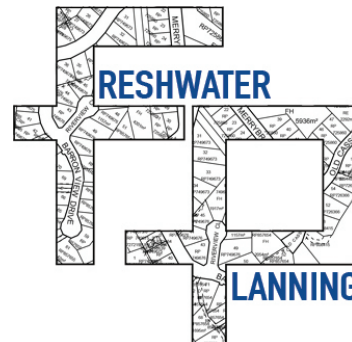


Your Ref:
Our Ref: F21/05



06 May, 2021

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

Attention: Regional Planning Group

Dear Sir,

**RE: APPLICATION FOR RECONFIGURATION OF A LOT – 2 LOTS INTO 26 LOTS AND
A MATERIAL CHANGE OF USE – 25 DWELLING HOUSES.
LOT 48 ON SP320488 AND LOT 2 ON SP298298, MERINDAH CLOSE AND KAROBEAN DRIVE,
MAREEBA.**

This application is for a Reconfiguration of a Lot – 2 Lots into 26 Lots and a Material Change of Use – 25 Dwelling Houses over land described as Lot 48 on SP320488 and Lot 2 on SP298298, situated on Merindah Close and Karobean Drive, Mareeba is submitted on behalf of BTM & S Stankovich Pty Ltd.

The application comprises of Application Forms, SmartMaps, JJ Richards Engineering Plan, Twine Surveys Sketch Plans and this Town Planning Submission. It is understood that the payment for the Application Fee will be provided to the Mareeba Shire Council.

The Site

The subject land is described as Lot 48 on SP320488 and Lot 2 on SP298298, Locality of Mareeba and situated on Merindah Close and Karobean Drive, Mareeba. The site is owned by BTM & S Stankovich Pty Ltd (Lot 48) and BTM & S Holdings Pty Ltd (Lot 2) with BTM & S Stankovich Pty Ltd being the applicant for the proposed development. The subject site comprises of two allotments, has an area of 2.7469 hectares and contains frontage to Karobean Drive, Merindah Close and Emerald End and Hastie Roads. The site contains existing Commercial Buildings (Amaroo Village Business Precinct) and Vacant Land (Amaroo Park Residential Estate). The site is accessed from the existing Road Network, being Karobean Drive and the termination of Merindah Close. No access is proposed from Hastie or Emerald End Roads.

The site contains existing Easements burdening and benefitting existing Lot 2 on SP298298. No change to the existing Easements are proposed with this Development Application.

In relation to the current State Governmental Mapping the site is Not Mapped as containing Remnant Vegetation, Regrowth Vegetation, Essential Habitat nor a Referable Wetland or Wetland Protection Area. The site is not located within 25 metres of a State Controlled Road nor within 25 metres of a Railway Corridor. It is considered that proposed development is not required to be Referred to any State Agencies.

Background

The proposed Development is for the provision of twenty-five (25) new Residential Allotments which is the continued progression of the Amaroo Estate, with the proposal being the Merindah Close Development. The Amaroo, Hastie Farms and Amaroo Park Estates have provided/provides Mareeba with a range of Residential Allotments with the proposal continuing on this with the proposed next stage. The proposed development is considered to continue on and complement the existing Amaroo Park Estate.

The site includes existing Lot 2 on SP298298 which encompasses the Amaroo Village Business Park. No change to the existing Commercial Buildings is proposed with this Development Application. It is noted that a Development Application has currently been lodged, being Development Application MCU/21/0006, that incorporates a Meets and Bounds Area which this Reconfiguration resolves. The Reconfiguration component realigns the existing Amaroo Village Business Park allotment to incorporate the proposed Commercial Building under the aforementioned Development Application.

The Proposed Development

The proposed development is for a Reconfiguration of a Lot – 2 Lots into 26 Lots in the Low Density Residential Zone of the Mareeba Shire Planning Scheme. The site is located on Merindah Close and Karobean Drive, Mareeba and is more particularly described as Lot 48 on SP320488 and Lot 2 on SP298298. The site is irregular in shape, has an area of 2.7469 hectares and contains existing Commercial Buildings (Amaroo Village Business Precinct) and Vacant Land (Amaroo Park Residential Estate). The proposal is the continuation of the Amaroo Park Residential Estate, being the Merindah Close Development.

A Development Permit for a Reconfiguration of 2 Lots into 26 Lots is sought to subdivide Lot 48 on SP320488 and Lot 2 on SP298298 and the provision of twenty-five (25) Dwelling Houses, being the Material Change of Use. No change to the Low Density Residential Zone is proposed with the Reconfiguration and Material Change of Use. The proposal provides for the extension of Merindah Close and the creation of twenty-four (24) additional Residential Allotments. No change to the existing Commercial Buildings (Amaroo Village Business Park) is envisaged with the proposal. The proposal will provide additional Residential Allotments while maintaining the existing amenities and aesthetics of the site.

The site includes existing Lot 2 on SP298298 which encompasses the Amaroo Village Business Park. The Development Application incorporates this Allotment to encapsulate the currently lodged Meets and Bounds Area within Development Application MCU/21/0006. The Reconfiguration component realigns the existing Amaroo Village Business Park Allotment to integrate the proposed Commercial Building under the aforementioned Development Application. No assessment of the existing Amaroo Village Business Park is provided with this Development Application as no change to the existing Business Park is envisaged.

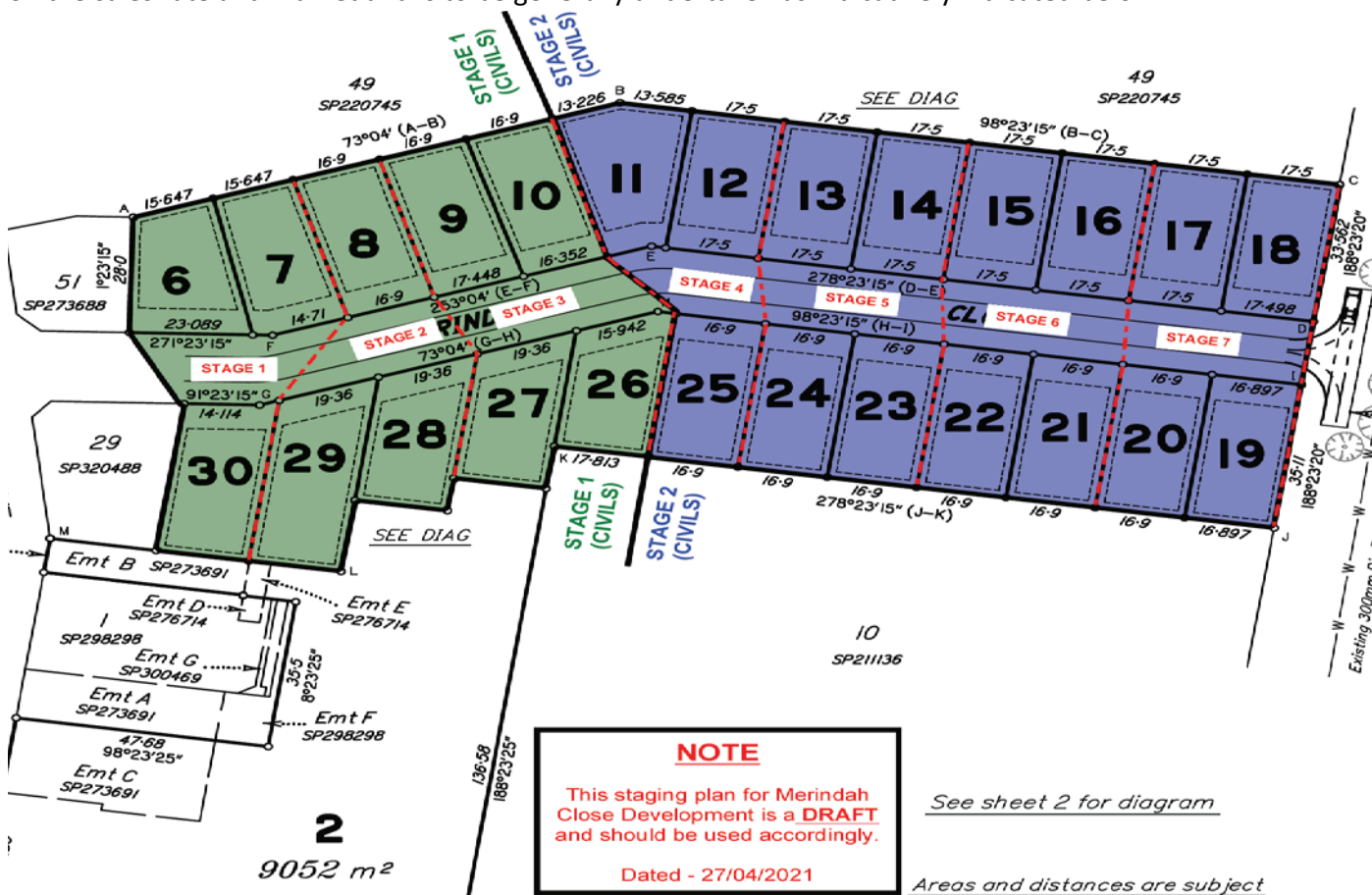
The site contains existing Easements burdening and benefitting existing Lot 2 on SP298298. No change to the existing Easements are proposed with this Development Application.

A Development Permit for a Material Change of Use is also proposed in conjunction with the Reconfiguration which creates an additional twenty-four (24) Residential Allotments. The proposed development is to incorporate the provision of twenty-five (25) Building Envelopes which are to contain a Dwelling House within each proposed Building Envelope coinciding with the Reconfiguration of a Lot's Layout. Freshwater Planning Pty Ltd has been informed that *historically, the Group of Companies have been involved in both the Development and the Civil Construction aspects of Mareeba's Residential market. This strategy/model to date has enabled the business to market and sell land in Mareeba whilst remaining profitable and viable. To remain profitable and viable in this current economic climate and within the future, the Group cannot continue to solely rely on the development of land alone but must also evolve further to offer additional products that cater for a sector of the*

established housing market. It is intended to continue to provide Residential land for sale in Mareeba, however, this particular Development Application for the construction of twenty-five (25) new Residential Allotments also includes the ability for the construction of a Residential Dwelling on each of these allotments within a nominated Building Envelope. The benefits of an approval of this application are as follows: -

- ✚ The ability to have a “whole of development” approval (i.e. allowing for a 25 allotment development with an Operational Works approval and with individual Building Approvals, within individual building envelopes, prior to commencing any works) allows for more certainty of the planning, design and costings required by Valuers and Quality Surveyors for their assessments thereby allowing the ability of securing financial approval for both the land and a number of Dwelling Houses at one time.
- ✚ An approval of this application will enable for a more efficient development by minimising the timeframes from a greenfield site to a Dwelling House available for sale as building applications with private certifying able to be granted without the need for individual titles being issued.
- ✚ The duplication of some costs including, stamp duty, lands tax, conveyancing, will be negated.
- ✚ The ability to ensure that appropriate visual aesthetics are provided while ensuring to encapsulate the existing Residential nature and character of the site, immediate vicinity and surrounding Residential Estate.

