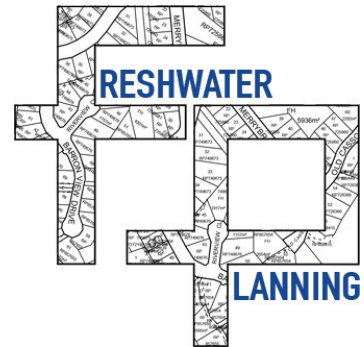


Your Ref:  
Our Ref: F21/34

04 April, 2022

Chief Executive Officer  
Mareeba Shire Council  
PO Box 154  
**MAREEBA QLD 4880**



**Attention: Regional Planning Group**

Dear Sir,

**RE: APPLICATION FOR A MATERIAL CHANGE OF USE – PRELIMINARY APPROVAL TO VARY THE EFFECT OF THE PLANNING SCHEME – USE RIGHTS IN ACCORDANCE WITH THE RURAL RESIDENTIAL ZONES 4,000 M<sup>2</sup> PRECINCT OF THE MAREEBA SHIRE PLANNING SCHEME AND DEVELOPMENT PERMIT FOR RECONFIGURING A LOT – 1 LOT INTO 87 LOTS.  
LOT 200 ON SP284110, MARINELLI DRIVE, MAREEBA.**

This application is for a Material Change of Use – Preliminary Approval to vary the effect of the Planning Scheme – Use Rights in accordance with the Rural Residential Zone's 4,000 m<sup>2</sup> Precinct of the Mareeba Shire Planning Scheme AND a Development Permit for a Reconfiguration of a Lot – 1 Lot into 87 Lots over land described as Lot 200 on SP284110, situated on Marinelli Drive, Mareeba is submitted on behalf of Cairns Plywoods Pty Ltd the owner of the site.

The application comprises of Application Forms, SmartMap, Twine Surveys Pty Ltd Sketch Plans, Jim Papas Civil Engineering Designer Pty Ltd Engineering Plans, Jim Papas Civil Engineering Designer Pty Ltd Engineering Report and this Town Planning Submission. It is understood that the payment for the Application Fee will be provided to the Mareeba Shire Council.

### **The Site**

The subject land is described as Lot 200 on SP284110, Locality of Mareeba and situated on Marinelli Drive, Mareeba. The site is owned by Cairns Plywoods Pty Ltd who is also the applicant for the proposed Submission. The site is irregular in shape, comprises of a single FreeHold allotment, has an area of 49.2079 hectares, and encompasses a Dwelling House, associated structures and vacant land. The parcel of land is the balance parcel of the existing Marinelli Estate.

The site contains a frontage to the existing Road Network, being Marinelli Drive and Luisa Circuit which are of bitumen seal construction. The site also contains frontage to Torrisi Road which is unconstructed fronting the site. The site is access from the existing Road Network and is able to be provided with all available urban services. The proposed development will provide access to the site via the extension of the existing formation of Marinelli Drive.

In relation to the current State Governmental Mapping the site is Mapped as containing Remnant 'least of concern' Vegetation and is Not Mapped as containing Regrowth Vegetation nor Essential Habitat. The site is also designated as including a Wetland of General Ecological Significance. The site is not located within 25 metres of a State Controlled Road nor within 25 metres of a Railway Corridor.

## Referral Agencies

The site is Mapped as containing Remnant 'least concerns' Vegetation and not Essential Habitat. The proposed development is provided over a Residential Zoned Allotment (Urban Purposes) within an Urban Area (Urban Footprint). Therefore, it is considered that the Development Application **does not** require Referral to the Department of State Development, Manufacturing, Local Government, Infrastructure and Planning for Vegetation Purposes.

The site may trigger the threshold for number of allotments within the Local Government Area triggering Referral to the Department of State Development, Manufacturing, Local Government, Infrastructure and Planning in relation to the Transport and Main Roads concerns.

The site is Mapped as containing a Wetland of General Ecological Significance, being the Barron River that adjoins the site. The proposal does not require Referral to the Department of State Development, Manufacturing, Local Government, Infrastructure and Planning as the proposal does not undertake any Operational Work that is High Impact Earthworks as defined under Schedule 24 of the Planning Regulation within the Mapped Wetland Area.

## The Proposed Development

The proposed development is for a Material Change of Use – Preliminary Approval to vary the effect of the Planning Scheme – Use Rights in accordance with the Rural Residential Zone's 4,000 m<sup>2</sup> Precinct of the Mareeba Shire Council's Planning Scheme, 2016 AND a Development Permit for Reconfiguring a Lot (87 Residential Lots) in the Low Density Residential Zone of the Mareeba Shire Council's Planning Scheme. The site is located on Marinelli Drive, Mareeba and is more particularly described as Lot 200 on SP284110. The site is irregular in shape, encompasses a Dwelling House, associated structures and vacant land and has an area of 49.2079 hectares.

The site is currently designated within the Low Density Residential Zone of the Mareeba Shire Planning Scheme. The proposal is to reclassify the site within the Rural Residential Zone's 4,000 m<sup>2</sup> Precinct. Freshwater Planning Pty Ltd has been provided with the following from the Developers of the site.

*Cairns Plywoods want to reclassify the site, being the balance of the Marinelli Estate (Lot 200 on SP284110) from Residential to Rural Residential to develop the site into more saleable acreage allotments of around 5,000 m<sup>2</sup> in area with town water and possibly reticulated sewerage.*

*We believe with the "covid effect" on the land market in Mareeba and across the Tablelands, people are choosing to live further apart from each other creating a demand for the proposed larger lots .*

*There appears to be little supply of the proposed lots in such a close location to Mareeba having desired attributes such as elevated views and Barron River frontage. We as developers believe there will be adequate demand for the acreage lots to make the development viable whereas being Zoned as Residential, we believe Lot 200 to be very marginally viable at the current Residential land prices.*

A Development Permit for a Reconfiguration of 1 Lot into 87 Lots is sought to subdivide Lot 200 on SP284110. The proposed Reconfiguration will result in Lots of similar sizes to allotments within Rural Residential Areas of the Mareeba Shire. These proposed Rural Residential Allotments range between 3,198 m<sup>2</sup> to 1.814 hectares. The proposed allotments conform to the Rural Residential Zone of the Mareeba Shire Council's Planning Scheme. The proposal will provide additional Rural Residential Allotments within the Mareeba Shire while maintaining the existing Residential amenities and aesthetics of the site and immediate surrounds. The Material Change Use – Preliminary Approval is proposed to vary the effect of the Planning Scheme for the provision of Rural Residential Use Rights in accordance with the Mareeba Shire Council's Planning Scheme.

It is noted that the site is currently designated within the Low Density Residential Zone of the Mareeba Shire Planning Scheme. The proposal is for the reduction in the intensity of the available Uses over the site due to the current Market, Global Pandemic and the physical, natural and environmental characteristics of the site. It is considered that the proposed layout more appropriately ensures the continuing viability of the Shire's Rural economy by providing a more suitable transition from Residential Land to Rural Lands. The proposal is the continuation of the Marinelli Estate transitioning from Residential to Rural Residential whilst maximising the efficient utilisation of the existing infrastructure and services, achieving Residential diversity.

The proposal is for the extension of the existing Marinelli Residential Estate with the provision of the Marinelli Rural Residential Estate. The Reconfiguration of a Lot proposes eighty-seven (87) Rural Residential Allotments described as proposed Lots 11 – 97 and provided over nine (9) Stages. The proposed Staging and areas of the allotments are:

#### Stage 1 – 14 Lots

Proposed Lot 11	4,001 m <sup>2</sup>	Proposed Lot 18	6,113 m <sup>2</sup>
Proposed Lot 12	3,198 m <sup>2</sup>	Proposed Lot 19	4,056 m <sup>2</sup>
Proposed Lot 13	3,805 m <sup>2</sup>	Proposed Lot 20	4,144 m <sup>2</sup>
Proposed Lot 14	3,350 m <sup>2</sup>	Proposed Lot 21	6,349 m <sup>2</sup>
Proposed Lot 15	4,000 m <sup>2</sup>	Proposed Lot 22	6,349 m <sup>2</sup>
Proposed Lot 16	4,585 m <sup>2</sup>	Proposed Lot 96	4,002 m <sup>2</sup>
Proposed Lot 17	5,349 m <sup>2</sup>	Proposed Lot 97	4,000 m <sup>2</sup> .

#### Stage 2 – 8 Lots

Proposed Lot 23	6,348 m <sup>2</sup>	Proposed Lot 92	6,200 m <sup>2</sup>
Proposed Lot 24	6,181 m <sup>2</sup>	Proposed Lot 93	5,149 m <sup>2</sup>
Proposed Lot 25	7,148 m <sup>2</sup>	Proposed Lot 94	4,012 m <sup>2</sup>
Proposed Lot 91	5,300 m <sup>2</sup>	Proposed Lot 95	4,005 m <sup>2</sup> .

#### Stage 3 – 10 Lots

Proposed Lot 26	6,251 m <sup>2</sup>	Proposed Lot 86	4,010 m <sup>2</sup>
Proposed Lot 27	4,000 m <sup>2</sup>	Proposed Lot 87	4,247 m <sup>2</sup>
Proposed Lot 28	4,000 m <sup>2</sup>	Proposed Lot 88	5,804 m <sup>2</sup>
Proposed Lot 29	4,000 m <sup>2</sup>	Proposed Lot 89	5,849 m <sup>2</sup>
Proposed Lot 30	4,232 m <sup>2</sup>	Proposed Lot 90	4,020 m <sup>2</sup> .

#### Stage 4 – 11 Lots

Proposed Lot 31	6,426 m <sup>2</sup>	Proposed Lot 37	4,000 m <sup>2</sup>
Proposed Lot 32	5,116 m <sup>2</sup>	Proposed Lot 82	4,000 m <sup>2</sup>
Proposed Lot 33	4,800 m <sup>2</sup>	Proposed Lot 83	4,010 m <sup>2</sup>
Proposed Lot 34	4,788 m <sup>2</sup>	Proposed Lot 84	4,010 m <sup>2</sup>
Proposed Lot 35	4,231 m <sup>2</sup>	Proposed Lot 85	4,964 m <sup>2</sup> .
Proposed Lot 36	4,018 m <sup>2</sup>		

Stage 5 – 10 Lots

Proposed Lot 38	4,000 m <sup>2</sup>	Proposed Lot 77	4,578 m <sup>2</sup>
Proposed Lot 39	4,000 m <sup>2</sup>	Proposed Lot 78	4,946 m <sup>2</sup>
Proposed Lot 40	4,000 m <sup>2</sup>	Proposed Lot 79	5,558 m <sup>2</sup>
Proposed Lot 41	4,010 m <sup>2</sup>	Proposed Lot 80	4,010 m <sup>2</sup>
Proposed Lot 76	4,634 m <sup>2</sup>	Proposed Lot 81	4,000 m <sup>2</sup> .

Stage 6 – 8 Lots

Proposed Lot 42	4,174 m <sup>2</sup>	Proposed Lot 72	5,016 m <sup>2</sup>
Proposed Lot 43	4,194 m <sup>2</sup>	Proposed Lot 73	5,634 m <sup>2</sup>
Proposed Lot 44	4,194 m <sup>2</sup>	Proposed Lot 74	5,658 m <sup>2</sup>
Proposed Lot 45	4,194 m <sup>2</sup>	Proposed Lot 75	5,691 m <sup>2</sup> .

Stage 7 – 7 Lots

Proposed Lot 46	4,048 m <sup>2</sup>	Proposed Lot 69	4,812 m <sup>2</sup>
Proposed Lot 47	4,063 m <sup>2</sup>	Proposed Lot 70	4,201 m <sup>2</sup>
Proposed Lot 67	7,020 m <sup>2</sup>	Proposed Lot 71	4,679 m <sup>2</sup>
Proposed Lot 68	5,221 m <sup>2</sup>		

Stage 8 – 7 Lots

Proposed Lot 48	4,050 m <sup>2</sup>	Proposed Lot 64	5,002 m <sup>2</sup>
Proposed Lot 49	4,005 m <sup>2</sup>	Proposed Lot 65	5,634 m <sup>2</sup>
Proposed Lot 62	4,373 m <sup>2</sup>	Proposed Lot 66	8,156 m <sup>2</sup> .
Proposed Lot 63	5,329 m <sup>2</sup>		

Stage 9 – 12 Lots

Proposed Lot 50	4,008 m <sup>2</sup>	Proposed Lot 56	4,426 m <sup>2</sup>
Proposed Lot 51	5,091 m <sup>2</sup>	Proposed Lot 57	4,582 m <sup>2</sup>
Proposed Lot 52	4,212 m <sup>2</sup>	Proposed Lot 58	1.049 ha
Proposed Lot 53	4,789 m <sup>2</sup>	Proposed Lot 59	9,902 m <sup>2</sup>
Proposed Lot 54	7,364 m <sup>2</sup>	Proposed Lot 60	4,261 m <sup>2</sup>
Proposed Lot 55	1.814 ha	Proposed Lot 61	4,398 m <sup>2</sup> .

The proposed development does provide for Staging with the Reconfiguration as nominated above however, it is noted that the proposal has been structured to allow for the creation of any individual allotment provided that the Operational Works, Infrastructure and Services have been provided.

The site gains access from the existing Road Network, being Marinelli Drive. The proposed Rural Residential Allotments gain access from the extension of Marinelli Drive and the provision of a new Internal Road. It is considered that each proposed allotment can be provided with appropriate access via the extended and new Road Networks. The site is connected to all available services with the proposed eighty-seven (87) Rural Residential Allotments able to be connected to all available and necessary services. Attached to this Submission is an Engineering Report in support of the Town Planning Application for the Rural Residential Subdivision as provided by Jim Papas Civil Engineering Designer Pty Ltd. The Engineering Report provides commentary into the Flood Level, Slope Analysis, Traffic Generation, Roadworks, Stormwater Drainage, Water Reticulation, Sewerage and Electrical and Telecommunications with the Report summarising that the proposed Rural Residential Subdivision can be appropriately serviced.

The proposed allotments meet the minimum area requirements of the Mareeba Shire Planning Scheme's Reconfiguring a Lot Code for land designated within the Low Density Residential Zone. It is not considered that the proposed Subdivision will be detrimental to the adjacent sites or adversely impact on the surrounding area. The proposal is for a Material Change of Use – Preliminary Approval for Rural Residential Use Rights reclassifying the site to provide more saleable larger allotments within this "Covid Affected" market. It is not considered that the proposed Subdivision will be detrimental to the adjoining sites or adversely impact on the surrounding area. It is considered that the Performance Criteria of the Low Density Zone and Rural Residential Zone Codes and the Reconfiguring a Lot Code can be met in this instance.

The site is located in the Low Density Residential Zone of the Mareeba Shire Planning Scheme. A Material Change of Use for Preliminary Approval for Residential Use Rights is an Impact Assessable Use with the subsequent Reconfiguring a Lot is understood to be a Code Assessable Use within the Mareeba Shire Planning Scheme. The Application takes the higher order Assessment and is Impact Assessable.

This Submission provides a comprehensive assessment of the relevant planning instruments and site context for the proposed Uses. This is supported by the attached Sketch Plans, Engineering Plans, Engineering Report and the assessment against the relevant aspects of the Mareeba Shire Council's Planning Scheme. It is considered that the proposed development is an appropriate land Use for the site, immediate vicinity and surrounding environs providing additional saleable allotments to the surrounding local residents of Mareeba, the Tablelands and Far North Queensland.

### **Far North Queensland Regional Plan 2009-2031**

Lot 200 on SP284110 is identified as being in the Urban Footprint designation of the FNQ Regional Plan Mapping.

The proposal is considered to be a greenfield development or a re-subdivision (infill/re-development) of an existing site. The Reconfiguration is within the Urban Footprint and results in the creation of appropriate densities without affecting the existing natural environment. The proposal is for the provision of the Marinelli Rural Residential Estate which while provides for lesser densities than the existing Zone, however, provides for a much sort after and needed Rural Residential Subdivision and is considered appropriate and acceptable.

It is considered that the proposed Reconfiguration is not in conflict with the Intent for Urban Footprint designation of the FNQ Regional Plan 2009-2031.

### **Strategic Framework**

The site is located in the Residential Area of the Strategic Framework Mapping within the Mareeba Shire Planning Scheme. The site for the majority is surrounded by the Urban Expansion Area within the Strategic Framework Mapping. The Mareeba Shire Council's Planning Scheme Strategic Framework nominates the following for land associated as Residential Area:

#### **3.3.1 Strategic outcomes**

*Mareeba Shire is intended to support a widely dispersed population in a variety of settings, including rural towns, small rural settlements, villages, rural residential areas, cropping lands, grazing lands and broad-hectare grazing properties. Future development maintains this settlement pattern and the distinct character that it provides to the shire. The settlement pattern also ensures the continuing viability of the shire's rural economy, particularly through the provision of high quality services.*

*Residential areas and urban expansion areas support strategically located and logically sequenced residential development, maximising the efficient utilisation of new and existing infrastructure, particularly active and public transport. Residential development, including infill housing in designated areas, is focussed in Mareeba and the Kuranda district. A diversity of housing choices is developed within proximity to services and activity centres while protecting the character of the shire.*

The proposal is located within the Mareeba Residential Area and is situated immediately adjoining Urban Expansion Areas. The proposal provides for a widely dispersed population in a variety of settings including Rural Residential Areas. It is considered that the proposed layout more appropriately ensures the continuing viability of the Shire's Rural economy by providing a more suitable transition from Residential Land to Rural Lands. The site is the continuation of the Marinelli Estate transitioning from Residential to Rural Residential whilst maximising the efficient utilisation of the existing infrastructure and services, achieving Residential diversity. The proposal is considered to compliment the Strategic Framework within the immediate area and within the Mareeba Shire, protecting the character and major economy of the Shire.

