DELEGATED REPORT

SUBJECT: **A WELLS – MATERIAL CHANGE OF USE – MULTIPLE DWELLING (EXISTING DWELLING & 2X3 BEDROOM UNITS) AND RECONFIGURING A LOT – SUBDIVISION (1 INTO 2 LOTS) – LOT 2 ON RP715731 – 19 MASON STREET, MAREEBA - MCU/26/0020**

DATE: 2 November 2026

REPORT OFFICER'S TITLE: Supervisor Planning & Building

DEPARTMENT: Corporate and Community Services

APPLICATION DETAILS

APPLICATION		PREMISES	
APPLICANT	A Wells	**ADDRESS**	19 Mason Street, Mareeba
DATE LODGED	7 October 2026	**RPD**	Lot 2 on RP715731
TYPE OF APPROVAL	Development Permit		
PROPOSED DEVELOPMENT	Material Change of Use – Multiple Dwelling (existing dwelling & 2x3 bedroom units) and Reconfiguring a Lot – Subdivision (1 into 2 lots)		

FILE NO	MCU/26/0020	**AREA**	915m2
LODGED BY	Neil Beck	**OWNER**	A Wells
PLANNING SCHEME	Mareeba Shire Council Planning Scheme 2016		
ZONE	Medium Density Residential zone		
LEVEL OF ASSESSMENT	Code Assessment		
SUBMISSIONS	n/a		

ATTACHMENTS: 1. Proposal Plan/s

EXECUTIVE SUMMARY

Council is in receipt of a development application described in the above application details.

The application is code assessable and was not required to undergo public notification.

The application and supporting material has been assessed against the Mareeba Shire Council Planning Scheme 2016 and does not conflict with any relevant planning instrument.

It is recommended that the application be approved in full with conditions.

OFFICER'S RECOMMENDATION

1. That in relation to the following development application:

APPLICATION		PREMISES	
APPLICANT	A Wells	**ADDRESS**	19 Mason Street, Mareeba
DATE LODGED	7 October 2026	**RPD**	Lot 2 on RP715731
TYPE OF APPROVAL	Development Permit		
PROPOSED DEVELOPMENT	Material Change of Use – Multiple Dwelling (existing dwelling & 2x3 bedroom units) and Reconfiguring a Lot – Subdivision (1 into 2 lots)		

and in accordance with the Planning Act 2016, the applicant be notified that the application for a development permit for the development specified in (A) is:

Approved by Council in accordance with the approved plans/documents listed in (B), subject to assessment manager conditions in (C), assessment manager's advice in (D), relevant period in (E), further permits in (F), and further approvals from Council listed in (G);

And

The assessment manager does not consider that the assessment manager's decision conflicts with a relevant instrument.

(A) APPROVED DEVELOPMENT: Development Permit for Material Change of Use – Multiple Dwelling (existing dwelling & 2x3 bedroom units) and Reconfiguring a Lot – Subdivision (1 into 2 lots)

(B) APPROVED PLANS:

Plan/Document Number	Plan/Document Title	Prepared by	Dated
1	Site Plan	Francis Kerr Design	16 Sept 2026
2	Floor Plan	Francis Kerr Design	16 Sept 2026
3	Elevations	Francis Kerr Design	16 Sept 2026
4	Elevations	Francis Kerr Design	16 Sept 2026
5	Sections	Francis Kerr Design	16 Sept 2026

(C) ASSESSMENT MANAGER'S CONDITIONS (COUNCIL)

(a) <u>Development assessable against the Planning Scheme</u>

1. Development must be carried out generally in accordance with the approved plans and the facts and circumstances of the use as submitted with the application, subject to any alterations:

   - found necessary by Council's delegated officer at the time of examination of the engineering plans or during construction of the development because of particular engineering requirements; and

- to ensure compliance with the following conditions of approval.

2. Timing of Effect

2.1 The conditions of the development permit must be complied with to the satisfaction of Council's delegated officer prior to the commencement of the use except where specified otherwise in these conditions of approval.

2.2 Prior to the commencement of use, the applicant must notify Council that all the conditions of the development permit have been complied with, except where specified otherwise in these conditions of approval.

3. General

3.1 The applicant/developer is responsible for the cost of necessary alterations to existing public utility mains, services or installations required by works in relation to the proposed development or any works required by condition(s) of this approval.

3.2 All payments or bonds required to be made to the Council pursuant to any condition of this approval must be made prior to commencement of the use and at the rate applicable at the time of payment.

3.3 All works must be designed, constructed and carried out in accordance with FNQROC Development Manual requirements (as amended) and to the satisfaction of Council's delegated officer.

3.4 Clothes Drying area

Sufficient area for clothes drying is to be provided for each dwelling and is to be appropriately screened from view of adjoining properties and the street.

3.5 Waste Management

On site refuse storage area must be provided and be screened from view from adjoining properties and road reserve by 1-metre-wide landscaped screening buffer, 1.8m high solid fence or building.

3.6 Development Staging

The material change of use aspect of this development approval must be completed prior to the reconfiguring a lot aspect.

4. Infrastructure Services and Standards

4.1 Access

An access crossover for each dwelling, including the existing dwelling house, must be constructed (from the edge of the road pavement to the property boundary of the subject lot) to the satisfaction of Council's delegated officer.

All redundant crossovers must be removed and concrete kerb reinstated.

