

8.4 R & C ANDERLE - MATERIAL CHANGE OF USE - NATURE-BASED TOURISM - LOTS 64 & 65 ON HG59 - 211 BRUCE WEIR ROAD, DIMBULAH - MCU/25/0003**Date Prepared:** 25 March 2025**Author:** Coordinator Planning Services**Attachments:** 1. Proposal Plans**APPLICATION DETAILS**

APPLICATION		PREMISES	
APPLICANT	R & C Anderle	ADDRESS	211 Bruce Weir Road, Dimbulah
DATE LODGED	13 February 2025	RPD	Lot 64 & 65 on HG59
TYPE OF APPROVAL	Development Permit		
PROPOSED DEVELOPMENT	Material Change of Use – Nature-based Tourism		
FILE NO	MCU/25/0003	AREA	Lot 64 – 69.302 ha Lot 65 – 79.723 ha
LODGED BY	Freshwater Planning Pty Ltd	OWNER	R & C Anderle
PLANNING SCHEME	Mareeba Shire Council Planning Scheme 2016		
ZONE	Rural 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.

Draft conditions were provided to the Applicant / care of their consultant and have been agreed.

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	R & C Anderle	ADDRESS	211 Bruce Weir Road, Dimbulah
DATE LODGED	13 February 2025	RPD	Lot 64 & 65 on HG59
TYPE OF APPROVAL	Development Permit		
PROPOSED DEVELOPMENT	Material Change of Use – Nature-based Tourism		

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 – Nature-based tourism

(B) APPROVED PLANS:

Plan/Document Number	Plan/Document Title	Prepared by	Dated
Site Plan - Detail	Anderle – Nature-Based Tourism	-	13/11/2024
Site Plan	Anderle – Nature-Based Tourism	-	13/11/2024

(C) ASSESSMENT MANAGER'S CONDITIONS (COUNCIL)

(a) Development assessable against the Planning Scheme

1. 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 Noise Nuisance

- 3.4.1 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.

- 3.4.2 The applicant/developer must ensure the approved accommodation use is operated and managed (including noise generated by guests) to not exceed a maximum noise level of 3dB(A) above background levels as measured from noise sensitive locations.

3.5 Waste Management

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

- 3.5.2 Where bulk bins are used and are to be serviced on site, prior to the issue of a development permit for building works, Council's delegated officer must be satisfied that internal access is of adequate design and construction to allow waste collection/delivery vehicles to enter and exit the site in a forward gear only.

3.6 Signage

Any advertising devices relating to the development must be wholly sited on the subject site and be limited to a cumulative sign face area of 6m² and must:

- (i) Not resemble a traffic control device or give instructions to traffic;
- (ii) Not incorporate highly reflective materials or finishes;
- (iii) Not be illuminated, move, revolve, strobe or flash; and
- (iv) Be kept clean, in good order and safe repair for the life of the development.

The erection of any signage must comply with the Building Act and all other relevant Acts, Regulations and these approval conditions. The sign must be removed at the decommissioning and rehabilitation stage of the development.

3.7 Maximum daily visitations

No more than 30 vehicles shall be permitted to visit the nature-based tourism on any one (1) day.

Visitation records must be kept and presented to Council upon request should any complaint of daily visitor exceedance be received.

3.8 Notification of Potential Rural Zone Impacts

The applicant is to erect signage in plain sight and in large legible writing at the nature-based tourism car park advising guests that the subject land is zoned Rural under the Mareeba Shire Council Planning Scheme 2016 and is in a rural locality. The signage should generally state the following:

"Guests should take note:

- *The locality may be used for intensive rural uses;*
- *Guests may experience off site effects from rural activities, including noise, sprays and dust that may cause a loss of residential amenity. Existing and/or self-assessable agricultural and rural uses in the locality have a 'right to farm' or a right to legally continue the use."*

3.9 Bushfire Management

3.9.1 A Bushfire Management Plan for the site, incorporating evacuation procedures for guests, must be prepared to the satisfaction of Council's delegated officer. The approved use must comply with the requirements of the Management Plan at all times.

