



15 November 2021

Antonio Bruno Di Maggio
205 Walsh Street
MAREEBA QLD 4880

Council Officer: Brian Millard
Direct Telephone: (07) 4086 4657
Our Reference: MCU/21/0011

Email: brunostaxiservice@gmail.com

Dear Sir,

Confirmation Notice

Planning Act 2016

Council acknowledges receipt of your application, which was properly made on 12 November 2021.

This Confirmation Notice has been prepared in accordance with the Development Assessment Rules and contains information relevant to the processing and assessment of the application. The following details are confirmed:

APPLICATION DETAILS

Application No:	MCU/21/0011
Proposal:	Application for a Development Permit for Material Change of Use - Transport Depot (Taxi Depot)
Street Address:	Sunrise Close MAREEBA QLD 4880
Real Property Description:	Lot 8 on SP183708
Planning Scheme:	Mareeba Shire Council Planning Scheme 2016

TYPE OF DEVELOPMENT

The application seeks development approval for:

- Material Change of Use - Transport Depot (Taxi Depot)

SUPERSEDED PLANNING SCHEME

Is the application for development under the Superseded Planning Scheme? No

CODE ASSESSMENT

Will Code Assessment be required? No

IMPACT ASSESSMENT

Will Impact Assessment be required? Yes

PUBLIC NOTIFICATION DETAILS

Is Public Notification Required? Yes

Public notification of the application must be carried out in accordance with *Part 4 of the Development Assessment Rules (Attached)*.

In accordance with *DA Rule 16.1*, the public notification process must commence within **20 business days** of receiving this notice or the application will **lapse**. If you cannot meet this timeframe, an extension can be requested from Council before the lapse date.

Also attached is *Schedule 3: Public notice requirements* from the *Development Assessment Rules* to provide guidance through the public notification stage of your development application.

Public notification signs are available to purchase from Council and upon request Council will issue an 'adjoining property owner notice' providing the postage details of the adjoining property owners you are required to issue notices to as part of the public notification process.

REFERRAL AGENCIES

Nil

INFORMATION REQUEST

Has the applicant advised on the approved form that the applicant does not agree to accept an Information Request? No

A further Information Request **will not** be made by the assessment manager.

PROJECT TEAM

The contact details of the project team for your application are provided below. Your primary point of contact for any general enquires regarding this application is the project manager.

Project Manager (Planning)

Brian Millard

(07) 4086 4657

OTHER DETAILS

You can follow the progress of this application online at www.msc.qld.gov.au.

Should you have any further queries in relation to the above, please do not hesitate to contact Council's Senior Planner on the above number.

Yours faithfully

A handwritten signature in black ink, appearing to read 'B. Millard', with a stylized flourish at the end.

BRIAN MILLARD
SENIOR PLANNER

Attachments: 1. Part 4: Public notification
 2. Schedule 3: Public notice requirements

Development Assessment Rules

Part 4: Public notification

16 When this part starts

- 16.1 If there are no referral agencies for the application and part 3 does not apply because:
- (a) the applicant has advised that it does not wish to receive an information request and it is not an application mentioned in section 11.3; or
 - (b) the assessment manager states in the confirmation notice that it does not intend to make an information request;
- public notification must start within 20 days of the day after the confirmation notice is given to the applicant.
- 16.2 If—
- (a) the applicant has advised that it does not wish to receive an information request; and
 - (b) it is not an application mentioned in section 11.3; and
 - (c) there are referral agencies;
- public notification must start within 20 days after the day the last referral assessment period for any referral agency has started.
- 16.3 If sections 16.1 and 16.2 do not apply, public notification must start within 20 days of the day after part 3 has ended.
- 16.4 For a **changed application**, where public notification is required to be undertaken again from its beginning, public notification must commence within 20 days after—
- (a) if both part 2 and part 4 are relevant to the application as a result of the changed application, the day after part 3 has ended;
 - (b) otherwise, the day after the notice is given under section 26.2(a) or 26.2(c).

