

Assessment of application against relevant Development Codes

APPLICATION DETAILS

APPLICATION		PREMISES	
FILE NO:	MCU/17/0001	ADDRESS:	59 Rogers Road, Biboohra
APPLICANT:	D Cleland	RPD:	Lot 1 on RP708214
LODGED BY:	D Cleland	AREA:	8.339 hectares
DATE LODGED:	12 July 2017	OWNER :	D Cleland
TYPE OF APPROVAL:	Development Permit		
PROPOSED DEVELOPMENT:	Material Change of Use - Motor Home Park		
PLANNING SCHEME:	Superseded Mareeba Shire Planning Scheme 2004 (Amendment No 01/11)		
ZONE:	Rural zone		
LEVEL OF ASSESSMENT:	Impact Assessment		
SUBMISSIONS:	One (1)		

Relevant Development Codes

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

Part 4, Division 14	Rural Zone Code
Part 5, Division 8	Natural Disaster - Bushfire Overlay Code
Part 6, Division 5	Car Parking Code
Part 6, Division 14	Tourist Facility Code
Part 6, Division 15	Landscaping Code

Division 14—Assessment Criteria for Rural Zone

4.75 RURAL ZONE CODE

The provisions in this division comprise the Rural Zone code. They are-

- compliance with Rural Zone code (section 4.76);
- overall outcomes for Rural zone code (section 4.77);
- specific outcomes, probable solutions and acceptable solutions for the Rural zone code (sections 4.78 to 4.80).

4.76 COMPLIANCE WITH RURAL ZONE CODE

Development that is consistent with the specific outcomes in sections 4.78 to 4.80 complies with the Rural zone code.

4.77 OVERALL OUTCOMES FOR RURAL ZONE CODE

- (1) The overall outcomes are the purpose of the Rural zone code.
- (2) The overall outcomes sought for the Rural zone code are to achieve an area:
 - (a) that caters for a range of primary industries including forestry and aquaculture to contribute to the economic well being of the Mareeba Shire;
 - (b) where agricultural production and the raising of animals are protected from incompatible land uses;
 - (c) where Good quality agricultural land is protected from fragmentation and alienation, not developed for purposes other than agricultural and support uses, and is protected from incompatible land uses in accordance with SPP1/92;
 - (d) in which agricultural uses and works are located, designed and managed to maximise the efficient use and operation of infrastructure including the MDIA channel infrastructure;
 - (e) that allows tourist uses that are ecologically sustainable and dependent on the values of the cultural heritage and natural resource or features located in the rural zone;
 - (f) that excludes residential uses unless these uses are primarily ancillary and necessary to agricultural uses;
 - (g) where a distinct boundary between the towns of Mareeba, Kuranda and Dimbulah is clear so that those towns do not extend beyond identified boundaries;
 - (h) where provides adequate services to cater for the needs of industry are provided whilst ensuring likely environmental and social impacts of industrial developments and activities (e.g. both construction and operational impacts) and the cumulative impacts of trucks/transportation to and from industrial sites are minimised;
 - (i) where impacts on development on the natural values and water quality are minimised;
 - (j) that allows for rural value adding industries where appropriately located;
 - (k) where GQAL is conserved for agricultural uses that are dependent on the quality of agricultural land;
 - (l) where the scenic values of the Shire are maintained;
 - (m) where, in the Southedge Potential Tourist Area (as shown on Strategic Framework Maps SP1 & SP2) allows for tourist facilities directly associated with the natural attributes of the Southedge site, provided there is a demonstrable need for the facilities and adequate support systems are in place;
 - (n) where, in Preferred area No 3 (as shown on Maps Z8, Z9 and Z10) the Clohesy River Area is protected for future long term urban development as identified by the FNQ Regional Plan;
 - (o) where uses and works are located, designed and managed to avoid significant effect on the environment;
 - (p) where, in Preferred Area No 2 (as shown on Map Z10) the Mona Mona Reserve is planned for its continued development in accordance with an approved Plan of Development and Land Management and the Supplementary Table of zones;

- (q) makes effective use of the land and of the services provided to enable the functioning of the zone.

4.78 BUILDING SITING, SCALE AND AMENITY

Specific Outcomes	Acceptable Solutions (self assessable) or Probable Solutions (code assessable)	Complies	Comments
For Self Assessable and Code Assessable Development			
S1 New development is consistent in scale with existing buildings and structures in the vicinity and does not detrimentally impact on road transport infrastructure and adjoining uses.	<p>PS1.1 Any building or structure does not exceed 12 metres and three storeys in height; and</p> <p>PS1.2 Any building or structure is located at least:</p> <p>(i) 50 metres from the centre line of the existing Kennedy Highway, Peninsula Developmental Road, Mareeba-Dimbulah Road or other State controlled road (Main Road Marked Route) as identified on Maps R1 and R2, and</p> <p>(ii) 6 metres from any other road; and</p> <p>(iii) 10 metres from any common boundary of allotments; and</p> <p>PS1.3 Buildings and other structures are located at least 25 metres from any Railway corridor land.</p>	✓	Complies. No new buildings or structures are proposed as part of the development.
S2 Agricultural activities are protected from incompatible land uses.	<p>PS2.1 Where a site in the Rural zone is not already used for agriculture or agriculture – intensive and it adjoins any other zone, a separation distance of 300 metres is to be maintained between any new agricultural or agriculture - intensive use and the boundary of the adjoining zone/s.</p> <p>PS2.2 Non agriculture or agriculture – intensive uses which adjoin any agriculture or agriculture – intensive uses are protected from spray drifts by the maintenance of a separation distance of 300 metres between the agriculture or agriculture – intensive uses and the non agriculture or agriculture – intensive uses.</p>	✓	Complies. The subject land is separated by approximately 500 metres from the established meat poultry farm.
S3 Functional, safe and convenient vehicular access and movement to the site for the particular activity.	PS3 Access to the site is provided in accordance with Planning Scheme Policy 4 - Development Manual Section D1.30.	✓	The development will be conditioned to comply.
S4 Clearing of vegetation does not destabilise soil resources, result in a reduction in water quality or fragmentation of wildlife corridors (wildlife corridors are identified as Category B of Planning Scheme Maps V1 and V2).	<p>For Lots with areas of two (2) hectares or above:</p> <p>PS4.1 Vegetation is retained within fifty (50) metres from the high bank of waterways and wetlands as indicated on any Planning Scheme Map; and</p> <p>For Lots below two (2) hectares in area:</p> <p>PS4.2 Vegetation is retained within ten (10) metres from the high bank of waterways and wetlands as indicated on any Planning Scheme Map; and</p> <p>For all Lots:</p> <p>PS4.3 Vegetation is retained on land with a slope of 15% or greater.</p>	✓	Complies. No clearing will be undertaken to facilitate the development.
For Code Assessable Development			
S5 Buildings are protected from adverse flooding and	PS5.1 Buildings are designed and located as not to be within an subject to flooding, unless:	✓	Complies. No new buildings or structures