3.9.2 An on-site water supply for firefighting purposes must be provided with a minimum capacity of 5,000 litres that must comprise either:

- (a) a stand-alone tank; or
- (b) a reserve section in the bottom part of the main water supply tank; or
- (c) a dam; or
- (d) a swimming pool.

Where tank water supply is provided, the outlet must be fitted with a 50mm ball valve with a camlock fitting for connection to firefighting appliances.

3.10 As campsite 4 is within the mapped Potential Flood Hazard area, no habitable buildings are to be constructed at this campsite.

3.11 Flood Emergency Evacuation Plan

Prior to the commencement of the nature-based tourism, the landowner must obtain a Flood Emergency Evacuation Plan for the nature-based tourism prepared by suitably qualified persons having regard to Floodplain Management

in Australia: Best Practice Principles and Guidelines (2000), prepared by Standing Committee on Agriculture and Resource Management (SCARM), CSIRO.

The Flood Emergency Evacuation Plan must be prominently displayed on-site at all times.

4. Infrastructure Services and Standards

4.1 Access

The existing access crossover/s must be maintained for the life of the development (from the edge of Bruce Weir Road to the property boundary) in accordance with the FNQROC Development Manual, to the satisfaction of Council's delegated officer.

4.2 Stormwater Drainage

4.2.1 The applicant/developer must take all necessary steps to ensure a non-worsening effect on surrounding land as a consequence of the development.

4.2.2 All stormwater drainage concentrated by the development must be collected from site and discharged to an approved legal point of discharge.

4.3 Car Parking/Internal Driveways

(a) The applicant/developer must ensure that all car parking for the nature-based tourism occurs on site and not on adjoining road reserves.

(b) All car parking spaces and trafficable areas must be at minimum gravel surfaced and appropriately drained prior to the commencement of the use, to the satisfaction of Council's delegated officer.

(c) All car parking spaces and internal driveways must be constructed in compliance with the following standards, to the satisfaction of Council's delegated officer:

- Australian Standard AS2890:1 Off Street Parking – Car Parking Facilities;
- Australian Standard AS1428:2001 – Design for Access and Mobility.

(d) All parking spaces and trafficable areas must be maintained in good order and safe repair for the life of the development, to the satisfaction of Council's delegated officer.

A sign must be erected in proximity to the access driveway indicating the availability of on-site parking.

4.4 Non-Reticulated Water Supply

Where a potable water supply is provided, the potable water supply must satisfy the standards for drinking water set by the Australian Drinking Water Guidelines 2004 (National Health and Medical Research Council and the National Resource Management Ministerial Council).

All non-potable sources of water must be sign posted "non-potable water supply" or similar in order to deter consumption.

4.5 On-Site Wastewater Management

All on site effluent disposal associated with the approved use must be in compliance with the latest version of On-Site Domestic Wastewater Management Standard (ASNZ1547) to the satisfaction of the Council's delegated officer.

4.6 Lighting

Where outdoor lighting is required, the developer shall locate, design and install lighting to operate from dusk to dawn within all areas where the public will be given access, which prevents the potential for light spillage to cause nuisance to neighbours and must be provided in accordance with Australian Standard 1158.1 – Lighting for Roads and Public Spaces.

Illumination resulting from direct, reflected or other incidental light emanating from the subject land does not exceed 8 lux when measured at any point 1.5m outside the property boundary of the subject site. The lighting fixtures installed on site must meet appropriate lux levels as documented within Australian Standard 4282 – Control of the Obtrusive Effects of Outdoor Lighting.

(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) 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.

- (d) 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.

- (e) 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.

- (f) 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.

(g) 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

- Nil

(G) OTHER APPROVALS REQUIRED FROM COUNCIL

- Access approval arising from condition number 4.1

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 10 vmpd	vmpd		vmpd	
Nature-based Tourism	\$5,452.00	60	\$32,712.00	40	\$10,904.00

TOTAL CURRENT AMOUNT OF CHARGE

\$10,904.00

THE SITE

The site is located at 211 Bruce Weir Road, Dimbulah and encompasses two (2) freehold allotments with a combined area of 149.025 hectares.

