

Relevant Development Codes – 2 Debel Close MAREEBA 4880

The following Development Codes are considered to be applicable to the assessment of the application:

6.2.4 Emerging community zone code

6.2.8 Recreation and open space zone code

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6.2.4 Emerging community zone code

6.2.4.1 Application

(1) This code applies to assessing development where:

(a) located in the Emerging community zone; and

(b) it is identified in the assessment benchmarks for assessable development and requirements

for accepted development column of an assessment table in Part 5 of the planning scheme.

6.2.4.2 Purpose

(1) The purpose of the Emerging community zone code is to:

(a) identify land that is suitable for urban purposes and protect land that may be suitable for urban development in the future

(b) manage the timely conversion of non-urban land to urban purposes.

(c) prevent or discourage development that is likely to compromise appropriate longer term land use.

(2) Mareeba Shire Council's purpose of the Emerging community zone code is to provide for the sequenced release of land to meet community need and market demand for new urban development in designated urban growth areas.

Urban development may occur in the zone in accordance with an approved structure plan but the primary purpose of the zone and the code is to reserve land for future urban development, the majority of which is likely to occur beyond the life of the planning scheme. Urban growth areas are identified within the towns of Kuranda and Mareeba. These areas are subject to Local plan codes which include further provisions.

(3) The purpose of the code will be achieved through the following overall outcomes:

(a) Land that has the potential for development for urban purposes although may contain pockets of land unsuitable for development due to scenic or environmental constraints is preserved until detailed planning studies have occurred;

(b) Interim development does not compromise the future development potential of the land for urban purposes;

(c) Development of land is based upon the provision of infrastructure, consideration of environmental constraints and desired settlement pattern for the area;

(d) Development is supported by necessary transport infrastructure which is designed to provide and promote safe and efficient public transport use, walking and cycling;

(e) Development is supported by an internal road network and does not compromise the safety or efficiency of State-controlled or Local government collector roads;

(f) Land is developed in an orderly sequence and, for all but minor proposals, in accordance with a structure planning process;

(g) Land is developed in a sustainable manner to reflect the desired land use pattern of the local government area by integrating development sites, community infrastructure, open space and important natural features;

(h) Non-residential development may be supported where such uses directly support the day to day needs of the immediate residential community or the precinct is identified for non-residential uses and is planned for as part of a structure plan;

(i) Significant historical, architectural, topographic, landscape, scenic, social, recreational and cultural features, as well as natural habitat areas, wildlife corridors, wetlands and waterway corridors are protected and enhanced as part of the development of the zone; and

(j) Roads and other transport corridors are coordinated and interconnected to ensure pedestrian, cyclists, public transport and private vehicles have accessibility between neighbourhoods, centres and other locations.

6.2.4.3 Criteria for assessment

Table 6.2.4.3—Emerging community zone code - For accepted development subject to requirements and assessable development

HEIGHT

PO1

Building height takes into consideration and respects the following:

(a) the height of existing buildings on adjoining premises;

(b) the development potential, with respect to height, on adjoining premises;

(c) the height of buildings in the vicinity of the site;

(d) access to sunlight and daylight for the site and adjoining sites;

(e) privacy and overlooking; and

(f) site area and street frontage length.

AO1.1

Development, except where involving industrial activities, has a maximum building height of:

(a) 8.5 metres; and

(b) 2 storeys above ground level.

The proposed development will be single storey only, maximum height approximately 4 metres above ground level.

AO1.2

Industrial development has a maximum building height of 10 metres.

Not applicable to the proposed development

OUTBUILDINGS AND RESIDENTIAL SCALE

PO2

Domestic outbuildings:

- (a) do not dominate the lot on which they are located; and*
- (b) are in scale with the character and amenity of the area.*

AO2.1

On lots less than 2 hectares, domestic outbuildings do not exceed:

- (a) 150m² in gross floor area; and*
- (b) 5.5 metres above natural ground level.*

The proposed development on a 4000+m² block will have a primary residential house of less than 250m², a secondary building 'granny flat' of approximately 70m² and a shed of approximately 100m².

AO2.2

On lots greater than 2 hectares, domestic outbuildings do not exceed 200m² in gross floor area.

Not applicable

6.2.8 Recreation and open space zone code

6.2.8.1 Application

(1) This code applies to assessing development where:

- (a) located in the Recreation and open space zone; and
- (b) it is identified in the assessment benchmarks for assessable development and requirements

for accepted development column of an assessment table in Part 5 of the planning scheme.

6.2.8.2 Purpose

(1) The purpose of the Recreation and open space zone code is to provide for a range of sporting, recreation, leisure, cultural and educational activities.

