



23 June 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](mailto:brunostaxiservice@gmail.com)

Dear Sir

## Confirmation Notice

### *Planning Act 2016*

Council acknowledges receipt of your application, which was properly made on 21 June 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#### SUPERSEDED PLANNING SCHEME

Is the application for development under the Superseded Planning Scheme?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

### 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 is **made** by the assessment manager, as detailed below:

**1. DA Form 1**

- (i) Part 1, Section 2 - Owner's consent

The written consent of the owner was not attached to the development application as indicated. Provide a copy of the written consent of the owner.

- (ii) Part 3, Section 1 6.1, b) and c)

Provide an amended DA Form 1 Page 3 with the Development Permit box checked in 6.1 b) and in 6.1 c) the Impact Assessment box checked. The Code Assessment box in 6.1 c) must be unchecked.

**2. Site Plan**

Provide a site plan drawn to scale which shows the location and full extent of the proposed internal access road and vehicle manoeuvring areas. This plan must also detail the proposed surface treatment of each area.

**3. Development Application planning report**

- (i) Remove references to the subject land being within the Rural Residential zone and replace with Emerging Community zone (page 1 and page 3).
- (ii) Clarify if the taxis will be parked in a new building as the description of the proposed development includes the terms constructed and erected, and the response to PO1 of the Emerging Community Zone Code states the proposed transport depot is single storey and 6 metres in height. If a new building is proposed, provide plans of this building, including details of external finishing (colours etc).

- (iii) In the responses to PO9 and PO10 of the Emerging Community Zone Code, correct the afternoon use hours to 4:30pm to 9pm.
- (iv) In the response to the Landscaping Code, provide specific details of the landscaping strips/buffers proposed on the site plan.

#### **4. Strategic Framework**

As the development application requires Impact Assessment, provide a response to the relevant sections of the Strategic Framework (**Attachment 1** of the confirmation notice).

#### **End of Information Request**

In responding to the Information Request, *Development Assessment Rule 13* states: -

#### **"13. Applicants Response**

- 13.1 The period for the applicant to respond to an information request is 3 months from the date the information request was made or a further period agreed between the applicant and the assessing authority that made the information request.*
- 13.2 The applicant may respond by giving the assessing authority that made the information request, within the period stated under section 13.1 -
  - (a) all of the information requested; or*
  - (b) part of the information requested; or*
  - (c) a notice that none of the information will be provided.**
- 13.3 For any response given in accordance with sections 13.2(b) or (c), the applicant may also advise the assessing authority that it must proceed with its assessment of the application.*
- 13.4 An applicant must provide a copy of any response to an information request made by a referral agency to 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**

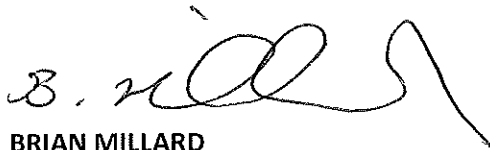
**(07) 4086 4657**

#### **OTHER DETAILS**

You can follow the progress of this application online at [www.msc.qld.gov.au](http://www.msc.qld.gov.au).

Should you have any further queries in relation to the above, please do not hesitate to contact Council's Planning Officer 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**



### 3.3 Settlement pattern and built environment

#### 3.3.1 Strategic outcomes

- (1) Mareeba Shire is intended to support a widely dispersed population in a variety of settings, including rural towns, small rural settlements, villages, rural residential areas, cropping lands, grazing lands and broad-hectare grazing properties. Future development maintains this settlement pattern and the distinct character that it provides to the shire. The settlement pattern also ensures the continuing viability of the shire's rural economy, particularly through the provision of high quality services.
- (2) Mareeba Shire is supported by a network of compact, *activity centres* of varying scales. These *activity centres* form the primary focus for population growth. Each *activity centre* will maintain its individual character while growing to support and service the local economies of its catchments. The level of service provision within each *activity centre* is consistent with its role and function within the defined activity centre hierarchy. Growth is managed to ensure a high level of centre amenity and streetscape character is maintained, thus fostering vibrant, lively hubs of social interaction, trade and exchange.
- (3) *Residential areas* and *urban expansion areas* support strategically located and logically sequenced residential development, maximising the efficient utilisation of new and existing infrastructure, particularly active and public transport. Residential development, including infill housing in designated areas, is focussed in Mareeba and the Kuranda district. A diversity of housing choices is developed within proximity to services and *activity centres* while protecting the character of the shire.