The particular details of the lots are as follows:

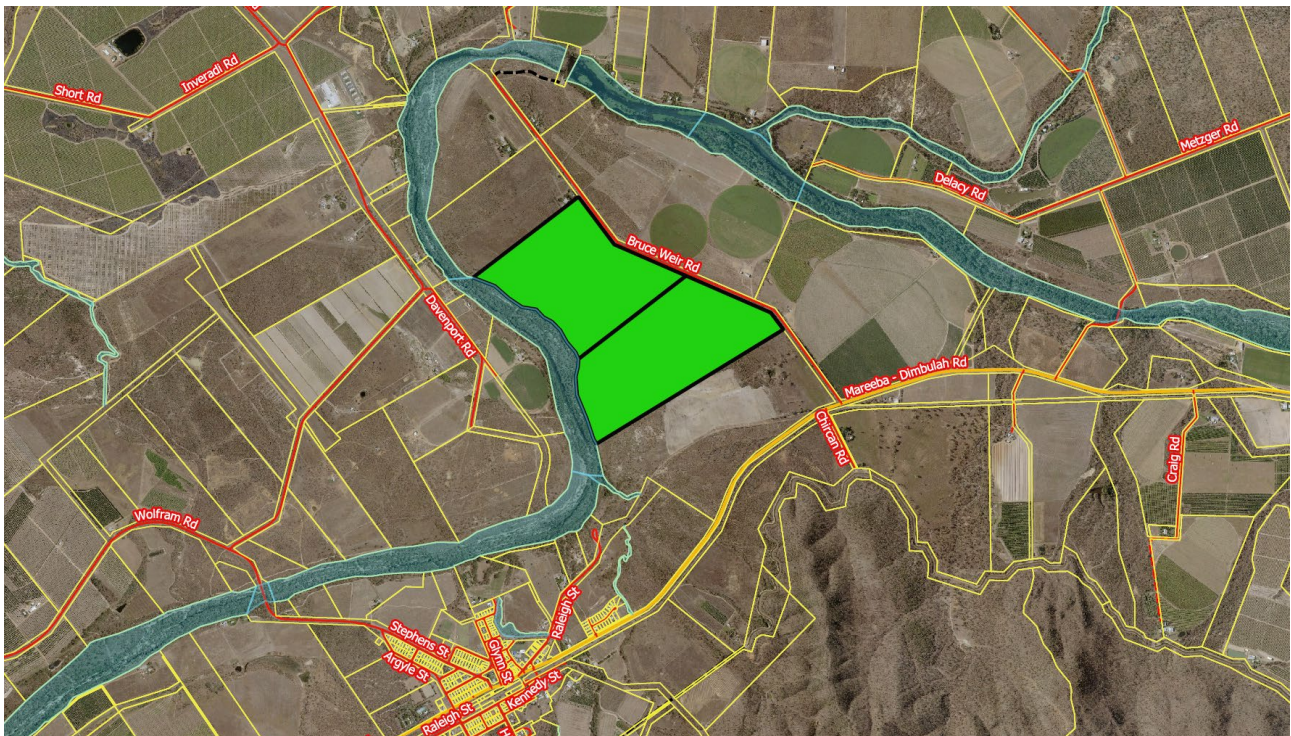
- Lot 64 on HG59, area of 69.302 hectares, frontage of approximately 950 metres to Bruce Weir Road; and
- Lot 65 on HG59, area of 79.723 hectares, frontage of approximately 780 metres to Bruce Weir Road.

Bruce Weir Road between the Mareeba-Dimbulah Road and the site is formed to a single lane rural bitumen sealed standard with a width between 3 and 4 metres. Access to both lots is obtained directly off Bruce Weir Road.



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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The site is improved with a dwelling house, multiple sheds and associated structures. The western boundary of both parcels abuts the Walsh River. The site is presently used for animal husbandry with a former 6 hectare lime tree orchard having been removed and this area being allowed to revert back to its natural state together with the balance of the site.