The provision of the Material Change of Use in addition to the Reconfiguration of a Lot will ensure to complement the existing and immediately surrounding Amaroo Park Residential Estate at the same time as providing a visually aesthetic development that assures viability within this current and future economic climate whilst continuing to supplement Mareeba’s Housing Market. The proponents anticipate to construct the Civil Works within two Stages being, Stage 1 (proposed Lots 6 – 10 and 26 – 30) and Stage 2 (proposed Lots 11 – 25). It is then intended to construct generally three (3) to four (4) Dwelling Houses at any one time, obtain appropriate titles and place the Dwellings on the Market. As the sales progress, the process will be repeated, progressively working through the Development. The proponents envisage this development will be completed within 3 to 5 years depending on the sales rate and market and is to be generally undertaken as indicatively indicated below.



It is considered that the proposed Material Change of Use in conjunction with the Reconfiguration will ensure to create a viable Residential Development that will not affect the existing nature, character and amenity of the Amaroo Residential Estate. The proposal has been meticulously designed to commence toward the Merindah Close intersection with Karobean Drive to ensure that visual aesthetics, landscaping and the likes can be controlled by the developer to ensure a visual pleasing Development. Any trades, vehicles or machinery associated with the proposed development will be access from the rear of the site in an effort not to create any additional traffic and to mitigate any dust, noise or other impacts that may arise. Each Dwelling House is proposed to be constructed within the designated Building Envelopes which are provided with appropriate setbacks as per nominated within the Mareeba Shire Planning Scheme and the Queensland Development Code.

The proposed Reconfiguration is the continuation of the Amaroo Park Residential Estate, being the Merindah Close Stage. The Reconfiguration of a Lot proposes twenty-four (24) additional Residential Allotments described as proposed Lots 6 – 30 and Amaroo Village Business Precinct (2). The proposed areas of the allotments are:

Merindah Close Stage

Proposed Lot 6	588 m ²	Proposed Lot 19	593 m ²
Proposed Lot 7	592 m ²	Proposed Lot 20	593 m ²
Proposed Lot 8	592 m ²	Proposed Lot 21	593 m ²
Proposed Lot 9	601 m ²	Proposed Lot 22	593 m ²
Proposed Lot 10	582 m ²	Proposed Lot 23	593 m ²
Proposed Lot 11	656 m ²	Proposed Lot 24	593 m ²
Proposed Lot 12	587 m ²	Proposed Lot 25	593 m ²
Proposed Lot 13	587 m ²	Proposed Lot 26	576 m ²
Proposed Lot 14	587 m ²	Proposed Lot 27	605 m ²
Proposed Lot 15	587 m ²	Proposed Lot 28	600 m ²
Proposed Lot 16	587 m ²	Proposed Lot 29	761 m ²
Proposed Lot 17	587 m ²	Proposed Lot 30	651 m ² .
Proposed Lot 18	587 m ²		

Amaroo Village Business Precinct

Proposed Lot 2	9,052 m ²
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The site gains access from the existing Road Network, being Karobean Drive and the termination of Merindah Close. No access is proposed from Hastie or Emerald End Roads. The proposed new Residential Allotments gain access from the extension of Merindah Close. It is considered that each proposed allotment can be provided with appropriate access via the existing and extended Road Networks. The site is connected to all available services with the proposed Residential Allotments able to be connected to all Urban Services.

The proposed development includes the extension and construction of Merindah Close. It is considered that to encompass future Road Network Planning and the most optimal development of Merindah Close, the provision of a turnaround area within the Emerald End Road Reserve to be the most appropriate outcome. The proponents of the site believe *that the use of a hammerhead turnaround and in this situation placing it within the Emerald End Road Reserve provides the best and most practical solution. Originally, we designed and trialled a cul-de-sac model however, this resulted in impractical allotments towards the cul-de-sac head. It was also designed and trialled placing the cul-de-sac within the Emerald End Road Reserve, however, this resulted in the cul-de-sac crossing the existing 300mm Water Main that runs approximately 13 meters off the boundary of the subject property. Therefore, we then trialled the hammerhead turnaround as per Queensland Streets design guide recommendation. It was discovered that by doing this, the design and network would not impede the existing Water Main and resolves the issue of the impractical allotments that the cul-de-sac caused.*

Further, we acknowledge that there could be a potential issue with residents and/or visitors parking within the turnaround causing difficulty turning for local traffic but more importantly refuse trucks. It is considered that by placing the hammerhead away from the residential frontages combatted with signage and the likes, it will reduce the chance of this occurring. Knowing that there is great importance placed on the ability for refuse trucks to turn around with ease we have overlaid its turning path onto drawings "8673 P1 & P2" to demonstrate that it can in fact turn without any issues. Please note we have calculated the turning path using the turning radius of the same trucks currently used by MSC "25m3 Hybrid Side Loader Volvo FE 6x4 Euro 6" (See attached "J26-SL-AY-10020").

Lastly, we believe that pedestrian access/connectivity is easily achieved between Merindah Close & Emerald End Road. By placing the turnaround in the reserve as opposed to having a 1.5m to 2m meter wide lane way through opposing allotments, it will not only aesthetically present better but also result in ease of maintenance for the Mareeba Shire Council down the track. It should be said that we would prefer not to connect traffic access through to Merindah Close and Emerald End Road as it could be used as a through road potentially causing complaints to Mareeba Shire Council from residents on Merindah Close.

The proposed allotments meet the minimum area requirements of the Mareeba Shire Planning Scheme's Reconfiguring a Lot Code. It is not considered that the proposed Subdivision will be detrimental to the adjacent sites or adversely impact on the surrounding area. It is considered that the Purposes and Performance Outcomes of the Low Density Residential Zone and the Reconfiguring a Lot Code can be met in this instance.

This Submission provides a comprehensive assessment of the relevant planning instruments and site context for the proposed Uses. This is supported by the attached Sketch Plans and the assessment against the relevant aspects of the Mareeba Shire Council's Planning Scheme. It is considered that the proposed development is appropriate and conforms to the existing Amaroo Park Residential Estate.

Far North Queensland Regional Plan 2009-2031

Lot 48 on SP320488 and Lot 2 on SP298298 are identified as being in the Urban Footprint designation of the FNQ Regional Plan Mapping.

The proposal could be considered to be a greenfield development or a re-subdivision (infill/re-development) of an existing site. The proposed development is within the Urban Footprint and results in the creation of greater densities without affecting the existing natural environment. The proposal is for the next Stage in the existing Amaroo Park Residential Estate and is appropriate and acceptable.

It is considered that the proposed Reconfiguration and Dwelling Houses are not in conflict with the Intent for Urban Footprint designation of the FNQ Regional Plan 2009-2031.

Low Density Residential Zone

The proposal is for a Reconfiguration of 2 Lots into 26 Lots and the provision of twenty-five (25) Dwelling Houses in the Low Density Residential Zone of the Mareeba Shire Planning Scheme. The purpose of the Reconfiguration is to provide additional Residential Allotments for predominantly dwelling houses supported by community uses and small-scale services and facilities that cater for local residents. The proposed Subdivision is envisaged to maintain the integrity of established Residential areas, which are characterised primarily by Dwelling houses while providing opportunities for other forms of Residential development where existing character and amenity will not be compromised. The proposal provides Residential Allotments of varying sizes allowing and each proposed Residential Allotment comprises of a Building Envelope for the provision of a Dwelling House as per the Material Change of Use aspect of the proposal.

The Subdivision will allow for a detached Dwelling House to be located on each allotment/within each Building Envelope which is compatible with the most common form of housing in the locality. The proposal also provides greater densities than existing, further consolidating the urban area. No change to the Residential nature of the area is envisaged from the proposal. The proposed development will ensure to protect the existing Residential area from the intrusion of Incompatible Land Uses as the proposal proposes additional Residential Allotments and Dwelling Houses. It is considered that the proposed Reconfiguration of a Lot and Material Change of Use is not in conflict with the Intent or Purposes for the Low Density Residential Zone.

Performance outcomes	Acceptable outcomes	Comment
Height		
PO1 Building height takes into consideration and respects the following: <ul style="list-style-type: none"> (a) the height of existing buildings on adjoining premises; (b) the development potential, with respect to height, on adjoining premises; (c) the height of buildings in the vicinity of the site; (d) access to sunlight and daylight for the site and adjoining sites; (e) privacy and overlooking; and (f) site area and street frontage length. 	AO1 Development has a maximum building height of: <ul style="list-style-type: none"> (a) 8.5 metres; and (b) 2 storeys above ground level. 	Can Comply, Any Dwelling House can comply with the Building Height and will not exceed 8.5 metres nor 2 storeys.
Outbuildings and residential scale		
PO2 Domestic outbuildings: <ul style="list-style-type: none"> (a) do not dominate the lot on which they are located; and (b) are consistent with the scale and character of development in the Low-density residential zone. 	AO2 Domestic outbuildings do not exceed: <ul style="list-style-type: none"> (a) 100m² in gross floor area; and (b) 5.5 metres in height above natural ground level. 	Can Comply, Any Dwelling House's Domestic Outbuildings will not exceed 100 m ² nor 5.5 metres in height.
Siting, where not involving a Dwelling house Note—Where for Dwelling house, the setbacks of the Queensland Development Code apply.		
PO3 Development is sited in a manner that considers and respects: <ul style="list-style-type: none"> (a) the siting and use of adjoining premises; (b) access to sunlight and daylight for the site and adjoining sites; (c) privacy and overlooking; (d) opportunities for casual surveillance of adjoining public spaces; (e) air circulation and access to natural breezes; and (f) appearance of building bulk; and (g) relationship with road corridors. 	AO3.1 Buildings and structures include a minimum setback of: <ul style="list-style-type: none"> (a) 6 metres from the primary road frontage; and (b) 3 metres from any secondary road frontage. 	Complies, Each proposed Allotment has a Building Envelope containing minimum setbacks for a Dwelling House under the QDC.
	AO3.2 Buildings and structures include a minimum setback of 2 metres from side and rear boundaries.	Complies, Each proposed Allotment has a Building Envelope containing minimum setbacks for a Dwelling House under the QDC.

Performance outcomes	Acceptable outcomes	Comment
Accommodation density		
PO4 The density of Accommodation activities: (a) contributes to housing choice and affordability; (b) respects the nature and density of surrounding land use; (c) does not cause amenity impacts beyond the reasonable expectation of accommodation density for the zone; and (d) is commensurate to the scale and frontage of the site.	AO4 Development provides a maximum density for Accommodation activities in compliance with Table 6.2.6.3B .	Complies, The proposal provides for 25 new Residential Allotments that allow for a Dwelling House to be provided on each allotment compliant with Table 6.2.6.3B. Building Envelopes have been provided to ensure this.
Gross floor area		
PO5 Buildings and structures occupy the site in a manner that: (a) makes efficient use of land; (b) is consistent with the bulk and scale of surrounding buildings; and (c) appropriately balances built and natural features.	AO5 Gross floor area does not exceed 600m ² .	Can Comply, Any Dwelling House's Gross Floor Area will not exceed 600 m ² as depicted by the provision of Building Envelopes.
For assessable development		
Building design		
PO6 Building facades are appropriately designed to: (a) include visual interest and architectural variation; (b) maintain and enhance the character of the surrounds; (c) provide opportunities for casual surveillance; (d) include a human scale; and (e) encourage occupation of outdoor space.	AO6 Buildings include habitable space, pedestrian entrances and recreation space facing the primary road frontage.	Can Comply, Each Dwelling House will ensure to be appropriately designed to protect the visual aesthetics, character, nature and amenity of the Amaroo Park Residential Estate. This is the main purpose of the proposed Material Change of Use that accompanies the Subdivision.
PO7 Development complements and integrates with the established built character of the Low density residential zone, having regard to: (a) roof form and pitch; (b) eaves and awnings; (c) building materials, colours and textures; and window and door size and location.	AO7 No acceptable outcome is provided.	Can Comply, Each Dwelling House will ensure to complement and integrates with the existing Amaroo Park Residential Estate. This is the main purpose of the proposed Material Change of Use that accompanies the Subdivision. Any future dwellings or buildings can comply with the requirements of the Low Density Residential Zone Code having regard to the existing amenity.