4.2 Stormwater Drainage

(a) The applicant/developer must take all necessary steps to ensure a non-worsening effect on surrounding land as a consequence of the development.

(b) All stormwater drainage collected from the site must be discharged to an approved legal point of discharge.

4.3 Car Parking/Internal Driveways

The applicant/developer must ensure each new dwelling is provided with a covered carport which are available solely for the parking of vehicles associated with the use of the premises. Visitor carparking is accepted on the driveways.

All carparking spaces and internal driveways must be concrete, bitumen or asphalt sealed and appropriately drained prior to the commencement of the use and to the satisfaction of Council's delegated officer.

All car parking spaces and internal driveways must be constructed in compliance with the following standards/ to the satisfaction of Council's delegated officer:

- Australian Standard AS2890:1 Off Street Parking-Car Parking Facilities;
- Australian Standard AS1428:2001-Design for Access and Mobility.

4.4 Landscaping & Fencing

4.4.1 Prior to the commencement of the use of the site, a landscape plan must be prepared and submitted to Council's delegated officer for consideration and approval.

The landscape plan must include the gardens and turf areas shown on the approved site plan and use plant species selected from the Plant Schedule in Planning Scheme Policy 6 - Landscaping and preferred plant species.

The landscaping of the site must be carried out in accordance with the endorsed landscape plan prior to the commencement of the use, and mulched, irrigated and maintained to the satisfaction of Council's delegated officer.

4.4.2 (i) Prior to the commencement of the use, a solid 1.8 metre high screen fence (of neutral colour) is to be erected along the full extent of all side and rear boundaries.

(ii) The abovementioned fencing is to be erected and maintained in good order for the life of the development, to the satisfaction of Council's delegated officer.

4.5 Water Supply

Where the existing reticulated water supply does not currently service the site or is not at an adequate capacity, the applicant/developer is required to extend or upgrade the reticulated water supply infrastructure to connect the site to Council's existing infrastructure at a point that has sufficient capacity to service the development in accordance with FNQROC Development Manual standards (as amended).

If a new or upgraded/relocated water service connection is required to service the development, it must be provided in accordance with FNQROC Development Manual standards (as amended) to the satisfaction of Council's delegated officer.

Each dwelling unit is required to be **separately metered**.

4.6 Sewerage Connection

The applicant/developer must connect the proposed development to Council's reticulated sewerage system in accordance with FNQROC Development Manual standards (as amended) to the satisfaction of Council's delegated officer.

Where sewerage connections are not available to the site, or where existing connections are not satisfactory for the proposed development, the applicant/developer is required to extend or upgrade the reticulated sewerage infrastructure to connect the site to Council's existing infrastructure at a point that has sufficient capacity to service the development in accordance with FNQROC Development Manual standards (as amended).

(D) ASSESSMENT MANAGER'S ADVICE

(a) A number of other charges or payments may be payable as conditions of approval. The applicable fee is set out in Council's Fees & Charges Schedule for each respective financial year.

(b) Endorsement Fees

Council charges a fee for the endorsement of Community Management Statements, easement documents, and covenants. The fee is set out in Council's Fees & Charges Schedule applicable for each respective financial year.

(c) Compliance with applicable codes/policies

The development must be carried out to ensure compliance with the provisions of Council's Local Laws, Planning Scheme Policies, Planning Scheme and Planning Scheme Codes to the extent they have not been varied by a condition of this approval.

(d) Compliance with Acts and Regulations

The erection and use of the building must comply with the Building Act and all other relevant Acts, Regulations and Laws, and these approval conditions.

(e) Environmental Protection and Biodiversity Conservation Act 1999

The applicant is advised that referral may be required under the *Environmental Protection and Biodiversity Conservation Act 1999* if the proposed activities are likely to have a significant impact on a matter of national environmental significance. Further information on these matters can be obtained from www.dcceew.gov.au.

(f) Cultural Heritage

In carrying out the activity the applicant must take all reasonable and practicable measures to ensure that no harm is done to Aboriginal cultural heritage (the "cultural heritage duty of care"). The applicant will comply with the cultural heritage duty of care if the applicant acts in accordance with gazetted cultural heritage duty of care guidelines. An assessment of the proposed activity against the duty of care guidelines will determine whether or to what extent Aboriginal cultural heritage may be harmed by the activity. Further information on cultural heritage, together with a copy of the duty of care guidelines and cultural heritage search forms, may be obtained from www.dwatsipm.qld.gov.au.

(g) Electric Ants

Electric ants are designated as restricted biosecurity matter under the *Biosecurity Act 2014*.

Certain restrictions and obligations are placed on persons dealing with electric ant carriers within the electric ant restricted zone. Movement restrictions apply in accordance with Sections 74–77 of the *Biosecurity Regulation 2016*. Penalties may be imposed on movement of electric ant carriers and electric ants in contravention of the legislated restrictions. It is the responsibility of the applicant to check if the nominated property lies within a restricted zone.

All persons within and outside the electric ant biosecurity zone have an obligation (a ***general biosecurity obligation***) to manage biosecurity risks and threats that are under their control, they know about, or they are expected to know about. Penalties may apply for failure to comply with a general biosecurity obligation.

For more information please visit the electric ant website at Electric ants in Queensland | Business Queensland or contact Biosecurity Queensland 13 25 23.