The site is zoned Rural under the Mareeba Shire Council Planning Scheme 2016 as are all other lots along Bruce Weir Road.

BACKGROUND AND CONTEXT

Nil

PREVIOUS APPLICATIONS & APPROVALS

Nil

DESCRIPTION OF PROPOSED DEVELOPMENT

The development application seeks a Development Permit for Material Change of Use – Nature-based tourism in accordance with the plans shown in **Attachment 1**.

The application describes the proposed development as follows:

“A Development Permit for a Material Change of Use is sought to facilitate the provision of Nature-Based Tourism over the property in two (2) Stages. The first stage is to provide the initial Nature-Based Tourism Use with the second stage providing four (4) Campsites (possibly Cabins within the future). The Nature-Based Tourism will utilise the existing natural features, dams, vegetation, wildlife and walking trails throughout the property. The proposal will ensure

to enhance the existing natural features of the property providing a Nature-Based attraction to support Dimbulah, surrounding Townships and Mareeba's Region.

The proponents have provided Freshwater Planning Pty Ltd with the following in relation to the proposed development of the site:

Our farm, addressed at 211 Bruce Weir Road Dimbulah, comprises of two titles that are roughly 380 acres in total. We are proposing our Nature-Based Tourism over the property which is slowly reverting back to its natural state now that the majority of the horticultural enterprise has been removed. This Farm has significant natural beauty and is loaded with native wildlife. We regularly encounter echidna and have resident breeding Wedgetailed eagles, Jabirus, and the list goes on.

The property contains built dams which increase and attracts the wildlife. The farm has been securely fenced and has four different species of deer (roughly 250 deer), namely, red deer, fallow deer, rusa deer and chital deer. There are also some swamp water buffalo roaming the property and a small herd of camels as well as a few goats.

The entire farm is boundary fenced with 2m high ringlocked fence. Everything is free roaming and exists in a natural state with most of the deer are very quiet and can be fed. The site contains a few dams throughout the property and multiple existing walking trails. We are going to build a website that people can go on to learn about the Farm, the animals and also obtain access to the property.

The Farm will limit access to 30 vehicles per day with any visitor to park at the bottom of the driveway (Parking Area) and be allowed to explore the walking tracks and natural surroundings, utilise various picnic and gas bbq spots, and enjoy the animals. As we own a portaloo business, the site will be serviced via the use of Portable Toilets services (as we have all the gear for servicing/pumping them), so the provision of constructed amenities won't be need. The proposal is to include the provision of ten (10) to fifteen (15) 4m x4m corrugated iron roofs barbecue areas and provide picnic benches and seating along the trails. The Information and Amenities area will be provided with some vending machines for drinks and the provision of potable water. There will be an area near the parking and adjoining the existing shed that will have some very tame animals for visitors to interact with.

The town of Dimbulah is only 5 minutes away and contains cafes, a new RV park, etc and the addition of our wildlife park will benefit these and other businesses in the area. We have already invested a significant amount of money on the Farm and would now like the public to be able to share in our joy. This farm used to have lime trees that we removed and so we no longer have workers driving here, we just want to swap them for tourists!!!!

The operation of the Nature-Based Tourism proposal (Park) would open daily at 7:30 am and close at 6:00 pm.

The Park would like to operate at a daily maximum of 30 vehicles. This will be controlled via the Website where people can go on to learn about the Farm, the animals and obtain access to the property. These vehicles would buy access to the property prior to arrival via the website, thus controlling and recording numbers. The proponents have sourced a system as well as the booking company that they will utilise. It is understood that each visitor would be issued with a code that would allow access to their vehicle. Once the code is provided at the front gate, the visitors would make their way to the parking at the bottom of the driveway. There will be

an office (the existing dwelling) with notice boards informing visitors of the animals and farm and safety procedures.

There will also be Portable Toilets (portaloos) there for visitors to use in addition to the provision of potable water, vending machines for drinks/snacks as well as a feed dispenser for visitors to buy feed to feed the deer.

There will be various gas bbq areas with seating around the property where people can relax and enjoy the surroundings while having lunch.