It may provide for local, district and regional scale parks that serve the recreation needs of residents and visitors and may include areas for conservation of natural values.

Areas such as parks, playing fields and playgrounds are generally accessible to the public. However, access may be limited in certain areas and at certain times.

Where required to meet community needs, development may include structures such as shelters, amenity facilities, picnic tables, clubhouses, gymnasiums, swimming pools, tennis courts and other infrastructure to support recreational or sporting activities.

(2) Mareeba Shire Council's purpose of the Recreation and open space zone code is to ensure that:

- (a) suitable areas of open space are available for the wide range of recreational activities pursued and enjoyed by the residents of the shire;
- (b) appropriate open space linkages are provided and maintained; and
- (c) the natural, environmental, scenic and recreational values of open space are protected and enhanced where possible.

(3) The purpose of the code will be achieved through the following overall outcomes:

- (a) Areas are provided for active sport and recreation to meet community needs,

- including playing fields, equestrian facilities, outdoor cultural facilities, educational activities, public swimming pools and outdoor courts;
- (b) Impacts on adjacent areas from development and activities within the zone are managed through buffering to adjacent sensitive land uses and appropriate design, siting and operation of facilities and infrastructure;
 - (c) Opportunities for sporting clubs using playing fields to establish club facilities are facilitated;
 - (d) Open space is accessible to the general public for a range of outdoor sport and recreation activities;
 - (e) A range of functional and accessible open spaces, including local and regional parks and linkages, are available for the use and enjoyment of residents and visitors;
 - (f) Development is supported by necessary transport infrastructure that is designed to provide and promote safe and efficient public transport use, walking and cycling;
 - (g) Ancillary structures and buildings such as shelters, amenity facilities, picnic tables and playgrounds are provided where necessary;
- (h) Where sport and recreation areas include natural habitats such as bushland, wetlands or waterways, or act as a buffer between natural and developed areas, adverse impacts on ecological values are avoided or minimised;
 - (i) Sport and recreation areas are planned and designed to enhance community livability and scenic amenity; and
 - (j) The use of sport and recreation areas does not affect the amenity of adjacent areas.

6.2.8.3 Criteria for assessment

Table 6.2.8.3—Recreation and open space zone code - For accepted development subject to requirements and assessable development

HEIGHT

PO1

Building height takes into consideration and respects the following:

- (a) the height of existing buildings on adjoining premises;*
- (b) the development potential, with respect to height, on adjoining premises;*
- (c) the height of buildings in the vicinity of the site;*
- (d) access to sunlight and daylight for the site and adjoining sites;*
- (e) privacy and overlooking; and*
- (f) site area and street frontage length.*

AO1

Development has a maximum building height of:

- (a) 8.5 metres; and*
- (b) 2 storeys above ground level.*

The proposed development will be single storey only, maximum height approximately 4 metres above ground level.

SITING

PO2

Development is sited in a manner that considers and respects:

- (a) the siting and use of adjoining premises;*
- (b) access to sunlight and daylight for the site and adjoining sites;*
- (c) privacy and overlooking;*
- (d) opportunities for casual surveillance of adjoining public spaces;*
- (e) air circulation and access to natural breezes;*
- (f) appearance of building bulk; and*
- (g) relationship with road corridors.*

AO2.1

Buildings and structures include a minimum setback of:

- (a) 10 metres from a State-controlled road frontage;*
- (b) 6 metres from any other road frontage; and*
- (c) 3 metres from side and rear boundaries.*

All buildings are set back from the boundary by over three metres, the road frontage (Debel Close) by six metres and well over 10 metres from the nearest state-controlled road (highway).

AO2.2

Car parking and set down areas are set back:

- (a) 3 metres from the road frontage; and*
- (b) 2 metres from side and rear boundaries.*

All car-parking is within property boundaries so more than three metres from road frontage and more than two metres from the boundaries.

SITE COVER

PO3

Buildings and structures occupy the site in a manner that:

- (a) makes efficient use of land for recreation purposes;*
- (b) appropriately balances built and natural features.*

AO3

No acceptable outcome is provided.

The total building space occupies 400-450m² of land, approximately 10% of the total land area. Existing large trees will be maintained where possible.

AMENITY

PO6

Development must not detract from the amenity of the local area, having regard to:

- (a) noise;*
- (b) hours of operation;*
- (c) traffic;*
- (d) advertising devices;*
- (e) visual amenity;*
- (f) privacy;*
- (g) lighting;*
- (h) odour; and*
- (i) emissions.*

A06

No acceptable outcome is provided.

The proposed development is a single residential building only so will have minimal impact on the local area.

