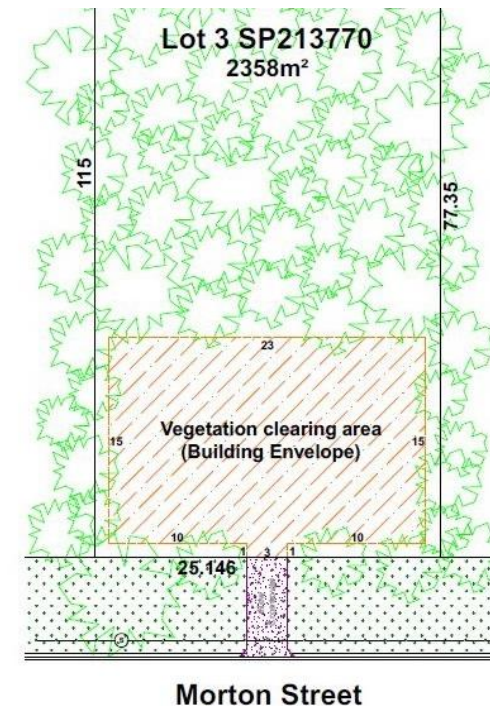


Appendix 1: Assessment against the Mareeba Shire Planning Codes

APPLICATION		PREMISES	
FILE NO:	23009	ADDRESS:	12B Morton Street Kuranda Qld. 4881
APPLICANT:	Land Owner	RPD:	3SP213770
LODGED BY:	Scope Town Planning	AREA:	2358m ²
DATE LODGED:	May 2023	OWNER :	Kelli Mcdowell
TYPE OF APPROVAL:	Development Permit		
PROPOSED DEVELOPMENT:	Operational Works – Vegetation Clearing		
PLANNING SCHEME:	Mareeba Shire Council Planning Scheme		
ZONE:	Rural Residential Zone		
LEVEL OF ASSESSMENT:	Code		
SUBMISSIONS:	n/a		

As identified in Part 5 of the Planning Scheme, this development is required to satisfy the Performance Criteria of the following Codes:

- 8.2.4 Environmental Significance Overlay Code
- 8.2.8 Hill and Slope Overlay Code



8.2.4 Environmental Significance Overlay Code

The development site is located within the Environmental Significance Overlay area of the Mareeba Shire Planning Scheme.



8.2.4.3 Criteria for assessment

Table 8.2.4.3A - Environmental significance overlay code - For accepted development subject to requirements and assessable development

Performance outcomes	Acceptable outcomes	Compliance
For accepted development subject to requirements and assessable development		
Regulated vegetation		
<p>PO1 Vegetation clearing in areas mapped as ‘Regulated vegetation’ identified on the Environmental Significance Overlay Maps (OM-004a-o) is avoided unless:</p> <ul style="list-style-type: none"> (a) it is demonstrated that the area does not support regulated vegetation as mapped; (b) the loss or reduction in regulated vegetation is for community infrastructure and associated access facilities that cannot be avoided; (c) wildlife interconnectivity is maintained or enhanced at a local and regional scale; and (d) the loss or reduction in regulated vegetation is minimised and any residual impacts are offset. <p>Note—A supporting Ecological Assessment Report is prepared in accordance with Planning Scheme Policy 2 – Ecological Assessment Reports.</p>	<p>AO1 No clearing of native vegetation is undertaken within areas of ‘Regulated vegetation’ identified on the Environmental Significance Overlay Maps (OM-004a-o).</p>	<p>Complies No clearing of native vegetation is proposed within areas of ‘Regulated vegetation’.</p>



<p>PO2 Development on sites adjacent to areas of 'Regulated vegetation' identified on the Environmental Significance Overlay Maps (OM-004a-o) protects the environmental significance of regulated vegetation and:</p> <ul style="list-style-type: none"> (a) does not interrupt, interfere, alter or otherwise impact on underlying natural ecosystem processes such as water quality, hydrology, geomorphology and biophysical processes; (b) does not negatively impact the movement of wildlife at a local or regional scale; and (c) avoids noise, light, vibration or other edge affects, including weed and pest incursion on identified environmental values. <p>Note—A supporting Ecological Assessment Report is prepared in accordance with Planning Scheme Policy 2 – Ecological Assessment Reports.</p>	<p>AO2 Development (excluding roads, earthworks, drainage infrastructure and underground infrastructure) is not located within 20 metres of 'Regulated vegetation' areas identified on the Environmental Significance Overlay Maps (OM-004a-o).</p>	<p>Complies Development does not involve any works located adjacent to any 'Regulated vegetation' mapped areas.</p>
Regulated vegetation intersecting a watercourse		
<p>PO3 Vegetation clearing in areas mapped as 'Regulated vegetation intersecting a watercourse', identified as 'Waterway' and 'Waterway buffer' on the Environmental Significance - Waterway Overlay Maps (OM-004p-z) is avoided unless wildlife interconnectivity between habitats is maintained or enhanced at a local and regional scale, to the extent that migration or normal movement of significant species between habitats or normal gene flow between populations is not inhibited.</p> <p>Note—A supporting Ecological Assessment Report is prepared in accordance with Planning Scheme Policy 2 – Ecological Assessment Reports.</p>	<p>Where within a 'Waterway buffer' on Environmental Significance - Waterway Overlay Maps (OM-004p-z)</p> <p>AO3.1 A minimum setback in accordance with Table 8.2.4.3B is provided between development and the top of the high bank of a 'Waterway' identified on the Environmental Significance - Waterway Overlay Maps (OM-004p-z).</p>	<p>Complies No clearing of native vegetation is proposed within areas of 'Regulated vegetation intersecting a watercourse'.</p>
<p>Note—A supporting Ecological Assessment Report is prepared in accordance with Planning Scheme Policy 2 – Ecological Assessment Reports.</p>	<p>Where within a 'Waterway buffer' on Environmental Significance - Waterway Overlay Maps (OM-004p-z)</p> <p>AO3.2 No clearing of native vegetation is undertaken within the minimum setback identified at AO3.1.</p>	<p>Complies No clearing of native vegetation is proposed within areas of 'Regulated vegetation intersecting a watercourse'.</p>



Waterways and wetlands		
<p>PO4 'High ecological significance wetlands' identified on the Environmental Significance Overlay Maps (OM-004a-o) and 'Waterways' on Environmental Significance - Waterway Overlay Maps (OM-004p-z) and are protected by:</p> <ul style="list-style-type: none"> (a) maintaining adequate separation distances between waterways/wetlands and development; (b) maintaining and enhancing aquatic and terrestrial habitat including vegetated corridors to allow for native fauna (terrestrial and aquatic) movement; (c) maintaining waterway bank stability by minimising bank erosion and slumping; (d) maintaining water quality by providing buffers to allow filtering of sediments, nutrients and other pollutants; and (e) retaining and improving existing riparian vegetation and existing vegetation associated with a wetland. <p>Note—A supporting Ecological Assessment Report is prepared in accordance with Planning Scheme Policy 2 – Ecological Assessment Reports.</p>	<p>Where within a 'Waterway buffer' on Environmental Significance - Waterway Overlay Maps (OM-004p-z)</p> <p>AO4.1 A minimum setback in accordance with Table 8.2.4.3B is provided between development and the top of the high bank of a 'Waterway' identified on the Environmental Significance - Waterway Overlay Maps (OM-004p-z).</p>	<p>Complies No clearing of native vegetation is proposed within a 'Waterway buffer'.</p>
	<p>Where within a 'High ecological significance wetland buffer' on Environmental Significance Overlay Maps (OM-004a-o)</p> <p>AO4.2 A minimum buffer of 200 metres is provided between development and the edge of a 'High ecological significance wetland' identified on the Environmental Significance Overlay Maps (OM-004a-o).</p>	<p>Complies No clearing of native vegetation is proposed within a 'High ecological significance wetland buffer'.</p>



	<p>Where within a 'Waterway buffer' on Environmental Significance - Waterway Overlay Maps (OM-004p-z) or 'High ecological significance wetland buffer' on Environmental Significance Overlay Maps (OM-004a-o)</p> <p>AO4.3 No stormwater is discharged to a 'Waterway' on Environmental Significance - Waterway Overlay Maps (OM-004p-z) or 'High ecological significance wetland' identified on the Environmental Significance Overlay Maps (OM-004a-o).</p> <p>Note— An alternative outcome is required to demonstrate that the ecological impacts of stormwater discharge to a 'Waterway' or 'High ecological significance wetland' are mitigated in accordance with PO3 through appropriate stormwater management / treatment (where possible).</p>	<p>Complies No clearing of native vegetation is proposed within a 'Waterway buffer'.</p> <p>No stormwater will be discharged to a 'Waterway' on or 'High ecological significance wetland'.</p>
	<p>Where within a 'Waterway buffer' on Environmental Significance - Waterway Overlay Maps (OM-004p-z) or 'High ecological significance wetland buffer' on Environmental Significance Overlay Maps (OM-004a-o)</p> <p>AO4.4 No wastewater is discharged to a 'Waterway' on Environmental Significance - Waterway Overlay Maps (OM-004p-z) or 'High ecological significance wetland' identified on the Environmental Significance Overlay Map (OM-004a-z).</p> <p>Note— A alternative outcome is required to demonstrate that the ecological impacts of wastewater discharge to a 'Waterway' or 'High ecological significance wetland' are mitigated in accordance with PO3 through appropriate wastewater management / treatment (where possible).</p>	<p>Complies No clearing of native vegetation is proposed within a 'Waterway buffer'.</p> <p>No wastewater will be discharged to a 'Waterway' on or 'High ecological significance wetland'.</p>



