

Our Ref: R7-21

15 December 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 TO
RECONFIGURE THE LOT – BOUNDARY REALIGNMENT & ACCESS EASEMENT
LOCATED AT – 135-137 MASON STREET, MAREEBA
FORMALLY DESCRIBED AS - LOT 23 ON CP903074 & LOT 22 ON CP860952**

U&i Town Plan are acting on behalf of applicant *Salvatore Torrasi* in submitting the attached development application to the Mareeba Shire Council in accordance Chapter 3, Part 2 of the *Planning Act 2016*. The development application is seeking a development permit for reconfigure the lot for a boundary realignment and access easement within the industrial zone. The subject premises is addressed as 135-137 Mason Street, Mareeba and is more particularly described as Lot 23 on CP903074 and Lot 22 on CP860952.

This development application is being made to the Mareeba Shire Council as the relevant assessment manager under the *Planning Regulation 2017* and has been made in the *approved form* as required under s51 of the *Planning Act 2016*. The common material making up the development application include:

- Relevant development application forms and written consent of the landowner(s) where required.
- A detailed planning report and the relevant site detail.
- Development plans and other relevant supporting information.

The **\$1,092.00** assessment manager application fee has been determined from council's current *Schedule of Fees & Charges 2021/2022*. I trust this information is sufficient for acceptance of the development application as *properly made* subject to payment of the application fee. Please contact our office on 0411 344 110 to process the payment over the phone.

Please contact me should there be any issues or if you require any further information.

Yours faithfully,



Ramon Samanes
Director, U&i Town Plan

PLANNING REPORT

DEVELOPMENT APPLICATION SEEKING DEVELOPMENT
PERMIT TO **RECONFIGURE THE LOT** – BOUNDARY
REALIGNMENT & ACCESS EASEMENT

PROJECT LOCATION:

SITUATED AT 135-137 MASON STREET, MAREEBA
FORMALLY DESCRIBED AS LOT 23 ON CP903074 & LOT 22 ON CP860952

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ASSESSMENT MANAGER:	MAREEBA SHIRE COUNCIL, PLANNING DEPARTMENT
DEVELOPMENT TYPE:	DEVELOPMENT PERMIT – RECONFIGURATION OF A LOT (CODE ASSESSABLE)
PROPOSED WORKS:	BOUNDARY REALIGNMENT & ACCESS EASEMENT
REAL PROPERTY DESCRIPTION:	LOT 23 ON CP903074 & LOT 22 ON CP860952
LOCATION:	135-137 MASON STREET, MAREEBA
ZONE:	INDUSTRIAL ZONE PRECINCT A – TRADES AND SERVICES PRECINCT
APPLICANT:	SALVATORE TORRISI C/- U&i TOWN PLAN
OWNERS:	SALVATORE TORRISI
ASSESSMENT CRITERIA:	RECONFIGURATION OF A LOT (CODE ASSESSABLE)
REFERRAL AGENCIES:	NO REFERRAL AGENCY.
STATE PLANNING:	THE PROPOSAL DOES NOT TRIGGER ASSESSMENT AGAINST THE STATE DEVELOPMENT ASSESSMENT PROVISIONS.

IMPORTANT NOTE

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This Report has been prepared for Salvatore Torrissi for the sole purpose of making a Development Application seeking a Development Permit to Reconfigure a Lot on land at 135-137 Mason Street, Mareeba (over Lot 23 on CP903074 & Lot 22 on CP860952) for the purpose of a Boundary Realignment & Access Easement. 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 to Reconfigure the allotment under the *Planning Act 2016* at 135-137 Mason Street, Mareeba to facilitate a boundary realignment and creating an access easement. 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.

Accordingly, this application seeks the following approval:

- **Development Permit to Reconfigure the Lot – Boundary Realignment and Access Easement**

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 considered 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.

2.0 SITE DESCRIPTION

The subject land is described as Lot 23 on CP903074 & Lot 22 on CP860952, located at 135-137 Mason Street, Mareeba. The subject site is located in the existing industrial zoned area along Mason Street within the Precinct A – Trades and Services Precinct. Combined the two (2) allotments cover a total area of 8,838m² with a combined frontage of approximately 64m frontage along Mason Street. Lot 23 contains an existing dwelling/caretaker's residence along with five (5) storage shed buildings comprising of numerous storage units. Lot 22 currently has the existing shed along Mason Street, with 26 storage units across the two (2) buildings behind the front shed. The properties are located just over a kilometre from the CBD of Mareeba and are surrounded by industrial zoned land on all sides, except to the north which is zoned as low density residential land.



Figure 1: Aerial View of the Subject Land

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A site summary is provided below:

Table 2.0: Site summary

Street address:	135-137 Mason Street, Mareeba
Real property description:	Lot 23 on CP903074 & Lot 22 on CP860952
Local government area	Mareeba Shire Council
Tenure:	Freehold
Site area:	Lot 23: 6,224m ² Lot 2: 2,604m ²
Zone:	Industrial Zone Precinct A – Trades and Services Precinct
Current use:	Lot 23: Dwelling/Caretaker's and five (5) large storage sheds comprising of a number of storage units. Lot 22: currently has the existing shed along Mason Street, with 26 storage units across the two (2) buildings behind the front shed.
Road frontage:	Combined 64m along Mason Street