Performance outcomes	Acceptable outcomes	Comment
Non-residential development		
PO8 Non-residential development is only located in new residential areas and: <ul style="list-style-type: none"> (a) is consistent with the scale of existing development; (b) does not detract from the amenity of nearby residential uses; (c) directly supports the day to day needs of the immediate residential community; and (d) does not impact on the orderly provision of non-residential development in other locations in the shire. 	AO8 No acceptable outcome is provided.	Not Applicable. The proposal is for an additional 24 Lot Residential Subdivision with the provision of 25 Dwelling Houses.
Amenity		
PO9 Development must not detract from the amenity of the local area, having regard to: <ul style="list-style-type: none"> (a) noise; (b) hours of operation; (c) traffic; (d) advertising devices; (e) visual amenity; (f) privacy; (g) lighting; (h) odour; and (i) emissions. 	AO9 No acceptable outcome is provided.	Complies, The proposal is for a Residential Allotment Subdivision with the provision of Dwelling Houses that is the continuation of Amaroo Park Estate (Merindah Close). It is not considered that the proposed Reconfiguration will detract from the local amenity. No change to the existing amenity is envisaged with the Subdivision and Dwelling Houses.
PO10 Development must take into account and seek to ameliorate any existing negative environmental impacts, having regard to: <ul style="list-style-type: none"> (a) noise; (b) hours of operation; (c) traffic; (d) advertising devices; (e) visual amenity; (f) privacy; (g) lighting; (h) odour; and (i) emissions. 	AO10 No acceptable outcome is provided.	Complies, The proposal is for a Residential Allotment Subdivision with the provision of Dwelling Houses that is the continuation of Amaroo Park Estate (Merindah Close). It is not considered that the proposed Reconfiguration or Dwelling Houses will detract or negatively impact on the existing environment. No change to the existing amenity is envisaged with the Subdivision and the proposal ensures to take into consideration and seek to ameliorate the existing environment as demonstrated by the proposed layout.

It is not considered that the proposed Reconfiguration or Material Change of Use conflicts with the Acceptable Outcomes and if not available or able to be met, with the Performance Outcomes of the Low Density Residential Zone.

Airports Environs Overlay Code

The site is located outside of the 8km Bird and Bat Zone of the Bird and Bat Strike Zones and outside the 6km Light Intensity Zone on the Mareeba Airports Environs Overlay Mapping. Any Dwelling Houses or structures is not considered to adversely affect the site, immediate vicinity, or surrounds. The proposal is not for a waste disposal site. It is considered that the Airports Environs Overlay Code is Not Applicable to the proposed Reconfiguration of Residential Allotments and provision of Dwellings Houses located outside the 8km Bird and Bat Strike Zone and 6km Light Intensity Overlay.

Flood Hazard Overlay Code

The site is located within the General Extent of Modelled Flood Levels as demonstrated on the Flood Hazard Overlay Mapping. However, the site is not Mapped as containing an Extreme, High, Significant, and Low Flood Hazard Area or nominated within the Potential Flood Hazard Area. It is considered that the proposed Material Change of Use and Reconfiguration is Not Applicable to the Flood Hazard Overlay Code.

Landscaping Code

The proposal is for a Reconfiguration of 2 Lots into 26 Lots and the provision of twenty-five (25) Dwelling Houses in the Low Density Residential Zone. It is not considered that the Landscaping Code is applicable.

Parking and Access Code

The proposal is for a Reconfiguration of 2 Lots into 26 Lots and the provision of twenty-five (25) Dwelling Houses in the Low Density Residential Zone. It is not considered that the Parking and Access Code is applicable, in this instance. Each proposed Residential Allotment contains a Building Envelope for the provision of a Dwelling House which contains the ability to connect to the existing or extended Road Network and will not detrimentally affect the existing and new extended Road Network. Any access can be provided at the time of construction of a dwelling provided within the provided Building Envelopes. Each Dwelling House will ensure to be provided with appropriate covered parking.

Works, Services and Infrastructure Code

The proposal is for a Reconfiguration of twenty-four (24) additional Allotments and twenty-five (25) Dwelling Houses within the Amaroo Park Residential Estate, no change to the existing services are proposed and any new Residential Allotment or Dwelling House will be provided with all available Urban Services. Any Excavation and Filling will be limited to site preparation only or approved as a part of an Operational Works Permit.

The site contains frontage to the existing Road Network and proposes access from this existing, being Karobean Drive and Merindah Close. The proposal includes the extension of Merindah Close, ensuring the provision of safe and appropriate access to each Dwelling House or Residential Allotment.

The proposal will ensure that all Stormwater collected from the proposal will be directed to the lawful point of discharge.

It is considered that the proposed Material Change of Use and Reconfiguration of a Lot complies with the Intent of the Works, Services and Infrastructure Code.

Reconfiguration of a Lot Code

The proposal is for a Reconfiguration of a Lot – 2 Lots into 26 Lots and Material Change of Use for twenty-five (25) Dwelling Houses in the Low Density Residential Zone of the Mareeba Shire Planning Scheme. The purpose of the application is to subdivide existing Lot 48 on SP320488 and Lot 2 on SP298298 into twenty-four (24) additional Residential Allotments and the provision of twenty-five (25) Dwelling Houses within the nominated Building Envelopes. The proposed Subdivision is to preserve the existing nature of the site and the immediate and surrounding amenity in accordance with the Mareeba Shire Planning Scheme as the proposal is for the continuation of the Amaroo Park Estate, being Merindah Close.

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

Performance outcomes	Acceptable outcomes	Comment
Area and frontage of lots		
PO1 Lots include an area and frontage that: <ul style="list-style-type: none"> (a) is consistent with the design of lots in the surrounding area; (b) allows the desired amenity of the zone to be achieved; (c) is able to accommodate all buildings, structures and works associated with the intended land use; (d) allow the site to be provided with sufficient access; (e) considers the proximity of the land to: <ul style="list-style-type: none"> (i) centres; (ii) public transport services; and (iii) open space; and (f) allows for the protection of environmental features; and (g) accommodates site constraints. 	AO1.1 Lots provide a minimum area and frontage in accordance with Table 9.4.4.3B .	Complies, The proposal provides for 24 additional Low Density Residential Allotments with areas greater than 350 m ² (smallest being 576 m ² [Lot 26]) and frontages greater than 10 metres (smallest being 11.37 metres [Lot 11]). It is not considered that the proposed Reconfiguration is in conflict with Table 9.4.4.3B.
Existing buildings and easements		
PO2 Reconfiguring a lot which contains existing land uses or existing buildings and structures ensures: <ul style="list-style-type: none"> (a) new lots are of sufficient area and dimensions to accommodate existing land uses, buildings and structures; and (b) any continuing use is not compromised by the reconfiguration. 	AO2.1 Each land use and associated infrastructure is contained within its individual lot.	Complies, Each Land Use and associated infrastructure will be contained within its individual allotment or within its designated Building Envelope.
	AO2.2 All lots containing existing buildings and structures achieve the setback requirements of the relevant zone.	Complies, All existing Buildings have been appropriately setback to any new Boundaries.
PO3 Reconfiguring a lot which contains an existing easement ensures: <ul style="list-style-type: none"> (a) future buildings, structures and accessways are able to be sited to avoid the easement; and (b) the reconfiguration does not compromise the purpose of the easement or the continued 	AO3 No acceptable outcome is provided.	Complies, No change to the existing Easements are proposed with the Reconfiguration.

Performance outcomes	Acceptable outcomes	Comment
operation of any infrastructure contained within the easement.		
Boundary realignment		
PO4 The boundary realignment retains all attendant and existing infrastructure connections and potential connections.	AO4 No acceptable outcome is provided.	Not Applicable. The proposal is not for a Boundary Realignment.
Access and road network		
PO5 Access to a reconfigured lot (including driveways and paths) must not have an adverse impact on: <ul style="list-style-type: none"> (a) safety; (b) drainage; (c) visual amenity; (d) privacy of adjoining premises; and (e) service provision. 	AO5 No acceptable outcome is provided.	Complies, Access to the proposed new 25 Residential Allotments and Dwelling Houses are provided by the extension of the existing Road Network. No adverse impact to the safety, drainage, visual amenity, privacy of adjoining premises and service provisions are envisaged with the proposed Layout.
PO6 Reconfiguring a lot ensures that access to a lot can be provided that: <ul style="list-style-type: none"> (a) is consistent with that provided in the surrounding area; (b) maximises efficiency and safety; and (c) is consistent with the nature of the intended use of the lot. <p>Note—The Parking and access code should be considered in demonstrating compliance with PO6.</p>	AO6 Vehicle crossover and access is provided in accordance with the design guidelines and specifications set out in Planning Scheme Policy 4 – FNQROC Regional Development Manual.	Complies, Vehicle crossovers can be provided in accordance with the relevant Planning Scheme Policies and FNQROC Regional Development Manual. Any crossovers can be provided at the time of construction of a dwelling located over each individual allotment or within that individual Building Envelope.
PO7 Roads in the Industry zone are designed having regard to: <ul style="list-style-type: none"> (a) the intended use of the lots; (b) the existing use of surrounding land; (c) the vehicular servicing requirements of the intended use; (d) the movement and turning requirements of B-Double vehicles. <p>Note—The Parking and access code should be considered in demonstrating compliance with PO7.</p>	AO7 No acceptable outcome is provided.	Not Applicable. The site is located within the Low Density Residential Zone.
Rear lots		
PO8 Rear lots are designed to: <ul style="list-style-type: none"> (a) provide a high standard of amenity for residents and other users of the site; (b) provide a high standard of amenity for adjoining properties; and 	AO8.1 Rear lots are designed to facilitate development that adjoins or overlooks a park or open space.	Not Applicable. No proposed Rear Allotment.
	AO8.2 No more than two rear lots are created behind any lot with a road frontage.	Not Applicable. No proposed Rear Allotment.

Performance outcomes	Acceptable outcomes	Comment
(c) not adversely affect the safety and efficiency of the road from which access is gained.	AO8.3 Access to lots is via an access strip with a minimum width of: (a) 4 metres where in the Low density residential zone or Medium density residential zone; or (b) 8 metres otherwise.	Not Applicable. No proposed Rear Allotment.
	AO8.4 A single access strip is provided to a rear lot along one side of the lot with direct frontage to the street.	Not Applicable. No proposed Rear Allotment.
	AO8.5 No more than 1 in 10 lots created in a new subdivision are rear lots.	Not Applicable. No proposed Rear Allotment.
	AO8.6 Rear lots are not created in the Centre zone or the Industry zone.	Not Applicable. No proposed Rear Allotment.
Crime prevention and community safety		
PO9 Development includes design features which enhance public safety and seek to prevent opportunities for crime, having regard to: (a) sightlines; (b) the existing and intended pedestrian movement network; (c) the existing and intended land use pattern; and (d) potential entrapment locations.	AO9 No acceptable outcome is provided.	Complies, It is considered that the proposed Reconfiguration has been designed to enhance public safety while seeking to prevent opportunities for crime via the use of appropriate and acceptable sightlines, pedestrian movement networks, etc.
Pedestrian and cycle movement network		
PO10 Reconfiguring a lot must assist in the implementation of a Pedestrian and cycle movement network to achieve safe, attractive and efficient pedestrian and cycle networks.	AO10 No acceptable outcome is provided.	Can Comply.
Public transport network		
PO11 Where a site includes or adjoins a future public transport corridor or future public transport site identified through a structure planning process, development: (a) does not prejudice the future provision of the identified infrastructure; (b) appropriately treats the common boundary with the future corridor; and (c) provides opportunities to integrate with the adjoining corridor where a	AO11 No acceptable outcome is provided.	Not Applicable.





