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Sent: Thu, 05 Aug 2021 15:11:57 +1000
To: "Planning (Shared)" <planning@msc.qld.gov.au>
Subject: File <<21000342>> - Lot 11 / SP 146296 - 1-3 Martin Tenni Drive Mareeba - New Application for Code Assessment
Attachments: 21000342 Code.pdf, DA Form 1 - Development Application Details Carro.pdf, Carroll Bros Family Trust Owners Consent_signed.pdf, Carroll PREL 5.pdf, Carroll Bros Family Trust DA Form2 Buildingworkde.pdf

Good afternoon

Please find attached new planning application. Please phone me on 4092 2449 for credit card details.

Thanks

Carmel Chambers

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Shop 7, 203-215 Byrnes Street, Mareeba Q 4880.

CODE ASSESSMENT FOR A MATERIAL CHANGE OF USE – CARETAKERS
ASSESSABLE AGAINST THE MAREEBA SHIRE COUNCIL 2016
1-3 Martin Tenni Drive, Mareeba, QLD 4880

Background

The applicant has engaged the services of Emergent Building Approvals to lodge an application for a Material Change of Use to Mareeba Shire Council on their behalf. The proposed multi-use development including a Fish processing factory, Caretakers x 2, Office / Showroom and a Food and Drink outlet which is located within the Industry Zone – Precinct C Heavy Industry. The proposed development generally complies with the relevant codes however as the use includes a Caretakers accommodation it is triggered to code assessable under Table 5.5.5 – Industry Zone - Tables of Assessment.

Table 1.1 Code Applicability

Assessment Criteria	Applicability
Industry Zone Code	Yes
Industrial Activities Code	Yes
Accommodation Activities Code	Yes
Commercial Activities Code	Yes
Landscaping Code	Yes
Parking and Access Code	Yes
Work, Services and Infrastructure Code	Yes

Non-compliant self-assessable criteria

Each individual defined use has been assessed against the relevant code listed above to identify the non-compliances of any. The following table will identify how the proposal will achieve compliance through the relevant performance criteria and acceptable outcomes to achieve the desired outcomes of the Mareeba Shire Planning Scheme 2016.

Assessment

6.2.5.3 Criteria for assessment

Table 6.2.5.3—Industry zone code - For accepted development subject to requirements and assessable development

Performance outcomes	Acceptable outcomes	Applicant response
For accepted development subject to requirements and assessable development		
Height		
<p>PO1 Building height takes into consideration and respects the following:</p> <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; site area and street frontage length. 	<p>AO1 Development has a maximum building height of:</p> <ul style="list-style-type: none"> (a) 8.5 metres within 10 metres of any common boundary with land in the Low density residential zone, the Medium density residential zone or the Rural residential zone; (b) 35 metres for all buildings and structures where involving a Telecommunication facility; and 12 metres otherwise. 	<p>Proposal complies as surrounding land zoned Industrial. Factory height 11.863m</p>
Siting		
<p>PO2 Development is sited in a manner that considers and respects:</p> <ul style="list-style-type: none"> (a) the siting and use of adjoining premises; (b) appearance of building bulk; and <p>relationship with road corridors.</p>	<p>AO2 Buildings and structures include a minimum setback of:</p> <ul style="list-style-type: none"> (a) 3 metres from any road frontage; (b) 6 metres from side and rear boundaries where adjoining land in the Low-density residential zone, the Medium density residential zone or the Rural residential zone; and <p>0 metres from side and rear boundaries otherwise.</p>	<p>The setback to the proposed café on the Martin Tenni Drive frontage would be setback 3000mm from the road boundary to the wall. It will incorporate a 1.5m wide awning for an elevated length of 9.3m to provide shading for the café shopfront. Despite this considering the extent of the landscaping and small scale of encroachment it will not appear bulky or affect the adjacent allotment which is vacant.</p>

9.3.5.3 Criteria for assessment

Table 9.3.5.3—Industrial activities code– For accepted development subject to requirements and assessable development

Performance outcomes	Acceptable outcomes	Applicant response
For accepted development subject to requirements and assessable development		
Separation		
<p>PO1 Industrial activities are appropriately separated from sensitive uses to ensure their amenity is maintained, having regard to:</p> <ul style="list-style-type: none"> (a) noise; (b) odour; (c) light; and (d) emissions. <p>Note—Development proposed to be located closer than the separation distances specified in AO2 requires supporting investigations to demonstrate that the expected impacts from the industry use have been adequately mitigated in consideration of the local context.</p>	<p>AO1 Development is separated from sensitive uses as follows:</p> <ul style="list-style-type: none"> (a) medium impact industry—250 metres; or (b) high impact industry—500 metres; or <p>special industry— 1.5 kilometres.</p>	<p>Not Applicable- adjacent to industrial zoning.</p>

9.3.1.3 Criteria for assessment

Table 9.3.1.3A—Accommodation activities code– For accepted development subject to requirements and assessable development

Performance outcomes	Acceptable outcomes	Applicant response
For accepted development subject to requirements and assessable development		
All Accommodation activities, apart from Dwelling house		
<p>PO1 Accommodation activities are located on a site that includes sufficient area:</p> <ul style="list-style-type: none"> (a) to accommodate all buildings, structures, open space and infrastructure associated with the use; and (b) to avoid adverse impacts on the amenity or privacy of nearby land uses. 	<p>AO1 Development is located on a site which provides the applicable minimum site area and minimum road frontage specified in Table 9.3.1.3B.</p>	<p>The site has 62m of street frontage and is 2166m² in area which more than exceeds the minimum site area and frontage requirements under Table 9.3.1.3B despite no requirements being listed for a caretakers accommodation.</p>
All Accommodation activities, apart from Tourist Park and Dwelling house		
<p>PO2 Accommodation activities are provided with on-site refuse storage areas that are:</p> <ul style="list-style-type: none"> (a) sufficient to meet the anticipated demand for refuse storage; and 	<p>AO2.1 A refuse area is provided that:</p> <ul style="list-style-type: none"> (a) includes a water connection; (b) is of a size and configuration to accommodate 2x240 litre bins per dwelling or accommodation unit where 	<p>Refuse bins will be stored in the breezeway between the Caretaker and factory or located out of sight from patrons to adjoining uses.</p>

Performance outcomes	Acceptable outcomes	Applicant response
(b) appropriately located on the site having regard to potential odour and noise impacts on uses on the site and adjoining sites.	(c) involving a use other than a residential care facility or retirement facility; and is of a size and configuration to accommodate a minimum of two bulk refuse bins where involving a residential care facility or retirement facility.	
All Accommodation activities, except for Dwelling house		
<p>PO3 Accommodation activities are designed to avoid overlooking or loss of privacy for adjoining uses.</p> <p>Note—These provisions apply to any adjoining use, both on an adjoining site and on the same site.</p>	<p>AO3 The windows of habitable rooms:</p> <p>(a) do not overlook the windows of a habitable room in an adjoining dwelling or accommodation unit; or</p> <p>(b) are separated from the windows of a habitable room in an adjoining dwelling or accommodation unit by a distance greater than:</p> <p>(i) 2 metres at ground level; and</p> <p>(ii) 8 metres above ground level; or</p> <p>(c) are treated with:</p> <p>(i) a minimum sill height of 1.5 metres above floor level; or</p> <p>(ii) fixed opaque glassed installed below 1.5 metres; or</p> <p>(iii) fixed external screens; or</p> <p>a 1.5 metre high screen fence along the common boundary.</p>	<p>Both caretaker units are associated with the adjoining commercial uses and are adequately separated with masonry block wall construction from each other and the adjacent use.</p>
<p>PO4 Accommodation activities are provided with sufficient private and communal open space areas which:</p> <p>(a) accommodate a range of landscape treatments, including soft and hard landscaping;</p> <p>(b) provide a range of opportunities for passive and active recreation;</p> <p>(c) provide a positive outlook and high quality of amenity to residents;</p>	<p>AO4.1 Development, except for Caretaker's accommodation, Dwelling house, Dual occupancy or Home based business, includes communal open space which meets or exceeds the minimum area, dimension and design parameters specified in Table 9.3.1.3C.</p> <p>AO4.2 Development includes private open space for each dwelling or accommodation unit which meets or exceeds the minimum area,</p>	<p>Not applicable to Caretakers Residence.</p> <p>Each caretakers will have access to the 24m² of private open space direct behind each unit via the breezeway along with an oversized</p>

