

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)	R&N ZADEH HOLDINGS PTY LTD AS TRUSTEE FOR NERDS SUPERANNUATION FUND
Contact name (only applicable for companies)	Liz Taylor
Postal address (P.O. Box or street address)	C/- Elizabeth Taylor, Town Planner 23 Vallely Street
Suburb	Freshwater
State	QLD
Postcode	4870
Country	Australia
Contact number	Liz - 0407584966
Email address (non-mandatory)	liz@elizabethtaylor.net.au
Mobile number (non-mandatory)	Liz - 0407584966
Fax number (non-mandatory)	N/A
Applicant's reference number(s) (if applicable)	ET22-07

2) Owner's consent

2.1) Is written consent of the owner required for this development application?

- Yes – the written consent of the owner(s) is attached to this development application
 No – proceed to 3)

PART 2 – LOCATION DETAILS

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

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

3.1) Street address and lot on plan

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

a)	Unit No.	Street No.	Street Name and Type	Suburb
		64	Strathmann Street	Mareeba
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)
	4880	3	RP722170	Cairns Regional Council
b)	Unit No.	Street No.	Street Name and Type	Suburb
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)

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

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

- Coordinates of premises by longitude and latitude

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

- Coordinates of premises by easting and northing

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

3.3) Additional premises

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

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

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

Name of water body, watercourse or aquifer:

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

Lot on plan description of strategic port land:

Name of port authority for the lot:

- In a tidal area

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

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

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

Name of airport:

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

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

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

No

PART 3 – DEVELOPMENT DETAILS

Section 1 – Aspects of development

6.1) Provide details about the first development aspect

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

Material change of use Reconfiguring a lot Operational work Building work

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

Development permit Preliminary approval Preliminary approval that includes a variation approval

c) What is the level of assessment?

Code assessment Impact assessment *(requires public notification)*

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

MIXED USE DEVELOPMENT – PRIMARILY, HEALTH CARE SERVICES WITH A MIX OF SHOP, OFFICE, FOOD AND DRINK OUTLET

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):*

Warehouse with existing use rights – Building work Assessable Against the Planning Scheme

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

Relevant plans of the proposed development are attached to the development application

6.3) Additional aspects of development

Additional aspects of development are relevant to this development application and the details for these aspects that would be required under Part 3 Section 1 of this form have been attached to this development application

Not required

Section 2 – Further development details

7) Does the proposed development application involve any of the following?	
Material change of use	<input checked="" type="checkbox"/> Yes – complete division 1 if assessable against a local planning instrument
Reconfiguring a lot	<input type="checkbox"/> Yes – complete division 2
Operational work	<input type="checkbox"/> Yes – complete division 3
Building work	<input type="checkbox"/> Yes – complete <i>DA Form 2 – Building work details</i>

Division 1 – Material change of use

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

8.1) Describe the proposed material change of use			
Provide a general description of the proposed use	Provide the planning scheme definition <i>(include each definition in a new row)</i>	Number of dwelling units <i>(if applicable)</i>	Gross floor area (m ²) <i>(if applicable)</i>
MIXED USE DEVELOPMENT	HEALTH CARE SERVICES, SHOP, OFFICE, FOOD AND DRINK OUTLET		535m ²

8.2) Does the proposed use involve the use of existing buildings on the premises?	
<input checked="" type="checkbox"/> Yes	
<input type="checkbox"/> No	

Division 2 – Reconfiguring a lot

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

9.1) What is the total number of existing lots making up the premises?	

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

10) Subdivision				
10.1) For this development, how many lots are being created and what is the intended use of those lots:				
Intended use of lots created	Residential	Commercial	Industrial	Other, please specify:
Number of lots created				2 - Rural residential
10.2) Will the subdivision be staged?				
<input type="checkbox"/> Yes – provide additional details below				
<input type="checkbox"/> No				
How many stages will the works include?				
What stage(s) will this development application apply to?				

11) Dividing land into parts by agreement – how many parts are being created and what is the intended use of the parts?

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

12) Boundary realignment

12.1) What are the current and proposed areas for each lot comprising the premises?

Current lot		Proposed lot	
Lot on plan description	Area (m ²)	Lot on plan description	Area (m ²)

12.2) What is the reason for the boundary realignment?

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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"/> Stormwater	<input type="checkbox"/> Water infrastructure
<input type="checkbox"/> Drainage work	<input type="checkbox"/> Earthworks	<input type="checkbox"/> Sewage infrastructure
<input type="checkbox"/> Landscaping	<input type="checkbox"/> Signage	<input type="checkbox"/> Clearing vegetation
<input type="checkbox"/> Other – please specify:		

14.2) Is the operational work necessary to facilitate the creation of new lots? (e.g. subdivision)

<input type="checkbox"/> Yes – specify number of new lots:	
<input type="checkbox"/> No	

14.3) What is the monetary value of the proposed operational work? (include GST, materials and labour)

\$

PART 4 – ASSESSMENT MANAGER DETAILS

15) Identify the assessment manager(s) who will be assessing this development application

Mareeba shire Council

16) Has the local government agreed to apply a superseded planning scheme for this development application?

<input type="checkbox"/> Yes – a copy of the decision notice is attached to this development application
<input type="checkbox"/> The local government is taken to have agreed to the superseded planning scheme request – relevant documents attached
<input checked="" type="checkbox"/> No

PART 5 – REFERRAL DETAILS

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

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

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

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

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

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

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

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

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

PART 6 – INFORMATION REQUEST

19) Information request under Part 3 of the DA Rules
<input checked="" type="checkbox"/> I agree to receive an information request if determined necessary for this development application
<input type="checkbox"/> I do not agree to accept an information request for this development application
Note: <i>By not agreeing to accept an information request I, the applicant, acknowledge:</i>
<ul style="list-style-type: none"> • <i>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</i> • <i>Part 3 of the DA Rules will still apply if the application is an application listed under section 11.3 of the DA Rules.</i>
<i>Further advice about information requests is contained in the DA Forms Guide.</i>

PART 7 – FURTHER DETAILS

20) Are there any associated development applications or current approvals? (e.g. a preliminary approval)			
<input type="checkbox"/> Yes – provide details below or include details in a schedule to this development application <input checked="" type="checkbox"/> No			
List of approval/development application references	Reference number	Date	Assessment manager
<input type="checkbox"/> Approval <input type="checkbox"/> Development application			
<input type="checkbox"/> Approval <input type="checkbox"/> Development application			

21) Has the portable long service leave levy been paid? (only applicable to development applications involving building work or operational work)		
<input type="checkbox"/> Yes – a copy of the receipted QLeave form is attached to this development application <input type="checkbox"/> No – I, the applicant will provide evidence that the portable long service leave levy has been paid before the assessment manager decides the development application. I acknowledge that the assessment manager may give a development approval only if I provide evidence that the portable long service leave levy has been paid <input checked="" type="checkbox"/> 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?
<input type="checkbox"/> Yes – show cause or enforcement notice is attached <input checked="" type="checkbox"/> 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 <i>Environmental Protection Act 1994</i> ?			
<input type="checkbox"/> 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 <input checked="" type="checkbox"/> No <i>Note: Application for an environmental authority can be found by searching "ESR/2015/1791" as a search term at www.qld.gov.au. An ERA requires an environmental authority to operate. See www.business.qld.gov.au for further information.</i>			
Proposed ERA number:		Proposed ERA threshold:	
Proposed ERA name:			
<input type="checkbox"/> 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 ?			
<input type="checkbox"/> Yes – Form 69: Notification of a facility exceeding 10% of schedule 15 threshold is attached to this development application <input checked="" type="checkbox"/> No <i>Note: See www.business.qld.gov.au for further information about hazardous chemical notifications.</i>			

Clearing native vegetation

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

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

Note: 1. Where a development application for operational work or material change of use requires a s22A determination and this is not included, the development application is prohibited development.
2. See <https://www.qld.gov.au/environment/land/vegetation/applying> for further information on how to obtain a s22A determination.