For assessable development		
Wildlife Habitat		
<p>PO5 Development within a ‘Wildlife habitat’ area identified on the Environmental Significance Overlay Maps (OM-004a-o):</p> <ul style="list-style-type: none"> (a) protects and enhances the habitat of Endangered, Vulnerable and Near Threatened (EVNT) species and local species of significance; (b) incorporates siting and design measures to protect and retain identified ecological values and underlying ecosystem processes within or adjacent to the development site; (c) maintains or enhances wildlife interconnectivity at a local and regional scale; and (d) mitigates the impact of other forms of potential disturbance (such as presence of vehicles, pedestrian use, increased exposure to domestic animals, noise and lighting impacts) to protect critical life stage ecological processes (such as feeding, breeding or roosting). <p>Note—Development applications must identify any EVNT species or their habitats that may be affected by the proposal. In particular, applications are to identify and describe how the development avoids adverse impacts on ecological processes within or adjacent to the development area.</p> <p>Note—A supporting Ecological Assessment Report is prepared in accordance with Planning Scheme Policy 2 – Ecological Assessment Reports.</p>	<p>AO5 No acceptable outcome is provided.</p>	<p>Complies Development is located partially within a ‘Wildlife habitat’ area.</p> <p>The proposed vegetation clearing within the Wildlife Habitat area is minimal and retains and protects the majority of Wildlife Habitat vegetation on the site.</p> <p>A 1m wide landscape strip on the side and front boundaries will be retained to enhance privacy, amenity and ecological connectivity.</p> <p>The proposed development results in minimal clearing required to establish a rightful Dwelling, Outbuildings and Access on the site and mitigates unnecessary clearing.</p>



Legally secured offset areas		
<p>PO6 Development within a ‘Legally secured offset area’ identified on the Environmental Significance Overlay Maps (OM-004a-o) or other known Legally Secured Offset Area is consistent with the binding requirements of the offset and does not prejudice, undermine, or negatively impact the inherent ecological values, including all naturally occurring native flora, fauna and their habitat within the Legally Secured Offset Area.</p> <p>Note—A supporting Ecological Assessment Report is prepared in accordance with Planning Scheme Policy 2 – Ecological Assessment Reports.</p>	<p>A06 No acceptable outcome is provided.</p>	<p>n/a The development site does not contain any ‘Legally secured offset’ mapped areas.</p>
Protected areas		
<p>PO7 Development within a ‘Protected area’ identified on the Environmental Significance Overlay Maps (OM-004a-o) is consistent with the values of the Protected Area and:</p> <ul style="list-style-type: none"> (a) supports the inherent ecological and community values of the Protected Area asset; (b) maintains or enhances wildlife interconnectivity at a local and regional scale; and (c) does not prejudice, undermine, or negatively impact the inherent ecological values, including all naturally occurring native flora, fauna and their habitat within the Protected Area. <p>Note—A supporting Ecological Assessment Report is prepared in accordance with Planning Scheme Policy 2 – Ecological Assessment Reports.</p>	<p>A07 No acceptable outcome is provided.</p>	<p>n/a The development site does not contain any mapped ‘Protected areas’.</p>



Ecological corridors and Habitat linkages		
<p>PO8 Development located:</p> <p>(a) in the Conservation zone, Emerging community zone, Recreation and open space zone, Rural zone or Rural residential zone; and</p> <p>(b) within an 'Ecological corridor' or a 'Habitat linkage' identified on the Environmental Significance Overlay Maps (OM-004a-o)</p> <p>does not compromise the provision of habitat connectivity of the corridor/linkage, having regard to:</p> <p>(a) the environmental values of the area of the site identified in the 'Ecological corridor' or 'Habitat linkage';</p> <p>(b) the environmental values of adjoining and nearby land within the 'Ecological corridor' or 'Habitat linkage';</p> <p>(c) the extent of any modification proposed to the natural environment including (but not limited to) vegetation and topography;</p> <p>(d) the location and design of proposed improvements that may impact on the functions of the 'Ecological corridor' or 'Habitat linkage' including (but not limited to) buildings, structures, fences, lighting, vehicle movement areas and infrastructure services; and</p> <p>(e) the ability for the 'Ecological corridor' or 'Habitat linkage' to be enhanced to improve ecological connectivity.</p> <p>Note—A supporting Ecological Assessment Report prepared in accordance with Planning Scheme Policy 2 – Ecological Assessment Reports may be appropriate to demonstrate compliance with PO8.</p>	<p>AO8 No acceptable outcome is provided.</p>	<p>n/a The development site is located within the Rural Residential Zone but is not mapped within an 'Ecological corridor' or 'Habitat Linkage' area.</p>

Table 8.2.4.3B - Setback and buffer distances from waterways

Stream order	Setback and buffer from waterways
1	10 metres from top of high bank
2-4	25 metres from top of high bank
5 or more	50 metres from top of high bank

Note—The stream order of a 'waterway' is to be determined on a case by case basis.



8.2.8 Hill and Slope Overlay Code

The development site is located within the Hill and Slope Overlay area of the Mareeba Shire Planning Scheme.



LEGEND

Hill and Slope
Hill and Slope Area

Other Elements
Cadastral


Mareeba Shire Council Boundary
Watercourse



SCOPE

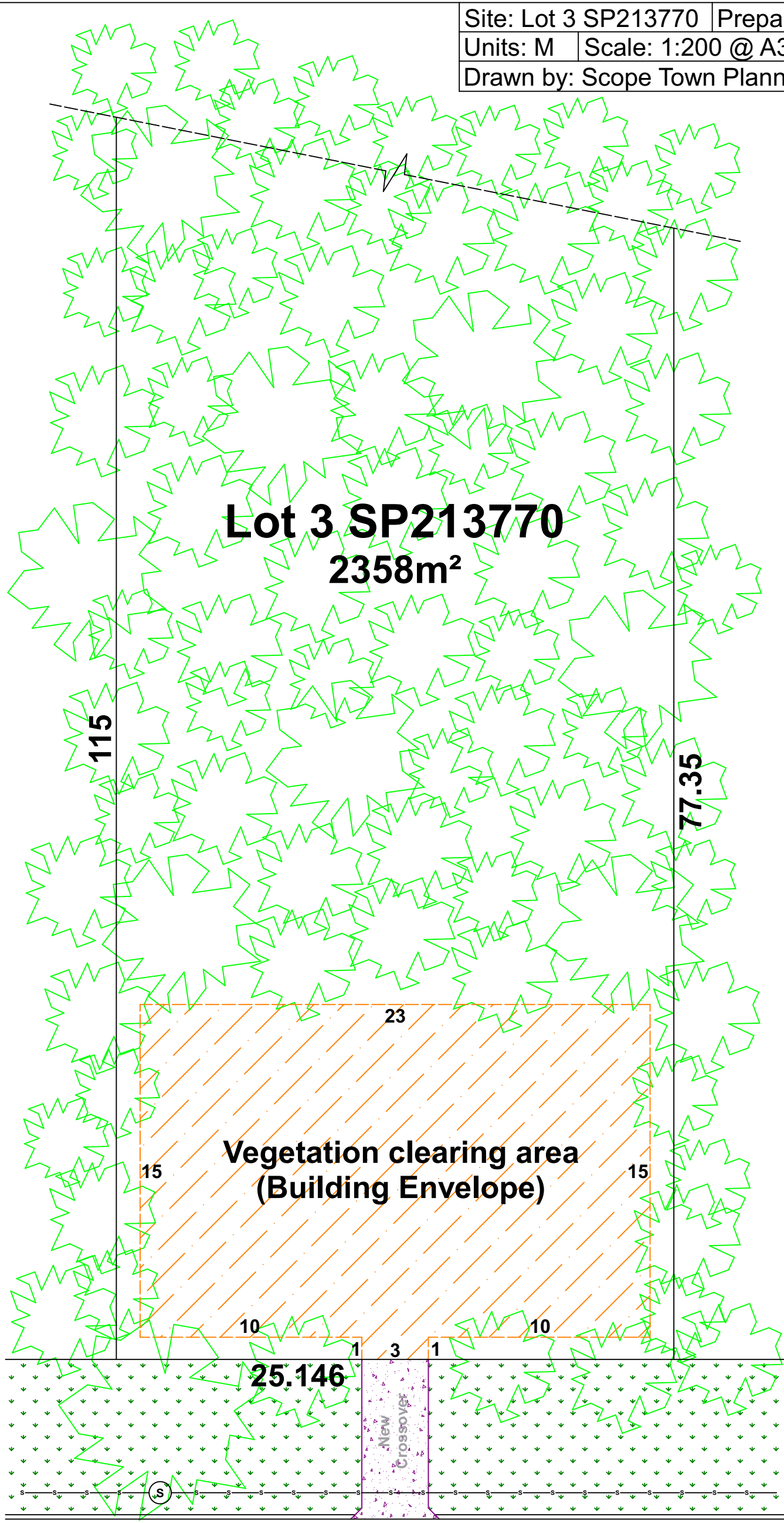
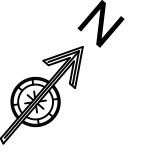
8.2.8.3 Criteria for assessment

