

PLANNING REPORT

SUBJECT: REEVER AND OCEAN PTY LTD - MATERIAL CHANGE OF USE - TOURIST ATTRACTION - LOT 16 ON N157227, LOT 17, 18, 19 AND 22 ON SP296830 - 77 & 112 BARNWELL ROAD, KURANDA - MCU/18/0006

MEETING: Ordinary

MEETING DATE: 16 May 2018

REPORT OFFICER'S TITLE: Senior Planner

DEPARTMENT: Corporate and Community Services

APPLICATION DETAILS

APPLICATION		PREMISES	
APPLICANT	Reever and Ocean Pty Ltd	ADDRESS	77 & 112 Barnwell Road, Kuranda
DATE LODGED	15 March 2018	RPD	Lot 16 on N157227, Lot 17, 18, 19 and 22 on SP296830
TYPE OF APPROVAL	Development Permit		
PROPOSED DEVELOPMENT	Material Change of Use - Tourist Attraction		

FILE NO	MCU/18/0006	AREA	Lot 16 - 57.61 ha Lot 17 - 63.12 ha Lot 18 - 69.81 ha Lot 19 - 43.49 ha Lot 22 - 107.3 ha
LODGED BY	Cardno	OWNER	Lot 16 - A & A Easton & B Martin Lots 17, 18, 19 & 22 - Reever and Ocean Pty Ltd
PLANNING SCHEME	Mareeba Shire Council Planning Scheme 2016		
ZONE	Rural zone		
LEVEL OF ASSESSMENT	Code Assessment		
SUBMISSIONS	n/a		

ATTACHMENTS:

1. Proposal Plan/s
2. Department of State Development, Manufacturing, Infrastructure and Planning Referral Agency Response – 4 May 2018

EXECUTIVE SUMMARY

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

The application is code assessable and was not required to undergo public notification.

It has been assessed against the relevant statutory planning instruments, including the Regional Plan and the Planning Scheme and does not conflict with any relevant planning instrument.

The key issues of the proposed development are conditioning the staged upgrading of Barnwell Road and continuing the environmental protection conditions imposed for the previous nature based tourism development approval.

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

OFFICER'S RECOMMENDATION

- That in relation to the following development application:

APPLICATION		PREMISES	
APPLICANT	Reever and Ocean Pty Ltd	ADDRESS	77 & 112 Barnwell Road, Kuranda
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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), referral agency conditions in (E), relevant period in (F), further permits in (G), and further approvals from Council listed in (H);

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 - Tourist Attraction

(B) APPROVED PLANS:

Plan/Document Number	Plan/Document Title	Prepared by	Dated
DA-SP060	Tourism Site Plan 60 Pax	Develop North	05/03/2018
DA-SP150	Tourism Site Plan 150 Pax	Develop North	05/03/2018
DA-SP300	Tourism Site Plan 300 Pax	Develop North	05/03/2018
DA-BH04	Ground Floor Plan	Develop North	01/03/2018
DA-BH05	Ground Floor Dimension Plan	Develop North	01/03/2018
DA-BH08	First Floor Plan	Develop North	01/03/2018
DA-BH09	First Floor Dimension Plan	Develop North	01/03/2018
DA-BH11	Roofing Plan	Develop North	01/03/2018
DA-BH12	Elevations	Develop North	01/03/2018
DA-BH13	Elevations	Develop North	01/03/2018
DA-CVD1	Cattle Viewing Deck Site Plan	Develop North	28/02/2018
DA-CVD2	Cattle Viewing Deck Ground Floor Plan	Develop North	28/02/2018
DA-CVD3	Cattle Viewing Deck First Floor Plan	Develop North	28/02/2018
DA-CVD4	Cattle Viewing Deck East & West Elevations	Develop North	28/02/2018
DA-CVD5	Cattle Viewing Deck North Elevation	Develop North	28/02/2018
DA-CVD6	Cattle Viewing Deck GF Beam Plan	Develop North	28/02/2018
DA-CVD7	Cattle Viewing Deck 1F Roof Beam Plan	Develop North	28/02/2018
DA-CVD8	Cattle Viewing Deck 3D Conceptual	Develop North	28/02/2018
DA-CON 01	Container Viewing Deck DA Plans & Elevation	Develop North	01/03/2018
DA-GD01	Garden Deck Site Plan Stage 1	Develop North	26/02/2018
DA-GD02	Garden Deck Floor Plan Stage 1	Develop North	26/02/2018
DA-GD03	Garden Deck Elevations Stage 1	Develop North	26/02/2018
DA-GD11	Garden Deck Site Plan Stage 2	Develop North	26/02/2018
DA-GD12	Garden Deck Floor Plan Stage 2	Develop North	26/02/2018
DA-GD13	Garden Deck Elevations Stage 2	Develop North	26/02/2018
DA-GD22	Garden Deck 3D Concept	Develop North	26/02/2018

Plan/Document Number	Plan/Document Title	Prepared by	Dated
DA-HP01	Horse Pen 2 Site Plan	Develop North	28/02/2018
DA-HP02	Horse Pen 2 Floor Plan	Develop North	28/02/2018
DA-HP03	North & South Elevations	Develop North	28/02/2018
DA-HP04	East & West Elevations	Develop North	28/02/2018
DA-HP05	Horse Pen 2 3D	Develop North	28/02/2018
DA-RSN01	Rest Stop North Site Plan	Develop North	28/02/2018
DA-RSN02	Rest Stop North Floor Plan	Develop North	28/02/2018
DA-RSN03	Rest Stop North Elevations	Develop North	28/02/2018
DA-RSN04	Rest Stop North 3D	Develop North	28/02/2018
DA-RSS01	Rest Stop South Site Plan	Develop North	28/02/2018
DA-RSS02	Rest Stop South Floor Plan	Develop North	28/02/2018
DA-RSS03	Rest Stop South Elevations	Develop North	28/02/2018
DA-RSS04	Rest Stop South 3D	Develop North	28/02/2018
DA-TB01	Toilet Block Floor & Site Plan	Develop North	01/03/2018
DA-TB02	Toilet Block Elevations	Develop North	01/03/2018
DA-TB03	Toilet Block 3D	Develop North	01/03/2018
Figure 1	Erosion and Sediment Control Points of Interest	NRA Consultants	Nov 2017

(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, including but not necessarily limited to the subject of 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 relevant stage of the use except where specified otherwise in these conditions of approval.

- 2.2 Prior to the commencement of the relevant stage of the 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 external 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.

3.3 Waste Management

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

3.4 Hours of Operation

The operating hours shall be between 7am and 7pm, Monday to Sunday.

- 3.5 Tourists are to be delivered to the site via bus only and are not permitted to access or be delivered to the approved use via a passenger-car of 5.2 metres length (or lesser length vehicle).

- 3.6 In order to reduce amenity impacts, quad bike activities associated with the approved use are not permitted within 150 metres of the northern boundary of Lot 22 on SP296830 at any time.

Note - Quad bike activities associated with the existing use, namely animal husbandry, is permitted within this area.

- 3.7 The maximum noise level of any ATV (quad bike) operated in the conduct of the approved use shall not exceed 63dBA (measured at 50 metres from the ATV or at the boundary of any land not forming part of this development approval).

- 3.8 Any fuel stored on site associated with the approved use must be kept in a sealed, bunded area with a storage capacity of at least 150% of the storage capacity of any fuel storage tanks/containers.

4. Infrastructure Services and Standards

4.1 Access

An access crossover must be constructed (from the edge of Barnwell Road to the property boundary of the subject land) in accordance with

the FNQROC Development Manual, to the satisfaction of Council's delegated officer.

4.2 Barnwell Road upgrades

Prior to the commencement of each relevant stage of the use, the applicant/developer is required to undertake the following works and / or actions designed in accordance with FNQROC Development Manual standards (as amended) to the satisfaction of Council's delegated officer:

- (i) Stage TA60 – no operational or infrastructure requirements.
- (ii) Stage TA150 – The applicant/developer must upgrade Barnwell Road (south), specifically the widening and sealing (with 4.5 metre minimum seal width) to the satisfaction of Council.

Note – Barnwell Road (north), being the sealed section of Barnwell Road is considered to be acceptable for the purposes of the TA150 and need not form part of the Traffic and Transport Management Plan.

- (iii) Stage TA300 – The applicant/developer must upgrade the full length of Barnwell Road to the following standard:
 - a. **Formation:** 8 metres
 - b. **Pavement Width:** 6.5 metres
 - c. **Seal Width:** 6.5 metres
 - d. **Shoulders:** 0.75 metres gravel
 - e. Myola Road / Barnwell Road intersection upgrade (as required), likely pavement widening on the left in to Barnwell Road.

4.3 Carparking/Internal Driveways

The designated car parking area and internal driveways must be constructed with compacted gravel to a minimum depth of 100mm and be appropriately drained prior to the commencement of the use, and maintained for the life of the development, to the satisfaction of Council's delegated officer.

4.4 Environmental Management

- 4.4.1 Any material likely to degrade the water (eg oils, lubricants, solvents, coolants, degreasing agents etc) must be stored within a bunded area, or an appropriately designed chemical storage container, suitable for preventing the escape of material into surface or underground water resources.
- 4.4.2 An emergency spill containment kit must be kept on site at all times during the operation of the approved use.
- 4.4.3 A vehicle wash down facility must be provided on-site to reduce the spread of weed species. The vehicle wash down facility is to be located so as to prevent the discharge of sediment,

contaminants or wastewater to waterways, creeks or watercourses.

4.4.4 All new earthworks associated with access tracks, driveways and the like are to be maintained so that the risk and consequence of erosion is minimised, to the satisfaction of Council's delegated officer. All batters created by earthworks are to be vegetated or otherwise protected from scour as soon as possible after works are carried out, to the satisfaction of Council's delegated officer.

4.4.5 All tracks, including all creek/waterway crossings, driveways and the like used for ATV (quad bike) tours are to be constructed and maintained for the life of the development, so that the risk and consequence of erosion/sedimentation is minimised, to the satisfaction of Council's delegated officer.

4.4.6 Crossings

The crossing of creeks internal to the site by quad bikes used for tourist activities shall:

- (a) be limited to the use of "South Crossing 1" and "South-East Crossing 3" as depicted on "Figure 1: Erosion and Sediment Control Points of Interest" prepared by NRA Consultants;
- (b) involve a maximum of 60 crossings per day (single movement) over any single creek crossing location; and
- (c) not involve the use of "South Crossing 2" as depicted on "Figure 1: Erosion and Sediment Control Points of Interest" prepared by NRA Consultants;

Note: 60 crossings (single movement) is equivalent to 30 return trips.

The crossing of creeks internal to the site by foot:

- (a) only occurs where involving an essential crossing; or
- (b) where for a non-essential crossing only occurs where a foot scrub is used immediately prior to the non-essential crossing.

Note: An "essential crossing" is considered a crossing where no feasible alternative to a crossing by foot is available. This may include (but not be limited to) a crossing in response to a stranded vehicle, dangerous situation, potential for environmental harm or emergency situation.

Note: A foot scrub is required to be undertaken to limit the spread of Chytrid fungus.

Between 1 October of any given year and 31 May of the following year (inclusive), the following management protocols are to be implemented and followed in relation to the crossing

of creeks internal to the site by vehicles associated with the tourist attraction use:

- (a) On-site rain gauge stations are to be monitored on a daily basis;
- (b) Where more than 25mm of rainfall is recorded within a 24 hour period, from the monitoring undertaken in accordance with paragraph (a), the crossing of any on-site creek for tourist activities is not to occur; and
- (c) The crossing of any on-site creek for tourist activities may recommence only when the level of water within a creek returns to pre-rainfall levels.

4.4.7 Speed Limits

The following speed limits are applicable to quad bikes used for tourist activities:

- (a) Where within a waterway corridor – 5km/h (walking pace)
- (b) Where within 100 metres of a waterway corridor – 10km/h
- (c) Where paragraphs (a) and (b) do not apply – 20km/h

4.4.8 Quad Bikes

Any quad bike used in association with the tourist attraction use must not leave the site unless:

- (a) The quad bike is transported by truck (and not under its own power) and the movement of the quad bike off site is for maintenance or servicing reasons; or
- (b) The movement of the quad bike is associated with an existing lawful rural use of the site.

4.4.9 Sediment and Erosion Control

The following sediment and erosion control measures are to be implemented on the site to limit the risk of sediment entering the watercourses, as appropriate:

- (a) Whoa-boy diversion drains, to divert water to grassed areas on the internal unsealed access-ways each side of the creek crossing;
- (b) Sections of appropriately sized rock at least 1.5 metres either side of any creek crossing and extending the full width of the access road, that will act as a shaker grid to dislodge dirt and debris prior to entering crossing;
- (c) Coir logs – pinned with wooden stakes, laid either side of the crossing to clean water entering the crossing and clean water leaving the crossing;
- (d) Embankments (where applicable) on either side of unsealed access ways covered with geofabric.

4.4.10 Signs

The following signage is to be erected on the site:

- (a) Signs located at the entrance to each creek crossing advising vehicle operators of the applicable speed limit under this approval; and
- (b) Signage located in the vicinity of the main tourist area, providing information on the Kuranda tree frog.

4.5 Water Supply

The quality of water provided on site for human contact or consumption must be of a standard for drinking water set by the Australian Drinking Water Guidelines 2004 (National Health and Medical Research Council and the National Resource Management Ministerial Council).

4.6 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.

4.7 Landscaping

Prior to the commencement of the use of the site, a landscape plan must be prepared and submitted to Council's delegated officer for consideration and approval.

Plant species used must be selected from the Plant Schedule in Planning Scheme Policy 6 - Landscaping and preferred plant species.

All landscaping must be carried out in accordance with the approved landscape plan and must be mulched, irrigated and maintained for the life of the development.

(D) ASSESSMENT MANAGER'S ADVICE

(a) 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.

- (b) The change in the use of the building may also require a change in the classification of the building under the Building Act. You are advised to contact a Building Certifier to establish if a change in the classification of the building is required.

(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.environment.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.datsip.qld.gov.au.

(E) REFERRAL AGENCY CONDITIONS

Department of State Development, Manufacturing, Infrastructure and Planning conditions dated 4 May 2018.

(F) 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);

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

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

(H) OTHER APPROVALS REQUIRED FROM COUNCIL

- Compliance Permit for Plumbing and Drainage Work

THE SITE

The subject land comprises 5 adjoining allotments situated at 77 and 112 Barnwell Road, Kuranda, and described as Lot 16 on N157227 and Lots 17, 18, 19 and 22 on SP296830.

The subject land has a combined area of approximately 341 hectares and is zoned Rural under the Mareeba Shire Council Planning Scheme 2016.

The extent to which Lot 16 on N157227 (77 Barnwell Road) forms part of the application is for the purpose of facilitating access to the remainder of the subject land as the sites access road

from Barnwell Road traverses the westernmost portion of Lot 16. No activity associated with the proposed use will occur on Lot 16 apart from accommodation vehicles travelling to the site.

The land is accessed via Barnwell Road with the constructed section of the road terminating within the road reserve adjacent Lot 22.

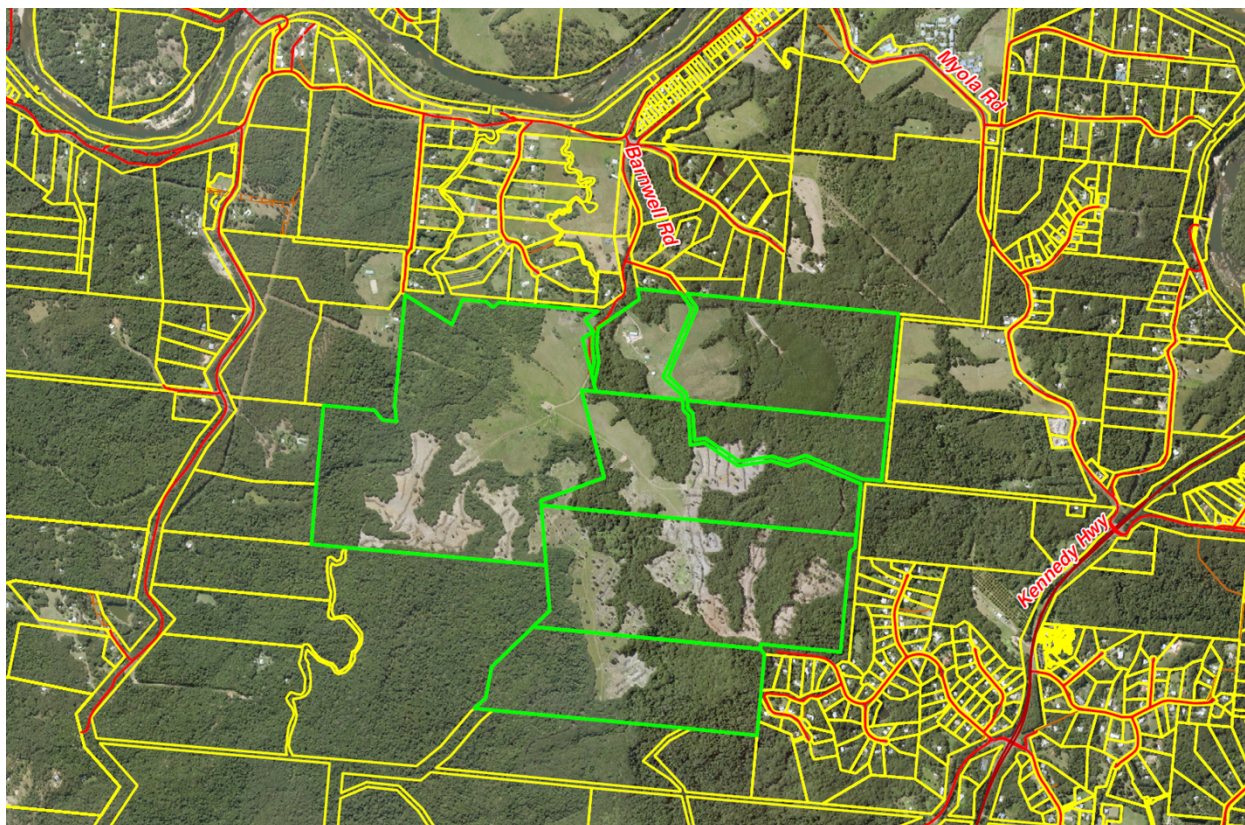
Of the four main land parcels subject to this application (112 Barnwell Road), Lot 22 is the only parcel that contains any known built improvements. The four main parcels are presently used for the following rural land uses:

- KUR-Cow: The site is used for the grazing and husbandry of beef cattle as part of the KUR-Cow business, that provides for the exporting of beef.
- KUR-Organics: Part of the site is used for the growing of organic produce.
- Animal Keeping: The site is used for the keeping of animals including (but not limited to) donkeys, alpacas, goats and horses.
- Nature-Based Tourism: The site has approval, on a temporary basis (until 30 June 2018), for small tourist activities associated with the rural and environmental features of the site.

The remainder of the subject land is undeveloped and is best described as undulating acreage with a mix of large cleared grassed areas and a network of vegetated gullies and watercourses. The site is traversed by Owen Creek, Cain Creek and Haren Creek and also tributaries of Owen Creek, Cain Creek, Warril Creek and Haren Creek.

