

**Our Ref: R5-26**

23 April 2026

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

**Attention: Planning Department**

Dear Sir/Madam,

**DEVELOPMENT APPLICATION SEEKING A DEVELOPMENT PERMIT  
RECONFIGURE A LOT – BOUNDARY REALIGNMENT  
SITUATED AT 11 & 109 COBRA ROAD, MAREEBA  
FORMALLY DESCRIBED AS LOT 23 ON SP184955 & LOT 88 ON SP342254**

We act on behalf of our client, WR, R & P Blundell in preparing and submitting the following development application which seeks a Development Permit to Reconfigure the subject allotment under the *Planning Act 2016* located at 11 & 109 Cobra Road, Mareeba to facilitate the proposed boundary realignment of the subject allotments.


The subject properties cover a combined total of 96.896 hectares, with frontage onto Cobra Road and Tinaroo Creek Road. Both allotments contain dwellings, worker's accommodation and associated outbuildings to service the orchids on each respective property. The intent of this development is to split Lots 23 and 88 into two (2) equal portions to make each property more viable for agricultural purposes. All of the irrigation and access to the orchids to each proposed new allotment will be provided and service separately. Existing accesses provided to each allotment and will remain unchanged.

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

In terms of application fees, the current fees and charges schedule stipulates that the application fee for the proposed reconfiguration is **\$1,241.00**. Please contact our office on 0411 344 110 to process the payment over the phone.

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

Yours faithfully,



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

## **PLANNING REPORT**

### **DEVELOPMENT APPLICATION FOR RECONFIGURATION OF A LOT – BOUNDARY REALIGNMENT**

#### **PROJECT LOCATION:**

**SITUATED AT 11 & 109 COBRA ROAD, MAREEBA  
FORMALLY DESCRIBED AS LOT LOT 23 ON SP184955 & LOT 88 ON  
SP342254**

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

*Appendix 2: Owner’s Consent*

*Appendix 3: Development Plans*

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<b>ASSESSMENT MANAGER:</b>	MAREEBA SHIRE COUNCIL, PLANNING DEPARTMENT
<b>DEVELOPMENT TYPE:</b>	DEVELOPMENT PERMIT – RECONFIGURATION OF A LOT (CODE ASSESSABLE)
<b>PROPOSED WORKS:</b>	BOUNDARY REALIGNMENT
<b>REAL PROPERTY DESCRIPTION:</b>	LOT 23 ON SP184955 & LOT 88 ON SP342254
<b>LOCATION:</b>	11 & 109 COBRA ROAD, MAREEBA
<b>ZONE:</b>	RURAL ZONE
<b>APPLICANT:</b>	WR, R & P BLUNDELL C/- U&I TOWN PLAN
<b>ASSESSMENT CRITERIA:</b>	RECONFIGURATION OF A LOT (CODE ASSESSABLE)
<b>REFERRAL AGENCIES:</b>	NO REFERRAL AGENCY.
<b>STATE PLANNING:</b>	THE PROPOSAL DOES NOT TRIGGER ASSESSMENT AGAINST THE STATE DEVELOPMENT ASSESSMENT PROVISIONS.

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### **IMPORTANT NOTE**

*Apart from fair dealing for the purposes of private study, research, criticism, or review as permitted under the Copyright Act, no part of this Report may be reproduced by any process without the written consent of R&A Samanes Pty Ltd ('U&i Town Plan').*

*This Report has been prepared for Wilfred Ronald, Rosemary and Paul Blundell for the sole purpose of making a Development Application seeking a Development Permit for Reconfiguration of a Lot on land at 11 and 109 Cobra Road, Mareeba (over Lot 23 on SP184955 and Lot 88 in SP342254) for the purpose of a boundary realignment. This report is strictly limited to the purpose, and facts and circumstances stated within. It is not to be utilised for any other purpose, use, matter or application.*

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

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

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

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

## 1.0 EXECUTIVE SUMMARY

This development application is seeking a development permit to Reconfigure the allotments under the *Planning Act 2016* at 11 and 109 Cobra Road, Mareeba to facilitate the realignment of the boundary between Lot 23 on SP184955 and Lot 88 on SP342254. By way of this development application, the applicant is seeking specific approval to undertake the development as detailed in this planning report and approval of the plans.

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

## 2.0 SITE DESCRIPTION

The subject land is described as Lot 23 on SP184955 and Lot 88 on SP342254 located at 11 and 109 Cobra Road, Mareeba. The subject properties cover a combined total of 96.896 hectares, with both allotments fronting onto Cobra Road and Lot 88 onto Tinaroo Creek Road. The property is located approximately 6km from the CBD of Mareeba and is surrounded by mix of lot sizes within the rural zone.

