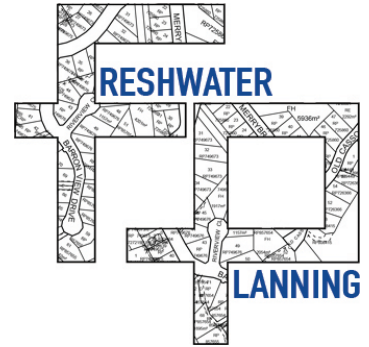


Your Ref:  
Our Ref: F23/21

27 August, 2023

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



**Attention: Regional Planning Group**

Dear Sir,

**RE: APPLICATION FOR A RECONFIGURING A LOT – 1 LOT INTO 27 LOTS OVER 2 STAGES.  
LOT 453 ON SP247821, 30 PETERS STREET, MAREEBA.**

This application is for a Reconfiguring a Lot – 1 Lot into 27 Lots over two (2) Stages on land described as Lot 453 on SP247821, situated at 30 Peters Street, Mareeba is submitted on behalf of NQ Farming Pty Ltd.

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

### The Site

The subject land is described as Lot 453 on SP247821, Locality of Mareeba and situated at 30 Peters Street, Mareeba. The site is owned by NQ Farming Pty Ltd who is also the applicant for the proposed Reconfiguration. The site is irregular in shape, has an area of 4.7729 hectares, contains frontage to Peters Street and Unnamed Road, and encompasses an existing Dwelling House, associated structures and vacant land. The site abuts a creek to the rear. The site is access from the existing Road Network and is provided with all available urban services.

In relation to the current State Governmental Mapping the site is Mapped as containing Remnant Vegetation, and Regrowth Vegetation. The site is Not Mapped as containing 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 nor within 25 metres of a Railway Corridor. The site contains an area of 4.7729 hectares with Low Density Residential Zoning within the Urban Footprint Designation. Referral for Vegetation Purposes is not required due to the Urban Purpose within an Urban Area designation in addition to the site being less than 5.0 hectares in size. It is considered that Referral to any State Agencies is not required.

### The Proposed Development

The proposed development is for a Reconfiguring a Lot – 1 Lot into 27 Lots over two (2) Stages in the Low Density Residential Zone of the Mareeba Shire Planning Scheme. The site is located at 30 Peters Street, Mareeba and is more particularly described as Lot 453 on SP247821. The site is irregular in shape, has an area of 4.7729 hectares and encompasses a Dwelling House, associated structures and vacant land.

Freshwater Planning Pty Ltd  
t/e The Freshwater Trust  
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A Development Permit for a Reconfiguration of 1 Lot into 27 Lots is sought to subdivide Lot 453 on SP247821. No change to the Low Density Residential Zone is proposed with the Reconfiguration. The proposal provides for the extension of Peters Street and 27 Residential Allotments. The proposal will provide additional Residential Allotments while maintaining the existing amenities and aesthetics of the site.

It is noted that the proposed Reconfiguration is provided over two (2) Stages within Lot 453 on SP247821. The Reconfiguration of a Lot proposes 27 new Residential Allotments described as proposed Lots 1 – 27. The proposed areas of the allotments are:

Stage 1

Proposed Lot 1	1,611 m <sup>2</sup>	Proposed Lot 7	945 m <sup>2</sup>
Proposed Lot 2	945 m <sup>2</sup>	Proposed Lot 23	945 m <sup>2</sup>
Proposed Lot 3	945 m <sup>2</sup>	Proposed Lot 24	945 m <sup>2</sup>
Proposed Lot 4	945 m <sup>2</sup>	Proposed Lot 25	945 m <sup>2</sup>
Proposed Lot 5	945 m <sup>2</sup>	Proposed Lot 26	945 m <sup>2</sup>
Proposed Lot 6	945 m <sup>2</sup>	Proposed Lot 27	1,892 m <sup>2</sup> .

Stage 2

Proposed Lot 8	945 m <sup>2</sup>	Proposed Lot 16	1,267 m <sup>2</sup>
Proposed Lot 9	945 m <sup>2</sup>	Proposed Lot 17	1,275 m <sup>2</sup>
Proposed Lot 10	945 m <sup>2</sup>	Proposed Lot 18	1,977 m <sup>2</sup>
Proposed Lot 11	922 m <sup>2</sup>	Proposed Lot 19	2,333 m <sup>2</sup>
Proposed Lot 12	2,905 m <sup>2</sup>	Proposed Lot 20	6,273 m <sup>2</sup>
Proposed Lot 13	3,115 m <sup>2</sup>	Proposed Lot 21	1,843 m <sup>2</sup>
Proposed Lot 14	1,285 m <sup>2</sup>	Proposed Lot 22	912 m <sup>2</sup> .
Proposed Lot 15	1,196 m <sup>2</sup>		

The site gains access from the existing Road Network, being Peters Street and the unconstructed Road. The proposed Residential Allotments gain access from the proposed extension to Peters Street. It is considered that each proposed allotment can be provided with appropriate access via the extended Road Network. The site is connected to all available services with the proposed twenty-seven (27) Residential Allotments 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 surrounding area. It is considered that the Purposes and Performance Outcomes of the Low Density Residential Zone and the Reconfiguring a Lot Code can be met in this instance.

The site is located in the Low Density Residential Zone of the Mareeba Shire Planning Scheme. The proposed Reconfiguring a Lot is a Code Assessable Use within this Zone. The application is Code Assessable.

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

Lot 453 on SP247821 is identified as being in the Urban Footprint designation of the FNQ Regional Plan Mapping.

The proposal is considered to be a greenfield development. The Reconfiguration is within the Urban Footprint and results in the creation of greater densities without affecting the existing natural environment.

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.

## Walkable Neighbourhoods Amended Planning Regulation

An assessment against the relevant aspects of the Amended Regulation is provided as follows:

### *Connectivity*

The site is located within a locality of that historically contained larger Rural/Rural Residential style allotments that have been Zoned Low Density Residential positioned on the outskirts of the Mareeba Residential Township. As the surrounding allotments within the locality are developed, pedestrian connectivity will continue to be provided. Given this, it is considered appropriate that any Pedestrian Connectivity be provided within the property (internal road) until such time that the surrounding Residential Area is fully developed.

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As the proposal is provided on the edge of the Township's Residential Area, limited existing footpaths exists in proximity to the site. The Residential Zoning of the surrounding Allotments ensures that an appropriate level of Connectivity for pedestrian are provided to service the locality in the future.

As part of the development, the Estate can be connected via a pedestrian footpath within its Internal new Road Network, if required. Peters Street, being an existing Access Street, is not provided with any pedestrian footpaths. The Unnamed Road is an Access Street and is also not provided with pedestrian footpaths. The proposed internal access will ensure that an appropriate level of Connectivity for pedestrian are provided to service the locality in the future.