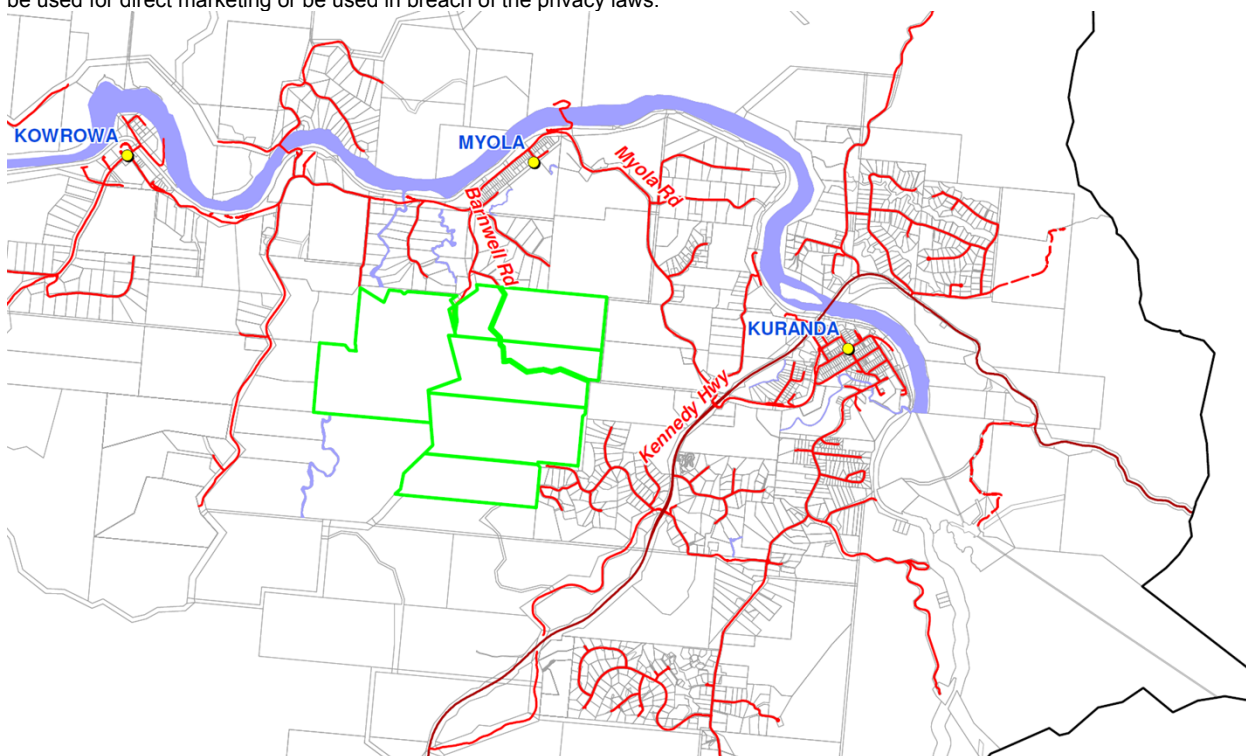
Remnant and regrowth vegetation is present on the site. Regrowth vegetation extends along the creek corridors that traverse the site.

Land surrounding the site is zoned a mix of Rural Residential and Rural and comprises a mix of smaller rural residential allotments containing single detached dwellings and larger rural holdings that remain predominately vegetated and are predominately used as large lifestyle lots with some used for low intensity livestock grazing.



Map Disclaimer:

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BACKGROUND AND CONTEXT

Nil

PREVIOUS APPLICATIONS & APPROVALS

OW/16/0001 - Operational Works - Earthworks (Water Storage Dam)

Council, at its Ordinary Meeting on 20 July 2016 approved an application made by Civil Walker on behalf of the landowners, Reeve and Ocean Pty Ltd, seeking a development permit for operational works - earthworks (water storage dam) on land described as Lot 22 on N157227, situated at Barnwell Road, Kuranda. The Decision Notice was issued on 26 July 2016.

On 9 June 2017, Council, under delegated authority, approved a minor amendment to development approval OW/16/0001.

The water storage dam subject to development approval OW/16/0001 has been constructed in accordance with the conditions of approval and is considered to be lawfully established.

DA/16/0065 - Material Change of Use - Animal Keeping

On 9 February 2017, Council, under delegated authority, approved an application made by Cardno on behalf of the landowners, Reeve and Ocean Pty Ltd, seeking a development permit for material change of use - animal keeping on land described as Lot 22 on N157227, situated at Barnwell Road, Kuranda. The Decision Notice was issued on 9 February 2017.

Development approval DA/16/0065 has been acted upon and it is considered that the use is occurring in compliance with the conditions of approval.

MCU/17/0012 - Material Change of Use - Nature Based Tourism

On 27 November 2017, Council, under delegated authority, approved an application made by Cardno on behalf of the landowners, Reeve and Ocean Pty Ltd, seeking a development permit for material change of use - nature based tourism on land described as Lot 16, 17, 18, 22 on N157227, Lot 19 on N157452 and Lots 1 & 2 on RP703984 situated at 77 and 112 Barnwell Road, Kuranda. The Decision Notice was issued on 28 November 2017.

The use authorised under development approval MCU/17/0012 has not commenced at this time.

RAL/18/0001 - Reconfiguring a Lot

On 18 January 2018, Cardno on behalf of A & A Easton and B Martin, made application for a development permit for reconfiguring a lot - subdivision (1 into 48 lots in 2 stages) on land described as Lot 16 on N157227, situated at 77 Barnwell Road, Kuranda.

This application is awaiting the applicant's response to Council's information request and has not been decided by Council.

RAL/18/0002 - Reconfiguring a Lot

On 18 January 2018, Cardno on behalf of Reeve and Ocean Pty Ltd, made application for a development permit for reconfiguring a lot - subdivision (12 into 191 lots in 8 stages) on land described as Lot 1 on RP703984, Lot 20 on N157423, Lot 43 on N157359, Lot 95 on N157452,

Lot 129 on NR456, Lot 131 on N157491, Lot 290 on N157480, Lot 17 on N157227, Lot 18 on N157227, Lot 19 on N157452, Lot 22 on N157227, Lot 2 on RP703984 and Road reserves (Barnwell Road and unnamed roads) adjoining Lots 17, 18 and 22 on N157227), Lots 1 and 2 on RP703984 and Lot 19 on N157452, situated at 112 Barnwell Road, Kuranda.

This application is awaiting the applicant's response to Council's information request and has not been decided by Council.

RAL/18/0015 - Reconfiguring a Lot - Boundary Realignment

On 27 April 2018, Cardno on behalf of Reeve and Ocean Pty Ltd, made application for a development permit for reconfiguring a lot - boundary realignment of land described as Lot 16 on N157227 and Lot 22 on SP296830 situated at 77 and 112 Barnwell Road, Kuranda.

This application has not been decided by Council.

KUR-World Coordinated Project

The subject land is also the site of the proposed KUR-World Integrated Eco-Resort. This proposal is currently being investigated by the Queensland Coordinator General.

DESCRIPTION OF PROPOSED DEVELOPMENT

The development application seeks a Development Permit for Material Change of Use - Tourist Attraction in accordance with the plans shown in **Attachment 1**.

The application summarises the proposed development as follows:

"The proposal involves the development of the KUR-Cow Tourist Attraction, providing a range of activities and experiences for site visitors, including quad bike activities, horse riding activities, tractor and trailer pull rides, horse and cart rides, cow milking and presentations on rural operations. The proposed development seeks to showcase:

- *the existing rural operations of the site, including Reeve and Ocean's established KUR-Cow business (Animal Husbandry);*
- *the unique natural environment of the site and the surrounding area;*
- *Australian and North Queensland culture and lifestyle, with a focus on 'Australiana' rural activities such as cattle handling; and*
- *the history of the site in the development of the rural economy of North Queensland.*

The proposed development will involve the construction of a number structures to facilitate the Tourist Attraction use.

The 112 Barnwell Road property is presently improved with a range of structures and infrastructure associated with the various rural uses on the site, including Animal Keeping, Animal Husbandry and Cropping.

These uses will continue on the site in association with the proposed development. The extent of these existing uses is shown in the proposal plans.

The proposed development will be delivered across three stages. The key improvements in each stage are outlined below.

Stage TA60

Stage TA60 will involve up to 60 tourists (on average) attending the site each day. The following improvements form part of Stage TA60:

- *Improvements to the first floor of the existing dwelling.*

Stage TA60 will also involve the cessation of the existing Dwelling House land use.

Stage TA150

Stage TA150 will involve up to 150 tourists (on average) attending the site each day. The following improvements form part of Stage TA150:

- *Raising and extending the existing Dwelling*
- *Cattle viewing deck*
- *Container viewing deck*
- *Garden viewing deck (Stage 1)*
- *Toilet block*
- *Temporary marquee*
- *Covered and uncovered walkways*

Stage TA300

Stage TA300 will involve up to 300 tourists (on average) attending the site each day. The following improvements form part of Stage TA300:

- *Cattle ring seating*
- *Garden viewing deck (Stage 2)*
- *Horse pen roof*
- *Rest stops (north and south)*

All tourists attending the site will arrive by private charter bus. No tourists will arrive to the site by private vehicle.

Stage TA60 will utilise the existing circulation areas for bus parking and staff parking.

Stage TA150 will involve the development of a dedicated bus drop off, layby and turnaround area to the north-east of existing dwelling. Sufficient space for four buses has been provided. A staff car park, consisting of sufficient area for 19 cars, will also be provided in Stage TA150.

Stage TA300 will provide an expanded area for bus parking through the construction of a new bus parking area in the north of the site, together with the realignment of the existing internal driveway. A total of 11 bus parking spaces will be provided. The staff car park will also be expanded to provide sufficient area for 38 cars.

All parking and circulation spaces are proposed to have a gravel finish, consistent with the rural nature of the site and its existing uses. The proposed traffic arrangements for each stage are shown in the proposal plans."

REGIONAL PLAN DESIGNATION

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

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

PLANNING SCHEME DESIGNATIONS

Strategic Framework:

Land Use Categories

- Rural Other

Natural Environment Elements

- Biodiversity Areas
- Ecological Corridor
- Habitat Linkage

Zone:

Rural zone

Overlays:

- Airport Environs Overlay
- Bushfire Hazard Overlay
- Environmental Significance 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
Tourist attraction	Premises used for providing onsite entertainment, recreation or similar facilities for the general public. The use may include provision of food and drink for consumption on site.	Theme park, zoo	Hotel, major sport, recreation and entertainment facility, nightclub entertainment facility

RELEVANT PLANNING INSTRUMENTS

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

(a) Far North Queensland Regional Plan 2009-2031

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.

(b) 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.

(c) Mareeba Shire Council Planning Scheme 2016

Relevant Development Codes

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

- 6.2.9 Rural zone code
- 8.2.2 Airport environs overlay code
- 8.2.4 Environmental significance overlay code
- 9.4.2 Landscaping 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 solutions (or probable solutions/performance criteria where no acceptable solution applies) of the relevant codes set out below, provided reasonable and relevant conditions are attached to any approval.

Relevant Codes	Comments
Rural zone code	The application can be conditioned to comply with the relevant acceptable solutions/performance outcomes contained within the code.
Airport environs overlay code	The application can be conditioned to comply with the relevant acceptable solutions/performance outcomes contained within the code.
Environmental significance overlay code	The application can be conditioned to comply with the relevant acceptable solutions/performance outcomes contained within the code.
Landscaping code	The application can be conditioned to comply with the relevant acceptable solutions/performance outcomes 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. Further discussion is warranted with regards to the following: <ul style="list-style-type: none"> ▪ Acceptable Outcome AO8.1 – transport network Refer to planning discussion section of report.

(e) Planning Scheme Policies

The following planning scheme policies are relevant to the application:

Planning Scheme Policy 4 - FNQROC Regional Development Manual

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

(f) Additional Trunk Infrastructure Condition

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

Section 130 of the Planning Act 2016 allows Council to condition additional trunk infrastructure outside the PIA.

Significant upgrades to Barnwell Road have been conditioned for Stages TA150 and TA300. Due to the extent of these external roadworks, it is not proposed to impose an additional truck infrastructure payment condition.

REFERRALS

The application triggered a referral to the State Referral Agency for state transport infrastructure.

The Department advised in a response dated 4 May 2018 that they require conditions to be attached to any approval (**Attachment 2**).

Internal Consultation

Technical Services

PLANNING DISCUSSION

Compliance with the relevant acceptable outcomes of the following development codes is discussed below. Where the development cannot comply with an acceptable outcome, it is considered compliance with the higher order performance outcome can be achieved.

Works, services and infrastructure code

PO8

The development has access to a transport network of adequate standard to provide for the safe and efficient movement of vehicles, pedestrians and cyclists

AO8.1

Vehicle access, crossovers, road geometry, pavement, utilities and landscaping to the frontage/s of the site are designed and constructed in accordance with the Design Guidelines and Specifications set out in the Planning Scheme Policy 4 – FNQROC Regional Development manual.

Comment

A site inspection and multiple discussions were held in relation to the upgrading of Barnwell Road required by each of the three proposed development stages.

At the conclusion of these discussions, the following position was reached between Council officers and the applicant:

2. Stage TA60 – no operational or infrastructure requirements beyond that required by conditions of approval related to the Nature Based Tourism development, which is a similar type of operation to the TA60.
3. Stage TA150 – operational and infrastructure requirements are detailed in the discussion below.

The applicant/developer must upgrade Barnwell Road (south), specifically the widening and sealing (with 4.5 metre minimum seal width) to the satisfaction of Council.

Note – Barnwell Road (north), being the sealed section of Barnwell Road is considered to be acceptable for the purposes of the TA150 and need not form part of the Traffic and Transport Management Plan.

4. Stage TA300 – Barnwell Road to be upgraded to the following standard:
 - a. **Formation:** 8 metres
 - b. **Pavement Width:** 6.5 metres
 - c. **Seal Width:** 6.5 metres
 - d. **Shoulders:** 0.75 metres gravel
 - e. Myola Road / Barnwell Road intersection upgrade (as required), likely pavement widening on the left in to Barnwell Road.

Note – in the event that State or Federal environmental constraints limit the ability to achieve these standards we would seek to negotiate an alternative solution to the satisfaction of Mareeba Shire Council.


Conditioning of the development in accordance with the abovementioned will result in compliance with PO8 and AO8.1.

Date Prepared: 8 May 2018

PROPOSAL PLANS




1 TOURISM SITE PLAN PAX 60
1 : 2000

 <p>3/155 LYONS ST, BUNGALOW QLD 4870 PO BOX 4548, KARRIS QLD 4870 08 9450 1234 WWW.DEVELOPNORTH.COM.AU</p>	<p>ADDRESS 112 BARNWELL RD, KURANDA</p> <p>PROJECT KUR-COW TOURISM ATTRACTION</p> <p>SHEET TOURISM SITE PLAN 60 PAX</p>	<p>No. Description Date</p> <p>A CONCEPT FOR REVIEW 12/12/17</p> <p>B PRELIM DEVELOPMENT APPLICATION 01/03/18</p> <p>C</p> <p>D</p> <p>E</p> <p>DATE 5/03/2018 3:06:45 PM</p>	<p>DRAWING NO. DA-SP060</p> <p>REV NO.</p> <p>PROJECT NO. 1801</p> <p>DESIGNED BY TCM V</p> <p>CHECKED BY ML</p>	<p>SCALE 1 : 2000</p>




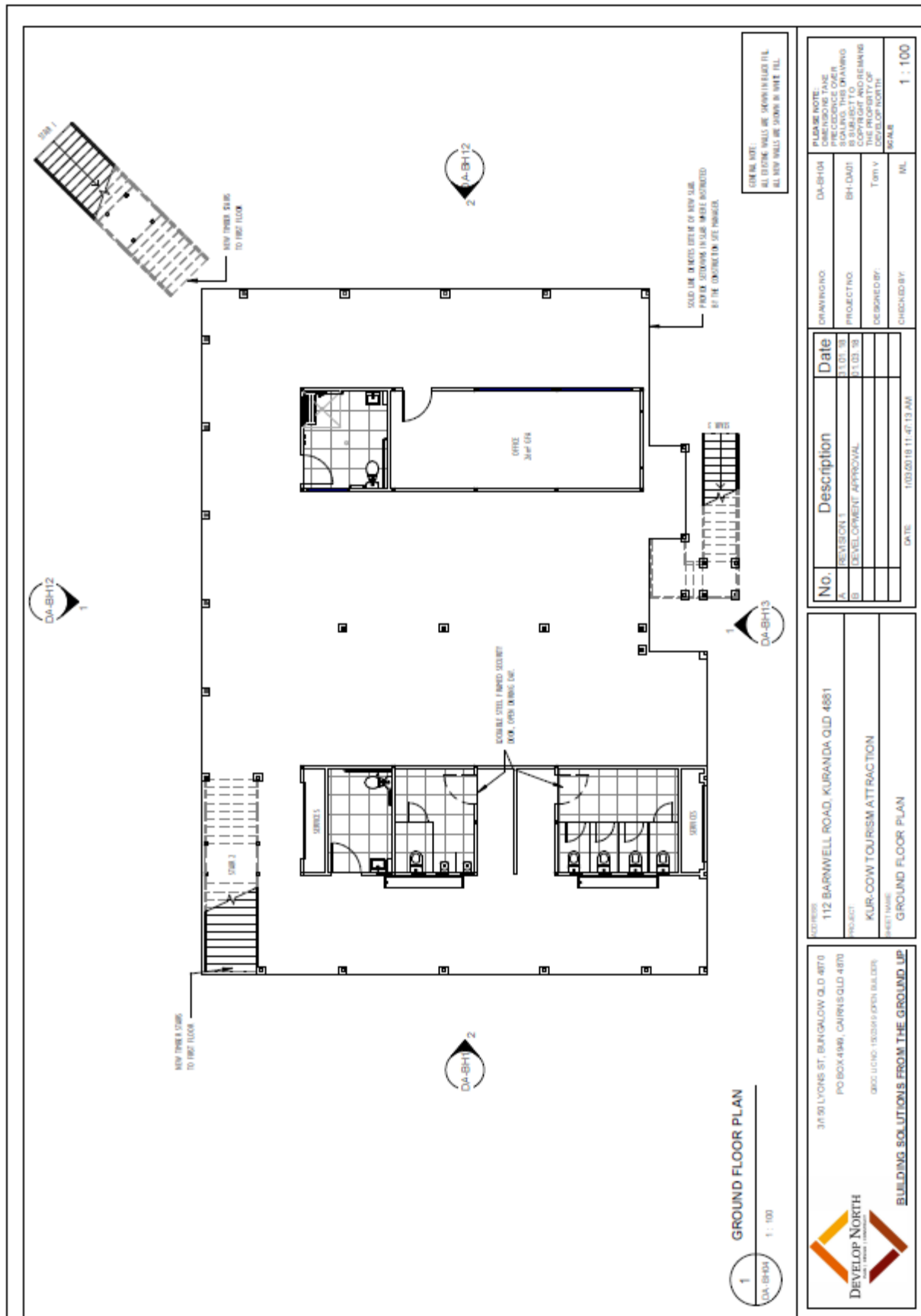
1 TOURISM SITE PLAN PAX 150
1 : 2000

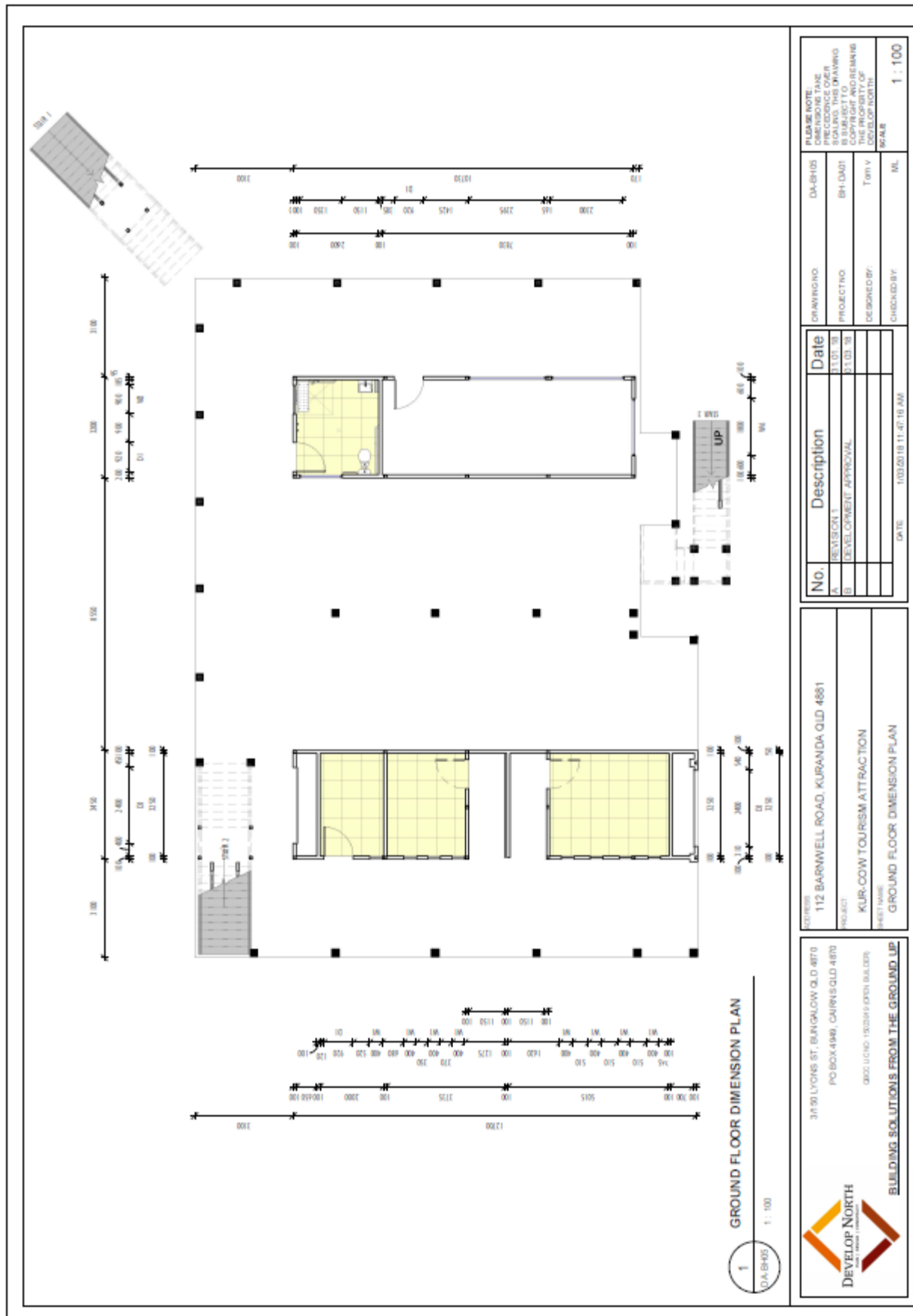
 <div>3/152 LYONS ST, BUNGALOW QLD 4870 PO BOX 6048, DARWIN QLD 4870 08 9498 5000 www.developnorth.com.au</div>	ADDRESS 112 BARNWELL RD, KURANDA		No.	Description	Date	DRAWING NO.	DA-SP150	<div>PLEASE NOTE: THIS DRAWING IS A PRELIMINARY DEVELOPMENT APPLICATION. IT IS NOT A FINAL DESIGN AND IS SUBJECT TO APPROVAL BY THE LOCAL GOVERNMENT. ANY CHANGES TO THIS DRAWING MUST BE APPROVED BY THE LOCAL GOVERNMENT.</div>	
	PROJECT KUR-COW TOURISM ATTRACTION		A	CONCEPT FOR REVIEW	12/12/17	REV NO.			
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						DESIGNED BY	TOM V		SCALE
									DATE: 5/03/2018 3:06:51 PM