17 Public notice requirements

- 17.1 The applicant, or the assessment manager acting under section 53(10) of the Act, must give public notice by—
- (a) publishing a notice at least once in a newspaper circulating generally in the locality of the **premises** the subject of the application; and
 - (b) placing notice on the premises the subject of the application that must remain on the premises for the period of time up to and including the **stated day**; and
 - (c) giving notice to the **adjoining owners** of all lots adjoining the premises the subject of the application.
- 17.2 The applicant must give notice to the assessment manager of the intended start date of public notification.
- 17.3 Schedule 3 prescribes the way in which public notice must be given.
- 17.4 All public notice requirements under section 17.1 and 17.2 must be undertaken within the period prescribed under section 16.⁹

18 Notice of compliance

- 18.1 If the applicant gives public notice, it must, within 10 days from the day after the last day on which a submission may be made, or a further period agreed between the applicant and the assessment manager, give the assessment manager notice of compliance with the public notice requirements.¹⁰

⁹ The **public notification period** starts in accordance with section 53(5) of the Act. Not taking this action within the period prescribed, will result in the application lapsing – see section 31.

¹⁰ Not taking this action within the period prescribed will result in the application lapsing – see section 31.

Development Assessment Rules

19 Submissions

19.1 The assessment manager—

- (a) must accept a submission¹¹ if the submission is a **properly made submission**; and
- (b) may accept a submission even if the submission is not a properly made submission.

19.2 Anyone who has made a properly made submission, or a submission the assessment manager has accepted, may by notice—

- (a) amend the submission before the stated day by which submissions must be received (or stated day in a subsequent public notice where re-notification has occurred); or
- (b) withdraw the submission at any time before the application is decided.

19.3 Where submissions have been accepted under section 19.1 for the application, the assessment manager has up to 10 days, or a further period agreed between the applicant and the assessment manager, to consider the submissions starting—

- (a) where the applicant has undertaken public notification, the day after the day the assessment manager receives notice of compliance under section 18.1; or
- (b) otherwise, the day after the stated day.

20 End of part 4

20.1 Part 4 is complete—

- (a) if submissions are received—
 - (i) the day the period to consider submissions under section 19.3 has ended; or
 - (ii) before the period has ended under section 19.3, the day the assessment manager gives notice to the applicant to end the period.
- (b) if no submissions are received—
 - (i) the day after the assessment manager receives a notice of compliance from the applicant; or
 - (ii) the stated day on the public notice if public notice is given by the assessment manager.

¹¹ Section 53(4) of the Act establishes the dates for making a submission for an application.

ATTACHMENT 2

Development Assessment Rules

Schedule 3: Public notice requirements

1. The applicant or assessment manager must comply with the public notice requirements in this schedule when giving public notice in accordance with part 4 of the DA Rules.
2. For development applications, part 1 of this schedule provides the requirements and information that must be included on all notices, as well as the font style and sizing.
3. For change applications,³⁰ part 2 of this schedule provides the requirements and information that must be included on all notices, as well as the font style and sizing.

Requirements for placing a public notice on the premises

4. For placing a public notice on the premises, a public notice must be:
 - (a) placed on, or within a reasonable distance of, the road frontage for the premises, ensuring that it is clearly visible from the road;
 - (b) mounted at least 300 millimetres above ground level;
 - (c) made of weatherproof material; and
 - (d) at least A0 size.
5. If the premises has more than one road frontage, a public notice must be placed on each publicly accessible road frontage for the premises.
6. The applicant must maintain the public notice from the day it is placed on the premises until the end of the notification period.
7. For placing a public notice on the premises, road frontage for the premises, means—
 - (a) the boundary between the premises and any **road adjoining** the premises; or
 - (b) if the only access to the premises is across other land, the boundary between the other land and any road adjoining the other land at the point of access.

Requirements for placing a public notice in the newspaper

8. A public notice must be published at least once in a newspaper circulating generally in the locality of the premises.
9. The notice may vary in size depending on the information and medium being used.

Requirements for giving notice to owners of lots adjoining the premises

10. A notice must be given to the owners of all lots adjoining the premises the subject of the application.
11. For giving notice to owners of lots adjoining the premises, the **adjoining owner** of a lot adjoining the premises the subject of the application, is any of the following—
 - (a) if the adjoining lot is subject to the *Integrated Resort Development Act 1987* or the *Sanctuary Cove Resort Act 1985* – the primary thoroughfare body corporate;
 - (b) if the adjoining lot is subject to the *Mixed Use Development Act 1993* – the community body corporate;
 - (c) subject to paragraphs (a) and (b), if the adjoining lot is subject to the *Building Units and Group Titles Act 1980* – the body corporate;
 - (d) if the adjoining lot is, under the *Body Corporate and Community Management Act 1997*, scheme land for a community titles scheme—
 - (i) the body corporate for the scheme;
 - (ii) if the adjoining lot is scheme land for more than one community titles scheme – the body corporate for the community titles scheme that is a principal scheme;

³⁰ For change applications under section 82 of the Act that require public notification to be undertaken.

