

**Our Ref: M10-22**

1 April 2022

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

**Attention: Planning Department**

Dear Sir/Madam,

**DEVELOPMENT APPLICATION SEEKING A DEVELOPMENT PERMIT FOR A  
MATERIAL CHANGE OF USE – EXTENSION TO LOW IMPACT INDUSTRY  
(MOTOR VEHICLE REPAIR WORKSHOP) AND ENVIRONMENTALLY RELEVANT ACTIVITY (MOTOR VEHICLE  
WORKSHOP OPERATION)  
LOCATED AT – 313-315 BYRNES STREET, MAREEBA  
FORMALLY DESCRIBED AS - LOT 1 ON SP245578**

We have been commissioned by Macmard Pty Ltd, in preparing and submitting the following development application which seeks a Development Permit to extend its existing Motor Vehicle Repair Workshop area under the Planning Act 2016, located at 313-315 Byrnes Street, Mareeba.

The subject land parcel that incorporates the existing use is located within the centre zoned area along Byrnes Street. The subject site covers a total area of 4,048m<sup>2</sup> with approximately 70m frontage to Byrnes Street and approximately 50m to Lerra Street. The proposed application seeks to extend the footprint of the existing motor vehicle repair workshop, which is an ancillary use to the motor vehicle showroom located upon the site. The proposed material change of use triggers a **code assessable** development application.

By way of this development application, the applicant is seeking specific approval to undertake the development as detailed within the attached planning report and approval of the plans. The report will include a complete assessment of the proposed development against the relevant assessment benchmarks within the *Mareeba Shire Planning Scheme 2016*. In terms of application fees, the current fees and charges schedule stipulates that the application fee for the proposed material change of use is **\$1,651.00**. Please contact our office on 0411 344 110 to process the payment over the phone.

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

Yours faithfully,



Ramon Samanes

**Director, U&i Town Plan**

Bachelor of Applied Science, Majoring in Environmental and Urban Planning

## **PLANNING REPORT**

DEVELOPMENT APPLICATION SEEKING DEVELOPMENT PERMIT  
FOR A **MATERIAL CHANGE OF USE** – EXTENSION TO LOW IMPACT  
INDUSTRY (MOTOR VEHICLE REPAIR WORKSHOP) AND  
**ENVIRONMENTALLY RELEVANT ACTIVITY** (MOTOR VEHICLE WORKSHOP  
OPERATION)

### **PROJECT LOCATION:**

SITUATED AT 313-315 BYRNES STREET, MAREEBA  
FORMALLY DESCRIBED AS LOT 1 ON SP245578

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<b>ASSESSMENT MANAGER:</b>	MAREEBA SHIRE COUNCIL, PLANNING DEPARTMENT
<b>DEVELOPMENT TYPE:</b>	DEVELOPMENT PERMIT – MATERIAL CHANGE OF USE (CODE ASSESSABLE) – EXTENSION TO LOW IMPACT INDUSTRY (MOTOR VEHICLE REPAIR WORKSHOP) AND ENVIRONMENTALLY RELEVANT ACTIVITY (MOTOR VEHICLE WORKSHOP OPERATION)
<b>PROPOSED WORKS:</b>	EXTENSION TO EXISTING MOTOR VEHICLE REPAIR WORKSHOP
<b>REAL PROPERTY DESCRIPTION:</b>	LOT 1 ON SP245578
<b>LOCATION:</b>	313-315 BYRNES STREET, MAREEBA
<b>ZONE:</b>	CENTRE ZONE
<b>APPLICANT:</b>	MACMARD PTY LTD C/- U&I TOWN PLAN
<b>OWNERS:</b>	MACMARD PTY LTD
<b>ASSESSMENT CRITERIA:</b>	MATERIAL CHANGE OF USE (CODE ASSESSABLE)
<b>REFERRAL AGENCIES:</b>	SARA (DEVELOPMENT IN A STATE CONTROLLED ROAD ENVIRONMENT)
<b>STATE PLANNING:</b>	THE PROPOSAL TRIGGERS ASSESSMENT AGAINST THE STATE DEVELOPMENT ASSESSMENT PROVISIONS

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### ***IMPORTANT NOTE***

*Apart from fair dealing for the purposes of private study, research, criticism, or review as permitted under the Copyright Act, no part of this Report may be reproduced by any process without the written consent of R&A Samanes Pty Ltd ('U&i Town Plan').*

*This Report has been prepared for Macmard Pty Ltd for the sole purpose of making a Development Application seeking a Development Permit for a Material Change of Use on land at 313-315 Byrnes Street, Mareeba (over Lot 1 on SP245578) for the purpose of an extension to the existing motor vehicle repair workshop. 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*

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*Plan disclaims all risk and the other party assumes such risk and releases and indemnifies and agrees to keep indemnified U&i Town Plan from any loss, damage, claim or liability arising directly or indirectly from the use of or reliance on this report.*

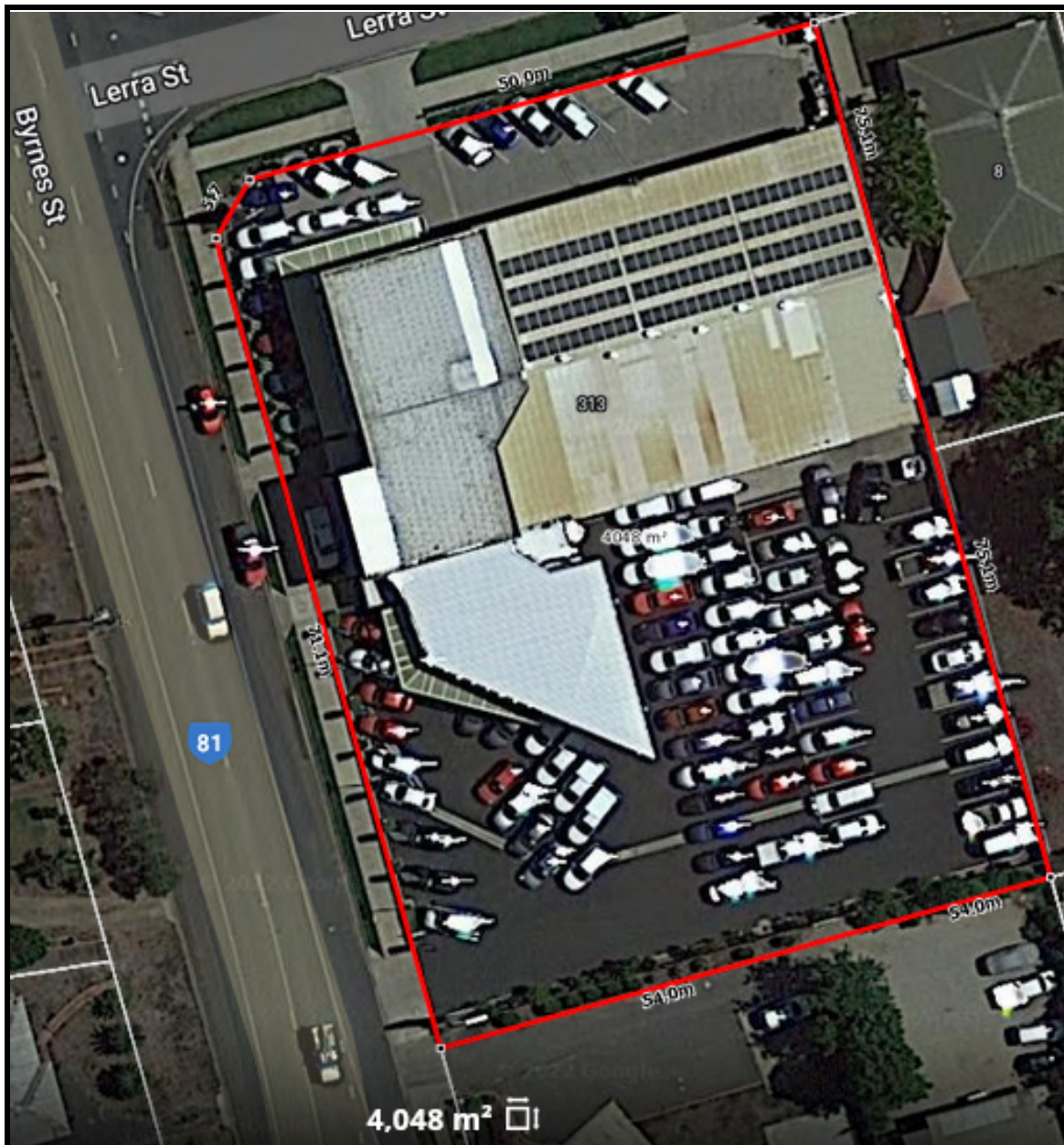
## 1.0 EXECUTIVE SUMMARY

This development application is seeking a development permit for a Material Change of Use under the *Planning Act 2016* at 313-315 Byrnes Street, Mareeba to facilitate the expansion of the existing motor vehicle repair workshop area. 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.

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 1 on SP245578, located at 313-315 Byrnes Street, Mareeba. The subject site is located within the existing centre zoned area along Byrnes Street. The property covers a total area of 4,048m<sup>2</sup> with approximately 70m frontage to Byrnes Street and approximately 50m to Lerra Street. The site contains the Mareeba Mazda and Mitsubishi Car Dealership and Service Centre. The property is located just over a kilometre from the CBD of Mareeba and is surrounded by centre zoned land, with low density residential land to the immediate east.