It is considered that in this instance, the proposed development is appropriate, acceptable and provides for more appropriate transition of land protecting the Shire's Rural economy whilst achieving a range of Residential diversity within the Mareeba Townships without affecting the future growth of Mareeba.

### Mareeba Local Plan Code

The site is located within the Mareeba South-Eastern Expansion Precinct of the Mareeba Local Plan with the Mareeba South-Eastern Expansion Precinct *intended for urban residential development. These precincts are constrained by a range of important features including slopes, gullies, watercourses, open space and riparian linkages and the Mareeba Bypass. Development in these precincts preserves and enhances these features while supporting the development of a walkable and well connected transport network*'. The proposal is for a Rural Residential Subdivision conforming to the requirement for Urban Residential Development which is constrained by a range of important features (slopes, gullies and watercourses). The proposal has been meticulously designed to mitigate or enhance any features of the site while supporting the development of a well-connected transport network.

Performance outcomes	Acceptable outcomes	Comments
<b>For assessable development</b>		
<b>PO6</b> Development in the Mareeba local plan area: (a) promotes and does not prejudice the ongoing operation of Mareeba as the major regional activity centre of the Shire; (b) provides growth or redevelopment in areas within close proximity to the Town centre core precinct; (c) locates Community facilities in accessible locations within walking distance of the Town centre core precinct; and (d) contributes to the vibrancy and local identity of the Mareeba community.	<b>AO6</b> No acceptable outcome is provided.	The proposed development is for an 87 allotment Rural Residential Subdivision, being the Balance of Marinelli Estate, located within the Mareeba South-Eastern Expansion Precinct. The proposal is considered to promote the ongoing operation of Mareeba as a major Regional Activity Centre by providing additional Rural Residential land varying in size supporting growth within the Township. The proposed development is located in proximity to the Town Centre and important Community Facilities and will contribute to the vibrancy and local identity of the Mareeba Community.
<b>PO7</b> Development does prejudice the future construction of the Mareeba Bypass.	<b>AO7</b> Development involving permanent buildings or structures does not occur on	Not Applicable. The proposal will not affect the construction of the Mareeba Bypass and



Performance outcomes	Acceptable outcomes	Comments
	land affected by the Mareeba bypass element.	will likely provide a necessary accommodation during the construction phase of the Bypass.
<b>PO8</b> Development integrates the following elements identified on the Mareeba local plan maps: (a) open space elements; (b) indicative collector roads as higher order road linkages; (c) indicative minor roads in a similar design as shown as mapped; and (d) possible connections as important road linkages between developments.	<b>AO8</b> No acceptable outcome is provided.	Not considered appropriate. The site is serviced by the existing Road Network and linkages. No change to this is envisaged with the proposal.
<b>PO9</b> Development integrates small-scale local retail centres that: (a) service the local neighbourhood; and (b) do not prejudice the ongoing operation of the Mareeba town centre.	<b>AO9</b> No acceptable outcome is provided.	Not Applicable. The proposal is for a Rural Residential Subdivision.
<b>If in the North-eastern expansion precinct, South-eastern expansion precinct or South-western expansion precinct</b>		
<b>PO18</b> Development provides an average net accommodation density of at least 12 dwellings or accommodation units per hectare.  Note—Calculation of accommodation density excludes areas not developed as a result of provisions of an overlay.	<b>AO18</b> No acceptable outcome is provided.	The proposal is for a Rural Residential Reconfiguration of a Lot creating 87 Allotments adding to a mixture of Residential Lots sizes within Mareeba.  The site is constrained by natural and physical features and whilst, does not create the required densities, provides for a much more appropriate transition from the existing Residential land to the southern and eastern adjoining and adjacent Rural lands.  The proposal is considered to more appropriately protect the Rural Economy of the Mareeba Township, while providing a diverse range of Residential Accommodation within the Shire.
<b>PO19</b> Development provides a wide range of housing options, including different dwelling sizes and types that meet the needs of a range of household compositions.	<b>AO19</b> No acceptable outcome is provided.	The proposal is for a Reconfiguration of a Lot creating 87 Rural Residential Allotments adding to a mixture of Rural Residential Lots sizes within Mareeba. The proposal provides a range of household compositions for the Mareeba Township.
<b>PO20</b> The road network is to be developed in a logical and sequential manner to provide for the co-ordinated development of the precinct.	<b>AO20</b> No acceptable outcome is provided.	Not Applicable. The site gains access to the existing Road Network which is already provided in a logical and sequential manner as supported in the attached Engineering Report.

Performance outcomes	Acceptable outcomes	Comments
<b>PO21</b> The road network provides encourages walking and cycling to daily activities to reduce local vehicle trips by: <ul style="list-style-type: none"> <li>(a) being based on a street grid network;</li> <li>(b) having walkable block sizes;</li> <li>(c) providing safe, efficient and provides for the needs of all users;</li> <li>(d) having a high level of connectivity for all users; and</li> <li>(e) being linked to destinations such as shops, open space and schools.</li> </ul>	<b>A021</b> No acceptable outcome is provided.	The site is accessed via the existing Road Network with the proposal utilising this existing Network and creating an additional internal Road through the current extension of Marinelli Drive. The proposed Rural Residential Subdivision will ensure to encourage an appropriate Transport Network. The attached Engineering Report provides supporting information to ensure that an appropriate and acceptable Road Network will be provided.

It is not considered that the proposed Reconfiguration conflicts with the Acceptable Outcomes and if not available or able to be met, with the Performance Outcomes of the Mareeba Local Plan Code in particularly the South-Eastern Expansion Precinct.

### Low Density Residential Zone Code

The site is designated in the Low Density Residential Zone of the Mareeba Shire Planning Scheme. The proposed development is considered to generally comply with the Code achieving the Acceptable Outcomes and where not able to be met, or are available, meet the Performance Outcomes of the Code. The proposed development is considered appropriate and not in conflict with the Low Density Residential Zone Code as it provides for additional Residential Allotments creating a range of Residential Allotments sizes within Mareeba.

Performance outcomes	Acceptable outcomes	Comment
<b>Height</b>		
<b>PO1</b> Building height takes into consideration and respects the following: <ul style="list-style-type: none"> <li>(a) the height of existing buildings on adjoining premises;</li> <li>(b) the development potential, with respect to height, on adjoining premises;</li> <li>(c) the height of buildings in the vicinity of the site;</li> <li>(d) access to sunlight and daylight for the site and adjoining sites;</li> <li>(e) privacy and overlooking; and</li> <li>(f) site area and street frontage length.</li> </ul>	<b>A01</b> Development has a maximum building height of: <ul style="list-style-type: none"> <li>(a) 8.5 metres; and</li> <li>(b) 2 storeys above ground level.</li> </ul>	Not Applicable. No Buildings proposed.
<b>Outbuildings and residential scale</b>		
<b>PO2</b> Domestic outbuildings: <ul style="list-style-type: none"> <li>(a) do not dominate the lot on which they are located; and</li> <li>(b) are consistent with the scale and character of development in the Low-density residential zone.</li> </ul>	<b>A02</b> Domestic outbuildings do not exceed: <ul style="list-style-type: none"> <li>(a) 100m<sup>2</sup> in gross floor area; and</li> <li>(b) 5.5 metres in height above natural ground level.</li> </ul>	Not Applicable. No Buildings proposed.
<b>Siting, where not involving a Dwelling house</b>		



Performance outcomes	Acceptable outcomes	Comment
Note—Where for Dwelling house, the setbacks of the Queensland Development Code apply.		
<b>PO3</b> Development is sited in a manner that considers and respects: <ul style="list-style-type: none"> <li>(a) the siting and use of adjoining premises;</li> <li>(b) access to sunlight and daylight for the site and adjoining sites;</li> <li>(c) privacy and overlooking;</li> <li>(d) opportunities for casual surveillance of adjoining public spaces;</li> <li>(e) air circulation and access to natural breezes; and</li> <li>(f) appearance of building bulk; and</li> <li>(g) relationship with road corridors.</li> </ul>	<b>A03.1</b> Buildings and structures include a minimum setback of: <ul style="list-style-type: none"> <li>(a) 6 metres from the primary road frontage; and</li> <li>(b) 3 metres from any secondary road frontage.</li> </ul>	Not Applicable. No Buildings proposed.
	<b>A03.2</b> Buildings and structures include a minimum setback of 2 metres from side and rear boundaries.	Not Applicable. No Buildings proposed.
<b>Accommodation density</b>		
<b>PO4</b> The density of Accommodation activities: <ul style="list-style-type: none"> <li>(a) contributes to housing choice and affordability;</li> <li>(b) respects the nature and density of surrounding land use;</li> <li>(c) does not cause amenity impacts beyond the reasonable expectation of accommodation density for the zone; and</li> <li>(d) is commensurate to the scale and frontage of the site.</li> </ul>	<b>A04</b> Development provides a maximum density for Accommodation activities in compliance with <b>Table 6.2.6.3B</b> .	Not Applicable. No Buildings proposed. However, the proposal provides for 87 new Rural Residential Allotments that allow for a Dwelling House to be provided on each allotment compliant with Table 6.2.6.3B.
<b>Gross floor area</b>		
<b>PO5</b> Buildings and structures occupy the site in a manner that: <ul style="list-style-type: none"> <li>(a) makes efficient use of land;</li> <li>(b) is consistent with the bulk and scale of surrounding buildings; and</li> <li>(c) appropriately balances built and natural features.</li> </ul>	<b>A05</b> Gross floor area does not exceed 600m <sup>2</sup> .	Not Applicable. No Buildings proposed.
<b>For assessable development</b>		
<b>Building design</b>		
<b>PO6</b> Building facades are appropriately designed to: <ul style="list-style-type: none"> <li>(a) include visual interest and architectural variation;</li> <li>(b) maintain and enhance the character of the surrounds;</li> <li>(c) provide opportunities for casual surveillance;</li> <li>(d) include a human scale; and</li> <li>(e) encourage occupation of outdoor space.</li> </ul>	<b>A06</b> Buildings include habitable space, pedestrian entrances and recreation space facing the primary road frontage.	Not Applicable. No Buildings proposed.

Performance outcomes	Acceptable outcomes	Comment
<b>PO7</b> Development complements and integrates with the established built character of the Low density residential zone, having regard to: <ul style="list-style-type: none"> <li>(a) roof form and pitch;</li> <li>(b) eaves and awnings;</li> <li>(c) building materials, colours and textures; and window and door size and location.</li> </ul>	<b>AO7</b> No acceptable outcome is provided.	Not Applicable. No Buildings proposed. However, any future dwellings or buildings can comply with the requirements of the Low Density Residential Zone Code having regard to the existing amenity.
<b>Non-residential development</b>		
<b>PO8</b> Non-residential development is only located in new residential areas and: <ul style="list-style-type: none"> <li>(a) is consistent with the scale of existing development;</li> <li>(b) does not detract from the amenity of nearby residential uses;</li> <li>(c) directly supports the day to day needs of the immediate residential community; and</li> <li>(d) does not impact on the orderly provision of non-residential development in other locations in the shire.</li> </ul>	<b>AO8</b> No acceptable outcome is provided.	Not Applicable. The proposal is for an 87 Lot Rural Residential Subdivision. The proposal effectively provides for larger Residential Allotments which creates a more appropriate transition from Residential Land to the surrounding Rural Lands.
<b>Amenity</b>		
<b>PO9</b> Development must not detract from the amenity of the local area, having regard to: <ul style="list-style-type: none"> <li>(a) noise;</li> <li>(b) hours of operation;</li> <li>(c) traffic;</li> <li>(d) advertising devices;</li> <li>(e) visual amenity;</li> <li>(f) privacy;</li> <li>(g) lighting;</li> <li>(h) odour; and</li> <li>(i) emissions.</li> </ul>	<b>AO9</b> No acceptable outcome is provided.	Complies, The proposal is for an 87 Rural Residential Allotment Subdivision that is the extension of Marinelli Estate. It is not considered that the proposed Reconfiguration will detract from the local amenity. No change to the existing amenity is envisaged with the Subdivision.
<b>PO10</b> Development must take into account and seek to ameliorate any existing negative environmental impacts, having regard to: <ul style="list-style-type: none"> <li>(a) noise;</li> <li>(b) hours of operation;</li> <li>(c) traffic;</li> <li>(d) advertising devices;</li> <li>(e) visual amenity;</li> <li>(f) privacy;</li> <li>(g) lighting;</li> <li>(h) odour; and</li> <li>(i) emissions.</li> </ul>	<b>AO10</b> No acceptable outcome is provided.	Complies, The proposal is for an 87 Rural Residential Allotment Subdivision that is the balance of the Marinelli Estate. It is not considered that the proposed Reconfiguration will detract or negatively impact on the existing environment as the proposal has been meticulously designed in relation to the natural and physical features of the site. No change to the existing amenity is envisaged with the Subdivision and the proposal ensures to take into consideration and seek to ameliorate the existing environment as demonstrated by the proposed layout and within the attached Engineering Report.

It is not considered that the proposed Reconfiguration is in conflict with the Intent and the proposal complies with the Acceptable Outcomes and where there are no Acceptable Outcomes or they are unable to be met, the Performance Outcomes of the Low Density Residential Zone Code.

## Rural Residential Zone Code

The proposal is for a Material Change of Use – Preliminary Approval to vary the effect of the Planning Scheme – Use Rights in accordance with the Rural Residential Zone of the Mareeba Shire Council’s Planning Scheme, 2016 AND a Development Permit for Reconfiguring a Lot (87 Rural Residential Lots) in the Low Density Residential Zone of the Mareeba Shire Council’s Planning Scheme. The proposed Reconfiguration of 1 Lot into 87 Rural Residential Lots is provided employing the Use Rights in accordance with the Rural Residential Zone of the Mareeba Shire Planning Scheme. The purpose of the Reconfiguration is to provide additional Rural Residential Allotments for predominantly dwelling houses supported by community uses and small-scale services and facilities that cater for local residents. The proposal provides for a more appropriate transition from Residential to the surrounding Rural Land Uses. The proposed Subdivision is envisaged to maintain the integrity of established Rural Residential areas, which are characterised primarily by Dwelling houses without compromising on the existing amenity. The proposal provides Rural Residential Allotments of varying sizes allowing for a wide variety of housing types over the site, within the immediate and surrounding vicinity and within the Mareeba Shire.

No change to the existing nature of the area is envisaged from the proposed Reconfiguration and the proposed Subdivision results in a more appropriate configuration taking into consideration the natural, physical and environmental features of the site. It is considered that the proposed Reconfiguration of a Lot is not in conflict with the Intent or Purposes for the Rural Residential Zone.

Performance outcomes	Acceptable outcomes	Comments
<b>For self-assessable and assessable development</b>		
<b>Height</b>		
<b>PO1</b> Building height takes into consideration and respects the following: <ul style="list-style-type: none"> <li>(a) the height of existing buildings on adjoining premises;</li> <li>(b) the development potential, with respect to height, on adjoining premises;</li> <li>(c) the height of buildings in the vicinity of the site;</li> <li>(d) access to sunlight and daylight for the site and adjoining sites;</li> <li>(e) privacy and overlooking; and</li> <li>(f) site area and street frontage length.</li> </ul>	<b>AO1</b> Development has a maximum building height of: <ul style="list-style-type: none"> <li>(a) 8.5 metres; and</li> <li>(b) 2 storeys above ground level.</li> </ul>	Not Applicable. No Buildings proposed.
<b>Outbuildings and residential scale</b>		
<b>PO2</b> Domestic outbuildings: <ul style="list-style-type: none"> <li>(a) do not dominate the lot on which they are located; and</li> <li>(b) are consistent with the scale and character of development in the Rural residential zone.</li> </ul>	<b>AO2.1</b> On lots less than 2 hectares, domestic outbuildings do not exceed: <ul style="list-style-type: none"> <li>(a) 150m<sup>2</sup> in gross floor area; and</li> <li>(b) 5.5 metres above natural ground level.</li> </ul>	Not Applicable. No Buildings proposed.
	<b>AO2.2</b> On lots greater than 2 hectares, domestic outbuildings do not exceed:	Not Applicable. No Buildings proposed.

Performance outcomes	Acceptable outcomes	Comments
	(a) 200m <sup>2</sup> in gross floor area; and (b) 8.5 metres above natural ground level.	
<b>Siting, where not involving a Dwelling house</b> Note—Where for Dwelling house, the setbacks of the Queensland Development Code apply.		
<b>PO3</b> Development is sited in a manner that considers and respects: <ul style="list-style-type: none"> <li>(a) the siting and use of adjoining premises;</li> <li>(b) access to sunlight and daylight for the site and adjoining sites;</li> <li>(c) privacy and overlooking;</li> <li>(d) opportunities for casual surveillance of adjoining public spaces;</li> <li>(e) air circulation and access to natural breezes;</li> <li>(f) appearance of building bulk; and</li> <li>(g) relationship with road corridors.</li> </ul>	<b>AO3</b> Buildings and structures include a minimum setback of: <ul style="list-style-type: none"> <li>(a) 40 metres from a frontage to a State-controlled Road;</li> <li>(b) 6 metres from a frontage to any other road;</li> <li>(c) 10 metres from a boundary to an adjoining lot in the 2 hectare precinct, 1 hectare precinct or the Rural zone or Conservation zone;</li> <li>(d) 5 metres from a boundary to an adjoining lot in the 4,000m<sup>2</sup> precinct; and</li> <li>(e) 3 metres from a side or rear boundary otherwise.</li> </ul>	Not Applicable. No Buildings proposed.
<b>Accommodation density</b>		
<b>PO4</b> The density of Accommodation activities: <ul style="list-style-type: none"> <li>(a) contributes to housing choice and affordability;</li> <li>(b) respects the nature and density of surrounding land use;</li> <li>(c) does not cause amenity impacts beyond the reasonable expectation of accommodation density for the zone; and</li> <li>(d) is commensurate to the scale and frontage of the site.</li> </ul>	<b>AO4</b> Development provides a maximum density for Accommodation activities of 1 dwelling or accommodation unit per lot.	Not Applicable. No Buildings proposed. However, the proposal provides for 87 new Rural Residential Allotments that allow for a Dwelling House to be provided on each allotment.
<b>For assessable development</b>		
<b>Site cover</b>		
<b>PO5</b> Buildings and structures occupy the site in a manner that: <ul style="list-style-type: none"> <li>(a) makes efficient use of land;</li> <li>(b) is consistent with the bulk and scale of surrounding buildings; and</li> <li>(c) appropriately balances built and natural features.</li> </ul>	<b>AO5</b> No acceptable outcome is provided.	Not Applicable. No Buildings proposed.
<b>Building design</b>		
<b>PO6</b> Building facades are appropriately designed to: <ul style="list-style-type: none"> <li>(a) include visual interest and architectural variation;</li> <li>(b) maintain and enhance the character of the surrounds;</li> <li>(c) provide opportunities for casual surveillance;</li> </ul>	<b>AO6</b> No acceptable outcome is provided.	Not Applicable. No Buildings proposed.