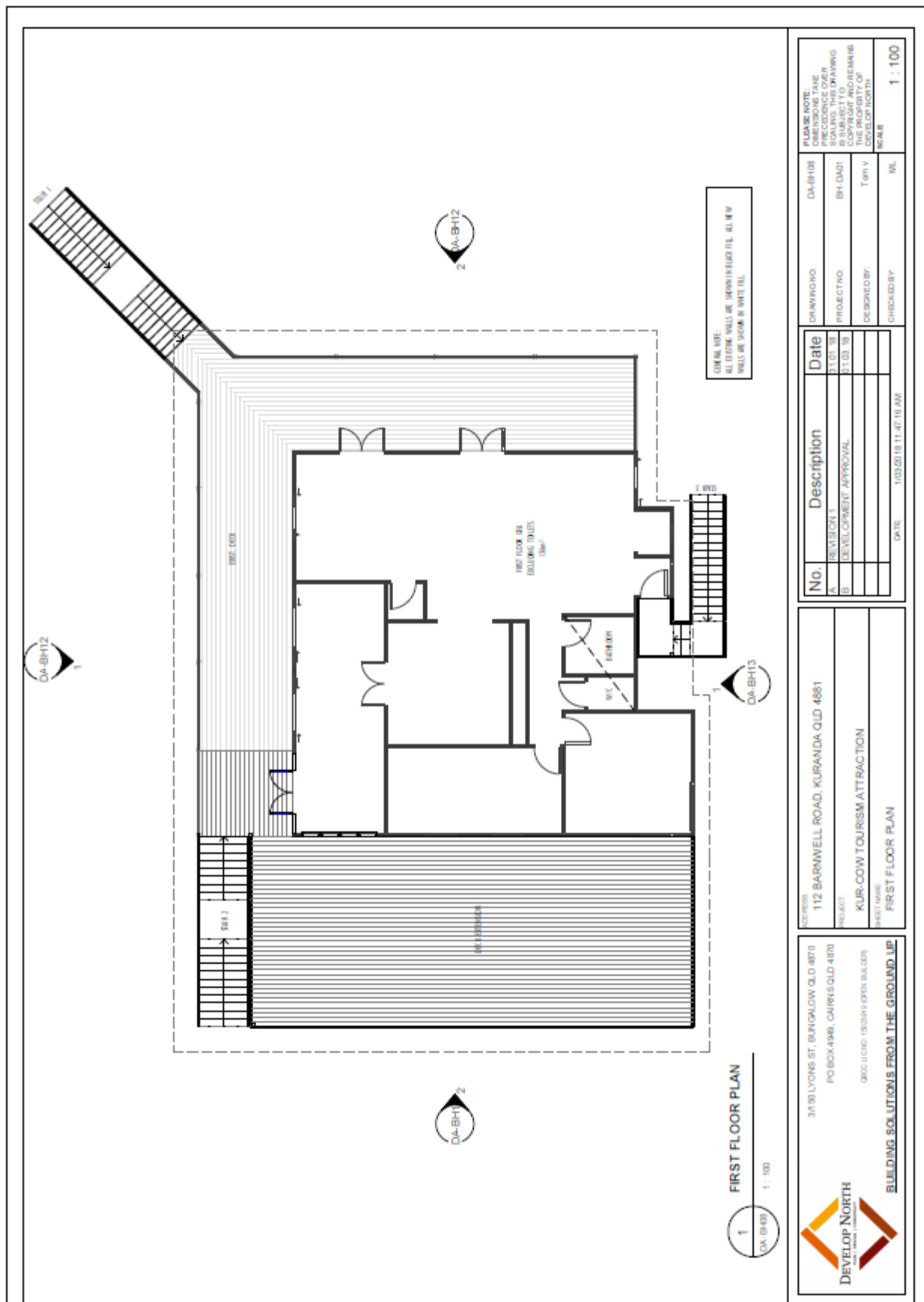


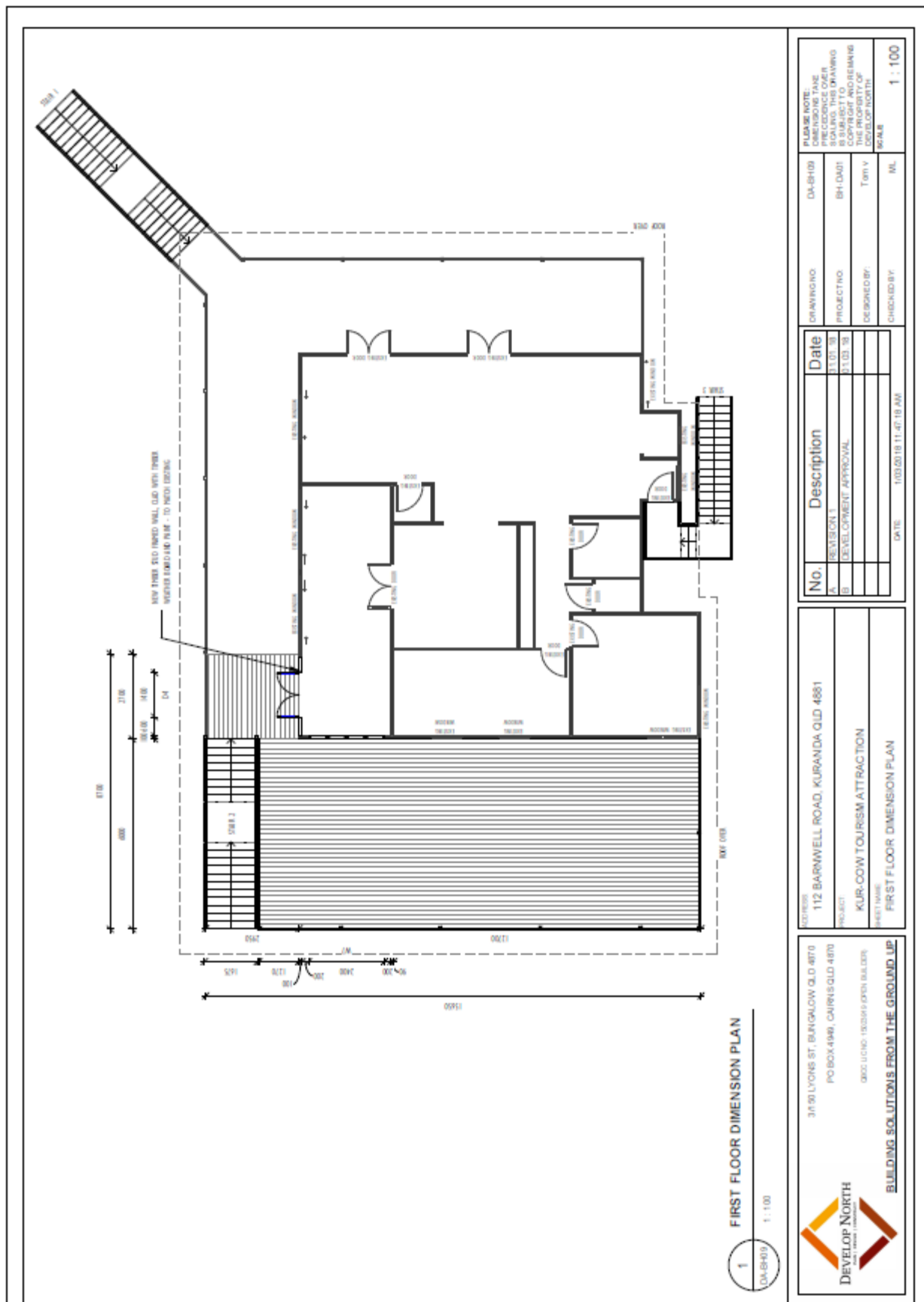
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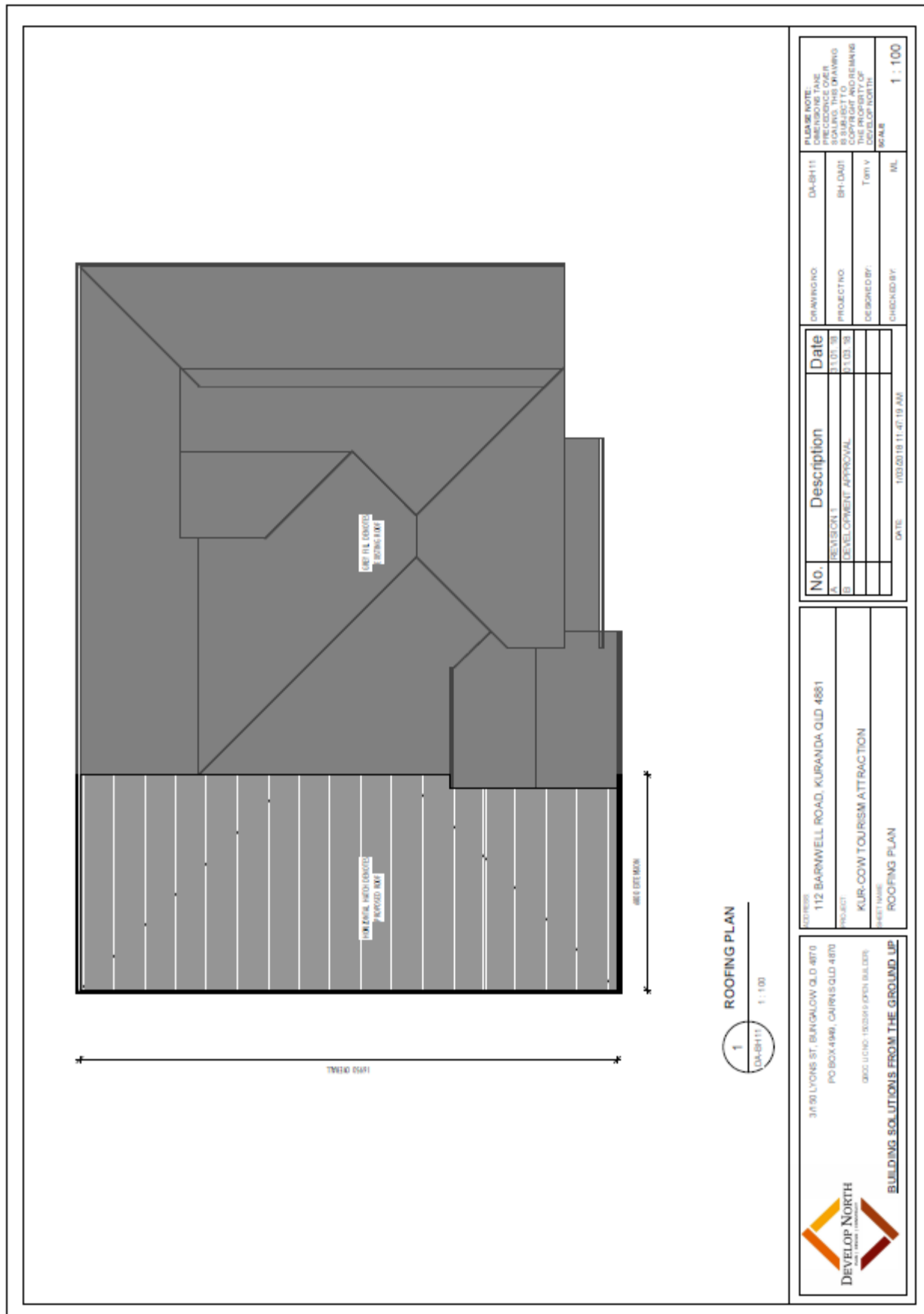
 <p>3/155 LYONS ST, BUNGALOW QLD 4870 PO BOX 4545, DARWIN QLD 4870 08 9400 1000 www.developnorth.com.au info@developnorth.com.au</p>	ADDRESS	112 BARNWELL RD, KURANDA	No.	Description	Date	DRAWING NO.	DA-SP300	<p>ALL RIGHTS RESERVED. NO PART OF THIS DOCUMENT MAY BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT PERMISSION IN WRITING FROM DEVELOP NORTH.</p>
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					DATE	CHECKED BY	ML	SCALE
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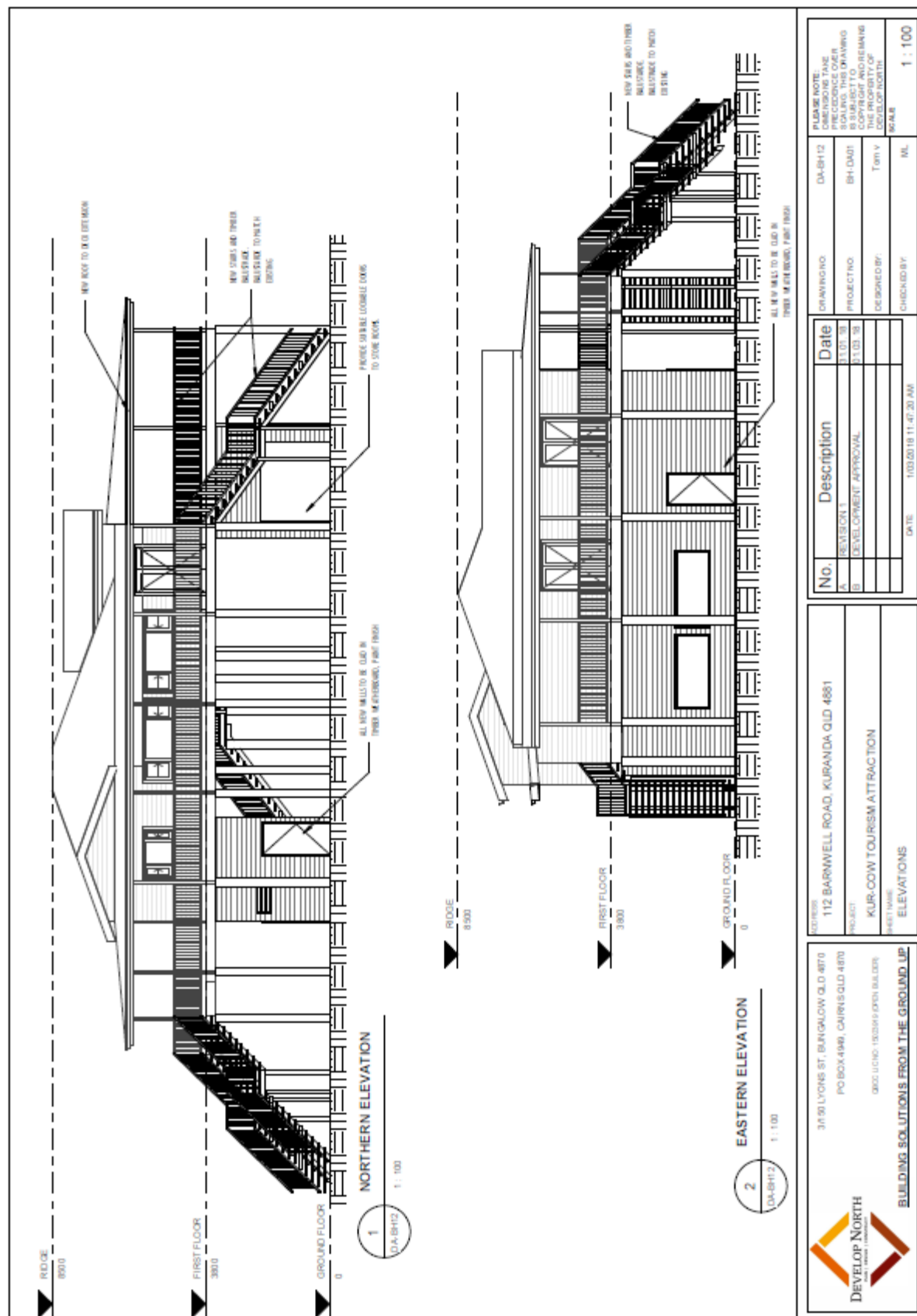