Development Assessment Rules

- (e) if there is a time share scheme, as defined under the *Local Government Act 2009*, for a structure on the adjoining lot – the person notified to the local government concerned as the person responsible for the administration of the scheme as between the participants in the scheme;
 - (f) if the adjoining lot is land being bought from the state for an estate in fee simple under the *Land Act 1994* – the buyer;
 - (g) if the adjoining lot is land granted in trust or reserved and set apart and placed under the control of trustees under the *Land Act 1994* – the trustees of the land;
 - (h) if paragraphs (a) to (g) do not apply – the person for the time being entitled to receive the rent for the land or who would be entitled to receive the rent if the land were let to a tenant at a rent.
12. For giving notice to adjoining owners, roads, premises below high-water mark and the beds and banks of rivers are taken not to be adjoining premises.

Pt 1: Application

Pt 2: Referral

Pt 3: Information request

Pt 4: Public notification

Pt 5: Decision

Pt 6: Changes to app & referral agency responses

Pt 7: Miscellaneous

Schedule

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Development Assessment Rules

Part 1 – Public notice requirements for development applications

1A - Specifications for public notice on the premises

1. Figure 1 in this part³¹ —
 - (a) shows the general layout for a public notice on the premises; and
 - (b) identifies the breakdown of sections as they appear in table 1, which identifies the information that is to be included on – and the minimum specifications for – the public notice on the premises.
2. If additional text lines are required to accommodate the required information, then the notice is to be increased in size from the minimum requirements to accommodate the additional text.
3. Font size must not fall below the minimum size specified in table 1.
4. Unless stated otherwise, all sections and specifications for the public notice are mandatory minimum requirements.

Proposed Development

Section 1 Make a submission from [Insert the start and end dates using Arial, bold, no less than 75pt.]

Section 2 [Insert QR code here if applicable. Must be at least 200mm² and at least 100µm at 100%]

Section 3 [Insert the proposed use(s) of the land as defined in the planning scheme using Arial, bold, no less than 75pt.]

Section 4 [Insert minimum development plan image showing relevant details of the proposal (e.g. the location of operations etc.) must be at least a minimum of 310mm wide or at least a minimum of 250mm high, and must be 300dpi at 100 per cent]

Section 5 **Where**
[Insert the street address of the site that the application relates to using Arial, regular, no less than 48pt.]

On
[Insert the real property (e.g. lot on plan) using Arial, regular, no less than 48pt.]

Approval sought
[Insert the types of approval sought (i.e. preliminary approval, development permit, or both) using Arial, bold, no less than 48pt.]

Section 6 **Minimum Lot Size and Frontage**
[Insert minimum area using Arial, regular, no less than 48pt.]

Building Height
[Insert maximum building height using Arial, regular, no less than 48pt.]

Setbacks
[Insert setbacks regulations using Arial, regular, no less than 48pt.]

Site cover
[Insert maximum site coverage using Arial, regular, no less than 48pt.]

Section 7 **For further information & submissions to**
[Insert assessment manager contact number]
[Insert assessment manager contact email]
[Insert assessment manager postal address]
[Insert assessment manager web address]
All using Arial, regular, no less than 36pt with line spacing of 1.2

View the Application
[Insert application reference, (application ref number)]
[Using Arial, bold, no less than 36pt with line spacing of 1.2]
[A copy of the application can be obtained from [insert assessment manager]]
[Insert QR code to download the application PDF online]
[Or by scanning QR code]
[Using Arial, regular, no less than 36pt with line spacing of 1.2]




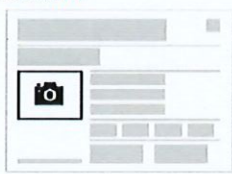

Section 8 [Insert QR code here if applicable using Arial, regular, no less than 48pt]

Figure 1 – Design layout of public notices to be placed on the premises



³¹ A downloadable template of this notice, including the symbols, is available on the department's website at <https://planning.dsdmip.qld.gov.au/planning/better-development/application-forms-and-templates>.