Adjacent uses:	<i>Tradelink to the east, unformed road reserve and undeveloped industrial land to the south, residential dwellings to the north, and Moro Auto repairs across Mason Street to the west.</i>
Topography / Vegetation:	<i>In terms of topography the block is flat with gradual fall from east to west towards Mason Street. Landscaping around the existing dwelling/caretaker's residence, otherwise the rest of the property has no notable vegetation.</i>
Easements:	<i>No existing easements over both sites.</i>

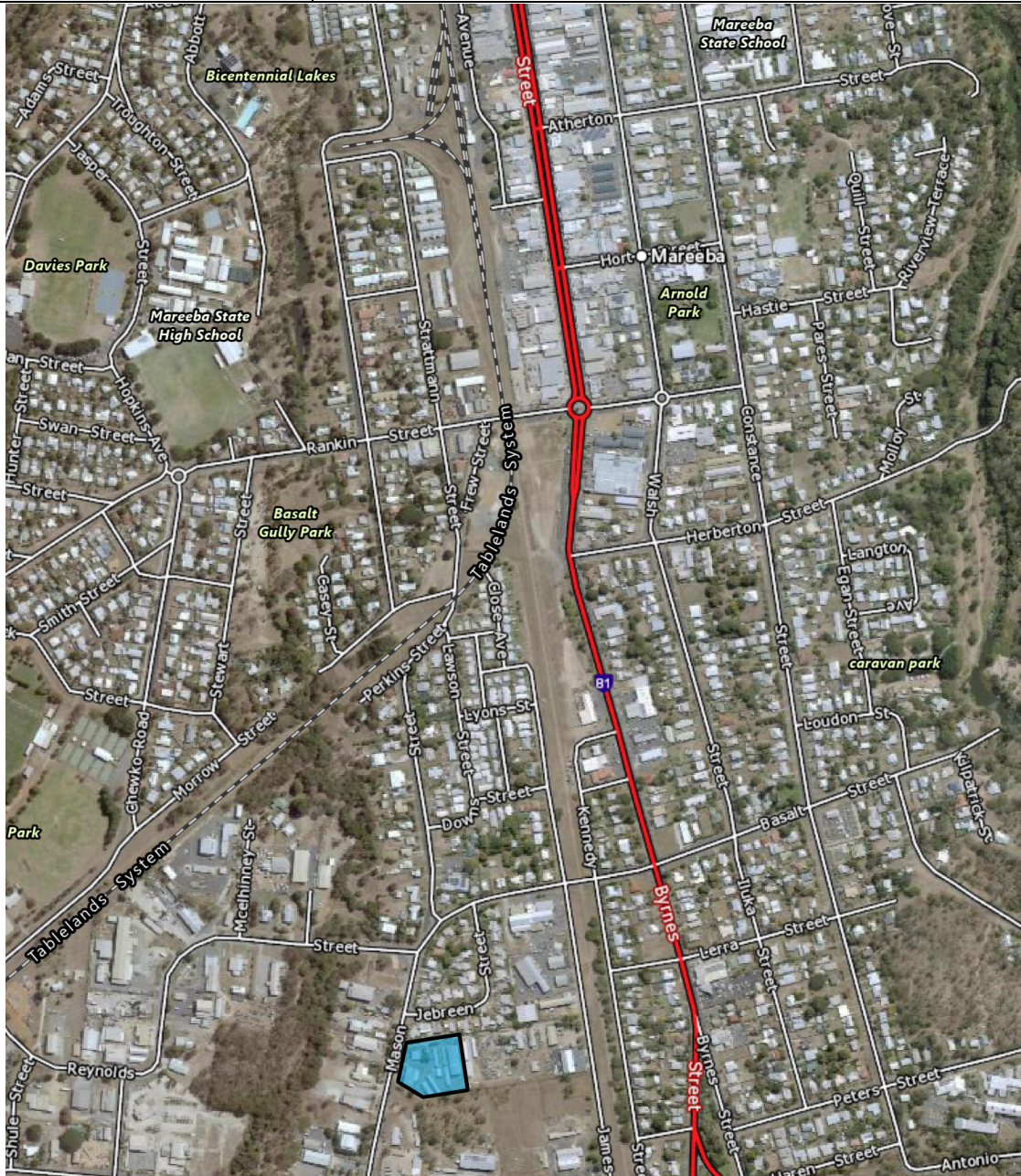


Figure 2: Site Locality

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3.0 DEVELOPMENT PROPOSAL

This development application is seeking a development permit to Reconfigure the allotments under the *Planning Act 2016* at 135-137 Mason Street, Mareeba to facilitate a boundary realignment and creation of an easement for access. The proposed access easement will ensure shared access is provided to both allotments as well as lot 19 on M356128. The boundary realignment seeks to realign the boundaries to include the existing dwelling into the front allotment being proposed lot 1, with lot 2 consisting of five (5) storage sheds with multiple units.

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.



Figure 3: Extract from Development Plans

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See Appendix 4: Development Plans for further detail.

3.1 Development Definition

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

reconfiguring a lot means—

- (a) creating lots by subdividing another lot; or*
- (b) amalgamating 2 or more lots; or*
- (c) rearranging the boundaries of a lot by registering a plan of subdivision under the Land Act or Land Title Act; or*
- (d) dividing land into parts by agreement rendering different parts of a lot immediately available for separate disposition or separate occupation, other than by an agreement that is—*
 - (i) a lease for a term, including renewal options, not exceeding 10 years; or*
 - (ii) an agreement for the exclusive use of part of the common property for a community titles scheme under the Body Corporate and Community Management Act 1997 ; or*
- (e) creating an easement giving access to a lot from a constructed road.*

3.2 Boundary Realignment & Access Easement

The boundary realignment seeks to realign the boundaries between lot 23 and 22 to include the existing dwelling into the front allotment being proposed lot 1, with lot 2 consisting of five (5) storage sheds with multiple units.