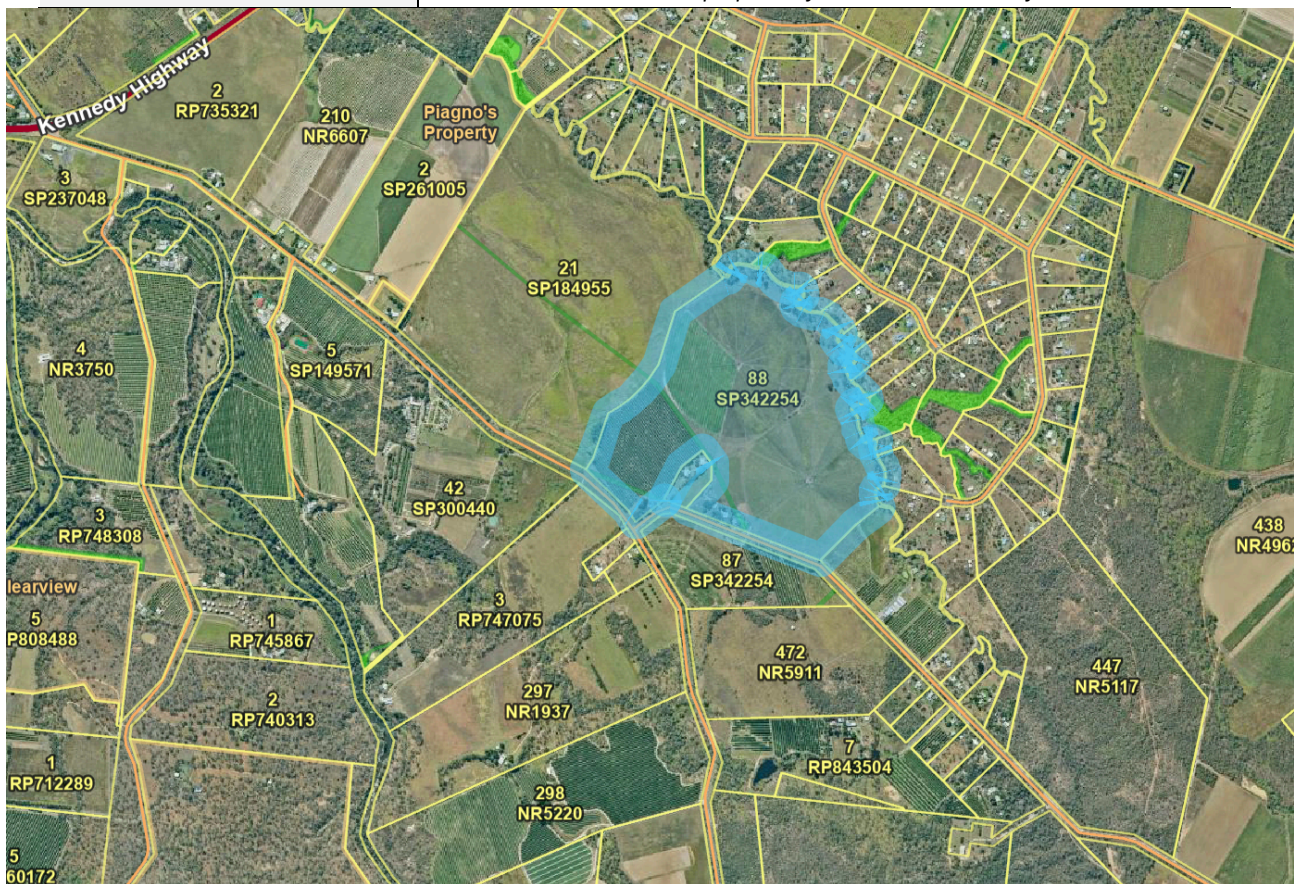


**Figure 1: Aerial View of the Subject Land** (© The State of Queensland, all rights reserved, 2026)

A site summary is provided below:

**Table 2.0: Site summary**

<b>Street address:</b>	11 and 109 Cobra Road, Mareeba
<b>Real property description:</b>	Lot 23 on SP184955 and Lot 88 on SP342254
<b>Local government area</b>	Mareeba Shire Council
<b>Tenure:</b>	Freehold
<b>Site area:</b>	Lot 23: 15.602ha Lot 31: 81.294ha
<b>Zone:</b>	Rural zone
<b>Current use:</b>	Lot 23: Limes and Ford Museum Lot 88: Limes, hay, cattle
<b>Road frontage:</b>	Cobra and Tinaroo Creek Road
<b>Adjacent uses:</b>	Surrounding Rural properties
<b>Topography / Vegetation:</b>	The properties rise as you travel from town along Tinaroo Creek Road onto Cobra Road, following the ridge of the hill
<b>Easements:</b>	Easements across all properties for water exist to benefit sunwater.