Performance outcomes	Acceptable outcomes	Applicant response
<p>(d) is conveniently located and easily accessible to all residents; and contribute to an active and attractive streetscape.</p>	<p>dimension and design parameters specified in Table 9.3.1.3D.</p>	<p>52m2 garage which can be used as outdoor area.</p>
	<p>AO4.3 Clothes drying areas are provided at the side or rear of the site so that they are not visible from the street.</p>	<p>Facilities to be provided in breezeway.</p>
	<p>AO4.4 If for Dual occupancy, Multiple dwelling, Residential care facility or Retirement facility, development provides a secure storage area for each dwelling or accommodation unit which:</p> <ul style="list-style-type: none"> (a) is located to facilitate loading and unloading from a motor vehicle; (b) is separate to, and does not obstruct, on-site vehicle parking or manoeuvring areas; (c) has a minimum space of 2.4m² per dwelling or accommodation unit; (d) has a minimum height of 2.1 metres; (e) has minimum dimensions to enable secure bicycle storage; (f) is weather proof; and is lockable. 	<p>Double garages provided to each Caretakers residence.</p>
If for Caretaker's Accommodation		
<p>PO5 Caretaker's accommodation is of a scale and intensity which is consistent with that of the surrounding area.</p> <p>Note—Where Caretaker's Accommodation is assessable development additional assessment benchmarks are provided under "for assessable development".</p>	<p>AO5.1 Only one caretaker's accommodation is established on the title of the non-residential use.</p>	<p>The proposal is for two separate residences to accommodate a caretaker for each of the separate commercial uses – fish processing factory and the electrical and A/C showroom / office. Each of the caretakers has a GFA of 113.5m² of which almost half is garage. The caretakers equate to 22% of the total development and at that scale can be considered consistent and appropriate to the adjoining commercial uses.</p>

Performance outcomes	Acceptable outcomes	Applicant response
	<p>AO5.2 In the Rural zone, Caretaker's accommodation has a maximum gross floor area of 200m².</p>	N/A
For assessable development		
If for Caretaker's Accommodation		
<p>PO15 The inclusion of Caretaker's accommodation on the site is necessary for the operation of the primary use, having regard to:</p> <ul style="list-style-type: none"> (a) hours of operation; (b) nature of the use; (c) security requirements; (d) site location and access; and (e) proximity to other land uses. 	<p>AO15 No acceptable outcome is provided.</p>	<p>The proposed caretakers is intended for the residences of a family operated business who is centralising their businesses to one premises.</p> <p>Each residence is directly associated with the adjacent commercial use and the management of day-to-day operations. The factory has a 3m wide breezeway between the residence to afford greater sound attenuation and physical separation to offset the nature of the processing use. On the other side the caretakers has a PA door connecting it to the showroom/ office to facilitate better security and accessibility for the occupier. The site is surrounded by vacant land so the caretakers will facilitate better security over the adjacent commercial building after hours.</p>

9.3.2.3 Criteria for assessment

Table 9.3.2.3—Commercial activities code– For accepted development subject to requirements and assessable development

Performance outcomes	Acceptable outcomes	Applicant response
For accepted development subject to requirements and assessable development		
<p>PO1 Buildings are finished with high quality materials, selected for their durability and contribution to the character of the area.</p>	<p>AO1 Building design does not incorporate:</p> <ul style="list-style-type: none"> (a) highly reflective materials such as high performance glass or untreated galvanised metals; or (b) unrelieved, unpainted or un-rendered finishes; or (c) unarticulated concrete finishes; or (d) unarticulated cladding systems; or (e) fluorescent or iridescent paints; or <p>use of single colour or surface treatment.</p>	<p>The factory will be finished in a neutral Colorbond metal cladding finish similar to other nearby while cafe, office and caretakers will have rendered masonry finish painted to complement the factory part.</p> <p>See Figure 1 below for example of design and colours of proposed signage.</p>



Fig 1. New signage will replicate existing signage on adjacent building

9.4.2.3 Criteria for assessment

Table 9.4.2.3A—Landscaping code - For accepted development subject to requirements and assessable development

Performance outcomes	Acceptable outcomes	Applicant response
For accepted development subject to requirements and assessable development		
<p>PO1 Development, other than in the Rural zone, includes landscaping that:</p> <ul style="list-style-type: none"> (a) contributes to the landscape character of the Shire; (b) compliments the character of the immediate surrounds; (c) provides an appropriate balance between built and natural elements; and provides a source of visual interest. 	<p>AO1 Development, other than in the Rural zone, provides:</p> <ul style="list-style-type: none"> (a) a minimum of 10% of the site as landscaping; (b) planting in accordance with Planning Scheme Policy 6 - Landscaping and preferred plant species; (c) for the integration of retained significant vegetation into landscaping areas; (d) on-street landscaping works in accordance with the Design Guidelines set out in Section D9 Landscaping, of the Planning Scheme Policy 4 - FNQROC Regional Development Manual. <p>Note—Where development exceeds a site cover of 90%, areas of landscaping may be provided above ground level to achieve a total supply of landscaping equivalent to 10% of the site area.</p>	<p>Refer to attached plans for extent of proposed landscaped areas.</p>
<p>PO2 Development, other than in the Rural zone, includes landscaping along site frontages that:</p> <ul style="list-style-type: none"> (a) creates an attractive streetscape; (b) compliments the character of the immediate surrounds; (c) assists to break up and soften elements of built form; (d) screen areas of limited visual interest or servicing; (e) provide shade for pedestrians; and includes a range and variety of planting. 	<p>AO2 Development, other than in the Rural zone, includes a landscape strip along any site frontage:</p> <ul style="list-style-type: none"> (a) with a minimum width of 2 metres where adjoining a car parking area; (b) with a minimum width of 1.5 metres in all other locations; and (c) in accordance with Planning Scheme Policy 6 - Landscaping and preferred plant species. <p>Note—Where development is setback from a frontage less than 1.5 metres, the setback area is provided as a landscape strip</p>	<p>Landscaped areas are proposed around the majority of both street frontages.</p>
<p>PO3 Development includes landscaping and fencing along side and rear boundaries that:</p> <ul style="list-style-type: none"> (a) screens and buffer land uses; (b) assists to break up and soften elements of built form; (c) screens areas of limited visual interest; 	<p>AO3.1 Development provides landscape treatments along side and rear boundaries in accordance with Table 9.4.2.3B.</p> <p>AO3.2 Shrubs and trees provided in landscape strips along side and rear boundaries:</p>	<p>3m wide buffer area available along relevant boundaries as indicated on site plan.</p>

Performance outcomes	Acceptable outcomes	Applicant response
<p>(d) preserves the amenity of sensitive land uses; and includes a range and variety of planting.</p>	<p>(a) are planted at a maximum spacing of 1 metre;</p> <p>(b) will grow to a height of at least 2 metres;</p> <p>(c) will grow to form a screen of no less than 2 metres in height; and</p> <p>are mulched to a minimum depth of 0.1 metres with organic mulch.</p> <p>AO3.3 Any landscape strip provided along a side or rear boundary is designed in accordance with Planning Scheme Policy 6 - Landscaping and preferred plant species.</p>	
<p>PO4 Car parking areas are improved with a variety of landscaping that:</p> <p>(a) provides visual interest;</p> <p>(b) provides a source of shade for pedestrians;</p> <p>(c) assists to break up and soften elements; and</p> <p>improves legibility.</p>	<p>AO4.1 Landscaping is provided in car parking areas which provides:</p> <p>(a) a minimum of 1 shade tree for every 4 parking spaces, or part thereof, where the car parking area includes 12 or more spaces;</p> <p>(b) a minimum of 1 shade tree for every 6 parking spaces, or part thereof, otherwise; and</p> <p>(c) where involving a car parking area in excess of 500m²:</p> <p>(i) shade structures are provided for 50% of parking spaces; and</p> <p>(ii) a minimum of 10% of the parking area as landscaping.</p> <p>Note—Where a shade structure is provided over part of a car parking area, shade tree planting is not required in this area of the car parking area.</p> <p>AO4.2 Landscaping in car parking areas is designed in accordance with Planning Scheme Policy 6 - Landscaping and preferred plant species.</p>	<p>Individual species for landscaping for the site to be confirmed. Condition approval accordingly.</p>
<p>PO5 Landscaping areas include a range and variety of planting that:</p> <p>(a) is suitable for the intended purpose and local conditions;</p> <p>(b) contributes to the natural character of the Shire;</p> <p>(c) includes native species;</p> <p>(d) includes locally endemic species, where practical; and</p> <p>does not include invasive plants or weeds.</p>	<p>AO5.1 Plant species are selected from the Plant Schedule in Planning Scheme Policy 6 - Landscaping and preferred plant species.</p> <p>AO5.2 A minimum of 25% of (new and existing) plants is provided as larger, advanced stock with a minimum plant height of 0.7 metres and mulched to a minimum depth of 0.1 metres with organic mulch.</p>	<p>Individual species for landscaping for the site to be confirmed. Condition approval accordingly.</p>
PO6	AO6.1	