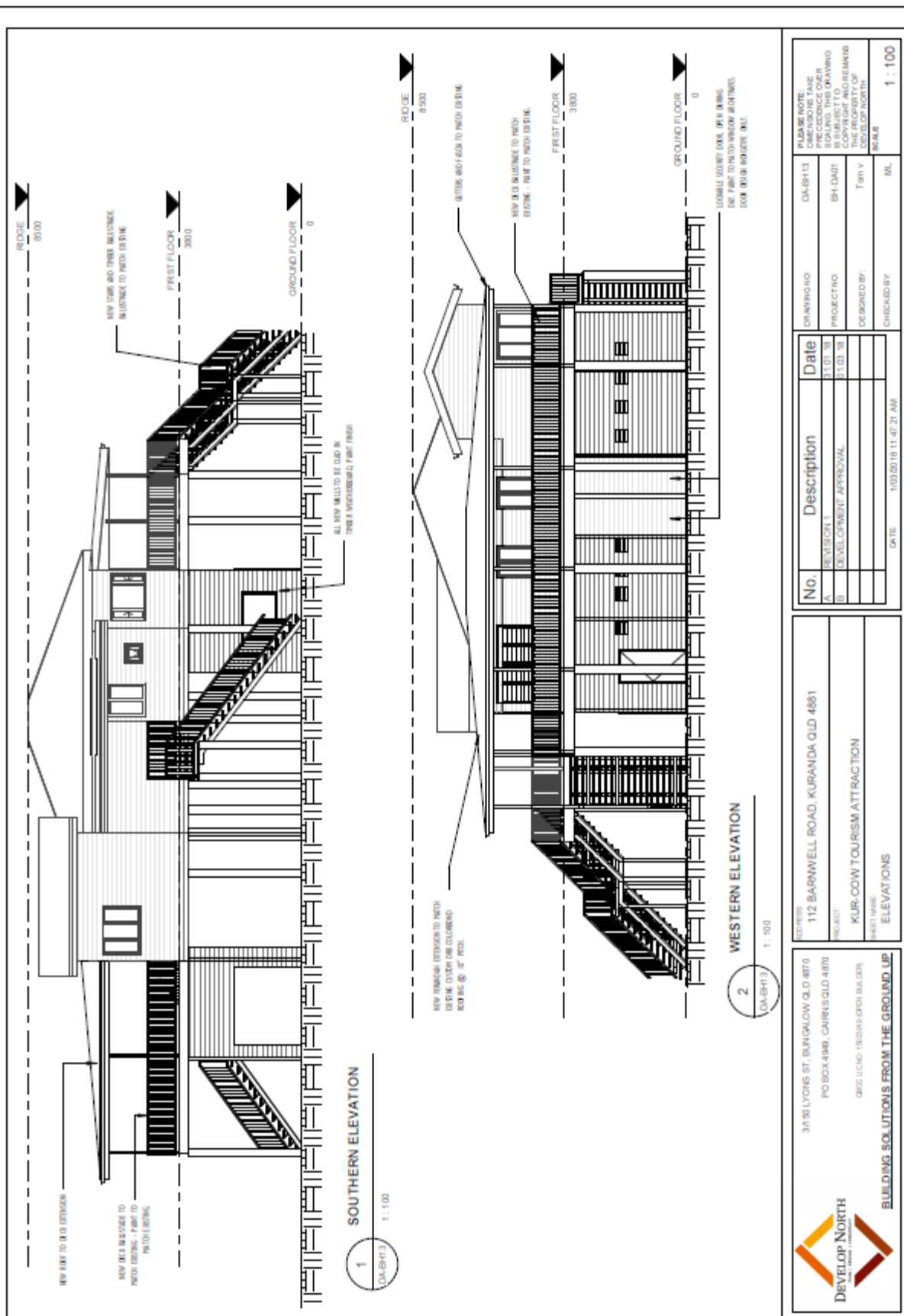










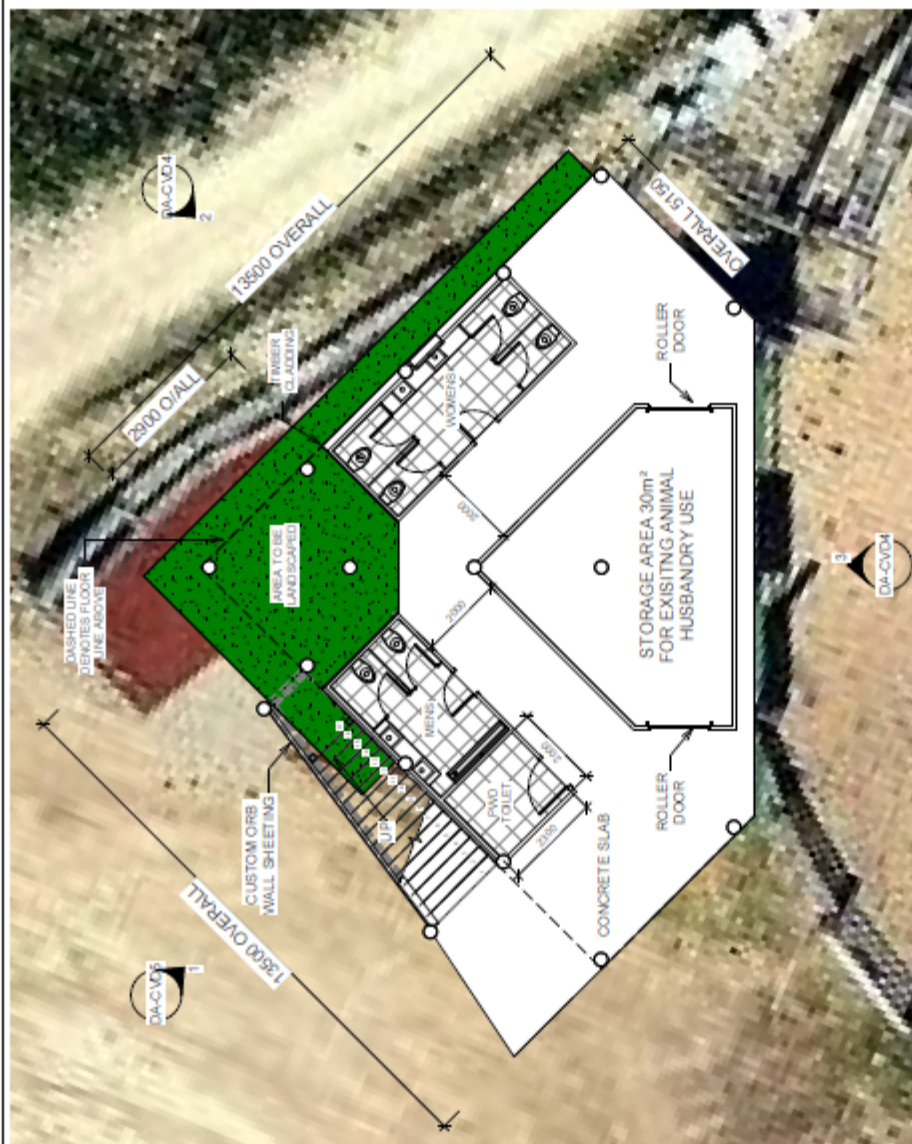




PROPOSED CATTLE VIEWING DECK SITE PLAN

1 : 100

 DEVELOP NORTH <small>PLANNING & DESIGN</small>	3150 LYONS ST, BUNGALOW QLD 4870		BUILDING SOLUTIONS FROM THE GROUND UP
	PO BOX 4849, CARRYS QLD 4870		
	OFFICE: 07 4203 6700		
	MOBILE: 08 9478 0000		
	WWW.DEVELOPNORTH.COM		
ADDRESS 112 BARNWELL RD, KURANDA			
PROJECT KUR-COW TOURISM ATTRACTION			
SHEETNAME CAT E VIEWING DECK SITE PLAN			
No.		Description	Date
A		CONCEPT FOR REVIEW	13/1/17
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C		FINAL DEVELOPMENT APPLICATION	07/2/18
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LY		CONCEPT FOR REVIEW	07/2/18
LZ		CONCEPT FOR REVIEW	07/2/18
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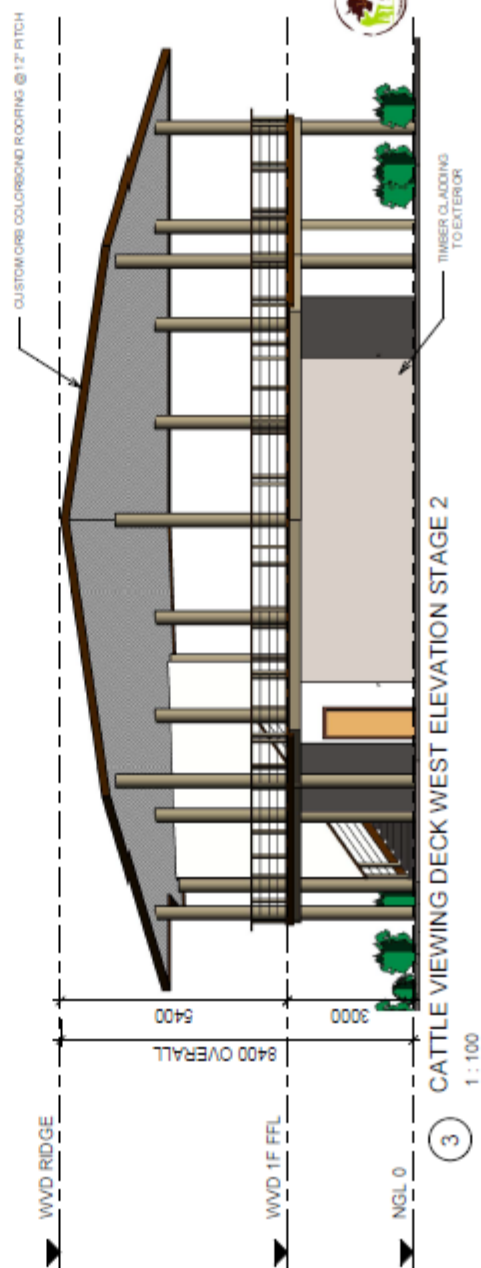
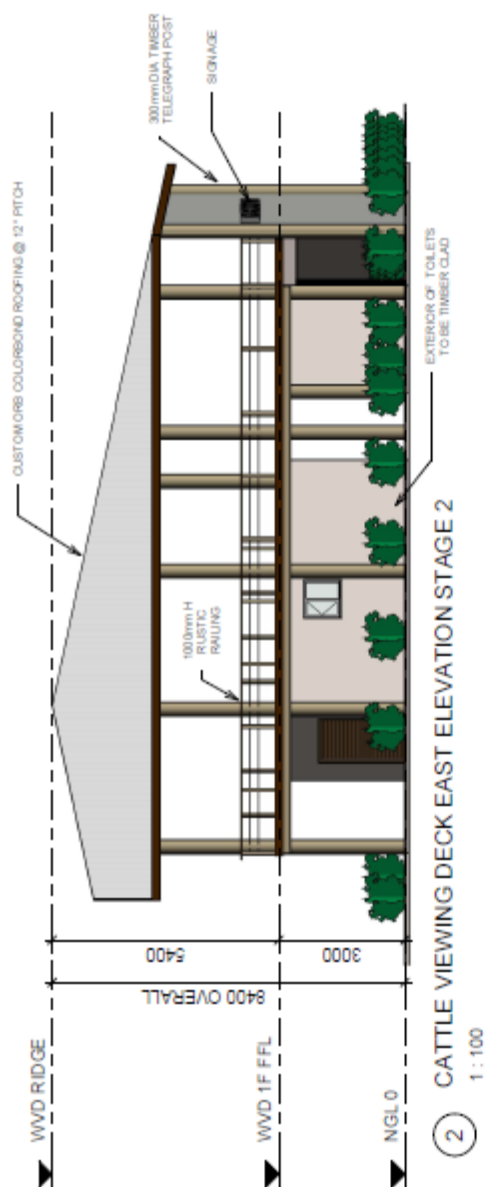


1 PROPOSED CATTLE VIEWING DECK GF

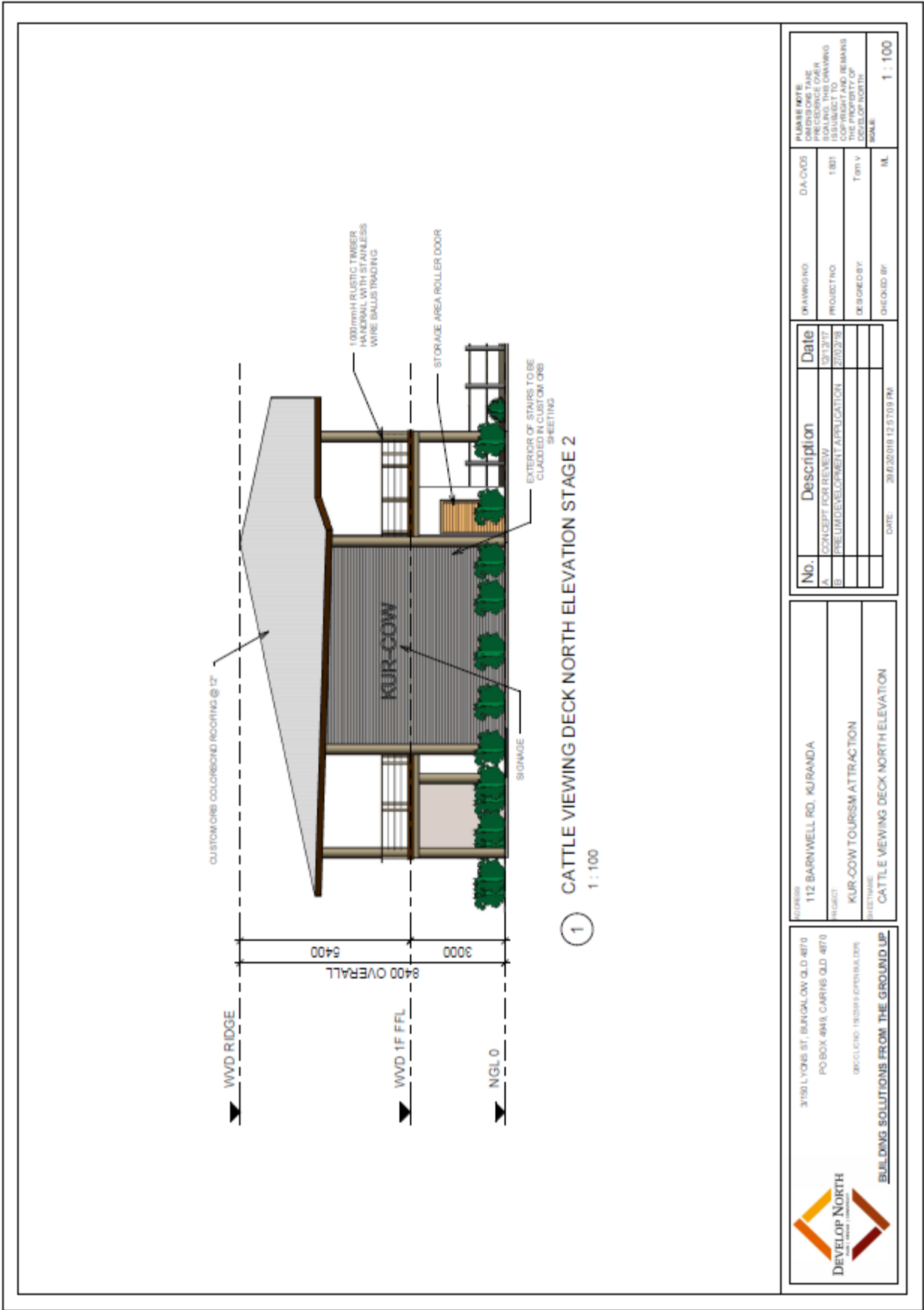
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CLIENT BUILDING SOLUTIONS FROM THE GROUND UP		DESCRIPTION		DATE
DESIGNED BY TCMV		PROJECT NO. 1801		CONCEPT FOR REVIEW PRELIMINARY APPLICATION
CHECKED BY ML		PROJECT NO. 1801		CONCEPT FOR REVIEW PRELIMINARY APPLICATION
SCALE 1 : 100		PROJECT NO. 1801		CONCEPT FOR REVIEW PRELIMINARY APPLICATION

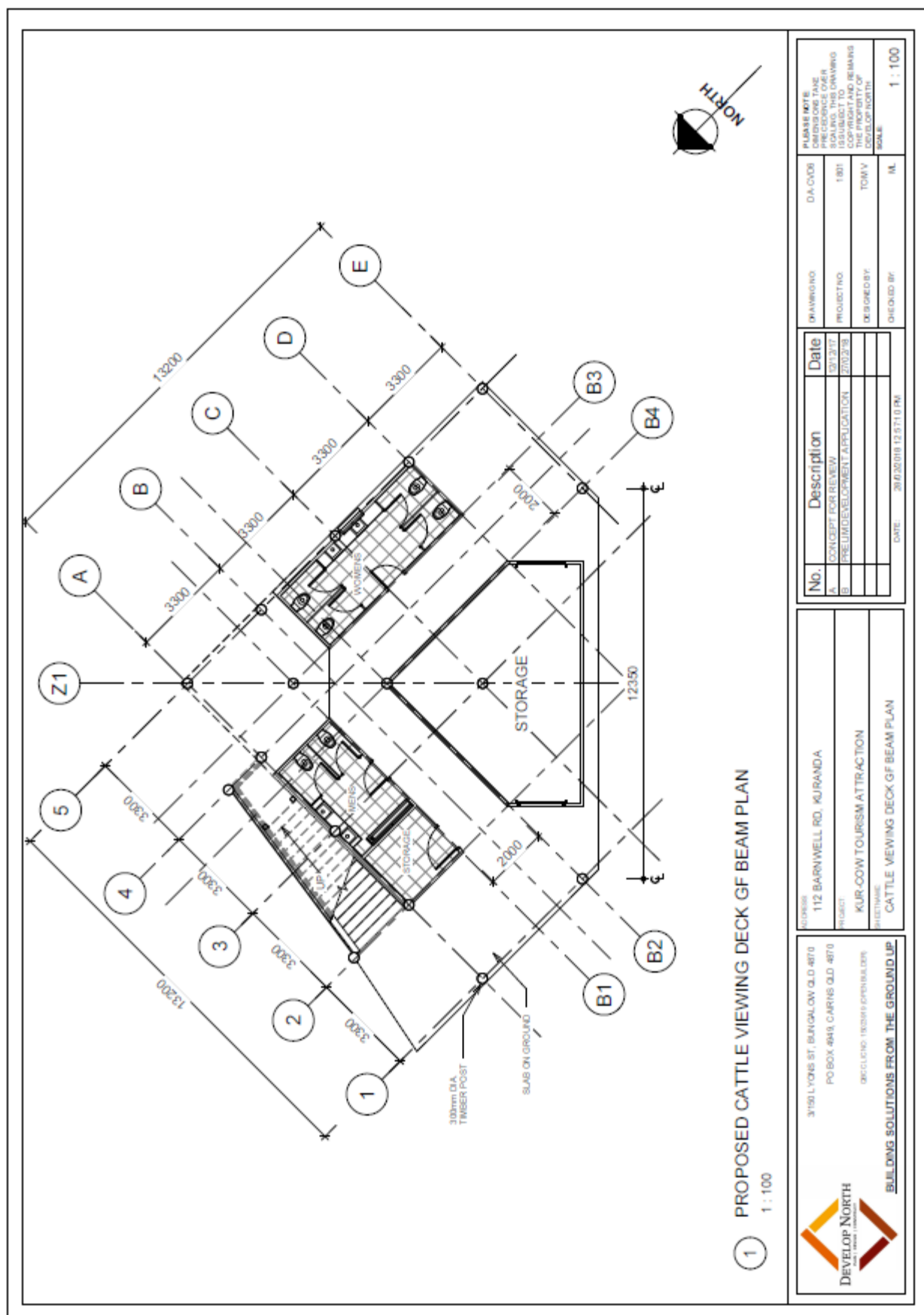


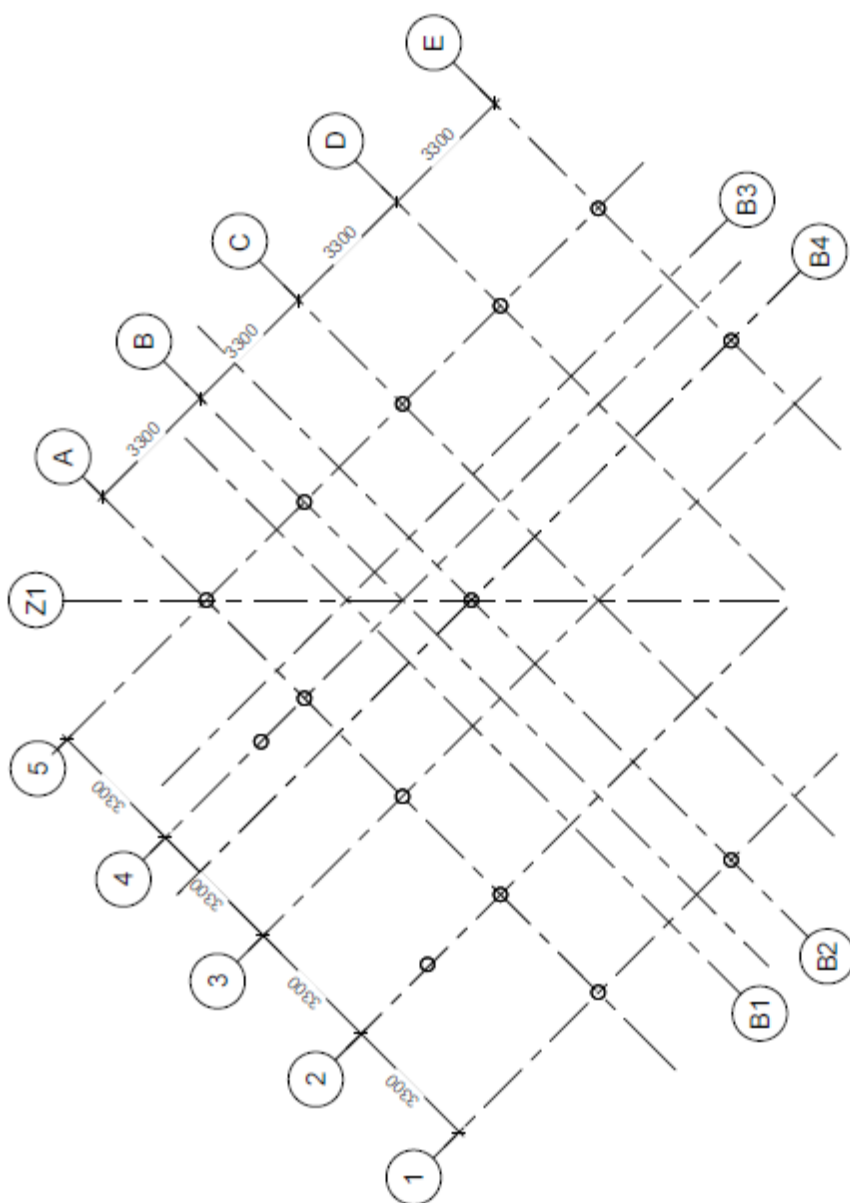


 <p>DEVELOP NORTH BUILDING SOLUTIONS FROM THE GROUND UP</p>		3150 LYONS ST, BUNGA LOW QLD 4870 PO BOX 4849, CARRIS QLD 4870 08162100100 TRENDS@DEVELOPNORTH.COM		ADDRESS: 112 BARNWELL RD, KURANDA PROJECT: KUR-COW TOURISM ATTRACTION SUBTITLE: CATTLE VIEWING DECK EAST & WEST ELEVATIONS		<table><tr><th>No.</th><th>Description</th><th>Date</th></tr><tr><td>A</td><td>CONCEPT FOR REVIEW</td><td>28/12/17</td></tr><tr><td>B</td><td>PRELIMINARY APPLICATION</td><td>20/2/18</td></tr><tr><td></td><td></td><td></td></tr><tr><td></td><td></td><td></td></tr></table>		No.	Description	Date	A	CONCEPT FOR REVIEW	28/12/17	B	PRELIMINARY APPLICATION	20/2/18							<table><tr><td>DESIGNED BY</td><td>TCMV</td></tr><tr><td>CHECKED BY</td><td>ML</td></tr><tr><td>DATE</td><td>28/10/2018 12:57:07 PM</td></tr></table>		DESIGNED BY	TCMV	CHECKED BY	ML	DATE	28/10/2018 12:57:07 PM	PLEASE NOTE: DEVELOP NORTH TAKES NO RESPONSIBILITY FOR THE ACCURACY OF THIS DRAWING. THE DRAWING IS THE PROPERTY OF DEVELOP NORTH.		SCALE: 1 : 100
No.	Description	Date																															
A	CONCEPT FOR REVIEW	28/12/17																															
B	PRELIMINARY APPLICATION	20/2/18																															
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CHECKED BY	ML																																
DATE	28/10/2018 12:57:07 PM																																