Specific Outcomes	Acceptable Solutions (self assessable) or Probable Solutions (code assessable)	Complies	Comments
does not interfere with the passage or storage of stormwater.	(ii) the floor level of all habitable rooms is at least 300mm clear of the Q100 flood level; and the building is elevated and the area below the building is not enclosed or otherwise does not impede the passage of stormwater.		are proposed as part of the development.
For the Southedge Potential Tourist Area as identified on the Strategic Framework Maps SP1 & SP2 S6 Utility services are provided which are: (i) Cost effective over their life cycle; and (ii) Minimise potential adverse environmental impacts in the short and long term; and (iii) Do not pose a risk to human health or the amenity of the locality; and (iv) Provided equitably.	PS6 Development occurs in accordance with an approved plan which adequately addresses social, economic, environmental and regional considerations.	n/a	Not applicable. The subject site is not situated within the Southedge Potential Tourist Area.
For Mona Mona Reserve as identified on Map Z10 as Preferred Area No 2 S7 Utility services are provided which are: (i) Cost effective over their life cycle; and (ii) Minimise potential adverse environmental impacts in the short and long term; and (iii) Do not pose a risk to human health or the amenity of the locality; and (iv) Provided equitably.	PS7 Development is carried out in accordance with a Plan of Development and Land Management and the Supplementary Table of zones, (as amended on 13 June 2001), approved by Council on 19 June 2001.	n/a	Not applicable. The subject site is not situated within the Mona Mona Reserve.
For Clohesy River Area identified on Maps Z8, Z9 and Z10 as Preferred Area No 3 S8 Land situated within Preferred Area No 3 (as shown on Maps Z8, Z9 and Z10) is protected for future long term urban development as identified by the FNQ Regional Plan.	PS8 New development within Preferred No 3 does not compromise its potential for future long term urban development.	n/a	Not applicable. The subject site is not situated within the Clohesy River Area.
S9 Tourism uses in or within 50 metres of a significant landscape feature are located on a site: (i) without impacting on the attributes or values which give rise to the attractiveness of the site; and (ii) with proximity to infrastructure and services adequate to meet the-day to-day	PS9 No probable solution prescribed.	n/a	Not applicable.

Specific Outcomes	Acceptable Solutions (self assessable) or Probable Solutions (code assessable)	Complies	Comments
(iii) needs of the tourist population likely to be generated by development on the site; and that contains land suitable in its physical characteristics to accommodate the form, scale and intensity of development; and (iv) without impact upon the visual and landscape setting of the Shire.			
S10 Uses not dependant upon good quality agricultural land are not located on Good Quality Agricultural Land identified on Agricultural Land Quality Maps S2 to S5, unless there is an overriding need and no alternative sites.	PS10 No probable solution prescribed.	✓	The subject land is not mapped as GQAL.

4.79 GRAVEL PITS, RESOURCE RESERVES AND MINING LEASES

Specific Outcomes	Acceptable Solutions (self assessable) or Probable Solutions (code assessable)	Complies	Comments
For Self Assessable and Code Assessable Development			
S1 The continuing or new use of gravel pits, resource reserves, mining lease areas and other areas of mineral interests identified on Maps M1 to M5 is not significantly constrained by the siting of incompatible uses or works.	PS1.1 New dwelling houses and tourist facilities (not located on the same site as the mining interest) are not constructed within 500 metres of Mining Interests identified on Maps M1 to M5; and PS1.2 New dwelling houses and tourist facilities (not located on the same site as the mining interest) are not constructed within 1 km from Mining Interests (as identified on Maps M1 to M5) involving blasting and crushing of material.	✓	Complies. The proposed development is not located within 1 kilometre of a mining interest.
For Code Assessable Development			
S2 Development of new extractive industries ensures neighbouring activities are not impacted upon.	PS2 No probable solution prescribed.	n/a	Not applicable. The application does not propose the establishment of an extractive industry.

