



23rd April 2018

Chief Executive Officer
Mareeba Shire Council
PO Box 154
Mareeba QLD 4880

Attention: Brian Millard

RE: Development Application for Material Change of Use – Code Assessable
- Dual Occupancy: To be developed on Lot described as Lot 200 on SP282407, Anzac
Avenue Mareeba
Locality Mareeba

I act on behalf of land owner Kevin O'Brien in relation to the above matter.

I hereby submit plans and planning assessment for your consideration

Yours


Max Slade

25 Pink Street
Atherton Q 4883

Ph: (07) 4091 2099
Fax: (07) 4091 5618

Registered:
- Building Design
- Medium Rise
- Building
- Low Rise



ABN: 16 010 608 321
ACN: 010 608 321
B.S.A. No: 659479

maxslade@bigpond.net.au

Planning Assessment
Code Assessable Planning Application
For Lot 200 on SP282407
Anzac Avenue
Mareeba

Mareeba Shire Council Planning Scheme

Schedule 1

Use	Definition
Dual Occupancy	Premises containing two dwellings, each for a separate household, and consisting of; <ul style="list-style-type: none"> • A single lot, where neither dwelling is a secondary dwelling

Tables of Assessment

Table 5.5.6 — Low Density Residential Zone

Use	Level of Assessment	Assessment Criteria
Dual Occupancy	If not self-assessable	Low Density Residential Zone Code Accommodation activities Code Landscaping Code Parking and access Code Works, services and infrastructure Code

Part 6

6.2.6 Low Density Residential Zone Code

6.2.6.1 Application

- (1) This code applies to assessing development where:
- a. Located in the low 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

6.2.6.2 Purpose

- (2) Mareeba Shire Council's purpose of the Low Density Residential Zone Code is to:
- a. Maintain the integrity of established residential areas, which are characterised primarily by Dwelling houses and Dual occupancy development
- (3) The purpose of the code will be achieved through the following overall outcomes:
- g. 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;
 - h. Development reflects and enhances the existing low density scale and character of the area

6.2.6.3 Criteria of Assessment

Table 6.2.6.3A – Low Density Residential Zone Code – For accepted development subject to requirements and assessable development

Performance Outcomes	Acceptable Outcomes	
For accepted development subject to requirements and assessable development		
Height		
PO1 Building height takes into consideration and respects the following: <ul style="list-style-type: none"> (a) the heights of existing buildings on adjoining premises 	AO1 Development has a maximum building height of: <ul style="list-style-type: none"> (a) 8.5 metres; and (b) 2 storeys above ground level 	compliant
Out Buildings and Residential Scale		
PO2 Domestic Outbuildings: <ul style="list-style-type: none"> (a) Do not dominate the lot on which they are located 	AO2 Domestic buildings do not exceed	Not Applicable
Siting		
PO3 Development is sited in a manner that considers and respects: <ul style="list-style-type: none"> (a) The siting and use of adjoining premises; (b) Access to sunlight and daylight for the site and adjoining sites; (c) Privacy and overlooking; (d) Opportunities for casual surveillance of adjoining public spaces; (e) Air circulation and access to natural breezes; and (f) Appearance of building bulk; and (g) Relationship with road corridors 	AO3.1 Buildings and structures include a minimum setback of: <ul style="list-style-type: none"> (a) 6 metres from the primary road frontage; and 	Compliant
	AO3.2 Building and structures include a minimum setback from side and rear boundaries	compliant
Accommodation Density		
PO4 The density of accommodation activities: <ul style="list-style-type: none"> (a) Contributes to housing choice and affordability (b) Respects the nature and density of surrounding land use (c) Does not cause amenity impacts 	AO4 Development provides a maximum density for Accommodation activities in compliance with Table 6.2.6.3B	One Dwelling per 702sqm

beyond the reasonable expectation of accommodation density for the zone; and (d) Is commensurate to the scale and frontage of the site		
Gross Floor Area		
PO5 Buildings and structures occupy the site in a manner which: (a) Makes efficient use of land (b) Is consistent with the bulk and scale of surrounding buildings; and (c) Appropriately balances built and natural features	AO5 Gross floor area does not exceed 600m2	Complaint
For Assessable Development		
Building Design		
PO6 Building facades are appropriately designed to: (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	AO6 Buildings include habitable space, pedestrian entrances and recreation space facing the primary road frontage	And entry road
PO7 Development compliments and integrates with the established built character of the Low density residential zone , having regard to: (a) Roof form and pitch; (b) Eaves and awnings; (c) Building materials, colours and textures; and (d) Window and door size and location	AO7 No acceptable outcome is provided	Compliant
Non-residential Development		
PO8 Non-residential development is only located in new residential areas:	AO8	Not applicable/Compliant

