

PLANNING REPORT

SUBJECT: D CLELAND - MATERIAL CHANGE OF USE - MOTOR HOME PARK - LOT 1 ON RP708214 - 59 ROGERS ROAD, BIBOOHRA - MCU/17/0001

MEETING: Ordinary

MEETING DATE: 15 November 2017

REPORT OFFICER'S TITLE: Senior Planner

DEPARTMENT: Corporate and Community Services

APPLICATION DETAILS

APPLICATION		PREMISES	
APPLICANT	D Cleland	ADDRESS	59 Rogers Road, Biboohra
DATE LODGED	12 July 2017	RPD	Lot 1 on RP708214
TYPE OF APPROVAL	Development Permit		
PROPOSED DEVELOPMENT	Material Change of Use - Motor Home Park		

FILE NO	MCU/17/0001	AREA	8.339 hectares
LODGED BY	D Cleland	OWNER	D Cleland
PLANNING SCHEME	Superseded Mareeba Shire Planning Scheme 2004 (Amendment No. 01/11)		
ZONE	Rural zone		
LEVEL OF ASSESSMENT	Impact Assessment		
SUBMISSIONS	One (1)		

ATTACHMENTS:

1. Proposal Plan/s
2. Submitter letters

EXECUTIVE SUMMARY

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

The application is impact assessable and one (1) properly made submission was received in response to public notification of the application.

It has been assessed against the relevant statutory planning instruments, including the Regional Plan and the Planning Scheme 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	D Cleland	ADDRESS	59 Rogers Road, Bibbohra
DATE LODGED	12 July 2017	RPD	Lot 1 on RP708214
TYPE OF APPROVAL	Development Permit		
PROPOSED DEVELOPMENT	Material Change of Use - Motor Home Park		

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 - Motor Home Park

(B) **APPROVED PLANS:**

Plan/Document Number	Plan/Document Title	Prepared by	Dated
Appendix 4	Proposal Plan	-	-

(C) **ASSESSMENT MANAGER'S CONDITIONS (COUNCIL)**

(a) Development assessable against the Planning Scheme

1. Development must be carried out substantially 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 development approval would not have been issued if not for the conditions requiring the construction of infrastructure within the conditions of approval.

- 3.2 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.

- 3.3 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.

- 3.4 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.

3.5 Noise Nuisance

Refrigeration equipment, generators, pumps, compressors and mechanical ventilation systems must be located and/or designed, installed and maintained to achieve a maximum noise level of 3dB(A) above background levels as measured from noise sensitive locations.

Guests are not permitted to play amplified music of any kind.

3.6 Waste Management

The applicant shall ensure there is no on site disposal of refuse associated with the approved use unless such refuse is disposed of in refuse bins provided in accordance with the following:

- (i) No refuse is to be stored on site outside the refuse bins at any time.
- (ii) An on-site refuse storage area for all refuse bins must be provided and be screened from view from adjoining properties and road reserve by a 1 metre wide landscaped screening buffer, 1.8m high solid fence or building.

Lids or coverings must be installed on all refuse storage bins when not in use to prevent wildlife scavenging.

3.7 Bushfire Management

3.7.1 A Bushfire Management Plan, incorporating evacuation procedures, campfire guidelines and fire break/trail maintenance for the motor home park must be prepared to the satisfaction of Council's delegated officer. The approved use must comply with the requirements of the Management Plan at all times.

3.7.2 The applicant must ensure any open fires are appropriately managed and contained.

3.8 Flood Evacuation Plan

The applicant shall prepare a flood evacuation plan for the motor home park. A copy of the flood evacuation plan must be given to each guest upon arrival at the motor home park.