The provision of the new Internal Road connects (via extension) to the existing Road Network, being Peters Street. The proposed Reconfiguration connects to the existing Road Network and allows for any future connection to future Roads in surrounding areas, with the proposal providing a connection via Peters Street.

### *Maximum length of particular blocks*

The proposed development is for the creation of 27 additional Residential Allotments with the requirement for the construction of an internal Road Network with a cumulative length great than 250 metres (approx. 350 metres). It is noted that the Staged length of the Internal Road will not exceed 250 metres. The proposal is an Infill Development and the site physically constrained. The length of any block is determined by the irregular shape of the property.

### *Street Trees*

Street trees can be provided in accordance with the FNQROC Development Manual - Design Manual D9 Landscaping, if required. The existing benchmarks are considered appropriate for the locality.

### *Footpaths*

The site is bounded by Peters Street, unnamed Road and the adjoining Creek. Peters Street is not provided with a pedestrian footpath nor it the Unnamed Road. It is considered appropriate and acceptable that the provision of a pedestrian footpath is not required with this proposed development, other than the new Internal Road and will keep with the existing amenity of surrounding Residential Estates whilst achieving appropriate and acceptable Connectivity.

It is understood that the State Government's requirement for the Walkable Neighbourhoods is to *ensure the reconfiguration supports convenient and comfortable walking for transport, recreation, leisure and exercise in the locality of the lot*. Any implementation of a Footpath will lead to nowhere not connecting the site to anything. The proposal is considered to be infill development on the outskirts of the Mareeba Residential Township with limited connectivity.

It is noted that the provision of a pedestrian footpath of the specified width and design for a Residential Allotment with a frontage of twenty (20) metres adds an additional \$4,000 to the development costs for that Allotment.

#### *Parks and other areas of open space*

The site is adjacent to Open Spaces to the north and along the Creek that can be used as Parks and Open Space, if required. Additionally, it is noted that Council's current position is to take contributions in lieu of providing any additional Parks. Page 4

Each proposed Residential Allotment is located within 400 metres of this informal Open Space and/or the adjacent Open Spaces to the north. The Walkable Neighbourhoods note that *'the reconfiguration ensures access to areas for recreation, leisure or exercise by ensuring that, to the extent topography and other physical constraints reasonably permit, a part of each block for the reconfiguration is within 400m of a park or another area of open space that is accessible to the public.'* The adjacent northern Open Spaces and Creek are considered to be an acceptable area of open space accessible to the public. The existing constraints of the site, surrounding Residential amenity, character and nature and its location leans to contributions as a more appropriate outcome for the Shire.

Advice provided from the State Government in relation to the Walkable Neighbourhoods Amended Regulation notes that:

*The Planning Regulation 2017 (Planning Regulation) requires that new residential neighbourhoods are assessed against benchmarks for the provision of footpaths, street trees, connect street layout, shorter block lengths and proximity to parks. The assessment manager must assess the development application for the residential subdivision against the assessment benchmarks.*

*The assessment manager has discretion to determine the extent the benchmarks are relevant to an application. By doing so, the new assessment benchmarks have the flexibility that is required to deal with the many different circumstances encountered by the local government. A planning scheme may set benchmarks that achieve a higher standard than the Planning Regulation prescribes.*

*The Planning Act 2016 provides for how an assessment manager is to carry out the assessment of a development application. The assessment manager has the discretion to approve a development application, with or without conditions, even if the proposed development does not comply with some of the assessment benchmarks.*

In relation to the provision of Parks, the State's Advice noted in underlining that *'As discussed above, the assessment manager has the discretion to approve a development application, with or without conditions, even if the proposed development does not comply with some of the assessment benchmarks.'* It is considered that in this instance that the provision of Parkland, Footpaths and oversupply of Street Trees are not required. The proposal is in fitting within the existing Residential Amenity, nature and character of the surrounding Residential Zone. It is considered that Council has sufficient flexibility to allow for the proposed Residential Development without having to meet the extent of the benchmarks given the existing constraints of the site.

It is considered that the proposed Subdivision is acceptable and appropriate and is not considered to conflict with Walkable Neighbourhoods Planning Regulation for land located within the Low Density Residential Zone.

## Low Density Residential Zone

A Development Permit for a Reconfiguring a Lot – 1 Lot into 27 Lots over two (2) Stages is sought to provide additional Residential Allotments within the Mareeba Residential Area. The site is designated as Low Density Residential Zone and no change to the existing Residential Zone is proposed with the Reconfiguration. The proposal will maintain the existing amenities of the site and complement the existing, adjoining and surrounding Residential Zoning.

The proposal is for a Reconfiguration of 1 Lot into 27 Lots in the Low Density Residential Zone with the purpose of the Reconfiguration is to provide additional Residential Allotments for predominantly dwelling houses supported by community uses and small-scale services and facilities that cater for local residents. The proposed Subdivision is envisaged to maintain the integrity of established Residential areas, which are characterised primarily by Dwelling houses while providing opportunities for other forms of Residential development where existing character and amenity will not be compromised. The proposal provides Residential Allotments of varying sizes allowing for a wide variety of housing types and further development potential.

The site is surrounded by Low Density Residential Allotments with Community Facilities Allotments to the east and west. The Subdivision will allow for a detached dwelling house to be located on each allotment which is compatible with the most common form of housing in the locality. 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. The proposed development will ensure to protect the existing Residential area from the intrusion of Incompatible Land Uses as the proposal proposes additional Residential Allotments. It is considered that the proposed Reconfiguring a Lot is not in conflict with the Intent or Purposes for the Low Density Residential Zone.

Performance outcomes	Acceptable outcomes	Comment
<b>Height</b>		
<b>PO1</b> Building height takes into consideration and respects the following: <ul style="list-style-type: none"> <li>(a) the height of existing buildings on adjoining premises;</li> <li>(b) the development potential, with respect to height, on adjoining premises;</li> <li>(c) the height of buildings in the vicinity of the site;</li> <li>(d) access to sunlight and daylight for the site and adjoining sites;</li> <li>(e) privacy and overlooking; and</li> <li>(f) site area and street frontage length.</li> </ul>	<b>AO1</b> Development has a maximum building height of: <ul style="list-style-type: none"> <li>(a) 8.5 metres; and</li> <li>(b) 2 storeys above ground level.</li> </ul>	Not Applicable. No Buildings proposed.
<b>Outbuildings and residential scale</b>		
<b>PO2</b> Domestic outbuildings: <ul style="list-style-type: none"> <li>(a) do not dominate the lot on which they are located; and</li> <li>(b) are consistent with the scale and character of development in the Low-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 Buildings proposed.