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

- (4) *Rural residential areas* are intended to support rural residential development of varying densities, to prevent further fragmentation and alienation of *rural areas*, *conservation areas* and *biodiversity areas* within the regional landscape. *Rural residential areas* predominantly maintain the current density of development, with infill subdivision of *rural residential areas* generally limited to identified areas where consistent with the desired character and where adequate services and infrastructure are available or can be adequately and cost-effectively provided.
- (5) Primary industries in *Rural areas* are not compromised or fragmented by incompatible and/or unsustainable development, including but not limited to subdivision that results in a detrimental impact on rural productivity. The valued, relaxed rural lifestyle, character and scenic qualities of the *rural area* are preserved and enhanced. The *rural area* is largely maintained to its current extent, while accommodating development directly associated with or reliant on natural resources including rural activities and tourism. *Rural areas* protect the shire's *agricultural area* and ensure food security. *Other rural areas* predominantly remain agricultural grazing properties.
- (6) *Industry areas* support the industrial development in the shire and are protected from encroachment by incompatible or sensitive uses. The Mareeba *major industry area* is the predominant supply of industrial land which will cater for high impact industry and major industrial developments into the future. Smaller *industry areas* are strategically located across the shire to service local needs.
- (7) The built environment is ecologically sustainable, achieving energy and resource efficiency and favouring architecture that is sensitive to local character. Development reflects sustainable tropical design principles, is climate responsive and preserves natural features.
- (8) Risks to infrastructure, buildings and the community posed by bushfires, cyclones, flooding, landslides and other extreme events are minimised. Development is considerate of the potential increased incidence of these hazards induced by climate change.

### 3.3.3 Element—Major regional activity centre

#### 3.3.3.1 Specific outcomes

- (1) The role and function of Mareeba as the *major regional activity centre* for services in Mareeba Shire is strengthened. Mareeba is to accommodate the most significant concentrations of regional-scale business, retail, entertainment, government administration, secondary and tertiary educational facilities and health and social services within the shire.
- (2) Development within Mareeba over time enhances the Shire's self-sufficiency in terms of services offered, business and employment opportunities.
- (3) Mareeba is characterised by a relative lack of development constraints, and is supported by an expanding major industry area and Mareeba Airport. Mareeba has significant residential, industrial and commercial growth potential.
- (4) The centre area of Mareeba continues to be focussed on the core area around Byrnes Street (between Rankin and Lloyd Streets), with significant expansion of centre activities within underutilised sites within the Byrnes Street core, in Walsh Street and south along Byrnes Street. New development will improve the streetscape of the town centre including streetscape improvement.
- (5) Regional scale services and employment are provided in Mareeba, including:
  - (a) primary, secondary and tertiary educational establishments;
  - (b) major supermarkets and large format retailers;
  - (c) factory outlets and warehouses;
  - (d) government administration;
  - (e) hospitals and social services;
  - (f) major recreation and health and fitness facilities.

### 3.3.8 Element—Urban expansion and investigation areas

#### 3.3.8.1 Specific outcomes

- (1) *Urban expansion areas* and *investigation areas* are anticipated to provide for development beyond the life of the planning scheme and are preserved for this purpose, with interim development not compromising future residential development.
- (2) Well-serviced and designed greenfield residential development occurs in *urban expansion areas* of Mareeba and Kuranda only where it is planned, logically sequenced and can be efficiently serviced.
- (3) *Urban expansion areas* in Mareeba provide a range of housing options and aim for density targets of twelve dwellings per hectare by 2031.
- (4) Local centre development may occur within *urban expansion areas* in Mareeba to provide for everyday community needs within a walkable catchment.