DEVELOP NORTH 3750 LYONS ST, BUNGALOW QLD 4870 PO BOX 4849, CARRIS QLD 4870 (08) 6250 1700 • 1700 6250		ADDRESS 112 BARNWELL RD, KURANDA		DRAWING NO. DA-005		PLEASE NOTE THIS DRAWING IS FOR INFORMATION ONLY. IT IS NOT TO BE USED FOR CONSTRUCTION OR FOR ANY OTHER PURPOSE WITHOUT THE WRITTEN CONSENT OF DEVELOP NORTH.	
PROJECT KUR-COW TOURISM ATTRACTION		DATE 28/02/2018 12:57:09 PM		PROJECT NO. 1801		SCALE 1 : 100	
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BUILDING SOLUTIONS FROM THE GROUND UP		DATE 28/02/2018 12:57:09 PM		PROJECT NO. 1801		SCALE 1 : 100	





1 PROPOSED CATTLE VIEWING DECK 1F ROOF BEAM PLAN

1 : 100

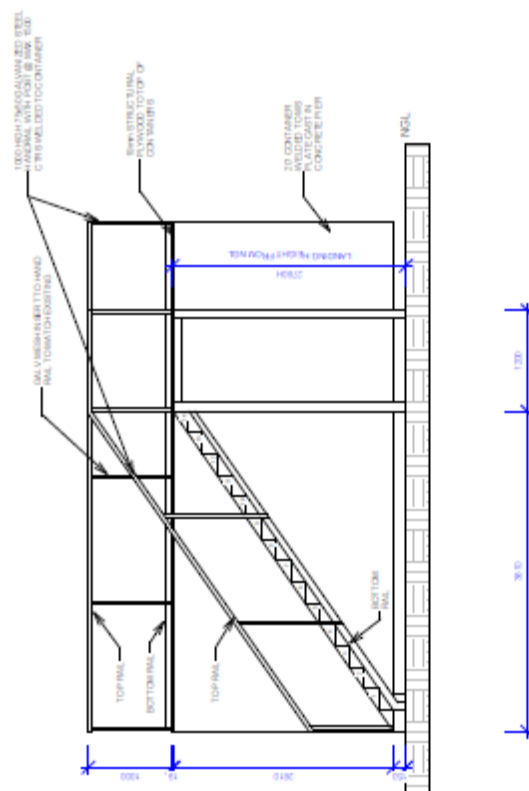
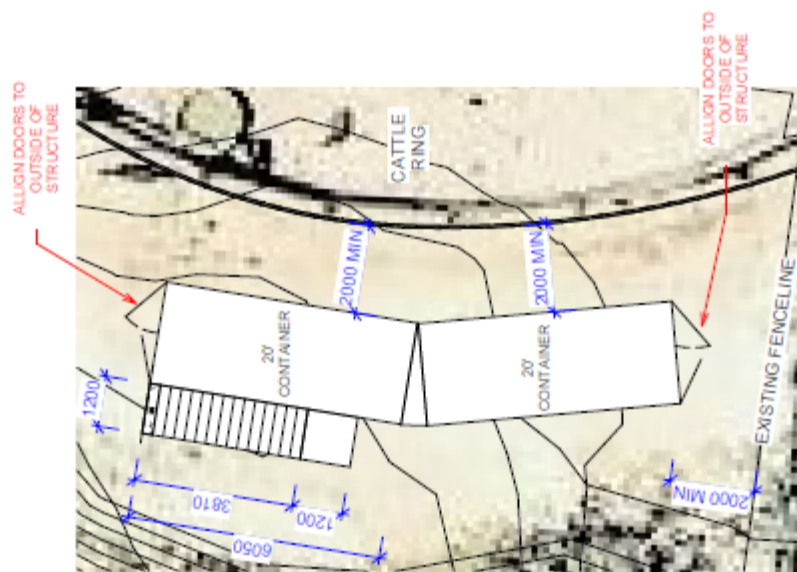
DEVELOP NORTH
ARCHITECTS & PLANNERS
3/150 LYONS ST, BUNGA LOW QLD 4870
PO BOX 4849, CARRIS QLD 4870
08/05/2018 10:00:00 AM

BUILDING SOLUTIONS FROM THE GROUND UP
ADDRESS: 112 BARNWELL RD, KURANDA
PROJECT: KUR-COW TOURISM ATTRACTION
SUBJECT: CATTLE VIEWING DECK 1F ROOF BEAM PLAN

No.	Description	Date
A	CONCEPT FOR REVIEW	03/12/17
B	PRELIMINARY APPLICATION	03/03/18
C	DESIGNED BY	
D	CHECKED BY	
E	DATE	28/03/2018 12:57:10 PM

PLANNING
DRAWING: DA-C007
PROJECT: 1801
DESIGNED BY: TCMV
CHECKED BY: ML
SCALE: 1 : 100

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No.	Description	Date	DRAWING NO	DA-COON 01	PLANS NOTE
A	CONCEPT FOR REVIEW	02/27			PRECEDENCE OVER
B	PRELIMINARY DEVELOPMENT APPLICATION	05/3/20	PROJECT NO	1-001	THE OWNERS
					IS SUBJECT TO AND REMAINS
					THE PROPERTY OF
					DA-COON OF NORTH
					SCALE
					As indicated

DATE: 1/03/2018 4:54 PM

ADDRESS	112 BARNWELL RD, KURANDA
PROJECT	KUR-OWW TOURISM ATTRACTION
FEATURES	CONTAINER VIEWING DECK DA PLAINS & ELEVATION

DEVELOP NORTH
A Division of Develop Group, Inc.

31921 YVONS ST., BURLING, ON L1D 4B70
PO BOX 4849, CARLIS QLD 4870
ON/C/CLC/O 1 (800) 861-0400

BUILDING SOLUTIONS FROM THE GROUND UP



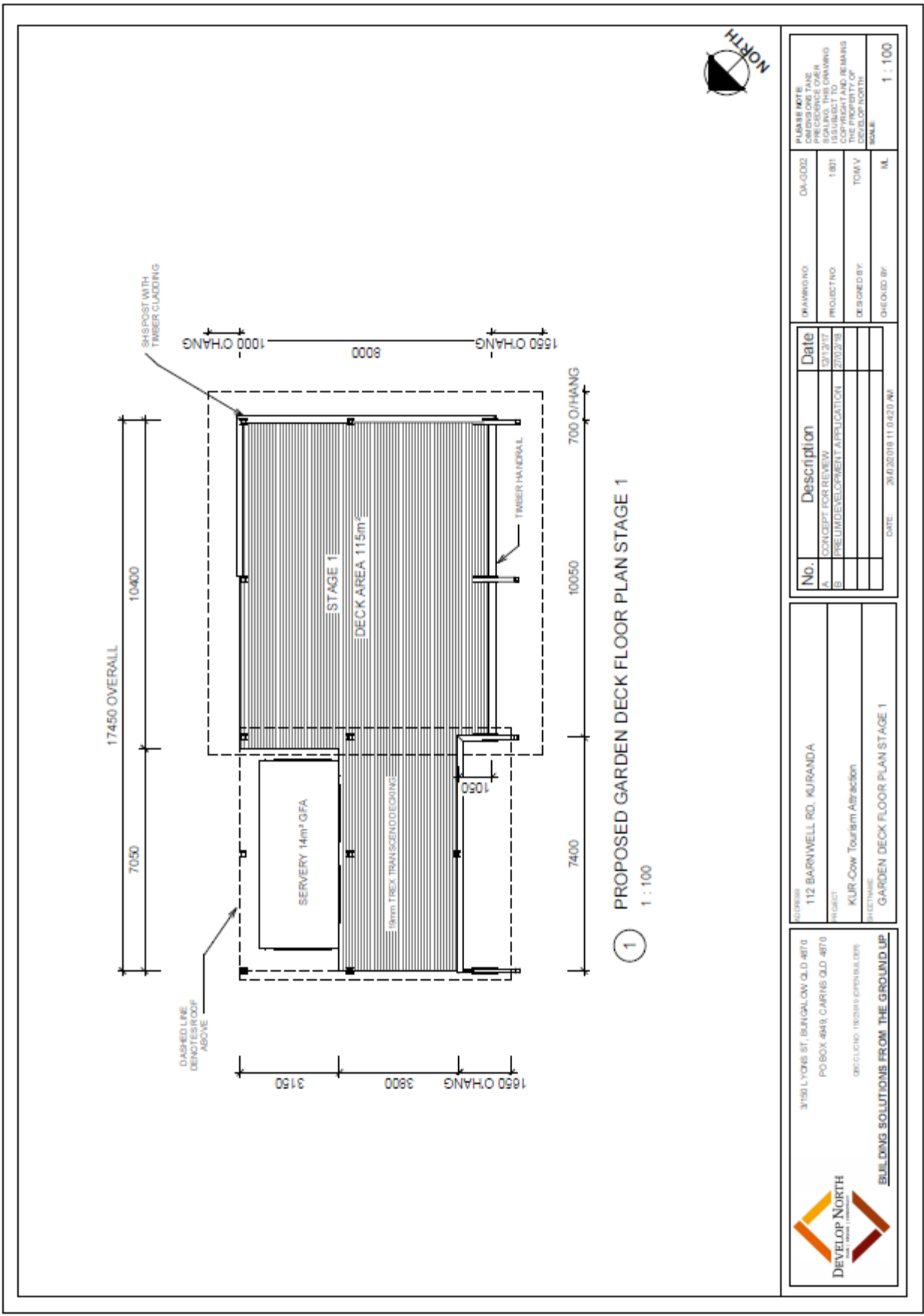
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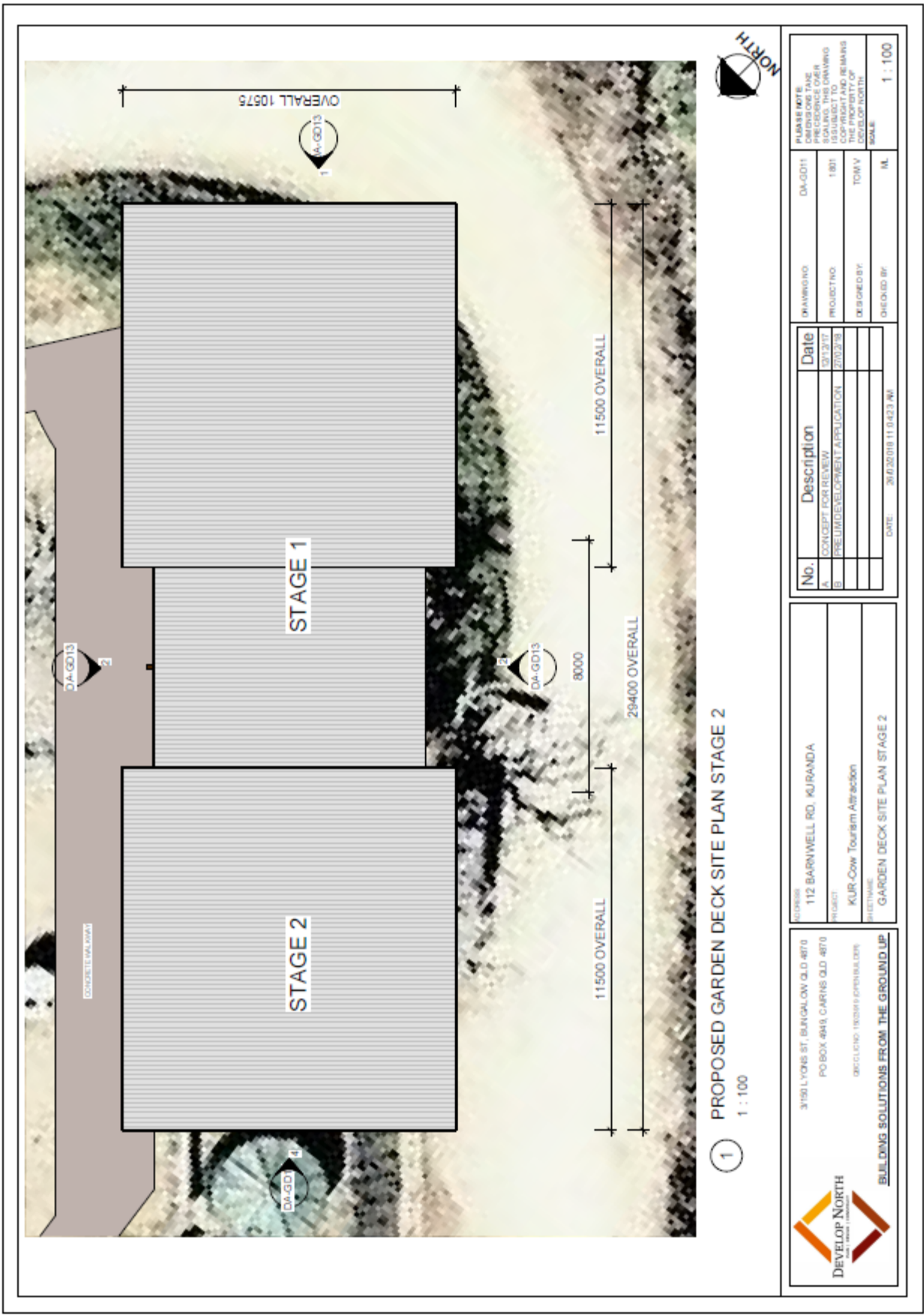
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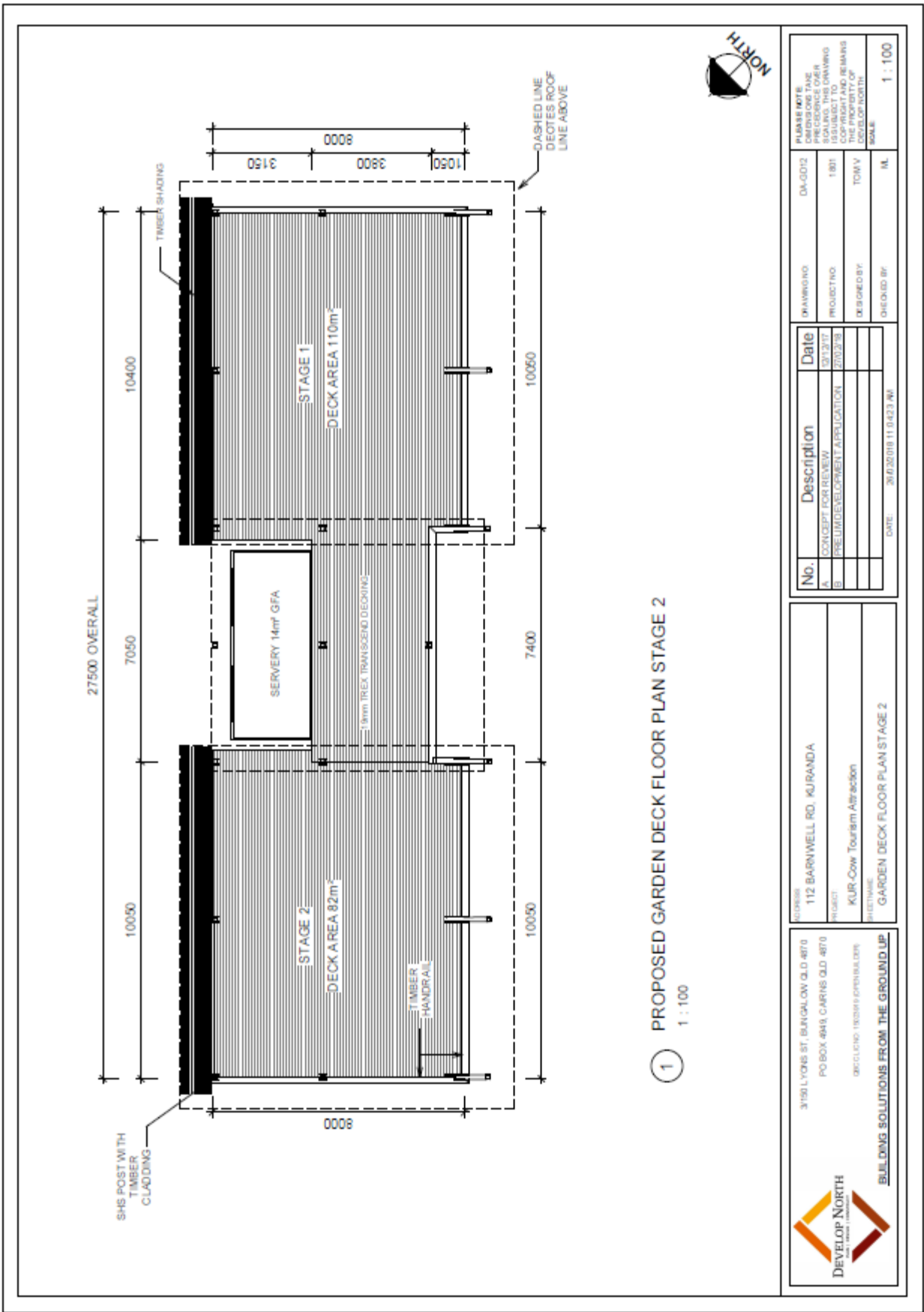
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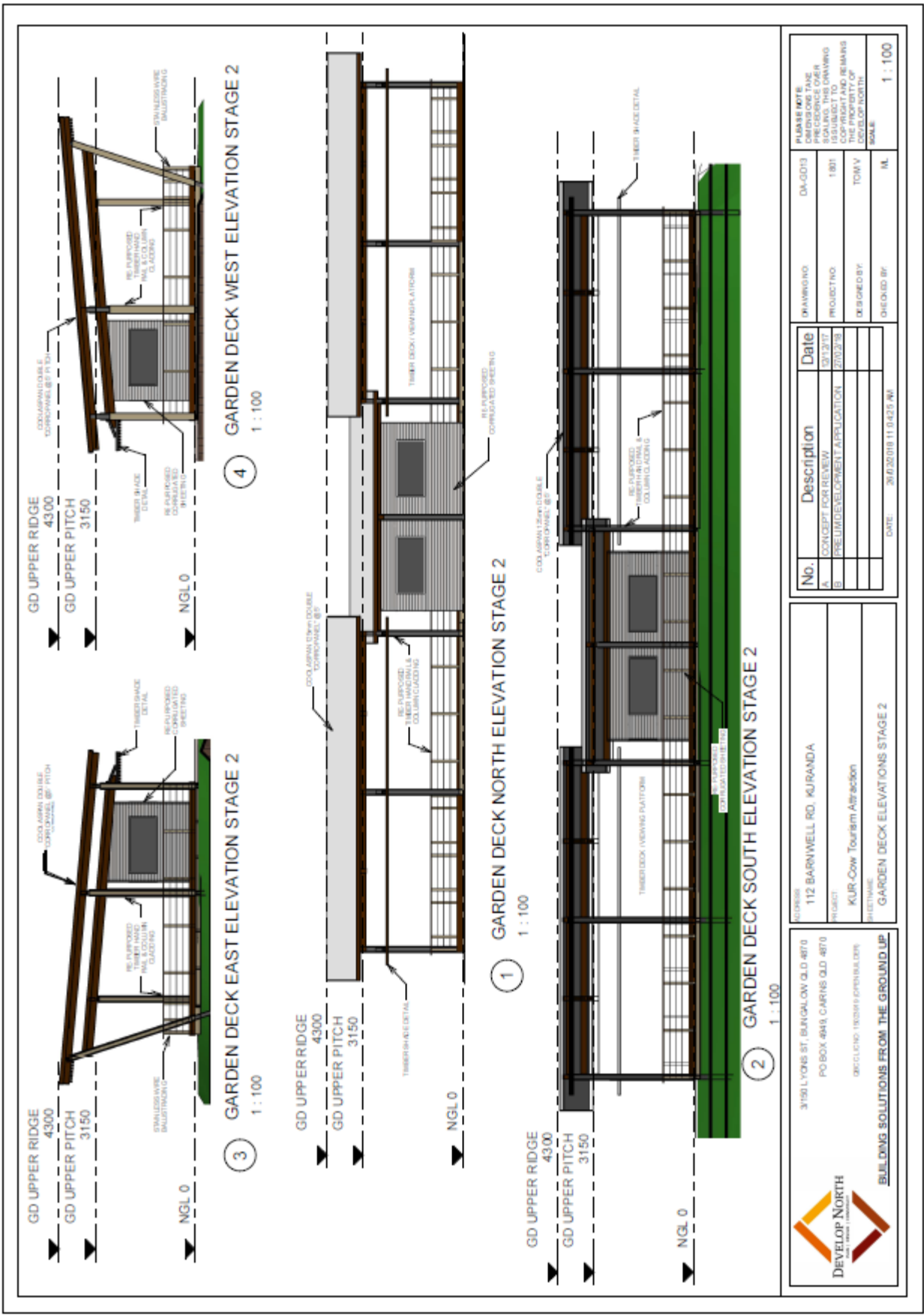
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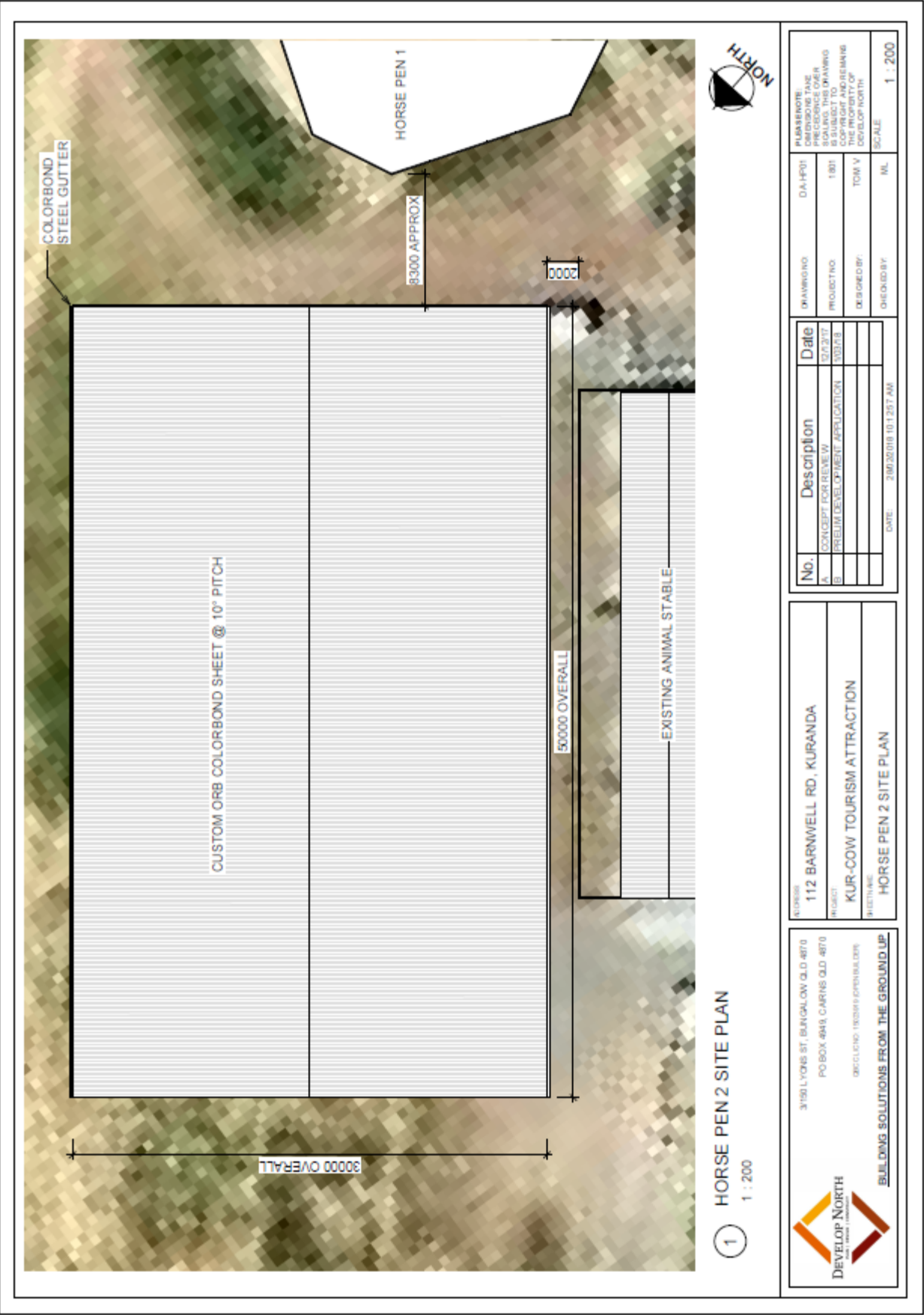
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<p>SCALE 1 : 100</p>	<p>PLEASE NOTE THIS DRAWING IS FOR PRELIMINARY DEVELOPMENT APPLICATION ONLY. IT IS NOT TO BE USED FOR CONSTRUCTION OR ANY OTHER PURPOSE WITHOUT THE WRITTEN PERMISSION OF DEVELOP NORTH.</p>	<p>PROJECT NO 1801</p>	<p>DA-GD01</p>