Amenity		
PO9 Development must not detract from the amenity of the local area, having regards to;	AO9	Not applicable/Compliant
PO10 Development must take into account and seek to ameliorate any existing negative environmental impacts, having regards to	AO10	Compliant

Table 2.6.2.3B – Maximum densities for Accommodation activities

Use	Maximum density
Dural Occupancy	1 dwelling per 400m ² of site area

9.3.1 Accommodation activities code

9.3.1.2 Purpose

- (1) The purpose of the Accommodation activities code is to facilitate the provision of Accommodation activities in appropriate locations throughout the shire.
- (2) The purpose of the code will be achieved through the following outcomes:
 - n. Accommodation activities are designed, located and operated to minimise any adverse impacts on the natural environment and amenity of surrounding areas;
 - p. Accommodation activities provide a high level of amenity and are reflective of the surrounding character of the area;
 - q. Accommodation activities are generally established in accessible, well-connected locations with access or future access to public transport, cycling, and pedestrian networks;
 - r. Accommodation activities do not compromise the viability of the hierarchy and network of centres; namely:
 - a. Mareeba as a major regional activity centre, which accommodates the most significant concentrations of regional-scale business, retail, entertainment, government administration, secondary and tertiary educational facilities and health and social services within the shire;
 - s. Accommodation activities are responsive to site characteristics and employ best practice industry standards

9.3.1.3 Criteria of Assessment

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

Performance Outcomes	Acceptable Outcomes	
For accepted development subject to requirements and assessable development		
All Accommodation activities, apart from Dwelling house		
PO1	AO1 Development is located on a site which provides the applicable	Proposed allotment size is 702sqm

Accommodation activities are located on a site that includes sufficient area;	minimum site area and maximum road frontage specified in Table 9.3.1.3B	
All Accommodation activities, apart from Tourist park and Dwelling house		
<p>PO2</p> <p>Accommodation activities are provided with on-site refuse storage areas that are:</p> <ul style="list-style-type: none"> (a) Sufficient to meet the anticipated demand for refuse storage; and (b) Appropriately located on the site having regard to potential odour and noise impacts on uses on the site and adjoining sites 	<p>AO2</p> <p>A refuse area is provided that:</p> <ul style="list-style-type: none"> (a) Includes a water connection; (b) Is of a size and configuration to accommodate a 2x240 litre bins per dwelling or accommodation unit where involving a use other than a residential care facility or retirement facility; 	Refer site plan for proposed bin locations
All Accommodation activities, except for Dwelling houses		
<p>PO3</p> <p>Accommodation activities are designed to avoid overlooking or loss of privacy for adjoining uses</p>	<p>AO3</p> <p>The windows of habitable rooms:</p> <ul style="list-style-type: none"> (a) Do not overlook the windows of a habitable room in an adjoining dwelling or accommodation unit; or (b) Are separate from the windows of a habitable room in an adjoining dwelling or accommodation unit by a distance greater than: <ul style="list-style-type: none"> a. 2 metres at ground level; b. 8 metres above ground level; or (c) Are treated with: <ul style="list-style-type: none"> a. A minimum sill height 1.5metres above floor level; or b. Fixed opaque glass installed 1.5 metres below; or c. Fixed external screen; or d. A 1.5 metre high screen fence along the common boundary 	Compliant
<p>PO4</p> <p>Accommodation activities are provided with sufficient private and communal open space areas which:</p>	<p>AO4.2</p> <p>Development includes private open space for each dwelling or accommodation unit which meets or exceeds the minimum area, dimension and design</p>	Refer to site plan

<p>(a) Accommodate a range of landscape treatments, including soft and hard landscaping;</p> <p>(b) Provide a range of opportunities for passive and active recreation;</p> <p>(c) Provide a positive outlook and high quality of amenity to residents;</p> <p>(d) Is conveniently located and easily accessible to all residents; and</p> <p>(e) Contribute to an active and attractive streetscape</p>	<p>parameters specified in Table 9.3.1.3D</p> <p>AO4.3</p> <p>Cloths drying areas are provided at the side or rear of the site so that they are not visible from the street</p>	Compliant
	<p>AO4.4</p> <p>If for dual occupancy, development provides a secure storage area for each dwelling or accommodation unit which;</p> <p>(a) Is located to facilitate loading and unloading from a motor vehicle;</p> <p>(b) Is separate to, and does not obstruct, on-site vehicle parking or manoeuvring areas;</p> <p>(c) Has a minimum space of 2.4m² per dwelling or accommodation unit;</p> <p>(d) Has a minimum height of 2.1m;</p> <p>(e) Has minimum dimensions to enable secure bicycle storage;</p> <p>(f) Is weather proof; and</p> <p>(g) Is lockable</p>	Compliant

