

DEVELOPMENT APPLICATION FOR A DEVELOPMENT PERMIT FOR  
MATERIAL CHANGE OF USE FOR A MOTOR HOME PARK (SELF-  
CONTAINED ACCOMMODATION VEHICLES)  
on land described as Lot 1 on RP 708214 at 59 Rogers Road Bibbohra

## Contents

1. INTRODUCTION .....	5
2. THE SITE .....	6
PROPERTY DESCRIPTION.....	6
SITE DESCRIPTION .....	6
SURROUNDING USES .....	6
3. DEVELOPMENT PROPOSAL.....	7
ROAD NETWORK CONTRIBUTIONS.....	8
4. MAREEBA SHIRE PLANNING SCHEME .....	8
ASSESSMENT SUMMARY.....	8
STRATEGIC OUTCOMES .....	8
APPLICABLE CODES.....	11
Rural Zone Code.....	11
APPLICABLE CODES.....	12
Car Parking Code .....	12
Landscaping Code .....	12
Tourist Facility Code.....	12
5. APPLICABLE OVERLAYS.....	13
Natural Disaster - Bushfire – Kuranda- Julatten Overlay .....	13
6. REGIONAL PLANNING.....	14
7. LEGISLATIVE FRAMEWORK .....	15
PLANNING ACT 2016 CONSIDERATIONS .....	15
REFERRAL AGENCIES.....	15
VEGETATION .....	15
8. STATE PLANNING POLICIES .....	16
BUSHFIRE MANAGEMENT .....	16
FLOOD MANAGEMENT.....	16
9. CONCLUSION .....	17

## APPENDICES

- Appendix 1: DA Form 1
- Appendix 2: Title Search
- Appendix 3: Zoning Map
- Appendix 4: Proposal Plan
- Appendix 5: Statement of Compliance with the Rural Zone Code
- Appendix 6: Statement of Compliance with the General Codes
- Appendix 7: Statement of Compliance with the Overlay Codes
- Appendix 8: DA Mapping Vegetation
- Appendix 9: Photos
- Appendix 10: Superseded Planning Scheme Decision Notice

## APPLICATION SUMMARY

### SITE AND PROPOSAL DETAILS

<b>Address of Site</b>	59 Rogers Road Biboohra
<b>Real Property Description</b>	Lot 1 on RP 708214
<b>Local Authority</b>	Mareeba Shire Council
<b>Zone</b>	Rural Zone
<b>Purpose of Proposal under the Planning Scheme</b>	Material Change of Use - Motor Home Park (Self-Contained Accommodation Vehicles)
<b>Owner(s)</b>	Darren Cleland

### APPLICANT DETAILS

<b>Applicant</b>	Darren Cleland
<b>Contact Person</b>	Darren Cleland Ph. 0417 007 571 toninacleland@westnet.com.au
<b>Mail</b>	PO Box 1270 Mareeba QLD 4880

## 1. INTRODUCTION

This development application requests a Development Permit for a Material Change of Use for a Motor Home Park (Self-Contained Accommodation Vehicles) on Lot 1 on RP 708214 at 59 Rogers Road Bibohra. Under the *Mareeba Shire Planning Scheme 2004* the application requires Impact Assessment.

The report reviews the characteristics of the site and evaluates the town planning issues associated with the proposed development. The facts and circumstances relied on in the preparation of this report are current and relevant at July 2017.

## 2. THE SITE

### PROPERTY DESCRIPTION

Property Description: Lot 1 on RP 708214 - Parish of Nares, County of Formantine  
Total Subject Area: 8.1 hectares  
Zoning: Rural

A title search confirming ownership of the subject land parcel by Darren John Cleland is included at *Appendix 2* to this report.

### SITE DESCRIPTION

The subject site is properly described as Lot 1 on RP 708214 and is situated at the end of Rogers Road approximately 15 kilometres north of Mareeba. The site encompasses an area of approximately 8.1 hectares, which is trapezoid in shape and is cleared.

The subject site has approximately 250 metres of frontage onto Rogers Road along with an existing vehicular access point. Within the western extent of the allotment a Motor Home Park use area is intended to be established.

The site also has approximately 300 metres of frontage onto the Barron River.

A review of the DA mapping identified that the subject allotment contains areas of Category B regulated vegetation. It should be noted that the proposed Motor Home Park area forming part of this application will be wholly contained within a portion of the site void of any regulated vegetation.

Lot 1 contains two dwellings positioned towards the northern corner of the site and also includes a number of sheds also located towards the northern corner of the site.

### SURROUNDING USES

The subject site is located within a rural area outside of the Mareeba Township. The locality is characterised by detached dwellings and outbuildings on an 8.1 hectare rural allotment. Land uses within the area are consistent with rural uses and include the following:

- North: North of the subject site, is land consistent with that of the subject site being cleared rural land containing two dwellings and a shed. The land also has approval for Worker Accommodation.
- South: South of the subject site, is land consistent with that of the subject site being cleared rural land containing a dwelling and outbuilding.
- East: Immediately east of the site is land consistent with that of the subject site being cleared rural land containing a dwelling and a shed.
- West: West of the subject site is the Barron River and its riparian corridor.

As demonstrated above, the locality is comprised of numerous land use types consistent with the Rural Zone designation. It is considered that the proposed development of a new Motor Home Park area over a small portion of the subject site will not compromise the strategic intent for the site. *Appendix 3* contains a Zoning Map identifying the site in relation to the surrounding area.

### 3. DEVELOPMENT PROPOSAL

Approval of the Development Application will authorise a Development Permit for a Material Change of Use to establish a Motor Home Park (Self-Contained Accommodation Vehicles) upon Lot 1 on RP 708214 at 59 Rogers Road Biboohra.

Motor Home Park is defined by the Mareeba Shire Planning Scheme as:-

*"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"*

We note that Council at its Ordinary Meeting held on 19 August 2015 resolved to confirm the interpretation that Motor Home Parks as defined under the Mareeba Shire Planning Scheme 2004 are able to accommodate self-contained accommodation vehicles in general, provided such vehicles have an on-board toilet and shower, on-board water supply and wastewater holding tanks. Accordingly, self-contained caravans may be accommodated within a Motor Home Park.

The ultimate form of development will include a new area upon the 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 in a convenient location just outside the town of Mareeba. This proposed area will facilitate up to 40 parking sites.

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.

The proposed location of the new park area is to be positioned within the western portion of Lot 1 and is well removed from any uses on adjoining lots. Consequently, the proposal is not expected to have any adverse impacts on neighboring properties. The location provides excellent amenity for travellers as the Motor Home Park area itself is located upon an elevated flat ridge, void of significant vegetation and having access to the Barron River to enjoy its rich flora and fauna. In addition the proposed area and vehicular access is situated within a Category B area as shown on the site Property Map of Assessable Vegetation.

Access to the designated Motor Home Park area will be from the existing vehicular access point directly from Rogers Road. A formal gated access is constructed and suitable to service the proposed use. *Appendix 9* contains site photos identifying the proposed access and vehicular track into the new Motor Home Park area, along with other aspects over the site. It is proposed that an internal driveway be formalised by compacted gravel (or similar) being suitable for heavy vehicles will provide access into the site. The width of the internal driveway loop is proposed to be approximately 5 metres wide, which will provide sufficient width for unrestricted vehicle maneuvering and access into each allocated powered site. The road design and location is such that no trees require removal. A copy of the Proposal Plans is included at *Appendix 4*.

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 online or 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. It is anticipated that Council's weekly garbage collection service will be sufficient to service the proposed use.

As Mareeba is classified as an RV friendly town, the approval of this new area upon the site will ensure that the needs of the grey nomads and self-sufficient accommodation vehicles are met. This proposal being a controlled Motor Home Park area will encourage additional economic growth into the region without detrimentally impacting upon the surrounding ecosystem.

## **ROAD NETWORK CONTRIBUTIONS**

Adopted infrastructure charging payments relating to road network infrastructure will be based on a maximum 40 motor homes per day being accommodated within the Motor Home Park area.

We request as part of this application that Council consider this payment to account for a cumulative overnight stay period per annum rather than a daily vehicle restriction upon any approved Motor Home Park area over the subject site being Lot 1 on RP 708214.

We ask that adopted infrastructure charging payments relating to road network infrastructure be paid based on a maximum of 10 motor homes per day being accommodated within the existing Motor Home Park area established within the western portion of the subject site.

This is based on the operation of the motor home park being for a six month period from May to October and an expected occupancy of 50 percent.

## **4. MAREEBA SHIRE PLANING SCHEME**

### **ASSESSMENT SUMMARY**

The subject site is situated within the former Mareeba Shire Council local government area and consequently is captured by the Mareeba Shire Planning Scheme. The scheme designates the site with the Rural Zone. The Mareeba Shire Scheme provides a framework for sustainable development within Mareeba Shire and ensures that the character of Mareeba is retained, whilst also allowing for continued growth and development.

The scheme's desired development outcomes for the subject area includes contributing to the economic well-being of Mareeba, tourist uses that are ecologically sustainable and the protection of key environmental and scenic values of the area.

The Planning Scheme comprises the following structural elements; Desired Environmental Outcomes, Zones, Assessment Tables and Codes. These provisions as they relate to the subject land are outlined as follows.

### **STRATEGIC OUTCOMES**

The Strategic Outcomes essentially represent what is sought to be achieved through the Mareeba Shire Planning Scheme and generally relate to the environment that covers matters and conditions relating to the natural, built and human environments.



Strategic Outcomes may influence decisions on development applications and a decision on an application must not compromise the achievement of the desired environmental outcomes for the planning scheme area.

It is considered that the proposed development achieves the general intent of the Mareeba Shire Scheme, as the development satisfies several of the Strategic Outcomes. An assessment of the proposed development against the strategic outcomes is contained in Table 1:

**Table 1: Strategic Outcomes**

<b>STRATEGIC OUTCOME</b>	<b>DEVELOPMENT RESPONSE</b>
a) Significant natural features such as the dense tropical rainforest adjoining the Wet Tropics area, the savannahs, 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	The proposed development does not compromise the strategic outcome. Development of the new Motor Home Park will not impact on the significant natural features identified in the Strategic Outcome.
b) The values of significant cultural heritage features and heritage conservation, the components of which include aesthetic, architectural, historic, social or spiritual significance are conserved and protected.	The proposed development does not impact on the values of significant cultural heritage features or heritage conservation. The subject site does not contain any of these features.
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.	The proposed development will not result in adverse impacts on the site's or surrounding vegetation, soil quality or air quality. The proposal is for a low impact Motor Home Park. The proposed development will operate under the 'Leave no Trace' principles.
d) Good quality agricultural land is conserved and protected from fragmentation and alienation.	The site is not mapped as Good Quality Agricultural Land.
e) Agricultural and forestry resources, mining, extractive activity in the rural sector are encouraged, facilitated and protected.	The proposed development does not impact on the Strategic Outcome.
f) The amenity and safety of land uses adjoining industrial estates and agricultural areas adjoining urban centres are protected from potential noise and air pollution.	The site off Rogers Road is well removed from urban centres. The proposed development does not impact on the Strategic Outcome.
g) The standard and location of the built environment, particularly in Mareeba and Kuranda, minimise the use of non-renewable resources, having regard to associated wastewater and effluent disposal infrastructure.	The proposed development does not impact on the Strategic Outcome.
h) All members of the community have appropriate access to relevant services and facilities that meet their needs and create a sense of community satisfaction.	The proposed development does not impact on the Strategic Outcome.
i) The efficient use, extension and safe operation of infrastructure are maximised, including roads, rail, aerodromes, water and sewerage systems.	The proposed development does not impact on the Strategic Outcome.
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.	The proposed development will minimise the risks to Public safety posed by the natural environment. The application responds appropriately to the threat of bushfire and flooding through the relevant codes.

