



DEVELOPMENT APPLICATION REPORT

MATERIAL CHANGE OF USE – Dwelling House (Secondary Dwelling)

Located at Saddle Mountain Road, Kuranda QLD.

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1. EXECUTIVE SUMMARY

McPeake Town Planning Pty Ltd on behalf of Eva Stuwe, owner of Lot 10 on SP178003, located at Saddle Mountain Road, Kuranda, seek a Development Permit for Material Change of Use: Dwelling House (Secondary Dwelling).

The proposal seeks development permit for a Dwelling House (Secondary Dwelling). The site currently contains a main dwelling house. With the proposed secondary dwelling to be utilised in conjunction with the main dwelling house by extended family and guests etc. This secondary dwelling will maintain the amenity and values of the local area through its similar design in built form and features to the local area and established primary dwelling. It will be positioned close to the primary dwelling on the same plot as a previous building that is no longer present, maintaining its access to underground water and electricity services and an onsite system. A small art studio will also be positioned in a cleared area close to the primary dwelling. This building proposed to be used as an Art Studio and will only have a small bathroom.

The site and the local area contain strong environmental features including waterways, wildlife habitats, hill and slopes and dense vegetation. However, the existing primary dwelling and the proposed secondary dwelling are positioned at the centre of the site where the area is flat and clear, and well separated from waterways and regulated vegetation areas. The development will involve no clearing of any vegetation to site the proposed structures, maintaining its ecological values of heavy vegetation.

The development will not contribute to the risk of bushfire as it will not result in a material increase in the extent, duration or severity of bushfire hazard, as it will maintain the existing land use, slopes and level and range of existing vegetation.

The proposed land use and activities are deemed code assessable under the Mareeba Shire Council Planning Scheme 2016 (2020 amended). The development does not require a period of public notification.

The proposed development is compliant with the relevant Codes; Policies and Conditions under the Mareeba Shire Council Planning Scheme 2016 (2020 amended), and where reasonable and relevant can be appropriately conditioned.

DA forms completed supporting this Development Application include:

- DA Form 1

The following plans and drawings supporting this Development Application are attached in Appendix B:

- Proposal plans.
- Site Pics.

2. Site Characteristics

2.1 Summary of Proposal

McPeake Town Planning Pty Ltd on behalf of Eva Stuwe, owner of Lot 10 on SP178003, located at Saddle Mountain Road, Kuranda, seek a Development Permit for Material Change of Use: Dwelling House (secondary dwelling).

Address and Property Description

- Saddle Mountain Road, Kuranda, Lot 10 on SP178003
- Total land area – 394,000m² or 39.4 ha
- Proposed coverage area of the second dwelling – 108m²

Figure 1: Aerial of site



Source: Queensland Globe, accessed 03/02/2022.

Local Planning Authority

- Mareeba Shire Council
- Mareeba Shire Council Planning Scheme 2016 (2020 amended)

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2.2 Site Tenure

The subject properties are held in freehold tenure by our client.

Zoning of the Subject Site

Figure 2: Zoning – Rural



[Zoning Maps.pdf \(msc.qld.gov.au\)](https://www.msc.qld.gov.au/Zoning-Maps.pdf)

2.3 Physical Characteristics and Surrounding Land Uses

The subject site is located on Saddle Mountain Road, Kuranda, with the site fronting an unsealed private road in Saddle Mountain Road. The site is heavily covered in dense vegetation, and a clear, flat area at the centre of the lot with the existing primary dwelling. The local surrounding area is also heavily covered with vegetation with the land use of dwelling house and the rural and rural residential zoning consistent with the site. The local area contains strong environmental features including waterways, wildlife habitats, hills and slopes, and dense vegetation.

3. PLANNING ASSESSMENT

3.1 Introduction

This proposed Material Change of Use – Dwelling House (secondary dwelling) is lodged assessed in accordance with the relevant policies of the Mareeba Shire Council Planning Scheme 2016 (2020 amended), with the proposed uses triggering Code Assessment and requires assessment against the Planning Scheme and any other planning documents relevant to the application.

3.2 Level of Assessment and Applicable Codes

In accordance with the Mareeba Shire Council Planning Scheme 2016 (2020 amended) the development assessment needs to address the following local codes/policies:

- **Level of Assessment:** Code Assessable
- **Zone Code:** Rural Zone
- **Local Plan:** N/A
- **Overlays:** Airport Environs, Bushfire Hazard (High Potential Intensity, Medium Potential Intensity and Bushfire Hazard Buffer), Environmental Significance (Waterways, Waterways Buffer, Wildlife Habitat and Regulation Vegetation), Hill and Slope Area, Scenic Amenity (Shire Scenic Route and 500 metre Buffer) and Transport Infrastructure – Minor Rural Road.
- **Development Codes:** Accommodation Activities Code, Landscaping Code, Parking and Access Code, and Works, Services and Infrastructure Code.

Rural zone code

Purpose

- 1) The purpose of the Rural zone code is to:
 - (a) provide for rural uses including cropping, intensive horticulture, intensive animal industries, animal husbandry, animal keeping and other primary production activities;
 - (b) provide opportunities for non-rural uses that are compatible with agriculture, the environmental features, and landscape character of the rural area where the uses do not compromise the long-term use of the land for rural purposes;
 - (c) protect or manage significant natural resources and processes to maintain the capacity for primary production.
- (2) Mareeba Shire Council's purpose of the Rural zone code is to recognise the importance of primary production to the economy of the region and to maintain and strengthen the range of primary industries which contribute to the rural economy. The purpose of the Rural zone code is to:
 - (a) recognise the diversity of rural uses that exists throughout the region;
 - (b) protect the rural character of the region;
 - (c) provide facilities for visitors and tourists that are accessible and offer a unique experience;
 - (d) protect the infrastructure of the Mareeba-Dimbulah Irrigation Scheme Area from development which may compromise long term use for primary production;
 - (e) maintain distinct boundaries between the rural areas and the villages, towns and urban areas of the region;
 - (f) provide for a range of uses, compatible and associated with rural or ecological values including recreational pursuits and tourist activities;
 - (g) prevent adverse impacts of development on ecological values;
 - (h) preserve land in large holdings; and
 - (i) facilitate the protection of strategic corridors across the landscape which link remnant areas of intact habitat and transport corridors.
- (3) The purpose of the Rural zone code will be achieved through the following overall outcomes:
 - (a) Areas for use for primary production are conserved and fragmentation below economically viable lot sizes is avoided;
 - (b) The establishment of a wide range of rural pursuits is facilitated, including cropping, intensive horticulture, forestry, intensive animal industries, animal husbandry and animal keeping and other compatible primary production uses;
 - (c) The establishment of extractive industries, mining and associated activities and alternative forms of energy generation is appropriate where environmental impacts and land use conflicts are minimised;
 - (d) Uses that require isolation from urban areas as a consequence of their impacts such as noise or odour may be appropriate where land use conflicts are minimised;
 - (e) Development is reflective of and responsive to the environmental constraints of the land;
 - (f) Residential and other development is appropriate only where directly associated with the rural nature of the zone; Part 6 — 214 Mareeba Shire Council planning scheme PART 6
 - (g) Low-impact tourism and recreation activities do not compromise the long-term use of the land for rural purposes;
 - (h) The viability of both existing and future rural uses and activities is protected from the intrusion of incompatible uses;
 - (i) Visual impacts of clearing, building, materials, access ways and other aspects of development are minimised or appropriately managed;
 - (j) Adverse impacts of development both on-site and from adjoining areas are avoided and any impacts

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- are minimised through location, design, operation and management; and
- (k) Natural features such as creeks, gullies, waterways, wetlands and bushland are retained, managed, enhanced and separated from adjacent development.

Table 6.2.9.3 – Rural zone code – For accepted development subject to requirements and assessable development

Performance outcomes	Acceptable outcomes	Applicant response
For accepted development subject to requirements and assessable development		
Height		
PO1 Building height takes into consideration and respects the following: (a) the height of existing buildings on adjoining premises; (b) the development potential, with respect to height, on adjoining premises; (c) the height of buildings in the vicinity of the site; (d) access to sunlight and daylight for the site and adjoining sites; (e) privacy and overlooking; and (f) site area and street frontage length.	AO1.1 Development, other than buildings used for rural activities, has a maximum building height of: (a) 8.5 metres; and (b) 2 storeys above ground level.	Complies with AO1.1 Proposed development will not exceed in height of 8.5 metres and will be 1 storey.
	AO1.2 Buildings and structures associated with a rural activity including machinery, equipment, packing or storage buildings do not exceed 10 metres in height.	Not Applicable The development does not propose any rural activities.
Siting, where not involving a Dwelling house – Not Applicable		
Accommodation density		
PO3 The density of Accommodation activities: (a) respects the nature and density of surrounding land use; (b) is complementary and subordinate to the rural and natural landscape values of the area; and (c) is commensurate to the scale and frontage of the site.	AO3.1 Residential density does not exceed one dwelling house per lot	Complies with PO3. (a) Surrounding land uses is consistent with large houses with numerous outbuildings within a site of dense vegetation. The development maintains this density on the surrounding sites. (b) No vegetation will be removed to facilitate the proposed structures, with existing disturbed areas chosen. The sites are well screened by existing vegetation. (c) The secondary dwelling is completely screened from the sites frontage.

