

8.1 MAREEBA SHIRE JOB TRAINING ASSOCIATION INC - MATERIAL CHANGE OF USE - CHILD CARE CENTRE (EXPANSION) - LOT 200 ON SP213026 - 41B ANZAC AVENUE. MAREEBA - MCU/25/0001**Date Prepared:** 3 March 2025**Author:** Coordinator Planning Services**Attachments:** 1. Proposal Plans

APPLICATION DETAILS

APPLICATION		PREMISES	
APPLICANT	Mareeba Shire Job Training Association Inc	ADDRESS	41B Anzac Avenue, Mareeba
DATE LODGED	16 January 2025	RPD	Lot 200 on SP213026
TYPE OF APPROVAL	Development Permit		
PROPOSED DEVELOPMENT	Material Change of Use – Child Care Centre (Expansion)		
FILE NO	MCU/25/0001	AREA	3,626m2
LODGED BY	Reel Planning Pty Ltd	OWNER	Mareeba Shire Job Training Association Inc
PLANNING SCHEME	Mareeba Shire Council Planning Scheme 2016		
ZONE	Low Density Residential zone		
LEVEL OF ASSESSMENT	Impact Assessment		
SUBMISSIONS	Nil		

EXECUTIVE SUMMARY

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

The application is impact assessable and no properly made submissions were received in response to public notification of the application.

The application and supporting material has been assessed against the Mareeba Shire Council Planning Scheme 2016 and does not conflict with any relevant planning instrument.

It is recommended that the application be approved in full with conditions.

OFFICER'S RECOMMENDATION

1. That in relation to the following development application:

APPLICATION		PREMISES	
APPLICANT	Mareeba Shire Job Training Association Inc	ADDRESS	41B Anzac Avenue, Mareeba
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and in accordance with the Planning Act 2016, the applicant be notified that the application for a development permit for the development specified in (A) is:

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

And

The assessment manager does not consider that the assessment manager's decision conflicts with a relevant instrument.

(A) **APPROVED DEVELOPMENT:** Development Permit for Material Change of Use – Child Care Centre (Expansion)

(B) **APPROVED PLANS:**

Plan/Document Number	Plan/Document Title	Prepared by	Dated
2406QITE A01 3	Title Page	NE Architecture	27-11-24
2406QITE A02 3	Site Plan	NE Architecture	27-11-24
2406QITE A03 3	Floor Plan	NE Architecture	27-11-24
2406QITE A04 3	3D Cutaway	NE Architecture	27-11-24
2406QITE A05 3	3D View	NE Architecture	27-11-24
2406QITE A06 2	Elevations	NE Architecture	27-11-24

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

(a) Development assessable against the Planning Scheme

- Development must be carried out generally in accordance with the approved plans and the facts and circumstances of the use as submitted with the application, subject to any alterations:
 - found necessary by Council's delegated officer at the time of examination of the engineering plans or during construction of the development because of particular engineering requirements; and

- to ensure compliance with the following conditions of approval.

2. Timing of Effect

- 2.1 The conditions of the development permit must be complied with to the satisfaction of Council's delegated officer prior to the commencement of the use except where specified otherwise in these conditions of approval.
- 2.2 Prior to the commencement of use, the applicant must notify Council that all the conditions of the development permit have been complied with, except where specified otherwise in these conditions of approval.

3. General

- 3.1 The applicant/developer is responsible for the cost of necessary alterations to existing public utility mains, services or installations required by works in relation to the proposed development or any works required by condition(s) of this approval.
- 3.2 All payments or bonds required to be made to the Council pursuant to any condition of this approval must be made prior to commencement of the use and at the rate applicable at the time of payment.
- 3.3 All works must be designed, constructed and carried out in accordance with FNQROC Development Manual requirements (as amended) and to the satisfaction of Council's delegated officer.

3.4 Waste Management

On site refuse storage area must be provided and be screened from view from adjoining properties and road reserve by one (1) metre wide landscaped screening buffer, 1.8m high solid fence or building.

3.5 Noise Nuisance

Refrigeration equipment, pumps, compressors and mechanical ventilation systems must be located, designed, installed and maintained to achieve a maximum noise level of 3dB(A) above background levels as measured from noise sensitive locations and a maximum noise level of 8dB(A) above background levels as measured from commercial locations.