Performance outcomes	Acceptable outcomes	Applicant response
Landscaping does not impact on the ongoing provision of infrastructure and services to the Shire.	<p>Tree planting is a minimum of</p> <p>(a) 2 metres from any underground water, sewer, gas, electricity or telecommunications infrastructure; and</p> <p>4 metres from any inspection chamber.</p> <p>AO6.2 Vegetation below or within 4 metres of overhead electricity lines and power poles has a maximum height of 3.5 metres at maturity.</p> <p>AO6.3 Vegetation adjoining an electricity substation boundary, at maturity, will have:</p> <p>(a) a height of less than 4 metres; and</p> <p>no foliage within 3 metres of the substation boundary, unless the substation has a solid wall along any boundary.</p>	Noted and to be made a condition of approval. All landscaped is to be contained within allotment boundaries.

9.4.3.3 Criteria for assessment

Table 9.4.3.3A—Parking and access code – For accepted development subject to requirements and assessable development

Performance outcomes	Acceptable outcomes	Applicant response
For accepted development subject to requirements and assessable development		
Car parking spaces		
<p>PO1 Development provides sufficient car parking to accommodate the demand likely to be generated by the use, having regard to the:</p> <p>(a) nature of the use;</p> <p>(b) location of the site;</p> <p>(c) proximity of the use to public transport services;</p> <p>(d) availability of active transport infrastructure; and</p> <p>accessibility of the use to all members of the community.</p>	<p>AO1 The number of car parking spaces provided for the use is in accordance with Table 9.4.3.3B.</p> <p>Note—Car parking spaces provided for persons with a disability are to be considered in determining compliance with AO1.</p>	<p>Two designated covered carparks will be provided to each Caretakers residence.</p> <p>One PWD accessible car space to be provided.</p> <p>Ten car spaces to be provided to be used in combination for commercial uses along with circulation and parking space for HRV.</p>
Vehicle crossovers		
<p>PO2 Vehicle crossovers are provided to::</p> <p>(a) ensure safe and efficient access between the road and premises;</p>	<p>AO2.1 Vehicular access to/from Council roads is designed and constructed in accordance with the Standard drawings in Planning Scheme Policy</p>	<p>To be made compliant with FNQROC crossover requirements. Condition approval to request additional permit from Council for crossovers.</p>

Performance outcomes	Acceptable outcomes	Applicant response
<p>(b) minimize interference with the function and operation of roads; and minimize pedestrian to vehicle conflict.</p>	<p>4 - FNQROC Regional Development Manual.</p> <p>AO2.2 Development on a site with two or more road frontages provides vehicular access from:</p> <p>(a) the primary frontage where involving Community activities or Sport and recreation activities, unless the primary road frontage is a State-controlled road; or from the lowest order road in all other instances.</p> <p>AO2.3 Vehicular access for particular uses is provided in accordance with Table 9.4.3.3E.</p>	
<p>PO3 Access, manoeuvring and car parking areas include appropriate pavement treatments having regard to:</p> <p>(a) the intensity of anticipated vehicle movements;</p> <p>(b) the nature of the use that they service; and the character of the surrounding locality.</p>	<p>AO3 Access, manoeuvring and car parking areas include pavements that are constructed in accordance with Table 9.4.3.3C.</p>	<p>See attached plans for scaled drawings of vehicle circulation into and around car parking areas and factory.</p>

9.4.5.3 Criteria for assessment

Table 9.4.5.3 - Works, services and infrastructure code – For accepted development subject to requirements and assessable development

Performance outcomes	Acceptable outcomes	Applicant response
For accepted development subject to requirements and assessable development		
Water supply		
<p>PO1 Each lot has an adequate volume and supply of water that:</p> <p>(a) meets the needs of users;</p> <p>(b) is adequate for fire-fighting purposes;</p> <p>(c) ensures the health, safety and convenience of the community; and</p>	<p>AO1.1 Development is connected to a reticulated water supply system in accordance with the Design Guidelines and Specifications set out in the Planning Scheme Policy 4 – FNQROC Regional Development Manual other than where located:</p>	<p>Water connection to existing reticulated system to be applied for.</p>

Performance outcomes	Acceptable outcomes	Applicant response
<p>minimises adverse impacts on the receiving environment.</p>	<p>(a) in the Conservation zone, Rural zone or Rural residential zone; and outside a reticulated water supply service area.</p> <p>AO1.2 Development, where located outside a reticulated water supply service area and in the Conservation zone, Rural zone or Rural residential zone is provided with:</p> <p>(a) a bore or bores are provided in accordance with the Design Guidelines set out in the Planning Scheme Policy 4 – FNQROC Regional Development Manual; or</p> <p>(b) on-site water storage tank/s:</p> <p>(i) with a minimum capacity of 90,000L;</p> <p>(ii) fitted with a 50mm ball valve with a camlock fitting; and</p> <p>which are installed and connected prior to the occupation or use of the development.</p>	
Wastewater disposal		
<p>PO2 Each lot provides for the treatment and disposal of effluent and other waste water that:</p> <p>(a) meets the needs of users;</p> <p>(b) is adequate for fire-fighting purposes;</p> <p>(c) ensures the health, safety and convenience of the community; and</p> <p>minimises adverse impacts on the receiving environment.</p>	<p>AO2.1 Development is connected to a reticulated sewerage system in accordance with the Design Guidelines and Specifications set out in the Planning Scheme Policy 4 – FNQROC Regional Development Manual other than where located:</p> <p>(a) in the Conservation zone, Rural zone or Rural residential zone; and outside a reticulated sewerage service area.</p> <p>AO2.2 An effluent disposal system is provided in accordance with AS/NZ 1547 On-Site Domestic Wastewater Management (as amended) where development is located:</p> <p>(a) in the Conservation zone, Rural zone or Rural residential zone; and outside a reticulated sewerage service area.</p>	<p>Development to be connected existing sewerage system.</p>

Performance outcomes	Acceptable outcomes	Applicant response
Stormwater infrastructure		
<p>PO3 Stormwater infrastructure is designed and constructed to collect and convey the design storm event to a lawful point of discharge in a manner that mitigates impacts on life and property.</p>	<p>AO3.1 Where located within a Priority infrastructure area or where stormwater infrastructure is available, development is connected to Council's stormwater network in accordance with the Design Guidelines and Specifications set out in the Planning Scheme Policy 4 – FNQROC Regional Development Manual.</p> <p>AO3.2 On-site drainage systems are constructed: (a) to convey stormwater from the premises to a lawful point of discharge; and in accordance with the Design Guidelines and Specifications set out in the Planning Scheme Policy 4 – FNQROC Regional Development Manual.</p>	<p>The development will have minimal impact of surface water movement and roof stormwater will be directed to legal point of discharge by builder.</p>
Electricity supply		
<p>PO4 Each lot is provided with an adequate supply of electricity</p>	<p>AO4 The premises: (a) is connected to the electricity supply network; or (b) has arranged a connection to the transmission grid; or (c) where not connected to the network, an independent energy system with sufficient capacity to service the development (at near average energy demands associated with the use) may be provided as an alternative to reticulated electricity where: (i) it is approved by the relevant regulatory authority; and (ii) it can be demonstrated that no air or noise emissions; and it can be demonstrated that no adverse impact on visual amenity will occur.</p>	<p>Connection to be applied for to existing system.</p>