4.80 RECONFIGURING A LOT

Specific Outcomes	Acceptable Solutions (self assessable) or Probable Solutions (code assessable)	Complies	Comments
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Specific Outcomes	Acceptable Solutions (self assessable) or Probable Solutions (code assessable)	Complies	Comments
For Code Assessable Development			
S1 The viability of the farming industry throughout the Shire and including Good Quality Agricultural Land, and future opportunities for farming pursuits are not compromised	PS1.1 Allotments to have a minimum area of 60 hectares and road frontage of 300 metres within the area identified on Agricultural Land Quality Maps S2, S3, S4 and S5; or PS1.2 Allotments to have a minimum area of 30 hectares and road frontage of 150 metres if outside the area identified on Agricultural Land Quality Maps S2, S3, S4 and S5.	n/a	Not applicable. The application does not include a reconfiguring a lot aspect.
S2 Design and construction caters for the intended use of the road.	PS2 Design and construction of roads and accesses are in accordance with the Planning Scheme Policy 4 - Development Manual and the provisions of the Part 6 Division 5 - Car parking code.	n/a	Not applicable. The application does not include a reconfiguring a lot aspect.
S3 Augmentation of the road network servicing the development is provided.	PS3 A cash contribution is paid in accordance with the Planning Scheme Policy 6 - Augmentation of the Road Network ¹	n/a	Not applicable. The application does not include a reconfiguring a lot aspect.
S4 Sewage disposal facilities are provided for each allotment which are: (i) Cost effective over their life cycle; and (ii) Minimise potential adverse environmental impacts in the short and long term; and (iii) Do not pose a risk to human health or the amenity of the locality; and (iv) are provided equitably.	PS4 On site sewage disposal facilities are provided in accordance with the Plumbing and Drainage Act 2002.	n/a	Not applicable. The application does not include a reconfiguring a lot aspect.

4.81 INCONSISTENT USE

Specific Outcomes
Inconsistent uses are contrary to the zone outcomes sought for the Rural zone comprise all uses mentioned in Column 1 of the Table of Development as Inconsistent uses.

4.82 CONSISTENT USES

Specific Outcomes
Consistent uses are consistent with the zone outcomes sought for the Rural zone and comprise all uses NOT listed as inconsistent in Column 1 of the Table of Development.

¹ Refer Part 8 Planning Scheme Policy 6- Augmentation of the Road Network-

Division 8— Assessment Criteria for Natural Disaster-Bushfire Overlay

5.21 NATURAL DISASTER-BUSHFIRE OVERLAY CODE

The provisions in this division comprise the Natural Disaster-Bushfire Overlay code. They are-

- Compliance with Natural Disaster-Bushfire Overlay Code (section 5.22);
- Overall outcomes for Natural Disaster-Bushfire Overlay code(section 5.23);
- Specific outcomes, probable solutions and acceptable solutions for Natural Disaster-Bushfire Overlay code (section 5.24).

5.22 COMPLIANCE WITH THE NATURAL DISASTER-BUSHFIRE OVERLAY CODE

Development that is consistent with the specific outcomes in section 5.24 complies with the Natural Disaster-Bushfire Overlay code.

5.23 OVERALL OUTCOMES FOR THE NATURAL DISASTER-BUSHFIRE OVERLAY CODE

- (1) The overall outcomes are the purpose of the code.
- (2) The overall outcomes sought for the Natural Disaster-Bushfire Overlay code are that:
 1. The number of people and properties subject to bushfire hazards are minimised by regulating building location and design;
 2. Evacuation is facilitated in the event of any bushfire threat.
 3. The risk to life and property is minimised in areas of High and Medium Hazard Severity, with appropriate siting and design of lots and buildings, or the exclusion of inappropriate uses;
 4. Only certain types of development are regulated by the Natural Disaster-Bushfire Overlay, as follows:
 - (i) Development that increases in the number of people living, working, or congregating in those areas eg. Residential development, Shopping centres, Tourist facilities, Industrial or commercial uses involving large numbers of workers or customers; and
 - (ii) Development that involves institutional uses where evacuating people may be particularly difficult, eg, hospitals, education establishments, child care centres, retirement villages, and high security correctional centres; and
 - (iii) Development that increases the amount of hazardous materials that are manufactured or stored in bulk.

5.24 SPECIFIC OUTCOMES, PROBABLE SOLUTIONS AND ACCEPTABLE SOLUTIONS FOR NATURAL DISASTER-BUSHFIRE OVERLAY CODE

The specific outcomes sought for the Natural Disaster-Bushfire Overlay code are included in column 1 of table 34 and acceptable/probable solutions in column 2 of table 34.

TABLE 34

Specific Outcomes	Acceptable Solutions (self assessable) or Probable Solutions (code assessable)	Complies	Comments
S1 Development maintains the safety of people and property by mitigating the risk through: lot design and the siting of buildings;	For Self Assessment: PS1.1 Buildings and structures: (a) on lots greater than 2,500m ² : are sited in locations of lowest hazard within the lot; and achieve setbacks from hazardous vegetation ² of at least 15 metres; and	✓	The bushfire hazard mapping of the State Planning Policy and the Mareeba Shire Council Planning Scheme 2016 excludes the majority of the subject land from a bushfire hazard area.

² Hazardous vegetation comprises vegetation communities with a hazard score of 6 or more in Table A3.1 of Appendix 3 of SPP Guideline 1/03.