The proposed reconfiguration will result in the following allotment sizes:

Lot No.	Existing Lot Area	Proposed Lot Area	New Road Frontage
23	6,224m ²	Proposed Lot 2: 4,946m ²	9m to Mason Street
22	2,604m ²	Proposed Lot 1: 3,882m ²	55m to Mason Street

The proposed shared access easement will be over proposed lot 2, benefiting proposed lot 1 and Lot 19 on M356128.

4.0 DEVELOPMENT APPLICATION DETAILS

This code assessable development application seeks a development permit to Reconfigure the Lots under the *Planning Act 2016* at 135-137 Mason Street, Mareeba to facilitate a boundary realignment and creation of an easement for access. By way of this development application, the applicant is seeking specific approval of the following development permit to authorise the subdivision of the allotments as detailed in this planning report.

5.0 PLANNING JUSTIFICATION

This development application is made in accordance with the requirements of the *Planning Act 2016* and is for the Reconfiguration of the lot at 135-137 Mason Street, Mareeba to facilitate a boundary realignment and creation of an easement for access. The proposal is considered to satisfy the requirements set by the applicable assessment benchmarks from the planning scheme, specifically the Industrial Zone Code and Reconfiguring a Lot Code.

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:

- Industry Zone Code
- Reconfiguration of a Lot Code
- Landscape Code
- Parking and Access Code
- Works, Services and Infrastructure Code
- Airport Environs 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 Industrial Zone Code

1. *The purpose of the Rural Zone Code is to provide for a range of service, low, medium, or high impact industrial uses.*

It may include non-industrial and business uses that support the industrial activities where they do not compromise the long-term use of the land for industrial purposes.

2. *Mareeba Shire Council’s purpose of the Industry zone code is to facilitate industrial activity in order to:*
 - a) *Contribute to and strengthen the economic development of the region;*
 - b) *Service the needs of the communities in the shire; and*
 - c) *Provide for a variety of employment opportunities.*
3. *The shire’s industrial areas will vary in their role and level of service provision and cater for different scales and types of industrial development. Three precincts are identified within the zone in order to establish a hierarchy of industrial areas catering for lower impact to higher impact industries:*

- a) *The Trades and services precinct is intended to accommodate service industry and low impact industries. This precinct encompasses the majority of the existing smaller industrial areas which are often located in commercial areas or adjoining residential areas. The precinct is strategically located in serviced areas to provide light industry, service and trades industries to meet local needs and located. Higher impact activities may be appropriate in some locations within this precinct where it can be demonstrated that they will not have any adverse impacts on surrounding development and land uses;*
 - b) *The General Industry precinct is intended to accommodate medium impact industries and existing high impact industries. This precinct encompasses the central industrial area of Mareeba. Further expansion of high impact industries is not encouraged due to proximity to the precinct to residential areas, meaning a transition to lower impact industries is supported; and*
 - c) *The Heavy industry precinct is intended to accommodate a range of industrial uses including high impact industries and encompasses the Chillagoe Industrial area, the Mareeba major industrial area and the Mareeba Airport industrial area.*
4. *The purpose of the code will be achieved through the following overall outcomes:*
- a) *Uses and works for industrial purposes are located, designed and managed to maintain safety to people, avoid significant adverse effects on the natural environment and minimise impacts on surrounding non-industrial land;*
 - b) *Development is sited having regard to its servicing capabilities in terms of transport, water, sewerage, electricity, telecommunications infrastructure, proximity to other associated industries and work force;*
 - c) *Development maximises the use of existing transport infrastructure and has access to an appropriate level of transport and facilities;*
 - d) *Development is supported by necessary transport infrastructure which is designed to provide and promote safe and efficient public transport use, walking and cycling;*
 - e) *Development is reflective of an responsive to the environmental constraints of the land;*
 - f) *The scale, character and built form of development contributes to an appropriate standard of amenity;*
 - g) *Non-industrial uses, such as offices, retail uses and caretaker's accommodation that directly support the industrial area are facilitated;*
 - h) *The viability of both existing and future industrial activities is protected from the intrusion of incompatible uses;*
 - i) *Adverse impacts on natural features and processes both on-site and from adjoining areas are minimised through location, design, operation and management of development;*
 - j) *Industrial uses are adequately separated and buffered from sensitive land uses to minimise the likelihood of environmental harm including environmental nuisance occurring;*
 - k) *Land included in the Industry zone is to be protected from incompatible uses to ensure that industrial activities may continue and expand; and*
 - l) *Development is appropriately coordinated and sequenced to ensure the most effective use of land within the zone.*