**Figure 1: Aerial View of the Subject Land** (© State of Queensland (Department of Resources) 2022)

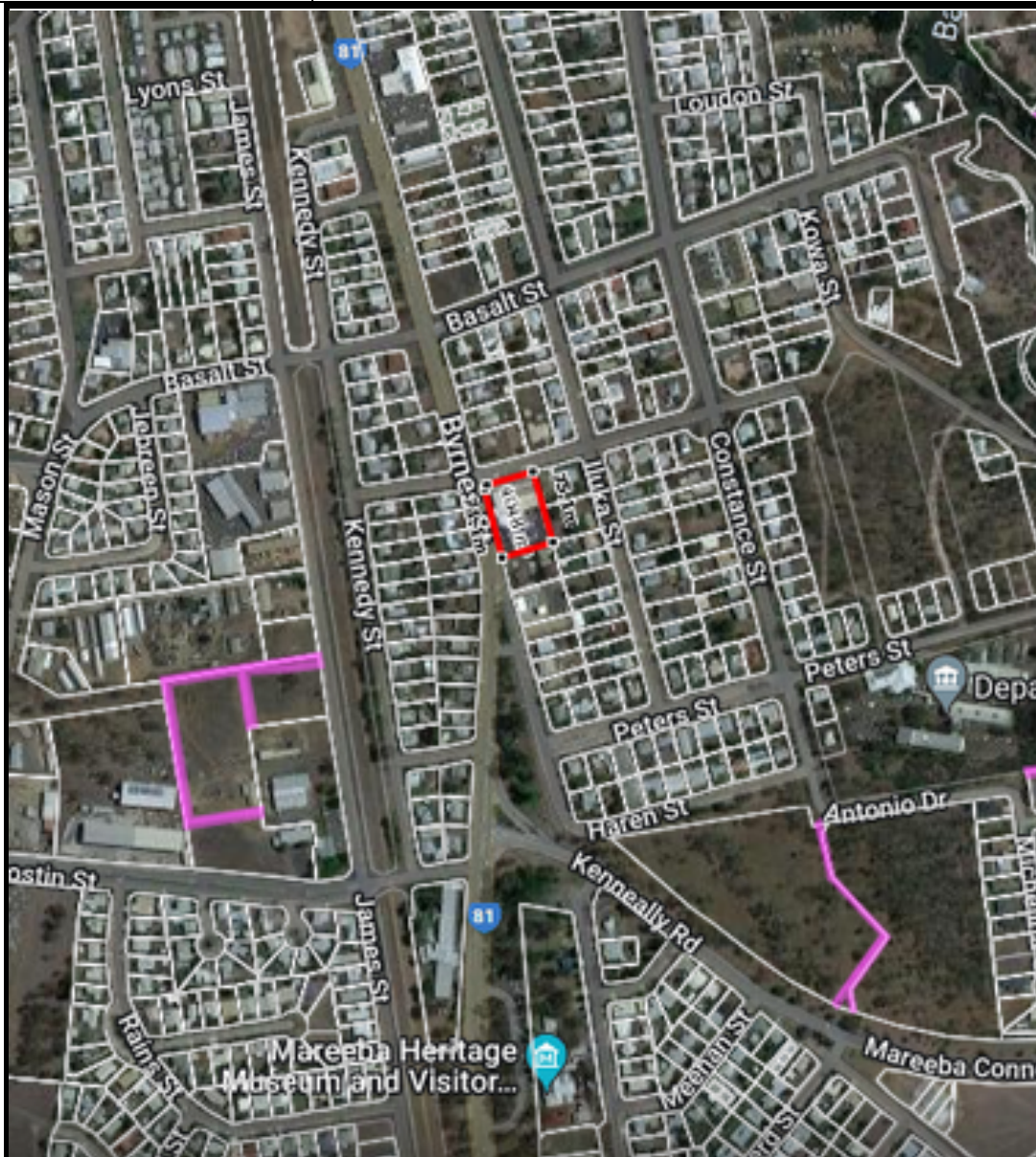
A site summary is provided below:

**Table 2.0: Site summary**

<b>Street address:</b>	313-315 Byrnes Street, Mareeba
<b>Real property description:</b>	Lot 1 on SP245578
<b>Local government area</b>	Mareeba Shire Council
<b>Tenure:</b>	Freehold
<b>Site area:</b>	4,048m <sup>2</sup>
<b>Zone:</b>	Centre Zone
<b>Current use:</b>	Mareeba Mazda and Mitsubishi Car Dealership and Service Centre



<b>Road frontage:</b>	<i>Byrnes Street &amp; Lerra Street</i>
<b>Adjacent uses:</b>	<i>BP Service Station to the south, Clean Choices Car Wash to the West, Residential Housing to the east.</i>
<b>Topography / Vegetation:</b>	<i>The site is developed with a large building containing the car dealership and ancillary vehicle repair workshop, with the remainder of the site covered with hardstand areas . In terms of topography the block is flat with gradual fall from east to west towards the north western corner of the property.</i>
<b>Easements:</b>	<i>There are no existing easements across the property.</i>



**Figure 2:** Site Locality (© State of Queensland (Department of Resources) 2022)

### 3.0 DEVELOPMENT PROPOSAL

This development application is seeking a development permit to extend its existing Motor Vehicle Repair Workshop area under the *Planning Act 2016* at 313-315 Byrnes Street, Mareeba. Currently subject lot 1 contains the Mareeba Mazda and Mitsubishi Car Dealership and Service Centre. The balance of the property contains hardstand areas for vehicular parking, along with landscaping. The development seeks an overall expansion to the existing motor vehicle workshop area of approximately 236.6m<sup>2</sup> to facilitate the inclusion of an additional two (2) new hoists, three (3) detailing bays and a new tool room. The proposed extension will replace the existing open shade structure located to the south of the current vehicle workshop area.

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 (Prepared by U&i Town Plan, © State of Queensland (Department of Resources) 2022)

### 3.1 Development Definition

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

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

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

### 3.2 Motor Vehicle Repair Workshop – Extension

The subject site is located within the existing centre zoned area along Byrnes Street. The property covers a total area of 4,048m<sup>2</sup> with approximately 70m frontage to Byrnes Street and approximately 50m to Lerra Street.

The site contains the Mareeba Mazda and Mitsubishi Car Dealership and Service Centre. The subject development proposal is considered a minor and ancillary expansion to the current vehicle service workshop and replaces an open covered shade sail structure that is currently attached to the southern façade of the current workshop building.

The proposed vehicle workshop building extension once constructed, will be in most part concealed from the surrounding street frontages by the existing built form located upon the site.

## 4.0 DEVELOPMENT APPLICATION DETAILS

This code assessable development application seeks a Development Permit to extend its existing Motor Vehicle Repair Workshop area under the Planning Act 2016 at 313-315 Byrnes Street, Mareeba. By way of this development application, the applicant is seeking specific approval of the following development permit to authorise the extension to the existing motor vehicle repair workshop 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 Material Change of Use at 313-315 Byrnes Street, Mareeba to facilitate the expansion of the existing motor vehicle repair workshop. The proposal is considered to satisfy the requirements set by the applicable assessment benchmarks from the planning scheme, specifically the Centre Zone Code and Industrial Activities 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:

- Centre Zone Code
- Industrial Activities 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 Centre Zone Code

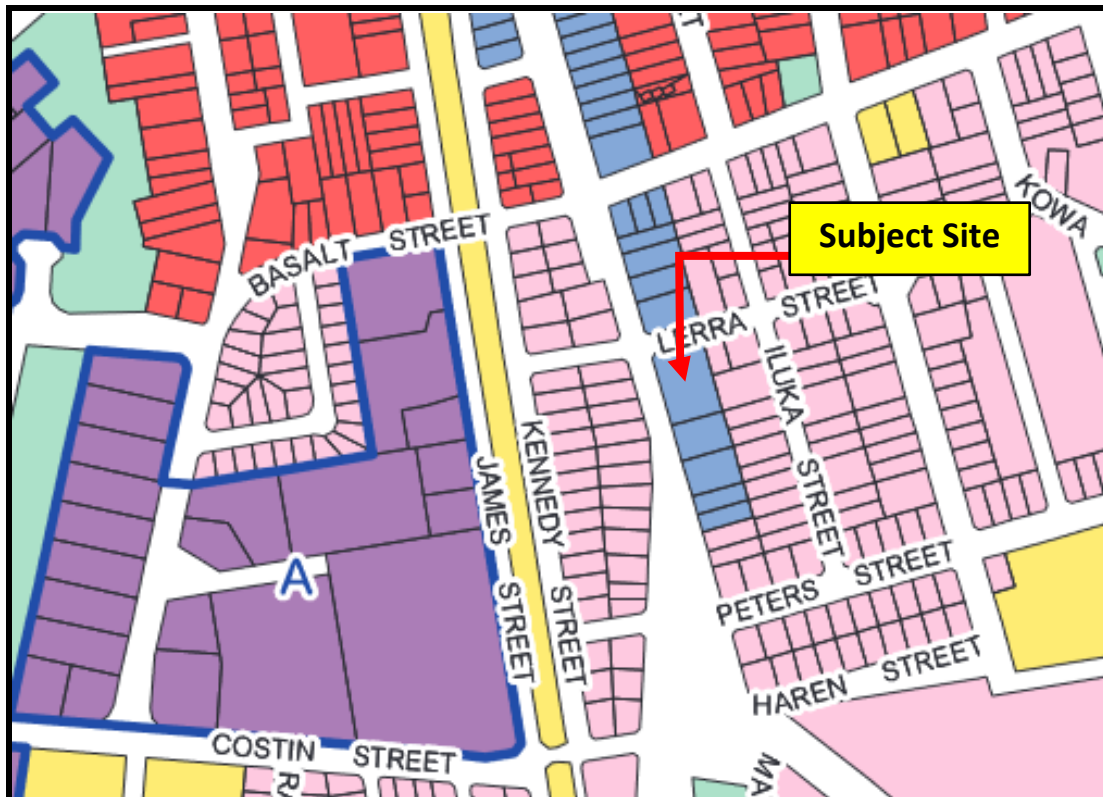
1. *The purpose of the Centre zone code is to provide for a mix of uses and activities.*

*These uses include, but are not limited to, business, retail, professional, administrative, community, entertainment, cultural and residential activities.*

*Centres are found at a variety of scales based on their location and surrounding activities.*

2. *Mareeba Shire Council's purpose of the Centre zone code is to facilitate the orderly development of the network of centres to meet the needs of the communities throughout the shire.*

3. *The purpose of the code will be achieved through the following overall outcomes:*
- a) *Promotion of a mix of commercial, business, professional, accommodation and retail activities;*
  - b) *Industries such as service and low impact industries may be appropriate where they are for the provision of trade, service or light industries that are of a compatible scale with commercial activities and preferably do not adjoin residential areas;*
  - c) *Residential development is facilitated where it can integrate and enhance the fabric of the centre and is located behind or above commercial development;*
  - d) *Development provides a high level of amenity and is reflective of the surrounding character of the area;*
  - e) *Development is generally established in accessible, well-connected locations with access or future access to public transport, cycling and pedestrian networks;*
  - f) *Development does not compromise the viability of the hierarchy and network of activity centres, namely:*
    - (i) *Mareeba as a major regional activity centre, which accommodates the most significant concentrations of regional-scale business, retail, entertainment, government administration, secondary and tertiary educational facilities and health and social services within the shire;*
    - (ii) *Kuranda as a village activity centre, which accommodates services, arts and cultural facilities, sports and recreation facilities, business and employment uses to support the village and its constituent surrounding rural and rural residential communities;*
    - (iii) *Chillagoe and Dimbulah as Rural activity centres, which provide commercial and community services to their rural catchments; and*
    - (iv) *Biboohra, Irvinebank, Julatten, Koah, Mutchilba, Mt Molloy, Myola and Speewah as rural villages, that have limited centre activities and other non-residential activities.*



**Figure 4: Centre Zone**

The subject site is located within the existing centre zoned area along Byrnes Street. More specifically, the subject site contains an existing business facility, with the proposed extension being for an ancillary use. Therefore, the proposed development is considered to provide an outcome that is consistent with the overall outcomes sought within the Centre Zone.