Specific Outcomes	Acceptable Solutions (self assessable) or Probable Solutions (code assessable)	Complies	Comments
<p>and including firebreaks that provide adequate:</p> <ul style="list-style-type: none"> - setbacks between buildings/structures and hazardous vegetation, and - access for firefighting/other emergency vehicles; providing adequate road access for firefighting/other emergency vehicles and safe evacuation; and providing an adequate and accessible water supply for fire-fighting purposes. 	<p>(b) on lots less than or equal to 2,500m²: are sited in locations of lowest hazard within the lot; and achieve setbacks from hazardous vegetation³ of at least 5 metres. For Code Assessment:</p> <p>PS1.2 Buildings and structures:</p> <p>(a) on lots greater than 2,500m²: are sited in locations of lowest hazard within the lot; and achieve setbacks from hazardous vegetation⁴ of 1.5 times the predominant mature canopy tree height or 10 metres, whichever is the greater; and are located a minimum of 10 metres from any retained vegetation strips or small areas of vegetation; and are sited so that elements of the development least susceptible to fire are sited closest to the bushfire hazard.</p> <p>(b) on lots less than or equal to 2,500m², maximise setbacks from hazardous vegetation. For Self Assessment and Code Assessment:</p> <p>PS1.3 For uses involving new or existing buildings with a gross floor area greater than 50m², each lot has: a reliable reticulated water supply that has sufficient flow and pressure characteristics for fire fighting purposes at all times (minimum pressure and flow is 10 litres a second at 200 kPa); OR an on-site water storage of not less than 5,000 litres (eg accessible dam or tank with fire brigade tank fittings, swimming pool). For Code Assessment only:</p> <p>PS1.4 Lots are designed so that their size and shape allow for:</p> <p>(a) efficient emergency access to buildings for fire-fighting appliances (eg by avoiding long narrow lots with long access drives to buildings); AND</p> <p>(b) setbacks and building siting in accordance with PS1.2 above. For Code Assessment only:</p> <p>PS1.5 Firebreaks are provided by:</p> <p>(a) a perimeter road that separates lots from areas of bushfire hazard and that road has: a minimum cleared width of 20 metres; and a constructed road width and weather standard complying with local government standards.</p>		<p>The proposed development would be partly within the Potential Impact Buffer area.</p> <p>The development can be conditioned to comply.</p>

³ Hazardous vegetation comprises vegetation communities with a hazard score of 6 or more in Table A3.1 of Appendix 3 of SPP Guideline 1/03.

⁴ Hazardous vegetation comprises vegetation communities with a hazard score of 6 or more in Table A3.1 of Appendix 3 of SPP Guideline 1/03.

Specific Outcomes	Acceptable Solutions (self assessable) or Probable Solutions (code assessable)	Complies	Comments
	<p>OR</p> <p>(b) where it is not practicable to comply with PS1.5 (a), fire maintenance trails are located as close as possible to the boundaries of the lots and the adjoining bushland hazard, and the fire/maintenance trails: have a minimum cleared width of 6 metres; AND have a formed width and gradient, and erosion control devices to local government standards; AND have vehicular access at each end; and • provide passing bays and turning areas for fire-fighting appliances; AND are either located on public land, or within an access easement that is granted in favour of the local government and Queensland Fire & Rescue Service. AND</p> <p>(c) sufficient cleared breaks of 6 metres minimum width in retained bushland within the development (eg creek corridors and other retained vegetation) to allow burning of sections and access for bushfire response. For Code Assessment only: PS1.6 Roads are designed and constructed in accordance with applicable local government and State government standards and: a) have a maximum gradient of 12.5%;and b) exclude cul-de-sacs, except where a perimeter road isolates the development from hazardous vegetation or the cul-de-sacs are provided with an alternative access linking the cul-de-sacs to other through roads. For Code Assessment only: PS1.7 Development complies with a Bushfire Management Plan⁵ for the premises.</p>		
For Code Assessment only: S2 Public safety and the environment are not adversely affected by the detrimental impacts of bushfire on hazardous materials manufactured or stored in bulk.	For Code Assessment only: PS2 Development complies with a Bushfire Management Plan ⁶ for the premises.	n/a	Not applicable. The development does not involve the manufacture or storage of bulk hazardous materials.

⁵ Refer to Appendix 8 of State Planning Policy 1/03 (Mitigating the Adverse Impacts of Flood, Bushfire and Landslide) Guideline

⁶ Refer to Appendix 8 of State Planning Policy 1/03 (Mitigating the Adverse Impacts of Flood, Bushfire and Landslide) Guideline

Division 5 — Car Parking Code

6.1 Car Parking code

The provisions in this division comprise the Car Parking code. They are-

- compliance with Car Parking code (section 6.2);
- purpose of Car Parking code (section 6.3);
- specific outcomes, probable solutions and acceptable solutions for the Carparking code (section 6.4).

6.2 Compliance with Car Parking code

Development that achieves the specific outcomes in section 6.4., complies with the Car Parking code.

6.3 Overall outcomes for Car Parking code

- (1) The overall outcomes are the purpose of the code.
- (2) The overall outcomes sought for the Car Parking code are the following:
 - (a) Uses have sufficient on site car parking and bicycle spaces designated in a manner to meet the requirements of the intended user;
 - (b) The number of car parking spaces provided does not impact on the functioning of the surrounding road network;
 - (c) Vehicles and bicycles can access and move within the site in a safe and efficient manner.

6.4 Specific outcomes, probable solutions and acceptable solutions for Car Parking code

The specific outcomes sought for the Car Parking code are included in column 1 of Table 4 and the probable solutions and acceptable solutions in column 2 of Table 4.

TABLE 4

Specific Outcome	Acceptable Solutions (self assessable) or Probable Solutions (code assessable)	Complies	Comments
For Self Assessable Development			
S1 Sufficient car parking spaces are provided to accommodate the demand likely to be generated by the use ⁷ .	AS1 The number of car parking spaces provided for the use is in accordance with the Car Parking Schedule.	n/a	Not applicable - The proposed development is impact assessable.
S2 Car parking spaces are to be of adequate size for their intended purpose.	AS2 A car parking space provided pursuant to AS1 shall have a minimum area of fifteen (15) square metres and a minimum width of two point seven five (2.75) metres.	n/a	Not applicable - The proposed development is impact assessable.
S3 Adequate shade is provided for car parking areas.	AS3 Trees (see Schedule A of Planning Scheme Policy 9 – Landscaping for species) are planted throughout the car park area and around its perimeter at the rate of one (1) tree per ten (10) car parking spaces or part thereof.	n/a	Not applicable - The proposed development is impact assessable.
S4 The carparking area	AS4 The carparking area is compacted,	n/a	Not applicable - The proposed

⁷ For impact assessable development Council may require the provision of a greater or lesser number of car parking spaces than that specified in the Schedule, having regard to the particular use.

