



veris



Development Permit for Material Change of Use  
Non-resident Workforce Accommodation – 40 Beds  
(Impact Assessment)

# 271 Springs Road, Paddys Green

Lot 1 on RP745857

Applicants: F. & L. Zuvela

32568

DEVELOP  
WITH \_\_\_\_\_  
CONFIDENCE™



**Document Information**

Job Number:	32568
Document Title:	Planning Assessment Report

**Authors**

	Name (Initial)	Title	Date
Prepared:	MAT	Town Planner	27/11/17
Reviewed:	JAO	Principal	6/12/17
Reviewed:			
Approved:			

**Release Information**

Version	Date Released	Pages Affected	Remarks
V1.0	6/12/17	All	DA Submission

**Contact Details**

All queries regarding this document should be directed to the undersigned in the first instance.

Project Manager			
Michael Tessaro			
Telephone:	(07) 4051 6722	Mobile:	
Email:	M.Tessaro@veris.com.au		



## 1.0 Table of Contents

---

1.0	Table of Contents	3
2.0	Details of Application	4
2.1	Site Summary	4
2.2	Legislative Summary	4
2.3	Application Details	4
3.0	Introduction	5
4.0	Context Analysis	6
4.1	Local Context Analysis	6
4.2	Site Analysis	7
5.0	Proposal	9
5.1	Development Summary	9
6.0	State Government Assessment Provisions	13
6.1	Planning Act 2016	13
6.2	State Planning Policy	13
6.3	Development Assessment Rules	14
6.4	Referral Agencies	14
7.0	Local Government Assessment Framework	15
7.1	Mareeba Shire Planning Scheme 2016	15
8.0	Conclusion of Assessment	16
8.1	Conclusion	16
9.0	Appendices	17
	Appendix 1	DA Form 1
	Appendix 2	Certificate of Title
	Appendix 3	Smart Map
	Appendix 4	Existing Survey Plan – RP745857
	Appendix 5	Council Correspondence dated 27 September 2017
	Appendix 6	Jobs Australia Enterprises Ltd dated 13 November 2017
	Appendix 7	Evacuation Plan
	Appendix 8	Photographs of site
	Appendix 9	Receipts for Electrical and Plumbing works
	Appendix 10	Proposal Plan 32568-001A
	Appendix 11	Code Assessment – Rural Zone Code
	Appendix 12	Code Assessment – Accommodation Activities Code



## 2.0 Details of Application

### 2.1 Site Summary

Real Property Description	Lot 1 on RP745857
Address	271 Springs Road, Paddys Green
Area	1.0 ha
Owner(s)	Frank Tonchi Zuvela & Lynette Zuvela
Existing Uses	Dwelling house with associated infrastructure and unlawful accommodation use (20 beds)

### 2.2 Legislative Summary

Local Government Authority	Mareeba Shire Council
Planning Scheme	Mareeba Shire Planning Scheme 2016
Planning Scheme Zone	Rural Zone
State Planning Policy	Appropriately reflected in the planning scheme
Referral Agencies	Not applicable
State Development Assessment Provisions	Not applicable

### 2.3 Application Details

Development Type	Development Permit for Material Change of Use Non-resident Workforce Accommodation
Level of Assessment	Assessable Development (Impact Assessment)
Applicant	F. & L Zuvela c/- Veris
Contact Person	Michael Tessaro – Town Planner
Applicant's Representative	Veris Attn: Michael Tessaro PO Box 7627 Cairns QLD 4870
Relevant Plans/Documents	<i>Proposal Plan 32568-001A</i> , prepared by Veris



### 3.0 Introduction

#### 3.1 Overview

Veris has been commissioned by F. & L. Zuvela ('the applicants and proprietors of land') to prepare and lodge an application for a Development Permit for Material Change of Use – Non-resident Workforce Accommodation, on land located at 271 Springs Road, Paddy Green, precisely described as Lot 1 on RP745857 ('the site').

The application is a result of the proprietors being issued with an Enforcement Notice by Council, dated 27 September 2017, advising of alleged unlawful operation of short-term accommodation/ rooming accommodation on the subject land.

Pursuant to the *Mareeba Shire Council Planning Scheme 2016*, the site is located within the Rural Zone as indicated by Figure 1. An application for Material Change of Use – Non-resident Workforce Accommodation within the Rural Zone is Impact assessable development.

The Non-resident Workforce Accommodation is depicted on Proposal Plan 32568-001A, Appendix 10.



Figure 1 – Extraction of Zoning Map (Source: *Mareeba Shire Council Planning Scheme 2016*)





## 4.0 Context Analysis

### 4.1 Local Context Analysis

The site is located approximately 7.5km from the centre of Mareeba and accessed via Springs Road. Springs Road consists mainly of larger rural parcels with a spread of smaller rural holdings.



Figure 2 – Location of site (source – Google Earth)



**Table 1** – Land uses surrounding the subject sites.

DIRECTION	LAND USE
<b>North</b>	Rural uses (Open paddock)
<b>South</b>	Rural uses (Open paddock)
<b>East</b>	Rural uses (Open paddock)
<b>West</b>	Rural uses (Orchard)

#### 4.2 Site Analysis

The following section details an analysis of the site with regards to its features and the immediate vicinity.

##### 4.2.1 Ownership & Tenure

The registered owner of the site is Frank Tonchi Zuvela & Lynette Zuvela. Refer to Current Title Search in *Appendix 2*.

##### 4.2.2 Easements

The site is not burdened or benefitted by any easements

##### 4.2.3 Existing Land Use

The site is a small rural holding containing a single dwelling with ancillary buildings and workers accommodation use that is subject to this application. The site contains approximately 70 fruit trees.

##### 4.2.4 Roads and Site Access

The site has existing direct access to Springs Road. Springs Road is constructed to a bitumen standard.

##### 4.2.5 General Topography

The site is considered to be relatively flat. Contains approximately 70 fruit trees



#### 4.2.6 Existing Service Arrangements

Water	The site is supplied by the Tinaroo Irrigation Scheme
Sewerage	The dwelling and accommodation use are serviced by separate on-site effluent disposals.
Stormwater	Stormwater is managed on site
Electricity	The dwelling and accommodation use are connected to an electrical supply.
Telecommunications	The dwelling is connected to telecommunication services. The site has mobile telecommunication coverage

#### 4.2.7 Referral Summary

Not applicable





## 5.0 Proposal

---

### 5.1 Development Summary

The accommodation dongas and ancillary structures (kitchen and ablutions blocks) were established onsite in late 2012 providing accommodation for up to 20 workers. The purpose was to provide accommodation to the applicant's own workforce. At the time that structures were established, the former Tablelands Regional Council inspected the structures with no further action undertaken. The attached electrical and plumbing receipts, Appendix 9, demonstrate the works undertaken to establish the accommodation use.

A change to the applicant's circumstances resulted in a cessation of the accommodation use for a number of years. The applicant was approached to provide accommodation to seasonal workers being part of the Seasonal Worker Program. Accommodation is pre-arranged by Jobs Australia Enterprises Ltd prior to the workers arriving to Australia. The standard of accommodation is enforced by the Department of Employment. The site has been approved as an accommodation facility in conjunction with the Seasonal Worker Program, see attached correspondence from Jobs Australia Enterprises Ltd, dated 13 November 2017, Appendix 6.

In early 2016 the accommodation use of the site re-commenced providing accommodation to South Pacific Islanders workers as arranged by Jobs Australia Enterprises Ltd. The applicant was not aware of the requirement to obtain a development approval for the accommodation use until the time of Council's correspondence dated 27 September 2017, advising of alleged unlawful operation of short-term accommodation/rooming accommodation.

The purpose of the application is twofold in that the applicants desire to obtain development for permit for:

- The existing unlawful accommodation use (20 beds); and
- Additional accommodation for 20 beds.

The development will be undertaken in two (2) stages. Stage 1 being for the existing unlawful use and Stage 2 being for an additional 20 beds. The proposal is for the accommodation for a total 40 beds onsite

The existing workers accommodation is depicted as Stage 1 on proposal plan 32568-001A, Appendix 10, and consists of:

- Two (2) x 5 bedroom dongas with 2 beds/room;
- Two (2) ablutions blocks (6 toilets & 7 showers);
- Communal kitchen and dining area; and



- Recreation areas (covered and open)

Stage 2 of the proposal will result in an additional two (2) x 5 bedroom dongas 10 be placed onsite providing accommodation of a further 20 beds. It is proposed that the existing ablution/kitchen/dining areas will be shared between all the occupants. Additional recreation areas will be provided in proximity of the proposed accommodation donga.

The demographic of the workforce are fit, able bodied males. This eliminates the requirement for handicap access and separate male/female living quarters. The workers are provided a single vehicle (mini bus) from Jobs Australia Enterprises Ltd to transport themselves to and from the place of work. The use will result in a single vehicle being parked onsite. Parking for two (2) vehicles is provided at the front of the site. Additional vehicle parking is not required as the workers do not own vehicles.

The demand for non-resident workforce accommodation is surpassing supply. The proposal demonstrates that the use is appropriate for the site and locality.



Figure 3 – Extract of site plan from proposal plan 32568-001A (source – Veris)



Figure 4 – Extract of existing accommodation use from proposal plan 32568-001A (source – Veris)



## 6.0 State Government Assessment Provisions

---

The development application requires assessment against the *Planning Act 2016*, other State legislation and supporting planning policies. Consideration of these matters is outlined below.

### 6.1 Planning Act 2016

The statutory framework for decision making in relation to land use and development within the State of Queensland is contained within the *Planning Act 2016* (PACT) and its subordinate legislation (i.e. *Planning Regulation 2017*).

Pursuant to Section 60(2) of the *Planning Act 2016* to the extent the application involves development that requires code assessment, the assessment manager must decide to approve the application to the extent the development complies with all aspects of the assessment benchmarks for the development; and may decide to approve the application even if the development does not comply with some of the assessment benchmarks.

### 6.2 State Planning Policy

The *State Planning Policy* (SPP), which commenced on 3 July 2017, expresses the state's interests in land use planning that are important to protect and enhance through Queensland's continued development. It is a key component of the state's land use planning system that enables responsible development, contributing to a liveable, sustainable and prosperous Queensland.

