

DEVELOPMENT APPLICATION FOR A DEVELOPMENT
PERMIT FOR:

RECONFIGURING A LOT (1 LOT INTO 2 LOTS AND
ACCESS EASEMENT)

on behalf of
Avenol Developments Pty Ltd

at
147 Martin Avenue, Mareeba QLD

on
Lot 20 on SP237080





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1.0 INTRODUCTION

This town planning report has been prepared on behalf of the Applicant, Avenol Developments Pty Ltd, in support of a Development Application seeking a Development Permit for Reconfiguring a Lot (1 Lot into 2 Lots and Access Easement) on land at 147 Martin Avenue, Mareeba, formally described as Lot 20 on SP237080.

To assist in Council's determination of this development application, this planning report covers the following matters:

- Section 2:- Subject site description.
- Section 3:- A detailed description of the development proposal.
- Section 4:- A review of the relevant legislation provisions.
- Section 5:- An assessment of the proposal against the relevant code provisions of the *Mareeba Shire Council Planning Scheme 2016*.
- Section 6:- Conclusion.

The development application is made in accordance with section 51 of the *Planning Act 2016* and contains the mandatory supporting information specified in the applicable DA Form, included in **Appendix A**.

In accordance with section 51(2) of the *Planning Act 2016*, landowner written consent is required as the Applicant is not the registered owner of the premises. Landowner consent is included in **Appendix B**.

Under the *Mareeba Shire Council Planning Scheme 2016*, the application is subject to impact assessment and therefore public notification is required to be undertaken.

This application triggers referral to the State Assessment Referral Agency (SARA).



The land is not currently connected to Council’s reticulated services; however, these connections are within proximity to the site and readily available. A water main traverses the Seary Road frontage while a sewer main follows the Martin Avenue frontage.

The certificate of Title confirming ownership of the subject land by Lilian Ramis is included in **Appendix B**. The certificate of Title also identifies that the subject land is encumbered by Easement A on SP254836 on Lot 20 on SP237080 (in gross to Council for drainage purposes) which will not be impacted as a result of the proposal.

A copy of the SmartMap detailing the existing lot configuration is included in **Appendix B**.



3.0 THE PROPOSAL

Approval of the Development Application will authorise a Development Permit for Reconfiguring a Lot (1 Lot into 2 Lots and Access Easement) on land at 147 Martin Avenue, Mareeba, formally described as Lot 20 on SP237080. The proposed reconfiguration is detailed within Proposal Plan 36622/001B included with **Appendix E**, with an extract provided within *Figure 3* below.

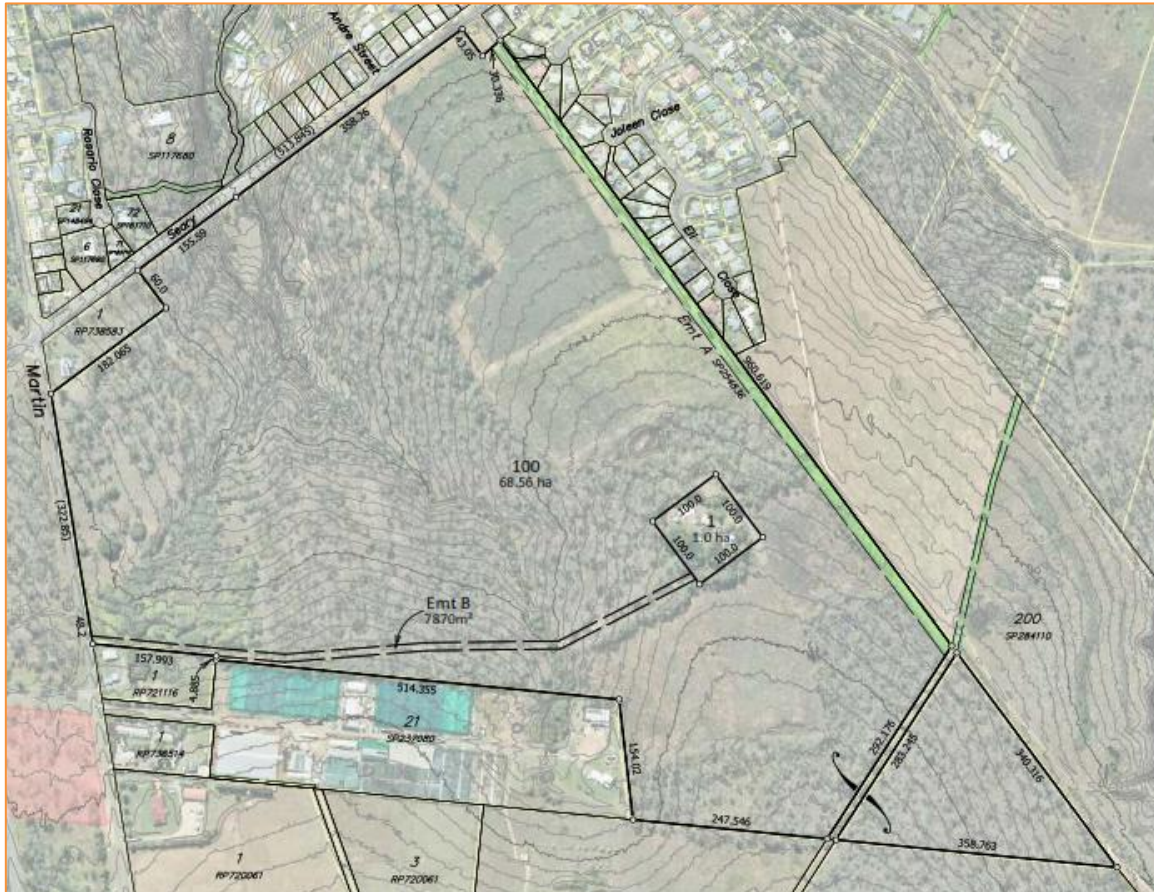


Figure 3: Extract of Proposal Plan 36622/001 Rev B (Source: Brazier Motti 2026)

The proposal will result in the creation of the following lots:

- Proposed Lot 1 – 1.0ha
- Proposed Lot 100 – 68.65ha

The proposal is minor in nature as it seeks to excise the existing dwelling house from the site to allow for the sale of balance of the site to occur. This management reconfiguration allows the development of the remaining land to be undertaken in an orderly and manageable process. A temporary access easement will be created within proposed Lot 100 benefitting proposed Lot 1 to the that time that residential development progresses within proposed Lot 100 and provides direct frontage to a future road network. This proposal only refers to the initial establishment of the two (2) lots and access easement only. Future development of the proposed Lot 100 will be addressed in subsequent reconfiguring a lot applications.



A development summary is as follows:

- The proposal, ultimately supporting the development of new residential lots, demonstrates consistency with the land allocation identified for the Emerging Community Zone and south-east expansion precinct in the *Mareeba Shire Council Planning Scheme 2016*.
- The proposal is the initial step of unlocking critical residential land that directly supports the growing housing demand and easing long term waitlisting for residential lots.
- Proposed Lot 1 contains adequate area to support the existing residential use without impact to the function or amenity of the site. Easement B will benefit proposed Lot 1 for the purpose of continued access from Martin Avenue, and no physical changes to the access or driveway are required. Existing service connections will continue to service proposed Lot 1 to the time that future residential development within the site provides the relevant service connections. Existing connections will continue to service the existing dwelling without impact.
- No physical changes are required to fulfil the proposal. Connection to services and surrounding networks will be addressed in detail as part of subsequent development applications for further subdivision.

Overall, the proposal is considered to be compatible with the subject site and surrounding locality. Furthermore, the establishment of management landholdings supports the logical sequencing of development within the site.



4.0 RELEVANT LEGISLATION

4.1 COMMONWEALTH LEGISLATION

The application is not subject to assessment against Commonwealth legislation. It is not anticipated that development of this land will trigger assessment against the *Environmental Protection and Biodiversity Conservation Act 1999 (EPBC)*, as it is not anticipated that the development will significantly impact upon a matter of national environmental significance.

4.2 THE PLANNING ACT 2016

The *Planning Act 2016* provides the framework for coordinating local, regional and state planning. Given the nature of the development, the application requires assessment against this legislation.

4.3 STATE ASSESSMENT AND REFERRALS

It is noted that the subject site is within 25m of a State transport corridor. Review of the proposed development against Schedule 10 of the *Planning Regulation 2017* confirms that the application requires referral to SARA for the following trigger:

- 10.9.4.2.1.1 | Reconfiguring a lot near a State transport corridor or that is a future State transport corridor where all or part of the premises are within 25m of a State transport corridor and the total number of lots is increased.

A copy of the response to State Code 1 is included in **Appendix C**.

4.4 STATE PLANNING POLICY

In accordance with section 2.1 – State Planning Policy (SPP) of the planning scheme, the Minister has identified that all aspects of the SPP have been integrated into the planning scheme. Hence, for the purposes of this development, we consider that assessment of the proposal against the provisions of the SPP is not required, and all relevant matters will be dealt with under the provisions of the planning scheme.

4.5 FAR NORTH QUEENSLAND REGIONAL PLAN

The proposal is consistent with the relevant land use policies identified for Mareeba in the *FNQ Regional Plan* as the proposal is for the reconfiguration of land for future residential purposes at a site within the identified urban footprint (land use policy 4.1.1). Specifically, the site is within an urban expansion area of Mareeba and therefore appropriately sequenced to ensure logical and orderly land use and infrastructure delivery (land use policy 4.1.2).

4.6 ASSESSMENT MANAGER AND PLANNING SCHEME

Mareeba Shire Council is nominated as the assessment manager for the application. The applicable planning scheme is the *Mareeba Shire Council Planning Scheme 2016* (Planning Scheme).

4.7 PUBLIC NOTIFICATION

The proposed development on the subject land requires public notification under the provisions of the *Planning Act 2016*.

4.8 OWNERS CONSENT

In accordance with section 51 of the *Planning Act 2016*, written consent is included in **Appendix B** as the Applicant is not the registered owner of the premises.



5.0 THE PLANNING FRAMEWORK

5.1 MAREEBA SHIRE COUNCIL PLANNING SCHEME 2016

The Planning Scheme seeks to achieve outcomes through the identification of a number of overall outcomes, performance outcomes and acceptable solutions. Land identified within the planning scheme is divided into a number of zones. Zones are further identified within individual precincts and local plans. The Planning Scheme further identifies numerous overlay codes.

5.2 PLANNING SCHEME DESIGNATIONS

In accordance with the *Mareeba Shire Council Planning Scheme 2016* (Planning Scheme), the site is subject to the designations listed in *Table 1* below. These designations will assist in determining which tables of assessment are applicable to the proposed development on the subject site and therefore assist in the determination of the category of assessment and the codes applicable to the proposed development.

Table 1: Planning Scheme Designation

Type of Designation	Designation Applicability
Zone	Emerging Community Zone
Local Plan	Mareeba Local Plan Area (South-eastern Expansion Precinct)
Airport Environs Overlay	Conical and horizontal limitation surface contour Bird and bat strike zone – 8km Light intensity buffer
Bushfire Hazard Overlay	Potential Impact Buffer Medium potential bushfire intensity
Environmental Significance Overlay	MSES waterway Regulated vegetation
Transport Infrastructure Overlay	Access Road – Martin Avenue Collector Road – Seary Road

5.3 LEVEL OF ASSESSMENT, ASSESSABLE BENCHMARKS AND APPLICABLE CODES

The subject site is designated within Emerging Community Zone and four (4) overlays. The relevant table of assessment within the Planning Scheme (Table 5.6.1) identifies the proposed Reconfiguring a Lot as assessable development and is impact assessable.

Furthermore, the proposed development will be assessed against the following codes:

- Strategic Framework;
- Mareeba Local Plan Code;
- Emerging Community Zone Code;
- Airport Environs Overlay Code;
- Bushfire Hazard Overlay Code;
- Environmental Significance Overlay Code;
- Transport Network Overlay Code;
- Parking and Access Code;
- Reconfiguring a Lot Code;
- Works, services and infrastructure Code.

The following sections provide an assessment of the proposal against the relevant provisions of applicable codes:



5.4 STRATEGIC FRAMEWORK

The strategic framework sets the policy direction for the planning scheme and forms the basis for ensuring appropriate development occurs within the planning scheme area for the life of the planning scheme.

The specific outcomes applicable to the proposal have been identified and are detailed below, with comments demonstrating compliance:

5.4.1 (3.3) Settlement pattern and built environment

Relevant elements of specific outcomes for settlement pattern and built environment include:

Strategic outcomes

- 3.3.1.1 | *Mareeba Shire is intended to support a widely dispersed population in a variety of settings, including rural towns, small rural settlements, villages, rural residential areas, cropping lands, grazing lands and broad-hectare grazing properties. Future development maintains this settlement pattern and the distinct character that it provides to the shire. The settlement pattern also ensures the continuing viability of the shire's rural economy, particularly through the provision of high quality services.*
- 3.3.1.3 | *Residential areas and urban expansion areas support strategically located and logically sequenced residential development, maximising the efficient utilisation of new and existing infrastructure, particularly active and public transport. Residential development, including infill housing in designated areas, is focussed in Mareeba and the Kuranda district. A diversity of housing choices is developed within proximity to services and activity centres while protecting the character of the shire. Housing for aged persons, both for independent and assisted living, is provided to support the aging population of the shire. Aged care development is provided in suitable locations in the residential areas and urban expansion areas of the shire.*

Response

The proposal is minor in nature as it seeks to excise the existing dwelling house from the site to allow for the sale of balance of the site to occur. This management reconfiguration allows the development of the remaining land to be undertaken in an orderly and manageable process. The land is identified as a residential expansion area on the strategic framework map; hence, future development maintains the settlement pattern and distinct character of the Shire (3.3.1.1). The proposal continues the logical progression of residential development in Mareeba and is consistent with surrounding development, noting that adjoining land to the east has been recently approved for low density residential lots. The land is within proximity to services and necessary infrastructure suitable for further development (3.3.1.3).