3.6 Air Conditioner & Building Plant Screening

The applicant/developer is required to install and maintain suitable screening to all air conditioning, lift motor rooms, plant and service facilities located at the top of or on the external face of the building. The screening structures must be constructed from materials that are consistent with materials used elsewhere on the facade of the building. There are to be no individual external unscreened air conditioning units attached to the exterior building facade.

3.7 Safety fencing

A child proof fence or physical barrier is provided to prevent unintended access to the following areas, directly from indoor or outdoor areas intended to accommodate children:

- (a) Vehicle manoeuvring and parking areas;

- (b) Refuse storage and servicing areas; and
- (c) Air conditioning, refrigeration plant and mechanical plant.

3.8 Hours of Operation

The operating hours shall be between 6.30am and 6pm Monday to Saturday. No operations are permitted on Sunday or Public Holidays.

4. Infrastructure Services and Standards

4.1 Access Works

In order to help the flow of traffic to and from the shared carpark and reduce queuing on Anzac Avenue, the existing 13-metre-wide two direction carpark access must be upgraded/constructed to include a reinforced concrete “kerb cut-out and ramp” to allow vehicles to enter and exit the carpark more smoothly and efficiently. The access upgrade must be designed and constructed in accordance with FNQROC development manual standards, to the satisfaction of Council’s delegated officer.

4.2 Stormwater Drainage/Water Quality

4.2.1 Prior to building works commencing, the applicant/developer must submit a Stormwater Management Plan and Report prepared and certified by a suitably qualified design engineer (RPEQ) that meets or exceeds the standards of design and construction set out in the Queensland Urban Drainage Manual (QUDM) and the FNQROC Development Manual to the satisfaction of Council’s delegated officer.

4.2.2 The Stormwater Management Plan must ensure a non-worsening effect on surrounding land as a consequence of the development, and must take all reasonable and practicable measures to ensure discharge occurs in compliance with the Queensland Urban Drainage Manual (QUDM) and the FNQROC Development Manual.

4.2.3 The applicant/developer must construct the stormwater drainage infrastructure for the development in accordance with the approved Stormwater Management Plan and Report.

4.2.4 All stormwater drainage must be collected from site and discharged to an approved legal point of discharge.

4.3 Landscaping and Fencing

4.3.1 The development must be landscaped generally in accordance with Plan 2406QITE A03 3 (Floor Plan) dated 27-11-24.

4.3.2 Plant species are to be generally selected from the Plant Schedule in Planning Scheme Policy 6 - Landscaping and preferred plant species.

4.3.3 The existing boundary solid screen fence must be maintained in good order for the life of the development, to the satisfaction of Council's delegated officer.

4.3.4 A minimum of 25% of new plants is provided as larger, advanced stock with a minimum plant height of 0.7 metres and mulched to a minimum depth of 0.1 metres with organic mulch.

4.3.5 The landscaping of the site must be carried out in accordance with the landscape plan/s, and prior to the commencement of the use, and mulched, irrigated and maintained to the satisfaction of Council's delegated officer.

4.4 Lighting

Where installed, external lighting must be designed and installed in accordance with *AS4282 – Control of the obtrusive effects of outdoor lighting* so as not to cause nuisance to surrounding residents or obstruct or distract pedestrian or vehicular traffic.

4.5 Water Supply

The applicant/developer must connect the proposed development to Council's reticulated water supply in accordance with FNQROC Development Manual standards (as amended) to the satisfaction of Council's delegated officer.

Where the existing reticulated water supply does not currently service the site or is not at an adequate capacity, the applicant/developer is required to extend or upgrade the reticulated water supply infrastructure to connect the site to Council's existing infrastructure at a point that has sufficient capacity to service the development in accordance with FNQROC Development Manual standards (as amended).

If a new or upgraded water service connection is required to service the development, it must be provided in accordance with FNQROC Development Manual standards (as amended) to the satisfaction of Council's delegated officer.