(F) RELEVANT PERIOD

When approval lapses if development not started (s.85)

- Material Change of Use – six (6) years (starting the day the approval takes effect);
- Reconfiguring a Lot – six (6) years (starting the day the approval takes effect);

(G) OTHER NECESSARY DEVELOPMENT PERMITS AND/OR COMPLIANCE PERMITS

- Development Permit for Building Work

(H) OTHER APPROVALS REQUIRED FROM COUNCIL

- Compliance Permit for Plumbing and Drainage Work
- Access approval arising from condition number 4.1 (Please contact Planning Section to obtain application form and applicable fee)

THE SITE

The subject site is described as Lot 2 on RP715731 and is situated on the corner of Mason Street and Warren Street, Mareeba, with an address of 19 Mason Street, Mareeba.

The site is generally regular in shape with an area of 915m2 and is zoned Medium Density Residential under the Mareeba Shire Council Planning Scheme 2016.

The site includes approximately 20 metres of frontage to Mason Street and 45 metres of frontage to Warren Street. Both roads are constructed to bitumen sealed standard with kerbing on the development side.

Access to the site is obtained via two gravelled/grassed crossovers onto Warren Street.

The site is improved by a single dwelling house and several domestic outbuildings. The site is gently sloping from east to west and is unconstrained with respect to site features and characteristics. Surrounding development consists predominately of single detached dwellings on allotments of similar size and proportions.

The site is located within a well-established residential area and therefore all urban services are available.



Map Disclaimer:
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BACKGROUND AND CONTEXT

Nil

PREVIOUS APPLICATIONS & APPROVALS

Nil

DESCRIPTION OF PROPOSED DEVELOPMENT

The development application seeks a Development Permit for Material Change of Use – Multiple Dwelling (existing dwelling & 2x3 bedroom units) and Reconfiguring a Lot – Subdivision (1 into 2 lots) in accordance with the plans shown in **Attachment 1**.

The application describes the development as follows:

> *"The proposed development seeks to establish Multiple Dwellings on the site as the first stage of the development comprising of the existing dwelling and 2 x 3 bedroom attached units at the rear of the existing dwelling fronting Warren Street.*
>
> *Following the completion of the units, the land will be reconfigured to place the existing dwelling and the newly completed units on their own respective allotment. The reconfiguration of the site forms the second stage of the development.*

The new dwelling units fronting Warren Street will share a common wall with each dwelling having its own access from Warren Street with each unit serviced by a double garage.

Each unit is provided with private storage, rear patio and private open space complimented by a dividing fence. Building setbacks are maintained to side and rear boundaries and to the future boundary between the existing house and the new units.

The reconfiguration component will place the existing house on its own allotment and will have a site area of 456m2. The new units will also be contained on a separate allotment having a site area of 458m2.

The development represents an appropriate form of development to take place on the site which has the ability to demonstrate compliance with the applicable assessment benchmarks and performance outcomes of the applicable codes.

The site has access to all services required to support the development.

Plans detailing the development are located at Attachment 1."

REGIONAL PLAN DESIGNATION

Far North Queensland Regional Plan and Infrastructure Plan 2026	
Potential Agricultural Expansion Area	No
Priority Agricultural Area	No
Priority Agricultural Area – Extractive Resources Precinct	No
Regional Biodiversity Corridor	No
Regional Land Use Category	Urban Footprint
Strategic Environmental Area	No
Wet Tropics WHA	No

PLANNING SCHEME DESIGNATIONS

Strategic Framework:	**Land Use Categories** • *Residential Area*
Zone:	Medium Density Residential Zone
Local Plan:	Mareeba Local Plan

Overlays:	Airport Environs Overlay Environmental Significance Overlay Flood Hazard Overlay Transport Infrastructure Overlay

Planning Scheme Definitions

The proposed use is defined as:

Column 1 ***Use***	***Column 2*** ***Definition***	***Column 3*** ***Examples include***	***Column 4*** ***Does not include the following examples***
Multiple dwelling	Premises containing three or more dwellings for separate households.	Apartments, flats, units, townhouses, row housing, triplex	Rooming accommodation, dual occupancy, duplex, granny flat, residential care facility, retirement facility

RELEVANT PLANNING INSTRUMENTS

Assessment of the proposed development against the relevant planning instruments is summarised as follows:

(a) Far North Queensland Regional Plan and Infrastructure Plan 2026 (FNQ Regional Plan 2026

The FNQ Regional Plan 2026 commenced on May 2026 and is not adequately addressed within the Planning Scheme. The Themes, Policy outcomes and Strategies contained within this Regional Plan, relevant to the proposed development, are as follows:

Theme 1 – Housing

Policy Outcome 1 – Regional growth pattern

Ensure adequate residential land supply in well-located areas where land is supported by appropriate infrastructure.

Strategies

1.1 Maximise the efficient use of land within the Urban Footprint.

1.2 Ensure new residential development is serviced by appropriate infrastructure and services, having regard to infrastructure resilience and whole-of-life-cycle costs.

1.3 New residential development is responsive to the tropical and sub-tropical climates of the region and avoids areas of intolerable risk.

Comment

The proposed development provides for infill and increased dwelling density within the Urban Footprint.

All required infrastructure is in place, and the site of the new units is not subject intolerable natural hazard risk.

The proposed development will not compromise Policy Outcome 1.

Policy Outcome 2 – Housing supply

Ensure housing supply meets the full spectrum of housing demand within the region to respond to the needs of current and future residents.