Environmental offsets

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

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

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

Koala habitat in SEQ Region

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

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

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

Water resources

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

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

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

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

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

Waterway barrier works

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

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

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

Marine activities

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

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

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

Quarry materials from a watercourse or lake

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

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

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

Quarry materials from land under tidal waters

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

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

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

Referable dams

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

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

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

Tidal work or development within a coastal management district

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

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

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

Queensland and local heritage places

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

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

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

Name of the heritage place:		Place ID:	
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Brothels

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

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

Decision under section 62 of the Transport Infrastructure Act 1994

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

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

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

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

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

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

PART 8 – CHECKLIST AND APPLICANT DECLARATION

24) Development application checklist

I have identified the assessment manager in question 15 and all relevant referral requirement(s) in question 17

Yes

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

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

Yes

Not applicable

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

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

Yes

Relevant plans of the development are attached to this development application

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

Yes

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

Yes

Not applicable

25) Applicant declaration

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

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

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

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

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

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

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

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

Date received: Reference number(s):

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

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

Individual owner's consent for making a development application under the *Planning Act 2016*

R & N Zadeh Holdings Pty Ltd as Trustee for NERDS Superannuation Fund

as owner of the premises identified as follows:

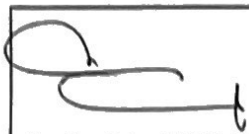
64 Strathmann Street Mareeba, being Lot 3 RP722170

consents to the making of a development application under the *Planning Act 2016* by:

Elizabeth Taylor – Town Planner

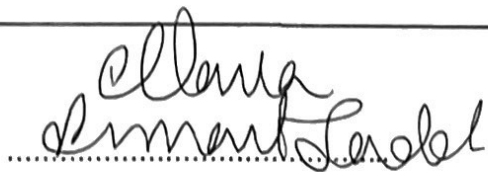
on the premises described above for:

Material Change of Use – Mixed -use development (primarily, Health Care Services)



Ramin Esmail-Zadeh

25 June 2022



Nava Esmail-Zadeh

25 June 2022

TOWN PLANNING REPORT

**APPLICATION
FOR
MATERIAL CHANGE OF USE –FOR A MIXED-USE
DEVELOPMENT, COMPRISING - HEALTH CARE
SERVICES, FOOD AND DRINK OUTLET, OFFICE AND
SHOP**

**64 STRATHMANN STREET
MAREEBA**

PREPARED FOR

**R&N ZADEH HOLDINGS PTY LTD AS TRUSTEE FOR NERDS
SUPERANNUATION FUND**

PREPARED BY

**ELIZABETH TAYLOR
TOWN PLANNER**

JULY 2022

1.0 INTRODUCTION

This report provides a town planning assessment of an Application for Material Change of Use (MCU) for the refurbishment of an existing commercial building, located at the corner of Rankin Street and Strathmann Street, Mareeba for a mixed-use development.

The assessment of the Application takes account of the relevant provisions of the Planning Act 2016 (PA), the Planning Regulation 2017 and the Planning Scheme. The site is included in the Centre Zone, under the Planning Scheme.

The Application is Code assessable and does not trigger referral, through SARA, to any referral agencies.

2.0 THE SITE AND LOCALITY

2.1 The Site

The site is a corner allotment with an area of 1,012m². It is described as Lot 3 RP722170 and is generally level and improved with a large commercial building which is built up to the corner site frontages of the two streets. An unmarked and unsealed carparking area is provided on site, to the rear, accessed to/from Strathmann Street, refer photograph, below.



CAR PARKING AREA ACCESSED TO/FROM STRATHMANN STREET

The site is serviced with all urban services and on-street car parking to the site frontages comprises or can comprise 3 parallel spaces in Strathmann Street and 5 angled car parking spaces in Rankin Street, refer Concept Plans at Appendix 1.

The building addresses Rankin Street with an awning over part of the footpath area and a wide concrete pedestrian pathway along the entire building frontage, which connects to formed kerb and channel and to on-street parking spaces, refer photograph, below.



RANKIN STREET ELEVATION

The existing building was previously used, most recently, be an auto-electrician, who used part of the building, fronting Rankin Street for an office and a shop selling auto parts, with the balance of the building used for servicing and repairing vehicles.

The building awning and footpath returns along Strathmann Street for part of the site frontage, refer photograph, below.



2.1 The Locality

The site is located on the edge of the commercial area of Mareeba and is included in the Centre Zone with Medium Density Residential zoned land adjoining to the rear.

The local area is characterised by a mix of older style residential premises and commercial/quasi-service industry activities, including several vacant premises.

The adjacent and nearby land use activities include machinery dealership, diesel mechanic, car detailer, dwellings, duplex and backpacker accommodation, which shares a common boundary with the subject site, along the rear boundary.

The mix of residential and commercial use has resulted in a reduced level of residential amenity in the local area.

The area is on the very periphery of the commercial centre of Mareeba and as such is considered to be an area in transition. It is to be expected that gradual upgrading of the local area will occur over the longer term.

Refer to Locality Aerial Plan and Locality Zoning Plan, below.



3.0 PROPOSED DEVELOPMENT

It is proposed to redevelop the site, utilising the existing building, to create a mixed-use development.

The primary use of the site is for Health Care Services, being a medical clinic and potentially, other allied health professionals. In addition, some commercial space may be leased for a café/coffee shop = Food and Drink Outlet, Office and/ or Shop, such as a florist or chemist, being complementary uses to the primary use of Health Care Services. The tenancy mix is not known at this time.

The Concept Plans, show:

Site Plan

- Medical Centre with a Gross Floor Area (GFA) of 195m² has frontage to both streets and access is proposed to/from both streets;
- Future tenancies have a GFA of 287m² and frontage to Rankin Street;
- The remaining area is a common area containing entry corridor, toilets and kitchen with a GFA of 52m².
- Two small storage shed/areas are also located on site with a total area of 27m², one located adjacent to the refuse collection area; and
- The rear car parking area accommodates 13 car parking spaces, 1 space designated disabled parking and 3 parallel spaces and 5 angled spaces can be line-marked to the site frontage, providing for a total of 21 car parking spaces.
- The boundary along the rear, adjoining the backpackers can be fenced with a screen fence and can potentially be landscaped for a width of approximately 2 metres.

Internal Layout Plan

- The Medical Centre (eye clinic) comprises a waiting room and reception area with a file storage area, 2 eye testing rooms, 2 orthoptist offices, a treatment room and a consulting room;
- Adjacent are the ablutions, a communal kitchen and an access corridor to/from the rear car parking area.
- Two small storage areas may be used by various tenants and a refuse area has been designated to the rear of the building;
- The future tenancies area is “L” shaped and has frontage to Rankin Street.