Stage 2 includes the opportunity to allow 4 campsites (possibly Cabins within the future) on the property. These would be cordoned off from the day visitors and be private. It is understood that each campsite will be provided with one of the portaloos and a portable shower both of which we would service with by the proponent's truck.

Each site would also be provided with a gas bbq area but remain unpowered.

The site contains frontage to Bruce Weir Road and encompasses existing access with no change to the existing access proposed with the Nature-Based Tourism. The proposed Nature-Based Tourism is expected to have a lesser impact on the traffic for the site compared to the previous operation of the Lime Farm (with the Heavy Vehicles and Fruit picking staff). There is sufficient room onsite for the manoeuvring of vehicles and parking for the Nature-Based Tourism. The proposal is accessed via an internal gravel road to ensure that the Nature-Based Tourism natural aesthetics are maintained and enhanced. Any car parking spaces will be appropriately sealed (gravel/grassed) in keeping with the natural environment."

REGIONAL PLAN DESIGNATION

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

- *Wetland Area of General Ecological Significance*
- *Terrestrial Area of General Ecological Significance*

PLANNING SCHEME DESIGNATIONS

Strategic Framework:	Land Use Categories <ul style="list-style-type: none"> • Rural Agricultural Area • Rural Other Other Elements <ul style="list-style-type: none"> • Major Watercourse (Walsh River)
Zone:	Rural zone
Overlays:	Agricultural Land Overlay Airport Environs Overlay Bushfire Hazard Overlay Environmental Significance Overlay Flood Hazard Overlay Hill and Slope Overlay Transport Infrastructure Overlay

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>Nature-based tourism</i>	<p><i>The use of land or premises for a tourism activity, including tourist and visitor short-term accommodation, that is intended for the conservation, interpretation and appreciation of areas of environmental, cultural or heritage value, local ecosystem and attributes of the natural environment.</i></p> <p><i>Nature-based tourism activities typically:</i></p> <ul style="list-style-type: none"> <i>• maintain a nature based focus or product</i> <i>• promote environmental awareness, education and conservation</i> <i>• carry out sustainable practices.</i> 	<i>Environmentally responsible accommodation facilities including lodges, cabins, huts and tented camps</i>	<i>Environment facility</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

- (5) *Primary industries in Rural areas are not compromised or fragmented by incompatible and/or unsustainable development, including but not limited to subdivision that results in a detrimental impact on rural productivity or fragments rural land. The valued, relaxed rural lifestyle, character and scenic qualities of the rural area are preserved and enhanced. The rural area is largely maintained to its current extent, while accommodating development directly associated with or reliant on natural resources including rural activities and tourism. Rural areas protect the shire's agricultural area and ensure food security. Other rural areas predominantly remain agricultural grazing properties.*

Comment

The proposed development is a small-scale tourism activity requiring minimal built infrastructure. The underlying agricultural land will not be fragmented or permanently alienated by the development.

The site and its agricultural land resource can be returned to agricultural use should circumstances change in the future.

All aspects of the nature-based tourism use are adequately separated/buffered from neighbouring agricultural/rural uses.

The proposed development satisfies Strategic Outcome 5.

3.3.11 Element - Rural areas

3.3.11.1 Specific Outcomes

- (1) *Rural areas include rural activities and land uses of varying scale, consistent with surrounding land use, character and site conditions.*

Comment

The proposed development is a small-scale tourism activity requiring minimal built infrastructure. The underlying agricultural land will not be fragmented or permanently alienated by the development.

The site and its agricultural land resource can be returned to agricultural use should circumstances change in the future.

All aspects of the nature-based tourism use are adequately separated/buffered from neighbouring agricultural/rural uses.

The proposed development satisfies Specific Outcome 1.

- (3) *Tourism, rural industry, intensive animal industries and outdoor recreation facilities are developed in the rural area in a way which:*
- (a) *does not impede or conflict with agricultural activities and production; and*
 - (b) *does not compromise rural character and scenic qualities; and*
 - (c) *does not adversely impact on ecological and biodiversity values.*

Comment

The proposed development is a small-scale tourism activity requiring minimal built infrastructure. The underlying agricultural land will not be fragmented or permanently alienated by the development.

