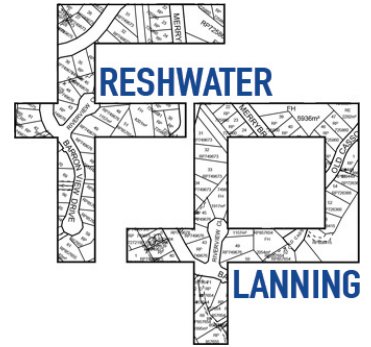


Your Ref:
Our Ref: F24/12



06 May, 2024

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

Attention: Carl Ewin
Regional Planning Group

Dear Sir,

**RE: QUARANTINED ASSESSMENT AGAINST RELEVANT CODES FOR ACCEPTED DEVELOPMENT
SUBJECT TO REQUIREMENTS – HOME-BASED BUSINESS (BED AND BREAKFAST).
LOT 1 ON RP725853, 264 BOYLES ROAD, KURANDA.**

This Quarantined Assessment against the non-compliant relevant aspects in relation to the relevant codes demonstrating meeting the requirements for Accepted Development (subject to Requirements) for Home Based Business (Bed and Breakfast) over land described as Lot 1 on RP725853, situated at 264 Boyles Road, Kuranda is submitted on behalf of the David John Ives, the owner of the site. This submission comprises of Proposal Plan, Images, SmartMap and this Town Planning Quarantined Assessment.

The Site

The subject land is described as Lot 1 on RP725853, Locality of Kuranda, Parrish of Barron, County of Nares and is situated at 264 Boyles Road, Kuranda. The subject site comprises of a single irregular shaped allotment, has an area of 7,269 m², contains frontage to Grove Boyles Road and Lotus Lane, and encompasses two Dwelling Houses and associated structures. The site also contains nursery infrastructure, nursery staff amenities and a pond.

The Proposed Development

The proposed development is for Home Based Business (Bed and Breakfast) in the Rural Zone of the Mareeba Shire Council's Planning Scheme. The site is located at 264 Boyles Road, Kuranda and is more particularly described as Lot 1 on RP725853. The site is irregular in shape, has an area of 7,269 m² and encompasses two Dwelling Houses and associated structures, nursery infrastructure, nursery staff amenities and a pond. The site is accessed from the existing Road Network, being Boyles Road and Lotus Lane.

Previous Advice provided by the Mareeba Shire Council, considered the Development to require a Quarantine Assessment Development Application within the Mareeba Shire Council's Planning Scheme.

The proposal is considered to conform to Council's 'low scale development' with the proposal containing non-compliance in relation to Accommodation Infrastructure and existing Density. Freshwater Planning Pty Ltd provides the following in relation to the non-compliance matters.

Existing Accommodation Density

The Rural Zone Code's Acceptable Outcome 3.1 notes that Residential density does not exceed one dwelling per lot. The site contains two existing Dwelling Houses with the proposal not creating an additional Dwelling. The existing Dwelling Houses over the site is not considered to affect the provision of a Home Based Business in the form of a Bed and Breakfast. The proposal will be operated in conjunction with the existing Dwellings over the property. It is not considered that the proposed Bed and Breakfast will detrimentally affect the nature and density of the surrounding Uses with the site and adjoining Rural Allotments containing native vegetation and acceptable existing buffering. The proposal is considered compliment the Rural and natural landscape by utilising these features for the proposed Bed and Breakfast. The proposal is considered to be of an appropriate scale ensuring that the density is acceptable.

Lotus Tent and existing structures.

The proposal is for a Home Based Business (Bed and breakfast) over the 7,269 m² site within the Rural Zone of the Mareeba Shire Planning Scheme. The proposal is for the provision of a Lotus Tent located outside of the existing Dwellings while utilising the existing structures over the site. The Accommodation Activities Code requires that the Home Based Business is provided within the existing dwelling and utilising the existing outbuildings over the site. The proposal utilises the existing outbuildings within the property, however, provides for the addition of a Lotus Tent (accommodation aspect) fronting the pond. The proposal will not exceed 3 rooms and more than 6 guests at any one time as demonstrated by the scale and size of the proposed. However, the proposed Home Based Business for a Bed and Breakfast includes the provision of a Lotus Tent expected to be 25 m² in size in addition to utilising the existing outbuildings (Shack over the pond and existing amenities). It is accepted that this may occupy a Gross Floor Area marginally greater than 50 m² however, the majority of these aspects are existing to the site and located within a 7,269 m² Rural Allotment. Despite the above, the proposal is considered to be compatible with the built form, character and amenity of the site and surrounding area having regards to the size, scale, and nature of the proposed Use. It is considered that the proposed is acceptable and will not affect the existing Rural nature and character of the site and immediately adjoining vicinity.