### 5.1.2 Industrial Activities Code

*The purpose of the Industrial activities code is to ensure Industrial activities are:*

- (a) appropriately located within designated industrial areas;*
- (b) established and operated in an efficient manner with minimal impact on the character, scale, amenity and environmental values of the surrounding area; and*
- (c) managed to allow for progressive rehabilitation where involving Extractive industry.*

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

- (a) Industrial activities are appropriately located having regard to topography, surrounding land uses, natural environment, accessibility, local character and potential social and community impacts;*
- (b) Industrial activities meet the needs of the local community and the local economy through well located, safe and convenient points of service;*

- (c) Industrial activities are designed to have minimal impact on the character, amenity and environment of the surrounding area;
- (d) Industrial activities provide a safe working environment;
- (e) Industrial activities are designed to promote sustainability and energy efficiency;
- (f) Industrial activities are co-located with complimentary and compatible uses;
- (g) External impacts associated with Extractive industry operations do not impact on the character and amenity of the surrounding area and the safety and wellbeing of the community;
- (h) Extractive industry operations are adequately separated from potentially incompatible land uses; and
- (i) Extractive industry sites are progressively rehabilitated.

#### ASSESSMENT BENCHMARKS

Performance Outcomes	Acceptable Outcomes	Proposal Justification
<b>Separation</b>		
PO1	AO1	The subject development proposal is considered to be a low impact industrial use that will continue to be well separated from nearby sensitive land uses. Furthermore, the proposed extension is considered to be minor in nature and will be constructed upon the site in a location that is no closer to nearby sensitive uses compared with the existing built form upon the site.  <b>Satisfied.</b>
<b>Amenity</b>		
PO2	AO2	The proposed vehicle workshop building extension once constructed, will be in most part concealed from the surrounding street frontages by the existing built form located upon the site. Mechanical plant and storage areas will be located to ensure that the amenity of the area is protected.  <b>Satisfied.</b>
PO3	AO3	Not applicable as the development will not impact ground water deposits.
<b>If for Extractive Industry</b>		
PO4	A04	Not applicable as the development does not involve an Extractive Industry.
PO5	A05	Not applicable as the development does not involve an Extractive Industry.
PO6	A06	Not applicable as the development does not involve an Extractive Industry.
PO7	A07.1	Not applicable as the development does not involve an Extractive Industry.
	A07.2	Not applicable as the development does not involve an Extractive Industry.

	A07.3	<i>Not applicable as the development does not involve an Extractive Industry.</i>
PO8	A08	<i>Not applicable as the development does not involve an Extractive Industry.</i>

### 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

<i>Performance Outcomes</i>	<i>Acceptable Outcomes</i>	<i>Proposal Justification</i>
<b><i>For accepted development subject to requirements and assessable development</i></b>		
PO1	AO1	<p><i>Although landscaping is not proposed as part of this development application, existing landscaping associated with the site will be retained.</i></p> <p><b><i>Satisfied.</i></b></p>



PO2	AO2.1	<p><i>Although landscaping is not proposed as part of this development application, existing landscaping along all street frontages of the site will be maintained.</i></p> <p><b>Satisfied.</b></p>
PO3	AO3.1 & AO3.2	<p><i>Although landscaping is not proposed as part of this development application, existing landscaping associated with the site will be retained.</i></p> <p><b>Satisfied.</b></p>
PO4	AO4.1 & AO4.2,	<p><i>Although landscaping is not proposed as part of this development application, existing landscaping associated with the site will be retained.</i></p> <p><b>Satisfied.</b></p>
PO5	AO5.1 & AO5.2	<p><i>Although landscaping is not proposed as part of this development application, existing landscaping associated with the site will be retained.</i></p> <p><b>Satisfied.</b></p>
PO6	AO6.1, AO6.2 & AO6.3	<p><i>Although landscaping is not proposed as part of this development application, existing landscaping associated with the site will be retained.</i></p> <p><b>Satisfied.</b></p>
PO7	AO7	<p><i>Although landscaping is not proposed as part of this development application, existing landscaping along all street frontages of the site will be maintained.</i></p> <p><b>Satisfied.</b></p>

## 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 to the specific proposal of an extension to the existing motor vehicle repair workshop. As such, the use is defined as a Low Impact Industry Use where the following parking provision applies:

Definition	Minimum number of Car parking spaces	Minimum Service Vehicle Space Provision
<b>Low impact industry</b>	One space per 90m <sup>2</sup> GFA or part thereof.	One AV space if the site has an area greater than 2,000m <sup>2</sup> , otherwise One HRV.

Given the proposed development seeks an overall gross floor area expansion of approximately 236.6m<sup>2</sup>, the proposed use would only be required to provide three (3) additional car parking spaces. Although the proposal does not provide any additional car parking spaces, the overall site associated with the existing use of a Motor Vehicle Showroom and associated Motor Vehicle Repair Workshop provides an excess of on-site car parking spaces in order to cater for the proposed workshop extension.

## 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 vehicular access points into the site, along with the primary infrastructure service connections in relation to water, sewerage and power to the subject site will remain unchanged as part of this development.

Existing stormwater upon the site will be appropriately managed as part of this development, to ensure that no adverse impacts are evident upon the site or upon the water quality and ecological processes.

New internal stormwater systems will be constructed to cater for the new build form. Stormwater drainage flows from all hardstand areas associated with this structure will be taken to a lawful point of discharge via stormwater pipes.

## 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 extension of the existing motor vehicle workshop building, whereby the proposed built form will be in line with the height of what currently exists upon the site.

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 triggers referral to SARA and therefore assessment against the SDAP ‘State code 1: Development in a state-controlled road environment’ is 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 Macmard Pty Ltd in relation to the use of Lot 1 on SP245578, located 313-315 Byrnes Street, Mareeba to facilitate the expansion of the existing Motor Vehicle Repair Workshop area upon the subject site. Accordingly, this application seeks the following approval:

- **Development Permit for a Material Change of Use – Extension to Low Impact Industry (Motor Vehicle Repair Workshop) and Environmentally Relevant Activity (Motor Vehicle Workshop Operation)**

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 Centre Zone, Industrial Activities 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, MPIA**  
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)	MACMARD 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)	<a href="mailto:ramon@uitownplan.com.au">ramon@uitownplan.com.au</a>
Mobile number (non-mandatory)	0411344110
Fax number (non-mandatory)	
Applicant's reference number(s) (if applicable)	M10-22

### 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
			313-315 Byrnes Street	Mareeba
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)
	4880	1	SP245578	Mareeba Shire Council
b)	Unit No.	Street No.	Street Name and Type	Suburb
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)

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

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

Coordinates of premises by longitude and latitude

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

Coordinates of premises by easting and northing

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

#### 3.3) Additional premises

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

Not required

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

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

Name of water body, watercourse or aquifer:

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

Lot on plan description of strategic port land:

Name of port authority for the lot:

In a tidal area

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

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

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

Name of airport:



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

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

Yes – All easement locations, types and dimensions are included in plans submitted with this development application

No

## PART 3 – DEVELOPMENT DETAILS

### Section 1 – Aspects of development

**6.1) Provide details about the first development aspect**

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

Material change of use     Reconfiguring a lot     Operational work     Building work

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

Development permit     Preliminary approval     Preliminary approval that includes a variation approval

c) What is the level of assessment?

Code assessment     Impact assessment *(requires public notification)*

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

Material Change of Use – Extension to Low Impact Industry (Motor Vehicle Repair Workshop) and ERA 21

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 checked="" type="checkbox"/> Yes – complete division 1 if assessable against a local planning instrument
Reconfiguring a lot	<input type="checkbox"/> Yes – complete division 2
Operational work	<input type="checkbox"/> Yes – complete division 3
Building work	<input type="checkbox"/> Yes – complete <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 <i>(include each definition in a new row)</i>	Number of dwelling units <i>(if applicable)</i>	Gross floor area (m <sup>2</sup> ) <i>(if applicable)</i>

8.2) Does the proposed use involve the use of existing buildings on the premises?

Yes

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

10) Subdivision

10.1) For this development, how many lots are being created and what is the intended use of those lots:

Intended use of lots created	Residential	Commercial	Industrial	Other, please specify:
Number of lots created			3	

10.2) Will the subdivision be staged?

Yes – provide additional details below

No

How many stages will the works include?	
What stage(s) will this development application apply to?	



- 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*)
- Heritage places – Local heritage places

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

- Infrastructure-related referrals – Electricity infrastructure

**Matters requiring referral to:**

- The **Chief Executive of the holder of the licence**, if not an individual
- The **holder of the licence**, if the holder of the licence is an individual
- Infrastructure-related referrals – Oil and gas infrastructure

**Matters requiring referral to the Brisbane City Council:**

<input type="checkbox"/> Ports – Brisbane core port land
Matters requiring referral to the <b>Minister responsible for administering the <i>Transport Infrastructure Act 1994</i></b> : <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 <b>relevant port operator</b> , 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 <b>Chief Executive of the relevant port authority</b> : <input type="checkbox"/> Ports – Land within limits of another port ( <i>below high-water mark</i> )
Matters requiring referral to the <b>Gold Coast Waterways Authority</b> : <input type="checkbox"/> Tidal works or work in a coastal management district ( <i>in Gold Coast waters</i> )
Matters requiring referral to the <b>Queensland Fire and Emergency Service</b> : <input type="checkbox"/> Tidal works or work in a coastal management district ( <i>involving a marina (more than six vessel berths)</i> )

<b>18) Has any referral agency provided a referral response for this development application?</b>		
<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

<b>19) Information request under Part 3 of the DA Rules</b>
<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 <b>Note:</b> <i>By not agreeing to accept an information request I, the applicant, acknowledge:</i> <ul style="list-style-type: none"> <li>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</li> <li>Part 3 of the DA Rules will still apply if the application is an application listed under section 11.3 of the DA Rules.</li> </ul> <i>Further advice about information requests is contained in the <a href="#">DA Forms Guide</a>.</i>

## PART 7 – FURTHER DETAILS

<b>20) Are there any associated development applications or current approvals? (e.g. a preliminary approval)</b>			
<input checked="" type="checkbox"/> Yes – provide details below or include details in a schedule to this development application <input type="checkbox"/> No			
List of approval/development application references	Reference number	Date	Assessment manager
<input checked="" type="checkbox"/> Approval <input type="checkbox"/> Development application	MCU/11/0019	18 April 2012	Tableland Regional Council
<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](http://www.qld.gov.au). An ERA requires an environmental authority to operate. See [www.business.qld.gov.au](http://www.business.qld.gov.au) for further information.

