



Town Planning and Project Services

10 June 2026

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

Via email: planning@msc.qld.gov.au
info@msc.qld.gov.au

Attn: Mr. Brian Millard (Coordinator Planning and Building)

RE: DEVELOPMENT APPLICATION FOR RECONFIGURING A LOT (1 LOT INTO 2 LOTS) OVER LAND AT 13 BYRNES STREET, MAREEBA, MORE FORMALLY DESCRIBED AS LOT 204 ON M3561

Aspire Town Planning and Project Services has been engaged to act on behalf of Karen Penn and Jean Margaret Barham as Trustee (the *Applicant* and *Landowner*) in relation to the proposed development over land at 13 Byrnes Street, Mareeba, and more formally described as Lot 204 on M3561.

This Development Application seeks a Development Permit for Reconfiguring a Lot (1 Lot into 2 Lots). The reconfiguration has been designed to make efficient use of the currently vacant land by creating a smaller lot fronting Byrnes Street and a larger, rear battle axe lot, accessed via a dedicated access handle.

The proposal involves the creation of the following two blocks:

- **Lot 1 (400m²):** Smaller residential lot with direct frontage to Byrnes Street and maintaining suitable area and dimensions to contain a Dwelling House; and
- **Lot 2 (612m²):** Larger residential lot, located to the rear of Lot 1 in a battle axe configuration. Lot 2 contains an existing Council sewer main which traverses the site on a general north south alignment and yet maintains a suitable envelope for containing a future residential Dwelling House.

The subdivision design responds to the site's physical characteristics, and servicing arrangements, delivering a logical and efficient land use pattern consistent with the intent of the Mareeba Shire Council Planning Scheme. The reconfiguration facilitates the orderly development of the land.

On behalf of the Applicant, please accept this correspondence and the accompanying documentation as a properly made Development Application pursuant to Sections 50 and 51 of the *Planning Act 2016*. The application seeks a Development Permit for Reconfiguring a Lot (1 into 2 Lots).

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ABN. 79 851 193 691

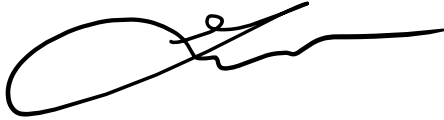
In support of this application, please find enclosed the following:

- DA Form 1, duly completed and signed (*Attachment 1*);
- Town Planning Report, addressing the relevant assessment benchmarks and detailing the proposal (*Attachment 2*).

Based on the Mareeba Shire Council's 2025/2026 Fees and Charges Schedule, the applicable application fee has been calculated at \$1,241.00. We respectfully request that Council issue either a payment link or invoice to enable the Applicant to make the required payment directly.

We trust the information provided is sufficient to allow Council to proceed with its assessment of the application. Should you require any further information or clarification, please do not hesitate to contact the undersigned.

Regards,

A handwritten signature in black ink, appearing to read 'Daniel Favier', with a large loop on the left side and a horizontal line extending to the right.

Daniel Favier
Senior Town Planner
ASPIRE Town Planning and Project Services



ASPIRE

Town Planning and Project Services

Attachment I

Duly completed DA Form I

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) <i>(individual or company full name)</i>	Karen Penn and Jean Margaret Barham as Trustee
Contact name <i>(only applicable for companies)</i>	c/- Daniel Favier T/A Aspire Town Planning and Project Services
Postal address <i>(P.O. Box or street address)</i>	PO Box 1040
Suburb	Mossman
State	QLD
Postcode	4873
Country	Australia
Contact number	0418 826 560
Email address <i>(non-mandatory)</i>	admin@aspireqld.com
Mobile number <i>(non-mandatory)</i>	
Fax number <i>(non-mandatory)</i>	
Applicant's reference number(s) <i>(if applicable)</i>	2026-03-36 - Penn - 13 Byrnes Street, Mareeba

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
		13	Byrnes Street	Mareeba
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)
	4880	204	M3561	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: <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

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

Name of water body, watercourse or aquifer:

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

Lot on plan description of strategic port land:

Name of port authority for the lot:

- In a tidal area

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

Name of port authority for tidal area (if applicable)

<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):*

Reconfiguration of a Lot (1 Lot into 2 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

6.2) 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?

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 type="checkbox"/> Creating or changing an easement giving access to a lot from a constructed road (complete 13) |

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. 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.



Queensland
Government

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



Queensland
Government

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	



ASPIRE

Town Planning and Project Services

Attachment 2

Town Planning Report



Town Planning Report

RECONFIGURING A LOT (1 LOT INTO 2 LOTS)

13 BYRNES STREET, MAREEBA

LOT 204 ON M3561

10 June 2026

ASPIRE Town Planning and Project Services

Authored by: Daniel Favier

Ref: 2026-03-36 - Penn - 13 Byrnes Street, Mareeba

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The conclusions and recommendations contained in this report are based on our professional judgment and interpretation of the current planning policies and regulations. It is important to note that planning regulations and policies are subject to change, and this report should not be construed as a guarantee of any future planning outcomes.

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Executive Summary

Aspire Town Planning and Project Services has been engaged by Karen Lee Penn and Jean Margaret Barham as Trustee (the *Applicant and Landowners*) to prepare and lodge a Development Application seeking a Development Permit for Reconfiguring a Lot (1 Lot into 2 Lots) over land located at 13 Byrnes Street, Mareeba, formally described as Lot 204 on M3561.

The application proposes the subdivision of the existing residential allotment into two residential lots capable of accommodating detached Dwelling Houses. The proposed subdivision will create:

- Proposed Lot 1 (400m²) fronting Byrnes Street; and
- Proposed Lot 2 (612m²) situated to the rear in a battle-axe configuration and containing an existing Council sewer main within the allotment.

The proposed reconfiguration has been carefully designed having regard to the site's physical constraints, existing infrastructure, and servicing requirements. In particular, the subdivision layout responds to the location of the existing sewer infrastructure whilst ensuring both proposed lots maintain practical building envelopes capable of accommodating future residential development.

The site is located within the Medium Density Residential Zone under the Mareeba Shire Council Planning Scheme 2016. The proposal represents a logical and efficient use of residential land within an established urban area and supports the Planning Scheme's strategic intent to encourage residential growth and housing diversity within serviced locations. The development will make efficient use of existing infrastructure networks while providing additional residential opportunities within close proximity to established community facilities, services and employment areas.

Importantly, the proposal does not result in any adverse impacts on the surrounding locality. The subdivision pattern is compatible with the established residential character of the area, maintains appropriate access arrangements, and is capable of being fully serviced in accordance with Council standards. Both proposed lots are of a size and configuration suitable for future residential development and will integrate seamlessly with the existing urban environment.

This Town Planning Report demonstrates that the proposed reconfiguration:

- Achieves the outcomes sought by the Medium Density Residential Zone;
- Facilitates the orderly and efficient development of urban land;
- Provides appropriately configured residential lots capable of accommodating future dwelling houses;
- Makes efficient use of existing infrastructure and services; and
- Does not give rise to any unacceptable planning, environmental or infrastructure impacts.

Having regard to the relevant assessment benchmarks and the planning merits of the proposal, it is concluded that the application represents an appropriate form of development and should be approved, subject to reasonable and relevant conditions.

Accordingly, the Applicant respectfully requests that Mareeba Shire Council favourably consider the application and issue a Development Permit for Reconfiguring a Lot (1 Lot into 2 Lots). The Applicant would also welcome the opportunity to review any draft conditions of approval prior to the formal release of a Decision Notice to assist in facilitating an efficient and streamlined assessment process.

1.0 Summary

Street Address	13 Byrnes Street, Mareeba
Lot and Plan	Lot 204 on M3561
Land Owner	Karen Lee Penn and Jean Margaret Barham as Trustee <i>See Attachment 1 – Certificate of Title</i>
Size	1,012m ²
Road Frontages	Approximately 20m to Byrnes Street
Easements	Nil
Other Relevant Encumbrances	Nil
Current Use	Vacant and unimproved
Proposal	Reconfiguration of a Lot (1 Lot into 2 Lots)
Approvals Sought	Development Permit
Level of Assessment	Code
Planning Scheme Zone	Medium Density Residential
Precinct	Nil
Local Plan	Nil
Overlays	Bushfire Hazard Overlay (Potential Impact Buffer) Environmental Significance Overlay (MSES Waterway Buffer)
Regional Plan Designation	Urban Footprint
State Planning Policy	Appropriately integrated within the Planning Scheme
State Development Assessment Provisions	Not applicable
Referral	Not applicable

Table 1: Application Summary

2.0 Site Description

The subject site is located at 13 Byrnes Street, Mareeba and is formally described as Lot 204 on M3561. The site is situated within an established residential neighbourhood approximately 1 kilometre north of the Mareeba town centre. Mareeba functions as the principal service centre for the region and provides a broad range of commercial, educational, health and community facilities to the surrounding district (refer to Figure 1: Site Location and Proximity to Town Centre).