It is considered that the proposed Quarantine Application is appropriate and acceptable. The proposal is for a 'low scale development' for a Home Based Business (Bed and Breakfast) within the Rural Zone of the Mareeba Shire Council's Planning Scheme. The proposal is considered to achieve the necessary requirements pertaining to the non-compliance in relation to Density, existing structures, and Gross Floor Area. Freshwater Planning Pty Ltd considers the abovementioned to appropriately address to the non-compliance matters.

For expediate purposes a quick assessment against the relevant aspects of the relevant aspects of the Rural Zone, Accommodation Activities, Parking and Access, and Works, Services and Infrastructure Codes are provided below for the Accepted Development requirements.

Rural Zone Code

The site is designated in the Rural Zone of the Mareeba Shire Council's Planning Scheme. The proposed development is considered to comply with the Code achieving the Acceptable Outcomes of the Code ensuring its Accepted Development. The proposed development is considered appropriate and not in conflict with the Rural Zone Code.

Table 6.2.9.3—Rural zone code - For self-assessable and assessable development

Performance outcomes	Acceptable outcomes	Comments
For self-assessable and assessable development		
Height		
PO1 Building height takes into consideration and respects the following: <ul style="list-style-type: none"> (a) the height of existing buildings on adjoining premises; (b) the development potential, with respect to height, on adjoining premises; (c) the height of buildings in the vicinity of the site; (d) access to sunlight and daylight for the site and adjoining sites; (e) privacy and overlooking; and (f) site area and street frontage length. 	AO1.1 Development, other than buildings used for rural activities, has a maximum building height of: <ul style="list-style-type: none"> (a) 8.5 metres; and (b) 2 storeys above ground level. 	Compiles, The proposed Home Based Business (Bed and Breakfast) will not exceed 8.5 metres in height nor be greater than 2 storeys above ground level.
	AO1.2 Buildings and structures associated with a rural activity including machinery, equipment, packing or storage buildings do not exceed 10 metres in height.	Not Applicable. No new Rural Structures proposed.
Siting, where not involving a Dwelling house Note—Where for Dwelling house, the setbacks of the Queensland Development Code apply.		
PO2 Development is sited in a manner that considers and respects: <ul style="list-style-type: none"> (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) air circulation and access to natural breezes; (e) appearance of building bulk; and (f) relationship with road corridors. 	AO2.1 Buildings and structures include a minimum setback of: <ul style="list-style-type: none"> (a) 40 metres from a frontage to a State-controlled road; and (b) 10 metres from a boundary to an adjoining lot. 	Complies, No new structures located within 10 metres of the adjoining Boundary or frontages.
	AO2.2 Buildings and structures, where for a Roadside stall, include a minimum setback of 0 metres from a frontage to a road that is not a State-controlled road.	Not Applicable.
	AO2.3 Buildings and structures, except where a Roadside stall, include a minimum setback of: <ul style="list-style-type: none"> (a) 10 metres from a frontage to a sealed road that is not a State-controlled road; and (b) 100 metres from a frontage to any other road that is not a State-controlled road; 	Complies, No new structures located within 10 metres of the adjoining Boundary or frontages.
Accommodation density		
PO3 The density of Accommodation activities: <ul style="list-style-type: none"> (a) respects the nature and density of surrounding land use; (b) is complementary and subordinate to the rural and natural landscape values of the area; and 	AO3.1 Residential density does not exceed one dwelling house per lot.	The proposal is for a Home Based Business (Bed and Breakfast) in addition to the existing Residential Uses over the site. The proposal is considered to respect the nature and density of the surrounding Land Uses ensuring to provide an appropriate scale.