Performance outcomes	Acceptable outcomes	Applicant response
	A03.2 Residential density does not exceed two dwellings per lot and development is for: (a) a secondary dwelling; or (b) Caretaker's accommodation and includes building work or minor building work with a maximum gross floor area of 100m ² ; or (c) Rural worker's accommodation	Complies with A03.2 (a). Development is for a second dwelling.
For assessable development		
Uses and other development		
PO4 Buildings and structures occupy the site in a manner that: (a) makes efficient use of land; (b) is consistent with the bulk and scale of buildings in the surrounding area; and (c) appropriately balances built and natural features.	A04 No acceptable outcome is provided.	Complies with PO4. The development: (a) Efficiently uses the site by utilising existing cleared areas (b) Is consistent with the bulk and scale established on the site and local area by maintaining the same scale as the primary building. (c) Maintains the high presence of vegetation of the site, with the secondary dwelling proposed on cleared land.
PO5 Development complements and integrates with the established built character of the Rural zone, having regard to: (a) roof form and pitch; (b) eaves and awnings; (c) building materials, colours and textures; and (d) window and door size and location. <small>Note – Planning scheme policy – Site assessments provides guidance on identifying the characteristics, features and constraints of a site and its surrounds.</small>	A05 No acceptable outcome is provided.	Complies with PO5. The proposed secondary dwelling has been designed to maintain the character of the rural zone with its similar built form to the primary dwelling of the site, including (a) Roof form and pitch, (b) Eaves and awning, (c) Building materials, colours, and textures, and (d) Window and door size and site positioning.
Amenity		
PO6 Development does not adversely affect the residential character and amenity of the area in terms of traffic, noise, dust, odour, lighting	A06 No acceptable outcome is provided.	Complies with PO6. The addition of secondary dwelling on the site will not have an adverse effect on the amenity of the local area and will not significantly

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Performance outcomes	Acceptable outcomes	Applicant response
or other physical or environmental impacts.		impact the traffic, noise, dust, odour, or lighting of the local area.
PO7 Development must take into account and seek to ameliorate any existing negative environmental impacts, having regard to: (a) noise; (b) hours of operation; (c) traffic; (d) advertising devices; (e) visual amenity; (f) privacy; (g) lighting; (h) odour; and (i) emissions.	A07 No acceptable outcome is provided.	Complies with PO7. The proposal has been designed specifically to the restrictions of the site to minimise potential negative environmental impacts.

Bushfire Hazard Overlay Code

Table 8.2.3.3 – Bushfire Hazard Overlay code – For accepted development subject to requirements and assessable development

Performance outcomes	Acceptable outcomes	Applicant response
For accepted development subject to requirements and assessable development		
Water supply for fire-fighting purposes		

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Performance outcomes	Acceptable outcomes	Applicant response
<p>PO1 Development where within a 'Bushfire hazard area' and 'Potential impact buffer (100 metres)' identified on the Bushfire hazard overlay maps (OM-003a-o) maintains the safety of people and property by providing an adequate, accessible and reliable water supply for fire-fighting purposes which is safely located and has sufficient flow and pressure characteristics.</p> <p>Note— A Bushfire hazard management plan must be prepared by suitably qualified persons in seeking to demonstrate compliance with the Performance outcome</p>	<p>Where within a 'Bushfire hazard area' and 'Potential impact buffer (100 metres)' identified on the Bushfire hazard overlay maps (OM-003a-o)</p> <p>AO1.1 Where in a reticulated water service area, the on-site water supply has flow and pressure characteristics of 10 litres a second at 200 kPa. OR AO1.2 Where access to the reticulated water network is not available, a minimum on site water storage of 5,000 litres is provided that must comprise: (a) a separate tank; or (b) a reserve section in the bottom part of the main water supply tank; or (c) a dam; or (d) a swimming pool.</p> <p>Note—Where a water tank is provided for fire-fighting purposes it is fitted with standard rural fire brigade Part 8 — 246 Mareeba Shire Council planning scheme PART 8 Performance outcomes Acceptable outcomes fittings and the tank is provided with a hardstand area for heavy vehicles.</p>	<p>Complies with AO1.1</p> <p>The site has access to the reticulated water service, which will be supplied to the secondary dwelling.</p>
For assessable development		
Land Use		

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Performance outcomes	Acceptable outcomes	Applicant response
<p>PO2 Development within a 'Bushfire hazard area' and 'Potential impact buffer (100 metres)' identified on the Bushfire hazard overlay maps (OM-003a-o) is appropriate to the bushfire hazard risk having regard to the:</p> <ul style="list-style-type: none"> (a) the bushfire risk compatibility of development; (b) the vulnerability of and safety risk to persons associated with the use; and (c) consequences of bushfire in regard to impacts on essential infrastructure, buildings and structures. <p>Note— A Bushfire hazard management plan must be prepared by suitably qualified persons in seeking to demonstrate compliance with the Performance outcome</p>	<p>AO2.1 All buildings, structures, infrastructure and facilities associated with the following uses are located outside any area of the site located within a 'Bushfire hazard area' and a 'Potential impact buffer (100 metres)' identified on the Bushfire hazard overlay maps (OM-003a-o):</p> <ul style="list-style-type: none"> (a) child care centre; or (b) community care centre; or (c) correctional facility; or (d) educational establishment; or (e) emergency services; or (f) hospital; or (g) residential care facility; or (h) retirement facility; or (i) rooming accommodation; or (j) shopping centre; or (k) tourist park; or (l) tourist attraction. 	<p>Not Applicable. The site will maintain the use of dwelling house and does not involve the list land uses of AO2.1.</p>
Lot Design		
<p>PO3 Reconfiguring a lot within a 'Bushfire hazard area' and 'Potential impact buffer (100 metres)' identified on the Bushfire hazard overlay maps (OM-003a-o) minimises the potential adverse impacts of bushfire on the safety of people, property and the environment through lot design that:</p> <ul style="list-style-type: none"> (a) is responsive to the nature and extent of bushfire risk; and (b) allows efficient emergency access to buildings for fire-fighting appliances. <p>Note— A Bushfire hazard management plan must be prepared by suitably qualified persons in seeking to demonstrate compliance with the Performance outcome.</p>	<p>Where within a 'Bushfire hazard area' and 'Potential impact buffer (100 metres)' identified on the Bushfire hazard overlay maps (OM-003a-o)</p> <p>AO3.1 No new lots are created.</p> <p>OR</p> <p>AO3.2 All lots include a building envelope that achieves a radiant heat flux level of 29kW/m² at the perimeter of the building envelope.</p> <p>Note—Where a radiant heat flux of 29kW/m² is achieved and this relies on cleared or maintained land external to the land the subject of the development application it must be demonstrated that land external to the site will be maintained to a standard that does not exceed the level</p>	<p>Complies with AO3.1 The development does not involve the creation of new lots.</p>

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Performance outcomes	Acceptable outcomes	Applicant response
	of bushfire hazard identified in a Bushfire hazard management plan.	
Firebreaks and Access		
<p>PO4</p> <p>In a 'Bushfire hazard area' and 'Potential impact buffer (100 metres)' identified on the Bushfire hazard overlay maps (OM-003a-o), vehicular access is designed to mitigate against bushfire hazard by:</p> <ul style="list-style-type: none"> (a) ensuring adequate access for fire-fighting and other emergency vehicles; (b) ensuring adequate access for the evacuation of residents and emergency personnel in an emergency situation, including alternative safe access routes should access in one direction be blocked in the event of a fire; and (c) providing for the separation of developed areas and adjacent bushland. <p>Note—Where it is not practicable to provide firebreaks in accordance with A04.2 Fire Maintenance Trails are provided in accordance with the following:</p> <ul style="list-style-type: none"> i. located as close as possible to the boundaries of the lot and the adjoining hazardous vegetation; ii. the minimum cleared width not less than 6 metres; iii. the formed width is not less than 2.5 metres; iv. the formed gradient is not greater than 15%; v. vehicular access is provided at both ends; vi. passing bays and turning areas are provided for fire-fighting appliances located on public land. <p>Note— A Bushfire hazard management plan must be prepared by suitably qualified persons in seeking to demonstrate compliance with the Performance outcome.</p>	<p>AO4.1</p> <p>In a 'Bushfire hazard area' and 'Potential impact buffer (100 metres)' identified on the Bushfire hazard overlay maps (OM-003a-o), roads are designed and constructed:</p> <ul style="list-style-type: none"> (a) with a maximum gradient of 12.5%; (b) to not use cul-de-sacs; and (c) a constructed road width and weather standard complying with Planning Scheme Policy 4 - FNQROC Regional Development Manual. <p>AO4.2</p> <p>In a 'Bushfire hazard area' and 'Potential impact buffer (100 metres)' identified on the Bushfire hazard overlay maps (OM-003ao), firebreaks are provided:</p> <ul style="list-style-type: none"> (a) consisting of a perimeter road that separates lots from areas of bushfire hazard; (b) a minimum cleared width of 20 metre; (c) a maximum gradient of 12.5%; and (d) a constructed road width and weather standard complying with Planning Scheme Policy 4 - FNQROC Regional Development Manual. 	<p>Not Applicable. No Roads are proposed. Saddle Mountain Road is now a close private road. However, access is available to fire-fighting and emergency vehicles.</p> <p>Not Applicable. No Roads are proposed. Saddle Mountain Road is now a close private road. However, access is available to fire-fighting and emergency vehicles.</p>

