

Our Ref: M8-21

6 October 2021

Chief Executive Officer
Mareeba Shire Council
65 Rankin Street
Mareeba, QLD, 4880

Attention: Planning Department

Dear Sir/Madam,

DEVELOPMENT APPLICATION SEEKING A DEVELOPMENT PERMIT

MATERIAL CHANGE OF USE – BUY BACK SHOP

LOCATION: MAREEBA WASTE TRANSFER STATION, MAREEBA

FORMALLY DESCRIBED AS: LOT 517 ON SP171524 & PART OF LOT 569 ON M3568

We act on behalf of our client, Mareeba Shire Council in preparing and submitting the following development application which seeks a Development Permit for a Material Change of Use under the *Planning Act 2016*, located at the Mareeba Waste Transfer Station to facilitate the development of a Buy Back Shop.

The subject site extends across various locations across the shire and covers a total area of 29.2 hectares in area. The proposed buy back shop is proposed to be located within waste transfer station, on the left just after the toll house. The Buy Back Shop (BBS) does two things well: we support the environment by repurposing unwanted goods instead of sending them to landfill, all while offering a variety of rescued items back to the local community. For example, locally in 2019/20, the Buy Back Shop in Cairns Regional Council saved approximately 800 tonnes of waste from being sent to landfill, with the current financial year figures heading towards 1,200 tonne diversion.

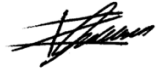
The shop finds and collect treasures of all shapes and sizes and offer them back to the community to ensure old things get a second chance. Although shoppers never know what they might find at the second-hand shop, common items include: building materials; household appliances and cookware; vintage goods, collectables and restoration pieces; clothing and accessories; furniture; baby items; art pieces; and bicycles.

By way of this development application, the applicant is seeking specific approval to undertake the development as detailed within the attached planning report and associated plans for the development. The report will include a complete assessment of the proposed development against the relevant assessment benchmarks within the Mareeba Shire Planning Scheme 2016. In terms of application fees, the current fees and charges schedule stipulates that the **application fee for the proposed Material**

Change of Use – Buy Back Shop (Impact Assessment), comes to \$2,819.00. Please contact our office on 0411 344 110 to process the payment over the phone.

Should there be any questions or queries in relation to the development application presented, we would appreciate if you could contact our office immediately. We also ask if possible that a copy of all correspondence be forwarded to our office via email.

Yours faithfully,



Ramon Samanes

Director, U&i Town Plan

Bachelor of Applied Science, Majoring in Environmental and Urban Planning

PLANNING REPORT

DEVELOPMENT APPLICATION FOR A MATERIAL CHANGE OF USE – BUY BACK SHOP

PROJECT LOCATION:

LOCATED AT THE MAREEBA WASTE TRANSFER STATION, MAREEBA
FORMALLY DESCRIBED AS LOT 517 ON SP171524 & PART OF LOT 569 ON
M3568

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ASSESSMENT MANAGER:	MAREEBA SHIRE COUNCIL, PLANNING DEPARTMENT
DEVELOPMENT TYPE:	DEVELOPMENT PERMIT – MATERIAL CHANGE OF USE (IMPACT ASSESSABLE)
PROPOSED WORKS:	BUY BACK SHOP
REAL PROPERTY DESCRIPTION:	LOT 517 ON SP171524 PART OF LOT 569 ON M3568 (ACCESS ONLY)
LOCATION:	MAREEBA WASTE TRANSFER STATION, MAREEBA
ZONE:	COMMUNITY FACILITIES ZONE
APPLICANT:	MAREEBA SHIRE COUNCIL c/- U&I TOWN PLAN
ASSESSMENT CRITERIA:	MATERIAL CHANGE OF USE (IMPACT ASSESSABLE)
REFERRAL AGENCIES:	THE PROPOSAL DOES TRIGGER ASSESSMENT AGAINST THE RELEVANT STATE AGENCIES – ADJACENT TO A STATE-CONTROLLED ROAD
STATE PLANNING:	THE PROPOSAL DOES TRIGGER ASSESSMENT AGAINST THE STATE DEVELOPMENT ASSESSMENT PROVISIONS: STATE CODE 1 – DEVELOPMENT IN A STATE-CONTROLLED ROAD ENVIRONMENT

IMPORTANT NOTE

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This Report has been prepared for Mareeba Shire Council for the sole purpose of making a Development Application seeking a Development Permit for a Material Change of Use on land located at the Mareeba Waste Transfer Station (over lot 517 on SP171524 & part of Lot 569 on M3568) for the purpose of establishing a Buy Back Facility facility on the site. This report is strictly limited to the purpose, and facts and circumstances stated within. It is not to be utilised for any other purpose, use, matter or application.

U&i Town Plan has made certain assumptions in the preparation of this report, including:

- a) That all information and documents provided to us by the Client or as a result of a specific search or enquiry were complete, accurate and up to date;*
- b) That information obtained as a result of a search of a government register or database is complete and accurate.*

U&i Town Plan is not aware of any particular fact or circumstance, which would render these assumptions incorrect, as at the date of preparation of the Report.

While every effort has been made to ensure accuracy, U&i Town Plan does not accept any responsibility in relation to any financial or business decisions made by parties' other than those for whom the original report was prepared for and/or provided to. If a party other than the Client uses or relies upon facts, circumstances and/or content of this Report without consent of U&i Town Plan, U&i Town Plan disclaims all risk and the other party assumes such risk and releases and indemnifies and agrees to keep indemnified U&i Town Plan from any loss, damage, claim or liability arising directly or indirectly from the use of or reliance on this report.

1.0 EXECUTIVE SUMMARY

This development application is seeking a development permit for a Material Change of Use under the Planning Act 2016, on Lot 517 on SP171524 and part of Lot 569 on M3568 (access only), within the existing Mareeba Waste Transfer Station facility located just after the toll house to the left, to establish a new Buy Back Shop. Buy Back Shops similar to the one proposed are established across similar Waste Facilities throughout the country, as a way of collecting treasures destined for landfill and offering them back to the community to reduce waste.

The Buy Back Shop do two things well: provides benefit to the environment by repurposing unwanted goods instead of sending them to landfill, all while offering a variety of rescued items back to the local community. For example, locally in 2019/20, the Buy Back Shop in Cairns Regional Council saved approximately 800 tonnes of waste from being sent to landfill, with the current financial year figures heading towards 1,200 tonne diversion.

The conclusion of this report is that all the requirements set by the assessment criteria can be met and that the strategic level policy outcomes sought by the planning scheme and any applicable State planning instruments can be achieved. It is the opinion of the applicant that once all the policy requirements have been taken into account by assessing authorities and equitably balanced with the site constraints and benefits of the proposal; the assessment process established under the Planning Act will result in the approval of this development application and the issuing of a development permit subject to conditions. This opinion is based on the level of strategic and analytical justification provided in support of the proposal and the decision-making requirements imposed on regulatory authorities under the Planning Act.

By way of this development application, the applicant is seeking specific approval to undertake the development as detailed in this planning report and approval of the plans.

2.0 SITE DESCRIPTION

The subject land is described as Lot 517 on SP171524, which contains the existing Mareeba Waste Transfer Station. The subject site covers a total area of 29.2 hectares in area, and is accessed from Vaughan Street via the Mareeba Land Fill Access Road. The site is bounded to the east by the Mareeba Golf Course along with unallocated state land (Lot 569 on M3568), the cemetery to the south, with farming to the west, and the Mareeba Industrial Park to the north. The proposed buy back shop is proposed to be located immediately to your left after you drive past the toll house. The proposed development obtains access via part of Lot 569 on M3568, which is part of an application currently with the Department of Resources to purchase this portion of land.



Figure 1: Aerial View of the Subject Land

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In terms of the zoning of the property, the subject site is designated within the ‘Community Facilities Zone’ under the Mareeba Shire Planning Scheme 2016. An insert of the subject property and the relevant zoning from the Mareeba Shire Planning Scheme is provided in figure 2 below.

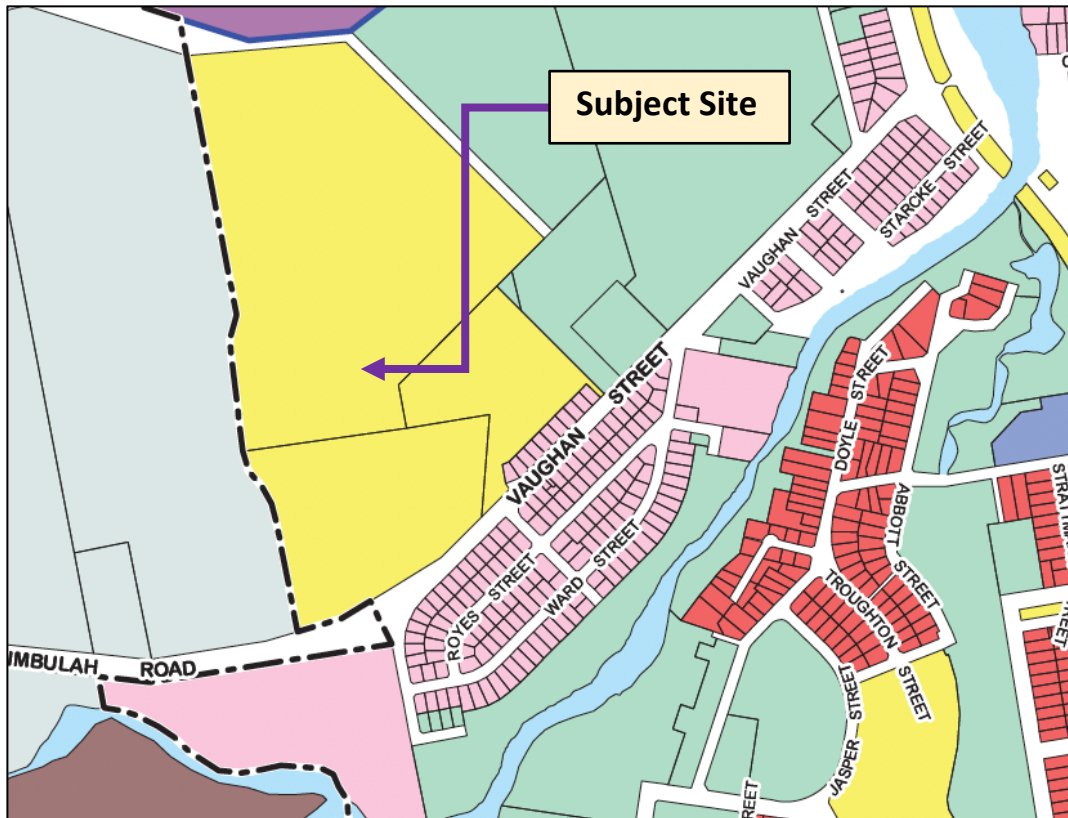


Figure 2: Community Facilities Zone Mapping, Mareeba Shire Planning Scheme 2016

A site summary is provided below:

Table 2.0: Site summary

Street address:	Vaughan Street, Mareeba Waste Transfer Station
Real property description:	Lot 517 on SP171524 & Part of Lot 569 on M3568
Local government area	Mareeba Shire Council
Site area:	29.2 hectares
Zone:	Community Facilities Zone
Precinct:	N/A
Sub-precinct:	N/A
Current use:	Mareeba Waste Transfer Station
Road frontage:	No direct road frontage.
Surrounding uses:	Mareeba Cemetery, Residential, Mareeba International Club, Mareeba Golf Course, Rural Land, & Industrial Park.

Topography:	The site in general with the exception of various waste storage cells is relatively flat in general. Existing drainage networks are established throughout the facility to catch and divert the water away from the property.
Vegetation:	The site contains some vegetation and landscaping buffering the facility from the adjoining cemetery, with a couple of trees scattered through the property. However, in general the site is void of any significant vegetation.
Easements:	There appeared to be no easements across the relevant part of the property that forms part of this development
Existing infrastructure:	Mareeba Waste Transfer Station facility.