Residential areas and development

- 3.3.7.1.2 | *Population growth is focused on infill sites within existing residential areas and greenfield developments in residential areas and urban expansion areas to the east and south of Mareeba. An investigation area to the north of Mareeba will be considered for potential urban growth outside the life of the planning scheme.*
- 3.3.7.1.3 | *Residential expansion occurs in residential areas immediately adjacent to established activity centres and is logically sequenced to ensure efficient servicing by existing physical infrastructure networks.*
- 3.3.7.1.4 | *Residential areas contain predominantly low density residential development and are characterised by traditional detached housing and Dual occupancy development.*
- 3.3.7.1.6 | *Residential subdivision design and greenfield development considers and respects:*
(a) *topography;*



- (b) climate responsive design and solar orientation;*
- (c) efficient traffic flows and connectivity;*
- (d) pedestrian and cycle movement;*
- (e) efficient and sustainable infrastructure provision;*
- (f) environmental values;*
- (g) parkland and open space links;*
- (h) mixed lot sizes and dwelling types;*
- (i) water sensitive urban design;*
- (j) good quality agricultural land;*
- (k) the character and scale of surrounding development.*

Response

The site is within the urban expansion area south-east of Mareeba (3.3.7.1.2), presenting logically sequenced development that can be efficiently connected to existing infrastructure networks including transport, water, wastewater, and energy supply at the time of further subdivision (3.3.7.1.3). Further subdivision of the land is intended to establish low density residential development, the ultimate form being consistent with surrounding lots. The initial configuration is sympathetic of the natural features of the land and existing structures on site, and further subdivision of the land can respond directly to the identified parameters and linkages to surrounding development (3.3.7.1.4, 3.3.7.1.6).

Urban expansion and investigation areas

- 3.3.8.1.1 | *Urban expansion areas and investigation areas are anticipated to provide for development beyond the life of the planning scheme and are preserved for this purpose, with interim development not compromising future residential development.*
- 3.3.8.1.2 | *Well-serviced and designed greenfield residential development occurs in urban expansion areas of Mareeba and Kuranda only where it is planned, logically sequenced and can be efficiently serviced.*
- 3.3.8.1.3 | *Urban expansion areas in Mareeba provide a range of housing options and aim for density targets of twelve dwellings per hectare by 2031.*

Response

The proposal is to excise the existing dwelling from the landholding to allow the residential development of the site to proceed. The proposal will provide for future residential development for the community beyond the life of the planning scheme and is within an area that is planned, logically sequenced and can be efficiently serviced (3.3.8.1.1, 3.3.8.1.2). Further subdivision of the site is intended to provide for a range of housing options and will support Mareeba's density targets; this will be addressed as part of subsequent development applications (3.3.8.1.3).

Natural hazard mitigation

- 3.3.14.1.1 | *The risk of loss of life and property associated with bushfires, cyclones, flooding, landslides and other weather related events are minimised through the appropriate use of land having regard to its level of susceptibility to the hazard or potential hazard.*
- 3.3.14.1.3 | *Development considers the potential for increased occurrence of natural hazards as a result of climate change, including greater frequency of extreme weather events and increased rainfall intensities.*

Response

The site is designated for urban expansion and has been selected for its suitability to accommodate for such development. Further subdivision of the land will address this outcome to protect people and property.



5.4.2 (3.4) Natural resources and environment

Relevant elements of the specific outcomes for natural resources and environment include:

Strategic outcomes

- 3.4.1.1 | *Mareeba Shire's outstanding natural environment, ecological processes and biodiversity values, including those within conservation areas and biodiversity areas, are conserved, enhanced and restored. Minimal loss of native vegetation is achieved in the shire through limited clearing of biodiversity areas, strategically located rehabilitation areas and the replanting of native vegetation. The impacts of pests and weeds on the natural environment is minimised and managed.*

Response

The site is designated as a residential expansion area for urban purposes, and all future residential development associated with this project will be contained to this area. Hence, Mareeba Shire's environment, ecological processes and biodiversity values, including those within conservation areas and biodiversity areas, are conserved, enhanced and restored.

Watercourses and wetlands

- 3.4.6.1.1 | *Hydrological flows, riparian ecology and ecosystem services of watercourses and wetlands are maintained, protected and enhanced.*

Response

The initial reconfiguration is responsive to the natural features on site and these features, and ecosystem functions they provide, can continue to be protected during further subdivision. This will be addressed in detail as part of subsequent development applications.

5.5 LOCAL PLAN CODE PROVISIONS

5.5.1 Mareeba Local Plan Code

In accordance with the *Mareeba Shire Council Planning Scheme 2016*, the site is contained within the Mareeba Local Plan Code (Mareeba south-eastern expansion precinct). The purpose of the Mareeba local plan code is to:

- (a) facilitate the continued use of the historic stables area adjacent to the Mareeba Racecourse for residential horse keeping;
- (b) facilitate the continued development of the Mareeba Airport;
- (c) facilitate efficient development that accords with local lifestyle and amenity expectations;
- (d) identify and direct urban growth opportunities;
- (e) facilitate a more vibrant and integrated town centre;
- (f) enhance accessibility to, and activation of, the Barron River and Centenary Lakes as important physical assets for Mareeba;
- (g) enhance Mareeba's heritage and cultural elements; and
- (h) facilitate the development of an appropriate site for special industry.

Specifically, the Mareeba north-eastern expansion precinct, the Mareeba south-eastern expansion precinct and the Mareeba south-western expansion precinct are intended for urban residential development. These precincts are constrained by a range of important features including slopes, gullies, watercourses, open space and riparian linkages and the Mareeba Bypass. Development in these precincts preserves and enhances these features while supporting the development of a walkable and well connected transport network.



Response

The site is within the Mareeba south-eastern expansion area (Area I) as identified in the Mareeba Local Plan map (LPM-001). The proposal is for the establishment of large management landholdings only, though directly aligns with the intended land use and form of development of the precinct as a future residential area. Overall, the proposal is consistent with the purpose and outcomes of the Mareeba Local Plan Code.

Detailed assessment against the proposed development is included in **Appendix D**.

5.6 ZONE CODE PROVISIONS

5.6.1 Emerging Community Zone Code

In accordance with the *Mareeba Shire Council Planning Scheme 2016*, the site is contained within the Emerging Community Zone, where Reconfiguring a Lot is impact assessable.

The purpose of the Emerging community zone code is to:

- (a) identify land that is suitable for urban purposes and protect land that may be suitable for urban development in the future.
- (b) manage the timely conversion of non-urban land to urban purposes.
- (c) prevent or discourage development that is likely to compromise appropriate longer term land use.

Mareeba Shire Council's purpose of the Emerging community zone code is to provide for the sequenced release of land to meet community need and market demand for new urban development in designated urban growth areas. Urban development may occur in the zone in accordance with an approved structure plan but the primary purpose of the zone and the code is to reserve land for future urban development, the majority of which is likely to occur beyond the life of the planning scheme. Urban growth areas are identified within the towns of Kuranda and Mareeba. These areas are subject to Local plan codes which include further provisions.

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

- (a) Land that has the potential for development for urban purposes although may contain pockets of land unsuitable for development due to scenic or environmental constraints is preserved until detailed planning studies have occurred;
- (b) Interim development does not compromise the future development potential of the land for urban purposes;
- (c) Development of land is based upon the provision of infrastructure, consideration of environmental constraints and desired settlement pattern for the area;
- (d) Development is supported by necessary transport infrastructure which is designed to provide and promote safe and efficient public transport use, walking and cycling;
- (e) Development is supported by an internal road network and does not compromise the safety or efficiency of State-controlled or Local government collector roads;
- (f) Land is developed in an orderly sequence and, for all but minor proposals, in accordance with a structure planning process;
- (g) Land is developed in a sustainable manner to reflect the desired land use pattern of the local government area by integrating development sites, community infrastructure, open space and important natural features;
- (h) Non-residential development may be supported where such uses directly support the day to day needs of the immediate residential community or the precinct is identified for non-residential uses and is planned for as part of a structure plan;



- (i) Significant historical, architectural, topographic, landscape, scenic, social, recreational and cultural features, as well as natural habitat areas, wildlife corridors, wetlands and waterway corridors are protected and enhanced as part of the development of the zone;
- (j) and Roads and other transport corridors are coordinated and interconnected to ensure pedestrian, cyclists, public transport and private vehicles have accessibility between neighbourhoods, centres and other locations.

Response

The proposal aligns with the purpose and outcomes of the Emerging Community Zone Code in that it prepares the land for its intended residential purposes without compromising the future development potential of the land. The site is ideally located and capable of being efficiently integrated into the surrounding environment and existing infrastructure networks. Further subdivision of the land will be subject to subsequent development applications and comply with the purpose and outcomes of this code.

Detailed assessment of the proposal is included in **Appendix D**.

5.7 OVERLAY CODES

5.7.1 Airport Environs Overlay Code

Overlay mapping identifies that the proposal requires assessment against the Airport Environs Overlay Code. The purpose of the code is to protect the current and ongoing operations of established airports, aerodromes and aviation infrastructure in Mareeba Shire.

Response

The proposal is to excise the existing dwelling from the landholding to allow the residential development of the site to be undertaken in an orderly and manageable process. There are no physical changes required to fulfil the proposal, nor will any aspect of the proposal interfere with the Mareeba airport or aircraft operations. Detailed assessment against the code is not necessary for this proposal, and the overlay will be addressed accordingly at the time of application for further subdivision.

5.7.2 Bushfire Hazard Overlay Code

Overlay mapping identifies that the proposal requires assessment against the Bushfire Hazard Overlay Code. The purpose of the Bushfire hazard overlay code is to minimise the threat of bushfire to people and property.

Response

The proposal is to excise the existing dwelling from the landholding to allow the residential development of the site to be undertaken in an orderly and manageable process. The existing dwelling and majority of proposed Lot 1 is contained in the potential impact buffer only, and all water supply, access, and fire management processes will remain as current. The proposal does not increase risk of people and property to bushfire hazard. Detailed assessment against the code is not necessary for this proposal, and the overlay will be addressed accordingly at the time of application for further subdivision.

5.7.3 Environmental Significance Overlay Code

Overlay mapping identifies that the proposal requires assessment against the Environmental Significance Overlay Code. The purpose of the Environmental significance overlay code is to identify and protect matters of environmental significance, which include matters of state environmental significance (MSES) as defined under the state planning policy.



Response

The proposed configuration is responsive to the structures and natural elements present on site. There are no physical changes required to fulfil the proposal, nor will any aspect of the proposal interfere with any vegetation and other environmental features on site. Detailed assessment against the code is not necessary for this proposal, and the overlay will be addressed accordingly at the time of application for further subdivision.

5.7.4 Transport Network Overlay Code

Overlay mapping identifies that the proposal requires assessment against the Transport Network Overlay Code.

Response

There are no physical changes required to fulfil the proposal, nor will any aspect of the proposal interfere with the existing transport network. Detailed assessment against the code is not necessary for this proposal, and the overlay will be addressed accordingly at the time of application for further subdivision.

5.8 DEVELOPMENT CODES

5.8.1 Parking and Access Code

In accordance with the *Mareeba Shire Council Planning Scheme 2016* table of assessment, the development requires assessment against the Parking and Access Code. The purpose of the Parking and access code is to ensure:

- (a) parking areas are appropriately designed, constructed and maintained;
- (b) the efficient functioning of the development and the local road network; and
- (c) all development provides sufficient parking, loading/service and manoeuvring areas to meet the demand generated by the use.

Response

The proposal is for the establishment of large management landholdings only. There are no physical changes required to fulfil the proposal. Access to the existing dwelling will be maintained via Easement B as detailed in Proposal Plan 36622/001B. Detailed assessment against the code is not necessary for this proposal and parking and access will be addressed accordingly at the time of application for further subdivision.

5.8.2 Works, Services, and Infrastructure Code

In accordance with the *Mareeba Shire Council Planning Scheme 2016* table of assessment, the development requires assessment against the Works, Services, and Infrastructure Code. The purpose of the Works, services and infrastructure code is to ensure that all development is appropriately serviced by physical infrastructure, public utilities and services and that work associated with development is carried out in a manner that does not adversely impact on the surrounding area.

Response

The proposal is to excise the existing dwelling from the landholding to allow the residential development of the site to proceed. There are no physical changes required to fulfil the proposal. All service connections will continue to serve the existing dwelling to the time that future residential development adjoins proposed Lot 1. Detailed assessment against the code is not necessary for this proposal and provision of future services will be addressed accordingly at the time of application for further subdivision.



5.8.3 Reconfiguring a Lot Code

In accordance with the *Mareeba Shire Council Planning Scheme 2016* table of assessment, the development requires assessment against the Reconfiguring a Lot Code. The purpose of the Reconfiguring a lot code is to ensure that land is:

- (a) arranged in a manner which is consistent with the intended scale and intensity of development within the area;
- (b) provided with access to appropriate movement and open space networks; and
- (c) contributes to housing diversity and accommodates a range of land uses.

Response

The proposal is to excise the existing dwelling from the landholding to allow the residential development of the site to be undertaken in an orderly and manageable process. There are no physical changes required to fulfil the proposal, and the final configuration including roads, connection to existing urban development and networks, and residential density will be addressed in depth as part of subsequent development applications for further subdivision. This application serves as an administrative subdivision only.

Detailed assessment of the proposal is included in **Appendix D**.



6.0 CONCLUSION

This proposal has detailed a development application to Mareeba Shire Council seeking a Development Permit for Reconfiguring a Lot (1 Lots into 2 Lots and Access Easement) on land located at 147 Martin Avenue, Mareeba, formally described as Lot 20 on SP237080.

The abovementioned has demonstrated that proposal aligns with the overarching purpose of the *FNQ Regional Plan*, the *Mareeba Shire Council Planning Scheme 2016* strategic framework, Mareeba Local Plan Code, and Emerging Community Zone Code.

It is acknowledged that this application refers to the initial subdivision of management landholdings only, and further subdivision for residential lots will be addressed in subsequent development applications. This application is the first step in unlocking residential lots to meet the growing housing demand within Mareeba.