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Performance outcomes	Acceptable outcomes	Applicant response
Hazardous Material – Not Applicable		
Landscaping		
<p>PO6 Landscaping within a 'Bushfire hazard area' and a 'Potential impact buffer (100 metres)' identified on the Bushfire hazard overlay maps (OM-003a-o) does not result in a material increase in the extent, duration or severity of bushfire hazard having regard to:</p> <ul style="list-style-type: none"> (a) fire ecology; (b) slope of site; and (c) height and mix of plant species. <p>Note—Frost hollows and the associated grass kill facilitates a rapid curing of fuel and exacerbates bushfire hazard.</p> <p>Note— A Bushfire hazard management plan must be prepared by suitably qualified persons in seeking to demonstrate compliance with the Performance outcome.</p>	<p>AO6 No acceptable outcome is provided.</p>	<p>Complies with PO6. The development will maintain the existing extent, duration and severity of the potential bushfire hazard by:</p> <ul style="list-style-type: none"> (a) Maintaining the existing uses of the site. (b) Maintaining the existing slopes of the site. The secondary dwelling will be positioned on a clear, flat area. (c) Maintain the existing level and range of plants by adding no new significant vegetation in the development, and removing no vegetation.
Infrastructure		
<p>PO7 Infrastructure services located in a 'Bushfire hazard area' and a 'Potential impact buffer (100 metres)' identified on the Bushfire hazard overlay maps (OM-003a-o) are protected from damage or destruction in the event of a bushfire.</p> <p>Note— A Bushfire hazard management plan must be prepared by suitably qualified persons in seeking to demonstrate compliance with the Performance outcome</p>	<p>AO7 The following infrastructure services are located below ground:</p> <ul style="list-style-type: none"> (a) water supply; (b) sewer; (c) electricity; (d) gas; and (e) telecommunications 	<p>Complies with PO7 Within the lot water, electricity, telecommunications and on site system are located below ground and will be accessible to the secondary dwelling. These infrastructure services are already positioned at the area proposed for the second dwelling as they were previously used for an older dwelling that is no longer there.</p>
Private Driveways		
<p>PO8 All premises located in a 'Bushfire hazard area' and a 'Potential impact buffer (100 metres)' identified on the Bushfire hazard overlay maps (OM-003a-o) are</p>	<p>AO8 Private driveways:</p> <ul style="list-style-type: none"> (a) do not exceed a length of 60 metres from the street frontage; (b) do not exceed a gradient of 12.5%; 	<p>Complies with PO8 – The existing vehicular access enables safe evacuation for occupants and easy access by fire-fighting appliances.</p>

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Performance outcomes	Acceptable outcomes	Applicant response
<p>provided with vehicular access that enables safe evacuation for occupants and easy access by fire-fighting appliances.</p> <p>Note— A Bushfire hazard management plan must be prepared by suitably qualified persons in seeking to demonstrate compliance with the Performance outcome</p>	<p>(c) have a minimum width of 3.5 metres;</p> <p>(d) have a minimum vertical clearance of 4.8 metres;</p> <p>(e) accommodate turning areas for fire-fighting appliances in accordance with the Queensland Fire and Emergency Services' Fire Hydrant and Vehicle Access Guidelines; and</p> <p>(f) serve no more than three dwellings or buildings.</p>	

Environmental Significance Overlay Code

Table 8.2.4.3.A – Environmental significance overlay code – For accepted development subject to requirements and assessable development

Performance outcomes	Acceptable outcomes	Applicant response
For accepted development subject to requirements and assessable development		
Regulated vegetation		
<p>PO1 Vegetation clearing in areas mapped as 'Regulated vegetation' identified on the Environmental Significance Overlay Maps (OM-004a-o) is avoided unless:</p> <p>(a) it is demonstrated that the area does not support regulated vegetation as mapped;</p> <p>(b) the loss or reduction in regulated vegetation is for community infrastructure and associated access facilities that cannot be avoided;</p> <p>(c) wildlife interconnectivity is maintained or enhanced at a local and regional scale; and</p>	<p>AO1 No clearing of native vegetation is undertaken within areas of 'Regulated vegetation' identified on the Environmental Significance Overlay Maps (OM-004a-o).</p>	<p>Complies with AO1. No vegetation is to be cleared in the development. The secondary dwelling and the art studio will be positioned on already cleared areas.</p>

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Performance outcomes	Acceptable outcomes	Applicant response
<p>(d) the loss or reduction in regulated vegetation is minimised and any residual impacts are offset.</p> <p>Note—A supporting Ecological Assessment Report is prepared in accordance with Planning Scheme Policy 2 – Ecological Assessment Reports.</p>		
<p>PO2 Development on sites adjacent to areas of ‘Regulated vegetation’ identified on the Environmental Significance Overlay Maps (OM-004a-o) protects the environmental significance of regulated vegetation and:</p> <p>(a) does not interrupt, interfere, alter or otherwise impact on underlying natural ecosystem processes such as water quality, hydrology, geomorphology and biophysical processes;</p> <p>(b) does not negatively impact the movement of wildlife at a local or regional scale; and</p> <p>(c) avoids noise, light, vibration or other edge affects, including weed and pest incursion on identified environmental values.</p> <p>Note—A supporting Ecological Assessment Report is prepared in accordance with Planning Scheme Policy 2 – Ecological Assessment Reports.</p>	<p>AO2 Development (excluding roads, earthworks, drainage infrastructure and underground infrastructure) is not located within 20 metres of ‘Regulated vegetation’ areas identified on the Environmental Significance Overlay Maps (OM-004a-o).</p>	<p>Complies with AO2. The proposed development is positioned outside of 20 metres from the regulated vegetation area on the site in a clear area.</p>
Regulated vegetation intersecting a watercourse		

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Performance outcomes	Acceptable outcomes	Applicant response
PO3 Vegetation clearing in areas mapped as 'Regulated vegetation intersecting a watercourse', identified as 'Waterway' and 'Waterway buffer' on the Environmental Significance - Waterway Overlay Maps (OM-004p-z) is avoided unless wildlife interconnectivity between habitats is maintained or enhanced at a local and regional scale, to the extent that migration or normal movement of significant species between habitats or normal gene flow between populations is not inhibited. Note—A supporting Ecological Assessment Report is prepared in accordance with Planning Scheme Policy 2 – Ecological Assessment Reports	Where within a 'Waterway buffer' on Environmental Significance - Waterway Overlay Maps (OM-004p-z) AO3.1 A minimum setback in accordance with Table 8.2.4.3B is provided between development and the top of the high bank of a 'Waterway' identified on the Environmental Significance - Waterway Overlay Maps (OM-004p-z) .	Complies with AO3.1 The proposed position of the second dwelling is further than 50 metres from the waterway on the site.
	Where within a 'Waterway buffer' on Environmental Significance - Waterway Overlay Maps (OM-004p-z) AO3.2 No clearing of native vegetation is undertaken within the minimum setback identified at AO3.1 .	Complies with AO3.2 No significant vegetation is to be cleared on the site.
Waterways and wetlands		
PO4 'High ecological significance wetlands' identified on the Environmental Significance Overlay Maps (OM-004a-o) and 'Waterways' on Environmental Significance - Waterway Overlay Maps (OM-004p-z) and are protected by: (a) maintaining adequate separation distances between waterways/wetlands and development; (b) maintaining and enhancing aquatic and terrestrial habitat including vegetated corridors to allow for native fauna (terrestrial and aquatic) movement; (c) maintaining waterway bank stability by minimising bank erosion and slumping; (d) maintaining water quality by providing buffers to allow	Where within a 'Waterway buffer' on Environmental Significance - Waterway Overlay Maps (OM-004p-z) AO4.1 A minimum setback in accordance with Table 8.2.4.3B is provided between development and the top of the high bank of a 'Waterway' identified on the Environmental Significance - Waterway Overlay Maps (OM-004p-z) .	Complies with AO3.1 The proposed position of the second dwelling is further than 50 metres from the waterway on the site.
	Where within a 'High ecological significance wetland buffer' on Environmental Significance Overlay Maps (OM-004a-o) AO4.2 A minimum buffer of 200 metres is provided between development and the edge of a 'High ecological	Not Applicable. The site is not within the High Ecological significance wetland buffer.

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Performance outcomes	Acceptable outcomes	Applicant response
filtering of sediments, nutrients and other pollutants; and (e) retaining and improving existing riparian vegetation and existing vegetation associated with a wetland. Note—A supporting Ecological Assessment Report is prepared in accordance with Planning Scheme Policy 2 – Ecological Assessment Reports.	significance wetland' identified on the Environmental Significance Overlay Maps (OM-004a-o) .	
	<p>Where within a 'Waterway buffer' on Environmental Significance - Waterway Overlay Maps (OM-004p-z) or 'High ecological significance wetland buffer' on Environmental Significance Overlay Maps (OM-004a-o)</p> <p>AO4.3 No stormwater is discharged to a 'Waterway' on Environmental Significance - Waterway Overlay Maps (OM-004p-z) or 'High ecological significance wetland' identified on the Environmental Significance Overlay Maps (OM-004a-o).</p> <p>Note— An alternative outcome is required to demonstrate that the ecological impacts of stormwater</p>	<p>Complies with AO4.3 No stormwater from the site is planned to be discharged to the waterway on the site due to the development.</p>
	<p>Where within a 'Waterway buffer' on Environmental Significance - Waterway Overlay Maps (OM-004p-z) or 'High ecological significance wetland buffer' on Environmental Significance Overlay Maps (OM-004a-o)</p> <p>AO4.4 No wastewater is discharged to a 'Waterway' on Environmental Significance - Waterway Overlay Maps (OM-004p-z) or 'High ecological significance wetland' identified on the Environmental Significance Overlay Map (OM-004a-z).</p> <p>Note— A alternative outcome is required to demonstrate that the ecological impacts of wastewater discharge to a 'Waterway' or 'High ecological significance wetland' are mitigated in accordance with PO3 through appropriate wastewater management / treatment (where possible)</p>	<p>Complies with AO4.4 No wastewater from the site is planned to be discharged to the waterway on the site due to the development.</p>