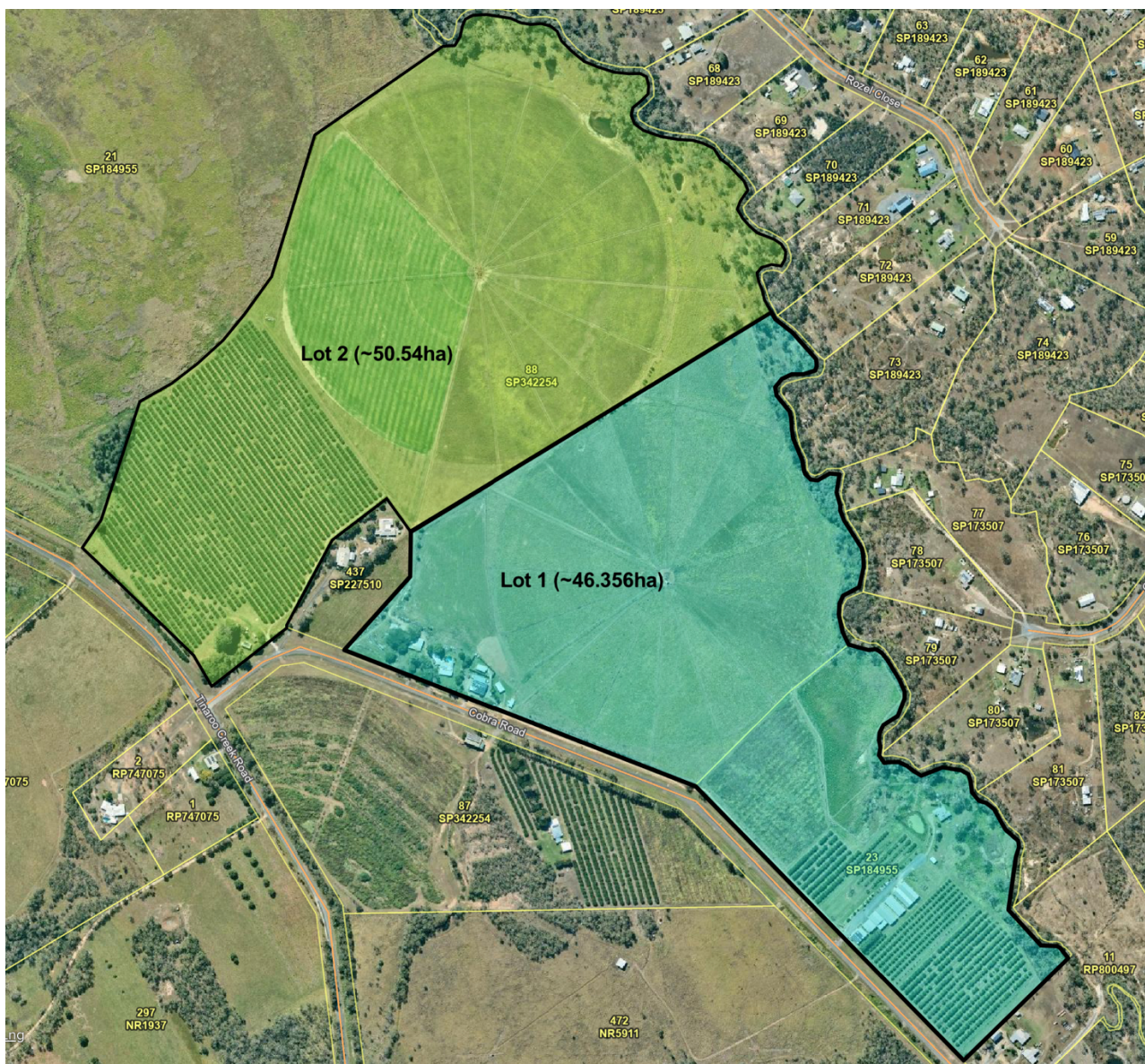


**Figure 2: Site Locality** (© The State of Queensland, all rights reserved, 2023.)

### 3.0 DEVELOPMENT PROPOSAL

This development application is seeking a development permit to Reconfigure the allotments under the *Planning Act 2016* at 11 and 109 Cobra Road, Mareeba to facilitate the realignment of the boundary between Lot 23 and 88. Both allotments contain dwellings and associated outbuildings to service the orchards on each respective property, Lot 23 also contains the Ford Museum. The intent of this development is to split Lots 23 and 88 into two (2) equal portions to make each property more viable for agricultural purposes. All of the irrigation and access to the orchards to each proposed new allotment will be provided and serviced separately. Existing accesses provided to each allotment and will remain unchanged.

By way of this development application, the applicant is seeking specific approval to undertake the development as detailed in this planning report and approval of the plans.



**Figure 3:** Extract from Development Plans (Prepared by U&i Town Plan.)

See Appendix 3: Development Plans for further detail.

### 3.1 Development Definition

The proposal is described as a “Reconfiguration of a Lot” under the Planning Act and planning scheme. The proposal is defined under the Planning Act as follows:

*reconfiguring a lot means—*

- (a) creating lots by subdividing another lot; or*
- (b) amalgamating 2 or more lots; or*
- (c) rearranging the boundaries of a lot by registering a plan of subdivision under the Land Act or Land Title Act; or*
- (d) dividing land into parts by agreement rendering different parts of a lot immediately available for separate disposition or separate occupation, other than by an agreement that is—*
  - (i) a lease for a term, including renewal options, not exceeding 10 years; or*
  - (ii) an agreement for the exclusive use of part of the common property for a community titles scheme under the Body Corporate and Community Management Act 1997 ; or*
- (e) creating an easement giving access to a lot from a constructed road.*

### 3.2 Boundary Realignment

Both allotments contain dwellings and associated outbuildings to service the orchids on each respective property. The intent of this development is to split Lots 23 and 88 into two (2) equal portions to make each property more viable for agricultural purposes. All of the irrigation and access to the orchids to each proposed new allotment will be provided and serviced separately. Existing accesses provided to each allotment and will remain unchanged.

The proposed reconfiguration will result in the following allotment sizes:

- Proposed Lot 1 – 46.356 hectares; and
- Proposed Lot 31 – 50.54 hectares.

### 4.0 DEVELOPMENT APPLICATION DETAILS

This code assessable development application seeks a development permit to Reconfigure the Lots under the *Planning Act 2016* to facilitate the realignment of the boundary between Lot 23 and 88. By way of this development application, the applicant is seeking specific approval of the following development permit to authorise the subdivision of the allotments as detailed in this planning report.

## 5.0 PLANNING JUSTIFICATION

This development application is made in accordance with the requirements of the *Planning Act 2016* and is for the Reconfiguration of the lot at 11 and 109 Cobra Road, Mareeba to facilitate the realignment of the boundary between Lot 23 and 88. The proposal is considered to satisfy the requirements set by the applicable assessment benchmarks from the planning scheme, specifically the Rural Zone Code and Reconfiguring a Lot Code.

### 5.1 Mareeba Shire Planning Scheme 2016

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

- Rural Zone Code
- Reconfiguration of a Lot Code
- Landscape Code
- Parking and Access Code
- Works, Services and Infrastructure Code
- Agricultural Land Overlay Code
- Bushfire Hazard Overlay Code
- Environmental Significance Overlay Code
- Flood Hazard Overlay Code

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

#### 5.1.1 Rural Zone Code

1. *The purpose of the Rural Zone Code is to:*
  - a) *Provide for rural uses including cropping, intensive horticulture, intensive animal industries, animal husbandry, animal keeping and other primary production activities;*
  - b) *Provide opportunities for non-rural uses that are compatible with agriculture, the environmental features, and landscape character of the rural area where the uses do not compromise the long-term use of the land for rural purposes;*
  - c) *Protect or manage significant natural resources and processes to maintain the capacity for primary production.*

2. *Mareeba Shire Council's purpose of the Rural zone code is to recognise the importance of primary productions to the economy of the region and to maintain and strengthen the range of primary industries which contribute to the rural economy.*

*The purpose of the Rural zone code is to:*

- a) Recognise the diversity of rural uses that exists throughout the region;*
- b) Protect the rural character of the region;*
- c) Provide facilities for visitors and tourists that are accessible and offer unique experience;*
- d) Protect the infrastructure of the Mareeba-Dimbulah Irrigation Scheme Area from development which may compromise long term use for primary production;*
- e) Maintain distinct boundaries between the rural areas and the villages, towns and urban areas of the region;*
- f) Provide for a range of uses, compatible and associated with rural or ecological values including recreational pursuits and tourist activities;*
- g) Prevent adverse impacts of development on ecological values;*
- h) Preserve land in large holdings; and*
- i) Facilitate the protection of strategic corridors across the landscape which link remnant areas of intact habitat and transport corridors.*