Concept Plans of the proposed development are attached at **Appendix 1**.

In the Centres Zone the proposed mix of uses has the following levels of assessment:

- Health Care Services - Code assessment;
- Food and Drink Outlet – Code assessment;
- Offices – Exempt/Self assessable development
- Shops – Code assessment.

(NOTE: - This assessment is based on the fact that the existing site has an area for car parking but no line-marked car parking and the quantum of onsite car parking required to be provided for the previous development, if any, is unknown).

The primary use of the building is for Health Care Services and may result in the entire building being used for this purpose, with several medical professionals, sharing the space. However, there is a possibility that part of the space may be used by complementary commercial activities/services, such as a café, offices, florist shop, chemist, or the like.

In order for the redevelopment to have the flexibility of a mix of land uses in the future, a primary consideration is car parking compliance. A theoretical carparking assessment is outlined below, based on the mix of land uses proposed.

CAR PARKING – THEORETICAL ASSESSMENT

The rear of the premises is dedicated to carparking; however, the area is not sealed or line-marked. Based on compliance with the Australian Standard (AS) car parking layout design requirements, 13 car parking spaces can be accommodated at the rear, one of the 13 spaces being a disabled space and 8 on-street car parking spaces can be provided in Rankin Street (5 spaces) and Strathmann Street (3 spaces) providing a total of 21 spaces. refer Site Plan at Appendix 1.

The carparking rate for Health Care Services on land in the Centre Zone, is 1 space per 40m² of net lettable area (NLA). The building has 482m² of NLA, which equates to a requirement for a total of 12 car parking spaces, if the entire building is used for Health Care Services. Based on the current proposal of 195m² NLA for a medical clinic, 5 car parking spaces are required - Compliance achieved under both scenarios.

The car parking rate for Food and Drink Outlet on land in the Centres Zone, is 1 space per 50m² of gross floor area (GFA) up to GFA of 400m² and then 1 per 15m² thereafter. The building has 287m² of GFA allocated to future tenancies, which equates to a requirement for 6 car parking spaces, if all the future tenancies area, is used (theoretically) for Food and Drink Outlet and with the proposed medical centre (5 spaces) – Compliance achieved.

The car parking rate for Office on land in the Centres Zone, is 1 space per 20m² of gross floor area (GFA) up to GFA of 400m² and then 1 per 10m² thereafter. The building has 287m² of GFA allocated to future tenancies, which equates to a requirement for 15 car parking spaces, if all the future tenancies area, is used (theoretically) for Office – Compliance is not achieved, in terms of on-site car parking, however, there are 8 car parking spaces which can be line-marked to the site frontages making a total of 21 car parking spaces available; and it is also very likely that there will be patients/customers/ visitors who come to the site and utilise several services offered within the mixed use development. It is therefore considered that car parking is adequate.

The car parking rate for Shop on land in the Centres Zone, is 1 space per 50m² of gross floor area (GFA) up to 400m² of GFA and then 1 per 10m² thereafter. The building has 287m² of GFA allocated to future tenancies, which equates to a requirement for 6 car parking spaces, if all the future tenancy area is used (theoretically) for Shops and with the proposed medical centre (5 spaces) – Compliance achieved.

It is noted that car parking rates for the proposed mix of land uses of Health Care Services, Food and Drink Outlet, Office and Shop, are listed as - “Accepted where in an existing building within the Centre Zone.”

However, the car parking calculations above, have been provided to show Council that approving a mixed- use development on the site, comprising, primarily, Health Care Services with the potential for a mix of several other smaller commercial tenancies can be accommodated on site and not create an unacceptable car parking demand in the local area.

It is requested that a Condition be included on any approval that states that compliance has been demonstrated with car parking requirements for the proposed mix of secondary commercial land uses in the mixed-use development, being Food and drink outlet, Office and/or Shop.

4.0 MAREEBA SHIRE PLANNING SCHEME 2016

Under the Planning Scheme, the proposed development requires assessment against the following Codes:

- Centre Zone Code;
- Mareeba Local Plan Code;
- Community Activities Code- (Health care services component);
- Commercial Activities Code (Food and drink, Office and Shop components)
- Landscaping Code;
- Parking and Access Code; and
- Works Services and Infrastructure Code.

An assessment against the relevant provisions of each Code is outlined below.

Centre Zone Code

The code seeks to provide for a mix of land uses and orderly development. Specifically, in relation to Mareeba, it states:

Mareeba as a major regional activity centre, which accommodates the most significant concentrations of regional-scale business, retail, entertainment, government administration, secondary and tertiary educational facilities and health and social services within the shire;

6.2.1.3 Criteria for assessment

Table 6.2.1.3A—Centre zone code - For accepted development subject to requirements and assessable development

Performance outcomes	Acceptable outcomes	Complies	Comments
For accepted development subject to requirements and assessable development			
Height			

Performance outcomes	Acceptable outcomes	Complies	Comments
<p>PO1 Building height takes into consideration and respects the following:</p> <ul style="list-style-type: none"> (a) the height of existing buildings on adjoining premises; (b) the development potential, with respect to height, on adjoining premises; (c) the height of buildings in the vicinity of the site; (d) access to sunlight and daylight for the site and adjoining sites; (e) privacy and overlooking; and (f) site area and street frontage length. 	<p>AO1 Development has a maximum building height of:</p> <ul style="list-style-type: none"> (a) 8.5 metres; and (b) 2 storeys above ground level. 		<p>COMPLIES – BUT IN ANY EVENT, THE BUILDING EXISTS.</p>
Siting			
<p>PO2 Development is sited in a manner that considers and respects:</p> <ul style="list-style-type: none"> (a) the siting and use of adjoining premises; (b) access to sunlight 	<p>AO2.1 Buildings are built to the road frontage/s of the site.</p> <p>Note—Awning structures may extend into the road reserve where provided in accordance with PO5.</p>	✓	<p>COMPLIES</p>

Performance outcomes	Acceptable outcomes	Complies	Comments
<p>and daylight for the site and adjoining sites;</p> <p>(c) privacy and overlooking;</p> <p>(d) opportunities for casual surveillance of adjoining public spaces;</p> <p>(e) air circulation and access to natural breezes;</p> <p>(f) appearance of building bulk; and</p> <p>(g) relationship with pedestrian spaces.</p>	<p>AO2.2 Buildings are setback and boundary treatment(s) are undertaken in accordance with Table 6.2.1.3B.</p>		<p>N/A- BUILDING EXISTS</p> <p>THE SITE ADJOINS RESIDENTIAL LAND TO THE REAR WITH THE EXISTING BUILDING SETBACK OVER 15 METRES FROM THIS BOUNDARY.</p> <p>THE REAR AREA WILL BE USED FOR CARPARKING AND ANY AVAILABLE SPACE WILL BE LANDSCAPED AND SCREEN FENCING PROVIDED, IF REQUIRED.</p>
Accommodation density			
<p>PO3 The density of Accommodation activities:</p> <p>(a) contributes to housing choice and affordability;</p> <p>(b) respects the nature and density of surrounding land use;</p> <p>(c) does not cause amenity impacts beyond the reasonable expectation of the planned accommodation density for the centre; and</p> <p>(d) is commensurate to the scale and frontage of the site.</p>	<p>AO3 Development provides a maximum density for Accommodation</p>		<p>N/A</p>