Table 8.2.8.3 – Hill and slope overlay code - For assessable development

Performance outcomes	Acceptable outcomes	Compliance
For assessable development		
Slope stability		
<p>PO1 Where clearing of vegetation, building work or filling or excavation occurs on land within a 'Hill and slope area' identified on the Hill and slope overlay maps (OM-008a-o), a geotechnical report is prepared in accordance with Planning Scheme Policy 5 - Preparation of Geotechnical Reports that demonstrates:</p> <ul style="list-style-type: none"> (a) the long term stability of the development site; (b) development will not be adversely affected by landslide activity originating on sloping land above the development site; and (c) development will not adversely affect other property outside the development site through landslide activity or alterations to surface or groundwater. 	<p>AO1 No acceptable outcome is provided.</p>	<p>Will Comply The development site is mapped within a 'Hill and slope area'. The proposed clearing involves a minimal area on the highest, flattest area of the site at the road frontage.</p> <p>No Dwelling House plans have yet been prepared and the extent of slope stability devices is not yet known. If required, a Geotechnical Report will be provided as part of the design specific Engineering Plans at the time of Dwelling construction.</p> 

<p>PO2 Development is designed and located to ensure that the use can appropriately function in the 'Hill and slope area' identified on the Hill and slope overlay maps (OM-008a-o) having regard to:</p> <p>(a) the nature and scale of the proposed use; (b) the gradient of the land; (c) the extent of land disturbance proposed; (d) stormwater discharge and its potential for erosion.</p>	<p>AO2.1 Development for a Child care centre or Educational establishment is not located on land in a 'Hill and slope area' identified on the Hill and slope overlay maps (OM-008a-o).</p>	<p>n/a Development does not involve a Child care centre or Educational establishment.</p>
	<p>AO2.2 Development is not located on land with a gradient of greater than 25%.</p>	<p>Complies The development site does not have a gradient greater than 25%.</p>
	<p>AO2.3 No lot less than 2,000m² is created in a 'Hill and slope area' identified on the Hill and slope overlay maps (OM-008a-o).</p> <p>Note – Where a minimum lot size of less than 2,000m² applies under the Reconfiguring a lot code, the lot size requirements of the Hill and slope overlay code prevail.</p>	<p>Complies The proposed development is not an ROL.</p>
Community infrastructure and essential services		
<p>PO3 Community infrastructure and essential services located within a 'Hill and slope area' identified on the Hill and slope overlay maps (OM-008a-o) are able to function effectively during and immediately after landslide events.</p>	<p>AO3 No acceptable outcome is provided.</p>	<p>Complies Community infrastructure and essential services are not affected.</p>





Lot 3 SP213770
2358m²

115

77.35

23

**Vegetation clearing area
 (Building Envelope)**

15

15

10

10

25.146

1

3

1

New
Crossover

Morton Street



Ecological Report

12B Morton St, Kuranda, Queensland, Australia 4881



**Land Plan**

"Plant a Seed and The World Will Grow"

ABN: 72 486 134 042

Date: 6/5/23

Author: Julian Pitcher

Contact: 0439 722 277

Ecological Report 2023

12B Morton St, Kuranda, Queensland, Australia 4881

Front Cover images

Top: Aerial view of rainforest featured SE of site

Bottom right: Endangered *Rhodamnia sessiliflora* in flower

Table of Contents

1. Abstract	1
Summary points	1
2. Introduction	1
3. Exemptions	2
Local Government (MSC).....	2
Department of Resources (DR)	2
Department of Environment and Science (DES).....	3
4. Site assessment / methodology	3
Flora	3
Fauna	4
5. Primary Environmental Compliance	11
Performance Outcomes (MSC) – potential impacts and mitigation.....	11
6. Additional Environmental Compliance	14
Biosecurity Act 2014	14
Local Government (MSC)	15
7. Conclusion	16
8. Errors.....	16
9. Bibliography.....	16
10. Appendix	17
Appendix 1: RE details	17
Appendix 2: Example of vegetation on site.....	18
Appendix 3: Acronyms	19
Appendix 4: About the Author	19
Julian Pitcher (SQP)	19

1. Abstract

Summary points

- Proposed clearance area approximately 385m²
- Compliant with PO1, PO2, PO3, PO4, acceptable outcomes as per MSC environmental significance overlay code, and not within a legally secured offset area or protected area (PO6, PO7)
- Proposed clearance area within Essential habitat (PO5) – protects and enhances environment. (CEEVNT flora support, invasive flora removal, short term and small scale clearing, buffers in place, responsible pet ownership and biosecurity considerations).
- CEEVNT flora (*Rhodamnia sessiliflora*) were identified (NCA 1992) and impact management plan required for DES.
- Exemptions may apply (VMA 1999) “to establish necessary built infrastructure” in least concern category b regional ecosystem
- Fauna Spotter catcher recommended prior to/during clearing
- Recommend controlling invasive flora, and supporting diverse regeneration
- Recommend pets be kept as per local government by laws
- Ensure all machinery comes and leaves clean, contact Biosecurity Queensland after works to confirm presence or absence of invasive ants

2. Introduction

At the request of the Mareeba Shire Council, to support a proposed development application by the landholder, this report has been produced to assist with a material change in use application for a primary dwelling at 12B Morton Street. This report shall propose mitigation strategies of negative impacts to natural assets, and demonstrate compliance with;

- Mareeba Shire Council Environmental Significance Overlays
- Exempt clearing work, or requiring an ADVCC under the Vegetation Management Act 1999

This property is indigenously vegetated with various natural values and is located in close proximity to the town centre, just a 10-minute walk away. At a little over half an acre (2296m²) in size, and largely rectangle in shape, the northern corner is missing with Glenn creek running through it. The longest side runs 115m NW to SE, and is 25m wide.

Various properties of similar dimension and landscape exist on each side of the property, and Morton street runs along the front. The Barron River sits 750m to the North, and further abroad is a network of national parks and housing estates.

A fair NW slope exists across the property, and channelling occurs at around 40m down the parcel in its centre, where a seasonal drainage line exists and flows into Glenn Creek. The Eastern end of the property starts at around 360m ASL and descends to 340m ASL at the Western side (creek line).

Disturbance exists across the front property with various incursions of invasive flora and nursery cultivars from roadside dumping. This section appears to have also been significantly cleared prior to the

1950's but is now comprised of typical rainforest regeneration for the area, and although young it has good structure and diversity, even harbouring a population of one species of endangered flora.

Environmental legislation is relatively simple, with one local government layer of concern, and a high risk protected plant trigger being present across the property.



Figure 1: Aerial view over the area to be cleared at 12B Morton St, Kuranda, Queensland Australia 4881.

3. Exemptions

Local Government (MSC)

Most of the property in question is situated within one or more layers on the Mareeba Shire Councils environmental significance overlay map, as such an ecological report is requested, no exemption identified.

Department of Resources (DR)

The freehold land consists of least concern category B vegetation and is described in table 2 on page 6 of the "List of exempt clearing work". It states, clearing on freehold land "To establish necessary built infrastructure¹ (including core airport infrastructure) other than contour banks, fences, roads or vehicular tracks is exempt clearing under the VMA Act 1999 if:

- a. The clearing is not to source timber
- b. The total area cleared is less than 2ha; and
- c. The total area covered by the infrastructure¹ is on less than 2ha

¹Infrastructure, for this exemption, includes a building, or other structure, built or used for any purpose.

This clearing meets the required elements of this exemption.

Department of Environment and Science (DES)

Proposed clearing is within the high-risk trigger area and the vegetation matches the definition of wild, or remnant. A flora survey is required, no exemptions apply.

