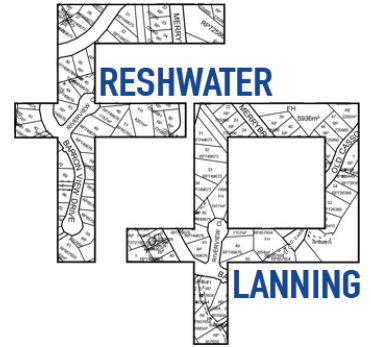


Your Ref:  
Our Ref: F22/22

29 September, 2022

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



**Attention: Carl Ewin**  
**Regional Planning Group**

Dear Sir,

**RE: APPLICATION FOR RECONFIGURING A LOT – 1 LOT INTO 2 LOTS AND MATERIAL CHANGE OF USE – DUAL OCCUPANCY.  
LOT 16 ON RP700549, 19 HERBERTON STREET, MAREEBA.**

This application is for a Reconfiguring a Lot – 1 Lot into 2 Lots AND a Material Change of Use – Dual Occupancy over land described as Lot 16 on RP700549, situated at 19 Herberton Street, Mareeba is submitted on behalf of Selena Maree Carabot, the owner and applicant.

The application comprises of Application Form, SmartMap, HUMAC Design Proposal Plans and this Town Planning Submission.

### **The Site**

The subject land is described as Lot 16 on RP700549, Locality of Mareeba and situated at 19 Herberton Street, Mareeba. The site is owned by Selena Maree Carabot who is also the applicant for the proposed development. The site is FreeHold, regular in shape, has an area of 1,012 m<sup>2</sup>, contains frontage to Herberton and Constance Streets and encompasses a Dual Occupancy and vacant land. The site is access from the existing Road Network and is provided with all urban services.

In relation to the current State Governmental Mapping the site is not Mapped as containing Remnant Vegetation, Regrowth Vegetation and Essential Habitat nor is the site designated as including a Referable Wetland or Wetland Protection Area. The site is not located within 25 metres of a State Controlled Road or a Railway Corridor. It is considered that the proposal does not require Referral to any State Agencies.

### **The Proposed Development**

The proposed development is for a Reconfiguring a Lot – 1 Lot into 2 Lots AND a Material Change of Use – Dual Occupancy in the Medium Density Residential Zone of the Mareeba Shire Planning Scheme. The site is located at 19 Herberton Street, Mareeba and is more particularly described as Lot 16 on RP700549. The site is regular in shape, has an area of 1,012 m<sup>2</sup> and contains a Dual Occupancy and vacant land.

A Development Permit for a Reconfiguration of 1 Lot into 2 Lots is sought to subdivide Lot 16 on RP700549 creating an additional Residential Allotment. The proposal will then provide an additional Dual Occupancy over the newly created allotment in addition to the existing Dual Occupancy located onsite. The site is designated within the Medium Density Residential Zone of the Mareeba Shire Planning Scheme and no change to the Medium Density Residential Zone is proposed with the Reconfiguration and Material Change of Use. The proposal will provide an additional Allotment and additional Dual Occupancy while maintaining the existing amenities and aesthetics of the site.

The purpose of the Subdivision is to allow for the excision of the Dual Occupancy creating an additional Residential Allotment for the provision of the additional proposed Dual Occupancy located on Herberton and Constance Streets. The proposal also provides greater densities than existing, further consolidating the Urban Area providing additional Residential housing from Mareeba. No change to the existing Dual Occupancy is envisaged with this Development.

The Reconfiguration of a Lot proposes two (2) Allotments described as proposed Lots 1 and 2. The proposed areas of the allotments and Staging are as follows:

Proposed Lot 1	502.20 m <sup>2</sup>
Proposed Lot 2	507.78 m <sup>2</sup> .

The site gains access from the existing Road Network, being Constance with each proposed Allotments able to be provided with access from this existing Road Network. The site is connected to all available urban services with the proposed Residential Allotments and Dual Occupancy able to be connected to all urban services.

The proposed allotments meet the minimum area requirements of the Mareeba Shire Planning Scheme's Reconfiguring a Lot Code. It is not considered that the proposed Subdivision will be detrimental to the adjacent sites or adversely impact on the immediate and surrounding areas. It is considered that the Purposes and Performance Outcomes of the Medium Density Residential Zone and the Reconfiguring a Lot Code can be met in this instance.

This Submission provides a comprehensive assessment of the relevant planning instruments and site context for the proposed Uses. This is supported by the attached Proposal Plans 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 Use for the site, immediate vicinity and surrounding environs providing additional housing and greater Residential densities for Mareeba and the Tablelands Region.

The site is located in the Medium Density Residential Zone of the Mareeba Shire Planning Scheme. The proposed Reconfiguring a Lot and Material Change of Use for a Dual Occupancy is a Code Assessable Use within this Zone. The application is Code Assessable.

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

Lot 16 on RP700549 is identified as being in the Urban Footprint designation of the FNQ Regional Plan Mapping.

The proposal is considered to be a re-subdivision (infill/re-development) of an existing site. The Reconfiguration is within the Urban Footprint and results in the creation of greater densities without affecting the existing natural environment. The Material Change of Use provide for additional accommodation within the Mareeba Shire. The proposal is 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.

### Medium Density Residential Zone

The proposal is for a Reconfiguration of 1 Lot into 2 Lots and Material Change of Use for a Dual Occupancy in the Medium Density Residential Zone of the Mareeba Shire Planning Scheme. The purpose of the Reconfiguration is to provide an additional Residential Allotment for the provision of an additional Dual Occupancy to cater for a diversity of higher density residential housing within proximity to the town centre and other community facilities.