Performance outcomes	Acceptable outcomes	Comment
it will include an element which will attract pedestrian movement.		
Residential subdivision		
PO12 Residential lots are: (a) provided in a variety of sizes to accommodate housing choice and diversity; and (b) located to increase variety and avoid large areas of similar lot sizes.	AO12 No acceptable outcome is provided.	Complies, The proposal provides for a range of Residential Allotment sizes and variety to accommodate housing choice and diversity. The proposal is considered to keep with the established amenity and nature of the existing Amaroo Park Estate and adjoining Residential Estates.
Rural residential zone		
PO13 New lots are only created in the Rural residential zone where land is located within the 4,000m ² precinct, the 1 hectare precinct or the 2 hectare precinct.	AO13 No acceptable outcome is provided.	Not Applicable.
Additional provisions for greenfield development only		
PO14 The subdivision design provides the new community with a local identity by responding to: (a) site context (b) site characteristics (c) setting (d) landmarks (e) natural features; and (f) views.	AO14 No acceptable outcome provided.	Complies, The proposed Reconfiguration is the continued of the Amaroo Park Estate Residential Development. The proposal continues the existing local identity incorporating site context and characteristics, natural features and views and the likes.
PO15 The road network is designed to provide a high level of connectivity, permeability and circulation for local vehicles, public transport, pedestrians and cyclists.	AO15 No acceptable outcome provided.	Complies, The proposed extension to the existing Road Network provides a sufficient level of connectivity for the public.
PO16 The road network is designed to: (a) minimise the number of cul-de-sacs; (b) provide walkable catchments for all residents in cul-de-sacs; and (c) include open cul-de-sacs heads.	AO16 No acceptable outcome provided.	Complies.
PO17 Reconfiguring a lot provides safe and convenient access to the existing or future public transport network.	AO17 The subdivision locates 90% of lots within 400 metres walking distance of a future public transport route.	Complies, The proposal is for the next stage (Stage Merindah Close) in the Amaroo Park Estate. Sufficient and convenient access to the existing and future public transport network is achieved.
PO18 The staging of the lot reconfiguration prioritises delivery of link roads to facilitate efficient bus routes.	AO18 No acceptable outcome provided.	Can Comply.

Performance outcomes	Acceptable outcomes	Comment
PO19 Provision is made for sufficient open space to: <ul style="list-style-type: none"> (a) meet the needs of the occupiers of the lots and to ensure that the environmental and scenic values of the area are protected; (b) retain riparian corridors, significant vegetation and habitat areas and provides linkages between those areas; and (c) meet regional, district and neighbourhood open space requirements. 	AO19.1 A minimum of 10% of the site area is dedicated as open space.	It is accepted that a substantial area of Open Space has been provided within the previous Development of Amaroo Park. As this development is a continuation of the existing Amaroo Park Estate, it is not considered, in this instance, that additional Open Space is required.
	AO19.2 A maximum of 30% of the proposed open space can consist of land identified as significant vegetation or riparian corridor buffer.	Can Comply.
PO20 A network of parks and community land is provided: <ul style="list-style-type: none"> (a) to support a full range of recreational and sporting activities; (b) to ensure adequate pedestrian, cycle and vehicle access; (c) which is supported by appropriate infrastructure and embellishments; (d) to facilitate links between public open spaces; (e) which is co-located with other existing or proposed community infrastructure; (f) which is consistent with the preferred open space network; and (g) which includes a diversity of settings; 	AO20 No acceptable outcome is provided.	Can Comply if required.

The proposed allotments meet the minimum area requirements of the Mareeba Shire Planning Scheme Reconfiguring a Lot Code. It is not considered that the proposed Subdivision nor Dwelling Houses will be detrimental to the adjacent sites or adversely impact on the surrounding area. It is considered that the Performance Outcomes of the Reconfiguring a Lot Code can be met in this instance.

Conclusion

It is considered that the proposed development being a Reconfiguration of a Lot and Material Change of Use over land described as Lot 48 on SP320488 and Lot 2 on SP298298 is appropriate. In particular, the proposed development:

-  Can meet the Performance Outcomes and Acceptable Outcomes relating to minimum allotment size and dimension;
-  No change to the existing Residential nature or character of the area is envisaged, and the Subdivision and Dwelling Houses will ensure that the new allotments will remain to be used for Residential Uses within the Low Density Residential Zone;
-  Can meet the Performance Outcomes and the Intent of the Reconfiguring a Lot Code for land included in the Low Density Residential Zone;
-  Can meet the Intent and Objectives and Intent for the Low Density Residential Zone; and



Is not in conflict with the Far North Queensland Regional Plan 2009 – 2031, in particular the Urban Footprint Designation.

Freshwater Planning Pty Ltd request that Council provide a copy of the Draft Conditions/Recommendation with sufficient time for review prior to Tabulating the Item on the Agenda or a Decision is provided. If you have any queries, please do not hesitate to contact Freshwater Planning Pty Ltd.

Page
15

Yours faithfully,

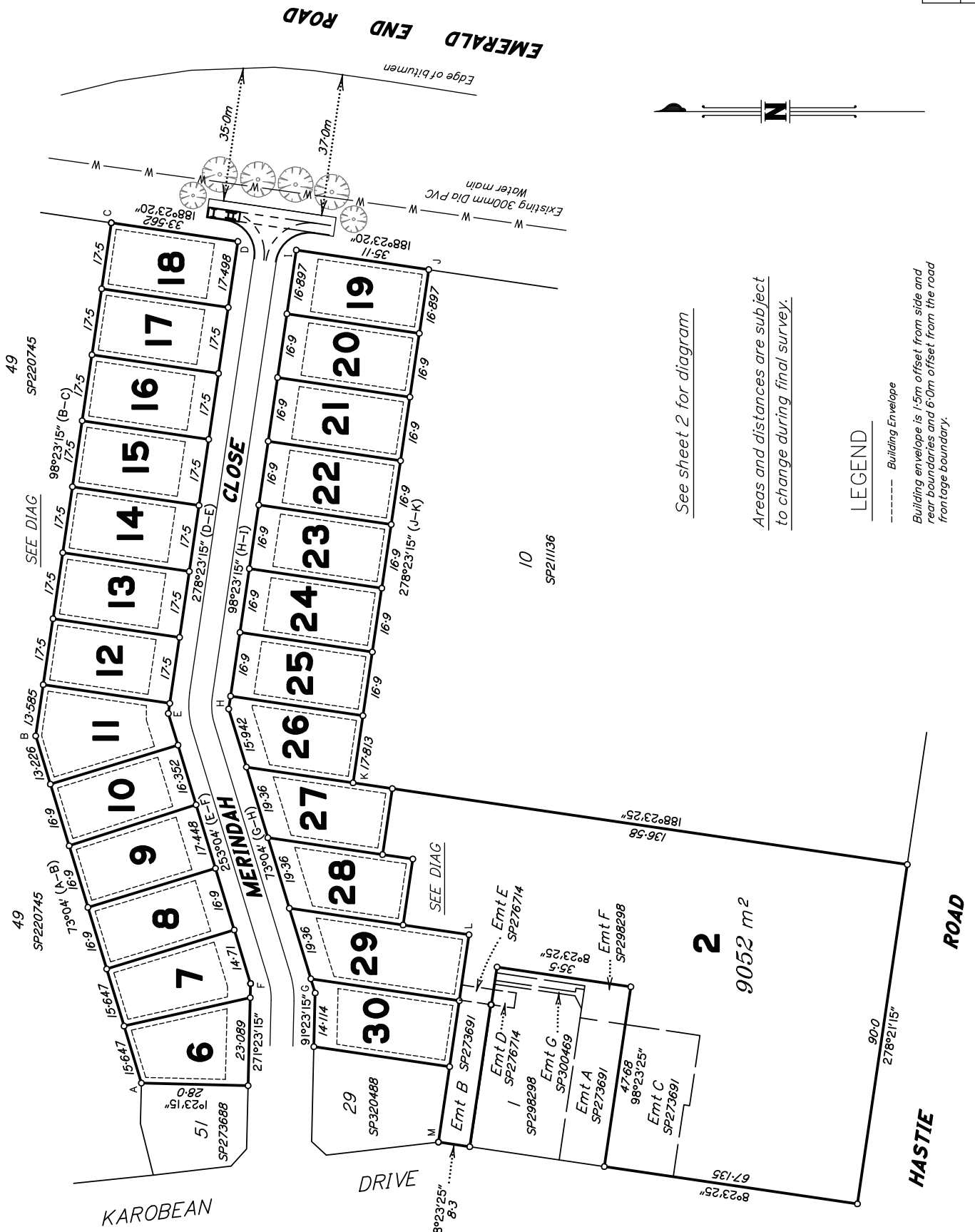
MATTHEW ANDREJIC

FRESHWATER PLANNING PTY LTD

P: 0402729004

E: FreshwaterPlanning@outlook.com

17 Barron View Drive, FRESHWATER QLD 4870



10 50m 100m 150m

LOCAL GOVERNMENT: MSC
LOCALITY: Mareeba
Scale 1: 1000 (A3)
Reference: 8673
Lot Layout - 20-04-2021

DEVELOPMENT PLAN
Plan of Lots 2, 6 - 30
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