4. Site assessment / methodology

Flora

Prior to the commencement of field works, a desktop survey was conducted. This included the use of MSES spatial data, generation of DNR vegetation reports, and review of the Australian Virtual Herbarium (AVH) EVNT records. Historical imagery was also sought to further understand the history of the site in question.

This data demonstrated the presence of numerous CEEVNT flora and fauna in the area and a history of clearing and regeneration.

On the 24/3/2023 a timed meander was carried out to identify flora species present and to confirm the presence or absence of CEEVNT species. Based off personal familiarity and field books/keys, approximately 40 species were identified in situ, the upper canopy consisting largely of *Acacia Celsa*, and *Alstonia muelleriana*. The middle canopy is dominated by these same species but demonstrates more diversity with *Elaeocarpus grandis*, *Acronychia acronychioides*, *Mishocarpus lachnocarpus* and others. Shrub layer is comprised again of these same species with increasing diversity. Here we start to see *Davindsonia pruriens*, *Tabernaemontana pandacaqui*, and *Rhodamnia sesseliflora* emerge, with a range of invasive flora or nursery cultivars coming in. The ground layer is sparse with seedlings from the upper and middle canopy and minor occurrences of invasive flora.

Vine elements consist of *Cissus penninervis*, *Tetracera nordtiana*, and *Calamus australis*.

Epiphytes observed include *Drynaria rigida* and *Platyterium hillii*.

The clearance area can best be described as wild and within its late secondary stage of succession. There were considerable exotics present at the roadside front of the property at the time of surveillance, testament to numerous dumping of garden clippings and disturbance from clearing on neighbouring properties.

A number of plants had samples taken for ex situ identification using the ATH rainforest key and Atlas of Living Australia, this then increased the number of identified plants to 44.

Remote Sensing was carried out using remote piloted aircraft and an RGB (camera) sensor, this was used to create current orthomosaic imagery and to overlay the timed meander results. This assisted with the identification of canopy species and any epiphytes that were not detectable from the ground.

The property is mapped as being regional ecosystem 7.11.1 and is described as Simple-complex mesophyll to notophyll vine forest on moderately to poorly drained metamorphics (excluding amphibolites) of moderate fertility of the moist and wet lowlands, foothills and uplands.

Vegetation is of higher quality to the rear of the property where Glenn creek runs. The neighbouring properties have previously cleared their front sections too and so we see a corridor being maintained on this natural drainage line which boasts diverse and intact mature rainforest with minor weed incursions.

Due to the linear nature and slope of these properties, vehicle access to the mature forest is also restricted and such impacts are not observed at this stage.

Fauna

Prior to the commencement of field works, a desktop survey was again conducted. This too included the use of MSES spatial data, and generation of DNRME vegetation reports.

DNRME vegetation and management reports identify essential habitat as being vegetation that is used permanently or during the life cycle of fauna which is special least concern or EVNT and found within 1.1km of the vegetation. Likely fauna identified in the report for this property includes;

- *Litoria seratta* – Tapping Green-eyed Frog
- *Litoria myola* – Myola Tree Frog
- *Casuarius casuarius* – Southern Cassowary
- *Pteropus conspicillatus* – Spectacled Flying Fox

A visual survey via timed meander did not identify any evidence or presence of CEEVNT fauna. This includes observations of scats, tracks, tree markings, nests or other evidence of presence. The survey was conducted in April 2023 during daylight hours. An acoustic survey is recommended during peak calling times and prior to clearance which should be supervised by a fauna spotter catcher.

Roosting of *Pteropus conspicillatus* has been observed in pine trees of neighbouring properties, as they utilise the nearby flowers of *Alstonia muelleriana* as a food source throughout the wet season. Whilst this plant is present in the proposed clearance area, no roosting has been observed.

The proposed clearance area totals approximately 385m² and is due to commence during the dry season in 2023. This will reduce the need for any erosion and sediment control and it is believed there should be no Spectacled flying foxes in the area as food sources are low. Significant fragmentation exists in the broader area with highways, minor roads and fences. The likelihood of Cassowary in this area is low, but CEEVNT frogs may be present as they push out from the streams and as such an acoustic survey and fauna spotter catchers are recommended.



Figure 2: Aerial imagery of Kuranda village from the 1960's. Approximate property location highlighted in red.



Figure 3: Aerial view (facing West) of approximate clearance area.

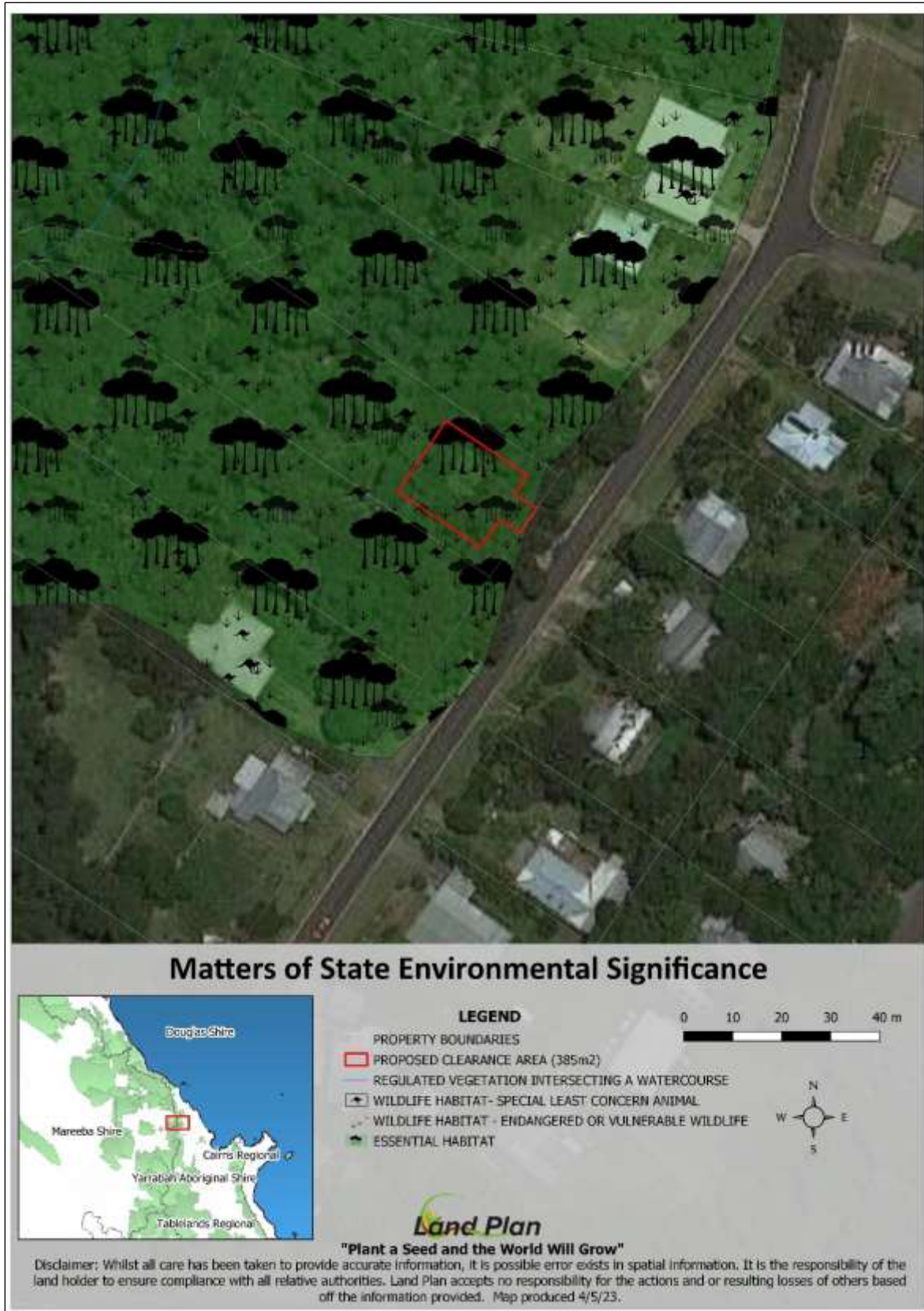


Figure 4: Matters of state environmental Significance map.