Performance outcomes	Acceptable outcomes	Complies	Comments
Site cover			
<p>PO4 Buildings and structures occupy the site in a manner that:</p> <p>(a) makes efficient use of land;</p> <p>(b) is consistent with the bulk and scale of surrounding buildings; and</p> <p>(c) appropriately balances built and natural features.</p>	<p>AO4 Site cover does not exceed 90%.</p>	✓	COMPLIES-BUILDING EXISTS
For assessable development			
Building design			
<p>PO5 Building facades are appropriately designed to:</p> <p>(a) provide an active and vibrant streetscape;</p> <p>(b) include visual interest and architectural variation;</p> <p>(c) maintain and enhance the character of the surrounds;</p> <p>(d) provide opportunities for casual surveillance;</p> <p>(e) include a human scale; and</p> <p>(f) encourage occupation of outdoor space.</p>	<p>AO5.1 Buildings address and provide pedestrian entrances to:</p> <p>(a) the primary pedestrian frontage where a single frontage lot or multiple frontage lot that is not a corner lot;</p> <p>(b) the primary and secondary frontages where a corner lot, with a pedestrian entrance provided on each frontage and/or as part of a corner truncation; and</p> <p>(c) any adjoining public place, with the main entrance provided on this boundary.</p>	✓	COMPLIES-BUILDING EXISTS

Performance outcomes	Acceptable outcomes	Complies	Comments
	<p>AO5.2 Building frontages:</p> <ul style="list-style-type: none"> (a) are broken into smaller, 10 metre wide components by doors, display windows, pillars and structural elements; (b) are articulated with projections and recesses; (c) include windows where the bottom of the window is located between 0.6 metres and 0.9 metres above the footpath level; and (d) have a minimum 40% of the building facade facing the street is comprised of windows that are not painted or treated to obscure transparency. 		<p>GENERALLY, COMPLIES- BUT, IN ANY EVENT, THE BUILDING EXSITS</p>
	<p>AO5.3 Buildings incorporate cantilevered awnings that are:</p> <ul style="list-style-type: none"> (a) provided along the full length of the building's frontage to the street; (b) set back 0.6 metres from the face of the kerb or to match the alignment of the awning/s of the adjoining building/s; (c) a minimum of 3 metres and a maximum of 4.2 metres above the finished level of the footpath from the underside of the awning; and (d) truncated at the corner with a 2 metre single cord truncation where located on a corner site. 	✓	<p>COMPLIES</p>

Performance outcomes	Acceptable outcomes	Complies	Comments
<p>PO6 Development complements and integrates with the established built character of the Centre zone, having regard to:</p> <ul style="list-style-type: none"> (a) roof form and pitch; (b) eaves and awnings; (c) building materials, colours and textures; and (d) window and door size and location. 	<p>AO6 No acceptable outcome is provided.</p>	✓	<p>COMPLIES – BUT IN ANY EVENT, THE BUILDING EXISTS</p>
Accommodation activities			
<p>PO7 Accommodation activities are appropriately located in buildings in the Centre zone, having regard to:</p> <ul style="list-style-type: none"> (a) the use of adjoining premises; and (b) the provision of an active and vibrant streetscape. 	<p>AO7 Accommodation activities are located above the ground floor.</p>		<p>N/A</p>
Amenity			
<p>PO8 Development must not detract from the amenity of the local area, having regard to:</p> <ul style="list-style-type: none"> (a) noise; (b) hours of operation; (c) traffic; (d) advertising devices; (e) visual amenity; (f) privacy; (g) lighting; (h) odour; and (i) emissions. 	<p>AO8 No acceptable outcome is provided.</p>	✓	<p>WILL COMPLY – THE MIX OF USES PROPOSED, PARTICULARLY THE MEDICAL SERVICES WHICH WILL HAVE MINIMAL IMPACT.</p>

Performance outcomes	Acceptable outcomes	Complies	Comments
PO9 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.	AO9 No acceptable outcome is provided.	✓	NO NEGATIVE ENVIRONMENTAL IMPACTS ANTICIPATED.

The proposed development generally complies with the relevant provisions of the Centre Zone Code.

Mareeba Local Plan Code

The site is included in the designated Mareeba Local Plan area but is not included in a designated Precinct. However, the proposed development is considered to achieve compliance with the Code as it will facilitate development and refurbishment of a vacant commercial building on commercial zoned land.

No further consideration of the Code is proposed.

Community Activities Code – (Health Care Services)

The Code seeks to ensure that community activities and services are conveniently accessible and have no detrimental impacts on local amenity.

9.3.3.3 Criteria for assessment

Table 9.3.3.3—Community activities code - For accepted development subject to requirements and assessable development

Performance outcomes	Acceptable outcomes	Complies	Comments
For accepted development subject to requirements and assessable development			
Amenity and privacy			

Performance outcomes	Acceptable outcomes	Complies	Comments
<p>PO1 Community activities are appropriately located and designed to avoid adverse impacts on sensitive uses related to: (a) noise; (b) lighting; and (c) overlooking.</p> <p>Note—These provisions apply to any adjoining sensitive use, both on an adjoining site and on the same site as the Community activity.</p>	<p>AO1 Along any common boundary with a sensitive land use, development incorporates: (a) a 1.8 metre high solid screen fence; and (b) screening to windows which: (i) face the boundary; (ii) have a sill height less than 1.5 metres; and (iii) are not wholly screened by the boundary fence.</p>	✓	<p>CAN COMPLY WITH (a) BY CONDITION.</p> <p>(b)N/A</p>
If for Educational establishment or Child care centre			
<p>PO2 Development is located on a site that is capable of accommodating: (a) all facilities necessary for the use; (b) required landscaping and buffering; and (c) appropriately designed access, manoeuvring and parking areas.</p>	<p>AO2 The development is located on a site with a minimum: (a) site area of 800m²; (b) road frontage of 20 metres; and (c) road reserve width of 20 metres.</p>		N/A
<p>PO3 The design of the development does not result in any safety hazard for children or other users of the facility.</p>	<p>AO3 A child proof fence or physical barrier is provided to prevent unintended access.....</p>		N/A
For assessable development			
Location			

Performance outcomes	Acceptable outcomes	Complies	Comments
<p>AO4 Development is compatible with the amenity of the surrounding area, having regard to:</p> <ul style="list-style-type: none"> (a) the location and type of vehicular access and parking; (b) hours of operation; (c) waste storage and collection; (d) advertising devices and signage; (e) visual amenity; (f) privacy; and (g) noise, odour and dust emissions. 	<p>AO4 No acceptable outcome is provided.</p>	✓	COMPLIES – MINIMAL IMPACT ON LOCAL AMENITY
<p>PO5 Community activities are highly accessible to the community they serve and are located to encourage multi-purpose trips.</p>	<p>AO5.1 Community activities are not located in a cul-de-sac.</p>	✓	COMPLIES
	<p>AO5.2 Development is located:</p> <ul style="list-style-type: none"> (a) within 800 metres walking distance of the Centre zone; or (b) within 400 metres walking distance of a public transport stop; or (c) provided with a connection to the pedestrian and cycle network. 	✓	COMPLIES
Amenity and privacy			
<p>PO6 Community activities protect and enhance the character and amenity of the locality and streetscape through the appropriate location and screening of:</p> <ul style="list-style-type: none"> (a) air conditioning; (b) refrigeration plant; (c) mechanical plant; and (d) refuse bin storage areas. 	<p>AO6 No acceptable outcome is provided.</p>	✓	CAN BE CONDITIONED TO COMPLY
If for Educational establishment or Child care centre			

Performance outcomes	Acceptable outcomes	Complies	Comments
PO7 Educational establishments and Child care centres: (a) do not detrimentally impact on the amenity or operations of surrounding land uses; and (b) have suitable separation distances and buffering from sensitive uses.	AO7 No acceptable outcome is provided.		N/A

The proposed Health Care Services, the primary use of the site, generally complies with the relevant provisions of the Community Activities Code.