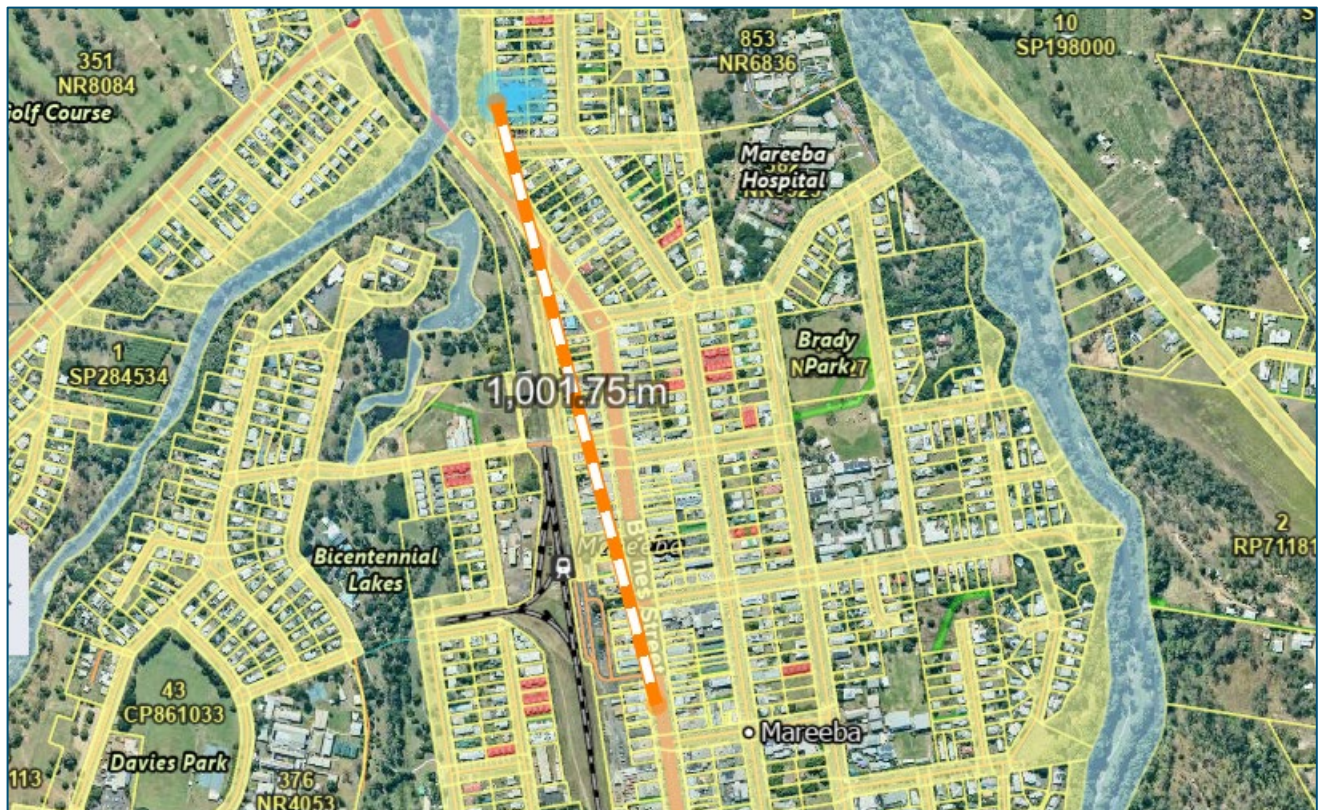


Figure 1: Site Location and Proximity to Town Centre (source: QLD Globe, June 2026)

The site has a total area of approximately 1,012m² and benefits from direct frontage to Byrnes Street, a sealed local road that provides access to the surrounding residential area and the broader road network. The property is located within a well-established urban locality characterised predominantly by detached dwelling houses and residential allotments of varying sizes (refer to Figure 2: Site Location and Regional Context).



Figure 2: Site Location and Regional Context (source: QLD Globe, June 2026)

The allotment is regular in shape with approximately 20m road frontage to Byrnes Street (refer to Figure 3: Road Frontage). Furthermore the site is relatively level, with no significant topographical constraints affecting the development potential of the land. The site is presently vacant and undeveloped. Vegetation is concentrated primarily along the southern boundary and rear portion of the site (refer to Figure 4: Existing Site Conditions).



Figure 4: Road Frontage (source: QLD Globe, June 2026)



Figure 5: Subject Site Topography (source: QLD Globe, October 2025)

An existing Council sewer main traverses the site on a general north-south alignment through the western portion of the allotment. Whilst this infrastructure presents a design consideration, it does not sterilise the development potential of the land. Suitable building envelopes remain available and the proposed subdivision has been specifically designed to respond to the location of the sewer infrastructure whilst maintaining practical and functional residential lots (refer to Figure 5: Sewer Alignment).



Figure 5: Sewer Alignment (source: MSC Interactive Mapping, June 2026)

Surrounding development is predominantly residential in nature. Properties adjoining the site are improved with detached Dwelling Houses and associated domestic structures, reflecting the established residential character of the area. The streetscape along Byrnes Street is characterised by conventional urban residential development and established landscaping, consistent with the intent of the Medium Density Residential Zone.

The site is serviced by existing urban infrastructure including sealed road access, reticulated water, electricity, telecommunications and Council's sewerage network. Given its location within the established urban area and its proximity to existing services and community facilities, the land is well suited to residential infill development and the efficient utilisation of existing infrastructure.

The site is located within the Medium Density Residential Zone under the Mareeba Shire Council Planning Scheme 2016. The zoning anticipates a range of residential development outcomes and supports the efficient use of serviced urban land. The proposed reconfiguration is consistent with this intent and represents an orderly and logical subdivision outcome within an established urban area.

3.0 Proposal

This Development Application seeks approval for a Development Permit for Reconfiguring a Lot (1 Lot into 2 Lots) over land located at 13 Byrnes Street, Mareeba, formally described as Lot 204 on M3561.

The site is located within the Medium Density Residential Zone under the Mareeba Shire Council Planning Scheme 2016 and comprises a vacant residential allotment with an area of approximately 1,012m². The proposal seeks to facilitate the efficient use of serviced urban land through the creation of two residential allotments capable of accommodating future detached Dwelling Houses.

The proposed reconfiguration will subdivide the existing allotment into the following lots:

- Proposed Lot 1 (400m²) – A conventional residential allotment with direct frontage to Byrnes Street. The lot is of sufficient size and dimensions to accommodate a future Dwelling House together with ancillary residential structures, landscaping and private open space.
- Proposed Lot 2 (612m²) – A rear allotment accessed via a battle-axe arrangement. The lot contains an existing Council sewer main which traverses the property on a general north-south alignment. Notwithstanding the presence of this infrastructure, the lot retains a suitable and practical building envelope capable of accommodating a future Dwelling House and associated residential improvements. The proposed lot layout has been specifically designed to respond to the location of the sewer infrastructure whilst maintaining a functional residential allotment.

The proposed lot configuration is illustrated on the Proposal Plan included under ***Attachment 2 - Proposal Plan***.

To demonstrate the development potential of Proposed Lot 2, the owners have prepared a concept dwelling layout showing the siting of a four bedroom Dwelling House incorporating a double garage, outdoor living areas and a usable front yard setback, refer to ***Attachment 3 – Dwelling House Concept***. The concept confirms that a conventional residential development outcome can be readily achieved notwithstanding the location of the sewer main and maintain suitable boundary setbacks. The concept design has been provided for illustrative purposes only and does not form part of this application. Rather, it serves to demonstrate that the proposed rear allotment contains a suitable building envelope and is capable of supporting a practical and desirable residential outcome.

The subdivision layout has been designed having regard to the physical characteristics of the site, existing infrastructure and future servicing requirements. In particular, the proposal responds to the location of the existing sewer main while ensuring both proposed lots maintain appropriate dimensions, access arrangements and development opportunities. To facilitate servicing of the rear allotment, a services easement is required over a portion of Lot 2 to benefit the Lot 1 and provide for sewerage discharge and associated infrastructure connections.

Vegetation presently located along the southern side boundary and within the rear portion of Proposed Lot 2 is proposed to be removed to facilitate future residential development and enable establishment of the building envelope, access arrangements and associated infrastructure. The vegetation is not of a scale or significance that would prevent the orderly development of the land for residential purposes and its removal is consistent with the intended urban development outcome for the site.

The proposed reconfiguration has been designed to:

- Facilitate the efficient use of serviced urban land within the existing Mareeba urban area;
- Create two residential allotments capable of accommodating future Dwelling Houses;
- Respond appropriately to the location of existing sewer infrastructure;
- Ensure both proposed lots retain practical, regular shaped and functional building envelopes;
- Provide suitable access and servicing arrangements for future development;
- Support residential infill development within an established urban area;
- Make efficient use of existing infrastructure and community services; and
- Deliver an outcome consistent with the intent of the Medium Density Residential Zone.

The proposal represents a logical and orderly subdivision of land within the existing urban footprint and contributes to the supply of residential land in a location already serviced by essential infrastructure. The development does not require the extension of public roads or major infrastructure and is capable of being serviced in accordance with Council requirements.

This application is supported by a Town Planning Report, Proposal Plan and supporting concept material which collectively demonstrate that the proposed subdivision is capable of accommodating appropriate residential development and achieves the outcomes sought by the Mareeba Shire Council Planning Scheme 2016.

4.0 Statutory Town Planning Framework

4.1 Planning Act 2016

The *Planning Act 2016* (the 'Planning Act') is the statutory instrument for the State of Queensland under which, amongst other matters, Development Applications are assessed by Local Governments. The Planning Act is supported by the *Planning Regulation 2017* (the 'Planning Regulation'). The following sections of this report discuss the parts of the Planning Act and Planning Regulation applicable to the assessment of a development application.

4.1.1 Approval and Development

Pursuant to Sections 49, 50 and 51 of the Planning Act, the Development Application seeks a Development Permit for Reconfiguring a Lot (1 Lot into 2 Lots).

4.1.2 Application

The proposed development is:

- development that is located completely in a single local government area;
- development made assessable under a local categorising instrument; and
- for Reconfiguring a Lot,

In accordance with Section 48 of the Planning Act and Schedule 8, Table 2, Item 1 of the Planning Regulation, the development application is required to be made to the applicable Local Government, in this instance being Mareeba Shire Council (the 'Council').

4.1.3 Referral

Section 54(2) of the Planning Act 2016 and Section 22 and Schedules 9 and 10 of the Planning Regulation 2017 identify when a development application must be referred to a State agency for assessment.

A review of the Planning Regulation confirms that the proposed Reconfiguring a Lot (1 Lot into 2 Lots) does not trigger referral to any State assessment manager or advice agency.

Accordingly, the proposal does not trigger referral under Schedule 10, Part 9, Division 4 of the Planning Regulation 2017, and Mareeba Shire Council is the sole assessment manager for the application.

4.1.4 Public Notification

Section 53(1) of the Planning Act provides that an applicant must give notice of a Development Application where any part is subject to Impact Assessment or where it is an application, which includes a variation request.

The Development Application is subject to Code Assessment and therefore Public Notification of the Development Application is not required.

4.1.5 Assessment Framework

As noted within this report, the proposed development triggers a Code Assessable Development Application. Section 45(3) of the *Planning Act* provides that:

- “(3) A code assessment is an assessment that must be carried out only—*
- (a) against the assessment benchmarks in a categorising instrument for the development; and*
 - (b) having regard to any matters prescribed by regulation for this paragraph.”*

The *Mareeba Shire Council Planning Scheme 2016*, as the applicable local categorising instrument, is discussed in greater detail in the following sections of this report.

Section 26 of the *Planning Regulation* provides the following assessment benchmarks for the purposes of Section 45(3)(a) of the *Planning Act*:

“(1) For section 45(3)(a) of the Act, the code assessment must be carried out against the assessment benchmarks for the development stated in schedules 9 and 10.