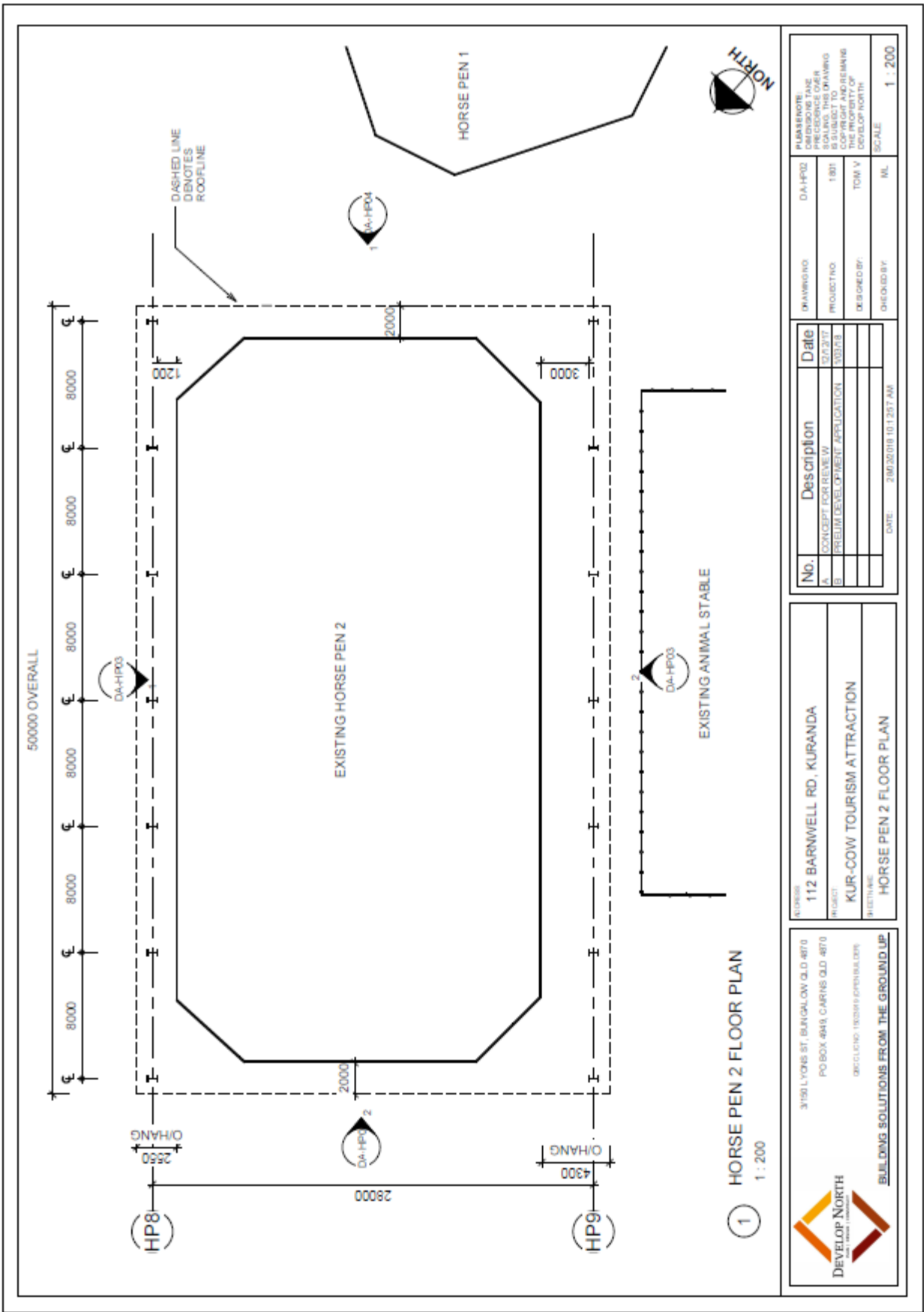


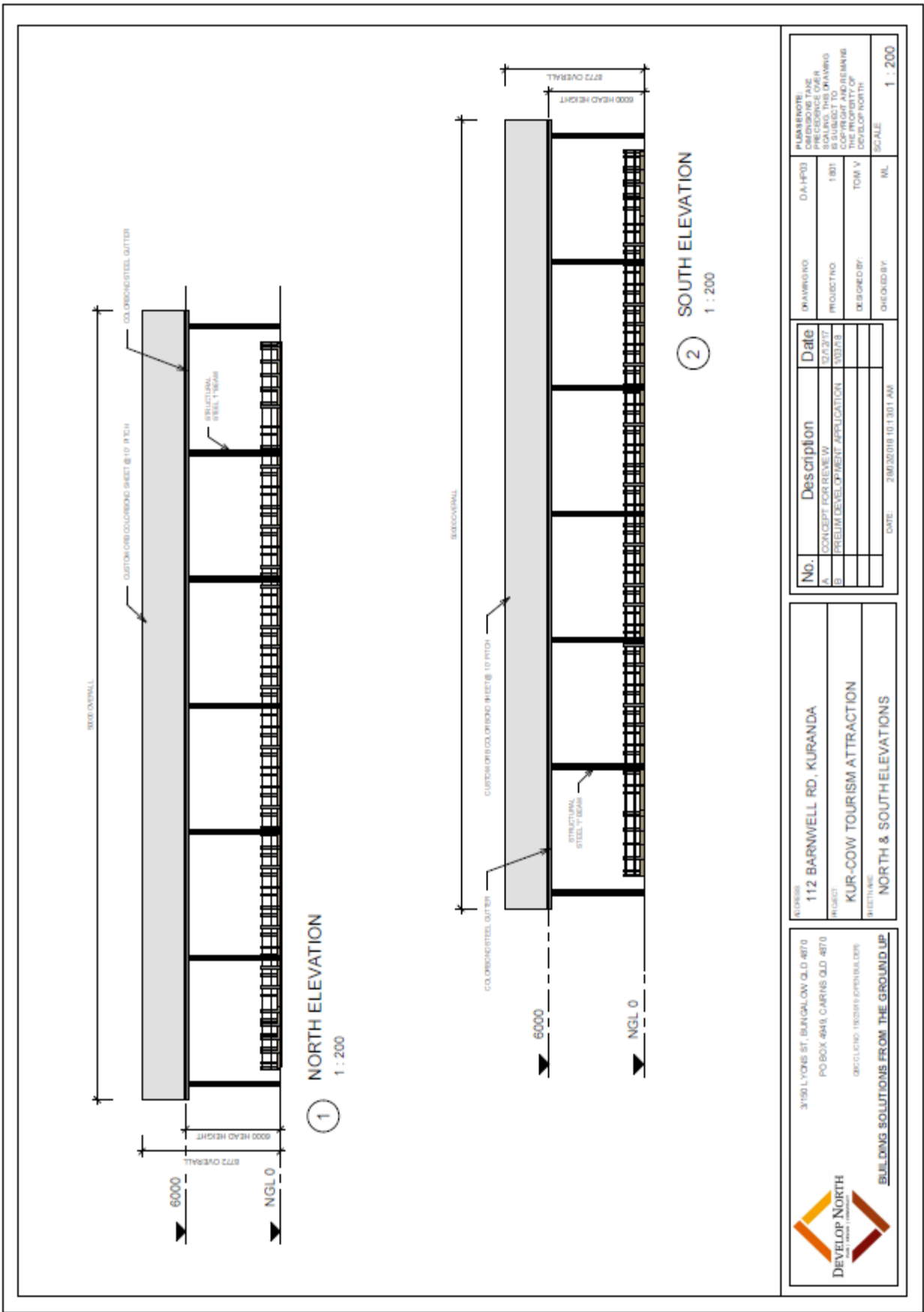


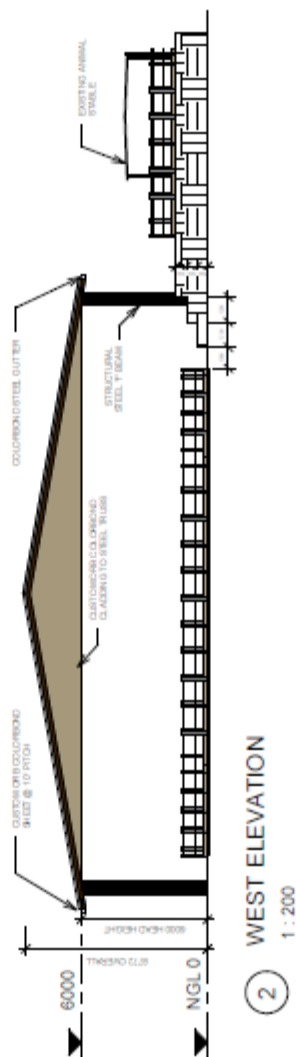
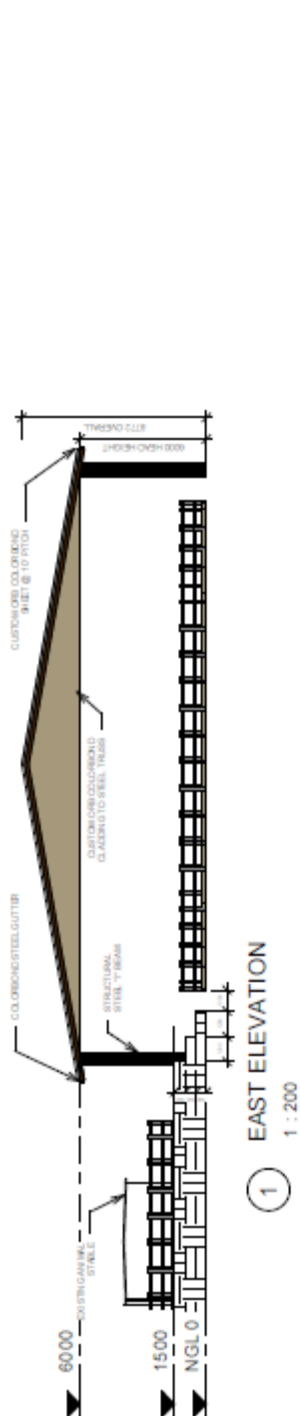












3750 LYONS ST, BUNGALOW QLD 4870
PO BOX 484, CARRIS QLD 4870
CIRCULINO TRADING OPERATIONS
DEVELOP NORTH
BUILDING SOLUTIONS FROM THE GROUND UP

112 BARNWELL RD, KURANDA

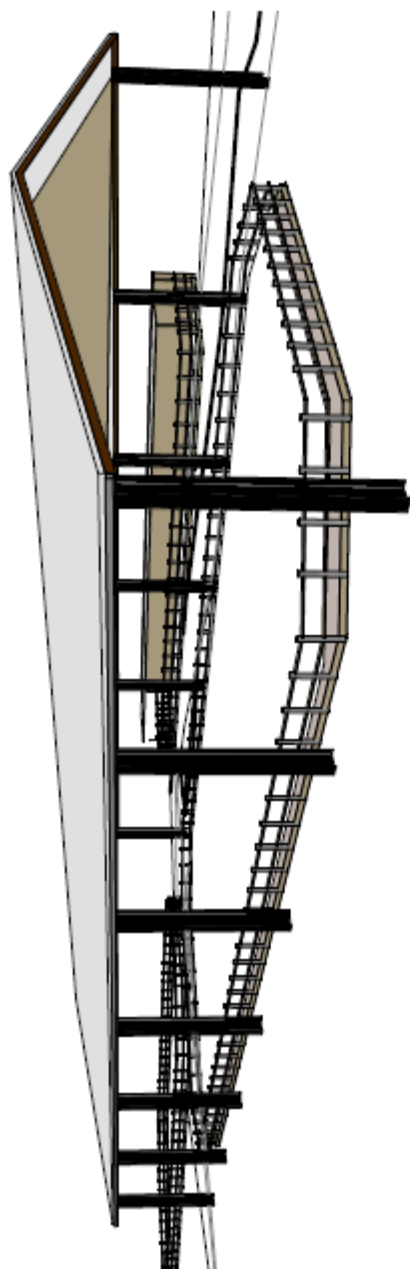
KUR-COW TOURISM ATTRACTION

EAST & WEST ELEVATIONS

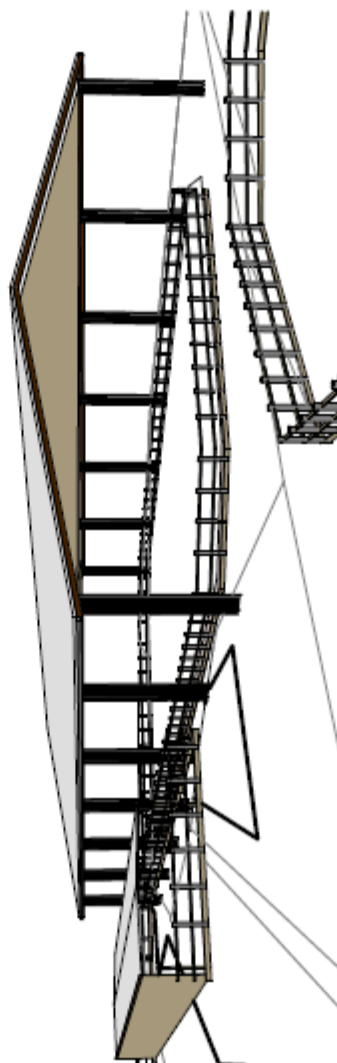
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B	PRELIM DEVELOPMENT APPLICATION	03/07/18