3.9 Signage

3.9.1 No more than one (1) advertising sign for the approved development is permitted on the subject site.

3.9.2 The sign must not exceed a maximum sign face area of 6m² and must not move, revolve, strobe or flash.

3.9.3 The sign must be kept clean, in good order and safe repair for the life of the approval.

3.9.4 The sign must be removed when no longer required.

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

3.10 The motor home park shall not accommodate more than 40 self-contained caravan/motorhomes at any one time.

3.11 The maximum length of stay for any caravan/motorhome must not exceed five (5) consecutive days.

3.12 The motor home park must only accommodate self-contained motor homes. Self-contained motor homes must have an on-board toilet and shower, on-board water supply and wastewater holding tanks.

4. Infrastructure Services and Standards

4.1 Access

An access crossover must be constructed/upgraded (from the edge of Rogers Road to the property boundary of the subject site) to the satisfaction of Council's delegated officer.

4.2 Rogers Road

4.2.1 The 20 metre section of Rogers Road between Chainage 270 and Chainage 290 must be constructed to rural road (bitumen sealed <100vpd) standard, for the purpose of minimising dust

impacts on the dwelling house on Lot 1 on RP711202, in accordance with FNQROC Development Manual standards (as amended) for the applicable planning scheme area and to the satisfaction of Council's delegated officer.

- 4.2.2 The reasonable value, as agreed by Council's delegated officer, of work required under Condition 4.2.1, will be credited towards the infrastructure contribution payable under Condition 5.2.

4.3 Stormwater Drainage/Water Quality

- 4.3.1 The applicant/developer must take all necessary steps to ensure a non-worsening effect on surrounding land as a consequence of the development.
- 4.3.2 Prior to the development commencing, the applicant must develop a Stormwater Quality Management Plan, including an Erosion and Sediment Control Plan. The plan must detail what measures will be implemented to prevent erosion in the event the surface of the motor home park area deteriorates due to wet weather and/or high traffic.
- 4.3.3 The applicant/developer must ensure that the Stormwater Quality Management Plan is complied with for the life of the development.

4.4 Car Parking/Internal Driveways

- 4.4.1 All car parking associated with the motor home park must be accommodated within the identified motor home park area.
- 4.4.2 The internal access road shown on the approved plan must be constructed (from the edge of the access crossover mentioned in Condition 4.1 to the approved motor home park area) to a four (4) metre wide all weather compacted gravel standard, prior to the commencement of the use.

The internal access road must be maintained at this standard for the life of the development.

4.5 Lighting

- 4.5.1 Where outdoor lighting is required the developer shall locate, design and install lighting to operate from dusk to dawn within all areas where the public will be given access, which prevents the potential for light spillage to cause nuisance to neighbours and must be provided in accordance with Australian Standard 1158.1 – Lighting for Roads and Public Spaces.
- 4.5.2 Illumination resulting from direct, reflected or other incidental light emanating from the subject land does not exceed 8 lux when measured at any point 1.5m outside the property boundary of the subject site. The lighting fixtures installed on site must meet appropriate lux levels as documented within Australian Standard 4282 – Control of the Obtrusive Effects of Outdoor Lighting.

4.6 Non-Reticulated Water Supply

All non-potable water supplied to park visitors must be clearly labelled at each tap - Non Potable Water - not safe for Human Consumption.

In the event that the motor home park is provided with a potable water supply, it must be treated so as to be potable (safe for drinking in accordance with National Health Medical Research Guidelines).

4.7 On-Site Wastewater Management

4.7.1 No black or grey water from caravans/motorhomes is to be discharged on site.

4.7.2 Any accidental discharge of black or grey water on site must be reported to Council immediately.

5. Additional Payment Condition

5.1 The additional payment condition has been imposed as the development will create additional demand on trunk infrastructure which will create additional trunk infrastructure costs for council.

5.2 The developer must pay \$4,320.00 toward trunk infrastructure with the amount of the contribution increased on 1 July each year in accordance with the increase for the PPI index for the period starting on the day the development approval takes effect, adjusted by reference to the 3-yearly PPI index average to the date of payment.

A credit will be applied towards this contribution in accordance with Condition 4.2.2.