Performance outcomes	Acceptable outcomes	Comments
(d) include a human scale; and (e) encourage occupation of outdoor space.		
<b>PO7</b> Development complements and integrates with the established built character of the Rural residential zone, having regard to: (a) roof form and pitch; (b) eaves and awnings; (c) building materials, colours and textures; and (d) window and door size and location.	<b>AO7</b> No acceptable outcome is provided.	Not Applicable. No Buildings proposed. However, any future dwellings or buildings can comply with the requirements of the Rural Residential Zone Code having regard to the existing amenity.
<b>Non-residential development</b>		
<b>PO8</b> Non-residential development: (a) is consistent with the scale of existing development; (b) does not detract from the amenity of nearby residential uses; (c) does not impact on the orderly provision of non-residential development in other locations in the shire; and (d) directly supports the day to day needs of the immediate residential community; or (e) has a direct relationship to the land on which the use is proposed.	<b>AO8</b> No acceptable outcome is provided.	Not Applicable. The proposal is for an 87 Lot Rural Residential Subdivision providing a Residential Development.
<b>Amenity</b>		
<b>PO9</b> Development must not detract from the amenity of the local area, having regard to: (a) noise; (b) hours of operation; (c) traffic; (d) advertising devices; (e) visual amenity; (f) privacy; (g) lighting; (h) odour; and (i) emissions.	<b>AO9</b> No acceptable outcome is provided.	Complies, The proposal is for an 87 Rural Residential Allotment Subdivision that is the extension of Marinelli Estate. It is not considered that the proposed Reconfiguration will detract from the local amenity. No change to the existing amenity is envisaged with the Subdivision.
<b>PO10</b> Development must take into account and seek to ameliorate any existing negative environmental impacts, having regard to: (a) noise; (b) hours of operation; (c) traffic; (d) advertising devices; (e) visual amenity; (f) privacy; (g) lighting; (h) odour; and (i) emissions.	<b>AO10</b> No acceptable outcome is provided.	Complies, The proposal is for an 87 Rural Residential Allotment Subdivision that is the balance of the Marinelli Estate. It is not considered that the proposed Reconfiguration will detract or negatively impact on the existing environment as the proposal has been meticulously designed in relation to the natural and physical features of the site. No change to the existing amenity is envisaged with the Subdivision and the proposal ensures to take into consideration and seek to ameliorate the existing environment as demonstrated by the proposed layout and within the attached Engineering Report.

It is not considered that the proposed Reconfiguration conflicts with the Acceptable Outcomes and if not available or able to be met, with the Performance Outcomes of the Rural Residential Zone.

### **Airports Environs Overlay Code**

The site is located inside of the 8km Bird and Bat Zone of the Bird and Bat Strike Zones and within the 6 km Light Intensity Zone as designated within the Mareeba Overlay Mapping. In addition, the site is designated within the 550 Conical Surface (AHD). No buildings or structures are proposed with the Reconfiguration nor is a waste disposal site proposed. The proposal is not considered to contribute to the potentially serious hazard from wildlife (bird or bat) strike and will ensure that potential food and waste sources are covered and collected so that they are not accessible to wildlife. It is considered that the Airports Environs Overlay Code is Not Applicable to the proposed Reconfiguration of 87 Residential Allotments, as the development will not affect the Bird and Bat Strike Zone and Light Intensity Zone.

### **Bushfire Hazard Overlay Code**

The site is Mapped as containing areas of Potential Impact Buffer (100 metres) and Medium Bushfire Hazard Overlays over the site. The proposal is for the Reconfiguration to subdivide Lot 200 on SP284110 creating additional Rural Residential Allotment, being the Marinelli Rural Residential Estate, adjoining the Marinelli Residential Estate. The site is connected the Reticulated water system ensuring that appropriate water supply is provided to each propose allotment.

Any future dwellings are able to be provided with appropriate setbacks and firebreaks if located within the Mapped Hazard. The proponents will ensure that maintenance and upkeep of the site will be maintained to ensure no build-up of hazardous materials and that existing or proposed firebreaks are maintained. It is not considered that the proposal will affect the Bushfire Hazard of the site as the site will ensure to remove any piling of fuel loads, contains existing firebreaks and is provided with appropriate water sources. Any appropriate water source will contain sufficient storage of water for Firefighting Supply and will be provided with the appropriate connections where required.

### **Environment Significance Overlay Code**

The site is Mapped as containing a Waterway Buffer and Regulated Vegetation along the Barron River southern boundary and within the southern part of the site on the Environment Significance Map. No buildings or structures are proposed with the Reconfiguration. Each proposed allotment will be provided with all available services including the provision of appropriate Stormwater to the legal point of discharge. The site currently contains an Urban Purpose within and Urban Area allowing the ability for clearing for the purposes of Residential Allotments. The proposal will not significantly affect the areas of MSES Remnant Vegetation provided over the site. It is not considered that the proposal will affect the areas of Environmental Significance over the site and can be conditioned to ensure its protection, if required however, the proposal has been designed for the provision of larger allotments providing more appropriate Environmental Outcomes for the site. It is considered that the proposed development is not in conflict with the Purpose of the Environment Significance Overlay Code and is acceptable.

### **Flood Hazard Overlay Code**

The site is located within the Queensland Floodplain Assessment Overlay Mapping as demonstrated on the Flood Hazard Overlay Mapping. The attached Engineering Report in support of the Town Planning Application for the Marinelli Estate Subdivision as provided by Jim Papas Civil Engineering Designer Pty Ltd provides commentary in relation to the Flood Level over the site. The Report nominates that the proposed Rural Residential Subdivision can be provided with appropriately Flood Immunity with indicative Flood Data provided within the attached

Engineering Plans. It is considered that the proposed Material Change of Use and Reconfiguration is not in conflict with the Flood Hazard Overlay Code.

### **Slope Overlay Code**

The site is Mapped as containing Slope Hazard 15% or greater within the rear of the site on the Slope Hazard Overlay Mapping. No new buildings or structures are proposed with the Reconfiguration nor is any clearing with this area is located. If any works are proposed over land greater than 15% a Geotechnical Report can be provided. The attached Engineering Report in support of the Town Planning Application for the Marinelli Estate Subdivision as provided by Jim Papas Civil Engineering Designer Pty Ltd provides commentary in relation to the Slope Analysis over the site. The Report nominates that the proposed Rural Residential Subdivision can be provided with appropriately mitigation methods with Contour Data demonstrated on the attached Engineering Plans

### **Landscaping Code**

The proposal is for a Reconfiguration of 1 Lot into 87 Lots with Use Rights in accordance with the Rural Residential Zone's 4,000 m<sup>2</sup> Precinct. It is not considered that the Landscaping Code is applicable.

### **Parking and Access Code**

The proposal is for a Reconfiguration of 1 Lot into 87 Lots with Use Rights in accordance with the Rural Residential Zone. It is not considered that the Parking and Access Code is applicable as no dwellings are proposed with the development. However, it is noted that each allotment will contain the ability to connect to the existing or new Road Network and will not detrimentally affect the existing and new Road Network. Any access can be provided at the time of construction of a dwelling provided on that individual allotment.

### **Reconfiguration of a Lot Code**

The proposal is for a Reconfiguration of a Lot – 1 Lot into 87 Lots with Use Rights in accordance with the Rural Residential Zone's 4,000 m<sup>2</sup> Precinct of the Mareeba Shire Planning Scheme. The purpose of the application is to subdivide existing Lot 200 on SP284110 into eighty-seven (87) Rural Residential Allotments. The proposed Subdivision is to preserve the existing nature of the site and the immediate and surrounding amenity in accordance with the Mareeba Shire Planning Scheme as the proposal is for the Marinelli Rural Residential Estate.

The proposed Reconfiguration will result in Lots of similar sizes to allotments to those within the Shire's Rural Residential Zone creating an acceptable medium between the Residential Zone to the surrounding Rural Zoned. These proposed Residential Allotments range between 3,198 m<sup>2</sup> to 1.814 hectares. The proposed allotments generally conform to the Rural Residential Zone of the Mareeba Shire Council's Planning Scheme and in particular with the 4,000 m<sup>2</sup> Precinct. The proposal will provide additional Rural Residential Allotments while maintaining the existing amenities and aesthetics of the site and immediate surrounds. The Material Change Use – Preliminary Approval is proposed to vary the effect of the Planning Scheme for the provision of Rural Residential Use Rights in accordance with the Mareeba Shire Council's Planning Scheme.

The proposal is for the provision of the Marinelli Rural Residential Estate. The Reconfiguration of a Lot proposes eighty-seven (87) Rural Residential Allotments described as proposed Lots 11 – 97 over nine (9) Stages. The proposed development does provide for Staging with the Reconfiguration however, it is noted that the proposal has been structured to allow for the creation of any individual allotment provided that the Operational Works, Infrastructure and Services have been provided. The proposed Staging and areas of the allotments are:



### Stage 1 – 14 Lots

Proposed Lot 11	4,001 m <sup>2</sup>	Proposed Lot 18	6,113 m <sup>2</sup>
Proposed Lot 12	3,198 m <sup>2</sup>	Proposed Lot 19	4,056 m <sup>2</sup>
Proposed Lot 13	3,805 m <sup>2</sup>	Proposed Lot 20	4,144 m <sup>2</sup>
Proposed Lot 14	3,350 m <sup>2</sup>	Proposed Lot 21	6,349 m <sup>2</sup>
Proposed Lot 15	4,000 m <sup>2</sup>	Proposed Lot 22	6,349 m <sup>2</sup>
Proposed Lot 16	4,585 m <sup>2</sup>	Proposed Lot 96	4,002 m <sup>2</sup>
Proposed Lot 17	5,349 m <sup>2</sup>	Proposed Lot 97	4,000 m <sup>2</sup> .

### Stage 2 – 8 Lots

Proposed Lot 23	6,348 m <sup>2</sup>	Proposed Lot 92	6,200 m <sup>2</sup>
Proposed Lot 24	6,181 m <sup>2</sup>	Proposed Lot 93	5,149 m <sup>2</sup>
Proposed Lot 25	7,148 m <sup>2</sup>	Proposed Lot 94	4,012 m <sup>2</sup>
Proposed Lot 91	5,300 m <sup>2</sup>	Proposed Lot 95	4,005 m <sup>2</sup> .

### Stage 3 – 10 Lots

Proposed Lot 26	6,251 m <sup>2</sup>	Proposed Lot 86	4,010 m <sup>2</sup>
Proposed Lot 27	4,000 m <sup>2</sup>	Proposed Lot 87	4,247 m <sup>2</sup>
Proposed Lot 28	4,000 m <sup>2</sup>	Proposed Lot 88	5,804 m <sup>2</sup>
Proposed Lot 29	4,000 m <sup>2</sup>	Proposed Lot 89	5,849 m <sup>2</sup>
Proposed Lot 30	4,232 m <sup>2</sup>	Proposed Lot 90	4,020 m <sup>2</sup> .

### Stage 4 – 11 Lots

Proposed Lot 31	6,426 m <sup>2</sup>	Proposed Lot 37	4,000 m <sup>2</sup>
Proposed Lot 32	5,116 m <sup>2</sup>	Proposed Lot 82	4,000 m <sup>2</sup>
Proposed Lot 33	4,800 m <sup>2</sup>	Proposed Lot 83	4,010 m <sup>2</sup>
Proposed Lot 34	4,788 m <sup>2</sup>	Proposed Lot 84	4,010 m <sup>2</sup>
Proposed Lot 35	4,231 m <sup>2</sup>	Proposed Lot 85	4,964 m <sup>2</sup> .
Proposed Lot 36	4,018 m <sup>2</sup>		

### Stage 5 – 10 Lots

Proposed Lot 38	4,000 m <sup>2</sup>	Proposed Lot 77	4,578 m <sup>2</sup>
Proposed Lot 39	4,000 m <sup>2</sup>	Proposed Lot 78	4,946 m <sup>2</sup>
Proposed Lot 40	4,000 m <sup>2</sup>	Proposed Lot 79	5,558 m <sup>2</sup>
Proposed Lot 41	4,010 m <sup>2</sup>	Proposed Lot 80	4,010 m <sup>2</sup>
Proposed Lot 76	4,634 m <sup>2</sup>	Proposed Lot 81	4,000 m <sup>2</sup> .

### Stage 6 – 8 Lots

Proposed Lot 42	4,174 m <sup>2</sup>	Proposed Lot 72	5,016 m <sup>2</sup>
Proposed Lot 43	4,194 m <sup>2</sup>	Proposed Lot 73	5,634 m <sup>2</sup>
Proposed Lot 44	4,194 m <sup>2</sup>	Proposed Lot 74	5,658 m <sup>2</sup>
Proposed Lot 45	4,194 m <sup>2</sup>	Proposed Lot 75	5,691 m <sup>2</sup> .

### Stage 7 – 7 Lots

Proposed Lot 46	4,048 m <sup>2</sup>	Proposed Lot 69	4,812 m <sup>2</sup>
Proposed Lot 47	4,063 m <sup>2</sup>	Proposed Lot 70	4,201 m <sup>2</sup>
Proposed Lot 67	7,020 m <sup>2</sup>	Proposed Lot 71	4,679 m <sup>2</sup>
Proposed Lot 68	5,221 m <sup>2</sup>		

#### Stage 8 – 7 Lots

Proposed Lot 48	4,050 m <sup>2</sup>	Proposed Lot 64	5,002 m <sup>2</sup>
Proposed Lot 49	4,005 m <sup>2</sup>	Proposed Lot 65	5,634 m <sup>2</sup>
Proposed Lot 62	4,373 m <sup>2</sup>	Proposed Lot 66	8,156 m <sup>2</sup> .
Proposed Lot 63	5,329 m <sup>2</sup>		

#### Stage 9 – 12 Lots

Proposed Lot 50	4,008 m <sup>2</sup>	Proposed Lot 56	4,426 m <sup>2</sup>
Proposed Lot 51	5,091 m <sup>2</sup>	Proposed Lot 57	4,582 m <sup>2</sup>
Proposed Lot 52	4,212 m <sup>2</sup>	Proposed Lot 58	1.049 ha
Proposed Lot 53	4,789 m <sup>2</sup>	Proposed Lot 59	9,902 m <sup>2</sup>
Proposed Lot 54	7,364 m <sup>2</sup>	Proposed Lot 60	4,261 m <sup>2</sup>
Proposed Lot 55	1.814 ha	Proposed Lot 61	4,398 m <sup>2</sup> .