<p>k) Communities of Biboohra, Chillagoe, Dimbulah, Irvinebank and Julatten, Mount Molloy, and Watsonville will continue to be maintained and provided with appropriate levels of services and facilities, as secondary to the primary residential settlements of Mareeba and Kuranda.</p>	<p>Not applicable.</p>
<p>l) Residential uses are consolidated in identified urban nodes, including the existing townships and settlements and the rural landscape is protected from encroachment of urban uses.</p>	<p>The proposed development delivers on the intent of the strategic Outcome.</p>
<p>m) Integrated Open Space networks comprising of national parks, botanical gardens river esplanades, pedestrian and bicycle pathways and wetlands provide a pleasant and safe public environment for aesthetic enjoyment, cultural, recreational and social interaction. Natural public open space areas are integrated into a network with conservation and natural resources areas such as State Forests to maximise habitat and corridor protection.</p>	<p>Not applicable</p>
<p>n) Mareeba's role and identity as the main business, economic centre and regional service centre and gateway to the Cape is consolidated.</p>	<p>The proposed development contributes towards accommodating interstate travelers and is strategically located off the Mulligan Highway at the gateway to the Cape.</p>
<p>o) The Mareeba Township and the Myola district, as identified by the Myola Feasibility Study are the primary residential nodes to accommodate future urban growth in accordance with the FNQ Regional Plan.</p>	<p>Not applicable with the development as the location is not set within the township of Mareeba or the Myola district.</p>
<p>p) The Kuranda Village's role and identity not only as an international tourist destination but as a residential centre and a functional service location for the wider district is protected and enhanced whilst ensuring the community's harmony and a sense of place is maximised through ensuring that the mix between tourists and residents is meets the needs of both groups.</p>	<p>Not applicable with the development as the location is not set within the Kuranda Village.</p>
<p>q) The establishment of new industries such as value adding agricultural industries as well as ecotourism and tradeable services beyond agriculture.</p>	<p>The establishment of the new Motor Home Park is consistent with the intent of the strategic outcome.</p>
<p>r) The identification and protection of the amenity of noise sensitive development and liveability of residential areas.</p>	<p>The location of the proposed development is suitably situated to provide the necessary amenity for the proposed use. The site is removed from residential areas.</p>
<p>s) The provision of pedestrian and bicycle facilities in urban areas.</p>	<p>The site is not located in an urban area therefore this is not applicable.</p>
<p>t) The protection of exiting heavy vehicle routes as shown on maps R1 and R2 and existing and proposed extraction haulage routes from incompatible land use.</p>	<p>The proposed use will not result in adverse impacts on Rogers Road</p>

## APPLICABLE CODES

### **Rural Zone Code**

This subject site is designated with the Rural Zone within the Mareeba Shire Planning Scheme and therefore requires assessment against the provisions of the Rural Zone Code.

In summary, this proposed development satisfies the criteria of the Rural Zone Code. A full assessment of proposed development against the Code is provided at *Appendix 5* to this report.

### **Car Parking Code**

The proposed development for a Motor Home Park, requires assessment against the Car Parking Code.

In summary, this proposed development satisfies the requirements for the Car Parking Code. A full assessment of proposed development against the Code is provided at *Appendix 6* to this report.

### **Landscaping Code**

The proposed development for a new Motor Home Park upon the site, requires assessment against the Landscaping Code.

In summary, this proposed development satisfies the requirements for the Landscaping. A full assessment of proposed development against the Code is provided at *Appendix 6* to this report.

### **Tourist Facility Code**

The proposed development for a new Motor Home Park, requires assessment against the Tourist Facility Code.

In summary, this proposed development satisfies the requirements for the Tourist Facility Code. A full assessment of proposed development against the Code is provided at *Appendix 6* to this report.

## 5. APPLICABLE OVERLAYS

The subject site is captured by the following Overlay:

### **Natural Disaster - Bushfire – Kuranda- Julatten Overlay**

The subject site is mapped as a medium level bushfire risk on the *Natural Disaster- Bushfire – Kuranda - Julatten Overlay*.

Consequently the proposed development requires assessment against the Natural Disaster – Bushfire Overlay Code. In summary, the proposed development satisfies the requirements of the Code. The full assessment against the Code is provided at *Appendix 7* to this report.

## **6. REGIONAL PLANNING**

The Far North Queensland Regional Plan 2009-2031 (FNQRP 2031) is a statutory Regional Plan prepared by the State and provides an overarching planning framework for Far North Queensland.

### **FARNORTHQUEENSLANDREGIONALPLAN2009-2031**

The proposed development is consistent with the intent of the FNQRP 2031 which seeks to develop the region's tourism industry.

## 7. LEGISLATIVE FRAMEWORK

### PLANNING ACT 2016 CONSIDERATIONS

The table below provides an overview of the legislative context of the development application under the provisions of the *Planning Act 2016*.

<b>Assessable Development</b>	The development proposed by this application is " assessable development", accordingly a development permit is necessary.
<b>Assessment Manager</b>	The Assessment Manager for this development application is Mareeba Shire Council.
<b>Level of Assessment</b>	Under the Mareeba Shire Planning Scheme 2004 the application requires Impact Assessment.
<b>Public Notification</b>	The application is Impact Assessable, therefore, public notification is required.

### REFERRAL AGENCIES

This application does not trigger referral to any referral agencies for assessment.

### VEGETATION

A review of the DA State Assessment and Referral Agency (SARA) mapping identified that the subject allotment contains areas of Category B regulated vegetation (*Appendix 8*). It should be noted that the proposed Motor Home Park area forming part of this application will be wholly contained within a portion of the site void of any regulated vegetation. Access to the site will avoid Category B regulated vegetation.

---

## 8. STATE PLANNING POLICIES

At the time of adoption of the Mareeba Shire Planning Scheme, the Minister for Environment, Local Government, Planning and Women identified the following State Planning Policies as being appropriately reflected in the scheme:

- State Planning Policy 1/03: Mitigating the Adverse Impacts of Flood, Bushfire and Landslide (Bushfire Only).

The current State Planning Policy has been reviewed and was not considered to be relevant to the proposed development except for bushfire and flood management. Consideration to flood management has been addressed below.

### BUSHFIRE MANAGEMENT

The site has current access to a reliable reticulated water supply that is provided via the Barron River. Additionally, the site has a 50,000 litre tank that would be utilised for the purposes of providing for an adequate water source to assist with potential fire-fighting operations carried out by Queensland Fire and Emergency Services.

In the event of a bushfire upon the site, Motor Home patrons will be instructed to evacuate the area until such time Queensland Fire and Emergency Services deem it safe to return. Efficient and unrestricted vehicular access directly onto Rogers Road is available for patrons to the proposed new Motor Home Park area.

More information is provided in the Natural Disaster - Bushfire Overlay Code (*Appendix 7*).

### FLOOD MANAGEMENT

The Barron River has a quite well recorded flood history with documented evidence of flooding as far back as the early 1900's. Records at the key reference gauge at Myola show that the largest flood occurred in early 1911 and significant floods have occurred in the late 1970's and in 1999.

Major flood events exceeding 10M which would impact on the Motor Home Park have occurred on seven occasions in the past 100 years.

The nature of the development is temporary and relocatable. Operation of the motor home park will generally be during the months of May to October. This is the dry season with significantly lower flood risk.

The Bureau of Meteorology operates a flood warning system for the Barron River catchment based on a rainfall and river height observations.

The real time ALERT flood reporting network in the Barron River enables flood predictions to be made early and with accuracy.

The Bureau's Flood Warning Centre issues Flood Warnings and River Height Bulletins for the Barron River catchment during flood events. River height predictions are given when moderate flood levels are likely to be exceeded.

In the unlikely event of a flood sufficient time will be available to ensure that all vehicles are removed from the site.



## 9. CONCLUSION

This development application requests a Development Permit for a Material Change of Use for a Motor Home Park (Self-Contained Accommodation Vehicles) on Lot 1 on RP708214 located at Rogers Road, Bibbohra.

The proposal for a low impact tourism support use is considered to be consistent with the intent of the Mareeba Shire Planning Scheme and the Far North Queensland Regional Plan. The proposed development will contribute towards the accommodation options available throughout the Mareeba locality, which will encourage travellers to visit and explore the area, in turn contributing to the local economy. Therefore, the proposed development is considered appropriate with the sites inclusion in the Rural Zone.

The following conclusions can be drawn from the above referenced planning aspects of the proposal:-

- The proposal is permissible development and generally complies with the intent of the Rural Zone, while being consistent with the character of the area;
- The proposed development addresses the elements of the Rural Zone Code, Landscaping Code, Car Parking Code and Tourist Facility Code including each of the specific outcomes and probable solutions;
- The proposal addresses the specific outcomes and probable solutions of the applicable Overlay Codes;
- The proposed development is responsive to all environmental constraints and is expected to have minimal impact upon the landscape character and visual amenity of the area;
- The proposal does not represent an over development for the site. This is demonstrated by the proposed minor footprint of the new Motor Home Park area upon the site;
- The development will not adversely impact on the function of the existing road network, as the nature of traffic generated from the proposed development will be similar to the existing traffic within the locality; and
- The proposed development is of a scale and nature that contributes to the proper and orderly development of the locality.

On balance, it is considered that the proposed development is an appropriate response to the site and, subject to the imposition of reasonable and relevant conditions, Council will be able to issue a permit for a Material Change of Use for a Motor Home Park (Self-Contained Accommodation Vehicles).



# DA Form 1 – Development application details

*Approved form (version 1.0 effective 3 July 2017) made under section 282 of the Planning Act 2016.*

This form **must** be used to make a development application **involving code assessment or impact assessment**, except when applying for development involving building work.

For a development application involving **building work only**, use *DA Form 2 – Building work details*.

For a development application involving **building work associated with any other type of assessable development**, use this form (*DA Form 1*) **and** parts 4 to 6 of *DA Form 2 – Building work details*.

Unless stated otherwise, all parts of this form **must** be completed in full and all required supporting information **must** accompany the development application.

One or more additional pages may be attached as a schedule to this development application if there is insufficient space on the form to include all the necessary information.

This form and any other form relevant to the development application must be used to make a development application relating to strategic port land and Brisbane core port land under the *Transport Infrastructure Act 1994*, and airport land under the *Airport Assets (Restructuring and Disposal) Act 2008*. For the purpose of assessing a development application relating to strategic port land and Brisbane core port land, any reference to a planning scheme is taken to mean a land use plan for the strategic port land, Brisbane port land use plan for Brisbane core port land, or a land use plan for airport land.

**Note:** All terms used in this form have the meaning given under the *Planning Act 2016*, the *Planning Regulation 2017*, or the *Development Assessment Rules (DA Rules)*.

## PART 1 – APPLICANT DETAILS

1) Applicant details	
Applicant name(s) <i>(individual or company full name)</i>	Darren Cleland
Contact name <i>(only applicable for companies)</i>	
Postal address <i>(P.O. Box or street address)</i>	PO Box 1270
Suburb	Mareeba
State	QLD
Postcode	4880
Country	Australia
Contact number	4093 2648
Email address <i>(non-mandatory)</i>	toninacleland@westnet.com.au
Mobile number <i>(non-mandatory)</i>	0417 007 571
Fax number <i>(non-mandatory)</i>	
Applicant's reference number(s) <i>(if applicable)</i>	

2) Owner's consent	
2.1) Is written consent of the owner required for this development application?	
<input type="checkbox"/> Yes – the written consent of the owner(s) is attached to this development application <input checked="" type="checkbox"/> No – proceed to 3)	



## PART 2 – LOCATION DETAILS

## 3) Location of the premises (complete 3.1) or 3.2), and 3.3) as applicable)

Note: Provide details below and attach a site plan for any or all premises part of the development application. For further information, see DA Forms Guide: Relevant plans.