Strategies

2.1 Plan for and achieve the dwelling supply targets in Figure 2.

2.2 Achieve a mix of housing types appropriate to local context and need, in both new and established communities, through a range of housing typologies shown in Figure 3.

2.3 Increase medium-density residential development in proximity to public and active transport corridors, Major Regional Activity Centres (MRACs) and/or regional precincts shown on Maps 10, 11 and 13.

2.5 Promote dwelling and neighbourhood design that is responsive to local climate and resilient to natural hazards.

2.6 Enable new models and forms of housing including dwelling type, size and modern methods of construction in both new and established communities.

Mareeba Shire Council LGA only

2.16 Facilitate infill development to increase the supply of a range of housing typologies, focusing on the Mareeba town centre.

Comment

The proposed development provides for infill and increased dwelling density within the Urban Footprint.

All required infrastructure is in place, and the site of the new units is not subject intolerable natural hazard risk.

The proposed development will not compromise Policy Outcome 2.

(b) State Planning Policy

Separate assessment against the State Planning Policy (SPP) is not required because the Mareeba Shire Council Planning Scheme appropriately integrates all relevant aspects of the SPP.

(c) Mareeba Shire Council Planning Scheme 2016

Relevant Development Codes

The following Development Codes are considered to be applicable to the assessment of the application:

6.2.7 Medium density residential zone code
7.2.2 Mareeba local plan code
8.2.2 Airport environs overlay code
8.2.4 Environmental significance overlay code

8.2.6 Flood hazard overlay code
9.3.1 Accommodation activities code
9.4.2 Landscaping code
9.4.3 Parking and access code
9.4.4 Reconfiguring a lot code
9.4.5 Works, services and infrastructure code

The application included a planning report and assessment against the planning scheme. An officer assessment has found that the application satisfies the relevant acceptable outcomes (or performance outcome where no acceptable outcome applies) of the relevant codes set out below, provided reasonable and relevant conditions are attached to any approval.

Relevant Codes	Comments
Medium density residential zone code	The application can be conditioned to comply with the relevant acceptable outcomes (or performance outcomes where no acceptable outcome is provided) contained within the code.
Mareeba local plan code	The application can be conditioned to comply with the relevant acceptable outcomes (or performance outcomes where no acceptable outcome is provided) contained within the code.
Airport environs overlay code	The application can be conditioned to comply with the relevant acceptable outcomes (or performance outcomes where no acceptable outcome is provided) contained within the code.
Environmental significance overlay code	The application can be conditioned to comply with the relevant acceptable outcomes (or performance outcomes where no acceptable outcome is provided) contained within the code.
Flood hazard overlay code	The application can be conditioned to comply with the relevant acceptable outcomes (or performance outcomes where no acceptable outcome is provided) contained within the code.
Accommodation activities code	The application can be conditioned to comply with the relevant acceptable outcomes (or performance outcomes where no acceptable outcome is provided) contained within the code.
Landscaping code	The application can be conditioned to comply with the relevant acceptable outcomes (or performance outcomes where no acceptable outcome is provided) contained within the code.
Parking and access code	The application can be conditioned to comply with the relevant acceptable outcomes (or performance outcomes where no acceptable outcome is provided) contained within the code.
Reconfiguring a lot code	The application can be conditioned to comply with the relevant acceptable outcomes (or performance outcomes where no acceptable outcome is provided) contained within the code.
Works, services and infrastructure code	The application can be conditioned to comply with the relevant acceptable outcomes (or performance outcomes where no acceptable outcome is provided) contained within the code.

(e) Planning Scheme Policies/Infrastructure Charges Plan

The following planning scheme policies are relevant to the application:

Planning Scheme Policy 4 - FNQROC Regional Development Manual

A condition will be attached to any approval requiring all development works be designed and constructed in accordance with FNQROC Development Manual standards.

(f) Adopted Infrastructure Charges Notice

The developments proposed density does not exceed the Planning Scheme's accepted density for the Medium Density Residential zone.

REFERRAL AGENCY

This application did not trigger referral to a Referral Agency.

Internal Consultation

Not applicable.

PLANNING DISCUSSION

Nil

Date Prepared: *2 November 2026*

DECISION BY DELEGATE

DECISION

Having considered the Supervisor Planning & Building's report detailed above, I approve, as a delegate of Council, the application subject to the conditions listed in the report.