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

- (a) Areas for use for primary production are conserved and fragmentation below economically viable lot sizes is avoided;*
- (b) The establishment of a wide range of rural pursuits is facilitated, including cropping, intensive horticulture, forestry, intensive animal industries, animal husbandry and animal keeping and other compatible primary production uses;*
- (c) The establishment of extractive industries, mining and associated activities and alternative forms of energy generation is appropriate where environmental impacts and land use conflicts are minimised;*
- (d) Uses that require isolation from urban areas as a consequence of their impacts such as noise or odour may be appropriate where land use conflicts are minimised;*
- (e) Development is reflective of and responsive to the environmental constraints of the land;*
- (f) Residential and other development is appropriate only where directly associated with the rural nature of the zone;*
- (g) Low-impact tourism and recreation activities do not compromise the long-term use of the land for rural purposes;*
- (h) The viability of both existing and future rural uses and activities is protected from the intrusion of incompatible uses;*
- (i) Visual impacts of clearing, building, materials, access ways and other aspects of development are minimised or appropriately managed;*
- (j) Adverse impacts of development both on-site and from adjoining areas are avoided and any impacts are minimised through location, design, operation and management; and*
- (k) Natural features such as creeks, gullies, waterways, wetlands and bushland are retained, managed, enhanced and separated from adjacent development.*

## **Comments:**

The proposed boundary realignment does not involve the creation of any additional allotments within the Rural Zone. The proposed development simply seeks to realign the boundaries between Lots 23 and 88. The intent of this development is to split Lots 23 and 88 into two (2) equal portions to make each property more viable for agricultural purposes. All of the irrigation and access to the orchids to each proposed new allotment will be provided and serviced separately. Existing accesses provided to each allotment and will remain unchanged.

The proposal is considered to satisfy the requirements set by the applicable assessment benchmarks from the planning scheme, specifically the Rural Zone and Reconfiguring a Lot Code. It is considered that this development in these particular and unique circumstances, meets the performance outcomes and purpose statements outlined within the Rural Zone Code and Reconfiguring a Lot Code.

### **5.1.2 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.*

*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 rural landholdings in viable parcels;*
- (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.

**ASSESSMENT BENCHMARKS**

Performance Outcomes	Acceptable Outcomes	Proposal Justification
<b>Area and frontage of Lots – Rural Zone</b>		
PO1 & PO1.1	AO1.1 – N/A	<p>The proposed boundary realignment does not involve the creation of any additional allotments within the Rural Zone. The proposed development simply seeks to realign the boundaries between Lots 23 and 88. The intent of this development is to split Lots 23 and 88 into two (2) equal portions to make each property more viable for agricultural purposes. All of the irrigation and access to the orchids to each proposed new allotment will be provided and serviced separately. Existing accesses provided to each allotment and will remain unchanged.</p> <p><b>Satisfied.</b></p>
PO1.2	AO1.2 – N/A	<p>The proposed boundary realignment does not involve the creation of any additional allotments within the Rural Zone. The proposed development simply seeks to realign the boundaries between Lots 23 and 88. The intent of this development is to split Lots 23 and 88 into two (2) equal portions to make each property more viable for agricultural purposes. All of the irrigation and access to the orchids to each proposed new allotment will be provided and serviced separately. Existing accesses provided to each allotment and will remain unchanged.</p>
PO1.3	AO1.3 – N/A	<p>The proposed boundary realignment does not involve the creation of any additional allotments within the Rural Zone. The proposed development simply seeks to realign the boundaries between Lots 23 and 88. The intent of this development is to split Lots 23 and 88 into two (2) equal portions to make each property more viable for agricultural purposes. All of the irrigation and access to the orchids to each proposed new allotment will be provided and serviced separately. Existing accesses provided to each allotment and will remain unchanged.</p>
PO1.4	AO1.4 – N/A	<p>This application is not for a public reconfiguration purpose.</p>
PO1.5	AO1.5 – N/A	<p>The proposed boundary realignment does not involve the creation of any additional allotments within the Rural Zone. The proposed development simply seeks to realign the boundaries between Lots 23 and 88. The intent</p>

		<p><i>of this development is to split Lots 23 and 88 into two (2) equal portions to make each property more viable for agricultural purposes. All of the irrigation and access to the orchids to each proposed new allotment will be provided and serviced separately. Existing accesses provided to each allotment and will remain unchanged.</i></p> <p><b>Satisfied.</b></p>
PO1.6	PO1.6	<p><i>The proposed boundary realignment does not involve the creation of any additional allotments within the Rural Zone. The proposed development simply seeks to realign the boundaries between Lots 23 and 88. The intent of this development is to split Lots 23 and 88 into two (2) equal portions to make each property more viable for agricultural purposes. All of the irrigation and access to the orchids to each proposed new allotment will be provided and serviced separately. Existing accesses provided to each allotment and will remain unchanged.</i></p> <p><b>Satisfied.</b></p>
<b>Existing buildings and easements</b>		
PO2	AO2.1	<p><i>The proposed boundary realignment does not involve the creation of any additional allotments within the Rural Zone. The proposed development simply seeks to realign the boundaries between Lots 23 and 88. The intent of this development is to split Lots 23 and 88 into two (2) equal portions to make each property more viable for agricultural purposes. All of the irrigation and access to the orchids to each proposed new allotment will be provided and serviced separately. Existing accesses provided to each allotment and will remain unchanged.</i></p> <p><b>Satisfied.</b></p>
	AO2.2	<p><i>The intent of this development is to split Lots 23 and 88 into two (2) equal portions to make each property more viable for agricultural purposes. All of the irrigation and access to the orchids to each proposed new allotment will be provided and serviced separately. Existing accesses provided to each allotment and will remain unchanged.</i></p> <p><b>Satisfied.</b></p>
PO3	AO3	<p><i>The existing easements within proposed lots 1 and 2 will remain and will not interfere with the function of the easement.</i></p> <p><b>Satisfied.</b></p>
<b>Boundary Realignment</b>		
PO4	N/A	<p><i>The proposed boundary realignment has been configured to ensure all existing services and infrastructure are separated and placed in a way that each proposed allotment is serviced by water, power and access to the road network.</i></p> <p><b>Satisfied.</b></p>