The Subdivision will allow for the excision of the existing Dual Occupancy creating an additional Residential Allotment for the provision of an additional Dual Occupancy located on Constance Street. The proposal also provides greater densities than existing, further consolidating the Urban Area. No change to the Residential nature of the area is envisaged from the proposed Reconfiguration and Material Change of Use. The proposed development will ensure to protect the existing Residential Area from the intrusion of Incompatible Land Uses as the proposal proposes an additional Residential Allotment and additional housing. It is considered that the proposed Reconfiguring a Lot and Dual Occupancy is not in conflict with the Intent or Purposes for the Medium Density 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>	Complies, No change to the existing Dual Occupancy and the proposed new Dual Occupancy will be on single storey containing a building height of 2.7 metres.
<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 Medium density residential zone.</li> </ul>	<b>AO2</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 change to the existing is envisaged and no new outbuildings are proposed.
<b>Siting, where not involving a Dwelling house</b>		
Note—Where for Dwelling house, the setbacks of the Queensland Development Code apply.		

Performance outcomes	Acceptable outcomes	Comments
<p><b>PO3</b> Development is sited in a manner that considers and respects:</p> <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>	<p><b>AO3.1</b> Buildings and structures include a minimum setback of:</p> <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> <p><b>AO3.2</b> Buildings and structures include a minimum setback of 2 metres from side and rear boundaries.</p>	<p>The site is an elongated allotment that is limited in depth. The site contains existing setbacks for the existing Dual Occupancy with the new Dual Occupancy generally reflecting the existing setbacks onsite. The new Dual Occupancy will be setback 2.5 metres from Constance Street, similar to that of the existing Dual Occupancy. The existing and proposed setback are considered acceptable and appropriate given the sites shape and constraints.</p> <p>The site's constraints of limited depth ensures that the provided setback of 1.5 metres to the rear boundary is considered acceptable and appropriate in this instance. The proposed setbacks are not considered to affect the natural, physical, and environmental aspects of the site, ensuring a visually aesthetical development.</p>
<b>Accommodation density</b>		
<p><b>PO4</b> The density of Accommodation activities:</p> <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>	<p><b>AO4</b> Development provides a maximum density for Accommodation activities in compliance with <b>Table 6.2.7.3B</b>.</p>	<p>Complies, Whilst the proposal allows for a Dual Occupancy of slightly less density than 1 dwelling per 300 m<sup>2</sup> for Accommodation Activity, being 1 per 253 m<sup>2</sup>, the proposed Accommodation Activities creates additional Residential Housing within Mareeba accommodation for a housing choice without affecting the nature and amenity of the existing area.</p>
<b>Gross floor area</b>		
<p><b>PO5</b> Buildings and structures occupy the site in a manner that:</p> <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>	<p><b>AO5</b> Gross floor area does not exceed 600m<sup>2</sup>.</p>	<p>Complies, The proposed new Dual Occupancy has a Gross Floor Area of approximately 310 m<sup>2</sup> which is significantly less than 600 m<sup>2</sup>.</p>
<b>For assessable development</b>		
<b>Building design</b>		

Performance outcomes	Acceptable outcomes	Comments
<p><b>PO6</b> Building facades are appropriately designed to:</p> <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>	<p><b>AO6</b> Buildings include habitable space, pedestrian entrances and recreation space facing the primary road frontage.</p>	<p>Complies, The proposal has been meticulously designed to incorporate visual interests while maintaining and enhancing the character of the existing Residential area.</p>
<p><b>PO7</b> Development complements and integrates with the established built character of the Medium density residential zone, having regard to:</p> <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</li> <li>(d) window and door size and location.</li> </ul>	<p><b>AO7</b> No acceptable outcome is provided.</p>	<p>Complies, The proposal has been meticulously designed to integrate visual interests while maintaining and enhancing the character of the existing Residential area.</p>
<b>Non-residential development</b>		
<p><b>PO8</b> Non-residential development:</p> <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>	<p><b>AO8</b> No acceptable outcome is provided.</p>	<p>Not Applicable. The proposal is for a Reconfiguration and Material Change of Use with no change to the existing Residential (Medium Density) Uses onsite.</p>
<b>Amenity</b>		
<p><b>PO9</b> Development must not detract from the amenity of the local area, having regard to:</p> <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>	<p><b>AO9</b> No acceptable outcome is provided.</p>	<p>The proposal is for a Subdivision and Dual Occupancy to support the surrounding Residential Housing needs within Mareeba and the Tablelands. Any development over the site will ensure not to detract the amenity of the local area instead protecting the area and surrounding allotments amenity. The proposed will reflect the existing amenity of the site and surrounding area whilst supporting Mareeba.</p>

Performance outcomes	Acceptable outcomes	Comments
<p><b>PO10</b> Development must take into account and seek to ameliorate any existing negative environmental impacts, having regard to:</p> <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>	<p><b>AO10</b> No acceptable outcome is provided.</p>	<p>The proposal is for a Subdivision and Dual Occupancy to support the surrounding Residential Housing needs within Mareeba and the Tablelands. Any development over the site will ensure to ameliorate any existing negative environmental impacts. The purpose of the development is to support the Residential needs of Mareeba and the Tablelands.</p>

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

### Accommodation Activities Code

The proposed development is for the facilitation of an additional Dual Occupancy to cater for a diversity of higher density residential housing within proximity to the town centre and other community facilities within Mareeba. Assessment against the relevant aspects of the Accommodation Activities Code is provided below.