The Minister has identified that the *State Planning Policy* is appropriately reflected in the planning scheme in the following ways:

#### *Liveable communities and housing*

- Liveable communities
- Housing supply and diversity

#### *Economic growth*

- Agriculture
- Development and construction
- Tourism
- Mining and extractive resources

#### *Environment and heritage*

- Biodiversity
- Cultural heritage
- Coastal environment
- Water quality

#### *Safety and resilience to hazards*

- Emissions & hazardous activities
- Natural hazards (Flood, Bushfire, Landslide, Coastal)

#### *Infrastructure*



- Energy and water supply
- State transport infrastructure
- Strategic airports and aviation facilities

As all aspects of the *State Planning Policy* are appropriately reflected in the planning scheme, there is no requirement to assess this development application against the State Planning Policy for this application.

### 6.3 Development Assessment Rules

The *Planning Act 2016* provides for a new statutory instrument – the Development Assessment Rules (DA Rules) – which is a statutory instrument made under section 68(1) of the *Planning Act 2016*, which sets out the Minister’s rules for the development assessment process in Queensland, including the processes and procedural requirements of the planning system.

The DA Rules provide for:

- When a development application may be taken to be properly made;
- How and when notification is to be carried out;
- The consideration of properly made submissions;
- The lapsing of an application;
- The revival of lapsed applications;
- How and when a referral agency may change its response;
- Changing, cancelling and lapsing development approvals.
- The effect of the *Native Title Act 1992 (Cwlth)* on development assessment.

This impact assessable development application is lodged for assessment in accordance with the DA Rules.

### 6.4 Referral Agencies

Part 2 of the Development Assessment Rules establishes the process and actions required to properly refer an application to a referral agency, where applicable.

The matters triggering referral of an application to either the State Assessment and Referral Agency (SARA) and/or entities not administered by SARA, is contained under Schedules 9 and 10 of the *Planning Regulation 2017*.

A detailed review of Schedules 9 and 10 has identified that the application does not trigger to referral to SARA.





## 7.0 Local Government Assessment Framework

### 7.1 Mareeba Shire Planning Scheme 2016

This section of the report addresses the major assessment criteria of Mareeba Shire Planning Scheme 2016 being the current, applicable document for planning assessment for applications. For the purposes of the current application, the following assessment benchmarks will be assessed.

Code	Applicability of Code	Comment
<b>Zone Code</b>		
Rural Zone	The Code is applicable	The code is addressed. See Appendix 11
<b>Overlay Codes</b>		
Agricultural land overlay code	The Code is applicable	This code is not addressed as rural use is restricted onsite by having an area of 1.0ha. The proposal will not fragment productive rural land
Bushfire hazards overlay code	The Code is applicable	The site is connected to a reliable water supply and gains direct access from Springs Road. The site is kept in a clean state clear of vegetated debris. The site has sufficient firefighting capabilities.
<b>Development Codes</b>		
Accommodation activities code	The Code is applicable	The code is addressed. See Appendix 12
Landscaping code	The Code is applicable	This code is not addressed in detail. The site has sufficient landscaped and grassed areas of the occupants to enjoy.
Parking and access code	The Code is applicable	The Code is not addressed in detail. The site has an existing all weather access from Springs Road. The accommodation use creates the demand for a single parking space. The provision of two (2) parking spaces will be provided.
Works, services and infrastructure code	The Code is applicable	This code is not assessed in detail. The site has exiting service connections in accordance with this code.



## 8.0 Conclusion of Assessment

---

### 8.1 Conclusion

The Assessment Report has demonstrated that the proposal represents a beneficial outcome that accords with the relevant codes of the *Mareeba Shire Planning Scheme 2016* and State Development Assessment Provisions.

The demand for non-resident workforce accommodation is currently surpassing supply. The proposal demonstrates that the use is appropriate for the site and the greater rural locality.

It is recommended that the proposed development be considered favourably by Council and approved subject to reasonable and relevant conditions.



## 9.0 Appendices

---

- Appendix 1 DA Form 1
- Appendix 2 Certificate of Title
- Appendix 3 Smart Map
- Appendix 4 Existing Survey Plan – RP745857
- Appendix 5 Council Correspondence dated 27 September 2017
- Appendix 6 Jobs Australia Enterprises Ltd dated 13 November 2017
- Appendix 7 Evacuation Plan
- Appendix 8 Photographs of site
- Appendix 9 Receipts for Electrical and Plumbing works
- Appendix 10 Proposal Plan 32568-001A
- Appendix 11 Code Assessment – Rural Zone Code
- Appendix 12 Code Assessment – Accommodation Activities Code



## Appendix 1 DA Form 1

## DA Form 1 – Development application details

Approved form (version 1.0 effective 3 July 2017) 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 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**, 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)	F. & L. Zuvela c/- Veris
Contact name (only applicable for companies)	Michael Tessaro
Postal address (P.O. Box or street address)	c/- Veris PO Box 7627
Suburb	Cairns
State	Qld
Postcode	4870
Country	Australia
Contact number	(07) 4051 6722
Email address (non-mandatory)	<a href="mailto:m.tessaro@veris.com.au">m.tessaro@veris.com.au</a>
Mobile number (non-mandatory)	
Fax number (non-mandatory)	
Applicant's reference number(s) (if applicable)	32568

2) Owner's consent	
2.1) Is written consent of the owner required for this development application?	
<input type="checkbox"/> Yes – the written consent of the owner(s) is attached to this development application <input checked="" 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
		271	Springs Road	Paddys Green
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)
	4880	1	RP745857	Mareeba Shire
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. Only one set of coordinates is required for this part.

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 their details have been attached in a schedule to this 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: \_\_\_\_\_



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

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

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

No

## PART 3 – DEVELOPMENT DETAILS

### Section 1 – Aspects of development

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

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

Material change of use       Reconfiguring a lot       Operational work       Building work

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

Development permit       Preliminary approval       Preliminary approval that includes a variation approval

c) What is the level of assessment?

Code assessment       Impact assessment (*requires public notification*)

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

Non-resident workforce accommodation (40 beds)

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

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

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

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

Material change of use       Reconfiguring a lot       Operational work       Building work

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

Development permit       Preliminary approval       Preliminary approval that includes a variation approval

c) What is the level of assessment?

Code assessment       Impact assessment (*requires public notification*)

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

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

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

**6.3) Additional aspects of development**

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

Not required

**Section 2 – Further development details**

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

**Division 1 – Material change of use**

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

8.1) Describe the proposed material change of use			
Provide a general description of the proposed use	Provide the planning scheme definition (include each definition in a new row)	Number of dwelling units (if applicable)	Gross floor area (m <sup>2</sup> ) (if applicable)
Non-resident workforce accommodation	Non-resident workforce accommodation	Existing - 20 beds (2 x 5 bedroom Dongas, with 2 beds per room) Proposed - 20 beds (2 x 5 bedroom Dongas, with 2 beds per room)	

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? (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 construction 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"/> 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"/> 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) Do any aspects of the proposed development require referral for 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 Regulation 2017:**

- Clearing native vegetation
- Contaminated land (*unexploded ordnance*)
- Environmentally relevant activities (ERA) (*only if the ERA have not been devolved to a local government*)
- Fisheries – aquaculture
- Fisheries – declared fish habitat area
- Fisheries – marine plants
- Fisheries – waterway barrier works
- Hazardous chemical facilities
- Queensland heritage place (*on or near a Queensland heritage place*)
- Infrastructure – designated premises
- Infrastructure – state transport infrastructure
- Infrastructure – state transport corridors and future state transport corridors
- Infrastructure – state-controlled transport tunnels and future state-controlled transport tunnels
- Infrastructure – state-controlled roads
- Land within Port of Brisbane’s port limits
- SEQ development area
- 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 – residential development
- SEQ regional landscape and rural production area or SEQ Rural living area – urban activity
- Tidal works or works 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 – construction of new levees or modification of existing levees (*category 2 or 3 levees only*)
- Wetland protection area

**Matters requiring referral to the local government:**

- Airport land
- Environmentally relevant activities (ERA) (*only if the ERA have been devolved to local government*)
- Local heritage places

**Matters requiring referral to the chief executive of the distribution entity or transmission entity:**

- Electricity infrastructure

<p>Matters requiring referral to:</p> <ul style="list-style-type: none"> <li>• The <b>chief executive of the holder of the licence</b>, if not an individual</li> <li>• The <b>holder of the licence</b>, if the holder of the licence is an individual</li> </ul> <input type="checkbox"/> Oil and gas infrastructure
<p>Matters requiring referral to <b>the Brisbane City Council</b>:</p> <input type="checkbox"/> Brisbane core port land
<p>Matters requiring referral to the <b>Minister under the Transport Infrastructure Act 1994</b>:</p> <input type="checkbox"/> Brisbane core port land <input type="checkbox"/> Strategic port land
<p>Matters requiring referral to the <b>relevant port operator</b>:</p> <input type="checkbox"/> Brisbane core port land (below high-water mark and within port limits)
<p>Matters requiring referral to the <b>chief executive of the relevant port authority</b>:</p> <input type="checkbox"/> Land within limits of another port
<p>Matters requiring referral to the <b>Gold Coast Waterways Authority</b>:</p> <input type="checkbox"/> Tidal works, or development in a coastal management district in Gold Coast waters
<p>Matters requiring referral to the <b>Queensland Fire and Emergency Service</b>:</p> <input type="checkbox"/> Tidal works, or development in a coastal management district

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

## PART 6 – INFORMATION REQUEST

<p><b>19) Information request under Part 3 of the DA Rules</b></p> <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 <p><b>Note:</b> <i>By not agreeing to accept an information request I, the applicant, acknowledge:</i></p> <ul style="list-style-type: none"> <li>• 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</li> <li>• Part 3 of the DA Rules will still apply if the application is an application listed under section 11.3 of the DA Rules.</li> </ul> <p>Further advice about information requests is contained in the <a href="#">DA Forms Guide</a>.</p>
--

## 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 – the yellow local government/private certifier's 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		
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 checked="" type="checkbox"/> Yes – show cause or enforcement notice is attached <input type="checkbox"/> No