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Performance outcomes	Acceptable outcomes	Applicant response
For assessable development		
Wildlife Habitat		
<p>PO5 Development within a ‘Wildlife habitat’ area identified on the Environmental Significance Overlay Maps (OM-004a-o):</p> <ul style="list-style-type: none"> (a) protects and enhances the habitat of Endangered, Vulnerable and Near Threatened (EVNT) species and local species of significance; (b) incorporates siting and design measures to protect and retain identified ecological values and underlying ecosystem processes within or adjacent to the development site; (c) maintains or enhances wildlife interconnectivity at a local and regional scale; and (d) mitigates the impact of other forms of potential disturbance (such as presence of vehicles, pedestrian use, increased exposure to domestic animals, noise and lighting impacts) to protect critical life stage ecological processes (such as feeding, breeding or roosting). <p>Note—Development applications must identify any EVNT species or their habitats that may be affected by the proposal. In particular, applications are to identify and describe how the development avoids adverse impacts on ecological processes within or adjacent to the development area.</p> <p>Note—A supporting Ecological Assessment Report is prepared in accordance with Planning Scheme Policy 2 – Ecological Assessment Reports.</p>	<p>AO5 No acceptable outcome is provided.</p>	<p>Complies with PO5. The development will maintain the existing heavy vegetation on the site, with development only on already cleared areas. The development:</p> <ul style="list-style-type: none"> (a) Protects the existing heavy vegetation on the site from development which will be positioned in already cleared areas. (b) Retains ecological values of heavy vegetation through the siting of proposed buildings on cleared areas. (c) Maintain wildlife interconnectivity by maintaining existing vegetation coverage. (d) Will not have any adverse impacts on the ecological processes, maintaining the existing heavy vegetation on the site.

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Performance outcomes	Acceptable outcomes	Applicant response
Legally secured offset areas – Not Applicable		
Protected Areas – Not Applicable		
Ecological corridors and Habitable linkages – Not Applicable		

Hill and Slope Overlay Code

Table 8.2.8.3 – Hill and Slope overlay code – For accepted development subject to requirements and assessable development

Performance outcomes	Acceptable outcomes	Applicant response
For accepted development subject to requirements and assessable development		
Slope Stability		
PO1 Where clearing of vegetation, building work or filling or excavation occurs on land within a 'Hill and slope area' identified on the Hill and slope overlay maps (OM-008a-o) , a geotechnical report is prepared in accordance with Planning Scheme Policy 5 - Preparation of Geotechnical Reports that demonstrates: (a) the long term stability of the development site; (b) development will not be adversely affected by landslide activity originating on sloping land above the development site; and (c) development will not adversely affect other property outside the development site through landslide activity or alterations to surface or groundwater	AO1 No acceptable outcome is provided	Not Applicable. The development does not propose any clearing of vegetation, building works, nor filling or excavations.

Saddle Mountain Road, Kuranda.

Performance outcomes	Acceptable outcomes	Applicant response
PO2 Development is designed and located to ensure that the use can appropriately function in the 'Hill and slope area' identified on the Hill and slope overlay maps (OM-008a-o) having regard to: (a) the nature and scale of the proposed use; (b) the gradient of the land; (c) the extent of land disturbance proposed; (d) stormwater discharge and its potential for erosion.	AO2.1 Development for a Child care centre or Educational establishment is not located on land in a 'Hill and slope area' identified on the Hill and slope overlay maps (OM-008a-o) .	Complies. Development is for a secondary dwelling.
	AO2.2 Development is not located on land with a gradient of greater than 25%.	Complies. The secondary dwelling will be positioned on clear and relatively flat land, close to the existing dwelling.
	AO2.3 No lot less than 2,000m ² is created in a 'Hill and slope area' identified on the Hill and slope overlay maps (OM-008a-o) . Note – Where a minimum lot size of less than 2,000m ² applies under the Reconfiguring a lot code, the lot size requirements of the Hill and slope overlay code prevail.	Not Applicable. The development does not propose the creation of any new lots.
Community Infrastructure and Essential Services – Not Applicable		

Scenic Amenity Overlay Code

Table 8.2.11.3 – Scenic Amenity overlay code – For accepted development subject to requirements and assessable development

Performance outcomes	Acceptable outcomes	Applicant response
For accepted development subject to requirements and assessable development		
Where adjoining a Local scenic route – Not Applicable		
Iconic landscape features – Not Applicable		
Where within the shire scenic route 500 metre buffer		

Performance outcomes	Acceptable outcomes	Applicant response
PO3 Shire scenic routes' identified on Scenic amenity overlay map (OM-011b) are maintained and enhanced: (a) to contribute to the rural landscape character of the shire; (b) to promote the appreciation of the natural environment; (c) through the sensitive location and design of land uses, buildings and structures; and (d) through the retention and enhancement of the attributes or values which give rise to the attractiveness of the subject site.	AO3 No acceptable outcome is provided	Complies with PO3 Only a small portion of the site is within the shire scenic route 500 metre buffer. This area is not planned for development. (a) The site maintains the rural landscape character by maintaining the presence of its heavy vegetation and low presence of built environment. (b) Significant vegetation will not be removed and the site will maintain its presence of heavy vegetation. (c) Area within the shire scenic route buffer is not planned for development. (d) Area within the shire scenic route buffer is not planned for development.
If for Extractive industry or Telecommunication facility – Not Applicable		

Accommodation Activities Code

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

Performance outcomes	Acceptable outcomes	Applicant response
For accepted development subject to requirements and assessable development		
All Accommodation activities, apart from Dwelling House – Not Applicable		
All Accommodation activities, apart from Tourist park and Dwelling House – Not Applicable		
All Accommodation activities, except for Dwelling House – Not Applicable		
If for Caretaker's Accommodation – Not Applicable		
If for Dwelling House		
PO6 Where a Dwelling house involves a secondary dwelling, it is designed and located to: (a) not dominate the site; (b) remain subservient to the primary dwelling; and	AO6.1 The secondary dwelling is located within: (a) 10 metres of the primary dwelling where on a lot that has an area of 2 hectares or less; or	Complies with PO6. a) The site 39.4 ha in area. The secondary dwelling will not dominate the site. (b) The primary dwelling is larger than the proposed secondary dwelling. (c)

Saddle Mountain Road, Kuranda.

Performance outcomes	Acceptable outcomes	Applicant response
(c) be consistent with the character of the surrounding area;	(b) 20 metres of the primary dwelling where on a lot that has an area of greater than 2 hectares.	The local area is surrounded lots with heavy vegetation. This will be maintain on the site with no significant vegetation being removed.
	AO6.2 A secondary dwelling had a maximum gross floor of 100m ²	Complies with PO6. The secondary dwelling has a site area of approximately 108m ² , just slightly more than the maximum gross floor area of AO6.2. (d) The site 39.4 ha in area. The secondary dwelling will not dominate the site. (e) The primary dwelling is larger than the proposed secondary dwelling and fronts the driveway of the site. (f) The local area is surrounded lots with heavy vegetation. This will be maintain on the site with no significant vegetation being removed.
If for Dual Occupancy – Not Applicable		
If for Multiple Dwelling, Residential care facilities or Retirement facility – Not Applicable		
If for Residential care facility or Retirement facility – Not Applicable		
If for Home based business – Not Applicable		
If for Rural workers' accommodation – Not Applicable		
For Assessable development		
If for Caretaker's Accommodation – Not Applicable		
If for Residential care facility or Retirement facility – Not Applicable		
If for a Tourist park – Not Applicable		

Applicable Overlay Codes

Overlay Code	Response
Airport Environs Overlay Code	Complies. The proposal is for a secondary dwelling house only, and will not result in any buildings of significant height, nor activities that would disrupt the operation of the airports, aerodromes and aviation infrastructure in Mareeba Shire.
Transport Infrastructure Overlay Code	Complies. The proposal will not result in any operational nor building works. The addition of a secondary dwelling on the site will not have any adverse impacts on the efficiency of the transport network or the active transport network and will abide by all relevant standards.

Applicable Development Codes

Development Code	Response
Landscaping Code	Complies. No existing vegetation will be removed, and the tropical amenity and character of the region will be maintained. The lot sizes and shapes provided appropriately facilitate the space necessary for landscaping, access, servicing and future building works.
Parking and Access Code	Complies. The proposal will not result in any operational nor building works. The addition of a secondary dwelling on the site will not have any adverse impacts on the parking nor access of the site and will abide by all relevant standards.
Works, Services and Infrastructure Code	Complies. No changes will be made to the existing infrastructure that service the site. The proposed secondary dwelling will have access to the existing connections for water and electricity that were established through a previous building that positioned on the same location but is no longer present as it burnt down. The art studio will not be connected to any services.

4.0 CONCLUSION

It's considered that the proposed development is consistent with the codes applicable to this development application. It's considered that this planning report has demonstrated that no major non-compliances have been observed.

Saddle Mountain Road, Kuranda.

Image 1: Proposed Secondary Dwelling location, in original house location, large existing clearing.



Image 2: Proposed art studio located in existing clearing.