Performance outcomes	Acceptable outcomes	Comments
<b>For accepted development subject to requirements and assessable development</b>		
<b>All Accommodation activities, apart from Dwelling house</b>		
<p><b>PO1</b> Accommodation activities are located on a site that includes sufficient area:</p> <ul style="list-style-type: none"> <li>(a) to accommodate all buildings, structures, open space and infrastructure associated with the use; and</li> <li>(b) to avoid adverse impacts on the amenity or privacy of nearby land uses.</li> </ul>	<p><b>AO1</b> Development is located on a site which provides the applicable minimum site area and minimum road frontage specified in <b>Table 9.3.1.3B</b>.</p>	<p>Complies, The proposed Dual Occupancy is located over the Medium Density Residential site containing an area of 508.78 m<sup>2</sup> with a frontage of 27.3 metres. Whilst the site does not contain 600 m<sup>2</sup>, the site contains appropriate street frontage and sufficient area for the appropriate location of the Accommodation Activities.</p>
<b>All Accommodation activities, apart from Tourist Park and Dwelling house</b>		
<p><b>PO2</b> Accommodation activities are provided with on-site refuse storage areas that are:</p> <ul style="list-style-type: none"> <li>(a) sufficient to meet the anticipated demand for refuse storage; and</li> <li>(b) appropriately located on the site having regard to potential odour and noise impacts on uses on the site and adjoining sites.</li> </ul>	<p><b>AO2.1</b> A refuse area is provided that:</p> <ul style="list-style-type: none"> <li>(a) includes a water connection;</li> <li>(b) is of a size and configuration to accommodate 2x240 litre bins per dwelling or accommodation unit where involving a use other than a residential care facility or retirement facility; and</li> <li>(c) is of a size and configuration to accommodate a minimum of two bulk refuse bins where involving a residential care facility or retirement facility.</li> </ul>	<p>Complies, The proposal can be provided with appropriate on-site Refuse Storage Areas. The site contains large areas available for the appropriate positioning to avoid any potential odour and noise impacts.</p>

Performance outcomes	Acceptable outcomes	Comments
<b>All Accommodation activities, except for Dwelling house</b>		
<p><b>PO3</b> Accommodation activities are designed to avoid overlooking or loss of privacy for adjoining uses.</p> <p>Note—These provisions apply to any adjoining use, both on an adjoining site and on the same site.</p>	<p><b>AO3</b> The windows of habitable rooms:</p> <p>(a) do not overlook the windows of a habitable room in an adjoining dwelling or accommodation unit; or</p> <p>(b) are separated from the windows of a habitable room in an adjoining dwelling or accommodation unit by a distance greater than:</p> <p>(i) 2 metres at ground level; and</p> <p>(ii) 8 metres above ground level; or</p> <p>(c) are treated with:</p> <p>(i) a minimum sill height of 1.5 metres above floor level; or</p> <p>(ii) fixed opaque glassed installed below 1.5 metres; or</p> <p>(iii) fixed external screens; or</p> <p>(iv) a 1.5 metre high screen fence along the common boundary.</p>	<p>Complies, Any Accommodation is positioned appropriately within the site. The proposed Dual Occupancy is single storey and does not overlook any adjacent Residential Allotment. The Dual Occupancy has been meticulously designed to ensure to avoid loss of privacy for adjoining uses.</p>
<p><b>PO4</b> Accommodation activities are provided with sufficient private and communal open space areas which:</p> <p>(a) accommodate a range of landscape treatments, including soft and hard landscaping;</p> <p>(b) provide a range of opportunities for passive and active recreation;</p> <p>(c) provide a positive outlook and high quality of amenity to residents;</p> <p>(d) is conveniently located and easily accessible to all residents; and</p> <p>(e) contribute to an active and attractive streetscape.</p>	<p><b>AO4.1</b> Development, except for Caretaker's accommodation, Dwelling house, Dual occupancy or Home based business, includes communal open space which meets or exceeds the minimum area, dimension and design parameters specified in <b>Table 9.3.1.3C</b>.</p> <p><b>AO4.2</b> Development includes private open space for each dwelling or accommodation unit which meets or exceeds the minimum area, dimension and design parameters specified in <b>Table 9.3.1.3D</b>.</p> <p><b>AO4.3</b> Clothes drying areas are provided at the side or rear of the site so that they are not visible from the street.</p> <p><b>AO4.4</b> If for Dual occupancy, Multiple dwelling, Residential care facility or Retirement facility, development provides a secure storage area for each dwelling or accommodation unit which:</p> <p>(a) is located to facilitate loading and unloading from a motor vehicle;</p>	<p>Not Applicable. A Dual Occupancy is proposed.</p> <p>Appropriate areas of private open space can be provided for each Unit. It is noted that the site is constrained by the shape, in particular the depth. Appropriate open space areas can be provided for the Dual Occupancy.</p> <p>Complies, Any clothes drying areas will be located within or attached to the individual Units.</p> <p>Complies, Each Unit can be provided with a secure storage facility within the proposed carport/garage or provided within the Unit.</p>

Performance outcomes	Acceptable outcomes	Comments
	(b) is separate to, and does not obstruct, on-site vehicle parking or manoeuvring areas; (c) has a minimum space of 2.4m <sup>2</sup> per dwelling or accommodation unit; (d) has a minimum height of 2.1 metres; (e) has minimum dimensions to enable secure bicycle storage; (f) is weather proof; and (g) is lockable.	
<b>If for Dual occupancy</b>		
<b>PO7</b> Where establishing a Dual occupancy on a corner lot, the building is designed to: (a) maximise opportunities for causal surveillance; (b) provide for separation between the two dwellings; and provide activity and visual interest on both frontages.	<b>AO7.1</b> Where located on a corner allotment, each dwelling is accessed from a different road frontage.	Not Applicable. The Dual Occupancy will not be provided on a corner allotment.
	<b>AO7.2</b> The maximum width of garage or carport openings that face a public street is 6 metres or 50% of the building width, whichever is the lesser.	Complies.