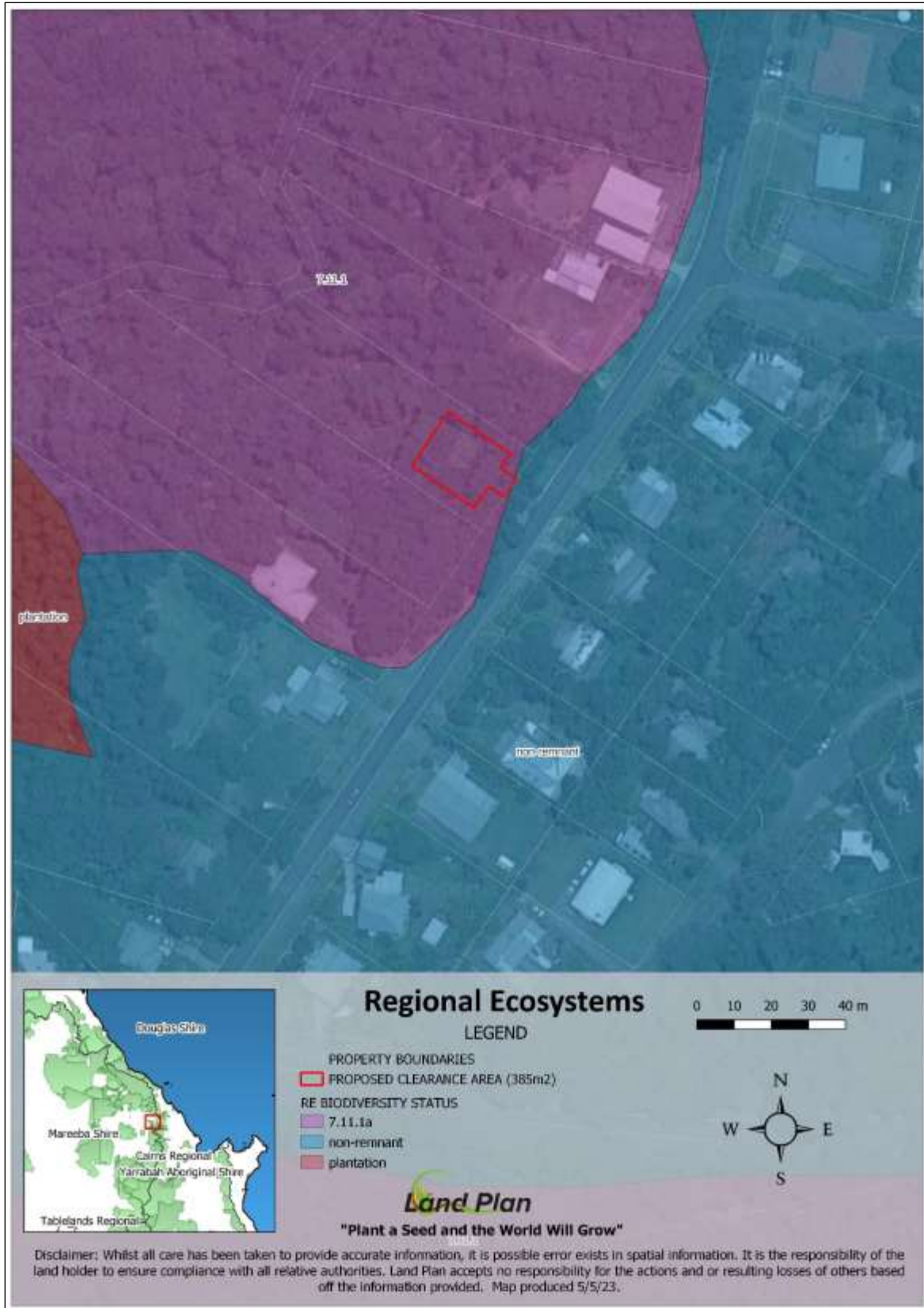


Figure 5: A map of surrounding regional ecosystems and their status.

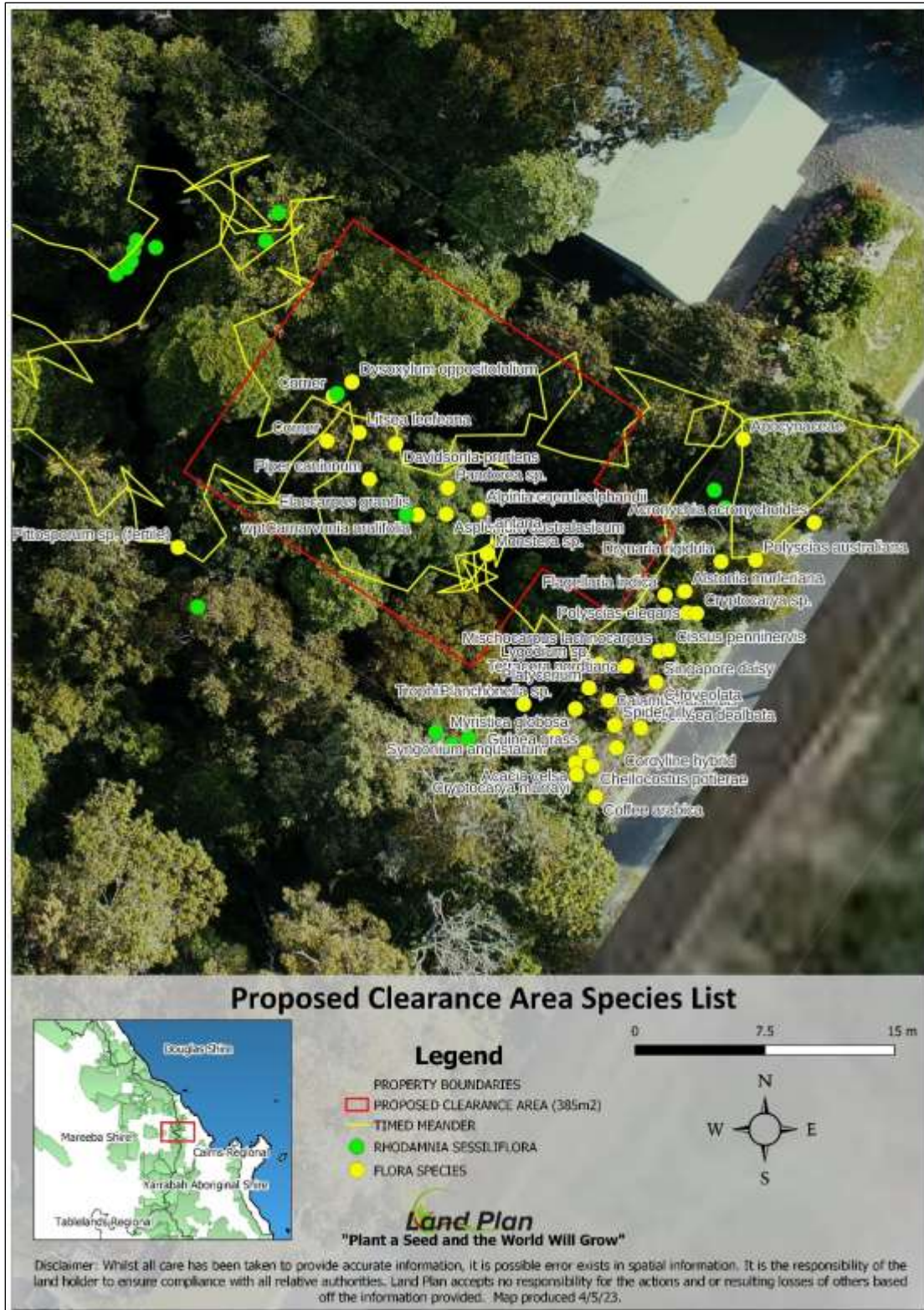


Figure 6: Aerial view showing original GPS data from timed meander overlaid with current property boundaries. Note names are the result of initial field based identification and may have changed after desktop analysis (See Table 1).

Table 1: Species list of indigenous and exotic flora (in red) within the clearance area.