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)	Eva Stuwe C/o McPeake Town Planning QLD Pty Ltd
Contact name (only applicable for companies)	James McPeake
Postal address (P.O. Box or street address)	PO Box 5829 Cairns QLD 4870
Suburb	
State	
Postcode	
Country	
Contact number	0481 869 671
Email address (non-mandatory)	approvals@jamesmcpeake.com.au
Mobile number (non-mandatory)	
Fax number (non-mandatory)	
Applicant's reference number(s) (if applicable)	

2) Owner's consent	
2.1) Is written consent of the owner required for this development application?	
<input type="checkbox"/> Yes – the written consent of the owner(s) is attached to this development application	
<input checked="" type="checkbox"/> 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
			Saddle Mountain Road	Kuranda
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)
		10	SP178003	MSC
b)	Unit No.	Street No.	Street Name and Type	Suburb
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)

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

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

- ☐ Coordinates of premises by longitude and latitude

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

- ☐ Coordinates of premises by easting and northing

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

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):*

Secondary Dwelling

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 type="checkbox"/> Yes – complete division 2
Operational work	<input type="checkbox"/> Yes – complete division 3
Building work	<input type="checkbox"/> Yes – complete <i>DA Form 2 – Building work details</i>

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)
Secondary Dwelling	Secondary Dwelling	1	108m 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? (tick all applicable boxes)	
<input type="checkbox"/> Subdivision (complete 10))	<input type="checkbox"/> Dividing land into parts by agreement (complete 11))
<input type="checkbox"/> Boundary realignment (complete 12))	<input type="checkbox"/> Creating or changing an easement giving access to a lot from a constructed road (complete 13))

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

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

12) Boundary realignment			
12.1) What are the current and proposed areas for each lot comprising the premises?			
Current lot		Proposed lot	
Lot on plan description	Area (m ²)	Lot on plan description	Area (m ²)
12.2) What is the reason for the boundary realignment?			

13) What are the dimensions and nature of any existing easements being changed and/or any proposed easement? (attach schedule if there are more than two easements)				
Existing or proposed?	Width (m)	Length (m)	Purpose of the easement? (e.g. pedestrian access)	Identify the land/lot(s) benefitted by the easement

Division 3 – Operational work

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

14.1) What is the nature of the operational work?	
<input type="checkbox"/> Road work <input type="checkbox"/> 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
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 <i>Transport Infrastructure Act 1994</i>:
<input type="checkbox"/> Ports – Brisbane core port land <i>(where inconsistent with the Brisbane port LUP for transport reasons)</i>
<input type="checkbox"/> Ports – Strategic port land
Matters requiring referral to the relevant port operator , if applicant is not port operator:
<input type="checkbox"/> Ports – Land within Port of Brisbane's port limits <i>(below high-water mark)</i>
Matters requiring referral to the Chief Executive of the relevant port authority:
<input type="checkbox"/> Ports – Land within limits of another port <i>(below high-water mark)</i>
Matters requiring referral to the Gold Coast Waterways Authority:
<input type="checkbox"/> Tidal works or work in a coastal management district <i>(in Gold Coast waters)</i>
Matters requiring referral to the Queensland Fire and Emergency Service:
<input type="checkbox"/> Tidal works or work in a coastal management district <i>(involving a marina (more than six vessel berths))</i>

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

PART 6 – INFORMATION REQUEST

19) Information request under Part 3 of the DA Rules
<input checked="" type="checkbox"/> I agree to receive an information request if determined necessary for this development application
<input type="checkbox"/> I do not agree to accept an information request for this development application
Note: 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.dsdmp.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.dsdmp.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

☒ Yes

Note: See the Planning Regulation 2017 for referral requirements

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

☐ Yes

☒ Not applicable

Supporting information addressing any applicable assessment benchmarks is with the development application

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](#).

☒ Yes

Relevant plans of the development are attached to this development application

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

☒ Yes

The portable long service leave levy for QLeave has been paid, or will be paid before a development permit is issued (see 21)

☐ Yes

☒ Not applicable

25) Applicant declaration

☒ By making this development application, I declare that all information in this development application is true and correct

☒ 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 *Electronic Transactions Act 2001*

Note: It is unlawful to intentionally provide false or misleading information.

Privacy – Personal information collected in this form will be used by the assessment manager and/or chosen assessment manager, any 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.

Personal information will not be disclosed for a purpose unrelated to the *Planning Act 2016*, Planning Regulation 2017 and the DA Rules except where:

- such disclosure is in accordance with the provisions about public access to documents contained in the *Planning Act 2016* and the Planning Regulation 2017, and the access rules made under the *Planning Act 2016* and Planning Regulation 2017; or
- required by other legislation (including the *Right to Information Act 2009*); or
- otherwise required by law.

This information may be stored in relevant databases. The information collected will be retained as required by the *Public Records Act 2002*.

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	



Cadastral boundary measurements
derived from QLD Globe.

Aerial image from QLD Globe



Proposed Site Plan
Saddle Mountain Road
Lot 10 on SP178003
Cairns Regional

Client: Eva Stuwe

Scale 1:250
Revision a - original issue - 19/11/2021
Dwg no: Stuwe P01 a

Door Schedule					
Mark	Room	Height	Width	Comments	Description
D05	DINING	2575 mm	3350 mm	OPENING SIZE	SLIDING GLASS DOOR
D06	BED 1	2040 mm	820 mm	DOOR LEAF SIZE	820 SINGLE SWING DOOR
D07	BED 2	2040 mm	820 mm	DOOR LEAF SIZE	820 SINGLE SWING DOOR
D10	LIVING	2040 mm	820 mm	OPENING SIZE	820 SINGLE SWING DOOR
D12	DINING	2575 mm	3350 mm	OPENING SIZE	SLIDING GLASS DOOR
D13	DINING	2575 mm	2600 mm	OPENING SIZE	SLIDING GLASS DOOR

Window Schedule					
Mark	Room	Height	Width	Head Height	Description
W04	BED 2	600 mm	1800 mm	2100 mm	SLIDING GLASS WINDOW
W05	BED 2	1500 mm	1800 mm	2100 mm	SLIDING GLASS WINDOW
W06	BED 1	1500 mm	1800 mm	2100 mm	SLIDING GLASS WINDOW
W07	BED 1	600 mm	1800 mm	2100 mm	SLIDING GLASS WINDOW
W10	BATH	600 mm	800 mm	2100 mm	SLIDING GLASS WINDOW
W12	BATH	600 mm	800 mm	2100 mm	SLIDING GLASS WINDOW
W13	LIVING	1800 mm	750 mm	2100 mm	1 PANEL GLASS LOUVRES