5.3 The trunk infrastructure for which the payment is required is:

- The trunk transport infrastructure servicing the land

5.4 The developer may elect to provide part of the trunk infrastructure instead of making the payment.

5.5 If the developer elects to provide part of the trunk infrastructure the developer must:

- Discuss with Council's delegated officer the part of the works to be undertaken;
- Obtain the necessary approvals for the part of the works;
- Indemnify the Council in relation to any actions, suits or demands relating to or arising from the works;
- Take out joint insurance in the name of the Council and the developer in the sum of \$20,000,000 in relation to the undertaking of the works;
- Comply with the reasonable direction of Council officers in relation to the completion of the works;
- Complete the works to the standards required by the Council; and

- Complete the works prior to endorsement of the plan of subdivision.

(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) 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.

- (c) 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.

- (d) 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.environment.gov.au

- (e) 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.datsip.qld.gov.au

- (f) Motor Home Park/Caravan Park/Camping Ground

The applicant is advised that an application to Council for approval to operate under Council *Local Law No 1 (Administration) 2011* is required prior to the commencement of the motor home park/caravan park/camping ground.

(E) 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);

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

- Development Permit for Operational Works

(G) OTHER APPROVALS REQUIRED FROM COUNCIL

- 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 1 on RP708214, situated at 59 Rogers Road, Bibbohra, approximately 7.5 kilometres north of the Bibbohra township. The site has a total area of 8.339 hectares, is irregular in shape and is zoned Rural under the Mareeba Shire Planning Scheme 2004.

The site has approximately 297 metres of frontage to Rogers Road which is constructed to a gravel standard from its intersection with Bilwon Road, up to the access into the subject land. The site has a secondary frontage of approximately 226 metres to Bullock Road. Bullock Road is unformed for the entire frontage.

The site has approximately 300 metres of frontage to the Barron River, which adjoins the western boundary. Apart from a narrow strip of land immediately to the Barron River, the site is generally flat and cleared of regulated vegetation.

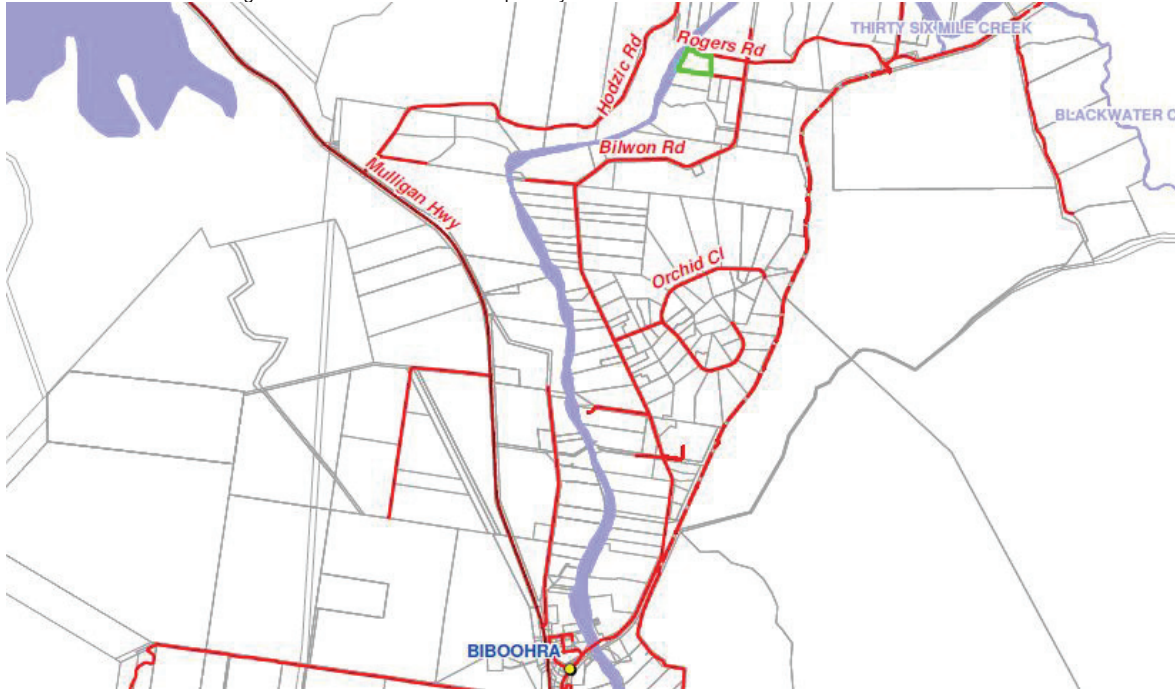
Two (2) dwelling houses and multiple sheds are established in the north-western corner.