Flora species list

Scientific name	Common name	Family	Lifeform	EVNT (NCA)	Wons / Restricted
<i>Acacia celsa</i>	Wattle	Fabaceae	Tree/Shrub	No	No
<i>Acronychia acronychioides</i>	White Aspen	Rutaceae	Tree	No	No
<i>Alpinia caerulea</i>	Wild ginger	Zingiberaceae	Herb	No	No
<i>Alstonia muelleriana</i>	Milkwood	Apocynaceae	Tree/Shrub	No	No
<i>Asplenium australasicum</i>	Birds Nest Fern	Aspleniaceae	Epiphyte	No	No
<i>Calamus australis</i>	Hairy Mary	Arecaceae	Vine	No	No
<i>Carnarvonia araliifolia</i> var. <i>araliifolia</i>	Red Oak	Proteaceae	Tree/Shrub	No	No
<i>Castanospora alphandii</i>	Brown tamarind	Sapindaceae	Tree/Shrub	No	No
<i>Cheilocostus potierae</i> (cultivar)	Spiral ginger	Zingiberaceae	Herb	Yes	No
<i>Cissus penninervis</i>		Vitaceae	Vine	No	No
<i>Coffea arabica</i>	Coffee	Rubiaceae	Tree/Shrub	No	No
<i>Cordyline</i> sp.	Red sister	Asparagaceae	Shrub	No	No
<i>Cryptocarya murrayi</i>	Murrays laurel	Lauraceae	Tree/Shrub	No	No
<i>Cryptocarya</i> sp.		Lauraceae	Tree/Shrub	No	No
<i>Cupaniopsis foveolata</i>	Toothed Tuckeroo	Sapindaceae	Tree	No	No
<i>Davidsonia pruriens</i>	Davidson's Plum	Cunoniaceae	Tree/Shrub	No	No
<i>Drynaria rigidula</i>	Basket Fern	Polypodiaceae	Epiphyte	No	No
<i>Duranta erecta</i>	Duranta	Verbenaceae	Shrub/Vine	No	No
<i>Dysoxylum oppositifolium</i>	Pink Mahogany	Meliaceae	Tree	No	No
<i>Elaeocarpus grandis</i>	Blue Quandong	Elaeocarpaceae	Tree	No	No
<i>Flagellaria indica</i>	Supplejack	Flagellariaceae	Tree/Shrub	No	No
<i>Lantana camara</i>	Lantana	Verbenaceae	Vine	No	Yes
<i>Litsea leefeana</i>		Lauraceae	Tree/Shrub	No	No
<i>Lygodium reticulatum</i>	Wire vine	Lygodiaceae	Vine	No	No
<i>Megathyrsus maximus</i>	Guinea grass	Poaceae	Large graminoid	No	No
<i>Mischocarpus lachnocarpus</i>	Woolly Brush	Sapindaceae	Tree/Shrub	No	No
<i>Monstera deliciosa</i>	Fruit salad plant	Araceae	Vine	No	No
<i>Myristica insipida</i>	Nutmeg	Myristicaceae	Shrub	No	No
<i>Neolitsea dealbata</i>	Bollywood	Lauraceae	Tree/Shrub	No	No
<i>Pandorea</i> sp.	Wonga Vine	Bignoniaceae	Vine	No	No
<i>Piper caninum</i>	Common Piper	Piperaceae	Vine	No	No
<i>Pittosporum rubiginosum</i>	Hairy Red Pittosporum	Pittosporaceae	Tree/Shrub	No	No
<i>Planchonella</i> sp.		Sapotaceae	Tree/shrub	No	No
<i>Platyserium hillei</i>	Elkhorn fern	Polypodiaceae	Epiphyte	No	No
<i>Polyscias australiana</i>	Basswood	Araliaceae	Tree/Shrub	No	No
<i>Polyscias elegans</i>	Celerywood	Araliaceae	Tree/Shrub	No	No
<i>Rhodamnia sessiliflora</i>	Iron Malletwood	Myrtaceae	Shrub	Yes	No
<i>Sphagneticola trilobata</i>	Singapore daisy	Asteraceae	Scrambler	No	Yes
<i>Hymenocallis littoralis</i>	Spider lilly	Amaryllidaceae	Herb	No	No
<i>Syngonium angustatum</i>	Arrowhead vine	Araceae	Vine	No	No
<i>Tabernaemontana pandacaqui</i>	banana bush	Apocynaceae	Shrub	No	No
<i>Tetracera nordtiana</i>	Small-leaved Fire Vine	Dilleniaceae	Vine	No	No
<i>Trophis scandens</i>	Burney vine	Moraceae	Vine	No	No
<i>Tabernaemontana pandacaqui</i>	Banana bush	Apocynaceae	Shrub	No	No

5. Primary Environmental Compliance

Performance Outcomes (MSC) – potential impacts and mitigation

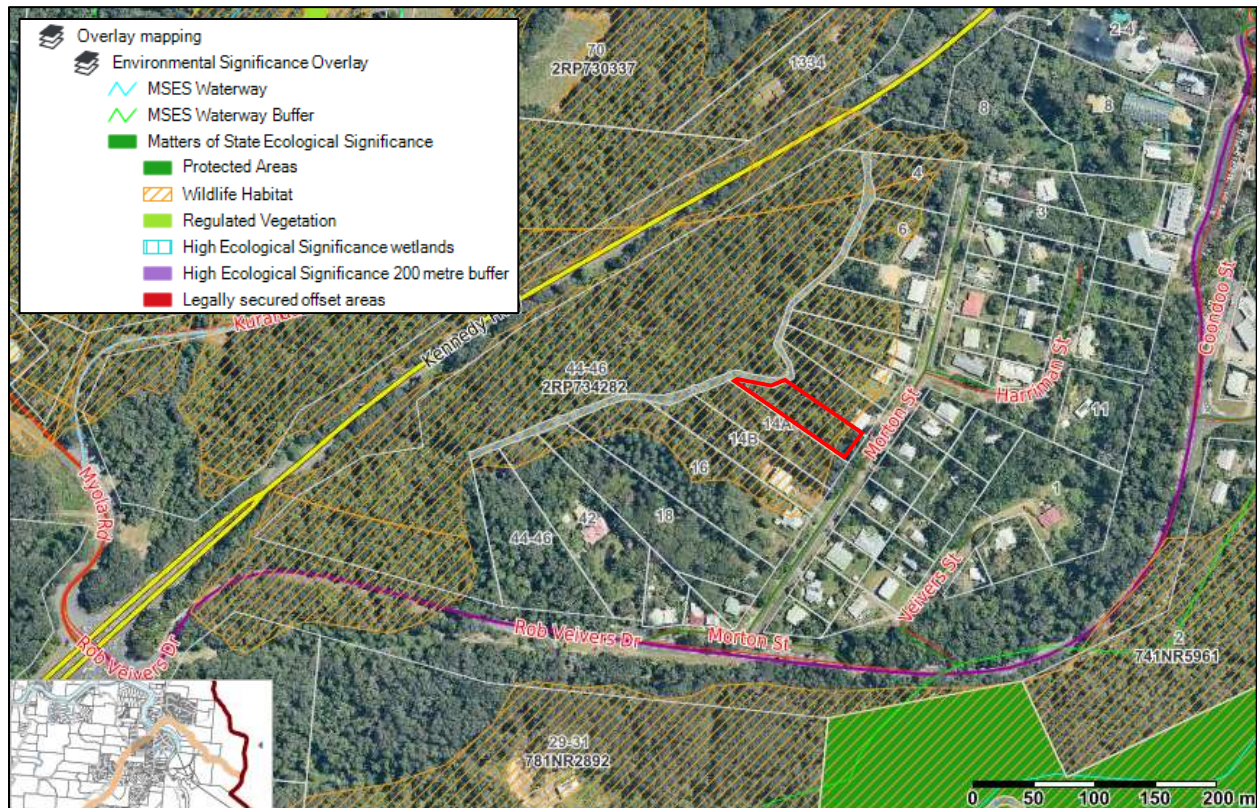


Figure 7: Overlay Map 4 (Environmental Significance) and legend from MSC. 12B Morton St is highlighted in red.

PO5

Development within a ‘Wildlife habitat’ area identified on the Environmental Significance Overlay Maps (OM-004a-o):

- protects and enhances the habitat of Endangered, Vulnerable and Near Threatened (EVNT) species and local species of significance;
- incorporates siting and design measures to protect and retain identified ecological values and underlying ecosystem processes within or adjacent to the development site;
- maintains or enhances wildlife interconnectivity at a local and regional scale; and
- mitigates the impact of other forms of potential disturbance (such as presence of vehicles, pedestrian use, increased exposure to domestic animals, noise and lighting impacts) to protect critical life stage ecological processes (such as feeding, breeding or roosting).

Where possible, the siting of the proposed clearance area in essential habitat has been avoided, as per figure 7, a small section of the property in question is outside of the essential habitat layer and this is where most of the clearing is restricted to. This minimises impacts to the highest quality essential

habitat, the mature forest and sloping land to the rear of the property, and will also aid the construction of a dwelling with this area being the most usable part of the parcel.

The proposed clearance area may protrude into the essential habitat layer minimally and as such various strategies will assist in meeting the requirements of PO5.

In an effort of enhancing and protecting CEEVNT habitat and flora, the endangered *Rhodamnia sessiliflora* which is within the clearance area and surrounding it, an impact management plan needs to be developed and submitted to DES. It is likely this will include the planting of twice as many *Rhodamnia sessiliflora* as are removed, and ongoing monitoring of the planted flora, and the ones that remain outside of the clearance area.

Casuarius casuarius johnsonii generally occupy a large territory of about 12km square each. Adult Cassowaries are solitary (live alone) and are territorial, except during breeding season where they may congregate to take advantage of food resources at times of seasonal abundance and scarcity.

Typical threats to the Cassowary are animal attacks (domestic and feral), vehicle strikes, and habitat fragmentation due to clearing. Fragmentation can disrupt cassowary movement patterns and can separate parts of an individual bird's territory, and reduce habitat resources associated with feeding and breeding activities. Habitat fragmentation can also separate birds from each other, resulting in genetic isolation and local extinctions. Habitat degradation caused changed fire regimes and invasion of weed species also affects cassowaries by reducing the quality of habitat and food sources.