23) Further legislative requirements			
<u>Environmentally relevant activities</u>			
23.1) Is this development application also taken to be an application for an environmental authority for an <b>Environmentally Relevant Activity (ERA)</b> under section 115 of the <i>Environmental Protection Act 1994</i> ?			
<input type="checkbox"/> Yes – the required attachment (form EM941) 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 "EM941" at <a href="http://www.qld.gov.au">www.qld.gov.au</a>. An ERA requires an environmental authority to operate. See <a href="http://www.business.qld.gov.au">www.business.qld.gov.au</a> for further information.</i>			
Proposed ERA number:		Proposed ERA threshold:	
Proposed ERA name:			
<input type="checkbox"/> Multiple ERAs are applicable to this development application and the details have been attached in a schedule to this development application.			
<u>Hazardous chemical facilities</u>			
23.2) Is this development application for a <b>hazardous chemical facility</b> ?			
<input type="checkbox"/> Yes – Form 69: Notification of a facility exceeding 10% of schedule 15 threshold is attached to this development application <input checked="" type="checkbox"/> No			
<i>Note: See <a href="http://www.justice.qld.gov.au">www.justice.qld.gov.au</a> for further information.</i>			
<u>Clearing native vegetation</u>			



23.3) Does this development application involve **clearing native vegetation** that requires written confirmation 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 is accompanied by written confirmation from the chief executive of the *Vegetation Management Act 1999* (s22A determination)

No

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

#### **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 conservation**

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

Yes

No

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

#### **Water resources**

23.6) Does this development application involve **taking or interfering with artesian or sub artesian water, taking or interfering with water in a watercourse, lake or spring, taking overland flow water or waterway barrier works?**

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

No

**Note:** DA templates are available from [www.dilgp.qld.gov.au](http://www.dilgp.qld.gov.au).

23.7) Does this application involve **taking or interfering with artesian or sub artesian water, taking or interfering with water in a watercourse, lake or spring, or taking overland flow water** under the *Water Act 2000*?

Yes – I acknowledge that a relevant water authorisation under the *Water Act 2000* may be required prior to commencing development

No

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

#### **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 and Mines at [www.dnrm.qld.gov.au](http://www.dnrm.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 Heritage Protection at [www.ehp.qld.gov.au](http://www.ehp.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.dews.qld.gov.au](http://www.dews.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.ehp.qld.gov.au](http://www.ehp.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.ehp.qld.gov.au](http://www.ehp.qld.gov.au) for information requirements regarding development of Queensland heritage places.

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

**Brothels**

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

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

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

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

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

## 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 <b>Note:</b> See the <i>Planning Regulation 2017</i> for referral requirements	<input checked="" type="checkbox"/> Yes
If building work is associated with the proposed development, Parts 4 to 6 of <i>Form 2 – Building work details</i> have been completed and attached to this development application	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> Not applicable
Supporting information addressing any applicable assessment benchmarks is with development application <b>Note:</b> This is a mandatory requirement and includes any relevant templates under question 23, a planning report and any technical reports required by the relevant categorising instruments (e.g. local government planning schemes, State Planning Policy, State Development Assessment Provisions). For further information, see <a href="#">DA Forms Guide: Planning Report Template</a> .	<input checked="" type="checkbox"/> Yes
Relevant plans of the development are attached to this development application	<input checked="" type="checkbox"/> Yes

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

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 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	
Date receipted form sighted by assessment manager	

Name of officer who sighted the form	
--------------------------------------	--

The *Planning Act 2016*, the *Planning Regulation 2017* and the *DA Rules* are administered by the Department of Infrastructure, Local Government and Planning. This form and all other required development application materials should be sent to the assessment manager.



## Appendix 2 Certificate of Title

# CURRENT TITLE SEARCH

DEPT OF NATURAL RESOURCES AND MINES, QUEENSLAND

Request No: 27088360

Search Date: 13/10/2017 08:55

Title Reference: 21353043

Date Created: 13/11/1987

Previous Title: 21161122

## REGISTERED OWNER

Dealing No: 708296118 15/12/2004

FRANK TONCHI ZUVELA

LYNETTE ZUVELA

JOINT TENANTS

## ESTATE AND LAND

Estate in Fee Simple

LOT 1 REGISTERED PLAN 745857  
Local Government: MAREEBA

## EASEMENTS, ENCUMBRANCES AND INTERESTS

1. Rights and interests reserved to the Crown by  
Deed of Grant No. 20889105 (POR 88)  
Deed of Grant No. 20889106 (POR 88)
2. MORTGAGE No 708296119 15/12/2004 at 13:14  
COMMONWEALTH BANK OF AUSTRALIA A.B.N. 48 123 123 124
3. MORTGAGE No 714730975 17/10/2012 at 11:54  
COMMONWEALTH BANK OF AUSTRALIA A.B.N. 48 123 123 124

ADMINISTRATIVE ADVICES - NIL

UNREGISTERED DEALINGS - NIL

CERTIFICATE OF TITLE ISSUED - No

Caution - Charges do not necessarily appear in order of priority

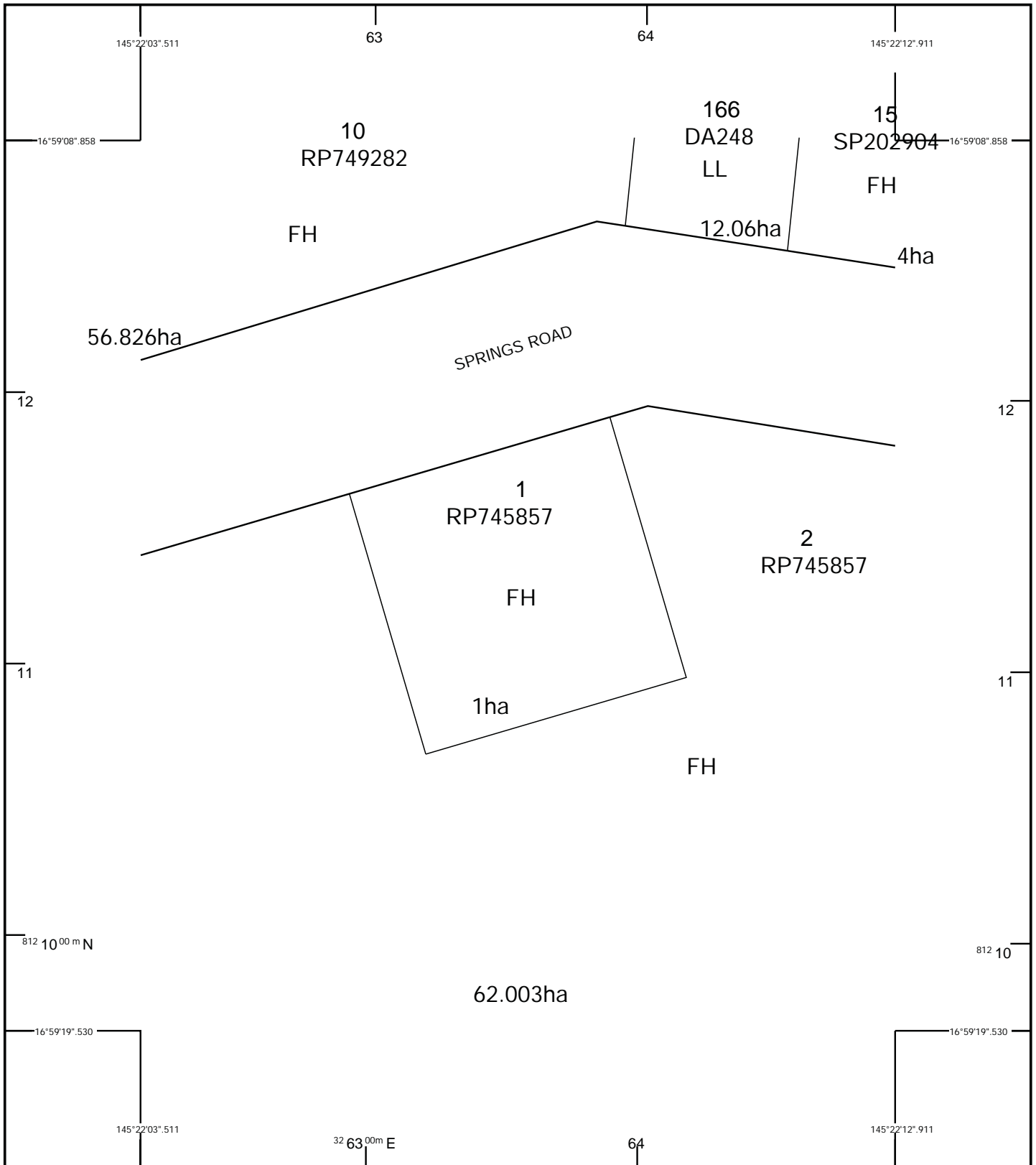
\*\* End of Current Title Search \*\*

COPYRIGHT THE STATE OF QUEENSLAND (DEPT OF NATURAL RESOURCES AND MINES) [2017]  
Requested By: D-ENQ URBIS PRO



## Appendix 3 Smart Map





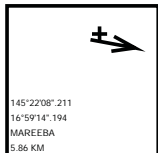
STANDARD MAP NUMBER  
7964-23222



**SmartMap**

An External Product of  
SmartMap Information Services  
Based upon an extraction from the  
Digital Cadastral Data Base

MAP WINDOW POSITION &  
NEAREST LOCATION



**SUBJECT PARCEL DESCRIPTION**

DCDB	1/RP745857
Lot/Plan	1ha
Area/Volume	FREEHOLD
Tenure	MAREEBA SHIRE
Local Government	PADDYS GREEN
Locality	9167/19
Segment/Parcel	

**CLIENT SERVICE STANDARDS**

PRINTED (dd/mm/yyyy) 13/10/2017

DCDB 12/10/2017

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

Despite Department of Natural Resources and Mines(DNRM)'s best efforts, DNRM makes no representations or warranties in relation to the Information, and, to the extent permitted by law, exclude or limit all warranties relating to correctness, accuracy, reliability, completeness or currency and all liability for any direct, indirect and consequential costs, losses, damages and expenses incurred in any way (including but not limited to that arising from negligence) in connection with any use of or reliance on the Information



(c) The State of Queensland,  
(Department of Natural  
Resources and Mines) 2017.