Proposed ERA number:	21	Proposed ERA threshold:	
Proposed ERA name:	Motor Vehicle Workshop Operation		

- 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](http://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](http://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](http://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](http://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](http://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](http://www.dnrme.qld.gov.au) and [www.business.qld.gov.au](http://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](http://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](http://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](http://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](http://www.des.qld.gov.au) for information requirements regarding development of Queensland heritage places.

Name of the heritage place:		Place ID:	
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### **Brothels**

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

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

### **Decision under section 62 of the Transport Infrastructure Act 1994**

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

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

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

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

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

**Note:** See guidance materials at [www.planning.dsdmip.qld.gov.au](http://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 <a href="#">DA Form 2 – Building work details</a> 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 <a href="#">DA Forms Guide: Planning Report Template</a>.</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 <a href="#">DA Forms Guide: Relevant plans</a>.</i>	<input checked="" type="checkbox"/> Yes
The portable long service leave levy for QLeave has been paid, or will be paid before a development permit is issued ( <i>see 21</i> )	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> Not applicable

25) Applicant declaration	
<input checked="" type="checkbox"/> By making this development application, I declare that all information in this development application is true and correct	
<input checked="" type="checkbox"/> Where an email address is provided in Part 1 of this form, I consent to receive future electronic communications from the assessment manager and any referral agency for the development application where written information is required or permitted pursuant to sections 11 and 12 of the <i>Electronic Transactions Act 2001</i>	
<i>Note: It is unlawful to intentionally provide false or misleading information.</i>	
<p><b>Privacy</b> – Personal information collected in this form will be used by the assessment manager and/or chosen assessment manager, any relevant referral agency and/or building certifier (including any professional advisers which may be engaged by those entities) while processing, assessing and deciding the development application. All information relating to this development application may be available for inspection and purchase, and/or published on the assessment manager’s and/or referral agency’s website.</p> <p>Personal information will not be disclosed for a purpose unrelated to the <i>Planning Act 2016</i>, <i>Planning Regulation 2017</i> and the <i>DA Rules</i> except where:</p> <ul style="list-style-type: none"> <li>• such disclosure is in accordance with the provisions about public access to documents contained in the <i>Planning Act 2016</i> and the <i>Planning Regulation 2017</i>, and the access rules made under the <i>Planning Act 2016</i> and <i>Planning Regulation 2017</i>; or</li> <li>• required by other legislation (including the <i>Right to Information Act 2009</i>); or</li> <li>• otherwise required by law.</li> </ul> <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**

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Date received:  Reference number(s):

Notification of engagement of alternative assessment manager	
Prescribed assessment manager	
Name of chosen assessment manager	
Date chosen assessment manager engaged	
Contact number of chosen assessment manager	
Relevant licence number(s) of chosen assessment manager	

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

## **APPENDIX 2: OWNER'S CONSENT**

## CLIENT ACCEPTANCE FORM / OWNER'S CONSENT


(TO BE COMPLETED AND RETURNED)

<b>PROJECT:</b>	Material Change of Use – Low Impact Industry (Workshop extension)
<b>PROJECT ADDRESS:</b>	Mareeba Mazda & Mitsubishi (313-315 BYRNES STREET, MAREEBA)

### Client Details

Client:	MACMARD PTY LTD c/- David Mete
Invoice Address:	PO BOX 586, MAREEBA QLD 4880
Phone:	0408793050
Email:	david@mareebamm.com.au
Accounts Contact:	David Mete

### Landowner Details

Landowner Name/s:	MACMARD PTY LTD
Address:	Mareeba Mazda & Mitsubishi (313-315 BYRNES STREET, MAREEBA)
All Owners Signatures:	 DAVID METE <span style="float: right;">(Signatures from all landowners &amp; Dated)</span>

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:** 

**Name:** DAVID METE

**Date:** 04/04/22

Please complete, sign and return this page only to: [ramon@uitownplan.com.au](mailto:ramon@uitownplan.com.au)

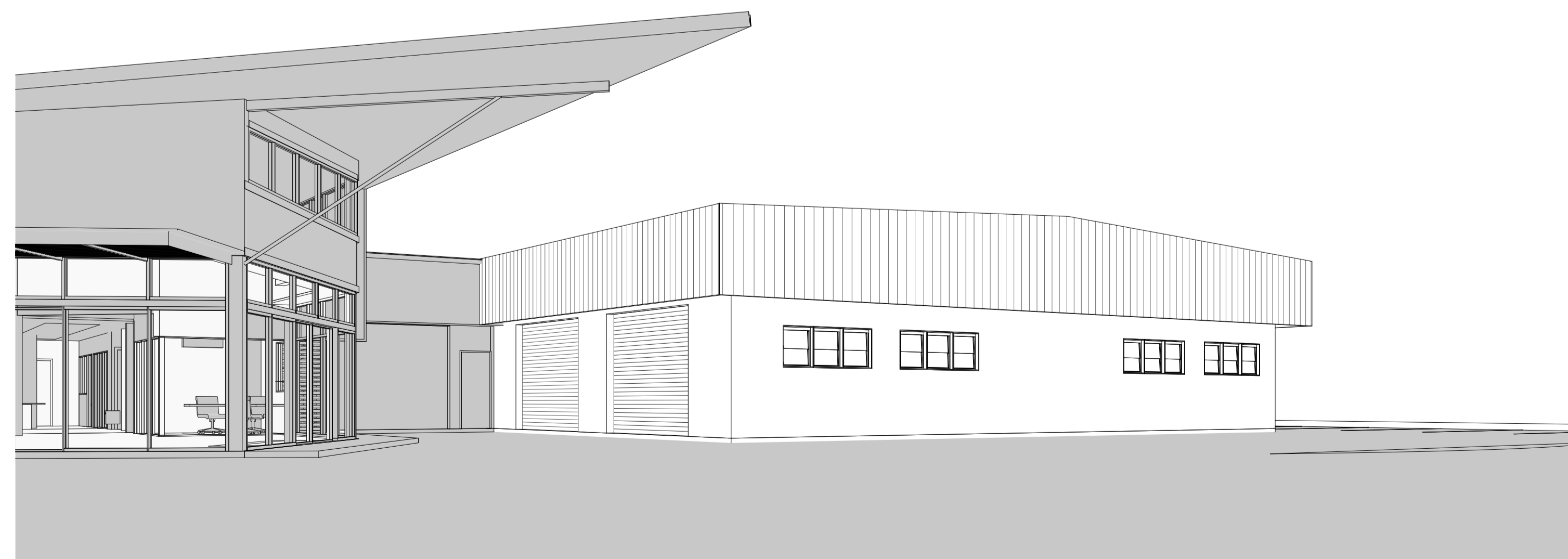
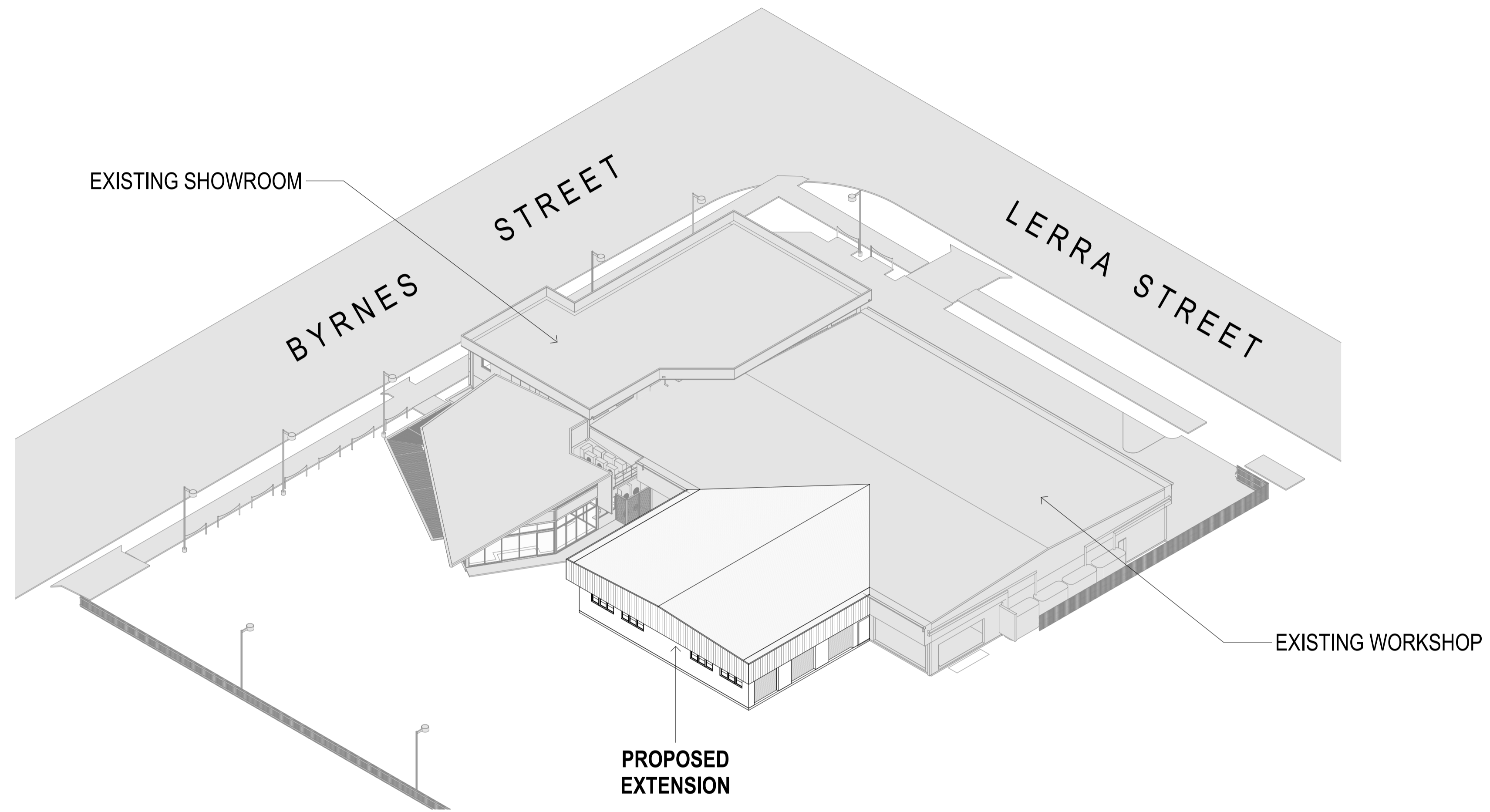
## **APPENDIX 3: DEVELOPMENT PLANS**