The following conclusions can be drawn from the above referenced planning aspects of the proposal:-

- The proposal is to excise the existing dwelling from the landholding to allow the residential development of the site to be undertaken in an orderly and manageable process.
- The proposal aligns with the future land use intent for the zone and precinct without impact to the existing character and amenity of the area;
- The site is conveniently located and provides logical sequencing of residential development in Mareeba that can be efficiently connected to networks and services; and
- The existing dwelling in proposed Lot 1 can continue to function without impact.

Overall, it is considered that the proposed development is an appropriate response to the economic climate, subject land, surrounding uses and established character of Mareeba Shire. Subject to the imposition of relevant and reasonable conditions, we recommend Council approve the proposed Reconfiguring a Lot at Martin Avenue, Mareeba.

APPENDIX A

brazier motti



DA Form 1 – Development application details

Approved form (version 1.6 effective 2 August 2024) made under section 282 of the Planning Act 2016.

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

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

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

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

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

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

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

PART 1 – APPLICANT DETAILS

1) Applicant details	
Applicant name(s) (individual or company full name)	Avenol Developments Pty Ltd
Contact name (only applicable for companies)	
Postal address (P.O. Box or street address)	c/- Brazier Motti Pty Ltd, PO Box 1185
Suburb	CAIRNS
State	QLD
Postcode	4870
Country	AUSTRALIA
Contact number	(07) 4054 0400
Email address (non-mandatory)	cns.planning@braziermotti.com.au
Mobile number (non-mandatory)	
Fax number (non-mandatory)	
Applicant's reference number(s) (if applicable)	36622-001-01
1.1) Home-based business	
<input type="checkbox"/> Personal details to remain private in accordance with section 264(6) of <i>Planning Act 2016</i>	
2) Owner's consent	
2.1) Is written consent of the owner required for this development application?	
<input checked="" type="checkbox"/> Yes – the written consent of the owner(s) is attached to this development application	
<input type="checkbox"/> No – proceed to 3)	

PART 2 – LOCATION DETAILS

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

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

3.1) Street address and lot on plan

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

a)	Unit No.	Street No.	Street Name and Type	Suburb
		147	Martin Avenue	Mareeba
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)
	4880	20	SP237080	Mareeba Shire Council
b)	Unit No.	Street No.	Street Name and Type	Suburb
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)

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

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

- ☐ Coordinates of premises by longitude and latitude

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

- ☐ Coordinates of premises by easting and northing

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

3.3) Additional premises

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

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

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

Name of water body, watercourse or aquifer: Unnamed watercourse

- ☐ 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):

<input type="checkbox"/> On airport land under the <i>Airport Assets (Restructuring and Disposal) Act 2008</i>
Name of airport: <input type="text"/>
<input type="checkbox"/> Listed on the Environmental Management Register (EMR) under the <i>Environmental Protection Act 1994</i>
EMR site identification: <input type="text"/>
<input type="checkbox"/> Listed on the Contaminated Land Register (CLR) under the <i>Environmental Protection Act 1994</i>
CLR site identification: <input type="text"/>

5) Are there any existing easements over the premises?

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

- ☒ Yes – All easement locations, types and dimensions are included in plans submitted with this development application
- ☐ No

PART 3 – DEVELOPMENT DETAILS

Section 1 – Aspects of development

6.1) Provide details about the first development aspect

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

- ☐ Material change of use ☒ Reconfiguring a lot ☐ Operational work ☐ Building work

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

- ☒ Development permit ☐ Preliminary approval ☐ Preliminary approval that includes a variation approval

c) What is the level of assessment?

- ☐ Code assessment ☒ Impact assessment *(requires public notification)*

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

Reconfiguring a Lot (1 Lot into 2 Lots and Access Easement)

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

6.4) Is the application for State facilitated development?

- ☐ Yes - Has a notice of declaration been given by the Minister?
- ☒ No

Section 2 – Further development details**7) Does the proposed development application involve any of the following?**

Material change of use	<input type="checkbox"/> Yes – complete division 1 if assessable against a local planning instrument
Reconfiguring a lot	<input checked="" type="checkbox"/> Yes – complete division 2
Operational work	<input type="checkbox"/> Yes – complete division 3
Building work	<input type="checkbox"/> Yes – complete <i>DA Form 2 – Building work details</i>

Division 1 – Material change of use

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

8.1) Describe the proposed material change of use

Provide a general description of the proposed use	Provide the planning scheme definition (include each definition in a new row)	Number of dwelling units (if applicable)	Gross floor area (m ²) (if applicable)

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

- ☐ Yes
- ☐ No

8.3) Does the proposed development relate to temporary accepted development under the Planning Regulation?

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

Provide a general description of the temporary accepted development	Specify the stated period dates under the Planning Regulation

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?

One (1)

9.2) What is the nature of the lot reconfiguration? (tick all applicable boxes)

<input checked="" type="checkbox"/> Subdivision (complete 10)	<input type="checkbox"/> Dividing land into parts by agreement (complete 11)
<input type="checkbox"/> Boundary realignment (complete 12)	<input checked="" type="checkbox"/> Creating or changing an easement giving access to a lot from a constructed road (complete 13)

10) Subdivision**10.1) For this development, how many lots are being created and what is the intended use of those lots:**

Intended use of lots created	Residential	Commercial	Industrial	Other, please specify:
Number of lots created	Three (3)			

10.2) Will the subdivision be staged?☐ Yes – provide additional details below☒ No

How many stages will the works include?

What stage(s) will this development application apply to?

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

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

12) Boundary realignment**12.1) What are the current and proposed areas for each lot comprising the premises?**

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

12.2) What is the reason for the boundary realignment?**13) What are the dimensions and nature of any existing easements being changed and/or any proposed easement? (attach schedule if there are more than two easements)**

Existing or proposed?	Width (m)	Length (m)	Purpose of the easement? (e.g. pedestrian access)	Identify the land/lot(s) benefitted by the easement
Proposed	10m (approx.)	700m (approx.)	Access	Proposed Lot 1

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)☐ Yes – specify number of new lots: _____☐ No

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

\$

PART 4 – ASSESSMENT MANAGER DETAILS

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

Mareeba Shire Council

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

- ☐ Yes – a copy of the decision notice is attached to this development application
- ☐ The local government is taken to have agreed to the superseded planning scheme request – relevant documents attached
- ☒ No

PART 5 – REFERRAL DETAILS

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

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

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

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

- ☐ Clearing native vegetation
- ☐ Contaminated land (*unexploded ordnance*)
- ☐ Environmentally relevant activities (ERA) (*only if the ERA has not been devolved to a local government*)
- ☐ Fisheries – aquaculture
- ☐ Fisheries – declared fish habitat area
- ☐ Fisheries – marine plants
- ☐ Fisheries – waterway barrier works
- ☐ Hazardous chemical facilities
- ☐ Heritage places – Queensland heritage place (*on or near a Queensland heritage place*)
- ☐ Infrastructure-related referrals – designated premises
- ☐ Infrastructure-related referrals – state transport infrastructure
- ☒ Infrastructure-related referrals – State transport corridor and future State transport corridor
- ☐ Infrastructure-related referrals – State-controlled transport tunnels and future state-controlled transport tunnels
- ☐ Infrastructure-related referrals – near a state-controlled road intersection
- ☐ Koala habitat in SEQ region – interfering with koala habitat in koala habitat areas outside koala priority areas
- ☐ Koala habitat in SEQ region – key resource areas
- ☐ Ports – Brisbane core port land – near a State transport corridor or future State transport corridor
- ☐ Ports – Brisbane core port land – environmentally relevant activity (ERA)
- ☐ Ports – Brisbane core port land – tidal works or work in a coastal management district
- ☐ Ports – Brisbane core port land – hazardous chemical facility
- ☐ Ports – Brisbane core port land – taking or interfering with water
- ☐ Ports – Brisbane core port land – referable dams
- ☐ Ports – Brisbane core port land – fisheries
- ☐ Ports – Land within Port of Brisbane's port limits (*below high-water mark*)
- ☐ SEQ development area
- ☐ SEQ regional landscape and rural production area or SEQ rural living area – tourist activity or sport and recreation activity
- ☐ SEQ regional landscape and rural production area or SEQ rural living area – community activity
- ☐ SEQ regional landscape and rural production area or SEQ rural living area – indoor recreation
- ☐ SEQ regional landscape and rural production area or SEQ rural living area – urban activity
- ☐ SEQ regional landscape and rural production area or SEQ rural living area – combined use
- ☐ SEQ northern inter-urban break – tourist activity or sport and recreation activity



Queensland
Government

- ☐ SEQ northern inter-urban break – community activity
- ☐ SEQ northern inter-urban break – indoor recreation
- ☐ SEQ northern inter-urban break – urban activity
- ☐ SEQ northern inter-urban break – combined use
- ☐ Tidal works or works in a coastal management district
- ☐ Reconfiguring a lot in a coastal management district or for a canal
- ☐ Erosion prone area in a coastal management district
- ☐ Urban design
- ☐ Water-related development – taking or interfering with water
- ☐ Water-related development – removing quarry material *(from a watercourse or lake)*
- ☐ Water-related development – referable dams
- ☐ Water-related development – levees *(category 3 levees only)*
- ☐ Wetland protection area

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

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

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

- ☐ Infrastructure-related referrals – Electricity infrastructure

Matters requiring referral to:

- The **Chief Executive of the holder of the licence**, if not an individual
- The **holder of the licence**, if the holder of the licence is an individual
- ☐ Infrastructure-related referrals – Oil and gas infrastructure

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

- ☐ Ports – Brisbane core port land

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

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

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

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

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

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

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

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

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

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

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

- ☐ Yes – referral response(s) received and listed below are attached to this development application
- ☒ No

Referral requirement	Referral agency	Date of referral response

Identify and describe any changes made to the proposed development application that was the subject of the referral response and this development application, or include details in a schedule to this development application *(if applicable)*.

PART 6 – INFORMATION REQUEST

19) Information request under the DA Rules

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

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

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

- that this development application will be assessed and decided based on the information provided when making this development application and the assessment manager and any referral agencies relevant to the development application are not obligated under the DA Rules to accept any additional information provided by the applicant for the development application unless agreed to by the relevant parties
- Part 3 under Chapter 1 of the DA Rules will still apply if the application is an application listed under section 11.3 of the DA Rules or
- Part 2 under Chapter 2 of the DA Rules will still apply if the application is for state facilitated development

Further advice about information requests is contained in the [DA Forms Guide](#).

PART 7 – FURTHER DETAILS

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

☐ Yes – provide details below or include details in a schedule to this development application

☒ No

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

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

☐ Yes – a copy of the receipted QLeave form is attached to this development application

☐ No – I, the applicant will provide evidence that the portable long service leave levy has been paid before the assessment manager decides the development application. I acknowledge that the assessment manager may give a development approval only if I provide evidence that the portable long service leave levy has been paid

☒ Not applicable (e.g. building and construction work is less than \$150,000 excluding GST)

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

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

☐ Yes – show cause or enforcement notice is attached

☒ No

23) Further legislative requirements

Environmentally relevant activities

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

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

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

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

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

Hazardous chemical facilities

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

- ☐ Yes – *Form 536: Notification of a facility exceeding 10% of schedule 15 threshold* is attached to this development application
- ☒ No

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

Clearing native vegetation

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

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

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

Environmental offsets

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

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

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

Koala habitat in SEQ Region

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

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

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

Water resources

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

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

Note: Contact the Department of Resources at www.resources.qld.gov.au for further information.

DA templates are available from planning.statedevelopment.qld.gov.au. If the development application involves:

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

Waterway barrier works

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

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

DA templates are available from planning.statedevelopment.qld.gov.au. For a development application involving waterway barrier works, complete DA Form 1 Template 4.

Marine activities

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

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

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

Quarry materials from a watercourse or lake

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

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

Note: Contact the Department of Resources at www.resources.qld.gov.au and www.business.qld.gov.au for further information.

Quarry materials from land under tidal waters

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

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

Note: Contact the Department of Environment, Science and Innovation at www.desi.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.resources.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.desi.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.desi.qld.gov.au for information requirements regarding development of Queensland heritage places.

For a heritage place that has cultural heritage significance as a local heritage place and a Queensland heritage place, provisions are in place under the Planning Act 2016 that limit a local categorising instrument from including an assessment benchmark about the effect or impact of, development on the stated cultural heritage significance of that place. See guidance materials at www.planning.statedevelopment.qld.gov.au for information regarding assessment of Queensland heritage places.