<b>Access and road network</b>		
PO5	N/A	Existing accesses are established to both proposed allotments from Cobra Road.  <b>Satisfied.</b>
PO6	AO6	Existing accesses are established to both proposed allotments from Cobra Road.  <b>Satisfied.</b>
PO7	N/A	<b>Not applicable.</b>  Site is in the rural zone.
<b>Rear Lots</b>		
PO8	AO8.1	No rear lots proposed. <b>Satisfied.</b>
	AO8.2	No rear lots proposed. <b>Satisfied.</b>
	AO8.3	No rear lots proposed. <b>Satisfied.</b>
	AO8.4	No rear lots proposed. <b>Satisfied.</b>
	AO8.5	No rear lots proposed. <b>Satisfied.</b>
	AO8.6	<b>Not applicable.</b> Site is in the rural zone.
<b>Crime prevention and community safety</b>		
PO9	N/A	The development is located in the Rural zone. This provision doesn't particularly apply to this type of development within this zone and is more associated with residential lot developments within town.  <b>Satisfied.</b>
<b>Pedestrian and cycle movement network</b>		
PO10	N/A	The development is located in the Rural zone. This provision doesn't particularly apply to this type of development within this zone and is more associated with residential lot developments within town.  <b>Satisfied.</b>
<b>Public transport network</b>		
PO11	N/A	The development is located in the Rural zone. The site does not include public transport corridor or future public transport.  <b>Satisfied.</b>
<b>Residential Subdivision</b>		
PO12	N/A	The development is located in the Rural zone. The development is not creating a residential subdivision.  <b>Satisfied.</b>
<b>Rural residential zone</b>		
PO13	N/A	The development is located in the Rural zone. The development is not creating a rural residential subdivision.

		<b>Satisfied.</b>
<b>Additional provisions for greenfield development only</b>		
PO14	N/A	<b>Not applicable</b>
PO15	N/A	<b>Not applicable</b>
PO16	N/A	<b>Not applicable</b>
PO17	N/A	<b>Not applicable</b>
PO18	N/A	<b>Not applicable</b>
PO19	N/A	<b>Not applicable</b>
PO20	N/A	<b>Not applicable</b>

### 5.1.3 Landscaping Code

The proposed reconfiguration of a lot which is seeking approval for a boundary realignment and easement for water is located within the Rural Zone. As such this code is not considered applicable to this development.

### 5.1.4 Parking and Access Code

The proposed reconfiguration of a lot which is seeking approval for a boundary realignment located within the Rural Zone. As such, this code is not considered applicable to this development in terms of controlling parking demands and requirements as part of a reconfiguration of a lot. However, it is noted that the existing access crossovers from Cobra Road into both proposed allotments is considered to be consistent with the rural standards for access.

### 5.1.5 Works, Service and Infrastructure Code

The proposed reconfiguration of a lot which is seeking approval for a boundary realignment located within the Rural Zone, and as such limited services and infrastructure are required to be provided. However, it is noted that the existing access crossovers from Cobra Road into both proposed allotments is considered to be consistent with the rural standards for access. As such, it is considered that the proposed Reconfiguration of a lot development achieves compliance with the outcomes sought to be achieved within Works, Services and Infrastructure Code.

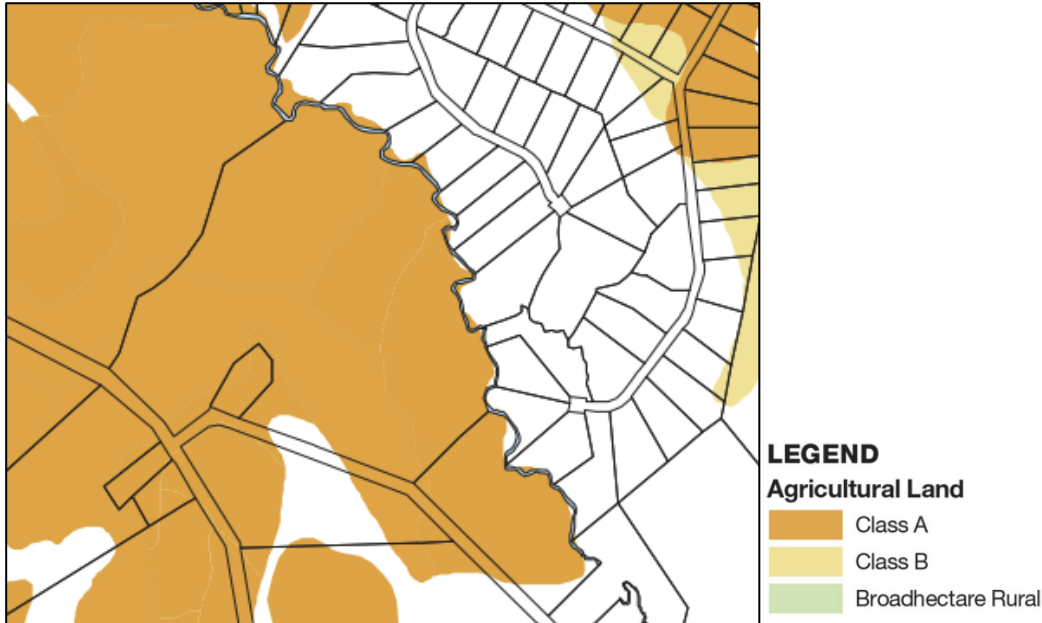
### 5.1.6 Agricultural Land Overlay Code

*The purpose of the Agricultural land overlay code is to protect or manage important agricultural areas, resources, and processes which contribute to the shire’s capacity for primary production.*

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

- (a) The alienation, fragmentation or reduction in primary production potential of land within the ‘Class A’ area or ‘Class B’ area is avoided, except where:*
  - (i) an overriding need exists for the development in terms of public benefit,*
  - (ii) no suitable alternative site exists; and*

- (iii) the fragmentation or reduced production potential of agricultural land is minimised;
- (b) 'Class A' areas and 'Class B' areas continue to be used primarily for more intensive agricultural activities which utilise the land quality provided in these areas;
- (c) Grazing on very large land holdings is maintained as the dominant rural activity in the 'Broadhectare rural' area; and
- (d) Land with the 'Broadhectare rural' area is maintained in its current configuration.



### **Statement of Compliance:**

No new allotments are created as a result of this development. These provisions apply to new subdivisions to avoid any new or additional lots being created within the Rural Zone below 60ha. In this instance, Lot 23 is only 15.602ha and Lot 88 is 81.294ha. The resulting lot sizes being itemised as follows:

- Proposed Lot 1: 46.356 hectares; and
- Proposed Lot 2: 50.54 hectares.

