

**Our Ref: M7-23**

6 October 2023

Chief Executive Officer  
Mareeba Shire Council  
65 Rankin Street  
Mareeba, QLD, 4880

**Attention: Planning Department**

Dear Sir/Madam,

**DEVELOPMENT APPLICATION SEEKING A DEVELOPMENT PERMIT  
MATERIAL CHANGE OF USE – MULTIPLE DWELLING (6X2 BEDROOM UNITS)  
LOCATED AT 38 DOYLE STREET, MAREEBA  
FORMALLY DESCRIBED AS LOT 38 ON RP896886**

We act on behalf of our client, T. Tran in preparing and submitting the following development application which seeks a Development Permit for a Material Change of Use over the subject allotment under the *Planning Act 2016* located at 38 Doyle Street, Mareeba to facilitate a Multiple Dwelling development.

The subject site covers an area of 1,018m<sup>2</sup>, with a frontage of approximately 32m along Doyle Street. The subject site is suitably located within walking distance to services and facilities within the CBD, the schools and parkland in the immediate area. This development provides a suitable development solution for the site which is zoned within the Medium Density Residential Zone.

By way of this development application, the applicant is seeking specific approval to undertake the development as detailed within the attached planning report and approval of the plans. The report will include a complete assessment of the proposed development against the relevant assessment benchmarks within the Mareeba Shire Planning Scheme 2016.

In terms of application fees, the current fees and charges schedule stipulates that the application fee for the proposed development is **\$1,735.00**. Please contact our office on 0411 344 110 to process the payment over the phone.

Should there be any questions or queries in relation to the development application presented, we would appreciate if you could contact our office immediately. We also ask if possible that a copy of all correspondence be forwarded to our office via email.

Yours faithfully,



Ramon Samanes  
**Director, U&i Town Plan**  
Bachelor of Applied Science, Majoring in Environmental and Urban Planning

## **PLANNING REPORT**

### **DEVELOPMENT APPLICATION FOR A MATERIAL CHANGE OF USE – MULTIPLE DWELLING (6X2 BEDROOM UNITS)**

#### **PROJECT LOCATION:**

**SITUATED AT 38 DOYLE STREET, MAREEBA  
FORMALLY DESCRIBED AS LOT 38 ON RP896886**

**Prepared by Ramon Samanes**  
DIRECTOR, U&I TOWN PLAN



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## APPENDICIES

*Appendix 1: DA Form 1 – Development Application Details*

*Appendix 2: Owner's Consent*

*Appendix 3: Development Plans*

<b>ASSESSMENT MANAGER:</b>	MAREEBA SHIRE COUNCIL, PLANNING DEPARTMENT
<b>DEVELOPMENT TYPE:</b>	DEVELOPMENT PERMIT – MATERIAL CHANGE OF USE (CODE ASSESSABLE)
<b>PROPOSED WORKS:</b>	MULTIPLE DWELLING (6x2 BEDROOM UNITS)
<b>REAL PROPERTY DESCRIPTION:</b>	LOT 38 ON RP896886
<b>LOCATION:</b>	38 DOYLE STREET, MAREEBA
<b>ZONE:</b>	MEDIUM DENSITY RESIDENTIAL ZONE
<b>APPLICANT:</b>	T. TRAN C/- U&I TOWN PLAN
<b>OWNERS:</b>	T. & A. TRAN
<b>ASSESSMENT CRITERIA:</b>	MATERIAL CHANGE OF USE (CODE ASSESSABLE)
<b>REFERRAL AGENCIES:</b>	NO REFERRALS APPLY TO THIS DEVELOPMENT
<b>STATE PLANNING:</b>	THE PROPOSAL DOES NOT TRIGGER ASSESSMENT AGAINST THE STATE DEVELOPMENT ASSESSMENT PROVISIONS.

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## **IMPORTANT NOTE**

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*This Report has been prepared for T. Tran for the sole purpose of making a Development Application seeking a Development Permit for a Material Change of Use on land at 38 Doyle Street, Mareeba (over Lot 38 on RP896886) for the purpose of obtaining approval for Multiple Dwellings (6x2 bedroom units). This report is strictly limited to the purpose, and facts and circumstances stated within. It is not to be utilised for any other purpose, use, matter or application.*

*U&I Town Plan has made certain assumptions in the preparation of this report, including:*

- a) That all information and documents provided to us by the Client or as a result of a specific search or enquiry were complete, accurate and up to date;*
- b) That information obtained as a result of a search of a government register or database is complete and accurate.*

*U&I Town Plan is not aware of any particular fact or circumstance, which would render these assumptions incorrect, as at the date of preparation of the Report.*

*While every effort has been made to ensure accuracy, U&I Town Plan does not accept any responsibility in relation to any financial or business decisions made by parties' other than those for whom the original report was prepared for and/or provided to. If a party other than the Client uses or relies upon facts, circumstances and/or content of this Report without consent of U&I Town Plan, U&I Town Plan disclaims all risk and the other party assumes such risk and releases and indemnifies and agrees to keep indemnified U&I Town Plan from any loss, damage, claim or liability arising directly or indirectly from the use of or reliance on this report.*

## 1.0 EXECUTIVE SUMMARY

This development application is seeking a development permit for a Material Change of Use under the *Planning Act 2016* at 38 Doyle Street, Mareeba to facilitate the approval of 6x2 Bedroom Multiple Dwelling development. By way of this development application, the applicant is seeking specific approval to undertake the development as detailed in this planning report and approval of the plans.

The conclusion of this report is that all the requirements set by the assessment criteria can be met and that the strategic level policy outcomes sought by the planning scheme and any applicable State planning instruments can be achieved. It is the opinion of the applicant that once all the policy requirements have been considered by assessing authorities and equitably balanced with the site constraints and benefits of the proposal; the assessment process established under the Planning Act will result in the approval of this development application and the issuing of a development permit subject to conditions. This opinion is based on the level of strategic and analytical justification provided in support of the proposal and the decision-making requirements imposed on regulatory authorities under the Planning Act.

## 2.0 SITE DESCRIPTION

The subject site covers an area of 1,018m<sup>2</sup>, with a frontage of approximately 32m along Doyle Street. The subject site is suitably located within walking distance to services and facilities within the CBD, the pool, school and parkland in the immediate area. This development provides a suitable development solution for the site which is zoned within the Medium Density Residential Zone.



**Figure 1: Aerial View of the Subject Land** (© Mareeba Shire Council interactive mapping)



A site summary is provided below:

**Table 2.0: Site summary**

<b>Street address:</b>	38 Doyle Street, Mareeba
<b>Real property description:</b>	Lot 38 on RP896886
<b>Local government area</b>	Mareeba Shire Council
<b>Tenure:</b>	Freehold title
<b>Site area:</b>	1,018m <sup>2</sup>
<b>Zone:</b>	Medium Density Residential Zone
<b>Current use:</b>	Vacant Allotment
<b>Road frontage:</b>	Doyle Street
<b>Adjacent uses:</b>	Surrounding Residential properties
<b>Topography / Vegetation:</b>	The site falls towards Doyle Street. All trees (3 existing) to be removed as part of this development.
<b>Easements:</b>	n/a



**Figure 2: Site Locality** (© The State of Queensland, all rights reserved, 2019.)

### 3.0 DEVELOPMENT PROPOSAL

This development application is seeking a development permit for a Material Change of Use under the *Planning Act 2016* at 94 Walsh Street, Mareeba to facilitate the approval of 4x2 Bedroom Multiple Dwelling development. By way of this development application, the applicant is seeking specific approval to undertake the development as detailed in this planning report and approval of the plans.



Figure 3: Extract from Site Plan (Prepared by T. Tran)

See Appendix 3: Development Plans for further detail.

### 3.1 Development Definition

The proposal is described as a “Material Change of Use” under the Planning Act and planning scheme, more specifically described as creating an easement for access to a lot from a constructed road. The proposal is defined under the Planning Act as follows:

**material change of use**, of premises, means any of the following that a regulation made under [section 284\(2\)\(a\)](#) does not prescribe to be minor change of use—

- (a) the start of a new use of the premises;
- (b) the re-establishment on the premises of a use that has been abandoned;
- (c) a material increase in the intensity or scale of the use of the premises.