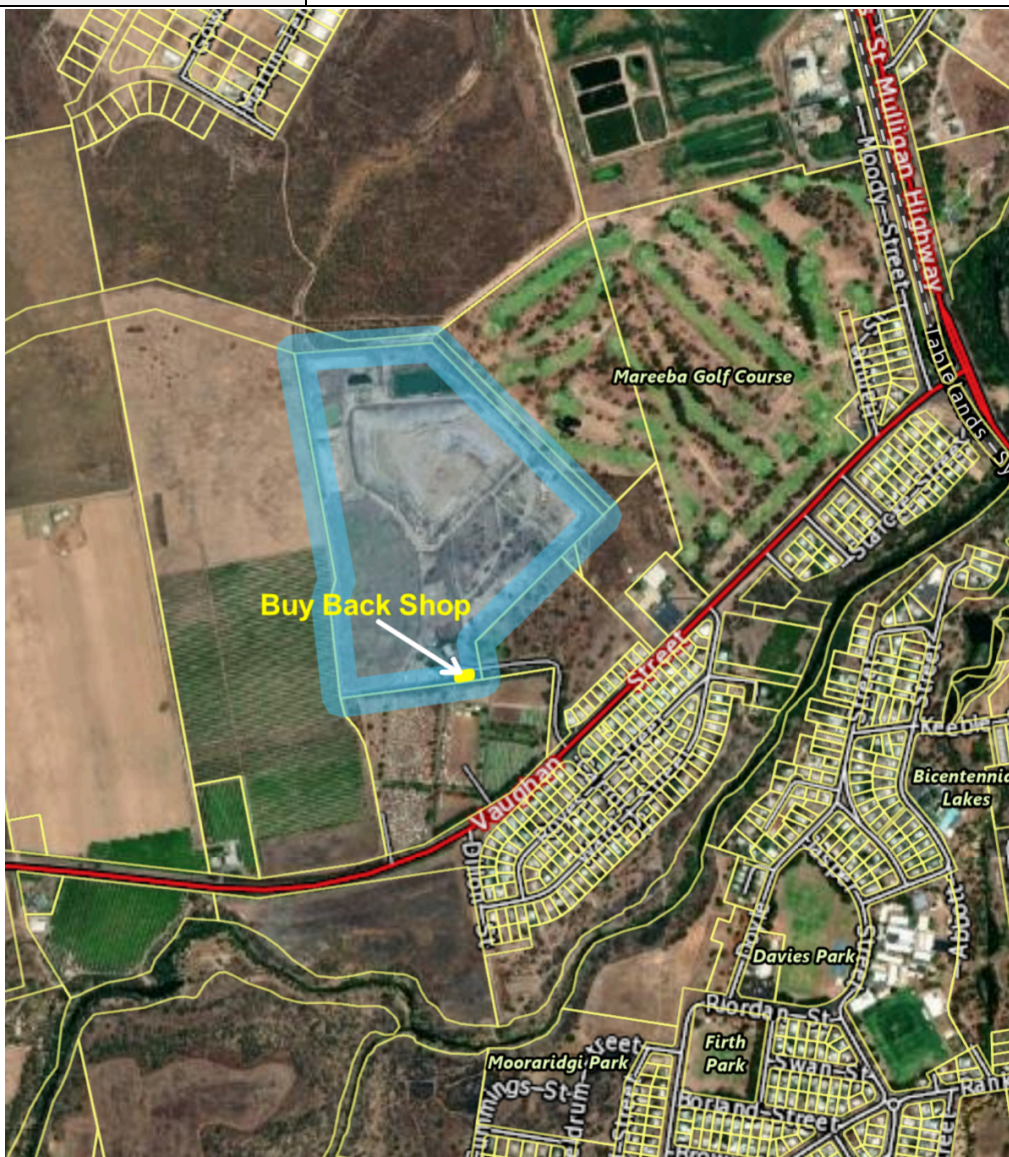


Figure 3: Site Locality

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3.0 DEVELOPMENT PROPOSAL

This development application is seeking a development permit for a Material Change of Use under the Planning Act 2016, located at the Mareeba Waste Transfer Station to establish a Buy Back Shop Facility. The subject site is formally described as Lot 517 on SP171524 which is utilized as the Mareeba Waste Transfer Station. The proposed development obtains access via part of Lot 569 on M3568, which is part of an application currently with the Department of Resources to purchase this portion of land.

The proposed buy back shop is proposed to be located immediately to your left after you drive past the toll house. The Buy Back Shop does two things well: we support the environment by repurposing unwanted goods instead of sending them to landfill, all while offering a variety of rescued items back to the local community. For example, locally in 2019/20, the Buy Back Shop in Cairns Regional Council saved approximately 800 tonnes of waste from being sent to landfill, with the current financial year figures heading towards 1,200 tonne diversion.

The shop finds and collects treasures destined for landfill and offers them back to the community to reduce waste. Although shoppers never know what they might find at the second-hand shop, common items include: building materials; household appliances and cookware; vintage goods, collectables and restoration pieces; clothing and accessories; furniture; baby items; art pieces; and bicycles.

Proposed Structure

The Buy Back Shop will comprise of a new shed like structure that is 9m wide x 21m long, with an awning along the front approximately 3m wide. Opening onto the covered awning area will be 6 x roller doors opening into the shed, with a PA door opening onto the internal car parking area. The proposed structure will cover a total area of 252m².

Things you might find - Items for sale

The opportunities are endless when you think about what could be found at the Buy Back Shop, and the best part about it is, every time you come along, you'll find something unique that wasn't there the time before.

- Building materials
- Household appliances and cookware
- Vintage goods, collectables and one off restoration pieces
- Clothing and accessories
- Indoor and outdoor furniture
- Musical instruments, books and games for all ages
- Baby items
- Supplies for parties, weddings and birthday celebrations
- Bicycles and scooters

- Art and decorative pieces
- Tools and items for the shed and garden

Donate your goods to be rescued - How to give back

If you're doing a spring clean, or just have some unwanted items that no longer fulfil their purpose (or perhaps they're just not what they once were), instead of throwing them in the bin, we aim to have it set up so that the public drop them off at our Transfer Stations for FREE (conditions may apply*). This aspect is yet to be confirmed however outlines the intentions for the facility. By providing this type of service it will give someone else a chance to make use out of something that no longer serves its purpose for you and do the environment a favour while you're at it. If it comes to us and we think it deserves another chance, it doesn't go to landfill.

Local support

We hope to receive stock from all over the community where different circumstances allow for unwanted goods to land in our hands as a result of:

- Hotel/venues refurbishments
- De-cluttering the home / business
- "Too hard to fix" basket
- Unloved items
- Events (parties, weddings, birthday celebrations)

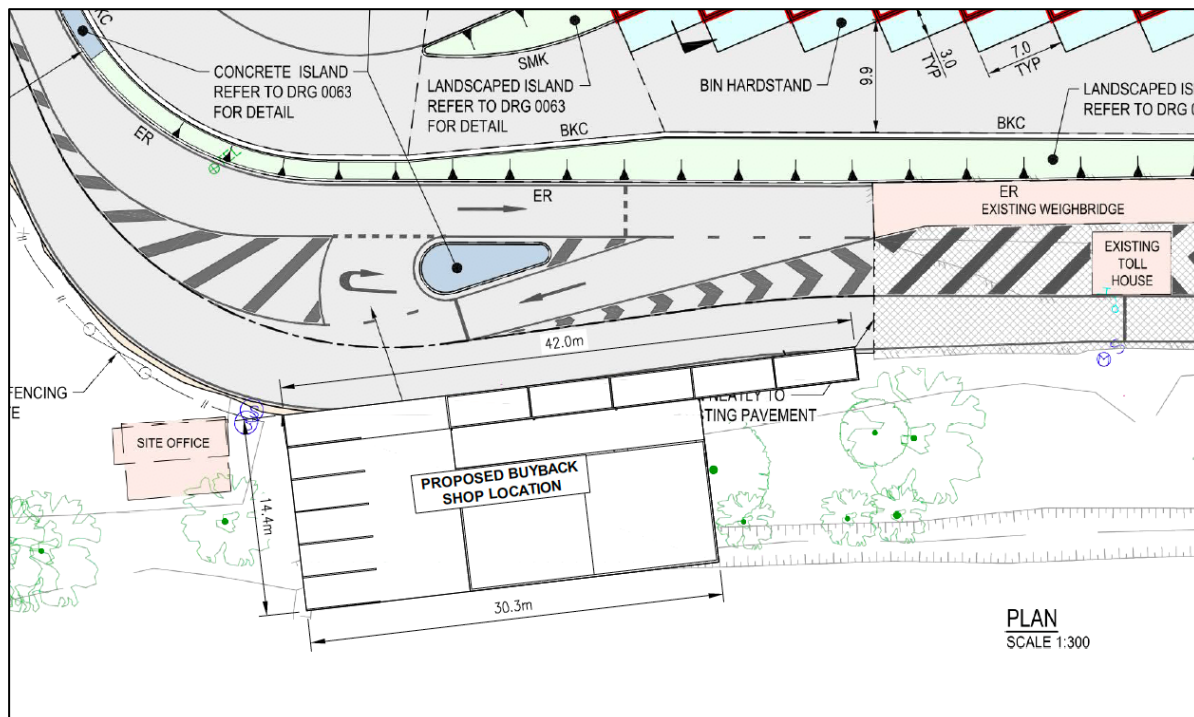


Figure 4: Extract from Development Plans

3.1 Development Definition

The proposal is described as a “Material Change of Use” under the Planning Act and planning scheme. The proposal is defined under the Planning Act as follows:

material change of use, of premises, means any of the following that a regulation made under [section 284\(2\)\(a\)](#) does not prescribe to be minor change of use—

- (a) *the start of a new use of the premises;*
- (b) *the re-establishment on the premises of a use that has been abandoned;*
- (c) *a material increase in the intensity or scale of the use of the premises.*

3.2 Shop

The proposed use that you are seeking to establish for the site is either defined under the Mareeba Shire Planning Scheme 2016 as the following:

Column 1 Use	Column 2 Definition	Column 3 Examples include	Column 4 Does not include the following examples
Shop	Premises used for the display, sale or hire of goods or the provision of personal services or betting to the public.	Hairdresser, liquor store, department store, discount department store, discount variety stores, betting agencies, supermarket, corner store	Adult store, food and drink outlet, showroom, market

4.0 DEVELOPMENT APPLICATION DETAILS

This development application is seeking a development permit for a Material Change of Use under the Planning Act 2016, located at the entrance to the Mareeba Waste Transfer Station to establish a Buy Back Shop Facility. By way of this development application, the applicant is seeking specific approval to undertake the development as detailed in this planning report and approval of the plans.

5.0 PLANNING JUSTIFICATION

This development application is made in accordance with the requirements of the *Planning Act 2016* and is for the Material Change of Use over Lot 517 on SP171524 located within the existing Mareeba Waste Transfer Station. The proposed development obtains access via part of Lot 569 on M3568, which is part of an application currently with the Department of Resources to purchase this portion of land. The proposal is considered to satisfy the requirements set by the applicable assessment benchmarks from the planning scheme, specifically the Community Facilities Zone Code and Commerical Activities Code. Buy

Back Shops similar to the one proposed are established across similar Waste Facilities throughout the county, as a way of collecting treasures destined for landfill and offering them back to the community to reduce waste.

The proposed buy back shop is proposed to be located immediately to your left after you drive past the toll house. The Buy Back Shop do two things well: provides benefit to the environment by repurposing unwanted goods instead of sending them to landfill, all while offering a variety of rescued items back to the local community. For example, locally in 2019/20, the Buy Back Shop in Cairns Regional Council saved approximately 800 tonnes of waste from being sent to landfill, with the current financial year figures heading towards 1,200 tonne diversion.

5.1 Mareeba Shire Planning Scheme 2016

Given that the application is code assessable, the application is required to be assessed against only the relevant codes within the planning scheme where applicable to the development. In particular, the following sections of the planning scheme are considered relevant to this development:

- Strategic Framework
- Community Facilities Zone Code
- Community Activities Code
- Commercial Activities Code
- Landscape Code
- Parking and Access Code
- Works, Services and Infrastructure Code
- Transport Infrastructure Overlay Code

Accordingly, an assessment of the proposed development against the above listed codes has been completed. Where the requirements of an Acceptable Outcome were impractical or inappropriate to address, the Performance Outcome was addressed and satisfied. By satisfying the requirements of the Performance Outcomes, the overall “Purpose” of the code was inherently satisfied, as was the Strategic Framework for the planning scheme. In terms of the assessment documented in this report, should any part of the development not comply with any sections of the codes, the relevant sections will be adequately referenced and addressed in further detail to ensure compliance has been achieved.

5.1.1 Strategic Framework

The Strategic Intent, and the Strategic Framework (SF) as a whole is a set of high order strategic outcomes and land use strategies which set the overarching policy intent for the lower order, more detailed components of the planning scheme i.e. zones, codes and policies. The Framework is split into various themes which cover the main aspects of land use planning and development governance. Given the level the Framework operates at, it is difficult to provide a direct, site specific assessment of the proposal

against its many components. However, a proposal that satisfies the lower order components of the planning scheme, i.e. zone codes, development codes, overlay codes, planning scheme policies, etc; inherently satisfies the intent of the Framework.

