVERNMENT: MSC  
 LOCALITY: Mareeba  
 Scale 1: 1000 (A3)  
 Reference: 8673 Rev C  
 Lot Layout – 28-08-2024

**DEVELOPMENT PLAN**  
 Plan of Lots 2, 6 – 31  
 Cancelling Lot 48 on SP320488  
 and Lot 2 on SP298298



TWINE SURVEYS PTY LTD  
 36 Mabel Street, Atherton QLD 4883  
 PO Box 146, Atherton QLD 4883  
 P: 07 4091 1303  
 E: info@twinesurveys.com.au

Scale - 1:800



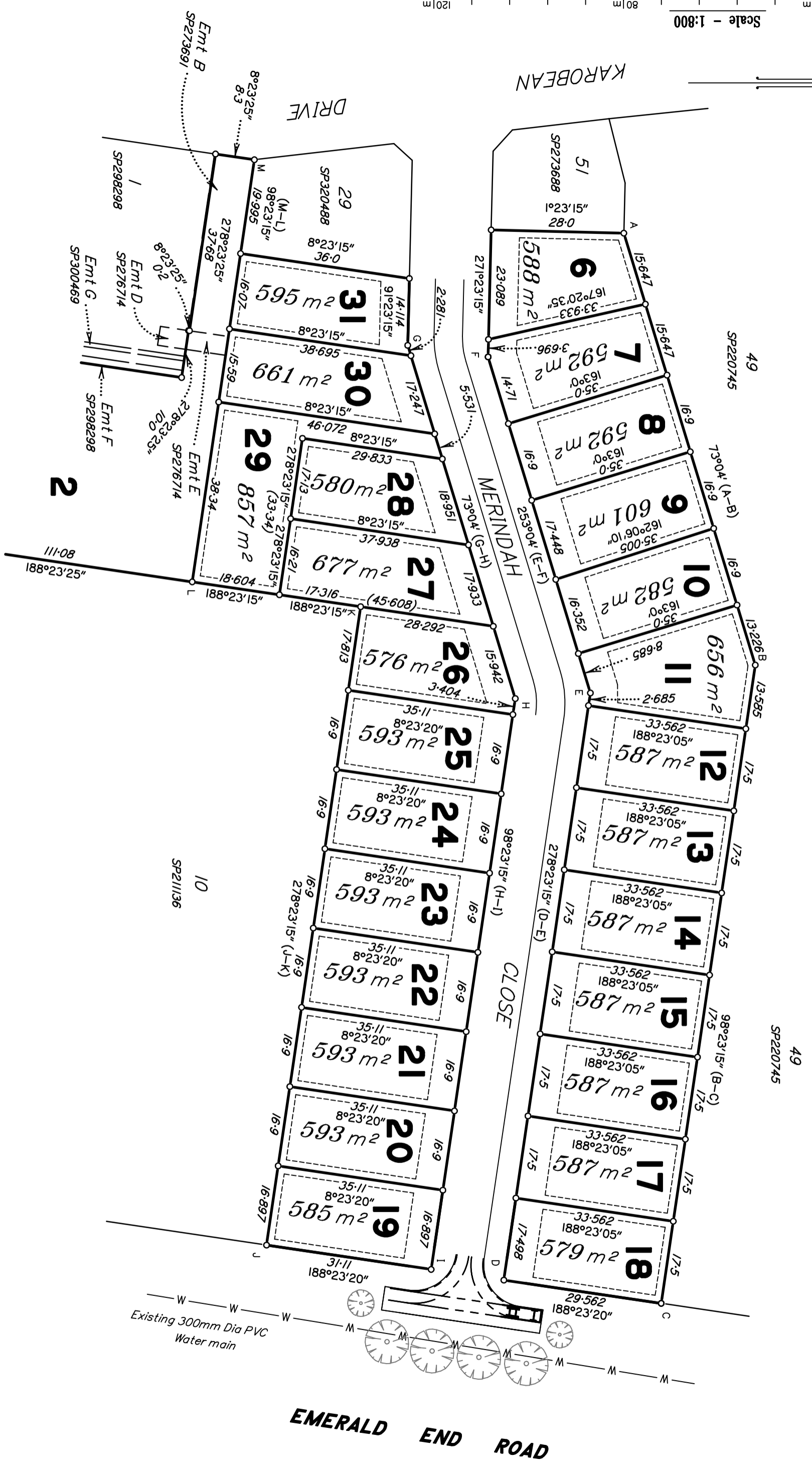
Building envelope is 1.5m offset from side and rear boundaries and 6.0m offset from the road frontage boundary.