Performance outcomes	Acceptable outcomes	Comment
<b>Siting, where not involving a Dwelling house</b>		
Note—Where for Dwelling house, the setbacks of the Queensland Development Code apply.		
<b>PO3</b> Development is sited in a manner that considers and respects: <ul style="list-style-type: none"> <li>(a) the siting and use of adjoining premises;</li> <li>(b) access to sunlight and daylight for the site and adjoining sites;</li> <li>(c) privacy and overlooking;</li> <li>(d) opportunities for casual surveillance of adjoining public spaces;</li> <li>(e) air circulation and access to natural breezes; and</li> <li>(f) appearance of building bulk; and</li> <li>(g) relationship with road corridors.</li> </ul>	<b>AO3.1</b> Buildings and structures include a minimum setback of: <ul style="list-style-type: none"> <li>(a) 6 metres from the primary road frontage; and</li> <li>(b) 3 metres from any secondary road frontage.</li> </ul>	Not Applicable. No Buildings proposed.
	<b>AO3.2</b> Buildings and structures include a minimum setback of 2 metres from side and rear boundaries.	Not Applicable. No Buildings proposed.
<b>Accommodation density</b>		
<b>PO4</b> The density of Accommodation activities: <ul style="list-style-type: none"> <li>(a) contributes to housing choice and affordability;</li> <li>(b) respects the nature and density of surrounding land use;</li> <li>(c) does not cause amenity impacts beyond the reasonable expectation of accommodation density for the zone; and</li> <li>(d) is commensurate to the scale and frontage of the site.</li> </ul>	<b>AO4</b> Development provides a maximum density for Accommodation activities in compliance with <b>Table 6.2.6.3B</b> .	Not Applicable. No Buildings proposed. However, the proposal provides for 27 new Residential Allotments that allow for a Dwelling House to be provided on each allotment compliant with Table 6.2.6.3B.
<b>Gross floor area</b>		
<b>PO5</b> Buildings and structures occupy the site in a manner that: <ul style="list-style-type: none"> <li>(a) makes efficient use of land;</li> <li>(b) is consistent with the bulk and scale of surrounding buildings; and</li> <li>(c) appropriately balances built and natural features.</li> </ul>	<b>AO5</b> Gross floor area does not exceed 600m <sup>2</sup> .	Not Applicable. No Buildings proposed.
<b>For assessable development</b>		
<b>Building design</b>		
<b>PO6</b> Building facades are appropriately designed to: <ul style="list-style-type: none"> <li>(a) include visual interest and architectural variation;</li> <li>(b) maintain and enhance the character of the surrounds;</li> <li>(c) provide opportunities for casual surveillance;</li> <li>(d) include a human scale; and</li> </ul>	<b>AO6</b> Buildings include habitable space, pedestrian entrances and recreation space facing the primary road frontage.	Not Applicable. No Buildings proposed.

Performance outcomes	Acceptable outcomes	Comment
(e) encourage occupation of outdoor space.		
<b>PO7</b> Development complements and integrates with the established built character of the Low density residential zone, having regard to: <ul style="list-style-type: none"> <li>(a) roof form and pitch;</li> <li>(b) eaves and awnings;</li> <li>(c) building materials, colours and textures; and</li> </ul> window and door size and location.	<b>AO7</b> No acceptable outcome is provided.	Not Applicable. No Buildings proposed. However, any future dwellings or buildings can comply with the requirements of the Low Density Residential Zone Code having regard to the existing amenity.
<b>Non-residential development</b>		
<b>PO8</b> Non-residential development is only located in new residential areas and: <ul style="list-style-type: none"> <li>(a) is consistent with the scale of existing development;</li> <li>(b) does not detract from the amenity of nearby residential uses;</li> <li>(c) directly supports the day to day needs of the immediate residential community; and</li> <li>(d) does not impact on the orderly provision of non-residential development in other locations in the shire.</li> </ul>	<b>AO8</b> No acceptable outcome is provided.	Not Applicable. The proposal is for a 27 Lot Residential Subdivision.
<b>Amenity</b>		
<b>PO9</b> Development must not detract from the amenity of the local area, having regard to: <ul style="list-style-type: none"> <li>(a) noise;</li> <li>(b) hours of operation;</li> <li>(c) traffic;</li> <li>(d) advertising devices;</li> <li>(e) visual amenity;</li> <li>(f) privacy;</li> <li>(g) lighting;</li> <li>(h) odour; and</li> <li>(i) emissions.</li> </ul>	<b>AO9</b> No acceptable outcome is provided.	Complies, The proposal is for 27 Residential Allotment Subdivision. It is not considered that the proposed Reconfiguration will detract from the local amenity. No change to the existing amenity is envisaged with the Subdivision.
<b>PO10</b> Development must take into account and seek to ameliorate any existing negative environmental impacts, having regard to: <ul style="list-style-type: none"> <li>(a) noise;</li> <li>(b) hours of operation;</li> <li>(c) traffic;</li> <li>(d) advertising devices;</li> <li>(e) visual amenity;</li> <li>(f) privacy;</li> <li>(g) lighting;</li> </ul>	<b>AO10</b> No acceptable outcome is provided.	Complies, The proposal is for 27 Residential Allotment Subdivision. It is not considered that the proposed Reconfiguration will detract or negatively impact on the existing environment. No change to the existing amenity is envisaged with the Subdivision and the proposal ensures to take into consideration and seek to ameliorate the existing

Performance outcomes	Acceptable outcomes	Comment
(h) odour; and (i) emissions.		environment as demonstrated by the proposed layout.

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

### **Airports Environs Overlay Code**

The site is located inside of the 8km Bird and Bat Zone of the Bird and Bat Strike Zones and outside of the 6 km Light Intensity Zone as designated within the Mareeba Overlay Mapping. No buildings or structures are proposed with the Reconfiguration nor is a waste disposal site proposed. The proposal is not considered to contribute to the potentially serious hazard from wildlife (bird or bat) strike and will ensure that potential food and waste sources are covered and collected so that they are not accessible to wildlife. It is considered that the Airports Environs Overlay Code is Not Applicable to the proposed Reconfiguration of 27 Residential Allotments will not affect the Bird and Bat Strike Zone and is outside of the Light Intensity Zone.

### **Bushfire Hazard Overlay Code**

The site is Mapped as containing areas of Potential Impact Buffer (100 metres) and Medium Bushfire Hazard over the site. The proposal is for the Reconfiguration to subdivide Lot 453 on SP247821 creating additional Residential Allotments similar to the immediately adjoining and surrounding the site (Low Density Residential Zone).

The site has the ability through Zoning and Exemptions to completely clear the site if required. However, any future dwellings are able to be provided with appropriate setbacks and firebreaks if located within the Mapped Hazard. The proponents will ensure that maintenance and upkeep of the site will be maintained to ensure no build-up of hazardous materials and that existing or proposed firebreaks are maintained. It is not considered that the proposal will affect the Bushfire Hazard of the site as the site will ensure to remove any piling of fuel loads, contains existing firebreaks, and is provided with appropriate water sources. Any appropriate water source will contain sufficient storage of water for Firefighting Supply and will be provided with the appropriate connections where required. As the site is able to be cleared in relation to the Vegetation Act and contains existing Exemptions, the Bushfire Hazard Overlay is not considered applicable in this instance or can be complied with as noted above.