(2) Also, if the prescribed assessment manager is the local government, the code assessment must be carried out against the following assessment benchmarks—

- (a) the assessment benchmarks stated in—*
 - (i) the regional plan for a region, to the extent the regional plan is not identified in the planning scheme as being appropriately integrated in the planning scheme; and*
 - (ii) the State Planning Policy, part E, to the extent part E is not identified in the planning scheme as being appropriately integrated in the planning scheme; and*
 - (iii) any temporary State planning policy applying to the premises;*
- (b) if the local government is an infrastructure provider—the local government’s LGIP.*

(3) However, an assessment manager may, in assessing development requiring code assessment, consider an assessment benchmark only to the extent the assessment benchmark is relevant to the development.”

Section 27 of the *Planning Regulation* provides matters for the purposes of Section 45(3)(b) of the *Planning Act*:

- “(1) For section 45(3)(b) of the Act, the code assessment must be carried out having regard to—*
- (a) the matters stated in schedules 9 and 10 for the development; and*
 - ...*
 - (d) if the prescribed assessment manager is a person other than the chief executive—*
 - (i) the regional plan for a region, to the extent the regional plan is not identified in the planning scheme as being appropriately integrated in the planning scheme; and*
 - (ii) the State Planning Policy, to the extent the State Planning Policy is not identified in the planning scheme as being appropriately integrated in the planning scheme; and*
 - (iii) for designated premises—the designation for the premises; and*
 - (e) any temporary State planning policy applying to the premises; and*
 - (f) any development approval for, and any lawful use of, the premises or adjacent premises; and*
 - (g) the common material.*
- (2) However—*
- (a) an assessment manager may, in assessing development requiring code assessment, consider a matter mentioned in subsection (1) only to the extent the assessment manager considers the matter is relevant to the development; and*
 - (b) if an assessment manager is required to carry out code assessment against assessment benchmarks in an instrument stated in subsection (1), this section does not require the assessment manager to also have regard to the assessment benchmarks.”*

The following sections of this report discuss the applicable assessment benchmarks and applicable matters in further detail.

4.2 Far North Queensland Regional Plan 2026

The Far North Queensland Regional Plan 2026 (the 'Regional Plan') is intended to guide and manage the region's development and to address key regional environmental, social, economic and urban objectives. The site falls within the Urban Footprint under the Regional Plan and although the Planning Scheme does not currently reflect current Regional Plan, the provisions relating to the site are not substantially different to the superseded Regional Plan which was integrated within the Planning Scheme. Therefore, further detailed assessment of the proposed development is not considered necessary against the Regional Plan.

4.3 State Planning Policy

The State Planning Policy ('the SPP') was released on 2 December 2013 and replaced all previous State Planning Policies. The SPP has since been revised, with new versions released on 2 July 2014, 29 April

2016 and 3 July 2017. The Minister has declared that the SPP has been appropriately integrated within the Planning Scheme.

4.4 Temporary State Planning Policies

There are currently no temporary State Planning Policies in effect in Queensland.

4.5 Mareeba Shire Planning Scheme 2016

The *Mareeba Shire Council Planning Scheme 2016* (the 'Planning Scheme') is the current version of the Planning Scheme.

The following sections include an assessment against the relevant sections of the Planning Scheme.

4.5.1 Zone

The subject site is located within the Medium Density Residential Zone. The purpose of land within this zone is to:

"...provide for medium density multiple dwellings supported by community uses and small-scale services and facilities that cater for local residents.

Mareeba Shire Council's purpose of the Medium density residential zone code is to facilitate medium residential densities and a diversity of housing which caters for a range of households in locations which are proximate to town centres, community facilities and open space.

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

In summary, the purpose of the zone is to facilitate medium residential densities and a diversity of housing opportunities in locations proximate to town centres, community facilities, services and open space. The zone encourages urban consolidation, efficient use of infrastructure and the provision of a range of housing choices that cater to different household types.

The proposed Reconfiguration of a Lot (1 Lot into 2 Lots) is consistent with the purpose and intent of the Medium Density Residential Zone.

The site is situated within an established urban residential area that is fully serviced by existing infrastructure and located in close proximity to the Mareeba town centre, employment opportunities, community facilities, educational establishments, recreational areas and commercial services. The proposal facilitates the efficient use of this serviced urban land by creating an additional residential allotment within the existing urban footprint, thereby contributing to urban consolidation and increasing housing opportunities in an appropriate location.

While the proposal does not itself comprise a medium density residential development in unit format, it creates two residential allotments capable of accommodating future housing outcomes consistent with the intent of the zone. Importantly, the proposed subdivision increases residential density relative to the existing development potential of the land and supports the broader objective of providing a diversity of housing opportunities within established urban areas. The proposed lot sizes are reflective of contemporary residential living and are capable of accommodating detached dwellings and other residential forms contemplated by the Planning Scheme.

The proposed subdivision promotes the efficient utilisation of existing physical and social infrastructure. The land is already serviced by sealed road access, reticulated water, sewerage, electricity and telecommunications infrastructure. No extension of public roads or significant augmentation of infrastructure is required to facilitate the development. The proposal therefore represents an efficient and sustainable use of existing infrastructure investment and supports the Planning Scheme's objective of encouraging development within established serviced areas.

The design of the subdivision has been informed by the physical characteristics and constraints of the site. In particular, the layout responds to the presence of an existing Council sewer main traversing the land. Whilst the sewer infrastructure influences the configuration of the proposed lots, it does not sterilise the development potential of the site. Both proposed allotments retain practical and functional building envelopes capable of accommodating future residential development. A concept dwelling plan prepared by the landowners demonstrates that Proposed Lot 2 can comfortably accommodate a four bedroom Dwelling House, double garage, outdoor living areas and usable private open space whilst maintaining appropriate separation from the sewer infrastructure. The proposed subdivision therefore represents an orderly and logical response to the site's servicing constraints.

The proposal will maintain the residential amenity and character of the locality. The development does not introduce any non-residential land uses, commercial activities or operational impacts that may adversely affect surrounding properties. Future residential development on the proposed lots will be subject to the requirements of the Planning Scheme and relevant building standards, ensuring continued compatibility with the established residential character of the area.

Overall, the proposed reconfiguration supports urban consolidation, facilitates the efficient use of existing infrastructure, provides additional residential development opportunities within an established urban area, responds appropriately to site constraints and maintains the amenity and character of the surrounding neighbourhood. Accordingly, the proposal is consistent with the purpose and overall outcomes of the Medium Density Residential Zone Code.

Accordingly, the proposal represents an appropriate and compliant form of development within the Medium Density Residential Zone. A full assessment of the proposed development against the Medium Density Residential Zone Code is included in ***Attachment 4 – Code Assessment***.

4.5.2 Overlays

Overlay	Sub-category		Applicability
Bushfire	Potential Buffer	Impact	<p>The entire property is mapped withing the Potential Impact Buffer.</p> <p>The proposed Reconfiguring a Lot (1 Lot into 2 Lots) will not exacerbate bushfire risk, as both lots will maintain direct access to the sealed local road network (Byrnes Street) and connection to reticulated water supply. Furthermore, it is noted that vegetation with the property is to be removed and also Byrnes Street separates the property from the fire risk area.</p> <p>Any future Dwelling House on the new lot will be assessed at Building Approval stage to ensure compliance with bushfire construction standards.</p> <p>It is submitted that the proposal complies with the intent and overall outcomes of the Bushfire Hazard Overlay Code. Given the minor nature of the reconfiguration and the low level of risk, a full code assessment is not included in this report. Any residual matters can be addressed through reasonable and relevant conditions imposed by Council.</p>
Environmental Significance Overlay	MSES Buffer	Waterway	<p>Majority of the property, except for a small eastern portion, is included within the MSES Waterway Buffer.</p> <p>The relevant code provisions have been considered with respect to the proposed development and in terms of compliance it is noted that providing a buffer is not relevant in the situation where the site is separated from the waterway by Byrnes Street. Furthermore, stormwater from the site will be discharged to existing Council infrastrucutre within the road reserve.</p> <p>Given the nature of the proposal and circumstances with the adjoining road reserve, a detailed assessment against the code has not been included within this report.</p>

Table 2: Applicable Overlays

4.5.3 Category of Assessment

Pursuant to Part 5 of the Planning Scheme, a Development Application for Reconfiguration of a Lot (1 Lot into 2 Lots) within the Medium Density Residential Zone is Code Assessable.

4.5.4 Assessment Criteria

As determined by Table 5.6.1 under the planning scheme, and subsequent to discussion under s4.5.2 of this report, the following Planning Scheme Codes are applicable in the assessment of the Development Application:

Zone Code

- Medium Density Residential

Local Area Plan Code

- Nil

Overlay Codes

- Refer to discussion under s4.5.2 of this report.

Development Codes

- Landscaping Code
- Parking and Access Code
- Reconfiguring a Lot Code
- Works, Services and Infrastructure Code

Given the nature of the proposed development and locality, no landscaping is proposed or considered necessary. Furthermore, no native vegetation is proposed to be cleared under the proposal, only domestic vegetation. Therefore, it is submitted that the Landscaping Code is not relevant to the development and therefore not applicable to the assessment.

A review of the Parking and Access Code has been completed. It is submitted that the proposed lots are capable of accommodating the required access and parking requirements. It is considered that construction of a suitable access may be conditioned by Council including a concrete driveway for the full length of the access leg to Proposed Lot 2. A full assessment against the Parking and Access Code is not included in this report.

A detailed assessment against the other relevant assessment criteria is provided in ***Attachment 4 – Code Assessment***.

5.0 Conclusion

Aspire Town Planning and Project Services has been engaged by Karen Lee Penn and Jean Margaret Barham as Trustee (the *Applicant* and *Landowners*) to prepare and lodge this Development Application seeking a Development Permit for Reconfiguring a Lot (1 Lot into 2 Lots) over land located at 13 Byrnes Street, Mareeba, formally described as Lot 204 on M3561.

The proposed development seeks to subdivide the existing 1,012m² allotment into two residential lots comprising Proposed Lot 1 (400m²) and Proposed Lot 2 (612m²). The subdivision has been carefully designed having regard to the physical characteristics of the site, existing infrastructure and servicing requirements. In particular, the proposed lot layout responds to the location of the existing Council sewer main traversing the land while ensuring both lots retain practical and functional building envelopes suitable for future residential development.

A concept dwelling plan prepared by the landowners demonstrates that Proposed Lot 2 is capable of accommodating a conventional residential outcome, including a four bedroom Dwelling House, double garage, outdoor living area and associated private open space. This confirms that the presence of the sewer infrastructure does not sterilise the development potential of the allotment and that both proposed lots are capable of supporting appropriate residential development outcomes.