P07

Development must take into account and seek to ameliorate any existing negative environmental impacts, having regard to:

- (a) noise;*
- (b) hours of operation;*
- (c) traffic;*
- (d) advertising devices;*
- (e) visual amenity;*
- (f) privacy;*
- (g) lighting;*
- (h) odour; and*
- (i) emissions.*

A07

No acceptable outcome is provided.

The proposed development is a single residential building only on a large block on the corner of the street so will likely reduce noise etc from the adjacent highway for existing properties. The building itself will have minimal environmental impacts on the area.

DA Form 1 – Development application details

Approved form (version 1.3 effective 28 September 2020) made under section 282 of the Planning Act 2016.

This form **must** be used to make a development application **involving code assessment or impact assessment**, except when applying for development involving only building work.

For a development application involving **building work only**, use *DA Form 2 – Building work details*.

For a development application involving **building work associated with any other type of assessable development (i.e. material change of use, operational work or reconfiguring a lot)**, use this form (*DA Form 1*) and parts 4 to 6 of *DA Form 2 – Building work details*.

Unless stated otherwise, all parts of this form **must** be completed in full and all required supporting information **must** accompany the development application.

One or more additional pages may be attached as a schedule to this development application if there is insufficient space on the form to include all the necessary information.

This form and any other form relevant to the development application must be used to make a development application relating to strategic port land and Brisbane core port land under the *Transport Infrastructure Act 1994*, and airport land under the *Airport Assets (Restructuring and Disposal) Act 2008*. For the purpose of assessing a development application relating to strategic port land and Brisbane core port land, any reference to a planning scheme is taken to mean a land use plan for the strategic port land, Brisbane port land use plan for Brisbane core port land, or a land use plan for airport land.

Note: All terms used in this form have the meaning given under the Planning Act 2016, the Planning Regulation 2017, or the Development Assessment Rules (DA Rules).

PART 1 – APPLICANT DETAILS

1) Applicant details	
Applicant name(s) (individual or company full name)	LINDA ABENTHUM + JARRAD ABENTHUM
Contact name (only applicable for companies)	-
Postal address (P.O. Box or street address)	112 SPEEWAH ROAD
Suburb	SPEEWAH
State	QLD
Postcode	4881
Country	AUSTRALIA
Contact number	0427779371
Email address (non-mandatory)	linda.abenthum@gmail.com
Mobile number (non-mandatory)	-
Fax number (non-mandatory)	-
Applicant's reference number(s) (if applicable)	-

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
	-	2	DEBEL CLOSE	MAREEBA
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)
	4880	9	RP901433	MAREEBA
b)	Unit No.	Street No.	Street Name and Type	Suburb
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)

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

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

Coordinates of premises by longitude and latitude

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

Coordinates of premises by easting and northing

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

3.3) Additional premises

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

Not required

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

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

Name of water body, watercourse or aquifer:

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:

Listed on the Environmental Management Register (EMR) under the *Environmental Protection Act 1994*

EMR site identification:

Listed on the Contaminated Land Register (CLR) under the *Environmental Protection Act 1994*

CLR site identification:

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):

4 bedroom, 2 bathroom house + 3-bay shed + granny flat.

e) Relevant plans

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

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

6.2) Provide details about the second development aspect

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

Material change of use Reconfiguring a lot Operational work Building work

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

Development permit Preliminary approval Preliminary approval that includes a variation approval

c) What is the level of assessment?

Code assessment Impact assessment (requires public notification)

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

e) Relevant plans

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

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

6.3) Additional aspects of development

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

Not required

Section 2 – Further development details

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

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 ²) (if applicable)
Residential building	Dwelling - house	One	250m ²

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

Division 2 – Reconfiguring a lot

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

9.1) What is the total number of existing lots making up the premises?	
9.2) What is the nature of the lot reconfiguration? (tick all applicable boxes)	
<input 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				
10.2) Will the subdivision be staged?				
<input type="checkbox"/> Yes – provide additional details below				
<input type="checkbox"/> No				
How many stages will the works include?				
What stage(s) will this development application apply to?				

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

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

12) Boundary realignment

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

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

12.2) What is the reason for the boundary realignment?

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?

- Road work
- Drainage work
- Landscaping
- Other – please specify:
- Stormwater
- Earthworks
- Signage
- Water infrastructure
- Sewage infrastructure
- Clearing vegetation

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

- Yes – specify number of new lots:
- 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?