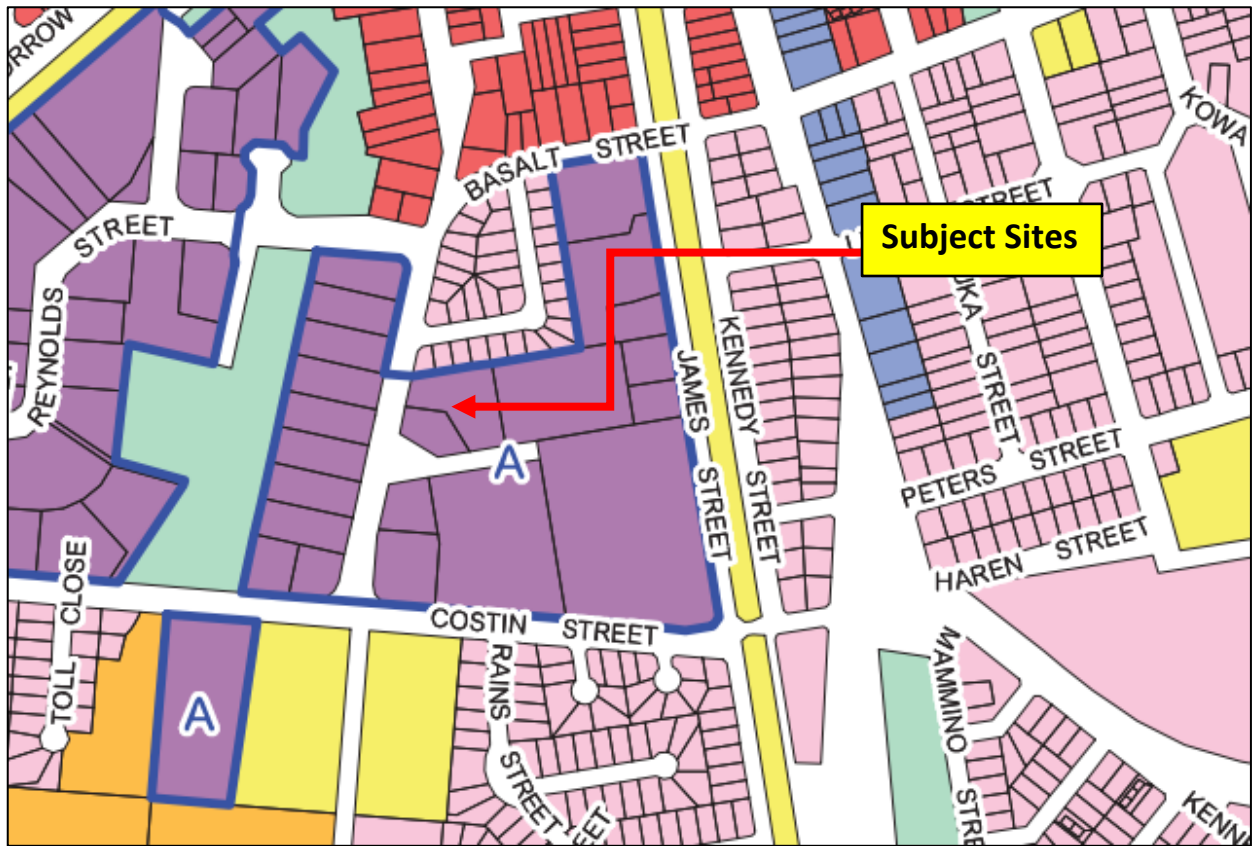


Figure 1: Industry Zone (Precinct A – Trades and Services Precinct)

The subject sites are located in the existing industrial zoned area along Mason Street within the Precinct A – Trades and Services Precinct. More specifically, the allotments are located within the Trades and Services Precinct and are intended to accommodate service industry and low impact industries. The proposed boundary realignment and creation of access easement development is considered to provide an outcome that is consistent with the overall outcomes sought within Precinct A – Trades and Services Precinct.

5.1.2 Reconfiguring a Lot Code

The purpose of the Reconfiguring a lot code is to ensure that land is:

- (a) arranged in a manner which is consistent with the intended scale and intensity of development within the area;
- (b) provided with access to appropriate movement and open space networks; and
- (c) contributes to housing diversity and accommodates a range of land uses.

The purpose of the code will be achieved through the following overall outcomes:

- (a) Subdivision of land achieves the efficient use of land and the efficient provision of infrastructure and transport services;
- (b) Lots are of a suitable size and shape for the intended or potential use having regard to the purpose and overall outcomes of the relevant zone or precinct.
- (c) Subdivision of land creates lots with sufficient area and dimensions to accommodate the ultimate use, meet user requirements, protect environmental features and account for site constraints;
- (d) A range and mix of lot sizes is provided to facilitate a variety of industry and housing types;
- (e) Subdivision design incorporates a road network that provides connectivity and circulation for vehicles and provide safe and efficient access for pedestrians, cyclists and public transport;
- (f) Subdivision design provides opportunities for walking and cycling for recreation and as alternative methods of travel;
- (g) Subdivision of land provides and integrates a range of functional parkland, including local and district parks and open space links for the use and enjoyment of the residents of the locality and the shire;
- (h) Subdivision of land contributes to an open space network that achieves connectivity along riparian corridors and between areas with conservation values;
- (i) Subdivision within the Rural zone maintains rural landholdings in viable parcels;
- (j) Land in historical townships is not reconfigured to be used for urban purposes; and
- (k) Residential subdivision and greenfield development is designed to consider and respect:
 - (i) topography;
 - (ii) climate responsive design and solar orientation;
 - (iii) efficient and sustainable infrastructure provision;
 - (iv) environmental values;
 - (v) water sensitive urban design;
 - (vi) good quality agricultural land; and
 - (vii) the character and scale of surrounding development.