The site is located within the Medium Density Residential Zone under the Mareeba Shire Council Planning Scheme 2016. As demonstrated throughout this report, the proposal is consistent with the purpose and overall outcomes of the zone by facilitating urban consolidation, increasing residential opportunities within an established urban area and making efficient use of existing physical and social infrastructure. The proposal provides an appropriate infill development outcome within the existing urban footprint while maintaining the amenity and character of the surrounding residential neighbourhood.

The proposed reconfiguration represents a logical and orderly subdivision pattern that responds appropriately to site constraints, is capable of being serviced in accordance with Council requirements and does not result in any unacceptable impacts on adjoining land, infrastructure or the environment. The proposal is therefore considered to represent a sound planning outcome that is consistent with the strategic intent of the Planning Scheme.

All supporting documentation, including the Proposal Plan, Certificate of Title, Concept Dwelling Plan and Code Assessment, has been provided as part of this application. Having regard to the relevant assessment benchmarks and the planning merits of the proposal, it is respectfully submitted that the application warrants approval.

Accordingly, the Applicant respectfully requests that Mareeba Shire Council favourably consider the application and issue a Development Permit for Reconfiguring a Lot (1 Lot into 2 Lots). The Applicant would also welcome the opportunity to review any draft conditions of approval prior to the formal release of a Decision Notice to assist in facilitating an efficient and coordinated assessment process.

Attachment 1

Certificate of Title

Queensland Titles Registry Pty Ltd
ABN 23 648 568 101

Title Reference: 20260083	Search Date: 08/06/2026 15:16
Date Title Created: 18/01/1929	Request No: 56430657
Previous Title: 20086059	

ESTATE AND LAND

Estate in Fee Simple

LOT 204 CROWN PLAN M3561
Local Government: MAREEBA

REGISTERED OWNER

Dealing No: 724863314 29/04/2026

KAREN LEE PENN
JEAN MARGARET BARHAM TRUSTEE
UNDER INSTRUMENT 724863314

EASEMENTS, ENCUMBRANCES AND INTERESTS

1. Rights and interests reserved to the Crown by
Deed of Grant No. 20086059 (ALLOT 4 SEC 2)

ADMINISTRATIVE ADVICES

NIL

UNREGISTERED DEALINGS

NIL

** End of Current Title Search **

Attachment 2

Proposal Plan

Plan of Proposed Reconfiguration (1 Lot into 2 Lots)

13 Byrnes Street, Mareeba

16°59'8"S 145°25'12"E



Legend located on next page



16°59'8"S 145°25'14"E

16°59'10"S 145°25'12"E

16°59'10"S 145°25'14"E



Scale: 1:225
Printed at: A3
Print date: 8/6/2026
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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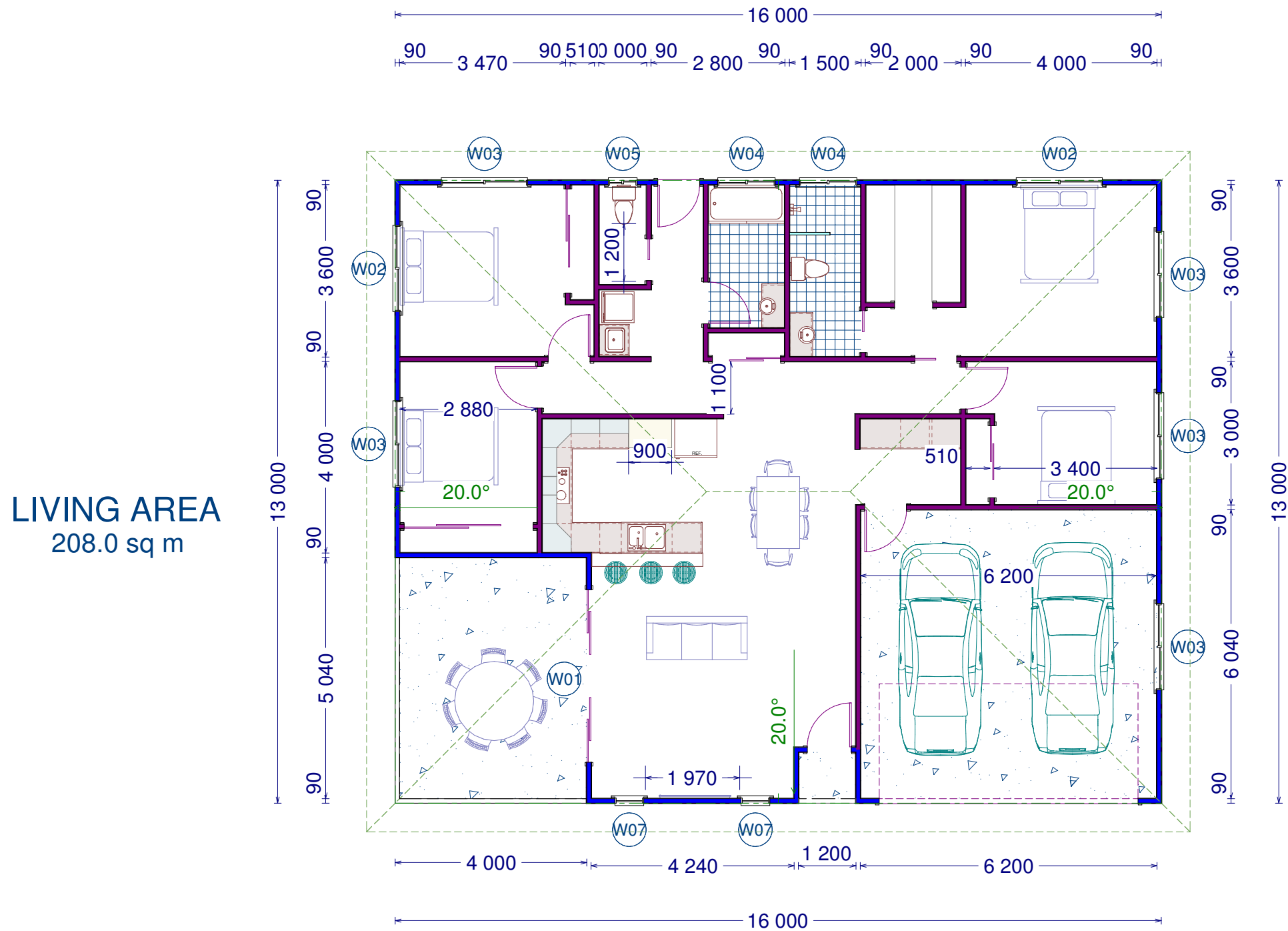
Department of Natural Resources and Mines, Manufacturing, and Regional and Rural Development

Attachment 3

Dwelling House Concept

Barham Penn Trust
 Karen & Michael Penn
 0401 754 876
 pennspals@gmail.com
 13 Byrnes St, Mareeba

WINDOW SCHEDULE				
NUMBER	QTY	WIDTH	HEIGHT	DESCRIPTION
W01	1	3600	2100	QUAD SLIDER-GLASS
W02	2	1800	600	LEFT SLIDING
W03	5	1800	1200	LEFT SLIDING
W04	2	1200	600	LEFT SLIDING
W05	1	600	600	LEFT SLIDING
W07	2	600	1800	LOUVERED



Superior Steel Homes NQ 28/05/2026



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Attachment 4

Code Assessment

6.2.7 Medium density residential zone code

6.2.7.1 Application

- (1) This code applies to assessing development where:
 - (a) located in the Medium density residential 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.

6.2.7.2 Purpose

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

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

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

6.2.7.3 Criteria for assessment

Table 6.2.7.3A—Medium density residential 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			
<p>PO1 Building height takes into consideration and respects the following:</p> <ul style="list-style-type: none"> (a) the height of existing buildings on adjoining premises; (b) the development potential, with respect to height, on adjoining premises; (c) the height of buildings in the vicinity of the site; (d) access to sunlight and daylight for the site and adjoining sites; (e) privacy and overlooking; and (f) site area and street frontage length. 	<p>AO1 Development has a maximum building height of:</p> <ul style="list-style-type: none"> (a) 8.5 metres; and (b) 2 storeys above ground level. 	NA	The proposal does not involve Building Work.
Outbuildings and residential scale			
<p>PO2 Domestic outbuildings:</p> <ul style="list-style-type: none"> (a) do not dominate the lot on which they are located; and (b) are consistent with the scale and character of development in the Medium density residential zone. 	<p>AO2 Domestic outbuildings do not exceed:</p> <ul style="list-style-type: none"> (a) 100m² in gross floor area; and (b) 5.5 metres in height above natural ground level. 	NA	The proposal does not involve Building Work.
Siting			
<p>PO3 Development is sited in a manner that considers and respects:</p> <ul style="list-style-type: none"> (a) the siting and use of adjoining premises; (b) access to sunlight and daylight for the 	<p>AO3.1 Buildings and structures include a minimum setback of:</p> <ul style="list-style-type: none"> (a) 6 metres from the primary road frontage; and (b) 3 metres from any secondary road frontage. 	NA	The proposal does not involve Building Work. However the lot configuration facilitates future compliance.

Performance outcomes	Acceptable outcomes	Complies	Comments
<p>site and adjoining sites;</p> <p>(c) privacy and overlooking;</p> <p>(d) opportunities for casual surveillance of adjoining public spaces;</p> <p>(e) air circulation and access to natural breezes;</p> <p>(f) appearance of building bulk; and</p> <p>(g) relationship with road corridors.</p>	<p>AO3.2</p> <p>Buildings and structures include a minimum setback of 2 metres from side and rear boundaries.</p>	NA	<p>The proposal does not involve Building Work. However the lot configuration facilitates future compliance with the QDC.</p>
Accommodation density			
<p>PO4</p> <p>The density of Accommodation activities:</p> <p>(a) contributes to housing choice and affordability;</p> <p>(b) respects the nature and density of surrounding land use;</p> <p>(c) does not cause amenity impacts beyond the reasonable expectation of accommodation density for the zone; and</p> <p>(d) is commensurate to the scale and frontage of the site.</p>	<p>AO4</p> <p>Development provides a maximum density for Accommodation activities in compliance with Table 6.2.7.3B.</p>	NA	<p>The proposal does not involve Building Work.</p>
Gross floor area			
<p>PO5</p> <p>Buildings and structures occupy the site in a manner that:</p> <p>(a) makes efficient use of land;</p> <p>(b) is consistent with the bulk and scale of surrounding buildings; and</p> <p>(c) appropriately balances built and natural features.</p>	<p>AO5</p> <p>Gross floor area does not exceed 600m².</p>	NA	<p>The proposal does not involve Building Work.</p>

Performance outcomes	Acceptable outcomes	Complies	Comments
For assessable development			
Building design			
<p>PO6 Building facades are appropriately designed to:</p> <ul style="list-style-type: none"> (a) include visual interest and architectural variation; (b) maintain and enhance the character of the surrounds; (c) provide opportunities for casual surveillance; (d) include a human scale; and (e) encourage occupation of outdoor space. 	<p>AO6 Buildings include habitable space, pedestrian entrances and recreation space facing the primary road frontage.</p>	NA	The proposal does not involve Building Work.
<p>PO7 Development complements and integrates with the established built character of the Medium density residential zone, having regard to:</p> <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. 	<p>AO7 No acceptable outcome is provided.</p>	NA	The proposal does not involve Building Work.
Non-residential development			
<p>PO8 Non-residential development:</p> <ul style="list-style-type: none"> (a) is consistent with the scale of existing development; (b) does not detract from the amenity of nearby residential uses; (c) directly supports the day to day needs of the immediate residential community; and 	<p>AO8 No acceptable outcome is provided.</p>	NA	The proposal supports future residential development.