### 3.2 Multiple Dwelling

The proposed use that you are seeking to establish for the site is either defined under the Mareeba Shire Planning Scheme 2016 as the following:

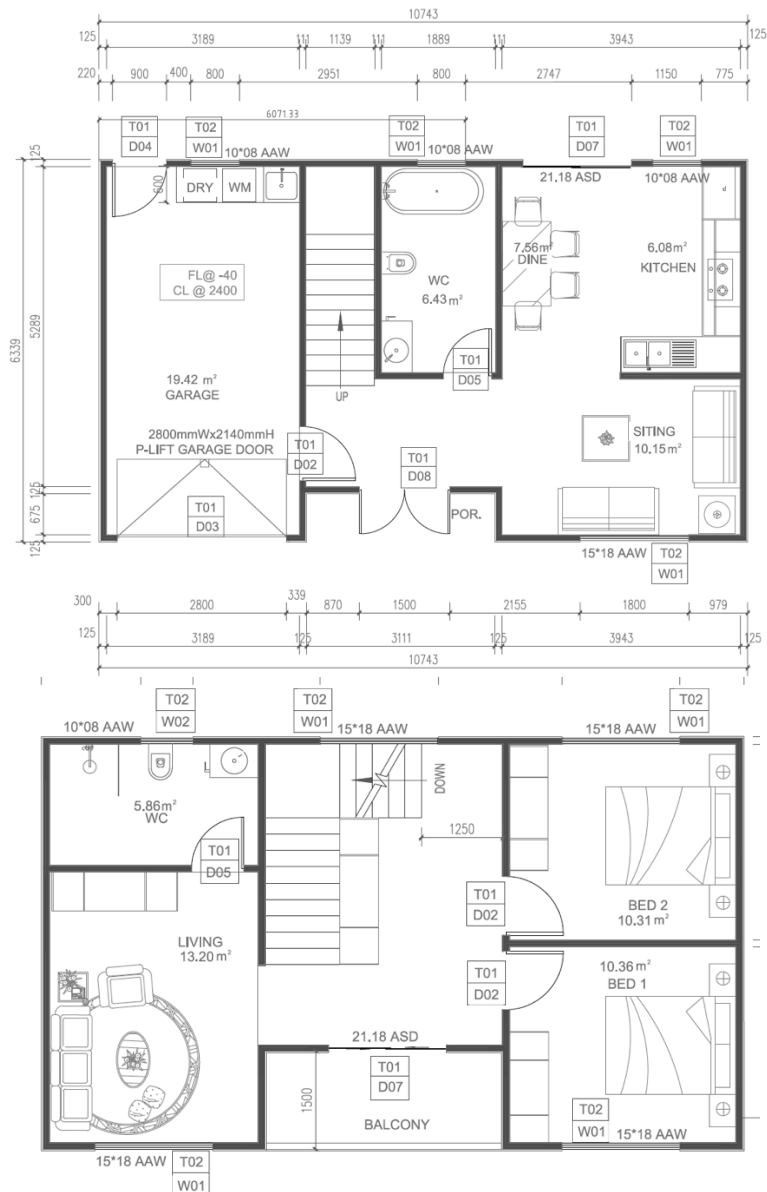
Column 1 Use	Column 2 Definition	Column 3 Examples include	Column 4 Does not include the following examples
Multiple dwelling	Premises containing three or more dwellings for separate households.	Apartments, flats, units, townhouses, row housing, triplex	Rooming accommodation, dual occupancy, duplex, granny flat, residential care facility, retirement facility

The proposed development is seeking approval for a Multiple Dwelling which comprises of six (6) x two (2) bedroom units on the site. The units have been orientated to make use of the north facing aspect as well as to capture the prevailing breezes from the south-east. The floor plan for the units are all identical, just mirrored between each pair of units. The insert below illustrates the layout of each of the proposed units. The layout and orientation of the units to be developed on the site a fully code compliant.



Figure 4: Extract from Floor Plans – 2 x Front Units (Prepared by T. Tran)





**Figure 5: Extract from Floor Plans – 4 x Rear Units (Prepared by T. Tran)**

## 4.0 DEVELOPMENT APPLICATION DETAILS

This code assessable development application seeks a development permit for a Material Change of Use under the *Planning Act 2016* to facilitate the development of 6x2 bedroom multiple dwelling units. By way of this development application, the applicant is seeking specific approval of the following development permit to authorise the subdivision of the allotments as detailed in this planning report.

## 5.0 PLANNING JUSTIFICATION

This development application is made in accordance with the requirements of the *Planning Act 2016* and is for a Material Change of Use at 38 Doyle Street, Mareeba to facilitate the development of 6x2 bedroom multiple dwelling units. The proposal is considered to satisfy the requirements set by the applicable assessment benchmarks from the planning scheme, specifically the Medium Density Residential Zone Code and Accommodation Activities Code.

### 5.1 Mareeba Shire Planning Scheme 2016

Given that the application is code assessable, the application is required to be assessed against only the relevant codes within the planning scheme where applicable to the development. In particular, the following sections of the planning scheme are considered relevant to this development:

- Medium Density Residential Zone Code
- Accommodation Activities Code
- Landscape Code
- Parking and Access Code
- Works, Services and Infrastructure Code
- Airport Environs Overlay Code

Accordingly, an assessment of the proposed development against the above listed codes has been completed. Where the requirements of an Acceptable Outcome were impractical or inappropriate to address, the Performance Outcome was addressed and satisfied. By satisfying the requirements of the Performance Outcomes, the overall “Purpose” of the code was inherently satisfied, as was the Strategic Framework for the planning scheme. In terms of the assessment documented in this report, should any part of the development not comply with any sections of the codes, the relevant sections will be adequately referenced and addressed in further detail to ensure compliance has been achieved.



### 5.1.1 Medium Density Residential Zone Code

#### 6.2.7.2 Purpose

- (1) The purpose of the medium density residential zone code is to provide for medium density multiple dwellings supported by community uses and small-scale services and facilities that cater for local residents.
- (2) Mareeba Shire Council's purpose of the Medium density residential zone code is to facilitate medium residential densities and a diversity of housing which caters for a range of households in locations which are proximate to town centres, community facilities and open space.

Small lot housing is facilitated and medium density development may include Dual occupancy and Multiple dwelling development in the form of town houses, apartments and units.

- (3) The purpose of the code will be achieved through the following overall outcomes:
  - (a) Development provides a range of residential dwelling choices including Multiple dwellings in locations clustered around or near activity centres and transport networks;
  - (b) Development encourages and facilitates urban consolidation and the efficient use of physical and social infrastructure;
  - (c) Development is supported by employment nodes, community facilities and services, transport and commercial hubs where appropriate; Development provides and maintains a high level of amenity in the zone and is reflective of the desired character of the area;
  - (d) The scale and density of development facilitates an efficient land use pattern that supports safe and walkable neighbourhoods that are well connected to employment nodes, centres, open space and recreational areas, community services and educational opportunities;
  - (e) Other small-scale development that integrates personal employment and residential activities is encouraged, provided it complements local residential amenity;
  - (f) Development maintains a high level of residential amenity avoiding uses that introduce impacts associated with noise, hours of operation, traffic, advertising devices, visual amenity, privacy, lighting, odour and emissions;
  - (g) Non-residential development may be supported where such uses directly support the day to day needs of the immediate residential community; and
  - (h) Development responds to land constraints and mitigates any adverse impacts on adjacent land uses and the environment.

The proposed Multiple dwelling development presented achieves the purpose outcomes outlined above in the Medium Density Residential Zone, in that it provides an appropriate multiple dwelling housing outcome which is suitably located within close proximity to the CBD, community facilities (schools, parkland, Davies Park, public pool) and open space areas. As such, we consider that the development is completely code compliant with the medium density residential zone code.

## ASSESSMENT BENCHMARKS

Performance Outcomes	Acceptable Outcomes	Proposal Justification
<b>For accepted development subject to requirements and assessable development</b>		
<b>Height</b>		
PO1	AO1	Complies as the building is only two (2) storeys above ground level and only 6.3m in height.  <b>Satisfied.</b>
<b>Outbuildings and residential scale</b>		
PO2	AO2	No particular outbuildings are proposed as part of this development.  <b>Satisfied.</b>
<b>Siting</b>		
PO3	AO3.1 & AO3.2	The buildings and structures associated with this development are proposed and comply with the six (6) metre setbacks under this outcome. Side and rear setbacks have also been complied with at the specified two (2) metre setback.  <b>Satisfied.</b>
<b>Accommodation Density</b>		
PO4	AO4	Well below the prescribed maximum unit and bedroom density for Multiple dwellings with 6.78 units, and 13.57 bedrooms allowed on the site under the provisions.  <b>Satisfied.</b>
<b>Gross Floor Area</b>		
PO5	AO5	The building and structure proposed as part of this development make efficient use of the land and a suitable and considered matter that is fully code compliant with the design planning provisions.  <b>Satisfied.</b>
<b>For assessable development</b>		
<b>Building Design</b>		
PO6 & PO7	AO6 & AO7	The development is appropriately designed to provide visual interest and architectural variation, whilst maintaining the character of the surround. Overall the development positively contributes to the area and is well designed to provide a suitable outcome for the site.  <b>Satisfied.</b>
<b>Non-residential development</b>		
PO8	AO8	Not applicable as the use is a residential development.  <b>Satisfied.</b>

Amenity		
PO9 & PO10	N/A	<p><i>The development is appropriately designed to provide visual interest and architectural variation, whilst maintaining the character of the surround. Overall the development positively contributes to the area and is well designed to provide a suitable outcome for the site.</i></p> <p><b>Satisfied.</b></p>

## 5.1.2 Accommodation Activities Code

### 9.3.1.2 Purpose

- (1) The purpose of the Accommodation activities code is to facilitate the provision of Accommodation activities in appropriate locations throughout the shire.
- (2) The purpose of the code will be achieved through the following overall outcomes:
  - (n) Accommodation activities are designed, located and operated to minimise any adverse impacts on the natural environment and amenity of surrounding uses;
  - (o) Accommodation activities in the Centre zone are facilitated where they can integrate and enhance the fabric of the centre and are located behind or above commercial development;
  - (p) Accommodation activities provide a high level of amenity and are reflective of the surrounding character of the area;
  - (q) Accommodation activities are generally established in accessible, well-connected locations with access or future access to public transport, cycling and pedestrian networks;
  - (r) Accommodation activities do not compromise the viability of the hierarchy and network of centres, namely:
    - (i) Mareeba as a major regional activity centre, which accommodates the most significant concentrations of regional-scale business, retail, entertainment, government administration, secondary and tertiary educational facilities and health and social services within the shire;
    - (ii) Kuranda as a village activity centre, which accommodates services, arts and cultural facilities, sports and recreation facilities, business and employment uses to support the village and its constituent surrounding rural and rural residential communities;
    - (iii) Chillagoe and Dimbulah as Rural activity centres, which provide commercial and community services to their rural catchments; and
    - (iv) Bibbohra, Irvinebank, Julatten, Koah, Mutchilba, Mt Molloy, Myola and Speewah as rural villages, that have limited centre activities and other non-residential activities; and
  - (s) Accommodation activities are responsive to site characteristics and employ best practice industry standards.