ASSESSMENT BENCHMARKS

Performance Outcomes	Acceptable Outcomes	Proposal Justification
Area and frontage of Lots		
PO1	AO1.1	<p>In the Industrial zone, the minimum acceptable area and frontage is listed at 1,500m² and 45m respectively. Proposed lot 1 is completely compliant with the lot dimension requirements in the Industry Zone.</p> <p>Proposed lot 2 is compliant in terms of lot size, with a frontage of 9m to Mason Street over the existing access crossover and driveway to secure access to proposed lot 2 whilst also providing access to lot 19 on M356128 as well as proposed lot 1. The proposed width is compliant with the minimum width of 8 metres prescribed in AO8.3.</p> <p>Satisfied.</p>

Existing buildings and easements		
PO2	AO2.1	<p>The existing access and service arrangements in relation to water, sewerage and power are established and are proposed to remain unchanged as part of this development. As such, we would anticipate that no further works are required as part of this development.</p> <p>Satisfied.</p>
	AO2.2	<p>The Industry Zone allows built form to be built to boundary. The existing buildings on proposed lot 1 and 2 therefore achieved compliance with the relevant Industry Zone requirements.</p> <p>Satisfied.</p>
PO3	AO3	<p>There are no existing easements over the site.</p> <p>Satisfied.</p>
Boundary Realignment		
PO4	N/A	<p>The existing access and service arrangements in relation to water, sewerage and power are established and are proposed to remain unchanged as part of this development. As such, we would anticipate that no further works are required as part of this development.</p> <p>Satisfied.</p>
Access and road network		
PO5	N/A	<p>The existing access and service arrangements in relation to water, sewerage and power are established and are proposed to remain unchanged as part of this development. As such, we would anticipate that no further works are required as part of this development.</p> <p>Satisfied.</p>
PO6	AO6	<p>The existing access and service arrangements in relation to water, sewerage and power are established and are proposed to remain unchanged as part of this development. As such, we would anticipate that no further works are required as part of this development.</p> <p>Satisfied.</p>
PO7	N/A	<p>Mason Street is developed to the current standard. No new roads are proposed as part of this development.</p> <p>Satisfied.</p>
Rear Lots		
PO8	AO8.1	<p>The proposed realignment of the boundary seeks to create a rear lot in proposed lot 2, with an access easement proposed over the 9m wide handle to secure access to lot 19 on M356128 as well as proposed lot 1. The proposed width is compliant with the minimum width of 8 metres prescribed. Both sites are developed with various storage sheds and industrial uses conducted on-site which won't change nor will they be affected as a result of this development. This development essentially seeks to realign boundaries and redistribute the existing buildings in a different configuration than what currently exists.</p>
	AO8.2	
	AO8.3	
	AO8.4	
	AO8.5	
	AO8.6	

		Satisfied.
Crime prevention and community safety		
PO9	N/A	The proposed realignment of the boundaries will not create any safety issues to the public having regard to the various design elements in terms of preventing crime. Satisfied.
Pedestrian and cycle movement network		
PO10	N/A	Not applicable to this development. Satisfied.
Public transport network		
PO11	N/A	Not applicable to this development. Satisfied.
Residential Subdivison		
PO12	N/A	Not applicable to this development - Industry Zone.
Rural residential zone		
PO13	N/A	Not applicable to this development - Industry Zone.
Additional provisions for greenfield development only		
PO14	N/A	Not applicable to this development. Satisfied.
PO15	N/A	
PO16	N/A	
PO17	N/A	
PO18	N/A	
PO19	N/A	
PO20	N/A	

5.1.3 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.

ASSESSMENT BENCHMARKS

Performance Outcomes	Acceptable Outcomes	Proposal Justification
For accepted development subject to requirements and assessable development		
PO1	AO1	Landscaping is not considered applicable as part of this development as it only involves a boundary realignment and creation of a new access easement. Satisfied.
PO2	AO2.1	The landscaping provisions within this code are more applicable at the time any subsequent Material Change of Use applications. Not entirely applicable to a reconfiguration of the lot application. Satisfied.
PO3	AO3.1 & AO3.2	The landscaping provisions within this code are more applicable at the time any subsequent Material Change of Use applications. Not entirely applicable to a reconfiguration of the lot application.

		Satisfied.
PO4	AO4.1 & AO4.2,	<i>The landscaping provisions within this code are more applicable at the time any subsequent Material Change of Use applications. Not entirely applicable to a reconfiguration of the lot application.</i> Satisfied.
PO5	AO5.1 & AO5.2	<i>The landscaping provisions within this code are more applicable at the time any subsequent Material Change of Use applications. Not entirely applicable to a reconfiguration of the lot application.</i> Satisfied.
PO6	AO6.1, AO6.2 & AO6.3	<i>The landscaping provisions within this code are more applicable at the time any subsequent Material Change of Use applications. Not entirely applicable to a reconfiguration of the lot application.</i> Satisfied.
PO7	AO7	<i>The landscaping provisions within this code are more applicable at the time any subsequent Material Change of Use applications. Not entirely applicable to a reconfiguration of the lot application.</i> Satisfied.

5.1.4 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.

Statement of Compliance:

The parking provisions within this code are more applicable at the time of subsequent Material Change of Use applications, and not particularly as part of this reconfiguration of the lot application. Further to this, it is considered that the proposed boundary realignment does not change or impact any parking provided across both allotments. All properties are owned by the one owner, and are not intended to be sold separately in the near or foreseeable future, so the current arrangements with shared accesses and the like will remain unchanged.

5.1.5 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:

The existing access and service arrangements in relation to water, sewerage and power are established and are proposed to remain unchanged as part of this development. As such, we would anticipate that no further works are required as part of this development.