DIAGRAM Scale - 1:800

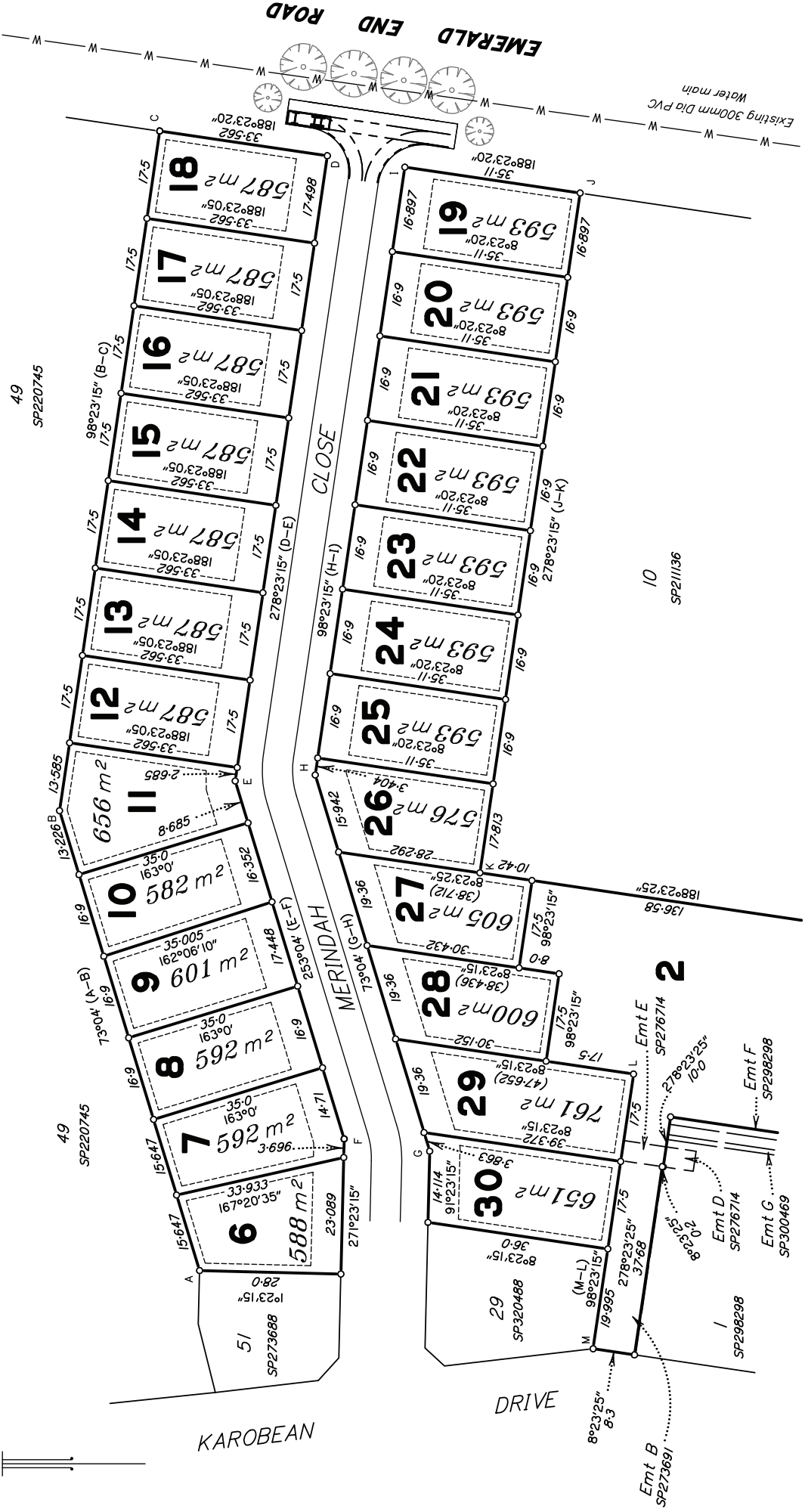
LEGEND

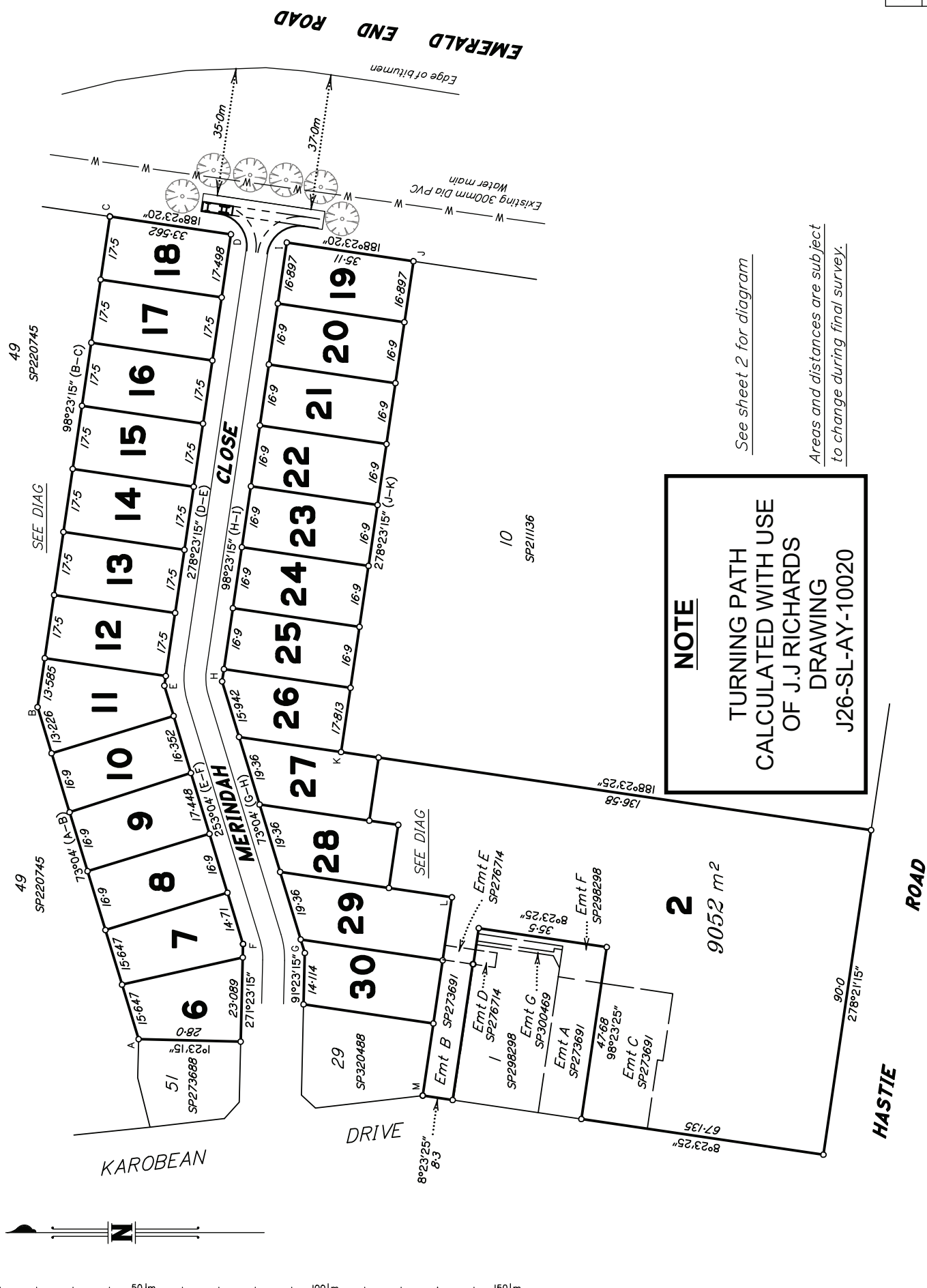
Building Envelope

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



Scale - 1:800





See sheet 2 for diagram

Areas and distances are subject to change during final survey.

NOTE
TURNING PATH
CALCULATED WITH USE
OF J.J. RICHARDS
DRAWING
J26-SL-AY-10020

LOCAL GOVERNMENT: MSC
LOCALITY: Mareeba
Scale 1: 1000 (A3)
Reference: 8673
Lot Layout – 25-01-2021

DEVELOPMENT PLAN
Plan of Lots 2, 6 – 30
Cancelling Lot 48 on SP320488
and Lot 2 on SP298298



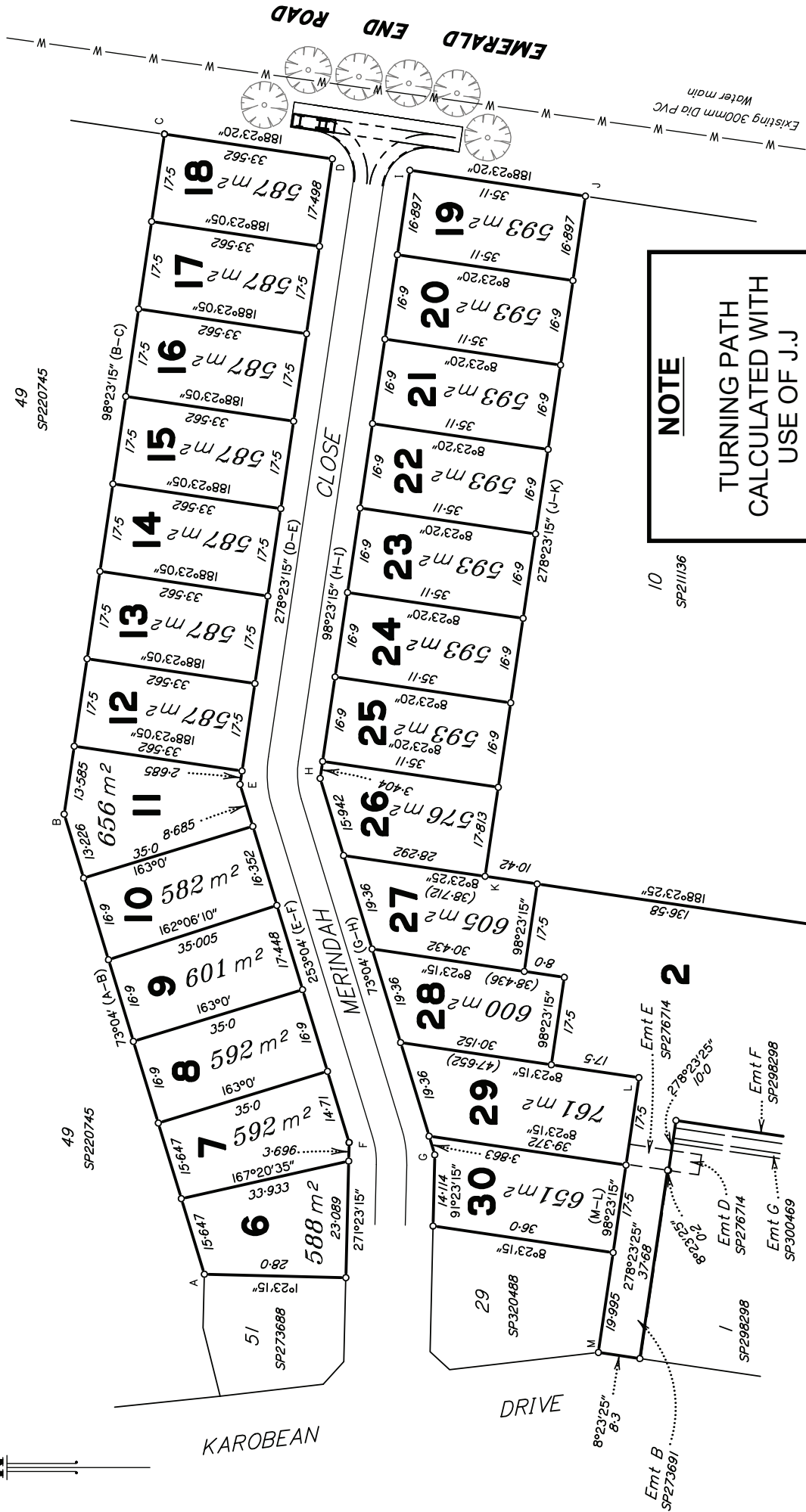
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PO Box 146, Atherton QLD 4883
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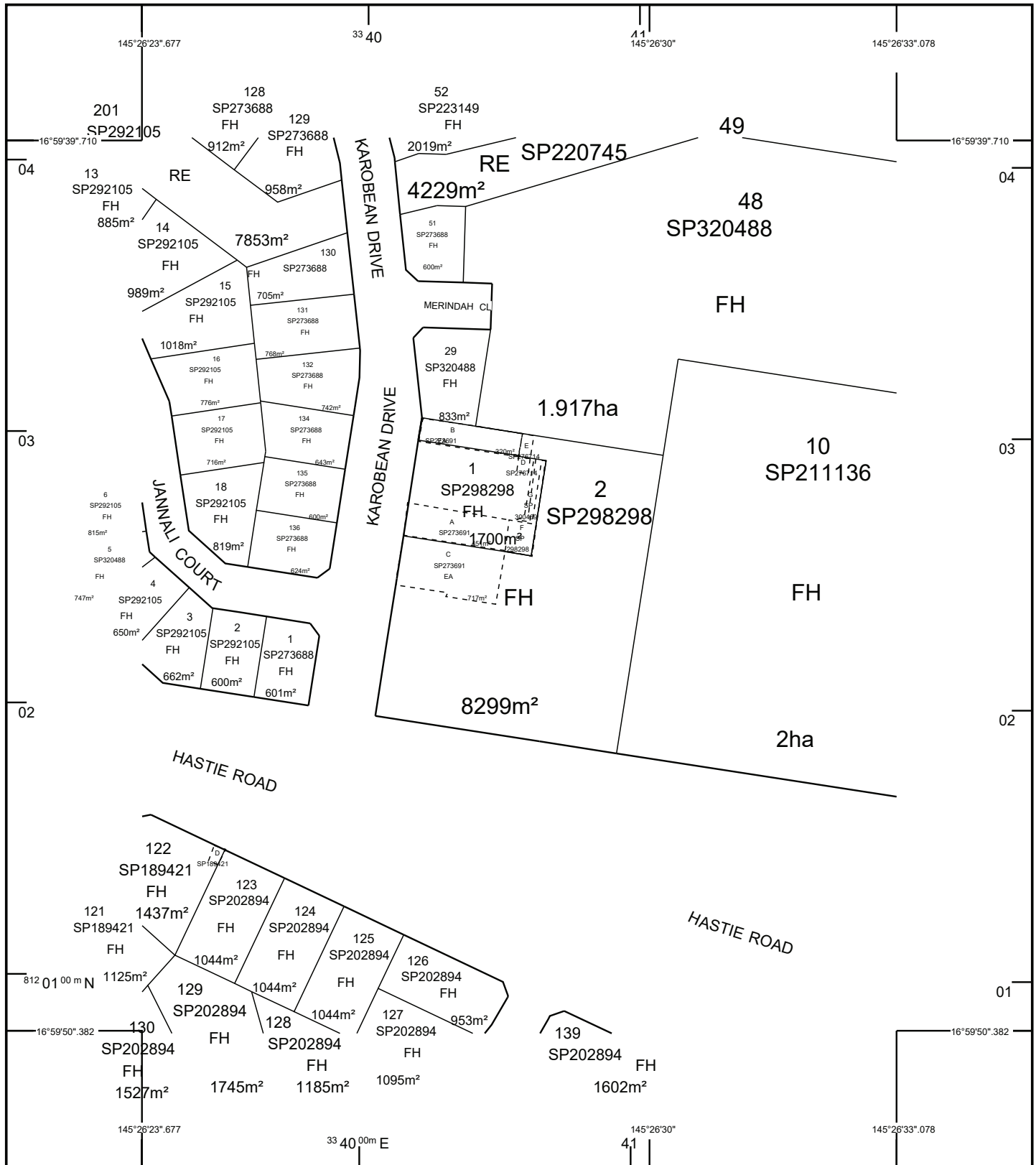
DIAGRAM