### Airports Environs Overlay Code

The site is located within the 8km Bird and Bat Zone of the Bird and Bat Strike Zones and outside the Light Intensity – Mareeba Overlay Mapping. The proposed additional Dual Occupancy provides for an additional structure to support the Residential needs of Mareeba and the Tablelands Region. The proposed Dual Occupancy has been meticulously designed not adversely affecting the site, immediate vicinity, or surrounds. The proposal is not for a waste disposal site. 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 Dual Occupancy and the proposal will not affect the Bird and Bat Strike Zone and Light Intensity Zone.

### Landscaping Code

The proposed development is for the facilitation of a Dual Occupancy located within the Medium Density Residential Zone of the Mareeba Shire Planning Scheme. The site contains an area of 1,012 m<sup>2</sup> with an existing Dual Occupancy located onsite. The site, while constrained by shape includes the provision of landscaping, where required. Any planting nominated over the site shall be provided as the preferred plant species which is understood to comply with the requirements of the Planning Scheme Policy. Landscaping is an important feature of a site, any proposed landscaping will be sourced from a local plant nursery to ensure that readily available and suitable plant species are planted. Plantings of various species, colour scheme, densities and heights will be selected to create a visually attractive site. Any Landscaping provided onsite is considered to contribute to the Landscaping character of the Shire, complimenting the immediate surrounds and surrounding vicinity. The Landscaping provides for an attractive streetscape and assists in breaking up and softening the built form of the proposed Dual Occupancy. Any plantings provided over the site will ensure suitability of the intended Dual Occupancy will not include the provision of invasive weeds. The proposed Landscaping is considered appropriate for the proposed development ensuring that these areas are easily maintained while allowing for casual surveillance and enhance the safety of pedestrians through the Crime Preventions Through Environmental Design (CPTED) principles.



### **Parking and Access Code**

The proposal is for a Reconfiguration of 1 Lot into 2 Lots and a Material Change of Use – Dual Occupancy in the Medium Density Residential Zone. Each proposed allotment and Dual Occupancy are, and can be, provided with a parking space for each Unit. It is considered that each allotment will contain the ability to connect to the existing Road Network, being Constance Street and will not detrimentally affect the existing Road Network. Any additional access can be provided at the time of construction of the Dual Occupancy provided on that individual allotment.

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

The proposal is for a Reconfiguring a Lot – 1 Lot into 2 Lots in the Medium Density Residential Zone of the Mareeba Shire Council’s Planning Scheme. The purpose of the Subdivision is to allow for the excision of the existing Dual Occupancy creating an additional Residential Allotment for the provision of an additional Dual Occupancy. The proposal also provides greater densities than existing, further consolidating the Urban Area. No change to the existing Residential nature or character of the Zone is envisaged with the Reconfiguration. The proposed Reconfiguration is to preserve the existing nature of the site and the immediate and surrounding amenity in accordance with the Mareeba Shire Planning Scheme.

The minimum lot size in the Medium Density Residential Zone’s is 400 m<sup>2</sup> requiring a minimum frontage of 10 metres. Existing Lot 16 on RP700549 has an area of 1,012 m<sup>2</sup>. The Reconfiguration of a Lot proposes two (2) Residential Allotments described as proposed Lots 1 and 2. The proposed areas of the allotments are:

Proposed Lot 1	502.20 m <sup>2</sup>
Proposed Lot 2	507.78 m <sup>2</sup> .

Each proposed allotment contains areas greater than the minimum requirements within the Code. Additionally, each proposed allotment contains a frontage to the existing Road Network greater than 10.0 metres. The site is connected to all available services with no change to the existing services is proposed with the Reconfiguration. The proposed Subdivision will ensure that no change to the existing Residential nature of the site and surrounding area is envisaged. The proposal will provide for an additional Residential Allotment while maintaining the existing amenities and aesthetics of the site.

The site gains access from the existing Road Network, being Constance Street, via an existing crossover. New crossovers will be required for the construction of the Dual Occupancy. The proposal ensures the safe provision of access is provided to each allotment from the existing Road Network.

The proposed allotments meet the minimum area requirements of the Mareeba Shire Planning Scheme Reconfiguring a Lot Code. It is not considered that the proposed Reconfiguration 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 2 Lots and Material Change of Use – Dual Occupancy in the Medium Density Residential Zone. Each proposed allotment can be connected to all available services being Reticulated Electricity, Telecommunications, Water and Sewer and will be provided with an appropriate level of Stormwater disposal. Any Excavation and Filling other than the provision of a Building Pad/site preparations will be outlined within an Operational Works Permit if required.

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

## Conclusion

It is considered that the proposed development being a Reconfiguration of a Lot into two (2) Residential Allotments in addition to an additional Dual Occupancy over land described as Lot 16 on RP700549 is appropriate. In particular, the proposed development:

- ✚ Can meet the Performance Outcomes and Acceptable Outcomes relating to minimum allotment size and dimension;
- ✚ No change to the existing Residential 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 within the Medium Density Residential Zone;
- ✚ Provides for an additional Dual Occupancy, delivering additional Residential Housing for Mareeba;
- ✚ Can meet the Performance Outcomes and the Intent of the Reconfiguring a Lot Code for land included in the Medium Density Residential Zone;
- ✚ Can meet the Intent and Objectives and Intent for the Medium Density Residential Zone;
- ✚ Is not in conflict with the Far North Queensland Regional Plan 2009 – 2031, in particular the Urban Footprint Designation; and
- ✚ Provides an additional Residential Allotment for the provision of an additional Dual Occupancy to cater for a diversity of higher density residential housing within proximity to the town centre and other community facilities.