For further information on SmartMap products visit <http://nrw.qld.gov.au/property/mapping/blinmap>



## Appendix 4 Existing Survey Plan – RP745857

745857

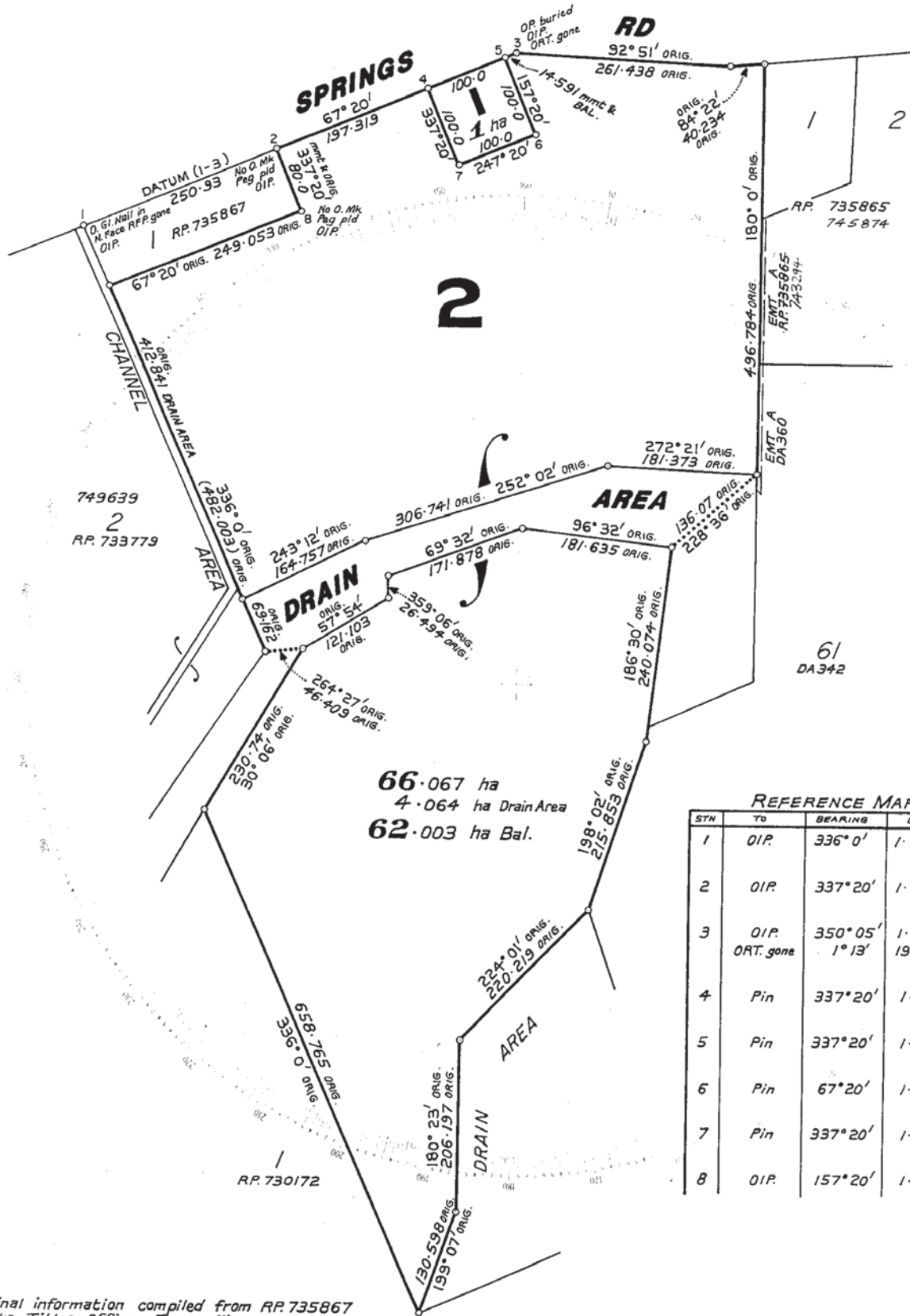
PLAN MUST BE DRAWN WITHIN BLUE LINES

745857

745857

PLAN MUST BE DRAWN WITHIN BLUE LINES

745857



**REFERENCE MARKS**

STN	TO	BEARING	DIST.	REMARKS
1	O/P.	336° 0'	1.006	
2	O/P.	337° 20'	1.006	
3	O/P. ORT. gone	350° 05' 1° 13'	1.03 19.09	
4	Pin	337° 20'	1.0	
5	Pin	337° 20'	1.0	
6	Pin	67° 20'	1.0	
7	Pin	337° 20'	1.0	
8	O/P.	157° 20'	1.0	

Original information compiled from RP.735867 in the Titles Office, Townsville.

No. FIELD NOTES LODGED  ORIGINAL GRANT  Vol N583 Fols. 105 and 106	<b>PLAN OF</b> <u>Lots 1 &amp; 2</u>  Cancelling Lot 2 on RP.735867	ORIG. PORTION ..... <b>88</b> ..... TOWN ..... PARISH ..... <b>SOUTHEDGE</b> ..... COUNTY ..... <b>Dagmar</b> .....			
MAP REF. P.M. 36	PROCLAIMED SURVEY AREA	SURVEYED BY <b>C. R. HUNTER</b> ... <b>2.3.1987</b> ...	MERIDIAN 	SCALE <b>1:5000</b>	REGISTERED PLAN <b>745857</b>



No. - 809297

CERTIFICATE

I, Cecil Ross HUNTER  
 hereby certify that I have surveyed the land  
 comprised in this plan by Robin Douglas TROTTER,  
Licensed Surveyor for whose work I accept  
responsibility.  
 that the plan is accurate, that the said survey was performed in accordance with  
 the Surveyors Act 1977 and the Surveyors Regulation 1978 and that the  
 said survey was completed on 2.3.1987

*[Signature]*

Date 6.3.1987 Signature of Licensed Surveyor

FOR TITLES OFFICE USE ONLY

Previous Title  
C.T.N.1161-122 Lot 2 735867

Council of the SHIRE of MAREEBA certifies  
 that all the requirements of this Council, the Local Government Acts of 1936 to  
 1986 and all By-Laws have been complied with and approves this Plan of Subdivision

Dated this Fifteenth day of May 1987

*[Signature]* x Mayor or Chairman  
*[Signature]* x Town Clerk or Shire Clerk

I / We ANTONIO GAVA and NOEMI GAVA

(Names in full)

as Proprietor / s of this land, agree to this Plan and dedicate the new roads shown  
 hereon to public use.

Signature of Proprietor / s A. Gava

THE COMMISSIONER OF WATER RESOURCES APPROVES  
 THIS PLAN OF SUBDIVISION  
 DATED AT BRISBANE THIS TWENTYSEVENTH DAY  
 OF MARCH 1987

*[Signature]*  
 SECRETARY TO  
 THE COMMISSIONER OF WATER RESOURCES

Lot	Vol.	Fol.	Lot	Vol.	Fol.	Lot	Vol.	Fol.
1	N1353	43						
2	N1353	44						

Lodged by  
 A. C. FOX & ASSOCIATES  
 TOWNSVILLE  
 PAMELA DICKENSON & ASSOC

Fees Payable	Received Registrar of Titles
Postal fee and Postage	Journal No.
<u>106</u> Lodgt. Exam. & Ass.	<u>1313695M</u>
Entd. on Docs.	Receipt No.
<u>53</u> New Title	
<u>12</u> Entd. on Deeds	
<u>10</u> Photo Fee	
<u>8.82</u> Total	
Short Fees Paid	

Calc. Bk. No. 168  
 Examined 9/11/87 AB  
 Passed 9/11/87 AB  
 Charted 18/12/87 MES  
 Map Ref. P.M.  
 13 NOV 1987

Particulars entered in Register Book  
 Vol. N1161 Folio 122  
 at 2.37pm  
 10 NOV 1987  
 REGISTRAR OF TITLES



Appendix 5 Council Correspondence dated 27 September 2017



27 September 2017

F & L Zuvela  
PO Box 2302  
MAREEBA QLD 4880

Dear Sir/Madam,

**ALLEGED UNLAWFUL OPERATION OF SHORT-TERM ACCOMMODATION/ROOMING  
ACCOMMODATION  
LOT 1 ON RP745857  
SITUATED AT 271 SPRINGS ROAD, PADDYS GREEN**

Council has recently received a complaint alleging the use of buildings on the abovementioned property ("the subject property") for providing accommodation to a large number of backpackers and the like.

Under the Mareeba Shire Council Planning Scheme 2016, the provision of accommodation for backpackers and the like is defined as either **Short-term accommodation** or **Rooming accommodation** as follows:

*"Short term accommodation: Premises used to provide short-term accommodation for tourists or travellers for a temporary period of time (typically not exceeding three consecutive months) and may be self-contained.*

*The use may include a manager's residence and office and the provision of recreation facilities for the exclusive use of visitors.*

*Examples include: Motel, backpackers, cabins, serviced apartments, accommodation hotel, farm stay."*

and

*"Rooming accommodation: Premises used for the accommodation of one or more households where each resident:*

- *has the right to occupy one or more rooms*
- *does not have the right to occupy the whole of the premises in which the rooms are situated*
- *may be provided with separate facilities for private use*
- *may share communal facilities or communal space with one or more of the other residents.*





The use may include:

- rooms not in the same building on site
- provision of a food or other service
- on site management or staff and associated accommodation.

Facilities includes furniture and equipment as defined in the Residential Tenancies and Rooming Accommodation Act 2008.

**Examples include:** Boarding house, hostel, monastery, off-site student accommodation."

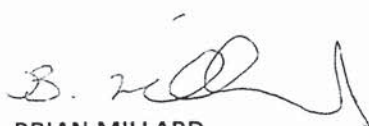
As the owner of the subject property you are advised that, under the Mareeba Shire Council Planning Scheme, the subject land is zoned *Rural*, within which development approval is required to carry out Short-term accommodation or Rooming accommodation activities. Furthermore, there is no effective development permit in place to allow Short-term accommodation or Rooming accommodation to occur on the subject property on either a temporary or permanent basis.

Accordingly, the use of the subject property for providing Short-term accommodation or Rooming Accommodation must cease immediately and not recommence until an effective development permit for these uses is in place. Please respond to Council by 13 October 2017 acknowledging that you have received and understood this notice.