## 3.1) Street address and lot on plan

Street address AND lot on plan (all lots must be listed), **OR**

Street address AND lot on plan for an adjoining or adjacent property of the premises (appropriate for development in water but adjoining or adjacent to land e.g. jetty, pontoon; all lots must be listed).

a)	Unit No.	Street No.	Street Name and Type	Suburb
		59	Rogers Road	Biboohra
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)
	4880	1	RP708214	Mareeba
b)	Unit No.	Street No.	Street Name and Type	Suburb
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)

## 3.2) Coordinates of premises (appropriate for development in remote areas, over part of a lot or in water not adjoining or adjacent to land e.g. channel dredging in Moreton Bay)

Note: Place each set of coordinates in a separate row. Only one set of coordinates is required for this part.

Coordinates of premises by longitude and latitude

Longitude(s)	Latitude(s)	Datum	Local Government Area(s) (if applicable)
		<input type="checkbox"/> WGS84 <input type="checkbox"/> GDA94 <input type="checkbox"/> Other:	

Coordinates of premises by easting and northing

Easting(s)	Northing(s)	Zone Ref.	Datum	Local Government Area(s) (if applicable)
		<input type="checkbox"/> 54 <input type="checkbox"/> 55 <input type="checkbox"/> 56	<input type="checkbox"/> WGS84 <input type="checkbox"/> GDA94 <input type="checkbox"/> Other:	

## 3.3) Additional premises

- Additional premises are relevant to this development application and their details have been attached in a schedule to this application
- Not required

## 4) Identify any of the following that apply to the premises and provide any relevant details

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

Name of water body, watercourse or aquifer:

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

Lot on plan description of strategic port land:

Name of port authority for the lot:

In a tidal area

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

Name of port authority for tidal area (if applicable):

On airport land under the *Airport Assets (Restructuring and Disposal) Act 2008*

Name of airport:

Listed on the Environmental Management Register (EMR) under the *Environmental Protection Act 1994*

EMR site identification:

Listed on the Contaminated Land Register (CLR) under the *Environmental Protection Act 1994*

CLR site identification:

**5) Are there any existing easements over the premises?**

*Note: Easement uses vary throughout Queensland and are to be identified correctly and accurately. For further information on easements and how they may affect the proposed development, see DA Forms Guide.*

- Yes – All easement locations, types and dimensions are included in plans submitted with this development application
- No

**PART 3 – DEVELOPMENT DETAILS**

**Section 1 – Aspects of development**

**6.1) Provide details about the first development aspect**

a) What is the type of development? *(tick only one box)*

- Material change of use       Reconfiguring a lot       Operational work       Building work

b) What is the approval type? *(tick only one box)*

- Development permit       Preliminary approval       Preliminary approval that includes a variation approval

c) What is the level of assessment?

- Code assessment       Impact assessment *(requires public notification)*

d) Provide a brief description of the proposal *(e.g. 6 unit apartment building defined as multi-unit dwelling, reconfiguration of 1 lot into 3 lots):*

DEVELOPMENT APPLICATION FOR A DEVELOPMENT PERMIT FOR MATERIAL CHANGE OF USE FOR A MOTOR HOME PARK (SELF-CONTAINED ACCOMMODATION VEHICLES)  
on land described as Lot 1 on RP 708214 at 59 Rogers Road Bibbohra

e) Relevant plans

*Note: Relevant plans are required to be submitted for all aspects of this development application. For further information, see DA Forms guide: Relevant plans.*

- Relevant plans of the proposed development are attached to the development application

**6.2) Provide details about the second development aspect**

a) What is the type of development? *(tick only one box)*

- Material change of use       Reconfiguring a lot       Operational work       Building work

b) What is the approval type? *(tick only one box)*

- Development permit       Preliminary approval       Preliminary approval that includes a variation approval

c) What is the level of assessment?

- Code assessment       Impact assessment *(requires public notification)*

d) Provide a brief description of the proposal *(e.g. 6 unit apartment building defined as multi-unit dwelling, reconfiguration of 1 lot into 3 lots)*

e) Relevant plans

*Note: Relevant plans are required to be submitted for all aspects of this development application. For further information, see DA Forms Guide: Relevant plans.*

- Relevant plans of the proposed development are attached to the development application

**6.3) Additional aspects of development**

- Additional aspects of development are relevant to this development application and the details for these aspects that would be required under Part 3 Section 1 of this form have been attached to this development application

Not required

**Section 2 – Further development details**

7) Does the proposed development application involve any of the following?	
Material change of use	<input type="checkbox"/> Yes – complete division 1 if assessable against a local planning instrument
Reconfiguring a lot	<input type="checkbox"/> Yes – complete division 2
Operational work	<input type="checkbox"/> Yes – complete division 3
Building work	<input type="checkbox"/> Yes – complete <i>DA Form 2 – Building work details</i>

**Division 1 – Material change of use**

*Note: This division is only required to be completed if any part of the development application involves a material change of use assessable against a local planning instrument.*

8.1) Describe the proposed material change of use			
Provide a general description of the proposed use	Provide the planning scheme definition (include each definition in a new row)	Number of dwelling units (if applicable)	Gross floor area (m <sup>2</sup> ) (if applicable)
MOTOR HOME PARK (SELF-CONTAINED ACCOMMODATION VEHICLES)	MOTOR HOME PARK (SELF-CONTAINED ACCOMMODATION VEHICLES)		

8.2) Does the proposed use involve the use of existing buildings on the premises?		
<input type="checkbox"/> Yes		
<input checked="" type="checkbox"/> No		

**Division 2 – Reconfiguring a lot**

*Note: This division is only required to be completed if any part of the development application involves reconfiguring a lot.*

9.1) What is the total number of existing lots making up the premises?	
9.2) What is the nature of the lot reconfiguration? (tick all applicable boxes)	
<input type="checkbox"/> Subdivision (complete 10))	<input type="checkbox"/> Dividing land into parts by agreement (complete 11))
<input type="checkbox"/> Boundary realignment (complete 12))	<input type="checkbox"/> Creating or changing an easement giving access to a lot from a construction road (complete 13))

10) Subdivision				
10.1) For this development, how many lots are being created and what is the intended use of those lots:				
Intended use of lots created	Residential	Commercial	Industrial	Other, please specify:
Number of lots created				
10.2) Will the subdivision be staged?				
<input type="checkbox"/> Yes – provide additional details below				
<input type="checkbox"/> No				
How many stages will the works include?				
What stage(s) will this development application apply to?				

**11) Dividing land into parts by agreement – how many parts are being created and what is the intended use of the parts?**

Intended use of parts created	Residential	Commercial	Industrial	Other, please specify:
Number of parts created				

**12) Boundary realignment**

**12.1) What are the current and proposed areas for each lot comprising the premises?**

Current lot		Proposed lot	
Lot on plan description	Area (m <sup>2</sup> )	Lot on plan description	Area (m <sup>2</sup> )

**12.2) What is the reason for the boundary realignment?**

--

**13) What are the dimensions and nature of any existing easements being changed and/or any proposed easement? (attach schedule if there are more than two easements)**

Existing or proposed?	Width (m)	Length (m)	Purpose of the easement? (e.g. pedestrian access)	Identify the land/lot(s) benefitted by the easement

**Division 3 – Operational work**

*Note: This division is only required to be completed if any part of the development application involves operational work.*

**14.1) What is the nature of the operational work?**

<input type="checkbox"/> Road work	<input type="checkbox"/> Stormwater	<input type="checkbox"/> Water infrastructure
<input type="checkbox"/> Drainage work	<input type="checkbox"/> Earthworks	<input type="checkbox"/> Sewage infrastructure
<input type="checkbox"/> Landscaping	<input type="checkbox"/> Signage	<input type="checkbox"/> Clearing vegetation
<input type="checkbox"/> Other – please specify: <input type="text"/>		

**14.2) Is the operational work necessary to facilitate the creation of new lots? (e.g. subdivision)**

<input type="checkbox"/> Yes – specify number of new lots: <input type="text"/>
<input type="checkbox"/> No

**14.3) What is the monetary value of the proposed operational work? (include GST, materials and labour)**

\$ <input type="text"/>
-------------------------

**PART 4 – ASSESSMENT MANAGER DETAILS**

**15) Identify the assessment manager(s) who will be assessing this development application**

Mareeba Shire Council
-----------------------

**16) Has the local government agreed to apply a superseded planning scheme for this development application?**

<input checked="" type="checkbox"/> Yes – a copy of the decision notice is attached to this development application
<input type="checkbox"/> Local government is taken to have agreed to the superseded planning scheme request – relevant documents attached
<input type="checkbox"/> No

**PART 5 – REFERRAL DETAILS**

**17) Do any aspects of the proposed development require referral for any referral requirements?**

--

**Note: A development application will require referral if prescribed by the Planning Regulation 2017.**

No, there are no referral requirements relevant to any development aspects identified in this development application – proceed to Part 6

Matters requiring referral to the **chief executive of the Planning Regulation 2017:**

- Clearing native vegetation
- Contaminated land (*unexploded ordnance*)
- Environmentally relevant activities (ERA) (*only if the ERA have not been devolved to a local government*)
- Fisheries – aquaculture
- Fisheries – declared fish habitat area
- Fisheries – marine plants
- Fisheries – waterway barrier works
- Hazardous chemical facilities
- Queensland heritage place (*on or near a Queensland heritage place*)
- Infrastructure – designated premises
- Infrastructure – state transport infrastructure
- Infrastructure – state transport corridors and future state transport corridors
- Infrastructure – state-controlled transport tunnels and future state-controlled transport tunnels
- Infrastructure – state-controlled roads
- Land within Port of Brisbane's port limits
- SEQ development area
- SEQ regional landscape and rural production area or SEQ Rural living area – community activity
- SEQ regional landscape and rural production area or SEQ Rural living area – indoor recreation
- SEQ regional landscape and rural production area or SEQ Rural living area – residential development
- SEQ regional landscape and rural production area or SEQ Rural living area – urban activity
- Tidal works or works in a coastal management district
- Urban design
- Water-related development – taking or interfering with water
- Water-related development – removing quarry material (*from a watercourse or lake*)
- Water-related development – referable dams
- Water-related development – construction of new levees or modification of existing levees (*category 2 or 3 levees only*)
- Wetland protection area

Matters requiring referral to the **local government:**

- Airport land
- Environmentally relevant activities (ERA) (*only if the ERA have been devolved to local government*)
- Local heritage places

Matters requiring referral to the **chief executive of the distribution entity or transmission entity:**

- Electricity infrastructure



Matters requiring referral to: <ul style="list-style-type: none"> <li>• The <b>chief executive of the holder of the licence</b>, if not an individual</li> <li>• The <b>holder of the licence</b>, if the holder of the licence is an individual</li> </ul> <input type="checkbox"/> Oil and gas infrastructure
Matters requiring referral to the <b>Brisbane City Council</b> : <input type="checkbox"/> Brisbane core port land
Matters requiring referral to the <b>Minister under the Transport Infrastructure Act 1994</b> : <input type="checkbox"/> Brisbane core port land <input type="checkbox"/> Strategic port land
Matters requiring referral to the <b>relevant port operator</b> : <input type="checkbox"/> Brisbane core port land (below high-water mark and within port limits)
Matters requiring referral to the <b>chief executive of the relevant port authority</b> : <input type="checkbox"/> Land within limits of another port
Matters requiring referral to the <b>Gold Coast Waterways Authority</b> : <input type="checkbox"/> Tidal works, or development in a coastal management district in Gold Coast waters
Matters requiring referral to the <b>Queensland Fire and Emergency Service</b> : <input type="checkbox"/> Tidal works, or development in a coastal management district

<b>18) Has any referral agency provided a referral response for this development application?</b>		
<input type="checkbox"/> Yes – referral response(s) received and listed below are attached to this development application		
<input checked="" type="checkbox"/> No		
Referral requirement	Referral agency	Date of referral response
Identify and describe any changes made to the proposed development application that was the subject of the referral response and the development application the subject of this form, or include details in a schedule to this development application <i>(if applicable)</i> .		