3.2.2 The way forward: Mareeba Shire in 2031

Mareeba Shire in 2031 Mareeba Shire thrives as a vibrant and diverse community comprising a range of urban, semi-urban, natural and rural settings, which together provide a unique local and regional character. Urban settlements have a distinct small town feel through features including prominent, wide main streets, character streetscapes and buildings that capture the evolution of Mareeba Shire. This existing character is maintained, promoted and enhanced by development in the shire, including sensitive redevelopment of activity centres.

Mareeba continues to form the prominent regional centre for the shire, being designated as a major regional activity centre, and thrives through intensified land uses and services which promote and support ongoing economic activity throughout the shire. The Shire's proximity to the regional City of Cairns facilitates residential growth of those that work outside the Shire, either in Cairns, fly-in fly-out or internationally.

Kuranda, Mareeba Shire's 'Village in the Rainforest' capitalises on its proximity to Cairns and continues to attract visitors in its own right as the gateway to Mareeba and the Tablelands. Tourism continues to strengthen for the savannah areas of the Shire, especially at Chillagoe and the Wheelbarrow Way, further solidifying Mareeba Shire's place on the tourism trail of Far North Queensland by capitalising on its unique hinterland tourism culture and array of small and large scale tourist experiences.

The shire is a living museum that is rich in historic and culturally significant places that signify the evolution of the Shire. Culturally significant places are protected and enhanced in contribution to the lifestyle offering of the shire and the tourist experience.

Mareeba Shire continues to foster the development of a range of economic activity including primary industries, tourism, renewable energy, mining and resource activity, regionally significant industry, education and research, cultural and arts activities. New and expanding industries contribute to the ongoing prosperity of Mareeba Shire, through economic diversification and increases in activity of regional, national and international significance. Mareeba airport continues to expand as a regional hub for aviation services, and its broader contribution to economic activity and employment is recognised and maintained.

Mareeba Shire provides a diverse collection of landscape settings within the rural areas, from productive agricultural land to internationally significant rainforests, open grazing country to dry savannah. These rural areas continue to contribute to the shire's unique character through their preservation and enhancement.

Agriculture strengthens the character and identity of the area and is recognised for its contribution to the local economy, food security and stewardship of the land for future generations. The sustainable use of the regions vast natural resources, including but not limited to agricultural land and extractive resources, is

acknowledged as providing one of the pillars for the economic prosperity of the Mareeba Shire. Value add rural activities capitalise on synergies with the tourism industry and further strengthen high quality paddock to plate enterprise within the shire and extending to Cairns and boutique markets in other Australian and international cities.

Conservation areas and areas of ecological significance are maintained to support the ecological sustainability of the shire. Greater appreciation for both rural areas and conservation areas is recognised through sensitive increases in activity that respect the significance of the natural environment. Activities may include rural activities, environmental education and research and nature and rural based tourism. Environmental and active transport linkages further promote the appreciation of the diversity and significance of the rural areas of Mareeba Shire.

Mareeba Shire's residents and visitors are supported by a range of services and infrastructure, providing for improved liveability, and community health and increased levels of social interaction. The community and settlement pattern is resilient in the face of bushfires, cyclones, flooding, landslides and other related weather events. New development incorporates appropriate mitigation measures to reduce the associated increased risks and severity forecast from climate change.

Physical infrastructure networks are provided commensurate with the needs of activity centres and key destinations, as part of a coordinated effort to unite the people of Mareeba shire. Centre areas provide a source of eclectic activity which enhances the appeal and character of Mareeba Shire as a living community and quality tourist destination.

Ultimately, Mareeba Shire balances a range of competing interests in a manner that ensures the shire's ongoing economic prosperity, self-sufficiency, environmental health, sustainability and community well-being. Development is also respectful of the shire's past, its unique character and its diverse people that truly define it as a place like no other, a place where quality of life and lifestyle is paramount.

As outlined in the way forward for the Mareeba Shire statement above, providing facilities that improve the environmental health, sustainability and community wellbeing is an important part of Mareeba Shire Community. The Buy Back Shop promotes sustainability and improves the overall environmental health of the shire by repurposing unwanted goods instead of sending them to landfill, all while offering a variety of rescued items back to the local community. For example, locally in 2019/20, the Buy Back Shop in Cairns Regional Council saved approximately 800 tonnes of waste from being sent to landfill, with the current financial year figures heading towards 1,200 tonne diversion.

The shop finds and collects treasures destined for landfill and offers them back to the community to reduce waste. Although shoppers never know what they might find at the second-hand shop, common items include: building materials; household appliances and cookware; vintage goods, collectables and restoration pieces; clothing and accessories; furniture; baby items; art pieces; and bicycles.

Moving forward, the SF sets the policy direction for the Shire for the life of the Planning Scheme. Regarding this development the relevant provisions of the SF are:

- Natural Resource and Environment;
- Community identity and diversity; and
- Transport and Infrastructure.

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 ordinances.

Statement of Compliance:

The Buy Back Shop promotes sustainability and improves the overall health of the environment within the shire by repurposing unwanted goods instead of sending them to landfill, all while offering a variety of rescued items back to the local community. For example, locally in 2019/20, the Buy Back Shop in Cairns Regional Council saved approximately 800 tonnes of waste from being sent to landfill, with the current financial year figures heading towards 1,200 tonne diversion.

The shop finds and collects treasures destined for landfill and offers them back to the community to reduce waste. Although shoppers never know what they might find at the second-hand shop, common items include: building materials; household appliances and cookware; vintage goods, collectables and restoration pieces; clothing and accessories; furniture; baby items; art pieces; and bicycles.

3.5 Community identity and diversity

3.5.1 Strategic outcomes

- (1) Mareeba Shire is characterised by a diverse cultural, scenic and natural character and identity. Valued streetscapes, town centres, built and natural features and precincts of character housing will be preserved and enhanced through sympathetic new development and redevelopment of existing buildings.
- (2) Heritage places and areas of historical significance are conserved and enhanced through sensitive re-use. Indigenous cultural heritage within the landscape is protected, or developed in consultation with Traditional Owners.
- (3) The outstanding landscape qualities and *scenic routes* of Mareeba Shire are conserved and protected from development that diminishes their visual and aesthetic values. The rural character, evidence of geomorphologic history and natural features within the regional landscape are preserved through sensitive development which complements iconic views, rainforest, hill slopes, bushland and rural vistas.
- (4) Development integrates a range of well linked and accessible open space and recreational areas within *residential areas* and *centre areas* and their surrounds. Open space and recreation areas are retained for community use, protected from incompatible development and incorporate important *biodiversity areas* and buffers to wetlands and watercourses. Open space supports a range of recreational activities which are consistent with community demand and encourage healthy and active lifestyles, including sporting and leisure facilities and trail networks.
- (5) A range of community facilities, that meet the needs of the Mareeba Shire community, is provided, maintained and enhanced. Facilities that cater for cultural events, community activities, sports and recreation are sensitively developed and integrated into the surrounding area. The range and location of community facilities caters for a wide cross section of interests and users in dispersed locations.
- (6) Easily accessible health care services and facilities are provided that meet community needs. Public health and safety is fostered in the design of the built environment in Mareeba Shire, including by promoting surveillance, activity and recreation.

3.5.6 Element—Community facilities

3.5.6.1 Specific outcomes

- (1) The development and reuse of cultural facilities and precincts is:
 - (a) compatible with the surrounding area;
 - (b) provided with a high level of amenity and safety for users of the site;
 - (c) located to be easily accessible to the majority of residents.
- (2) Development complements and sensitively integrates with existing halls, clubs, libraries, art galleries, places of worship, theatres, function rooms, community and cultural centres and other key community infrastructure. Development on sites adjoining community facilities will not obstruct or detract from their use, accessibility and functionality.
- (3) Community facilities are redeveloped in a way that is functional, safe and sensitive to the community's needs. Development of these sites is cognisant of the existing character and adjoining land uses of the area and addresses the street frontage to create a high level of accessibility and legibility to the community.

Statement of Compliance:

The Mareeba Shire Community will benefit from the establishment of a Buy Back Shop provided as a specific community facility that serves to function not only as a facility that promotes recycling of waste, but as part of that process serves to educate the community and in particular the younger generation of the wide benefits of recycling waste where possible that would otherwise go to landfill. Buy Back Shop in general promote sustainability and improves the overall health of the environment within the shire by repurposing unwanted goods instead of sending them to landfill, all while offering a variety of rescued items back to the local community. For example, locally in 2019/20, the Buy Back Shop in Cairns Regional Council saved approximately 800 tonnes of waste from being sent to landfill, with the current financial year figures heading towards 1,200 tonne diversion.

The shop finds and collects treasures destined for landfill and offers them back to the community to reduce waste. Although shoppers never know what they might find at the second-hand shop, common items include: building materials; household appliances and cookware; vintage goods, collectables and restoration pieces; clothing and accessories; furniture; baby items; art pieces; and bicycles.

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.

3.6.9 Element—Waste management

3.6.9.1 Specific outcomes

- (1) Waste facilities have adequate capacity to service the community and industry and provide a sustainable method of waste disposal.
- (2) Waste facilities are designed and operated to minimise adverse impacts on the community and the environment and are protected from encroachment of inappropriate and odour sensitive development.
- (3) Significant waste management facilities, including Mareeba landfill and Springmount waste facility, provide for the long term solid waste disposal needs of the eastern part of the shire. Their ongoing operations are protected from incompatible development.
- (4) On-site waste disposal and recycling areas are provided by development to meet operational requirements of storage, screening and collection.

Statement of Compliance:

The Mareeba Shire Community will benefit from the establishment of a Buy Back Shop provided as a specific community facility that serves to function not only as a facility that promotes recycling of waste, but as part of that process serves to educate the community and in particular the younger generation of the wide benefits of recycling waste where possible that would otherwise go to landfill. Buy Back Shop in general promote sustainability and improves the overall health of the environment within the shire by repurposing unwanted goods instead of sending them to landfill, all while offering a variety of rescued items back to the local community. For example, locally in 2019/20, the Buy Back Shop in Cairns Regional Council saved approximately 800 tonnes of waste from being sent to landfill, with the current financial year figures heading towards 1,200 tonne diversion.

The shop finds and collects treasures destined for landfill and offers them back to the community to reduce waste. Although shoppers never know what they might find at the second-hand shop, common items include: building materials; household appliances and cookware; vintage goods, collectables and restoration pieces; clothing and accessories; furniture; baby items; art pieces; and bicycles.

5.1.2 Community Facilities Zone Code

6.2.2.2 Purpose

- (1) The purpose of the Community facilities zone code is to provide for community related activities and facilities whether under public or private ownership.
- (2) These may include the provision of municipal services, public utilities, government installations, hospitals and schools, transport and telecommunication networks and community infrastructure of an artistic, social or cultural nature.
- (3) Mareeba Shire Council's purpose of the Community facilities zone code is to ensure that community facilities are appropriately located to service the communities in the shire now and in the future, through the protection, planning and development of new facilities and land for future facilities. The provision of community facilities is to ensure that any adverse impacts of these facilities are minimised.
- (4) The purpose of the code will be achieved through the following overall outcomes:
 - (a) Special uses and works that are owned or operated by Federal, State or Local Government, which may include municipal services, public utilities and transport networks, are facilitated;
 - (b) The viability of special uses is protected by excluding development that could limit the ongoing operation of existing special uses or prejudice appropriate new activities;
 - (c) Any expansion or redevelopment of community facilities is in keeping with the purpose and character of the facility and with community needs;
 - (d) Community facilities are located proximate to the community they service and are consistent in scale, height and bulk with that of surrounding development;
 - (e) Development is supported by the necessary transport infrastructure which is designed to provide and promote safe and efficient public transport use, walking and cycling;
 - (f) Facilities are provided in highly accessible locations and are appropriately integrated with surrounding land uses.

Statement of Compliance:

As outlined in the statements above, Community Facilities – in this case the Buy Back Shop - is located within proximity to the community they service, and in particular within close proximity to the Waste Transfer Station.

The facility is proposed in response to the increasing demand the levels of waste that could be recycled instead of being wasted and dumped into landfill.

The Mareeba Shire Community will benefit from the establishment of a Buy Back Shop provided as a specific community facility that serves to function not only as a facility that promotes recycling of waste, but as part of that process serves to educate the community and in particular the younger generation of the wide benefits of recycling waste where possible that would otherwise go to landfill. Buy Back Shop in general promote sustainability and improves the overall health of the environment within the shire by repurposing unwanted goods instead of sending them to landfill, all while offering a variety of rescued

items back to the local community For example, locally in 2019/20, the Buy Back Shop in Cairns Regional Council saved approximately 800 tonnes of waste from being sent to landfill, with the current financial year figures heading towards 1,200 tonne diversion.