Litoria serrata and *Litoria myola* males are generally found among low hanging vegetation and rocks along streams, while females can be found in or around streams or farther away from the water in the forest canopy. They breed in streams during the wet summer months of September to March. A fauna spotter catcher is recommended, to supervise and relocate vertebrate species during clearing activities.

Pteropus conspicillatus are typically observed in this area during the wet season when primarily foraging on Myrtaceae flowers and Moraceae fruits in riparian area. Breeding occurs from January to June with young being born October to December. Juveniles will venture out at night (at about 5 months age) for as far as they can, and return in the morning when adults do (Atlas of Living Australia, 2023). Roosts are present seasonally in the neighbouring properties but this has not been observed in the proposed clearance area, nor are the significant roosting trees within it. They are expected to not be present on site during clearance in the dry season of 2023, if they are, clearing activities may not commence until they have moved on.

The timing, scale, and location of the clearing is believed to be favourable to reduce impact to these species in that during the dry season minimal fruit and flowers will be present to attract such fauna to the site. Significant fragmentation exists surrounding this property and the likelihood of Cassowary being present is very low. Glenn creek is 51m away and within the typical 100m frog habitable range from creeks. Acoustic surveys prior to clearing and a fauna spotter catcher during clearing are recommended.

A buffer of indigenous flora is to be established around the clearance area by managing natural regeneration. This will maintain site specific connectivity, increase diversity and is to result in the removal of several high-risk weeds such as Lantana and Singapore daisy. OM004C identifies the area as not being an ecological corridor, and so it is expected that the proposed clearance area will not affect

local or regional connectivity in a negative manner, and the primary corridor of mature vegetation along Glenn creek to the rear will be retained.

Any fencing to be erected should be done so in a manner that does not create “dead ends” or blocks local wildlife from moving. Fencing the clearance area only, and leaving the native buffers open will achieve this. Lighting at night is to be minimised where possible to avoid negative impacts to frogs and spectacled flying foxes and protect them during critical life stage ecological processes such as feeding and breeding.

Overall the clearing is expected to be small scale and brief, which further minimises negative impacts, domestic animals are to be kept in accordance with local by laws as per section 6.

Species relevant to the clearance area (using the essential habitat) as identified in the DNRME vegetation management property report, have been identified below and relevant recommendations summarised.

Table 2. Fauna impact management strategies summarised.

Species using essential habitat	NCA status	Risks from development	Avoid and minimise impact principles
<i>Litoria myola</i> – Myola Tree Frog	E	Reduced ability to breed through disrupted communication and loss of habitat. Risk of fatality during clearing.	No outside lights after 6PM when near waterlines, no clearing within 100m of permanent waterways, no alterations to natural water flow. Audio survey prior to adjacent clearing. FSC during clearing. Manage invasive species. Time project accordingly to seasonal fauna requirements. Pets kept according to LG by laws.
<i>Litoria seratta</i> – Tapping Green-eyed Frog	V		
<i>Casuarius casuarius johnsonii</i> – Southern Cassowary	E	Risk of fatality from vehicle strikes and dog attacks.	No dogs or cats, unless they are confined appropriately. No “dead ends” created by fences, movement must be supported. No feeding Cassowary’s. Manage invasive species. Time project accordingly to seasonal fauna requirements.
<i>Pteropus conspicillatus</i> - Spectacled Flying Fox	E	Loss of roost trees and food sources, general disturbance.	No roost trees to be removed, minimal clearing in general, No outside lighting on during night time. Seasonally appropriate clearing, no clearing if present in clearance area.

6. Additional Environmental Compliance

Biosecurity Act 2014

Under the Biosecurity Act 2014, every Queensland resident has a “General Biosecurity Obligation” (GBO).

The Act states (S24) that a person has “an obligation (a **general biosecurity obligation**) to take all reasonable and practical measures to prevent or minimise the biosecurity risk.”

In short, this means that landholders are legally obliged to manage biosecurity risks such as invasive flora and fauna to prevent negative impacts to biosecurity considerations such health, agriculture and the environment. Suitable measures include controlling weeds, cleaning construction/garden equipment before entering and leaving site and engaging various biosecurity programs to survey and control pests on the property.

- Property exists within National Electric Ant Eradication Program Biosecurity Zone. Category 1 listed pest, notify authorised inspector within 24 hrs of suspected identification.
- Property may exist within Yellow Crazy Ant Eradication Program Biosecurity Zone. Category 2 listed pest, notify authorised officer within 24 hrs of suspected identification.
- Property may exist within National Tropical Weeds Eradication Program Biosecurity Zone, NTWEP notify authorised officer within 24 hrs of suspected identification.



Figure 8: Electric ants (*Wasmannia auropunctata*). Figure 9: Yellow Crazy ants (*Solenopsis gracilipes*)



Figure 10: Several species controlled by the NTWEP and a native Melastome look alike.

Local Government (MSC)

Pet By-laws

Cats

Mareeba Shire Council has laws and regulations (Local Law 2) regarding pets.

It is an offence to;

- Keep more than two cats on any property
- To allow cats to wander onto public or other private property
- Or to keep cats without a microchip

Failure to comply with these laws and regulations may lead to your cat being impounded, fines, and can cause significant loss of life to native wildlife by either direct attack or disturbance.

Microchipping and desexing your cat is important, it can help find your pet if lost and also prevent unwanted breeding which often puts further pressure on local wildlife.

- Cats born after 1 July 2009 must be microchipped before three months old
- Cats born before 1 July 2009 need to be microchipped if they are being sold or given away
- De-sexing is encouraged, but not compulsory

It is possible that without a microchip to identify that it has an owner it may be considered to be a stray or feral cat.

Dogs

Any dog residing on urban residential, rural residential, rural properties must be registered annually.

Dogs must be kept in a sufficient enclosure that prevents them from interfering with local wildlife. There are minimum standards for keeping dogs;

- enclosures must be cleaned regularly and waste disposed of so as not to create a nuisance or health hazard
- adequate food and water must be provided
- adequate space must be provided for each dog
- not permitting any dog to be kept in such a manner as to be a nuisance, likely to cause an injury or health hazard.

Dogs are required to be leashed at all times when outside of private property, and must be under continuous supervision. This helps avoid distress and fatalities to wildlife such as wallabies and Cassowaries, which is a significant problem in the Mareeba Shire / Wet Tropics region. Several community groups are actively working to protect local rare and threatened fauna, as such compliance from landholders is a great service to both the community and its natural ecosystems.

7. Conclusion

Based on the findings of this ecological report, it can be concluded that the proposed development at 12B Morton Street will have minimal impact on the natural environment and is compliant with the relevant LG environmental legislation.

The development is small scale, brief, and will accommodate CEEVNT flora such as *Rhodamnia sesilliflora*, and with ongoing management has the potential to be positive impact to CEEVNT flora on site and in the broader community. Additionally, the proposed development will result in the removal of environmental weeds from the property. This will enhance the natural values of the site and contribute positively to the local ecosystem.

Lastly, it is believed that this the report should provide the Mareeba Shire Council with the information necessary to make an informed decision regarding the material change in use application.

8. Errors

Error may exist in maps due to spatial reliability, please ensure all works are ground truthed and relevant authorities consulted prior to works.

Plant names may appear incorrect on timed meander map, however have been corrected within the species list.

Unidentified plants in Table 1 may be inconsistently ordered due to some later being identified during desktop analysis.

Surveys were carried out within the best possible times regarding project requirements and seasonal characteristics displayed by significant flora. None the less, some plants may be incorrectly identified.

9. Bibliography

Atlas of Living Australia. (2022, 9 7).