## ASSESSMENT BENCHMARKS

Performance Outcomes	Acceptable Outcomes	Proposal Justification
<b>For accepted development subject to requirements and assessable development</b>		
<b>All Accommodation activities, apart from Dwelling House</b>		
PO1	AO1	Complies with 800m <sup>2</sup> minimum site area and 20m site frontage. The site is 1,018m <sup>2</sup> in area and has a frontage of 32m along Doyle Street.  <b>Satisfied.</b>
<b>All Accommodation activities, apart from Tourist Park and Dwelling House</b>		
PO2	AO2.1	The refuse area has been provided on-site to cater for the development, services with a hose connection.  <b>Satisfied.</b>
<b>All Accommodation activities, apart from Dwelling House</b>		
PO3	AO3	The units are effectively designed in accordance with the acceptable outcome to avoid overlooking and privacy issues for adjoining uses to the north of the site. This is achieved by way a 1.8m high Colourbond fence along the northern boundary and suitable setback to the relevant boundary.  <b>Satisfied.</b>
PO4	AO4.1, AO4.2, AO4.3 & AO4.4	The units are provided with sufficient private open space which is easily accessible to each unit. The each have their own private courtyard at the rear where the cloth drying areas are provided (not visible from the street). Communal open space area is not warranted for a small unit development, when there are public parks, public pools and public sporting fields within 400m of the site.  <b>Satisfied.</b>
<b>If for Caretaker's Accommodation</b>		
PO5	AO5.1 & AO5.2	Not applicable as the use does not involve caretaker's accommodation facility.  <b>Satisfied.</b>
<b>If for a Dwelling House</b>		
PO6	AO6	Not applicable as the use does not involve dwelling house.  <b>Satisfied.</b>
<b>If for a Dual Occupancy</b>		
PO7	N/A	Not applicable as the use does not involve dual occupancy.  <b>Satisfied.</b>

<b>If for Multiple Dwelling, Residential care facility or Retirement Facility</b>		
PO8	AO8	Complies within 450m of a land within the centre zone.  <b>Satisfied.</b>
PO9	AO9.1 – AO9.2	The front of the units which face onto Doyle Street and the internal driveway have suitable treatments applied which provide suitable visual interest through the use of colours to break it up, balconies to activate and promote social interaction, mix and use of materials. Overall the outcome when viewed in the perspective drawings provided illustrate enough mix and articulation to create visual interest.  <b>Satisfied.</b>
<b>If for Residential Care Facility or Retirement Facility</b>		
PO10	N/A	Not applicable as the use does not involve a residential care facility of retirement facility.  <b>Satisfied.</b>
<b>If for Home Based Business</b>		
PO11 & PO12	All listed outcomes.	Not applicable as the use does not involve a Home Based Business.  <b>Satisfied.</b>
<b>If for Rural Worker's Accommodation</b>		
PO13 & PO14	All listed outcomes.	Not applicable as the use does not involve rural workers' accommodation.  <b>Satisfied.</b>
<b>For Assessable development</b>		
<b>If for Caretaker's Accommodation</b>		
PO15	N/A	Not applicable as the use does not involve caretaker's accommodation facility.  <b>Satisfied.</b>
<b>If for Residential Care Facility or Retirement Facility</b>		
PO16	N/A	Not applicable as the use does not involve a residential care facility of retirement facility.  <b>Satisfied.</b>
<b>If for Tourist Park</b>		
PO17, PO18, PO19 & PO20	N/A	Not applicable as the use does not involve a tourist park.  <b>Satisfied.</b>

### 5.1.3 Landscaping Code

#### 9.4.2.2 Purpose

- (1) The purpose of the Landscaping code is to ensure all development is landscaped to a standard that:
  - (a) complements the scale and appearance of the development;
  - (b) protects and enhances the amenity and environmental values of the site;
  - (c) complements and enhances the streetscape and local landscape character; and
  - (d) ensures effective buffering of incompatible land uses to protect local amenity.
- (2) The purpose of the code will be achieved through the following overall outcomes:
  - (a) Landscaping is a functional part of development design and is commensurate with the intended use;
  - (b) Landscaping accommodates the retention of existing significant on site vegetation where appropriate and practical;
  - (c) Landscaping treatments complement the scale, appearance and function of the development;
  - (d) Landscaping contributes to an attractive streetscape;
  - (e) Landscaping enhances the amenity and character of the local area;
  - (f) Landscaping enhances natural environmental values of the site and the locality;
  - (g) Landscaping provides effective screening both on site, if required, and between incompatible land uses;
  - (h) Landscaping provides shade in appropriate circumstances;
  - (i) Landscape design enhances personal safety and reduces the potential for crime and vandalism; and
  - (j) Intensive land uses incorporate vegetated buffers to provide effective screening of buildings, structures and machinery associated with the use.

#### ASSESSMENT BENCHMARKS

Performance Outcomes	Acceptable Outcomes	Proposal Justification
<b>For accepted development subject to requirements and assessable development</b>		
PO1	AO1	At approximately 160m <sup>2</sup> , the total landscaped areas provided as part of this development sits around 15%. This achieves compliance with the code requirements.  <b>Satisfied.</b>
PO2	AO2.1	The proposed development complies in providing a suitable landscape strip and garden beds along the front of the site.  <b>Satisfied.</b>
PO3	AO3.1 & AO3.2	The development includes suitable landscaping and fencing treatments along the side and rear boundaries that provides suitable screens to adjoining properties, and preserves the amenity of the area.  <b>Satisfied.</b>
PO4	AO4.1 & AO4.2,	Landscaping is provided where there is any space available on-site.



		<b>Satisfied.</b>
PO5	AO5.1 & AO5.2	<i>The development complies and will be provided in accordance with the relevant landscaping policy.</i>
		<b>Satisfied.</b>
PO6	AO6.1, AO6.2 & AO6.3	<i>The landscaping will not impact on the ongoing provision of infrastructure and services to the shire.</i>
		<b>Satisfied.</b>
PO7	AO7	<i>The landscaped areas will be easily maintained moving forward and will thrive with generous access to sunlight and water for health plant grown. As such, these landscaped areas will look attractive and healthy into the future.</i>
		<b>Satisfied.</b>

#### 5.1.4 Parking and Access Code

##### 9.4.3.2 Purpose

- (1) The purpose of the Parking and access code is to ensure:
  - (a) parking areas are appropriately designed, constructed and maintained;
  - (b) the efficient functioning of the development and the local road network; and
  - (c) all development provides sufficient parking, loading/service and manoeuvring areas to meet the demand generated by the use.
- (2) The purpose of the code will be achieved through the following overall outcomes:
  - (a) Land uses have a sufficient number of parking and bicycle spaces designed in a manner to meet the requirements of the user;
  - (b) Parking spaces and associated manoeuvring areas are safe, functional and provide equitable access;
  - (c) Suitable access for all types of vehicles likely to utilise a parking area is provided in a way that does not compromise the safety and efficiency of the surrounding road network;
  - (d) Premises are adequately serviced to meet the reasonable requirements of the development; and
  - (e) End of trip facilities are provided by new major developments to facilitate alternative travel modes.

Definition	Minimum number of Car parking spaces	Minimum Service Vehicle Space Provision
<b>Multiple dwelling</b>	<p>One covered space per dwelling.</p> <p>One dedicated vehicle wash-down bay for premises containing 5 or more dwellings.</p> <p>A minimum of 0.25 spaces per dwelling is to remain in common property for visitor use.</p>	Nil.

The proposed unit development provides the required parking for each unit, with one (1) covered space per dwelling.

The six (6) uncovered parking spaces provided on-site as well as four (4) covered parking spaces. It is acknowledged that the two (2) front units have no covered or enclosed car park, however it is acknowledged that not all residents staying at the premises will have cars and this caters for that market also, allowing more parking for visitors on the premises. As such, we consider that the development achieves compliance with the performance outcome 1 of the code and the parking demands required for this multiple dwelling development.

Suitable pedestrian access and connections to the building entrances have been provided from the carports to each unit as well as from the internal driveway for visitors. In terms of access in and out of the site, a new crossover will be constructed from Doyle Street into the site, with a speed control device to be installed at the boundary as soon as you enter the site. From there the driveway is 6.9m wide in and out of the site. Overall the parking and access driveways as proposed are designed to comply with the relevant standards to accommodate all vehicles intended to use the site.