Surrounding allotments are zoned rural and contain a mix of land uses including rural lifestyle and low intensity grazing. A meat poultry farm is established on Bilwon Road approximately 500 metres to the east of the subject land.



Map Disclaimer:

Based on or contains data provided by the State of Queensland (Department of Environment and Resource Management) (2009). In consideration of the State permitting use of this data you acknowledge and agree that the State gives no warranty in relation to the data (including accuracy, reliability, completeness, currency or suitability) and accepts no liability (including without limitation, liability in negligence) for any loss, damage or costs (including consequential damage) relating to any use of the data. Data must not be used for direct marketing or be used in breach of the privacy laws.



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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 - Motor Home Park in accordance with the plans shown in **Attachment 1**.

It is proposed to use the cleared areas located in the western part of the subject site to accommodate motor home parking that provides the opportunity for users of self-contained motor homes and caravans alike to make short term stays. The proposed location is an elevated flat ridge overlooking the adjoining Barron River.

This proposed area will facilitate up to 40 parking sites. The motor home park would operate six (6) months per year (May to October) corresponding with the peak drive tourism season. The applicant expects that the motor home park would typically operate at 50% of its maximum capacity.

The applicant advises that the facility is proposed in response to the increasing demand from self-sufficient travellers for cheaper overnight parking than that traditionally offered in a caravan park. The cheaper fees are achievable as a result of the motor home park not requiring costly amenities, due to the self-sufficient nature of the vehicles that will utilise this area.

The proposed motor home park will be operated in line with the 'Leave No Trace' principles which encourage users to leave a site in the same or better condition than when arriving leaving no evidence that they have been there.

Access will be via the existing property access point off Rogers Road. It is proposed that an internal driveway be formalised by compacted gravel (or similar) being suitable for heavy vehicles. The width of the internal driveway loop is proposed to be approximately five (5) metres.

No formal parking arrangements will be provided, instead allowing users to choose their preferred location within the perimeter of the permissible parking area which will be clearly identified.

Overnight park fees will be payable at the house that is visible on entry into this area.

One or more refuse bin/s (wheelie bin) will be provided in a screened enclosure in proximity to the Rogers Road frontage of the site adjacent to the entry into the Motor Home Park area.

REGIONAL PLAN DESIGNATION

The subject site is included within the Regional Landscape and Rural Production Area land use category in the Far North Queensland Regional Plan 2009-2031. The Regional Plan Map 3- 'Areas of Ecological Significance' also identifies the site is:

- *Strategic Rehabilitation Area*
- *State & Regional Conservation Corridors*
- *Wetland Area of General Ecological Significance*
- *Terrestrial Area of High Ecological Significance*
- *Terrestrial Area of General Ecological Significance*

PLANNING SCHEME DESIGNATIONS

Zone:	Rural zone
Overlays:	Natural Disaster Bushfire Overlay

Planning Scheme Definitions

The proposed use is defined as:-

Motor home park means the use of premises for the parking of self-contained motor homes for short stays without requiring facilities normally associated with a caravan park. The term does not include Caravan park as otherwise defined.

RELEVANT PLANNING INSTRUMENTS

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

(a) Far North Queensland Regional Plan 2009-2031

Assessment against the Regional Plan is required because the plan is not reflected in the planning scheme. The application is assessed as being capable of substantially complying with the relevant provisions of the Regional Plan, provided reasonable and relevant conditions are applied.