Development Assessment Rules

Table 1 – Information that must be included on a public notice on the premises

Section	Information that must be included and specification
Section 1 	'Proposed Development' <ul style="list-style-type: none"> Heading lettering must be at least 51 mm in height and in a bold style (approximately Arial, bold, no less than 200 pt). 'Make a submission from [date] to [date]' <ul style="list-style-type: none"> Heading lettering must be at least 17 mm in height (approximately Arial, regular, no less than 75 pt). Date fields <ul style="list-style-type: none"> Lettering must be at least 17mm in height and in a bold style (approximately Arial, bold, no less than 75 pt). Long date format (day, month, year) – if the year is the same for both dates it is only required to be included on the later date.
Section 2 	QR code <ul style="list-style-type: none"> Optional inclusion; not mandatory. If used, the QR code must: <ul style="list-style-type: none"> be at least 3600 mm² (6 cm x 6 cm) and at least 100 dpi at 100%; and link to information about the application on the assessment manager's website.
Section 3 	Description of proposed development <ul style="list-style-type: none"> Insert the proposed use (if a new or changed use is proposed) or the proposed development, including an indication of the scale or density of the development (e.g. number of lots, gross floor area) using the use defined in the planning scheme. Lettering in this section must be at least 17 mm in height and in a bold style (approximately Arial, bold, no less than 75 pt). Use a bullet point character before text on each new line, where items are listed.
Section 4 	Development image <ul style="list-style-type: none"> Image to show relevant details of the proposal (e.g. photomontage, location map, plan of subdivision, site layout plan, elevations). Must give the public a general indication of what is being proposed. Image must be 300 dpi at 100% and must be at least a minimum of 310 mm wide or at least a minimum of 250 mm high. Multiple images may be used. Images may be in colour.
Section 5 	'Where' <ul style="list-style-type: none"> Use the symbol provided. Symbol to be adjacent to the left of the heading and information. Street address that the application relates to. 'Where' heading: lettering must be at least 15 mm in height and in a bold style (approximately Arial, bold, no less than 53 pt). Information under heading: lettering must be at least 12 mm in height (approximately Arial, regular, no less than 48 pt). 'On' <ul style="list-style-type: none"> Use the symbol provided. Symbol to be adjacent to the left of the heading and information.

Development Assessment Rules

	<ul style="list-style-type: none"> Real property description (i.e. lot on plan). 'On' heading: lettering must be at least 15 mm in height and in a bold style (approximately Arial, bold, no less than 48 pt). Information under heading: lettering must be at least 12 mm in height (approximately Arial, regular, no less than 48 pt). <p>'Approval Sought'</p> <ul style="list-style-type: none"> Use the symbol provided. Symbol to be adjacent to the left of the heading and information. Type(s) of approval sought (i.e. preliminary approval, development permit or both). 'Approval Sought' heading: lettering must be at least 15 mm and in a bold style (approximately Arial, bold, no less than 48 pt). Information under heading: lettering must be at least 12 mm in height (approximately Arial, regular, no less than 48 pt).
<p>Section 6</p> 	<p>For this section—</p> <ul style="list-style-type: none"> Any applicable symbols described below must be used. Symbols to be adjacent to the left of the heading and information. Headings: lettering must be at least 8 mm in height and in a bold style (approximately Arial, bold, no less than 34 pt). Information under headings: lettering must be at least 8 mm in height (approximately Arial, regular, no less than 32 pt). <p>'Minimum Lot Size and frontage'</p> <ul style="list-style-type: none"> Use the symbol provided if applicable to the development. Use a bullet point character before text on each new line for both heading and information below. Describe the proposed minimum lot size and minimum frontage in m². <p>'Building height'</p> <ul style="list-style-type: none"> Use the symbol provided if applicable to the development. Use a bullet point character before text on each new line for both heading and information below. Describe the proposed height of the building in meters or storeys at its upper most projection. <p>'Setbacks'</p> <ul style="list-style-type: none"> Use the symbol provided, if proposed development is contained on a single lot. Use a bullet point character before text on each new line for both heading and information below. Describe the side, rear and front setback for the proposed development. <p>'Site cover'</p> <ul style="list-style-type: none"> Use the symbol provided if applicable to the development. Use a bullet point character before text on each new line, where items are listed. Describe the site cover of the proposed development.
<p>Section 7</p> 	<p>'For further information & submissions to'</p> <ul style="list-style-type: none"> Include the name of the assessment manager, phone number, email address, mail address and website. Use a bullet point character before text on each new line, where items are listed. For 'further information & submissions' heading: lettering must be at least 11 mm in height and in a bold style (approximately Arial, bold, no less than 39 pt).