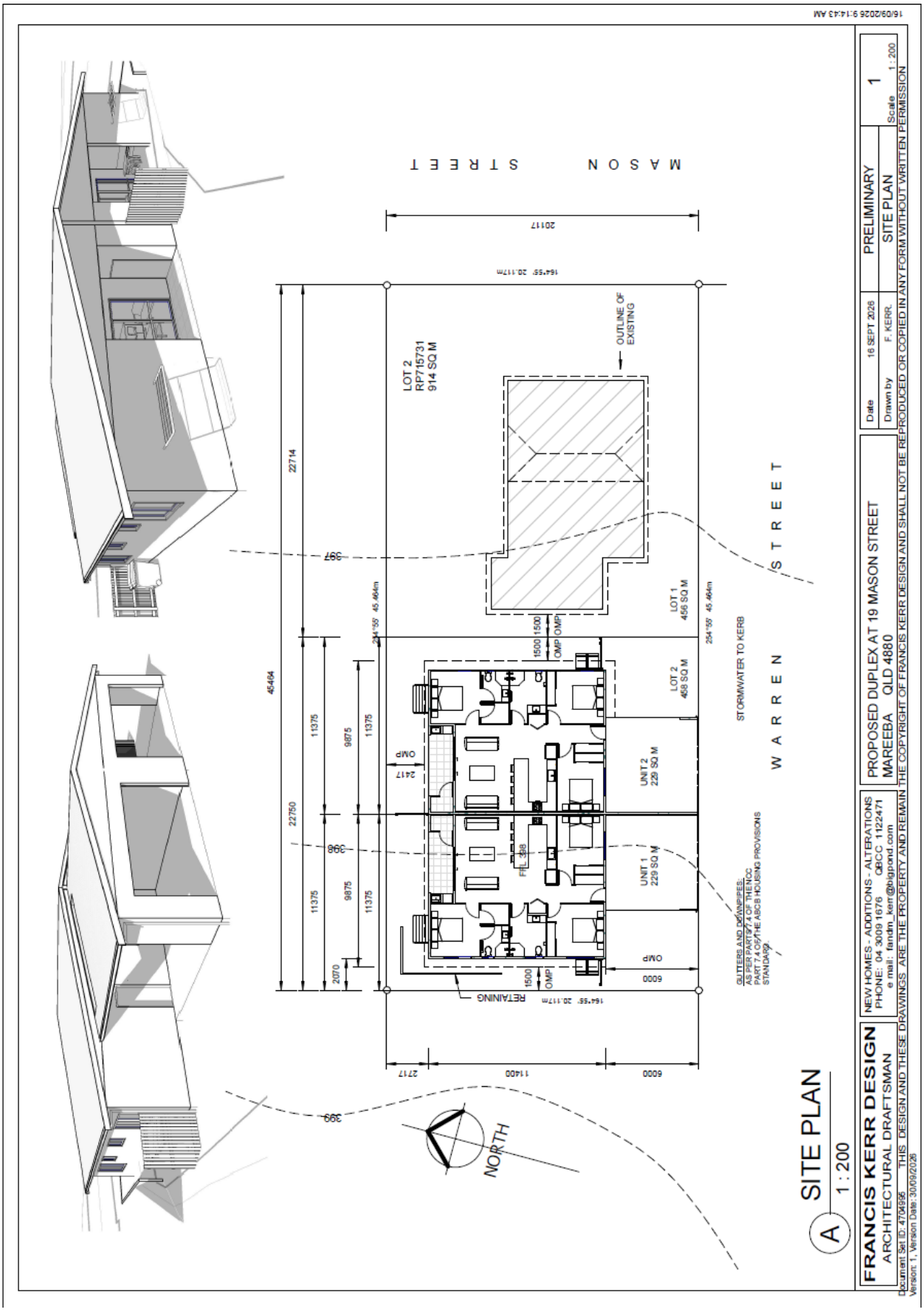
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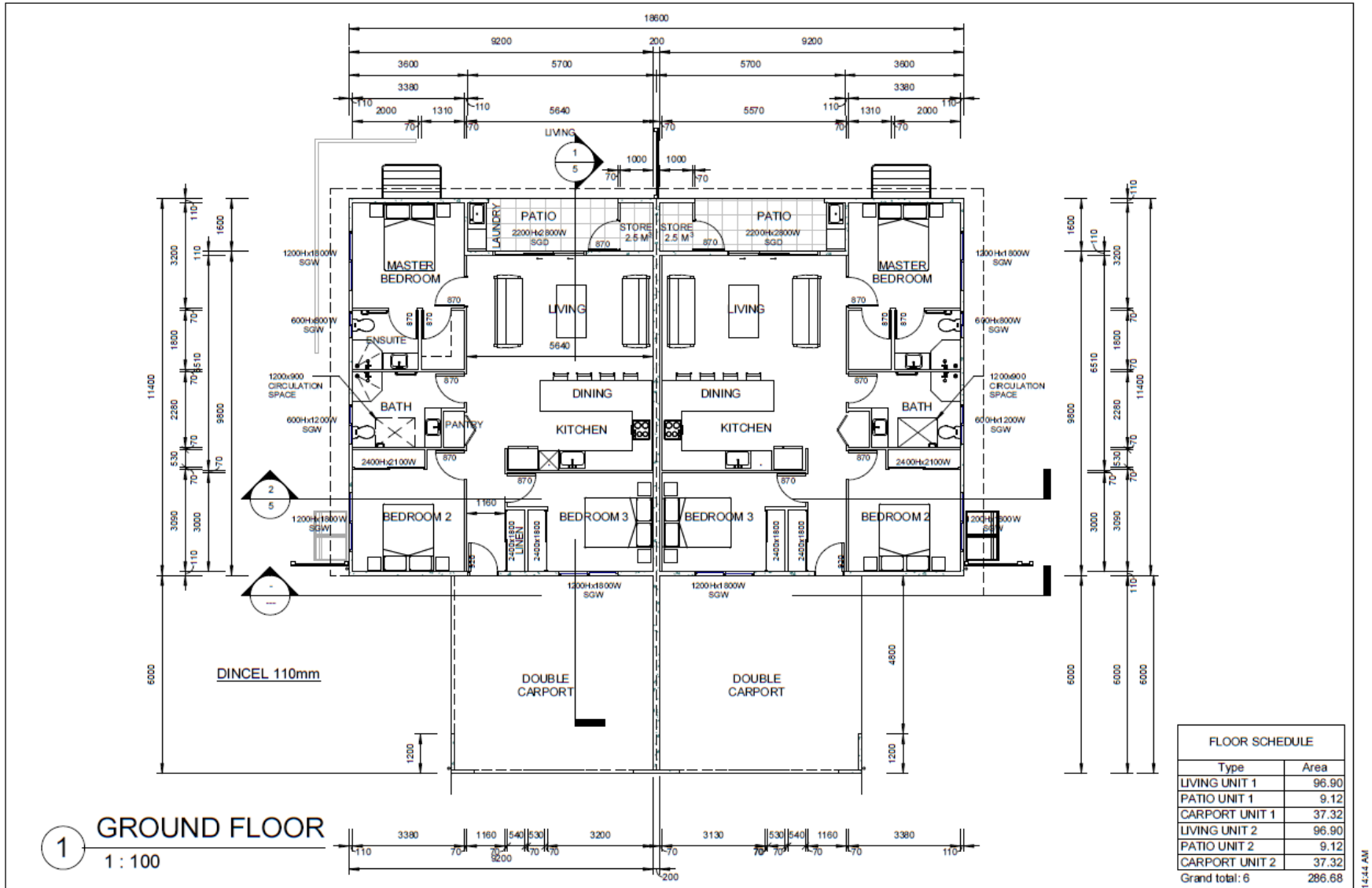
BRIAN MILLARD
COORDINATOR PLANNING & DEVELOPMENT