Commercial Activities Code- (Food and Drink Outlet, Office and Shop)

The Codes seeks to ensure commercial activities meet the needs of the local community and do not compromise the viability of the hierarchy/network of centres. Specifically, in relation to Mareeba, it states:

Mareeba as a major regional activity centre, which accommodates the most significant concentrations of regional-scale business, retail, entertainment, government administration, secondary and tertiary educational facilities and health and social services within the shire;

9.3.2.3 Criteria for assessment

Table 9.3.2.3—Commercial activities code – For accepted development subject to requirements and assessable development

Performance outcomes	Acceptable outcomes	Complies	Comments
For accepted development subject to requirements and assessable development			
PO1 Buildings are finished with high quality materials, selected for their durability and contribution to the character of the area.	AO1 Building design does not incorporate: (a) highly reflective materials such as high performance glass or untreated galvanised metals; or (b) unrelieved, unpainted or un-rendered finishes; or (c) unarticulated concrete finishes; or (d) unarticulated cladding systems; or (e) fluorescent or iridescent paints; or (f) use of single colour or surface treatment.	✓	BUILDING EXISTS BUT WILL BE REFURBISHED TO A HIGH STANDARD AND THE EXTERNAL FAÇADE WILL CERTAINLY BE AN IMPROVEMENT ON THE EXISTING BUILDING FAÇADE.

Performance outcomes	Acceptable outcomes	Complies	Comments
If for Sales office			
PO2 A Sales office is compatible with the built form, character and amenity of the surrounding area, having regard to: (a) duration of use; (b) size and scale; (c) intensity and nature of use; (d) number of employees; and (e) hours of operation.	AO2.1 The Sales office is		N/A
	AO2.2 The Sales office		N/A
	AO2.3 No more than 3 employees work within the sales office at any one time.		N/A
	AO2.4 The Sales office does not operate outside the hours.....		N/A
PO3 A Sales office is located to be accessible to visitors.	PO3 The Sales office is established....		N/A
For assessable development			
Visual amenity and character			
PO4 Commercial activities protect and enhance the character and amenity of the locality and streetscape through the appropriate location and screening of: (e) air conditioning; (f) refrigeration plant; (g) mechanical plant; and (h) refuse bin storage areas.	AO4 No acceptable outcome is provided.	✓	CAN BE CONDITIONED TO COMPLY
Location and size			
PO5 Commercial activities are located and designed: (a) to be commensurate to the scale and nature of land uses located and intended to be located in the immediate vicinity; and (b) consistent with the intent of the activity centre hierarchy for Mareeba Shire.	AO5 No acceptable outcome is provided.	✓	THE BUILDING EXISTS AND THE MIX OF USES PROPOSED WILL NOT BE IN CONFLICT WITH OTHER COMMERCIAL USES IN THE LOCAL AREA
If for Service station or Car wash			
PO6 The site is of a suitable size, shape and configuration to accommodate all aspects of	AO6.1 The site has a:.....		N/A
	AO6.2 Bulk fuel storage tank.....		N/A

Performance outcomes	Acceptable outcomes	Complies	Comments
the use, such as: (a) the building/s and associated storage areas;	A06.3 Bulk fuel storage tanks are situated on the site:		N/A
(b) any ancillary activities; (c) fuel delivery and service vehicles; (d) vehicle access and on site manoeuvrability; and (e) landscaping.	A06.4 Fuel pumps, car wash bays ...		N/A
P07 The use must provide for the collection, treatment and disposal of all solid and liquid wastes such that: (a) the off-site release of contaminants does not occur; and (b) there are no significant adverse impacts on the quality of surface water or ground water resources.	A07 No acceptable outcome is provided.		N/A

The proposed mix of land uses, generally comply with the relevant provisions of the Commercial Activities Code.

Landscaping Code

The Code seeks to ensure that landscaping is provided to complement the proposed development and to enhance the amenity of the streetscape and local area.

The site is already developed with a building that is built up to the boundary for the entire length of the Rankin Street frontage and part of the Strathmann Street frontage. There is minimal opportunity for landscaping to be provided on site.

However, it is noted that an area of landscaping/screen planting, approximately 50m² (2m wide x 25 metres in length) can be provided along the rear boundary, adjoining residential zoned land.

Due to the constraints associated with providing landscaping due to the layout of the existing development the Code is not considered in more detail here.

It is considered that the proposed development generally complies or can be conditioned to comply with the relevant provisions of the Landscaping Code.

Parking and Access Code

The Code seeks to ensure that development provides sufficient and efficient parking, loading/servicing and manoeuvring areas to meet the demand generated by the use or mix of uses.

9.4.3.3 Criteria for assessment

Table 9.4.3.3A—Parking and access code – For accepted development subject to requirements and assessable development

Performance outcomes	Acceptable outcomes	Complies	Comments
For accepted development subject to requirements and assessable development			
Car parking spaces			
<p>PO1 Development provides sufficient car parking to accommodate the demand likely to be generated by the use, having regard to the:</p> <ul style="list-style-type: none"> (a) nature of the use; (b) location of the site; (c) proximity of the use to public transport services; (d) availability of active transport infrastructure; and (e) accessibility of the use to all members of the community. 	<p>AO1 The number of car parking spaces provided for the use is in accordance with Table 9.4.3.3B.</p> <p>Note—Car parking spaces provided for persons with a disability are to be considered in determining compliance with AO1.</p>	✓	<p>COMPLIES – REFER TO SECTION 3.0 OF THIS REPORT</p>
Vehicle crossovers			
<p>PO2 Vehicle crossovers are provided to:</p> <ul style="list-style-type: none"> (a) ensure safe and efficient access between the road and premises; (b) minimize interference with the function and operation of roads; and 	<p>AO2.1 Vehicular access to/from Council roads is designed and constructed in accordance with the Standard drawings in Planning Scheme Policy 4 - FNQROC Regional Development Manual.</p>	✓	<p>CAN BE CONDITIONED TO COMPLY</p>