## 5.1.5 Works, Service and Infrastructure Code

### 9.4.5.2 Purpose

- (1) The purpose of the Works, services and infrastructure code is to ensure that all development is appropriately serviced by physical infrastructure, public utilities and services and that work associated with development is carried out in a manner that does not adversely impact on the surrounding area.
- (2) The purpose of the code will be achieved through the following overall outcomes:
  - (a) Development provides an adequate, safe and reliable supply of potable, fire-fighting and general use water in accordance with relevant standards;
  - (b) Development provides for the treatment and disposal of wastewater and ensures there are no adverse impacts on water quality, public health, local amenity or ecological processes;
  - (c) Development provides for the disposal of stormwater and ensures that there are no adverse impacts on water quality or ecological processes;
  - (d) Development connects to the road network and any adjoining public transport, pedestrian and cycle networks while ensuring no adverse impacts on the safe, convenient and efficient operation of these networks;
  - (e) Development provides electricity and telecommunications services that meet its desired requirements;
  - (f) Development is connected to a nearby electricity network with adequate capacity without significant environment, social or amenity impact;
  - (g) Development does not affect the efficient functioning of public utility mains, services or installations;
  - (h) Infrastructure dedicated to Council is cost effective over its life cycle;
  - (i) Work associated with development does not cause adverse impacts on the surrounding area; and
  - (j) Development prevents the spread of weeds, seeds or other pests.

In terms of the services provided as part of this development, we have proposed the following to be provided as part of this development:

#### Water and Sewerage:

The proposed development will be connected and serviced by council's reticulated water and sewerage available to the site. As such, it is anticipated that a condition of approval relating to this aspect of the development may be applied to require relevant connections to be provided. We understand a building over sewerage application has been submitted and approved by Council on the site.



**Stormwater:**

In terms of stormwater, the on-site drainage systems have been designed - as illustrated on the site plan - to ensure the stormwater is captured on-site and directed to Doyle Street (lawful point of discharge), which complies with the relevant code requirements. As such, it is anticipated that a condition of approval relating to this aspect of the development may be applied.

**Electricity:**

The premises will be connected to the electrical supply network available from Doyle Street. As such, it is anticipated that a condition of approval relating to this aspect of the development may be applied.

**Telecommunications:**

The premises will be connected to the national broadband network. As such, it is anticipated that a condition of approval relating to this aspect of the development may be applied.

It is considered that the proposed material change of use development achieves compliance with the outcomes sought to be achieved within Works, Services and Infrastructure Code.

## 5.1.6 Airport Environs Overlay Code

### 8.2.2.2 Purpose

- (1) The purpose of the Airport environs overlay code is to protect the current and ongoing operations of established airports, aerodromes and aviation infrastructure in Mareeba Shire.
- (2) The purpose of the code will be achieved through the following overall outcomes:
  - (a) The ongoing operation of Mareeba Airport and its associated infrastructure are protected from incompatible development;
  - (b) Aerodromes in Chillagoe and Dimbulah are maintained to support recreation, mining and rural uses;
  - (c) Operational airspace is protected;
  - (d) Threats to aviation safety such as bird and bat strike and distraction or blinding of pilots are avoided or minimised;
  - (e) State significant aviation facilities associated with the Mareeba Airport are protected from encroachment by sensitive land uses; and
  - (f) Development in the vicinity of airports, aerodromes and aviation infrastructure does not compromise public safety.

The site is within the 8kms buffer of the Mareeba Airport, on the Bird and Bat Strike Zones overlay mapping. The height of the existing buildings and structures on-site will not impact or interfere with the safe movement of aircraft. It is considered that the proposed development achieves the outcomes sought under Airports Environs Overlay Code and will in no way impact on the current and ongoing operations of the established airport infrastructure in Mareeba.

## 5.2 State Development Assessment Provisions

The State Development Assessment Provisions (SDAP) set out the matters of interest to the state for development assessment. The SDAP identifies the matters of interest – where relevant they have been addressed by heading in this section. Where the State is a referral agency for a development application under the provisions, the state code applies. In this particular instance, the proposed development does not trigger referral or assessment against any of the relevant state development assessment provisions.

### 5.3 Far North Regional Plan 2009-2031

The site is located within the 'Regional Landscape and Rural Production Area Regional Land Use Category of the Far North Queensland 2009-2031 (see also Attachment 3). The Minister has identified that the planning scheme, specifically the Strategic Framework, appropriately advances the FNQRP 2009- 2031. Hence, compliance with the FNQRP is demonstrated through the compliance with the Planning Scheme (refer to this report and attachments for demonstration of this compliance).

### 6.0 CONCLUSION

It is considered that the proposed development being a Material Change of Use over land described as Lot 38 on RP896886 is appropriately designed to comply with the planning scheme requirements. In particular, the proposed development:

- Achieves compliance with the Performance Outcomes, Purposes and the Intent of the Medium Density Residential Zone Code;
- Achieves compliance with the Performance Outcomes, Purposes and the Intent of the Accommodation Activities Code;
- Satisfies compliance with the relevant applicable mapped Overlay, with particular regard to the Airport Environs Overlay;
- Does not conflict with the Far North Queensland Regional Plan 2009 – 2031, in particular the Rural Production Area Regional Land Use Category.

The applicant strongly believes that an assessment of the common material forming part of this development application in accordance with the decision-making rules established under the Planning Act will result in the approval of the development application and the issuing of a development permit subject to conditions.

The proposal is consistent with the "Purpose" of the Medium Density Residential Zone and Accommodation Activities Code and the applicable State level policy. The proposal constitutes works and a use of the site in a manner that meets the strategic outcomes sought by the planning instruments and the expectations of the community. The conclusion of this report is that all the requirements set by the assessment benchmarks can be met and that the strategic level policy outcomes sought by the planning scheme for the site and locality can be achieved. The common material provided as part of this development application contains sufficient justification to establish compliance with the assessment benchmarks. It is the applicant's opinion that the development application contains sufficient justification to warrant approval subject to reasonable and relevant conditions.

We request that Council provide a copy of the Draft Conditions with sufficient time for review prior to issuing a Decision Notice for the development. If you have any queries please do not hesitate to contact our office on 0411 344 110.



**Ramon Samanes**

Director, U&I Town Plan

Bachelor of Applied Science, Majoring in Environmental and Urban Planning

## **APPENDIX 1: DA FORM 1 – DEVELOPMENT APPLICATION DETAILS**

# DA Form 1 – Development application details

Approved form (version 1.2 effective 7 February 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)	T. Tran c/- U&i Town Plan
Contact name (only applicable for companies)	Ramon Samanes
Postal address (P.O. Box or street address)	PO Box 426
Suburb	Cooktown
State	QLD
Postcode	4895
Country	Australia
Contact number	0411344110
Email address (non-mandatory)	Ramon@uitownplan.com.au
Mobile number (non-mandatory)	0411344110
Fax number (non-mandatory)	
Applicant's reference number(s) (if applicable)	M7-23

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

## PART 2 – LOCATION DETAILS

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

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

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

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

a)	Unit No.	Street No.	Street Name and Type	Suburb
		38	Doyle Street	Mareeba
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)
	4880	38	RP896886	Mareeba Shire Council

#### 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):*

Multiple Dwelling (6x2 bedroom units)

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    ☒ 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 <sup>2</sup> ) (if applicable)
Unit Development (6x2 bedroom units)	Multiple Dwelling	6 x 2 bedroom units	n/a

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 – how many parts are being created and what is the intended use of the parts?				
Intended use of parts created	Residential	Commercial	Industrial	Other, please specify:
Number of parts created				

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

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

### Division 3 – Operational work

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

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

## PART 4 – ASSESSMENT MANAGER DETAILS

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

## PART 5 – REFERRAL DETAILS

17) Does this development application include any aspects that have any referral requirements?
<b>Note:</b> A development application will require referral if prescribed by the Planning Regulation 2017.
<input checked="" type="checkbox"/> 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:
<input type="checkbox"/> 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:**

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

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

## PART 6 – INFORMATION REQUEST

<b>19) Information request under Part 3 of the DA Rules</b>
<input checked="" type="checkbox"/> I agree to receive an information request if determined necessary for this development application <input type="checkbox"/> I do not agree to accept an information request for this development application <b>Note:</b> <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

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

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

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

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

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

23) Further legislative requirements

#### Environmentally relevant activities

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

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

**Note:** Application for an environmental authority can be found by searching “ESR/2015/1791” as a search term at [www.qld.gov.au](http://www.qld.gov.au). An ERA requires an environmental authority to operate. See [www.business.qld.gov.au](http://www.business.qld.gov.au) for further information.

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

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

#### Hazardous chemical facilities

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

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

**Note:** See [www.business.qld.gov.au](http://www.business.qld.gov.au) for further information about hazardous chemical notifications.

#### Clearing native vegetation

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

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

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

#### Environmental offsets

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

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

☒ No

**Note:** The environmental offset section of the Queensland Government's website can be accessed at [www.qld.gov.au](http://www.qld.gov.au) for further information on environmental offsets.

### **Koala habitat in SEQ Region**

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

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

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

☒ No

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

### **Water resources**

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

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

☒ No

**Note:** Contact the Department of Natural Resources, Mines and Energy at [www.dnrme.qld.gov.au](http://www.dnrme.qld.gov.au) for further information.