4.6 Sewerage Connection

The applicant/developer must connect the proposed development to Council's reticulated sewerage system in accordance with FNQROC Development Manual standards (as amended) to the satisfaction of Council's delegated officer.

Where sewerage connections are not available to the site, or where existing connections are not satisfactory for the proposed development, the applicant/developer is required to extend or upgrade the reticulated sewerage infrastructure to connect the site to Council's existing infrastructure at a point that has sufficient capacity to service the development in accordance with FNQROC Development Manual standards (as amended).

(D) ASSESSMENT MANAGER'S ADVICE

- (a) An Adopted Infrastructure Charges Notice has been issued with respect to the approved development. The Adopted Infrastructure Charges Notice details the type of

infrastructure charge/s, the amount of the charge/s and when the charge/s are payable.

- (b) The Adopted Infrastructure Charges Notice does not include all charges or payments that are payable with respect to the approved development. A number of other charges or payments may be payable as conditions of approval. The applicable fee is set out in Council's Fees & Charges Schedule for each respective financial year.

- (c) Food Premises

Premises proposed for the storage and preparation, handling, packing or service of food must comply with the requirements of the Food Act 2006.

- (d) A Trade Waste Permit will be required prior to the commencement of use.

- (e) Compliance with applicable codes/policies

The development must be carried out to ensure compliance with the provisions of Council's Local Laws, Planning Scheme Policies, Planning Scheme and Planning Scheme Codes to the extent they have not been varied by a condition of this approval.

- (f) Compliance with Acts and Regulations

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

- (g) Environmental Protection and Biodiversity Conservation Act 1999

The applicant is advised that referral may be required under the *Environmental Protection and Biodiversity Conservation Act 1999* if the proposed activities are likely to have a significant impact on a matter of national environmental significance. Further information on these matters can be obtained from www.dcceew.gov.au.

- (h) Cultural Heritage

In carrying out the activity the applicant must take all reasonable and practicable measures to ensure that no harm is done to Aboriginal cultural heritage (the "cultural heritage duty of care"). The applicant will comply with the cultural heritage duty of care if the applicant acts in accordance with gazetted cultural heritage duty of care guidelines. An assessment of the proposed activity against the duty of care guidelines will determine whether or to what extent Aboriginal cultural heritage may be harmed by the activity. Further information on cultural heritage, together with a copy of the duty of care guidelines and cultural heritage search forms, may be obtained from www.dsdsatsip.qld.gov.au.

- (i) Electric Ants

Electric ants are designated as restricted biosecurity matter under the *Biosecurity Act 2014*.

Certain restrictions and obligations are placed on persons dealing with electric ant carriers within the electric ant restricted zone. Movement restrictions apply in

accordance with Sections 74–77 of the *Biosecurity Regulation 2016*. Penalties may be imposed on movement of electric ant carriers and electric ants in contravention of the legislated restrictions. It is the responsibility of the applicant to check if the nominated property lies within a restricted zone.

All persons within and outside the electric ant biosecurity zone have an obligation (a **general biosecurity obligation**) to manage biosecurity risks and threats that are under their control, they know about, or they are expected to know about. Penalties may apply for failure to comply with a general biosecurity obligation.

For more information please visit the electric ant website at [Electric ants in Queensland | Business Queensland](#) or contact Biosecurity Queensland 13 25 23.

(E) RELEVANT PERIOD

When approval lapses if development not started (s.85)

- Material Change of Use – six (6) years (starting the day the approval takes effect).

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

- Development Permit for Building Work
- Development Permit for Operational Works

(G) OTHER APPROVALS REQUIRED FROM COUNCIL

- Compliance Permit for Plumbing and Drainage Work

2. That an Adopted Infrastructure Charges Notice be issued for the following infrastructure charge/s for:

Development Type	Rate	Measure	Charge	Credit Detail	Balance
	per m2 GFA	GFA (m2)			
Child Care Centre	\$108.80	197	\$21,433.60	Nil	\$21,433.60
TOTAL CURRENT AMOUNT OF CHARGE					\$21,433.60

THE SITE

The site is situated at 41B Anzac Avenue, Mareeba and is more particularly described as Lot 200 on SP213026. The site is irregular in shape with an area of 3,626m² and is zoned Low Density Residential under the Mareeba Shire Council Planning Scheme 2016.