The following Desired Regional Outcome Land Use Policies are relevant to the assessment of the application:

DRO 2.4 Primary Production & Fisheries			
Land Use Policy		Complies	Comments
2.4.1	<i>Good quality agricultural land is protected from urban development outside the urban footprint.</i>	✓	Complies - The Regional Plan does not define the proposed use as an urban activity; instead, it is defined as Tourist Activity. The subject land is not mapped as GQAL.
2.4.2	<i>Appropriate buffer distances between incompatible uses and agricultural operations on good quality agricultural land are provided through sensitive land use planning in accordance with State Planning Policy 1/92.</i>	✓	The proposed motor home park will be separated from an established poultry farm by a minimum distance of 500 metres. Several established dwelling houses are already located between the subject land and the poultry farm. These existing dwelling houses (sensitive receptors) already constrain the operations of the poultry farm and the proposed motor home park with a greater separation distance will not increase the level of constraint.

DRO 5.4 Primary Industries			
Land Use Policy		Complies	Comments
5.4.2	<i>Threats to primary production from incompatible development are identified and managed through land use planning and where appropriate, by developer established buffers.</i>	✓	The proposed motor home park will be separated from an established poultry farm by a minimum distance of 500 metres. Several established dwelling houses are already located between the subject land and the poultry farm. These existing dwelling houses (sensitive receptors) already constrain the operations of the poultry farm and the proposed motor home park with a greater separation distance will not increase the level of constraint.

DRO 5.5 Tourist Development			
Land Use Policy		Complies	Comments
5.5.2	<p><i>Tourist development, including development that incorporates short-term accommodation for tourists, may be undertaken within the regional landscape and rural production area where there is an identified need in a subregion and the accommodation:</i></p> <p>(a) <i>is of a nature and scale that is sympathetic to the maintenance of the regional landscape and rural production values</i></p> <p>(b) <i>minimises the impact on good-quality agricultural land</i></p> <p>(c) <i>avoids areas of high ecological significance and coastal hill slopes and headlands (see sections 1.1 and 2.3).</i></p>	✓	The development complies.
5.5.3	<p><i>Where tourist development is located within a strategic rehabilitation area, the development should result in an increase in ecological connectivity or habitat extent through rehabilitation of native vegetation cover.</i></p>	✓	<p>The subject land is mapped as including strategic rehabilitation area.</p> <p>The proposed development does not require any new on site infrastructure and will not impact on ecological connectivity or habitat extent.</p>

DRO 7.1 Protection of Waterways, Wetlands and Water Quality			
Land Use Policy		Complies	Comments
7.1.1	<p>Development is planned, designed, constructed and managed in accordance with best practice environmental management to protect environmental values and meet water quality objectives of the Environmental Protection Policy (Water) 1997 (EPP Water) for regional surface water, groundwater and wetlands.</p>	✓	The development can be conditioned to comply.

(b) State Planning Policy

The Department of State Development, Infrastructure and Planning has introduced a single State Planning Policy (SPP) to replace the various SPP's previously in place. As such, this State Planning Policy is not reflected in the Planning Scheme and is therefore applicable to the assessment of the application.

An officer assessment of the proposed development against the provisions contained within the SPP has been undertaken and it is not considered to be in conflict with any relevant aspect of the SPP.