2

3

1

4

ELEVATION KEY

FLOOR AREAS LEGEND

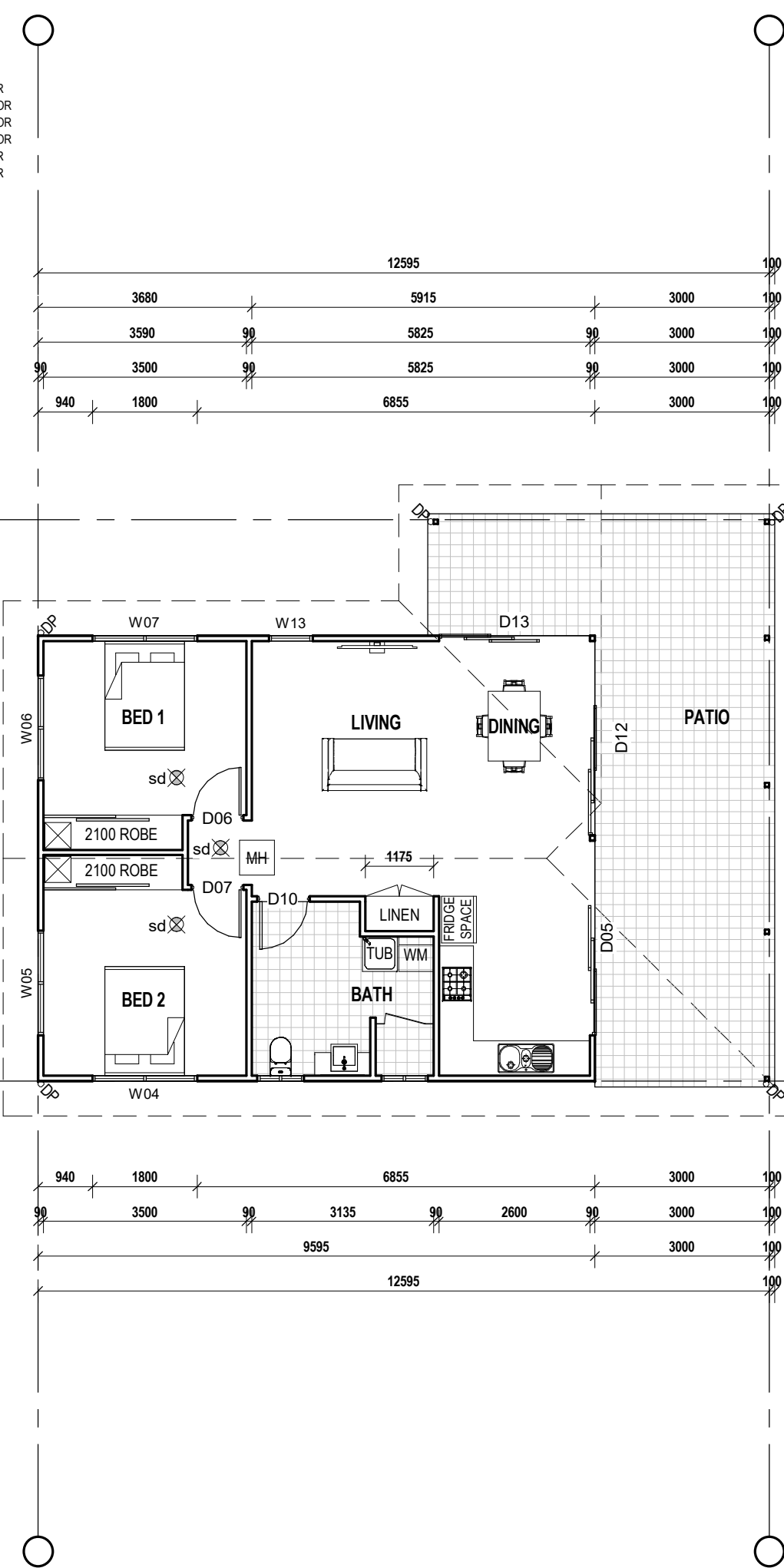
LIVING

73.59 m²

PATIO

34.57 m²

108.16 m²



Owners Approval of Preliminary Plans

Owners: _____

Date: _____

DESIGN WIND SPEED - C2 SOIL CLASSIFICATION - M

A	19/05/20	CONSTRUCTION ISSUE
No.	DATE	DESCRIPTION

VARIATIONS INCLUDED IN THIS DRAWING

DRAWING TITLE

FLOOR PLAN

SHEET NO. 03 PRINT TIME: 12/01/2022 10:39:57 AM

PRELIMINARY: 12/01/22 CONSTRUCTION: -

A3	SCALE:	ISSUE:
	1:100 AT A3	A
		DRAWN BY: MB

PRELIMINARY ISSUE

SSHINQ JOB No. - DRAWING No. 20031201

PROJECT
PROPOSED RESIDENCE
Lot 2 on RP.727725
19 BLACK MOUNTAIN ROAD
KURANDA

CLIENT
EVA & MARKUS STUWE

QBCC: 1117525

QLD

KIT HOMES

Affordability Without Compromise

34/5 FACULTY CLOSE, SMITHFIELD

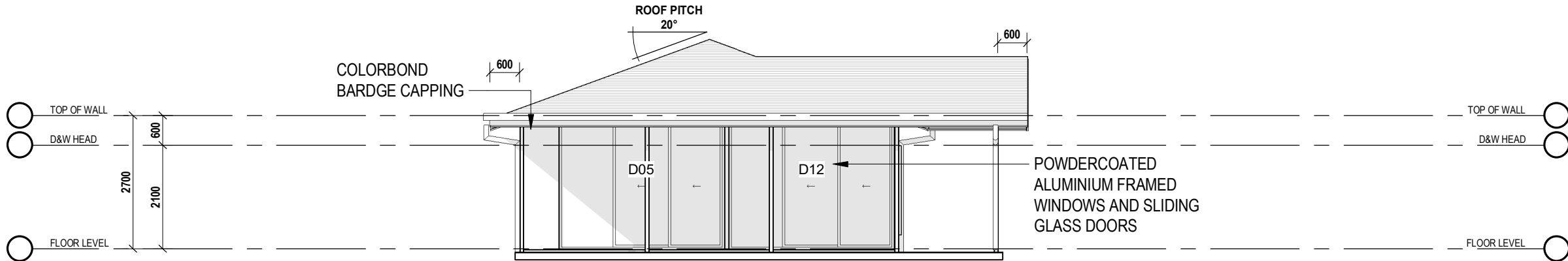
PH: (07) 4038 3900

FAX: (07) 4027 9613

WEB: www.qldkithomes.com.au

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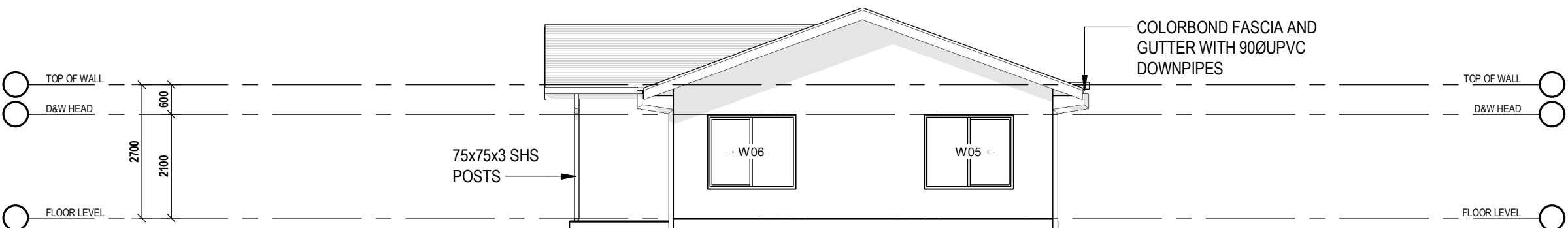
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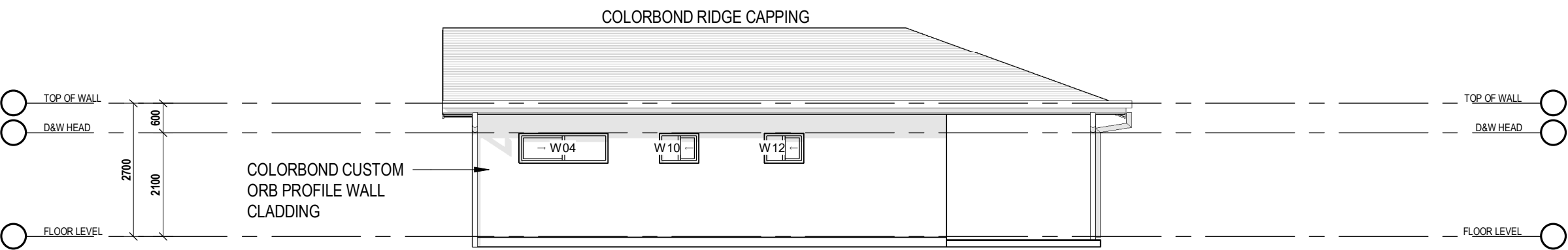
ELEVATION 1



ELEVATION 2



ELEVATION 3



ELEVATION 4

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Date: _____

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A 19/05/20 CONSTRUCTION ISSUE

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A3 SCALE: 1:100 AT A3 ISSUE: A DRAWN BY: MB

PRELIMINARY ISSUE

SSHING JOB No. - DRAWING No. 20031201

PROJECT
PROPOSED RESIDENCE
Lot 2 on RP.727725
19 BLACK MOUNTAIN ROAD
KURANDA

CLIENT
EVA & MARKUS STUWE

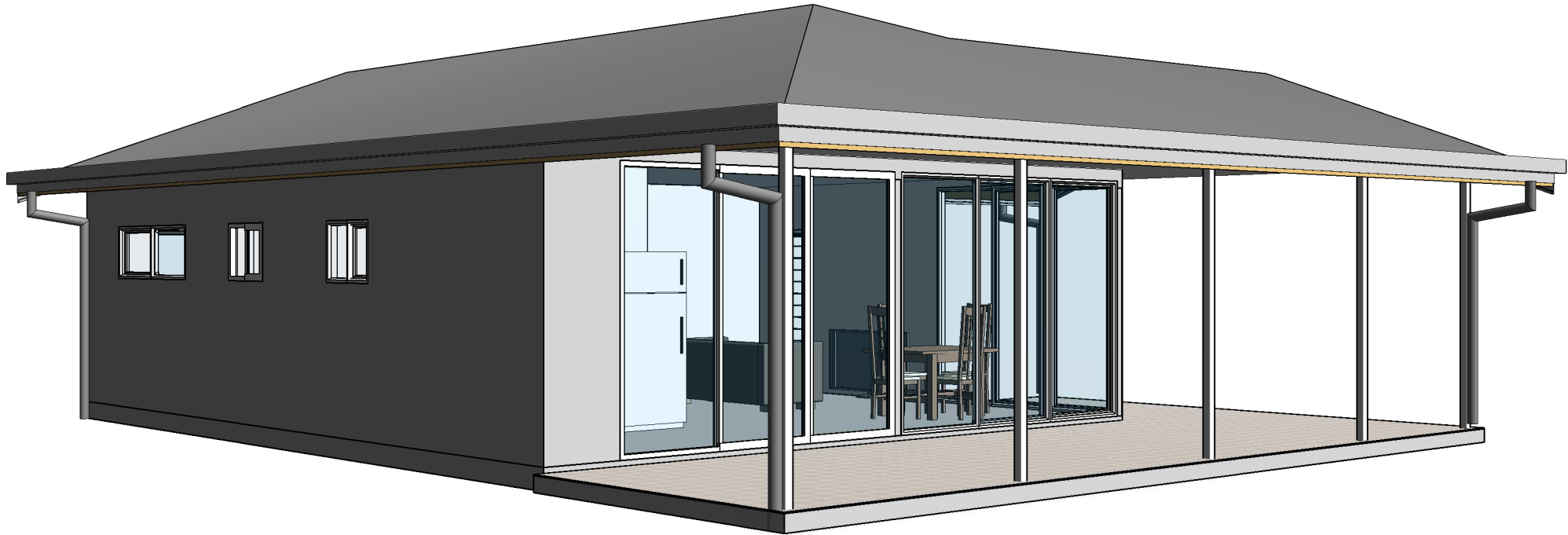
QBCC: 1117525

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Owners: _____

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No.	DATE	DESCRIPTION

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3D VIEWS

SHEET NO. 05 PRINT TIME: 12/01/2022 10:39:59 AM

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PROJECT
PROPOSED RESIDENCE
Lot 2 on RP.727725
19 BLACK MOUNTAIN ROAD
KURANDA

CLIENT
EVA & MARKUS STUWE

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Door Schedule					
Mark	Room	Height	Width	Type Comments	Description
D01	STUDIO	2040 mm	820 mm	DOOR LEAF SIZE	820 SINGLE SWING DOOR
D03	BATH	2100 mm	1510 mm	OPENING SIZE	720 CAVITY SLIDING DOOR
D05	STUDIO	2100 mm	4300 mm	OPENING SIZE	OXXO SLIDING GLASS DOOR