## PART 6 – INFORMATION REQUEST

<b>19) Information request under Part 3 of the DA Rules</b>	
<input checked="" type="checkbox"/> I agree to receive an information request if determined necessary for this development application	
<input type="checkbox"/> I do not agree to accept an information request for this development application	
<b>Note:</b> <i>By not agreeing to accept an information request I, the applicant, acknowledge:</i> <ul style="list-style-type: none"> <li>• that this development application will be assessed and decided based on the information provided when making this development application and the assessment manager and any referral agencies relevant to the development application are not obligated under the DA Rules to accept any additional information provided by the applicant for the development application unless agreed to by the relevant parties</li> <li>• Part 3 of the DA Rules will still apply if the application is an application listed under section 11.3 of the DA Rules.</li> </ul> Further advice about information requests is contained in the <a href="#">DA Forms Guide</a> .	

## PART 7 – FURTHER DETAILS

### 20) Are there any associated development applications or current approvals? (e.g. a preliminary approval)

- Yes – provide details below or include details in a schedule to this development application  
 No

List of approval/development application references	Reference number	Date	Assessment manager
<input type="checkbox"/> Approval <input type="checkbox"/> Development application			
<input type="checkbox"/> Approval <input type="checkbox"/> Development application			

### 21) Has the portable long service leave levy been paid? (only applicable to development applications involving building work or operational work)

- Yes – the yellow local government/private certifier's copy of the receipted QLeave form is attached to this development application  
 No – I, the applicant will provide evidence that the portable long service leave levy has been paid before the assessment manager decides the development application. I acknowledge that the assessment manager may give a development approval only if I provide evidence that the portable long service leave levy has been paid  
 Not applicable

Amount paid	Date paid (dd/mm/yy)	QLeave levy number (A, B or E)
\$		

### 22) Is this development application in response to a show cause notice or required as a result of an enforcement notice?

- Yes – show cause or enforcement notice is attached  
 No

### 23) Further legislative requirements

#### **Environmentally relevant activities**

#### 23.1) Is this development application also taken to be an application for an environmental authority for an **Environmentally Relevant Activity (ERA)** under section 115 of the *Environmental Protection Act 1994*?

- Yes – the required attachment (form EM941) for an application for an environmental authority accompanies this development application, and details are provided in the table below  
 No

*Note: Application for an environmental authority can be found by searching "EM941" at [www.qld.gov.au](http://www.qld.gov.au). An ERA requires an environmental authority to operate. See [www.business.qld.gov.au](http://www.business.qld.gov.au) for further information.*

Proposed ERA number:		Proposed ERA threshold:	
Proposed ERA name:			

- Multiple ERAs are applicable to this development application and the details have been attached in a schedule to this development application.

#### **Hazardous chemical facilities**

#### 23.2) Is this development application for a **hazardous chemical facility**?

- Yes – Form 69: Notification of a facility exceeding 10% of schedule 15 threshold is attached to this development application  
 No

*Note: See [www.justice.qld.gov.au](http://www.justice.qld.gov.au) for further information.*

#### **Clearing native vegetation**

23.3) Does this development application involve **clearing native vegetation** that requires written confirmation the chief executive of the *Vegetation Management Act 1999* is satisfied the clearing is for a relevant purpose under section 22A of the *Vegetation Management Act 1999*?

Yes – this development application is accompanied by written confirmation from the chief executive of the *Vegetation Management Act 1999* (s22A determination)

No

Note: See [www.qld.gov.au](http://www.qld.gov.au) for further information.

#### **Environmental offsets**

23.4) Is this development application taken to be a prescribed activity that may have a significant residual impact on a **prescribed environmental matter** under the *Environmental Offsets Act 2014*?

Yes – I acknowledge that an environmental offset must be provided for any prescribed activity assessed as having a significant residual impact on a prescribed environmental matter

No

Note: The environmental offset section of the Queensland Government's website can be accessed at [www.qld.gov.au](http://www.qld.gov.au) for further information on environmental offsets.

#### **Koala conservation**

23.5) Does this development application involve a material change of use, reconfiguring a lot or operational work within an assessable development area under Schedule 10, Part 10 of the Planning Regulation 2017?

Yes

No

Note: See guidance materials at [www.ehp.qld.gov.au](http://www.ehp.qld.gov.au) for further information.

#### **Water resources**

23.6) Does this development application involve **taking or interfering with artesian or sub artesian water, taking or interfering with water in a watercourse, lake or spring, taking overland flow water or waterway barrier works?**

Yes – the relevant template is completed and attached to this development application

No

Note: DA templates are available from [www.dilqp.qld.gov.au](http://www.dilqp.qld.gov.au).

23.7) Does this application involve **taking or interfering with artesian or sub artesian water, taking or interfering with water in a watercourse, lake or spring, or taking overland flow water** under the *Water Act 2000*?

Yes – I acknowledge that a relevant water authorisation under the *Water Act 2000* may be required prior to commencing development

No

Note: Contact the Department of Natural Resources and Mines at [www.dnrm.qld.gov.au](http://www.dnrm.qld.gov.au) for further information.

#### **Marine activities**

23.8) Does this development application involve **aquaculture, works within a declared fish habitat area or removal, disturbance or destruction of marine plants?**

Yes – an associated resource allocation authority is attached to this development application, if required under the *Fisheries Act 1994*

No

Note: See guidance materials at [www.daf.qld.gov.au](http://www.daf.qld.gov.au) for further information.

#### **Quarry materials from a watercourse or lake**

23.9) Does this development application involve the **removal of quarry materials from a watercourse or lake** under the *Water Act 2000*?

Yes – I acknowledge that a quarry material allocation notice must be obtained prior to commencing development

No

Note: Contact the Department of Natural Resources and Mines at [www.dnrm.qld.gov.au](http://www.dnrm.qld.gov.au) for further information.

#### **Quarry materials from land under tidal waters**

23.10) Does this development application involve the **removal of quarry materials from land under tidal water** under the *Coastal Protection and Management Act 1995*?

Yes – I acknowledge that a quarry material allocation notice must be obtained prior to commencing development

No  
 Note: Contact the Department of Environment and Heritage Protection at [www.ehp.qld.gov.au](http://www.ehp.qld.gov.au) for further information.

**Referable dams**

23.11) Does this development application involve a **referable dam** required to be failure impact assessed under section 343 of the *Water Supply (Safety and Reliability) Act 2008* (the Water Supply Act)?

Yes – the 'Notice Accepting a Failure Impact Assessment' from the chief executive administering the Water Supply Act is attached to this development application

No  
 Note: See guidance materials at [www.dews.qld.gov.au](http://www.dews.qld.gov.au) for further information.

**Tidal work or development within a coastal management district**

23.12) Does this development application involve **tidal work or development in a coastal management district**?

Yes – the following is included with this development application:  
 Evidence the proposal meets the code for assessable development that is prescribed tidal work (*only required if application involves prescribed tidal work*)  
 A certificate of title

No  
 Note: See guidance materials at [www.ehp.qld.gov.au](http://www.ehp.qld.gov.au) for further information.

**Queensland and local heritage places**

23.13) Does this development application propose development on or adjoining a place entered in the **Queensland heritage register** or on a place entered in a local government's **Local Heritage Register**?

Yes – details of the heritage place are provided in the table below  
 No

Note: See guidance materials at [www.ehp.qld.gov.au](http://www.ehp.qld.gov.au) for information requirements regarding development of Queensland heritage places.

Name of the heritage place:		Place ID:	
-----------------------------	--	-----------	--

**Brothels**

23.14) Does this development application involve a **material change of use for a brothel**?

Yes – this development application demonstrates how the proposal meets the code for a development application for a brothel under Schedule 3 of the *Prostitution Regulation 2014*

No

**Decision under section 62 of the Transport Infrastructure Act 1994**

23.15) Does this development application involve new or changed access to a state-controlled road?

Yes - this application will be taken to be an application for a decision under section 62 of the *Transport Infrastructure Act 1994* (subject to the conditions in section 75 of the *Transport Infrastructure Act 1994* being satisfied)

No

**PART 8 – CHECKLIST AND APPLICANT DECLARATION**

**24) Development application checklist**

I have identified the assessment manager in question 15 and all relevant referral requirement(s) in question 17  Yes  
 Note: See the *Planning Regulation 2017* for referral requirements

If building work is associated with the proposed development, Parts 4 to 6 of *Form 2 – Building work details* have been completed and attached to this development application  Yes  
 Not applicable

Supporting information addressing any applicable assessment benchmarks is with development application  Yes  
 Note: This is a mandatory requirement and includes any relevant templates under question 23, a planning report and any technical reports required by the relevant categorising instruments (e.g. local government planning schemes, State Planning Policy, State Development Assessment Provisions). For further information, see *DA Forms Guide: Planning Report Template*.

Relevant plans of the development are attached to this development application  Yes  
 Note: Relevant plans are required to be submitted for all aspects of this development application. For further

information, see *DA Forms Guide: Relevant plans*.

The portable long service leave levy for QLeave has been paid, or will be paid before a development permit is issued (see 21))	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> Not applicable
--	--

**25) Applicant declaration**

By making this development application, I declare that all information in this development application is true and correct

Where an email address is provided in Part 1 of this form, I consent to receive future electronic communications from the assessment manager and any referral agency for the development application where written information is required or permitted pursuant to sections 11 and 12 of the *Electronic Transactions Act 2001*

*Note: It is unlawful to intentionally provide false or misleading information.*

**Privacy** – Personal information collected in this form will be used by the assessment manager and/or chosen assessment manager, any relevant referral agency and/or building certifier (including any professional advisers which may be engaged by those entities) while processing, assessing and deciding the development application. All information relating to this development application may be available for inspection and purchase, and/or published on the assessment manager's and/or referral agency's website.

Personal information will not be disclosed for a purpose unrelated to the *Planning Act 2016*, *Planning Regulation 2017* and the DA Rules except where:

- such disclosure is in accordance with the provisions about public access to documents contained in the *Planning Act 2016* and the *Planning Regulation 2017*, and the access rules made under the *Planning Act 2016* and *Planning Regulation 2017*; or
- required by other legislation (including the *Right to Information Act 2009*); or
- otherwise required by law.

This information may be stored in relevant databases. The information collected will be retained as required by the *Public Records Act 2002*.

**PART 9 – FOR OFFICE USE ONLY**

Date received:  Reference number(s):

**Notification of engagement of alternative assessment manager**

Prescribed assessment manager	
Name of chosen assessment manager	
Date chosen assessment manager engaged	
Contact number of chosen assessment manager	
Relevant licence number(s) of chosen assessment manager	

**QLeave notification and payment**

*Note: For completion by assessment manager if applicable*

Description of the work	
QLeave project number	
Amount paid (\$)	
Date paid	
Date receipted form sighted by assessment manager	
Name of officer who sighted the form	

The *Planning Act 2016*, the *Planning Regulation 2017* and the *DA Rules* are administered by the Department of Infrastructure, Local Government and Planning. This form and all other required development application materials should be sent to the assessment manager.