ASSESSMENT BENCHMARKS

<i>Performance Outcomes</i>	<i>Acceptable Outcomes</i>	<i>Proposal Justification</i>
<i>For accepted development subject to requirements and assessable development</i>		
<i>Height</i>		
<i>PO1</i>	<i>AO1</i>	<i>The proposed Buy Back Shop complies with the building heights and will not exceed 8.5m in height.</i> <i>Satisfied.</i>
<i>Siting</i>		
<i>PO2</i>	<i>AO2.1 & AO2.2</i>	<i>The Buy Back Shop building and parking areas are sufficiently setback over 20m from the access road into the Waste Transfer Station.</i> <i>Satisfied.</i>
<i>Site Cover</i>		
<i>PO3</i>	<i>AO3</i>	<i>Site coverage is well below 5% over the entire site for all combined structure, and as such is therefore compliant with the 50% maximum prescribed.</i> <i>Satisfied.</i>
<i>For assessable development</i>		
<i>Building design</i>		
<i>PO4, PO5</i>	<i>AO4.1 & AO4.2 AO5</i>	<i>The building is appropriately designed to complement the character of the immediate surrounds which is the adjacent buildings and facilities within the Mareeba Waste Transfer Station.</i> <i>Satisfied.</i>
<i>Amenity</i>		
<i>PO6, PO7</i>	<i>AO6.1 & AO6.2</i>	<i>The proposed Buy Back Shop will not generate any additional impacts above and beyond the activities already conducted within the existing Mareeba Waste Transfer Station facility.</i> <i>Satisfied.</i>

5.1.3 Community Activities Code

9.3.3.2 Purpose

- (1) The purpose of the Community activities code is to ensure Community activities that are appropriately designed and located to:
 - (a) be conveniently accessible to the communities they serve; and
 - (b) not detrimentally impact on local amenity.

- (2) The purpose of the code will be achieved through the following overall outcomes:
 - (a) Community activities do not have an adverse impact on the amenity of the surrounding area;
 - (b) Community activities establish in appropriate locations that are highly accessible;
 - (c) Community activities are located with other community activities when the opportunity to achieve practical co-location of facilities exists;
 - (d) Community activities are designed to be accessible, functional and safe;
 - (e) Community activities are compatible and integrated with surrounding land uses; and
 - (f) Community activities enhance community identity and character.

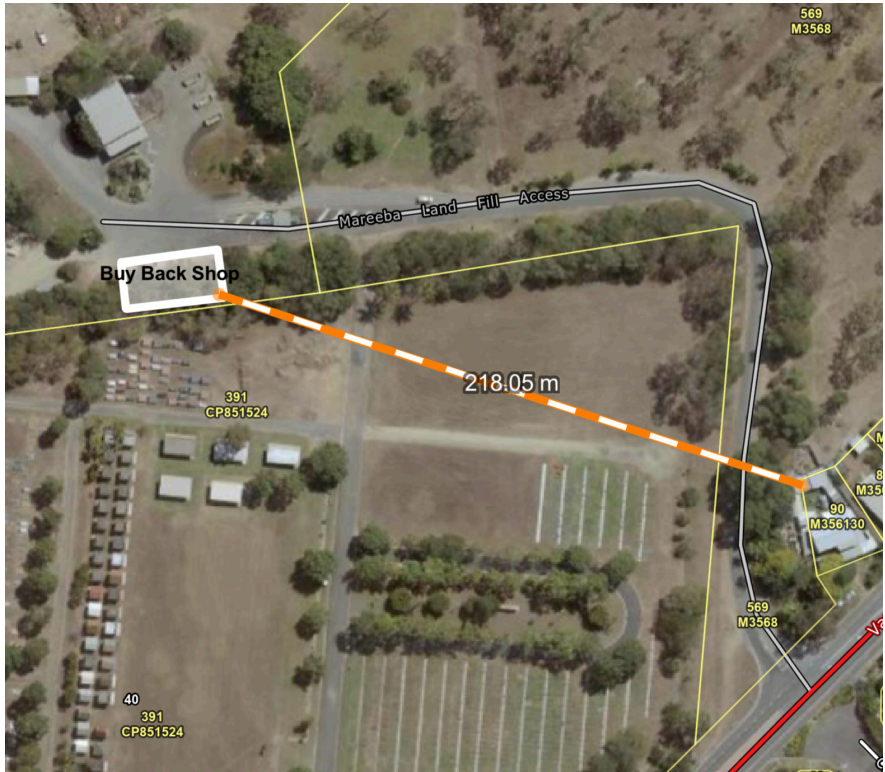
Statement of Compliance:


As outlined in the statements above, Community Activities – in this case the Buy Back Shop - is located within proximity to the community they service, and in particular within close proximity to the Waste Transfer Station.

The facility is proposed in response to the increasing demand the levels of waste that could be recycled instead of being wasted and dumped into landfill.

The Mareeba Shire Community will benefit from the establishment of a Buy Back Shop provided as a specific community facility that serves to function not only as a facility that promotes recycling of waste, but as part of that process serves to educate the community and in particular the younger generation of the wide benefits of recycling waste where possible that would otherwise go to landfill. Buy Back Shop in general promote sustainability and improves the overall health of the environment within the shire by repurposing unwanted goods instead of sending them to landfill, all while offering a variety of rescued items back to the local community. For example, locally in 2019/20, the Buy Back Shop in Cairns Regional Council saved approximately 800 tonnes of waste from being sent to landfill, with the current financial year figures heading towards 1,200 tonne diversion.

ASSESSMENT BENCHMARKS

Performance Outcomes	Acceptable Outcomes	Proposal Justification
For accepted development subject to requirements and assessable development		
Amenity and privacy		
PO1	AO1	<p>As the crow flies the proposed Buy Back Shop is some 218m away from the closest sensitive receptor with significant landscape buffers and screening provided between the two (2). Furthermore, the proposed Buy Back Shop will not generate any additional impacts above and beyond the activities already being conducted within the existing Mareeba Waste Transfer Station.</p>  <p>Satisfied.</p>
If for Educational Establishment or Child Care Centre		
PO2, PO3	AO2, AO3	<p>Not applicable to the proposed Buy Back Shop development.</p> <p>Satisfied.</p>
Location		
PO4	AO4	<p>As the crow flies the proposed Buy Back Shop is some 218m away from the closest sensitive receptor with landscape buffers and screening provided between the two (2). Furthermore, the proposed Buy Back Shop will not generate any additional impacts above and beyond the activities already being conducted within the existing Mareeba Waste Transfer Station.</p>

		 <p>Satisfied.</p>
PO5	AO5.1, & AO5.2,	<p><i>The proposed Buy Back Shop is strategically located within the existing Mareeba Waste Transfer Station to encourage those that are dumping waste to the dump to consider dropping it off to the recycling facility first. Therefore, making it the perfect location for such a facility, as they are directly associated with one another. Any items that are recycled and not sold can then be taken over to the waste transfer station to be put into landfill.</i></p> <p>Satisfied.</p>
Amenity and Privacy		
PO6	AO6	<p><i>The proposed Buy Back Shop will not generate any additional impacts above and beyond the activities conducted on the adjacent site in the Mareeba Waste Transfer Station. As such, additional controls in terms of screening or the like are considered applicable to this development</i></p> <p>Satisfied.</p>
If for Educational Establishment or Child Care Centre		
PO7	AO7	<p><i>Not applicable to the proposed Buy Back Shop development.</i></p> <p>Satisfied.</p>

5.1.4 Commercial Activities Code

9.3.2.2 Purpose

- (1) The purpose of the Commercial activities code is to ensure Commercial activities are appropriately located, designed and operated to service the Shire while not impacting on the character and amenity of the area.
- (2) The purpose of the code will be achieved through the following overall outcomes:
 - (a) Commercial activities meet the needs of the local community, visitors and tourists through safe, accessible and convenient points of service;
 - (b) Commercial activities have minimal impacts on the natural environment or the environmental values of the area;
 - (c) Commercial activities reinforce and do not prejudice the role and function of established or designated centres;
 - (d) Commercial activities minimise impacts on the character and amenity of the surrounding area and surrounding land uses, particularly residential uses; and
 - (e) Commercial activities do not compromise the viability of the hierarchy and network of centres, namely:
 - (i) Mareeba as a major regional activity centre, which accommodates 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;
 - (ii) Kuranda as a village activity centre, which accommodates services, arts and cultural facilities, sports and recreation facilities, business and employment uses to support the village and its constituent surrounding rural and rural residential communities;
 - (iii) Chillagoe and Dimbulah as Rural activity centres, which provide commercial and community services to their rural catchments; and
 - (iv) Biboohra, Irvinebank, Julatten, Koah, Mutchilba, Mt Molloy, Myola and Speewah as rural villages, that have limited centre activities and other non-residential activities.

Statement of Compliance:

As outlined in the statements above, Commercial Activities – in this case the Buy Back Shop - is appropriately located within the Mareeba Waste Transfer Station and provides a facility that hopefully reduces the amount of waste put into landfill. The proposed commercial activity in the Buy Back Shop is unique in that it can only occur in this location as it relies on its close relationship with the Mareeba Waste Transfer Station.

The facility is proposed in response to the increasing demand the levels of waste that could be recycled instead of being wasted and dumped into landfill.

The Mareeba Shire Community will benefit from the establishment of a Buy Back Shop provided as a specific community facility that serves to function not only as a facility that promotes recycling of waste, but as part of that process serves to educate the community and in particular the younger generation of the wide benefits of recycling waste where possible that would otherwise go to landfill. Buy Back Shop in

general promote sustainability and improves the overall health of the environment within the shire by repurposing unwanted goods instead of sending them to landfill, all while offering a variety of rescued items back to the local community. For example, locally in 2019/20, the Buy Back Shop in Cairns Regional Council saved approximately 800 tonnes of waste from being sent to landfill, with the current financial year figures heading towards 1,200 tonne diversion.

ASSESSMENT BENCHMARKS

<i>Performance Outcomes</i>	<i>Acceptable Outcomes</i>	<i>Proposal Justification</i>
<i>For accepted development subject to requirements and assessable development</i>		
<i>PO1</i>	<i>AO1</i>	<i>The building is appropriately designed to complement the character of the immediate surrounds, in particular consistent with the established character of the buildings and facilities across the Mareeba Waste Transfer Station.</i> <i>Satisfied.</i>
<i>If for Sales Office</i>		
<i>PO2, PO3</i>	<i>AO2.1, AO2.2, AO2.3, AO2.4, & AO3</i>	<i>Not applicable to the proposed Buy Back Shop development.</i> <i>Satisfied.</i>
<i>For assessable development</i>		
<i>Visual amenity and character</i>		
<i>PO4</i>	<i>AO4</i>	<i>The proposed Buy Back Shop will not generate any additional impacts above and beyond the activities already being conducted within the existing Mareeba Waste Transfer Station operations. As such, additional controls in terms of screening or the like are considered applicable to this development</i> <i>Satisfied.</i>
<i>Location and size</i>		
<i>PO5</i>	<i>AO5</i>	<i>The proposed Buy Back Shop is appropriately located and designed to be commensurate to the scale and nature of the Mareeba Waste Transfer Station. The proposed commercial activity in the Buy Back Shop is unique in that it can only occur in this location as it relies on its close relationship with the activities associated with the Mareeba Waste Transfer Station. With customers travelling to dump goods on-site, and hopefully making the switch and dropping it off for recycling instead.</i>

		Satisfied.
<i>If for Service Station or Car Wash</i>		
<i>PO6 & PO7</i>	<i>AO6 & AO7</i>	<i>Not applicable to the proposed Buy Back Shop development.</i> Satisfied.

5.1.5 Landscaping Code

9.4.2.2 Purpose

- (1) The purpose of the Landscaping code is to ensure all development is landscaped to a standard that:
 - (a) complements the scale and appearance of the development;
 - (b) protects and enhances the amenity and environmental values of the site;
 - (c) complements and enhances the streetscape and local landscape character; and
 - (d) ensures effective buffering of incompatible land uses to protect local amenity.

- (2) The purpose of the code will be achieved through the following overall outcomes:
 - (a) Landscaping is a functional part of development design and is commensurate with the intended use;
 - (b) Landscaping accommodates the retention of existing significant on site vegetation where appropriate and practical;
 - (c) Landscaping treatments complement the scale, appearance and function of the development;
 - (d) Landscaping contributes to an attractive streetscape;
 - (e) Landscaping enhances the amenity and character of the local area;
 - (f) Landscaping enhances natural environmental values of the site and the locality;
 - (g) Landscaping provides effective screening both on site, if required, and between incompatible land uses;
 - (h) Landscaping provides shade in appropriate circumstances;
 - (i) Landscape design enhances personal safety and reduces the potential for crime and vandalism; and
 - (j) Intensive land uses incorporate vegetated buffers to provide effective screening of buildings, structures and machinery associated with the use.