Performance outcomes	Acceptable outcomes	Comments
(c) is commensurate to the scale and frontage of the site.	AO3.2 Residential density does not exceed two dwellings per lot and development is for: (a) a secondary dwelling; or (b) Caretaker's accommodation and includes building work or minor building work with a maximum gross floor area of 100m ² ; or (c) Rural worker's accommodation.	Not Applicable.

It is not considered that the proposal is in conflict with the relevant aspects of the Rural Zone Code. The proposal is considered to be appropriate and acceptable.

Accommodation Activities Code

The proposed development facilitates the provision of a Bed and Breakfast over the site utilising the existing natural and physical features of the site in the existing Rural setting. The proposal provides for an additional Residential Activities within Kuranda which will maintain and enhance the existing natural environment while not affecting the existing character and nature of the Rural Zone.

Table 9.3.1.3A—Accommodation activities code – For self-assessable and assessable development

Performance outcomes	Acceptable outcomes	Comments
For self-assessable and assessable development		
All Accommodation activities, apart from Dwelling house		
PO1 Accommodation activities are located on a site that includes sufficient area: (a) to accommodate all buildings, structures, open space and infrastructure associated with the use; and (b) to avoid adverse impacts on the amenity or privacy of nearby land uses.	AO1 Development is located on a site which provides the applicable minimum site area and minimum road frontage specified in Table 9.3.1.3B .	Complies, The site contains an area greater than 600 m ² with the table not requiring a particular frontage. The site is considered appropriate and acceptable for the proposed Home Based Business.
All Accommodation activities, apart from Tourist park and Dwelling house		
PO2 Accommodation activities are provided with on-site refuse storage areas that are: (a) sufficient to meet the anticipated demand for refuse storage; and (b) appropriately located on the site having regard to potential odour and noise impacts on uses on the site and adjoining sites.	AO2.1 A refuse area is provided that: (a) includes a water connection; (b) is of a size and configuration to accommodate 2x240 litre bins per dwelling or accommodation unit where involving a use other than a residential care facility or retirement facility; and (c) is of a size and configuration to accommodate a minimum of two bulk refuse bins where involving a residential care facility or retirement facility.	Complies, Refuse Storage Area associated with the Bed and Breakfast are provided in conjunction with the existing Dwelling House. It is considered in this instance that the sharing of Refuse Bins is acceptable.
All Accommodation activities, except for Dwelling house		
PO3	AO3 The windows of habitable rooms:	Complies, The site is existingly vegetated and ensures that no overlook from the

Performance outcomes	Acceptable outcomes	Comments
<p>Accommodation activities are designed to avoid overlooking or loss of privacy for adjoining uses.</p> <p>Note—These provisions apply to any adjoining use, both on an adjoining site and on the same site.</p>	<p>(a) do not overlook the windows of a habitable room in an adjoining dwelling or accommodation unit; or</p> <p>(b) are separated from the windows of a habitable room in an adjoining dwelling or accommodation unit by a distance greater than:</p> <p>(i) 2 metres at ground level; and</p> <p>(ii) 8 metres above ground level; or</p> <p>(c) are treated with:</p> <p>(i) a minimum sill height of 1.5 metres above floor level; or</p> <p>(ii) fixed opaque glassed installed below 1.5 metres; or</p> <p>(iii) fixed external screens; or</p> <p>(iv) a 1.5 metre high screen fence along the common boundary.</p>	<p>proposed Bed and Breakfast to the adjoining property occurs. The Bed and Breakfast will be screened naturally from the adjoining neighbours, which are understood to be over 500 metres away and from the existing Dwellings over the site.</p>
<p>PO4 Accommodation activities are provided with sufficient private and communal open space areas which:</p> <p>(a) accommodate a range of landscape treatments, including soft and hard landscaping;</p> <p>(b) provide a range of opportunities for passive and active recreation;</p> <p>(c) provide a positive outlook and high quality of amenity to residents;</p> <p>(d) is conveniently located and easily accessible to all residents; and</p> <p>(e) contribute to an active and attractive streetscape.</p>	<p>AO4.1 Development, except for Caretaker’s accommodation, Dwelling house, Dual occupancy or Home based business, includes communal open space which meets or exceeds the minimum area, dimension and design parameters specified in Table 9.3.1.3C.</p> <p>AO4.2 Development includes private open space for each dwelling or accommodation unit which meets or exceeds the minimum area, dimension and design parameters specified in Table 9.3.1.3D.</p> <p>AO4.3 Clothes drying areas are provided at the side or rear of the site so that they are not visible from the street.</p> <p>AO4.4 If for Dual occupancy, Multiple dwelling, Residential care facility or Retirement facility, development provides a secure storage area for each dwelling or accommodation unit which:</p> <p>(a) is located to facilitate loading and unloading from a motor vehicle;</p> <p>(b) is separate to, and does not obstruct, on-site vehicle parking or manoeuvring areas;</p> <p>(c) has a minimum space of 2.4m² per dwelling or accommodation unit;</p>	<p>Not Applicable. The proposal is for a Home Based Business.</p> <p>Complies, The Home Based Business is provided with an area fenced greater than 3 metres in width and totalling significantly more than 40 m². This exclusive Use Area includes the pond, shack, existing previous Amenities building in addition to the Lotus Tent.</p> <p>Can be provided if required. There is ample screened from the frontages for the provision of clothes drying.</p> <p>Not Applicable. The proposal is for a Home Based Business.</p>