LEGEND

Building Envelope

DIAGRAM

Scale - 1:800



Existing 300mm Dia PVC Water main

# Change application form

**Planning Act Form 5 (version 1.2 effective 7 February 2020) made under Section 282 of the Planning Act 2016.**

This form is to be used for a change application made under section 78 of the *Planning Act 2016*. It is important when making a change application to be aware of whether the application is for a minor change that will be assessed under section 81 of the *Planning Act 2016* or for an other change that will be assessed under section 82 of the *Planning Act 2016*.

An applicant must complete all parts of this form, and provide any supporting information that the form identifies as being required to accompany the change application, unless stated otherwise. Additional pages may be attached if there is insufficient space on the form to complete any part.

**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)	BTM & S Stankovich Pty Ltd
Contact name (only applicable for companies)	
Postal address (P.O. Box or street address)	C/ Freshwater Planning Pty Ltd 17 Barronview Drive
Suburb	Freshwater
State	QLD
Postcode	4870
Country	Australia
Email address (non-mandatory)	FreshwaterPlanning@outlook.com
Mobile number (non-mandatory)	0402729004
Applicant's reference number(s) (if applicable)	F24/35

## 2) Owner's consent - Is written consent of the owner required for this change application?

**Note:** Section 79(1A) of the *Planning Act 2016* states the requirements in relation to owner's consent.

- Yes – the written consent of the owner(s) is attached to this change application  
 No

## PART 2 – LOCATION DETAILS

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

#### 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
			Merindah Close	Mareeba
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)
	4880	48	SP320488	Mareeba Shire Council
b)	Unit No.	Street No.	Street Name and Type	Suburb
			Karobean Drive	Mareeba



**Queensland  
Government**

Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)
4880	2	SP298298	Mareeba Shire Council

**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 the original development approval and the details of these premises have been attached in a schedule to this application

Not required

## PART 3 – RESPONSIBLE ENTITY DETAILS

**4) Identify the responsible entity that will be assessing this change application**

**Note:** see section 78(3) of the Planning Act 2016

Mareeba Shire Council

## PART 4 – CHANGE DETAILS

**5) Provide details of the existing development approval subject to this change application**

Approval type	Reference number	Date issued	Assessment manager/approval entity
<input checked="" type="checkbox"/> Development permit <input type="checkbox"/> Preliminary approval	MCU/21/009	16 September, 2021	Mareeba Shire Council
<input type="checkbox"/> Development permit <input type="checkbox"/> Preliminary approval			

**6) Type of change proposed**

**6.1) Provide a brief description of the changes proposed to the development approval (e.g. changing a development approval for a five unit apartment building to provide for a six unit apartment building):**

Change of Development Approval to provide 26 Residential Allotments and 26 Dwelling Houses

**6.2) What type of change does this application propose?**

Minor change application – proceed to Part 5

Other change application – proceed to Part 6

## PART 5 – MINOR CHANGE APPLICATION REQUIREMENTS

7) Are there any affected entities for this change application		
<input checked="" type="checkbox"/> No – proceed to Part 7 <input type="checkbox"/> Yes – list all affected entities below and proceed to Part 7 <b>Note:</b> section 80(1) of the Planning Act 2016 states that the person making the change application must give notice of the proposal and the details of the change to each affected entity as identified in section 80(2) of the Planning Act 2016.		
Affected entity	Pre-request response provided? (where a pre-request response notice for the application has been given, a copy of the notice must accompany this change application)	Date notice given (where no pre-request response provided)
	<input type="checkbox"/> No <input type="checkbox"/> Yes – pre-request response is attached to this change application	
	<input type="checkbox"/> No <input type="checkbox"/> Yes – pre-request response is attached to this change application	
	<input type="checkbox"/> No <input type="checkbox"/> Yes – pre-request response is attached to this change application	

## PART 6 – OTHER CHANGE APPLICATION REQUIREMENTS

**Note:** To complete this part it will be necessary for you to complete parts of DA Form 1 – Development application details and in some instances parts of DA Form 2 – Building work details, as mentioned below. These forms are available at <https://planning.dsdmip.qld.gov.au>.