- Yes – a copy of the decision notice is attached to this development application
- The local government is taken to have agreed to the superseded planning scheme request – relevant documents attached
- 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*)

Heritage places – Local heritage places

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

Infrastructure-related referrals – Electricity infrastructure

Matters requiring referral to:

- The **Chief Executive of the holder of the licence**, if not an individual
- The **holder of the licence**, if the holder of the licence is an individual

Infrastructure-related referrals – Oil and gas infrastructure

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

Ports – Brisbane core port land

Matters requiring referral to the **Minister responsible for administering the Transport Infrastructure Act 1994:**

Ports – Brisbane core port land (*where inconsistent with the Brisbane port LUP for transport reasons*)

Ports – Strategic port land

Matters requiring referral to the **relevant port operator**, if applicant is not port operator:

Ports – Land within Port of Brisbane's port limits (*below high-water mark*)

Matters requiring referral to the **Chief Executive of the relevant port authority:**

Ports – Land within limits of another port (*below high-water mark*)

Matters requiring referral to the **Gold Coast Waterways Authority:**

Tidal works or work in a coastal management district (*in Gold Coast waters*)

Matters requiring referral to the **Queensland Fire and Emergency Service:**

Tidal works or work in a coastal management district (*involving a marina (more than six vessel berths)*)

18) Has any referral agency provided a referral response for this development application?

Yes – referral response(s) received and listed below are attached to this development application

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 (*if applicable*).

PART 6 – INFORMATION REQUEST

19) Information request under Part 3 of the DA Rules

I agree to receive an information request if determined necessary for this development application

I do not agree to accept an information request for this development application

Note: By not agreeing to accept an information request I, the applicant, acknowledge:

- 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
- Part 3 of the DA Rules will still apply if the application is an application listed under section 11.3 of the DA Rules.

Further advice about information requests is contained in the DA Forms Guide.

PART 7 – FURTHER DETAILS

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

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

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

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

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

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

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

- Yes – show cause or enforcement notice is attached
 No

23) Further legislative requirements

Environmentally relevant activities

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

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

Note: Application for an environmental authority can be found by searching "ESR/2015/1791" as a search term at www.eia.gov.au. An ERA requires an environmental authority to operate. See www.business.qld.gov.au for further information.

Proposed ERA number:		Proposed ERA threshold:	
Proposed ERA name:			

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

Hazardous chemical facilities

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

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

Note: See www.business.qld.gov.au for further information about hazardous chemical notifications.

Clearing native vegetation

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

- Yes – this development application includes written confirmation from the chief executive of the *Vegetation Management Act 1999* (s22A determination)

No

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

Environmental offsets

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

- Yes – I acknowledge that an environmental offset must be provided for any prescribed activity assessed as having a significant residual impact on a prescribed environmental matter

No

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

Koala habitat in SEQ Region

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

- Yes – the development application involves premises in the koala habitat area in the koala priority area
 Yes – the development application involves premises in the koala habitat area outside the koala priority area

No

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

Water resources

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

- Yes – the relevant template is completed and attached to this development application and I acknowledge that a relevant authorisation or licence under the *Water Act 2000* may be required prior to commencing development

No

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

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

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

Waterway barrier works

23.7) Does this application involve waterway barrier works?

- Yes – the relevant template is completed and attached to this development application

No

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

Marine activities

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

- Yes – an associated resource allocation authority is attached to this development application, if required under the *Fisheries Act 1994*

No

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

Quarry materials from a watercourse or lake

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

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

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

Quarry materials from land under tidal waters

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

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

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

Referable dams

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

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

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

Tidal work or development within a coastal management district

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

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

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

Queensland and local heritage places

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

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

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

Name of the heritage place:	Place ID:
-----------------------------	-----------

Brothels

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

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

Decision under section 62 of the Transport Infrastructure Act 1994

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

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

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

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

Yes – Schedule 12A is applicable to the development application and the assessment benchmarks contained in schedule 12A have been considered

No

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

PART 8 – CHECKLIST AND APPLICANT DECLARATION

24) Development application checklist

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

Yes

Note: See the Planning Regulation 2017 for referral requirements

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

Yes

Not applicable

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

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

Yes

Relevant plans of the development are attached to this development application

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

Yes

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

Yes

Not applicable

25) Applicant declaration

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

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

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

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

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

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

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

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

Date received: Reference number(s):

Notification of engagement of alternative assessment manager	
Prescribed assessment manager	<input type="text"/>
Name of chosen assessment manager	<input type="text"/>
Date chosen assessment manager engaged	<input type="text"/>
Contact number of chosen assessment manager	<input type="text"/>
Relevant licence number(s) of chosen assessment manager	<input type="text"/>