Table 9.4.4.3A—Reconfiguring a lot code – For assessable development

Performance outcomes	Acceptable outcomes	Comment
<b>Area and frontage of lots</b>		
<b>PO1</b> Lots include an area and frontage that: <ul style="list-style-type: none"> <li>(a) is consistent with the design of lots in the surrounding area;</li> <li>(b) allows the desired amenity of the zone to be achieved;</li> <li>(c) is able to accommodate all buildings, structures and works associated with the intended land use;</li> <li>(d) allow the site to be provided with sufficient access;</li> <li>(e) considers the proximity of the land to:               <ul style="list-style-type: none"> <li>(i) centres;</li> <li>(ii) public transport services; and</li> <li>(iii) open space; and</li> </ul> </li> <li>(f) allows for the protection of environmental features; and</li> <li>(g) accommodates site constraints.</li> </ul>	<b>AO1.1</b> Lots provide a minimum area and frontage in accordance with <b>Table 9.4.4.3B</b> .	<p>Complies,</p> <p>The proposal provides for an 87 Rural Residential Allotments (Use Rights) with average areas greater than 4,000 m<sup>2</sup> (avg 5,656 m<sup>2</sup>) with the smallest being proposed Lot 12 of 3,198 m<sup>2</sup> and frontages generally greater than 40 metres (smallest being 10 metres [Lot 20]). It is not considered that the proposed Reconfiguration is in conflict with Table 9.4.4.3B.</p> <p>The proposed 87 Rural Residential Allotment Subdivision provides for five (5) Rear Access Allotments, proposed Lots 20, 59, 79, 88 and 92, with a minimum Access width of 10.0 metres. In addition to these five (5) Rear Access Allotments, proposed Lots 11, 14, 53 – 58, 60, 66 – 69 and 78 contain frontages less than the minimum 40.0 metres. The location of these allotments are either fronting cul-de-sac heads or positioned on a bend within the extended or new Internal Roads. Each of these proposed allotments include an appropriate frontage and are considered to contain the ability to provide safe and efficient access to the proposed Internal Road Network without significantly detracting from the functioning of that Network. The proposed layout is considered appropriate and acceptable providing sufficient area and dimensions for their intended use.</p>
<b>Existing buildings and easements</b>		

Performance outcomes	Acceptable outcomes	Comment
<b>PO2</b> Reconfiguring a lot which contains existing land uses or existing buildings and structures ensures: <ul style="list-style-type: none"> <li>(a) new lots are of sufficient area and dimensions to accommodate existing land uses, buildings and structures; and</li> <li>(b) any continuing use is not compromised by the reconfiguration.</li> </ul>	<b>AO2.1</b> Each land use and associated infrastructure is contained within its individual lot.	Complies, The site is for a Reconfiguration and proposes that all infrastructure is located within the individual allotment.
	<b>AO2.2</b> All lots containing existing buildings and structures achieve the setback requirements of the relevant zone.	Complies, The existing structures can be provided with appropriate setbacks to any new boundaries.
<b>PO3</b> Reconfiguring a lot which contains an existing easement ensures: <ul style="list-style-type: none"> <li>(a) future buildings, structures and accessways are able to be sited to avoid the easement; and</li> <li>(b) the reconfiguration does not compromise the purpose of the easement or the continued operation of any infrastructure contained within the easement.</li> </ul>	<b>AO3</b> No acceptable outcome is provided.	Complies, Any existing or proposed Easement will not compromise the purpose of said Easement or adjoining Easements.
<b>Boundary realignment</b>		
<b>PO4</b> The boundary realignment retains all attendant and existing infrastructure connections and potential connections.	<b>AO4</b> No acceptable outcome is provided.	Not Applicable. The proposal is not for a Boundary Realignment.
<b>Access and road network</b>		
<b>PO5</b> Access to a reconfigured lot (including driveways and paths) must not have an adverse impact on: <ul style="list-style-type: none"> <li>(a) safety;</li> <li>(b) drainage;</li> <li>(c) visual amenity;</li> <li>(d) privacy of adjoining premises; and</li> <li>(e) service provision.</li> </ul>	<b>AO5</b> No acceptable outcome is provided.	Complies, Access to the proposed new 87 Rural Residential Allotments are provided by the existing, extended and new internal Road Networks. No adverse impact to the safety, drainage, visual amenity, privacy of adjoining premises and service provisions are envisaged with the proposed Layout. The attached Engineering Report supports this.
<b>PO6</b> Reconfiguring a lot ensures that access to a lot can be provided that: <ul style="list-style-type: none"> <li>(a) is consistent with that provided in the surrounding area;</li> <li>(b) maximises efficiency and safety; and</li> <li>(c) is consistent with the nature of the intended use of the lot.</li> </ul> Note—The Parking and access code should be considered in demonstrating compliance with PO6.	<b>AO6</b> Vehicle crossover and access is provided in accordance with the design guidelines and specifications set out in Planning Scheme Policy 4 – FNQROC Regional Development Manual.	Complies, Vehicle crossovers can be provided in accordance with the relevant Planning Scheme Policies and FNQROC Regional Development Manual. Any crossovers can be provided at the time of construction of a dwelling located over each individual allotment.
<b>PO7</b> Roads in the Industry zone are designed having regard to: <ul style="list-style-type: none"> <li>(a) the intended use of the lots;</li> </ul>	<b>AO7</b> No acceptable outcome is provided.	Not Applicable. The site is located within the Low Density Residential Zone and proposes Rural Residential Uses.

Performance outcomes	Acceptable outcomes	Comment
(b) the existing use of surrounding land; (c) the vehicular servicing requirements of the intended use; (d) the movement and turning requirements of B-Double vehicles. Note—The Parking and access code should be considered in demonstrating compliance with PO7.		
<b>Rear lots</b>		
<b>PO8</b> Rear lots are designed to: (a) provide a high standard of amenity for residents and other users of the site; (b) provide a high standard of amenity for adjoining properties; and (c) not adversely affect the safety and efficiency of the road from which access is gained.	<b>AO8.1</b> Rear lots are designed to facilitate development that adjoins or overlooks a park or open space. <b>AO8.2</b> No more than two rear lots are created behind any lot with a road frontage. <b>AO8.3</b> Access to lots is via an access strip with a minimum width of: (a) 4 metres where in the Low density residential zone or Medium density residential zone; or (b) 8 metres otherwise. <b>AO8.4</b> A single access strip is provided to a rear lot along one side of the lot with direct frontage to the street. <b>AO8.5</b> No more than 1 in 10 lots created in a new subdivision are rear lots. <b>AO8.6</b> Rear lots are not created in the Centre zone or the Industry zone.	The proposed 87 Rural Residential Subdivision provides for five (5) considered Rear Access Allotments. The minimum Access width for any Rear Lots is 10.0 metres. It is considered that the Rear Lots have been designed to a high standard of amenity without affecting the safety and efficiency of the proposed Road Network.
<b>Crime prevention and community safety</b>		
<b>PO9</b> Development includes design features which enhance public safety and seek to prevent opportunities for crime, having regard to: (a) sightlines; (b) the existing and intended pedestrian movement network; (c) the existing and intended land use pattern; and (d) potential entrapment locations.	<b>AO9</b> No acceptable outcome is provided.	Complies, It is considered that the proposed Reconfiguration has been meticulously designed to enhance public safety while seeking to prevent opportunities for crime via the use of appropriate and acceptable sightlines, pedestrian movement networks, etc.
<b>Pedestrian and cycle movement network</b>		
<b>PO10</b> Reconfiguring a lot must assist in the implementation of a Pedestrian and cycle movement network to achieve safe, attractive and efficient pedestrian and cycle networks.	<b>AO10</b> No acceptable outcome is provided.	Can Comply.

Performance outcomes	Acceptable outcomes	Comment
<b>Public transport network</b>		
<b>PO11</b> Where a site includes or adjoins a future public transport corridor or future public transport site identified through a structure planning process, development: <ul style="list-style-type: none"> <li>(a) does not prejudice the future provision of the identified infrastructure;</li> <li>(b) appropriately treats the common boundary with the future corridor; and</li> <li>(c) provides opportunities to integrate with the adjoining corridor where a it will include an element which will attract pedestrian movement.</li> </ul>	<b>AO11</b> No acceptable outcome is provided.	Not Applicable.
<b>Residential subdivision</b>		
<b>PO12</b> Residential lots are: <ul style="list-style-type: none"> <li>(a) provided in a variety of sizes to accommodate housing choice and diversity; and</li> <li>(b) located to increase variety and avoid large areas of similar lot sizes.</li> </ul>	<b>AO12</b> No acceptable outcome is provided.	Complies, The proposal provides for a range of Residential Allotment sizes and variety to accommodate housing choice and diversity. These proposed Residential Allotments range between 3,198 m <sup>2</sup> to 1.814 hectares.
<b>Rural residential zone</b>		
<b>PO13</b> New lots are only created in the Rural residential zone where land is located within the 4,000m <sup>2</sup> precinct, the 1 hectare precinct or the 2 hectare precinct.	<b>AO13</b> No acceptable outcome is provided.	Complies, The proposal proposes Rural Residential Use Rights in accordance with the Rural Residential 4,000 m <sup>2</sup> Precinct.
<b>Additional provisions for greenfield development only</b>		
<b>PO14</b> The subdivision design provides the new community with a local identity by responding to: <ul style="list-style-type: none"> <li>(a) site context</li> <li>(b) site characteristics</li> <li>(c) setting</li> <li>(d) landmarks</li> <li>(e) natural features; and</li> <li>(f) views.</li> </ul>	<b>AO14</b> No acceptable outcome provided.	Complies, The proposed Reconfiguration is for the extension to the Marinelli Estate Development. The proposal has been meticulously designed to integrate and continue the existing local identity incorporating site context and characteristics, natural features and views and the likes.
<b>PO15</b> The road network is designed to provide a high level of connectivity, permeability and circulation for local vehicles, public transport, pedestrians and cyclists.	<b>AO15</b> No acceptable outcome provided.	Complies, The proposed new and existing Road Networks provides a sufficient level of connectivity for the public. This is supported within the attached Engineering Report.
<b>PO16</b> The road network is designed to: <ul style="list-style-type: none"> <li>(a) minimise the number of cul-de-sacs;</li> <li>(b) provide walkable catchments for all residents in cul-de-sacs; and</li> </ul>	<b>AO16</b> No acceptable outcome provided.	Complies, See attached Jim Papas Civil Engineering Designer Pty Ltd Engineering Report.

Performance outcomes	Acceptable outcomes	Comment
(c) include open cul-de-sacs heads.		
<b>PO17</b> Reconfiguring a lot provides safe and convenient access to the existing or future public transport network.	<b>AO17</b> The subdivision locates 90% of lots within 400 metres walking distance of a future public transport route.	Complies, The proposal is for a Rural Residential Estate which is surrounded by existing Residential Areas and Estates. Sufficient and convenient access to the existing and future public transport network is achieved.
<b>PO18</b> The staging of the lot reconfiguration prioritises delivery of link roads to facilitate efficient bus routes.	<b>AO18</b> No acceptable outcome provided.	Can Comply.
<b>PO19</b> Provision is made for sufficient open space to: (a) meet the needs of the occupiers of the lots and to ensure that the environmental and scenic values of the area are protected; (b) retain riparian corridors, significant vegetation and habitat areas and provides linkages between those areas; and (c) meet regional, district and neighbourhood open space requirements.	<b>AO19.1</b> A minimum of 10% of the site area is dedicated as open space.	The site adjoins the Barron River and Rural lands to the south. The proposal is for the development of Rural Residential Allotments, it is not considered, in this instance, that additional Open Space is required.
	<b>AO19.2</b> A maximum of 30% of the proposed open space can consist of land identified as significant vegetation or riparian corridor buffer.	Not Applicable. The site is for Rural Residential Allotments and adjoins the Barron River and Rural Lands.
<b>PO20</b> A network of parks and community land is provided: (a) to support a full range of recreational and sporting activities; (b) to ensure adequate pedestrian, cycle and vehicle access; (c) which is supported by appropriate infrastructure and embellishments; (d) to facilitate links between public open spaces; (e) which is co-located with other existing or proposed community infrastructure; (f) which is consistent with the preferred open space network; and (g) which includes a diversity of settings;	<b>AO20</b> No acceptable outcome is provided.	Not Applicable. The proposal is for the development of Rural Residential Allotments. The provision of Parks is not considered required nor necessary.

The proposed allotments generally meet the minimum area requirements of the Mareeba Shire Planning Scheme Reconfiguring a Lot Code. It is not considered that the proposed Subdivision will be detrimental to the adjacent sites or adversely impact on the surrounding area. It is considered that the Performance Outcomes of the Reconfiguring a Lot Code can be met in this instance.

## Works, Services and Infrastructure Code

The proposal is for a Reconfiguration of 1 Lot into 87 Lots with Use Rights in accordance with the Rural Residential Zone. Each proposed allotment will be connected to all available services being Reticulated Electricity, Telecommunications, and Water. Each Rural Residential Allotment will be provided with an appropriate level of effluent disposal, whether that be reticulated sewerage or by effluent disposal systems, in addition, each allotment will be provided with an appropriate level of Stormwater disposal.










The site gains access from the existing Road Network, being Marinelli Drive. The proposed Residential Allotments gain access from the extension of Marinelli Drive and the provision of a new Internal Road. It is considered that each proposed allotment can be provided with appropriate access via the existing and new Road Networks. Attached to this Submission is an Engineering Report in support of the Town Planning Application for the Marinelli Estate Subdivision as provided by Jim Papas Civil Engineering Designer Pty Ltd. The Engineering Report nominates that the proposed Rural Residential Subdivision can be appropriately serviced.

Any Excavation and Filling will be outlined within a future Operational Works Permit for the proposed Reconfiguration as per noted within the attached Engineering Report.

It is considered that the proposed Reconfiguration complies with the Intent of the Works, Services and Infrastructure Code.

## Conclusion

It is considered that the proposed development, being a Material Change of Use – Preliminary Approval to vary the effect of the Planning Scheme – Use Rights in accordance with the Rural Residential Zone of the Mareeba Shire Council's Planning Scheme, 2016 AND a Development Permit for Reconfiguring a Lot (87 Rural Residential Lots) in the Low Density Residential Zone of the Mareeba Shire Council's Planning Scheme over land described as Lot 200 on SP284110 is appropriate. In particular, the proposed development:

-  Is not in conflict with the Strategic Framework's Residential Area as it provides greater population densities inclusive of a range of Residential diversity within the Mareeba Townships without affecting the future growth of Mareeba and more importantly protecting the Rural Economy for the Mareeba Shire;
-  Is not in conflict with the South-Eastern Expansion Precinct of the Mareeba Local Plan as it provides for a more appropriate transition between the Residential and Rural Lands, increasing the population densities of the site while not significantly affecting the constraints of the site;
-  Can meet the Performance Outcomes and Acceptable Outcomes relating to minimum allotment size and dimension for Rural Residential Use Rights;
-  No change to the existing nature or character of the area is envisaged, and the Subdivision will ensure that the new allotments will remain to be used for Residential Uses with Use Rights associated with the Rural Residential Zone;
-  Can meet the Performance Outcomes and the Intent of the Reconfiguring a Lot Code for land included in or containing Use Rights associated with the Rural Residential Zone's 4,000 m<sup>2</sup> Precinct;
-  Is not in conflict with the Bushfire Hazard, Environmental Significance, Flood Hazard and Slope Overlays;
-  The proposed development will be provided with an acceptable level of servicing and Infrastructure as per the attached Jim Papas Civil Engineering Designer Pty Ltd.'s Engineering Report;
-  Can meet the Intent and Objectives and Intent for the Rural Residential and Low Density Residential Zones; and
-  Is not in conflict with the Far North Queensland Regional Plan 2009 – 2031, in particular the Urban Footprint Designation.



It is considered that the proposed development over the site is acceptable as it will provide additional Rural Residential Allotments to accommodate housing choice and diversity. The proposal is considered to keep with the established amenity and nature of the site. The proposed Reconfiguration will result in Lots of similar sizes to allotments within Rural Residential Areas of the Mareeba Shire, providing additional Rural Residential Allotments within the Mareeba Shire while maintaining the existing Residential amenities and aesthetics of the site and immediate surrounds.

It is noted that the site currently designated within the Low Density Residential Zone of the Mareeba Shire Planning Scheme. The proposal is for the reduction in the intensity of the available Uses over the site due to the current Market, Global Pandemic, and the physical, natural and environmental characteristics of the site. It is considered that the proposed layout more appropriately ensures the continuing viability of the Shire's Rural economy by providing a more suitable transition from Residential Land to Rural Lands.

The development is the continuation of the Marinelli Estate transitioning from Residential to Rural Residential whilst maximising the efficient utilisation of the existing infrastructure and services, achieving Residential diversity. These well planned and logically sequenced Rural Residential Allotments will be efficiently serviced as per the attached Jim Papas Civil Engineering Designer Pty Ltd Engineering Report.

*The developers believe that the proposal will provide 'more saleable acreage allotments of around 5,000 m<sup>2</sup> in area with town water and possibly reticulated sewerage. We believe with the "covid effect" on the land market in Mareeba and across the Tablelands, people are choosing to live further apart from each other creating a demand for the proposed larger lots. There appears to be little supply of the proposed lots in such a close location to Mareeba having desired attributes such as elevated views and Barron River frontage. We as developers believe there will be adequate demand for the acreage lots to make the development viable whereas being Zoned as Residential, we believe Lot 200 to be very marginally viable at the current Residential land prices.*

Freshwater Planning Pty Ltd request that Council provide a copy of the Draft Conditions/Recommendation with sufficient time for review prior to Tabulating the Item on the Agenda or a Decision is provided. If you have any queries, please do not hesitate to contact Freshwater Planning Pty Ltd.