5.1.6 Airport Environs Overlay Code

8.2.2.2 Purpose

- (1) The purpose of the Airport environs overlay code is to protect the current and ongoing operations of established airports, aerodromes and aviation infrastructure in Mareeba Shire.
- (2) The purpose of the code will be achieved through the following overall outcomes:
 - (a) The ongoing operation of Mareeba Airport and its associated infrastructure are protected from incompatible development;
 - (b) Aerodromes in Chillagoe and Dimbulah are maintained to support recreation, mining and rural uses;
 - (c) Operational airspace is protected;
 - (d) Threats to aviation safety such as bird and bat strike and distraction or blinding of pilots are avoided or minimised;
 - (e) State significant aviation facilities associated with the Mareeba Airport are protected from encroachment by sensitive land uses; and
 - (f) Development in the vicinity of airports, aerodromes and aviation infrastructure does not compromise public safety.

Statement of Compliance:

The site is within the 8km buffer of the Mareeba Airport, on the Bird and Bat Strike Zones overlay mapping. The proposed development relates to the creation of allotments rather than new built form, and as such these provisions do not particularly apply to this development. As such, it is considered that the proposed development complies by default with the outcomes within the Airports Environs Overlay Code.

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 not trigger referral and therefore assessment against the SDAP codes is not required.

5.3 Far North Regional Plan 2009-2031

The site is located within the 'Regional Landscape and Rural Production Area Regional Land Use Category of the Far North Queensland 2009-2031 (see also Attachment 3). 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

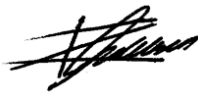
This application has been prepared by U&i Town Plan on behalf Salvatore Torrisi in relation to the proposed reconfiguration of a Lot located at 135-137 Mason Street, Mareeba to facilitate a boundary realignment and creating an access easement. Accordingly, this application seeks the following approval:

- **Development Permit to Reconfigure the Lot – Boundary Realignment and Access Easement**

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 Industry Zone, Reconfiguring a Lot Code 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

Director, U&i Town Plan

Bachelor of Applied Science, Majoring in Environmental and Urban Planning

APPENDIX 1: DA FORM 1 – DEVELOPMENT APPLICATION DETAILS

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)	SAM TORRISI PTY LTD 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)	R7/21

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
			135 Mason Street	Mareeba
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)
	4880	23	CP903074	Mareeba Shire Council
b)	Unit No.	Street No.	Street Name and Type	Suburb
			137 Mason Street	Mareeba
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)
	4880	22	CP860952	Mareeba Shire Council

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

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

☐ Coordinates of premises by longitude and latitude

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

☐ Coordinates of premises by easting and northing

Easting(s)	Northing(s)	Zone Ref.	Datum	Local Government Area(s) (if applicable)
		<input type="checkbox"/> 54	<input type="checkbox"/> WGS84	
		<input type="checkbox"/> 55	<input type="checkbox"/> GDA94	
		<input type="checkbox"/> 56	<input type="checkbox"/> Other: <input type="text"/>	

3.3) Additional premises

☐ Additional premises are relevant to this development application and the details of these premises have been attached in a schedule to this development application

☒ Not required

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

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

Name of water body, watercourse or aquifer:

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

Lot on plan description of strategic port land:

Name of port authority for the lot:

☐ In a tidal area

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

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

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

Name of airport:

<input type="checkbox"/> Listed on the Environmental Management Register (EMR) under the <i>Environmental Protection Act 1994</i>
EMR site identification: <input type="text"/>
<input type="checkbox"/> Listed on the Contaminated Land Register (CLR) under the <i>Environmental Protection Act 1994</i>
CLR site identification: <input type="text"/>

5) Are there any existing easements over the premises?

Note: Easement uses vary throughout Queensland and are to be identified correctly and accurately. For further information on easements and how they may affect the proposed development, see [DA Forms Guide](#).

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

PART 3 – DEVELOPMENT DETAILS

Section 1 – Aspects of development

6.1) Provide details about the first development aspect

a) What is the type of development? *(tick only one box)*

- ☐ Material change of use ☒ Reconfiguring a lot ☐ Operational work ☐ Building work

b) What is the approval type? *(tick only one box)*

- ☒ Development permit ☐ Preliminary approval ☐ Preliminary approval that includes a variation approval

c) What is the level of assessment?

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

d) Provide a brief description of the proposal *(e.g. 6 unit apartment building defined as multi-unit dwelling, reconfiguration of 1 lot into 3 lots):*

Reconfiguration of a Lot – Boundary Realignment and Access Easement

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	<input type="checkbox"/> Yes – complete division 1 if assessable against a local planning instrument
Reconfiguring a lot	<input checked="" type="checkbox"/> Yes – complete division 2
Operational work	<input type="checkbox"/> Yes – complete division 3
Building work	<input type="checkbox"/> Yes – complete DA Form 2 – Building work details

Division 1 – Material change of use

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

8.1) Describe the proposed material change of use			
Provide a general description of the proposed use	Provide the planning scheme definition (include each definition in a new row)	Number of dwelling units (if applicable)	Gross floor area (m ²) (if applicable)
8.2) Does the proposed use involve the use of existing buildings on the premises?			
<input type="checkbox"/> Yes			
<input 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?	
Two (2) existing allotments	
9.2) What is the nature of the lot reconfiguration? (tick all applicable boxes)	
<input type="checkbox"/> Subdivision (complete 10))	<input type="checkbox"/> Dividing land into parts by agreement (complete 11))
<input checked="" type="checkbox"/> Boundary realignment (complete 12))	<input checked="" type="checkbox"/> Creating or changing an easement giving access to a lot from a constructed road (complete 13))

10) Subdivision				
10.1) For this development, how many lots are being created and what is the intended use of those lots:				
Intended use of lots created	Residential	Commercial	Industrial	Other, please specify:
Number of lots created				
10.2) Will the subdivision be staged?				
<input type="checkbox"/> Yes – provide additional details below				
<input type="checkbox"/> No				
How many stages will the works include?				
What stage(s) will this development application apply to?				

