

8 CORPORATE AND COMMUNITY SERVICES

8.1 G & S HORNER - MATERIAL CHANGE OF USE - ANIMAL KEEPING (STABLES) - LOT 11 ON RP748324 - 2 EMERALD HEIGHTS ROAD, MAREEBA - MCU/19/0010

RESOLUTION 2019/102

Moved: Cr Alan Pedersen

Seconded: Cr Angela Toppin

1. That in relation to the following development application:

APPLICATION		PREMISES	
APPLICANT	G & S Horner	ADDRESS	2 Emerald Heights Road, Mareeba
DATE LODGED	2 July 2019	RPD	Lot 11 on RP748324
TYPE OF APPROVAL	Development Permit		
PROPOSED DEVELOPMENT	Material Change of Use - Animal Keeping (Stables)		

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

Refused by Council for reasons set out in (B).

(A) REFUSED DEVELOPMENT: Development Permit for Material Change of Use - Animal Keeping (Stables)

(B) ASSESSMENT MANAGER’S REASONS FOR REFUSAL:

1. The proposed development is in conflict with Performance Outcomes PO8 and PO9 of the Rural Residential Zone Code:

Non-residential development

PO8

Non-residential development:

- (a) *is consistent with the scale of existing development;*
- (b) *does not detract from the amenity of nearby residential uses;*
- (c) *does not impact on the orderly provision of non-residential development in other locations in the shire; and*
- (d) *directly supports the day to day needs of the immediate residential community; or*
- (e) *has a direct relationship to the land on which the use is proposed.*

Amenity

PO9

Development must not detract from the amenity of the local area, having regards to:

- (a) *noise;*
- (b) *hours of operation;*
- (c) *traffic;*
- (d) *advertising devices;*
- (e) *visual amenity;*
- (f) *privacy;*
- (g) *lighting;*
- (h) *odour; and*
- (i) *emissions.*

2. That there are not sufficient grounds to justify approval, despite the identified conflicts.

CARRIED

8.2 M ANTON - MATERIAL CHANGE OF USE - HIGH IMPACT INDUSTRY (CONCRETE RECYCLING YARD - UP TO 5000 TONNES PER YEAR) - LOTS 2 & 3 ON SP223151 - 3276 & 3278 MULLIGAN HIGHWAY, MOUNT MOLLOY - MCU/19/0009

RESOLUTION 2019/103

Moved: Cr Angela Toppin

Seconded: Cr Lenore Wyatt

1. That in relation to the following development application:

APPLICATION		PREMISES	
APPLICANT	M Anton	ADDRESS	3276 & 3278 Mulligan Highway, Mount Molloy
DATE LODGED	26 June 2019	RPD	Lots 2 & 3 on SP223151
TYPE OF APPROVAL	Development Permit		
PROPOSED DEVELOPMENT	Material Change of Use - High Impact Industry (Concrete Recycling Yard - up to 5,000 tonnes per year)		

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

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