Should Council not receive a response to this notice by 13 October 2017 Council may commence enforcement action under the *Planning Act 2016*.

Should you require any further information, please contact Council's Planning Officer, Carl Ewin on the above telephone number.

Yours faithfully



BRIAN MILLARD  
SENIOR PLANNER





Appendix 6 Jobs Australia Enterprises Ltd dated 13 November 2017



13<sup>th</sup> November 2017

Frank & Lyn Zuvella  
271 Springs Road  
Mareeba – QLD – 4880

Dear Frank & Lyn,

I am in receipt of your email request for documentation we may have on file from The Department of Employment regarding the accommodation facility you are providing to our Seasonal Workers at 271 Springs Road, Mareeba.

As you are aware, the Australian Government will not accept any accommodation standards below those that would be considered acceptable for Australian workers. The requirements for accommodation provided to Seasonal Workers are:

- Meets all State and Local regulations regarding fire, health and safety
- Offers 24 hour access
- Provides a self-catering kitchen
- Is clean and well maintained
- Has a communal lounge area
- Has adequate laundry facilities
- Provides power for lighting, cooking, and refrigeration
- Has separate bathrooms for men and women and has an adequate ratio of guests to bathroom facilities
- Has separate uncrowded sleeping areas for men and women
- All beds have to be either bedframe or ensemble
- Provides a separate lockable cupboard or locker for each individual
- Has access to transport to and from the worksite and transport to and from local recreation, shopping, and cultural activities.

Jobs Australia submits photos to relevant Australian Government Departments of accommodation facilities provided by accommodation providers in support of Recruitment Plan applications. Jobs Australia does not get any feedback separately from these Government Departments regarding any individual accommodation facility included in any plan. Either the Recruitment Plan is approved in its entirety with the accommodation facilities noted within in that approval, or it is required to be amended and re-submitted. As your facility has been included in approved Recruitment Plans for previous and current Seasonal Workers, this would therefore suggest that your accommodation facility meets the requirements of the Australian Government under the Seasonal Worker Programme.

I hope the above proves useful in any dealings you have with the Town Planner and/or the Mareeba Shire Council.

Should you require any further information regarding the above, please do not hesitate to contact me at your earliest convenience on Ph # 0472 809 150 or via email on [carl.dewiljes@speediestaffsolutions.com.au](mailto:carl.dewiljes@speediestaffsolutions.com.au).

Yours sincerely,

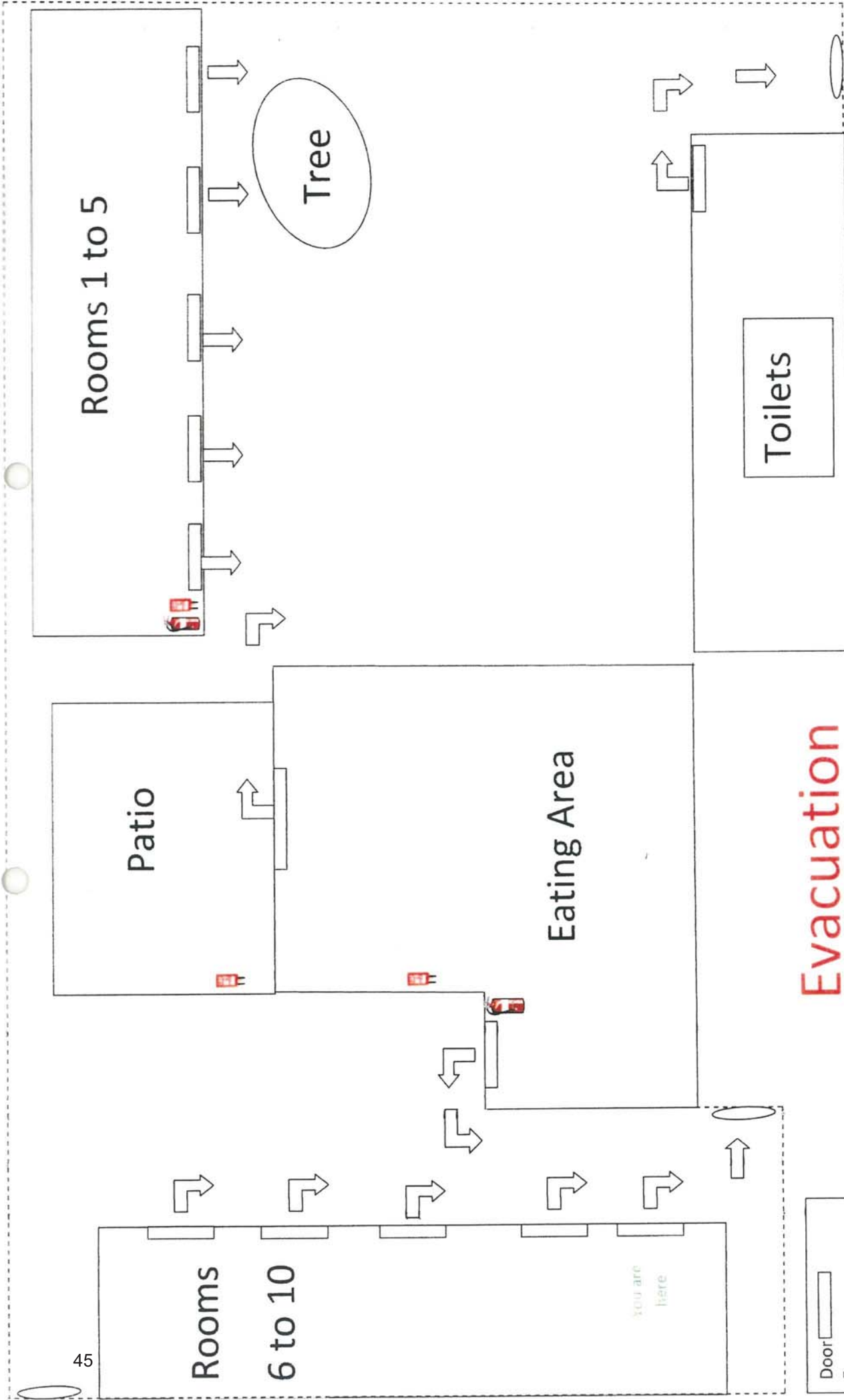
A handwritten signature in black ink, appearing to read 'Carl de Wiljes', written over a faint horizontal line.

Carl de Wiljes

Seasonal Worker Coordinator (FNQ)



## Appendix 7 Evacuation Plan



All persons are to evacuate to the car park area.

# Evacuation Plan

Door	
Fence	
Gates	
Fire Blankets	
Fire Extinguishers	



## Appendix 8 Photographs of site

# DIRECTION OF PHOTOGRAPHS



2

RP745857





Photograph 1.





Photograph 2.





Photograph 3.



Photograph 4.





Photograph 5.



Photograph 6.





Photograph 7.





Photograph 8.





Photograph 9.



Photograph 10.





Photograph 11.





Photograph 12.



## Appendix 9 Receipts for Electrical and Plumbing works



# APL PLUMBING & TANKS

PO BOX 835  
MAREEBA, QLD 4880  
A.B.N. 17 010 824 697

QBSA Lic. No's: 073006 and 073007

Phone/Fax: 07 40924888

Mobiles: Allan - 0418 162 646  
Pino - 0417 621 885

E-mail allan@aplplumbingandtanks.com.au

Invoice To

Zuvale P/L

## TAX INVOICE/STATEMENT

Order No:	Date	Invoice/Statement #
	12/11/2012	3361

Brief Description of Work Required: Springs Road.

Qty	Description	Amount
40.5	Plumbing and Drainage for workers accommodation. Materials Labour - Tradesman NOTE:- Frank I have reduced the hourly rate for Rob. 10% GST	780.37 2,430.00 321.04

*PAID  
12-11-12  
00026987561*

*Please pay on Invoice - No Statement Issued  
Terms - 14 Days  
We thank you for your Business!*

**Total (GST Incl)** \$3,531.41

Direct Deposit Bank Details:  
Bank: Westpac BSB 034-197 Account No: 15-3961



**Payments/Credits** \$0.00

Goods on this invoice remain the property of APL Plumbing and Tanks until paid in full.

**Balance Due** \$3,531.41

Remittance Advice: Please detach and return with payment to:

APL PLUMBING AND TANKS  
PO BOX 835  
MAREEBA OLD 4880

Invoice No:	3361
Amount Payable	\$3,531.41





# ATHERTON ELECTRICAL

*Excellence with a spark*

Trading as Ian's Electrical  
 P.O.Box 184,  
 Tolga, 4882  
 ABN: 49 536 950 714

Phone: 0409 954 067  
 Fax: 40 911 657  
 Email: athertonelectrical@hotmail.com.au  
 LIC NO. 68703

Tax Invoice To		Purchase order number		<b>Tax Invoice</b>	
Frank Zuvela P.O Box 2302 271 springs rd Mareeba, QLD 4880		Date	Tax Invoice #		
		12/11/2012	1027	19/11/2012	net 7 days
Description		QTY	Rate	Amount	
10mm 4 Core and Earth Circular Cable		98	10.66	1,044.68	
32mm heavy duty conduit		10	10.80	108.00	
32mm mm Heavy duty bend		2	12.45	24.90	
40A Circuit breaker 2pole		2	42.93	85.86	
25A single pole circuit breaker		1	11.32	11.32	
32A single pole circuit breaker		2	11.32	22.64	
20A Safety switch / circuit breaker		2	54.80	109.60	
10A Safety switch / circuit breaker		1	54.80	54.80	
25mm Medium duty conduit		3	6.78	20.34	
32mm Medium duty conduit		8	9.87	78.96	
20mm Medium duty conduit		7	6.50	45.50	
2.5mm Twin & earth wire		57	2.30	131.10	
6mm Twin & Earth Wire		43	5.02	215.86	
Sub board Box		1	178.95	178.95	
10A double Clipsal power point		2	11.65	23.30	
Mounting block		4	7.35	29.40	
25mm Saddles		20	0.36	7.20	
32mm Saddles		30	0.48	14.40	
20mm Galvanised Saddles		60	0.29	17.40	
32mm couplings		7	3.20	22.40	
25mm couplings		5	1.72	8.60	
20mm couplings		15	1.84	27.60	
20mm Medium duty corrugated conduit		3	3.77	11.31	
32mm Medium duty corrugated conduit		5	7.65	38.25	
32mm screwed adaptor		3	6.79	20.37	
25mm Screwed Adaptor		1	5.12	5.12	
36w bare batten fluorescent light		3	23.43	70.29	
Clipsal Weather resistant double 10 A power point		1	33.43	33.43	
Labour		10	70.00	700.00	
miscellaneous (clips, screws, connectors, hooks, tape, etc)		1	15.00	15.00	
<b>Direct Banking, Commonwealth Bank</b> BSB 064 800 A/C 10249892 Minimum one hour fee for any job We retain the ownership of all goods supplied & installed until payment in full. 5% Overdue account keeping fee can be charged on outstanding accounts. Full terms & conditions visit our web site. <a href="http://www.athertonelectrical.com">www.athertonelectrical.com</a> Thank you for your business.				Tax Total	\$317.67
				SUBTOTAL	\$3,176.58
				<b>Total</b>	<b>\$3,494.25</b>