Performance outcomes	Acceptable outcomes	Complies	Comments
(c) minimise pedestrian to vehicle conflict.	AO2.2 Development on a site with two or more road frontages provides vehicular access from: (a) the primary frontage where involving Community activities or Sport and recreation activities, unless the primary road frontage is a State-controlled road; or (b) from the lowest order road in all other instances.	✓	COMPLIES-ONE SITE VEHICULAR ACCESS EXISTS TO/FROM STRATHMANN STREET.
	AO2.3 Vehicular access for particular uses is provided in accordance with Table 9.4.3.3E .		
PO3 Access, manoeuvring and car parking areas include appropriate pavement treatments having regard to: (a) the intensity of anticipated vehicle movements; (b) the nature of the use that they service; and (c) the character of the surrounding locality.	AO3 Access, manoeuvring and car parking areas include pavements that are constructed in accordance with Table 9.4.3.3C .	✓	CAN BE CONDITIONED TO COMPLY
For assessable development			
Parking area location and design			
PO4 Car parking areas are located and designed to: (a) ensure safety and efficiency in operation; and (b) be consistent with the	AO4.1 Car parking spaces, access and circulation areas have dimensions in accordance with AS/NZS 2890.1 Off-street car parking.	✓	CAN BE CONDITIONED TO COMPLY

Performance outcomes	Acceptable outcomes	Complies	Comments
character of the surrounding locality.	AO4.2 Disabled access and car parking spaces are located and designed in accordance with AS/NZS 2890.6 Parking facilities - Off-street parking for people with disabilities.	✓	CAN BE CONDITIONED TO COMPLY
	AO4.3 The car parking area includes designated pedestrian routes that provide connections to building entrances.	✓	CAN BE CONDITIONED TO COMPLY
	AO4.4 Parking and any set down areas are: (a) wholly contained within the site; (b) visible from the street where involving Commercial activities, Community activities, Industrial activities or a use in the Recreation and open space zone; (c) are set back behind the main building line where involving a Dual occupancy, Multiple dwelling, Residential care facility or Retirement facility; and (d) provided at the side or rear of a building in all other instances.	✓	COMPLIES
Site access and manoeuvring			

Performance outcomes	Acceptable outcomes	Complies	Comments
<p>PO5 Access to, and manoeuvring within, the site is designed and located to:</p> <p>(a) ensure the safety and efficiency of the external road network;</p> <p>(b) ensure the safety of pedestrians;</p> <p>(c) provide a functional and convenient layout; and</p> <p>(d) accommodate all vehicles intended to use the site.</p>	<p>AO5.1 Access and manoeuvrability is in accordance with :</p> <p>(a) AS28901 – Car Parking Facilities (Off Street Parking); and</p> <p>(b) AS2890.2 – Parking Facilities (Off-street Parking) Commercial Vehicle Facilities.</p> <p>Note—Proposal plans should include turning circles designed in accordance with AP34/95 (Austroads 1995) Design Vehicles and Turning Path Templates.</p>	✓	CAN BE CONDITIONED TO COMPLY
	<p>AO5.2 Vehicular access has a minimum sight distance in accordance with Part 5 of AUSTRROADS.</p>	✓	COMPLIES
	<p>AO5.3 Vehicular access is located and designed so that all vehicles enter and exit the site in a forward gear.</p>	✓	COMPLIES
	<p>AO5.4 Pedestrian and cyclist access to the site:</p> <p>(a) is clearly defined;</p> <p>(b) easily identifiable; and</p> <p>(c) provides a connection between the site frontage and the entrance to buildings and end of trip facilities (where provided).</p>	✓	CAN BE CONDITIONED TO COMPLY
<p>PO6 Development that involves an internal road network ensures that it's design:</p> <p>(a) ensure safety and efficiency in operation;</p> <p>(b) does not impact on the</p>	<p>AO6.1 Internal roads for</p>		N/A
	<p>AO6.2 For a Tourist park,</p>		N/A
	<p>AO6.3 Internal roads....</p>		N/A

Performance outcomes	Acceptable outcomes	Complies	Comments
amenity of residential uses on the site and on adjoining sites, having regard to matters of: (i) hours of operation; (ii) noise (iii) light; and (iv) odour; (c) accommodates the nature and volume of vehicle movements anticipated to be generated by the use; (d) allows for convenient access to key on-site features by pedestrians, cyclists and motor vehicles; and (e) in the Rural zone, avoids environmental degradation.	AO6.4 Speed control devices....		N/A
	AO6.5 Internal roads, apart		N/A
	AO6.6 Where involving an		N/A
	AO6.7 For an Energy and		N/A
Servicing			
PO7 Development provides access, maneuvering and servicing areas on site that: (a) accommodate a service vehicle commensurate with the likely demand generated by the use; (b) do not impact on the safety or efficiency of internal car parking or maneuvering areas; (c) do not adversely impact on the safety or efficiency of the road network; (d) provide for all servicing functions associated with the use; and (e) are located and designed to minimise their impacts on adjoining sensitive land	AO7.1 All unloading, loading, service and waste disposal areas are located: (a) on the site; (b) to the side or rear of the building, behind the main building line; (c) not adjacent to a site boundary where the adjoining property is used for a sensitive use.	✓	CAN COMPLY
	AO7.2 Unloading, loading, service and waste disposal areas allow service vehicles to enter and exit the site in a forward gear.	✓ / x	COMPLIES – DELIVERIES CAN BE MADE IN THE CARPARKING AREA, AT THE REAR OF THE PREMISES.

Performance outcomes	Acceptable outcomes	Complies	Comments
uses and streetscape quality.	A07.3 Development provides a servicing area, site access and maneuvering areas to accommodate the applicable minimum servicing vehicle specified in Table 9.4.3.3B.	✓ / x	
Maintenance			
PO8 Parking areas are used and maintained for their intended purpose.	A08.1 Parking areas are kept and used exclusively for parking and are maintained in a suitable condition for parking and circulation of vehicles.	✓	CAN BE CONDITIONED TO COMPLY
	A08.2 All parking areas will be compacted, sealed, drained, line marked and maintained until such time as the development ceases.	✓	CAN BE CONDITIONED TO COMPLY
End of trip facilities			
PO9 Development within the Centre zone; Industry zone or Emerging community zone provides facilities for active transport users that: (a) meet the anticipated demand generated from the use; (b) comprise secure and convenient bicycle parking and storage; and (c) provide end of trip facilities for all active transport users.	A09.1 The number of bicycle parking spaces provided for the use is in accordance with Table 9.4.3.3D.	✓	CAN BE CONDITIONED TO COMPLY
	A09.2 End of trip facilities are provided in accordance with Table 9.4.3.3D.		N/A
If for Educational establishment or Child care centre where involving more than 100 vehicle movements per day or Renewable energy facility, Sport and recreation activities or Tourist park			

Performance outcomes	Acceptable outcomes	Complies	Comments
PO10 The level of traffic generated by the development on the surrounding local road network must not result in unacceptable impacts on adjacent land and local road users.	AO10 A traffic impact report		N/A

The proposed development generally complies with the relevant provisions of the Parking and Access Code.

Works Services and Infrastructure Code

The Code seeks to ensure that development is adequately serviced, and work undertaken during development does not detrimentally impact on the surrounding area.