The site is level and currently improved by the QT's Childcare Centre, established in 2009. All urban infrastructure networks service the existing child care centre.

The site has approximately 33 metres of frontage to Anzac Avenue, which includes an on-street carpark shared between the Cedric Davies Community Hub, the Mareeba Bowls Club and the child care centre.

The site and all adjoining allotments are zone Low Density Residential under the Mareeba Shire Council Planning Scheme 2016.

A mix of residential and community uses are found in the immediate locality.

An unrelated development approval for an uncommenced child care centre remains in effect over 47 Anzac Avenue.



Map Disclaimer:

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



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BACKGROUND AND CONTEXT

Nil

PREVIOUS APPLICATIONS & APPROVALS

On 19 February 2008, Mareeba Shire Council approved a Development Permit (MCU/07/0034) for a Material Change of Use for a Childcare Centre at 41B Anzac Avenue, Mareeba, on land then described as Lot 198 on SP202153.

The original development application sought to establish a Childcare Centre on the subject site, which at the time was an unused bowling green and beach volleyball courts. The development application was for a Material Change of Use for a Childcare Centre for children aged 0 – 5 years with a maximum capacity of seventy (70) children.

DESCRIPTION OF PROPOSED DEVELOPMENT

The development application seeks a Development Permit for Material Change of Use – Child Care Centre (Expansion) in accordance with the plans shown in **Attachment 1**.

The application describes the proposed development as follows:

“The development seeks to extend the existing QT’s Childcare Centre to the southern, vacant extent of the subject site to incorporate a Kindergarten (118m²), Junior Kindergarten (78m²), associated Landscaped Play Areas and ancillary rooms.

The extension will allow for two (2) additional groups of twenty-two (22) children. Upon completion of the works, the Childcare Centre will operate as follows:

- *Nursery (8 weeks to 12 months) – 8 children and 2 staff.*
- *Toddler 1 (12 months to 18 months) – 8 children and 2 staff.*
- *Toddler 2 (18 months to 24 months) – 8 children and 2 staff.*
- *Toddler 3 (24 months to 30 months) – 15 children and 3 staff.*
- *Toddler 4 (2.5 years to 3 years) – 20 children and 4 staff.*
- *Pre-Kindergarten (3 years to 4 years) – 22 children and 2 staff.*
- *Kindergarten (4 years to 5 years) – 22 children and 2 staff.*

The extension to the Childcare Centre will be a single storey structure, consistent in design with the existing facility. The extension is to be connected to the exiting building by undercover walkways and will operate as a single centre upon completion of the works.

The extension will not impact upon current hours of operation.

Access to the site is currently achieved via an existing driveway to the carparking area within the Anzac Avenue road reserve. The subject site is noted to benefit from an easement (Easement D) over the access handle of the adjacent lot, Lot 199 on SP202153. This access is proposed to be maintained as access for construction purposes only, with all staff and client access via the pedestrian entry. The existing arrangement is to remain unchanged, with no

additional works to vehicular crossovers, parking spaces or manoeuvring areas proposed as part of this development.

Although not physically marked or designated, the car parking area within the Anzac Avenue road reserve includes thirty-five (35) parking spaces for the QT's Childcare Centre, two (2) of which being PWD spaces. The car parking area also incorporates three (3) drop off areas immediately at the frontage of the site. Table 9.4.3.3B of the Parking and Access Code prescribes a parking rate for a Childcare Centre as:

A minimum of 3 spaces will be required to be used for setting down and picking up of children, plus one space per 10 children for staff parking.

Based on the above rate, the Childcare Centre (including proposed extension) will require 3 set down spaces plus eleven (11) spaces for staff parking. This is easily accommodated within the existing car parking area noting that Childcare Centres typically have traffic peaks in the early morning and late afternoon (when the library is unlikely to be busy). On this basis the development does not seek to establish additional parking spaces. The development continues to provide well in excess of the prescribed parking figures under the Parking and Access Code, sufficiently meeting the demand generated by the land use. This is discussed in detail in assessment against the Parking and Access Code.