Yours faithfully,



**MATTHEW ANDREJIC**

**FRESHWATER PLANNING PTY LTD**

P: 0402729004

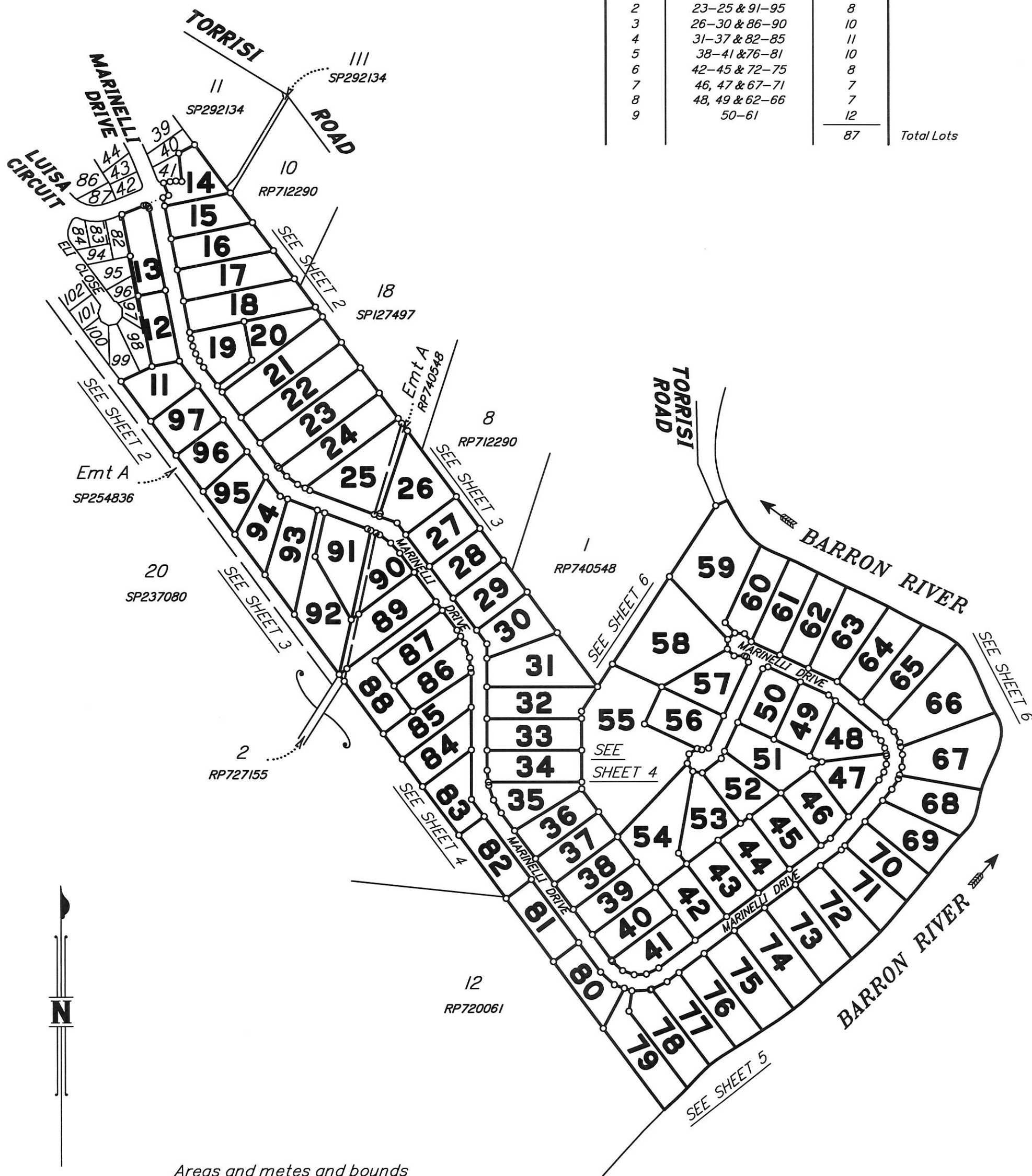
E: [FreshwaterPlanning@outlook.com](mailto:FreshwaterPlanning@outlook.com)

17 Barron View Drive, FRESHWATER QLD 4870

## STAGES

Stage	Lots	No of Lots
1	11-22, 96 & 97	14
2	23-25 & 91-95	8
3	26-30 & 86-90	10
4	31-37 & 82-85	11
5	38-41 & 76-81	10
6	42-45 & 72-75	8
7	46, 47 & 67-71	7
8	48, 49 & 62-66	7
9	50-61	12
		87

Total Lots



*Areas and metes and bounds  
are subject to final survey.*

Scale - 1:5000 (A3)

0 250m 500m 750m

AMENDMENTS  
Rev A - Original

## DEVELOPMENT PLAN

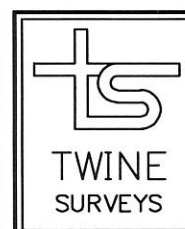
Plan of Lots 11-97

Cancelling Lot 200 on SP284110

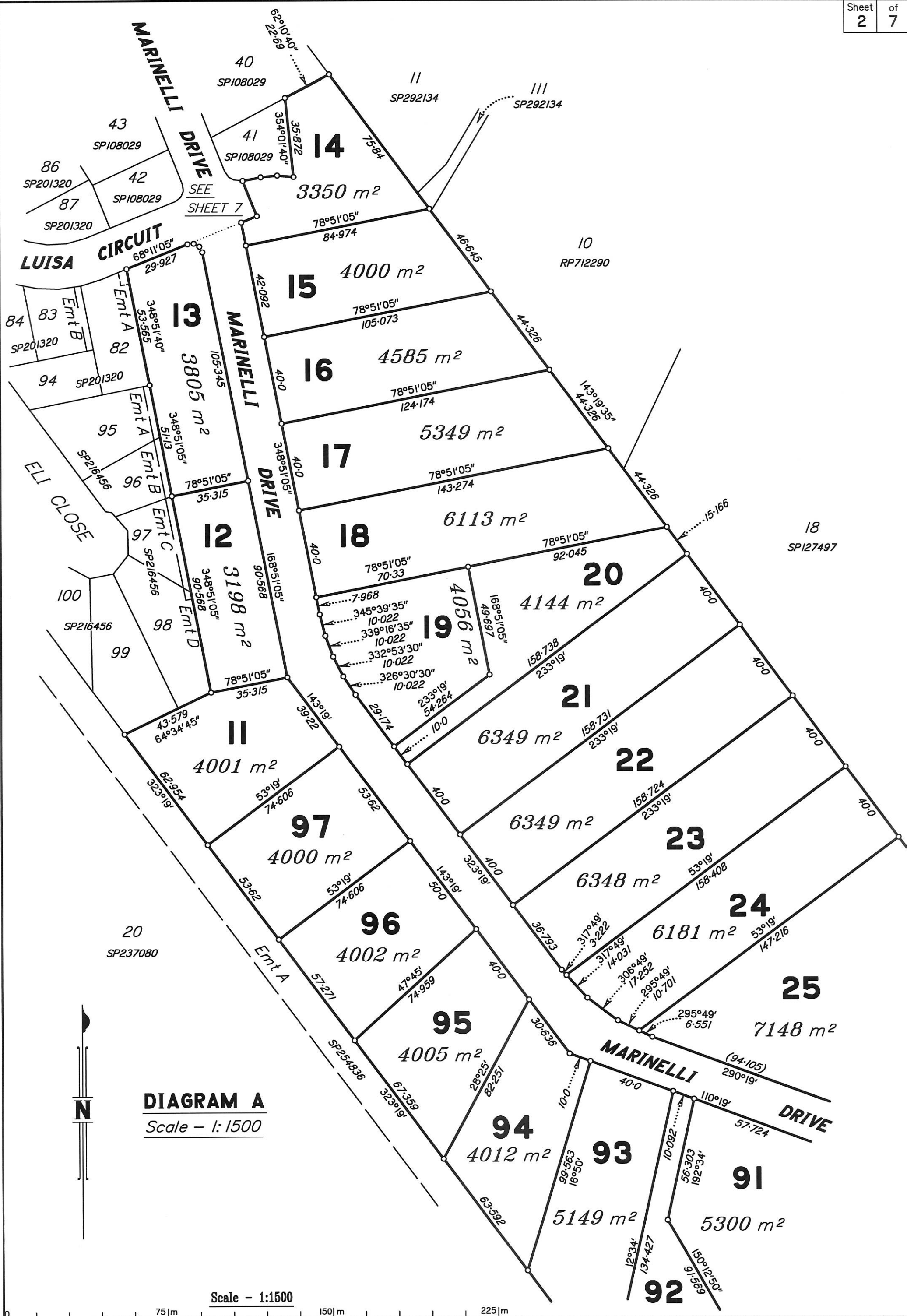
Local Government: MSC

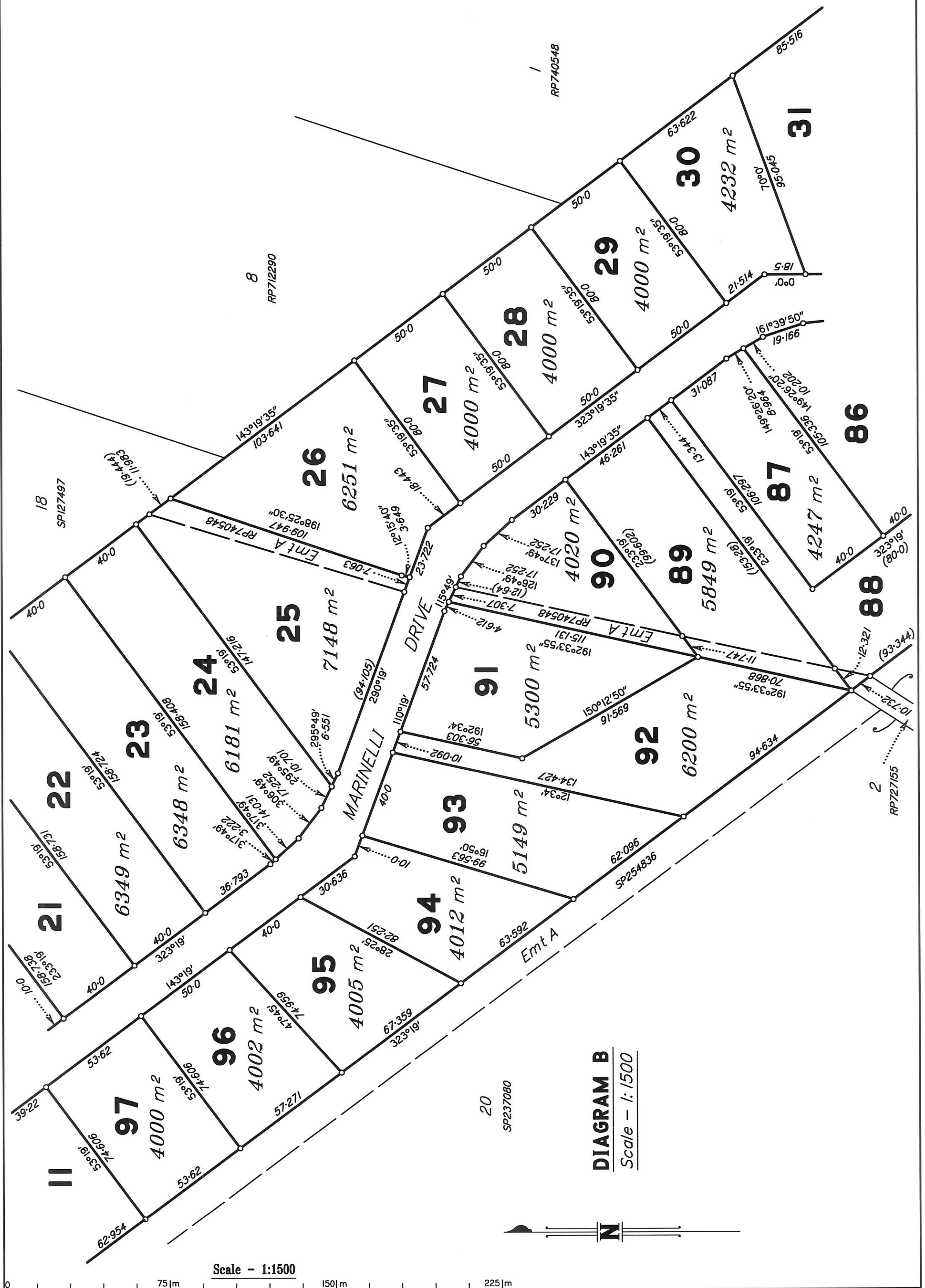
Locality: Mareeba

Reference: 8831 Rev A - 25-03-2022

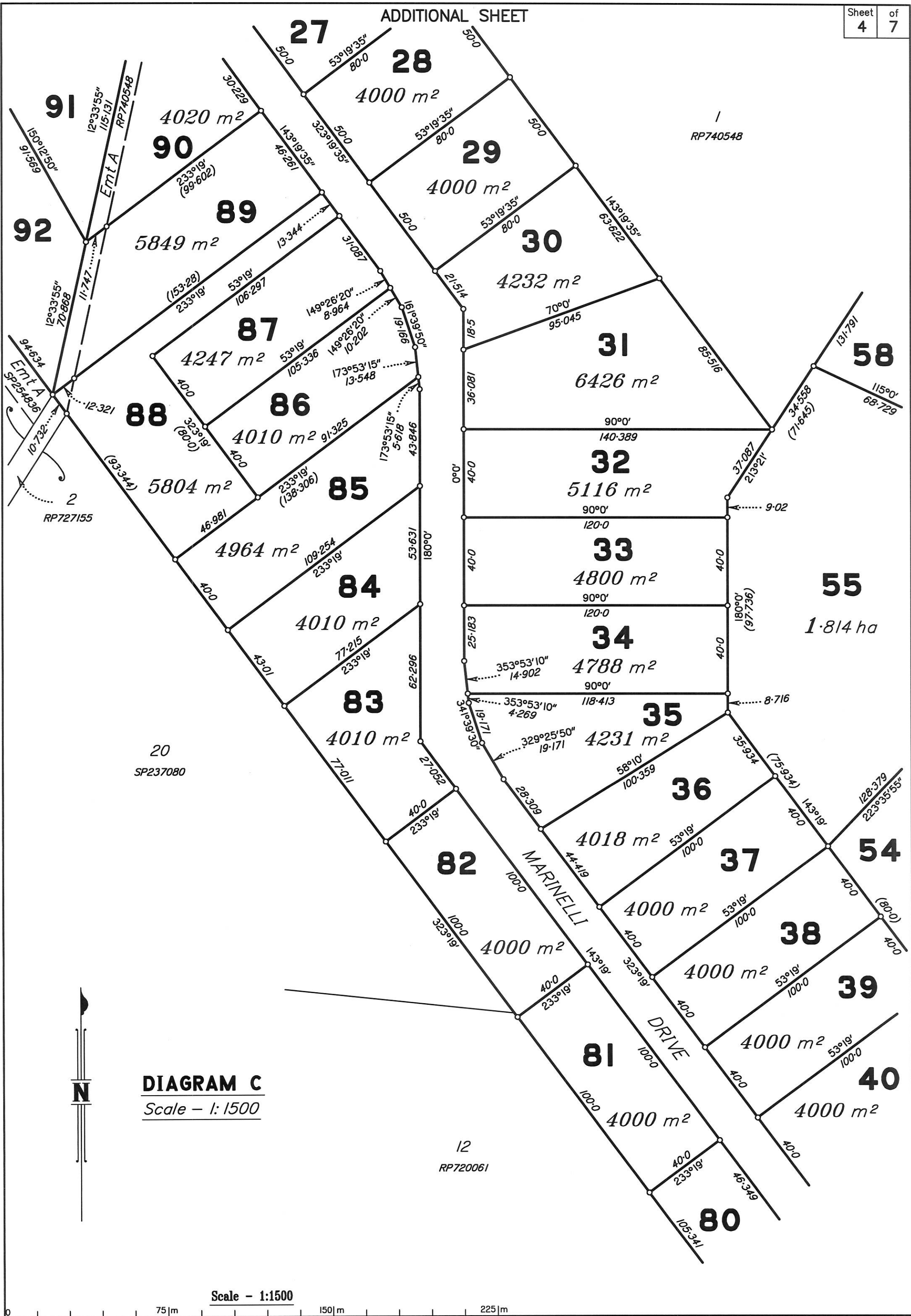


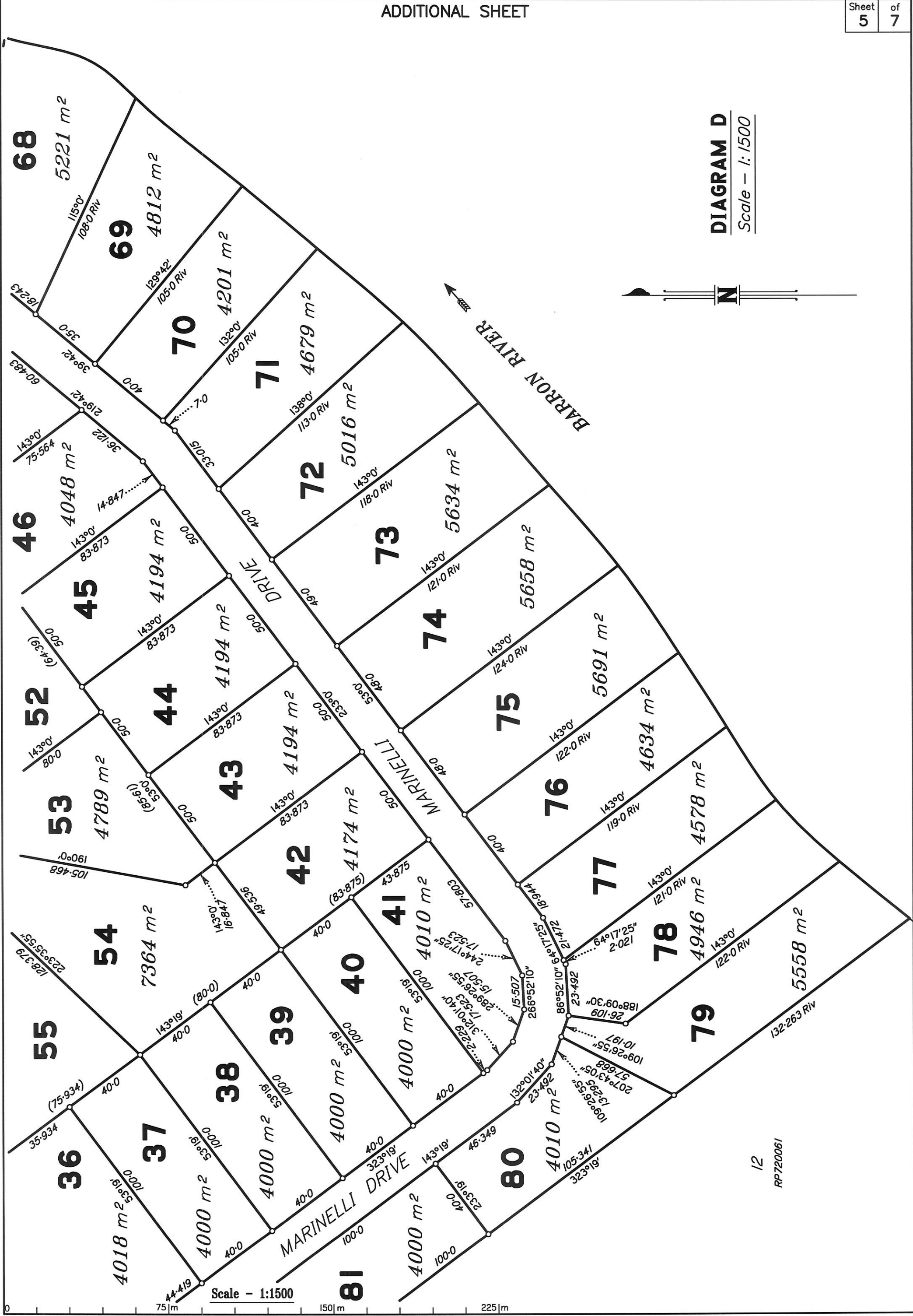
TWINE SURVEYS PTY LTD  
36 Mabel Street, Atherton QLD 4883  
PO Box 146, Atherton QLD 4883  
P: 07 4091 1303  
E: info@twinesurveys.com.au