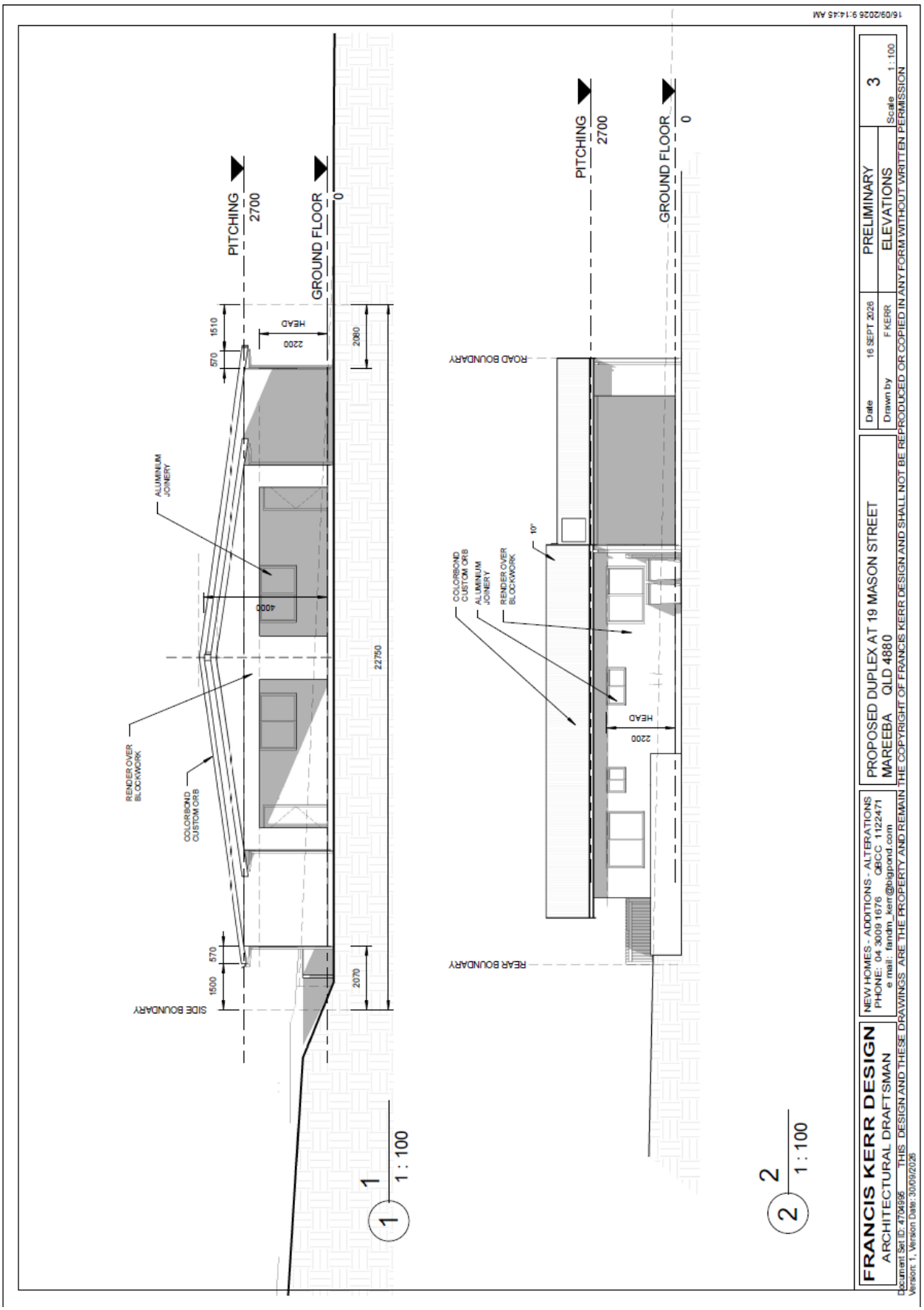
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AS A DELEGATE OF THE COUNCIL