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

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

### **Waterway barrier works**

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

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

☒ No

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

### **Marine activities**

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

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

☒ No

**Note:** See guidance materials at [www.daf.qld.gov.au](http://www.daf.qld.gov.au) for further information.

### **Quarry materials from a watercourse or lake**

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

☐ Yes – I acknowledge that a quarry material allocation notice must be obtained prior to commencing development

☒ No

**Note:** Contact the Department of Natural Resources, Mines and Energy at [www.dnrme.qld.gov.au](http://www.dnrme.qld.gov.au) and [www.business.qld.gov.au](http://www.business.qld.gov.au) for further information.

### **Quarry materials from land under tidal waters**

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

☐ Yes – I acknowledge that a quarry material allocation notice must be obtained prior to commencing development

☒ No

**Note:** Contact the Department of Environment and Science at [www.des.qld.gov.au](http://www.des.qld.gov.au) for further information.

### **Referable dams**

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

☐ Yes – the 'Notice Accepting a Failure Impact Assessment' from the chief executive administering the Water Supply Act is attached to this development application

☒ No

**Note:** See guidance materials at [www.dnrme.qld.gov.au](http://www.dnrme.qld.gov.au) for further information.

### **Tidal work or development within a coastal management district**

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

☐ Yes – the following is included with this development application:

☐ Evidence the proposal meets the code for assessable development that is prescribed tidal work (*only required if application involves prescribed tidal work*)

☐ A certificate of title

☒ No

**Note:** See guidance materials at [www.des.qld.gov.au](http://www.des.qld.gov.au) for further information.

### **Queensland and local heritage places**

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

☐ Yes – details of the heritage place are provided in the table below

☒ No

**Note:** See guidance materials at [www.des.qld.gov.au](http://www.des.qld.gov.au) for information requirements regarding development of Queensland heritage places.

Name of the heritage place:		Place ID:	
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### **Brothels**

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

☐ Yes – this development application demonstrates how the proposal meets the code for a development application for a brothel under Schedule 3 of the *Prostitution Regulation 2014*

☒ No

### **Decision under section 62 of the Transport Infrastructure Act 1994**

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

☐ Yes - this application will be taken to be an application for a decision under section 62 of the *Transport Infrastructure Act 1994* (subject to the conditions in section 75 of the *Transport Infrastructure Act 1994* being satisfied)

☒ No

## **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 <b>Note:</b> Relevant plans are required to be submitted for all aspects of this development application. For further information, see <a href="#">DA Forms Guide: Relevant plans</a> .	<input checked="" type="checkbox"/> Yes
The portable long service leave levy for QLeave has been paid, or will be paid before a development permit is issued (see 21)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> Not applicable

## 25) Applicant declaration

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

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

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

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

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

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

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

---

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			

## **APPENDIX 2: OWNER'S CONSENT**



## CLIENT ACCEPTANCE FORM / OWNER'S CONSENT

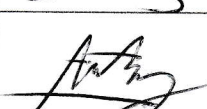
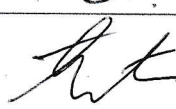
(TO BE COMPLETED AND RETURNED)

<b>PROJECT:</b>	Material Change of Use – Multiple Dwelling
<b>PROJECT ADDRESS:</b>	38 Doyle Street, Mareeba (Lot 38 on RP896886)

### Client Details

Client:	Tony Tran
Invoice Address:	3 Ryland Cl. Wakeley 2176 NSW
Phone:	0466 047 685
Email:	tony.tran53@gmail.com
Accounts Contact:	" "

### Landowner Details


Landowner Name/s:	Tony Tran & Anna Tran
Address:	3 Ryland Cl. Wakeley 2176 NSW
All Owners Signatures:	 


I / we, the party named below (the Client), confirm the commission of R&A Samanes Pty Ltd t/a U&I Town Plan (the Consultant), in relation to the project referenced above and accept all terms and conditions of the Quote and in particular confirm responsibility for payment of fees generated by this commission and payable to the Consultant strictly prior to lodgement of the Application and in other cases within 7 days of the date of invoice.

**Signed:**

**Name:**

**Date:**

  
Tony Tran  
14.09.23

  
Anna Tran  
14/09/2023

Please complete, sign and return to: [ramon@uitownplan.com.au](mailto:ramon@uitownplan.com.au). Along with a copy of the receipt of payment of selected fees.

## **APPENDIX 3: DEVELOPMENT PLANS**

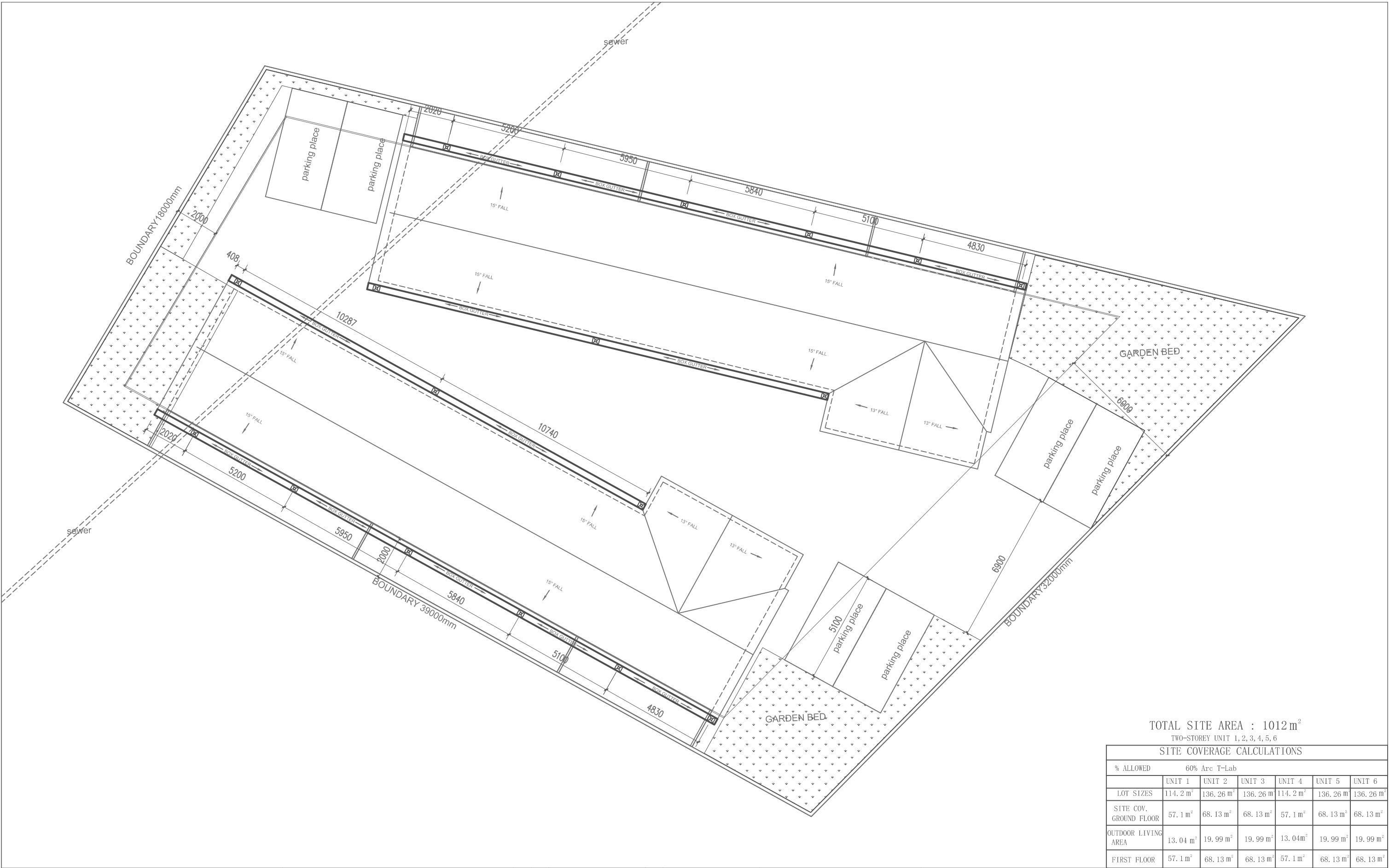


TOTAL SITE AREA : 1012m<sup>2</sup>  
TWO-STOREY UNIT 1, 2, 3, 4, 5, 6

SITE COVERAGE CALCULATIONS						
% ALLOWED	60% Arc T-Lab					
	UNIT 1	UNIT 2	UNIT 3	UNIT 4	UNIT 5	UNIT 6
LOT SIZES	114. 2 m <sup>2</sup>	136. 26 m <sup>2</sup>	136. 26 m <sup>2</sup>	114. 2 m <sup>2</sup>	136. 26 m <sup>2</sup>	136. 26 m <sup>2</sup>
SITE COV. GROUND FLOOR	57. 1 m <sup>2</sup>	68. 13 m <sup>2</sup>	68. 13 m <sup>2</sup>	57. 1 m <sup>2</sup>	68. 13 m <sup>2</sup>	68. 13 m <sup>2</sup>
OUTDOOR LIVING AREA	13. 04 m <sup>2</sup>	19. 99 m <sup>2</sup>	19. 99 m <sup>2</sup>	13. 04m <sup>2</sup>	19. 99 m <sup>2</sup>	19. 99 m <sup>2</sup>
FIRST FLOOR	57. 1 m <sup>2</sup>	68. 13 m <sup>2</sup>	68. 13 m <sup>2</sup>	57. 1 m <sup>2</sup>	68. 13 m <sup>2</sup>	68. 13 m <sup>2</sup>