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

LAND TITLE ACT 1994

SURVEY PLAN

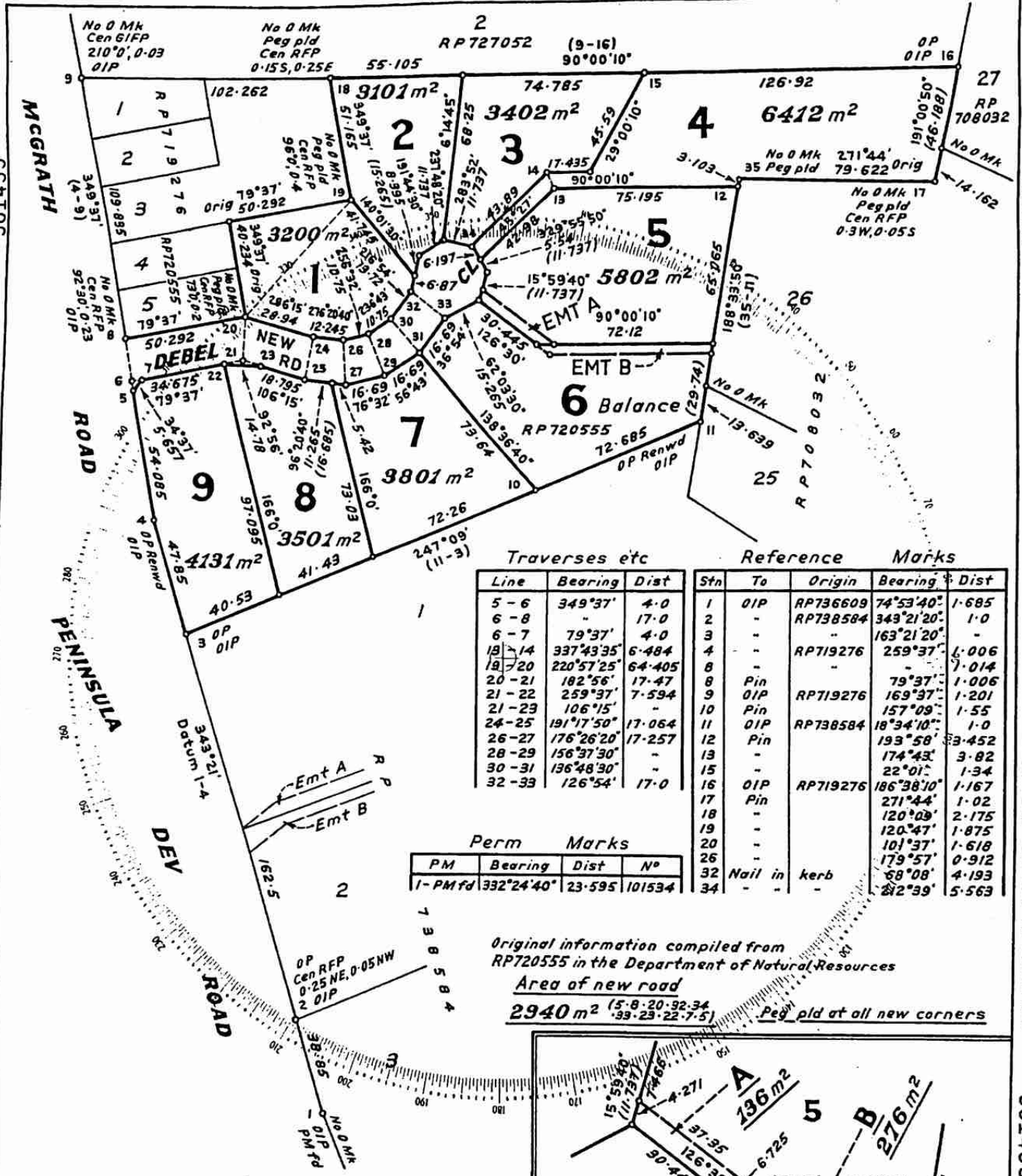
FORM 21 VERSION 1

901433

901433 WARNING - PLAN MAY BE ROLLED - A FOLDED OR MUTILATED PLAN WILL NOT BE ACCEPTED

PLAN MUST BE DRAWN WITHIN BLACK LINES

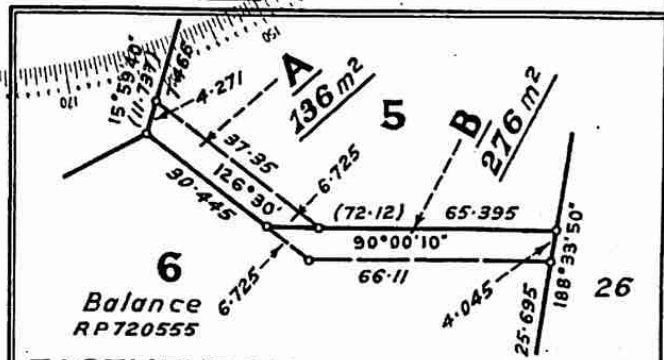
901433



Traverses etc			Reference Marks				
Line	Bearing	Dist	Stn	To	Origin	Bearing	Dist
5-6	349°37'	4.0	1	OIP	RP736609	74°53'40"	1.685
6-8	-	17.0	2	-	RP738584	343°21'20"	1.0
6-7	79°37'	4.0	3	-	-	163°21'20"	-
13-14	337°43'35"	6.484	4	-	RP719276	259°37'	1.006
19-20	220°57'25"	64.405	8	-	-	-	1.014
20-21	182°56'	17.47	8	Pin	-	79°37'	1.006
21-22	259°37'	7.594	9	OIP	RP719276	169°37'	1.201
21-23	106°15'	-	10	Pin	-	157°09'	1.55
24-25	191°17'50"	17.064	11	OIP	RP738584	18°34'10"	1.0
26-27	176°26'20"	17.257	12	Pin	-	193°58'	3.452
28-29	156°37'30"	-	13	-	-	174°43'	3.82
30-31	136°48'30"	-	15	-	-	22°01'	1.34
32-33	126°54'	17.0	16	OIP	RP719276	186°38'10"	1.167
			17	Pin	-	271°44'	1.02
			18	-	-	120°09'	2.175
			19	-	-	120°47'	1.875
			20	-	-	101°37'	1.618
			26	-	-	179°57'	0.912
			32	Nail in kerb	-	68°08'	4.193
			34	-	-	212°39'	5.563

Perm Marks			
PM	Bearing	Dist	N°
1-PMfd	332°24'40"	23.595	101534

Original information compiled from RP720555 in the Department of Natural Resources
 Area of new road
 2940 m² (5.8-20-92.34, 33-23-22-7.5)
 Peg/pld at all new corners



EASEMENT DIAGRAM Not to scale

I, Lloyd Stanley Twine hereby certify that I have surveyed the land comprised in this plan personally as by Roger Lloyd Twine, Surveying Associate, for whose work I accept responsibility and that the plan is accurate, that the said survey was performed in accordance with the Surveyors Act 1977 and the Surveyors Regulation 1992 and that the said survey was completed on 27.2.1996
L. S. Twine Licensed Surveyor
 Date 29.2.96