Queensland State Planning Policy		
State Interest	Complies	Assessment Requirements & Comments
<p>Biodiversity</p> <p>A development application where the land relates to a matter of state environmental significance, if the application is for:</p> <p>(a) operational work, or</p> <p>(b) a material change of use other than for a dwelling house, or</p> <p>(c) reconfiguring a lot that results in more than six lots or lots less than five hectares.</p>	✓	<p>Development:</p> <p>(1) identifies any potential significant adverse environmental impacts on matters of state environmental significance, and</p> <p>(2) manages the significant adverse environmental impacts on matters of state environment significance by, in order of priority:</p> <p>(a) avoiding significant adverse environmental impacts, and</p> <p>(b) mitigating significant adverse environmental impacts where these cannot be avoided, and</p> <p>(c) where applicable, offsetting any residual adverse impacts.</p> <p>Comment</p> <p>The MSES area mapping affects a narrow sliver of land (regulated vegetation) adjacent to the Barron River.</p> <p>The proposed motor home park can be undertaken on site without adverse impact on any area of MSES.</p>

<p>Natural hazards</p> <p>A development application for a material change of use, reconfiguring a lot or operational works on land within:</p> <ul style="list-style-type: none"> (1) a flood hazard area, or (2) a bushfire hazard area, or (3) a landslide hazard area, or (4) a coastal hazard area. 	✓	<p>For all natural hazards:</p> <p>Development:</p> <ul style="list-style-type: none"> (1) avoids natural hazard areas or mitigates the risks of the natural hazard, and (2) supports, and does not unduly burden, disaster management response or recovery capacity and capabilities, and (3) directly, indirectly and cumulatively avoids an increase in the severity of the natural hazard and the potential for damage on the site or to other properties, and (4) avoids risks to public safety and the environment from the location of hazardous materials and the release of these materials as a result of a natural hazard, and (5) maintains or enhances natural processes and the protective function of landforms and vegetation that can mitigate risks associated with the natural hazard, and <p>Comment</p> <p>The subject land adjoins the Barron River and is predicted to be impacted by flooding during significant rainfall events.</p> <p>The threat posed by flooding is able to be reasonably addressed because the peak season for motor home visitation is outside the northern wet season and the motor homes are able to be quickly relocated outside of the flood hazard area should the need arise.</p> <p>The proposed development will avoid the steep banks on the Barron River.</p> <p>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.</p> <p>The proposed development would be partly within the Potential Impact Buffer area.</p> <p>A bushfire management plan will be conditioned for the development.</p>
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(c) Superseded Mareeba Shire Planning Scheme 2004 (amendment no. 01/11)

Relevant Desired Environmental Outcomes

DEO	Complies	Comments
(a) Significant natural features such as the dense tropical rainforest adjoining the Wet Tropics area, the savannas, the major river systems, wetlands and wildlife corridors, areas identified in the Areas of Regional significance for the Conservation of Biodiversity under the FNQ Regional Plan are protected	✓	Complies - The proposed development will make use of the existing cleared areas within the subject land. No further clearing is necessary to accommodate the proposed development.
(c) Adverse effects from development on the natural environment are minimised with respect to the loss of natural vegetation, soil degradation, air and water pollution due to erosion, dust and chemical contamination, dispersal of pollutants, effluent disposal and the like.	✓	Complies - The proposed development will make use of the existing cleared areas within the subject land. No further clearing is necessary to accommodate the proposed development. No uncontrolled waste disposal will be allowed on site. All motor homes will need to utilise off-site dumping points for black and greywater. Conditions will be attached regarding erosion control.
(d) Good quality agricultural land is conserved and protected from fragmentation and alienation.	n/a	Not applicable. The subject land is not mapped as GQAL.
(e) Agricultural and forestry resources, mining, extractive activity in the rural sector are encouraged, facilitated and protected.	✓	The proposed motor home park will be separated from an established poultry farm by a minimum distance of 500 metres. Several established dwelling houses are already located between the subject land and the poultry farm. These existing dwelling houses (sensitive receptors) already constrain the operations of the poultry farm and the proposed motor home park with a greater separation distance will not increase the level of constraint.