Specific Outcome	Acceptable Solutions (self assessable) or Probable Solutions (code assessable)	Complies	Comments
is adequately constructed and maintained.	sealed, drained, marked and maintained and continue as such until such time as the development ceases. Car parking sealing may include bitumen, asphalt, concrete or paving blocks, however in the Rural and Rural Residential zones may also include compacted gravel.		development is impact assessable.
S5 The development provide for loading, unloading and garbage areas.	AS5.1 All unloading, loading and garbage areas are provided on the site; and AS5.2 The design of unloading, loading and garbage areas shall enable all service vehicles to enter and leave the site in a forward direction.	n/a	Not applicable - The proposed development is impact assessable.
For Code Assessable Development			
Car Parking Design			
S6 Car parking spaces are of adequate dimensions and standard to meet user requirements.	AS6 Car parking spaces meet the design requirements of Australian Standards AS2890.1–1986 and AS2890.2–1989 (as amended) provided that the minimum car parking space width is no less than 2.6 metres.	✓ Satisfies specific outcome S6	Acceptable Solution AS6 is not considered particularly relevant to motor home parks. The application proposes to utilise a cleared grassed area within the subject land to accommodate the informal parking of motor homes. Sufficient area exists with the grassed area to meet the car parking needs of the proposed use.
S7 Car parking spaces are used for their intended purpose.	AS7.1 Car parking spaces are kept and used exclusively for parking and maintained in a useable condition for parking; and AS7.2 Visitor car parking spaces are accessible and available for parking at all times; and AS7.3 Disabled car parking spaces are signed posted.	✓	The motor home park grassed area will be kept available exclusively for use by motor homes. A motor home park is intended for short term stays by self contained motor homes only. It is considered very unlikely that there will be regular non-guest visitors to the motor home park. In the unlikely event that there are visitors, sufficient area exists with the subject land to provide for informal visitor parking.
S8 Adequate shade is provided for car parking areas in excess of 1,000m ² .	AS8.1 Trees that will grow to provide shade are planted throughout the car park area and around its perimeter at the rate of one (1) tree per ten (10) car parking spaces or part thereof; or AS8.2 Shade structures are provided over 40% of the car parking spaces.	✓	Not applicable. A conventional car parking area will not be developed as part of the proposed development.
Car Parking Numbers			
S9 Sufficient car parking spaces are provided to accommodate the demand likely to be generated by the use ⁸ .	AS9.1 The number of car parking spaces provided for the use is in accordance with the Car Parking Schedule.	✓ Satisfies Specific Outcome S9	The Planning Scheme includes the following car parking rate for motor home park: <i>"eleven (11) spaces per 10 sites plus one (1) space per 10 sites as visitor spaces"</i>

⁸ For impact assessable development Council may require the provision of a greater or lesser number of car parking spaces than that specified in the Schedule, having regard to the particular use.

Specific Outcome	Acceptable Solutions (self assessable) or Probable Solutions (code assessable)	Complies	Comments
			<p>This is the same rate as a caravan park. Council officers consider the use of the caravan park car parking rate inappropriate for motor home parks. Caravan parks may include long term and permanent residents and it is appropriate to require visitor parking spaces.</p> <p>Motor home parks are restricted to short term stays only and it would be rare for a non-guest to visit the site.</p> <p>In this case, the development is not permitted to exceed the designated area and there is sufficient area in and around the designated motor home park area to accommodate visitor parking.</p>
S10 The development provide for loading, unloading and garbage areas.	<p>AS10.1 All unloading, loading and garbage areas are designed such that all operations are carried out on site; and</p> <p>AS10.2 The design of unloading, loading and garbage areas shall enable all service vehicles to enter and leave the site in a forward direction.</p>	✓	Can be conditioned to comply.
S11 The development provide for parking spaces in the vicinity of the development provided to accommodate the demand likely to be generated by the use ⁹ .	AS11 Where car parking spaces cannot be provided for on the site in accordance with S4, a cash contribution is paid as laid out in the Planning Scheme Policy 7 - Carparking Cash Contribution.	n/a	All car parking for the proposed development can be accommodated on site.
Bicycle Parking			
S12 Bicycle parking spaces are of adequate dimensions, standards and sufficient numbers to meet user requirements	<p>AS12.1 Bicycle parking spaces meet the design requirements of Australian Standards AS 2890.3-2000 (as amended) and</p> <p>AS12.2 Bicycle parking spaces being provided for the uses is in accordance with the bicycle parking schedule.</p>	n/a	Not applicable - The proposed development is for motor home park. No bicycle parking is required.
Movement and Access			
S13 Access is safe, functional, convenient and located in accordance with the Road Hierarchy Map R3.	<p>AS13.1 Lots with two or more street frontages have their access on the lower class of street in accordance with Road Hierarchy Map R3; and</p> <p>AS13.2 Accesses are to have a minimum sight distance in accordance with Austroads Guide to Traffic Engineering Practice Part 5 Intersections at Grade; and</p> <p>AS13.3 All on site traffic movements are to be designed for all vehicles to enter and leave the site in a forward gear;</p>	✓	Can be conditioned to comply.

⁹ For assessable development Council may require the provision of a greater or lesser number of car parking spaces than that specified in the Schedule, having regard to the particular use.