# PROPOSED WORKSHOP EXTENSION

313-315 BYRNES STREET, MAREEBA

## DRAWING LIST

P22020-A-00 COVER SHEET  
 P22020-A-01 SITE PLAN  
 P22020-A-02 FLOOR PLAN

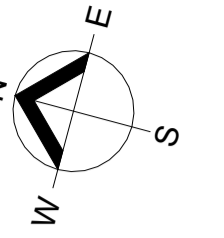
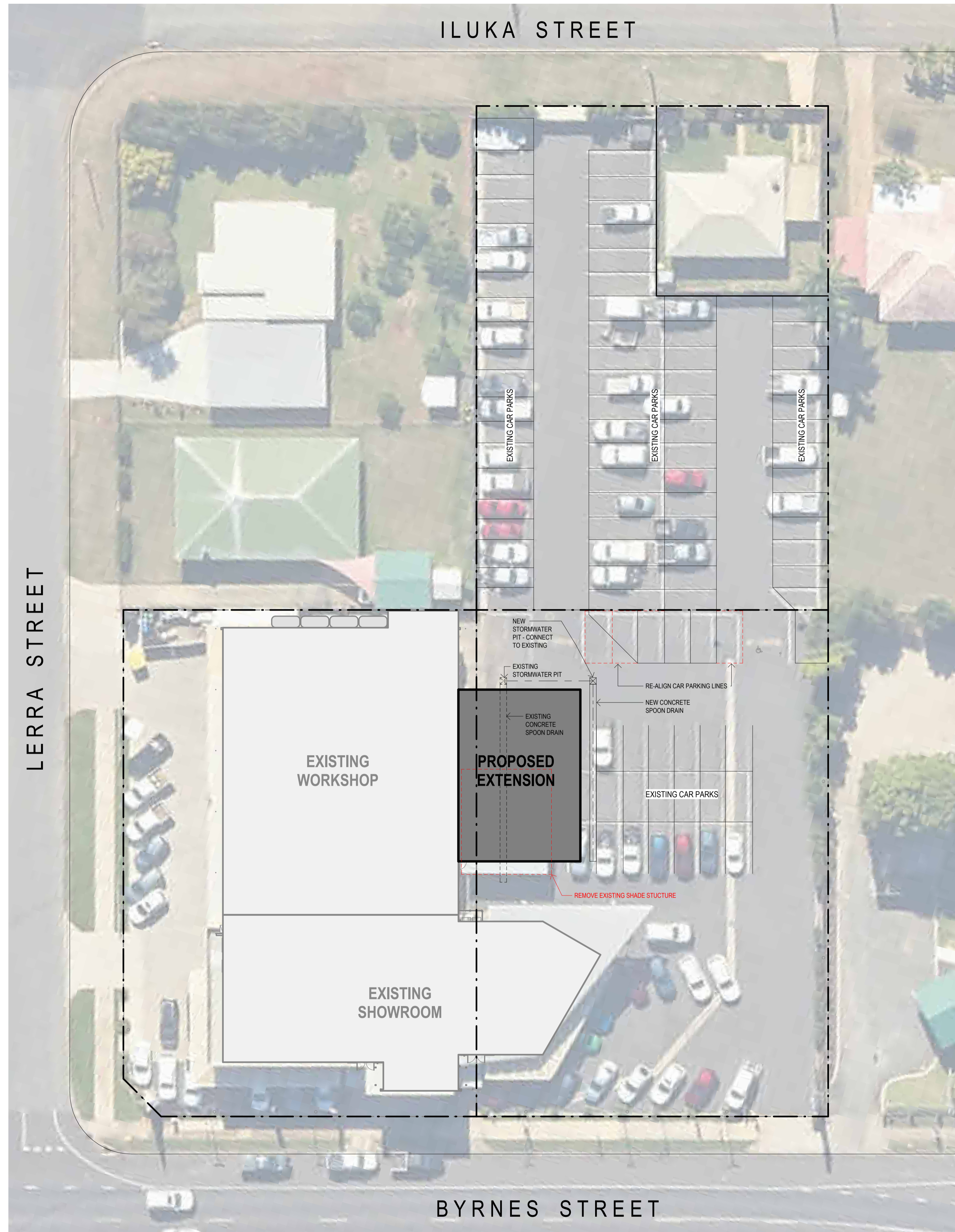


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DRAWN	SCALE	SIZE	PROJECT
JB	A1		PROPOSED WORKSHOP EXTENSION
APPROVED	DATE		313-315 BYRNES STREET, MAREEBA
SC	MAR 2022		MACMARD PTY LTD
			COVER SHEET
DWG No:	P22020 - A-00	STAMP	PRELIMINARY
			ISSUE P2



**PROPERTY INFORMATION**

LOT NUMBER 71 & 72  
 PLAN NUMBER M35645  
 PARISH TYNAROO  
 SITE AREA 2024 & 2023 m2

**1 SITE PLAN**  
 SCALE - 1 : 250

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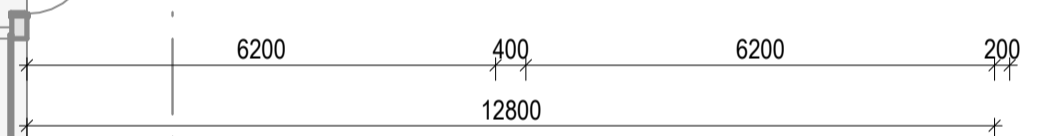
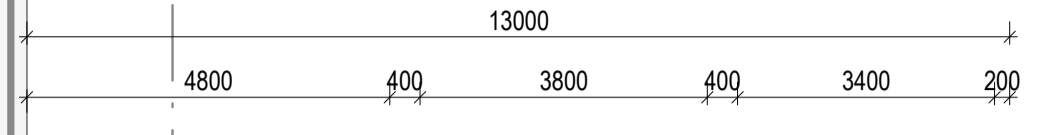
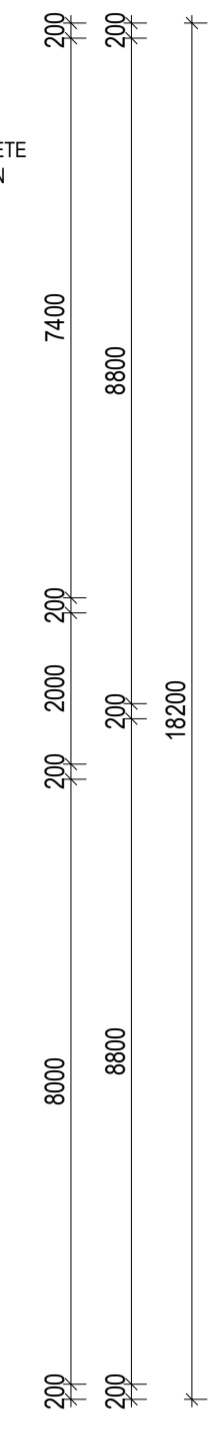
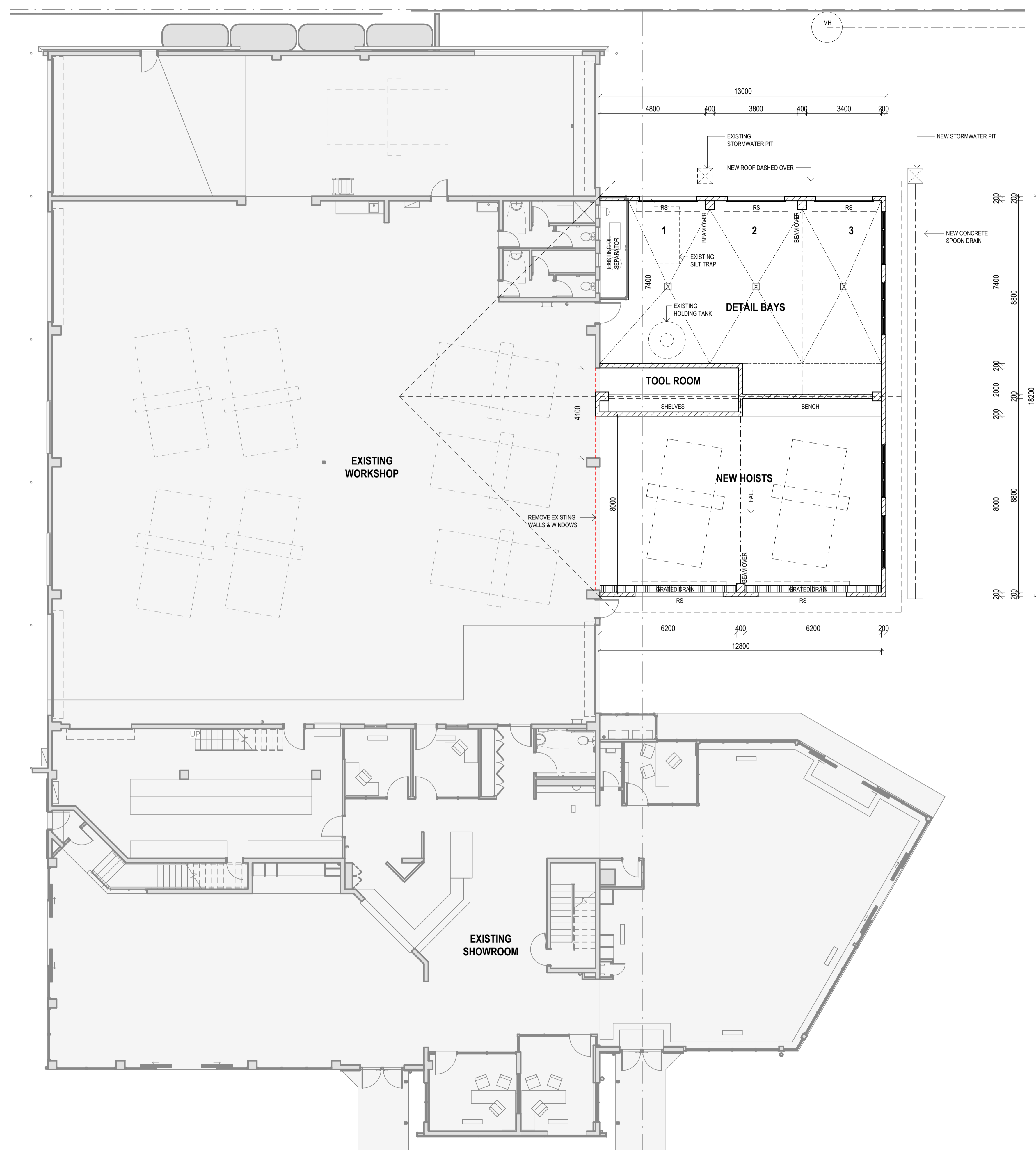
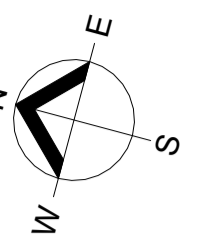
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DRAWN	JB	SCALE	SIZE
APPROVED	SC	1 : 250	A1