Scale - 1:800



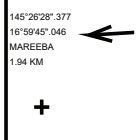
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STANDARD MAP NUMBER
7964-22233

MAP WINDOW POSITION &
NEAREST LOCATION



SUBJECT PARCEL DESCRIPTION

DCDB	
Lot/Plan	2/SP298298
Area/Volume	8299m²
Tenure	FREEHOLD
Local Government	MAREEBA SHIRE
Locality	MAREEBA
Segment/Parcel	63088/223

CLIENT SERVICE STANDARDS

PRINTED (dd/mm/yyyy) 27/04/2021

DCDB 25/04/2021

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SmartMap

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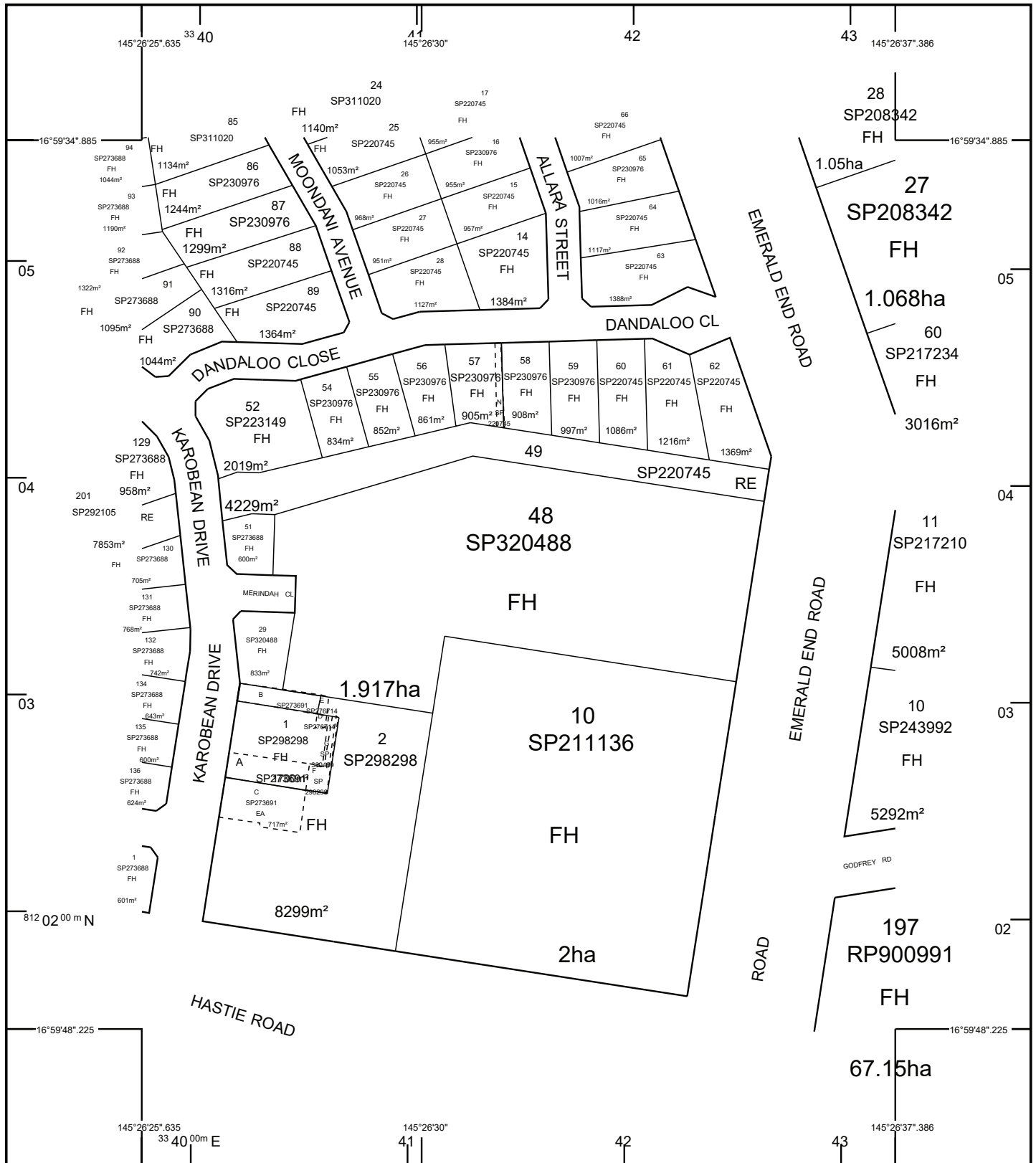
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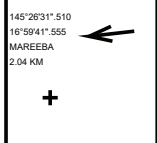
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STANDARD MAP NUMBER
7964-22233

MAP WINDOW POSITION &
NEAREST LOCATION



SUBJECT PARCEL DESCRIPTION

DCDB	
Lot/Plan	48/SP320488
Area/Volume	1.917ha
Tenure	FREEHOLD
Local Government	MAREEBA SHIRE
Locality	MAREEBA
Segment/Parcel	63088/322

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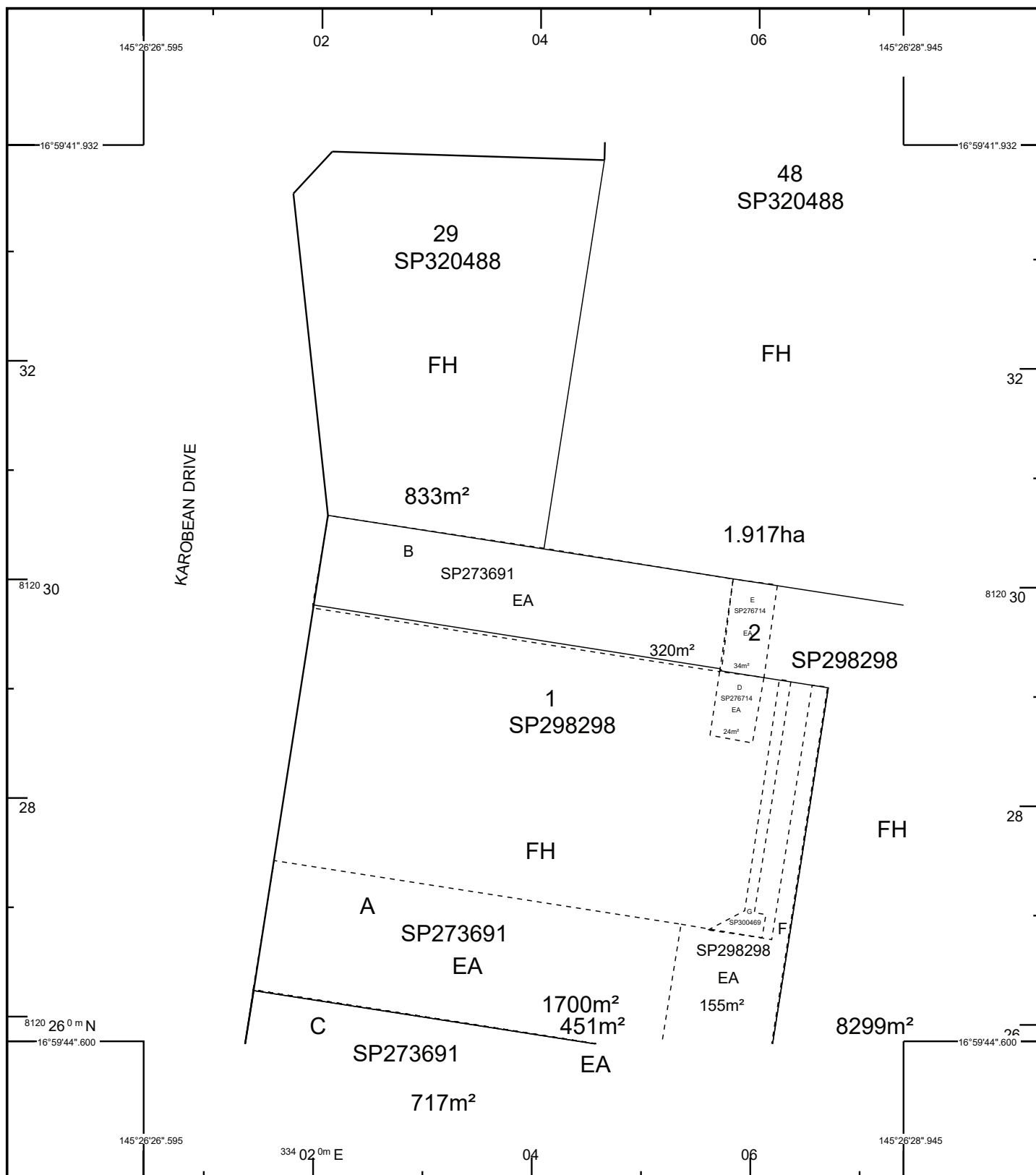
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Government**
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Mines and Energy) 2021.