Note:	REVISION	NO.	DATE(DD/MM/YY)	NO.	DATE(DD/MM/YY)	DESIGN	-	PROJECT:	SCALE:	1:150	A3	
						CHECK	-					
						APPROVAL	-					
						DATE (DD/MM/YY)			DRAWING TITLE :  Overall First Floor Plan	DRAWING NO: J-02	STATUS:	Rev:
						FILE NAME	-					

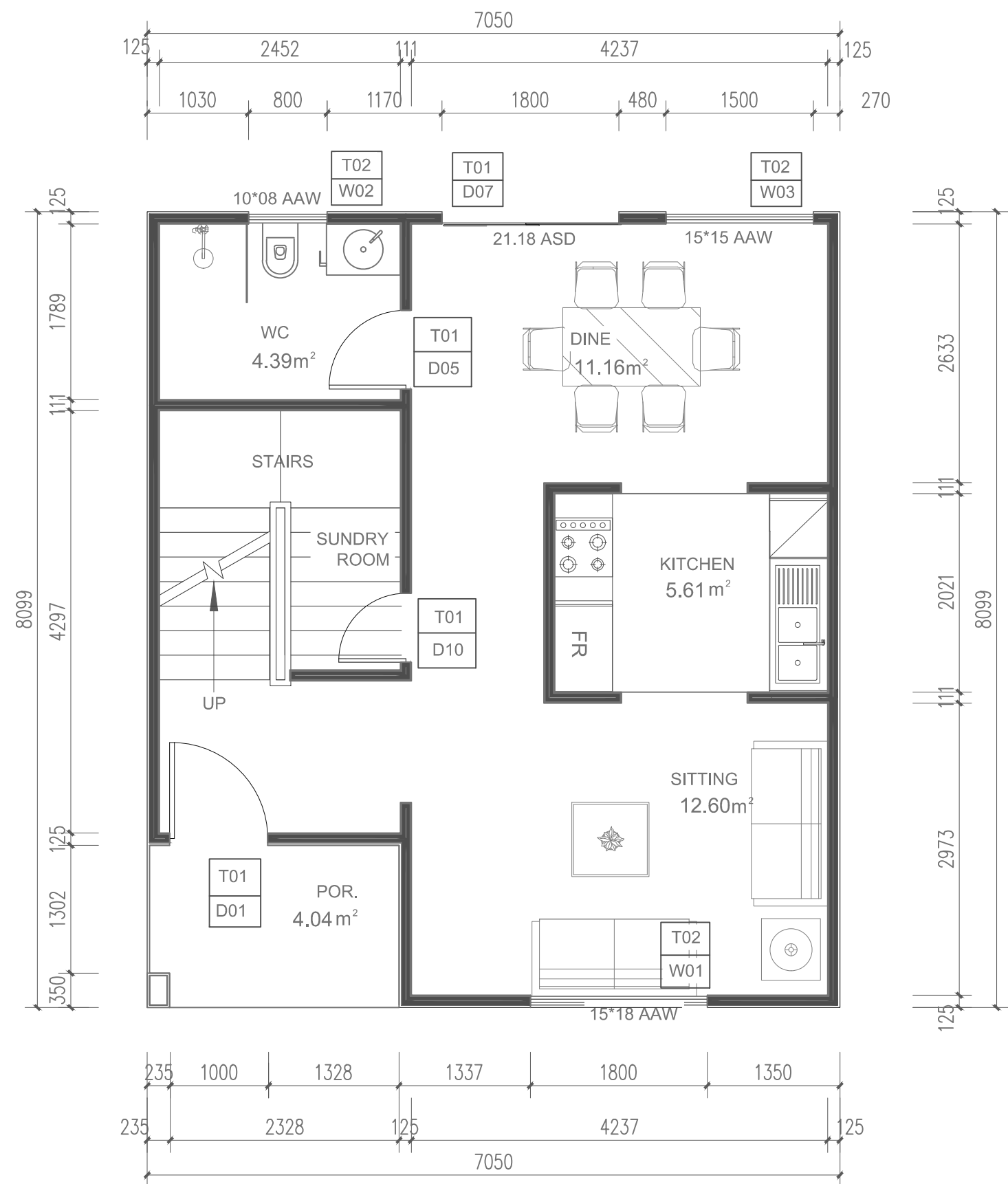




TOTAL SITE AREA : 1012m<sup>2</sup>  
TWO-STOREY UNIT 1, 2, 3, 4, 5, 6

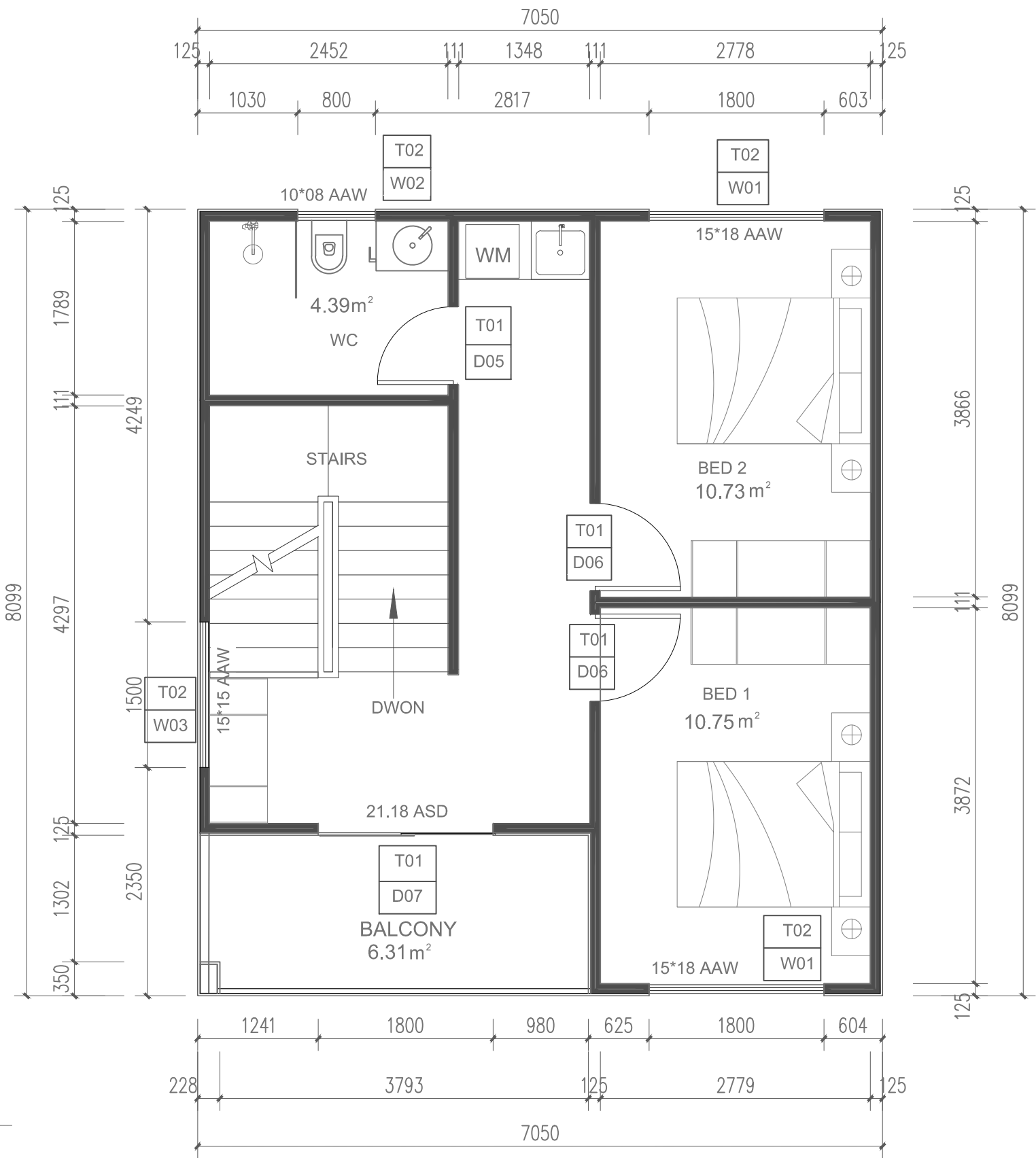
SITE COVERAGE CALCULATIONS						
% ALLOWED	60% Arc T-Lab					
	UNIT 1	UNIT 2	UNIT 3	UNIT 4	UNIT 5	UNIT 6
LOT SIZES	114. 2 m <sup>2</sup>	136. 26 m <sup>2</sup>	136. 26 m <sup>2</sup>	114. 2 m <sup>2</sup>	136. 26 m <sup>2</sup>	136. 26 m <sup>2</sup>
SITE COV. GROUND FLOOR	57. 1 m <sup>2</sup>	68. 13 m <sup>2</sup>	68. 13 m <sup>2</sup>	57. 1 m <sup>2</sup>	68. 13 m <sup>2</sup>	68. 13 m <sup>2</sup>
OUTDOOR LIVING AREA	13. 04 m <sup>2</sup>	19. 99 m <sup>2</sup>	19. 99 m <sup>2</sup>	13. 04m <sup>2</sup>	19. 99 m <sup>2</sup>	19. 99 m <sup>2</sup>
FIRST FLOOR	57. 1 m <sup>2</sup>	68. 13 m <sup>2</sup>	68. 13 m <sup>2</sup>	57. 1 m <sup>2</sup>	68. 13 m <sup>2</sup>	68. 13 m <sup>2</sup>