Name of the heritage place:

Place ID:

Decision under section 62 of the Transport Infrastructure Act 1994

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

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

☒ No

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

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

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

☒ No

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

PART 8 – CHECKLIST AND APPLICANT DECLARATION

24) Development application checklist

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

☒ Yes

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

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

☐ Yes

☒ Not applicable

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

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

☒ Yes

Relevant plans of the development are attached to this development application

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

☒ Yes

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

☐ Yes

☒ Not applicable



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25) Applicant declaration

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

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

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

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

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

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

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

Date received: Reference number(s):

Notification of engagement of alternative assessment manager

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

QLeave notification and payment

Note: For completion by assessment manager if applicable

Description of the work	
QLeave project number	
Amount paid (\$)	Date paid (dd/mm/yy)
Date receipted form sighted by assessment manager	
Name of officer who sighted the form	

APPENDIX B

brazier motti



**Owner's consent for making a development application under the
*Planning Act 2016***

Lilian Ramis

as owners of the premises identified as follows:

Lot 20 on SP237080

consent to the making of a development application under the *Planning Act 2016* by:

Avenol Developments Pty Ltd c/- Brazier Motti Pty Ltd

on the premises described above for:

Reconfiguring a Lot – 1 Lot into 2 Lots as generally depicted on Proposal Plan 36622-001B


Lilian Ramis

Date signed 23/1/26

Queensland Titles Registry Pty Ltd
ABN 23 648 568 101

Title Reference:	50953484	Search Date:	09/01/2026 10:16
Date Title Created:	26/06/2014	Request No:	54655223
Previous Title:	21164040, 21219033		

ESTATE AND LAND

Estate in Fee Simple

LOT 20 SURVEY PLAN 237080

Local Government: MAREEBA

REGISTERED OWNER

Dealing No: 719011278 26/09/2018

LILIAN RAMIS

EASEMENTS, ENCUMBRANCES AND INTERESTS

1. Rights and interests reserved to the Crown by
Deed of Grant No. 20354055 (POR 113)
2. EASEMENT IN GROSS No 715124051 05/06/2013 at 12:51
burdening the land
TABLELANDS REGIONAL COUNCIL
over
EASEMENT A ON SP254836

ADMINISTRATIVE ADVICES

NIL

UNREGISTERED DEALINGS

NIL

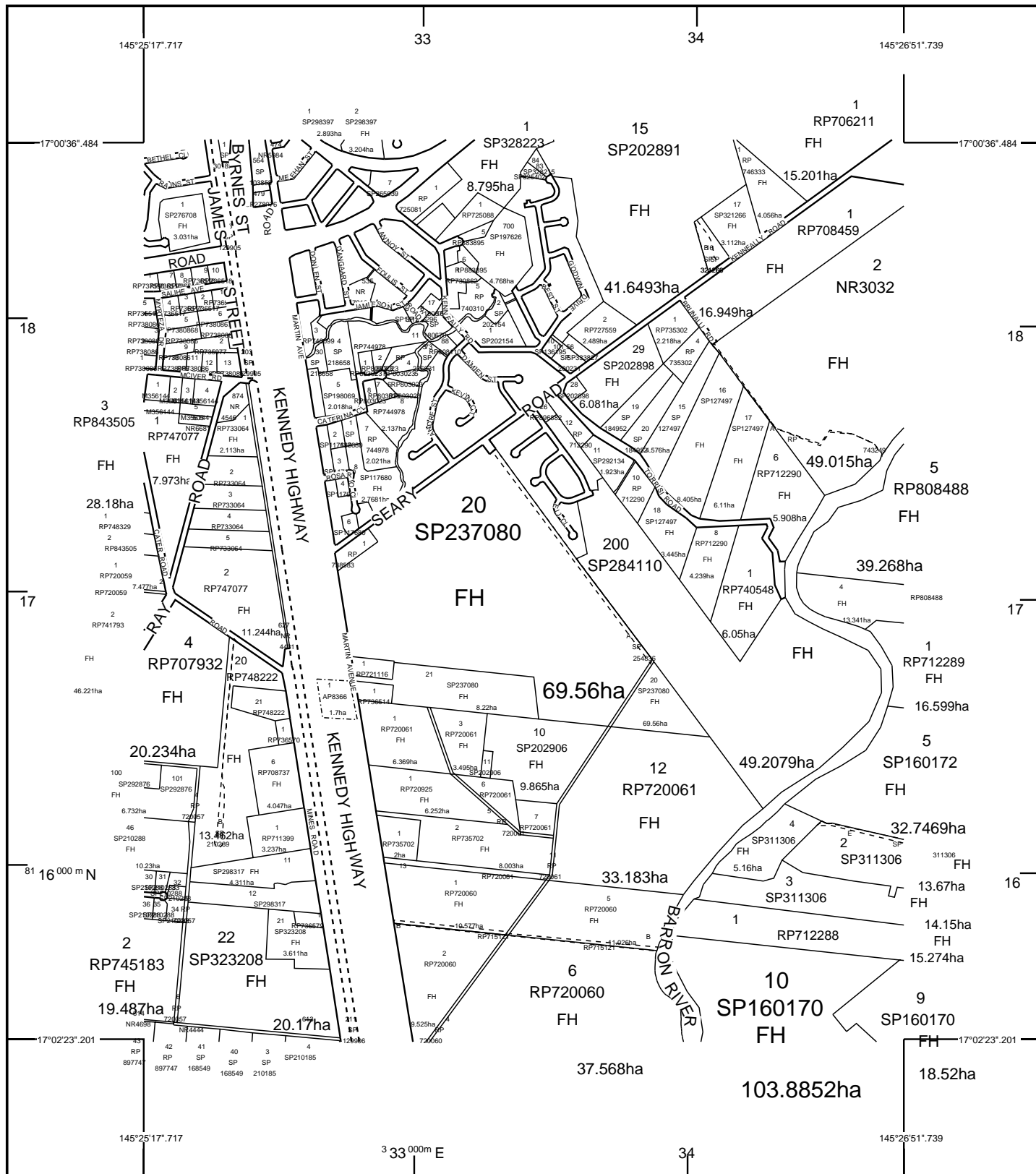
Caution - Charges do not necessarily appear in order of priority

** End of Current Title Search **

APPENDIX C

brazier motti





STANDARD MAP NUMBER
7963-11412

MAP WINDOW POSITION &
NEAREST LOCATION

145°26'04\"/>



SUBJECT PARCEL DESCRIPTION

DCDB	
Lot/Plan	20/SP237080
Area/Volume	69.56ha
Tenure	FREEHOLD
Local Government	MAREEBA SHIRE
Locality	MAREEBA
Segment/Parcel	63381/504

CLIENT SERVICE STANDARDS

PRINTED 19/01/2026

DCDB 18/01/2026 (Lots with an area less than 3000m² are not shown)

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APPENDIX D

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State code 1: Development in a state-controlled road environment

State Development Assessment Provisions guideline - State Code 1: Development in a state-controlled road environment. This guideline provides direction on how to address State Code 1.

Table 1.1 Development in general

Performance outcomes	Acceptable outcomes	Response
Buildings, structures, infrastructure, services and utilities		
PO1 The location of the development does not create a safety hazard for users of the state-controlled road .	AO1.1 Development is not located in a state-controlled road . AND AO1.2 Development can be maintained without requiring access to a state-controlled road .	Not applicable The proposal is for the management reconfiguration only. No buildings, structures, infrastructure, or services are proposed.
PO2 The design and construction of the development does not adversely impact the structural integrity or physical condition of the state-controlled road or road transport infrastructure .	No acceptable outcome is prescribed.	Not applicable
PO3 The location of the development does not obstruct road transport infrastructure or adversely impact the operating performance of the state-controlled road .	No acceptable outcome is prescribed.	Not applicable
PO4 The location, placement, design and operation of advertising devices, visible from the state-controlled road , do not create a	No acceptable outcome is prescribed.	Not applicable

Performance outcomes	Acceptable outcomes	Response
safety hazard for users of the state-controlled road .		
PO5 The design and construction of buildings and structures does not create a safety hazard by distracting users of the state-controlled road .	<p>AO5.1 Facades of buildings and structures fronting the state-controlled road are made of non-reflective materials.</p> <p>AND</p> <p>AO5.2 Facades of buildings and structures do not direct or reflect point light sources into the face of oncoming traffic on the state-controlled road.</p> <p>AND</p> <p>AO5.3 External lighting of buildings and structures is not directed into the face of oncoming traffic on the state-controlled road.</p> <p>AND</p> <p>AO5.4 External lighting of buildings and structures does not involve flashing or laser lights.</p>	Not applicable
PO6 Road, pedestrian and bikeway bridges over a state-controlled road are designed and constructed to prevent projectiles from being thrown onto the state-controlled road .	AO6.1 Road, pedestrian and bikeway bridges over the state-controlled road include throw protection screens in accordance with section 4.11 of the Design Criteria for Bridges and Other Structures Manual, Department of Transport and Main Roads, 2020.	Not applicable
Landscaping		
PO7 The location of landscaping does not create a safety hazard for users of the state-controlled road .	AO7.1 Landscaping is not located in a state-controlled road .	<p>Not applicable</p> <p>The proposal is for a management reconfiguration only. No landscaping is proposed.</p>

Performance outcomes	Acceptable outcomes	Response
	<p>AND</p> <p>AO7.2 Landscaping can be maintained without requiring access to a state-controlled road.</p> <p>AND</p> <p>AO7.3 Landscaping does not block or obscure the sight lines for vehicular access to a state-controlled road.</p>	
Stormwater and overland flow		
PO8 Stormwater run-off or overland flow from the development site does not create or exacerbate a safety hazard for users of the state-controlled road .	No acceptable outcome is prescribed.	<p>Complies PO8</p> <p>The proposal is for a management reconfiguration only. No changes to stormwater run-off or overland flow will occur as a result of reconfiguration. No impacts to the safety users of the state-controlled road.</p>
PO9 Stormwater run-off or overland flow from the development site does not result in a material worsening of the operating performance of the state-controlled road or road transport infrastructure .	No acceptable outcome is prescribed.	<p>Complies PO9</p> <p>The proposal is for a management reconfiguration only. No changes to stormwater run-off or overland flow will occur as a result of reconfiguration. No impacts to the operating performance of the state-controlled road or road transport infrastructure.</p>
PO10 Stormwater run-off or overland flow from the development site does not adversely impact the structural integrity or physical condition of the state-controlled road or road transport infrastructure .	No acceptable outcome is prescribed.	<p>Complies PO10</p> <p>The proposal is for a management reconfiguration only. No changes to stormwater run-off or overland flow will occur as a result of reconfiguration. No impacts to the structural integrity or physical condition of the state-controlled road or road transport infrastructure.</p>
PO11 Development ensures that stormwater is lawfully discharged.	AO11.1 Development does not create any new points of discharge to a state-controlled road .	<p>Complies AO11.1, AO11.2, AO11.3, AO11.4</p> <p>The proposal is for a management reconfiguration only. Lawful point of discharge remains to the respective road</p>

Performance outcomes	Acceptable outcomes	Response
	<p>AND</p> <p>AO11.2 Development does not concentrate flows to a state-controlled road.</p> <p>AND</p> <p>AO11.3 Stormwater run-off is discharged to a lawful point of discharge.</p> <p>AND</p> <p>AO11.4 Development does not worsen the condition of an existing lawful point of discharge to the state-controlled road.</p>	frontages, drainage easement, and stream on site as existing.
Flooding		
PO12 Development does not result in a material worsening of flooding impacts within a state-controlled road .	<p>AO12.1 For all flood events up to 1% annual exceedance probability, development results in negligible impacts (within +/- 10mm) to existing flood levels within a state-controlled road.</p> <p>AND</p> <p>AO12.2 For all flood events up to 1% annual exceedance probability, development results in negligible impacts (up to a 10% increase) to existing peak velocities within a state-controlled road.</p> <p>AND</p>	<p>Complies AO12.1, AO12.2, AO12.3</p> <p>The proposal is for a management reconfiguration only. The reconfiguration will have no impact on flood events.</p>

Performance outcomes	Acceptable outcomes	Response
	AO12.3 For all flood events up to 1% annual exceedance probability , development results in negligible impacts (up to a 10% increase) to existing time of submergence of a state-controlled road .	
Drainage Infrastructure		
PO13 Drainage infrastructure does not create a safety hazard for users in the state-controlled road .	AO13.1 Drainage infrastructure is wholly contained within the development site, except at the lawful point of discharge . AND AO13.2 Drainage infrastructure can be maintained without requiring access to a state-controlled road .	Complies AO13.1, AO13.2 Drainage infrastructure on site is existing and can be maintained without requiring access to a state-controlled road.
PO14 Drainage infrastructure associated with, or within, a state-controlled road is constructed, and designed to ensure the structural integrity and physical condition of existing drainage infrastructure and the surrounding drainage network.	No acceptable outcome is prescribed.	Not applicable

Table 1.2 Vehicular access, road layout and local roads

Performance outcomes	Acceptable outcomes	Response
Vehicular access to a state-controlled road or within 100 metres of a state-controlled road intersection		
PO15 The location, design and operation of a new or changed access to a state-controlled road does not compromise the safety of users of the state-controlled road .	No acceptable outcome is prescribed.	Not applicable No new or changed access is proposed.
PO16 The location, design and operation of a new or changed access does not adversely impact the functional requirements of the state-controlled road .	No acceptable outcome is prescribed.	Not applicable No new or changed access is proposed.

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Performance outcomes	Acceptable outcomes	Response
PO17 The location, design and operation of a new or changed access is consistent with the future intent of the state-controlled road .	No acceptable outcome is prescribed.	Not applicable No new or changed access is proposed.
PO18 New or changed access is consistent with the access for the relevant limited access road policy : 1. LAR 1 where direct access is prohibited; or 2. LAR 2 where access may be permitted, subject to assessment.	No acceptable outcome is prescribed.	Not applicable No new or changed access is proposed.
PO19 New or changed access to a local road within 100 metres of an intersection with a state-controlled road does not compromise the safety of users of the state-controlled road .	No acceptable outcome is prescribed.	Not applicable No new or changed access is proposed.
PO20 New or changed access to a local road within 100 metres of an intersection with a state-controlled road does not adversely impact on the operating performance of the intersection.	No acceptable outcome is prescribed.	Not applicable No new or changed access is proposed.
Public passenger transport and active transport		
PO21 Development does not compromise the safety of users of public passenger transport infrastructure, public passenger services and active transport infrastructure .	No acceptable outcome is prescribed.	Not applicable The proposal is for a management reconfiguration only. The reconfiguration will have no impact on public passenger transport. This will be addressed in subsequent applications for further subdivision.
PO22 Development maintains the ability for people to access public passenger transport infrastructure, public passenger services and active transport infrastructure .	No acceptable outcome is prescribed.	Not applicable
PO23 Development does not adversely impact the operating performance of public passenger transport infrastructure, public passenger services and active transport infrastructure .	No acceptable outcome is prescribed.	Not applicable
PO24 Development does not adversely impact the structural integrity or physical condition of	No acceptable outcome is prescribed.	Not applicable

Performance outcomes	Acceptable outcomes	Response
public passenger transport infrastructure and active transport infrastructure.		

Table 1.3 Network impacts

Performance outcomes	Acceptable outcomes	Response
PO25 Development does not compromise the safety of users of the state-controlled road network.	No acceptable outcome is prescribed.	Complies PO25 The proposal is for a management reconfiguration only. The reconfiguration will have no impact on the safety of users of the state-controlled road network.
PO26 Development ensures no net worsening of the operating performance of the state-controlled road network.	No acceptable outcome is prescribed.	Complies PO26 The proposal is for a management reconfiguration only. Development ensures no net worsening of the operating performance of the state-controlled road network.
PO27 Traffic movements are not directed onto a state-controlled road where they can be accommodated on the local road network.	No acceptable outcome is prescribed.	Complies PO27 The proposal is for a management reconfiguration only. No changes to traffic are proposed.
PO28 Development involving haulage exceeding 10,000 tonnes per year does not adversely impact the pavement of a state-controlled road .	No acceptable outcome is prescribed.	Not applicable
PO29 Development does not impede delivery of planned upgrades of state-controlled roads .	No acceptable outcome is prescribed.	Complies PO29 The proposal is for a management reconfiguration only. Development does not impede delivery of planned upgrades of state-controlled roads.
PO30 Development does not impede delivery of corridor improvements located entirely within the state-controlled road corridor .	No acceptable outcome is prescribed.	Complies PO29 The proposal is for a management reconfiguration only. Development does not impede delivery of corridor improvements.