Performance outcomes	Acceptable outcomes	Applicant response
Telecommunications infrastructure		
<p>PO5 Each lot is provided with an adequate supply of telecommunication infrastructure</p>	<p>AO5 Development is provided with a connection to the national broadband network or telecommunication services.</p>	<p>Each tenancy to be provided with its own telecommunication connection.</p>
Existing public utility services		
<p>PO6 Development and associated works do not affect the efficient functioning of public utility mains, services or installations.</p>	<p>AO6 Public utility mains, services are relocated, altered or repaired in association with the works so that they continue to function and satisfy the relevant Design Guidelines and Specifications set out in the Planning Scheme Policy 4 – FNQROC Regional Development Manual.</p>	<p>Clear of council sewer mains infrastructure.</p>
Excavation or filling		
<p>PO7 Excavation or filling must not have an adverse impact on the:</p> <ul style="list-style-type: none"> (a) streetscape; (b) scenic amenity; (c) environmental values; (d) slope stability; (e) accessibility; or <p>privacy of adjoining premises.</p>	<p>AO7.1 Excavation or filling does not occur within 1.5 metres of any site boundary.</p> <p>AO7.2 Excavation or filling at any point on a lot is to be no greater than 1.5 metres above or below natural ground level.</p> <p>AO7.3 Earthworks batters:</p> <ul style="list-style-type: none"> (a) are no greater than 1.5 metres in height; (b) are stepped with a minimum width 2 metre berm; (c) do not exceed a maximum of two batters and two berms (not greater than 3.6 metres in total height) on any one lot; (d) have a slope no greater than 1 in 4; and <p>are retained.</p> <p>AO7.4 Soil used for filling or spoil from excavation is not stockpiled in locations that can be viewed from:</p> <ul style="list-style-type: none"> (a) adjoining premises; or 	<p>Limited excavation and filling necessary.</p>

Performance outcomes	Acceptable outcomes	Applicant response
	<p>a road frontage, for a period exceeding 1 month from the commencement of the filling or excavation.</p> <p>A07.5 All batters and berms to be constructed in accordance with the Design Guidelines and Specifications set out in the Planning Scheme Policy 4 – FNQROC Regional Development Manual.</p> <p>A07.6 Retaining walls have a maximum height of 1.5 metres and are designed and constructed in accordance with the Design Guidelines and Specifications set out in the Planning Scheme Policy 4 – FNQROC Regional Development manual.</p> <p>A07.7 Excavation or filling at any point on a lot is to include measures that protect trees at the foot or top of cut or fill batters by the use of appropriate retaining methods and sensitive earth removal or placement and in accordance with the Design Guidelines and Specifications set out in the Planning Scheme Policy 4 – FNQROC Regional Development manual.</p>	

Summary

The above report clearly shows the proposal is compatible with the outcomes sought for all relevant codes. It is therefore considered be an acceptable that the Local Government approve the proposal as it is suitably designed to complement the area and satisfy the acceptable measure of the relevant codes.

Should you have any further queries please do not hesitate in contacting Glenn Chmabers on: 0477015550 or glenn@emergentba.com.au.

Yours faithfully

Glenn Chambers

DA Form 1 – Development application details

Approved form (version 1.2 effective 7 February 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)	The Trustees for Carroll Bros Family Trust C/- Emergent Building Approvals
Contact name (only applicable for companies)	Glenn Chambers
Postal address (P.O. Box or street address)	PO Box 2784
Suburb	Mareeba
State	QLD
Postcode	4880
Country	Aust
Contact number	(07) 40922449
Email address (non-mandatory)	glenn@emergentba.com.au
Mobile number (non-mandatory)	
Fax number (non-mandatory)	
Applicant's reference number(s) (if applicable)	21000342

2) Owner's consent

2.1) Is written consent of the owner required for this development application?

- Yes – the written consent of the owner(s) is attached to this development application
 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
		1-3	Martin Tenni Drive	Mareeba
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)
	4880	11	SP146296	Mareeba Shire Council
b)	Unit No.	Street No.	Street Name and Type	Suburb
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)

3.2) Coordinates of premises (appropriate for development in remote areas, over part of a lot or in water not adjoining or adjacent to land e.g. channel dredging in Moreton Bay)

Note: Place each set of coordinates in a separate row.

- Coordinates of premises by longitude and latitude

Longitude(s)	Latitude(s)	Datum	Local Government Area(s) (if applicable)
		<input type="checkbox"/> WGS84 <input type="checkbox"/> GDA94 <input type="checkbox"/> Other: <input type="text"/>	

- 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: <input type="text"/>	

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

- In or adjacent to a water body or watercourse or in or above an aquifer

Name of water body, watercourse or aquifer:

- On strategic port land under the *Transport Infrastructure Act 1994*

Lot on plan description of strategic port land:

Name of port authority for the lot:

- In a tidal area

Name of local government for the tidal area (if applicable):

Name of port authority for tidal area (if applicable):

- On airport land under the *Airport Assets (Restructuring and Disposal) Act 2008*

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):*

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):*

Low Impact Industry- Fish Processing factory/ Cold Stores, Café, Office, Caretakers residence x 2

e) Relevant plans

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

- Relevant plans of the proposed development are attached to the development application

6.3) Additional aspects of development

- Additional aspects of development are relevant to this development application and the details for these aspects that would be required under Part 3 Section 1 of this form have been attached to this development application
- Not required

Section 2 – Further development details

7) Does the proposed development application involve any of the following?	
Material change of use	<input checked="" type="checkbox"/> Yes – complete division 1 if assessable against a local planning instrument
Reconfiguring a lot	<input type="checkbox"/> Yes – complete division 2
Operational work	<input type="checkbox"/> Yes – complete division 3
Building work	<input type="checkbox"/> Yes – complete DA Form 2 – Building work details

Division 1 – Material change of use

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

8.1) Describe the proposed material change of use			
Provide a general description of the proposed use	Provide the planning scheme definition (include each definition in a new row)	Number of dwelling units (if applicable)	Gross floor area (m ²) (if applicable)
Fish Processing Factory	Low Impact Industry		576
Caretakers	Caretakers' accommodation	2	227.7
Office / Showroom	Office		105.35
Cafe	Food and Drink Outlet		99.6

8.2) Does the proposed use involve the use of existing buildings on the premises?	
<input type="checkbox"/> Yes	
<input checked="" type="checkbox"/> No	

Division 2 – Reconfiguring a lot

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

9.1) What is the total number of existing lots making up the premises?	

9.2) What is the nature of the lot reconfiguration? (tick all applicable boxes)	
<input type="checkbox"/> Subdivision (complete 10))	<input type="checkbox"/> Dividing land into parts by agreement (complete 11))
<input type="checkbox"/> Boundary realignment (complete 12))	<input type="checkbox"/> Creating or changing an easement giving access to a lot from a constructed road (complete 13))

10) Subdivision				
10.1) For this development, how many lots are being created and what is the intended use of those lots:				
Intended use of lots created	Residential	Commercial	Industrial	Other, please specify:
Number of lots created				

10.2) Will the subdivision be staged?	
<input type="checkbox"/> Yes – provide additional details below	
<input type="checkbox"/> No	
How many stages will the works include?	
What stage(s) will this development application apply to?	

11) Dividing land into parts by agreement – how many parts are being created and what is the intended use of the parts?

Intended use of parts created	Residential	Commercial	Industrial	Other, please specify:
Number of parts created				

12) Boundary realignment

12.1) What are the current and proposed areas for each lot comprising the premises?