Performance outcomes	Acceptable outcomes	Complies	Comments
(d) does not impact on the orderly provision of non-residential development in other locations in the shire.			
Amenity			
<p>PO9 Development must not detract from the amenity of the local area, having regard to:</p> <ul style="list-style-type: none"> (a) noise; (b) hours of operation; (c) traffic; (d) advertising devices; (e) visual amenity; (f) privacy; (g) lighting; (h) odour; and (i) emissions. 	<p>AO9 No acceptable outcome is provided.</p>	<p>✓</p>	<p>The proposed Reconfiguration of a Lot (1 Lot into 2 Lots) will not detract from the amenity of the local area. The application seeks only the subdivision of land and does not involve the establishment of any non-residential use or activity that would generate adverse amenity impacts. The proposed lots are intended to accommodate future residential development consistent with the established character of the locality and the intent of the Medium Density Residential Zone.</p> <p>The proposal will not generate unreasonable noise, extended hours of operation, odour, emissions or lighting impacts. Traffic generation associated with two residential allotments is expected to be minimal and well within the capacity of the existing local road network. No advertising devices are proposed as part of the development.</p> <p>The subdivision layout is compatible with the surrounding residential pattern and will maintain the visual amenity of the streetscape. Both</p>

Performance outcomes	Acceptable outcomes	Complies	Comments
			<p>proposed lots are of an appropriate size and configuration to accommodate future Dwelling Houses while maintaining adequate setbacks, private open space and landscaping opportunities. Privacy impacts are not anticipated, as future residential development will be required to comply with the applicable provisions of the QDC.</p> <p>Accordingly, the proposed reconfiguration maintains the existing residential amenity of the area and does not introduce any impacts associated with noise, traffic, visual amenity, privacy, lighting, odour or emissions.</p>
<p>PO10 Development must take into account and seek to ameliorate any existing negative environmental impacts, having regard to:</p> <ul style="list-style-type: none"> (a) noise; (b) hours of operation; (c) traffic; (d) advertising devices; (e) visual amenity; (f) privacy; (g) lighting; (h) odour; and (i) emissions. 	<p>AO10 No acceptable outcome is provided.</p>	✓	<p>There are no existing negative environmental impacts.</p>

Table 6.2.7.3B—Maximum densities for Accommodation activities

Use	Maximum density
Dual occupancy	1 dwelling per 300m ² of site area
Multiple dwelling	(a) 1 dwelling per 150m ² of site area; and (b) 1 bedroom per 75m ² of site area.
Residential care facility	1 dwelling or accommodation unit per 100m ² of site area.
Retirement facility	1 dwelling or accommodation unit per 150m ² of site area

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			
<p>PO1 Lots include an area and frontage that:</p> <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. 	<p>AO1.1 Lots provide a minimum area and frontage in accordance with Table 9.4.4.3B.</p>	<p>✓</p>	<p>The proposed reconfiguration complies with PO1 and AO1.1.</p> <p>The site is located within the Medium Density Residential Zone where the Planning Scheme encourages urban consolidation, efficient use of infrastructure and the provision of a range of housing opportunities within established urban areas. The proposed reconfiguration facilitates these outcomes through the creation of two functional residential allotments capable of accommodating future Dwelling Houses.</p> <p>(a) Consistency with surrounding lot design The site is located within an established residential neighbourhood characterised by a mix of lot sizes and residential development forms. The proposed subdivision maintains a conventional streetscape presentation to Byrnes Street through Proposed Lot 1 while creating an additional rear allotment that efficiently utilises underdeveloped land. The resulting lot pattern is compatible with the established urban character of the locality and represents a logical infill development outcome.</p> <p>(b) Desired amenity of the zone The proposed lots are appropriately sized and configured to accommodate future residential development while maintaining private open space, landscaping opportunities and adequate separation from adjoining properties. The proposal will support the continued residential amenity of the locality and is consistent with the intended character and outcomes of the Medium Density Residential Zone.</p> <p>(c) Ability to accommodate buildings, structures and works</p>

Performance outcomes	Acceptable outcomes	Complies	Comments
			<p>Both proposed lots contain practical and functional building envelopes capable of accommodating future residential development together with ancillary structures, access, parking, landscaping and service infrastructure. While an existing Council sewer main traverses Proposed Lot 2, the lot has been specifically designed to respond to this constraint. A concept dwelling plan demonstrates that Proposed Lot 2 is capable of accommodating a four bedroom Dwelling House, double garage, outdoor living areas and private open space whilst maintaining appropriate separation from the sewer infrastructure. The lot size and dimensions comply with AO1.1 except that a 4m wide access handle is proposed to service the Proposed Lot 2.</p> <p>(d) Provision of sufficient access Both proposed lots will have direct access to Byrnes Street. Proposed Lot 1 will benefit from a conventional road frontage, while Proposed Lot 2 is provided with a battle-axe access arrangement capable of accommodating vehicle access, service connections and emergency vehicle access. AO1.1 prescribes a minimum 5m wide access handle however, a 4m wide handle is proposed. This will be sufficient width to accommodate a 3m wide driveway and 0.5m either side to accommodate fencing and services. The proposed access arrangements are practical, safe and appropriate for the intended residential use of the land.</p> <p>(e) Proximity to centres, community facilities and services The site is located approximately 1 kilometre from the Mareeba town centre and is situated within an established urban area serviced by community facilities, educational establishments, recreational areas, employment opportunities and commercial services. The proposal therefore promotes residential growth in a highly accessible location and supports the efficient utilisation of existing social and physical infrastructure.</p>

Performance outcomes	Acceptable outcomes	Complies	Comments
			<p>(f) Environmental considerations The proposal represents the subdivision of an existing urban allotment located within the established Mareeba urban footprint. Vegetation removal is limited to domestic vegetation located along the southern boundary and rear portion of the site to facilitate future residential development. No significant environmental values are adversely affected by the proposal.</p> <p>(g) Accommodation of site constraints The proposed subdivision has been designed having regard to the site's physical characteristics and infrastructure constraints. In particular, the lot layout responds to the location of the existing Council sewer main traversing the site. Notwithstanding this constraint, both proposed lots retain suitable building envelopes and are capable of accommodating future residential development. The proposal therefore represents an orderly and efficient subdivision outcome that appropriately responds to site conditions.</p> <p>Overall, the proposed Reconfiguration of a Lot (1 Lot into 2 Lots) creates two functional residential allotments capable of supporting future residential development, makes efficient use of existing infrastructure, responds appropriately to site constraints and delivers an outcome consistent with the purpose and intent of the Medium Density Residential Zone and the Reconfiguring a Lot Code.</p>
Area and frontage of lots – Rural zone			

Performance outcomes	Acceptable outcomes	Complies	Comments
<p>PO1.1 No lots are created with an area of less than 60ha, except for where:</p> <ul style="list-style-type: none"> (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 (b) The subdivision is limited to the creation of one additional allotment to accommodate a <i>public reconfiguration purpose</i>. <p>Note: This also applies to applications for boundary realignment.</p>	<p>AO1.1 No acceptable outcome is provided.</p>	<p>n/a</p>	<p>AO1.1 – AO1.6 Not Applicable. The subject site is located within the <i>Low Density Residential Zone</i>, not the <i>Rural Zone</i>.</p>
<p>PO1.2 Where for a boundary realignment, the realignment only occurs where it would:</p> <ul style="list-style-type: none"> (a) Improve agricultural efficiency; or (b) Facilitate agricultural activity or conservation outcomes; or (c) Resolve boundary issues where a house, structure or works is built over the boundary line of the lots. 	<p>AO1.2 No acceptable outcome is provided.</p>	<p>n/a</p>	

Performance outcomes	Acceptable outcomes	Complies	Comments
<p>PO1.3 Where for a boundary realignment, the proposed lots are:</p> <ul style="list-style-type: none"> (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. 	<p>AO1.3 No acceptable outcome is provided.</p>	<p>n/a</p>	

Performance outcomes	Acceptable outcomes	Complies	Comments
<p>PO1.4 Where for the creation of one additional lot to accommodate a <i>public reconfiguration purpose</i>:</p> <p>(a) The lot has sufficient area to be able to accommodate all buildings, structures and works associated with the intended use; and</p> <p>(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.</p>	<p>AO1.4 No acceptable outcome is provided.</p>	<p>n/a</p>	

Performance outcomes	Acceptable outcomes	Complies	Comments
<p>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:</p> <p>(a) The subdivision divides one lot into two; and</p> <p>(b) The existing lot is severed by a road that was gazetted before 9 May 2008; and</p> <p>(c) The resulting lot boundaries use the road as the boundary of division; and</p> <p>(d) The development:</p> <p>(i) facilitates agricultural activity; or</p> <p>(ii) facilitates conservation outcomes; and</p> <p>(e) The development ensures agricultural activity is not compromised.</p>	<p>AO1.5 No acceptable outcome is provided.</p>	n/a	
<p>PO1.6 All lots include a frontage that allows the site to be provided with sufficient access.</p>	<p>AO1.6 Lots provided a minimum frontage is accordance with Table 9.4.4.3B</p>	n/a	
Existing buildings and easements			
<p>PO2 Reconfiguring a lot which contains existing land uses or existing buildings and structures ensures:</p> <p>(a) new lots are of sufficient area</p>	<p>AO2.1 Each land use and associated infrastructure is contained within its individual lot.</p>	n/a	The site is vacant and unimproved.