## CURRENT TITLE SEARCH

DEPT OF NATURAL RESOURCES AND MINES, QUEENSLAND

Request No: 26331397

Search Date: 03/07/2017 13:02

Title Reference: 20643146

Date Created: 29/03/1963

Previous Title: 20532198

20532199

### REGISTERED OWNER

Dealing No: 708756961 22/06/2005

DARREN JOHN CLELAND

### ESTATE AND LAND

Estate in Fee Simple

LOT 1 REGISTERED PLAN 708214  
Local Government: MAREEBA

### EASEMENTS, ENCUMBRANCES AND INTERESTS

1. Rights and interests reserved to the Crown by  
Deed of Grant No. 20183105 (POR 84)
2. MORTGAGE No 708756962 22/06/2005 at 09:30  
COMMONWEALTH BANK OF AUSTRALIA A.B.N. 48 123 123 124

ADMINISTRATIVE ADVICES - NIL

UNREGISTERED DEALINGS - NIL

CERTIFICATE OF TITLE ISSUED - No

Caution - Charges do not necessarily appear in order of priority

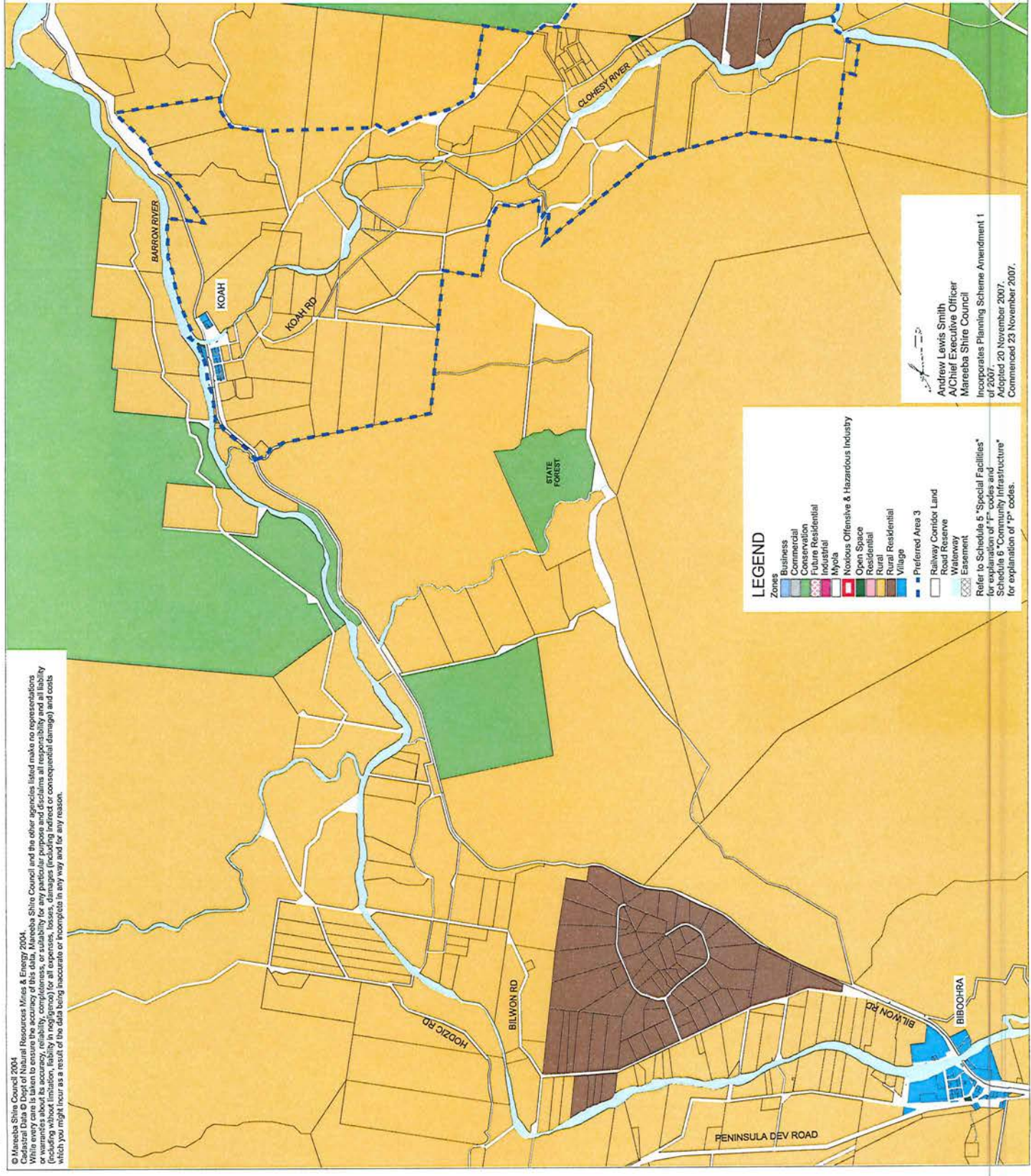
\*\* End of Current Title Search \*\*

COPYRIGHT THE STATE OF QUEENSLAND (DEPT OF NATURAL RESOURCES AND MINES) [2017]  
Requested By: D-ENQ PROPERTY & TITLE SEARCH





© Maree Shire Council 2004  
 Cadastral Data © Dept of Natural Resources Mines & Energy 2004.  
 While every care is taken to ensure the accuracy of this data, Maree Shire Council and the other agencies listed make no representations or warranties, either expressed or implied, as to the accuracy, completeness, reliability or fitness for any particular purpose of the data, and accept no liability for all expenses, losses, damages (including indirect or consequential damage) and costs which you might incur as a result of the data being inaccurate or incomplete in any way and for any reason.



**LEGEND**

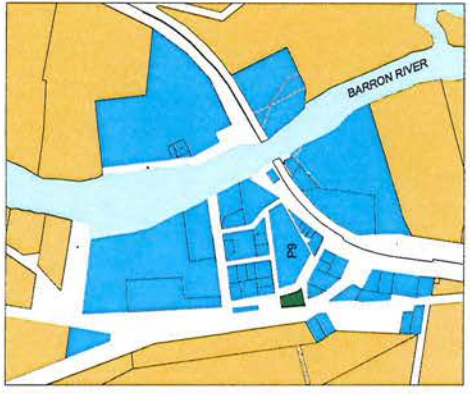
- Zones
  - Business
  - Commercial
  - Conservation
  - Urban Residential
  - Industrial
  - Myra
  - Open Space
  - Residential
  - Rural Residential
  - Village
- Preferred Area 3
- Railway Corridor Land
- Road Reserve
- Waterway
- Easement

Refer to Schedule 5 "Special Facilities" for explanation of "F" codes and Schedule 6 "Community Infrastructure" for explanation of "P" codes.

Andrew Lewis Smith  
 A/C Chief Executive Officer  
 Maree Shire Council  
 Incorporates Planning Scheme Amendment 1 of 2007.  
 Adopted 20 November 2007.  
 Commenced 23 November 2007.



INSET - KOAH TOWNSHIP



INSET - BIBOOHRA TOWNSHIP



**ZONING PLAN**  
**BIBOOHRA - KOAH**  
 MAREEBA SHIRE COUNCIL  
 6 OCTOBER 2004



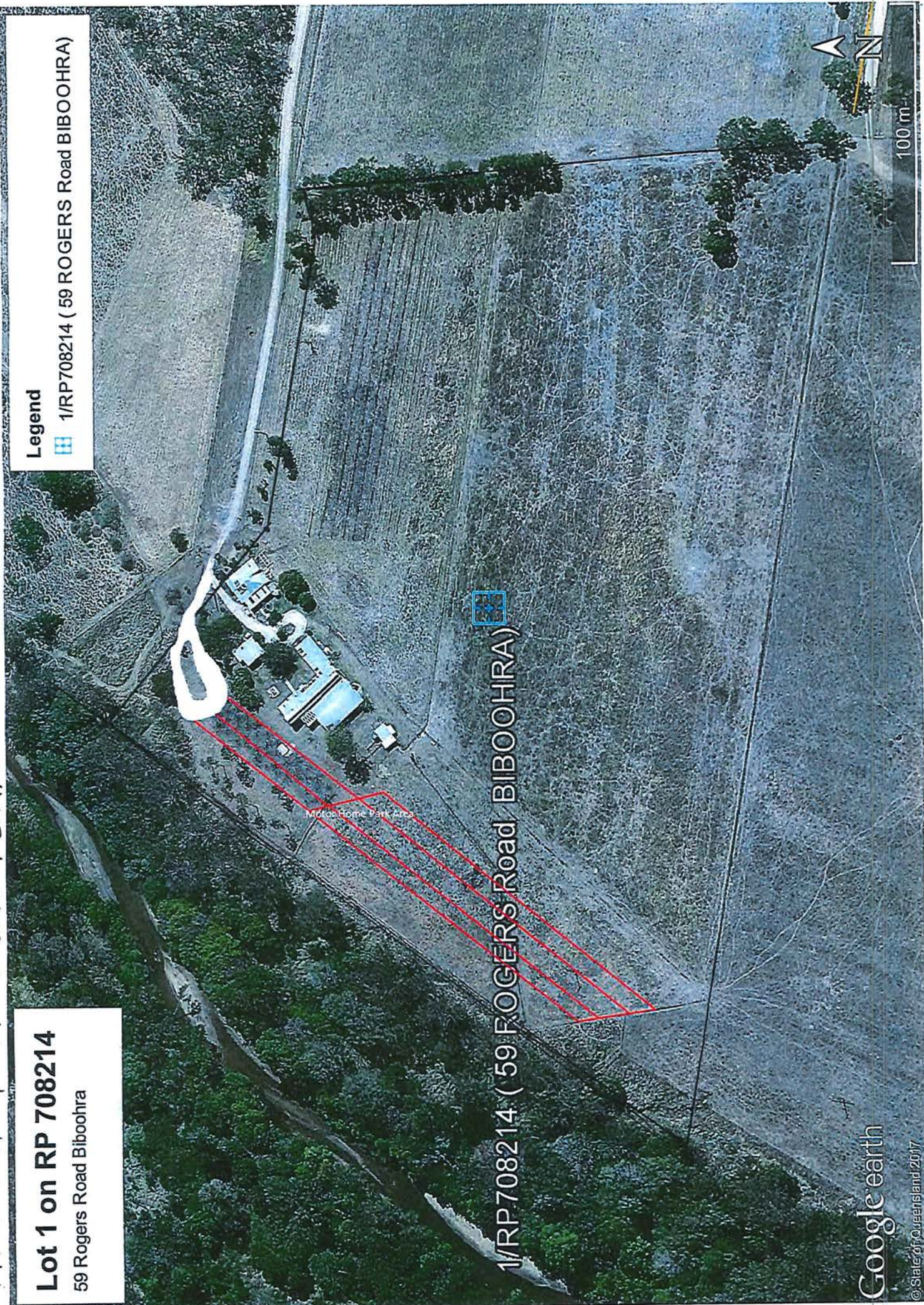


APPENDIX 4 PROPOSAL PLAN

**Lot 1 on RP 708214**  
59 Rogers Road Bibohra

**Legend**

 1/RP708214 ( 59 ROGERS Road BIBOOHRA)





## APPENDIX 5

### Statement of Compliance - Rural Zone Code

#### RURALZONE CODE

##### Purpose

The proposed Material Change of Use for a Motor Home Park (Self-Contained Accommodation Vehicles) over Lot 1 on RP708214 located at 59 Rogers Road, Biboohra achieves the purpose of the Rural Zone Code. Specifically, the development application achieves the intent of the desired development outcomes expressed in the purpose statement of the Code.