#### 3.3.8.2 Land use strategies

- (1) *Investigation areas* are to be investigated to accommodate future development beyond the life of the planning scheme. *Investigation areas* are not to be developed unless there is an insufficient supply of land for the purpose intended to be developed. The purpose of development in an *investigation area* should promote a logical land use pattern, having regard to nearby land use and the established hierarchy of *activity centres*. In the instance that new or expanded areas are investigated, these are to be supported by detailed land use investigations that must demonstrate:
  - (a) need for land for the proposed land use;



- (b) mitigation or avoidance of impacts on sensitive receiving environments;
- (c) where involving good quality agricultural land:
  - (i) there is no alternative land available that is not good quality agricultural land; and
  - (ii) the need for future development represents a public benefit.
- (d) suitable mitigation or offset arrangements in respect to impacts on areas of high ecological significance
- (e) consistency with the Strategic Framework.
- (f) consistency with State and Regional Planning requirements.

#### **3.3.14 Element—Natural hazard mitigation**

##### **3.3.14.1 Specific outcomes**

- (1) The risk of loss of life and property associated with bushfires, cyclones, flooding, landslides and other weather related events are minimised through the appropriate use of land having regard to its level of susceptibility to the hazard or potential hazard.
- (2) Development in an area subject to a natural hazard incorporates appropriate siting and design measures that mitigate risks to infrastructure, buildings and the community.
- (3) Development considers the potential for increased occurrence of natural hazards as a result of climate change, including greater frequency of extreme weather events and increased rainfall intensities.
- (4) Development incorporates emergency response measures to ensure the impacts of natural hazards can be minimised.

### 3.4 Natural resources and environment

#### 3.4.1 Strategic outcomes

- (1) Mareeba Shire's outstanding natural environment, ecological processes and biodiversity values, including those within *conservation areas* and *biodiversity areas*, are conserved, enhanced and restored. Minimal loss of native vegetation is achieved in the shire through limited clearing of *biodiversity areas*, strategically located rehabilitation areas and the replanting of native vegetation. The impacts of pests and weeds on the natural environment is minimised and managed.
- (2) Natural corridors through the landscape, including *ecological corridors*, and natural areas which provide linkages between areas of significant biodiversity and habitat value are protected and enhanced. Opportunities are realised to connect habitat fragments across the regional landscape through strategic rehabilitation and protection of potential habitat connection corridors, such as *habitat linkages*. The resilience of natural systems and wildlife to respond to climate change is strengthened by providing maximum connectivity across a range of habitats, allowing species to migrate and retreat.
- (3) The physical condition, ecological health, environmental values and water quality of surface water and groundwater systems, including but not limited to *major waterbodies* and *major watercourses*, is protected, monitored and improved. The impacts of Mareeba Shire's water quality, wetland and riparian health on the Great Barrier Reef and the Gulf of Carpentaria are recognised through integrating sustainable catchment management practices into land use planning. Riparian areas and areas surrounding ecologically significant wetlands will be enhanced as part of new development.
- (4) The shire secures a safe, reliable and adequate water supply, which is efficiently used and appropriately managed to ensure social, economic and environmental sustainability. Important strategic sources of water, including the Barron Basin, contingent water supplies and underground aquifers are recognised for their role in supporting the shire's community, primary industries and economic base. Their social, economic and environmental function is not compromised by land uses and development.
- (5) The air and acoustic environment of Mareeba Shire is managed to ensure its maintenance or improvement. Development maintains or enhances the health and well-being of the community and the natural environment.
- (6) Risks to health and safety caused by contaminated land are managed, including through the remediation of contaminated sites and the careful management of unexploded ordnances.



**3.4.8 Element—Air and noise quality**

**3.4.8.1 Specific outcomes**

- (1) The health, well-being, amenity and safety of the community and the environment is protected from the impacts of air emissions, noise and odour through appropriate management and adequate separation distances.
- (2) Mareeba's *major industry area* accommodates uses with the potential to impact on air and acoustic qualities.
- (3) Land uses which emit high level of noise, including for example motor sports, gun clubs and the like will be appropriately located and managed to mitigate acoustic impacts.
- (4) Sensitive land uses are appropriately separated from areas containing or designated for activities that generate noise and air emissions.