Performance outcomes	Acceptable outcomes	Complies	Comments
<p>and dimensions to accommodate existing land uses, buildings and structures; and</p> <p>(b) any continuing use is not compromised by the reconfiguration.</p>	<p>AO2.2 All lots containing existing buildings and structures achieve the setback requirements of the relevant zone.</p>	n/a	The site is vacant and unimproved.
<p>PO3 Reconfiguring a lot which contains an existing easement ensures:</p> <p>(a) future buildings, structures and accessways are able to be sited to avoid the easement; and</p> <p>(b) the reconfiguration does not compromise the purpose of the easement or the continued operation of any infrastructure contained within the easement.</p>	<p>AO3 No acceptable outcome is provided.</p>	n/a	The site does not contain existing easements.
Boundary realignment			
<p>PO4 The boundary realignment retains all attendant and existing infrastructure connections and potential connections.</p>	<p>AO4 No acceptable outcome is provided.</p>	n/a	The proposal involves the creation of one additional lot (1 into 2 subdivision) rather than a boundary realignment.
Access and road network			

Performance outcomes	Acceptable outcomes	Complies	Comments
<p>PO5 Access to a reconfigured lot (including driveways and paths) must not have an adverse impact on:</p> <ul style="list-style-type: none"> (a) safety; (b) drainage; (c) visual amenity; (d) privacy of adjoining premises; and (e) service provision. 	<p>AO5 No acceptable outcome is provided.</p>	✓	<p>Complies with PO5. Access to Proposed Lot 1 will be direct via frontage to Byrnes Street. Access to Proposed Lot 2 will be via an access handle from Byrnes Street, contained within the subject lot. The proposed 4m wide driveway handle connecting to Byrnes Street provides safe and convenient access for vehicles and services in accordance with Council standards. The driveway alignment ensures adequate sight distances and separation from adjoining driveways, maintaining road-user safety and on-street amenity.</p> <p>Drainage from the new accessway can be managed on-site without redirecting surface flows onto neighbouring properties. The access leg will be suitably landscaped or fenced to maintain privacy and visual amenity for adjoining residents. All standard service connections (water, power, telecommunications) can be extended through the access leg without constraint.</p> <p>Accordingly, the proposed access arrangements satisfy the intent of PO5 and will not adversely affect safety, drainage, privacy, or amenity outcomes.</p>
<p>PO6 Reconfiguring a lot ensures that access to a lot can be provided that:</p> <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>	<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.</p>	✓	<p>Requirements may be conditioned.</p>

Performance outcomes	Acceptable outcomes	Complies	Comments
<p>PO7 Roads in the Industry zone are designed having regard to:</p> <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>	<p>AO7 No acceptable outcome is provided.</p>	n/a	<p>Not Applicable. The subject site is located within the <i>Medium Density Residential Zone</i>, not the <i>Industry Zone</i>. The proposed subdivision does not involve industrial land or vehicle movements of an industrial scale. Access to both lots will be via Owens Street, a sealed local road suitable for residential use.</p>
Rear lots			
<p>PO8 Rear lots are designed to:</p> <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. 	<p>AO8.1 Rear lots are designed to facilitate development that adjoins or overlooks a park or open space.</p>	n/a	<p>Complies with PO8. The proposed rear lot (Lot 2) does not adjoin a park or open space area. However, it has been designed to achieve a larger lot size which allows for ample space for landscaping, private open space, and separation from adjoining dwellings, satisfying the intent of PO8.</p>
	<p>AO8.2 No more than two rear lots are created behind any lot with a road frontage.</p>	✓	<p>Complies with AO8.2. The proposal creates only one new rear lot (Lot 2) behind the front lot (Lot 1). No additional rear lots are proposed.</p>

Performance outcomes	Acceptable outcomes	Complies	Comments
	<p>AO8.3 Access to lots is via an access strip with a minimum width of:</p> <p>(a) 4 metres where in the Low density residential zone or Medium density residential zone; or</p> <p>(b) 8 metres otherwise.</p>	✓	<p>Complies with AO8.3. Proposed Lot 2 will be accessed via a 4m wide access handle. This width provides sufficient space for safe vehicle movement, landscaping, and services.</p>
	<p>AO8.4 A single access strip is provided to a rear lot along one side of the lot with direct frontage to the street.</p> <p>Note—Figure A provides further guidance in relation to the desired outcome.</p>	✓	<p>Complies with AO8.4. A single 4m wide access strip is provided to the rear lot along the southern side of proposed Lot 1, consistent with the preferred configuration illustrated in Figure A of the Planning Scheme. The arrangement provides clear separation between lots and maintains the existing street character.</p>
	<p>AO8.5 No more than 1 in 10 lots created in a new subdivision are rear lots.</p>	n/a	<p>Not applicable. The proposed development presents an acceptable outcome for a small infill subdivision and consistent with the pattern of development in the surrounding area. The intent of the provision, to avoid an excessive concentration of rear lots within large subdivisions.</p>
	<p>AO8.6 Rear lots are not created in the Centre zone or the Industry zone.</p>	✓	<p>Complies with AO8.6. The site is located in the <i>Medium Density Residential Zone</i>, not in a Centre or Industry Zone. The creation of one rear lot is entirely appropriate in this residential context.</p>
Crime prevention and community safety			

Performance outcomes	Acceptable outcomes	Complies	Comments
<p>PO9 Development includes design features which enhance public safety and seek to prevent opportunities for crime, having regard to:</p> <ul style="list-style-type: none"> (a) sightlines; (b) the existing and intended pedestrian movement network; (c) the existing and intended land use pattern; and (d) potential entrapment locations. 	<p>AO9 No acceptable outcome is provided.</p>	✓	<p>Complies with AO9. The proposed subdivision maintains clear and open sightlines from Byrnes Street including along the 4m wide access handle serving proposed Lot 2, ensuring good visibility and natural surveillance from the street and adjoining properties. The layout provides direct access with no concealed or isolated spaces, supporting public safety through passive observation and logical movement pathways. Pedestrian and vehicular movements are consistent with the established residential pattern, and the proposal will not introduce any potential entrapment locations or safety concerns.</p>
Pedestrian and cycle movement network			
<p>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.</p>	<p>AO10 No acceptable outcome is provided.</p>	n/a	<p>Not Applicable. The proposal involves a small infill subdivision creating one additional residential lot with access to the existing Owens Street road network. No new roads or pedestrian/cycle connections are proposed or required. The site is already serviced by existing pedestrian and road infrastructure in an established residential area.</p>
Public transport network			

Performance outcomes	Acceptable outcomes	Complies	Comments
<p>PO11 Where a site includes or adjoins a future public transport corridor or future public transport site identified through a structure planning process, development:</p> <p>(a) does not prejudice the future provision of the identified infrastructure;</p> <p>(b) appropriately treats the common boundary with the future corridor; and</p> <p>(c) provides opportunities to integrate with the adjoining corridor where a it will include an element which will attract pedestrian movement.</p>	<p>AO11 No acceptable outcome is provided.</p>	n/a	<p>Not Applicable. The subject site is not identified as adjoining or containing any future public transport corridor or public transport site. The proposal will not prejudice the provision of any transport infrastructure.</p>
Residential subdivision			
<p>PO12 Residential lots are:</p> <p>(a) provided in a variety of sizes to accommodate housing choice and diversity; and</p> <p>(b) located to increase variety and avoid large areas of similar lot sizes.</p>	<p>AO12 No acceptable outcome is provided.</p>	✓	<p>Complies with PO12. The subdivision creates two residential lots of different sizes, Lot 1 (400m²) and Lot 2 (612m²), which maintain and complement the variety of lot sizes in the surrounding residential area. The proposal represents a small-scale infill subdivision within an established neighbourhood, where a diversity of lot sizes already exists. The development therefore satisfies the intent of PO12 by contributing to housing variety and maintaining the existing residential character.</p>
Rural residential zone			

Performance outcomes	Acceptable outcomes	Complies	Comments
<p>PO13 New lots are only created in the Rural residential zone where land is located within the 4,000m² precinct, the 1 hectare precinct or the 2 hectare precinct.</p>	<p>AO13 No acceptable outcome is provided.</p>	n/a	<p>Not Applicable. The subject site is located within the <i>Medium Density Residential Zone</i>, not the <i>Rural Residential Zone</i>. This provision is therefore not relevant to the proposed reconfiguration.</p>
Additional provisions for greenfield development only			
<p>PO14 The subdivision design provides the new community with a local identity by responding to: (a) site context (b) site characteristics (c) setting (d) landmarks (e) natural features; and (f) views.</p>	<p>AO14 No acceptable outcome provided.</p>	n/a	<p>PO14 – PO20 Not Applicable. The proposal represents a small-scale infill subdivision creating one additional residential lot within an established, fully serviced area of Mareeba. The development does not constitute a greenfield subdivision and does not involve new roads, parks, or community infrastructure. Existing transport, pedestrian and open space networks adequately service the site. As such, the provisions of PO14–PO20 relating to large-scale or staged greenfield development are not relevant to this application.</p>
<p>PO15 The road network is designed to provide a high level of connectivity, permeability and circulation for local vehicles, public transport, pedestrians and cyclists.</p>	<p>AO15 No acceptable outcome provided.</p>	n/a	

Performance outcomes	Acceptable outcomes	Complies	Comments
<p>PO16 The road network is designed to:</p> <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. <p>Note—Figure B provides further guidance in relation to the desired outcome.</p>	<p>AO16 No acceptable outcome provided.</p>	n/a	
<p>PO17 Reconfiguring a lot provides safe and convenient access to the existing or future public transport network.</p>	<p>AO17 The subdivision locates 90% of lots within 400 metres walking distance of a future public transport route.</p>	n/a	
<p>PO18 The staging of the lot reconfiguration prioritises delivery of link roads to facilitate efficient bus routes.</p>	<p>AO18 No acceptable outcome provided.</p>	n/a	
<p>PO19 Provision is made for sufficient open space to:</p> <ul style="list-style-type: none"> (a) meet the needs of the occupiers of the lots and to 	<p>AO19.1 A minimum of 10% of the site area is dedicated as open space.</p>	n/a	

Performance outcomes	Acceptable outcomes	Complies	Comments
<p>ensure that the environmental and scenic values of the area are protected;</p> <p>(b) retain riparian corridors, significant vegetation and habitat areas and provides linkages between those areas; and</p> <p>(c) meet regional, district and neighbourhood open space requirements.</p>	<p>AO19.2 A maximum of 30% of the proposed open space can consist of land identified as significant vegetation or riparian corridor buffer.</p>	<p>n/a</p>	
<p>PO20 A network of parks and community land is provided:</p> <p>(a) to support a full range of recreational and sporting activities;</p> <p>(b) to ensure adequate pedestrian, cycle and vehicle access;</p> <p>(c) which is supported by appropriate infrastructure and embellishments;</p> <p>(d) to facilitate links between public open spaces;</p> <p>(e) which is co-located with other existing or proposed community infrastructure;</p> <p>(f) which is consistent with the preferred open space network; and</p> <p>(g) which includes a diversity of settings;</p>	<p>AO20 No acceptable outcome is provided.</p>	<p>n/a</p>	