PROJECT **PROPOSED WORKSHOP EXTENSION**  
**313-315 BYRNES STREET, MAREEBA**  
 FOR **MACMARD PTY LTD**

DWG	DATE	ISSUE
<b>SITE PLAN</b>	<b>MAR 2022</b>	<b>P2</b>

DWG No: **P22020 - A-01** STAMP: PRELIMINARY



AMENDMENTS	DATE	DO NOT SCALE DRAWINGS. USE FIGURED DIMENSIONS ONLY. DIMENSIONS SHOWN ARE NOMINAL. ALLOWANCE TO BE MADE FOR FINISHED SIZES. VERIFY ALL DIMENSIONS AND SITE CONDITIONS PRIOR TO COMMENCING WORK. THIS DOCUMENT IS AND SHALL REMAIN THE PROPERTY OF CLARKE AND PRINCE PTY LTD. UNAUTHORISED USE OF THIS DOCUMENT IN ANY WAY IS PROHIBITED.
P1 PRELIMINARY ISSUE	11/03/22	
P2 PRELIMINARY ISSUE	17/03/22	
P3 PRELIMINARY ISSUE	23/03/22	



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DRAWN	JB	SCALE	1:100	SIZE	A1	PROJECT	PROPOSED WORKSHOP EXTENSION
APPROVED	SC	DATE	MAR 2022				313-315 BYRNES STREET, MAREEBA
							MACMARD PTY LTD
							FLOOR PLAN
DWG No:	P22020 - A-02		STAMP	PRELIMINARY	ISSUE	P3	



## **APPENDIX 4: SDAP – STATE CODE 1**

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

**Table 1.1 Development in general**

Performance outcomes	Acceptable outcomes	Response
<b>Buildings, structures, infrastructure, services and utilities</b>		
<b>PO1</b> The location of the development does not create a safety hazard for users of the <b>state-controlled road</b> .	<b>AO1.1</b> Development is not located in a <b>state-controlled road</b> .  AND <b>AO1.2</b> Development can be maintained without requiring access to a <b>state-controlled road</b> .	<b>Complies</b>  <i>No structures are to be located on the state-controlled road.</i>
<b>PO2</b> The design and construction of the development does not adversely impact the <b>structural integrity</b> or physical condition of the <b>state-controlled road</b> or <b>road transport infrastructure</b> .	No acceptable outcome is prescribed.	<b>Will be complied with.</b>
<b>PO3</b> The location of the development does not obstruct <b>road transport infrastructure</b> or adversely impact the operating performance of the <b>state-controlled road</b> .	No acceptable outcome is prescribed.	<b>Will be complied with.</b>
<b>PO4</b> The location, placement, design and operation of advertising devices, visible from the <b>state-controlled road</b> , do not create a safety hazard for users of the <b>state-controlled road</b> .	No acceptable outcome is prescribed.	<b>Will be complied with.</b>
<b>PO5</b> The design and construction of buildings and <b>structures</b> does not create a safety hazard by distracting users of the <b>state-controlled road</b> .	<b>AO5.1</b> Facades of buildings and <b>structures</b> fronting the <b>state-controlled road</b> are made of non-reflective materials.	<b>Will be complied with.</b>

Performance outcomes	Acceptable outcomes	Response
	<p>AND</p> <p><b>AO5.2</b> Facades of buildings and <b>structures</b> do not direct or reflect point light sources into the face of oncoming traffic on the <b>state-controlled road</b>.</p> <p>AND</p> <p><b>AO5.3</b> External lighting of buildings and <b>structures</b> is not directed into the face of oncoming traffic on the <b>state-controlled road</b>.</p> <p>AND</p> <p><b>AO5.4</b> External lighting of buildings and <b>structures</b> does not involve flashing or laser lights.</p>	
<p><b>PO6</b> Road, pedestrian and bikeway bridges over a <b>state-controlled road</b> are designed and constructed to prevent projectiles from being thrown onto the <b>state-controlled road</b>.</p>	<p><b>AO6.1</b> Road, pedestrian and bikeway bridges over the <b>state-controlled road</b> include throw protection screens in accordance with section 4.11 of the Design Criteria for Bridges and Other Structures Manual, Department of Transport and Main Roads, 2020.</p>	<p><b>Not applicable.</b></p>
<p><b>Landscaping</b></p>		
<p><b>PO7</b> The location of landscaping does not create a safety hazard for users of the <b>state-controlled road</b>.</p>	<p><b>AO7.1</b> Landscaping is not located in a <b>state-controlled road</b>.</p> <p>AND</p> <p><b>AO7.2</b> Landscaping can be maintained without requiring access to a <b>state-controlled road</b>.</p> <p>AND</p>	<p><b>Complies</b></p> <p><i>No landscaping is proposed as part of this application.</i></p>

Performance outcomes	Acceptable outcomes	Response
	<b>AO7.3</b> Landscaping does not block or obscure the sight lines for vehicular access to a <b>state-controlled road</b> .	
<b>Stormwater and overland flow</b>		
<b>PO8</b> Stormwater run-off or overland flow from the development site does not create or exacerbate a safety hazard for users of the <b>state-controlled road</b> .	No acceptable outcome is prescribed.	<b>Complies</b>  <i>No additional stormwater to be discharged to the state-controlled road.</i>
<b>PO9</b> Stormwater run-off or overland flow from the development site does not result in a material worsening of the operating performance of the <b>state-controlled road</b> or <b>road transport infrastructure</b> .	No acceptable outcome is prescribed.	<b>Complies</b>  <i>No additional stormwater to be discharged to the state-controlled road.</i>
<b>PO10</b> Stormwater run-off or overland flow from the development site does not adversely impact the <b>structural integrity</b> or physical condition of the <b>state-controlled road</b> or <b>road transport infrastructure</b> .	No acceptable outcome is prescribed.	<b>Complies</b>  <i>No additional stormwater to be discharged to the state-controlled road.</i>
<b>PO11</b> Development ensures that stormwater is lawfully discharged.	<b>AO11.1</b> Development does not create any new points of discharge to a <b>state-controlled road</b> .  AND  <b>AO11.2</b> Development does not concentrate flows to a <b>state-controlled road</b> .  AND  <b>AO11.3</b> Stormwater run-off is discharged to a <b>lawful point of discharge</b> .  AND	<b>Complies</b>  <i>No additional stormwater to be discharged to the state-controlled road.</i>

Performance outcomes	Acceptable outcomes	Response
	<p><b>AO11.4</b> Development does not worsen the condition of an existing <b>lawful point of discharge</b> to the <b>state-controlled road</b>.</p>	
<p><b>PO12</b> Development does not result in a material worsening of flooding impacts within a <b>state-controlled road</b>.</p>	<p><b>AO12.1</b> For all flood events up to 1% <b>annual exceedance probability</b>, development results in negligible impacts (within +/- 10mm) to existing flood levels within a <b>state-controlled road</b>.</p> <p>AND</p> <p><b>AO12.2</b> For all flood events up to 1% <b>annual exceedance probability</b>, development results in negligible impacts (up to a 10% increase) to existing peak velocities within a <b>state-controlled road</b>.</p> <p>AND</p> <p><b>AO12.3</b> For all flood events up to 1% <b>annual exceedance probability</b>, development results in negligible impacts (up to a 10% increase) to existing time of submergence of a <b>state-controlled road</b>.</p>	<p><b>Complies</b></p> <p><i>No additional stormwater to be discharged to the state-controlled road.</i></p>
<b>Drainage Infrastructure</b>		
<p><b>PO13</b> Drainage infrastructure does not create a safety hazard for users in the <b>state-controlled road</b>.</p>	<p><b>AO13.1</b> Drainage infrastructure is wholly contained within the development site, except at the <b>lawful point of discharge</b>.</p> <p>AND</p> <p><b>AO13.2</b> Drainage infrastructure can be maintained without requiring access to a <b>state-controlled road</b>.</p>	<p><b>Complies</b></p> <p><i>No additional stormwater to be discharged to the state-controlled road.</i></p>

Performance outcomes	Acceptable outcomes	Response
<b>PO14</b> Drainage infrastructure associated with, or within, a <b>state-controlled road</b> is constructed, and designed to ensure the <b>structural integrity</b> and physical condition of existing drainage infrastructure and the surrounding drainage network.	No acceptable outcome is prescribed.	<b>Complies</b>  <i>No additional stormwater to be discharged to the state-controlled road.</i>

**Table 1.2 Vehicular access, road layout and local roads**

Performance outcomes	Acceptable outcomes	Response
<b>Vehicular access to a state-controlled road or within 100 metres of a state-controlled road intersection</b>		
<b>PO15</b> The location, design and operation of a <b>new or changed access</b> to a <b>state-controlled road</b> does not compromise the safety of users of the <b>state-controlled road</b> .	No acceptable outcome is prescribed.	<b>Complies</b>  <i>No additional vehicular access points are required to be constructed as part of this application.</i>
<b>PO16</b> The location, design and operation of a <b>new or changed access</b> does not adversely impact the <b>functional requirements</b> of the <b>state-controlled road</b> .	No acceptable outcome is prescribed.	<b>Complies</b>  <i>No additional vehicular access points are required to be constructed as part of this application.</i>
<b>PO17</b> The location, design and operation of a <b>new or changed access</b> is consistent with the <b>future intent</b> of the <b>state-controlled road</b> .	No acceptable outcome is prescribed.	<b>Complies</b>  <i>No additional vehicular access points are required to be constructed as part of this application.</i>
<b>PO18</b> <b>New or changed access</b> is consistent with the access for the relevant <b>limited access road policy</b> : 1. <b>LAR 1</b> where direct access is prohibited; or 2. <b>LAR 2</b> where access may be permitted, subject to assessment.	No acceptable outcome is prescribed.	<b>Complies</b>  <i>No additional vehicular access points are required to be constructed as part of this application.</i>
<b>PO19</b> <b>New or changed access</b> to a <b>local road</b> within 100 metres of an intersection with a <b>state-</b>	No acceptable outcome is prescribed.	<b>Complies</b>