Performance outcomes	Acceptable outcomes	Comments
	(d) has a minimum height of 2.1 metres; (e) has minimum dimensions to enable secure bicycle storage; (f) is weather proof; and (g) is lockable.	
If for Home based business		
PO11 Home based businesses are compatible with the built form, character and amenity of the surrounding area, having regard to: (a) size and scale; (b) intensity and nature of use; (c) number of employees; and (d) hours of operation.	AO11.1 The Home based business is located within a dwelling house or outbuilding associated with a dwelling house.	The proposal is for a Bed and Breakfast utilizing the existing structures over the site in addition to the provision of a Lotus Tent.
	AO11.2 The Home based business does not occupy a gross floor area of more than 50m ² .	The proposed Home Based Business for a Bed and Breakfast includes the provision of a Lotus Tent expected to be 25 m ² in size and will utilise the existing Shack over the pond and existing amenities. It is accepted that this may occupy a Gross Floor Area greater than 50 m ² however, these aspects are existing to the site and located within a Rural Allotment.
	AO11.3 No more than 1 person (other than the residents of the site) is employed by the Home based business at any one time.	Complies, The proposal will be run by the proponent and resident of the site.
	AO11.4 The Home based business, unless a home office, bed and breakfast or farm stay, does not operate outside the hours of 7.00 am and 6.00 pm.	Not Applicable. The proposal is for a Bed and Breakfast.
	AO11.5 The Home based business does not involve the public display of goods external to the building.	Not Applicable. The proposal is for a Bed and Breakfast.
	AO11.6 The Home based business does not involve the repair, cleaning or servicing of any motors, vehicles or other machinery.	Not Applicable. The proposal is for a Bed and Breakfast.
	AO11.7 Any equipment or materials associated with the Home based business are screened from public view and adjacent properties by fencing or landscaping.	Complies, Existing fencing and landscaping (natural screening and buffering) is provided onsite.
	AO11.8 The business does not involve the use of power tools or similar noise generating devices.	Not Applicable. The proposal is for a Bed and Breakfast.
PO12 Home based businesses involving accommodation activities are appropriately scaled and designed to avoid detrimental impacts on the amenity and privacy of surrounding residences.	AO12.1 Home based businesses involving accommodation activities are limited to the scale specified in Table 9.3.1.3E .	Complies, The proposal will not exceed 3 rooms and more than 6 guests at any one time as demonstrated by the scale and size of the proposed.
	AO12.2 A farm stay dwelling or accommodation unit is located within 20 metres of the primary dwelling house.	Complies, The proposed Lotus Tent is within 20 metres of a Dwelling House provided onsite.

Performance outcomes	Acceptable outcomes	Comments
	<p>AO12.3 A farm stay is setback 100 metres from any property boundary.</p>	<p>Not Applicable. The proposal is for a Bed and Breakfast.</p>
	<p>AO12.4 Entertainment and dining facilities associated with an accommodation activity are:</p> <p>(a) located at least 5 metres from the bedrooms of adjoining residences; and</p> <p>(b) located or screened so that they do not directly overlook private open space areas of adjoining properties.</p>	<p>Complies, The site contains existing Entertainment Areas around the pond and within the existing shack which is greater than 5 metres away (separated by the pond). Existing fencing and landscaping (natural screening and buffering) is also provided onsite with any neighbouring residence understood to be greater than 500 metres away.</p>

It is not considered that the proposal is in conflict with the relevant aspects of the Accommodation Activities Code. The proposal provides for Accommodation Activities, in the form of a Bed and Breakfast, that complies with the Intent of the Accommodation Activities Code and is acceptable.