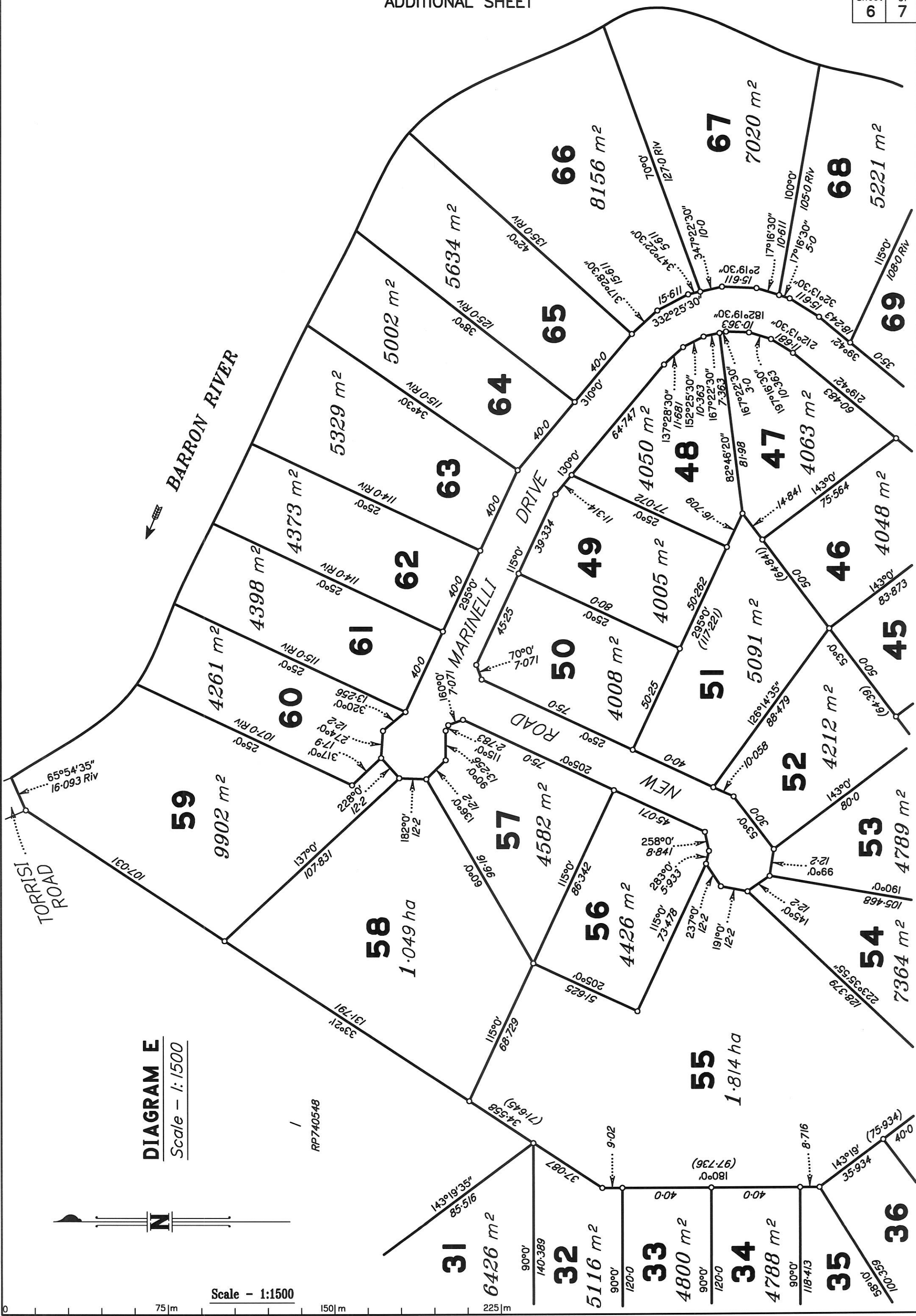






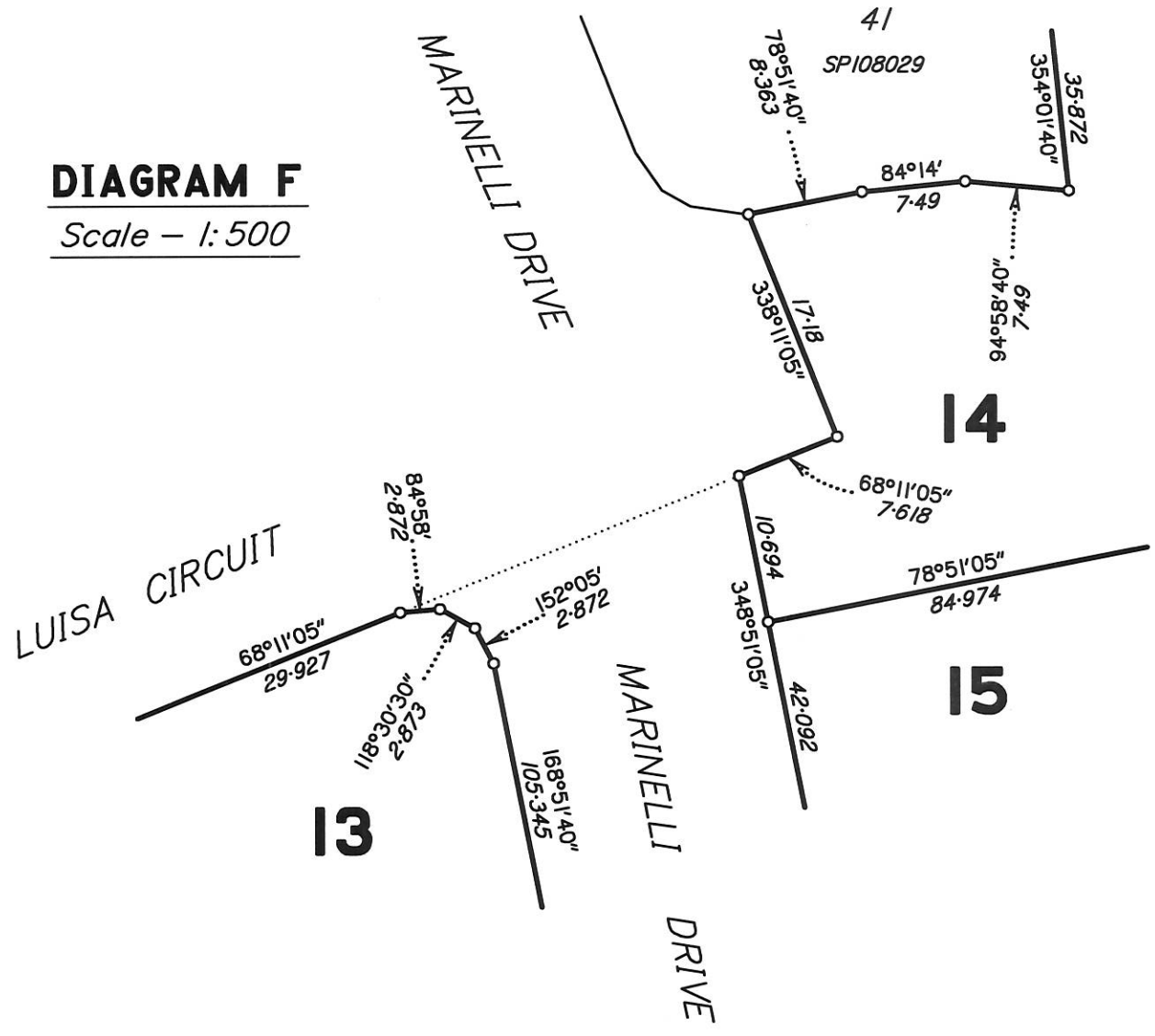


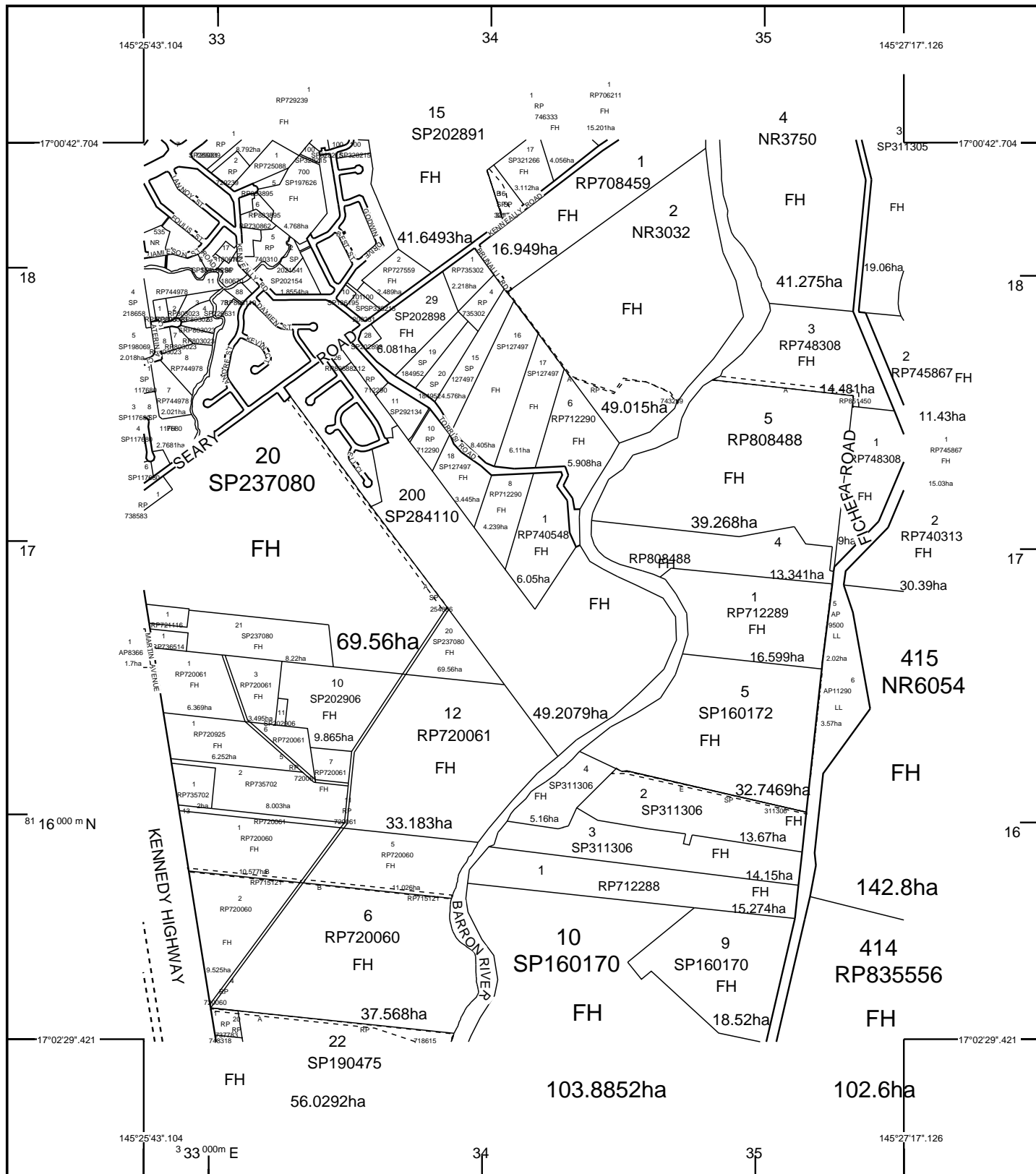
**DIAGRAM D**  
Scale — 1:1500





**DIAGRAM F**  
*Scale - 1:500*





STANDARD MAP NUMBER  
7963-11143

MAP WINDOW POSITION &  
NEAREST LOCATION

145°26'30\"/>

+



#### SUBJECT PARCEL DESCRIPTION

DCDB  
Lot/Plan 200/SP284110  
Area/Volume 49.2079ha  
Tenure FREEHOLD  
Local Government MAREEBA SHIRE  
Locality MAREEBA  
Segment/Parcel 21317/77

#### CLIENT SERVICE STANDARDS

PRINTED 12/03/2022

DCDB 10/03/2022 (Lots with an area less than 3000m<sup>2</sup> are not shown)

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# Jim Papas Civil Engineering Designer

PTY LTD. ABN 56 010 943 905. ACN 010 943 905

*Design Excellence, Exceptional Service*

**ENGINEERING REPORT**  
**TO**  
**SUPPORT TOWN PLANNING APPLICATION**  
**FOR**  
**PROPOSED RURAL RESIDENTIAL SUBDIVISION**  
**AT MARINELLI DRIVE,**  
**MAREEBA**

Please address all  
correspondence to:  
**P.O. Box 2347,**  
**Mareeba, Qld 4880**



Email: [admin@jpced.com.au](mailto:admin@jpced.com.au)  
Mobile: **0408 770 394**

# Jim Papas Civil Engineering Designer

## INTRODUCTION

This Civil Engineering Report documents the investigation into the civil engineering issues associated with the proposed rural residential subdivision to support the Town Planning application for a proposed rural residential subdivision.

The site is currently vacant except for an existing residence, shed and associated buildings near the Barron River in future Stage 6.

The project will include construction activities involving earthworks, roadworks, stormwater drainage, sewer and water reticulation together with other service infrastructure.

## FLOOD LEVEL

The proposed development is located adjacent to the Barron River although flooding only effects future Stages 5 to 9.

Dwg 1453 TP-03 shows our preliminary determination of the extent of flooding in the Barron River in a 100 year ARI event. This extent of flooding was determined by extrapolating an earlier study, accepted by Council, for a downstream development.

Currently, we expect that it will be some time before any application for an Operational Works Permit over Stages 5 to 9 will be lodged. As part of any such submission, the Applicant shall provide a flood study that predicts the extent of flooding based on data available at that time to permit Council to apply reasonable conditions to the proposed development with respect to the resulting predicted extent of inundation.

## SLOPE ANALYSIS

An analysis of the existing slopes present on the site is shown on Dwg 1453 TP-03.

The State Planning Policy requires geotechnical investigations for slopes greater than 15%. In general, the site slopes in Stages 1 to 3 are less than 15% (1V:6.67H). Therefore, no geotechnical investigations are triggered for these stages and these stages are not shown in their entirety in the above drawing.

The slope analysis shows that significant portions of Stages 4 to 9 have slopes greater than the State Planning Policy limit of 15%. The analysis demonstrates that some localised slopes are greater than 50% (1V:2H), although most the site is less than 33.3% (1V:3H), which includes areas in proposed Lots 52 to 59. These lots have been disturbed by previous earthworks activities and where we expect that some general engineered earthworks can be carried out to rectify these past activities and restore the lots a planar surface with slopes considerably less than the 15% limit imposed by the State Planning policy.

While we expect that it will be some time before any application for an Operational Works Permit over Stages 4 and 5, the Applicant shall provide an appropriate geotechnical study by a suitably qualified geotechnical engineer to produce a slope stability analysis together with any appropriate mitigation measures necessary to protect the future lots. This study would include that portion of the steep land shown in the slope analysis that is external to the subject site and beyond our control although it may affect Lots 58 and 59. Suitable mitigation procedures to protect these future lots from landslide risk arising from the adjacent property will also need to be determined and implemented.

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## TRAFFIC GENERATION

Queensland Streets suggests that the project catchment is below the desirable maximum allotment threshold of 200 equivalent dwellings. This publication also suggests a conservative traffic generation rate of 10 trips per dwelling per day. Therefore, the maximum expected daily traffic generated by the 87 lots in this project is about 870 vehicle movements per day. The peak hour traffic is generally considered to be less than about 15% of the total traffic or about 130 vehicles over the peak period. The capacity of a minor collector road with direct property accesses such as Marinelli Drive is greater than 10,000 vehicles per day or a peak hour capacity of 1500 vehicles per hour.

Therefore, one may conclude that the increase in traffic occasioned by the development is minor and no upgrading of the traffic network external to the site is required. Similarly sophisticated treatment of the intersection of Marinelli Drive and Seary Road is not warranted by the predicted traffic flows.

## ROADWORKS

The proposed development will be serviced by an extension of Marinelli Drive constructed as part of an earlier unrelated, albeit a more densely populated, development. The existing width of Marinelli Drive in the earlier development is similar to the proposed width shown on the Typical Cross Section on Dwg 1453 TP-02.

Minor works construct portion of Luisa Circuit, a short extension of Marinelli Drive and the construction of the resulting intersection will be completed as part of the Stage 1 Operational Works.

Lots 20, 59, 88 and 92 are "hatchet" lots and shall be provided with an access generally in accordance with FNQROC Development Manual Std. Dwgs. S1015 and S1110.

All roads shall be constructed to a standard in accordance with the requirements of the FNQROC Development Manual to residential street standard. The proposed typical cross section of the proposed roads is shown on Dwg 1453 TP-03.

## STORMWATER DRAINAGE

The minor and major stormwater drainage design average recurrence intervals for this project are a 5 year ARI and 100 year ARI storm events respectively as required by the provisions of both the FNQROC Development Manual and the Queensland Urban Drainage Manual. The proposed stormwater drainage system for the proposed project is by a combination of underground and overland flows located within the proposed development generally as shown on Dwg. 1453 TP-04.

The proposed stormwater drainage system for the proposed project includes the provision of field inlet pits, kerb inlet pits, piped drainage and overland flows along road and through drainage easements.

Where necessary, inter-allotment drainage shall be provided for lots that fall to the rear. This drainage shall discharge to the piped drainage system.

The preliminary layout of the proposed stormwater drainage system is shown on Dwg 1453 TP-03 and the detailed design of this system shall be conducted generally in accordance with the provisions of both the FNQROC Development Manual and the Queensland Urban Drainage Manual as part of the detailed engineering design process.

For Stages 1 and a portion of Stage 2 the stormwater drainage shall discharge is a dedicated drainage outlet shown as Lot 111 on SP 292134 which was obtained for the sole purpose of providing a legal point of discharge for the development.