STANDARD MAP NUMBER
7964-22233

MAP WINDOW POSITION &
NEAREST LOCATION

145°26'27\"/>

+



SUBJECT PARCEL DESCRIPTION

DCDB
Lot/Plan B/SP273691
Area/Volume 320m²
Tenure EASEMENT
Local Government MAREEBA SHIRE
Locality MAREEBA
Segment/Parcel 63088/315

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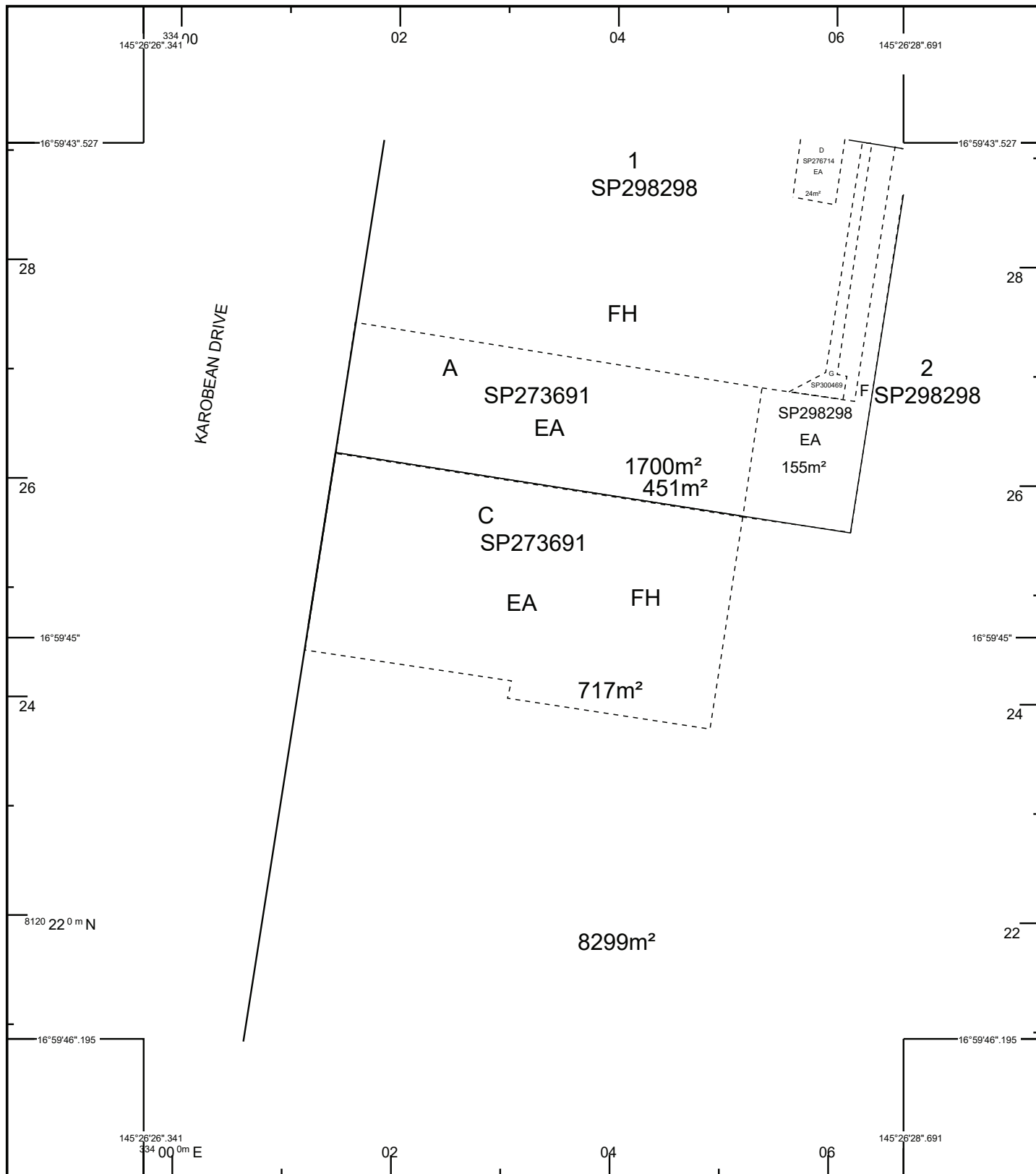
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(Department of
Natural Resources,
Mines and Energy) 2021.



STANDARD MAP NUMBER
7964-22233

MAP WINDOW POSITION &
NEAREST LOCATION

145°26'27\"/>

+



SUBJECT PARCEL DESCRIPTION

DCDB	
Lot/Plan	C/SP273691
Area/Volume	717m ²
Tenure	EASEMENT
Local Government	MAREEBA SHIRE
Locality	MAREEBA
Segment/Parcel	63088/228

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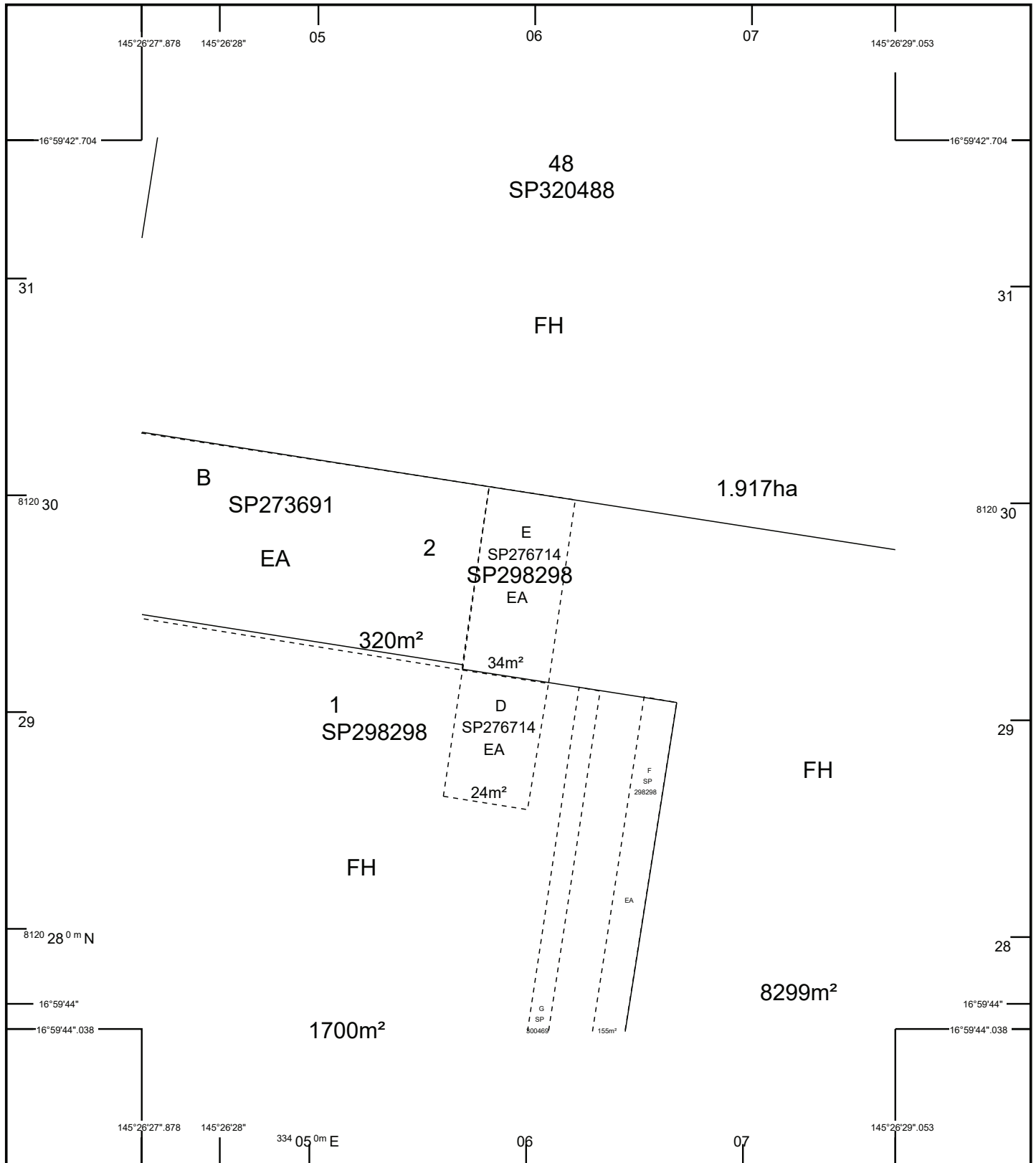
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Mines and Energy) 2021.



STANDARD MAP NUMBER
7964-22233

MAP WINDOW POSITION &
NEAREST LOCATION

145°26'28\"/>

+

SUBJECT PARCEL DESCRIPTION

DCDB	
Lot/Plan	E/SP276714
Area/Volume	34m²
Tenure	EASEMENT
Local Government	MAREEBA SHIRE
Locality	MAREEBA
Segment/Parcel	63088/269

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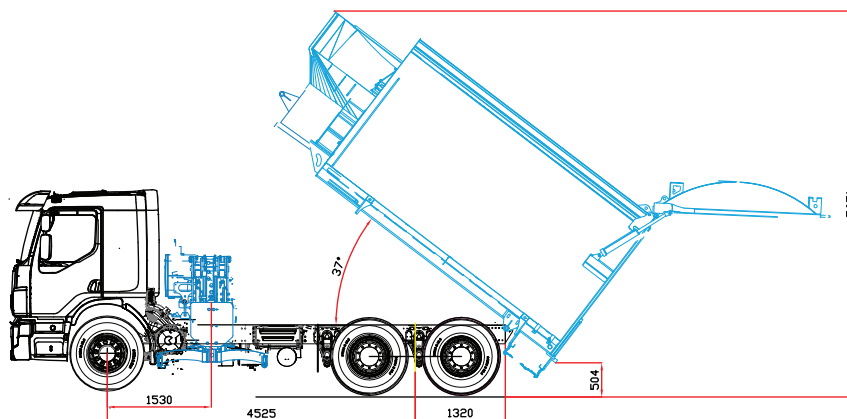
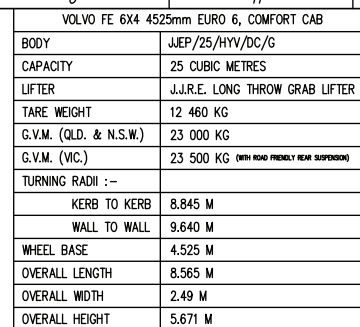
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	TOTAL MASS	FRONT AXLE MASS	REAR AXLE MASS
CAB CHASSIS MASS (KG)	7728	4530	3198
DRIVER MASS (KG)	0	0	0
FUEL MASS (KG)	0	0	0
BODY MASS (KG)	4732	1668	3064
EXTRA OPTIONS MASS (KG)	0	0	0
TOTAL VEHICLE MASS UNLOADED (KG)	12460	6198	6262
<i>THEORETICAL TPA MASS (KG)</i>	<i>10500</i>	<i>299</i>	<i>10201</i>
TOTAL VEHICLE MASS LOADED (KG)	22960	6496	16464
MAX. FCGAL MASS (KG)	23000	6500	16500