Parking and Access Code

The site contains frontage to the existing Road Network, being Boyles Road and Lotus Lane, and comprises existing crossovers from these Roads. No change to the existing crossovers is envisaged with the proposed Home Based Business. The proposed Bed and Breakfast will utilise the existing Carport provided onsite and is considered to comply with the minimum number of car parking spaces for the proposed Use. It is considered that the existing access, parking, and manoeuvring arrangement is acceptable for the Rural Zone and the proposed Home Based Business (Bed and Breakfast) Use. The proposal is considered not in conflict with the Purposes Purpose or Intent of the Parking and Access Code and is acceptable.

Works, Services, and Infrastructure Code

The site contains existing servicing, being all available and necessary services, with the proposal not changing any of the existing servicing. Any additional Stormwater Runoff from the proposed Lotus Tent will be discharged to the existing drainage infrastructure and detention (pond). It is not considered that the proposal will adversely affect any downstream neighbours. No Excavating or Filling is proposed onsite.

It is considered that the proposed Home Based Business (Bed and Breakfast) is not in conflict with the Purposes of the Works, Services, and Infrastructure Code and is considered acceptable and appropriate.

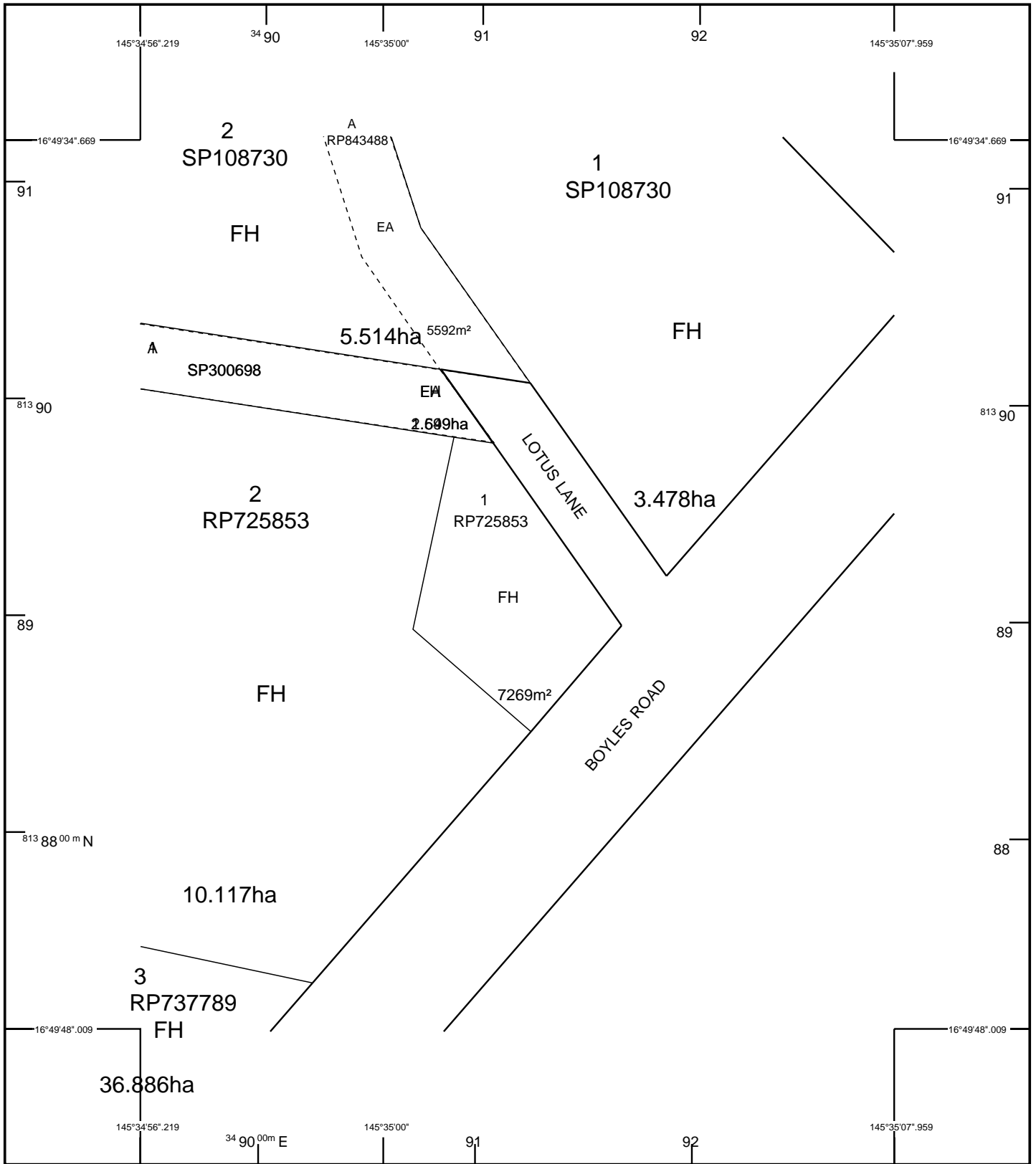
If you have any queries, please do not hesitate to contact Freshwater Planning Pty Ltd.