Figure 5: Extract from Development Plans

Statement of Compliance:

The proposed buy back shop is proposed to be located just after the waste transfer station toll office on the left. In terms of landscaping, the area around the proposed site for the facility is sufficiently landscaped to provide an attractive development outcome specifically when considering its location in relation to the Mareeba Waste Transfer Station. Furthermore, the proposal has been positioned within the established vegetation, and makes the most of the established landscaping on-site. As such, it is not considered that any additional landscaping is required as part of this development.

5.1.6 Parking and Access Code

9.4.3.2 Purpose

- (1) The purpose of the Parking and access code is to ensure:
 - (a) parking areas are appropriately designed, constructed and maintained;
 - (b) the efficient functioning of the development and the local road network; and
 - (c) all development provides sufficient parking, loading/service and manoeuvring areas to meet the demand generated by the use.

- (2) The purpose of the code will be achieved through the following overall outcomes:
 - (a) Land uses have a sufficient number of parking and bicycle spaces designed in a manner to meet the requirements of the user;
 - (b) Parking spaces and associated manoeuvring areas are safe, functional and provide equitable access;
 - (c) Suitable access for all types of vehicles likely to utilise a parking area is provided in a way that does not compromise the safety and efficiency of the surrounding road network;
 - (d) Premises are adequately serviced to meet the reasonable requirements of the development; and
 - (e) End of trip facilities are provided by new major developments to facilitate alternative travel modes.

Definition	Minimum number of Car parking spaces	Minimum Service Vehicle Space Provision
Shop	<p>Accepted where in an existing building within the Centre zone.</p> <p><u>Inside the Centre zone:</u> One space per 50m² or part thereof of GFA up to 400m² GFA, and one space per 10m² or part thereof of GFA above 400m².</p> <p><u>Outside the Centre zone:</u> One space per 25m² or part thereof of GFA up to 400m² GFA, and one space per 15m² or part thereof of GFA above 400m².</p>	<p>One HRV space if the site is greater than 2,000m², otherwise One SRV space.</p>

Statement of Compliance:

Based on the proposed shop comprising of a total enclosed area of 189m², the proposed facility requires no more than eight (8) parking spaces in accordance with the Parking and Access Code requirements. Given that the proposed development proposed to provide 11 parking spaces, the development achieves compliance with the parking demands for the use.

The proposed development obtains access via part of Lot 569 on M3568, which is part of an application currently with the Department of Resources to purchase this portion of land.

5.1.7 Works, Service and Infrastructure Code

9.4.5.2 Purpose

- (1) The purpose of the Works, services and infrastructure code is to ensure that all development is appropriately serviced by physical infrastructure, public utilities and services and that work associated with development is carried out in a manner that does not adversely impact on the surrounding area.
- (2) The purpose of the code will be achieved through the following overall outcomes:
 - (a) Development provides an adequate, safe and reliable supply of potable, fire-fighting and general use water in accordance with relevant standards;
 - (b) Development provides for the treatment and disposal of wastewater and ensures there are no adverse impacts on water quality, public health, local amenity or ecological processes;
 - (c) Development provides for the disposal of stormwater and ensures that there are no adverse impacts on water quality or ecological processes;
 - (d) Development connects to the road network and any adjoining public transport, pedestrian and cycle networks while ensuring no adverse impacts on the safe, convenient and efficient operation of these networks;
 - (e) Development provides electricity and telecommunications services that meet its desired requirements;
 - (f) Development is connected to a nearby electricity network with adequate capacity without significant environment, social or amenity impact;
 - (g) Development does not affect the efficient functioning of public utility mains, services or installations;
 - (h) Infrastructure dedicated to Council is cost effective over its life cycle;
 - (i) Work associated with development does not cause adverse impacts on the surrounding area; and
 - (j) Development prevents the spread of weeds, seeds or other pests.

Statement of Compliance:

Similarly, to the discussion in the Parking and Access Code above, we have not been provided with detailed engineered plans illustrating how the internal driveway and parking areas are provided accordance with the relevant AS/NZS 2890.1 Off-street car parking and FNQROC Regional Development Manual. In saying that, there is sufficient area available on-site to provide a code compliant outcome if specified as a condition of approval. In terms of timing, these details could be provided prior to the issue of the development permit for building works for the proposed development. The proposed development obtains access via part of Lot 569 on M3568, which is part of an application currently with the Department of Resources to purchase this portion of land.

5.2 State Development Assessment Provisions

The State Development Assessment Provisions (SDAP) set out the matters of interest to the state for development assessment. The SDAP identifies the matters of interest – where relevant they have been addressed by heading in this section. Where the State is a referral agency for a development application under the provisions, the state code applies.

In this instance, the proposed development does triggers referral to the State Assessment Referral Agency (SARA) given that the existing access into the Mareeba Waste Transfer Station is located over part of Lot 569 on M3568. As such, this part of lot 569 is located adjacent to a state-controlled road, specifically Vaughan Street, in which the existing intersection and road into the Mareeba Waste Transfer Station is established. Accordingly, an assessment against the relevant State Code 1 – Development in a state-controlled road environment has been completed as is included in appendix 4.

5.3 Far North Regional Plan 2009-2031

The Minister has identified that the planning scheme, specifically the Strategic Framework, appropriately advances the FNQRP 2009- 2031. Hence, compliance with the FNQRP is demonstrated through the compliance with the Planning Scheme (refer to this report and attachments for demonstration of this compliance).

6.0 CONCLUSION

This application has been prepared by U&i Town Plan on behalf Mareeba Shire Council in relation to the use of Lot 517 on SP171524 and part of Lot 569 on M3568 (access only) located at the Mareeba Waste Transfer Station for the purposes of establishing a ‘Buy Back Shop’ on the property. Accordingly, this application seeks the following approval:

- **Development Permit for a Material Change of Use – Buy Back Shop**

The applicant strongly believes that an assessment of the common material forming part of this development application in accordance with the decision-making rules established under the Planning Act will result in the approval of the development application and the issuing of a development permit subject to conditions.

The proposal is consistent with the “Purpose” of the Community Facilities Zone and the applicable State level policy. The proposal constitutes works and a use of the site in a manner that meets the strategic outcomes sought by the planning instruments and the expectations of the community. The conclusion of this report is that all the requirements set by the assessment benchmarks can be met and that the strategic level policy outcomes sought by the planning scheme for the site and locality can be achieved. The common material provided as part of this development application contains sufficient justification to

establish compliance with the assessment benchmarks. It is the applicant's opinion that the development application contains sufficient justification to warrant approval subject to reasonable and relevant conditions.

We request that Council provide a copy of the Draft Conditions with sufficient time for review prior to issuing a Decision Notice for the development. If you have any queries please do not hesitate to contact our office on 0411 344 110.



Ramon Samanes, MPIA
Director, U&i Town Plan
Bachelor of Applied Science, Majoring in Environmental and Urban Planning

APPENDIX 1: DEVELOPMENT APPLICATION FORMS 1

DA Form 1 – Development application details

Approved form (version 1.3 effective 28 September 2020) made under section 282 of the Planning Act 2016.

This form **must** be used to make a development application **involving code assessment or impact assessment**, except when applying for development involving only building work.

For a development application involving **building work only**, use *DA Form 2 – Building work details*.

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

Unless stated otherwise, all parts of this form **must** be completed in full and all required supporting information **must** accompany the development application.

One or more additional pages may be attached as a schedule to this development application if there is insufficient space on the form to include all the necessary information.

This form and any other form relevant to the development application must be used to make a development application relating to strategic port land and Brisbane core port land under the *Transport Infrastructure Act 1994*, and airport land under the *Airport Assets (Restructuring and Disposal) Act 2008*. For the purpose of assessing a development application relating to strategic port land and Brisbane core port land, any reference to a planning scheme is taken to mean a land use plan for the strategic port land, Brisbane port land use plan for Brisbane core port land, or a land use plan for airport land.

Note: All terms used in this form have the meaning given under the *Planning Act 2016*, the *Planning Regulation 2017*, or the *Development Assessment Rules (DA Rules)*.

PART 1 – APPLICANT DETAILS

1) Applicant details	
Applicant name(s) (individual or company full name)	Mareeba Shire Council c/- U&i Town Plan
Contact name (only applicable for companies)	Ramon Samanes
Postal address (P.O. Box or street address)	PO Box 426
Suburb	COOKTOWN
State	QLD
Postcode	4895
Country	Australia
Contact number	0411344110
Email address (non-mandatory)	ramon@uitownplan.com.au
Mobile number (non-mandatory)	0411344110
Fax number (non-mandatory)	
Applicant's reference number(s) (if applicable)	M8-21

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
		38	Vaughan Street	Mareeba
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)
	4880	Lot 517	SP171524	Mareeba Shire Council
b)	Unit No.	Street No.	Street Name and Type	Suburb
		38	Vaughan Street	Mareeba
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)
	4880	Part of Lot 569	M3568 (5.9ha portion adjacent to lot 517 on SP171524)	Mareeba Shire Council

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

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

- Coordinates of premises by longitude and latitude

Longitude(s)	Latitude(s)	Datum	Local Government Area(s) (if applicable)
145.41033	-16.98958	<input type="checkbox"/> WGS84 <input checked="" type="checkbox"/> GDA94 <input type="checkbox"/> Other:	Mareeba Shire Council
		<input type="checkbox"/> Other:	

3.3) Additional premises

- Additional premises are relevant to this development application and the details of these premises have been attached in a schedule to this development application
 Not required

4) Identify any of the following that apply to the premises and provide any relevant details

- 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:

- Listed on the Environmental Management Register (EMR) under the *Environmental Protection Act 1994*

EMR site identification:

- Listed on the Contaminated Land Register (CLR) under the *Environmental Protection Act 1994*

CLR site identification:	
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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):*

Buy Back Shop

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):*

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 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 <i>(include each definition in a new row)</i>	Number of dwelling units <i>(if applicable)</i>	Gross floor area (m ²) <i>(if applicable)</i>
Buy Back Shop	Shop		189m ²

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

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	Area (m ²)
12.2) What is the reason for the boundary realignment?			

Division 3 – Operational work

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

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

PART 4 – ASSESSMENT MANAGER DETAILS

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

PART 5 – REFERRAL DETAILS

17) Does this development application include any aspects that have any referral requirements?
Note: A development application will require referral if prescribed by the Planning Regulation 2017.
<input checked="" type="checkbox"/> 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: <input type="checkbox"/> Clearing native vegetation <input type="checkbox"/> Contaminated land (unexploded ordnance) <input type="checkbox"/> Environmentally relevant activities (ERA) (only if the ERA has not been devolved to a local government) <input type="checkbox"/> Fisheries – aquaculture <input type="checkbox"/> Fisheries – declared fish habitat area <input type="checkbox"/> Fisheries – marine plants <input type="checkbox"/> Fisheries – waterway barrier works <input type="checkbox"/> 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)*
- Heritage places – Local heritage places

Matters requiring referral to the Chief Executive of the distribution entity or transmission entity:

- Infrastructure-related referrals – Electricity infrastructure

Matters requiring referral to:

- 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
- Infrastructure-related referrals – Oil and gas infrastructure

Matters requiring referral to the Brisbane City Council:

- Ports – Brisbane core port land

Matters requiring referral to the Minister responsible for administering the Transport Infrastructure Act 1994:

- Ports – Brisbane core port land *(where inconsistent with the Brisbane port LUP for transport reasons)*
- Ports – Strategic port land

Matters requiring referral to the relevant port operator, if applicant is not port operator:

- Ports – Land within Port of Brisbane’s port limits *(below high-water mark)*

Matters requiring referral to the Chief Executive of the relevant port authority: <input type="checkbox"/> Ports – Land within limits of another port (<i>below high-water mark</i>)
Matters requiring referral to the Gold Coast Waterways Authority: <input type="checkbox"/> Tidal works or work in a coastal management district (<i>in Gold Coast waters</i>)
Matters requiring referral to the Queensland Fire and Emergency Service: <input type="checkbox"/> Tidal works or work in a coastal management district (<i>involving a marina (more than six vessel berths)</i>)

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

PART 6 – INFORMATION REQUEST

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

PART 7 – FURTHER DETAILS

20) Are there any associated development applications or current approvals? (<i>e.g. a preliminary approval</i>)			
<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? (<i>only applicable to development applications involving building work or operational work</i>)
<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 (<i>e.g. building and construction work is less than \$150,000 excluding GST</i>)

Amount paid	Date paid (dd/mm/yy)	QLLeave 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?

- Yes – show cause or enforcement notice is attached
 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 *Environmental Protection Act 1994*?

- 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
 No

Note: Application for an environmental authority can be found by searching "ESR/2015/1791" as a search term at www.qld.gov.au. An ERA requires an environmental authority to operate. See www.business.qld.gov.au for further information.