(j)	Threats to public safety and health associated with the natural and built environments, including flooding in the catchments of the Barron River and Mitchell River are minimised.	✓	<p>The subject land adjoins the Barron River and is predicted to be impacted by flooding during significant rainfall events.</p> <p>The threat posed by flooding is able to be reasonably addressed because the peak season for motor home visitation is outside the northern wet season and the motor homes are able to be quickly relocated outside of the flood hazard area should the need arise.</p>
(n)	Mareeba's role and identity as the main business, economic centre and regional service centre and gateway to the Cape is consolidated.	✓	The proposed development does not comprise this DEO.
(q)	The establishment of new industries such as value adding agricultural industries as well as ecotourism and tradeable services beyond agriculture.	✓	The proposed development will increase the tourism services available to visitors.

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

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

Relevant Codes	Comments
Rural Zone Code	The application complies with applicable acceptable/probable solutions/performance criteria.
Natural Disaster Bushfire Overlay Code	The application complies with applicable acceptable/probable solutions/performance criteria.
Car Parking Code	<p>The application can be conditioned to comply with the relevant acceptable/probable solutions contained within the code apart from the following:</p> <ul style="list-style-type: none"> Acceptable Solution AS6 Acceptable Solution AS9.1 <p>Refer to discussion below:</p>
Tourist Facility Code	The application complies with applicable acceptable/probable solutions/performance criteria.
Landscaping Code	The application complies with applicable acceptable/probable solutions/performance criteria.

(e) Planning Scheme Policies

The following planning scheme policies are relevant to the application:

No. 1 - Water Supply (Outside Reticulated Water Supply Area)

Only self-contained vehicles will be permitted to stay at the motor home park. These vehicles are required to have on board water storage.

No. 4 - Development Manual

All development works will be conditioned to be designed and constructed in accordance with the FNQROC Development Manual.

(f) Additional Trunk Infrastructure Condition

The subject land is located outside the identified Priority Infrastructure Area (PIA).

The applicant has nominated a maximum capacity of forty (40) vehicles per day for the motor home park. Due to the seasonal nature of drive tourism, particularly caravans and motor homes, the applicant anticipates that park would operate six (6) months per year, at the following occupancy levels:

	May	June	July	August	September	October
Days	31	30	31	31	30	31
Sites	40	40	40	40	40	40
Occupancy	30%	60%	80%	60%	50%	30%
Movements 2 per vehicle per 2.15 day stay	0.93	0.93	0.93	0.93	0.93	0.93
Movements per month	346	670	923	692	558	346
Movements per day	11	22	30	22	19	11

Based on these figures, the average daily movements over the six-month operating period would be 19.2 movements per day.

Under Planning Scheme Policy No. 6, the base contribution of \$4,500.00 is equivalent to the traffic from a standard allotment or 10 vehicle movements per day. As such the contribution applicable to this development would be:

- $\$4,500.00 \times 1.92 \times 50\%$ (for half year operation) = \$4,320.00

The value of the Rogers Road dust seal works required by Condition 4.2 will be credited against this contribution.

REFERRALS

Concurrence

This application did not trigger a referral to a Concurrence Agency.

Advice

This application did not trigger a referral to an Advice Agency.

Internal Consultation

Advice was sought from the Acting Director Infrastructure Services in relation to the best means of minimising the proposed developments dust impacts on the dwelling house on Lot 1 on RP711202.

Bitumen sealing of all or a section (20 metres) of Rogers Road is considered the only practical means of limiting dust, whilst not burdening Council with excessive ongoing maintenance requirements.

The use of other dust mitigation measure such as low dust gravel, chemical treatments is not supported as these will be less effective, increase maintenance costs and/or interfere with Council's ability to carry out maintenance grading etc.

PUBLIC NOTIFICATION

The development proposal was placed on public notification from 12 August 2017 to 4 September 2017. The applicant submitted the notice of compliance on 8 September 2017 advising that the public notification requirements were carried out in accordance with the requirements of the Act.

One (1) properly made submission was received.