### **Environment Significance Overlay Code**

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



### **Flood Hazard Overlay Code**

The site is located within the General Extent of Modelled Flood Levels as demonstrated on the Flood Hazard Overlay Mapping. The site is Mapped as containing an Extreme, High, Significant, and Low Flood Hazard Area as well as nominated within the Potential Flood Hazard Area. The Flood Mapping demonstrates that the site is constrained by the Flood Hazard Overlay which is within the limits of the existing watercourse. It is understood that a Flood Study over the site has previously been undertaken with the layout ensuring appropriate Flood Immunity. Any intensification of the site for Urban purposes will ensure to provide each proposed allotment with an appropriate level of Flood Immunity. It is considered that there is the ability for any future Dwelling House provided over proposed Lots 12 – 21 and 27 to be provided with appropriate Flood Immunity as per demonstrated on the Twine Surveys Pty Ltd Flood Hazard Mapping. It is considered that the proposed Reconfiguration is not in conflict with the Flood Hazard Overlay Code.

### **Slope Overlay Code**

The site is Mapped as containing Slope Hazard 15% or greater partially within the rear of the site (abutting Creek) on the Slope Hazard Overlay Mapping. The proposal is for a Reconfiguration resulting in twenty-seven (27) Residential Allotments with no new buildings or structures are proposed with the Reconfiguration nor is any clearing with this area is located. If any works are proposed over land greater than 15% a Geotechnical Report can be provided. It is considered that the Slope Overlay Code is Not Applicable to the proposed Reconfiguration.

### **Landscaping Code**

The proposal is for a Reconfiguration of 1 Lot into 27 Lots in the Low Density Residential Zone. It is not considered that the Landscaping Code is applicable.

### **Parking and Access Code**

The proposal is for a Reconfiguration of 1 Lot into 27 Lots in the Low Density Residential Zone. It is not considered that the Parking and Access Code is applicable as no dwellings are proposed with the development. However, it is noted that each allotment will contain the ability to connect to the new Road Network and will not detrimentally affect the existing and new Road Network. Any access can be provided at the time of construction of a dwelling provided on that individual allotment.

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

The proposal is for a Reconfiguring a Lot – 1 Lot into 27 Lots in the Low Density Residential Zone of the Mareeba Shire Planning Scheme. The purpose of the application is to subdivide existing Lot 453 on SP247821 into twenty-seven (27) Residential Allotments over two (2) Stages. The proposed Subdivision is to preserve the existing nature of the site and the immediate and surrounding amenity in accordance with the Mareeba Shire Planning Scheme as the proposal is for a Residential Estate within the Low Density Residential Area on the outskirts of the Mareeba Township.

The minimum lot size in the Low Density Residential Zone's is 600 m<sup>2</sup> requiring a minimum frontage of 16 metres. It is also noted that for a greenfield development the minimum allotments size of 350 m<sup>2</sup> and a frontage of 10 metres. It is noted that the proposed Reconfiguration is to complement the existing Residential Area. Each proposed allotment contains areas greater than the minimum requirements within the Code. Each proposed allotment contains a frontage of 18.87 metres or greater to the proposed extended Road Network, other than proposed Lots 11 - 14 which contain smaller frontages (including Access Easements) due to their location on the bend in the new Internal Road. All proposed Residential Allotments contain appropriate frontages and are considered to contain the ability to provide safe and efficient access to the proposed new Internal Road Network

without significantly detracting from the functioning of that Network. The proposed layout is considered appropriate and acceptable providing sufficient area and dimensions for their intended use. It is considered that an acceptable provision of access will be provided to each allotment in accordance with the Mareeba Shire Council's Planning Scheme.

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

Performance outcomes	Acceptable outcomes	Comment
<b>Area and frontage of lots</b>		
<p><b>PO1</b> Lots include an area and frontage that:</p> <ul style="list-style-type: none"> <li>(a) is consistent with the design of lots in the surrounding area;</li> <li>(b) allows the desired amenity of the zone to be achieved;</li> <li>(c) is able to accommodate all buildings, structures and works associated with the intended land use;</li> <li>(d) allow the site to be provided with sufficient access;</li> <li>(e) considers the proximity of the land to: <ul style="list-style-type: none"> <li>(i) centres;</li> <li>(ii) public transport services; and</li> <li>(iii) open space; and</li> </ul> </li> <li>(f) allows for the protection of environmental features; and</li> <li>(g) accommodates site constraints.</li> </ul>	<p><b>AO1.1</b> Lots provide a minimum area and frontage in accordance with <b>Table 9.4.4.3B</b>.</p>	<p>Complies, The proposal provides for 27 Low Density Residential Allotments with areas greater than 350 m<sup>2</sup> (smallest being proposed Lot 22 of 912 m<sup>2</sup>) and frontages greater than 10 metres (smallest being 15.0 metres other than Lots 12 and 13 which are access via reciprocal Access Easements). It is not considered that the proposed Reconfiguration is in conflict with Table 9.4.4.3B.</p>
<b>Existing buildings and easements</b>		
<p><b>PO2</b> Reconfiguring a lot which contains existing land uses or existing buildings and structures ensures:</p> <ul style="list-style-type: none"> <li>(a) new lots are of sufficient area and dimensions to accommodate existing land uses, buildings and structures; and</li> <li>(b) any continuing use is not compromised by the reconfiguration.</li> </ul>	<p><b>AO2.1</b> Each land use and associated infrastructure is contained within its individual lot.</p>	<p>Complies, The site is vacant, and the Reconfiguration proposes that all infrastructure is located within the individual allotment.</p>
	<p><b>AO2.2</b> All lots containing existing buildings and structures achieve the setback requirements of the relevant zone.</p>	<p>Not Applicable.</p>
<p><b>PO3</b> Reconfiguring a lot which contains an existing easement ensures:</p> <ul style="list-style-type: none"> <li>(a) future buildings, structures and accessways are able to be sited to avoid the easement; and</li> <li>(b) the reconfiguration does not compromise the purpose of the easement or the continued operation of any infrastructure contained within the easement.</li> </ul>	<p><b>AO3</b> No acceptable outcome is provided.</p>	<p>Not Applicable. No existing Easements provided over the site.</p>