Freshwater Planning Pty Ltd request that Council provide a copy of the Draft Conditions with sufficient time for review prior to 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

# PROPOSED DUPLEX

FOR

## SIMON MIFSUD

AT

### 19 HERBERTON STREET, MAREEBA



#### SHEET LIST

1682-A-00	COVER SHEET
1682-A-01	SITE PLAN
1682-A-02	FLOOR PLAN
1682-A-03	ELEVATIONS

**HU | MAC**  
DESIGN

#### HUMAC DESIGN

Shop M6, 1 Pierpoint Rd, Cairns, Q, 4870  
Po Box 5737, Cairns, Q, 4870  
p: 07 4031 7087  
w: [www.humacdesign.com.au](http://www.humacdesign.com.au)  
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q: 125 6851

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Project:

**PROPOSED DUPLEX**

**19 HERBERTON STREET,  
MAREEBA**

Client Name:

**SIMON MIFSUD**

Drawing Title:

**COVER SHEET**

Drawn By: SH

Checked By: SR

Scale: AT A3

Sheet No.: **1682-A-00**

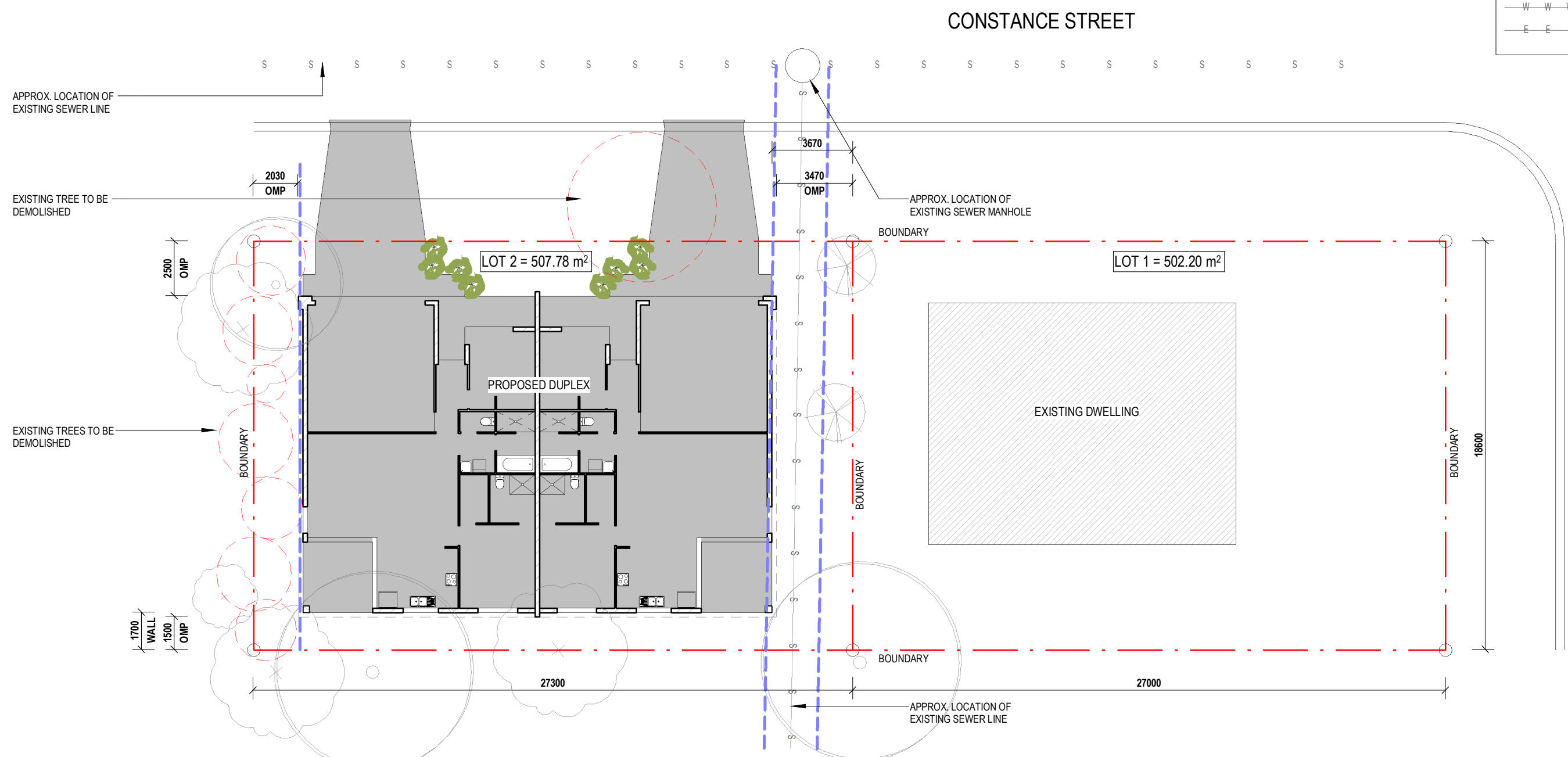
Revision:

**DESIGN WIND CLASSIFICATION C2**

RP DESCRIPTION: LOT 16 on RP700549  
 PARISH: - COUNTY: -  
 SITE AREA: 1012 m2 LOCAL AUTHORITY: MSC  
 ZONE DESCRIPTION: MEDIUM DENSITY RESIDENTIAL  
 AFFECTED OVERLAYS: -

**LEGEND**

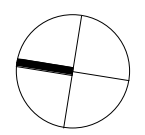
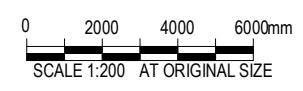
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G2	GATE (3000 WIDE)
—  —  —  —	FENCING AS SELECTED
MH	MAN HOLE
WM	WATER METRE
—S—S—S—	EXIST. SEWER
—SW—SW—SW—	EXIST. STORMWATER
—PL—PL—PL—	EXIST. POWER LINES
—W—W—W—	EXIST. WATER
—E—E—E—	EXIST. ELECTRICAL LINE