Table 9.3.1.3B – Maximum site area and minimum site frontage

Use	Maximum site are	Minimum site frontage
Dural Occupancy	1,000m ² in the Low density residential zone	20 meters

Table 9.3.1.3D – Private open space - COMPLIANT

Use	Minimum area per dwelling or accommodation unit	Minimum dimensions	Design elements
Dural Occupancy	40m ²	3 meters	<ul style="list-style-type: none"> • Located at ground level • 20% shaded; and • Accessed from the main living area of the dwelling

9.4.2 Landscaping Code

9.4.2.2 Purpose

- (1) The purpose of the Landscaping code is to ensure all development is landscaped to a standard that:
- Compliments the scale and appearance of the development;
 - Protects and enhances the amenity and environmental values of the site;
 - Compliments and enhances the streetscape and local landscape character; and

- d. Ensure effective buffering of incompatible land uses to protect local amenity

9.4.2.3 Criteria for Assessment

Table 9.4.2.3A – Landscaping Code – For accepted development subject to requirements and assessable development

Performance Outcomes	Acceptable Outcomes	
For accepted development subject to requirements and assessable development		
<p>PO1 Development, other than in the rural zone, includes landscaping that;</p> <ul style="list-style-type: none"> (a) Contributes to the landscaping character of the shire; (b) Compliments the character of the immediate surrounds; (c) Provides an appropriate balance between built and natural elements; and (d) Provides a source of visual interest 	AO1	Landscape plan to be submitted with Building Application
<p>PO2 Development, other than in the Rural zone, includes landscaping alongside frontages that:</p> <ul style="list-style-type: none"> (a) Creates an attractive streetscape (b) Compliments the character of the immediate surrounds (c) Assists to break up and soften elements of built form; (d) Screen areas of limited visual interest or servicing; (e) Provide shade for pedestrians; and (f) Includes a range and variety of planting 		Landscape plan to be submitted with Building Application
<p>PO3 Development includes landscaping and fencing alongside and rear boundaries that:</p> <ul style="list-style-type: none"> (a) Screens and buffer land use; (b) Assists to break up and soften elements of built form; (c) Screens areas of limited visual interest; 		Landscape plan to be submitted with Building Application

<ul style="list-style-type: none"> (d) Preserves the amenity of sensitive land use; and (e) Includes a range and variety of planting 		
<p>PO4 Car parking areas are to be improved with a variety of landscaping that:</p> <ul style="list-style-type: none"> (a) Provides visual interest; (b) Provides a source of shade for pedestrians; (c) Assists to break up and soften elements; and (d) Improves legibility 		Landscape plan to be submitted with Building Application
<p>PO5 Landscaping areas include a range and variety of planting that:</p> <ul style="list-style-type: none"> (a) Is suitable for the intended purpose and local conditions; (b) Contributes to the natural character of the shire; (c) Includes native species; (d) Includes locally endemic species, where practical; and (e) Does not include invasive plants or weeds 		Landscape plan to be submitted with Building Application
<p>PO6 Landscaping does not impact on the ongoing provision of Infrastructure and services to the Shire</p>		Landscape plan to be submitted with Building Application
For assessable development		
<p>PO7 Landscaping areas are designed to:</p> <ul style="list-style-type: none"> (a) Be easily maintained throughout the ongoing use of the site; (b) Allow sufficient area and access to sunlight and water for plant growth; (c) Not cause a nuisance to occupants of the site or members of the public; and (d) Maintain or enhance the safety of pedestrians through the use of Crime Prevention Through 		Landscape plan to be submitted with Building Application

Environmental Design principals		
---------------------------------	--	--

Table 9.4.2.3B – Side and rear boundary landscape treatments

Location or Use	Landscaping Strip Minimum Width	Screen Fencing Minimum Height	Extent of Treatment	Comments
Where involving a use other than a dwelling house on a site with a common boundary with land in the Low density residential zone	1.5 metres	1.8 metres	Along the common boundary	Landscape plan to be submitted with Building Application