PLAN OF Lots 1-5 & 7-9 & proposed emts A in Lot 5 & B in balance of Lot 6 on RP720555
 Cancelling part of Lot 6 on RP720555

PARISH TINAROO
 COUNTY Nares
 TOWN/LOCALITY Mareeba
 LOCAL GOVERNMENT Mareeba SC
 LANDS REGION Far North
 MINING DISTRICT

ORIGINAL <u>POR 48V</u>	NO SURVEY RECORDS DEPOSITED
MERIDIAN <u>RP720555</u>	MAP REF <u>PM</u>
SCALE <u>1:1500</u>	ENDORSED <u>20/05/96</u>
	ARCHIVED <u>Northern</u>

REGISTERED PLAN 901433



701316733

\$461 00
20/05/1996 13:58

CS 400 NT PLAN OF SURV ORIG

Lodged by *MacDonnell Solicitors*
Level 6 National Mutual Tower
15 Lake St
CAIRNS

(Include address, phone number and reference)

Particulars entered in the Register on the Titles listed below.

REGISTERED
23 MAY 1996
EXAM INITS.....

1/We *LESLIE DEBEL and ALLAN WAINMAN DEBEL*

(Names in full)

* As Registered Owner of this land * As Lessee/s of Miners Homestead agree to this Plan, # and dedicate the Public Use Land as shown hereon in accordance with Section 50 of the Land Titles Act 1994.

Leslie Debel Allan Wainman Debel
Signature of * Owner/s * Lessee/s

Title Reference	Description	Lots	Emts
21059022	Lot 6 on RP 720555	1-9, 5	A & B
	NEW TITLES	7-9	
	Lot 1 - 50125679		
	2	80	
	3	1	
	4	2	
	5	3	
	7	4	
	8	5	
	9	6	

- * Rule out whichever is inapplicable
- # NOTE: A Lessee of a Miners Homestead is unable to dedicate Public Use Land.

* MAREEBA SHIRE COUNCIL S/D 991 certifies that all the requirements of this Council, the Local Government Act 1993, the Local Government (Planning and Environment) Act 1990 and all Local Laws, # and the City of Brisbane Act 1924 and all Ordinances thereunder, have been complied with and approves this plan of Subdivision, SUBJECT TO Easements A & B being granted to Mareeba Shire Council for drainage purposes and to Lot 9 being transferred to Mareeba Shire Council in trust for Local Government (Highway Buffer) Purposes.