The purpose of this development remains to improve the overall productivity across the two (2) existing properties in accordance with the outcomes sought above in section 1.2.1.1 (1). To achieve this outcome the proposed realignment of the boundaries between existing Lots 23 and 88, is required to apportion from 88 to lot 23. Both allotments contain dwellings and associated outbuildings to service the orchids on each respective property. The intent of this development is to split Lots 23 and 88 into two (2) equal portions to make each property more viable for agricultural purposes. All of the irrigation and access to the orchids to each proposed new allotment will be provided and serviced separately. Existing accesses provided to each allotment and will remain unchanged. No farming land is being lost as a consequence of

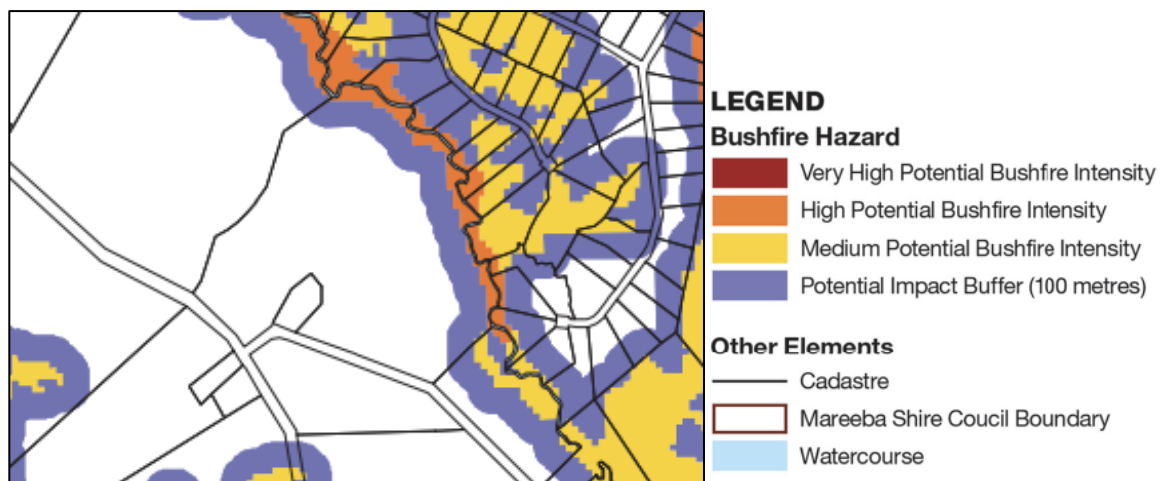
this development, as both lots are already improved with infrastructure, where the only change is shifting some agricultural land from one lot to another.

### 5.1.7 Bushfire Hazard Overlay Code

*The purpose of the Bushfire hazard overlay code is to minimise the threat of bushfire to people and property.*

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

- (a) Development in a Bushfire hazard area is compatible with the nature of the hazard;*
- (b) The number of people and properties subject to bushfire hazards are minimised through appropriate building design and location;*
- (c) Development does not result in a material increase in the extent, duration or severity of bushfire hazard; and*
- (d) Appropriate infrastructure is available to emergency services in the event of a bushfire.*



The site is mapped as containing areas of Potential Impact Buffer (100 metres), High Bushfire Hazard, which correlate with the areas on the site along Emerald Creek, far away from any infrastructure. Given the proposal simply involves the creation of realignment of the boundaries of two (2) properties in which the infrastructure is already established, renders any controls regarding fire hazard to be not applicable.

The site has existing access to water that is currently available to be used for fire-fighting purposes. The appropriate water source contains sufficient access to water via the water allocation connected to proposed lots 1 and 2 available at any time for Firefighting Supply and will be provided with the appropriate connections where required. Lastly, the properties are regularly maintained by the landowners to ensure no build-up of hazardous materials and that existing or proposed firebreaks are maintained. Accordingly, it is considered that this development achieves compliance with the outcomes sought under the Bushfire Hazard Overlay Code.

### 5.1.8 Environmental Significance Overlay Code

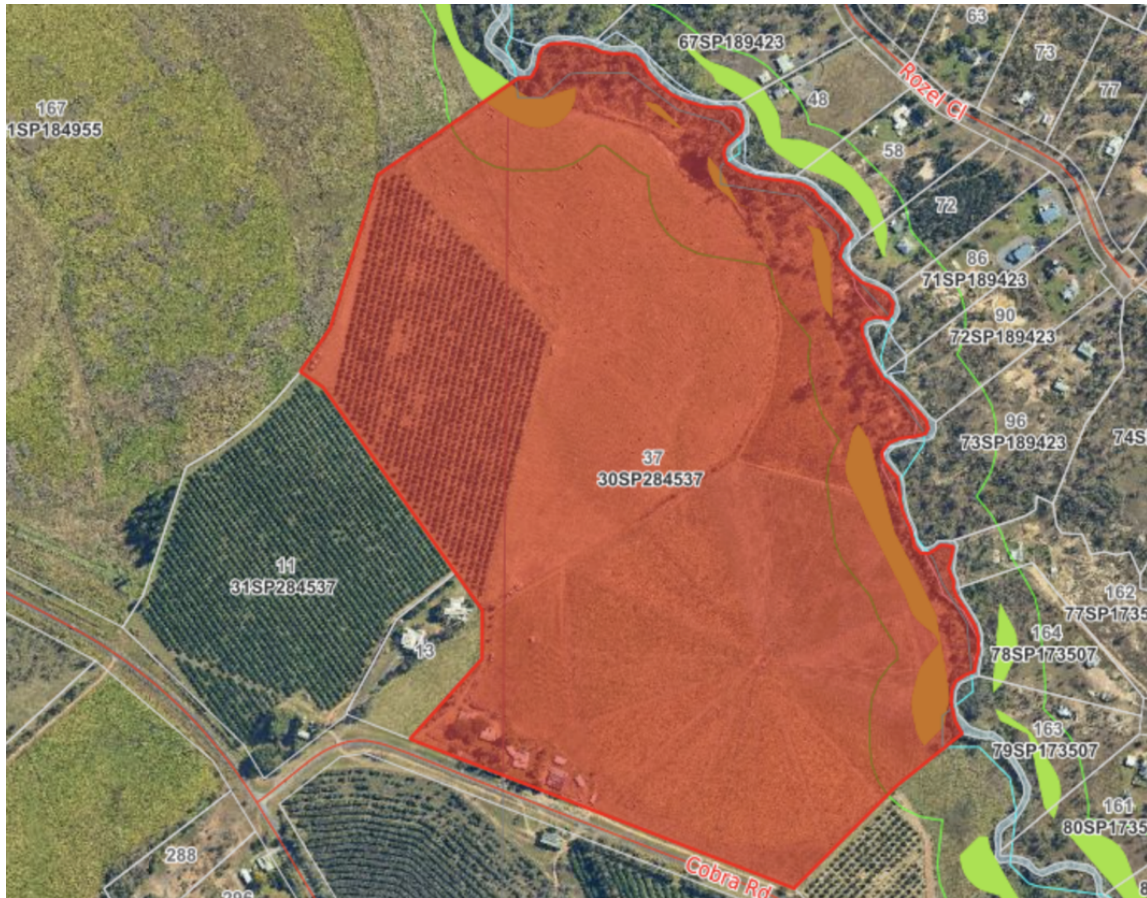
*The purpose of the Environmental significance overlay code is to identify and protect matters of environmental significance, which include matters of state environmental significance (MSES) as defined under the state planning policy.*