Performance outcomes	Acceptable outcomes	Comment
<b>Boundary realignment</b>		
<b>PO4</b> The boundary realignment retains all attendant and existing infrastructure connections and potential connections.	<b>AO4</b> No acceptable outcome is provided.	Not Applicable. The proposal is not for a Boundary Realignment.
<b>Access and road network</b>		
<b>PO5</b> Access to a reconfigured lot (including driveways and paths) must not have an adverse impact on: (a) safety; (b) drainage; (c) visual amenity; (d) privacy of adjoining premises; and (e) service provision.	<b>AO5</b> No acceptable outcome is provided.	Complies, Access to the proposed new 27 Residential Allotments are provided by the extension of the existing Road Network. No adverse impact to the safety, drainage, visual amenity, privacy of adjoining premises and service provisions are envisaged with the proposed Layout.
<b>PO6</b> Reconfiguring a lot ensures that access to a lot can be provided that: (a) is consistent with that provided in the surrounding area; (b) maximises efficiency and safety; and (c) is consistent with the nature of the intended use of the lot.  Note—The Parking and access code should be considered in demonstrating compliance with PO6.	<b>AO6</b> Vehicle crossover and access is provided in accordance with the design guidelines and specifications set out in Planning Scheme Policy 4 – FNQROC Regional Development Manual.	Complies, Vehicle crossovers can be provided in accordance with the relevant Planning Scheme Policies and FNQROC Regional Development Manual. Any crossovers can be provided at the time of construction of a dwelling located over each individual allotment.
<b>PO7</b> Roads in the Industry zone are designed having regard to: (a) the intended use of the lots; (b) the existing use of surrounding land; (c) the vehicular servicing requirements of the intended use; (d) the movement and turning requirements of B-Double vehicles.  Note—The Parking and access code should be considered in demonstrating compliance with PO7.	<b>AO7</b> No acceptable outcome is provided.	Not Applicable. The site is located within the Low Density Residential Zone.
<b>Rear lots</b>		
<b>PO8</b> Rear lots are designed to: (a) provide a high standard of amenity for residents and other users of the site;	<b>AO8.1</b> Rear lots are designed to facilitate development that adjoins or overlooks a park or open space.	Not Applicable. No rear allotments proposed.
	<b>AO8.2</b>	Not Applicable. No rear allotments proposed.

Performance outcomes	Acceptable outcomes	Comment
(b) provide a high standard of amenity for adjoining properties; and (c) not adversely affect the safety and efficiency of the road from which access is gained.	No more than two rear lots are created behind any lot with a road frontage.	
	<b>AO8.3</b> Access to lots is via an access strip with a minimum width of: (a) 4 metres where in the Low density residential zone or Medium density residential zone; or (b) 8 metres otherwise.	Not Applicable. No rear allotments proposed.
	<b>AO8.4</b> A single access strip is provided to a rear lot along one side of the lot with direct frontage to the street.	Not Applicable. No rear allotments proposed.
	<b>AO8.5</b> No more than 1 in 10 lots created in a new subdivision are rear lots.	Not Applicable. No rear allotments proposed.
	<b>AO8.6</b> Rear lots are not created in the Centre zone or the Industry zone.	Not Applicable. No rear allotments proposed.
<b>Crime prevention and community safety</b>		
<b>PO9</b> Development includes design features which enhance public safety and seek to prevent opportunities for crime, having regard to: (a) sightlines; (b) the existing and intended pedestrian movement network; (c) the existing and intended land use pattern; and (d) potential entrapment locations.	<b>AO9</b> No acceptable outcome is provided.	Complies, It is considered that the proposed Reconfiguration has been designed to enhance public safety while seeking to prevent opportunities for crime via the use of appropriate and acceptable sightlines, pedestrian movement networks, etc.
<b>Pedestrian and cycle movement network</b>		
<b>PO10</b> Reconfiguring a lot must assist in the implementation of a Pedestrian and cycle movement network to achieve safe, attractive and efficient pedestrian and cycle networks.	<b>AO10</b> No acceptable outcome is provided.	Can Comply.
<b>Public transport network</b>		
<b>PO11</b> Where a site includes or adjoins a future public transport corridor or future public transport site identified through a structure planning process, development: (a) does not prejudice the future provision of the identified infrastructure;	<b>AO11</b> No acceptable outcome is provided.	Not Applicable.

Performance outcomes	Acceptable outcomes	Comment
<p>(b) appropriately treats the common boundary with the future corridor; and</p> <p>(c) provides opportunities to integrate with the adjoining corridor where a it will include an element which will attract pedestrian movement.</p>		
<b>Residential subdivision</b>		
<p><b>PO12</b> Residential lots are:</p> <p>(a) provided in a variety of sizes to accommodate housing choice and diversity; and</p> <p>(b) located to increase variety and avoid large areas of similar lot sizes.</p>	<p><b>AO12</b> No acceptable outcome is provided.</p>	<p>Complies, The proposal provides for a range of Residential Allotment sizes and variety to accommodate housing choice and diversity. The proposal is considered to keep with the established amenity and nature of the existing and adjoining Residential Areas.</p>
<b>Rural residential zone</b>		
<p><b>PO13</b> New lots are only created in the Rural residential zone where land is located within the 4,000m<sup>2</sup> precinct, the 1 hectare precinct or the 2 hectare precinct.</p>	<p><b>AO13</b> No acceptable outcome is provided.</p>	<p>Not Applicable. The site is located within the Low Density Residential Zone.</p>
<b>Additional provisions for greenfield development only</b>		
<p><b>PO14</b> The subdivision design provides the new community with a local identity by responding to:</p> <p>(a) site context</p> <p>(b) site characteristics</p> <p>(c) setting</p> <p>(d) landmarks</p> <p>(e) natural features; and</p> <p>(f) views.</p>	<p><b>AO14</b> No acceptable outcome provided.</p>	<p>Complies, The proposed Reconfiguration is for a Residential development located within the Low Density Residential Zone on the outskirts of the Mareeba Township. The proposal continues the existing local identity incorporating site context and characteristics, natural features and views and the likes.</p>
<p><b>PO15</b> The road network is designed to provide a high level of connectivity, permeability and circulation for local vehicles, public transport, pedestrians and cyclists.</p>	<p><b>AO15</b> No acceptable outcome provided.</p>	<p>Complies, The proposed new internal Road, being the extension of the existing Road Network, provides a sufficient level of connectivity for the public.</p>
<p><b>PO16</b> The road network is designed to:</p> <p>(a) minimise the number of cul-de-sacs;</p> <p>(b) provide walkable catchments for all residents in cul-de-sacs; and</p> <p>(c) include open cul-de-sacs heads.</p>	<p><b>AO16</b> No acceptable outcome provided.</p>	<p>Complies.</p>