Proposed ERA number:		Proposed ERA threshold:	
Proposed ERA name:			

- 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**?

- Yes – *Form 69: Notification of a facility exceeding 10% of schedule 15 threshold* is attached to this development application
 No

Note: See www.business.qld.gov.au for further information about hazardous chemical notifications.

Clearing native vegetation

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

- Yes – this development application includes written confirmation from the chief executive of the *Vegetation Management Act 1999* (s22A determination)
 No

Note: 1. Where a development application for operational work or material change of use requires a s22A determination and this is not included, the development application is prohibited development.

2. See <https://www.qld.gov.au/environment/land/vegetation/applying> for further information on how to obtain a s22A determination.

Environmental offsets

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

- Yes – I acknowledge that an environmental offset must be provided for any prescribed activity assessed as having a significant residual impact on a prescribed environmental matter
- No

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

Koala habitat in SEQ Region

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

- Yes – the development application involves premises in the koala habitat area in the koala priority area
- Yes – the development application involves premises in the koala habitat area outside the koala priority area
- No

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

Water resources

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

- Yes – the relevant template is completed and attached to this development application and I acknowledge that a relevant authorisation or licence under the *Water Act 2000* may be required prior to commencing development
- No

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

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

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

Waterway barrier works

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

- Yes – the relevant template is completed and attached to this development application
- No

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

Marine activities

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

- Yes – an associated resource allocation authority is attached to this development application, if required under the *Fisheries Act 1994*
- No

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

Quarry materials from a watercourse or lake

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

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

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

Quarry materials from land under tidal waters

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

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

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

Referable dams

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

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

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

Tidal work or development within a coastal management district

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

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

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

Queensland and local heritage places

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

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

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

Name of the heritage place:		Place ID:	
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Brothels

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

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

Decision under section 62 of the Transport Infrastructure Act 1994

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

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

Walkable neighbourhoods assessment benchmarks under Schedule 12A of the Planning Regulation

23.16) Does this development application involve reconfiguring a lot into 2 or more lots in certain residential zones (except rural residential zones), where at least one road is created or extended?

- Yes – Schedule 12A is applicable to the development application and the assessment benchmarks contained in schedule 12A have been considered
 No

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

PART 8 – CHECKLIST AND APPLICANT DECLARATION

24) Development application checklist	
I have identified the assessment manager in question 15 and all relevant referral requirement(s) in question 17 <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 type="checkbox"/> Yes <input checked="" 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 (<i>see 21</i>)	<input type="checkbox"/> Yes <input checked="" 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 DA Rules 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			

APPENDIX 2: OWNER'S CONSENT

Author Jo Moll
File / Ref number 2021/003345
Directorate / Unit Land and Surveying Services
Phone (07) 4222 5056



Department of Resources

6 October 2021

U&I Town Plan
ATT: Ramon Samanes
PO Box 426
COOKTOWN QLD 4870

Email ramon@uitownplan.com.au

Dear Ramon Samanes,

Amended Owners Consent – Lot 517 on SP171524 Development application for Material Change of use and part of Lot 569 on M3568 for access.

Reference is made to the request for owners consent required to accompany the development application for a material change of use on Lot 517 on SP171524 to establish a Buy Back Shop on the existing Mareeba Waste Transfer Station and access to the Mareeba Waste Transfer Station through part of Lot 569 on M3568.

The department hereby gives owner's consent as the owner to accompany the development application for the purpose of section 51(2) of the *Planning Act 2016* for a material change of use to establish a Buy Back Shop on the existing Mareeba Waste Transfer Station and access to the Mareeba Waste Transfer Station through part of Lot 569 on M3568

Although owner's consent for the development application has been provided, your client is always required to comply with the purpose, terms and conditions of the Refuse disposal and Recreation Reserve on Lot 517 on SP171524 and undertake works only if and when the development or change application has been approved by the assessment manager, and in accordance with the conditions of that approval.

Although owner's consent for the development including access through part of Lot 569 on M3568 has been provided, the final approval to purchase part of Lot 569 on M3568 shown as Lot A on drawing CNS21/076 is still subject to any approvals required under the *Land Act 1994*.

A copy of this letter and drawing CNS21/076 is to be attached to your DA Form 1 as the required evidence of owners consent.

Your client will also need to comply with all other legislative and regulatory requirements which may also include approvals that are not part of the assessment of the development application under the *Planning Act 2016* e.g. a marine park permit if in a marine park.

Further, please note that the above consent will expire on 28 March 2022. Should the development application not be lodged with the assessment manager prior to this date, your client will be required again to lodge the DA Form 1 and any attachments with this Department with a further request for owner's consent - any further request will need to be reconsidered by the Department.

It is also advised that any land use activities must comply with the *Aboriginal Cultural Heritage Act 2003* or the *Torres Strait Islander Heritage Act 2003*.

Finally, owner's consent is required under the *Planning Act 2016* to enable the application to be considered properly made for lodging with the assessment manager and is a completely separate process to assessment of the application under the *Planning Act 2016*.

Accordingly, the State may act at a later date as referral agency in the assessment of the development application - providing owner's consent will not influence any role the State may have in this development assessment.

If you wish to discuss this matter, please contact Jo Moll on (07) 4222 5056.

All future correspondence relative to this matter is to be referred to the contact Officer at the address below or by email to laateam1enq@resources.qld.gov.au . Any hard copy correspondence received will be electronically scanned and filed. For this reason, it is recommended that any attached plans, sketches or maps be no larger than A3-sized.

Please quote reference number 2021/003345 in any future correspondence.

Yours sincerely



Dianne Camilleri
Senior Land Officer
A duly authorised delegate of the Minister
under the current Land Act (Ministerial) Delegation

Enc: Drawing CNS21/076

APPENDIX 3: DEVELOPMENT PLANS

Buy Back Shop - Perspective Plan



APPENDIX 4: STATE CODE 1 – DEVELOPMENT IN A STATE- CONTROLLED ROAD ENVIRONMENT

State code 1: Development in a state-controlled road environment

Table 1.2.1: Development in a state-controlled road environment

Performance outcomes		Acceptable outcomes	Response
<p>Buildings and structures</p> <p>PO1 The location of buildings, structures, infrastructure, services and utilities does not create a safety hazard in a state-controlled road, or cause damage to, or obstruct road transport infrastructure</p>	<p>AO1.1 Buildings, structures, infrastructure, services and utilities are not located in a state-controlled road.</p> <p>AND</p> <p>AO1.2 Buildings, structures, infrastructure, services and utilities can be maintained without requiring access to a state-controlled road.</p>	<p>Complies</p> <p>No buildings or structure proposed to be located in a state-controlled road environment.</p>	
	<p>PO2 The design and construction of Buildings and structures does not create a safety hazard by distracting users of a state-controlled road.</p>	<p>AO2.1 Facades of buildings and structures facing a state-controlled road are made of non-reflective materials.</p> <p>OR</p> <p>AO2.2 Facades of buildings and structures do not reflect point light sources into the face of oncoming traffic on a state-controlled road.</p> <p>AND</p> <p>AO2.3 External lighting of buildings and structures is not directed into the face of oncoming traffic on a state-controlled road and does not involve flashing or laser lights.</p> <p>AND</p>	<p>Complies</p> <p>The lot which forms part of this application that triggers this referral is over part of lot 569 on M3568, of which it is only included as it provides access to the proposed shop on lot 517 on SP171524. No changes are proposed nor required to this existing established access road into the Mareeba Waste Transfer Station.</p>

Performance outcomes	Acceptable outcomes	Response
<p>P03 Road, pedestrian and bikeway bridges over a state-controlled road are designed and constructed to prevent projectiles from being thrown onto a state-controlled road.</p>	<p>AO2.4 Advertising devices visible from a state-controlled road are located and designed in accordance with the Roadside advertising guide, Department of Transport and Main Roads, 2013.</p> <p>AO3.1 Road, pedestrian and bikeway bridges over a state-controlled road include throw protection screens in accordance with section 4.9.3 of the Design criteria for bridges and other structures manual, Department of Transport and Main Roads, 2014.</p>	
Filling, excavation and retaining structures		
<p>P04 Filling and excavation does not interfere with, or result in damage to, infrastructure or services in a state-controlled road.</p> <p>Note: Information on the location of services and public utility plants in a state-controlled road can be obtained from the Dial Before You Dig service.</p> <p>Where development will impact on an existing or future service or public utility plant in a state-controlled road such that the service or public utility plant will need to be relocated, the alternative alignment must comply with the standards and design specifications of the relevant service or public utility provider, and any costs of relocation are to be borne by the developer.</p>	<p>No acceptable outcome is prescribed.</p>	<p>Complies The lot which forms part of this application that triggers this referral is over part of lot 569 on M3568, of which it is only included as it provides access to the proposed shop on lot 517 on SP171524. No changes are proposed nor required to this existing established access road into the Mareeba Waste Transfer Station.</p>
<p>P05 Filling, excavation, building foundations and retaining structures do not undermine, or cause subsidence of, a state-controlled road.</p> <p>Note: To demonstrate compliance with this performance outcome, it is recommended an RPEQ certified geotechnical assessment, prepared in accordance with Volume 3 of the Road Planning And</p>	<p>No acceptable outcome is prescribed.</p>	

Performance outcomes	Acceptable outcomes	Response
<p>Design Manual 2nd edition, Department of Transport and Main Roads, 2016, is provided.</p>		
<p>PO6 Filling, excavation, building foundations and retaining structures do not cause ground water disturbance in a state-controlled road.</p> <p>Note: To demonstrate compliance with this performance outcome, it is recommended an RPEQ certified geotechnical assessment, prepared in accordance with Volume 3 of the Road planning and design manual 2nd edition, Department of Transport and Main Roads, 2016, is provided.</p>	<p>No acceptable outcome is prescribed.</p>	
<p>PO7 Excavation, boring, piling, blasting or fill compaction during construction of a development does not result in ground movement or vibration impacts that would cause damage or nuisance to a state-controlled road, road transport infrastructure or road works.</p> <p>Note: To demonstrate compliance with this performance outcome, it is recommended an RPEQ certified geotechnical assessment, prepared in accordance with Volume 3 of the Road Planning And Design Manual 2nd edition, Department of Transport and Main Roads, 2016, is provided.</p>	<p>No acceptable outcome is prescribed.</p>	
<p>PO8 Development involving the haulage of fill, extracted material or excavated spoil material exceeding 10,000 tonnes per year does not damage the pavement of a state-controlled road.</p> <p>Note: It is recommended a pavement impact assessment is provided in accordance with the Guide to Traffic Impact Assessment, Department of Transport and Main Roads, 2017.</p>	<p>AO8.1 Fill, extracted material and spoil material is not transported to or from the development site on a state-controlled road.</p>	
<p>PO9 Filling and excavation associated with the construction of vehicular access to a development does not compromise the operation</p>	<p>No acceptable outcome is prescribed.</p>	

Performance outcomes	Acceptable outcomes	Response
<p>or capacity of existing drainage infrastructure for a state-controlled road.</p> <p>PO10 Fill material used on a development site does not result in contamination of a state-controlled road.</p>	<p>AO10.1 Fill material is free of contaminants including acid sulfate content.</p> <p>Note: Soils and rocks should be tested in accordance with AS 1289.0 – Methods of testing soils for engineering purposes and AS 4133.0-2005 – Methods of testing rocks for engineering purposes. AND</p> <p>AO10.2 Compaction of fill is carried out in accordance with the requirements of AS 1289.0 2000 – Methods of testing soils for engineering purposes.</p>	
<p>PO11 Filling and excavation does not cause wind-blown dust nuisance in a state-controlled road.</p>	<p>AO11.1 Compaction of fill is carried out in accordance with the requirements of AS 1289.0 2000 – Methods of testing soils for engineering purposes. AND</p> <p>AO11.2 Dust suppression measures are used during filling and excavation activities such as wind breaks or barriers and dampening of ground surfaces.</p>	
Stormwater and drainage		
<p>PO12 Development does not result in an actionable nuisance, or worsening of, stormwater, flooding or drainage impacts in a state-controlled road.</p>	<p>No acceptable outcome is prescribed.</p>	<p>Complies The lot which forms part of this application that triggers this referral is over part of lot 569 on M3568, of which it is only included as it provides access to the proposed shop on lot 517 on SP171524. No changes are proposed nor required to this existing established access road into the Mareeba Waste Transfer Station.</p>
<p>PO13 Run-off from the development site is not unlawfully discharged to a state-controlled road.</p>	<p>AO13.1 Development does not create any new points of discharge to a state-controlled road. AND</p> <p>AO13.2 Stormwater run-off is discharged to a lawful point of discharge.</p>	