*The Environmental significance overlay code ensures that:*

- (a) waterways and high ecological significance wetlands are protected and enhanced to maintain ecosystem services and hydrological processes and provide aquatic habitat for flora and fauna; and*
- (b) the environmental values of regulated vegetation, wildlife habitat, protected areas and legally secured offset areas are protected and managed.*

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

- (a) the biodiversity values, ecosystem services and climate change resilience of areas of environmental significance are protected, managed, enhanced and rehabilitated;*
- (b) the biodiversity values of protected areas and legally secured offset areas are protected from development unless overriding community need is demonstrated;*
- (c) development is located, designed and managed to minimise the edge effects of development on areas of regulated vegetation and wildlife habitat;*
- (d) areas of regulated vegetation and wildlife habitat are managed to minimise biodiversity losses;*
- (e) development maintains, protects and enhances a regional network of vegetated corridors that assist in wildlife movement and contribute to the maintenance of habitat and biological diversity;*
- (f) development is appropriately setback from waterways and high ecological significance wetlands to minimise direct and indirect impacts on water quality and biodiversity; and*
- (g) riparian vegetation and vegetation associated with high ecological significance wetlands is protected and enhanced to improve water quality and natural ecosystem function.*



The site is mapped as containing areas of land considered regulated vegetation around Emerald Creek within the riparian zones. The proposed changes fall well outside of these areas, and therefore no referral or further assessment is required. The areas of importance correlate with the areas on the property that are covered by natural bushland, which are not impacted in anyway with the realignment of the boundaries. Accordingly, the outcomes sought within this code are considered to be achieved as a consequence and no further assessment of this development is required against the Environmental Significance Overlay Code.

## 5.2 State Development Assessment Provisions

The State Development Assessment Provisions (SDAP) set out the matters of interest to the state for development assessment. The SDAP identifies the matters of interest – where relevant they have been addressed by heading in this section. Where the State is a referral agency for a development application under the provisions, the state code applies.

In this instance, the proposed development does not trigger referral and therefore assessment against the SDAP codes is not required.

### 5.3 Far North Regional Plan 2009-2031

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

### 6.0 CONCLUSION

It is considered that the proposed development being a Reconfiguration of a Lot – Boundary Realignment and over land described as Lot 23 on SP184955 and Lot 88 on SP342254 located at 11 and 109 Cobra Road, Mareeba is appropriately designed to comply with the planning scheme requirements. In particular, the proposed development:

- Achieves compliance with the Performance Outcomes relating to the realignment of the boundary;
- Achieves compliance with the Performance Outcomes, Purposes and the Intent of the Reconfiguring a Lot Code for land included in the Rural Zone;
- Satisfies compliance with the relevant applicable mapped Overlays;
- Does not conflict with the Far North Queensland Regional Plan 2009 – 2031, in particular the Rural Production Area Regional Land Use Category.

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

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

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



**Ramon Samanes**

Director, U&i Town Plan

Bachelor of Applied Science, Majoring in Environmental and Urban Planning

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

# DA Form 1 – Development application details

Approved form (version 1.6 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)	WR, R & P Blundell c/- U&I Town Plan
Contact name (only applicable for companies)	Ramon Samanes
Postal address (P.O. Box or street address)	35 Sutherland Street
Suburb	Mareeba
State	QLD
Postcode	4880
Country	Australia
Contact number	0411344110
Email address (non-mandatory)	<a href="mailto:Ramon.samanes@gmail.com">Ramon.samanes@gmail.com</a>
Mobile number (non-mandatory)	0411344110
Fax number (non-mandatory)	
Applicant's reference number(s) (if applicable)	R5-26

### 1.1) Home-based business

Personal details to remain private in accordance with section 264(6) of *Planning Act 2016*

## 2) Owner's consent

### 2.1) Is written consent of the owner required for this development application?

- Yes – the written consent of the owner(s) is attached to this development application  
 No – proceed to 3)

## PART 2 – LOCATION DETAILS

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

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

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

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

a)	Unit No.	Street No.	Street Name and Type	Suburb
		11	Cobra Road	Mareeba
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)
	4880	88	SP342254	Mareeba Shire Council
b)	Unit No.	Street No.	Street Name and Type	Suburb
		109	Cobra Road	Mareeba
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)
	4880	23	SP184955	Mareeba Shire Council

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

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

- Coordinates of premises by longitude and latitude

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

- 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: <input type="text"/>	

#### 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

<input type="checkbox"/> In or adjacent to a water body or watercourse or in or above an aquifer	
Name of water body, watercourse or aquifer:	<input type="text"/>
<input type="checkbox"/> On strategic port land under the <i>Transport Infrastructure Act 1994</i>	
Lot on plan description of strategic port land:	<input type="text"/>
Name of port authority for the lot:	<input type="text"/>
<input type="checkbox"/> In a tidal area	
Name of local government for the tidal area (if applicable):	<input type="text"/>
Name of port authority for tidal area (if applicable)	<input type="text"/>

<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 – Water easements  
 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):*

Boundary Realignment

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  Yes – complete division 1 if assessable against a local planning instrument

Reconfiguring a lot  Yes – complete division 2

Operational work  Yes – complete division 3

Building work  Yes – complete *DA Form 2 – Building work details*

**Division 1 – Material change of use**

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

**8.1) Describe the proposed material change of use**

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

**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?**

Boundary Realignment

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

Subdivision *(complete 10)*

Dividing land into parts by agreement *(complete 11)*

Boundary realignment *(complete 12)*

Creating or changing an easement giving access to a lot from a constructed road *(complete 13)*





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



- 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](http://www.qld.gov.au). An ERA requires an environmental authority to operate. See [www.business.qld.gov.au](http://www.business.qld.gov.au) for further information.