Dated this twelfth day of April 19 96

C.J. Lewis

C.C. McDowall

[Signature]
Mareeba Shire Council
Corporate Seal
Mayor
Appointed Officer
Chief Executive Officer

For Additional Plan & Easement Details Refer to CISP

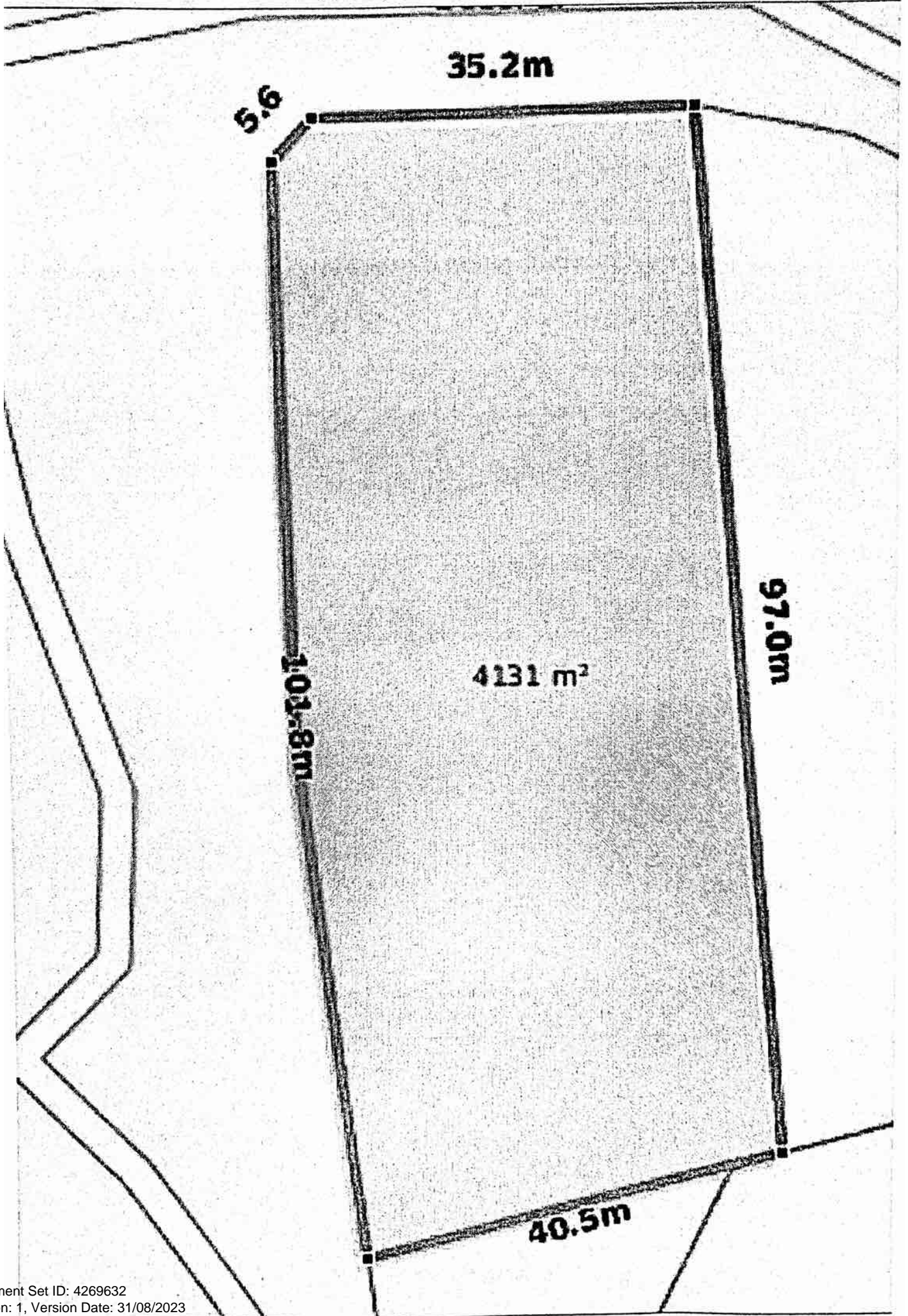
NP 28/5/96 et.