204 BYRNES STREET  
 PO BOX 171, MAREEBA 4880  
 PHONE: (07) 4092 2888  
 FAX: (07) 4092 4622  
 EMAIL: mba\_hware@tgt.com.au

ABN: 75 009 854 120

## TAX INVOICE

BUILDERS CASH - MAREEBA

<b>Invoice No.</b> MBA00000127972	<b>Date:</b> 25/09/2012
<b>Customer No.</b> C845281	<b>Payment Terms:</b>
<b>Cust. Ref. No.</b> lot 271 springs road	<b>Due Date:</b>
Ship To:	

Item	Description	Qty.	Price Ex GST.	GST	Total
87001	EVERHARD 3000LT S/TANK PLASTIC	1.00	902.55	90.26	992.81
84010	EVERHARD 45L POLY GREASE TRAP	1.00	108.50	10.85	119.35
82020	EVERHARD 350MM P CORR TRENCHING-SEP	10.00	19.94	19.94	219.34
82025	EVERHARD 350MM TRENCH END - SEPTIC	1.00	8.30	0.83	9.13
001294	RELN GEOTEXTILE 2MTX50MT	1.00	144.00	14.40	158.40
CEM20	CEMENT BAG CEMENT 20KG	10.00	7.45	7.45	81.95
14049	CEMENT CEMENT RAPID SET 20KG	10.00	9.98	9.98	109.78
107SD0430	SUTTON-HSS STEP DRILL 4-30MM	1.00	97.85	9.79	107.64

Surcharge	AUD 0.00
Total Excl GST	AUD 1,634.90
GST Amount	AUD 163.49
<b>Total</b>	<b>AUD 1,798.39</b>

### Payment Details

Description	Amount	Change Amount	Card Number
Credit Card	1,798.39	0.00	XXXXXXXXXXXX7048



# T.E.R.M.

## Civil Construction & Quarry Supplies

A.B.N. 84 075 578 451 PO BOX 1732 MAREEBA QLD 4880 TEL: 07 4092 5711 FAX: 07 4092 4714  
Email: [termadmin@qld.chariot.net.au](mailto:termadmin@qld.chariot.net.au)

### TAX INVOICE

Bill To:

FRANK ZUVELLA  
PO BOX 2302  
MAREEBA QLD 4880

Your Order #:

Invoice #: 00031718

Date: 5/10/2012

Page: 1

#### Description

Docket No 43784 - 12.2t Trench Rock @ \$26.47/t  
14t 10mm Aggregate @ \$35.27/t

Amount Code

\$322.93 GST  
\$493.78 GST

**PLEASE PAY WITHIN 7 DAYS**

Our account details for payment via EFT are:

ANZ Mareeba  
BSB 014-648  
A/c No. 1083 01278

Subtotal	\$742.46
GST	\$74.25
Total Inc GST:	\$816.71
Amount Applied:	\$0.00
Balance Due:	\$816.71

Tableland Earthmoving & Raw Materials Pty Ltd trading as T.E.R.M.



## Appendix 10 Proposal Plan 32568-001A

**Proposed Workers Accommodation For F. & L. Zuvela**

**IMPORTANT NOTES:**  
 This plan was prepared to support a Material Change of Use application for land situated at 271 Springs Road, Paddys Green, Maree, SA. The plan is subject to Local Authority (and relevant State Government Authority) approvals and detailed design.  
 No relevance should be placed on the information on this plan for any financial dealings involving the land.  
 Copyright © Queensland Surveying Pty Ltd, a Veris Company, 2017

THESE DESIGNS AND DRAWINGS ARE COPYRIGHT MATERIAL AND MUST NOT BE REPRODUCED OR COPIED WITHOUT THE WRITTEN PERMISSION OF VERIS

Data Sources: RP745857  
 Cadastral Boundaries: Google Earth/ QLD Globe  
 Aerial Images: . . . . .  
 Flood Level: . . . . .  
 Engineering Design: . . . . .  
 Architectural Design: . . . . .  
 Landscape Design: . . . . .

Issue	Revisions	Date	MAT	Drawn
A.	Original	15/11/17	MAT	

Locality: PADDYS GREEN  
 Local Authority: MAREEBA SHIRE  
 Horizontal Meridian: RP745857  
 Scale: 1:1000 at A3  
 Drawn: MAT  
 Checked: JAO  
 Plot Date: 15/11/2017  
 Computer File Ref: 32568 001A Proposal.dwg

**Proposed Workers Accommodation on Lot 1 on RP745857**



**BRISBANE** WHITSUNDAYS  
 (07) 3668 4700 (07) 4845 1722  
**MACKAY** CAIRNS  
 (07) 4951 2911 (07) 4051 6722  
 veris.com.au  
 ACN: 604 671 374  
 Queensland Surveying Pty Ltd, a Veris Company  
 Drawing No: 32568-001  
 Issue: A



2  
 RP745857

**DIAGRAM**  
 Scale 1: 250

Scale 1: 250 – Lengths are in Metres.



Scale 1: 1000 – Lengths are in Metres.



## Appendix 11 Code Assessment – Rural Zone Code



### 6.2.9.3 Criteria for assessment

**Table 6.2.9.3 – Rural zone code – For accepted development subject to requirements and assessable development**

Performance outcomes	Acceptable outcomes	Complies	Comments
<b>For accepted development subject to requirements and assessable development</b>			
<b>Height</b>			
<b>PO1</b> Building height takes into consideration and respects the following: <ul style="list-style-type: none"> <li>(a) the height of existing buildings on adjoining premises;</li> <li>(b) the development potential, with respect to height, on adjoining premises;</li> <li>(c) the height of buildings in the vicinity of the site;</li> <li>(d) access to sunlight and daylight for the site and adjoining sites;</li> <li>(e) privacy and overlooking; and</li> <li>(f) site area and street frontage length.</li> </ul>	<b>AO1.1</b> Development, other than buildings used for rural activities, has a maximum building height of: <ul style="list-style-type: none"> <li>(a) 8.5 metres; and</li> <li>(b) 2 storeys above ground level.</li> </ul>	✓	A01.1 – Complies. Buildings do not exceed a height of 8.5m
	<b>AO1.2</b> Buildings and structures associated with a rural activity including machinery, equipment, packing or storage buildings do not exceed 10 metres in height.	✓	Not applicable
<b>Siting, where not involving a Dwelling house</b>			
Note—Where for Dwelling house, the setbacks of the Queensland Development Code apply.			
<b>PO2</b> Development is sited in a manner that considers and respects: <ul style="list-style-type: none"> <li>(a) the siting and use of adjoining premises;</li> <li>(b) access to sunlight and daylight for the</li> </ul>	<b>AO2.1</b> Buildings and structures include a minimum setback of: <ul style="list-style-type: none"> <li>(a) 40 metres from a frontage to a State-controlled road; and</li> <li>(b) 10 metres from a boundary to an adjoining lot.</li> </ul>	✓	PO2. An accommodation donga is located 4.0m from the side and 2.0m from the rear boundaries. The side boundary is screened via a 2.4m high colorbond fence. The reduced setback does not impact on the amenity of occupants or surrounding land uses. The land adjoining the rear boundary is an open paddock.

Performance outcomes	Acceptable outcomes	Complies	Comments
<p>site and adjoining sites;</p> <p>(c) privacy and overlooking;</p> <p>(d) air circulation and access to natural breezes;</p> <p>(e) appearance of building bulk; and</p> <p>(f) relationship with road corridors.</p>	<p><b>AO2.2</b> 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.</p>	✓ / x	Not applicable
	<p><b>AO2.3</b> Buildings and structures, except where a Roadside stall, include a minimum setback of:</p> <p>(a) 10 metres from a frontage to a sealed road that is not a State-controlled road; and</p> <p>(b) 100 metres from a frontage to any other road that is not a State-controlled road;</p>	✓ / x	Not applicable
<b>Accommodation density</b>			
<p><b>PO3</b> The density of Accommodation activities:</p> <p>(a) respects the nature and density of surrounding land use;</p> <p>(b) is complementary and subordinate to the rural and natural landscape values of the area; and</p> <p>(c) is commensurate to the scale and frontage of the site.</p>	<p><b>AO3.1</b> Residential density does not exceed one dwelling house per lot.</p> <p><b>AO3.2</b> Residential density does not exceed two dwellings per lot and development is for:</p> <p>(a) a secondary dwelling; or</p> <p>(b) Caretaker's accommodation and includes building work or minor building work with a maximum gross floor area of 100m<sup>2</sup>; or</p> <p>(c) Rural worker's accommodation.</p>	✓ / x	PO3 – The site has a nominal residential density of 24persons/ha. The nearest dwelling is approximately 350m from the site. The density of the site will not impact on the surrounding rural uses. The accommodation use is not visible from the Springs Road frontage.
<b>For assessable development</b>			
<b>Site cover</b>			