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.

#### BUILDING SITING, SCALE AND AMENITY

Specific Outcomes	Acceptable Solutions (self assessable) or Probable Solutions (code assessable)	COMMENTS OF COMPLIANCE WITH PROBABLE SOLUTIONS OR SPECIFIC OUTCOMES
<b>For Self Assessable and Code Assessable Development</b>		
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>	<p>Complies. The proposed development does not include the construction of new buildings or structures.</p> <p>The ultimate form of development will include a new Motor Home parking facility that provides the provision of sites for users of self-contained motor homes and the like to make short term stays in a convenient location.</p>
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>	<p>The proposed development will not compromise the agricultural activities within the area. The area of the site which will accommodate the motor home park is well setback from surrounding agricultural land uses.</p>
S3 Functional, safe and convenient vehicular access and movement to the site for the particular activity.	<p>PS3 Access to the site is provided in accordance with Planning Scheme Policy 4 - Development Manual Section D1.30.</p>	<p>The site provides safe, functional and convenient access to the motor homes, RVs, and other vehicles as well as council vehicles which are likely to need access to the land. The proposal complies with the Probable Solution.</p>

<p>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>	<p><b>For Lots with areas of two (2) hectares or above:</b>  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  <b>For Lots below two (2) hectares in area:</b>  PS4.2 Vegetation is retained within ten (10) metres from the high bank of waterways and wetlands as indicated on</p>	<p>Complies. The removal of vegetation is not proposed as part of the application.   The proposal does not intend to clear any extent of existing vegetation as a result of the proposed development</p>
	<p>PS4.3 Vegetation is retained on land with a slope of 15% or greater.</p>	
<p><b>For Code Assessable Development</b></p>		
<p>S5 Buildings are protected from adverse flooding and does not interfere with the passage or storage of stormwater.</p>	<p>PS5.1 Buildings are designed and located as not to be within an subject to flooding, unless:   (ii) the floor level of all habitable rooms is at least 300mm clear of the Q100 flood level; and   (ii) the building is elevated and the area below the building is not enclosed or otherwise does not impede the passage of stormwater.</p>	<p>Complies. The proposed development does not include the construction of new buildings or structures.</p>
<p><i>For the Southedge Potential Tourist Area as identified on the Strategic Framework Maps SP1 &amp; SP2</i>  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.</p>	<p>PS6 Development occurs in accordance with an approved plan which adequately addresses social, economic, environmental and regional considerations.</p>	<p>Not applicable to this proposal.</p>

<p><i>For Mona Mona Reserve as identified on Map Z10 as Preferred Area No 2</i></p> <p>S7 Utility services are provided which are:</p> <p>(i) Cost effective over their life cycle; and</p> <p>(ii) Minimise potential adverse environmental impacts in the short and long term; and</p> <p>(iii) Do not pose a risk to human health or the amenity of the locality; and</p> <p>(iv) Provided equitably.</p>	PS7	<p>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.</p>	Not applicable to this proposal.
<p><i>For Clohesy River Area identified on Maps Z8, Z9 and Z10 as Preferred Area No 3</i></p> <p>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.</p>	PS8	<p>New development within Preferred No 3 does not compromise its potential for future long term urban development.</p>	Not applicable to this proposal.
<p>S9 Tourism uses in or within 50 metres of a significant landscape feature are located on a site:</p> <p>(i) without impacting on the attributes or values which give rise to the attractiveness of the site; and</p> <p>(ii) with proximity to infrastructure and services adequate to meet the-day to-day needs of the tourist population likely to be generated by development on the site; and</p> <p>(iii) that contains land suitable in its physical characteristics to accommodate the form, scale and intensity of development; and</p> <p>(iv) without impact upon the visual and landscape setting of the Shire.</p>	PS9	No probable solution prescribed.	Not applicable to this proposal.



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 site is not classified as Good Quality Agricultural Land therefore the proposed development can take place on this lot without compromising the Specific Outcome.
--	---------------------------------------	---

#### GRAVEL PITS, RESOURCE RESERVES AND MINING LEASES

- Not applicable to this proposal.

Specific Outcomes	Acceptable Solutions (self assessable) or Probable Solutions (code assessable)
<b>For Self Assessable and Code Assessable Development</b>	
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.
<b>For Code Assessable Development</b>	
S2 Development of new extractive industries ensures neighbouring activities are not impacted upon.	PS2 No probable solution prescribed.

#### RECONFIGURING A LOT

- Not applicable to this proposal.

Specific Outcomes	Acceptable Solutions (self assessable) or Probable Solutions (code assessable)
<b>For Code Assessable Development</b>	

<p>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</p>	<p>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</p> <p>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.</p>
<p>S2 Design and construction caters for the intended use of the road.</p>	<p>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.</p>
<p>S3 Augmentation of the road network servicing the development is provided.</p>	<p>PS3 A cash contribution is paid in accordance with the Planning Scheme Policy 6 - Augmentation of the Road Network<sup>66</sup></p>
<p>S4 Sewage disposal facilities are provided for each allotment which are:</p> <ul style="list-style-type: none"> <li>(i) Cost effective over their life cycle; and</li> <li>(ii) Minimise potential adverse environmental impacts in the short and long term; and</li> <li>(iii) Do not pose a risk to human health or the amenity of the locality; and</li> <li>(iv) are provided equitably.</li> </ul>	<p>PS4 On site sewage disposal facilities are provided in accordance with the Plumbing and Drainage Act 2002.</p>

## Appendix 6

### Statement of Compliance General Codes

- Car Parking Code
- Tourist Facility Code
- Landscaping Code

#### CAR PARKING CODE

##### Purpose

The proposed Material Change of Use for a Motor Home Park (Self-Contained Accommodation Vehicles) over Lot 1 on RP708214 located at 59 Rogers Road, Bibbohra achieves the purpose of the Car Parking Code. Specifically, the development application achieves the intent of the desired development outcomes expressed in the purpose statement of the Code.

The overall outcomes sought for the Car Parking Code are the following:

- Uses have sufficient on site car parking and bicycle spaces designated in a manner to meet the requirements of the intended user;
- The number of car parking spaces provided does not impact on the functioning of the surrounding road network; and
- Vehicles and bicycles can access and move within the site in a safe and efficient manner.

##### Applicability

The Code has been checked against the applicability statements and it does apply to the development.

Specific Outcome	Acceptable Solutions (self assessable) or Probable Solutions (code assessable)
<b>For Code Assessable Development</b>	
<i>Car Parking Design</i>	
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.
COMMENTS OF COMPLIANCE WITH PROBABLE SOLUTIONS OR SPECIFIC OUTCOMES	The informal nature of the facility does not require formal parking spaces to be provided.
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.
COMMENTS OF COMPLIANCE WITH PROBABLE SOLUTIONS OR SPECIFIC OUTCOMES	The informal nature of the facility does not require formal parking spaces to be provided.

S8 Adequate shade is provided for car parking areas in excess of 1,000m <sup>2</sup> .	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.
COMMENTS OF COMPLIANCE WITH PROBABLE SOLUTIONS OR SPECIFIC OUTCOMES	The informal nature of the facility does not require formal parking spaces to be provided.
<i>Car Parking Numbers</i>	
S9 Sufficient car parking spaces are provided to accommodate the demand likely to be generated by the use <sup>2</sup> .	AS9.1 The number of car parking spaces provided for the use is in accordance with the Car Parking Schedule.
COMMENTS OF COMPLIANCE WITH PROBABLE SOLUTIONS OR SPECIFIC OUTCOMES	The informal nature of the facility does not require formal parking spaces to be provided.  The arrangement within the designated Motor Home Park area will allow for users to choose their preferred location within the perimeter of the permissible parking area which will be clearly identified.
S10 The development provide for loading, unloading and garbage areas.	AS10.1 All unloading, loading and garbage areas are designed such that all operations are carried out on site; and 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.
COMMENTS OF COMPLIANCE WITH PROBABLE SOLUTIONS OR SPECIFIC OUTCOMES	The informal nature of the facility does not require formal loading or unloading facilities. The collection of garbage will be required and will be done by roadside collection.
<b>Specific Outcome</b>	<b>Acceptable Solutions (self assessable) or Probable Solutions (code assessable)</b>
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 <sup>3</sup> .	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.
COMMENTS OF COMPLIANCE WITH PROBABLE SOLUTIONS OR SPECIFIC OUTCOMES	The proposal complies with the Specific Outcome .
<i>Bicycle Parking</i>	
S12 Bicycle parking spaces are of adequate dimensions, standards and sufficient numbers to meet user requirements	AS12.1 Bicycle parking spaces meet the design requirements of Australian Standards AS 2890.3- 2000 (as amended) and AS12.2 Bicycle parking spaces being provided for the uses is in accordance with the bicycle parking schedule.

COMMENTS OF COMPLIANCE WITH PROBABLE SOLUTIONS OR SPECIFIC OUTCOMES	Not applicable for development use type.
<i>Movement and Access</i>	
S13 Access is safe, functional, convenient and located in accordance with the Road Hierarchy Map R3.	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 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 AS13.3 All on site traffic movements are to be designed for all vehicles to enter and leave the site in a forward gear; and AS13.4 All accesses on Council roads are to be designed and constructed in accordance with the Planning Scheme Policy - 4 Development Manual.4
COMMENTS OF COMPLIANCE WITH PROBABLE SOLUTIONS OR SPECIFIC OUTCOMES	The proposed development will utilise the existing access onto Rogers Road as shown on the proposal plan.

## TOURIST FACILITY CODE

### Purpose

The proposed Material Change of Use for a Motor Home Park (Self-Contained Accommodation Vehicles) over Lot 1 on RP708214 located at 59 Rogers Road, Biboohra achieves the purpose of the Tourist Facility Code. Specifically, the development application achieves the intent of the desired development outcomes expressed in the purpose statement of the Code.

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.

### Applicability

The Code has been checked against the applicability statements and it does apply to the development.