Window Schedule					
Mark	Room	Height	Width	Head Height	Description
W01	STUDIO	1500 mm	1800 mm	2100 mm	SLIDING GLASS WINDOW
W02	BATH	400 mm	1200 mm	2100 mm	SLIDING GLASS WINDOW
W03	STUDIO	740 mm	1300 mm	2965 mm	FIXED ANGLED HEAD WINDOW
W04	STUDIO	1000 mm	1500 mm	3225 mm	FIXED ANGLED HEAD WINDOW
W05	STUDIO	1000 mm	1500 mm	3225 mm	FIXED ANGLED HEAD WINDOW

2

3

1

4

ELEVATION KEY

FLOOR AREAS LEGEND

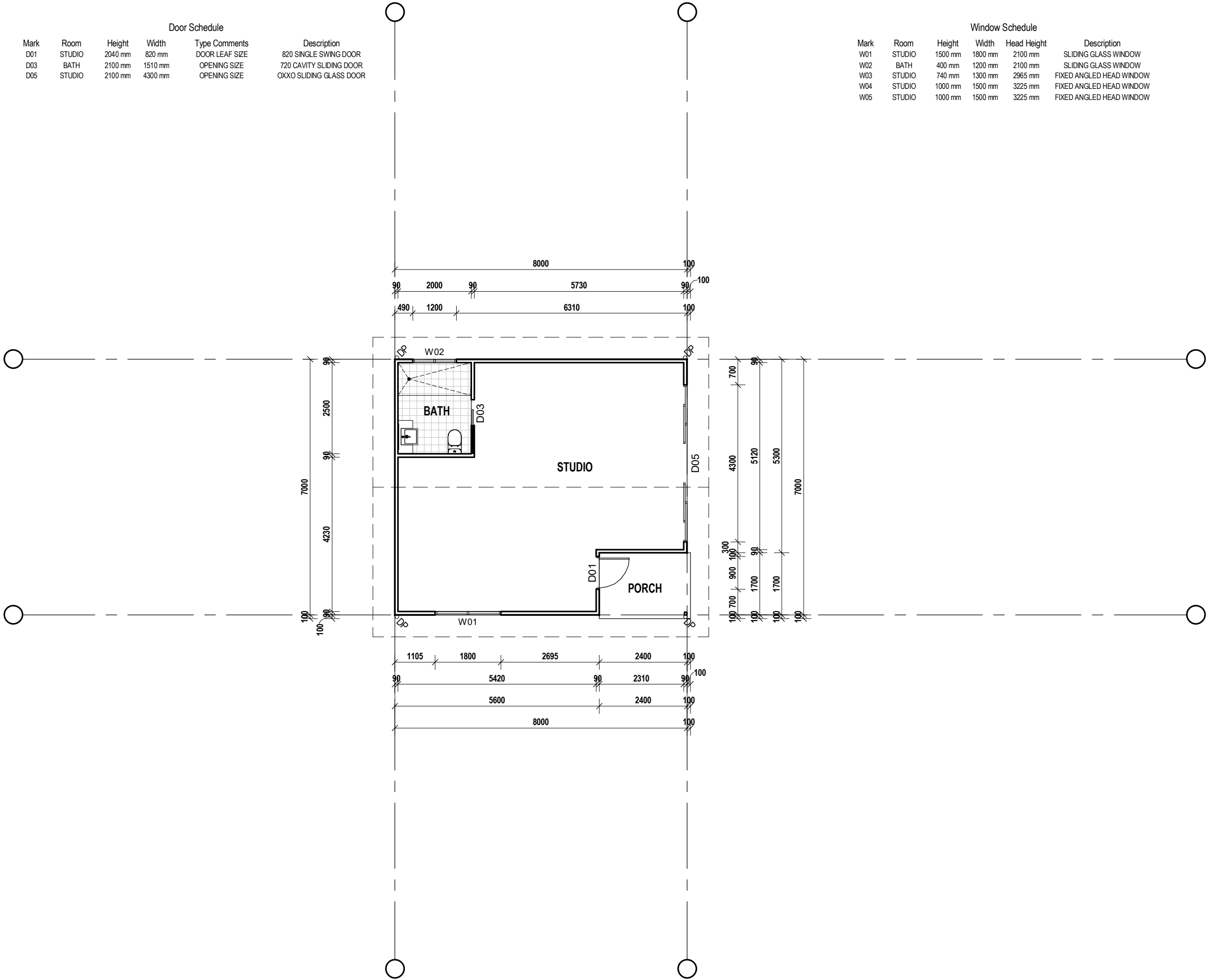
STUDIO

51.92 m²

PORCH

4.08 m²

56.00 m²



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Owners: _____

Date: _____

DESIGN WIND SPEED - C- SOIL CLASSIFICATION - TBA

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No.	DATE	DESCRIPTION

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FLOOR PLAN

SHEET NO. 03 PRINT TIME: 25/01/2022 10:35:21 AM

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		DRAWN BY: WE

PRELIMINARY ISSUE

SSHNG JOB No. - DRAWING No. 12/01/21

PROJECT
PROPOSED STUDIO
Lot ?? on SP.?????
SADDLE MOUNTAIN ROAD
KURANDA

CLIENT
EVA & MARKUS STUWE

QBCC: 1117525

QLD

KIT HOMES

Affordability Without Compromise

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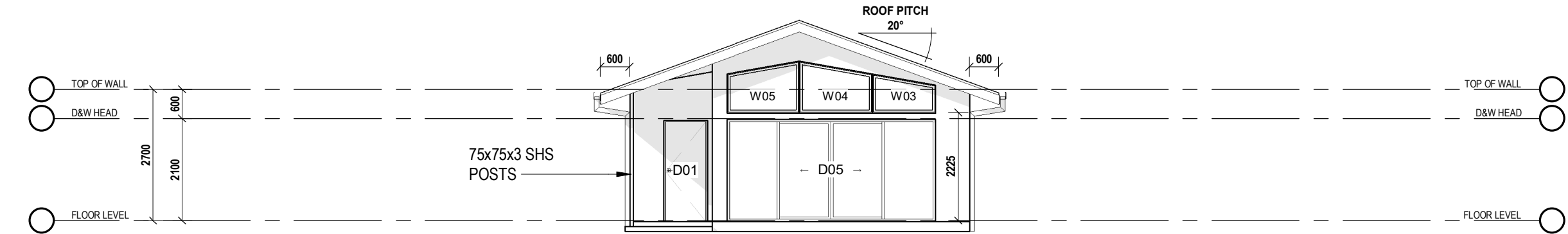
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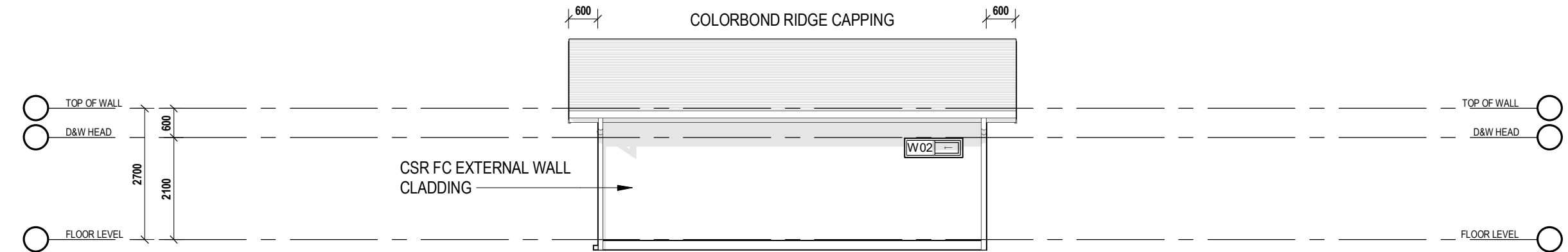
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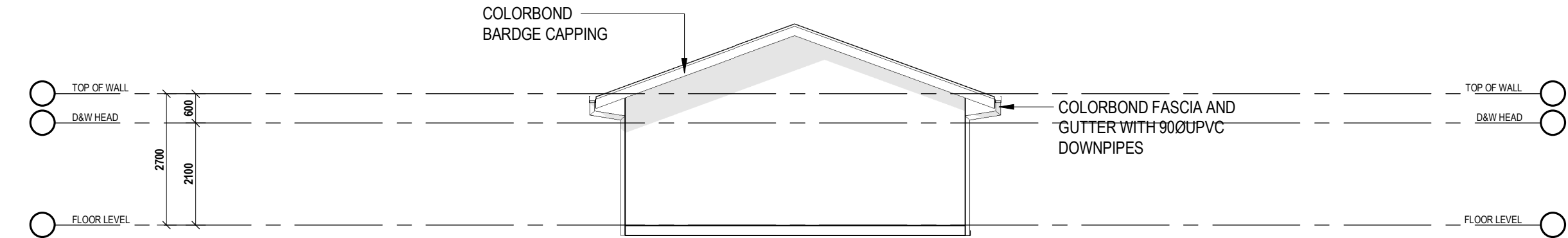
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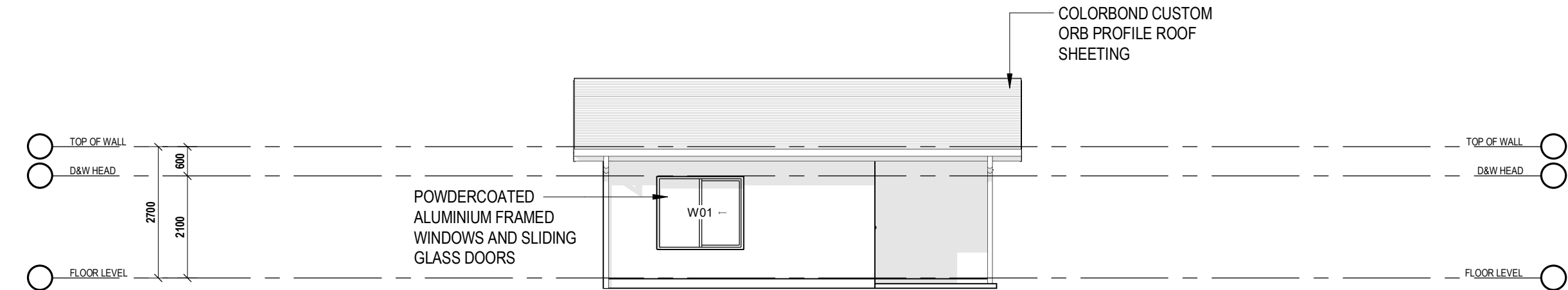
ELEVATION 1