Table 1.4 Filling, excavation, building foundations and retaining structures

Performance outcomes	Acceptable outcomes	Response
PO31 Development does not create a safety hazard for users of the state-controlled road or road transport infrastructure .	No acceptable outcome is prescribed.	Not applicable
PO32 Development does not adversely impact the operating performance of the state-controlled road .	No acceptable outcome is prescribed.	Not applicable
PO33 Development does not undermine, damage or cause subsidence of a state-controlled road .	No acceptable outcome is prescribed.	Not applicable
PO34 Development does not cause ground water disturbance in a state-controlled road .	No acceptable outcome is prescribed.	Not applicable
PO35 Excavation, boring, piling, blasting and fill compaction do not adversely impact the physical condition or structural integrity of a state-controlled road or road transport infrastructure .	No acceptable outcome is prescribed.	Not applicable
PO36 Filling and excavation associated with the construction of new or changed access do not compromise the operation or capacity of existing drainage infrastructure for a state-controlled road .	No acceptable outcome is prescribed.	Not applicable

Table 1.5 Environmental emissions

Statutory note: Where a **state-controlled road** is co-located in the same transport corridor as a railway, the development should instead comply with Environmental emissions in State code 2: Development in a railway environment.

Performance outcomes	Acceptable outcomes	Response
Reconfiguring a lot		
Involving the creation of 5 or fewer new residential lots adjacent to a state-controlled road or type 1 multi-modal corridor		
PO37 Development minimises free field noise intrusion from a state-controlled road .	<p>AO37.1 Development provides a noise barrier or earth mound which is designed, sited and constructed:</p> <ol style="list-style-type: none"> 1. to achieve the maximum free field acoustic levels in reference table 2 (item 2.1); 2. in accordance with: <ol style="list-style-type: none"> a. Chapter 7 integrated noise barrier design of the Transport Noise Management Code of Practice: Volume 1 (Road Traffic Noise), Department of Transport and Main Roads, 2013; b. Technical Specification-MRTS15 Noise Fences, Transport and Main Roads, 2019; c. Technical Specification-MRTS04 General Earthworks, Transport and Main Roads, 2020. <p>OR</p> <p>AO37.2 Development achieves the maximum free field acoustic levels in reference table 2 (item 2.1) by alternative noise attenuation measures where it is not practical to provide a noise barrier or earth mound.</p> <p>OR</p>	<p>Complies</p> <p>The proposal is for the establishment of large management landholding only, and existing dwelling within proposed Lot 1 will continue to function without impact. The reconfiguration will not be impacted by transport corridor noise.</p>

Performance outcomes	Acceptable outcomes	Response
	AO37.3 Development provides a solid gap-free fence or other solid gap-free structure along the full extent of the boundary closest to the state-controlled road .	
Involving the creation of 6 or more new residential lots adjacent to a state-controlled road or type 1 multi-modal corridor		
PO38 Reconfiguring a lot minimises free field noise intrusion from a state-controlled road .	<p>AO38.1 Development provides noise barrier or earth mound which is designed, sited and constructed:</p> <ol style="list-style-type: none"> 1. to achieve the maximum free field acoustic levels in reference table 2 (item 2.1); 2. in accordance with: <ol style="list-style-type: none"> a. Chapter 7 integrated noise barrier design of the Transport Noise Management Code of Practice: Volume 1 (Road Traffic Noise), Department of Transport and Main Roads, 2013; b. Technical Specification-MRTS15 Noise Fences, Transport and Main Roads, 2019; c. Technical Specification-MRTS04 General Earthworks, Transport and Main Roads, 2020. <p>OR</p> <p>AO38.2 Development achieves the maximum free field acoustic levels in reference table 2 (item 2.1) by alternative noise attenuation measures where it is not practical to provide a noise barrier or earth mound.</p>	Not applicable
Material change of use (accommodation activity)		
Ground floor level requirements adjacent to a state-controlled road or type 1 multi-modal corridor		

Performance outcomes	Acceptable outcomes	Response
PO39 Development minimises noise intrusion from a state-controlled road in private open space .	<p>AO39.1 Development provides a noise barrier or earth mound which is designed, sited and constructed:</p> <ol style="list-style-type: none"> 1. to achieve the maximum free field acoustic levels in reference table 2 (item 2.2) for private open space at the ground floor level; 2. in accordance with: <ol style="list-style-type: none"> a. Chapter 7 integrated noise barrier design of the Transport Noise Management Code of Practice: Volume 1 (Road Traffic Noise), Department of Transport and Main Roads, 2013; b. Technical Specification-MRTS15 Noise Fences, Transport and Main Roads, 2019; c. Technical Specification-MRTS04 General Earthworks, Transport and Main Roads, 2020. <p>OR</p> <p>AO39.2 Development achieves the maximum free field acoustic level in reference table 2 (item 2.2) for private open space by alternative noise attenuation measures where it is not practical to provide a noise barrier or earth mound.</p>	Not applicable
PO40 Development (excluding a relevant residential building or relocated building) minimises noise intrusion from a state-controlled road in habitable rooms at the facade.	<p>AO40.1 Development (excluding a relevant residential building or relocated building) provides a noise barrier or earth mound which is designed, sited and constructed:</p> <ol style="list-style-type: none"> 1. to achieve the maximum building façade acoustic level in reference table 1 (item 1.1) for habitable rooms; 	Not applicable

Performance outcomes	Acceptable outcomes	Response
	<p>2. in accordance with:</p> <ul style="list-style-type: none"> a. Chapter 7 integrated noise barrier design of the Transport Noise Management Code of Practice: Volume 1 (Road Traffic Noise), Department of Transport and Main Roads, 2013; b. Technical Specification-MRTS15 Noise Fences, Transport and Main Roads, 2019; c. Technical Specification-MRTS04 General Earthworks, Transport and Main Roads, 2020. <p>OR</p> <p>AO40.2 Development (excluding a relevant residential building or relocated building) achieves the maximum building façade acoustic level in reference table 1 (item 1.1) for habitable rooms by alternative noise attenuation measures where it is not practical to provide a noise barrier or earth mound.</p>	
PO41 Habitable rooms (excluding a relevant residential building or relocated building) are designed and constructed using materials to achieve the maximum internal acoustic level in reference table 3 (item 3.1).	No acceptable outcome is provided.	Not applicable
Above ground floor level requirements (accommodation activity) adjacent to a state-controlled road or type 1 multi-modal corridor		
PO42 Balconies, podiums, and roof decks include: 1. a continuous solid gap-free structure or balustrade (excluding gaps required for drainage purposes to comply with the Building Code of Australia);	No acceptable outcome is provided.	Not applicable

Performance outcomes	Acceptable outcomes	Response
2. highly acoustically absorbent material treatment for the total area of the soffit above balconies, podiums, and roof decks.		
PO43 Habitable rooms (excluding a relevant residential building or relocated building) are designed and constructed using materials to achieve the maximum internal acoustic level in reference table 3 (item 3.1).	No acceptable outcome is provided.	Not applicable
Material change of use (other uses)		
Ground floor level requirements (childcare centre, educational establishment, hospital) adjacent to a state-controlled road or type 1 multi-modal corridor		
PO44 Development: 1. provides a noise barrier or earth mound that is designed, sited and constructed: <ul style="list-style-type: none"> a. to achieve the maximum free field acoustic level in reference table 2 (item 2.3) for all outdoor education areas and outdoor play areas; b. in accordance with: <ul style="list-style-type: none"> i. Chapter 7 integrated noise barrier design of the Transport Noise Management Code of Practice: Volume 1 (Road Traffic Noise), Department of Transport and Main Roads, 2013; ii. Technical Specification-MRTS15 Noise Fences, Transport and Main Roads, 2019; iii. Technical Specification-MRTS04 General Earthworks, Transport and Main Roads, 2020; or 2. achieves the maximum free field acoustic level in reference table 2 (item 2.3) for all outdoor education areas and outdoor	No acceptable outcome is provided.	Not applicable

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Performance outcomes	Acceptable outcomes	Response
play areas by alternative noise attenuation measures where it is not practical to provide a noise barrier or earth mound.		
PO45 Development involving a childcare centre or educational establishment : <ol style="list-style-type: none"> provides a noise barrier or earth mound that is designed, sited and constructed: to achieve the maximum building facade acoustic level in reference table 1 (item 1.2); in accordance with: <ol style="list-style-type: none"> Chapter 7 integrated noise barrier design of the Transport Noise Management Code of Practice: Volume 1 (Road Traffic Noise), Department of Transport and Main Roads, 2013; Technical Specification-MRTS15 Noise Fences, Transport and Main Roads, 2019; Technical Specification-MRTS04 General Earthworks, Transport and Main Roads, 2020; or achieves the maximum building facade acoustic level in reference table 1 (item 1.2) by alternative noise attenuation measures where it is not practical to provide a noise barrier or earth mound. 	No acceptable outcome is provided.	Not applicable
PO46 Development involving: <ol style="list-style-type: none"> indoor education areas and indoor play areas; or sleeping rooms in a childcare centre; or 	No acceptable outcome is provided.	Not applicable

Performance outcomes	Acceptable outcomes	Response
3. patient care areas in a hospital achieves the maximum internal acoustic level in reference table 3 (items 3.2-3.4).		
Above ground floor level requirements (childcare centre, educational establishment, hospital) adjacent to a state-controlled road or type 1 multi-modal corridor		
PO47 Development involving a childcare centre or educational establishment which have balconies, podiums or elevated outdoor play areas predicted to exceed the maximum free field acoustic level in reference table 2 (item 2.3) due to noise from a state-controlled road are provided with: <ol style="list-style-type: none"> 1. a continuous solid gap-free structure or balustrade (excluding gaps required for drainage purposes to comply with the Building Code of Australia); 2. highly acoustically absorbent material treatment for the total area of the soffit above balconies or elevated outdoor play areas. 	No acceptable outcome is provided.	Not applicable
PO48 Development including: <ol style="list-style-type: none"> 1. indoor education areas and indoor play areas in a childcare centre or educational establishment; or 2. sleeping rooms in a childcare centre; or 3. patient care areas in a hospital located above ground level, is designed and constructed to achieve the maximum internal acoustic level in reference table 3 (items 3.2-3.4). 	No acceptable outcome is provided.	Not applicable
Air, light and vibration		

Performance outcomes	Acceptable outcomes	Response
PO49 Private open space, outdoor education areas and outdoor play areas are protected from air quality impacts from a state-controlled road .	<p>AO49.1 Each dwelling or unit has access to a private open space which is shielded from a state-controlled road by a building, solid gap-free fence, or other solid gap-free structure.</p> <p>OR</p> <p>AO49.2 Each outdoor education area and outdoor play area is shielded from a state-controlled road by a building, solid gap-free fence, or other solid gap-free structure.</p>	Not applicable
PO50 Patient care areas within hospitals are protected from vibration impacts from a state-controlled road or type 1 multi-modal corridor .	<p>AO50.1 Hospitals are designed and constructed to ensure vibration in the patient treatment area does not exceed a vibration dose value of $0.1\text{m/s}^{1.75}$.</p> <p>AND</p> <p>AO50.2 Hospitals are designed and constructed to ensure vibration in the ward of a patient care area does not exceed a vibration dose value of $0.4\text{m/s}^{1.75}$.</p>	Not applicable
<p>PO51 Development is designed and sited to ensure light from infrastructure within, and from users of, a state-controlled road or type 1 multi-modal corridor, does not:</p> <ol style="list-style-type: none"> 1. intrude into buildings during night hours (10pm to 6am); 2. create unreasonable disturbance during evening hours (6pm to 10pm). 	No acceptable outcomes are prescribed.	Not applicable

Table 1.6: Development in a future state-controlled road environment

Performance outcomes	Acceptable outcomes	Response
PO52 Development does not impede delivery of a future state-controlled road .	<p>AO52.1 Development is not located in a future state-controlled road.</p> <p>OR ALL OF THE FOLLOWING APPLY:</p> <p>AO52.2 Development does not involve filling and excavation of, or material changes to, a future state-controlled road.</p> <p>AND</p> <p>AO52.3 The intensification of lots does not occur within a future state-controlled road.</p> <p>AND</p> <p>AO52.4 Development does not result in the landlocking of parcels once a future state-controlled road is delivered.</p>	Not applicable
PO53 The location and design of new or changed access does not create a safety hazard for users of a future state-controlled road .	AO53.1 Development does not include new or changed access to a future state-controlled road .	Not applicable
PO54 Filling, excavation, building foundations and retaining structures do not undermine, damage or cause subsidence of a future state-controlled road .	No acceptable outcome is prescribed.	Not applicable
PO55 Development does not result in a material worsening of stormwater, flooding, overland flow or drainage impacts in a future state-controlled road or road transport infrastructure .	No acceptable outcome is prescribed.	Not applicable

Performance outcomes	Acceptable outcomes	Response
<p>PO56 Development ensures that stormwater is lawfully discharged.</p>	<p>AO56.1 Development does not create any new points of discharge to a future state-controlled road.</p> <p>AND</p> <p>AO56.2 Development does not concentrate flows to a future state-controlled road.</p> <p>AND</p> <p>AO56.3 Stormwater run-off is discharged to a lawful point of discharge.</p> <p>AND</p> <p>AO56.4 Development does not worsen the condition of an existing lawful point of discharge to the future state-controlled road.</p>	<p>Not applicable</p>

APPENDIX E

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6.2.4 Emerging community zone code

6.2.4.1 Application

- (1) This code applies to assessing development where:
 - (a) located in the Emerging community zone; and
 - (b) it is identified in the assessment benchmarks for assessable development and requirements for accepted development column of an assessment table in Part 5 of the planning scheme.