Specific Outcomes	Probable Solutions (code assessable)	COMMENTS OF COMPLIANCE WITH PROBABLE SOLUTIONS OR SPECIFIC OUTCOMES
<p><b>S1 Lot size and local amenity</b></p> <p>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.</p>	<p><b>For caravan parks or camping grounds</b></p> <p>PS1.1 (i) minimum lot size is 4,000m<sup>2</sup>; and</p> <p>(ii) minimum three (3) metre wide landscaped buffers are provided along all boundaries of the site, except for ingress and egress points.</p> <p><b>For other tourist developments</b></p> <p>PS1.2 (i) buildings and roofed structures do not cover more than 20% of the site; and</p> <p>(ii) all buildings have the following minimum setbacks:</p> <ul style="list-style-type: none"> <li>• ten (10) metres from road boundaries;</li> <li>• six (6) metres from any other boundary.</li> </ul>	<p>The subject site has an area of approximately <b>8.1HA</b> hectares and is of sufficient size to accommodate the proposed Motor Home Park. The motor home parking will be contained to an area located to the western portion of the site.</p>
<p><b>S2 Tourist development must not adversely affect or restrict agricultural activities on land identified on Agricultural Land Quality Maps S2, S3, S4 &amp; S5.</b></p>	<p>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.</p>	<p>The proposed development is not situated in proximity to agricultural pursuits on GQAL. Despite this the uses are capable of operating without impacts on the other.</p>
<p><b>S3 On site amenity</b></p> <p>Adequate amenity, particularly privacy, is</p>	<p>PS3.1 There is not more than one (1) caravan site or camping site or tourist cabin/unit for each 120m<sup>2</sup></p>	<p>The informal nature of the facility does not require formal parking spaces to be provided. The area provided on the site will ensure that amenity is maintained.</p>

Specific Outcomes	Probable Solutions (code assessable)	
available for individual caravan or camping sites or tourist cabins/units.	<p>of the site; and</p> <p>PS3.2 10% of the site, exclusive of landscaped buffers, is provided for open space.</p>	
<p>S4 <b>Health, safety and convenience of users</b></p> <p>The health, safety and convenience of people using the tourist development are maintained with respect to:</p> <ul style="list-style-type: none"> <li>(i) pedestrian and vehicle access within, and to and from, the site; and</li> <li>(ii) access for emergency services vehicles; and</li> <li>(iii) availability of on-site car and bicycle parking; and</li> <li>(iv) significant environmental effects of nearby uses.</li> </ul>	<p>For caravan parks or camping grounds</p> <p>PS4.1 Internal roads have the following widths:</p> <ul style="list-style-type: none"> <li>(i) two way road - six (6) metres;</li> <li>(ii) one way road or cul de sac - 4 metres.</li> </ul> <p>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> <ul style="list-style-type: none"> <li>(i) for combined entry and exit - 7 metre minimum width;</li> <li>(ii) for one way entry - 7 metre minimum width;</li> <li>(iii) for one way exit - 5 metre minimum width;</li> <li>(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;</li> <li>(v) for premises which are on or within 100 metres of a State controlled road, only one (1) access is permitted.</li> </ul> <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 <b>motor homes</b>, toilet facilities are not required to be provided.</p>	<p>The proposed access road will be directly from Rogers Road into the proposed Motor Home Park area. It is proposed that an internal loop driveway formalised by compacted gravel (or similar) being suitable for heavy vehicles will provide access into the park area. The width of the road to the loop is proposed to be approximately 5 metres wide, which will provide sufficient width for unrestricted vehicle manoeuvring and access.</p>

## LANDSCAPING CODE

### Purpose

The proposed Material Change of Use for a Motor Home Park (Self-Contained Accommodation Vehicles) over Lot 1 on RP708214 located at Rogers Road Bibohra achieves the purpose of the Landscape Code. Specifically, the development application achieves the intent of the desired development outcomes expressed in the purpose statement of the Code.

The overall outcomes sought for the Landscape Code are the following:

- (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; and
- (g) Community safety and security are addressed.

### Applicability

The Code has been checked against the applicability statements and it does apply to the development.

Specific Outcomes	Acceptable	
<b>For Self Assessable and Code Assessable Development</b>		
<i>Landscaping Strips only</i>		
<p>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.</p>	<p>AS1 The landscaping strips incorporate:</p> <ul style="list-style-type: none"> <li>(i) shrubs planted (minimum 150 millimetre pots) at a maximum spacing of 750 millimetres; and</li> <li>(ii) palm trees planted (minimum 150 millimetre pots) at a maximum spacing of three (3) metres;</li> </ul> <p>OR</p> <ul style="list-style-type: none"> <li>(iii) trees planted (minimum 150 millimetre pots) at a maximum spacing of six (6) metres.</li> </ul>	<p>It is the intention of the applicant to leave the existing vegetation which will not compromise the Probable Solutions.</p>



Specific Outcomes	Acceptable Solutions (self assessable) or Probable Solutions (code	
<i>Landscaping Buffers only</i>		
<p>S2 Landscaping buffers must:</p> <ul style="list-style-type: none"> <li>(i) maximise visual privacy of any adjoining residences; and</li> <li>(ii) minimise light spill and acoustic impacts; and</li> <li>(iii) screen visually obtrusive activities (such as service courts and storage areas); and</li> <li>(iv) soften the appearance of buildings.</li> </ul>	<p>AS2 The landscaping buffers incorporate shrubs or palms or trees that:</p> <ul style="list-style-type: none"> <li>(i) are planted at a maximum spacing of one (1) metre; and</li> <li>(ii) will grow to a height of at least two (2) metres; and</li> <li>(iii) will grow to form a screen of no less than two</li> </ul>	<p>The applicant does not intend to plant landscape buffers. The existing vegetation on the property in conjunction with the location of the proposed development within the subject site is sufficient to provide privacy to the adjoining lots and the users of the proposed development.</p>
<i>Applicable to All Landscaping</i>		
<p>S3 Appropriate plant species are used in landscaping.</p>	<p>AS3 The plant species used in landscaping is to be in accordance with Planning Scheme Policy 9 - Landscaping.</p>	<p>The applicant does not intend to landscape the proposed development. The existing vegetation on the property in conjunction with the location of the proposed development within the subject site is sufficient to provide privacy to the adjoining lots and the users of the proposed development and will deliver the natural amenity sought by travellers.</p>
<p>S4 Landscaping is designed and carried out to ensure ease of maintenance and to ensure success of the landscaping.</p>	<p>AS4.1 Landscaping incorporate automatic, reticulated irrigation systems to water all plants; and</p> <p>AS4.2 Planted areas incorporate a layer of organic mulch; and</p> <p>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.</p>	<p>Not Applicable.</p>

For Code Assessable Development		
<p>S5 Landscaping retains any vegetation of environmental or aesthetic significance where not affected by the works approved for the development.</p>	<p>AS5 Existing trees greater than five (5) metres in height are retained where located:</p> <ul style="list-style-type: none"> <li>(i) greater than five (5) metres from the building footprint; and</li> <li>(ii) clear of driveway, car parking areas, storage or services areas</li> </ul>	<p>The proposed development will retain the vegetation existing on the site.</p>
<p>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,</p>	<p>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)</p> <p>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.</p> <p>AS6.3 Landscaping in areas not adjacent to businesses</p>	<p>Not Applicable.</p>

Specific Outcomes	Acceptable Solutions (self as	
	<p>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.</p>	
<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;</p> <p>OR</p> <p>(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;</p> <p>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>	<p><b>The applicant does not intend to landscape the proposed development.</b></p>
<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>	<p><b>Not Applicable.</b></p>



## Appendix 7

### Statement of Compliance Natural Disaster - Bushfire Overlay Code

#### Purpose

The proposed Material Change of Use for a Motor Home Park (Self-Contained Accommodation Vehicles) over Lot 1 on RP708214 located at 59 Rogers Road, Bibohra achieves the purpose of the Natural Disaster – Bushfire Overlay Code. Specifically, the development application achieves the intent of the desired development outcomes expressed in the purpose statement of the Code.

The overall outcomes sought for the Natural Disaster – Bushfire Overlay Code are:

- (a) The number of people and properties subject to bushfire hazards are minimised by regulating building location and design;
- (b) Evacuation is facilitated in the event of any bushfire threat.
- (c) 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;
- (d) 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 e.g. 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, e.g., 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.

#### Applicability

The Code has been checked against the applicability statements and it does apply to the development.

Specific Outcomes	Probable Solutions (code assessable)	COMMENTS OF COMPLIANCE WITH PROBABLE SOLUTIONS OR SPECIFIC OUTCOMES
S1 Development maintains the safety of people and property by mitigating the risk through:	<b>For Self Assessment:</b> PS1.1 Buildings and structures:	<b>Not Applicable. No buildings or structures are proposed as part of this development application.</b>

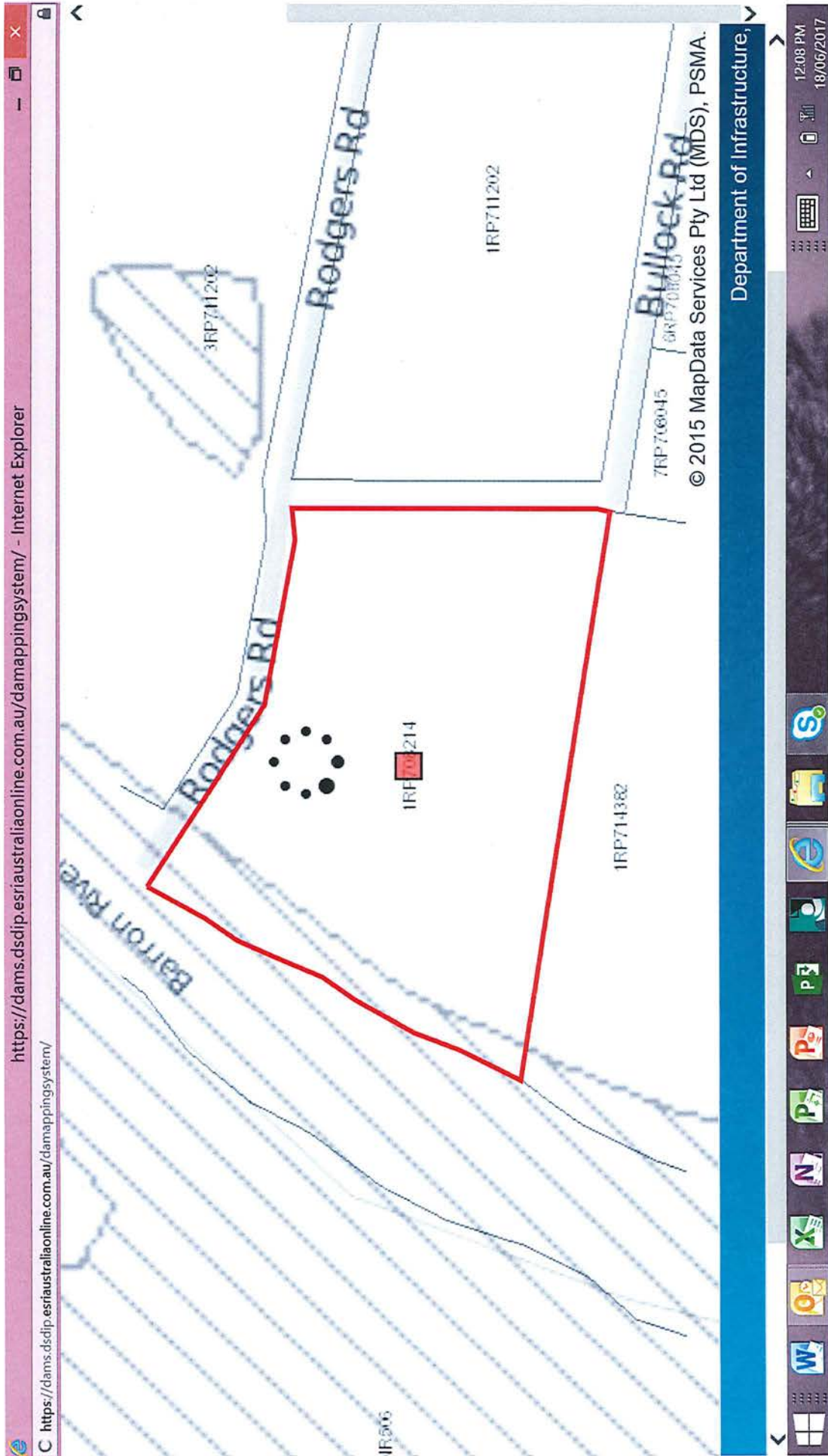
<p>buildings; and</p> <ul style="list-style-type: none"> <li>including firebreaks that provide adequate: <ul style="list-style-type: none"> <li>setbacks between buildings/structures</li> <li>access for firefighting/other emergency vehicles;</li> </ul> </li> <li>providing adequate road access for firefighting/other emergency vehicles and safe evacuation; and</li> <li>providing an adequate and accessible water supply for fire-fighting purposes.</li> </ul>	<p>(a) on lots greater than 2,500m<sup>2</sup>:</p> <ul style="list-style-type: none"> <li>are sited in locations of lowest hazard within the lot; and</li> <li>achieve setbacks from hazardous vegetation<sup>16</sup> of at least 15 metres; and</li> </ul> <p>(b) on lots less than or equal to 2,500m<sup>2</sup>:</p> <ul style="list-style-type: none"> <li>are sited in locations of lowest hazard within the lot; and</li> <li>achieve setbacks from hazardous vegetation<sup>17</sup> of at least 5 metres.</li> </ul> <p><b>For Code Assessment:</b></p> <p>PS1.2 Buildings and structures:</p> <p>(a) on lots greater than 2,500m<sup>2</sup>:</p> <ul style="list-style-type: none"> <li>are sited in locations of lowest hazard within the lot; and</li> <li>achieve setbacks from hazardous vegetation<sup>18</sup> of 1.5 times the predominant mature canopy tree height or 10 metres, whichever is the greater; and</li> <li>are located a minimum of 10 metres from any retained vegetation strips or small areas of vegetation; and</li> <li>are sited so that elements of the development least susceptible to fire are sited closest to the bushfire hazard.</li> </ul> <p>(b) on lots less than or equal to 2,500m<sup>2</sup>, maximise setbacks from hazardous vegetation.</p> <p><b>For Self Assessment and Code Assessment:</b></p> <p>PS1.3 For uses involving new or existing buildings with a gross floor area greater than 50m<sup>2</sup>, each lot has:</p> <ul style="list-style-type: none"> <li>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);</li> </ul> <p>OR</p> <ul style="list-style-type: none"> <li>an on-site water storage of not less than 5,000 litres (eg accessible dam or tank with</li> </ul>	<p>The nature of the proposed motorhome park will be such that visitors will be able to remove their vehicles if there is a risk of bushfire.</p> <p>Vehicles will be set back at least 20 metres from hazardous vegetation.</p> <p>Not applicable. The proposed development does not propose new buildings. The Barron River is accessible from the subject site for firefighting purposes. There is a 50,000 litre water tank on the site. The property is serviced by Queensland Fire and Rescue.</p> <p>Not applicable. The proposed development does not propose new buildings. The Barron River is accessible from the subject site for firefighting purposes. There is a 50,000 litre water tank on the site.</p>
---	--	--