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

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

#### **Hazardous chemical facilities**

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

- Yes – *Form 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](http://www.business.qld.gov.au) for further information about hazardous chemical notifications.

#### **Clearing native vegetation**

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

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

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

#### **Environmental offsets**

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

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

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

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

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

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

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

DA templates are available from [planning.statedevelopment.qld.gov.au](http://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](http://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](http://www.daf.qld.gov.au) for further information.

### Quarry materials from a watercourse or lake

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

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

No

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

### Quarry materials from land under tidal waters

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

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

No

**Note:** Contact the Department of Environment, Science and Innovation at [www.desi.qld.gov.au](http://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](http://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](http://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](http://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](http://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](http://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



**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	

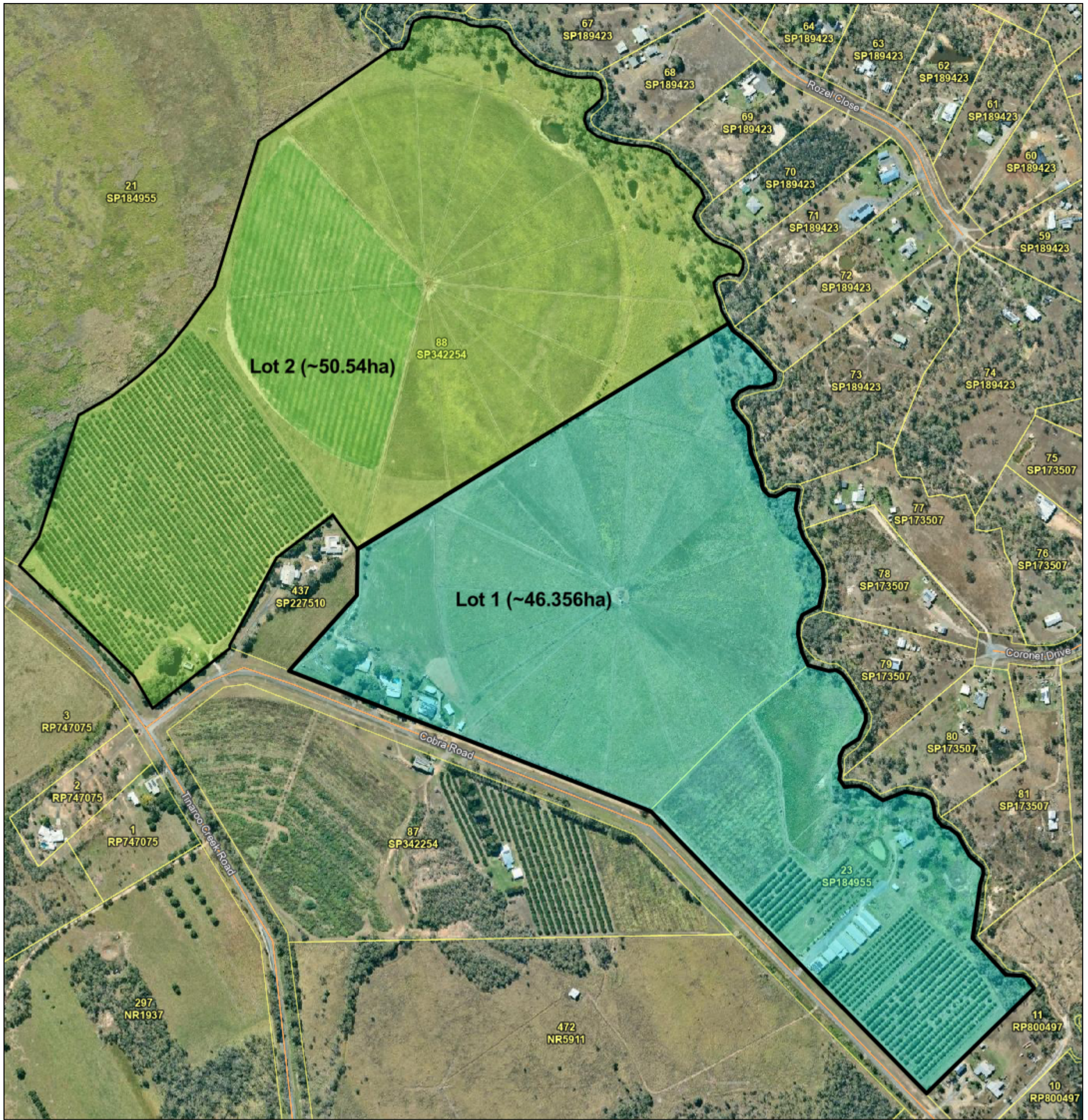
## **APPENDIX 2: DEVELOPMENT PLANS**

# Proposed Boundary Realignment

11 & 109 Cobra Road, Mareeba (Lot 23 on SP184955 & Lot 88 on SP342254) Plan#1, 16.04.26, prepared by U&i Town Plan

17°0'34"S 145°28'10"E

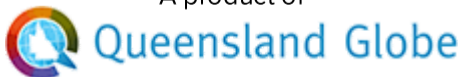
17°0'34"S 145°29'3"E



17°1'27"S 145°28'10"E

17°1'27"S 145°29'3"E

A product of



Legend located on next page



0 100 metres

Scale: 1:5781

Printed at: A3

Print date: 16/4/2026

Not suitable for accurate measurement.

Projection: Web Mercator EPSG 102100 (3857)

For more information, visit <https://qldglobe.information.qld.gov.au/help-info/Contact-us.html>

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**Queensland Government**

Department of Natural Resources and Mines, Manufacturing, and Regional and Rural Development