ELEVATION 2



ELEVATION 3



ELEVATION 4

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Date: _____

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No.	DATE	DESCRIPTION

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ELEVATIONS

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PRELIMINARY ISSUE

SSHING JOB No. - DRAWING No. 12/01/21

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PROPOSED STUDIO
Lot ?? on SP.?????
SADDLE MOUNTAIN ROAD
KURANDA

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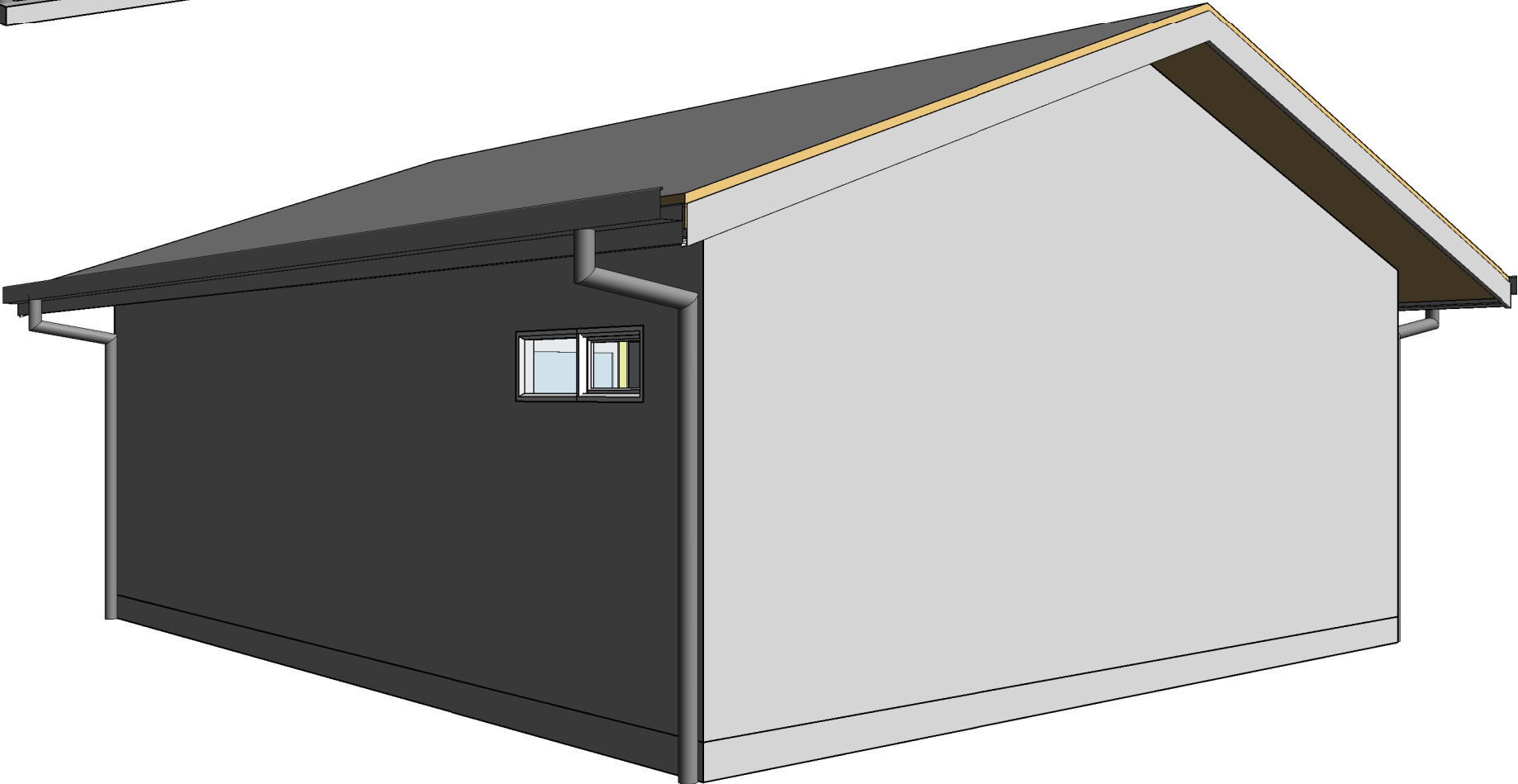
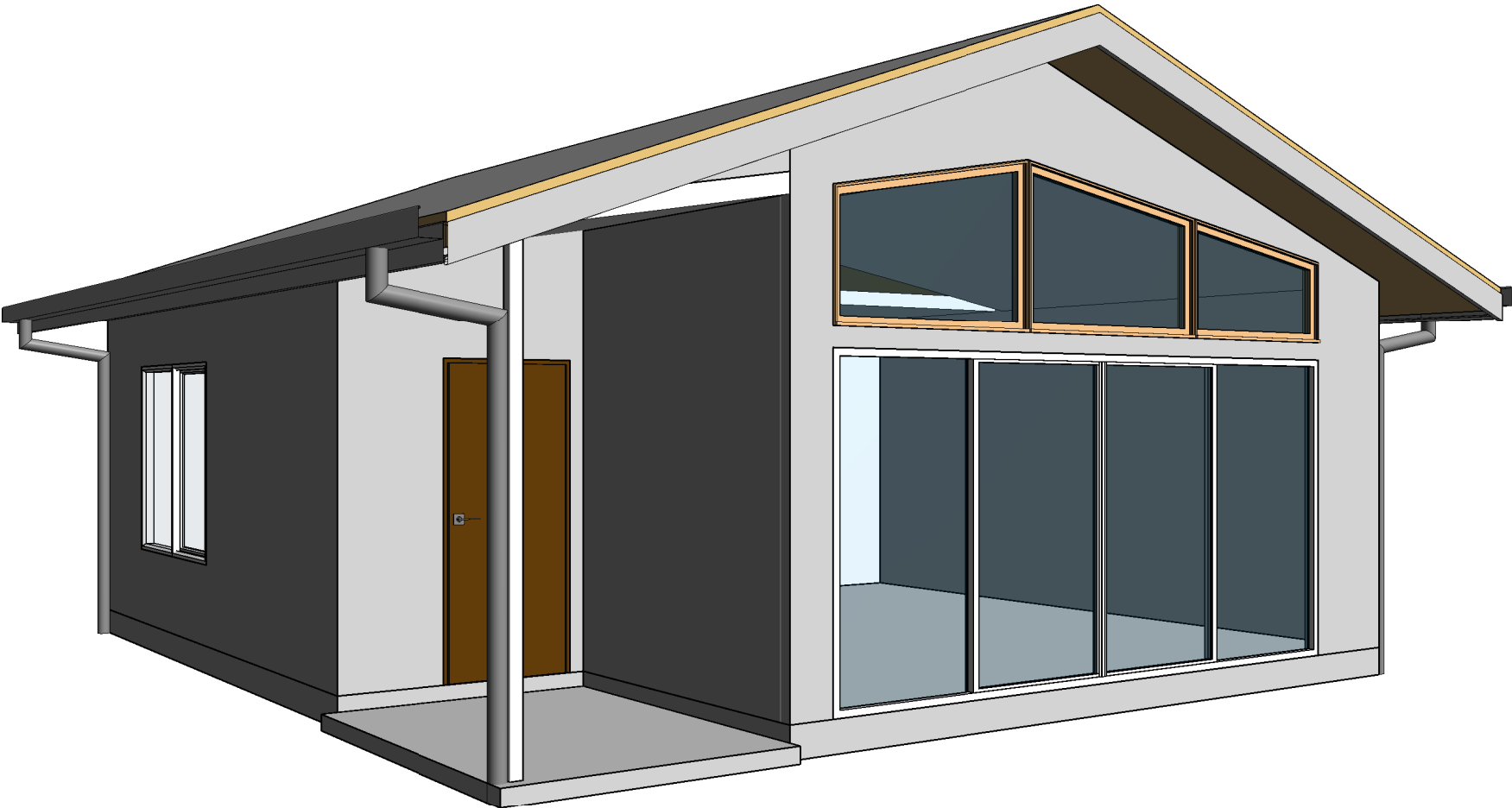
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Owners: _____

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No.	DATE	DESCRIPTION
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3D VIEWS

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PRELIMINARY: 12/01/21 CONSTRUCTION: -

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	DRAWN BY:	WE

PRELIMINARY ISSUE

SSHING JOB No. - DRAWING No. 12/01/21

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Lot ?? on SP.?????
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