DATE: 28/02/2018 10:13:08 AM

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PROJECT NO	1801	
DESIGNED BY	TOM V	
CHECKED BY	ML	SCALE 1 : 200



1 HORSE PEN 2, 3D View 1



2 HORSE PEN 2 FROM BARNWELL HOUSE

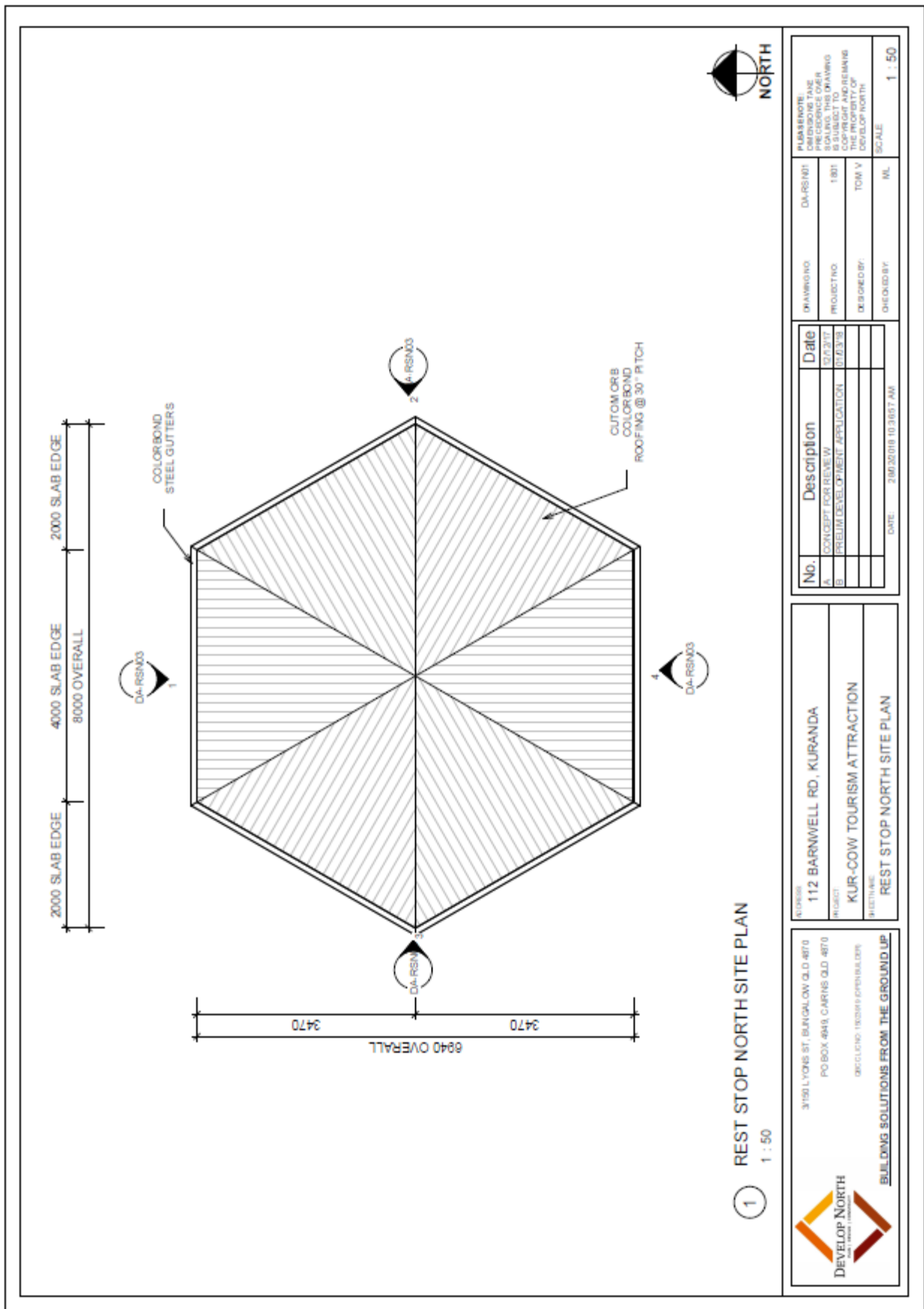

DEVELOP NORTH
 BUILDING SOLUTIONS FROM THE GROUND UP

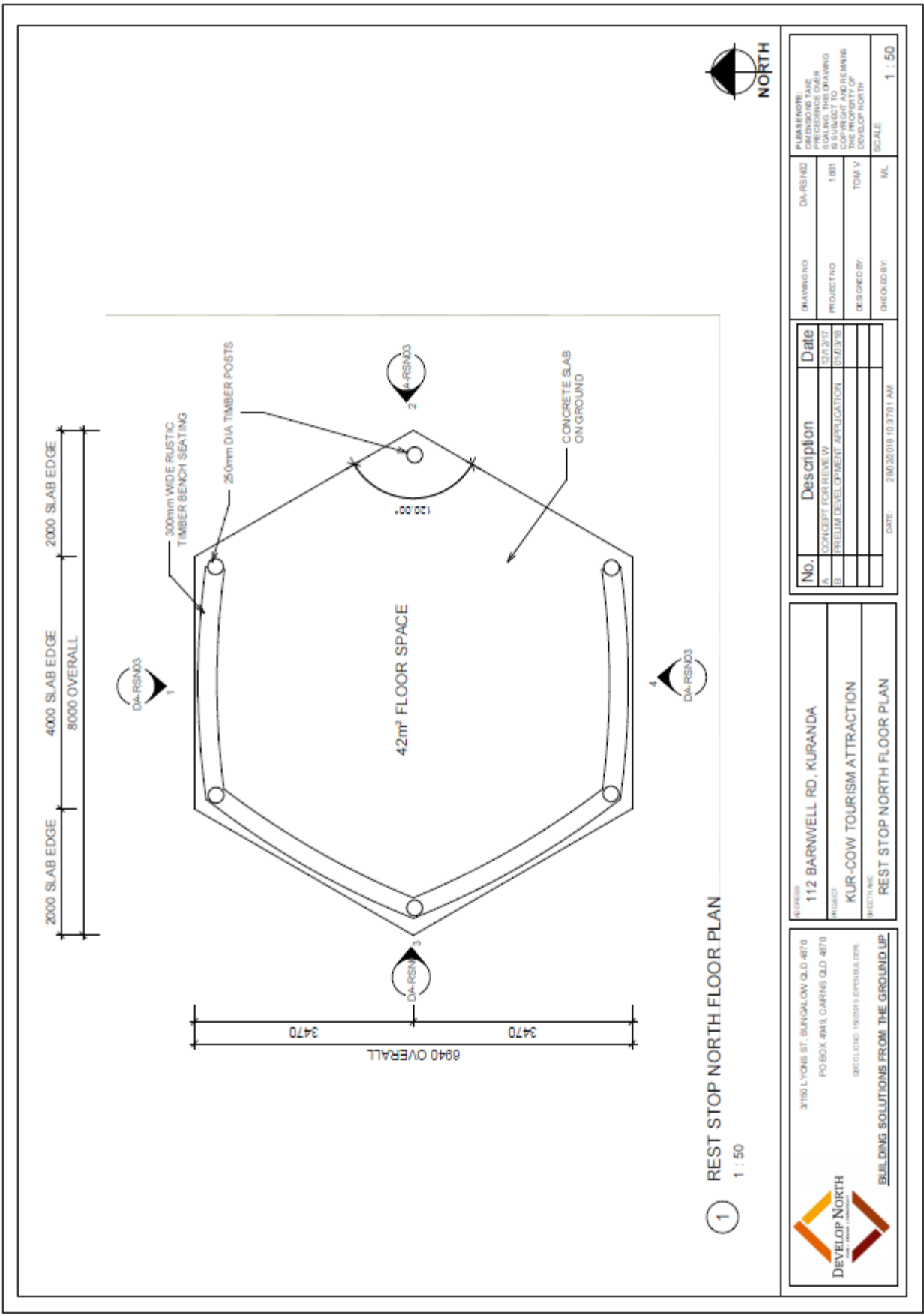
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 PO BOX 4849, CARRIS QLD 4870
 QUEENSLAND TRADING CORPORATION

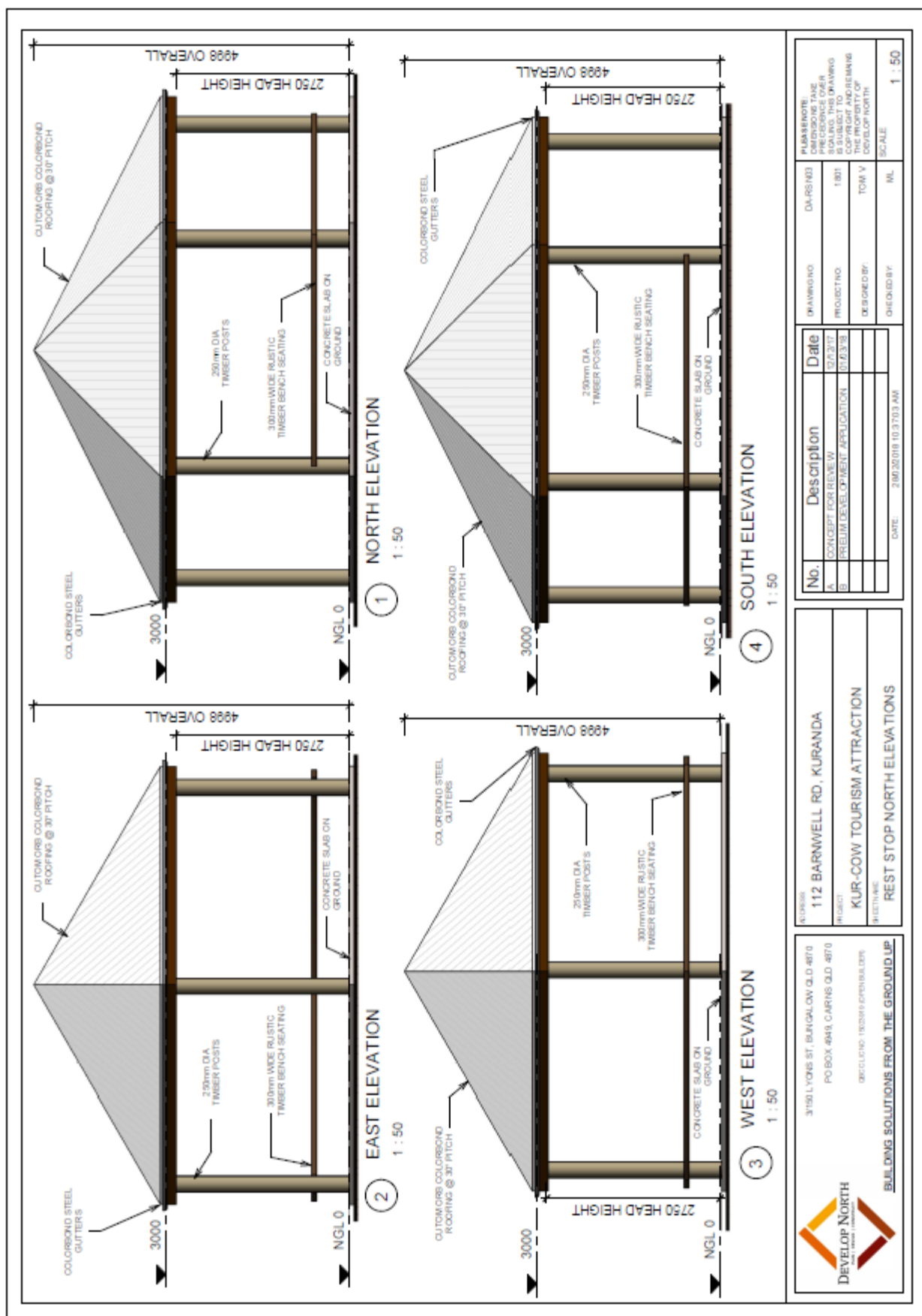
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 PROJECT
 KUR-COW TOURISM ATTRACTION
 DRAWING NO.
 HORSE PEN 2 3D

No.	Description	Date
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B	PRELIM DEVELOPMENT APPLICATION	03/07/18

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PROJECT NO.	1801	
DESIGNED BY:	TOM V	SCALE
CHECKED BY:	ML	
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1 REST STOP NORTH 3D VIEW 1



DEVELOP NORTH

LAND DESIGN • CONSULTING

3150 LYONS ST, BUNGALOW QLD 4870

PO BOX 484, CARRYS QLD 4870

0816200 1233361 • 0816200 1233362

ADDRESS

112 BARNWELL RD, KURANDA

PROJECT

KUR-COW TOURISM ATTRACTION

SITE NAME

REST STOP NORTH 3D

NO.

DESCRIPTION

DATE

A	CONCEPT FOR REVIEW	15/4/2017
B	PRELIM DEVELOPMENT APPLICATION	07/6/2018

DRAWING NO

DA-RS-NH

PLANS/SECTION/DETAILS/TABLE

PRECEDENCE OVER

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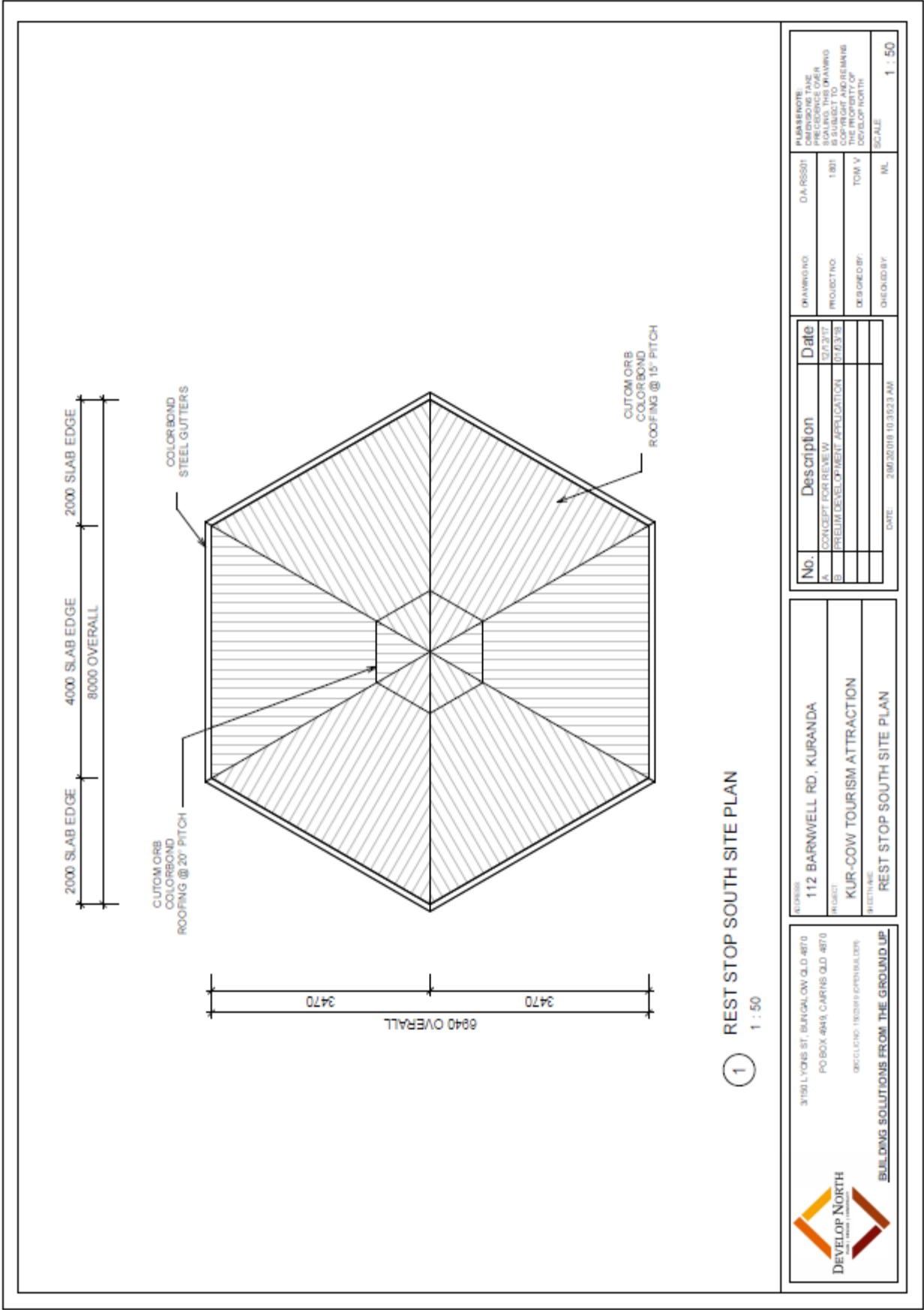
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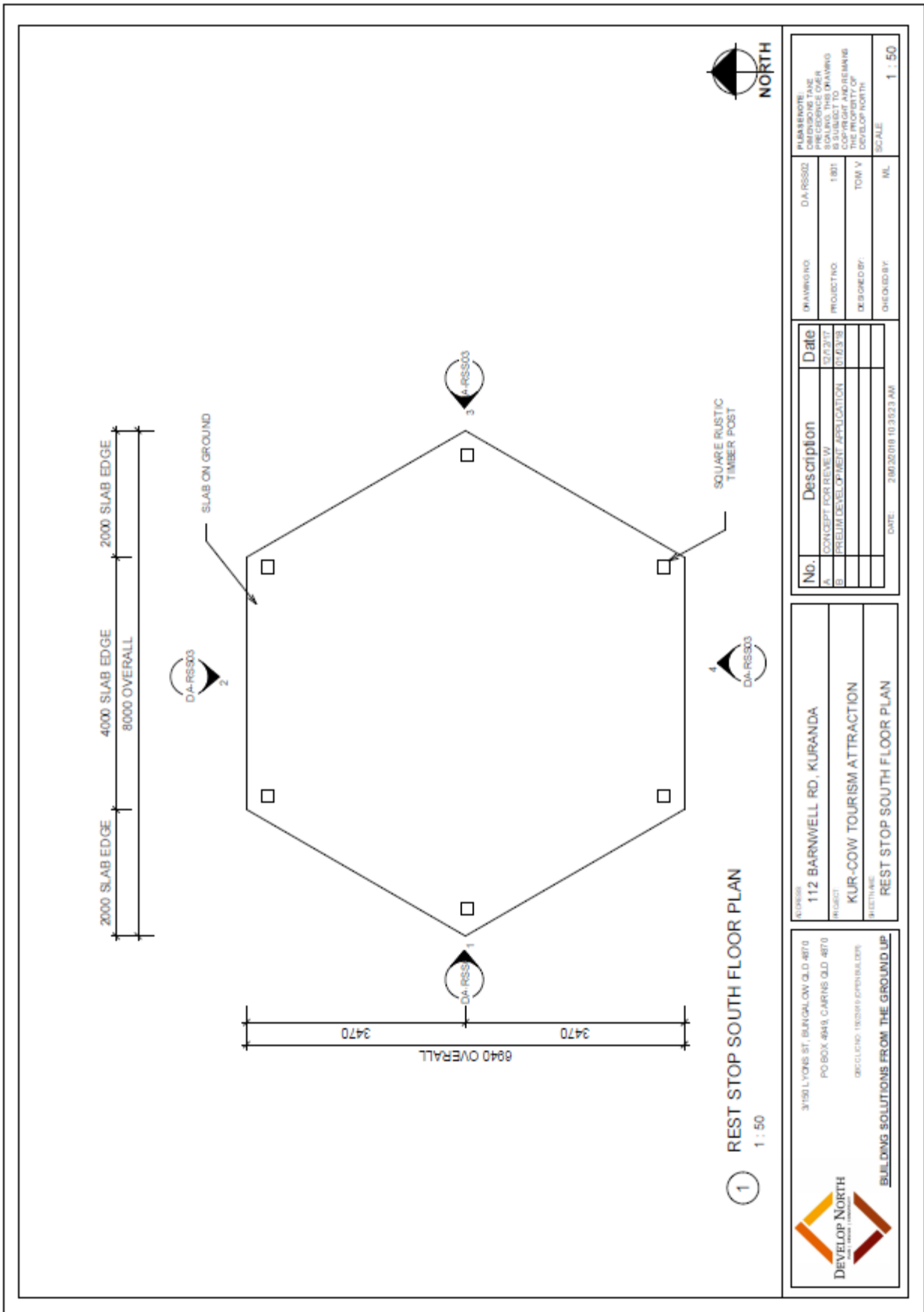
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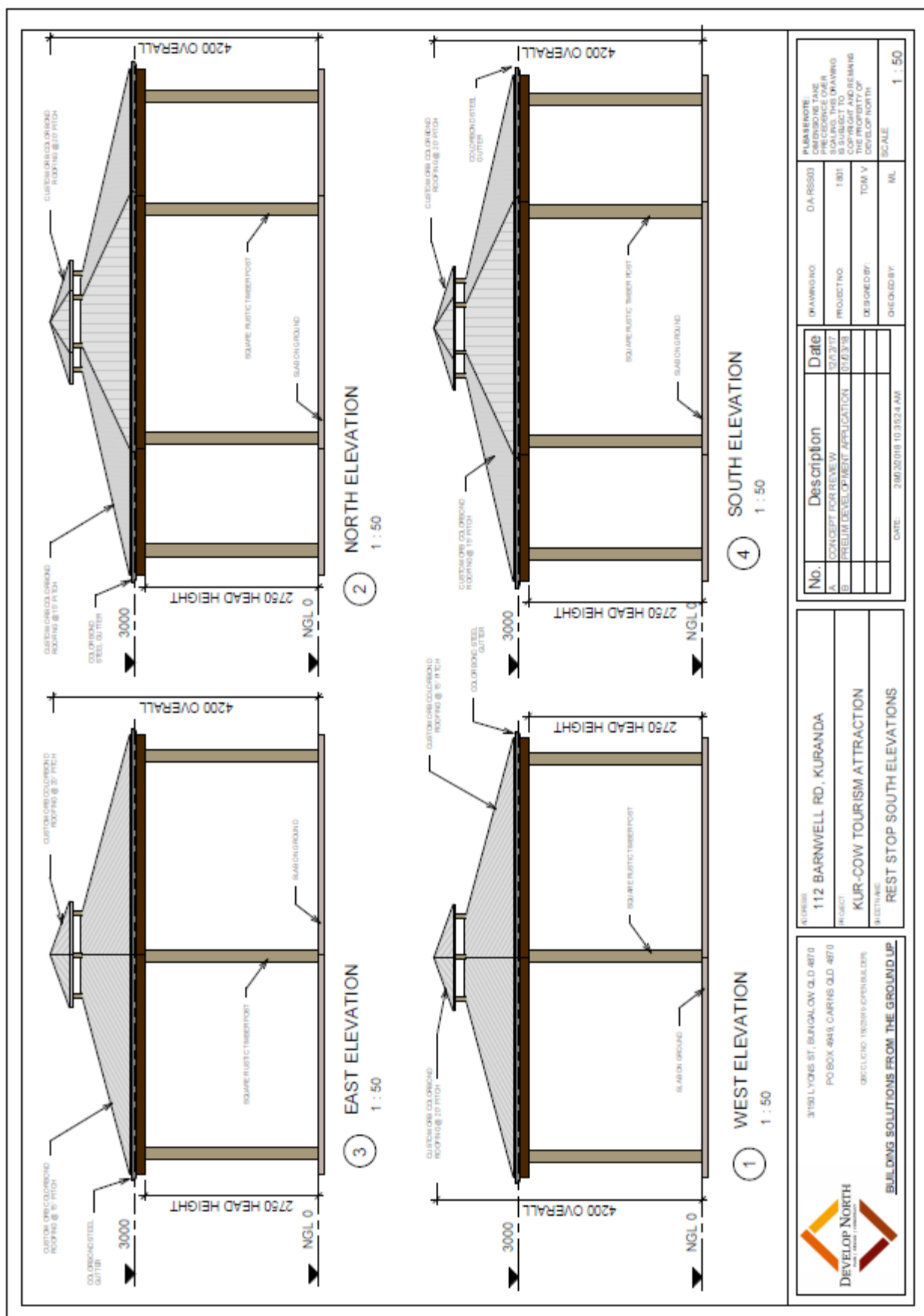
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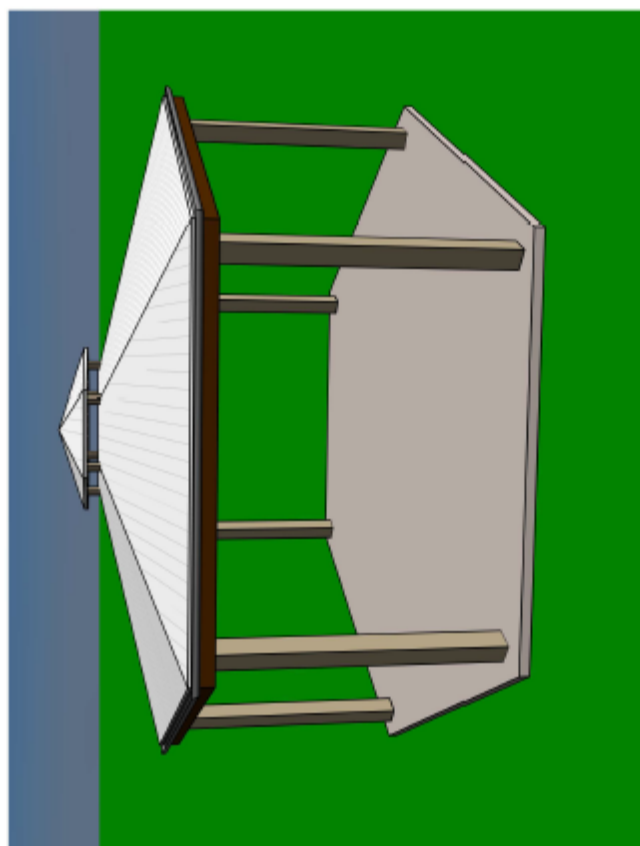
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① 3D View 1