The Community Activities Code seeks to ensure that Community Activities (activity group inclusive of a Childcare Centre land use) do not detrimentally impact upon local amenity. The development has been designed to specifically mitigate undue impacts to adjoining properties, sensitive receivers and more specifically, the residence on Lot 24 on RP866998. The development has been designed as a low set building commensurate with the low density residential character of the area, with outdoor play areas and noise generating aspects of the development located on the eastern side of the site, while incorporating sufficient landscaping along the western boundary to act as an acoustic and visual buffer.

In addition to design aspects mitigating impacts, it is noted that the development is constructed adjacent the access handle of Lot 199 on SP202153 and the dwelling on Lot 24 on RP866998 is shielded by the shed on the same property."

REGIONAL PLAN DESIGNATION

The subject site is included within the Urban Footprint land use category in the Far North Queensland Regional Plan 2009-2031. Mareeba is identified as a Major Regional Activity Centre in the Regional Plan. The Regional Plan Map 3- 'Areas of Ecological Significance' does not identify the site as being of any significance.

PLANNING SCHEME DESIGNATIONS

Strategic Framework:	Land Use Categories <ul style="list-style-type: none"> • Residential Area Transport Elements <ul style="list-style-type: none"> • Local Collector Road • Principal Cycle Network
Zone:	Low Density Residential zone
Overlays:	Airport environs overlay Hill and slope overlay

	Residential dwelling house and outbuilding overlay Transport infrastructure overlay
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Planning Scheme Definitions

The proposed use is defined as:

Column 1 Use	Column 2 Definition	Column 3 Examples include	Column 4 Does not include the following examples
<i>Childcare centre</i>	<i>Premises used for minding, education and care, but not residence, of children.</i>	<i>Crèche, early childhood centre, kindergarten, outside hours school care</i>	<i>Educational establishment, home based childcare, family day care</i>

RELEVANT PLANNING INSTRUMENTS

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

Far North Queensland Regional Plan 2009-2031

Separate assessment against the Regional Plan is not required because the Mareeba Shire Council Planning Scheme appropriately advances the Far North Queensland Regional Plan 2009-2031, as it applies to the planning scheme area.

State Planning Policy

Separate assessment against the State Planning Policy (SPP) is not required because the Mareeba Shire Council Planning Scheme appropriately integrates all relevant aspects of the SPP.

Mareeba Shire Council Planning Scheme 2016

Strategic Framework

3.3 Settlement pattern and built environment

3.3.3 Element—Major regional activity centre

3.3.3.1 Specific outcomes

- (1) The role and function of Mareeba as the *major regional activity centre* for services in Mareeba Shire is strengthened. Mareeba is to accommodate the most significant concentrations of regional-scale business, retail, entertainment, government administration, secondary and tertiary educational facilities and health and social services within the shire.

Comment

The proposed development does not compromise the role and function of Mareeba as the major regional activity centre for the Mareeba Shire.

- (2) Development within Mareeba over time enhances the Shire's self-sufficiency in terms of services offered, business and employment opportunities.

Comment

The proposed development will comply.

3.3.7 Element—Residential areas and development

3.3.7.1 Specific outcomes

- (4) *Residential areas* contain predominantly low density residential development and are characterised by traditional detached housing and Dual occupancy development.

Comment

The proposed development seeks to expand an existing use on one lot and will not alter the predominant form of development in residential areas.

3.3.14 Element—Natural hazard mitigation

3.3.14.1 Specific outcomes

- (1) The risk of loss of life and property associated with bushfires, cyclones, flooding, landslides and other weather related events are minimised through the appropriate use of land having regard to its level of susceptibility to the hazard or potential hazard.

Comment

The site is not identified as being at significant risk from any of the identified hazards.

3.4 Natural resources and environment

3.4.1 Strategic outcomes

- (1) Mareeba Shire's outstanding natural environment, ecological processes and biodiversity values, including those within *conservation areas* and *biodiversity areas*, are conserved, enhanced and restored. Minimal loss of native vegetation is achieved in the shire through limited clearing of *biodiversity areas*, strategically located rehabilitation areas and the replanting of native vegetation. The impacts of pests and weeds on the natural environment is minimised and managed.