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

12) Boundary realignment			
12.1) What are the current and proposed areas for each lot comprising the premises?			
Current lot		Proposed lot	
Lot on plan description	Area (m ²)	Lot on plan description	Area (m ²)
Lot 23 on CP903074	6,224m ²	Lot 2	4,946m ²
Lot 22 on CP860925	2,604m ²	Lot 1	3,882m ²
12.2) What is the reason for the boundary realignment?			
To redistribute the property across both allotments.			

13) What are the dimensions and nature of any existing easements being changed and/or any proposed easement? (attach schedule if there are more than two easements)				
Existing or proposed?	Width (m)	Length (m)	Purpose of the easement? (e.g. pedestrian access)	Identify the land/lot(s) benefitted by the easement
Proposed access easement	~9m	~90m	Access Easement	Lot 19 on M356128 Proposed Lot 1 and Lot 2.

Division 3 – Operational work

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

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

PART 4 – ASSESSMENT MANAGER DETAILS

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

PART 5 – REFERRAL DETAILS

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

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

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

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

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

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

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

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

18) Has any referral agency provided a referral response for this development application?		
<input type="checkbox"/> Yes – referral response(s) received and listed below are attached to this development application		
<input 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: By not agreeing to accept an information request I, the applicant, acknowledge: <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? (e.g. a preliminary approval)

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

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

21) Has the portable long service leave levy been paid? (only applicable to development applications involving building work or operational work)

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

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

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:	
-----------------------------	--	-----------	--

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 (see 21)	<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>, Planning Regulation 2017 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 Planning Regulation 2017, and the access rules made under the <i>Planning Act 2016</i> and Planning Regulation 2017; 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

Note: For completion by assessment manager if applicable

Description of the work			
QLeave project number			
Amount paid (\$)		Date paid (dd/mm/yy)	
Date receipted form sighted by assessment manager			
Name of officer who sighted the form			

APPENDIX 2: CURRENT TITLE SEARCH & SMART MAP

Queensland Titles Registry Pty Ltd
ABN 23 648 568 101

Title Reference:	50228653	Search Date:	08/12/2021 09:21
Date Title Created:	31/07/1998	Request No:	39541732
Previous Title:	40015748		

ESTATE AND LAND

Estate in Fee Simple

LOT 23 CROWN PLAN 903074

Local Government: MAREEBA

REGISTERED OWNER

Dealing No: 702818992 31/07/1998

SALVATORE TORRISI

EASEMENTS, ENCUMBRANCES AND INTERESTS

1. Rights and interests reserved to the Crown by
Deed of Grant No. 21520220 (Lot 23 on CP M356213)

ADMINISTRATIVE ADVICES

NIL

UNREGISTERED DEALINGS

NIL

** End of Current Title Search **

Queensland Titles Registry Pty Ltd
ABN 23 648 568 101

Title Reference:	50693539	Search Date:	08/12/2021 09:21
Date Title Created:	23/11/2007	Request No:	39541732
Previous Title:	40055154		