9.4.5.3 Criteria for assessment

Table 9.4.5.3 - Works, services and infrastructure code – For accepted development subject to requirements and assessable development

Performance outcomes	Acceptable outcomes	Complies	Comments
For accepted development subject to requirements and assessable development			
Water supply			
PO1 Each lot has an adequate volume and supply of water that: (a) meets the needs of users; (b) is adequate for fire-fighting purposes; (c) ensures the health, safety and convenience of the community; and (d) minimises adverse impacts on the receiving environment.	AO1.1 Development is connected to a reticulated water supply system in accordance with the Design Guidelines and Specifications set out in the Planning Scheme Policy 4 – FNQROC Regional Development Manual other than where located: (a) in the Conservation zone, Rural zone or Rural residential zone; and (b) outside a reticulated water supply service area.	✓	COMPLIES
	AO1.2 Development, where located outside a reticulated water supply service area		
Wastewater disposal			

Performance outcomes	Acceptable outcomes	Complies	Comments
<p>PO2 Each lot provides for the treatment and disposal of effluent and other waste water that:</p> <ul style="list-style-type: none"> (a) meets the needs of users; (b) is adequate for fire-fighting purposes; (c) ensures the health, safety and convenience of the community; and (d) minimises adverse impacts on the receiving environment. 	<p>AO2.1 Development is connected to a reticulated sewerage system in accordance with the Design Guidelines and Specifications set out in the Planning Scheme Policy 4 – FNQROC Regional Development Manual other than where located:</p> <ul style="list-style-type: none"> (a) in the Conservation zone, Rural zone or Rural residential zone; and (b) outside a reticulated sewerage service area. 	✓	COMPLIES
	<p>AO2.2 An effluent disposal system.....</p>		
Stormwater infrastructure			
<p>PO3 Stormwater infrastructure is designed and constructed to collect and convey the design storm event to a lawful point of discharge in a manner that mitigates impacts on life and property.</p>	<p>AO3.1 Where located within a Priority infrastructure area or where stormwater infrastructure is available, development is connected to Council's stormwater network in accordance with the Design Guidelines and Specifications set out in the Planning Scheme Policy 4 – FNQROC Regional Development Manual.</p>	✓	COMPLIES
	<p>AO3.2 On-site drainage systems are constructed:</p> <ul style="list-style-type: none"> (a) to convey stormwater from the premises to a lawful point of discharge; and (b) in accordance with the Design Guidelines and Specifications set out in the Planning Scheme Policy 4 – FNQROC Regional Development Manual. 	✓	COMPLIES OR CAN BE CONDITIONED TO COMPLY
Electricity supply			

Performance outcomes	Acceptable outcomes	Complies	Comments
<p>PO4 Each lot is provided with an adequate supply of electricity</p>	<p>AO4 The premises: (a) is connected to the electricity supply network; or (b) has arranged a connection to the transmission grid; or (c) where not connected to the network, an independent energy system with sufficient capacity to service the development (at near average energy demands associated with the use) may be provided as an alternative to reticulated electricity where: (i) it is approved by the relevant regulatory authority; and (ii) it can be demonstrated that no air or noise emissions; and (iii) it can be demonstrated that no adverse impact on visual amenity will occur.</p>	✓	COMPLIES
Telecommunications infrastructure			
<p>PO5 Each lot is provided with an adequate supply of telecommunication infrastructure</p>	<p>AO5 Development is provided with a connection to the national broadband network or telecommunication services.</p>	✓	COMPLIES
Existing public utility services			

Performance outcomes	Acceptable outcomes	Complies	Comments
PO6 Development and associated works do not affect the efficient functioning of public utility mains, services or installations.	A06 Public utility mains, services are relocated, altered or repaired in association with the works so that they continue to function and satisfy the relevant Design Guidelines and Specifications set out in the Planning Scheme Policy 4 – FNQROC Regional Development Manual.	✓	CAN BE CONDITIONED TO COMPLY
Excavation or filling			
PO7 Excavation or filling must not have an adverse impact on the: (a) streetscape; (b) scenic amenity; (c) environmental values; (d) slope stability; (e) accessibility; or (f) privacy of adjoining premises.	A07.1 Excavation or filling does not occur within 1.5 metres of any site boundary.		N/A
	A07.2 Excavation or filling at		N/A
	A07.3 Earthworks batters:.....		N/A
	A07.4 Soil used for filling		N/A
	A07.5 All batters and berms		N/A
	A07.6 Retaining walls.....		N/A
	A07.7 Excavation or filling		N/A
For assessable development			
Transport network			
PO8 The development has access to a transport network of adequate standard to provide for the safe and efficient movement of vehicles, pedestrians and cyclists.	A08.1 Vehicle access, crossovers, road geometry, pavement, utilities and landscaping to the frontage/s of the site are designed and constructed in accordance with the Design Guidelines and Specifications set out in the Planning Scheme Policy 4 – FNQROC Regional Development manual.	✓	ALL EXIST AND ARE CONSIDERED SAFE

Performance outcomes	Acceptable outcomes	Complies	Comments
	A08.2 Development provides footpath pavement treatments in accordance with Planning Scheme Policy 9 – Footpath Paving.	✓	COMPLIES ANY EXTENSION OF THE FOOTPATH IN STRATHMANN STREET CAN BE CONDITIONED, IF WARRANTED.
Public infrastructure			
PO9 The design, construction and provision of any infrastructure that is to be dedicated to Council is cost effective over its life cycle and incorporates provisions to minimise adverse impacts.	A09 Development is in accordance.....		N/A
Stormwater quality			

Performance outcomes	Acceptable outcomes	Complies	Comments
<p>PO10 Development has a non-worsening effect on the site and surrounding land and is designed to:</p> <p>(a) optimise the interception, retention and removal of waterborne pollutants, prior to the discharge to receiving waters;</p> <p>(b) protect the environmental values of waterbodies affected by the development, including upstream, on-site and downstream waterbodies;</p> <p>(c) achieve specified water quality objectives;</p> <p>(d) minimise flooding;</p> <p>(e) maximise the use of natural channel design principles;</p> <p>(f) maximise community benefit; and</p> <p>(g) minimise risk to public safety.</p>	<p>AO10.1 The following reporting is prepared for all Material change of use or Reconfiguring a lot proposals:</p> <p>(a) a Stormwater Management Plan and Report that meets or exceeds the standards of design and construction set out in the Queensland Urban Drainage Manual (QUDM) and the Design Guidelines and Specifications set out in the Planning Scheme Policy 4 – FNQROC Regional Development Manual; and</p> <p>(b) an Erosion and Sediment Control Plan that meets or exceeds the Soil Erosion and Sedimentation Control Guidelines (Institute of Engineers Australia), including:</p> <p>(i) drainage control;</p> <p>(ii) erosion control;</p> <p>(iii) sediment control; and</p> <p>(iv) water quality outcomes.</p>	✓	<p>COMPLIES – THE BUILDING FOOTPRINT WILL REMAIN THE SAME AND ANY SEALED CARPARKING AREA WILL DIRECT STORMWATER TO STRATHMANN STREET, WHICH IS A LAWFUL POINT OF DISCHARGE.</p>
	<p>AO10.2 For development on land greater than 2,500m²</p>		

Performance outcomes	Acceptable outcomes	Complies	Comments
<p>PO11 Storage areas for stormwater detention and retention:</p> <ul style="list-style-type: none"> (a) protect or enhance the environmental values of receiving waters; (b) achieve specified water quality objectives; (c) where possible, provide for recreational use; (d) maximise community benefit; and (e) minimise risk to public safety. 	<p>AO11 No acceptable outcome is provided.</p>		N/A
Excavation or filling			
<p>PO12 Traffic generated by filling or excavation does not impact on the amenity of the surrounding area.</p>	<p>AO12.1 Haul routes</p>		N/A
	<p>AO12.2 Transportation of fill to or from the site</p>		N/A