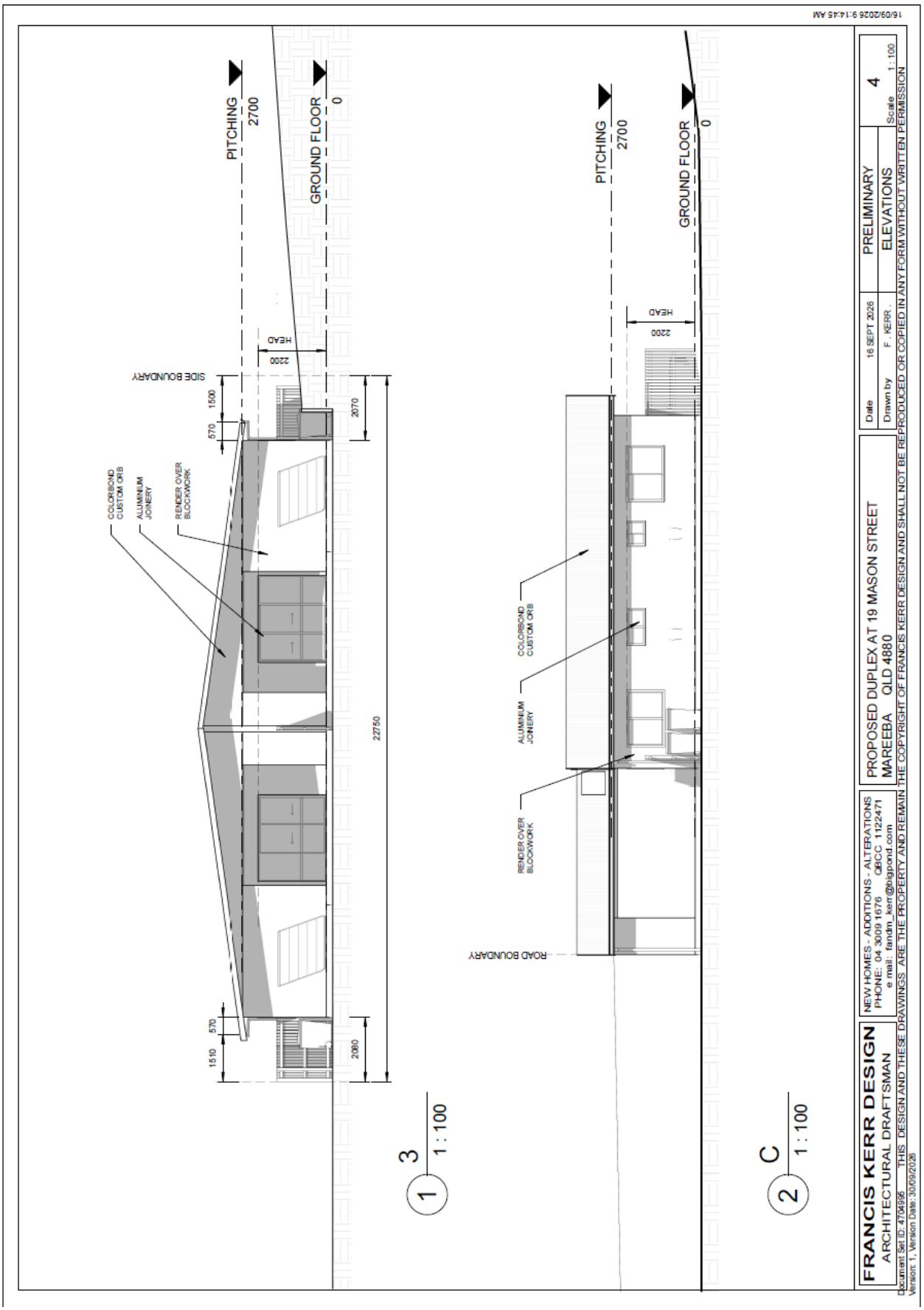
ATTACHMENT 1

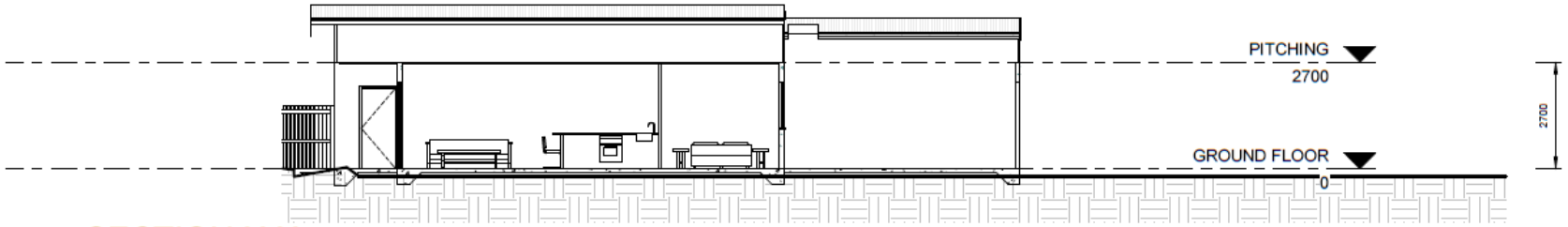
PROPOSAL PLANS




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1310
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PATIO
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STORE 2.5 M3
STORE 2.5 M3
PATIO
2200Hx2800W SGD
LAUNDRY
MASTER BEDROOM
MASTER BEDROOM
1200Hx1800W SGW
600Hx600W SGW
ENSUITE
LIVING
LIVING
5640
1200x900 CIRCULATION SPACE
BATH
PANTRY
DINING
KITCHEN
DINING
KITCHEN
BATH
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2400Hx2100W
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BEDROOM 3
BEDROOM 3
BEDROOM 2
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DINCEL 110mm
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FLOOR SCHEDULE
Type | Area
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PATIO UNIT 1 | 9.12
CARPORT UNIT 1 | 37.32
LIVING UNIT 2 | 96.90
PATIO UNIT 2 | 9.12
CARPORT UNIT 2 | 37.32
Grand total: 6 | 286.68
FRANCIS KERR DESIGN
ARCHITECTURAL DRAFTSMAN
NEW HOMES - ADDITIONS - ALTERATIONS
PHONE: 04 3009 1676 QBCC 1122471
e mail: fandm_kerr@bigpond.com
PROPOSED DUPLEX AT 19 MASON STREET
MAREEBA QLD 4880
Date 16 SEPT 2026
Drawn by F. KERR.
PRELIMINARY
FLOOR PLAN
2
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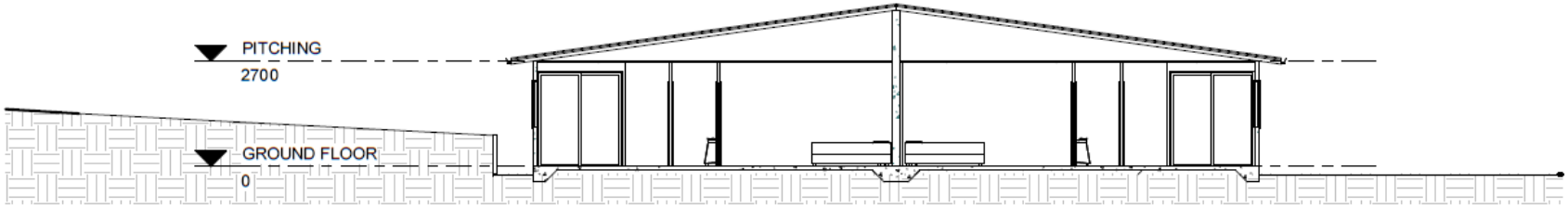

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PROPOSED DUPLEX AT 19 MASON STREET
MAREEBA QLD 4880
Date 16 SEPT 2026
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1 SECTION X-X

1 : 100



2 SECTION Y-Y

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NOTE:

ROOF FRAMING DESIGN AND CERTIFICATION TO MANUFACTURERS SPECIFICATIONS INCLUDING WALL BRACING