Specific Outcome	Acceptable Solutions (self assessable) or Probable Solutions (code assessable)	Complies	Comments
	AS13.4 and All accesses on Council roads are to be designed and constructed in accordance with the Planning Scheme Policy - 4 Development Manual.10		

Carparking Schedule	
Use Category	Minimum Number of Car Parking Spaces
Abattoir	One (1) space per 90m ² GFA, plus one (1) space for delivery vehicles per 800m ² GFA
Accommodation Units	One (1) space per unit or one (1) space per three (3) beds, whichever is greater
Agribusiness	One (1) space per 90m ² GFA, plus one (1) space for delivery vehicles per 800m ² GFA
Aircraft Facility	One (1) space per 90m ² GFA, plus one (1) space for delivery vehicles per 800m ² GFA
Bulk Store	One (1) space per 90m ² GFA, plus one (1) space for delivery vehicles per 800m ² GFA
Business	One (1) space per 25m ² of GFA up to 400m ² GFA, plus one (1) space per 15m ² above 400m ² GFA
Caravan Park	Eleven (11) spaces per 10 sites plus one (1) space per 10 sites as visitor spaces
Child Care Centre	A minimum of three (3) spaces will be required to be used for setting down and picking up of children. , plus one (1) space per ten children for staff parking
Communication Facility	Nil
Community Facility	Five (5) spaces plus one (1) space per 25m ² GFA
Drive through Fast food outlet	Fifteen (15) spaces per 100m ² GFA or one (1) space per 3 seats, whichever is greater
Educational Establishment	A minimum of 15 spaces (primary & preschool) A minimum of 10 spaces and three (3) spaces per classroom (secondary)
Extractive Industry	Nil
Freight Depot	One (1) space per 90m ² GFA, plus one (1) space for delivery vehicles per 800m ² GFA
Hazardous Industry	One (1) space per 90m ² GFA, plus one (1) space for delivery vehicles per 800m ² GFA
Heliport	Two (2) spaces per helipad
Hospital	One (1) space per 4 beds plus 20 for staff members plus one ambulance bay
Host Farm	One (1) space per guest room in addition to that required for the dwelling house
Hotel	1 space per 10m ² of bar, lounge beer garden and other public area plus 1 space per 50m ² of GFA of bulk liquor sales area, and one space per guest room
Indoor recreation facility	Six (6) spaces per court
squash	Twenty (20) spaces per pitch or court
indoor cricket or other court game	Fifteen (15) spaces plus one (1) space per 100m ² GFA
swimming	One (1) space per 10m ² GFA
gymnasium	One (1) space per 10m ² GFA
otherwise	
Industry	One (1) space per 90m ² GFA, plus one (1) space for delivery vehicles per 800m ² GFA
Institution	Two (2) spaces per three (3) staff members plus a minimum of 10 spaces for visitors
Light Industry	One (1) space per 90m ² GFA, plus one (1) space for delivery vehicles per 800m ² GFA
Liquid Fuel Depot	One (1) space per 90m ² GFA, plus one (1) space for delivery vehicles per 800m ² GFA

¹⁰ Department of Main Roads must approve access to a State controlled road in writing before any work commences on site.

Carparking Schedule	
Use Category	Minimum Number of Car Parking Spaces
Material Recycling Facility	One (1) space per 90m ² GFA, plus one (1) space for delivery vehicles per 800m ² GFA
Motel	One (1) space per unit
Motor Home Park	Eleven (11) spaces per 10 sites plus one (1) space per 10 sites as visitor spaces
Motor Showroom -Light	One (1) space per 50m ² GFA
Motor Showroom-Heavy	One (1) space per 50m ² GFA
Noxious Or Offensive Industry	One (1) space per 90m ² GFA, plus one (1) space for delivery vehicles per 800m ² GFA
Outdoor Sport And Entertainment Facility	One (1) space per 5 persons to be seated plus one (1) space per 5m ² of spectator area.
Coursing house racing, pacing or trotting, motor sport	Fifty (50) spaces per field Thirty (30) spaces per green
Football	Fifteen (15) spaces plus one (1) space per 100m ² of site area
Lawn Bowls	Six (6) spaces per court
Swimming	Twenty (20) spaces per court
Tennis	No prescribed solution
Court games	
Otherwise	
Passenger Transport Terminal	One (1) space per 30m ² of GFA
Place Of Worship	One (1) space per ten (10) seats or one (1) space per 15m ² of GFA, whichever is greatest.
Plant Hire Facility	One (1) space per 30m ² of GFA
Plant Nursery	One (1) space per 30m ² of GFA
Recreation Facility	As per requirement for Outdoor Sport And Entertainment Facility or Indoor recreation facility
Registered Club	One (1) space per 15m ² GFA
Residential Units	One (1) covered space per unit and one(1) additional space per two units
Restaurant	Fifteen (15) spaces per 100m ² GFA or one (1) space per 3 seats, whichever is greater
Retirement Village	One (1) space per 6 nursing home beds; or One (1) space per 4 hostel unit bed; or One (1) space per self contained unit; Plus One (1) space for an ambulance bay Plus visitor parking at the rate of 50% of resident parking requirements
Roadside Stall	One (1) space per 25m ² GFA
Road Transport Terminal	One (1) space per 50m ² GFA
Rural Industry	One (1) space per 90m ² GFA, plus one (1) space for delivery vehicles per 800m ² GFA
Sawmill	One (1) space per 90m ² GFA, plus one (1) space for delivery vehicles per 800m ² GFA
Secondary dwelling	One (1) space per dwelling house plus one space for the secondary dwelling
Shop	One (1) space per 25m ² of GFA up to 400m ² GFA, plus one (1) space per 15m ² above 400m ² GFA
Service Station	Six (6) spaces plus one (1) space per 25m ² GFA for any shop component
Stock Selling Centre	One (1) space per 25m ² of GFA up to 400m ² GFA, plus one (1) space per 15m ² above 400m ² GFA
Tourist facility	One (1) space per 25m ² of GFA up to 400m ² GFA, plus one (1) space per 15m ² above 400m ² GFA, unless otherwise defined in the code
Transport Depot	One (1) space per 50m ² GFA
Utility Installation	Nil
Vehicle Repair Station	One (1) per 50m ² GFA