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

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<b>Performance outcomes</b>	<b>Acceptable outcomes</b>	<b>Response</b>
<b>controlled road</b> does not compromise the safety of users of the <b>state-controlled road</b> .		<i>No additional vehicular access points are required to be constructed as part of this application.</i>
<b>PO20 New or changed access</b> to a <b>local road</b> within 100 metres of an intersection with a <b>state-controlled road</b> does not adversely impact on the operating performance of the intersection.	No acceptable outcome is prescribed.	<b>Complies</b>  <i>No additional vehicular access points are required to be constructed as part of this application.</i>
<b>Public passenger transport and active transport</b>		
<b>PO21</b> Development does not compromise the safety of users of <b>public passenger transport infrastructure, public passenger services</b> and <b>active transport infrastructure</b> .	No acceptable outcome is prescribed.	<b>Complies</b>
<b>PO22</b> Development maintains the ability for people to access <b>public passenger transport infrastructure, public passenger services</b> and <b>active transport infrastructure</b> .	No acceptable outcome is prescribed.	<b>Complies</b>
<b>PO23</b> Development does not adversely impact the operating performance of <b>public passenger transport infrastructure, public passenger services</b> and <b>active transport infrastructure</b> .	No acceptable outcome is prescribed.	<b>Complies</b>
<b>PO24</b> Development does not adversely impact the <b>structural integrity</b> or physical condition of <b>public passenger transport infrastructure</b> and <b>active transport infrastructure</b> .	No acceptable outcome is prescribed.	<b>Complies</b>

**Table 1.3 Network impacts**

<b>Performance outcomes</b>	<b>Acceptable outcomes</b>	<b>Response</b>
<b>PO25</b> Development does not compromise the safety of users of the <b>state-controlled road</b> network.	No acceptable outcome is prescribed.	<b>Complies</b>  <i>No additional upgrade works to a state-controlled road are required as part of this application.</i>

<b>Performance outcomes</b>	<b>Acceptable outcomes</b>	<b>Response</b>
<b>PO26</b> Development ensures <b>no net worsening</b> of the operating performance of the <b>state-controlled road</b> network.	No acceptable outcome is prescribed.	<b>Complies</b>  <i>No additional upgrade works to a state-controlled road are required as part of this application.</i>
<b>PO27</b> Traffic movements are not directed onto a <b>state-controlled road</b> where they can be accommodated on the <b>local road</b> network.	No acceptable outcome is prescribed.	<b>Complies</b>  <i>No additional upgrade works to a state-controlled road are required as part of this application.</i>
<b>PO28</b> Development involving haulage exceeding 10,000 tonnes per year does not adversely impact the pavement of a <b>state-controlled road</b> .	No acceptable outcome is prescribed.	<b>Complies</b>  <i>No additional upgrade works to a state-controlled road are required as part of this application.</i>
<b>PO29</b> Development does not impede delivery of <b>planned upgrades</b> of <b>state-controlled roads</b> .	No acceptable outcome is prescribed.	<b>Complies</b>  <i>No additional upgrade works to a state-controlled road are required as part of this application.</i>
<b>PO30</b> Development does not impede delivery of <b>corridor improvements</b> located entirely within the <b>state-controlled road corridor</b> .	No acceptable outcome is prescribed.	<b>Complies</b>  <i>No additional upgrade works to a state-controlled road are required as part of this application.</i>

**Table 1.4 Filling, excavation, building foundations and retaining structures**

<b>Performance outcomes</b>	<b>Acceptable outcomes</b>	<b>Response</b>
<b>PO31</b> Development does not create a safety hazard for users of the <b>state-controlled road</b> or <b>road transport infrastructure</b> .	No acceptable outcome is prescribed.	<b>Complies</b>



Performance outcomes	Acceptable outcomes	Response
<b>PO32</b> Development does not adversely impact the operating performance of the <b>state-controlled road</b> .	No acceptable outcome is prescribed.	<b>Complies</b>
<b>PO33</b> Development does not undermine, damage or cause subsidence of a <b>state-controlled road</b> .	No acceptable outcome is prescribed.	<b>Complies</b>
<b>PO34</b> Development does not cause ground water disturbance in a <b>state-controlled road</b> .	No acceptable outcome is prescribed.	<b>Complies</b>
<b>PO35</b> Excavation, boring, piling, blasting and fill compaction do not adversely impact the physical condition or <b>structural integrity</b> of a <b>state-controlled road</b> or <b>road transport infrastructure</b> .	No acceptable outcome is prescribed.	<b>Complies</b>
<b>PO36</b> Filling and excavation associated with the construction of <b>new or changed access</b> do not compromise the operation or capacity of existing drainage infrastructure for a <b>state-controlled road</b> .	No acceptable outcome is prescribed.	<b>Complies</b>

## Table 1.5 Environmental emissions

Statutory note: Where a **state-controlled road** is co-located in the same transport corridor as a railway, the development should instead comply with Environmental emissions in State code 2: Development in a railway environment.

Performance outcomes	Acceptable outcomes	Response
<b>Reconfiguring a lot</b>		
<b>Involving the creation of 5 or fewer new residential lots adjacent to a state-controlled road or type 1 multi-modal corridor</b>		
<b>PO37</b> Development minimises free field noise intrusion from a <b>state-controlled road</b> .	<b>AO37.1</b> Development provides a noise barrier or earth mound which is designed, sited and constructed: 1. to achieve the maximum free field acoustic levels in reference table 2 (item 2.1); 2. in accordance with:	<b>Not applicable</b>  <i>The subject application does not involve the creation of additional lots.</i>

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Performance outcomes	Acceptable outcomes	Response
	<p>a. Chapter 7 integrated noise barrier design of the Transport Noise Management Code of Practice: Volume 1 (Road Traffic Noise), Department of Transport and Main Roads, 2013;</p> <p>b. Technical Specification-MRTS15 Noise Fences, Transport and Main Roads, 2019;</p> <p>c. Technical Specification-MRTS04 General Earthworks, Transport and Main Roads, 2020.</p> <p>OR</p> <p><b>AO37.2</b> Development achieves the maximum free field acoustic levels in reference table 2 (item 2.1) by <b>alternative noise attenuation measures</b> where it is not practical to provide a noise barrier or earth mound.</p> <p>OR</p> <p><b>AO37.3</b> Development provides a <b>solid gap-free fence</b> or other <b>solid gap-free structure</b> along the full extent of the boundary closest to the <b>state-controlled road</b>.</p>	
<b>Involving the creation of 6 or more new residential lots adjacent to a state-controlled road or type 1 multi-modal corridor</b>		
<p><b>PO38</b> Reconfiguring a lot minimises free field noise intrusion from a <b>state-controlled road</b>.</p>	<p><b>AO38.1</b> Development provides noise barrier or earth mound which is designed, sited and constructed:</p> <ol style="list-style-type: none"> <li>1. to achieve the maximum free field acoustic levels in reference table 2 (item 2.1);</li> <li>2. in accordance with: <ol style="list-style-type: none"> <li>a. Chapter 7 integrated noise barrier design of the Transport Noise Management Code of Practice: Volume 1 (Road Traffic</li> </ol> </li> </ol>	<p><b>Not applicable</b></p> <p><i>The subject application does not involve the creation of additional lots.</i></p>

Performance outcomes	Acceptable outcomes	Response
	<p>Noise), Department of Transport and Main Roads, 2013;</p> <p>b. Technical Specification-MRTS15 Noise Fences, Transport and Main Roads, 2019;</p> <p>c. Technical Specification-MRTS04 General Earthworks, Transport and Main Roads, 2020.</p> <p>OR</p> <p><b>AO38.2</b> Development achieves the maximum free field acoustic levels in reference table 2 (item 2.1) by <b>alternative noise attenuation measures</b> where it is not practical to provide a noise barrier or earth mound.</p>	
<b>Material change of use (accommodation activity)</b>		
<b>Ground floor level requirements adjacent to a state-controlled road or type 1 multi-modal corridor</b>		
<p><b>PO39</b> Development minimises noise intrusion from a <b>state-controlled road in private open space</b>.</p>	<p><b>AO39.1</b> Development provides a noise barrier or earth mound which is designed, sited and constructed:</p> <ol style="list-style-type: none"> <li>1. to achieve the maximum free field acoustic levels in reference table 2 (item 2.2) for <b>private open space</b> at the ground floor level;</li> <li>2. in accordance with: <ol style="list-style-type: none"> <li>a. Chapter 7 integrated noise barrier design of the Transport Noise Management Code of Practice: Volume 1 (Road Traffic Noise), Department of Transport and Main Roads, 2013;</li> <li>b. Technical Specification-MRTS15 Noise Fences, Transport and Main Roads, 2019;</li> </ol> </li> </ol>	<p><b>Not applicable</b></p> <p><i>The subject application does not involve accommodation activities.</i></p>

Performance outcomes	Acceptable outcomes	Response
	<p>c. Technical Specification-MRTS04 General Earthworks, Transport and Main Roads, 2020.</p> <p>OR</p> <p><b>AO39.2</b> Development achieves the maximum free field acoustic level in reference table 2 (item 2.2) for <b>private open space</b> by <b>alternative noise attenuation measures</b> where it is not practical to provide a noise barrier or earth mound.</p>	
<p><b>PO40</b> Development (excluding a <b>relevant residential building</b> or <b>relocated building</b>) minimises noise intrusion from a <b>state-controlled road</b> in <b>habitable rooms</b> at the facade.</p>	<p><b>AO40.1</b> Development (excluding a <b>relevant residential building</b> or <b>relocated building</b>) provides a noise barrier or earth mound which is designed, sited and constructed:</p> <ol style="list-style-type: none"> <li>1. to achieve the maximum building façade acoustic level in reference table 1 (item 1.1) for <b>habitable rooms</b>;</li> <li>2. in accordance with: <ol style="list-style-type: none"> <li>a. Chapter 7 integrated noise barrier design of the Transport Noise Management Code of Practice: Volume 1 (Road Traffic Noise), Department of Transport and Main Roads, 2013;</li> <li>b. Technical Specification-MRTS15 Noise Fences, Transport and Main Roads, 2019;</li> <li>c. Technical Specification-MRTS04 General Earthworks, Transport and Main Roads, 2020.</li> </ol> </li> </ol> <p>OR</p> <p><b>AO40.2</b> Development (excluding a <b>relevant residential building</b> or <b>relocated building</b>) achieves the maximum building façade acoustic</p>	<p><b>Not applicable</b></p> <p><i>The subject application does not involve accommodation activities.</i></p>