Current lot		Proposed lot	
Lot on plan description	Area (m 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"/> Stormwater	<input type="checkbox"/> Water infrastructure
<input type="checkbox"/> Drainage work	<input type="checkbox"/> Earthworks	<input type="checkbox"/> Sewage infrastructure
<input type="checkbox"/> Landscaping	<input type="checkbox"/> Signage	<input type="checkbox"/> Clearing vegetation
<input type="checkbox"/> Other – please specify: _____		

14.2) Is the operational work necessary to facilitate the creation of new lots? (e.g. subdivision)

Yes – specify number of new lots: _____

No

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

\$ _____

PART 4 – ASSESSMENT MANAGER DETAILS

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

Mareeba Shire Council

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

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

The local government is taken to have agreed to the superseded planning scheme request – relevant documents attached

No

PART 5 – REFERRAL DETAILS

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

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

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

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

- Clearing native vegetation
- Contaminated land (*unexploded ordnance*)
- Environmentally relevant activities (ERA) (*only if the ERA has not been devolved to a local government*)
- Fisheries – aquaculture
- Fisheries – declared fish habitat area
- Fisheries – marine plants
- Fisheries – waterway barrier works
- Hazardous chemical facilities
- Heritage places – Queensland heritage place (*on or near a Queensland heritage place*)
- Infrastructure-related referrals – designated premises
- Infrastructure-related referrals – state transport infrastructure
- Infrastructure-related referrals – State transport corridor and future State transport corridor
- Infrastructure-related referrals – State-controlled transport tunnels and future state-controlled transport tunnels
- Infrastructure-related referrals – near a state-controlled road intersection
- Koala habitat in SEQ region – interfering with koala habitat in koala habitat areas outside koala priority areas
- Koala habitat in SEQ region – key resource areas
- Ports – Brisbane core port land – near a State transport corridor or future State transport corridor
- Ports – Brisbane core port land – environmentally relevant activity (ERA)
- Ports – Brisbane core port land – tidal works or work in a coastal management district
- Ports – Brisbane core port land – hazardous chemical facility
- Ports – Brisbane core port land – taking or interfering with water
- Ports – Brisbane core port land – referable dams
- Ports – Brisbane core port land – fisheries
- Ports – Land within Port of Brisbane’s port limits (*below high-water mark*)
- SEQ development area
- SEQ regional landscape and rural production area or SEQ rural living area – tourist activity or sport and recreation activity
- SEQ regional landscape and rural production area or SEQ rural living area – community activity
- SEQ regional landscape and rural production area or SEQ rural living area – indoor recreation
- SEQ regional landscape and rural production area or SEQ rural living area – urban activity
- SEQ regional landscape and rural production area or SEQ rural living area – combined use
- Tidal works or works in a coastal management district
- Reconfiguring a lot in a coastal management district or for a canal
- Erosion prone area in a coastal management district
- Urban design
- Water-related development – taking or interfering with water
- Water-related development – removing quarry material (*from a watercourse or lake*)
- Water-related development – referable dams
- Water-related development – levees (*category 3 levees only*)
- 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 Transport Infrastructure Act 1994: <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 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
Note: <i>By not agreeing to accept an information request I, the applicant, acknowledge:</i>
<ul style="list-style-type: none"> • <i>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</i> • <i>Part 3 of the DA Rules will still apply if the application is an application listed under section 11.3 of the DA Rules.</i>
<i>Further advice about information requests is contained in the DA Forms Guide.</i>

PART 7 – FURTHER DETAILS

20) Are there any associated development applications or current approvals? (e.g. a preliminary approval)			
<input type="checkbox"/> Yes – provide details below or include details in a schedule to this development application <input checked="" type="checkbox"/> No			
List of approval/development application references	Reference number	Date	Assessment manager
<input type="checkbox"/> Approval <input type="checkbox"/> Development application			
<input type="checkbox"/> Approval <input type="checkbox"/> Development application			

21) Has the portable long service leave levy been paid? (only applicable to development applications involving building work or operational work)		
<input type="checkbox"/> Yes – a copy of the receipted QLeave form is attached to this development application <input checked="" 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 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 <i>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.</i>			
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 type="checkbox"/> No <i>Note: See www.business.qld.gov.au for further information about hazardous chemical notifications.</i>			

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

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 <i>Note: See the Planning Regulation 2017 for referral requirements</i>	<input checked="" type="checkbox"/> Yes
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	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> Not applicable
Supporting information addressing any applicable assessment benchmarks is with the development application <i>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.</i>	<input checked="" type="checkbox"/> Yes
Relevant plans of the development are attached to this development application <i>Note: Relevant plans are required to be submitted for all aspects of this development application. For further information, see DA Forms Guide: Relevant plans.</i>	<input checked="" type="checkbox"/> Yes
The portable long service leave levy for QLeave has been paid, or will be paid before a development permit is issued (see 21)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> Not applicable

25) Applicant declaration	
<input checked="" type="checkbox"/> By making this development application, I declare that all information in this development application is true and correct	
<input checked="" type="checkbox"/> 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 <i>Electronic Transactions Act 2001</i>	
<i>Note: It is unlawful to intentionally provide false or misleading information.</i>	
<p>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.</p> <p>Personal information will not be disclosed for a purpose unrelated to the <i>Planning Act 2016</i>, <i>Planning Regulation 2017</i> and the <i>DA Rules</i> except where:</p> <ul style="list-style-type: none"> • such disclosure is in accordance with the provisions about public access to documents contained in the <i>Planning Act 2016</i> and the <i>Planning Regulation 2017</i>, and the access rules made under the <i>Planning Act 2016</i> and <i>Planning Regulation 2017</i>; or • required by other legislation (including the <i>Right to Information Act 2009</i>); or • otherwise required by law. <p>This information may be stored in relevant databases. The information collected will be retained as required by the <i>Public Records Act 2002</i>.</p>	

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

Company owner's consent to the making of a development application under the *Planning Act 2016*

I, Bevan John Thomas Carroll

[Insert name in full.]

Director of the company mentioned below.

and I, Jamie Scott Lee Carroll

[Insert name in full.]

[Insert position in full—i.e. another director, or a company secretary.]

Delete the above two boxes where there is a sole director/secretary for the company giving the owner's consent.

As Trustees For Carroll Bros Family Trust

[Insert name of company and ACN.]

the company being the owner of the premises identified as follows:

1-3 Martin Tenni Drive (Lot 11), Mareeba Qld 4880 – SP146296



[Insert street address, lot on plan description or coordinates of the premises the subject of the application.]

consent to the making of a development application under the *Planning Act 2016* by:

The Trustees for Carroll Bros Family Trust *[Insert name of applicant.]*

on the premises described above for:

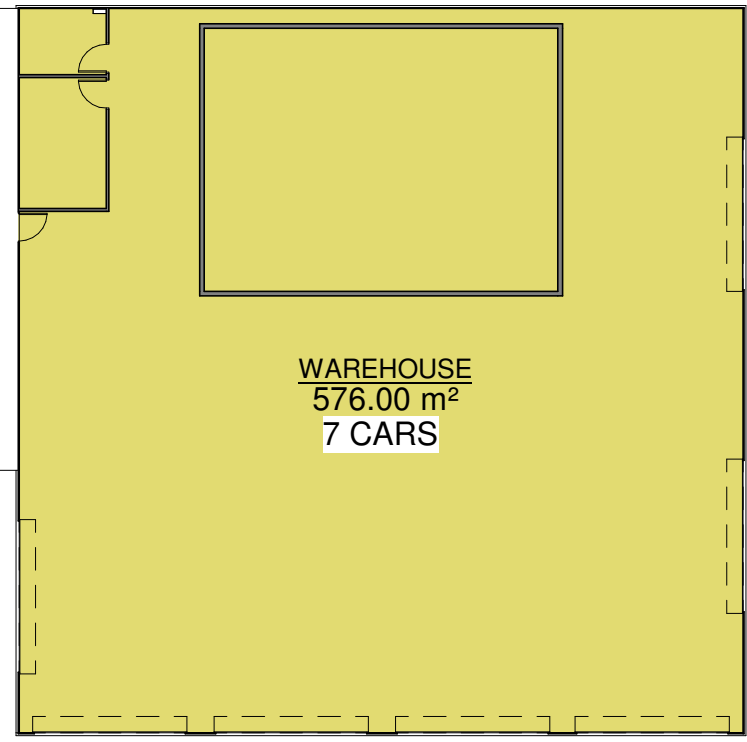
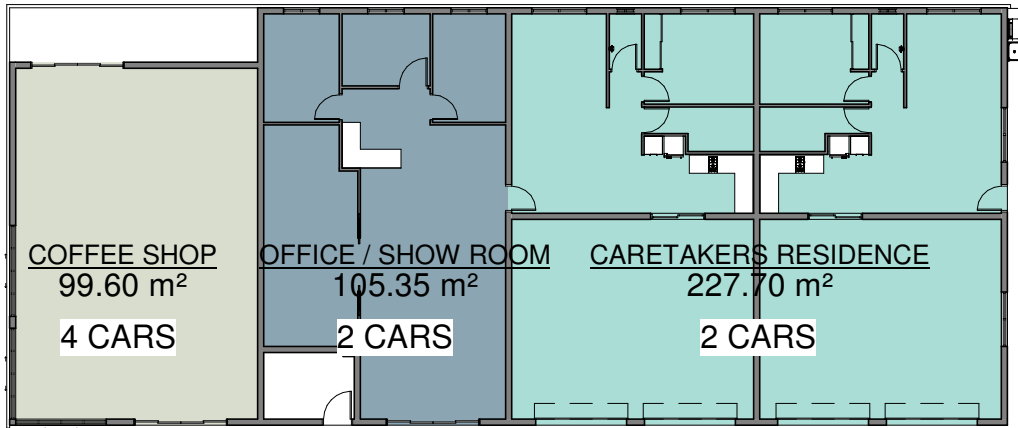
Construction of new building [Insert details of the proposed development, e.g. material change of use for four-storey apartment building.]