**SITE PLAN**  
 SCALE 1 : 200

**PRELIMINARY ONLY**

REVISIONS	DATE



**HU | MAC**  
 DESIGN

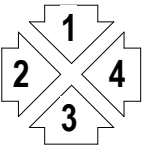
HUMAC DESIGN | Po Box 5737, Cairns Q 4870  
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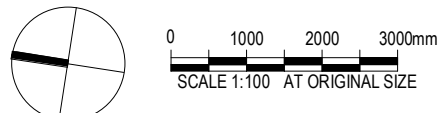
Project:	<b>PROPOSED DUPLEX</b>	Drawn By:	SH
	<b>19 HERBERTON STREET, MAREEBA</b>	Checked By:	SR
Client Name:	<b>SIMON MIFSUD</b>	Scale:	1:200 AT A3
Drawing Title:	<b>SITE PLAN</b>	Revision:	
		Sheet No.:	<b>1682-A-01</b>

DESIGN WIND CLASSIFICATION C2

FLOOR AREA	
ROOM NAME	AREA (m2)
UNIT 01	154.1 m <sup>2</sup>
UNIT 02	154.1 m <sup>2</sup>
308.2 m <sup>2</sup>	



ELEVATION KEY



REVISIONS	DATE

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Project:  
**PROPOSED DUPLEX**  
**19 HERBERTON STREET,**  
**MAREEBA**

Client Name:  
**SIMON MIFSUD**

Drawing Title:  
**FLOOR PLAN**



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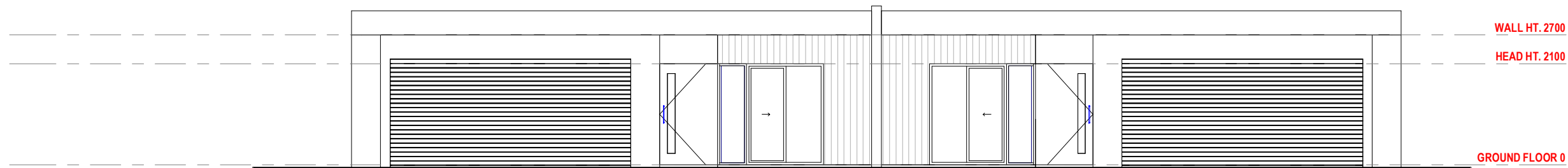
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 Checked By: SR  
 Scale: 1:100 AT A3

Sheet No.: **1682-A-02**

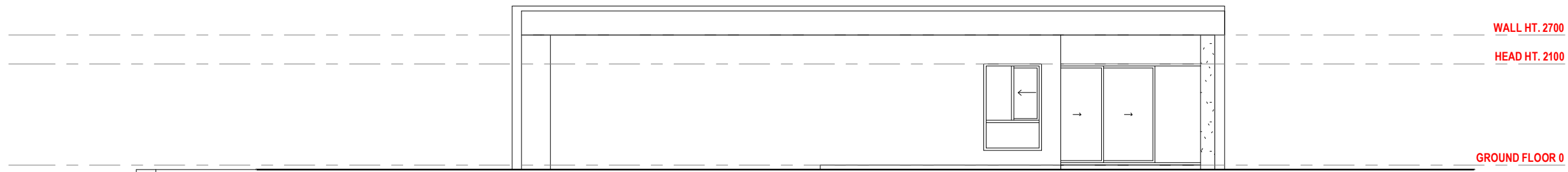
Revision:

**FLOOR PLAN**  
 SCALE 1:100

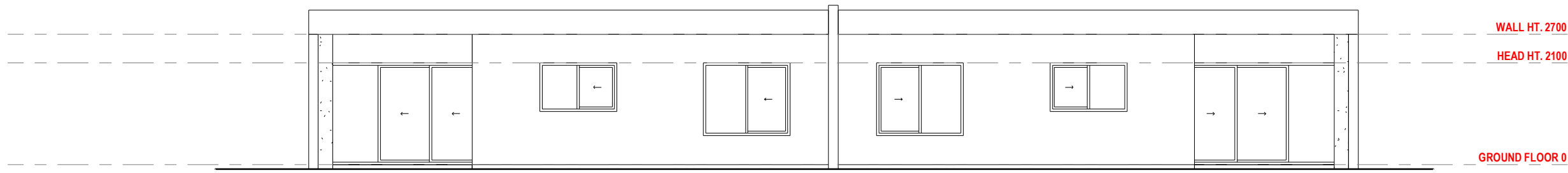
**PRELIMINARY ONLY**



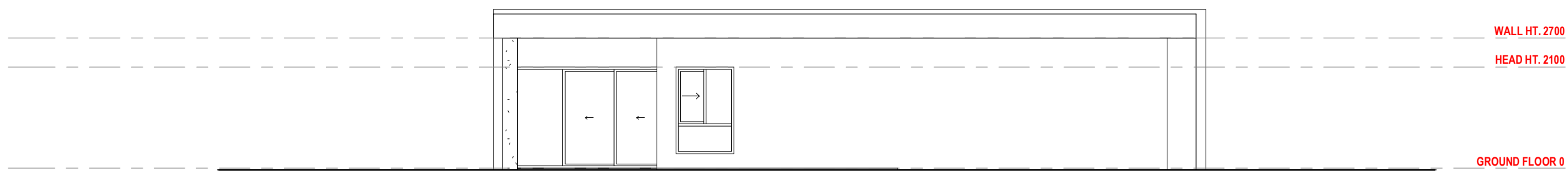
Elevation 1



Elevation 2



Elevation 3



Elevation 4



REVISIONS	DATE

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Project:  
**PROPOSED DUPLEX**  
**19 HERBERTON STREET,**  
**MAREEBA**