Table 9.4.4.3B—Minimum area and dimensions for Reconfiguring a lot

Zone	Type	Minimum area	Minimum frontage
Centre	All lots	800m ²	20 metres
Community facilities	All lots	Not specified	Not specified
Conservation	All lots	Not specified	Not specified
Emerging community	All lots	10 hectares	100 metres
Low density residential	Where greenfield development and connected to reticulated water and sewerage		
	Rear lot	800m ²	5 metres
	All other lots	350m ²	10 metres
	Where connected to reticulated water and sewerage		
	Rear lot	800m ²	5 metres
	All other lots	600m ²	16 metres
	Where connected to reticulated water		
	Rear lot	1,000m ²	5 metres
	All other lots	800m ²	16 metres
Medium density residential	Rear lot	600m ²	5 metres
	All other lots	400m ²	10 metres
Industry	All lots	1,500m ²	45 metres
Recreation and open space	All lots	Not specified	Not specified
Rural	All lots	60 hectares	400 metres
Rural residential	2 hectare precinct		
	All lots	2 hectares	60 metres
	1 hectare precinct		
	All lots	1 hectare	40 metres
	4,000m ² precinct		
All lots	4,000m ²	40 metres	

Figure A – Examples of access to rear lots

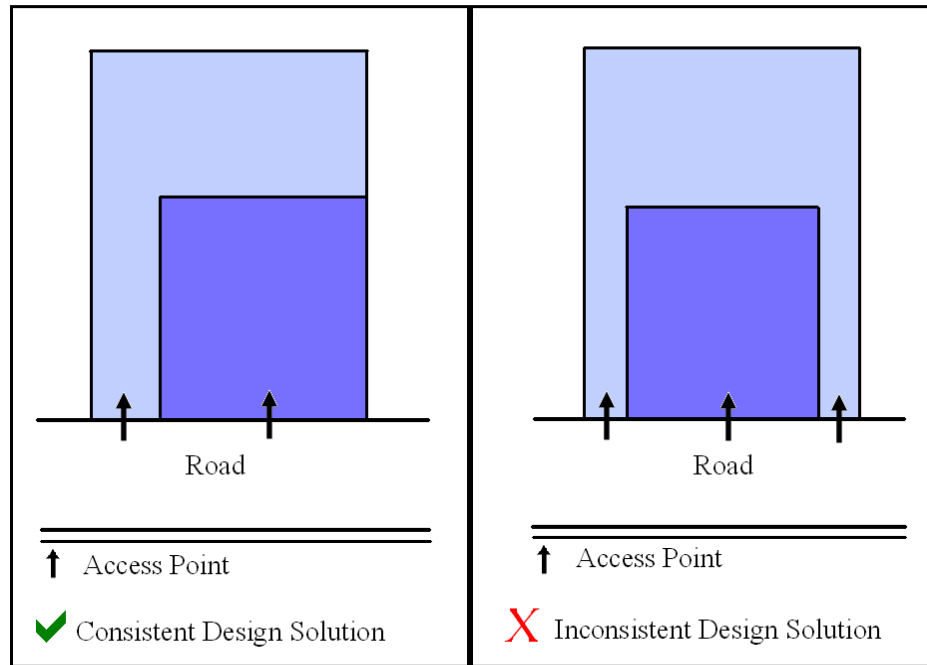
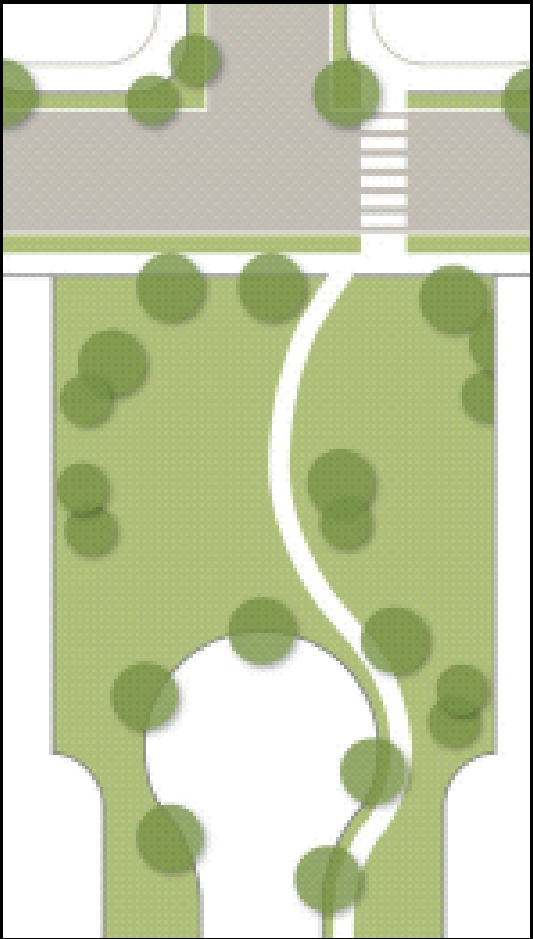


Figure B – Example of cul-de-sac design



9.4.5 Works, services and infrastructure code

9.4.5.1 Application

- (1) This code applies to assessing development where 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.

9.4.5.2 Purpose

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

9.4.5.3 Criteria for assessment

Table 9.4.5.3 - Works, services and infrastructure 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			
Water supply			
<p>PO1 Each lot has an adequate volume and supply of water that:</p> <ul style="list-style-type: none"> (a) meets the needs of users; (b) is adequate for fire-fighting purposes; (c) ensures the health, safety and convenience of the community; and (d) minimises adverse impacts on the receiving environment. 	<p>AO1.1 Development is connected to a reticulated water supply system in accordance with the Design Guidelines and Specifications set out in the Planning Scheme Policy 4 – FNQROC Regional Development Manual other than where located:</p> <ul style="list-style-type: none"> (a) in the Conservation zone, Rural zone or Rural residential zone; and (b) outside a reticulated water supply service area. 	✓	<p>May be conditioned to comply AO1.1. Reticulated water supply is available within Byrnes Street. It is proposed to connect the proposed lots to reticulated supply.</p>
	<p>AO1.2 Development, where located outside a reticulated water supply service area and in the Conservation zone, Rural zone or Rural residential zone is provided with:</p> <ul style="list-style-type: none"> (a) a bore or bores are provided in accordance with the Design Guidelines set out in the Planning Scheme Policy 4 – FNQROC Regional Development Manual; or (b) on-site water storage tank/s: <ul style="list-style-type: none"> (i) with a minimum capacity of 90,000L; (ii) fitted with a 50mm ball valve with a camlock fitting; and (iii) which are installed and connected prior to the occupation or use of the development. 	n/a	<p>Not applicable.</p>

Performance outcomes	Acceptable outcomes	Complies	Comments
Wastewater disposal			
PO2 Each lot provides for the treatment and disposal of effluent and other waste water that: <ul style="list-style-type: none"> (a) meets the needs of users; (b) is adequate for fire-fighting purposes; (c) ensures the health, safety and convenience of the community; and (d) minimises adverse impacts on the receiving environment. 	AO2.1 Development is connected to a reticulated sewerage system in accordance with the Design Guidelines and Specifications set out in the Planning Scheme Policy 4 – FNQROC Regional Development Manual other than where located: <ul style="list-style-type: none"> (a) in the Conservation zone, Rural zone or Rural residential zone; and (b) outside a reticulated sewerage service area. 	✓	May be conditioned to comply with AO2.1. A sewer main traverses the site generally on a north south alignment. It is proposed to connect the proposed lots to Council sewer.
	AO2.2 An effluent disposal system is provided in accordance with ASNZ 1547 On-Site Domestic Wastewater Management (as amended) where development is located: <ul style="list-style-type: none"> (a) in the Conservation zone, Rural zone or Rural residential zone; and (b) outside a reticulated sewerage service area. 	n/a	Not applicable.
Stormwater infrastructure			
PO3 Stormwater infrastructure is designed and constructed to collect and convey the design storm event to a lawful point of discharge in a manner that mitigates impacts on life and property.	AO3.1 Where located within a Priority infrastructure area or where stormwater infrastructure is available, development is connected to Council's stormwater network in accordance with the Design Guidelines and Specifications set out in the Planning Scheme Policy 4 – FNQROC Regional Development Manual.	✓	Complies with PO3. Drainage infrastructure is located within Byrnes Street to which drainage will be directed.
	AO3.2 On-site drainage systems are constructed: <ul style="list-style-type: none"> (a) to convey stormwater from the premises to 	✓	Complies with PO3. Stormwater runoff from both proposed lots will be directed to a lawful point of discharge in accordance with FNQROC and QUDM standards. The

Performance outcomes	Acceptable outcomes	Complies	Comments
	(b) a lawful point of discharge; and in accordance with the Design Guidelines and Specifications set out in the Planning Scheme Policy 4 – FNQROC Regional Development Manual.		subdivision design allows for lawful overland flow paths and ensures that drainage from the new driveway and future roof areas can be managed on-site without impacting adjoining properties.
Electricity supply			
PO4 Each lot is provided with an adequate supply of electricity	AO4 The premises: (a) is connected to the electricity supply network; or (b) has arranged a connection to the transmission grid; or (c) where not connected to the network, an independent energy system with sufficient capacity to service the development (at near average energy demands associated with the use) may be provided as an alternative to reticulated electricity where: (i) it is approved by the relevant regulatory authority; and (ii) it can be demonstrated that no air or noise emissions; and (iii) it can be demonstrated that no adverse impact on visual amenity will occur.	✓	May be conditioned to comply with AO4. Electricity supply is available within Byrnes Street and may be extended to the proposed lots.
Telecommunications infrastructure			
PO5 Each lot is provided with an adequate supply of telecommunication infrastructure	AO5 Development is provided with a connection to the national broadband network or telecommunication services.	✓	May be conditioned to comply with AO5. Telecommunications is available within Byrnes Street and may be extended to the proposed lots.