	<p><b>For Code Assessment only:</b></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);</p> <p>AND</p> <p>(b) setbacks and building siting in accordance with PS1.2 above.</p> <p><b>For Code Assessment only:</b></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:</p> <ul style="list-style-type: none"> <li>• a minimum cleared width of 20 metres; and</li> <li>• a constructed road width and weather standard complying with local government standards.</li> </ul> <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:</p> <ul style="list-style-type: none"> <li>• have a minimum cleared width of 6 metres;</li> </ul> <p>AND</p> <ul style="list-style-type: none"> <li>• have a formed width and gradient, and erosion control devices to local government standards;</li> </ul> <p>AND</p> <ul style="list-style-type: none"> <li>• have vehicular access at each end; and • provide passing bays and turning areas for fire-fighting appliances;</li> </ul> <p>AND</p> <ul style="list-style-type: none"> <li>• are either located on public land, or within an access easement that is granted in favour of the local government and Queensland Fire &amp; Rescue Service.</li> </ul> <p>AND</p> <p>(c) sufficient cleared breaks of 6 metres minimum width in retained bushland within the development</p>	<p>Not relevant. No new lots are proposed.</p> <p>The applicant maintains a minimum cleared width of 20 metres to the proposed motorhome park.</p>
--	---	--

Specific Outcomes	Acceptable Solutions (self assessable) or Probable	
	<p><b>For Code Assessment only:</b></p> <p>PS1.6 Roads are designed and constructed in accordance with applicable local government and State government standards and:</p> <ul style="list-style-type: none"> <li>a) have a maximum gradient of 12.5%;and</li> <li>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.</li> </ul> <p><b>For Code Assessment only:</b></p> <p>PS1.7 Development complies with a Bushfire Management Plan<sup>19</sup> for the premises.</p>	<p><b>Access to the subject site is from Rogers Road.</b></p> <p><b>The internal access will be constructed from crushed gravel or the like to an appropriate standard for heavy vehicles.</b></p> <p><b>The proposed development will not result in permanent structures, buildings or new lots. The users of the park will be able to leave the site if there is a risk of bushfire.</b></p>
<p><b>For Code Assessment only:</b></p> <p>S2 Public safety and the environment are not adversely affected by the detrimental impacts of bushfire on hazardous materials manufactured or stored in bulk.</p>	<p><b>For Code Assessment only:</b></p> <p>PS2 Development complies with a Bushfire Management Plan<sup>20</sup> for the premises.</p>	<p>Hazardous materials stored on the site are not in proximity to any bushfire hazard. n</p> <p>The proposed development will not result in permanent structures, buildings or new lots. The users of the park will be able to leave the site if there is a risk of bushfire.</p>



# APPENDIX 8 DA MAPPING VEGETATION

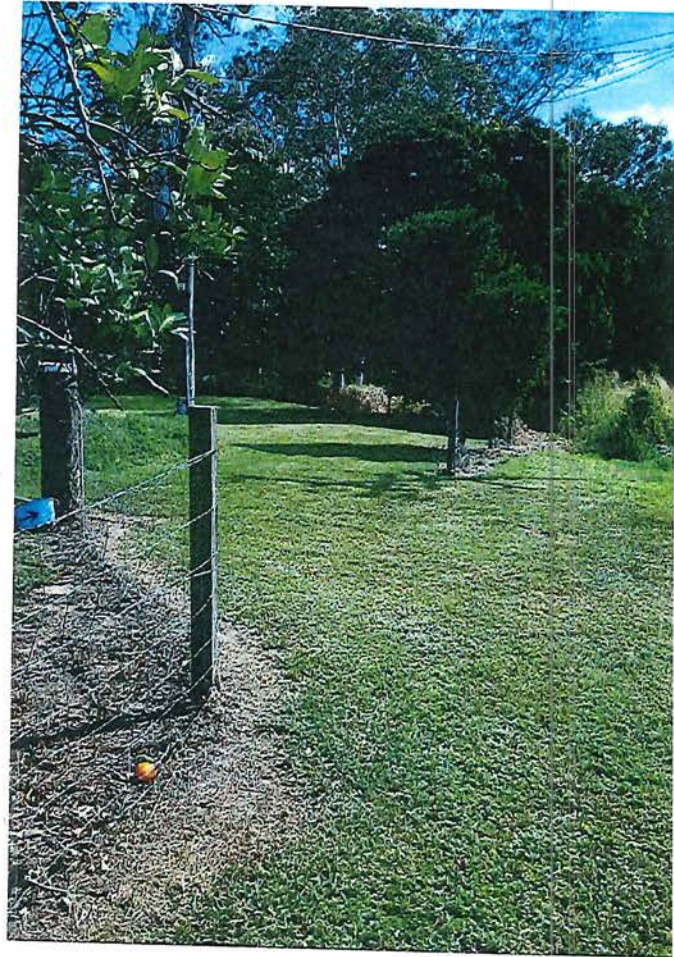




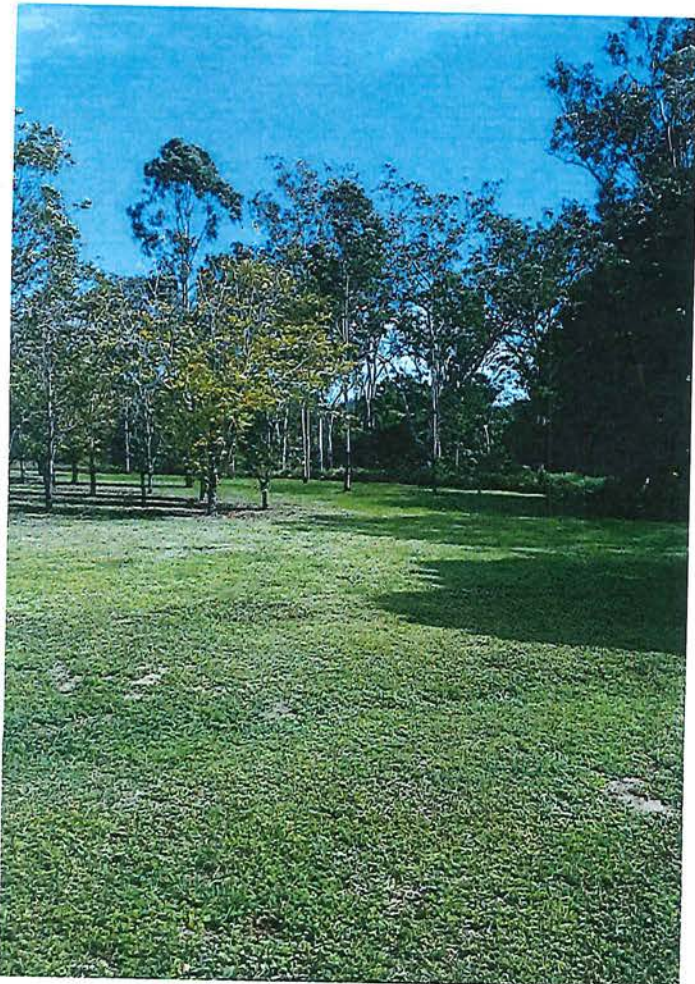
APPENDIX 9 - PHOTOS.



ROBERS RD



ENTRY GATE



NORTHERN PARK AREA



SOUTHERN PARK AREA





# Mareeba

## SHIRE COUNCIL

65 Rankin Street  
PO Box 154 MAREEBA QLD 4880

P: 07 4086 4656  
F: 07 4092 3323

W: [www.msc.qld.gov.au](http://www.msc.qld.gov.au)  
E: [info@msc.qld.gov.au](mailto:info@msc.qld.gov.au)

Council Ref: Lot 1 on RP708214

Our Ref: BM:CE

12 January 2017

Darren Cleland  
PO Box 1270  
MAREEBA QLD 4880

Dear Sir,

**NOTICE OF DECISION - REQUEST FOR APPLICATION OF SUPERSEDED PLANNING SCHEME  
MATERIAL CHANGE OF USE - MOTOR HOME PARK  
LOT 1 ON RP708214  
SITUATED AT 59 ROGERS ROAD, BIBOOHRA**

I refer to your request dated 7 December 2016 for the application of the now superseded Mareeba Shire Planning Scheme 2004 (Amendment No. 01/11) for the assessment of a material change of use - motor home park on the abovementioned property.

In accordance with section 97 of the *Sustainable Planning Act 2009* (SPA) I wish to confirm that on 12 January 2017, Council, under delegated authority, has approved your request. Considering the Mareeba Shire Planning Scheme 2004 places the abovementioned property within the *Rural* zone, an impact assessable development application is required to be submitted to Council for assessment for the proposed motor home park.

The development type and scale for which this approval applies is limited to that which is described above and does not constitute an approval of the application of the superseded planning scheme for any other form or scale of development on the property. In accordance with s99 of the SPA, the future development application (superseded planning scheme) for the motor home park must be lodged with Council within 6 months of the date of this notice.

Should you require any further information, please contact Council's **Planning Officer, Carl Ewin** on the above telephone number.

Yours faithfully

**BRIAN MILLARD**  
**SENIOR PLANNER**