Trustee Name & ABN: The Trustees for Carroll Bros Family Trust – ABN 33 248 839 954	
 Signature of Trustee Wed Jul 21 2021 Date	 Signature of Trustee Wed Jul 21 2021 Date

[Delete the above where there is a sole director/secretary for the company giving the owner's consent.]



1 South Western View



Area Schedule (Gross Building)	
Name	Area
COFFEE SHOP	99.60 m ²
OFFICE / SHOW ROOM	105.35 m ²
CARETAKERS RESIDENCE	227.70 m ²
WAREHOUSE	576.00 m ²
Grand total	1008.65 m ²

2 Gross Floor Area Plan
1 : 250

PRELIMINARY

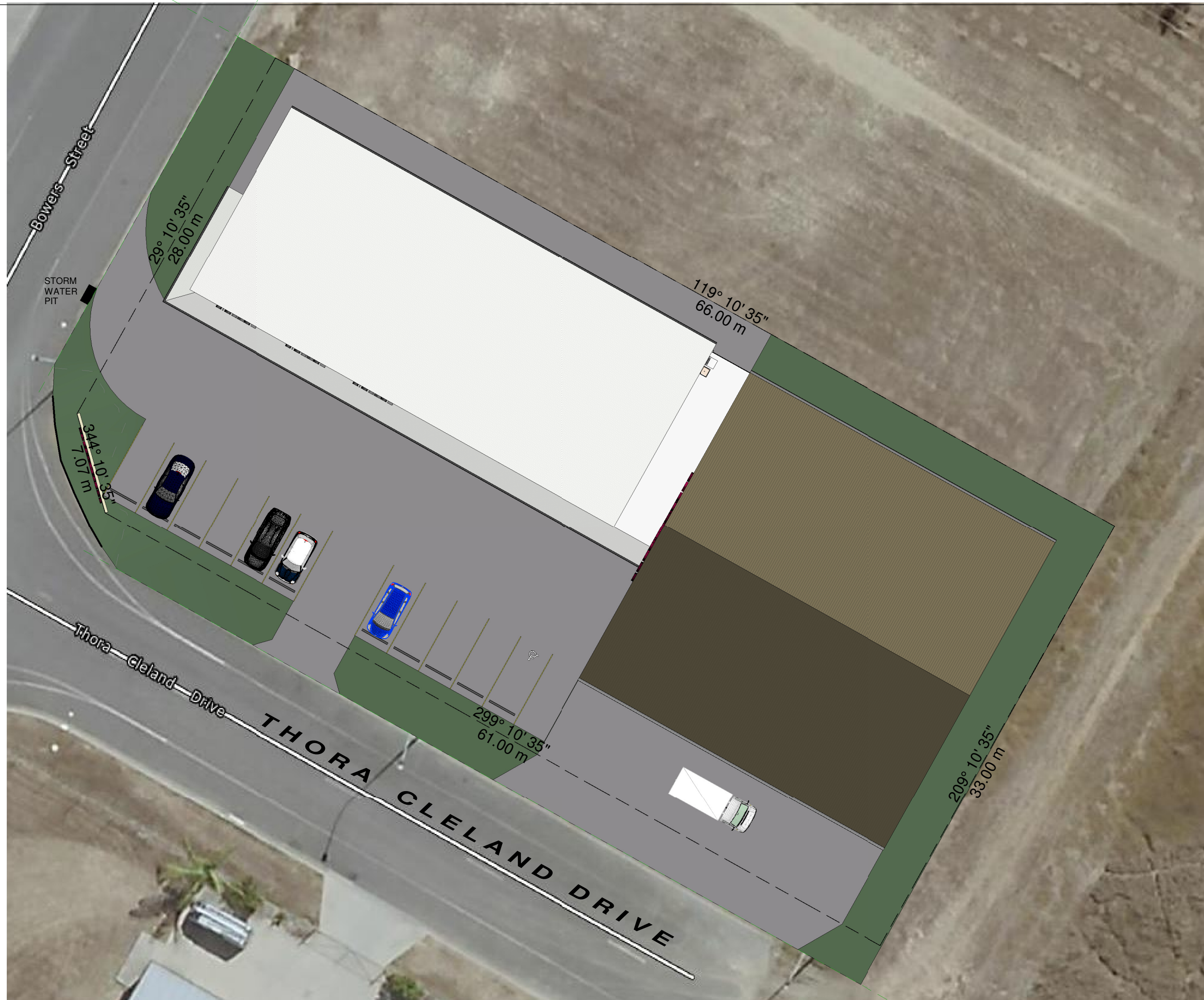


Adrian Gallo Lic. No. 065385
9137 Kennedy Highway,
Upper Barron. Via Atherton. 4883.
P.O. Box 1420 Atherton. 4883.
telephone 07 40950240
adrian@ownhomedesign.com.au

No.	Description	Date
A	Preliminary Sketch Design	06.07.2021.

Proposed Development
At : Lot 11 Martin Tenni Drive,
Mareeba. Qld. 4880.
Carroll Bros. Family Trust.

COVER SHEET		
Project number	136	136 - SK1 A
Date	29th April 2021.	
Drawn by	AG	
Checked by	AG	
Scale		1 : 250 @ A3



OWN HOME DESIGN

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No.	Description	Date
A	Preliminary Sketch Design	06.07.2021.

Carroll Bros.
 Family Trust.

Proposed
 Development
 At : Lot 11 Martin
 Tenni Drive,
 Mareeba. Qld.
 4880.