6.2.4.2 Purpose

- (1) The purpose of the Emerging community zone code is to:
 - (a) identify land that is suitable for urban purposes and protect land that may be suitable for urban development in the future
 - (b) manage the timely conversion of non-urban land to urban purposes.
 - (c) prevent or discourage development that is likely to compromise appropriate longer term land use.
- (2) Mareeba Shire Council's purpose of the Emerging community zone code is to provide for the sequenced release of land to meet community need and market demand for new urban development in designated urban growth areas.

Urban development may occur in the zone in accordance with an approved structure plan but the primary purpose of the zone and the code is to reserve land for future urban development, the majority of which is likely to occur beyond the life of the planning scheme.

Urban growth areas are identified within the towns of Kuranda and Mareeba. These areas are subject to Local plan codes which include further provisions.

- (3) The purpose of the code will be achieved through the following overall outcomes:
 - (a) Land that has the potential for development for urban purposes although may contain pockets of land unsuitable for development due to scenic or environmental constraints is preserved until detailed planning studies have occurred;
 - (b) Interim development does not compromise the future development potential of the land for urban purposes;
 - (c) Development of land is based upon the provision of infrastructure, consideration of environmental constraints and desired settlement pattern for the area;
 - (d) Development is supported by necessary transport infrastructure which is designed to provide and promote safe and efficient public transport use, walking and cycling;
 - (e) Development is supported by an internal road network and does not compromise the safety or efficiency of State-controlled or Local government collector roads;
 - (f) Land is developed in an orderly sequence and, for all but minor proposals, in accordance with a structure planning process;
 - (g) Land is developed in a sustainable manner to reflect the desired land use pattern of the local government area by integrating development sites, community infrastructure, open space and important natural features;
 - (h) Non-residential development may be supported where such uses directly support the day to day needs of the immediate residential community or the precinct is identified for non-residential uses and is planned for as part of a structure plan;
 - (i) Significant historical, architectural, topographic, landscape, scenic, social, recreational and cultural features, as well as natural habitat areas, wildlife corridors, wetlands and waterway corridors are protected and enhanced as part of the development of the zone; and

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

6.2.4.3 Criteria for assessment

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

Performance outcomes	Acceptable outcomes	Complies	Comments
For accepted development subject to requirements and assessable development			
Height			
PO1 Building height takes into consideration and respects the following: (a) the height of existing buildings on adjoining premises; (b) the development potential, with respect to height, on adjoining premises; (c) the height of buildings in the vicinity of the site; (d) access to sunlight and daylight for the site and adjoining sites; (e) privacy and overlooking; and (f) site area and street frontage length.	AO1.1 Development, except where involving industrial activities, has a maximum building height of: (a) 8.5 metres; and (b) 2 storeys above ground level.		Not applicable The proposal is for reconfiguring a lot only in creating management landholdings only.
	AO1.2 Industrial development has a maximum building height of 10 metres.		Not applicable
Outbuildings and residential scale			
PO2 Domestic outbuildings: (a) do not dominate the lot on which they are located; and (b) are in scale with the character and amenity of the area.	AO2.1 On lots less than 2 hectares, domestic outbuildings do not exceed: (a) 150m ² in gross floor area; and (b) 5.5 metres above natural ground level.		Not applicable The proposal is for reconfiguring a lot only in creating management landholdings only. This outcome will be addressed as part of subsequent applications for further subdivision of the land.
	AO2.2 On lots greater than 2 hectares, domestic outbuildings do not exceed 200m ² in gross floor area.		Not applicable

Performance outcomes	Acceptable outcomes	Complies	Comments
Siting, where not involving a Dwelling House			
Note—Where for Dwelling house, the setbacks of the Queensland Development Code apply.			
PO3 Development is sited in a manner that considers and respects: <ul style="list-style-type: none"> (a) the siting and use of adjoining premises; (b) access to sunlight and daylight for the site and adjoining sites; (c) privacy and overlooking; (d) opportunities for casual surveillance of adjoining public spaces; (e) air circulation and access to natural breezes; (f) appearance of building bulk; and (g) relationship with road corridors. 	AO3.1 Buildings and structures are setback from a State controlled road a minimum of 40 metres where a site is 2 hectares or larger. Note—Where on a site with an area of less than 2 hectares, the setbacks of the Queensland Development Code apply.		Not applicable The proposal is for reconfiguring a lot only in creating management landholdings only.
	AO3.2 Buildings and structures include a minimum setback of: <ul style="list-style-type: none"> (a) 6 metres from a frontage to a sealed road that is not a State-controlled road; (b) 20 metres from a frontage to any other road; and (c) 10 metres from a boundary to an adjoining lot. 		Complies The proposal is for reconfiguring a lot only in creating management landholdings only. The existing dwelling will remain as current and complies with setback requirements to the new common boundary to proposed Lot 100.
Accommodation density			
PO4 The density of Accommodation activities does not preclude the future re-development of the land for urban purposes consistent with Structure Plans approved in accordance it PO7.	AO4 Development provides a minimum density for Accommodation activities of 1 dwelling or accommodation unit per 1,250m ² site area. Note—Calculation of Accommodation density excludes areas not developed as a result of provisions of an overlay.		Not applicable

Performance outcomes	Acceptable outcomes	Complies	Comments
For assessable development			
PO5 Development where not involving urban purposes: (a) does not compromise the future development potential of the land for urban purposes; and (b) is compatible with residential uses.	AO5 Non-urban development is limited to Animal husbandry or Cropping.		Not applicable
PO6 Development involving urban purposes provides: (a) residential areas with a mix of lot sizes to allow for housing mix; and (b) industrial areas with a mix of industrial uses.	AO6 No acceptable outcome provided.		Not applicable The proposal is for reconfiguring a lot only in creating management landholdings only. This outcome will be addressed as part of subsequent applications for further subdivision of the land.

Performance outcomes	Acceptable outcomes	Complies	Comments
Structure planning			
<p>PO7 Development occurs as outlined in a Structure Plan that:</p> <ul style="list-style-type: none"> (a) is prepared in accordance with Planning Scheme Policy 8 Structure Planning; (b) takes into consideration land use need and the type, scale, density of proposed urban development; (c) includes a road network that: <ul style="list-style-type: none"> (i) is logically designed; (ii) can be delivered sequentially; (iii) includes an urban morphology that is consistent with the surrounding area; (iv) provides pedestrian links to centres and open space; 	<p>AO7 No acceptable outcome provided.</p>		<p>Alternative outcome A structure plan is not considered relevant at this stage of development as the proposed management lots are of sufficient size to host future residential configuration consistent with the low density residential character of the locality.</p> <p>Proposed Lot 1 has been designed to enable incorporation into future configuration of proposed Lot 100.</p> <p>The proposal is for reconfiguring a lot only in creating management landholdings only. This outcome will be addressed as part of subsequent applications for further subdivision of the land.</p>

Performance outcomes	Acceptable outcomes	Complies	Comments
(d) locates any non-residential development: <ul style="list-style-type: none"> (i) on major roads; (ii) where not introducing non-residential traffic to residential streets; and (iii) to provide the day to day needs of the immediate residential community; (e) scales any non-residential development to: <ul style="list-style-type: none"> (i) be consistent with the scale of surrounding residential development; (ii) not undermine the viability of nearby centres or the centres network; and (iii) not unduly detract from the amenity of nearby residences. 			
Building design			
PO8 Development assists in the establishment of a consistent built character in the Emerging community zone, having regard to: <ul style="list-style-type: none"> (a) roof form and pitch; (b) eaves and awnings; (c) building materials, colours and textures; and (d) window and door size and location. 	AO8 No acceptable outcome is provided.		Not applicable The proposal is for reconfiguring a lot only in creating management landholdings only.

Performance outcomes	Acceptable outcomes	Complies	Comments
Amenity			
PO9 Development must not detract from the amenity of the local area, having regard to: (a) noise; (b) hours of operation; (c) traffic; (d) advertising devices; (e) visual amenity; (f) privacy; (g) lighting; (h) odour; and (i) emissions.	AO9 No acceptable outcome is provided.	✓	Complies The proposed reconfiguration requires no physical changes and does not have the ability to impact upon the amenity of the local area.
PO10 Development must take into account and seek to ameliorate any existing negative environmental impacts, having regard to: (a) noise; (b) hours of operation; (c) traffic; (d) advertising devices; (e) visual amenity; (f) privacy; (g) lighting; (h) odour; and (i) emissions.	AO10 No acceptable outcome is provided.		Not applicable There are no known negative environmental impacts to ameliorate.

7.2.2 Mareeba local plan code

7.2.2.1 Application

- (1) This code applies to assessing development where:
 - (a) located in the Mareeba local plan area; and
 - (b) it is identified in the assessment benchmarks for assessable development and requirements for accepted development column of an assessment table in Part 5 of the planning scheme.

7.2.2.2 Purpose

- (1) The purpose of the Mareeba local plan code is to:
 - (a) facilitate the continued use of the historic stables area adjacent to the Mareeba Racecourse for residential horse keeping;
 - (b) facilitate the continued development of the Mareeba Airport;
 - (c) facilitate efficient development that accords with local lifestyle and amenity expectations;
 - (d) identify and direct urban growth opportunities;
 - (e) facilitate a more vibrant and integrated town centre;
 - (f) enhance accessibility to, and activation of, the Barron River and Centenary Lakes as important physical assets for Mareeba;
 - (g) enhance Mareeba's heritage and cultural elements; and
 - (h) facilitate the development of an appropriate site for special industry.
- (2) Ten precincts have been identified in the Mareeba local plan to achieve this purpose:
 - (a) The Town centre core precinct will be maintained as the retail and cultural heart of Mareeba. Development will be managed to increase the walkability of the precinct and better integrate the street and built environments. Character elements of the precinct will be maintained and new buildings or works to existing buildings will be respectful of character values.
 - (b) The Town centre fringe precinct consists of commercial and residential uses. The precinct will facilitate destination specific commercial development where it can be demonstrated that design measures can be incorporated to adequately mitigate any impacts upon residential amenity. The precinct will not detract from the role of the Town centre core precinct as the town's primary retail and commercial precinct.
 - (c) The Mareeba Airport precinct includes the existing airport facilities and an area on the south west side of the runway that is intended to be development for aviation based industry. The precinct will facilitate the continuing development of the Mareeba Airport, for passenger and freight movements, and other activities associated with the airport's primary function including industry, where it is demonstrated that these uses do not compromise efficient aircraft operation.
 - (d) The Mareeba northern investigation precinct is intended to support long term future urban development beyond the life of the planning scheme. Development in this precinct (particularly subdivision) is limited so that the future urban intent is not compromised.
 - (e) The Mareeba north-eastern expansion precinct, the Mareeba south-eastern expansion precinct and the Mareeba south-western expansion precinct are intended for urban residential development. These precincts are constrained by a range of important features including slopes, gullies, watercourses, open space and riparian linkages and the Mareeba Bypass. Development in these precincts preserves and enhances these features while supporting the development of a walkable and well connected transport network. Development in the Mareeba north-eastern expansion

precinct supports the construction of a new bridge over the Barron River connecting Hastie Road with Lloyd Street to enable greater access to the town centre while small scale local centres are encouraged in the Mareeba south-western expansion precinct.

- (f) The Stable precinct defines an established area of residential properties incorporating horse stables adjoining the Mareeba Racecourse. The precinct is intended to protect the ongoing use of the stables on these properties, in association with residential uses.
 - (g) The Industrial park precinct provides for the expansion, establishment and operation of General industry and Heavy industry uses within this precinct, where they are appropriately separated from incompatible uses.
 - (h) The Noxious and hazardous industry precinct provides for the expansion, establishment and relatively unconstrained operation of Special industry in the precinct where the use is sufficiently isolated from other land uses and potential on and off site impacts can be adequately managed. Uses other than Special industry and High impact industry should not occur in this precinct in order to prevent compromising the intended function of the precinct.
- (3) The purpose of the code will be achieved through the following overall outcomes:
- (a) Development recognises and protects the town centre as Mareeba's most important commercial and social asset that is supported by substantial public and private investment in buildings, infrastructure and culture;
 - (b) Development within the Town centre core precinct promotes greater walkability and integration between street and built environments through the consolidation and effective design of retail and commercial facilities;
 - (c) Development within the Town centre fringe precinct, accommodates destination-specific premises that requires car and service vehicle access;
 - (d) Development provides opportunities for greater utilisation of, and improved public access to, the Barron River and open spaces;
 - (e) Development protects Mareeba's heritage places and tourist and cultural assets and enhances opportunities for their public appreciation;
 - (f) Development facilitates the continuing growth of the Mareeba Airport for passenger and freight movements and industry associated with the airport's primary function. Activities in the Mareeba Airport precinct will be limited to ensure they do not compromise efficient aircraft operation;
 - (g) Development in the Stable precinct facilitates the combination of stables and houses whilst maintaining a low density to minimise impacts;
 - (h) Development provides for the expansion, establishment and relatively unconstrained operation of Special industry in the Noxious and hazardous industry precinct; and
 - (i) The establishment and operation of a range of industries in the Industrial park precinct is supported.