9.4.3 Parking and Access Code

9.4.3.2 Purpose

- (1) The purpose of the Parking and Access code is to ensure:
 - a. Parking areas are appropriately designs, constructed and maintained;
 - b. The efficient functioning of the development and the local road network; and
 - c. All development provides sufficient parking, loading/service and manoeuvring areas to meet the demand generated by the use

- (2) The purpose of the code will be achieved through the following overall outcomes;
 - a. Land uses have a sufficient number of parking and bicycle spaces designed in a manner to meet the requirements of the user;
 - b. Parking spaces and associated manoeuvring areas are safe, functional and provide equitable access

9.4.3.3 Criteria for Assessment

Table 9.4.3.3A – Parking and access code – For accepted development subject to requirements and assessable development

Performance Outcomes	Acceptable Outcomes	
For accepted development subject to requirements and assessable development		
PO1 Development provides sufficient car parking to accommodate the demand likely to be generated by the use, having regard to the; (a) Nature of the use; (b) Location of the site; (c) Proximity to the use of public transport services;	AO1 The number of car parking spaces provided for the use in accordance with Table 9.4.3.3B	Compliant

(d) Availability of active transport services; (e) Availability of active transport infrastructure; and (f) Accessibility of the use to all members of the community		
---	--	--

9.4.3.3B

Definition	Minimum number of car parking spaces	Minimum service vehicle space provision
Dual occupancy	One covered space per dwelling; and One visitor space	Nil.

9.4.4 Works, services and infrastructure code

9.4.4.1 Application

- (1) This code applies to development where it is identified in the assessment benchmarks for assessment table in Part 5 of the planning scheme.

9.4.4.2 Purpose

- (1) The purpose of the Works, services and infrastructure code is to ensure all development is appropriately serviced by physical infrastructure, public utilities and services and that work associated with the development is carried out in a manner that does not adversely impact on the surrounding areas
- (2) The purpose of the code will be achieved through the following overall outcomes:
 - a. Development provides an adequate, safe and reliable supply of portable, 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 works;
 - e. Development provides electricity and telecommunications services that meet its desired requirements
 - f. Development is connected to nearby electricity network with adequate capacity without significant environment, social or amenity impacts;
 - 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. Works associated with the development does not cause adverse impacts on the surrounding area; and
 - j. Development prevents the spread of weeds, seeds or other pests.

9.4.4.3 Criteria for Assessment

	<p>lawful point of discharge; and</p> <p>(b) in accordance with the Design Guidelines and Specifications set out in the Planning Scheme Policy 4 – FNQROC Regional Development Manual</p> <p>(c)</p>	
Electricity Supply		
<p>PO4 Each lot is provided with an adequate supply of electricity</p>	<p>AO4 The premises:</p> <p>(a) Is connected to the electricity supply network; or</p> <p>(b) Has arranged a connection to the transmission grid; or</p> <p>(c) Where not connected to the network an independent energy system with sufficient capacity to service the development may be provided as an alternative to reticulated energy</p>	Compliant
Telecommunications Infrastructure		
<p>PO5 Each lot is provided with an adequate supply of telecommunication infrastructure</p>	<p>AO5 Development is provided with a connection to the national broadband network or telecommunication services</p>	Compliant
Existing public utility services		
<p>PO6 Development and associated works do not affect the efficient functioning of public utility mains, services and installations</p>	<p>AO6 (d) 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</p>	Compliant
Excavation and Filling		
<p>PO7 Excavation and filling must not have an adverse impact on the:</p> <p>(a) Streetscape;</p> <p>(b) Scenic amenity;</p> <p>(c) Environmental values;</p> <p>(d) Slope stability;</p> <p>(e) Accessibility; and</p>	<p>AO7.1 Excavation and filling does not occur within 1.5 metres of any side boundary</p>	Not applicable

(f) Privacy and adjoining premises		
For assessable development		
Transport Network		
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 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 AO8.2 Development provides footpath pavement treatments in accordance with planning scheme policy 9 – Footpath paving	Compliant Not Applicable
Public Infrastructure		Not Applicable
Stormwater Quality		
PO11 Storage areas for stormwater detention and retention: (a) Protect or enhance the environmental values of receiving waters; (b) Achieve specified water quality objectives; (c) Where possible, provide for recreational use; (d) Maximise community benefit; and (e) Minimise risk to public safety	AO11 No acceptable outcome is provided	Compliant