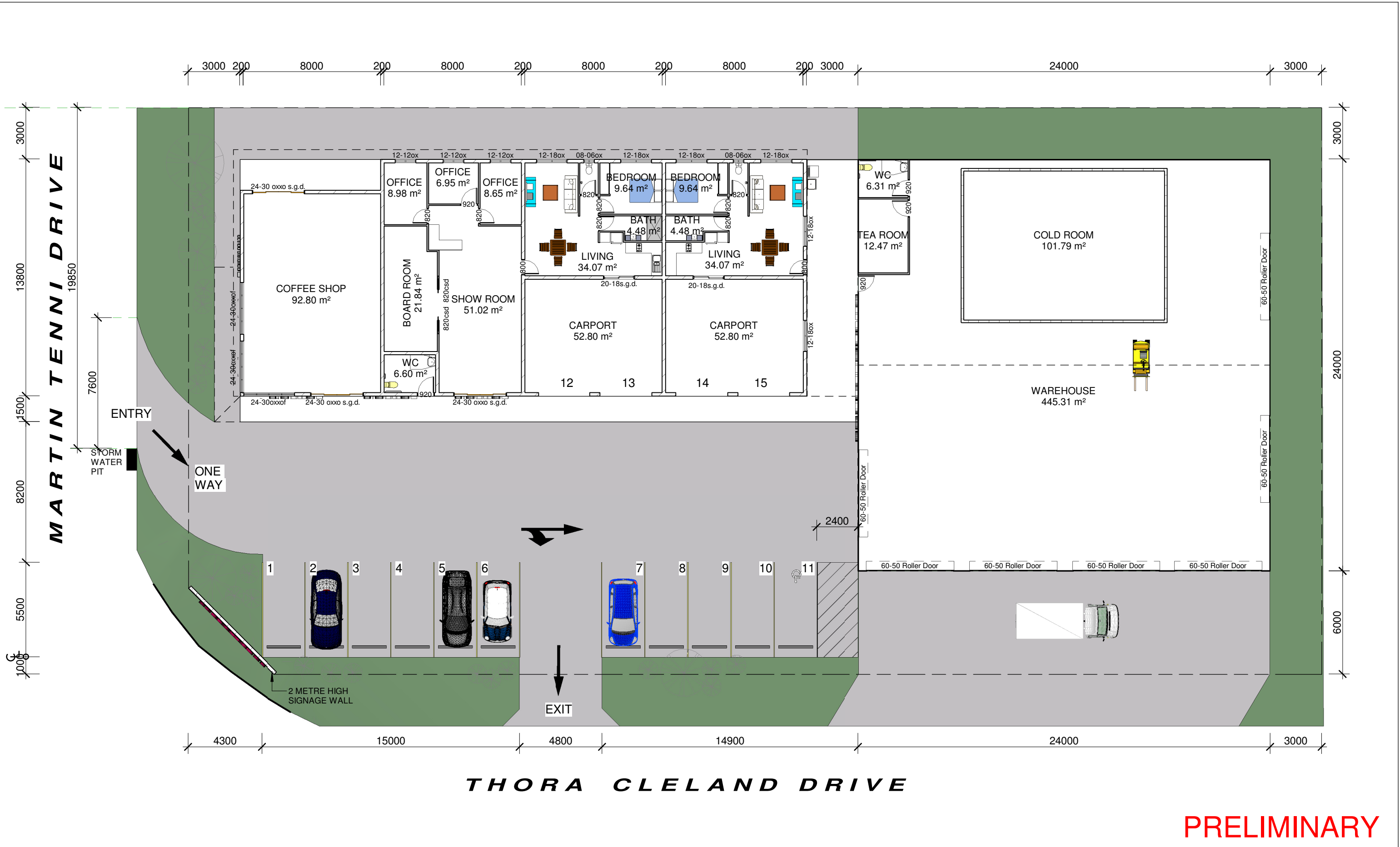
SITE PLAN

Project number	136
Date	29th April 2021.
Drawn by	AG
Checked by	AG
Scale	1 : 250

136 - SK2

1 Site Plan

1 : 250
 Document Set ID: 3991727
 Version: 1, Version Date: 06/08/2021



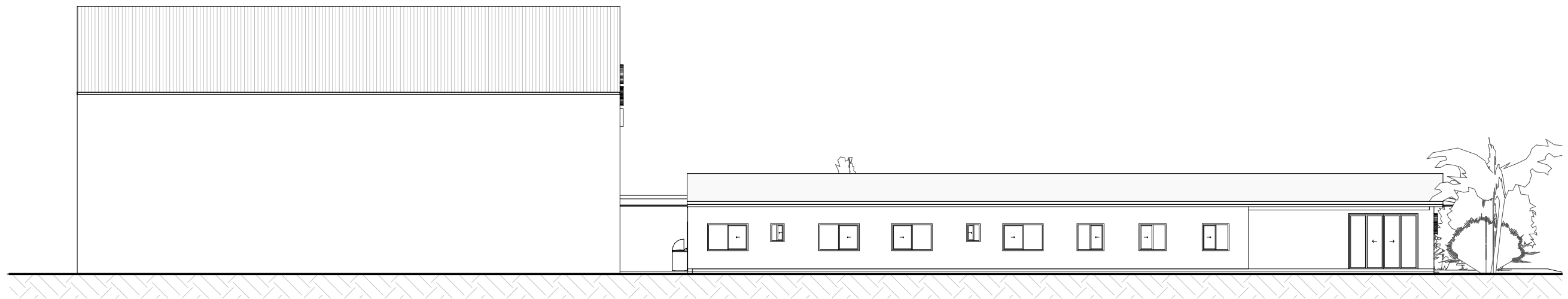
OWN HOME DESIGN

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 telephone 07 40950240
 adrian@ownhomedesign.com.au

No.	Description	Date
A	Preliminary Sketch Design	06.07.2021.

Proposed Development
 At : Lot 11 Martin Tenni Drive,
 Mareeba. Qld. 4880.
 Carroll Bros. Family Trust.

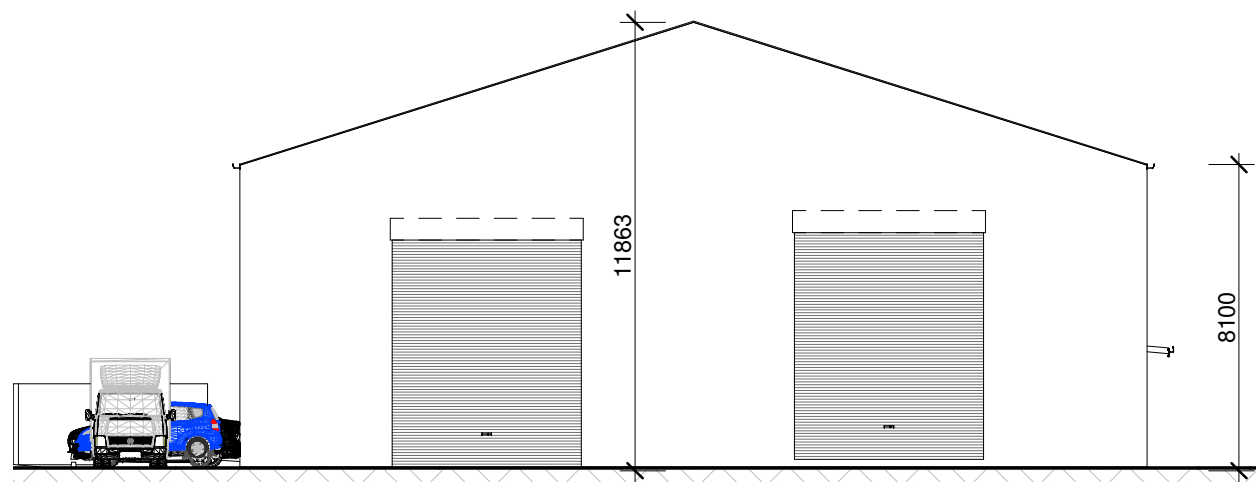
FLOOR PLAN		136 - SK3 A
Project number	136	
Date	29th April 2021.	
Drawn by	AG	
Checked by	AG	
Scale	1 : 200 @ A3	



1 North Elevation
1 : 200



2 South Elevation
1 : 200



3 East Elevation
1 : 200



4 West Elevation
1 : 200

PRELIMINARY



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No.	Description	Date
A	Preliminary Sketch Design	06.07.2021.

Proposed Development
At : Lot 11 Martin Tenni Drive,
Mareeba. Qld. 4880.
Carroll Bros. Family Trust.

ELEVATIONS

Project number	136	136 - SK4 A
Date	29th April 2021.	
Drawn by	AG	
Checked by	AG	
Scale		1 : 200 @ A3

DA Form 2 – Building work details

Approved form (version 1.2 effective 7 February 2020) made under Section 282 of the Planning Act 2016.

This form **must** be used to make a development application **involving building work**.

For a development application involving **building work only**, use this form (DA Form 2) only. The DA Forms Guide provides advice about how to complete this form.

For a development application involving **building work associated and any other type of assessable development** (i.e. material change of use, operational work or reconfiguring a lot), use *DA Form 1 – Development application details* and parts 4 to 6 of this form (DA Form 2).

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)	The Trustees for Carroll Bros Family Trust
Contact name (only applicable for companies)	Jamie Carroll and Bevan Carroll
Postal address (PO Box or street address)	PO Box 180
Suburb	Mareeba
State	Qld
Postcode	4880
Country	Australia
Contact number	Jamie – 0421 670 466 Bevan 0404 134 006
Email address (non-mandatory)	carrollbros16@gmail.com
Mobile number (non-mandatory)	
Fax number (non-mandatory)	
Applicant's reference number(s) (if applicable)	

PART 2 – LOCATION DETAILS

2) Location of the premises (complete 2.1 and 2.2 if 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](#).

2.1) Street address and lot on plan

<input checked="" type="checkbox"/> Street address AND lot on plan (all lots must be listed), or			
<input type="checkbox"/> 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).			
Unit No.	Street No.	Street Name and Type	Suburb

	1-3	Martin Tenni Drive	Mareeba
Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)
4880	11	SP146296	Mareeba

2.2) 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

3) 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 the [DA Forms Guide](#)

- Yes – All easement locations, types and dimensions are included in plans submitted with this development application
- No

PART 3 – FURTHER DETAILS

4) Is the application only for building work assessable against the building assessment provisions?