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Part of the earlier development of Marinelli Estate, unrelated to the current Applicant, was provided with underground drainage but without either kerb inlet openings or a legal point of discharge. While stormwater discharge from this portion of the development will be accommodated in the detailed engineering design of Stage 1 and constructed as part of the Operational Works for that stage. The Applicant is not responsible for the any costs associated with this work or any other remedial or rectification works needed to affect an appropriate drainage system and is eligible for compensation by way of headworks credits for the additional costs incurred to provide a drainage outlet including connection of the existing pipework to the new drainage infrastructure.

Council has previously undertaken to contribute to the upgrading the existing culverts under Torisi Road on the basis of contributing catchments. Refer to the attached letter from TRC (Ref OPW 08-0003) dated April 27, 2012

The matter of modified post development stormwater discharge is not relevant in this case as the rural residential nature of this proposed development is such that there is no discernible increase in stormwater discharge generally and a substantial portion of the catchment is directed away from the current northern outlet locations. Any increase in stormwater discharge occasioned by the construction of the previous unrelated stages of this development is not the responsibility of the Applicant.

## **WATER RETICULATION**

The proposed water reticulation layout is shown on Dwg 1453 TP-05. The 150Ø main is to be built progressively along the length of Marinelli Drive in conjunction with the construction of the adjacent allotments.

The size of the internal main shall be confirmed as part of a future operational works application. All water reticulation services shall be constructed in accordance with the requirements of the FNQROC Development Manual.

The proposed development of 87 lots imposes substantially less demand on the water reticulation system than the original residential proposals and therefore, no external water supply upgrading works are necessary as a result of this development.

## **SEWERAGE**

The sewerage reticulation system is indicated on Dwg 1453 TP-05.

It is proposed to sewer Stages 1 to 4 inclusive by gravity to grade to the existing reticulated sewerage infrastructure located within the subject site. For Lots 30 to 376 inclusive sewage will need to be pumped to the gravity sewers located at the front of the respective lots. Provision of sewerage is especially advantageous for these lots as it will reduce the amount of water in the vicinity and hence contribute to the stability of the existing batter.

The method of effluent disposal for the lots in the remaining Stages 5 to 9 is to be determined although all sites have sufficient area to provide an appropriate on-site disposal method, which is the current preferred effluent disposal method.

In the event that all the proposed development of 87 lots were to be sewered, this revised application imposes substantially less demand on the existing sewerage reticulation system than the original



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residential proposals and therefore, no external sewer reticulation upgrading works are necessary as a result of this development.

## ELECTRICAL AND TELCOMMUNICATIONS

The electrical and telecommunications system, including street lighting, will be designed by an electrical engineering consultant. It is expected that these services shall be incorporated into the construction of the civil works.

We trust that report and attachments satisfies your requirements and it addresses all matters relevant to Council's assessment of the application.

Please do not hesitate to contact the writer if you have any queries or if you require additional information.

Yours faithfully,

JIM PAPAS CIVIL ENGINEERING  
DESIGNER PTY. LTD.



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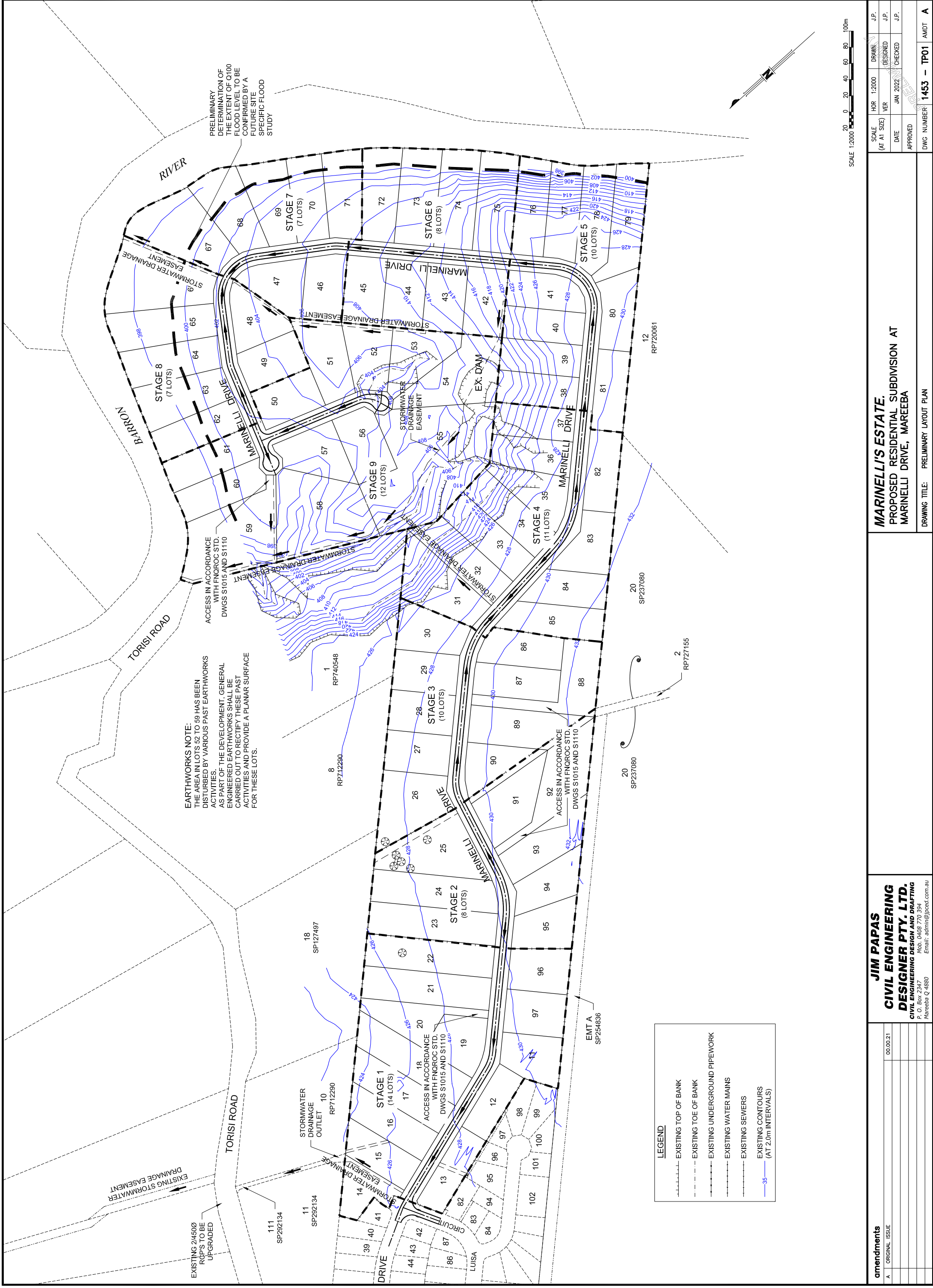
JIM PAPAS

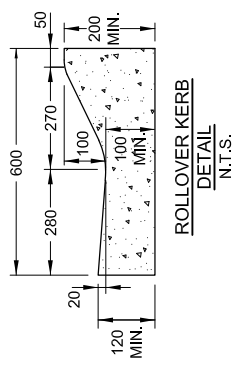
### Attachments: Plans:

- Dwg 1453 TP-01 – Preliminary Layout Plan
- Dwg 1453 TP-02 – Typical Cross Sections and Details
- Dwg 1453 TP-03 – Extent of Flooding, Slope Analysis
- Dwg 1453 TP-04 – Preliminary Stormwater Drainage Layout Plan
- Dwg 1453 TP-05 – Preliminary Water Reticulation Plan
- Dwg 1453 TP-06 – Preliminary Sewerage reticulation Plan

TRC Letter Dated April 27, 2012.





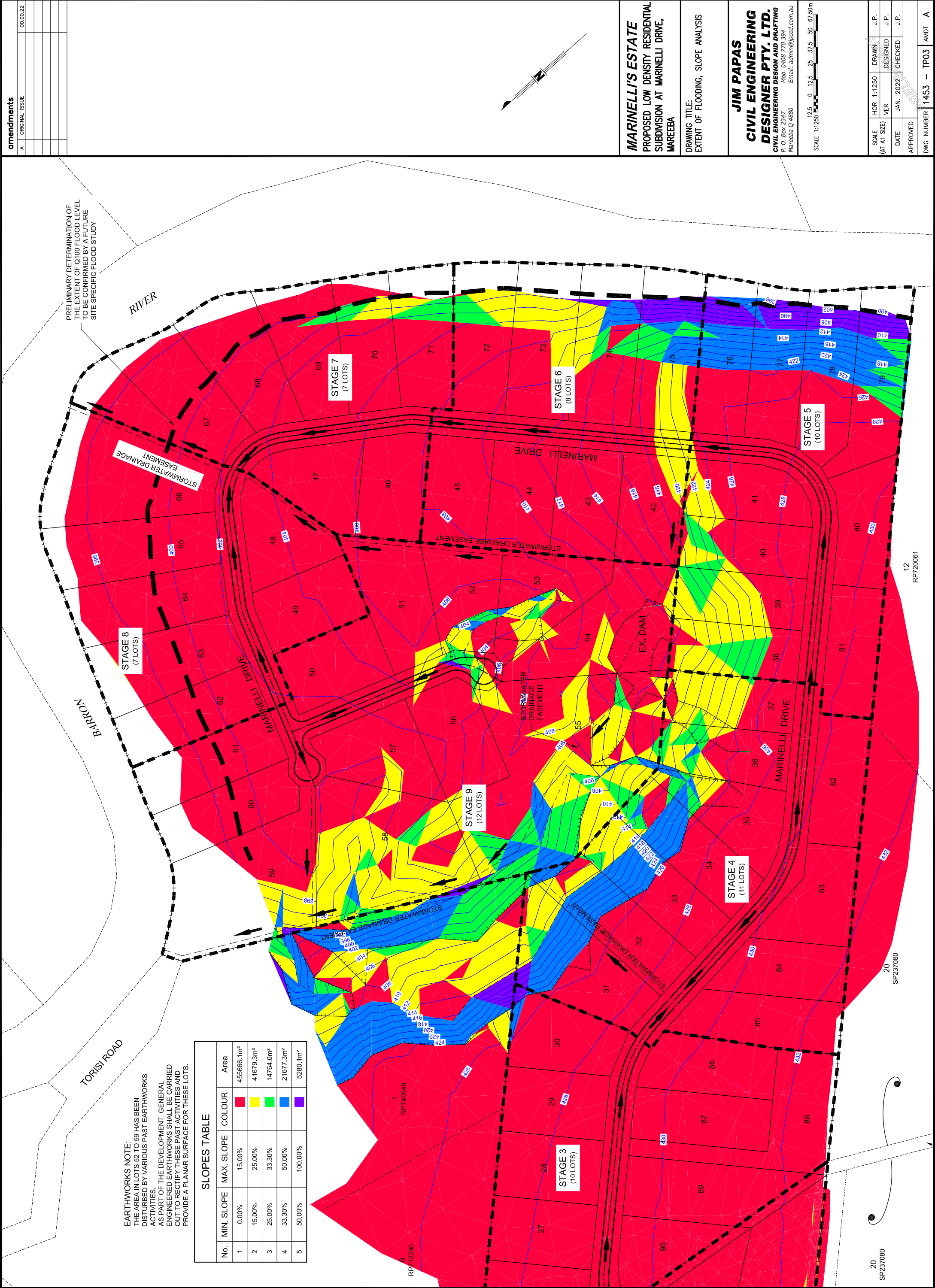


NOTES:

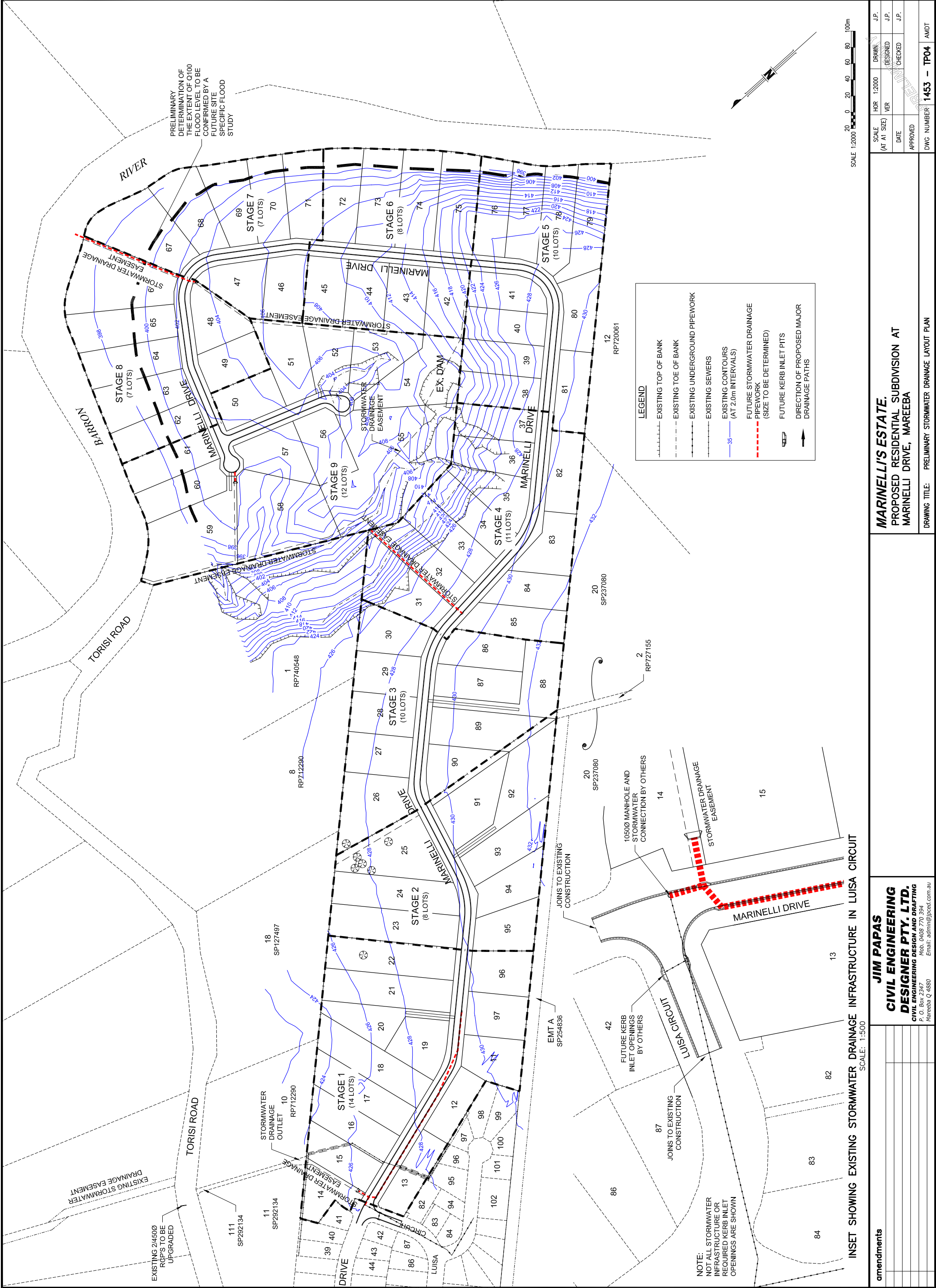
**RP DESCRIPTION**  
LOT 200 ON SP 284110

**LOCAL AUTHORITY**  
MAREEBA SHIRE COUNCIL

amendments		<div><div><b>JIM PAPAS</b></div><div><b>CIVIL ENGINEERING</b></div><div><b>DESIGNER PTY. LTD.</b></div><div><b>CIVIL ENGINEERING DESIGN AND DRAFTING</b></div><div>P. O. Box 2347</div><div>Mareeba Q 4880</div><div>Mob. 0408 770 394</div><div>Email: admin@jpced.com.au</div></div>	<b>MARINELLI'S ESTATE.</b> <b>PROPOSED RESIDENTIAL SUBDIVISION AT</b> <b>MARINELLI DRIVE, MAREEBA</b>						SCALE	HOR 1:500	DRAWN	J.P.	
								(AT 1:1 SIZE)	VER	DESIGNED	J.P.		
								DATE		CHECKED	J.P.		
								APPROVED					
								DRAWING TITLE: TYPICAL CROSS SECTIONS AND DETAILS					DWG NUMBER