Performance outcomes	Acceptable outcomes	Response
<p>PO14 Run-off from the development site during construction does not cause siltation of stormwater infrastructure affecting a state-controlled road.</p> <p>Vehicular access to a state-controlled road</p> <p>PO15 Vehicular access to a state-controlled road that is a limited access road is consistent with government policy for the management of limited access roads.</p>	<p>Note: Section 3.4 of the Queensland Urban Drainage Manual, Department of Energy and Water Supply, 2013, provides further information on lawful points of discharge.</p> <p>AND</p> <p>AO13.3 Development does not worsen the condition of an existing lawful point of discharge to the state-controlled road.</p> <p>AO14.1 Run-off from the development site during construction is not discharged to stormwater infrastructure for a state-controlled road.</p>	
	<p>AO15.1 Development does not require new or changed access to a limited access road.</p> <p>Note: Limited access roads are declared by the transport chief executive under section 54 of the <i>Transport Infrastructure Act 1994</i> and are identified in the DA mapping system.</p> <p>OR</p> <p>AO15.2 A new or changed access to a limited access road is consistent with the limited access policy for the state-controlled road.</p> <p>Note: Limited access policies for limited access roads declared under the <i>Transport Infrastructure Act 1994</i> can be obtained by contacting the relevant Department of Transport and Main Roads regional office.</p> <p>AND</p> <p>AO15.3 Where a new or changed access is for a service centre, access is consistent with the Service centre policy, Department of Transport and Main Roads, 2013 and the Access policy for roadside service centre facilities on limited</p>	<p>Complies</p> <p>The lot which forms part of this application that triggers this referral is over part of lot 569 on M3568, of which it is only included as it provides access to the proposed shop on lot 517 on SP171524. No changes are proposed nor required to this existing established access road into the Mareeba Waste Transfer Station.</p>

Performance outcomes	Acceptable outcomes	Response
<p>PO16 The location and design of vehicular access to a state-controlled road (including access to a limited access road) does not create a safety hazard for users of a state-controlled road or result in a worsening of operating conditions on a state-controlled road.</p> <p>Note: Where a new or changed access between the premises and a state-controlled road is proposed, the Department of Transport and Main Roads will need to assess the proposal to determine if the vehicular access for the development is safe. An assessment can be made by Department of Transport and Main Roads as part of the development assessment process and a decision under section 62 of <i>Transport Infrastructure Act 1994</i> issued where sufficient information is provided.</p>	<p>access roads, Department of Transport and Main Roads, 2013, and the Service centre strategy for the state-controlled road.</p> <p>Note: The Service centre policy, Department of Transport and Main Roads, 2013, Access policy for roadside service centre facilities, Department of Transport and Main Roads, 2013 and the relevant Service centre strategy for a state-controlled road can be accessed by contacting the relevant Department of Transport and Main Roads regional office.</p> <p>AO16.1 Vehicular access is provided from a local government road. OR all of the following acceptable outcomes apply:</p> <p>AO16.2 Vehicular access for the development is consistent with the function and design of the state-controlled road.</p> <p>AND</p> <p>AO16.3 Development does not require new or changed access between the premises and the state-controlled road.</p> <p>Note: A decision under section 62 of the <i>Transport Infrastructure Act 1994</i> outlines the approved conditions for use of an existing vehicular access to a state-controlled road. Current section 62 decisions can be obtained from the relevant Department of Transport and Main Roads regional office.</p> <p>AND</p> <p>AO16.4 Use of any existing vehicular access to the development is consistent with a decision under section 62 of the <i>Transport Infrastructure Act 1994</i>.</p>	<p>Complies</p> <p>The lot which forms part of this application that triggers this referral is over part of lot 569 on M3568, of which it is only included as it provides access to the proposed shop on lot 517 on SP171524. No changes are proposed nor required to this existing established access road into the Mareeba Waste Transfer Station.</p>

Performance outcomes	Acceptable outcomes	Response
<p>PO17 Vehicular access to a state-controlled road or local government road (and associated road access works) are located and designed to not damage or interfere with public passenger transport infrastructure, public passenger services or pedestrian or cycle access to public passenger transport infrastructure and public passenger services.</p>	<p>Note: The development which is the subject of the application must be of an equivalent use and intensity for which the section 62 approval was issued and the section 62 approval must have been granted no more than 5 years prior to the lodgement of the application. AND AO16.5 Onsite vehicle circulation is designed to give priority to entering vehicles at all times so vehicles do not queue in a road intersection or on the state-controlled road.</p>	
<p>PO17 Vehicular access to a state-controlled road or local government road (and associated road access works) are located and designed to not damage or interfere with public passenger transport infrastructure, public passenger services or pedestrian or cycle access to public passenger transport infrastructure and public passenger services.</p>	<p>AO17.1 Vehicular access and associated road access works are not located within 5 metres of existing public passenger transport infrastructure. AND AO17.2 The location and design of vehicular access for a development does not necessitate the relocation of existing public passenger transport infrastructure. AND AO17.3 On-site vehicle circulation is designed to give priority to entering vehicles at all times so vehicles using a vehicular access do not obstruct public passenger transport infrastructure and public passenger services or obstruct pedestrian or cycle access to public passenger transport infrastructure and public passenger services. AND AO17.4 The normal operation of public passenger transport infrastructure or public passenger services is not interrupted during construction of the development.</p>	<p>Complies The lot which forms part of this application that triggers this referral is over part of lot 569 on M3568, of which it is only included as it provides access to the proposed shop on lot 517 on SP171524. No changes are proposed nor required to this existing established access road into the Mareeba Waste Transfer Station.</p>
<p>Vehicular access to local roads within 100 metres of an intersection with a state-controlled road</p>		

Performance outcomes	Acceptable outcomes	Response
<p>PO18 The location and design of vehicular access to a local road within 100 metres of an intersection with a state-controlled road does not create a safety hazard for users of a state-controlled road.</p>	<p>AO18.1 Vehicular access is located as far as possible from the state-controlled road intersection.</p> <p>AND</p> <p>AO18.2 Vehicular access is in accordance with volume 3, parts, 3, 4 and 4A of the Road Planning And Design Manual, 2nd edition, Department of Transport and Main Roads, 2016.</p> <p>AND</p> <p>AO18.3 Onsite vehicle circulation is designed to give priority to entering vehicles at all times so vehicles do not queue in the intersection or on the state-controlled road.</p>	<p>Complies</p> <p>The lot which forms part of this application that triggers this referral is over part of lot 569 on M3568, of which it is only included as it provides access to the proposed shop on lot 517 on SP171524. No changes are proposed nor required to this existing established access road into the Mareeba Waste Transfer Station.</p>
<p>Planned upgrades</p> <p>PO19 Development does not impede delivery of planned upgrades of state-controlled roads.</p>	<p>AO19.1 Development is not located on land identified by the Department of Transport and Main Roads as land required for the planned upgrade of a state-controlled road.</p> <p>Note: Land required for the planned upgrade of a state-controlled road is identified in the <u>DA mapping system</u>.</p> <p>OR</p> <p>AO19.2 Development is sited and designed so that permanent buildings, structures, infrastructure, services or utilities are not located on land identified by the Department of Transport and Main Roads as land required for the planned upgrade of a state-controlled road.</p> <p>OR all of the following acceptable outcomes apply:</p> <p>AO19.3 Structures and infrastructure located on land identified by the Department of Transport and Main Roads as land required for the planned</p>	<p>Complies</p> <p>The lot which forms part of this application that triggers this referral is over part of lot 569 on M3568, of which it is only included as it provides access to the proposed shop on lot 517 on SP171524. No changes are proposed nor required to this existing established access road into the Mareeba Waste Transfer Station.</p>

Performance outcomes	Acceptable outcomes	Response
<p>upgrade of a state-controlled road are able to be readily relocated or removed without materially affecting the viability or functionality of the development.</p> <p>AND</p> <p>AO19.4 Vehicular access for the development is consistent with the function and design of the planned upgrade of the state-controlled road.</p> <p>AND</p> <p>AO19.5 Development does not involve filling and excavation of, or material changes to, land required for a planned upgrade to a state-controlled road.</p> <p>AND</p> <p>AO19.6 Land is able to be reinstated to the pre-development condition at the completion of the use.</p>	<p>upgrade of a state-controlled road are able to be readily relocated or removed without materially affecting the viability or functionality of the development.</p> <p>AND</p> <p>AO19.4 Vehicular access for the development is consistent with the function and design of the planned upgrade of the state-controlled road.</p> <p>AND</p> <p>AO19.5 Development does not involve filling and excavation of, or material changes to, land required for a planned upgrade to a state-controlled road.</p> <p>AND</p> <p>AO19.6 Land is able to be reinstated to the pre-development condition at the completion of the use.</p>	
<p>Network impacts</p> <p>PO20 Development does not result in a worsening of operating conditions on the state-controlled road network.</p> <p>Note: To demonstrate compliance with this performance outcome, it is recommended that an RPEQ certified traffic impact assessment is provided, prepared in accordance with the Guide to Traffic Impact Assessment, Department of Transport and Main Roads, 2017.</p> <p>PO21 Development does not impose traffic loadings on a state-controlled road which could be accommodated on the local road network.</p> <p>PO22 Upgrade works on, or associated with, a state-controlled road are built in accordance with Queensland road design standards.</p>	<p>No acceptable outcome is prescribed.</p> <p>AO21.1 The layout and design of the development directs traffic generated by the development to the local road network.</p> <p>AO22.1 Upgrade works required as a result of the development are designed and constructed in accordance with the Road planning and</p>	<p>Complies</p> <p>The lot which forms part of this application that triggers this referral is over part of lot 569 on M3568, of which it is only included as it provides access to the proposed shop on lot 517 on SP171524. No changes are proposed nor required to this existing established access road into the Mareeba Waste Transfer Station.</p>

Performance outcomes	Acceptable outcomes	Response
	<p>design manual, 2nd edition, Department of Transport and Main Roads, 2016.</p> <p>Note: Road works in a state-controlled road require approval under section 33 of the <i>Transport Infrastructure Act 1994</i> before the works commence.</p>	

Table 1.2.2: Environmental emissions

Performance outcomes	Acceptable outcomes	Response
<p>Noise</p> <p>Accommodation activities</p> <p>PO23 Development involving an accommodation activity or land for a future accommodation activity minimises noise intrusion from a state-controlled road or type 1 multi-modal corridor in habitable rooms.</p>	<p>AO23.1 A noise barrier or earth mound is provided which is designed, sited and constructed:</p> <ol style="list-style-type: none"> 1. to meet the following external noise criteria at all façades of the building envelope: <ol style="list-style-type: none"> a. ≤60 dB(A) L₁₀ (18 hour) façade corrected (measured L₉₀ (8 hour) free field between 10pm and 6am ≤40 dB(A)) b. ≤63 dB(A) L₁₀ (18 hour) façade corrected (measured L₉₀ (8 hour) free field between 10pm and 6am >40 dB(A)) 2. in accordance with chapter 7 integrated noise barrier design of the Transport Noise Management Code of Practice – Volume 1 Road Traffic Noise, Department of Transport and Main Roads, 2013. <p>Note: To demonstrate compliance with the acceptable outcome, it is recommended that a RPEQ certified noise assessment report is provided, prepared in accordance with the State Development Assessment Provisions Supporting Information – Community</p>	<p>Not applicable.</p>

Performance outcomes	Acceptable outcomes	Response
	<p>Amenity (Noise), Department of Transport and Main Roads, 2013.</p> <p>If the building envelope is unknown, the deemed-to-comply setback distances for buildings stipulated by the local planning instrument or relevant building regulations should be used.</p> <p>In some instances the design of noise barriers and mounds to achieve the noise criteria above the ground floor may not be reasonable or practicable. In these instances, any relaxation of the criteria is at the discretion of the Department of Transport and Main Roads.</p>	
	<p>OR all of the following acceptable outcomes apply:</p> <p>AO23.2 Buildings which include a habitable room are setback the maximum distance possible from a state-controlled road or type 1 multi-modal corridor. AND</p> <p>AO23.3 Buildings are designed and oriented so that habitable rooms are located furthest from a state-controlled road or type 1 multi-modal corridor. AND</p> <p>AO23.4 Buildings (other than a relevant residential building or relocated building) are designed and constructed using materials which ensure that habitable rooms meet the following internal noise criteria:</p> <ol style="list-style-type: none"> 1. ≤35 dB(A) Leq (1 hour) (maximum hour over 24 hours). 	<p>Not applicable.</p>
		<p>Not applicable.</p>
		<p>Not applicable.</p>