- * Insert the name of the Local Government
- # Delete for Local Governments other than the City of Brisbane

SURVEY EXAMINATION	ORIGINAL GRANT	CHARTING	LODGEMENT FEES	REFERENCES
Exam. Fee \$ 250.00		Charted	Survey Exam \$	Lands File
Receipt No. 870700			Lodg, Exam & Ass \$	Local Government Reference
Date 11.3.96			New Titles \$	Surveyors Reference
Deposited 11.3.96			Photocopy \$	
Examined J.R.G. 26.3.96			Postage \$	
Passed 18.4.96 26.3.96			TOTAL \$	
				REGISTERED PLAN 901433

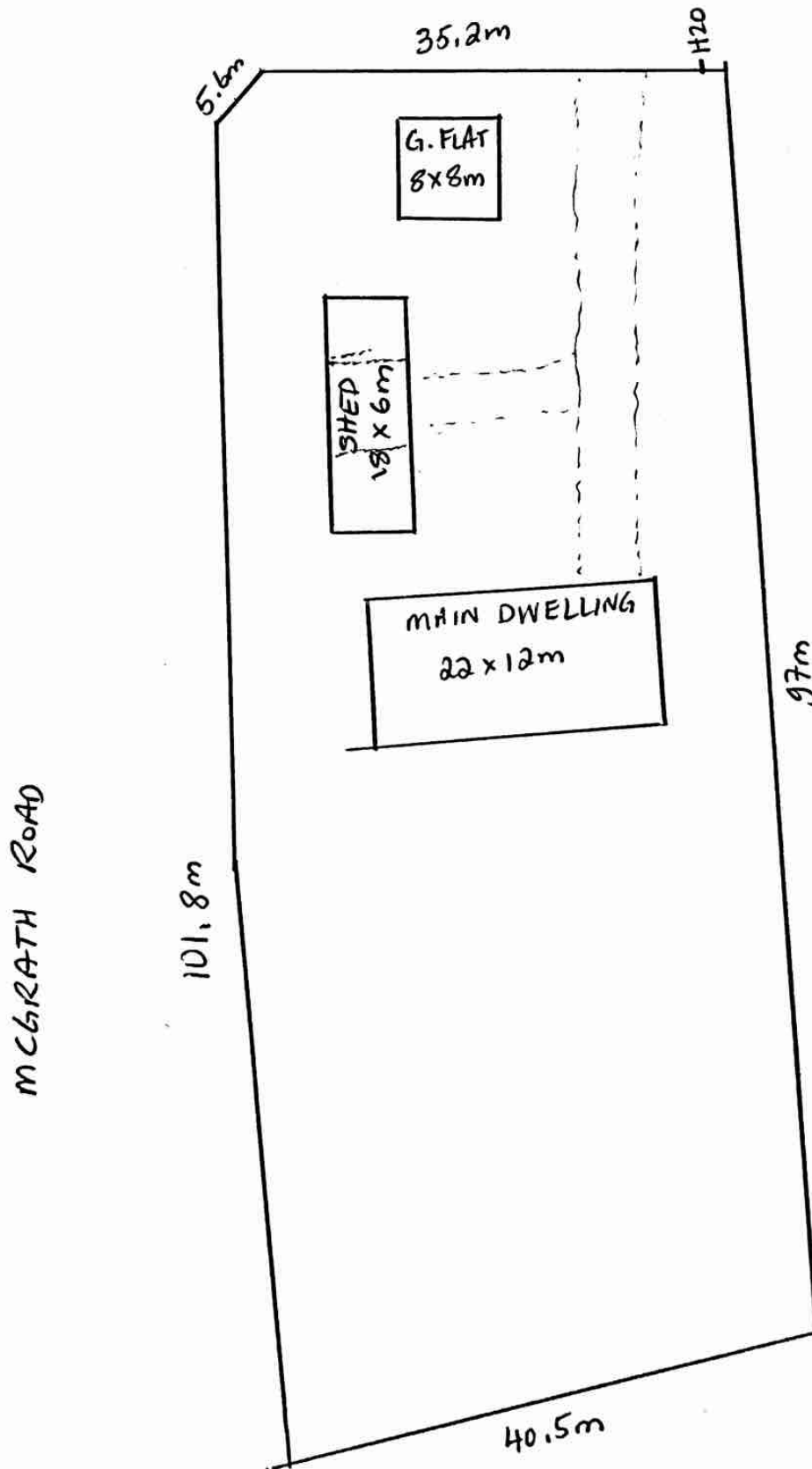
901433

901433



BUILDING FOOTPRINT PLAN / SKETCH

DEBEL CLOSE



MCGRATH ROAD

101.8m

35.2m

H2O

G. FLAT
8x8m

SHED
18 x 6m

MAIN DWELLING
22 x 12m

97m

40.5m