Performance outcomes	Acceptable outcomes	Complies	Comments
PO13 Air pollutants, dust and sediment particles from excavation or filling, do not cause significant environmental harm or nuisance impacts.	AO13.1 Dust emissions do not		N/A
	AO13.2 No other air pollutants,		N/A
	AO13.3 A management plan for		N/A
PO14 Access to the premises (including driveways and paths) does not have an adverse impact on: (a) safety; (b) drainage; (c) visual amenity; and (d) privacy of adjoining premises.	AO14 Access to the premises....		N/A
Weed and pest management			
PO15 Development prevents the spread of weeds, seeds or other pests into clean areas or away from infested areas.	AO15 No acceptable outcome is provided.		N/A
Contaminated land			
PO16 Development is located and designed to ensure that users and nearby sensitive land uses are not exposed to unacceptable levels of contaminants	AO16 Development is located where:		N/A
Fire services in developments accessed by common private title			
PO17 Fire hydrants are located in positions that will enable fire services to access water safely, effectively and efficiently.	AO17.1 Fire hydrants are located		N/A
	AO17.2 Fire hydrants are located.....		N/A

The proposed development generally complies with the relevant provisions of the Works Services and Infrastructure Code.

7.0 CONCLUSION

The proposed development generally complies with all relevant Codes in the Planning Scheme and is considered to be an entirely suitable form of development on the site and is/can be connected to all urban services.

The upgrading of the site and the refurbishment of the existing building to a mixed-use development will contribute to upgrading the amenity of the local area and is the type of development contemplate and encouraged in the Centre Zone.

The Application is recommended for approval, subject to reasonable and relevant conditions; in particular, a Condition allowing the mix of commercial uses (Food and drink outlet, Office and/or Shop) to establish within the mixed-use development, primarily Health care services, without further planning assessment approvals required.

EA TAYLOR
July 2022

APPENDIX: 1

PROPOSED FIT OUT at:

64
STRATTMAN ST,
MAREEBA

CLIENT:

N.Q.E.C

CARPARKING

RANKIN ST x 5 ANGLED PARKS
STRATTMAN ST x 3 PARALLEL PARKS

PARKING ON SITE

12 / 26 x 5.4
1 / 4.0 x 5.4 DISABLED UNDER COVER

TOTAL LETTABLE AREA APPROX: 482m²

12 SPACES REQUIRED @ 1 SPACE PER 40m²

BUILDING GFA

 N.Q.E.C 195.1m²

 FUTURE TENANCY/S 286.7m²

 BALANCE AREA 53.2m²

TOTAL GFA 535m²



SITE PLAN
SCALE 1:200

TITLE:
SITE PLAN

DATE:
CONCEPT PLANS FOR
MCU APPLICATION
06/07/22

SCALE:
AS SHOWN @ A3

SHEET No:

DD1

STRATTMAN STREET

RANKIN STREET

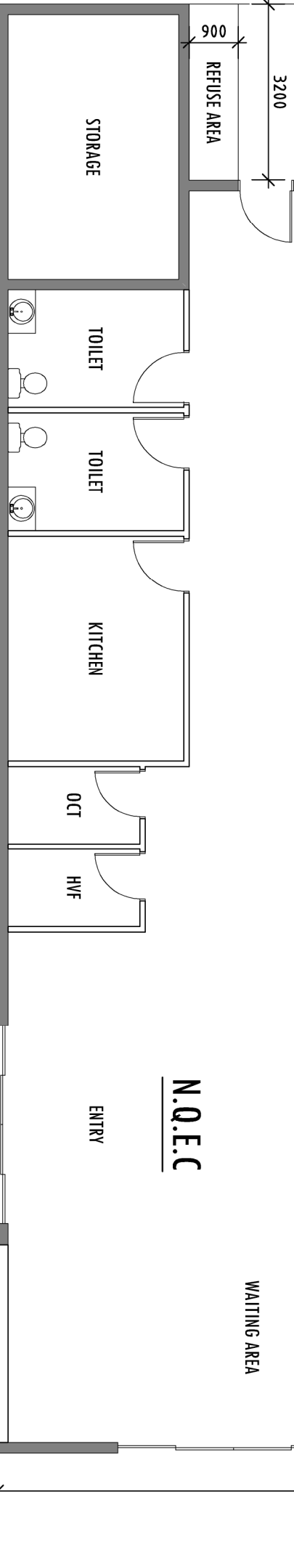
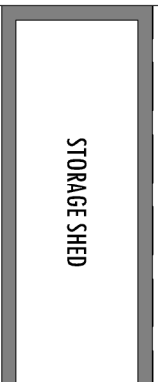
LOT 3 on RP722170
1012m²

ALL CONTRACTORS SHALL VERIFY ALL DIMENSIONS PRIOR TO CONSTRUCTION. FIGURED DIMENSIONS TO TAKE PRECEDENCE OVER SCALED DIMENSIONS. MINIMUM DESIGN STANDARDS: TO BE IN ACCORDANCE WITH CURRENT NATIONAL CONSTRUCTION CODE (NCC) VOLUMES 1, 2 & 3, QUEENSLAND DEVELOPMENT CODES (QDC), AS & NZS STANDARDS, BUILDING ACT, BUILDING REGULATIONS, PLUMBING & DRAINAGE ACT, LOCAL GOVERNMENT PLANNING SCHEMES & POLICES OR LOCATE IN PROJECT SPECIFICATIONS.

5000

214.00

AREAS	
TOTAL N.Q.E.C	195.1m ²
TOTAL FUTURE TENANCY/S	286.7m ²
TOTAL LETTABLE SPACE	481.8m ²



PROPOSED FIT OUT at:
64
 STRATTMAN ST,
 MAREEBA

CLIENT:
N.Q.E.C

TITLE:
INTERNAL LAYOUT PLAN

ALL CONTRACTORS SHALL VERIFY ALL DIMENSIONS PRIOR TO CONSTRUCTION. FIGURED DIMENSIONS TO TAKE PRECEDENCE OVER SCALED DIMENSIONS. MINIMUM DESIGN STANDARDS: TO BE IN ACCORDANCE WITH CURRENT NATIONAL CONSTRUCTION CODE (NCC) VOLUMES 1, 2 & 3, QUEENSLAND DEVELOPMENT CODES (DDC), AS & NZS STANDARDS, BUILDING ACT, BUILDING REGULATIONS, PLUMBING & DRAINAGE ACT, LOCAL GOVERNMENT PLANNING SCHEMES & POLICES OR LOCATE IN PROJECT SPECIFICATIONS.

FLOOR PLAN
 SCALE 1:100
 NOTE:
 INTERNAL LAYOUT & SHOWN INDICATIVELY.
 TO BE CONFIRMED IN STAGE 2 DESIGN PHASE.

DATE:
 CONCEPT PLANS FOR
 MCU APPLICATION
 06/07/22
 SCALE:
 AS SHOWN @ A3

SHEET No:

DD2