Client Name:  
**SIMON MIFSUD**

Drawing Title:  
**ELEVATIONS**



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Drawn By: SH

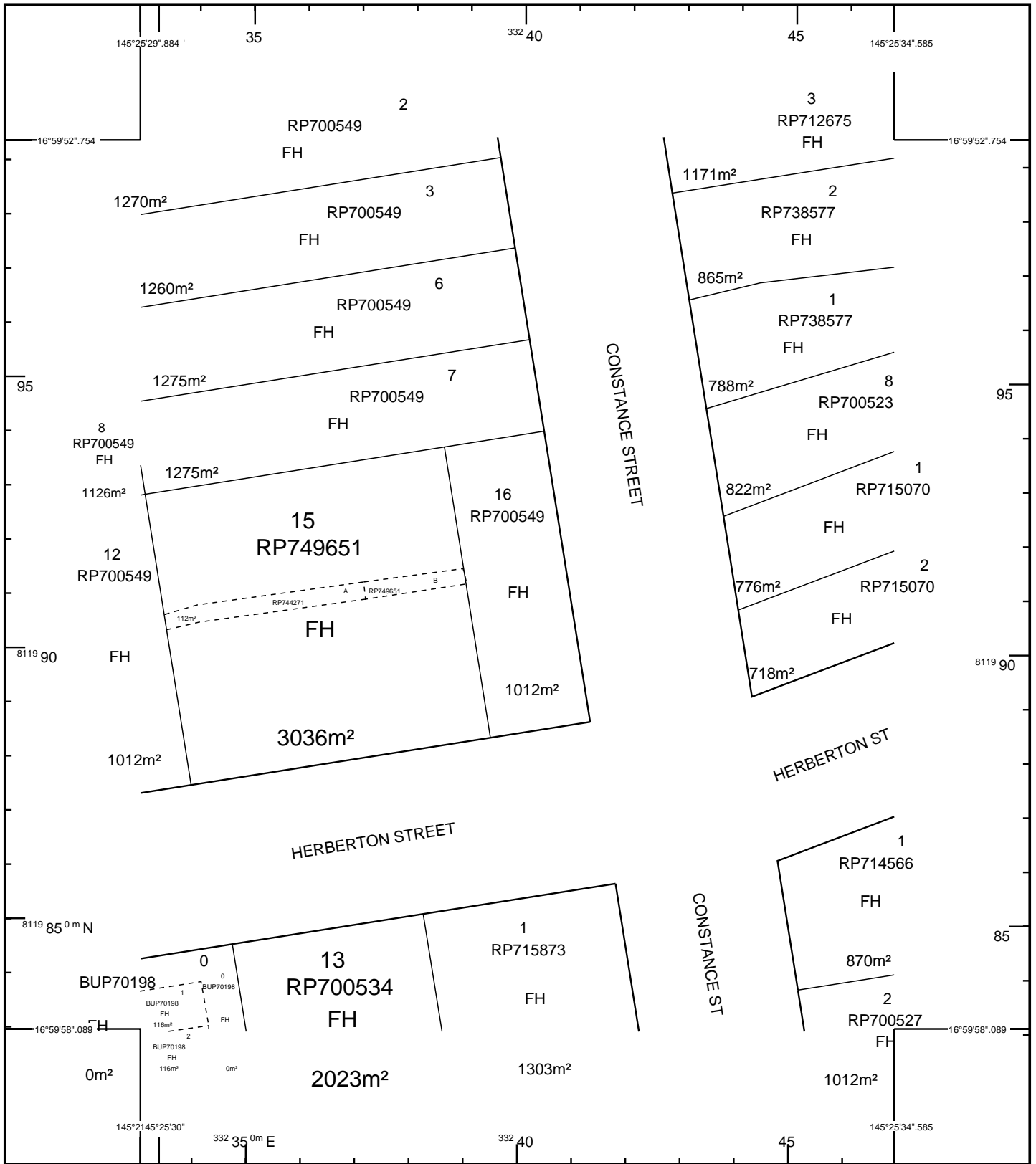
Checked By: SR

Scale: 1:100 AT A3

Sheet No.: **1682-A-03**

Revision:

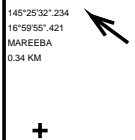
PRELIMINARY ONLY



STANDARD MAP NUMBER  
7964-22322



MAP WINDOW POSITION &  
NEAREST LOCATION



SUBJECT PARCEL DESCRIPTION

DCDB	
Lot/Plan	16/RP700549
Area/Volume	1012m <sup>2</sup>
Tenure	FREEHOLD
Local Government	MAREEBA SHIRE
Locality	MAREEBA
Segment/Parcel	9033/5

CLIENT SERVICE STANDARDS

PRINTED 17/09/2022
DCDB 15/09/2022
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Based upon an extraction from the  
Digital Cadastral Data Base



**Queensland  
Government**

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# 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) <i>(individual or company full name)</i>	Selena Maree Carabot
Contact name <i>(only applicable for companies)</i>	
Postal address <i>(P.O. Box or street address)</i>	C/ Freshwater Planning Pty Ltd 17 Barronview Drive
Suburb	Freshwater
State	QLD
Postcode	4870
Country	Australia
Contact number	0402729004
Email address <i>(non-mandatory)</i>	FreshwaterPlanning@outlook.com
Mobile number <i>(non-mandatory)</i>	
Fax number <i>(non-mandatory)</i>	
Applicant's reference number(s) <i>(if applicable)</i>	F22/25