The grounds for objection are summarised and commented on below:

Grounds for objection	Comment
Submitter's dwelling is 25 metres from the unsealed Rogers Road. Submitter is concerned about increased dust impact.	<p>There is potential for adverse dust impacts on the submitters residence due to Rogers Road being unsealed, the proposed development operating during the dry season and the proximity of the submitters residence to Rogers Road.</p> <p>Various options for dust minimisation were considered including bitumen sealing, low dust gravel and chemical treatment.</p> <p>Bitumen sealing of a 20 metre section of Rogers Road adjacent to the submitters residence is considered the only workable long term option.</p> <p>The development has been conditioned accordingly.</p>

Submitters

Name of principal submitter	Address
1. W Cardew	PO Box 2050, Mareeba

PLANNING DISCUSSION

Non-compliance with the relevant acceptable solutions or probable solutions/performance criteria contained within the above Codes are summarised as follows:

Car Parking Code - 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.*

Comment

Acceptable Solution AS6 is not considered particularly relevant to motor home parks. The application proposes to utilise a grassed clearing within the subject land to accommodate the informal parking of motor homes.

Sufficient area exists within the grassed area to meet the car parking needs of the proposed use.

It is considered the proposed development satisfies Specific Outcome S6.

Car Parking Code - Car Parking Numbers

S9 *Sufficient car parking spaces are provided to accommodate the demand likely to be generated by the use.*

AS9.1 *The number of car parking spaces provided for the use is in accordance with the Car Parking Schedule.*

Comment

The Planning Scheme includes the following car parking rate for motor home park:

"11 spaces per 10 sites plus one (1) space per 10 sites as visitor spaces"

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.

Motor home parks are restricted to short term stays only and it would be rare for a non-guest to visit the site.

The designated motor home parking area is of a sufficient size to accommodate a large number of motor homes during the peak tourist seasons. Adequate space exists within this parking area to also accommodate a number of visitors.

Based on this, it is considered the proposed development satisfies Specific Outcome S9.

Date Prepared: 16 October 2017

ATTACHMENT 1

APPROVED PLANS



ATTACHMENT 2

MCU/17/0001

P URP-MCL
IT URPWarren Cardew
PO Box 2050
Mareeba Qld 4880Department of Planning
Mareeba Shire Council
PO Box 154
Mareeba Qld 4880

Dear Sir

Material change of use – Motor Home Park (Self-Contained accommodation vehicles) Lot 1 on RP708214 situated at 59 Rogers Rd Bibbohra

I Warren Cardew would like to formally lodge an objection to the proposal of Material Change of Use for a Motor Home Park (Self-Contained accommodation vehicles) for 59 Rogers Rd. Our property, 25 Rogers Rd or Lot 1 on RP 711202 is adjacent to the proposed property. Our property and home access is directly on to Rogers Rd.

Rogers Rd is an unsealed dirt road which is only 25M from our front door. My main objection is to the amount of dust that would be generated from the increased traffic on the unsealed road which would greatly affect our quality of life. This area is zoned rural and as such have a limited traffic flow. Rogers Rd services only 3 properties and is also a dead end road. So traffic is limited, there are only 2 houses directly serviced by this unsealed road so traffic is limited to only 2 families.

The proposed material change could see traffic movements up to an extra 80 heavy vehicles per day for six months in the driest time of the year, which would mean our home would be engulfed in dust every time a RV or Caravan ensemble entered or exited the proposed Motor Park. This number is based on the maximum parks available for the proposed site. There is also the possibility of even more traffic movements when people access local shops for basic supplies and tourist activities.

This proposed material change of use is totally unacceptable unless Rogers Rd is sealed before any proposed development takes place. I would also ask the council to consider the use of speed bumps on the sealed road to slow the traffic near our house as we have small children staying with us on a regular basis. The wind due to the topography of the area blows from the North East predominately so any vehicle entering or exiting Rogers Rd the dust generated blows directly into our home.

I refer to Table 1 Strategic Outcomes – Development Response section f and r. The proposed development dismiss any impact on local residents, this is not the case as my family is directly affected by air pollution and traffic interaction.

I ask the planning department to acknowledge receiving this letter by return correspondence to P.O. Box 2050 Mareeba 4880 and to consider my objection.

Kind regards



Warren Cardew