7.2.2.3 Criteria for assessment

Table 7.2.2.3—Mareeba local plan - For accepted development subject to requirements and assessable development

Performance outcomes	Acceptable outcomes	Complies	Comments
For accepted development subject to requirements and assessable development			

Performance outcomes	Acceptable outcomes	Complies	Comments
If affected by the vegetated buffer area element			
PO1 Industrial development is appropriately screened from view to minimise impacts on the: (a) visual amenity and character of the local plan area; and (b) amenity of nearby land uses.	AO1 A minimum 5 metre wide vegetated buffer area is provided in all areas of the site affected by the vegetated buffer element.		Not applicable
If in the Stable precinct			
PO2 Development facilitates the co-location of houses and stables while maintaining an appropriate level of amenity, having regard to emissions of: (a) noise; (b) odour; and (c) light	AO2 Stables house no more than 10 animals and are: (a) separated by a minimum distance of 3 metres from any residential building on the same site; (b) separated by a minimum distance of 5 metres from any residential building on an adjoining site; and (c) setback a minimum of 6 metres from any road frontage.		Not applicable
If on a site with a frontage to the Byrnes Street core element			
PO3 Development with a frontage to the Byrnes Street core element is designed to minimise the dominance of vehicular access within the streetscape by: (a) providing vehicular access from an alternative frontage; (b) minimising the size of necessary vehicle access; and	AO3.1 Where development has a frontage to the Byrnes Street core element, buildings are built to side boundaries, except for pedestrian access-ways and where alternative vehicular access is not available. In such instances, vehicular and pedestrian access-ways are not wider than 7 metres.		Not applicable
c) maximising the area of the frontage used for pedestrian focussed activities.	AO3.2 Vehicular access is not provided from Byrnes Street where a site has more than one frontage.		Not applicable
If on a site affected by the Town centre fringe 6 metre setback element			

Performance outcomes	Acceptable outcomes	Complies	Comments
PO4 Larger destination-specific premises that require increased provision for car and service vehicle access are supported where it can be demonstrated that sufficient separation is provided between the use and adjoining residential uses to adequately mitigate any potential impacts on the amenity of adjoining premises, having regard to: (a) noise; (b) odour; (c) light; and (d) overlooking and privacy.	AO4 Buildings and structures are setback a minimum of 6 metres from the boundary affected by the Town centre fringe 6 metre setback element.		Not applicable
If in the Town centre fringe precinct			
PO5 Development's address to the primary street frontage ensures: (a) car parking areas are not a dominant feature; and (b) sources of visual interest and casual surveillance of the street frontage are provided.	AO5.1 No more than 50% of car parking is to be located between the building and the primary street frontage.		Not applicable
	AO5.2 Buildings include uses that orientated toward the primary street frontage with entrances and windows addressing the street.		Not applicable

Performance outcomes	Acceptable outcomes	Complies	Comments
For assessable development			
PO6 Development in the Mareeba local plan area: (a) promotes and does not prejudice the ongoing operation of Mareeba as the major regional activity centre of the Shire; (b) provides growth or redevelopment in areas within close proximity to the Town centre core precinct; (c) locates Community facilities in accessible locations within walking distance of the Town centre core precinct; and (d) contributes to the vibrancy and local identity of the Mareeba community.	AO6 No acceptable outcome is provided.		Complies The proposal is for the establishment of large management landholdings to facilitate future low density residential development in Mareeba. The proposal assists in establishing growth in Mareeba and promotes the ongoing operation of Mareeba as the major regional activity centre of the Shire.
PO7 Development does prejudice the future construction of the Mareeba Bypass.	AO7 Development involving permanent buildings or structures does not occur on land affected by the Mareeba bypass element.		Complies The site is not affected by and will not impact the Mareeba Bypass. No permanent buildings or structures are proposed.
PO8 Development integrates the following elements identified on the Mareeba local plan maps: (a) open space elements; (b) indicative collector roads as higher order road linkages; (c) indicative minor roads in a similar design as shown as mapped; and (d) possible connections as important road linkages between developments.	AO8 No acceptable outcome is provided.		Complies The proposal is for the establishment of large management landholdings only. This outcome will be addressed as part of subsequent applications for further development of the land. The site is appropriately dedicated for residential expansion as identified in the local plan map.

Performance outcomes	Acceptable outcomes	Complies	Comments
PO9 Development integrates small-scale local retail centres that: <ul style="list-style-type: none"> (a) service the local neighbourhood; and (b) do not prejudice the ongoing operation of the Mareeba town centre. 	AO9 No acceptable outcome is provided.		Refer comment PO8.
If in the Stable precinct			
PO10 Development does not involve a density of residential development that is likely to prejudice the ongoing use of land within the precinct for stables, having regard to the existing level of amenity.	AO10.1 Development does not result in a higher accommodation density than currently exists.		Not applicable
	AO10.2 Development does not result in the creation of any new lots.		Not applicable
If in the Mareeba Airport precinct			
PO11 Development does not prejudice the ongoing operations or future development intentions of the Mareeba Airport.	AO11 Development is limited to activities which have a direct associated with aviation.		Not applicable
If in the Town centre core precinct			
PO12 Development is to be of a scale and form which complements the character of the precinct, having regard to: <ul style="list-style-type: none"> (a) building location; (b) building height; (c) interface with the street; and (d) scale of windows, doors and structural elements 	AO12 No acceptable outcome is provided.		Not applicable

Performance outcomes	Acceptable outcomes	Complies	Comments
PO13 The character and style of buildings in the main street, including those representing the booming tobacco period of the 1950's and 1960's is maintained and protected.	AO13.1 Buildings are re-used for new uses without alteration to their : (a) height; (b) width (at street frontage); (c) vertical or horizontal patterning; and (d) materials. Note—Refer to Planning Scheme Policy 1 – Character Area Design Guidelines for additional guidance in relation to the development outcomes sought.		Not applicable
	AO13.2 Development on sites identified as building façade to be retained that retains the external (street facing) facade(s) of the building will qualify for a 10% reduction on car parking.		Not applicable
If in the Town centre fringe precinct			
PO14 Development does not undermine the role of the Town centre core precinct as Mareeba's primary retail and commercial precinct.	AO14 No acceptable outcome is provided.		Not applicable

Performance outcomes	Acceptable outcomes	Complies	Comments
If in the Noxious and hazardous industry precinct			
PO15 Appropriate provision is made for siting, managing and buffering uses in the Noxious and hazardous industry precinct to limit impacts on adjoining properties, having regard to: (a) noise; (b) hours of operation; (c) traffic; (d) advertising devices; (e) visual amenity; (f) privacy; (g) lighting; (h) odour; and (i) emissions. Note—A facility management plan can be prepared to demonstrate that the ongoing operation of the use will maintain compliance with this outcome.	AO15 No acceptable outcome is provided.		Not applicable
If in the Industrial park precinct			
PO16 Development that attracts the public into the Industrial park precinct does not develop within the Industrial park precinct.	AO16 No acceptable outcome is provided.		Not applicable
If in the Northern investigation precinct			
PO17 Development does not compromise the long term future urban intent of this precinct.	AO17 No acceptable outcome is provided.		Not applicable

Performance outcomes	Acceptable outcomes	Complies	Comments
If in the North-eastern expansion precinct, South-eastern expansion precinct or South-western expansion precinct			
PO18 Development provides an average net accommodation density of at least 12 dwellings or accommodation units per hectare. Note—Calculation of accommodation density excludes areas not developed as a result of provisions of an overlay.	AO18 No acceptable outcome is provided.		Not applicable The proposal is for the establishment of large management landholdings only. This outcome will be addressed as part of subsequent applications for further subdivision of the land.
PO19 Development provides a wide range of housing options, including different dwelling sizes and types that meet the needs of a range of household compositions.	AO19 No acceptable outcome is provided.		Not applicable The proposal is for the establishment of large management landholdings only. This outcome will be addressed as part of subsequent applications for further subdivision of the land.
PO20 The road network is to be developed in a logical and sequential manner to provide for the co-ordinated development of the precinct.	AO20 No acceptable outcome is provided.		Not applicable The proposal is for the establishment of large management landholdings only. This outcome will be addressed as part of subsequent applications for further subdivision of the land.
PO21 The road network provides encourages walking and cycling to daily activities to reduce local vehicle trips by: <ul style="list-style-type: none"> (a) being based on a street grid network; (b) having walkable block sizes; (c) providing safe, efficient and provides for the needs of all users; (d) having a high level of connectivity for all users; and (e) being linked to destinations such as shops, open space and schools. 	AO21 No acceptable outcome is provided.		Not applicable The proposal is for the establishment of large management landholdings only. This outcome will be addressed as part of subsequent applications for further subdivision of the land.

9.4.4 Reconfiguring a lot code

9.4.4.1 Application

- (1) This code applies to assessing development where:
 - (a) for Reconfiguring a lot; and
 - (b) it is identified in the assessment benchmarks for assessable development and requirements for accepted development column of an assessment table in Part 5 of the planning scheme.

9.4.4.2 Purpose

- (1) The purpose of the Reconfiguring a lot code is to ensure that land is:
 - (a) arranged in a manner which is consistent with the intended scale and intensity of development within the area;
 - (b) provided with access to appropriate movement and open space networks; and
 - (c) contributes to housing diversity and accommodates a range of land uses.
- (2) The purpose of the code will be achieved through the following overall outcomes:
 - (a) Subdivision of land achieves the efficient use of land and the efficient provision of infrastructure and transport services;
 - (b) Lots are of a suitable size and shape for the intended or potential use having regard to the purpose and overall outcomes of the relevant zone or precinct.
 - (c) Subdivision of land creates lots with sufficient area and dimensions to accommodate the ultimate use, meet user requirements, protect environmental features and account for site constraints;
 - (d) A range and mix of lot sizes is provided to facilitate a variety of industry and housing types;
 - (e) Subdivision design incorporates a road network that provides connectivity and circulation for vehicles and provide safe and efficient access for pedestrians, cyclists and public transport;
 - (f) Subdivision design provides opportunities for walking and cycling for recreation and as alternative methods of travel;
 - (g) Subdivision of land provides and integrates a range of functional parkland, including local and district parks and open space links for the use and enjoyment of the residents of the locality and the shire;
 - (h) Subdivision of land contributes to an open space network that achieves connectivity along riparian corridors and between areas with conservation values;
 - (i) Subdivision within the Rural zone maintains lots equal to or larger than 60ha, except for where:
 - (a) The subdivision results in no additional lots (boundary realignment) and does not create an additional *rural lifestyle* lot or *rural residential purposes* lot; or
 - (b) The subdivision is limited to the creation of one additional allotment to accommodate a *public reconfiguration purpose*;
 - (j) Land in historical townships is not reconfigured to be used for urban purposes; and
 - (k) Residential subdivision and greenfield development is designed to consider and respect:
 - i. topography;
 - ii. climate responsive design and solar orientation;
 - iii. efficient and sustainable infrastructure provision;
 - iv. environmental values;
 - v. water sensitive urban design;
 - vi. good quality agricultural land; and
 - vii. the character and scale of surrounding development.

9.4.4.3 Criteria for assessment

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

Performance outcomes	Acceptable outcomes	Complies	Comments
Area and frontage of lots – except for Rural zone			
PO1 Lots include an area and frontage that: <ul style="list-style-type: none"> (a) is consistent with the design of lots in the surrounding area; (b) allows the desired amenity of the zone to be achieved; (c) is able to accommodate all buildings, structures and works associated with the intended land use; (d) allow the site to be provided with sufficient access; (e) considers the proximity of the land to: <ul style="list-style-type: none"> (i) centres; (ii) public transport services; and (iii) open space; and (f) allows for the protection of environmental features; and (g) accommodates site constraints. 	AO1.1 Lots provide a minimum area and frontage in accordance with Table 9.4.4.3B .		Complies The existing dwelling will and associated services will be entirely contained within proposed Lot 1 and will continue to function without impact. Proposed Easement B encompasses the existing driveway and will facilitate continued access from Martin Avenue. Proposed Lot 100 is a management landholding that has appropriate area and dimensions for further subdivision. Future development of this land will address this outcome in subsequent development applications.

Performance outcomes	Acceptable outcomes	Complies	Comments
Area and frontage of lots – Rural zone			
<p>PO1.1 No lots are created with an area of less than 60ha, except for where:</p> <p>(a) The subdivision results in no additional lots (boundary realignment) and does not create an additional <i>rural lifestyle</i> lot or <i>rural residential purposes</i> lot; or</p> <p>(b) The subdivision is limited to the creation of one additional allotment to accommodate a <i>public reconfiguration purpose</i>.</p> <p>Note: This also applies to applications for boundary realignment.</p>	<p>AO1.1 No acceptable outcome is provided.</p>		Not applicable
<p>PO1.2 Where for a boundary realignment, the realignment only occurs where it would:</p> <p>(a) Improve agricultural efficiency; or</p> <p>(b) Facilitate agricultural activity or conservation outcomes; or</p> <p>(c) Resolve boundary issues where a house, structure or works is built over the boundary line of the lots.</p>	<p>AO1.2 No acceptable outcome is provided.</p>		Not applicable

Performance outcomes	Acceptable outcomes	Complies	Comments
PO1.3 Where for a boundary realignment, the proposed lots are: (a) Able to accommodate all buildings, structures and works associated with the rural use; (b) Suitable to allow the site to be provided with sufficient access; (c) Include enough space within the new lots to accommodate buffers from adjoining land uses to mitigate adverse impacts such as chemical spray drift, odour, noise, fire, smoke and ash; (d) Do not constrain existing industries from expanding or new agricultural enterprises from being established; (e) Do not create new lots for <i>rural lifestyle or rural residential purposes</i> ; and (f) Are not for the purposes of creating a separate house lot.	AO1.3 No acceptable outcome is provided.		Not applicable
PO1.4 Where for the creation of one additional lot to accommodate a <i>public reconfiguration purpose</i> : (a) The lot has sufficient area to be able to accommodate all buildings, structures and works associated with the intended use; and (b) The intended use commences on the lot prior to its creation, or a statutory covenant is registered on the title restricting the future use of the lot to the intended purpose.	AO1.4 No acceptable outcome is provided.		Not applicable

Performance outcomes	Acceptable outcomes	Complies	Comments
PO1.5 Reconfiguring a lot that is severed by a gazetted road and that uses the road as the boundary of division only occurs where: <ul style="list-style-type: none"> (a) The subdivision divides one lot into two; and (b) The existing lot is severed by a road that was gazetted before 9 May 2008; and (c) The resulting lot boundaries use the road as the boundary of division; and (d) The development: <ul style="list-style-type: none"> (i) facilitates agricultural activity; or (ii) facilitates conservation outcomes; and (e) The development ensures agricultural activity is not compromised. 	AO1.5 No acceptable outcome is provided.		Not applicable
PO1.6 All lots include a frontage that allows the site to be provided with sufficient access.	AO1.6 Lots provided a minimum frontage is accordance with Table 9.4.4.3B		Not applicable
Existing buildings and easements			
PO2 Reconfiguring a lot which contains existing land uses or existing buildings and structures ensures: <ul style="list-style-type: none"> (a) new lots are of sufficient area and dimensions to accommodate existing land uses, buildings and structures; and (b) any continuing use is not compromised by the reconfiguration. 	AO2.1 Each land use and associated infrastructure is contained within its individual lot.		Complies AO2.1 The existing dwelling and associated infrastructure is contained within its individual lot (proposed Lot 1).
	AO2.2 All lots containing existing buildings and structures achieve the setback requirements of the relevant zone.		Complies AO2.2 The existing dwelling and associated infrastructure achieves appropriate separation distances from the new common boundary to proposed Lot 100.