Pr 1: Application

Pr 2: Referral

Pr 3: Information request

Pr 4: Public notification


Pr 5: Decision

Pr 6: Changes to app & referral agency responses

Pr 7: Miscellaneous

Schedule

Development Assessment Rules

	<ul style="list-style-type: none"> Information under heading: lettering must be at least 9 mm in height (approximately Arial, regular, no less than 39 pt). Line spacing of 1.2 in this section. <p>'View the Application'</p> <ul style="list-style-type: none"> Line spacing of 1.2 in this section. Use a bullet point character before text on each new line, where items are listed. 'Application reference:' and application reference lettering must be at least 11 mm in height and in a bold style (approximately Arial, bold, no less than 39 pt). 'A copy of the application can be obtained from [insert the assessment manager]' lettering must be at least 11 mm in height (approximately Arial, regular, no less than 39 pt). If the assessment manager has an online facility for viewing applications this section must also include— <ul style="list-style-type: none"> a link to the assessment manager's web address for viewing applications must be included in lettering which must be at least 11 mm in height (approximately Arial, regular, no less than 39 pt); and if QR code is included – 'Or by Scanning QR Code' must be included in lettering which must be at least 11 mm in height (approximately Arial, regular, no less than 39 pt).
<p>Section 8</p> 	<p>'Public notification requirements are in accordance with the <i>Planning Act 2016</i>'</p> <ul style="list-style-type: none"> Lettering must be at least 6 mm in height (approximately Arial, regular, no less than 27 pt) and the Act's title and year to be in italics.

Pr 1: Application

Pr 2: Referral

Pr 3: Information request

Pr 4: Public notification

Pr 5: Decision

Pr 6: Changes to app or referral agency responses

Pr 7: Miscellaneous

Schedule

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Development Assessment Rules

1B - Specifications for public notice in a newspaper and notice to owners of lots adjoining the premises

1. Figure 2 in this part—
 - (a) shows the general layout for the public notice in a newspaper and to be given to owners of lots adjoining the premises; and
 - (b) identifies the breakdown of sections as they appear in table 2, which identifies the information that is to be included on - and the minimum specifications for - the public notice in a newspaper and to be given to owners of lots adjoining the premises.
2. If additional text lines are required to accommodate the required information, then the notice is to be increased in size from the minimum requirements to accommodate the additional text.
3. Font size must not fall below the minimum size specified in table 2.
4. Unless stated otherwise, all sections and specifications for the public notice are mandatory minimum requirements.

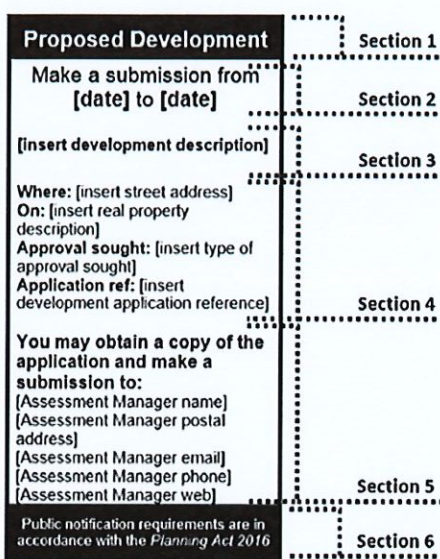


Figure 2 – Design layout of public notice for newspaper and to owners of lots adjoining the premises

Development Assessment Rules

Table 2 – Information and specifications that must be included in a public notice in a newspaper and given to owners of lots adjoining the premises

Section	Information that must be included and specifications
Section 1	<ul style="list-style-type: none"> 'Proposed Development' heading – lettering must be a minimum of 2 mm in height and bold text.
Section 2	<ul style="list-style-type: none"> 'Make a submission from [date] to [date]' – lettering must be a minimum of 2 mm in height. Dates – lettering must be a minimum of 2 mm in height and bold text. Long date format (day, month, year) – if the year is the same for both dates it is only required to be included on the later date.
Section 3	<ul style="list-style-type: none"> Development description response text – lettering must be a minimum of 1 mm in height and bold text.
Section 4	<ul style="list-style-type: none"> 'Where', 'On', 'Approval sought' and 'Application ref' headings – lettering must be at least 1 mm in height and bold text. 'Where', 'On', 'Approval sought' and 'Application ref' response text – lettering must be at least 1 mm in height.
Section 5	<ul style="list-style-type: none"> 'You may obtain a copy of the application and make a submission to:' – lettering must be at least 1 mm in height and bold text. Assessment manager name including contact details – lettering must be at least 1 mm in height.
Section 6	<ul style="list-style-type: none"> 'Public notification requirement...etc.' text – lettering must be at least 1 mm in height.

Pt 1: Application

Pt 2: Referral

Pt 3: Information request

Pt 4: Public notification

Pt 5: Decision

Pt 6: Changes to app & referral agency responses

Pt 7: Miscellaneous

Schedule