6X4 ADDS 264KG TO REAR

PROPERTY OF J.J.RICHARDS
ENGINEERING PTY LTD
A DIVISION OF J.J. RICHARDS & SONS
THE INFORMATION ON THIS DRAWING IS
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TOLERANCES
LINEAR : - $\pm 0.5\text{mm}$
MACHINING : - $\pm 0.1\text{mm}$



DRAUGHTING STD : AS110

**IF IN DOUBT
ASK**

**J.J. Richards
Engineering PTY LTD**



TITLE	25m3 HYBRID SIDE LOADER OVERALL DIMENSIONS VOLVO FE 6X4 EURO 6, COMFORT CAB
-------	--

R	SCALE	1 INTS		-	REV	A	126 SI-A

7 J26-SL-AY-10020

06 May, 2021

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

Dear Sir,

RE: APPLICATION FOR A RECONFIGURATION OF A LOT AND A MATERIAL CHANGE OF USE. LOT 48 ON SP320488 AND LOT 2 ON SP298298, MERINDAH CLOSE AND KAROBEAN DRIVE, MAREEBA.

Under Section 51 of the *Planning Act, 2016* it is mandatory for the owner of the land to which a Development Application relates to consent to the making of the Application.

We, BTM & S STANKOVICH PTY LTD AND BTM & S HOLDINGS PTY LTD as the registered owners of Merindah Close and Karobean Drive, Mareeba and more particularly described as Lot 48 on SP320488 and Lot 2 on SP298298, authorise Freshwater Planning Pty Ltd to lodge a Town Planning Application on our behalf.



BTM & S STANKOVICH PTY LTD
LOT 48 ON SP320488



BTM & S HOLDINGS PTY LTD
LOT 2 ON SP298298

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)	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
Contact number	0402729004
Email address (non-mandatory)	FreshwaterPlanning@outlook.com
Mobile number (non-mandatory)	
Fax number (non-mandatory)	
Applicant's reference number(s) (if applicable)	F21/05

2) Owner's consent	
2.1) Is written consent of the owner required for this development application?	
<input checked="" type="checkbox"/> Yes – the written consent of the owner(s) is attached to this development application	
<input type="checkbox"/> No – proceed to 3)	

PART 2 – LOCATION DETAILS

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

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

3.1) Street address and lot on plan

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

a)	Unit No.	Street No.	Street Name and Type	Suburb
			Karobean Drive	Mareeba
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)
	4880	2	SP298298	Mareeba Shire Council
b)	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

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):*

Material Change of Use – 25 Dwelling Houses

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):*

Reconfiguration of 2 Lots into 26 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 checked="" type="checkbox"/> Yes – complete division 2
Operational work	<input type="checkbox"/> Yes – complete division 3
Building work	<input type="checkbox"/> Yes – complete <i>DA Form 2 – Building work details</i>

Division 1 – Material change of use

Note: This division is only required to be completed if any part of the development application involves a material change of use assessable against a local planning instrument.

8.1) Describe the proposed material change of use			
Provide a general description of the proposed use	Provide the planning scheme definition (include each definition in a new row)	Number of dwelling units (if applicable)	Gross floor area (m ²) (if applicable)
Dwelling Houses	Multiple Dwelling (25 x Dwelling Houses)	25	
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?	
2	
9.2) What is the nature of the lot reconfiguration? (tick all applicable boxes)	
<input checked="" 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	26			
10.2) Will the subdivision be staged?				
<input type="checkbox"/> Yes – provide additional details below				
<input checked="" type="checkbox"/> No				
How many stages will the works include?				
What stage(s) will this development application apply to?				

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

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

13) What are the dimensions and nature of any existing easements being changed and/or any proposed easement? (attach schedule if there are more than two easements)				
Existing or proposed?	Width (m)	Length (m)	Purpose of the easement? (e.g. pedestrian access)	Identify the land/lot(s) benefitted by the easement

Division 3 – Operational work

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

14.1) What is the nature of the operational work?	
<input type="checkbox"/> Road work <input type="checkbox"/> Drainage work <input type="checkbox"/> Landscaping <input type="checkbox"/> Other – please specify:	<input type="checkbox"/> Stormwater <input type="checkbox"/> Earthworks <input type="checkbox"/> Signage <input type="checkbox"/> Water infrastructure <input type="checkbox"/> Sewage infrastructure <input type="checkbox"/> Clearing vegetation
14.2) Is the operational work necessary to facilitate the creation of new lots? (e.g. subdivision)	
<input type="checkbox"/> Yes – specify number of new lots:	
<input type="checkbox"/> No	
14.3) What is the monetary value of the proposed operational work? (include GST, materials and labour)	
\$	

PART 4 – ASSESSMENT MANAGER DETAILS

15) Identify the assessment manager(s) who will be assessing this development application
Mareeba Shire Council
16) Has the local government agreed to apply a superseded planning scheme for this development application?
<input type="checkbox"/> Yes – a copy of the decision notice is attached to this development application <input type="checkbox"/> The local government is taken to have agreed to the superseded planning scheme request – relevant documents attached <input checked="" type="checkbox"/> No

PART 5 – REFERRAL DETAILS

17) Does this development application include any aspects that have any referral requirements?

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

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

Matters requiring referral to the **Chief Executive of the Planning Act 2016:**

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

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

- ☐ Airport land
- ☐ Environmentally relevant activities (ERA) (*only if the ERA has been devolved to local government*)

<input type="checkbox"/> Heritage places – Local heritage places
Matters requiring referral to the Chief Executive of the distribution entity or transmission entity:
<input type="checkbox"/> Infrastructure-related referrals – Electricity infrastructure
Matters requiring referral to:
<ul style="list-style-type: none"> • The Chief Executive of the holder of the licence, if not an individual • The holder of the licence, if the holder of the licence is an individual
<input type="checkbox"/> Infrastructure-related referrals – Oil and gas infrastructure
Matters requiring referral to the Brisbane City Council:
<input type="checkbox"/> Ports – Brisbane core port land
Matters requiring referral to the Minister responsible for administering the <i>Transport Infrastructure Act 1994</i>:
<input type="checkbox"/> Ports – Brisbane core port land (<i>where inconsistent with the Brisbane port LUP for transport reasons</i>)
<input type="checkbox"/> Ports – Strategic port land
Matters requiring referral to the relevant port operator , if applicant is not port operator:
<input type="checkbox"/> Ports – Land within Port of Brisbane's port limits (<i>below high-water mark</i>)
Matters requiring referral to the Chief Executive of the relevant port authority:
<input type="checkbox"/> Ports – Land within limits of another port (<i>below high-water mark</i>)
Matters requiring referral to the Gold Coast Waterways Authority:
<input type="checkbox"/> Tidal works or work in a coastal management district (<i>in Gold Coast waters</i>)
Matters requiring referral to the Queensland Fire and Emergency Service:
<input type="checkbox"/> Tidal works or work in a coastal management district (<i>involving a marina (more than six vessel berths)</i>)

18) Has any referral agency provided a referral response for this development application?		
<input type="checkbox"/> Yes – referral response(s) received and listed below are attached to this development application		
<input checked="" type="checkbox"/> No		
Referral requirement	Referral agency	Date of referral response
Identify and describe any changes made to the proposed development application that was the subject of the referral response and this development application, or include details in a schedule to this development application (<i>if applicable</i>).		

PART 6 – INFORMATION REQUEST

19) Information request under Part 3 of the DA Rules
<input checked="" type="checkbox"/> I agree to receive an information request if determined necessary for this development application
<input type="checkbox"/> I do not agree to accept an information request for this development application
<p>Note: By not agreeing to accept an information request I, the applicant, acknowledge:</p> <ul style="list-style-type: none"> • that this development application will be assessed and decided based on the information provided when making this development application and the assessment manager and any referral agencies relevant to the development application are not obligated under the DA Rules to accept any additional information provided by the applicant for the development application unless agreed to by the relevant parties • Part 3 of the DA Rules will still apply if the application is an application listed under section 11.3 of the DA Rules. <p>Further advice about information requests is contained in the DA Forms Guide.</p>

PART 7 – FURTHER DETAILS

20) Are there any associated development applications or current approvals? (e.g. a preliminary approval)			
<input checked="" type="checkbox"/> Yes – provide details below or include details in a schedule to this development application <input type="checkbox"/> No			
List of approval/development application references	Reference number	Date	Assessment manager
<input type="checkbox"/> Approval <input checked="" type="checkbox"/> Development application	MCU/21/0006	20 April, 2021	Mareeba Shire Council
<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)		
<input type="checkbox"/> Yes – a copy of the receipted QLeave form is attached to this development application <input type="checkbox"/> 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 <input checked="" type="checkbox"/> 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?
<input type="checkbox"/> Yes – show cause or enforcement notice is attached <input checked="" type="checkbox"/> 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 <i>Environmental Protection Act 1994</i> ?			
<input type="checkbox"/> 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 <input checked="" type="checkbox"/> No Note: Application for an environmental authority can be found by searching “ESR/2015/1791” as a search term at www.qld.gov.au . An ERA requires an environmental authority to operate. See www.business.qld.gov.au for further information.			
Proposed ERA number:		Proposed ERA threshold:	
Proposed ERA name:			
<input type="checkbox"/> 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 ?			
<input type="checkbox"/> Yes – Form 69: Notification of a facility exceeding 10% of schedule 15 threshold is attached to this development application <input checked="" type="checkbox"/> No Note: See www.business.qld.gov.au for further information about hazardous chemical notifications.			

Clearing native vegetation

23.3) Does this development application involve **clearing native vegetation** that requires written confirmation that the chief executive of the *Vegetation Management Act 1999* is satisfied the clearing is for a relevant purpose under section 22A of the *Vegetation Management Act 1999*?

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

☒ No

Note: 1. Where a development application for operational work or material change of use requires a s22A determination and this is not included, the development application is prohibited development.
2. See <https://www.qld.gov.au/environment/land/vegetation/applying> for further information on how to obtain a s22A determination.

Environmental offsets

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

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

☒ No

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

Koala habitat in SEQ Region

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

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

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

☒ No

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

Water resources

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

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

☒ No

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

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

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

Waterway barrier works

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

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

☒ No

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

Marine activities

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

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

☒ No

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

Quarry materials from a watercourse or lake

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

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

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

Quarry materials from land under tidal waters

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

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

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

Referable dams

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

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

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

Tidal work or development within a coastal management district

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

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

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

Queensland and local heritage places

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

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

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

Name of the heritage place:		Place ID:	
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Brothels

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

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

Decision under section 62 of the Transport Infrastructure Act 1994

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

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

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 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	