Comment

The site does not contain or adjoin any such areas.

- (5) The air and acoustic environment of Mareeba Shire is managed to ensure its maintenance or improvement. Development maintains or enhances the health and well-being of the community and the natural environment.

Comment

The proposed development can be reasonably operated to minimise air and acoustic impacts.

- (6) Risks to health and safety caused by contaminated land are managed, including through the remediation of contaminated sites and the careful management of unexploded ordinances.

Comment

The subject site is not a suspected or recorded contaminated site.

3.4.3 Element—Pest and weed management**3.4.3.1 Specific outcomes**

- (3) Plants used for landscaping and street trees are ideally native species, appropriate for the purpose and the local environment, and do not introduce invasive or exotic plants into the shire.

Comment

The development would be conditioned to comply.

3.5.6 Element—Community facilities**3.5.6.1 Specific outcomes**

- (2) Development complements and sensitively integrates with existing halls, clubs, libraries, art galleries, places of worship, theatres, function rooms, community and cultural centres and other key community infrastructure. Development on sites adjoining community facilities will not obstruct or detract from their use, accessibility and functionality.

Comment

The expansion of the child care centre on the subject land will not compromise the ongoing use of the Cedric Davies Community Hub.

- (3) Community facilities are redeveloped in a way that is functional, safe and sensitive to the community's needs. Development of these sites is cognisant of the existing character and adjoining land uses of the area and addresses the street frontage to create a high level of accessibility and legibility to the community.

Comment

The expanded child care centre can reasonably comply.

3.6 Transport and infrastructure**3.6.1 Strategic outcomes**

- (1) *Local collector road* and *state controlled road* networks support the identified hierarchy of *activity centres* and the rural economy of Mareeba Shire. The location, density and scale of development supports the efficient and convenient movement of goods, services and people. Roads are progressively upgraded (including construction of *future state roads and future local connections*) and maintained to a high standard to support higher urban densities, rural production, tourism, commerce, industry and major trip generators.

Comment

Anzac Avenue is a Collector Road and able to accommodate the demands of the expanded child care centre.

- (6) New development is appropriately sequenced and coordinated with existing and future water, wastewater, stormwater and transport infrastructure, to ensure the operations of existing infrastructure are not compromised and community needs continue to be met. New infrastructure is provided to development in accordance with Council's desired standards of service and supports a consolidated urban form to maximise return on investment. The ongoing operation of key infrastructure elements is not prejudiced by inappropriate development.

Comment

The development will comply.

3.6.2 Element—Road network

3.6.2.1 Specific outcomes

- (1) The shire's road network is upgraded and extended to provide for the safe, efficient movement of vehicles and to cater for new development.

Comment

Anzac Avenue is a Collector Road and able to accommodate the demands of the expanded child care centre.

- (4) Development provides off-street parking, loading and manoeuvring areas where possible and practicable.

Comment

The development will comply.

3.6.7 Element—Water supply and wastewater services

3.6.7.1 Specific outcomes

- (1) Development is provided with adequate water and wastewater infrastructure in accordance with Council's Desired Standards of Service.

Comment

The development will comply.

- (2) Water storage, sewerage disposal and reticulation infrastructure is utilised and extended economically and efficiently to new development.

Comment

The development will comply.

- (6) Upgrades and extensions to water and wastewater infrastructure are designed and constructed in accordance with the FNQROC Regional Development Manual as amended.

Comment

The development will comply.

3.6.8 Element—Stormwater management

3.6.8.1 Specific outcomes

- (1) Water Sensitive Urban Design principles and adequate infrastructure are integrated into new development, ensuring:
 - (a) water quality objectives are met;
 - (b) a no worsening effect on surrounding land and the environment is achieved;
 - (c) flooding and ponding of water is avoided

Comment

The development can be conditioned to comply.

- (2) Stormwater is managed and measures are implemented to ensure erosion is prevented or minimised and contaminants are not released into surrounding environs.

Comment

The development can be conditioned to comply.

3.6.9 Element—Waste management**3.6.9.1 Specific outcomes**

- (4) On-site waste disposal and recycling areas are provided by development to meet operational requirements of storage, screening and collection.

Comment

The development will comply.