Performance outcomes	Acceptable outcomes	Complies	Comments
<p><b>PO4</b> Buildings and structures occupy the site in a manner that:</p> <p>(a) makes efficient use of land;</p> <p>(b) is consistent with the bulk and scale of buildings in the surrounding area; and</p> <p>(c) appropriately balances built and natural features.</p>	<p><b>AO4</b> No acceptable outcome is provided.</p>	<p>✓ / x</p>	<p>PO4 Complies. The use makes efficient use of the land. As the site only has an area of 1.0 ha, the accommodation use does not impact on the rural use of the site. The accommodation use is adequately screened and is not visible from the Springs Road frontage.</p>
<p><b>PO5</b> Development complements and integrates with the established built character of the Rural zone, having regard to:</p> <p>(a) roof form and pitch;</p> <p>(b) eaves and awnings;</p> <p>(c) building materials, colours and textures; and</p> <p>(d) window and door size and location.</p>	<p><b>AO5</b> No acceptable outcome is provided.</p>	<p>✓ / x</p>	<p>PO5 Complies - The accommodation use is adequately screened and is not visible from the Springs Road frontage.</p>

Performance outcomes	Acceptable outcomes	Complies	Comments
<b>Amenity</b>			
<p><b>PO6</b> Development must not detract from the amenity of the local area, having regard to:</p> <ul style="list-style-type: none"> <li>(a) noise;</li> <li>(b) hours of operation;</li> <li>(c) traffic;</li> <li>(d) advertising devices;</li> <li>(e) visual amenity;</li> <li>(f) privacy;</li> <li>(g) lighting;</li> <li>(h) odour; and</li> <li>(i) emissions.</li> </ul>	<p><b>AO6</b> No acceptable outcome is provided.</p>	<p>✓ / x</p>	<p><b>P07</b></p> <ul style="list-style-type: none"> <li>- Noise Noise produced is minimal. The nearest neighbouring dwelling is approximately 350m and is screened by fruit trees.</li> <li>- Hours of operation; The site is only used for residential purpose</li> <li>- Traffic; The occupants are picked up and dropped off by small buses. The traffic generated will not impact on the locality. The site has sufficient room onsite for parking.</li> <li>- Advertising devices; No advertising devices are utilised onsite.</li> <li>- Visual amenity; The accommodation use is adequately screened and is not visible from the Springs Road frontage.</li> <li>- Privacy; See comment to visual amenity</li> <li>- Lighting; The site is used for a residential purpose. The nearest neighbouring dwelling is approximately 350m and is screened by fruit trees.</li> <li>- Odour; Not applicable</li> <li>- Emissions. Not applicable</li> </ul>

Performance outcomes	Acceptable outcomes	Complies	Comments
<p><b>PO7</b> Development must take into account and seek to ameliorate any existing negative environmental impacts, having regard to:</p> <ul style="list-style-type: none"> <li>(a) noise;</li> <li>(b) hours of operation;</li> <li>(c) traffic;</li> <li>(d) advertising devices;</li> <li>(e) visual amenity;</li> <li>(f) privacy;</li> <li>(g) lighting;</li> <li>(h) odour; and</li> <li>(i) emissions.</li> </ul>	<p><b>AO7</b> No acceptable outcome is provided.</p>	<p>✓ / x</p>	<p>See comment to P06 above.</p>





## Appendix 12 Code Assessment – Accommodation Activities Code

### 9.3.1.3 Criteria for assessment

**Table 9.3.1.3A – Accommodation activities codes – For accepted development subject to requirements and assessable development**

Performance outcomes	Acceptable outcomes	Complies	Comments
<b>For accepted development subject to requirements and assessable development</b>			
<b>All Accommodation activities, apart from Dwelling house</b>			
<p><b>PO1</b> Accommodation activities are located on a site that includes sufficient area:</p> <p>(a) to accommodate all buildings, structures, open space and infrastructure associated with the use; and</p> <p>(b) to avoid adverse impacts on the amenity or privacy of nearby land uses.</p>	<p><b>AO1</b> Development is located on a site which provides the applicable minimum site area and minimum road frontage specified in <b>Table 9.3.1.3B</b>.</p>	✓	<p>A01 – Complies. The site is sufficient area to accommodate the use. The accommodation use is setback from main dwelling and associated infrastructure such that it will not create a nuisance. The accommodation buildings are screened from adjoining rural use via a solid colorbond fence. See Photographs 5-7, Appendix 8</p>
<b>All Accommodation activities, apart from Tourist park and Dwelling house</b>			
<p><b>PO2</b> Accommodation activities are provided with on-site refuse storage areas that are:</p> <p>(a) sufficient to meet the anticipated demand for refuse storage; and</p> <p>(b) appropriately located on the site having regard to potential odour and noise impacts on uses on the site and adjoining sites.</p>	<p><b>AO2.1</b> A refuse area is provided that:</p> <p>(a) includes a water connection;</p> <p>(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</p> <p>(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.</p>	✓	<p>A02.1 – Complies. The entire site (dwelling and workers accommodation) is serviced by an industrial refuse bin maintained by JJ Richards Waste Services. The refuse bin is located at the front of the site in the proximity of the existing shed. The waste provider does not have any access issues with the current location of the refuse storage.</p>
<b>All Accommodation activities, except for Dwelling house</b>			

Performance outcomes	Acceptable outcomes	Complies	Comments
<p><b>PO3</b> Accommodation activities are designed to avoid overlooking or loss of privacy for adjoining uses.</p> <p>Note—These provisions apply to any adjoining use, both on an adjoining site and on the same site.</p>	<p><b>A03</b> The windows of habitable rooms:</p> <p>(a) do not overlook the windows of a habitable room in an adjoining dwelling or accommodation unit; or</p> <p>(b) are separated from the windows of a habitable room in an adjoining dwelling or accommodation unit by a distance greater than:</p> <p>(i) 2 metres at ground level; and</p> <p>(ii) 8 metres above ground level; or</p> <p>(c) are treated with:</p> <p>(i) a minimum sill height of 1.5 metres above floor level; or</p> <p>(ii) fixed opaque glassed installed below 1.5 metres; or</p> <p>(iii) fixed external screens; or</p> <p>(iv) a 1.5 metre high screen fence along the common boundary.</p>	✓	A03 – Complies. Windows of the bedrooms do not overlook common areas. The existing mango trees onsite screen the workers accommodation from the existing dwelling.
<p><b>PO4</b> Accommodation activities are provided with sufficient private and communal open space areas which:</p> <p>(a) accommodate a range of landscape treatments, including soft and hard landscaping;</p> <p>(b) provide a range of opportunities for passive and active recreation;</p>	<p><b>A04.1</b> Development, except for Caretaker's accommodation, Dwelling house, Dual occupancy or Home based business, includes communal open space which meets or exceeds the minimum area, dimension and design parameters specified in <b>Table 9.3.1.3C</b>.</p>	✓	PO4 – Complies. The accommodation area contains covered and open recreation areas (grassed) for the occupants to utilise. In addition to the areas within the complex, the occupants have the liberty to use the balance of the site containing fruit trees for recreation purposes. See photographs 10-12, Appendix 8.

Performance outcomes		Acceptable outcomes	Complies	Comments
(c) provide a positive outlook and high quality of amenity to residents; (d) is conveniently located and easily accessible to all residents; and (e) contribute to an active and attractive streetscape.		<b>AO4.2</b> Development includes private open space for each dwelling or accommodation unit which meets or exceeds the minimum area, dimension and design parameters specified in <b>Table 9.3.1.3D</b> .	✓ / x	
		<b>AO4.3</b> Clothes drying areas are provided at the side or rear of the site so that they are not visible from the street.	✓	Complies – Clothes lines are provided on the solid screen fence located with the open recreation area (grassed).
		<b>AO4.4</b> If for Dual occupancy, Multiple dwelling, Residential care facility or Retirement facility, development provides a secure storage area for each dwelling or accommodation unit which: (a) is located to facilitate loading and unloading from a motor vehicle; (b) is separate to, and does not obstruct, on-site vehicle parking or manoeuvring areas; (c) has a minimum space of 2.4m <sup>2</sup> per dwelling or accommodation unit; (d) has a minimum height of 2.1 metres; (e) has minimum dimensions to enable secure bicycle storage; (f) is weather proof; and (g) is lockable.	✓ / x	Not applicable
<b>If for Caretaker's Accommodation</b>				
<b>PO5</b> Caretaker's accommodation is of a scale and intensity which is consistent with that of the surrounding area.  Note—Where Caretaker's Accommodation is assessable development additional assessment benchmarks are provided under "for assessable development".		<b>AO5.1</b> Only one caretaker's accommodation is established on the title of the non-residential use.	✓ / x	Not applicable
		<b>AO5.2</b> In the Rural zone, Caretaker's accommodation has a maximum gross floor area of 200m <sup>2</sup> .	✓ / x	Not applicable

Performance outcomes	Acceptable outcomes	Complies	Comments
<b>If for Dwelling house</b>			
<b>PO6</b> Where a Dwelling house involves a secondary dwelling, it is designed and located to: (a) not dominate the site; (b) remain subservient to the primary dwelling; and (c) be consistent with the character of the surrounding area;	<b>AO6.1</b> The secondary dwelling is located within: (a) 10 metres of the primary dwelling where on a lot that has an area of 2 hectares or less; or (b) 20 metres of the primary dwelling where on a lot that has an area of greater than 2 hectares.	✓ / x	Not applicable
	<b>AO6.2</b> A secondary dwelling has a maximum gross floor area of 100m <sup>2</sup> .	✓ / x	Not applicable
<b>If for Dual occupancy</b>			
<b>PO7</b> Where establishing a Dual occupancy on a corner lot, the building is designed to: (a) maximise opportunities for causal surveillance; (b) provide for separation between the two dwellings; and (c) provide activity and visual interest on both frontages.	<b>AO7.1</b> Where located on a corner allotment, each dwelling is accessed from a different road frontage.	✓ / x	Not applicable
	<b>AO7.2</b> The maximum width of garage or carport openings that face a public street is 6 metres or 50% of the building width, whichever is the lesser.	✓ / x	Not applicable
<b>If for Multiple dwelling, Residential care facility or Retirement facility</b>			
<b>PO8</b> Development is appropriately located within the Shire to: (a) maximise the efficient utilisation of existing infrastructure, services and facilities; and (b) minimise amenity impacts through the collocation of compatible uses.  Note—Where Residential care facility or Retirement facility is assessable development additional assessment benchmarks are provided under “for assessable development”.	<b>AO8</b> Multiple dwelling, Residential care facility or Retirement facility uses are located on land within 800 metres of the boundary of land within the Centre zone.	✓ / x	Not applicable