8) Location details - Are there any additional premises included in this change application that were not part of the original development approval?
<input type="checkbox"/> No <input type="checkbox"/> Yes

9) Development details
<b>9.1) Is there any change to the type of development, approval type, or level of assessment in this change application?</b> <input type="checkbox"/> No <input type="checkbox"/> Yes – the completed Sections 1 and 2 of Part 3 (Development details) of DA Form 1 – Development application details as these sections relate to the new or changed aspects of development are provided with this application.
<b>9.2) Does the change application involve building work?</b> <input type="checkbox"/> No <input type="checkbox"/> Yes – the completed Part 5 (Building work details) of DA Form 2 – Building work details as it relates to the change application is provided with this application.

10) Referral details – Does the change application require referral for any referral requirements?
<b>Note:</b> The application must be referred to each referral agency triggered by the change application as if the change application was the original development application including the proposed change. <input type="checkbox"/> No <input type="checkbox"/> Yes – the completed Part 5 (Referral details) of DA Form 1 – Development application details as it relates to the change application is provided with this application. Where referral is required for matters relating to building work the <a href="#">Referral checklist for building work</a> is also completed.

11) Information request under Part 3 of the DA Rules
<input type="checkbox"/> I agree to receive an information request if determined necessary for this change application <input type="checkbox"/> I do not agree to accept an information request for this change application <b>Note:</b> By not agreeing to accept an information request I, the applicant, acknowledge:

- that this change application will be assessed and decided based on the information provided when making this change application and the assessment manager and any referral agencies relevant to the change application are not obligated under the DA Rules to accept any additional information provided by the applicant for the change application unless agreed to by the relevant parties
  - Part 3 of the DA Rules will still apply if the application is an application listed under section 11.3 of the DA Rules.
- Further advice about information requests is contained in the [DA Forms Guide: Forms 1 and 2](#).

## 12) Further details

- Part 7 of *DA Form 1 – Development application details* is completed as if the change application was a development application and is provided with this application.

## PART 7 – CHECKLIST AND APPLICANT DECLARATION

### 13) Change application checklist

I have identified the:

- responsible entity in 4); and
- for a minor change, any affected entities; and  Yes
- for an other change all relevant referral requirement(s) in 10)

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

- For an other change application, the relevant sections of [DA Form 1 – Development application details](#) have been completed and is attached to this application  Yes  Not applicable

- For an other change application, where building work is associated with the change application, the relevant sections of [DA Form 2 – Building work details](#) have been completed and is attached to this application  Yes  Not applicable

- Supporting information addressing any applicable assessment benchmarks is attached to this application  Yes
- Note:** This includes any templates provided under 23.6 and 23.7 of *DA Form 1 – Development application details* that are relevant as a result of the change application, a planning report and any technical reports required by the relevant categorising instrument(s) (e.g. the local government planning scheme, State Planning Policy, State Development Assessment Provisions). For further information, see [DA Forms Guide: Planning report template](#).

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

### 14) Applicant declaration

- By making this change application, I declare that all information in this change 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 responsible entity and any relevant affected entity or referral agency for the change 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 responsible entity and/or chosen assessment manager, any relevant affected entity or referral agency and/or building certifier (including any professional advisers which may be engaged by those entities) while processing, assessing and deciding the change application.

All information relating to this change 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 8 – FOR COMPLETION OF THE ASSESSMENT MANAGER – FOR OFFICE USE ONLY**

---

Date received:  Reference number(s):

QLeave notification and payment			
<i>Note: For completion by assessment manager if applicable</i>			
Description of the work			
QLeave project number			
Amount paid (\$)		Date paid (dd/mm/yy)	
Date receipted form sighted by assessment manager			
Name of officer who sighted the form			