3.6.11 Element—Information and communication technology**3.6.11.1 Specific outcomes**

- (1) Households, businesses and industry within urban and rural communities are serviced with high-speed fibre-optic, high-speed wireless or satellite broadband internet connections across the shire.

Comment

The development will comply.

3.7 Economic development**3.7.1 Strategic outcomes**

- (3) Mareeba Shire is increasingly provided with retail and business opportunities and improved government services to enhance self-sufficiency. These opportunities and services are consolidated through the clustering and co-location of commercial uses in *activity centres* and are particularly focussed within Mareeba. Kuranda, as a *village activity centre*, maintains its level of self-reliance through servicing its local catchment with a range of services and employment opportunities.

Comment

The proposed development complies.

Relevant Developments Codes

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

- 6.2.6 Low density residential zone code
- 7.2.2 Mareeba local plan code
- 8.2.2 Airport environs overlay code
- 8.2.8 Hill and slope overlay code
- 9.3.3 Community activities code
- 9.4.2 Landscaping code
- 9.4.3 Parking and access code
- 9.4.5 Works, services and infrastructure code

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

Relevant Codes	Comments
Low density residential zone code	The application can be conditioned to comply with the relevant acceptable outcomes (or performance outcomes) contained within the code. Refer to planning discussion section of report.
Mareeba local plan code	The application can be conditioned to comply with the relevant acceptable outcomes (or performance outcomes where no acceptable outcome is provided) contained within the code.
Airport environs overlay code	The application can be conditioned to comply with the relevant acceptable outcomes (or performance outcomes where no acceptable outcome is provided) contained within the code.
Hill and slope overlay code	The application can be conditioned to comply with the relevant acceptable outcomes (or performance outcomes where no acceptable outcome is provided) contained within the code.
Community activities code	The application can be conditioned to comply with the relevant acceptable outcomes (or performance outcomes) contained within the code. Refer to planning discussion section of report.
Landscaping code	The application can be conditioned to comply with the relevant acceptable outcomes (or performance outcomes where no acceptable outcome is provided) contained within the code.
Parking and access code	The application can be conditioned to comply with the relevant acceptable outcomes (or performance outcomes) contained within the code. Refer to planning discussion section of report.

Works, services and infrastructure code	The application can be conditioned to comply with the relevant acceptable outcomes (or performance outcomes where no acceptable outcome is provided) contained within the code.
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Planning Scheme Policies/Infrastructure Charges Plan

The following planning scheme policies are relevant to the application:

Planning Scheme Policy 4 - FNQROC Regional Development Manual

A condition will be attached to any approval requiring all development works be designed and constructed in accordance with FNQROC Development Manual standards.

Adopted Infrastructure Charges Notice

Adopted Infrastructure Charges Resolution (No. 1) of 2024 identifies a charge rate for child care centres of \$108.80 per m² of gross floor area (GFA).

The calculated GFA for the proposed development is 197m². This GFA calculation excludes the building amenities, outdoor covered areas, and hallways.

Based on \$108.80 per m² and a GFA of 197m², the applicable infrastructure charge is:

- Total Charge = **\$21,433.60**

REFERRAL AGENCY

This application did not trigger referral to a Referral Agency.

Internal Consultation

Technical Services.

PUBLIC NOTIFICATION

The development proposal was placed on public notification from 30 January 2025 to 20 February 2025. The applicant submitted the notice of compliance on 21 February 2025 advising that the public notification requirements were carried out in accordance with the requirements of the Act.

No submissions were received.

PLANNING DISCUSSION

Compliance with Performance Outcome PO5, PO8 and PO9 of the Low Density Residential zone code is discussed below:

6.2.6 Low Density Residential zone code

Gross Floor Area

PO5

Buildings and structures occupy the site in a manner that:

- (a) makes efficient use of land;*
- (b) is consistent with the bulk and scale of surrounding buildings; and*
- (c) appropriately balances built and natural features.*

A05

Gross floor area does not exceed 600m².

Comment

The existing centre already exceeds 600m².

The proposed extension will make efficient use of the site, will be consistent with the neighbouring Cedric Davies Community Hub and still allows for generous outdoor playspaces.