Note:	REVISION	NO.	DATE(DD/MM/YY)	NO.	DATE(DD/MM/YY)	DESIGN	-	PROJECT:	SCALE:	1:150	A3
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						APPROVAL	-				
						DATE (DD/MM/YY)					
						FILE NAME	-				
DRAWING TITLE : Overall Roof Plan								DRAWING NO: J-03		STATUS: Rev:	



Ground Floor Plan 1:50  
 Ground Floor Area: 57.1 m<sup>2</sup>  
 Total Area: 114.2 m<sup>2</sup>

Note:	REVISION	NO.	DATE(DD/MM/YY)	NO.	DATE(DD/MM/YY)	DESIGN	-	PROJECT:	SCALE:	1:50	A3
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						DATE (DD/MM/YY)			J04	a	
						FILE NAME	-				



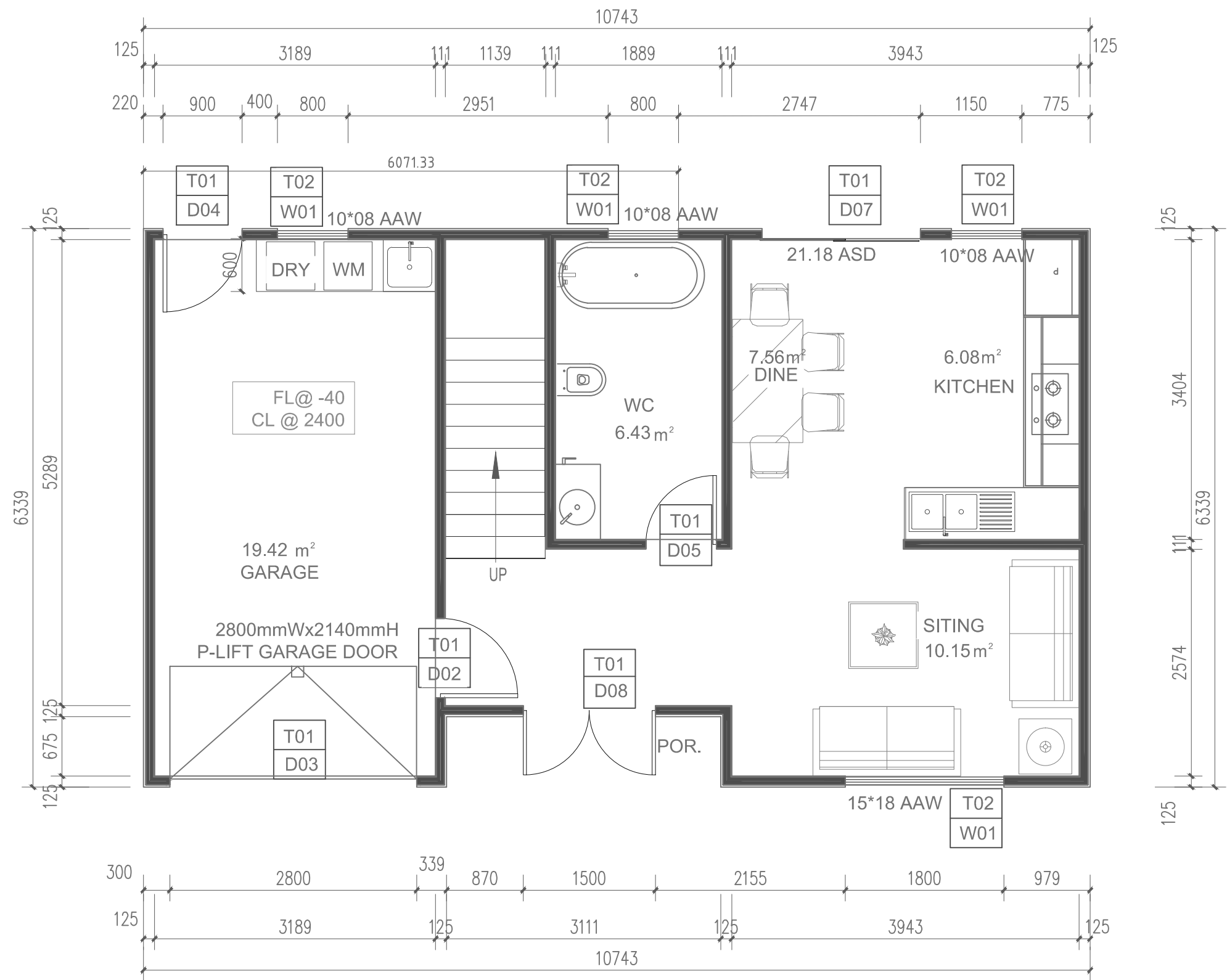
First Floor Plan 1:50

First Floor Area: 57.1m<sup>2</sup>

Total Area: 114.2m<sup>2</sup>

Note:	REVISION	NO.	DATE(DD/MM/YY)	NO.	DATE(DD/MM/YY)	DESIGN	-	PROJECT:	SCALE:		A3
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						APPROVAL	-		PROJECT NO:		
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						FILE NAME	-		J05		
							First Floor Plan				



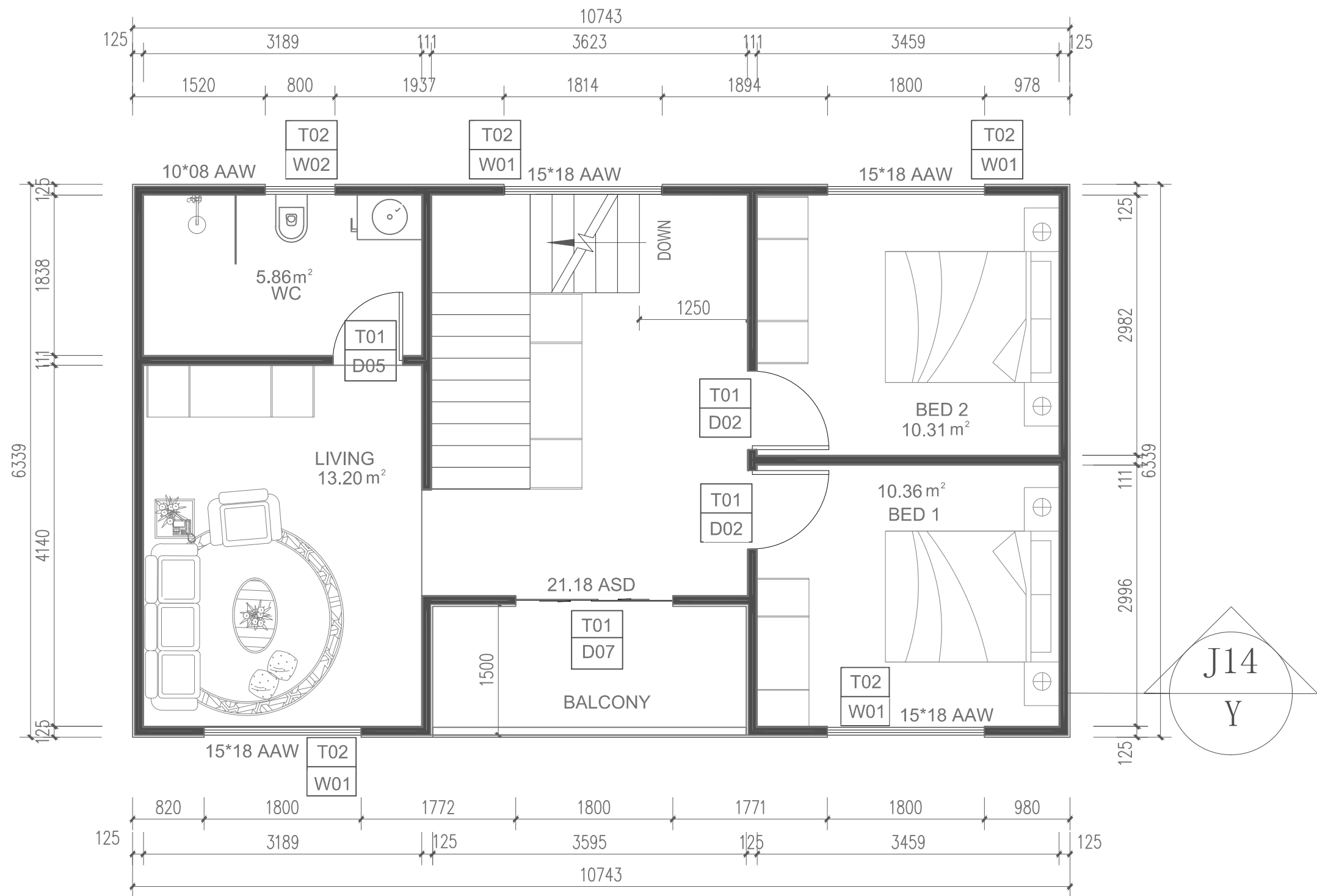


Ground Floor Plan

Ground Floor Area: 68.13m<sup>2</sup>

Total Area: 136.26m<sup>2</sup>

Note:	REVISION	NO.	DATE(DD/MM/YY)	NO.	DATE(DD/MM/YY)	DESIGN	-	PROJECT:	SCALE:		A3	
									1:50			
						CHECK	-	DRAWING TITLE :	PROJECT NO:		STATUS:	
						APPROVAL	-					
						DATE (DD/MM/YY)						
						FILE NAME	-					
						Ground Floor Plan		DRAWING NO:		Rev:		
								J06				