Yours faithfully,

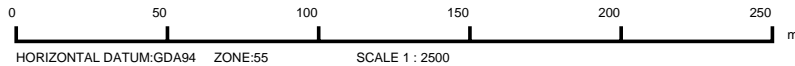


MATTHEW ANDREJIC

FRESHWATER PLANNING PTY LTD



STANDARD MAP NUMBER
8064-34242



MAP WINDOW POSITION & NEAREST LOCATION



SUBJECT PARCEL DESCRIPTION

DCDB	
Lot/Plan	1/RP725853
Area/Volume	7269m ²
Tenure	FREEHOLD
Local Government	MAREEBA SHIRE
Locality	KURANDA
Segment/Parcel	9223/32

CLIENT SERVICE STANDARDS

PRINTED	05/05/2024
DCDB	02/05/2024
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SmartMap

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Queensland Government

(c) The State of Queensland, (Department of Resources) 2024.





Nursery

Primary Dwelling

Second dwelling driveway

Lotus L

Carport

Toilet Shower

Lotus Tent

264
1RP725853

Dam

Shack

Primary Dwelling rental

Rental Driveway

Red =
Fence

278
2RP725853

1SF

Boyl





DA Form 1 – Development application details

Approved form (version 1.4 effective 15 December 2023) 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)	David John Ives
Contact name (only applicable for companies)	
Postal address (P.O. Box or street address)	C/ Freshwater Planning Pty Ltd 17 Barronview Drive
Suburb	Freshwater
State	QLD
Postcode	4870
Country	Australia
Contact number	0402729004
Email address (non-mandatory)	FreshwaterPlanning@outlook.com
Mobile number (non-mandatory)	
Fax number (non-mandatory)	
Applicant's reference number(s) (if applicable)	F24/12

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
		264	Boyles Road	Kuranda
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)
	4881	1	RP725853	Mareeba Shire Council
b)	Unit No.	Street No.	Street Name and Type	Suburb
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)

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

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

- Coordinates of premises by longitude and latitude

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

- 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: Pond

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

Lot on plan description of strategic port land:

Name of port authority for the lot:

- In a tidal area

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

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

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

Name of airport:

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

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

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

No

PART 3 – DEVELOPMENT DETAILS

Section 1 – Aspects of development

6.1) Provide details about the first development aspect
a) What is the type of development? <i>(tick only one box)</i>
<input checked="" type="checkbox"/> Material change of use <input type="checkbox"/> Reconfiguring a lot <input type="checkbox"/> Operational work <input type="checkbox"/> Building work
b) What is the approval type? <i>(tick only one box)</i>
<input checked="" type="checkbox"/> Development permit <input type="checkbox"/> Preliminary approval <input type="checkbox"/> Preliminary approval that includes a variation approval
c) What is the level of assessment?
<input checked="" type="checkbox"/> Code assessment <input type="checkbox"/> Impact assessment <i>(requires public notification)</i>
d) Provide a brief description of the proposal <i>(e.g. 6 unit apartment building defined as multi-unit dwelling, reconfiguration of 1 lot into 3 lots):</i>
Quarantined Assessment Application for Home Based Business
e) Relevant plans <i>Note: Relevant plans are required to be submitted for all aspects of this development application. For further information, see DA Forms guide: Relevant plans.</i>
<input checked="" type="checkbox"/> 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? <i>(tick only one box)</i>
<input type="checkbox"/> Material change of use <input type="checkbox"/> Reconfiguring a lot <input type="checkbox"/> Operational work <input type="checkbox"/> Building work
b) What is the approval type? <i>(tick only one box)</i>
<input type="checkbox"/> Development permit <input type="checkbox"/> Preliminary approval <input type="checkbox"/> Preliminary approval that includes a variation approval
c) What is the level of assessment?
<input type="checkbox"/> Code assessment <input type="checkbox"/> Impact assessment <i>(requires public notification)</i>
d) Provide a brief description of the proposal <i>(e.g. 6 unit apartment building defined as multi-unit dwelling, reconfiguration of 1 lot into 3 lots):</i>
e) Relevant plans <i>Note: Relevant plans are required to be submitted for all aspects of this development application. For further information, see DA Forms Guide: Relevant plans.</i>
<input type="checkbox"/> Relevant plans of the proposed development are attached to the development application
6.3) Additional aspects of development
<input type="checkbox"/> Additional aspects of development are relevant to this development application and the details for these aspects that would be required under Part 3 Section 1 of this form have been attached to this development application
<input checked="" type="checkbox"/> Not required

Section 2 – Further development details

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

Division 1 – Material change of use

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

8.1) Describe the proposed material change of use			
Provide a general description of the proposed use	Provide the planning scheme definition <i>(include each definition in a new row)</i>	Number of dwelling units <i>(if applicable)</i>	Gross floor area (m ²) <i>(if applicable)</i>
Bed and Breakfast	Home Based Business	1	

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

Division 2 – Reconfiguring a lot

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

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

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

10) Subdivision				
10.1) For this development, how many lots are being created and what is the intended use of those lots:				
Intended use of lots created	Residential	Commercial	Industrial	Other, please specify:
Number of lots created				

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

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

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

12) Boundary realignment

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

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

12.2) What is the reason for the boundary realignment?

13) What are the dimensions and nature of any existing easements being changed and/or any proposed easement? (attach schedule if there are more than two easements)

Existing or proposed?	Width (m)	Length (m)	Purpose of the easement? (e.g. pedestrian access)	Identify the land/lot(s) benefitted by the easement

Division 3 – Operational work

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

14.1) What is the nature of the operational work?

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

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

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

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

\$ _____

PART 4 – ASSESSMENT MANAGER DETAILS

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

Mareeba Shire Council

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

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

PART 5 – REFERRAL DETAILS

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

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

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

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

- Clearing native vegetation
- Contaminated land (*unexploded ordnance*)
- Environmentally relevant activities (ERA) (*only if the ERA has not been devolved to a local government*)
- Fisheries – aquaculture
- Fisheries – declared fish habitat area
- Fisheries – marine plants
- Fisheries – waterway barrier works
- Hazardous chemical facilities
- Heritage places – Queensland heritage place (*on or near a Queensland heritage place*)
- Infrastructure-related referrals – designated premises
- Infrastructure-related referrals – state transport infrastructure
- Infrastructure-related referrals – State transport corridor and future State transport corridor
- Infrastructure-related referrals – State-controlled transport tunnels and future state-controlled transport tunnels
- Infrastructure-related referrals – near a state-controlled road intersection
- Koala habitat in SEQ region – interfering with koala habitat in koala habitat areas outside koala priority areas
- Koala habitat in SEQ region – key resource areas
- Ports – Brisbane core port land – near a State transport corridor or future State transport corridor
- Ports – Brisbane core port land – environmentally relevant activity (ERA)
- Ports – Brisbane core port land – tidal works or work in a coastal management district
- Ports – Brisbane core port land – hazardous chemical facility
- Ports – Brisbane core port land – taking or interfering with water
- Ports – Brisbane core port land – referable dams
- Ports – Brisbane core port land – fisheries
- Ports – Land within Port of Brisbane's port limits (*below high-water mark*)
- SEQ development area
- SEQ regional landscape and rural production area or SEQ rural living area – tourist activity or sport and recreation activity
- SEQ regional landscape and rural production area or SEQ rural living area – community activity
- SEQ regional landscape and rural production area or SEQ rural living area – indoor recreation
- SEQ regional landscape and rural production area or SEQ rural living area – urban activity
- SEQ regional landscape and rural production area or SEQ rural living area – combined use
- SEQ northern inter-urban break – tourist activity or sport and recreation activity
- SEQ northern inter-urban break – community activity
- SEQ northern inter-urban break – indoor recreation
- SEQ northern inter-urban break – urban activity
- SEQ northern inter-urban break – 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)			
<input type="checkbox"/> Yes – provide details below or include details in a schedule to this development application <input checked="" type="checkbox"/> No			
List of approval/development application references	Reference number	Date	Assessment manager
<input type="checkbox"/> Approval <input type="checkbox"/> Development application			
<input type="checkbox"/> Approval <input type="checkbox"/> Development application			