Performance outcomes	Acceptable outcomes	Complies	Comments
PO3 Reconfiguring a lot which contains an existing easement ensures: <ul style="list-style-type: none"> (a) future buildings, structures and accessways are able to be sited to avoid the easement; and (b) the reconfiguration does not compromise the purpose of the easement or the continued operation of any infrastructure contained within the easement. 	AO3 No acceptable outcome is provided.		Complies Existing Easement A on proposed Lot 100 will not be impacted by the proposal and the reconfiguration does not compromise the purpose of the easement for drainage.
Boundary realignment			
PO4 The boundary realignment retains all attendant and existing infrastructure connections and potential connections.	AO4 No acceptable outcome is provided.		Not applicable
Access and road network			
PO5 Access to a reconfigured lot (including driveways and paths) must not have an adverse impact on: <ul style="list-style-type: none"> (a) safety; (b) drainage; (c) visual amenity; (d) privacy of adjoining premises; and (e) service provision. 	AO5 No acceptable outcome is provided.		Complies PO6 Access to proposed Lot 1 is existing, fit for purpose, and will not impact safety and efficiency.
PO6 Reconfiguring a lot ensures that access to a lot can be provided that: <ul style="list-style-type: none"> (a) is consistent with that provided in the surrounding area; (b) maximises efficiency and safety; and (c) is consistent with the nature of the intended use of the lot. <p>Note—The Parking and access code should be considered in demonstrating compliance with PO6.</p>	AO6 Vehicle crossover and access is provided in accordance with the design guidelines and specifications set out in Planning Scheme Policy 4 – FNQROC Regional Development Manual.		Complies PO6 Access to proposed Lot 1 is existing, fit for purpose, and will not impact safety and efficiency.

Performance outcomes	Acceptable outcomes	Complies	Comments
PO7 Roads in the Industry zone are designed having regard to: <ul style="list-style-type: none"> (a) the intended use of the lots; (b) the existing use of surrounding land; (c) the vehicular servicing requirements of the intended use; (d) the movement and turning requirements of B-Double vehicles. <p>Note—The Parking and access code should be considered in demonstrating compliance with PO7.</p>	AO7 No acceptable outcome is provided.		Not applicable
Rear lots			
PO8 Rear lots are designed to: <ul style="list-style-type: none"> (a) provide a high standard of amenity for residents and other users of the site; (b) provide a high standard of amenity for adjoining properties; and (c) not adversely affect the safety and efficiency of the road from which access is gained. 	AO8.1 Rear lots are designed to facilitate development that adjoins or overlooks a park or open space.		Complies PO8 The proposal will not impact upon the amenity of safety of the existing dwelling within proposed Lot 1. All physical factors remain the same and access is maintained to Martin Avenue.
	AO8.2 No more than two rear lots are created behind any lot with a road frontage.		Complies AO8.2 Proposed Lot 1 is the only rear lot.
	AO8.3 Access to lots is via an access strip with a minimum width of: <ul style="list-style-type: none"> (a) 4 metres where in the Low density residential zone or Medium density residential zone; or (b) 8 metres otherwise. 		Complies AO8.3 Access Easement B exceeds 8m in width.

Performance outcomes	Acceptable outcomes	Complies	Comments
	AO8.4 A single access strip is provided to a rear lot along one side of the lot with direct frontage to the street. Note—Figure A provides further guidance in relation to the desired outcome.		Complies PO8 Access Easement B encompasses the existing driveway to the existing detached dwelling on site. No new access is required.
	AO8.5 No more than 1 in 10 lots created in a new subdivision are rear lots.		Complies AO8.5 Proposed Lot 1 is the only rear lot.
	AO8.6 Rear lots are not created in the Centre zone or the Industry zone.		Complies AO8.6 The land is zoned Emerging Community.
Crime prevention and community safety			
PO9 Development includes design features which enhance public safety and seek to prevent opportunities for crime, having regard to: (a) sightlines; (b) the existing and intended pedestrian movement network; (c) the existing and intended land use pattern; and (d) potential entrapment locations.	AO9 No acceptable outcome is provided.		Complies The proposal does not have any impact upon public safety. This outcome will be addressed as part of subsequent applications for further subdivision of the land.
Pedestrian and cycle movement network			
PO10 Reconfiguring a lot must assist in the implementation of a Pedestrian and cycle movement network to achieve safe, attractive and efficient pedestrian and cycle networks.	AO10 No acceptable outcome is provided.		Not applicable The proposal is for the establishment of large management landholdings only. This outcome will be addressed as part of subsequent applications for further subdivision of the land.

Performance outcomes	Acceptable outcomes	Complies	Comments
Public transport network			
PO11 Where a site includes or adjoins a future public transport corridor or future public transport site identified through a structure planning process, development: <ul style="list-style-type: none"> (a) does not prejudice the future provision of the identified infrastructure; (b) appropriately treats the common boundary with the future corridor; and (c) provides opportunities to integrate with the adjoining corridor where a it will include an element which will attract pedestrian movement. 	AO11 No acceptable outcome is provided.		Not applicable The proposal is for the establishment of large management landholdings only. This outcome will be addressed as part of subsequent applications for further subdivision of the land.
Residential subdivision			
PO12 Residential lots are: <ul style="list-style-type: none"> (a) provided in a variety of sizes to accommodate housing choice and diversity; and (b) located to increase variety and avoid large areas of similar lot sizes. 	AO12 No acceptable outcome is provided.		Not applicable The proposal is for the establishment of large management landholdings only. This outcome will be addressed as part of subsequent applications for further subdivision of the land.
Rural residential zone			
PO13 New lots are only created in the Rural residential zone where land is located within the 4,000m ² precinct, the 1 hectare precinct or the 2 hectare precinct.	AO13 No acceptable outcome is provided.		Not applicable
Additional provisions for greenfield development only			
PO14 The subdivision design provides the new community with a local identity by responding to: <ul style="list-style-type: none"> (a) site context (b) site characteristics (c) setting (d) landmarks (e) natural features; and (f) views. 	AO14 No acceptable outcome provided.		Complies The proposal is for the establishment of large management landholdings only. This outcome will be addressed as part of subsequent applications for further subdivision of the land. The initial proposal responds to the context and characteristics of the site.

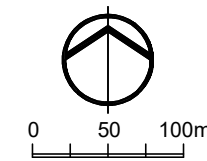
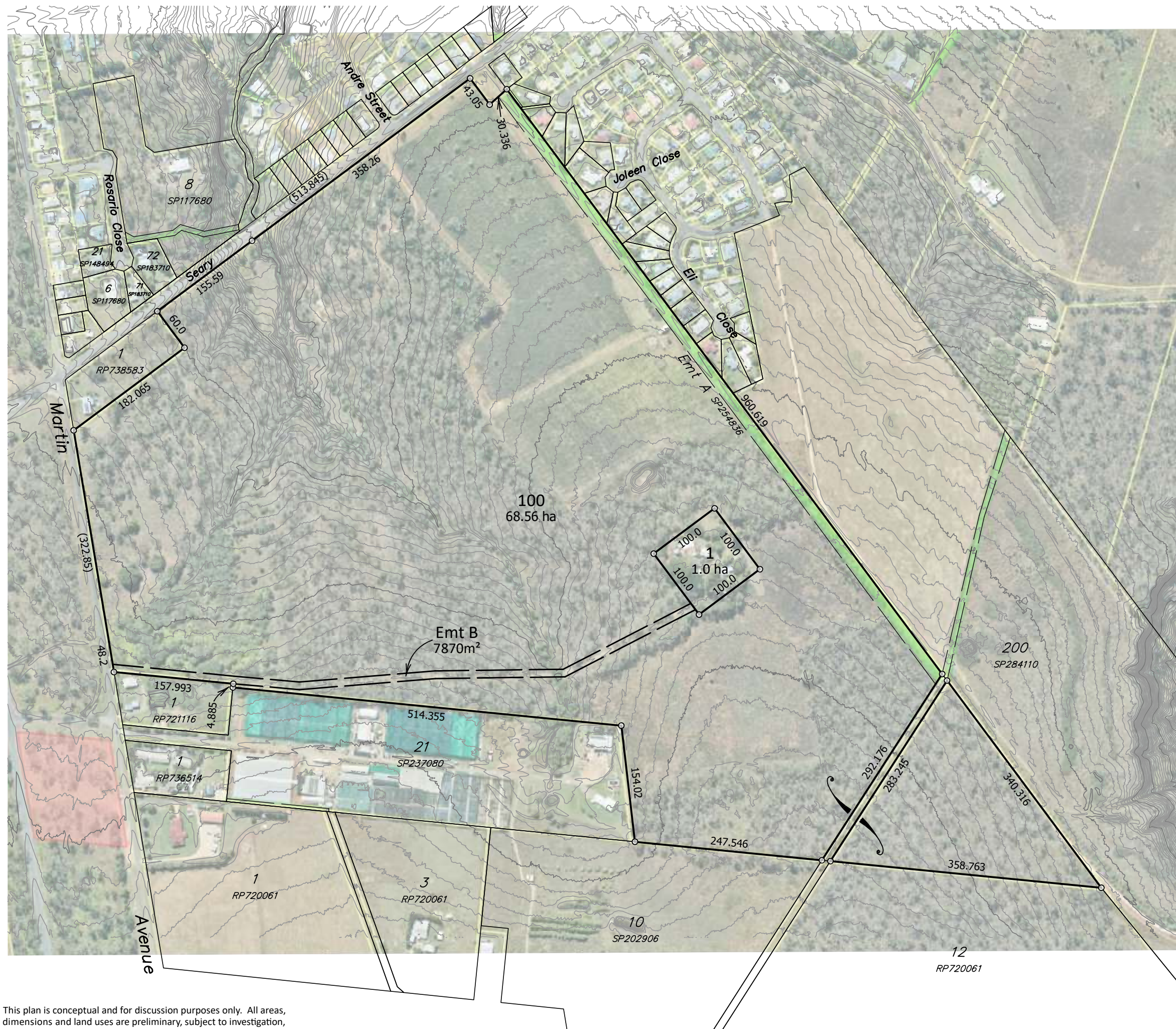
Performance outcomes	Acceptable outcomes	Complies	Comments
PO15 The road network is designed to provide a high level of connectivity, permeability and circulation for local vehicles, public transport, pedestrians and cyclists.	AO15 No acceptable outcome provided.		Not applicable The proposal is for the establishment of large management landholdings only. This outcome will be addressed as part of subsequent applications for further subdivision of the land.
PO16 The road network is designed to: <ul style="list-style-type: none"> (a) minimise the number of cul-de-sacs; (b) provide walkable catchments for all residents in cul-de-sacs; and (c) include open cul-de-sacs heads. Note—Figure B provides further guidance in relation to the desired outcome.	AO16 No acceptable outcome provided.		Not applicable The proposal is for the establishment of large management landholdings only. This outcome will be addressed as part of subsequent applications for further subdivision of the land.
PO17 Reconfiguring a lot provides safe and convenient access to the existing or future public transport network.	AO17 The subdivision locates 90% of lots within 400 metres walking distance of a future public transport route.		Not applicable The proposal is for the establishment of large management landholdings only. This outcome will be addressed as part of subsequent applications for further subdivision of the land.
PO18 The staging of the lot reconfiguration prioritises delivery of link roads to facilitate efficient bus routes.	AO18 No acceptable outcome provided.		Not applicable The proposal is for the establishment of large management landholdings only. This outcome will be addressed as part of subsequent applications for further subdivision of the land.
PO19 Provision is made for sufficient open space to: <ul style="list-style-type: none"> (a) meet the needs of the occupiers of the lots and to ensure that the environmental and scenic values of the area are protected; 	AO19.1 A minimum of 10% of the site area is dedicated as open space.		Not applicable The proposal is for the establishment of large management landholdings only. This outcome will be addressed as part of subsequent applications for further subdivision of the land.

Performance outcomes	Acceptable outcomes	Complies	Comments
(b) retain riparian corridors, significant vegetation and habitat areas and provides linkages between those areas; and (c) meet regional, district and neighbourhood open space requirements.	AO19.2 A maximum of 30% of the proposed open space can consist of land identified as significant vegetation or riparian corridor buffer.		Not applicable The proposal is for the establishment of large management landholdings only. This outcome will be addressed as part of subsequent applications for further subdivision of the land.
PO20 A network of parks and community land is provided: (a) to support a full range of recreational and sporting activities; (b) to ensure adequate pedestrian, cycle and vehicle access; (c) which is supported by appropriate infrastructure and embellishments; (d) to facilitate links between public open spaces; (e) which is co-located with other existing or proposed community infrastructure; (f) which is consistent with the preferred open space network; and (g) which includes a diversity of settings;	AO20 No acceptable outcome is provided.		Not applicable The proposal is for the establishment of large management landholdings only. This outcome will be addressed as part of subsequent applications for further subdivision of the land.

APPENDIX F

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PROPOSED RECONFIGURATION

Lots 1, 100 and Emt B in Lot 100
Cancelling Lot 20 on SP237080

Locality of Mareeba
Mareeba Shire Council

Date: 16/01/2026	
Scale: 1:5000	A3
Drawn: WCHO	
Job No: 36622/001-01	
Plan No:	36622/001 B

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TOWNPLANNING
PROJECT MANAGEMENT
MAPPING & GIS



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This plan is conceptual and for discussion purposes only. All areas, dimensions and land uses are preliminary, subject to investigation, survey, engineering, and Local Authority and Agency approvals.