Carparking Schedule	
Use Category	Minimum Number of Car Parking Spaces
Veterinary Clinic	One (1) space per 25m ² of GFA
Warehouse	One (1) space per 90m ² GFA, plus one (1) space for delivery vehicles per 800m ² GFA
Waste Management Facility	One (1) space per 90m ² GFA, plus one (1) space for delivery vehicles per 800m ² GFA
Workers Cottage	One (1) space per dwelling house plus one space per guest room

Bicycle Parking Schedule	
Community centre	4 per 1500 m2 of gross floor area
Health centre	2 per 400m2 of gross floor area
Indoor recreation facility	1 per 4 employee plus 1 per 200m2 of gross floor area
Sports ground	10 per 1500 spectator places
Restaurant	1 per 100m2 of gross floor area
School	1 per 5 pupils over year 4
Shop	1 per 300 m2
University/ Institute of Tech	1 per 100 full time students

Division 14 – Tourist Facility Code

6.1 Tourist Facility code

The provisions in this division comprise the Tourist Facility code. They are-

- compliance with Tourist Facility code (section 6.2);
- purpose of Tourist Facility code (section 6.3);
- specific outcomes and probable solutions for the Tourist Facility code (section 6.4)

6.2 Compliance with Tourist Facility code

Development that achieves the specific outcomes in section 6.4, complies with the Tourist Facility code.

6.3 Overall outcomes for Tourist Facility code

- (1) The overall outcomes are the purpose of the code.
- (2) The overall outcome sought for the Tourist Facility code is the following:
 - (a) Tourist developments are provided having regard to the safety, comfort and amenity of the user and other people in the locality.

6.4 Specific outcomes and probable solutions for Tourist Facility code

The specific outcomes sought for the Tourist Facility code are included in column 1 of Table 9 and probable solutions in column 2 of Table 9.

TABLE 9

Specific Outcomes	Probable Solutions (code assessable)	Complies	Comments
S1 Lot size and local amenity The site for the tourist development is of sufficient area to provide for adequate on site and local area amenity, with respect to boundary setbacks, open space, car parking and landscaping around the facilities.	For caravan parks or camping grounds PS1.1 (i) minimum lot size is 4,000m ² ; and (ii) minimum three (3) metre wide landscaped buffers are provided along all boundaries of the site, except for ingress and egress points. For other tourist developments PS1.2 (i) buildings and roofed structures do not cover more than 20% of the site; and (ii) all buildings have the following minimum setbacks: ten (10) metres from road boundaries; six (6) metres from any other boundary.	✓	PS1.1 - Not applicable. The application does not propose the establishment of a caravan park or camping ground. PS1.2 - No new buildings are proposed as part of the motor home park.
S2 Tourist development must not adversely affect or restrict agricultural activities on land identified on Agricultural Land Quality Maps S2, S3, S4 & S5.	PS2 Where tourist development is located adjacent to GQAL, buffering consistent with the Planning Guidelines: Separating Agricultural and Residential Land Uses (DNR/DCILGP, 1997) is provided.	n/a	The subject land is not GQAL.
S3 On site amenity Adequate amenity, particularly privacy, is available for individual caravan or camping sites or tourist cabins/units.	PS3.1 There is not more than one (1) caravan site or camping site or tourist cabin/unit for each 120m ² of the site; and PS3.2 10% of the site, exclusive of landscaped buffers, is provided for open space.	✓	The proximity to the Barron River will provide guests with significant on site amenity.
S4 Health, safety and convenience of users The health, safety and	For caravan parks or camping grounds PS4.1 Internal roads have the following widths:	✓	PS4.1 to PS4.5 apply specifically to caravan parks, camping grounds and tourist cabins/units. They are not

Specific Outcomes	Probable Solutions (code assessable)	Complies	Comments
<p>convenience of people using the tourist development are maintained with respect to:</p> <p>(i) pedestrian and vehicle access within, and to and from, the site; and</p> <p>(ii) access for emergency services vehicles; and</p> <p>(iii) availability of on-site car and bicycle parking; and</p> <p>(iv) significant environmental effects of nearby uses.</p>	<p>(i) two way road - six (6) metres;</p> <p>(ii) one way road or cul de sac - 4 metres. For caravan parks or camping grounds or tourist cabins/units</p> <p>PS4.2 Vehicle entries to and exits from the site meet the following:</p> <p>(i) for combined entry and exit - 7 metre minimum width;</p> <p>(ii) for one way entry - 7 metre minimum width;</p> <p>(iii) for one way exit - 5 metre minimum width;</p> <p>(iv) vehicle holding area, provided either as a separate bay or as part of a one way entrance road - minimum dimensions of 4 metres by 20 metres;</p> <p>(v) for premises which are on or within 100 metres of a State controlled road, only one (1) access is permitted.</p> <p>PS4.3 No caravan site, camping site or tourist cabin/unit has direct vehicular access to a public road; and</p> <p>PS4.4 Emergency services vehicles have unrestricted access to every site and building; and</p> <p>PS4.5 One (1) hard standing car parking space is provided for each tourist cabin/unit.</p> <p>PS4.6 If for motor homes, toilet facilities are not required to be provided.</p>		<p>applicable to motor home parks.</p> <p>PS4.6 - Toilet facilities are not proposed. Only self-contained motor home will be permitted to stay at the motor home park. Motor homes are required to leave the site and travel to the closest wastewater dump site in Mareeba.</p>

DIVISION 15– Landscaping Code

6.1 Landscaping code

The provisions in this division comprise the Landscaping code. They are-

- compliance with the Landscaping code (section 6.2);
- purpose of the Landscaping code (section 6.3);
- specific outcomes, probable solutions and acceptable solutions for the Landscaping code (section 6.4).