ESTATE AND LAND

Estate in Fee Simple

LOT 22 CROWN PLAN 860952

Local Government: MAREEBA

REGISTERED OWNER

Dealing No: 711208500 23/11/2007

SALVATORE TORRISI

EASEMENTS, ENCUMBRANCES AND INTERESTS

1. Rights and interests reserved to the Crown by
Deed of Grant No. 40055154 (Lot 22 on CP 860952)

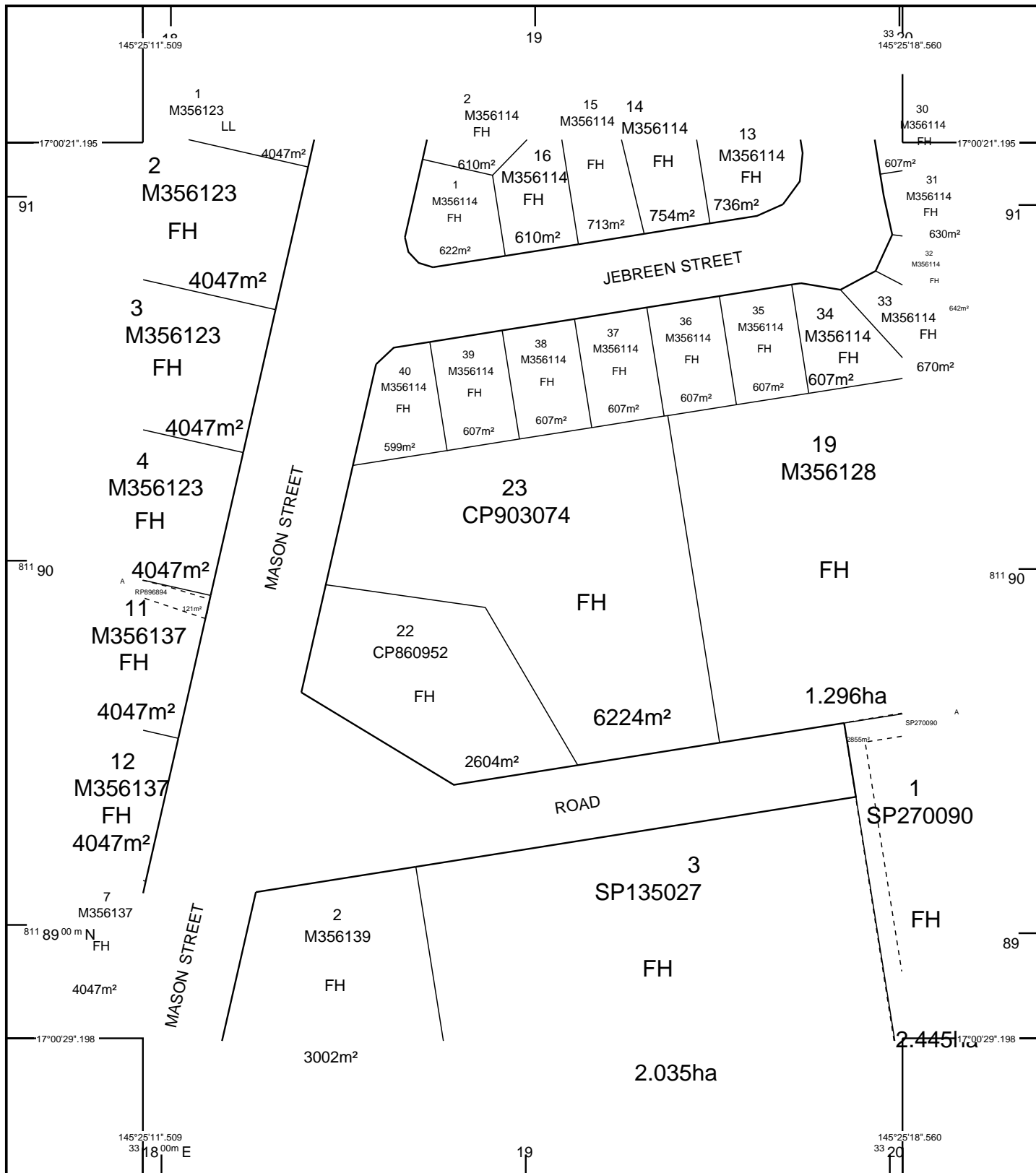
ADMINISTRATIVE ADVICES

NIL

UNREGISTERED DEALINGS

NIL

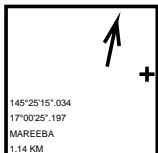
** End of Current Title Search **



STANDARD MAP NUMBER
7963-11414

0 30 60 90 120 150 m
HORIZONTAL DATUM:GDA94 ZONE:55 SCALE 1 : 1500

MAP WINDOW POSITION &
NEAREST LOCATION



SUBJECT PARCEL DESCRIPTION

DCDB	
Lot/Plan	23/CP903074
Area/Volume	6224m²
Tenure	FREEHOLD
Local Government	MAREEBA SHIRE
Locality	MAREEBA
Segment/Parcel	9094/66

CLIENT SERVICE STANDARDS

PRINTED 08/12/2021

DCDB 07/12/2021

Users of the information recorded in this document (the Information) accept all responsibility and risk associated with the use of the Information and should seek independent professional advice in relation to dealings with property.

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For further information on SmartMap products visit
<https://www.qld.gov.au/housing/buying-owning-home/property-land-valuations/smartmaps>

SmartMap

An External Product of
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Based upon an extraction from the
Digital Cadastral Data Base



**Queensland
Government**

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(Department of Resources) 2021.



APPENDIX 3: OWNER'S CONSENT

CLIENT ACCEPTANCE FORM / OWNER'S CONSENT

(TO BE COMPLETED AND RETURNED)

PROJECT:	Reconfiguration of a Lot-Boundary Realignment & Access Easement
PROJECT ADDRESS:	135-137 Mason Street, Mareeba (Lot 23 on CP903074 & Lot 22 on CP860952)

Client Details

Client:	Salvatore Torrissi
Invoice Address:	135 mason st Mareeba QLD 4880
Phone:	0413524502
Email:	rtorr rtorr24@eq.edu.au
Accounts Contact:	Rose Torrissi - 0448412802

Landowner Details

Landowner Name/s:	Salvatore Torrissi
Address:	420 Chewko Road, Mareeba - Po Box 31
All Owners Signatures:	S. Torrissi

I / we, the party named below (the Client), confirm the commission of R&A Samanes Pty Ltd t/a U&I Town Plan (the Consultant), in relation to the project referenced above and accept all terms and conditions of the Quote and in particular confirm responsibility for payment of fees generated by this commission and payable to the Consultant strictly prior to lodgement of the Application and in other cases within 7 days of the date of invoice.

Signed:

S. Torrissi

Name:

Salvatore Torrissi

Date:

5-12-21

Please complete, sign and return this page only to: ramon@uitownplan.com.au

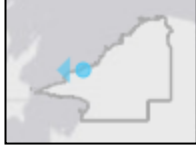
APPENDIX 4: DEVELOPMENT PLANS

Development Plan - Boundary Realignment & Access Easement

135-137 Mason Street, Mareeba

17°0'23"S 145°25'13"E

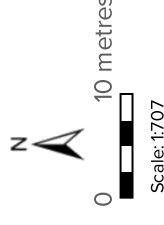
17°0'23"S 145°25'17"E



17°0'27"S 145°25'13"E

17°0'27"S 145°25'17"E

Legend located on next page



Printed at: A4

Print date: 9/12/2021

Projection: Web Mercator EPSG 102100

For more information, visit
<https://qldglobe.information.qld.gov.au/help-info/Contact-us.html>

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