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 PO BOX 4849, CARRIS QLD 4870
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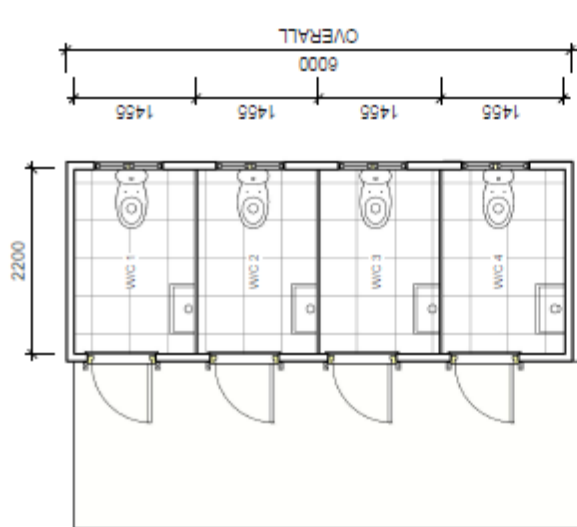
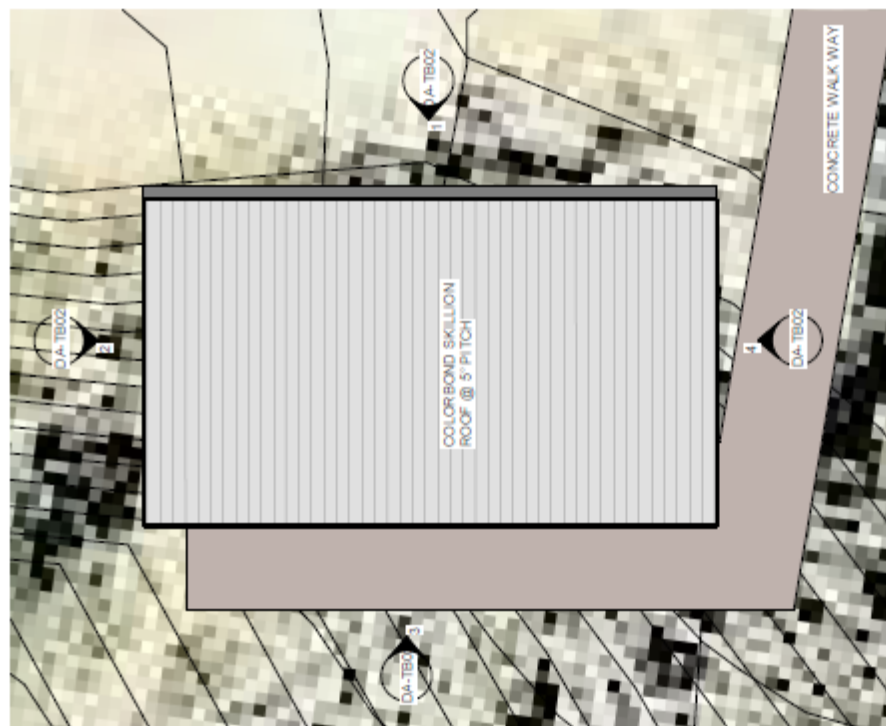
ADDRESS
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PROJECT
KUR-COW TOURISM ATTRACTION

SITE PLAN
REST STOP SOUTH 3D

No.	Description	Date
A.	CONCEPT FOR REVIEW	02/03/17
B.	PRELIM DEVELOPMENT APPLICATION	07/03/18

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PROJECT NO.	1801	
DESIGNED BY:	TOM V	
CHECKED BY:	ML	SCALE



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ARCHITECTS & ENGINEERS

3150 LYONS ST, BUNGA LOW QLD 4870
PO BOX 4849, CARRIS QLD 4870
GEOGRAPHIC: 150°00'00"E 15°00'00"S

BUILDING SOLUTIONS FROM THE GROUND UP

ADDRESS: 112 BARNWELL RD, KURANDA

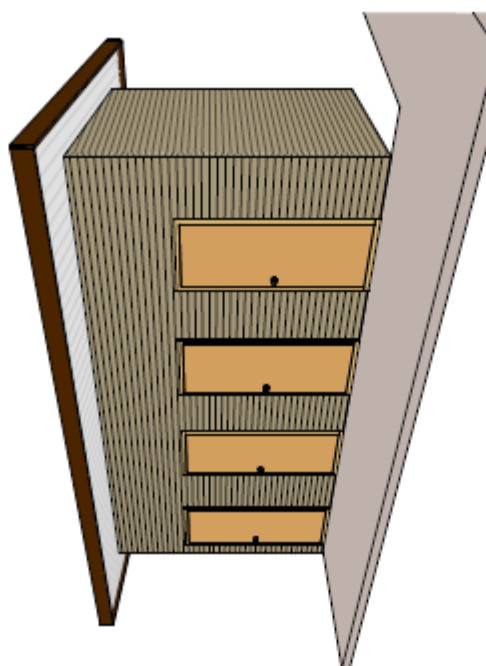
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DATE: 1.03.2018 11:17:51 AM

TOILET BLOCK FLOOR & SITE PLAN

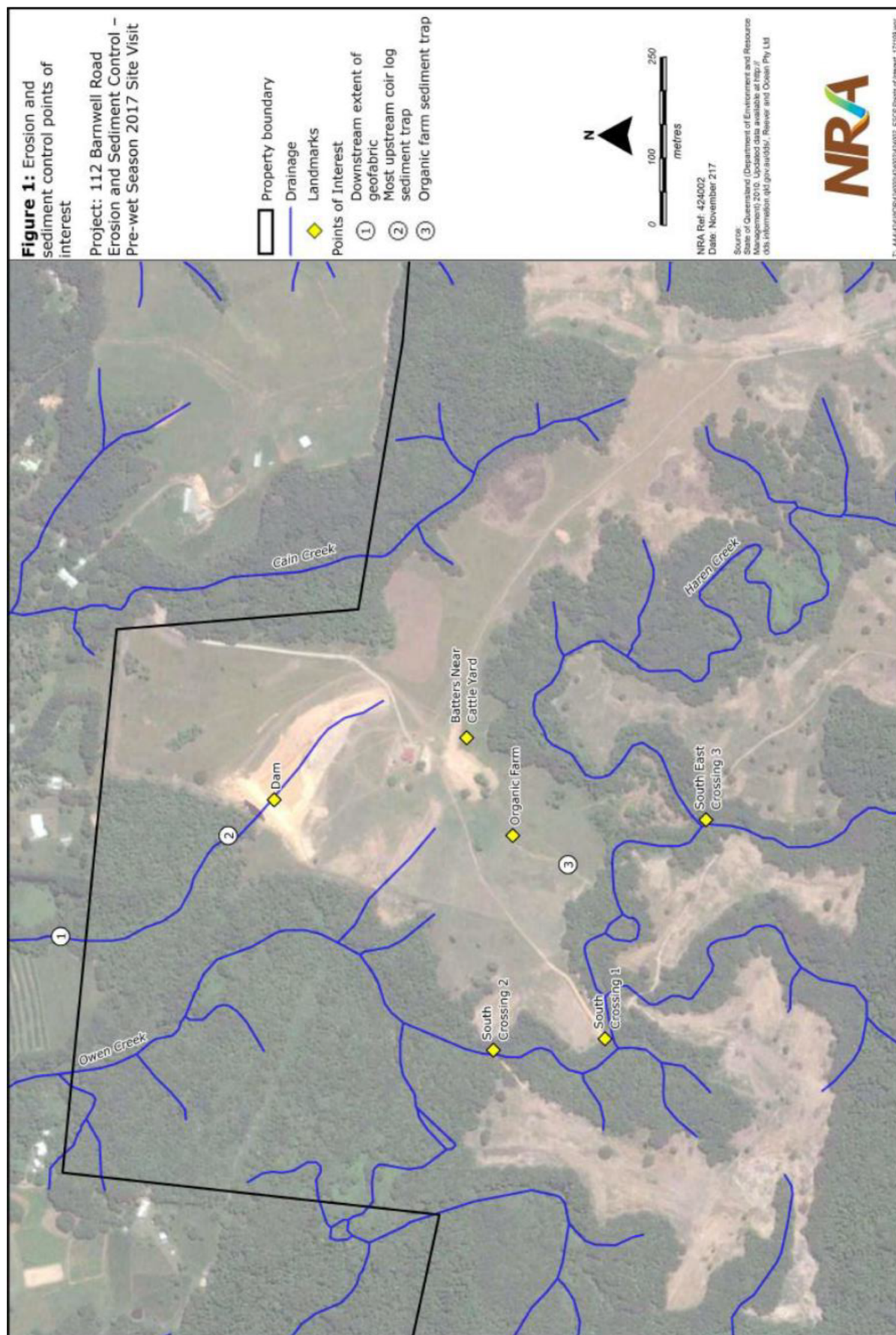
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D	CHECKED BY	ML
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① GRAND STAND TOILET 3D View

 DEVELOP NORTH <small>ARCHITECTS & ENGINEERS</small>		3750 LYONS ST, BUNGALOW QLD 4870 PO BOX 4849, CARRIS QLD 4870 CIRCULATED: 17/05/2018 11:17:55 AM		ADDRESS 112 BARNWELL RD, KURANDA PROJECT KUR-COW TOURISM ATTRACTION ARCHITECT TOILET BLOCK 3D		<table border="1"> <thead> <tr> <th>No.</th> <th>Description</th> <th>Date</th> </tr> </thead> <tbody> <tr> <td>A</td> <td>CONCEPT FOR REVIEW</td> <td>03/12/17</td> </tr> <tr> <td>B</td> <td>PRELIMINARY APPLICATION</td> <td>04/03/18</td> </tr> <tr> <td></td> <td></td> <td></td> </tr> <tr> <td></td> <td></td> <td></td> </tr> </tbody> </table>		No.	Description	Date	A	CONCEPT FOR REVIEW	03/12/17	B	PRELIMINARY APPLICATION	04/03/18							<table border="1"> <thead> <tr> <th>DRAWING NO.</th> <th>DATE</th> </tr> </thead> <tbody> <tr> <td>DA-1503</td> <td>04/03/18</td> </tr> <tr> <td>PROJECT NO.</td> <td>1801</td> </tr> <tr> <td>DESIGNED BY</td> <td>TCMV</td> </tr> <tr> <td>CHECKED BY</td> <td>ML</td> </tr> </tbody> </table>		DRAWING NO.	DATE	DA-1503	04/03/18	PROJECT NO.	1801	DESIGNED BY	TCMV	CHECKED BY	ML	PLEASE NOTE THIS DRAWING PRESENTS THE DESIGN OF THE DEVELOPMENT AND IS NOT TO BE USED FOR CONSTRUCTION WITHOUT THE APPROVAL OF THE DEVELOPER OR THE COUNCIL.	
No.	Description	Date																																		
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DA-1503	04/03/18																																			
PROJECT NO.	1801																																			
DESIGNED BY	TCMV																																			
CHECKED BY	ML																																			



ATTACHMENT 2

RA6-N



Department of
**State Development,
 Manufacturing,
 Infrastructure and Planning**

Our reference: 1803-4632 SRA
 Your reference: MCU/18/0006

4 May 2018

Chief Executive Officer
 Mareeba Shire Council
 PO Box 154
 Mareeba Qld 4880
 planning@msc.qld.gov.au

Attention: Brian Millard

Dear Sir/Madam

Referral agency response—with conditions(Given under section 56 of the *Planning Act 2016*)

The development application described below was properly referred to the Department of State Development, Manufacturing, Infrastructure and Planning on 5 April 2018.

Applicant details

Applicant name:	Reever and Ocean Pty Ltd c-/ Cardno
Applicant contact details:	PO Box 1619 Cairns QLD 4870 stephen.whitaker@cardno.com.au

Location details

Street address:	77 Barnwell Road, Kuranda
Real property description:	16N157227; 17SP296830; 18SP296830; 19SP296830; 22SP296830
Local government area:	Mareeba Shire Council

Application details

Development permit	Material change of use for Tourist Attraction
--------------------	---

Referral triggers

The development application was referred to the department under the following provisions of the Planning Regulation 2017:

- 10.9.4.1.1.1 Infrastructure - state transport infrastructure

Conditions

Under section 56(1)(b)(i) of the *Planning Act 2016* (the Act), the conditions set out in Attachment 1 must be attached to any development approval.

Reasons for decision to impose conditions

The department must provide reasons for the decision to impose conditions. These reasons are set out in Attachment 2.

Advice to the assessment manager

Under section 56(3) of the Act, the department offers advice about the application to the assessment manager—see Attachment 3.

Approved plans and specifications

The department requires that the plans and specifications set out below and enclosed must be attached to any development approval.

Drawing/report title	Prepared by	Date	Reference no.	Version/issue
Aspect of development: Material change of use for Tourist Attraction				
Town Planning Report: Kur-Cow Tourist Attraction Barnwell Road, Kuranda Development Permit for Material Change of Use Tourist Attraction	Cardno	7 March 2018	HRP16299/006	-

A copy of this response has been sent to the applicant for their information.

For further information please contact Tony Croke, Principal Planner, on 40373205 or via email CairnsSARA@dlgp.qld.gov.au who will be pleased to assist.

Yours sincerely



Brett Nancarrow
Manager (Planning)

cc Reever and Ocean Pty Ltd c-/ Cardno, stephen.whitaker@cardno.com.au

enc Attachment 1—Conditions to be imposed
Attachment 2—Reasons for decision to impose conditions
Attachment 3—Advice to the assessment manager
Approved plans and specifications

Attachment 1—Conditions to be imposed

No.	Conditions	Condition timing
Material change of use for Tourist Attraction		
10.9.4.1.1.1 - Infrastructure - state transport infrastructure — The chief executive administering the <i>Planning Act 2016</i> nominates the Director-General of the Department of Transport and Main Roads to be the enforcement authority for the development to which this development approval relates for the administration and enforcement of any matter relating to the following condition(s):		
1.	<p>The development must be generally in accordance with the Town Planning Report, Kur-Cow Tourist Attraction, Barnwell Road, Kuranda, Development Permit for Material Change of Use Tourist Attraction, prepared by Cardno, dated 7 March 2018, Reference HRP16299/006; in particular:</p> <ul style="list-style-type: none"> • The proposed development is to be delivered in three stages and restricted to the following tourists visitor numbers: <ul style="list-style-type: none"> o Stage TA60 involving up to 60 tourists; o Stage TA150 involving up to 150 tourists; o Stage TA300 involving up to 300 tourists. • The transportation of tourists to the Kur-Cow tourist attraction site on any given day must be limited to private charter buses only; • No tourists are allowed to enter the Kur-Cow tourist attraction site by private vehicle. 	Prior to the commencement of use and to be maintained at all times.

Attachment 2—Reasons for decision to impose conditions

The reasons for this decision are:

- To ensure the development is carried out generally in accordance with the town planning report and the traffic impact assessment submitted with the application.
- To protect the state-controlled road from adverse impacts of the development.
- To maintain the safety and efficiency of the state-controlled road.

Attachment 3—Advice to the assessment manager

General advice	
Ref.	Advertising device
1.	<p>A local government should obtain advice from the Department of Transport and Main Roads (DTMR) if it intends to approve the erection, alteration or operation of an advertising sign or another advertising device that would be visible from a state-controlled road, and beyond the boundaries of the state-controlled road, and reasonably likely to create a traffic hazard for the state-controlled road.</p> <p>Note: DTMR has powers under section 139 of the <i>Transport Operations (Road Use Management - Accreditation and Other Provisions) Regulation 2015</i> to require removal or modification of an advertising sign and/or a device which is deemed that it creates a danger to traffic.</p>