The development complies with PO5.

Non-residential development**PO8**

Non-residential development is only located in new residential areas and:

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

A08

No acceptable outcome is provided.

Comment

Anzac Avenue is a collector road and there are no traffic impediments to the development proceeding.

All of the established childcare centres in Mareeba are located within or adjoining the Low Density Residential zone.

These centres have demonstrated the ability to operate in a manner compatible with the amenity of nearby residential uses. There is a similar expectation for an expanded childcare centre on the subject land. A childcare centre is an essential service for many residents, particularly those on the fast developing eastern side of Mareeba.

The proposed development complies with PO8.

Amenity**PO9**

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

- (a) noise;*
- (b) hours of operation;*
- (c) traffic;*
- (d) advertising devices;*

- (e) *visual amenity;*
- (f) *privacy;*
- (g) *lighting;*
- (h) *odour; and*
- (i) *emissions.*

AO9

No acceptable outcome is provided.

Comment

Anzac Avenue is a collector road and there are no traffic impediments to the development proceeding.

All of the established childcare centres in Mareeba are located within or adjoining the Low Density Residential zone.

These centres have demonstrated the ability to operate in a manner compatible with the amenity of nearby residential uses. There is a similar expectation for an expanded childcare centre on the subject land. A childcare centre is an essential service for many residents, particularly those on the fast developing eastern side of Mareeba.

The proposed development complies with PO9.

Compliance with Performance Outcome PO4 and PO5 of the Community Activities code is discussed below:**9.3.3 Community Activities code*****Location******PO4***

Development is compatible with the amenity of the surrounding area, having regard to:

- (a) *the location and type of vehicular access and parking;*
- (b) *hours of operation;*
- (c) *waste storage and collection;*
- (d) *advertising devices and signage;*
- (e) *visual amenity;*
- (f) *privacy; and*
- (g) *noise, odour and dust emissions.*

AO4

No acceptable outcome is provided.

Comment

Anzac Avenue is a collector road and there are no traffic impediments to the development proceeding.

All of the established childcare centres in Mareeba are located within or adjoining the Low Density Residential zone.

These centres have demonstrated the ability to operate in a manner compatible with the amenity of nearby residential uses. There is a similar expectation for an expanded childcare centre on the subject land. A childcare centre is an essential service for many residents, particularly those on the fast developing eastern side of Mareeba.

The proposed development complies with PO4.

PO5

Community activities are highly accessible to the community they serve and are located to encourage multi-purpose trips.

AO5.2

Development is located:

- (a) within 800 metres walking distance of the Centre zone; or*
- (b) within 400 metres walking distance of a public transport stop; or*
- (c) provided with a connection to the pedestrian and cycle network.*

Comment

The subject site is within reasonable walking distance of the Cedric Davies Community Hub, the Amaroo Medical Centre and the major residential growth area for Mareeba.

A pedestrian pathway already established along Anzac Avenue linking back to Herberton Street.

The site is not in an unreasonable location in terms of providing convenient access to the public.

The development complies with PO5.

Compliance with Performance Outcome AO1 of the Parking and Access code is discussed below:

9.4.3 Parking and Access code

Car parking spaces

PO1

Development provides sufficient car parking to accommodate the demand likely to be generated by the use, having regard to the:

- (a) nature of the use;*
- (b) location of the site;*
- (c) proximity of the use to public transport services;*
- (d) availability of active transport infrastructure; and*
- (e) accessibility of the use to all members of the community.*

AO1

The number of car parking spaces provided for the use is in accordance with Table 9.4.3.3B.

Note—Car parking spaces provided for persons with a disability are to be considered in determining compliance with AO1.

Comment

Table 9.4.3.3B nominates the following parking requirements for child care centre:

A minimum of 3 spaces will be required to be used for setting down and picking up of children, plus one space per 10 children for staff parking.

One SRV space.

The existing child care centre has an allocation of 38 spaces, including 3 spaces for drop off and pick up.

The expanded child care centre will accommodate a maximum 103 children. This number of children calls for 11 staff parks and 3 drop off and pick up spaces.

The 38 existing spaces easily meets the requirement of Table 9.4.3.3B.