The site and its agricultural land resource can be returned to agricultural use should circumstances change in the future.

All aspects of the nature-based tourism use are adequately separated/buffered from neighbouring agricultural/rural uses.

The proposed development satisfies Specific Outcome 3.

- (5) *Tourism, outdoor recreation, horticultural activities and natural bushland uses may be considered in other rural areas where appropriately located, serviced and otherwise consistent with the Strategic Framework.*

Comment

The proposed development is a small-scale tourism activity requiring minimal built infrastructure. The underlying agricultural land will not be fragmented or permanently alienated by the development.

The site and its agricultural land resource can be returned to agricultural use should circumstances change in the future.

All aspects of the nature-based tourism use are adequately separated/buffered from neighbouring agricultural/rural uses.

The proposed development satisfies Specific Outcome 5.

3.7 Economic development**3.7.7 Element - Tourism****3.7.7.1 Specific Outcomes**

- (5) *A variety of small-scale, low impact tourist facilities are established across the rural landscape, including:*
- (a) tourist attractions and facilities within activity centres;*
 - (b) cultural interpretive tours;*
 - (c) nature based tourism;*
 - (d) sports and recreational activities;*
 - (e) tourist attractions;*
 - (f) adventure tourism;*
 - (g) farm based tourism;*
 - (h) food based tourism;*
 - (i) bed and breakfasts;*
 - (j) camping and recreational vehicle facilities;*
 - (k) cycle tourism.*

Comment

The proposed development is a small-scale tourism activity requiring minimal built infrastructure. The underlying agricultural land will not be fragmented or permanently alienated by the development.

The site and its agricultural land resource can be returned to agricultural use should circumstances change in the future.

All aspects of the nature-based tourism use are adequately separated/buffered from neighbouring agricultural/rural uses.

The proposed development satisfies Specific Outcome 5.

- (6) *Small scale tourism related development is sensitively designed, scaled and located so as to not compromise the natural landscape values and agricultural values of Mareeba Shire.*

Comment

The proposed development is a small-scale tourism activity requiring minimal built infrastructure. The underlying agricultural land will not be fragmented or permanently alienated by the development.

The site and its agricultural land resource can be returned to agricultural use should circumstances change in the future.

All aspects of the nature-based tourism use are adequately separated/buffered from neighbouring agricultural/rural uses.

The proposed development satisfies Specific Outcome 6.

Relevant Developments Codes

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

- 6.2.9 Rural zone code
- 8.2.1 Agricultural land overlay code
- 8.2.2 Airport environs overlay code
- 8.2.3 Bushfire hazard overlay code
- 8.2.4 Environmental significance overlay code
- 8.2.6 Flood hazard overlay 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
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Rural zone 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.
Agricultural land 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.
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.
Bushfire hazard 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.
Environmental significance 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.
Flood hazard 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.
Parking and access 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.
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.

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

The proposed development will be serviced by Council's transport infrastructure network only (roads).

In accordance with Council's 2024/2025 Schedule of Fees & Charges, 1 single charge of \$5,452.00 is accrued for every material increase in traffic generated of 10 vehicle movements per day (vmpd).

The applicants have applied a thirty (30) vehicle daily maximum. This would equate to sixty (60) vmpd.

A credit is applicable for the lime farming activity which is being replaced by the nature-based tourism. Data provided by the applicant indicates that the lime farming use equated to 20 vehicles

per day (backpackers/workers, salesman, agronomists, pest scouts, B-Double/large body truck for produce pickup and further trucks delivering fertiliser, steel etc). This would equate to a credit for forty (40) vmpd.

After applying the credit, the applicable charge is:

- 20vmpd = 2 x \$5,452.00 = \$10,904.00.

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 26 February 2025 to 21 March 2025. The applicant submitted the notice of compliance on 24 March 2025 advising that the public notification requirements were carried out in accordance with the requirements of the Act.

No submissions were received.

PLANNING DISCUSSION

Nil