○

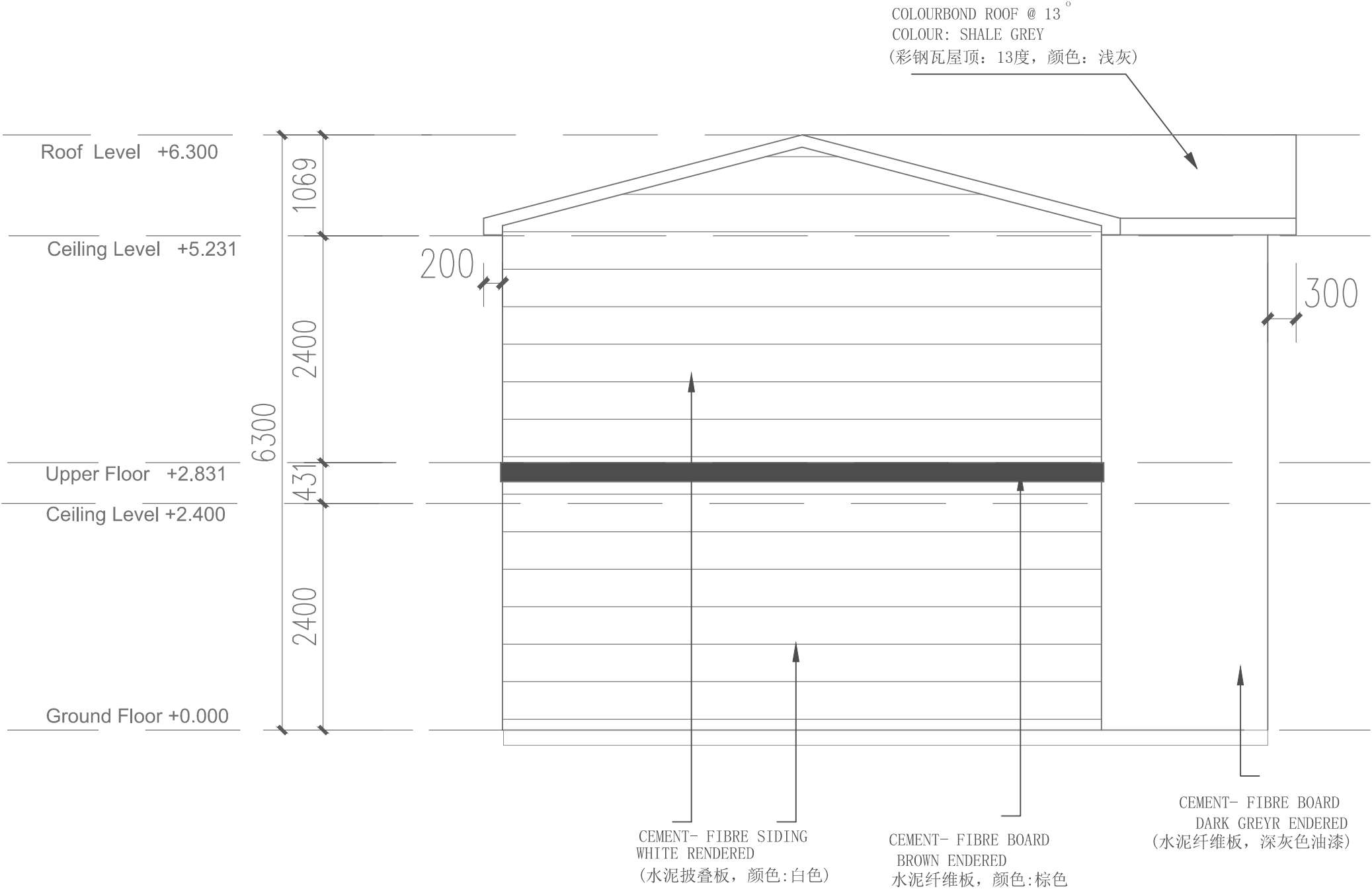
First Floor Plan

First Floor Area: 68.13m<sup>2</sup>

Total Area: 136.26m<sup>2</sup>

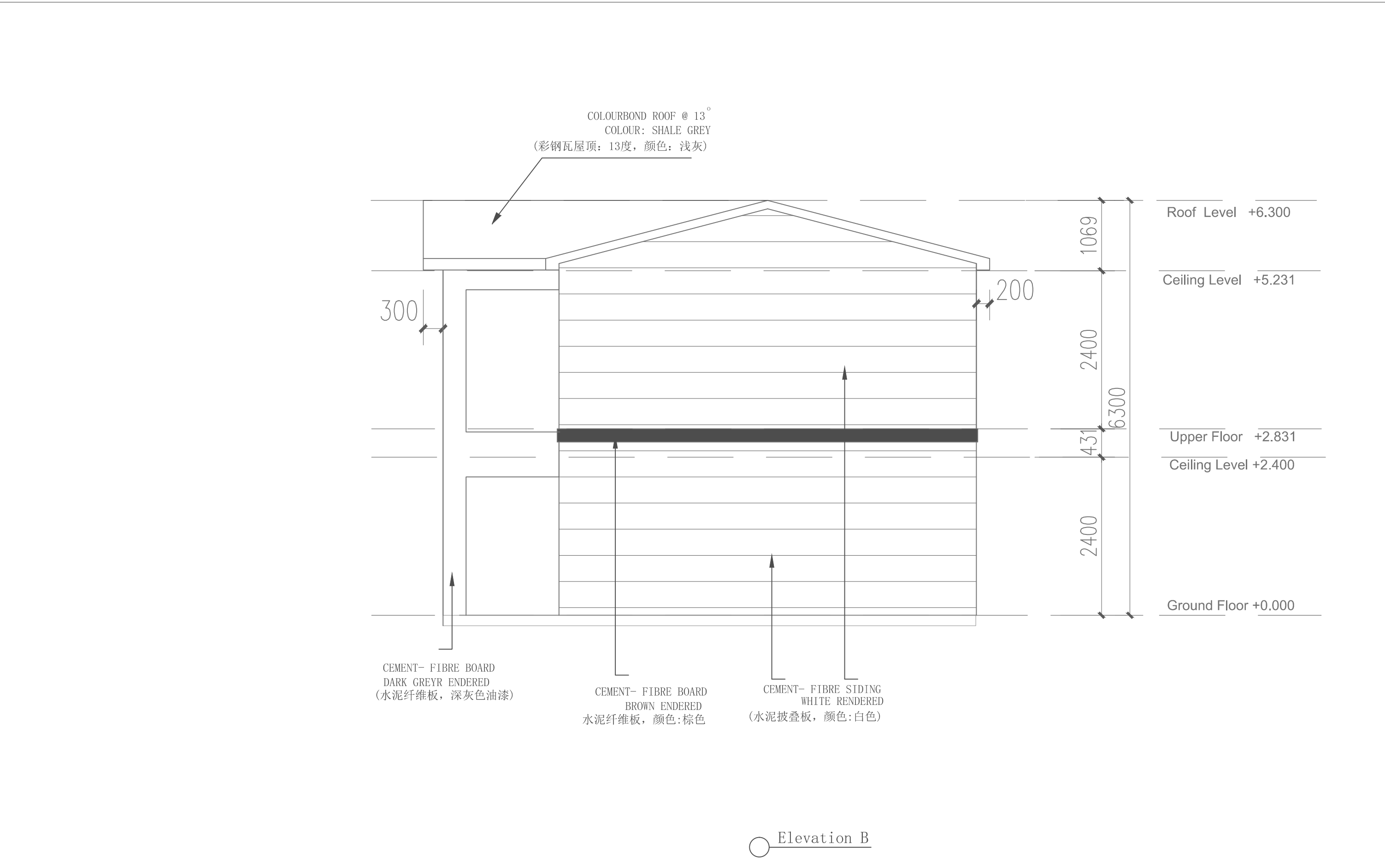
Note:	REVISION	NO.	DATE(DD/MM/YY)	NO.	DATE(DD/MM/YY)	DESIGN	-	PROJECT:	SCALE:		A3
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						DATE (DD/MM/YY)					
						FILE NAME	-				
						First Floor Plan		J07			





Elevation D

	Note:	REVISION	NO.	DATE(DD/MM/YY)	NO.	DATE(DD/MM/YY)	DESIGN	-	PROJECT:	SCALE:	1:50	A3	
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							DATE (DD/MM/YY)			J09			
							FILE NAME	-					



	Note:	REVISION	NO.	DATE(DD/MM/YY)	NO.	DATE(DD/MM/YY)	DESIGN	-	PROJECT:	SCALE:		A3	
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							APPROVAL	-	DRAWING TITLE :	PROJECT NO:		STATUS:	
							DATE (DD/MM/YY)			DRAWING NO:			
							FILE NAME	-		J10			
										Rev:			
									Elevation B				