- Yes – proceed to 8)
- No

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

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

- Yes – a copy of the decision notice is attached to this development application
- The local government is taken to have agreed to the superseded planning scheme request – relevant documents attached
- No

7) Information request under Part 3 of the DA Rules

- I agree to receive an information request if determined necessary for this development application
- I do not agree to accept an information request for this development application

Note: By not agreeing to accept an information request I, the applicant, acknowledge:

- 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.

Further advice about information requests is contained in the [DA Forms Guide](#).

8) Are there any associated development applications or current approvals?

- Yes – provide details below or include details in a schedule to this development application
- No

List of approval/development application	Reference	Date	Assessment manager
<input type="checkbox"/> Approval <input type="checkbox"/> Development application			
<input type="checkbox"/> Approval <input type="checkbox"/> Development application			

9) Has the portable long service leave levy been paid?

- Yes – a copy of the receipted QLeave form is attached to this development application
- No – I, the applicant will provide evidence that the portable long service leave levy has been paid before the assessment manager decides the development application. I acknowledge that the assessment manager may give a development approval only if I provide evidence that the portable long service leave levy has been paid
- Not applicable (e.g. building and construction work is less than \$150,000 excluding GST)

Amount paid	Date paid (dd/mm/yy)	QLeave levy number (A, B or E)
\$		

10) Is this development application in response to a show cause notice or required as a result of an enforcement notice?

- Yes – show cause or enforcement notice is attached
- No

11) Identify any of the following further legislative requirements that apply to any aspect of this development application

- The proposed development is on a place entered in the **Queensland Heritage Register** or in a local government's **Local Heritage Register**. See the guidance provided at www.des.qld.gov.au about the requirements in relation to the development of a Queensland heritage place

Name of the heritage place:	Place ID:

PART 4 – REFERRAL DETAILS

12) Does this development application include any building work aspects that have any referral requirements?

- Yes – the *Referral checklist for building work* is attached to this development application
- No – proceed to Part 5

13) Has any referral agency provided a referral response for this development application?

- Yes – referral response(s) received and listed below are attached to this development application
- No

Referral requirement	Referral agency	Date 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 (if applicable)

PART 5 – BUILDING WORK DETAILS

14) Owner's details

- Tick if the applicant is also the owner and proceed to 15). Otherwise, provide the following information.

Name(s) (individual or company full name)	
Contact name (applicable for companies)	
Postal address (P.O. Box or street address)	
Suburb	
State	

Postcode	
Country	
Contact number	
Email address <i>(non-mandatory)</i>	
Mobile number <i>(non-mandatory)</i>	
Fax number <i>(non-mandatory)</i>	

15) Builder's details

Tick if a builder has not yet been engaged to undertake the work and proceed to 16). Otherwise provide the following information.

Name(s) <i>(individual or company full name)</i>	
Contact name <i>(applicable for companies)</i>	
QBCC licence or owner – builder number	
Postal address <i>(P.O. Box or street address)</i>	
Suburb	
State	
Postcode	
Contact number	
Email address <i>(non-mandatory)</i>	
Mobile number <i>(non-mandatory)</i>	
Fax number <i>(non-mandatory)</i>	

16) Provide details about the proposed building work

What type of approval is being sought?

- Development permit
 Preliminary approval

b) What is the level of assessment?

- Code assessment
 Impact assessment *(requires public notification)*

c) Nature of the proposed building work (tick all applicable boxes)

- | | |
|---|--|
| <input checked="" type="checkbox"/> New building or structure | <input type="checkbox"/> Repairs, alterations or additions |
| <input type="checkbox"/> Change of building classification <i>(involving building work)</i> | <input type="checkbox"/> Swimming pool and/or pool fence |
| <input type="checkbox"/> Demolition | <input type="checkbox"/> Relocation or removal |

d) Provide a description of the work below or in an attached schedule.

e) Proposed construction materials

External walls	<input type="checkbox"/> Double brick	<input type="checkbox"/> Steel	<input type="checkbox"/> Curtain glass
	<input type="checkbox"/> Brick veneer	<input type="checkbox"/> Timber	<input type="checkbox"/> Aluminium
	<input type="checkbox"/> Stone/concrete	<input type="checkbox"/> Fibre cement	<input type="checkbox"/> Other
Frame	<input type="checkbox"/> Timber	<input type="checkbox"/> Steel	<input type="checkbox"/> Aluminium
	<input type="checkbox"/> Other		
Floor	<input type="checkbox"/> Concrete	<input type="checkbox"/> Timber	<input type="checkbox"/> Other
Roof covering	<input type="checkbox"/> Slate/concrete	<input type="checkbox"/> Tiles	<input type="checkbox"/> Fibre cement
	<input type="checkbox"/> Aluminium	<input type="checkbox"/> Steel	<input type="checkbox"/> Other

f) Existing building use/classification? *(if applicable)*

g) New building use/classification? (if applicable)
h) 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 .
<input checked="" type="checkbox"/> Relevant plans of the proposed works are attached to the development application

17) What is the monetary value of the proposed building work?
\$

18) Has Queensland Home Warranty Scheme Insurance been paid?		
<input type="checkbox"/> Yes – provide details below		
<input checked="" type="checkbox"/> No		
Amount paid	Date paid (dd/mm/yy)	Reference number
\$		

PART 6 – CHECKLIST AND APPLICANT DECLARATION

19) Development application checklist	
The relevant parts of <i>Form 2 – Building work details</i> have been completed	<input checked="" type="checkbox"/> Yes
This development application includes a material change of use, reconfiguring a lot or operational work and is accompanied by a completed <i>Form 1 – Development application details</i>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> Not applicable
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 .	<input checked="" type="checkbox"/> Yes
The portable long service leave levy for QLeave has been paid, or will be paid before a development permit is issued (see 9)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> Not applicable

20) Applicant declaration
<input checked="" type="checkbox"/> By making this development application, I declare that all information in this development application is true and correct
<input checked="" type="checkbox"/> 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 <i>Electronic Transactions Act 2001</i>
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 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 <i>Planning Act 2016</i> , <i>Planning Regulation 2017</i> and the <i>DA Rules</i> except where: <ul style="list-style-type: none"> such disclosure is in accordance with the provisions about public access to documents contained in the <i>Planning Act 2016</i> and the <i>Planning Regulation 2017</i>, and the access rules made under the <i>Planning Act 2016</i> and <i>Planning Regulation 2017</i>; or required by other legislation (including the <i>Right to Information Act 2009</i>); or otherwise required by law. This information may be stored in relevant databases. The information collected will be retained as required by the <i>Public Records Act 2002</i> .

PART 7 – FOR COMPLETION BY THE ASSESSMENT MANAGER – FOR OFFICE USE ONLY

Date received: Reference numbers:

For completion by the building certifier

Classification(s) of approved building work

Name	QBCC Certification Licence number	QBCC Insurance receipt number
Glenn Chambers	A1201355	

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	

Additional information required by the local government

Confirm proposed construction materials:			
External walls	<input type="checkbox"/> Double brick	<input type="checkbox"/> Steel	<input type="checkbox"/> Curtain glass
	<input type="checkbox"/> Brick veneer	<input type="checkbox"/> Timber	<input type="checkbox"/> Aluminium
	<input type="checkbox"/> Stone/concrete	<input type="checkbox"/> Fibre cement	<input type="checkbox"/> Other
Frame	<input type="checkbox"/> Timber	<input type="checkbox"/> Steel	<input type="checkbox"/> Aluminium
	<input type="checkbox"/> Other		
Floor	<input type="checkbox"/> Concrete	<input type="checkbox"/> Timber	<input type="checkbox"/> Other
Roof covering	<input type="checkbox"/> Slate/concrete	<input type="checkbox"/> Tiles	<input type="checkbox"/> Fibre cement
	<input type="checkbox"/> Aluminium	<input type="checkbox"/> Steel	<input type="checkbox"/> Other

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			

Additional building details required for the Australian Bureau of Statistics

Existing building use/classification? (if applicable)			
New building use/classification?			
Site area (m ²)	2166	Floor area (m ²)	