6.2 Compliance with the Landscaping code

Development that achieves the specific outcomes in section 6.4, complies with the Landscaping code.

6.3 Overall outcomes for the Landscaping code

- (1) The overall outcomes are the purpose of the code.
- (2) The overall outcomes sought for the Landscaping code are to ensure that:
 - (a) Landscaping enhances the appearance of developments and contributes to an attractive streetscape;
 - (b) Landscaping buffers provide effective screening;
 - (c) Landscaping provides shade where required;
 - (d) Landscaping accommodates the retention of existing significant on-site vegetation;
 - (e) Landscaping within land to be dedicated to Council or the State shall be a low maintenance variety and does not create a safety risk (thorns, large nuts, poisonous fruits or berries);
 - (f) Landscaping is designed to prevent the risk of persons being killed or injured by electricity, and to prevent the risk of property being destroyed or damaged by electricity;
 - (g) Community safety and security are addressed.

6.4 Specific outcomes, probable solutions and acceptable solutions for the Landscaping code

The specific outcomes sought for the Landscaping code are included in column 1 of Table 10 and probable solutions and acceptable solutions in column 2 of Table 10

TABLE 10

Specific Outcomes	Acceptable Solutions (self assessable) or Probable Solutions (code assessable)	Complies	Comments
For Self Assessable and Code Assessable Development			
Landscaping Strips only			
S1 Landscaping strips (such as along road boundaries and around car parking areas) enhance the appearance of the site from the street and is complimentary to the building/s in terms of height of plants.	AS1 The landscaping strips incorporate: (i) shrubs planted (minimum 150 millimetre pots) at a maximum spacing of 750 millimetres; and (ii) palm trees planted (minimum 150 millimetre pots) at a maximum spacing of three (3) metres; OR (iii) trees planted (minimum 150 millimetre pots) at a maximum spacing of six (6) metres.	✓	No additional landscaping is intended. Significant vegetation remains along the Barron River and neighbouring residences are at least 200 metres from the proposed motor home area. The two closest dwelling houses are surrounded by established vegetation.

Specific Outcomes	Acceptable Solutions (self assessable) or Probable Solutions (code assessable)	Complies	Comments
Landscaping Buffers only			
S2 Landscaping buffers must: (i) maximise visual privacy of any adjoining residences; and (ii) minimise light spill and acoustic impacts; and (iii) screen visually obtrusive activities (such as service courts and storage areas); and (iv) soften the appearance of buildings.	AS2 The landscaping buffers incorporate shrubs or palms or trees that: (i) are planted at a maximum spacing of one (1) metre; and (ii) will grow to a height of at least two (2) metres; and (iii) will grow to form a screen of no less than two (2) metres in height.	✓	No additional landscaping is intended. Significant vegetation remains along the Barron River and neighbouring residences are at least 200 metres from the proposed motor home area. The two closest dwelling houses are surrounded by established vegetation.
Applicable to All Landscaping			
S3 Appropriate plant species are used in landscaping.	AS3 The plant species used in landscaping is to be in accordance with Planning Scheme Policy 9 - Landscaping.	n/a	Not applicable.
S4 Landscaping is designed and carried out to ensure ease of maintenance and to ensure success of the landscaping.	AS4.1 Landscaping incorporate automatic, reticulated irrigation systems to water all plants; and AS4.2 Planted areas incorporate a layer of organic mulch; and AS4.3 Landscaping areas adjacent to car parking areas or driveways are protected from motor vehicles by 100 millimetres concrete wheel stops or garden bed edges.	n/a	Not applicable.
For Code Assessable Development			
S5 Landscaping retains any vegetation of environmental or aesthetic significance where not affected by the works approved for the development.	AS5 Existing trees greater than five (5) metres in height are retained where located: (i) greater than five (5) metres from the building footprint; and (ii) clear of driveway, car parking areas, storage or services areas	n/a	Not applicable.
S6 Where landscaping is to be completed as part of a development or within an area proposed to be under the ownership of Council or the State, including road reserve, enhance the visual amenity of the street, appearance of the site and do not create safety risk to pedestrian or bicyclists,	AS6.1 Landscaping is designed to be low maintenance and the plant varieties chosen do not contain thorns, large nuts, poisonous fruits or berries. (Refer Planning Scheme Policy 9 - Landscaping for guidance) AS6.2 Landscaping in areas adjacent to businesses that require passing trade shall have filtered landscaping, i.e. when mature, the landscaping provides a full screen to approximately one (1) metre in height, and then trees spaced above, seven (7) metres apart, so that the business can be seen from the street but the development is partly screened. AS6.3 Landscaping in areas not adjacent to businesses that require passing trade shall have full screening of landscaping, i.e. when mature, the landscaping provides a visual block between the street and the development to a height of approximately four (4) metres.	n/a	Not applicable.

Specific Outcomes	Acceptable Solutions (self assessable) or Probable Solutions (code assessable)	Complies	Comments
<p>S7 Electricity lines are protected from encroachment of vegetation.</p>	<p>AS7.1 (i) On land within five (5) metres of the outmost projection on an electricity line, vegetation at maturity does not exceed four (4) metres in height; OR (ii) Vegetation is planted in a position that is further from the nearest edge of the electricity line than its expected maximum height at maturity; AS7.2 Vegetation adjoining an electricity substation boundary, at maturity will be less than four (4) metres in height and the foliage will not be within three (3) metres of the substation boundary. Where a substation has a solid wall along any boundary, foliage may extend to that solid wall.</p>	n/a	Not applicable.
<p>S8 Landscaping is designed to ensure community safety and security.</p>	<p>AS8 Landscape design incorporates the principles of Crime Prevention Through Environmental design (CPTED)</p>	n/a	Not applicable.