Performance outcomes	Acceptable outcomes	Response
<p>PO24 Development involving an accommodation activity or land for a future accommodation activity minimises noise intrusion from a state-controlled road or type 1 multi-modal corridor in outdoor spaces for passive recreation.</p>	<p>Statutory note: Noise levels from a state-controlled road or type 1 multi-modal corridor are to be measured in accordance with AS1055.1–1997 Acoustics – Description and measurement of environmental noise.</p> <p>Note: To demonstrate compliance with the acceptable outcome, it is recommended that a RPEQ certified noise assessment report is provided, prepared in accordance with the State Development Assessment Provisions Supporting Information – Community Amenity (Noise), Department of Transport and Main Roads, 2013.</p> <p>Habitable rooms of relevant residential buildings located within a transport noise corridor must comply with the Queensland Development Code MP4.4 Buildings in a transport noise corridor, Queensland Government, 2015. Transport noise corridors are mapped on the DA mapping system.</p> <p>AO24.1 A noise barrier or earth mound is provided which is designed, sited and constructed:</p> <ol style="list-style-type: none"> 1. to meet the following external noise criteria in outdoor spaces for passive recreation: <ol style="list-style-type: none"> a. ≤ 57 dB(A) L_{10} (18 hour) free field (measured L_{90} (18 hour) free field between 6am and 12 midnight ≤ 45 dB(A)) b. ≤ 60 dB(A) L_{10} (18 hour) free field (measured L_{90} (18 hour) free field between 6am and 12 midnight > 45 dB(A)) 2. in accordance with chapter 7 integrated noise barrier design of the Transport Noise Management Code of Practice – Volume 1 	
		<p>Not applicable.</p>

Performance outcomes	Acceptable outcomes	Response
	<p>Road Traffic Noise, Department of Transport and Main Roads, 2013.</p> <p>Note: To demonstrate compliance with the acceptable outcome, it is recommended that a RPEQ certified noise assessment report is provided, prepared in accordance with the State Development Assessment Provisions Supporting Information – Community Amenity (Noise), Department of Transport and Main Roads, 2013.</p> <p>OR</p> <p>AO24.2 Each dwelling has access to an outdoor space for passive recreation which is shielded from a state-controlled road or type 1 multi-modal corridor by a building, solid gap-free fence, or other solid gap-free structure.</p> <p>AND</p> <p>AO24.3 Each dwelling with a balcony directly exposed to noise from a state-controlled road or type 1 multi-modal corridor has a continuous solid gap-free balustrade (other than gaps required for drainage purposes to comply with the Building Code of Australia).</p>	<p>Not applicable.</p> <p>Not applicable.</p>
<p>Child care centres</p> <p>PO25 Development involving a:</p> <ol style="list-style-type: none"> 1. child care centre; or 2. educational establishment <p>minimises noise intrusion from a state-controlled road or type 1 multi-modal corridor in indoor education areas and indoor play areas.</p>	<p>AO25.1 A noise barrier or earth mound is provided which is designed, sited and constructed:</p> <ol style="list-style-type: none"> 1. to meet the following external noise criteria at all facades of the building envelope: <ol style="list-style-type: none"> a. ≤ 58 dB(A) L_{10} (1 hour) façade corrected (maximum hour during normal opening hours) 2. in accordance with chapter 7 integrated noise barrier design of the Transport Noise Management Code of Practice – Volume 1 	<p>Not applicable.</p>

Performance outcomes	Acceptable outcomes	Response
	<p>Road Traffic Noise, Department of Transport and Main Roads, 2013.</p> <p>Note: To demonstrate compliance with the acceptable outcome, it is recommended that a RPEQ certified noise assessment report is provided, prepared in accordance with the State Development Assessment Provisions Supporting Information – Community Amenity (Noise), Department of Transport and Main Roads, 2013.</p> <p>If the building envelope is unknown, the deemed-to-comply setback distances for buildings stipulated by the local planning instrument or relevant building regulations should be used.</p> <p>OR all of the following acceptable outcomes apply:</p> <p>AO25.2 Buildings which include indoor education areas and indoor play areas are setback the maximum distance possible from a state-controlled road or type 1 multi-modal corridor. AND</p> <p>AO25.3 Buildings are designed and oriented so that indoor education areas and indoor play areas are located furthest from the state-controlled road or type 1 multi-modal corridor. AND</p> <p>AO25.4 Buildings are designed and constructed using materials which ensure indoor education areas and indoor play areas meet the following internal noise criteria:</p> <ol style="list-style-type: none"> 1. ≤35 dB(A) Leq (1 hour) (maximum hour during opening hours). 	<p>Not applicable.</p> <p>Not applicable.</p> <p>Not applicable.</p>

Performance outcomes	Acceptable outcomes	Response
<p>PO26 Development involving a:</p> <ol style="list-style-type: none"> 1. child care centre; or 2. educational establishment <p>minimises noise intrusion from a state-controlled road or type 1 multi-modal corridor in outdoor education areas and outdoor play areas.</p>	<p>Statutory note: Noise levels from a state-controlled road or type 1 multi-modal corridor are to be measured in accordance with AS1055.1–1997 Acoustics – Description and measurement of environmental noise.</p> <p>Note: To demonstrate compliance with the acceptable outcome, it is recommended that a RPEQ certified noise assessment report, prepared in accordance with the State Development Assessment Provisions Supporting Information – Community Amenity (Noise), Department of Transport and Main Roads, 2013, is provided.</p> <p>AO26.1 A noise barrier or earth mound is provided which is designed, sited and constructed:</p> <ol style="list-style-type: none"> 1. to meet the following external noise criteria in each outdoor education area or outdoor play area: <ol style="list-style-type: none"> a. ≤63 dB(A) L₁₀ (12 hour) free field (between 6am and 6pm) 2. in accordance with chapter 7 integrated noise barrier design of the Transport Noise Management Code of Practice – Volume 1 Road Traffic Noise, Department of Transport and Main Roads, 2013. <p>Note: To demonstrate compliance with the acceptable outcome, it is recommended that a RPEQ certified noise assessment report is provided, prepared in accordance with the State Development Assessment Provisions Supporting Information – Community Amenity (Noise), Department of Transport and Main Roads, 2013.</p> <p>OR</p> <p>AO26.2 Each outdoor education area and outdoor play area is shielded from noise</p>	<p>Not applicable.</p>
		<p>Not applicable.</p>

Performance outcomes	Acceptable outcomes	Response
<p>Hospitals</p> <p>PO27 Development involving a hospital minimises noise intrusion from a state-controlled road or type 1 multi-modal corridor in patient care areas.</p>	<p>AO27.1 Hospitals are designed and constructed using materials which ensure patient care areas meet the following internal noise criteria:</p> <ol style="list-style-type: none"> 1. ≤35 dB(A) Leq (1 hour) (maximum hour during opening hours). <p>Statutory note: Noise levels from a state-controlled road or type 1 multi-modal corridor are to be measured in accordance with AS1055.1–1997 Acoustics – Description and measurement of environmental noise.</p> <p>Note: To demonstrate compliance with the acceptable outcome, it is recommended that a RPEQ certified noise assessment report is provided, prepared in accordance with the State Development Assessment Provisions Supporting Information – Community Amenity (Noise), Department of Transport and Main Roads, 2013.</p>	<p>Not applicable.</p>
<p>Vibration</p>		
<p>Hospitals</p> <p>PO28 Development involving a hospital minimises vibration impacts from vehicles using a state-controlled road or type 1 multi-modal corridor in patient care areas.</p>	<p>AO28.1 Hospitals are designed and constructed to ensure vibration in the treatment area of a patient care area does not exceed a vibration dose value of 0.1m/s^{1.75}.</p> <p>AND</p> <p>AO28.2 Hospitals are designed and constructed to ensure vibration in the ward area of a patient care area does not exceed a vibration dose value of 0.4m/s^{1.75}.</p>	<p>Not applicable.</p> <p>Not applicable.</p>

Performance outcomes	Acceptable outcomes	Response
Air and light		
PO29 Development involving an accommodation activity minimises air quality impacts from a state-controlled road or type 1 multi-modal corridor in outdoor spaces for passive recreation.	AO29.1 Each dwelling has access to an outdoor space for passive recreation which is shielded from a state-controlled road or type 1 multi-modal corridor by a building, solid gap-free fence, or other solid gap-free structure.	Not applicable.
PO30 Development involving a: 1. child care centre; or 2. educational establishment minimises air quality impacts from a state-controlled road or type 1 multi-modal corridor in outdoor education areas and outdoor play areas.	AO30.1 Each outdoor education area and outdoor play area is shielded from a state-controlled road or type 1 multi-modal corridor by a building, solid gap-free fence, or other solid gap-free structure.	Not applicable.
PO31 Development involving an accommodation activity or hospital minimises lighting impacts from a state-controlled road or type 1 multi-modal corridor.	AO31.1 Buildings for an accommodation activity or hospital are designed to minimise the number of windows or transparent/translucent panels facing a state-controlled road or type 1 multi-modal corridor. OR AO31.2 Windows facing a state-controlled road or type 1 multi-modal corridor include treatments to block light from a state-controlled road or type 1 multi-modal corridor.	Not applicable.
		Not applicable.

Table 1.2.3: Development in a future state-controlled road environment

Performance outcomes	Acceptable outcomes	Response
PO32 Development does not impede delivery of a future state-controlled road.	AO32.1 Development is not located in a future state-controlled road. OR	Not applicable.

Performance outcomes	Acceptable outcomes	Response
<p>PO33 Vehicular access to a future state-controlled road is located and designed to not create a safety hazard for users of a future state-controlled road or result in a worsening of operating conditions on a future state-controlled road.</p> <p>Note: Where a new or changed access between the premises and a future state-controlled road is proposed, the Department of Transport and Main Roads will need to assess the proposal to determine if the vehicular access for the development is safe. An assessment can be made by Department of Transport and Main Roads as part of the development assessment process and a decision under section 62</p>	<p>AO32.2 Development is sited and designed so that permanent buildings, structures, infrastructure, services or utilities are not located in a future state-controlled road.</p>	<p>Not applicable.</p>
	<p>OR all of the following acceptable outcomes apply:</p> <p>AO32.3 Structures and infrastructure located in a future state-controlled road are able to be readily relocated or removed without materially affecting the viability or functionality of the development.</p> <p>AND</p> <p>AO32.4 Development does not involve filling and excavation of, or material changes to, a future state-controlled road.</p> <p>AND</p> <p>AO32.5 Land is able to be reinstated to the pre-development condition at the completion of the use.</p>	<p>Not applicable.</p>
	<p>AO33.1 Development does not require new or changed access between the premises and a future state-controlled road.</p> <p>AND</p> <p>AO33.2 Vehicular access for the development is consistent with the function and design of the future state-controlled road.</p>	<p>Not applicable.</p>
		<p>Not applicable.</p>
		<p>Not applicable.</p>
		<p>Not applicable.</p>
		<p>Not applicable.</p>

Performance outcomes	Acceptable outcomes	Response
<p>of <i>Transport Infrastructure Act 1994</i> issued where sufficient information is provided.</p>		
<p>PO34 Filling, excavation, building foundations and retaining structures do not undermine, or cause subsidence of, a future state-controlled road.</p> <p>Note: To demonstrate compliance with this performance outcome, it is recommended that an RPEQ certified geotechnical assessment is provided, prepared in accordance with volume 3 of the Road planning and design manual, 2nd edition, Department of Transport and Main Roads, 2016.</p>	<p>No acceptable outcome is prescribed.</p>	<p>Not applicable.</p>
<p>PO35 Fill material from a development site does not result in contamination of land for a future state-controlled road.</p>	<p>AO35.1 Fill material is free of contaminants including acid sulfate content.</p> <p>Note: Soil and rocks should be tested in accordance with AS1289 – Methods of testing soils for engineering purposes and AS4133 2005 – Methods of testing rocks for engineering purposes. AND</p> <p>AO35.2 Compaction of fill is carried out in accordance with the requirements of AS1289.0 2000 – Methods of testing soils for engineering purposes.</p>	<p>Not applicable.</p>
<p>PO36 Development does not result in an actionable nuisance, or worsening of, stormwater, flooding or drainage impacts in a future state-controlled road.</p>	<p>No acceptable outcome is prescribed.</p>	<p>Not applicable.</p>
<p>PO37 Run-off from the development site is not unlawfully discharged to a future state-controlled road.</p>	<p>AO37.1 Development does not create any new points of discharge to a future state-controlled road. AND</p> <p>AO37.2 Stormwater run-off is discharged to a lawful point of discharge.</p>	<p>Not applicable.</p>

Performance outcomes	Acceptable outcomes	Response
	<p>Note: Section 3.4 of the Queensland Urban Drainage Manual, Department of Energy and Water Supply, 2013, provides further information on lawful points of discharge.</p> <p>AND</p> <p>AO37.3 Development does not worsen the condition of an existing lawful point of discharge to the future state-controlled road.</p>	<p>Not applicable.</p>