Performance outcomes	Acceptable outcomes	Comment
<p><b>PO17</b> Reconfiguring a lot provides safe and convenient access to the existing or future public transport network.</p>	<p><b>AO17</b> The subdivision locates 90% of lots within 400 metres walking distance of a future public transport route.</p>	<p>Complies, The proposal is for two (2) stages within the Zoned Low Density Residential Area on the outskirts of the Mareeba Township. Sufficient and convenient access to the existing and future public transport network is achieved.</p>
<p><b>PO18</b> The staging of the lot reconfiguration prioritises delivery of link roads to facilitate efficient bus routes.</p>	<p><b>AO18</b> No acceptable outcome provided.</p>	<p>Can Comply.</p>
<p><b>PO19</b> Provision is made for sufficient open space to:</p> <ul style="list-style-type: none"> <li>(a) meet the needs of the occupiers of the lots and to ensure that the environmental and scenic values of the area are protected;</li> <li>(b) retain riparian corridors, significant vegetation and habitat areas and provides linkages between those areas; and</li> <li>(c) meet regional, district and neighbourhood open space requirements.</li> </ul>	<p><b>AO19.1</b> A minimum of 10% of the site area is dedicated as open space.</p> <p><b>AO19.2</b> A maximum of 30% of the proposed open space can consist of land identified as significant vegetation or riparian corridor buffer.</p>	<p>The proposal is for a Residential Subdivision located on the outskirts of the Mareeba Township. The site is located adjacent to the Creek and large Open Space areas to the north. It is accepted that substantial areas of Open Space are in proximity to the site. It is not considered, in this instance, that additional Open Space is required.</p>
<p><b>PO20</b> A network of parks and community land is provided:</p> <ul style="list-style-type: none"> <li>(a) to support a full range of recreational and sporting activities;</li> <li>(b) to ensure adequate pedestrian, cycle and vehicle access;</li> <li>(c) which is supported by appropriate infrastructure and embellishments;</li> <li>(d) to facilitate links between public open spaces;</li> <li>(e) which is co-located with other existing or proposed community infrastructure;</li> <li>(f) which is consistent with the preferred open space network; and</li> <li>(g) which includes a diversity of settings;</li> </ul>	<p><b>AO20</b> No acceptable outcome is provided.</p>	<p>Can Comply if required. The proposed Reconfiguration is located on the outskirts of the Mareeba Township with Residential and Community Facilities Allotments surrounding the site. The site is located adjacent to the Creek and large Open Space areas to the north. It is noted that Council's current position is to take contributions in lieu of providing any additional Parks.</p> <p>Given the location of the site and the surrounding and adjoining areas, it is considered that the provision of Parks and Community Land is not appropriate with this Development Application.</p>

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 Subdivision will be detrimental to the adjacent sites or adversely impact on the surrounding area. It is considered that the Performance Outcomes of the Reconfiguring a Lot Code can be met in this instance.

## Works, Services, and Infrastructure Code

The proposal is for a Reconfiguration of 1 Lot into 27 Lots in the Low Density Residential Zone. Each proposed allotment will be connected to all available services being Reticulated Electricity, Telecommunications, Water and Sewer and will be provided with an appropriate level of Stormwater disposal.

The site gains access from the existing Road Network, being Peters Street and the Unnamed Road. The proposed Residential Allotments gain access via the new Internal Road (from the extension of Peters Street). It is considered that each proposed allotment can be provided with appropriate access via the new Road Network and will be provided at the time of the construction of any Dwelling House on that allotment. The proposed Subdivision will ensure that no change to the existing Residential nature of the site and surrounding area is envisaged.

Any significant Excavation or Filling is proposed with the Reconfiguration and any resultant earthworks will be provided as part of an Operational Works Application.

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

## Conclusion

It is considered that the proposed development being a Reconfiguring a Lot into twenty-seven (27) Residential Allotments within two (2) Stages over land described as Lot 453 on SP247821 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 Low Density Residential Zone;
- ✚ Can meet the Performance Outcomes and the Intent of the Reconfiguring a Lot Code for land included in the Low Density Residential Zone;
- ✚ Can meet the Intent and Objectives and Intent for the Low Density Residential Zone;
- ✚ Is not in conflict with the Far North Queensland Regional Plan 2009 – 2031, in particular the Urban Footprint Designation; and
- ✚ Is for the creation of additional Residential Allotments within the Mareeba Township supporting the growth of the Tablelands Region and complimenting the adjoining Residential Area.