METAL COLORBOND GUTTER ON METAL COLORBOND FASCIA. MIN SLOPE OF EAVE GUTTERS 1:200. GUTTERS, DOWN PIPES AND FLASHINGS FABRICATED IN METEL ARE TO MEET AS/NZS2179 REQUIREMENTS AND P.V.C. COMPONENTS ARE TO COMPLY WITH AS1273
SEAL FASTENERS AND GUTTER JOINS WITH SILICON SEALANT.
REMOVE SWARF FROM ROOF SCREWS AND ALL OTHER DEBRIS AS SOON AS IT DEPOSITED.

TRUSSES AND TRUSS HOLD DOWN, ROOF BRACING DESIGNED AND CERTIFIED BY ROOF TRUSS MANUFACTURER

ROOF TRUSSES AT 900 CTS
ROOF BATTENS SIZE, SPACING AND FIXING IN ACCORDANCE WITH CYCLONIC DESIGN MANUAL FOR WIND CLASSIFICATION.

ROOF INSULATION OVER BATTENS AS PER MANUFACTURERS SPECIFICATIONS AS AS PER ENERGY EFFICIENCY REPORT
CUSTOM ORB COLOR BOND ROOFING FIXED TO MANUFACTURERS SPECIFICATIONS AND AS1562.1 DESIGN & INSTALLATION OF SHEET ROOF AND WALL CLADDING METAL

ROOFING, DOORS AND WINDOWS TO BE INSTALLED TO PREVENT WATER PENETRATION INTO THE BUILDING STRUCTURE.
ALL SARKING MATERIAL TO BE INSTALLED ACCORDING TO MANUFACTURERS INSTALLATON INSTRUCTIONS & AS/NZS4200 INSTALLATION OF PLIABLE MEMBRANE AND UNDERLAY.
SOFFIT LINING: 6mm FC PERFORATED AND PRE PAINTED SHEET. BIRD AND VERMIN PROOF

FRAMED WALLS WITH 10mm PLASTER BOARD LINING GENERALLY. 6mm VILLA BOARD LINING TO WET AREAS. FX SHEETING IN ACCORDANCE WITH MANUFACTURERS SPECIFICATIONS

FRANCIS KERR DESIGN ARCHITECTURAL DRAFTSMAN	NEW HOMES - ADDITIONS - ALTERATIONS PHONE: 04 3009 1676 QBCC 1122471 e mail: fandm_kerr@bigpond.com	PROPOSED DUPLEX AT 19 MASON STREET MAREEBA QLD 4880	Date 16 SEPT 2026 Drawn by F KERR	PRELIMINARY SECTIONS	5 Scale 1 : 100

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