Performance outcomes	Acceptable outcomes	Complies	Comments
<p><b>PO9</b> Buildings are designed to:</p> <p>(a) reduce the appearance of building bulk;</p> <p>(b) provide visual interest through articulation and variation;</p> <p>(c) be compatible with the embedded, historical character for the locality; and</p> <p>(d) be compatible with the scale of surrounding buildings</p> <p>Note—Where Residential care facility or Retirement facility is assessable development additional assessment benchmarks are provided under “for assessable development”.</p>	<p><b>AO9.1</b> External walls do not exceed 10 metres in continuous length unless including a minimum of three of the following building design features and architectural elements:</p> <p>(a) a change in roof profile; or</p> <p>(b) a change in parapet coping; or</p> <p>(c) a change in awning design; or</p> <p>(d) a horizontal or vertical change in the wall plane; or</p> <p>(e) a change in the exterior finishes and exterior colours of the development.</p>	✓ / x	Not applicable
	<p><b>AO9.2</b> For a Multiple dwelling, Residential care facility or Retirement facility, the maximum width of a garage or carport opening that faces a road is 6 metres.</p>	✓ / x	Not applicable
	<p><b>AO9.3</b> For a Multiple dwelling, Residential care facility or Retirement facility, the building(s) include awnings with a minimum overhang of 600mm.</p>	✓ / x	Not applicable
	<p><b>AO9.4</b> For a Multiple dwelling, Residential care facility or Retirement facility, roof forms include one or more of the following types:</p> <p>(a) pyramidal;</p> <p>(b) hip or hipped;</p> <p>(c) gable;</p> <p>(d) skillion.</p>	✓ / x	Not applicable
<b>If for Residential care facility or Retirement facility</b>			
<p><b>PO10</b> The layout and design of the site:</p> <p>(a) promotes safe and easy pedestrian, cycle and mobility device movement;</p>	<p><b>AO10.1</b> The development incorporates covered walkways and ramps on site for weather protection between all buildings.</p>	✓ / x	Not applicable
	<p><b>AO10.2</b> Pedestrian paths include navigational signage at intersections.</p>	✓ / x	Not applicable

Performance outcomes	Acceptable outcomes	Complies	Comments
(b) defines areas of pedestrian movement; and (c) assists in navigation and way finding.  Note—Where Residential care facility or Retirement facility is assessable development additional assessment benchmarks are provided under “for assessable development”.	<b>AO10.3</b> Buildings, dwellings and accommodation units include identification signage at entrances.	✓ / x	Not applicable
	<b>AO10.4</b> An illuminated sign and site map is provided at the main site entry.	✓ / x	Not applicable
	<b>AO10.5</b> Buildings, structures and pathways associated with a Residential care facility or Retirement facility are not located on land with a gradient greater than 8%.	✓ / x	Not applicable
<b>If for Home based business</b>			
<b>PO11</b> 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.	<b>AO11.1</b> The Home based business is located within a dwelling house or outbuilding associated with a dwelling house.	✓ / x	Not applicable
	<b>AO11.2</b> The Home based business does not occupy a gross floor area of more than 50m <sup>2</sup> .	✓ / x	Not applicable
	<b>AO11.3</b> No more than 1 person (other than the residents of the site) is employed by the Home based business at any one time.	✓ / x	Not applicable
	<b>AO11.4</b> 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.	✓ / x	Not applicable
	<b>AO11.5</b> The Home based business does not involve the public display of goods external to the building.	✓ / x	Not applicable
	<b>AO11.6</b> The Home based business does not involve the repair, cleaning or servicing of any motors, vehicles or other machinery.	✓ / x	Not applicable
	<b>AO11.7</b> Any equipment or materials associated with the Home based business are screened from public view and adjacent properties by fencing or landscaping.	✓ / x	Not applicable

Performance outcomes	Acceptable outcomes	Complies	Comments
	<b>AO11.8</b> The business does not involve the use of power tools or similar noise generating devices.	✓ / x	Not applicable
<b>PO12</b> Home based businesses involving accommodation activities are appropriately scaled and designed to avoid detrimental impacts on the amenity and privacy of surrounding residences.	<b>AO12.1</b> Home based businesses involving accommodation activities are limited to the scale specified in <b>Table 9.3.1.3E</b> .	✓ / x	Not applicable
	<b>AO12.2</b> A farm stay dwelling or accommodation unit is located within 20 metres of the primary dwelling house.	✓ / x	Not applicable
	<b>AO12.3</b> A farm stay is setback 100 metres from any property boundary.	✓ / x	Not applicable
	<b>AO12.4</b> Entertainment and dining facilities associated with an accommodation activity are: (a) located at least 5 metres from the bedrooms of adjoining residences; and (b) located or screened so that they do not directly overlook private open space areas of adjoining properties.	✓ / x	Not applicable
<b>If for Rural workers' accommodation</b>			
<b>PO13</b> The Rural workers' accommodation is directly associated with an agricultural based rural activity on the same premises and is commensurate with the scale of agricultural operations.	<b>AO13.1</b> A Rural workers' accommodation building is limited to the accommodation of: (a) one rural worker for every 50 hectares; and (b) a maximum of ten rural workers in total.	✓ / x	Not applicable
	<b>AO13.2</b> The agricultural based rural activity is a minimum of 50 hectares in area.	✓ / x	Not applicable

Performance outcomes	Acceptable outcomes	Complies	Comments
<b>PO14</b> Rural workers' accommodation is provided with amenities commensurate with the: (a) needs of the employees; and (b) permanent or seasonal nature of the employment.	<b>AO14.1</b> The Rural workers' accommodation is: (a) for permanent occupation; and (b) fully self-contained. OR	✓ / x	Not applicable
	<b>AO14.2</b> The Rural workers' accommodation: (a) is for seasonal occupation (up to 3 months); (b) shares facilities with an existing Dwelling house or Caretaker's residence; and (c) is located within 100 metres of the Dwelling house or Caretaker's residence.	✓ / x	Not applicable
<b>For assessable development</b>			
<b>If for Caretaker's Accommodation</b>			
<b>PO15</b> The inclusion of Caretaker's accommodation on the site is necessary for the operation of the primary use, having regard to: (a) hours of operation; (b) nature of the use; (c) security requirements; (d) site location and access; and (e) proximity to other land uses.	<b>AO15</b> No acceptable outcome is provided.	✓ / x	Not applicable
<b>If for Residential care facility or Retirement facility</b>			
<b>PO16</b> Retirement facilities include a range of housing designs and types that: (a) meet the needs of residents; (b) allow for 'ageing in place'; (c) consider differing mobility needs; (d) accommodate differing financial situations; and (e) cater for different household types.	<b>AO16</b> No acceptable outcome is provided.	✓ / x	Not applicable
<b>If for Tourist park</b>			

Performance outcomes	Acceptable outcomes	Complies	Comments
<b>PO17</b> The Tourist park is appropriately located to provide park users with convenient access to tourist attractions, community facilities and infrastructure.	<b>AO17</b> No acceptable outcome is provided.	✓ / x	Not applicable
<b>PO18</b> The density of accommodation provided within the Tourist park: (a) is commensurate with the size and utility of the site; (b) is consistent with the scale and character of development in the surrounding area; (c) ensures sufficient infrastructure and services can be provided; (d) does not adversely impact on the existing amenity of nearby uses; (e) ensures a high level of amenity is enjoyed by residents of the site; and (f) does not place undue pressure on environmental processes in the surrounding area.	<b>AO18.1</b> Where park areas are proposed to exclusively accommodate caravans, motor homes, tents or cabins, accommodation site densities do not exceed: (a) 40 caravan or motor home sites per hectare of the nominated area(s); or (b) 60 tent sites per hectare of the nominated area(s); or (c) 10 cabins (maximum 30m <sup>2</sup> gross floor area per cabin) per hectare of the nominated area(s).	✓ / x	Not applicable
	<b>AO18.2</b> Where park areas are proposed to be used for any combination of caravans, motor homes, tents or cabins, then the lowest applicable density identified by AO18.1 shall be applied to the nominated area(s).	✓ / x	Not applicable
<b>PO19</b> Accommodation sites are designed and located: (a) to provide sufficient land for necessary services and infrastructure; (b) to achieve sufficient separation between land uses; (c) is consistent with the scale and character of development in the surrounding area; and (d) to prevent amenity and privacy impacts on nearby land uses.	<b>AO19.1</b> A minimum of 50% of provided caravan and motor home accommodation sites have a concrete slab with a minimum length of 6 metres and a minimum width of 2.4 metres.	✓ / x	Not applicable
	<b>AO19.2</b> Caravan, motor home, tent and cabin accommodation sites are set back a minimum of: (a) 2 metres from an internal road; and (b) 1.5 metres from the side and rear boundaries of the site.	✓ / x	Not applicable



Performance outcomes	Acceptable outcomes	Complies	Comments
<b>PO20</b> A Tourist park is provided with sufficient and appropriately located refuse collection areas.	<b>AO20.1</b> A central refuse collection area is provided to service all accommodation sites.	✓ / x	Not applicable
	<b>AO20.2</b> The refuse collection area must be kept in a sanitary condition at all times with all refuse stored in weather-proof and securable receptacles to prevent them from attracting vermin and wildlife.	✓ / x	Not applicable
	<b>AO20.3</b> The refuse collection area is constructed on an impervious surface such as a concrete slab.	✓ / x	Not applicable
	<b>AO20.4</b> A water connection is provided within the refuse collection area to facilitate cleaning of receptacles and the collection area.	✓ / x	Not applicable
	<b>AO20.5</b> Refuse collection areas are located a minimum of 10 metres from any recreational areas, communal cooking facilities and accommodation sites.	✓ / x	Not applicable



**Cairns**

25 Grafton Street  
PO Box 7627  
Cairns  
QLD 4870

T 07 4051 6722  
cairns@veris.com.au  
veris.com.au

**Office Locations**

Over 15 offices across  
Australia  
veris.com.au/contactus

Queensland Surveying Pty Ltd  
A Veris Company  
ABN 25 604 671 374

**DEVELOP  
WITH \_\_\_\_\_  
CONFIDENCE™**



**DEVELOP  
WITH \_\_\_\_\_  
CONFIDENCE™**