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

Yours faithfully,



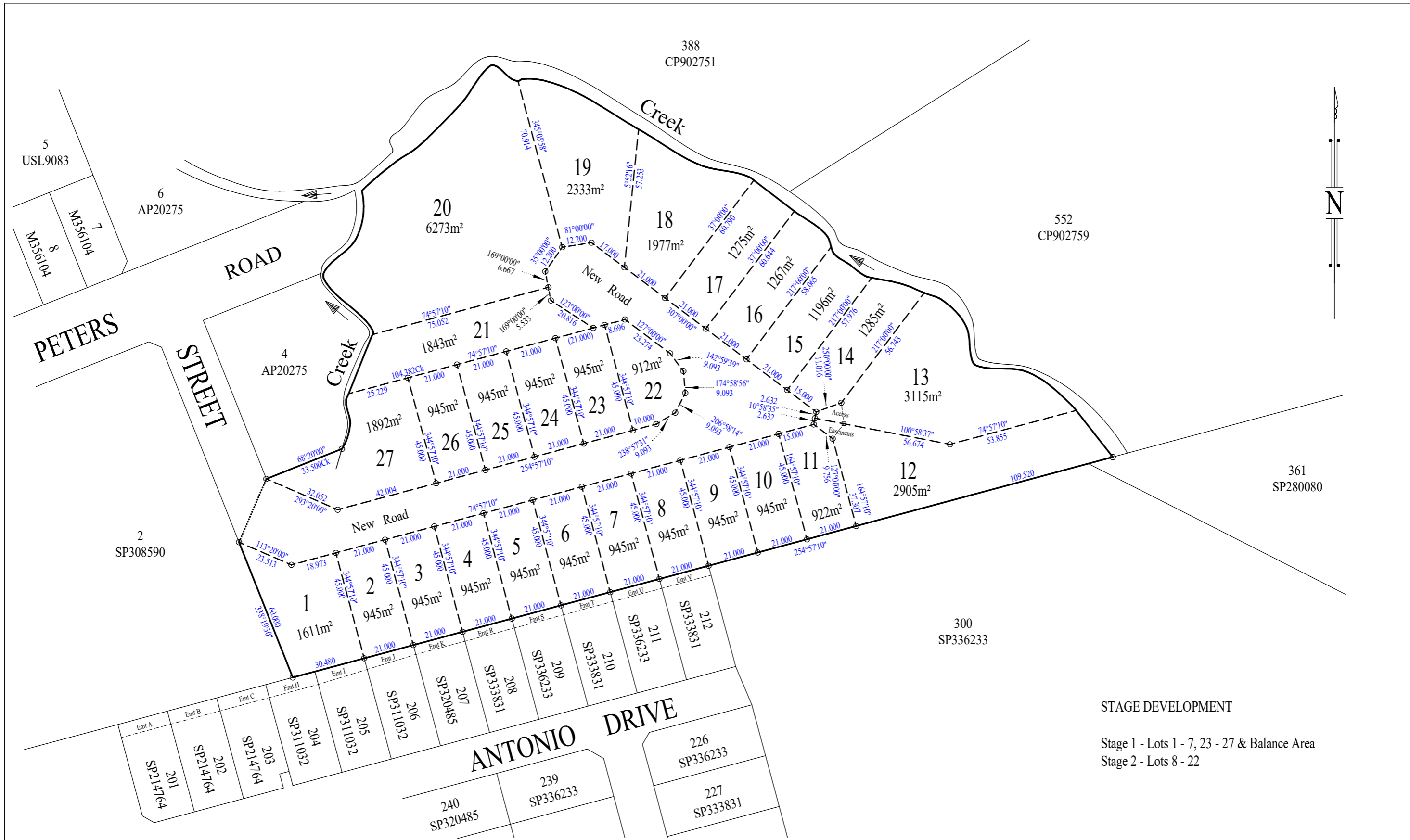
**MATTHEW ANDREJIC**

**FRESHWATER PLANNING PTY LTD**

P: 0402729004

E: FreshwaterPlanning@outlook.com

17 Barron View Drive, FRESHWATER QLD 4870



**STAGE DEVELOPMENT**

Stage 1 - Lots 1 - 7, 23 - 27 & Balance Area  
 Stage 2 - Lots 8 - 22

AMENDMENTS
A - ORIGINAL

PROPERTY DESCRIPTION
LOT 453 ON SP247821

REGISTERED OWNER
NQ FARMING PTY LTD

LOCAL GOVERNMENT: MSC
LOCALITY: MAREEBA
SITUATED AT:
PETERS STREET

DEVELOPMENT PLAN PROPOSED RECONFIGURATION OF A LOT (1 LOT INTO 27 LOTS) STAGED DEVELOPMENT	
DWG NO. 9118 - LL1	26.07.2023
REV A	