Performance outcomes	Acceptable outcomes	Complies	Comments
Existing public utility services			
PO6 Development and associated works do not affect the efficient functioning of public utility mains, services or installations.	AO6 Public utility mains, services are relocated, altered or repaired in association with the works so that they continue to function and satisfy the relevant Design Guidelines and Specifications set out in the Planning Scheme Policy 4 – FNQROC Regional Development Manual.	✓	Complies with AO6. The proposed subdivision will not impact existing public utility mains or services. Any minor service works or connections required will be undertaken in accordance with the FNQROC Regional Development Manual and the requirements of the relevant service authorities to ensure all utilities continue to function efficiently.
Excavation or filling			
PO7 Excavation or filling must not have an adverse impact on the: (a) streetscape; (b) scenic amenity; (c) environmental values; (d) slope stability; (e) accessibility; or (f) privacy of adjoining premises.	AO7.1 Excavation or filling does not occur within 1.5 metres of any site boundary.	n/a	AO7.1 – AO7.7 Not Applicable. No excavation or filling is proposed as part of this subdivision. Any minor earthworks associated with future driveway construction or service connections will be undertaken in accordance with the FNQROC Regional Development Manual and can be conditioned to comply.
	AO7.2 Excavation or filling at any point on a lot is to be no greater than 1.5 metres above or below natural ground level.	n/a	
	AO7.3 Earthworks batters: (a) are no greater than 1.5 metres in height; (b) are stepped with a minimum width 2 metre berm; (c) do not exceed a maximum of two batters and two berms (not greater than 3.6 metres in total height) on any one lot; (d) have a slope no greater than 1 in 4; and (e) are retained.	n/a	
	AO7.4 Soil used for filling or spoil from excavation is	n/a	

Performance outcomes	Acceptable outcomes	Complies	Comments
	not stockpiled in locations that can be viewed from: (a) adjoining premises; or (b) a road frontage, for a period exceeding 1 month from the commencement of the filling or excavation.		
	A07.5 All batters and berms to be constructed in accordance with the Design Guidelines and Specifications set out in the Planning Scheme Policy 4 – FNQROC Regional Development Manual.	n/a	
	A07.6 Retaining walls have a maximum height of 1.5 metres and are designed and constructed in accordance with the Design Guidelines and Specifications set out in the Planning Scheme Policy 4 – FNQROC Regional Development manual.	n/a	
	A07.7 Excavation or filling at any point on a lot is to include measures that protect trees at the foot or top of cut or fill batters by the use of appropriate retaining methods and sensitive earth removal or placement and in accordance with the Design Guidelines and Specifications set out in the Planning Scheme Policy 4 – FNQROC Regional Development manual.	n/a	
For assessable development			
Transport network			

Performance outcomes	Acceptable outcomes	Complies	Comments
PO8 The development has access to a transport network of adequate standard to provide for the safe and efficient movement of vehicles, pedestrians and cyclists.	AO8.1 Vehicle access, crossovers, road geometry, pavement, utilities and landscaping to the frontage/s of the site are designed and constructed in accordance with the Design Guidelines and Specifications set out in the Planning Scheme Policy 4 – FNQROC Regional Development manual.	n/a	AO8.1 – AO8.2 Not Applicable. The development is located on an existing sealed local road with established infrastructure. No new roads or footpath works are proposed as part of this subdivision. Any minor access or frontage works, if required, can be conditioned to comply with the FNQROC Regional Development Manual and Council's standard specifications.
	AO8.2 Development provides footpath pavement treatments in accordance with Planning Scheme Policy 9 – Footpath Paving.	n/a	
Public infrastructure			
PO9 The design, construction and provision of any infrastructure that is to be dedicated to Council is cost effective over its life cycle and incorporates provisions to minimise adverse impacts.	AO9 Development is in accordance with the Design Guidelines and Specifications set out in the Planning Scheme Policy 4 – FNQROC Regional Development Manual.	n/a	Not Applicable. No new infrastructure is proposed to be dedicated to Council as part of this subdivision. Any minor service connections or works required can be conditioned to comply with the FNQROC Regional Development Manual.
Stormwater quality			
PO10 Development has a non-worsening effect on the site and surrounding land and is designed to: (a) optimise the interception, retention and	AO10.1 The following reporting is prepared for all Material change of use or Reconfiguring a lot proposals: (a) a Stormwater Management Plan and Report that meets or exceeds the standards of design and construction set out in the Queensland Urban	✓	Complies with AO10.1 The proposed two lot subdivision will not significantly alter existing drainage patterns or increase runoff. Stormwater can be directed to a lawful point of discharge in accordance with FNQROC and QUDM standards. Given the small scale of the development, detailed stormwater reporting is not required at this stage, but a condition may be imposed requiring preparation stormwater is appropriately managed.

Performance outcomes	Acceptable outcomes	Complies	Comments
<p>(b) removal of waterborne pollutants, prior to the discharge to receiving waters; protect the environmental values of waterbodies affected by the development, including upstream, on-site and downstream waterbodies;</p>	<p>Drainage Manual (QUDM) and the Design Guidelines and Specifications set out in the Planning Scheme Policy 4 – FNQROC Regional Development Manual; and</p> <p>(b) an Erosion and Sediment Control Plan that meets or exceeds the Soil Erosion and Sedimentation Control Guidelines (Institute of Engineers Australia), including:</p> <ul style="list-style-type: none"> (i) drainage control; (ii) erosion control; (iii) sediment control; and (iv) water quality outcomes. 		
<p>(c) achieve specified water quality objectives;</p> <p>(d) minimise flooding;</p> <p>(e) maximise the use of natural channel design principles;</p> <p>(f) maximise community benefit; and</p> <p>(g) minimise risk to public safety.</p>	<p>AO10.2</p> <p>For development on land greater than 2,500m² or that result in more than 5 lots or more than 5 dwellings or accommodation units, a Stormwater Quality Management Plan and Report prepared and certified by a suitably qualified design engineer (RPEQ) is prepared that demonstrates that the development:</p> <ul style="list-style-type: none"> (a) meets or exceeds the standards of design and construction set out in the Urban Stormwater Quality Planning Guideline and the Queensland Water Quality Guideline; (b) is consistent with any local area stormwater water management planning; (c) accounts for development type, construction phase, local climatic conditions and design objectives; and 	<p>n/a</p>	<p>Not Applicable.</p> <p>The site is less than 2,500m².</p>

Performance outcomes	Acceptable outcomes	Complies	Comments
	(d) provides for stormwater quality treatment measures reflecting land use constraints, such as soil type, landscape features (including landform), nutrient hazardous areas, acid sulfate soil and rainfall erosivity.		
<p>PO11 Storage areas for stormwater detention and retention:</p> <p>(a) protect or enhance the environmental values of receiving waters;</p> <p>(b) achieve specified water quality objectives;</p> <p>(c) where possible, provide for recreational use;</p> <p>(d) maximise community benefit; and</p> <p>(e) minimise risk to public safety.</p>	<p>AO11 No acceptable outcome is provided.</p>	n/a	<p>Not Applicable. No stormwater detention or retention storage areas are proposed as part of this two-lot subdivision. Stormwater from both lots will be managed so that there is no worsening to adjoining properties or the receiving environment.</p>
Excavation or filling			
<p>PO12 Traffic generated by filling or excavation does not impact on the amenity of the surrounding area.</p>	<p>AO12.1 Haul routes used for transportation of fill to or from the site only use major roads and avoid residential areas.</p>	n/a	<p>AO12.1 and AO12. 2 Not Applicable. No excavation or filling is proposed as part of this subdivision. Any minor earthworks required for future access or servicing can be conditioned to comply with the requirements for haul routes and operating hours.</p>
	<p>AO12.2 Transportation of fill to or from the site does not occur:</p>	n/a	

Performance outcomes	Acceptable outcomes	Complies	Comments
	(a) within peak traffic times; and (b) before 7am or after 6pm Monday to Friday; (c) before 7am or after 1pm Saturdays; and (d) on Sundays or Public Holidays.		

Performance outcomes	Acceptable outcomes	Complies	Comments
PO13 Air pollutants, dust and sediment particles from excavation or filling, do not cause significant environmental harm or nuisance impacts.	AO13.1 Dust emissions do not extend beyond the boundary of the site.	n/a	AO13.1 – AO13.3 Not Applicable. No excavation or filling is proposed as part of this subdivision. Any minor works associated with future access or service installation can be conditioned to comply with standard requirements for dust and air quality management.
	AO13.2 No other air pollutants, including odours, are detectable at the boundary of the site.	n/a	
	AO13.3 A management plan for control of dust and air pollutants is prepared and implemented.	n/a	
PO14 Access to the premises (including driveways and paths) does not have an adverse impact on: <ul style="list-style-type: none"> (a) safety; (b) drainage; (c) visual amenity; and (d) privacy of adjoining premises. 	AO14 Access to the premises (including all works associated with the access): <ul style="list-style-type: none"> (a) must follow as close as possible to the existing contours; (b) be contained within the premises and not the road reserve, and (c) are designed and constructed in accordance with the Design Guidelines and Specifications set out in the Planning Scheme Policy 4 – FNQROC Regional Development manual. 	✓	Complies with AO14. The driveway design will not impact adjoining properties, drainage, or amenity and can be conditioned to comply with Council's standard design and construction requirements.
Weed and pest management			
PO15 Development prevents the spread of weeds, seeds or other pests into clean areas or away from infested areas.	AO15 No acceptable outcome is provided.	✓	Complies with PO15. The proposal will result in vegetation clearing and minor earth disturbance for services that could contribute to the spread of weeds or pests. Standard construction and maintenance practices can be conditioned to ensure compliance with Council's environmental management requirements.
Contaminated land			
PO16	AO16	✓	Complies with PO16.

Performance outcomes	Acceptable outcomes	Complies	Comments
Development is located and designed to ensure that users and nearby sensitive land uses are not exposed to unacceptable levels of contaminants	Development is located where: (a) soils are not contaminated by pollutants which represent a health or safety risk to users; or (b) contaminated soils are remediated prior to plan sealing, operational works permit, or issuing of building works permit.		The land is suitable for continued residential use, and no remediation is required. Should any unforeseen contamination be identified, remediation can be conditioned to occur prior to plan sealing.
Fire services in developments accessed by common private title			
PO17 Fire hydrants are located in positions that will enable fire services to access water safely, effectively and efficiently.	AO17.1 Fire hydrants are located in accessways or private roads held in common private title at a maximum spacing of: (a) 120 metres for residential development; and (b) 90 metres for any other development.	n/a	AO17.1 and AO17.2 Not Applicable. No new fire hydrants or common property accessways are proposed as part of this subdivision. The development will be serviced by the existing reticulated water network, which provides adequate fire-fighting supply and access for emergency services.
	AO17.2 Fire hydrants are located at all intersections of accessways or private roads held in common private title.	n/a	