### 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
		19	Herberton Street	Mareeba
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)
	4880	16	RP700549	Mareeba Shire Council
b)	Unit No.	Street No.	Street Name and Type	Suburb
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)

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

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

- Coordinates of premises by longitude and latitude

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

- Coordinates of premises by easting and northing

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

#### 3.3) Additional premises

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

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

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

Name of water body, watercourse or aquifer:

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

Lot on plan description of strategic port land:

Name of port authority for the lot:

- In a tidal area

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

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

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

Name of airport:

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

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

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

No

## PART 3 – DEVELOPMENT DETAILS

### Section 1 – Aspects of development

<b>6.1) Provide details about the first development aspect</b>
a) What is the type of development? <i>(tick only one box)</i>
<input type="checkbox"/> Material change of use <input checked="" type="checkbox"/> Reconfiguring a lot <input type="checkbox"/> Operational work <input type="checkbox"/> Building work
b) What is the approval type? <i>(tick only one box)</i>
<input checked="" type="checkbox"/> Development permit <input type="checkbox"/> Preliminary approval <input type="checkbox"/> Preliminary approval that includes a variation approval
c) What is the level of assessment?
<input checked="" type="checkbox"/> Code assessment <input type="checkbox"/> Impact assessment <i>(requires public notification)</i>
d) Provide a brief description of the proposal <i>(e.g. 6 unit apartment building defined as multi-unit dwelling, reconfiguration of 1 lot into 3 lots):</i>
Residential Subdivision of 1 Lot into 2 Lots
e) Relevant plans <i>Note: Relevant plans are required to be submitted for all aspects of this development application. For further information, see <a href="#">DA Forms guide: Relevant plans</a>.</i>
<input checked="" type="checkbox"/> Relevant plans of the proposed development are attached to the development application
<b>6.2) Provide details about the second development aspect</b>
a) What is the type of development? <i>(tick only one box)</i>
<input checked="" type="checkbox"/> Material change of use <input type="checkbox"/> Reconfiguring a lot <input type="checkbox"/> Operational work <input type="checkbox"/> Building work
b) What is the approval type? <i>(tick only one box)</i>
<input checked="" type="checkbox"/> Development permit <input type="checkbox"/> Preliminary approval <input type="checkbox"/> Preliminary approval that includes a variation approval
c) What is the level of assessment?
<input checked="" type="checkbox"/> Code assessment <input type="checkbox"/> Impact assessment <i>(requires public notification)</i>
d) Provide a brief description of the proposal <i>(e.g. 6 unit apartment building defined as multi-unit dwelling, reconfiguration of 1 lot into 3 lots):</i>
Dual Occupancy
e) Relevant plans <i>Note: Relevant plans are required to be submitted for all aspects of this development application. For further information, see <a href="#">DA Forms Guide: Relevant plans</a>.</i>
<input checked="" type="checkbox"/> Relevant plans of the proposed development are attached to the development application
<b>6.3) Additional aspects of development</b>
<input type="checkbox"/> 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
<input checked="" type="checkbox"/> 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)
Dual Occupancy	Dual Occupancy	2	310 m <sup>2</sup>

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

Yes

No

### Division 2 – Reconfiguring a lot

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

9.1) What is the total number of existing lots making up the premises?	
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:
Number of lots created	2			

10.2) Will the subdivision be staged?

Yes – provide additional details below

No

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

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

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

## PART 6 – INFORMATION REQUEST

<b>19) Information request under Part 3 of the DA Rules</b>
<input checked="" type="checkbox"/> I agree to receive an information request if determined necessary for this development application
<input type="checkbox"/> I do not agree to accept an information request for this development application
<b>Note:</b> <i>By not agreeing to accept an information request I, the applicant, acknowledge:</i>
<ul style="list-style-type: none"> <li>• <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></li> <li>• <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></li> </ul>
<i>Further advice about information requests is contained in the <a href="#">DA Forms Guide</a>.</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	
<b><u>Environmentally relevant activities</u></b>	
23.1) Is this development application also taken to be an application for an environmental authority for an <b>Environmentally Relevant Activity (ERA)</b> 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 <a href="http://www.qld.gov.au">www.qld.gov.au</a>. An ERA requires an environmental authority to operate. See <a href="http://www.business.qld.gov.au">www.business.qld.gov.au</a> 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.	
<b><u>Hazardous chemical facilities</u></b>	
23.2) Is this development application for a <b>hazardous chemical facility</b> ?	
<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 <a href="http://www.business.qld.gov.au">www.business.qld.gov.au</a> 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](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	<input checked="" type="checkbox"/> Yes
<b>Note:</b> See the <i>Planning Regulation 2017</i> for referral requirements	
If building work is associated with the proposed development, Parts 4 to 6 of <a href="#">DA Form 2 – Building work details</a> have been completed and attached to this development application	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> Not applicable
Supporting information addressing any applicable assessment benchmarks is with the development application	<input checked="" type="checkbox"/> Yes
<b>Note:</b> This is a mandatory requirement and includes any relevant templates under question 23, a planning report and any technical reports required by the relevant categorising instruments (e.g. local government planning schemes, State Planning Policy, State Development Assessment Provisions). For further information, see <a href="#">DA Forms Guide: Planning Report Template</a> .	
Relevant plans of the development are attached to this development application	<input checked="" type="checkbox"/> Yes
<b>Note:</b> Relevant plans are required to be submitted for all aspects of this development application. For further information, see <a href="#">DA Forms Guide: Relevant plans</a> .	
The portable long service leave levy for QLeave has been paid, or will be paid before a development permit is issued (see 21)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> Not applicable

### 25) Applicant declaration

- 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			
<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			