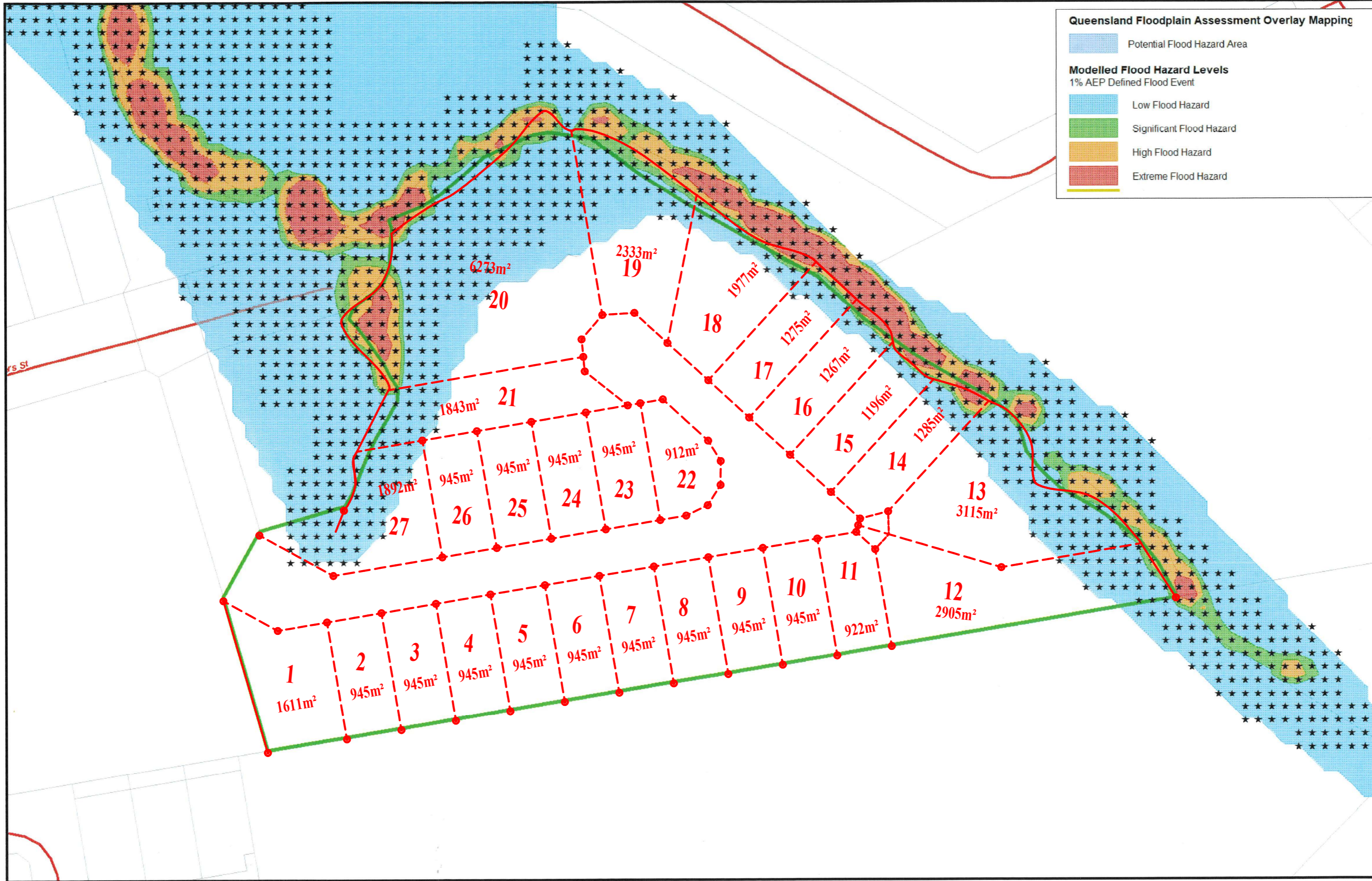
**TWINE SURVEYS PTY LTD**

36 Mabel St, Atherton 4883  
 PO Box 146, Atherton 4883  
 P 07 40911303  
 E info@twinesurveys.com.au

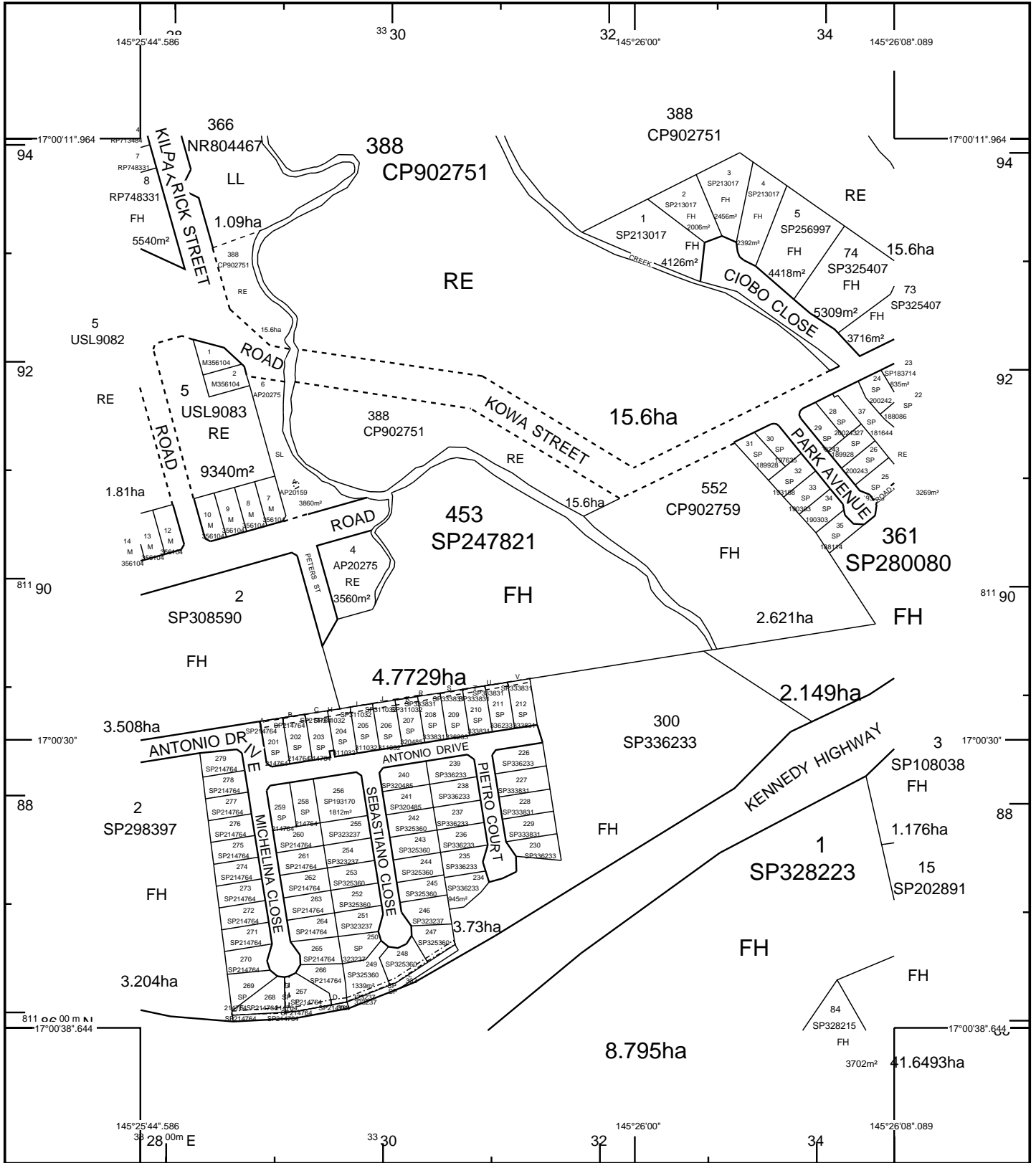




# Lot 453 on SP247821







STANDARD MAP NUMBER  
7963-11411



MAP WINDOW POSITION & NEAREST LOCATION



**SUBJECT PARCEL DESCRIPTION**

DCDB	
Lot/Plan	453/SP247821
Area/Volume	4.7729ha
Tenure	FREEHOLD
Local Government	MAREEBA SHIRE
Locality	MAREEBA
Segment/Parcel	9074/4

**CLIENT SERVICE STANDARDS**

PRINTED 27/08/2023

DCDB 24/08/2023

Users of the information recorded in this document (the Information) accept all responsibility and risk associated with the use of the Information and should seek independent professional advice in relation to dealings with property.

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Digital Cadastral Data Base



Queensland  
Government  
(c) The State of Queensland,  
(Department of Resources) 2023.



25 July 2023

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

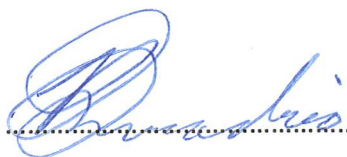
Dear Sir,

**RE: APPLICATION FOR A RECONFIGURATION OF A LOT  
(1 LOT INTO 27 LOTS)  
LOT 453 ON SP247821  
30 PETERS STREET, MAREEBA**

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

NQ FARMING PTY LTD as the registered owner of property at 30 PETERS STREET, MAREEBA and more particularly described as LOT 453 ON SP247821

authorise Freshwater Planning Pty Ltd to lodge a Town Planning Application on our behalf.



.....

NQ FARMING PTY LTD

APPLICANTS

# 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>	NQ Farming Pty Ltd
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>	F23/21

### 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
			30 Peters Street	Mareeba
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)
	4880	453	SP247821	Mareeba Shire Council
b)	Unit No.	Street No.	Street Name and Type	Suburb
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)

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

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

- Coordinates of premises by longitude and latitude

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

- Coordinates of premises by easting and northing

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

#### 3.3) Additional premises

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

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

In or adjacent to a water body or watercourse or in or above an aquifer  
 Name of water body, watercourse or aquifer:

On strategic port land under the *Transport Infrastructure Act 1994*  
 Lot on plan description of strategic port land:   
 Name of port authority for the lot:

In a tidal area  
 Name of local government for the tidal area (if applicable):   
 Name of port authority for tidal area (if applicable):

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

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

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

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

No

## PART 3 – DEVELOPMENT DETAILS

### Section 1 – Aspects of development

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

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

Material change of use     Reconfiguring a lot     Operational work     Building work

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

Development permit     Preliminary approval     Preliminary approval that includes a variation approval

c) What is the level of assessment?

Code assessment     Impact assessment *(requires public notification)*

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

Residential Subdivision of 1 Lot into 27 Lots

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

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

**6.2) Provide details about the second development aspect**

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

Material change of use     Reconfiguring a lot     Operational work     Building work

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

Development permit     Preliminary approval     Preliminary approval that includes a variation approval

c) What is the level of assessment?

Code assessment     Impact assessment *(requires public notification)*

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

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

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

**6.3) Additional aspects of development**

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

Not required



## Section 2 – Further development details

7) Does the proposed development application involve any of the following?	
Material change of use	<input type="checkbox"/> Yes – complete division 1 if assessable against a local planning instrument
Reconfiguring a lot	<input 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 <i>(include each definition in a new row)</i>	Number of dwelling units <i>(if applicable)</i>	Gross floor area (m <sup>2</sup> ) <i>(if applicable)</i>

8.2) Does the proposed use involve the use of existing buildings on the premises?	
<input 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?	
1	

9.2) What is the nature of the lot reconfiguration? <i>(tick all applicable boxes)</i>	
<input checked="" 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	27			

10.2) Will the subdivision be staged?	
<input checked="" type="checkbox"/> Yes – provide additional details below	
<input type="checkbox"/> No	
How many stages will the works include?	2
What stage(s) will this development application apply to?	1 and 2

**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)**

\$
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**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

Yes

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

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

Yes

Not applicable

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

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

Yes

Relevant plans of the development are attached to this development application

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

Yes

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

Yes

Not applicable

### 25) Applicant declaration

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

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

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

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

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

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

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



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

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Date received:  Reference number(s):

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

QLeave notification and payment			
<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			