## 3.6 Transport and infrastructure

### 3.6.1 Strategic outcomes

- (1) *Local collector road and state controlled road networks support the identified hierarchy of activity centres and the rural economy of Mareeba Shire. The location, density and scale of development supports the efficient and convenient movement of goods, services and people. Roads are progressively upgraded (including construction of future state roads and future local connections) and maintained to a high standard to support higher urban densities, rural production, tourism, commerce, industry and major trip generators.*
- (2) *The rail network is recognised as important strategic infrastructure resulting from significant past investment. Use of the rail network for tourist, passenger and freight movements throughout the shire is protected and enhanced.*
- (3) *Designated freight routes are appropriately managed and upgraded. Designated freight routes, active elements of the rail network and planned and designated future state roads are not prejudiced by inappropriate land uses to ensure the efficient transportation of essential goods and services, now and in the future.*
- (4) *Street layout and design, including in new development, supports mixed transit modes, including buses, pedestrians, cyclists and mobility devices, particularly in activity centres. Centre areas and destinations are safely and conveniently accessible to cyclists and pedestrians through the provision of a permeable and highly connected active transport network, including principal cycle routes, and the provision of end of trip facilities.*
- (5) *The Mareeba Airport provides a strategic, regional hub for air traffic, aviation services and industries in the shire. The expansion of Mareeba Airport is facilitated as an airport enterprise area that encourages aviation compatible business, industry and commercial enterprises to co-locate to create an aviation dependant activity cluster where the activity centre hierarchy is maintained and where the operational efficiency and safety of the Mareeba Airport is ensured through the appropriate design and location of development.*
- (6) *New development is appropriately sequenced and coordinated with existing and future water, wastewater, stormwater and transport infrastructure, to ensure the operations of existing infrastructure are not compromised and community needs continue to be met. New infrastructure is provided to development in accordance with Council's desired standards of service and supports a consolidated urban form to maximise return on investment. The ongoing operation of key infrastructure elements is not prejudiced by inappropriate development.*
- (7) *The shire is provided with sustainable and adequate waste disposal facilities that have minimal adverse impact on the environment. Transfer stations and waste disposal facilities are separated and not compromised by incompatible development or sensitive land uses. Urban development provides appropriately located and adequate space for waste storage and collection.*
- (8) *The generation and consumption of energy is sustainable and efficient. Over reliance on distant coal-fired power stations for electricity supply is minimised through the establishment of renewable energy generation facilities and localised and domestic-scale energy generation, where the integrity and function of local electricity networks is not compromised. Power stations, high-voltage transmission lines and sub stations, including electricity infrastructure and energy generation facilities, are protected from incompatible development.*
- (9) *Mareeba Shire is supported by affordable and reliable high-speed telecommunications that are delivered through facilities that minimise visual impact.*
- (10) *Out of sequence development and development in excess of planning assumptions provides contributions or upgrades to road, pedestrian and cycle, water and sewerage, and stormwater networks that are commensurate with the anticipated impacts generated by the development.*

- (11) Regional water supply needs, including the Mareeba Shire's future agricultural water supply needs are secured through the identification of the Nullinga dam development area and its protection from incompatible and inappropriate development.

### 3.6.2 Element—Road network

#### 3.6.2.1 Specific outcomes

- (1) The shire's road network is upgraded and extended to provide for the safe, efficient movement of vehicles and to cater for new development.
- (2) The design and layout of new roads compliments the function and hierarchy of the existing road network and results in high levels of connectivity, accessibility and legibility to motorists and residents.
- (3) Planned *future state roads and future local connections* are integrated into new development and protected from development that would compromise their construction and future operation.
- (4) Development provides off-street parking, loading and manoeuvring areas where possible and practicable.
- (5) Development of new roads and upgrades to existing roads are designed and constructed in accordance with the FNQROC Regional Development Manual as amended.

### 3.6.5 Element—Public and active transport

#### 3.6.5.1 Specific outcomes

- (1) New urban development is designed to support increased public transport patronage and promote active transport.
- (2) Mareeba Shire's *activity centres* are well serviced with walking and cycling infrastructure, including:
  - (a) footpaths;
  - (b) shade trees;
  - (c) seating along key routes and in major trip generation areas;
  - (d) bike paths and lanes, including *principal cycle routes*;
  - (e) end of trip facilities.
- (3) Centre development provides for safe and convenient pedestrian mobility and access, and the provision for public transport and interchange facilities.
- (4) The operational requirements of bus routes are incorporated into new residential subdivisions where appropriate, creating efficient flow throughs for vehicular traffic and facilitating future expansion of public transport.