21) Has the portable long service leave levy been paid? (only applicable to development applications involving building work or operational work)		
<input type="checkbox"/> Yes – a copy of the receipted QLeave form is attached to this development application <input type="checkbox"/> No – I, the applicant will provide evidence that the portable long service leave levy has been paid before the assessment manager decides the development application. I acknowledge that the assessment manager may give a development approval only if I provide evidence that the portable long service leave levy has been paid <input checked="" type="checkbox"/> Not applicable (e.g. building and construction work is less than \$150,000 excluding GST)		
Amount paid	Date paid (dd/mm/yy)	QLeave levy number (A, B or E)
\$		

22) Is this development application in response to a show cause notice or required as a result of an enforcement notice?
<input type="checkbox"/> Yes – show cause or enforcement notice is attached <input checked="" type="checkbox"/> No

23) Further legislative requirements	
Environmentally relevant activities	
23.1) Is this development application also taken to be an application for an environmental authority for an Environmentally Relevant Activity (ERA) under section 115 of the <i>Environmental Protection Act 1994</i> ?	
<input type="checkbox"/> Yes – the required attachment (form ESR/2015/1791) for an application for an environmental authority accompanies this development application, and details are provided in the table below <input checked="" type="checkbox"/> No <i>Note: Application for an environmental authority can be found by searching “ESR/2015/1791” as a search term at www.qld.gov.au. An ERA requires an environmental authority to operate. See www.business.qld.gov.au for further information.</i>	
Proposed ERA number:	Proposed ERA threshold:
Proposed ERA name:	
<input type="checkbox"/> Multiple ERAs are applicable to this development application and the details have been attached in a schedule to this development application.	
Hazardous chemical facilities	
23.2) Is this development application for a hazardous chemical facility ?	
<input type="checkbox"/> Yes – Form 69: Notification of a facility exceeding 10% of schedule 15 threshold is attached to this development application <input checked="" type="checkbox"/> No <i>Note: See www.business.qld.gov.au for further information about hazardous chemical notifications.</i>	

Clearing native vegetation

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

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

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

Environmental offsets

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

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

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

Koala habitat in SEQ Region

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

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

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

Water resources

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

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

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

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

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

Waterway barrier works

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

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

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

Marine activities

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

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

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

Quarry materials from a watercourse or lake

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

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

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

Quarry materials from land under tidal waters

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

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

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

Referable dams

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

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

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

Tidal work or development within a coastal management district

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

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

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

Queensland and local heritage places

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

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

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

Name of the heritage place:		Place ID:	
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Brothels

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

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

Decision under section 62 of the Transport Infrastructure Act 1994

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

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

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

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

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

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

PART 8 – CHECKLIST AND APPLICANT DECLARATION

24) Development application checklist

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

Yes

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

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

Yes

Not applicable

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

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

Yes

Relevant plans of the development are attached to this development application

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

Yes

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

Yes

Not applicable

25) Applicant declaration

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

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

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

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

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

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

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

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

Date received:

Reference number(s):

Notification of engagement of alternative assessment manager

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

QLeave notification and payment

Note: For completion by assessment manager if applicable

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			