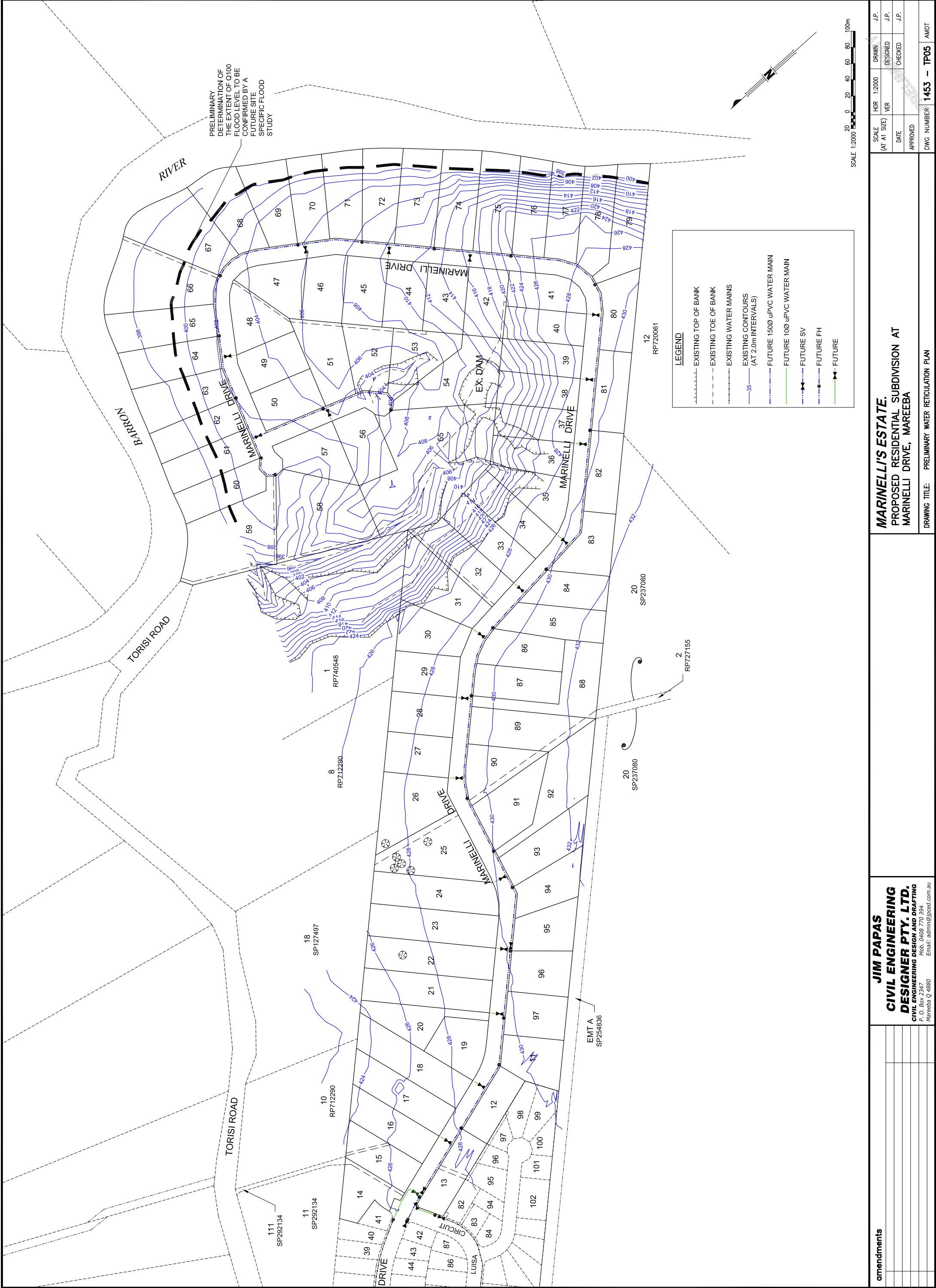


NOTE:  
NOT ALL STORMWATER  
INFRASTRUCTURE OR  
REQUIRED KERB INLET  
OPENINGS ARE SHOWN

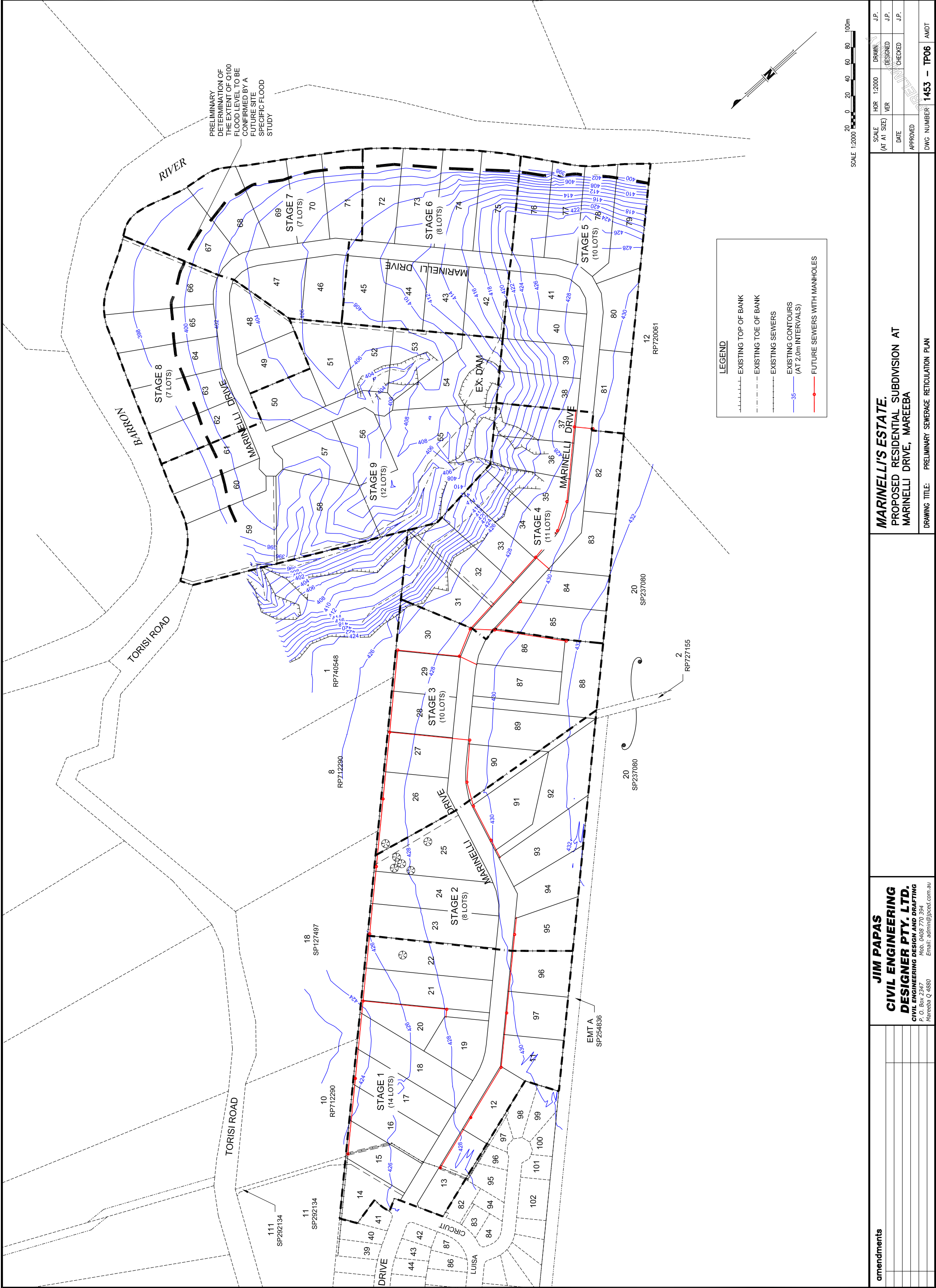
INSET SHOWING EXISTING STORMWATER DRAINAGE INFRASTRUCTURE IN LUISA CIRCUIT

SCALE: 1:500

amendments	MARINELLI'S ESTATE. PROPOSED RESIDENTIAL SUBDIVISION AT MARINELLI DRIVE, MAREEBA				DRAWING TITLE: PRELIMINARY STORMWATER DRAINAGE LAYOUT PLAN		
					DWG NUMBER: 1453 - TP04		
					AMDT		
JIM PAPAS CIVIL ENGINEERING DESIGNER PTY. LTD. CIVIL ENGINEERING DESIGN AND DRAFTING P. O. Box 2347 Mareeba Q 4880 Mob. 0408 770 394 Email: admin@jpced.com.au						APPROVED	
						DATE	
						VER	
						HOR 1:2000	
						DRAWN J.P.	
						DESIGNED J.P.	
						CHECKED J.P.	



amendments	<div><div><b>JIM PAPAS</b> <b>CIVIL ENGINEERING</b> <b>DESIGNER PTY. LTD.</b> <small>CIVIL ENGINEERING DESIGN AND DRAFTING P. O. Box 2347 Mareeba Q 4880 Mob. 0408 770 394 Email: admin@jpced.com.au</small></div></div>										<div><div><b>MARINELLI'S ESTATE.</b> <b>PROPOSED RESIDENTIAL SUBDIVISION AT</b> <b>MARINELLI DRIVE, MAREEBA</b></div></div>										<div><div>SCALE (AT A1 SIZE)</div><div>HOR 1:2000</div><div>J.P.</div></div>				<div><div>DRAWN</div><div>J.P.</div></div>			
												<div><div>DATE</div><div>VER</div><div>J.P.</div></div>				<div><div>DESIGNED</div><div>CHECKED</div><div>J.P.</div></div>												
												<div><div>APPROVED</div></div>																
												<div><div>DWG NUMBER</div><div>1453 – TP05</div><div>AMDT</div></div>																
												<div><div>DRAWING TITLE:</div><div>PRELIMINARY WATER RETICULATION PLAN</div></div>																







27 April 2012

## Tablelands Regional Council

Atherton Service Centre  
PO Box 573, Atherton QLD 4883  
Telephone: 1300 362 242

### Urban & Regional Planning Department

Mr Brian Parnell  
Development Engineer  
Telephone: (07) 4043 4377  
Facsimile: (07) 4091 4300  
Email: [info@trc.qld.gov.au](mailto:info@trc.qld.gov.au)

File Ref: OPW 08-0003  
Our Ref: BN:BP:aa

Jim Papas  
Jim Papas Drafting Pty Ltd  
PO Box 2347  
MAREEBA QLD 4880

Dear Sir

**OPERATIONAL WORKS  
STORMWATER DRAINAGE MANAGEMENT PLAN  
LOT 200 ON SP 216456  
SITUATED AT MARINELLI DRIVE, MAREEBA**

I refer to the above report lodged with Council on 1 March 2012.

Council confirms the following:

- ❖ The single lawful point of discharge of stormwater for Marinelli Estate is the start of the easement in Lot 15 on SP 127497.
- ❖ Costs of culverts under Torrissi Road to be shared between Council and the Developer on a contributing catchment basis.
- ❖ The proposed open concrete lined drain through Lot 11 on RP 712290 is the responsibility of the Developer and is to be designed to allow for access by maintenance vehicles adjacent to and for the full length of the drain. The drain is to be fenced to prevent pedestrian access.
- ❖ Rate of stormwater runoff post-development is to be no greater than pre-development.

Should you require any further information, please contact Council's **Development Engineer, Brian Parnell** on the above telephone number.

Yours faithfully,

A handwritten signature in black ink, appearing to read 'Brett Nancarrow', written over a light blue horizontal line.

**BRETT NANCARROW  
MANAGER URBAN & REGIONAL PLANNING**

13 March, 2022

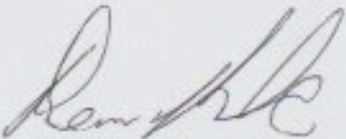
Chief Executive Officer  
Mareeba Shire Council  
PO Box 154  
MAREEBA QLD 4880

Dear Sir,

**RE: APPLICATION FOR A MATERIAL CHANGE OF USE AND RECONFIGURING A LOT  
AND A MATERIAL CHANGE OF USE. LOT 200 ON SP284110, MARINELLI DRIVE,  
MAREEBA.**

Under Section 51 of the *Planning Act, 2016* it is mandatory for the owner of the land to which a Development Application relates to consent to the making of the Application.

We, CAIRNS PLYWOODS PTY LTD as the registered owners of Marinelli Drive, Mareeba and more particularly described as Lot 200 on SP284110, authorise Freshwater Planning Pty Ltd to lodge a Town Planning Application on our behalf.



CAIRNS PLYWOODS PTY LTD  
Director

# 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)	Cairns Plywoods Pty Ltd
Contact name (only applicable for companies)	
Postal address (P.O. Box or street address)	C/ Freshwater Planning Pty Ltd 17 Barronview Drive
Suburb	Freshwater
State	QLD
Postcode	4870
Country	Australia
Contact number	0402729004
Email address (non-mandatory)	FreshwaterPlanning@outlook.com
Mobile number (non-mandatory)	
Fax number (non-mandatory)	
Applicant's reference number(s) (if applicable)	F21/34

2) Owner's consent	
2.1) Is written consent of the owner required for this development application?	
<input checked="" type="checkbox"/> Yes – the written consent of the owner(s) is attached to this development application	
<input type="checkbox"/> No – proceed to 3)	

## PART 2 – LOCATION DETAILS

### 3) Location of the premises (complete 3.1) or 3.2), and 3.3) as applicable)

**Note:** Provide details below and attach a site plan for any or all premises part of the development application. For further information, see [DA Forms Guide: Relevant plans](#).

#### 3.1) Street address and lot on plan

- ☒ Street address **AND** lot on plan (all lots must be listed), **or**  
☐ Street address **AND** lot on plan for an adjoining or adjacent property of the premises (appropriate for development in water but adjoining or adjacent to land e.g. jetty, pontoon. All lots must be listed).

a)	Unit No.	Street No.	Street Name and Type	Suburb
			Marinelli Drive	Mareeba
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)
	4880	200	SP284110	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:	

- ☐ Coordinates of premises by easting and northing

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

#### 3.3) Additional premises

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

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

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

Name of water body, watercourse or aquifer: Barron River

- ☐ 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 – Preliminary Approval to vary the effect of the Planning Scheme – Use Rights in accordance with the Rural Residential Zone of the Mareeba Shire Council's Planning Scheme, 2016

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):*

Reconfiguration of 1 Lot into 87 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 checked="" type="checkbox"/> Yes – complete division 2
Operational work	<input type="checkbox"/> Yes – complete division 3
Building work	<input type="checkbox"/> Yes – complete <i>DA Form 2 – Building work details</i>

### Division 1 – Material change of use

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

8.1) Describe the proposed material change of use			
Provide a general description of the proposed use	Provide the planning scheme definition (include each definition in a new row)	Number of dwelling units (if applicable)	Gross floor area (m <sup>2</sup> ) (if applicable)
Preliminary Approval to vary the effect of the Planning Scheme	Rural Residential Zone		
8.2) Does the proposed use involve the use of existing buildings on the premises?			
<input type="checkbox"/> Yes			
<input checked="" type="checkbox"/> No			

### Division 2 – Reconfiguring a lot

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

9.1) What is the total number of existing lots making up the premises?	
1	
9.2) What is the nature of the lot reconfiguration? (tick all applicable boxes)	
<input checked="" type="checkbox"/> Subdivision (complete 10))	<input type="checkbox"/> Dividing land into parts by agreement (complete 11))
<input type="checkbox"/> Boundary realignment (complete 12))	<input type="checkbox"/> Creating or changing an easement giving access to a lot from a constructed road (complete 13))

10) Subdivision				
10.1) For this development, how many lots are being created and what is the intended use of those lots:				
Intended use of lots created	Residential	Commercial	Industrial	Other, please specify:
				Rural Residential
Number of lots created				87
10.2) Will the subdivision be staged?				
<input checked="" type="checkbox"/> Yes – provide additional details below				
<input type="checkbox"/> No				
How many stages will the works include?	9			
What stage(s) will this development application apply to?	1 – 9			



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

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

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

### Division 3 – Operational work

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

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

## PART 4 – ASSESSMENT MANAGER DETAILS

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

## PART 5 – REFERRAL DETAILS

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

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

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

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

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

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

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

<input type="checkbox"/> Heritage places – Local heritage places
Matters requiring referral to the <b>Chief Executive of the distribution entity or transmission entity:</b>
<input type="checkbox"/> Infrastructure-related referrals – Electricity infrastructure
Matters requiring referral to:
<ul style="list-style-type: none"> <li>• The <b>Chief Executive of the holder of the licence</b>, if not an individual</li> <li>• The <b>holder of the licence</b>, if the holder of the licence is an individual</li> </ul>
<input type="checkbox"/> Infrastructure-related referrals – Oil and gas infrastructure
Matters requiring referral to the <b>Brisbane City Council:</b>
<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> By not agreeing to accept an information request I, the applicant, acknowledge: <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>
Further advice about information requests is contained in the <a href="#">DA Forms Guide</a> .

## PART 7 – FURTHER DETAILS

20) Are there any associated development applications or current approvals? (e.g. a preliminary approval)

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

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

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

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

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

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

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

23) Further legislative requirements

### Environmentally relevant activities

23.1) Is this development application also taken to be an application for an environmental authority for an **Environmentally Relevant Activity (ERA)** under section 115 of the *Environmental Protection Act 1994*?

- ☐ Yes – the required attachment (form ESR/2015/1791) for an application for an environmental authority accompanies this development application, and details are provided in the table below  
☒ No

**Note:** Application for an environmental authority can be found by searching “ESR/2015/1791” as a search term at [www.qld.gov.au](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:		Proposed ERA threshold:	
Proposed ERA name:			

- ☐ Multiple ERAs are applicable to this development application and the details have been attached in a schedule to this development application.

### Hazardous chemical facilities

23.2) Is this development application for a **hazardous chemical facility**?

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

**Note:** See [www.business.qld.gov.au](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

☒ Yes

**Note:** See the Planning Regulation 2017 for referral requirements

If building work is associated with the proposed development, Parts 4 to 6 of [DA Form 2 – Building work details](#) have been completed and attached to this development application

☐ Yes

☒ Not applicable

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

**Note:** This is a mandatory requirement and includes any relevant templates under question 23, a planning report and any technical reports required by the relevant categorising instruments (e.g. local government planning schemes, State Planning Policy, State Development Assessment Provisions). For further information, see [DA Forms Guide: Planning Report Template](#).

☒ Yes

Relevant plans of the development are attached to this development application

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

☒ Yes

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

☐ Yes

☒ Not applicable

### 25) Applicant declaration

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

☒ Where an email address is provided in Part 1 of this form, I consent to receive future electronic communications from the assessment manager and any referral agency for the development application where written information is required or permitted pursuant to sections 11 and 12 of the *Electronic Transactions Act 2001*

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

**Privacy** – Personal information collected in this form will be used by the assessment manager and/or chosen assessment manager, any relevant referral agency and/or building certifier (including any professional advisers which may be engaged by those entities) while processing, assessing and deciding the development application. All information relating to this development application may be available for inspection and purchase, and/or published on the assessment manager's and/or referral agency's website.

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

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

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

## PART 9 – FOR COMPLETION OF THE ASSESSMENT MANAGER – FOR OFFICE USE ONLY

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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

*Note: For completion by assessment manager if applicable*

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