Performance outcomes	Acceptable outcomes	Response
	level in reference table 1 (item 1.1) for <b>habitable rooms</b> by <b>alternative noise attenuation measures</b> where it is not practical to provide a noise barrier or earth mound.	
<b>PO41 Habitable rooms</b> (excluding a <b>relevant residential building</b> or <b>relocated building</b> ) are designed and constructed using materials to achieve the maximum internal acoustic level in reference table 3 (item 3.1).	No acceptable outcome is provided.	<b>Not applicable</b>  <i>The subject application does not involve accommodation activities.</i>
<b>Above ground floor level requirements (accommodation activity) adjacent to a state-controlled road or type 1 multi-modal corridor</b>		
<b>PO42</b> Balconies, podiums, and roof decks include: 1. a continuous <b>solid gap-free structure</b> or balustrade (excluding gaps required for drainage purposes to comply with the Building Code of Australia); 2. highly acoustically absorbent material treatment for the total area of the soffit above balconies, podiums, and roof decks.	No acceptable outcome is provided.	<b>Not applicable</b>  <i>The subject application does not involve accommodation activities.</i>
<b>PO43 Habitable rooms</b> (excluding a <b>relevant residential building</b> or <b>relocated building</b> ) are designed and constructed using materials to achieve the maximum internal acoustic level in reference table 3 (item 3.1).	No acceptable outcome is provided.	<b>Not applicable</b>  <i>The subject application does not involve accommodation activities.</i>
<b>Material change of use (other uses)</b>		
<b>Ground floor level requirements (childcare centre, educational establishment, hospital) adjacent to a state-controlled road or type 1 multi-modal corridor</b>		
<b>PO44</b> Development: 1. provides a noise barrier or earth mound that is designed, sited and constructed: a. to achieve the maximum free field acoustic level in reference table 2 (item 2.3) for all <b>outdoor education areas</b> and <b>outdoor play areas</b> ; b. in accordance with:	No acceptable outcome is provided.	<b>Not applicable</b>

Performance outcomes	Acceptable outcomes	Response
<ul style="list-style-type: none"> <li>i. Chapter 7 integrated noise barrier design of the Transport Noise Management Code of Practice: Volume 1 (Road Traffic Noise), Department of Transport and Main Roads, 2013;</li> <li>ii. Technical Specification-MRTS15 Noise Fences, Transport and Main Roads, 2019;</li> <li>iii. Technical Specification-MRTS04 General Earthworks, Transport and Main Roads, 2020; or</li> </ul> <p>2. achieves the maximum free field acoustic level in reference table 2 (item 2.3) for all <b>outdoor education areas</b> and <b>outdoor play areas</b> by <b>alternative noise attenuation measures</b> where it is not practical to provide a noise barrier or earth mound.</p>		
<p><b>PO45</b> Development involving a <b>childcare centre</b> or <b>educational establishment</b>:</p> <ul style="list-style-type: none"> <li>1. provides a noise barrier or earth mound that is designed, sited and constructed:</li> <li>2. to achieve the maximum building facade acoustic level in reference table 1 (item 1.2);</li> <li>3. in accordance with: <ul style="list-style-type: none"> <li>a. Chapter 7 integrated noise barrier design of the Transport Noise Management Code of Practice: Volume 1 (Road Traffic Noise), Department of Transport and Main Roads, 2013;</li> <li>b. Technical Specification-MRTS15 Noise Fences, Transport and Main Roads, 2019;</li> </ul> </li> </ul>	No acceptable outcome is provided.	<b>Not applicable</b>

Performance outcomes	Acceptable outcomes	Response
<p>c. Technical Specification-MRTS04 General Earthworks, Transport and Main Roads, 2020; or</p> <p>4. achieves the maximum building facade acoustic level in reference table 1 (item 1.2) by <b>alternative noise attenuation measures</b> where it is not practical to provide a noise barrier or earth mound.</p>		
<p><b>PO46</b> Development involving:</p> <ol style="list-style-type: none"> <li>1. <b>indoor education areas</b> and <b>indoor play areas</b>; or</li> <li>2. sleeping rooms in a <b>childcare centre</b>; or</li> <li>3. <b>patient care areas</b> in a <b>hospital</b> achieves the maximum internal acoustic level in reference table 3 (items 3.2-3.4).</li> </ol>	No acceptable outcome is provided.	<b><i>Not applicable</i></b>
<p><b>Above ground floor level requirements (childcare centre, educational establishment, hospital) adjacent to a state-controlled road or type 1 multi-modal corridor</b></p>		
<p><b>PO47</b> Development involving a <b>childcare centre</b> or <b>educational establishment</b> which have balconies, podiums or elevated <b>outdoor play areas</b> predicted to exceed the maximum free field acoustic level in reference table 2 (item 2.3) due to noise from a <b>state-controlled road</b> are provided with:</p> <ol style="list-style-type: none"> <li>1. a continuous <b>solid gap-free structure</b> or balustrade (excluding gaps required for drainage purposes to comply with the Building Code of Australia);</li> <li>2. highly acoustically absorbent material treatment for the total area of the soffit above balconies or elevated <b>outdoor play areas</b>.</li> </ol>	No acceptable outcome is provided.	<b><i>Not applicable</i></b>

Performance outcomes	Acceptable outcomes	Response
<p><b>PO48</b> Development including:</p> <ol style="list-style-type: none"> <li>1. <b>indoor education areas</b> and <b>indoor play areas</b> in a <b>childcare centre</b> or <b>educational establishment</b>; or</li> <li>2. sleeping rooms in a <b>childcare centre</b>; or</li> <li>3. <b>patient care areas</b> in a <b>hospital</b> located above ground level, is designed and constructed to achieve the maximum internal acoustic level in reference table 3 (items 3.2-3.4).</li> </ol>	<p>No acceptable outcome is provided.</p>	
<b>Air, light and vibration</b>		
<p><b>PO49</b> <b>Private open space, outdoor education areas</b> and <b>outdoor play areas</b> are protected from air quality impacts from a <b>state-controlled road</b>.</p>	<p><b>AO49.1</b> Each dwelling or unit has access to a <b>private open space</b> which is shielded from a <b>state-controlled road</b> by a building, <b>solid gap-free fence</b>, or other <b>solid gap-free structure</b>.</p> <p>OR</p> <p><b>AO49.2</b> Each <b>outdoor education area</b> and <b>outdoor play area</b> is shielded from a <b>state-controlled road</b> by a building, <b>solid gap-free fence</b>, or other <b>solid gap-free structure</b>.</p>	<b>Not applicable</b>
<p><b>PO50</b> <b>Patient care areas</b> within <b>hospitals</b> are protected from vibration impacts from a <b>state-controlled road</b> or <b>type 1 multi-modal corridor</b>.</p>	<p><b>AO50.1</b> <b>Hospitals</b> are designed and constructed to ensure vibration in the patient treatment area does not exceed a vibration dose value of <math>0.1\text{m/s}^{1.75}</math>.</p> <p>AND</p> <p><b>AO50.2</b> <b>Hospitals</b> are designed and constructed to ensure vibration in the ward of a <b>patient care area</b> does not exceed a vibration dose value of <math>0.4\text{m/s}^{1.75}</math>.</p>	<b>Not applicable</b>



Performance outcomes	Acceptable outcomes	Response
<p><b>PO51</b> Development is designed and sited to ensure light from infrastructure within, and from users of, a <b>state-controlled road</b> or <b>type 1 multi-modal corridor</b>, does not:</p> <ol style="list-style-type: none"> <li>intrude into buildings during night hours (10pm to 6am);</li> <li>create unreasonable disturbance during evening hours (6pm to 10pm).</li> </ol>	No acceptable outcomes are prescribed.	<b>Not applicable</b>

**Table 1.6: Development in a future state-controlled road environment**

Performance outcomes	Acceptable outcomes	Response
<p><b>PO52</b> Development does not impede delivery of a <b>future state-controlled road</b>.</p>	<p><b>AO52.1</b> Development is not located in a <b>future state-controlled road</b>.</p> <p>OR ALL OF THE FOLLOWING APPLY:</p> <p><b>AO52.2</b> Development does not involve filling and excavation of, or material changes to, a <b>future state-controlled road</b>.</p> <p>AND</p> <p><b>AO52.3</b> The intensification of lots does not occur within a <b>future state-controlled road</b>.</p> <p>AND</p> <p><b>AO52.4</b> Development does not result in the landlocking of parcels once a <b>future state-controlled road</b> is delivered.</p>	<p><b>Complies</b></p> <p><i>Development is not located on land identified by the Department of Transport and Main Roads as land required for a future state-controlled road.</i></p>
<p><b>PO53</b> The location and design of <b>new or changed access</b> does not create a safety hazard for users of a <b>future state-controlled road</b>.</p>	<p><b>AO53.1</b> Development does not include <b>new or changed access</b> to a <b>future state-controlled road</b>.</p>	<p><b>Complies</b></p>

Performance outcomes	Acceptable outcomes	Response
		<i>Development is not located on land identified by the Department of Transport and Main Roads as land required for a future state-controlled road.</i>
<b>PO54</b> Filling, excavation, building foundations and <b>retaining structures</b> do not undermine, damage or cause subsidence of a <b>future state-controlled road</b> .	No acceptable outcome is prescribed.	<b>Complies</b>  <i>Development is not located on land identified by the Department of Transport and Main Roads as land required for a future state-controlled road.</i>
<b>PO55</b> Development does not result in a material worsening of stormwater, flooding, overland flow or drainage impacts in a <b>future state-controlled road</b> or <b>road transport infrastructure</b> .	No acceptable outcome is prescribed.	<b>Complies</b>  <i>Development is not located on land identified by the Department of Transport and Main Roads as land required for a future state-controlled road.</i>
<b>PO56</b> Development ensures that stormwater is lawfully discharged.	<b>AO56.1</b> Development does not create any new points of discharge to a <b>future state-controlled road</b> .  AND <b>AO56.2</b> Development does not concentrate flows to a <b>future state-controlled road</b> .  AND <b>AO56.3</b> Stormwater run-off is discharged to a <b>lawful point of discharge</b> .  AND	<b>Complies</b>  <i>Development is not located on land identified by the Department of Transport and Main Roads as land required for a future state-controlled road.</i>

Performance outcomes	Acceptable outcomes	Response
	<b>AO56.4</b> Development does not worsen the condition of an existing <b>lawful point of discharge</b> to the <b>future state-controlled road</b> .	