Atlas of Living Australia. (2023, 5 6). Retrieved from

<https://bie.ala.org.au/species/https://biodiversity.org.au/afd/taxa/27d443cb-290b-4d53-8010-5e230f840d67>

Pitcher, J. (2022, September 28). *Mareeba Shire Council - Planning interactive map*. Retrieved from Mareeba Shire Council: <https://enterprise.mapimage.net/IntraMaps22A/?configId=ae5ad943-f724-432f-981b-94422b00b2fc&project=Public&module=Planning>

10. Appendix

Appendix 1: RE details

Regional ecosystem details for 7.11.1

Regional ecosystem	7.11.1
Vegetation Management Act class	Least concern
Wetlands	Contains palustrine wetland (e.g. in swales).
Biodiversity status	No concern at present
Subregion	9, 8, 7, 3, (4), (2)
Estimated extent¹	Pre-clearing 146000 ha; Remnant 2015 130000 ha
Extent in reserves	High
Short description	Simple-complex mesophyll to notophyll vine forest on moderately to poorly drained metamorphics (excluding amphibolites) of moderate fertility of the moist and wet lowlands, foothills and uplands
Structure category	Dense
Description	<p>Simple-complex mesophyll to notophyll vine forest on moderately to poorly drained metamorphics (excluding amphibolites) of moderate fertility of the moist and wet lowlands, foothills and uplands. Lowlands and foothills on xanthozems and red and yellow podzolic soils of metamorphic origin. Very wet and wet rainfall zones. (BVG1M: 2a)</p> <p>Vegetation communities in this regional ecosystem include:</p> <p>7.11.1a: Mesophyll vine forest. Lowlands and foothills on metamorphics. Very wet and wet rainfall zones. (BVG1M: 2a)</p> <p>7.11.1b: Mesophyll vine forest recovering from disturbance, with <i>Acacia</i> spp. canopy or emergents. Lowlands and foothills on metamorphics, of the very wet and wet rainfall zones. (BVG1M: 5d)</p> <p>7.11.1c: Mesophyll vine forest. Lowlands and foothills on greenstone, of the very wet and wet rainfall zones. (BVG1M: 2a)</p> <p>7.11.1d: Mesophyll vine forest. Foothills on Tertiary duricrust (ferricrete) of the very wet and wet rainfall zones. (BVG1M: 2a)</p> <p>7.11.1e: Mesophyll vine forest of steep rocky slopes, and valleys. Canopy frequently broken by fern covered rock faces. Sheltered areas of deeper soil support vine forests allied to Types 1b and 2a, while the most rock-strewn areas support <i>Ficus</i> spp. and <i>Schefflera actinophylla</i>. Foothills and uplands on metamorphics, of the moist and wet rainfall zones. (BVG1M: 2a)</p> <p>7.11.1f: Mosaic of fernland and low vine forest with <i>Chionanthus ramiflorus</i>. Steep rocky slopes and scree slopes on metamorphics. (BVG1M: 2a)</p> <p>7.11.1g: Mesophyll vine forest with scattered feather palms (<i>Archontophoenix alexandrae</i>) in the sub-canopy. Seasonally inundated lowland areas on metamorphics. Floodplain (other than floodplain wetlands). (BVG1M: 4a)</p>
Supplementary description	Stanton and Stanton (2005), Q2a, M2a, M2a(a), M2a(b), M2a(c), CM2a, Z2a, M100, M154, M72, L2a; Tracey and Webb (1975), 2a
Protected areas	Daintree NP, Wooroonooran NP, Japoon NP, Kuranda NP, Ngalba Bulal NP, Dinden NP, Mowbray NP, Little Mulgrave NP, Basilisk Range NP, Mount Lewis NP, Ella Bay NP, Djiru NP, Barron Gorge NP, Macalister Range NP, Kuranda West FR, Mount Mackay NP, Moresby Range NP, Gadgarra NP, Danbulla NP, Eubenangee Swamp NP, Tully Gorge NP, Russell River NP, Barron Gorge FR, Walter Hill Range CP, Family Islands NP, Mount Whitfield CP, Grey Peaks NP, Warrubullen CP, Jumrum Creek CP, Kuranda FR, Smithfield CP, Speewah CP, Hull River NP, Japoon FR, Macalister Range FR, Etty Bay Road CP
Special values	Habitat for threatened plant species of 7.11.1a include: <i>Archidendron kanisii</i> , <i>Archidendropsis xanthoxylon</i> , <i>Asplenium wildii</i> , <i>Austroruellera trinervia</i> , <i>Beilschmiedia castrisinensis</i> , <i>Cyclophyllum costatum</i> , <i>Dioclea hexandra</i> , <i>Endiandra grayi</i> , <i>Endiandra microneura</i> , <i>Euodia hylandii</i> , <i>Euodia pubifolia</i> , <i>Freycinetia marginata</i> , <i>Gardenia actinocarpa</i> , <i>Phlegmariurus</i> spp., <i>Lepiderema hirsuta</i> , <i>Megahertzia amplexicaulis</i> , <i>Microsorium membranifolium</i> , <i>Mitranthia bilocularis</i> , <i>Neostrearia fleckeri</i> , <i>Noahdendron nicholasii</i> , <i>Peripentadenia phelpsii</i> , <i>Samadera baileyana</i> , <i>Randia audasii</i> , <i>Ryparosa kurrangii</i> , <i>Sankowskya stipularis</i> , <i>Symplocos crassiramifera</i> , <i>Vrydagzynea grayi</i> , <i>Whyanbeelia terrae-reginae</i> and <i>Xanthophyllum fragrans</i> . Also there are many locally restricted regional endemics and unusual species such as: <i>Callerya</i> sp. (Barratt Creek G.Sankowsky 428), <i>Coelospermum dasylobum</i> , <i>Cupaniopsis diploglottoides</i> , <i>Mischarytera megaphylla</i> , <i>Storckiella australiensis</i> , <i>Tainia trinervis</i> and <i>Idiospermum australiense</i> . Other species of local significance are <i>Argyrodendron</i> sp. (Whyanbeel B.P.Hyland RFK1106), <i>Monoon patinatum</i> and <i>Rhodomyrtus effusa</i> .
Fire management guidelines	SEASON: Do not burn deliberately. f: Oct-Dec (occasionally Sep). INTENSITY: Do not burn deliberately. f: Variable, depending on fuel. INTERVAL: Do not burn deliberately. f: 10-20 years. There will be practical difficulties in attempting to burn grassland and sedgeland at different intervals. STRATEGY: Do not burn deliberately. Mosaic burning in surrounding fire-adapted ecosystems will minimise spread and

	<p>severity of wildfire during severe weather events. f. Entire continuous areas are likely to burn at any one time. Burn 25-30% of these communities in WET in any one year. Attempt to time burning when water level is high enough to cover both peat and sedge bases. Protect from wildfire or manage surrounding country to reduce the potential of fire incursion. ISSUES: Typically unlikely to burn owing to lack of flammable grasses. Occasional high intensity fires along fringes, particularly on hillslopes, may lead to loss of rainforest at edges. Low intensity burns away from rainforest edge can be used to protect margins, when humidity and soil moisture are high. Where appropriate, use revegetation of rainforest species to provide buffer to cleared areas. Occasional high intensity fires in adjoining communities may be required to prevent expansion of rainforest elements. f. A planned burn is likely to be over 100% of the planned burn area; so while mosaic burning is desirable to maintain structure and protect animal habitat and food, it will rarely be achievable. Under dry conditions, with little soil moisture, peat may burn as it is highly flammable in such circumstances. Sedges are disadvantaged by repeated high intensity fires.</p>
<p>Comments</p>	<p>7.11.1: Occurs on more poorly-drained and lower fertility soils than 7.11.23. Many accessible areas have been subjected to extensive logging in the past. Widespread over central and eastern parts of the bioregion north of Tully.</p>

Appendix 2: Example of vegetation on site.



Figure 11: RE 7.11.1 within proposed clearance area.

Appendix 3: Acronyms

ADVCC – Accepted development clearing codes
ANPC – Australian Network for Plant Conservation
AVH – Australian Virtual Herbarium
BA – Biosecurity Act 2014
CIA – Clearance Impact Area
EPBC – Environmental Protection and Biodiversity Conservation Act 1999
CEEVNT – Critically Endangered, Endangered, Vulnerable, Near Threatened
DES – Department of Environment and Science
DR – Department of Resources
DSC – Douglas Shire Council
LG – Local Government
MSC – Mareeba Shire Council
NCA – Nature conservation Act 1992
RE – Regional Ecosystem
VMA – Vegetation Management Act 1999

Appendix 4: About the Author

Julian Pitcher (SQP)

Julian completed his Diploma in Conservation and Land Management in 2008 and has since been actively engaged in the environmental industry as both a professional and citizen scientist. As a result, he possesses a diverse range of skills in land management, film production, flying remote piloted aircraft, digital data collection, and writing development applications/ecological reports

He has developed resources and delivered accredited training under various RTO's which covered CLM units such as identify plants, develop a management plan, control weeds, and workplace health and safety. His DIY site management planner has been taken on by Land Care groups and assisted with the training of local land officers.

After spending several years in training and conducting restoration works, Julian commenced work for Biosecurity Queensland as an authorised officer surveying for invasive species in the National Tropical Weeds Eradication Program. During this time, he identified and collected additional data on various orchids and saprophytes (*Anoetochilus papuanus*, *Aphyllorchis anomala*, *Vrydagzynea albostrata*, *Sciaphilla sp.*, and *Gymnosyphon sp.*, among others) which assisted the Australian Tropical Herbarium, and also international botanists. He continues these relationships today by contributing data to ongoing projects. His training has also been furthered with short plant identification courses conducted by the ATH, along with venomous snake handling qualifications and remote sensing licences.

A keen orchid enthusiast, Julian has been successful in attaining funding from the Australian Orchid Foundation and producing a series of films promoting native orchids, their conservation issues and the stakeholders supporting them. In addition to this, Julian has been mapping native orchids for over ten years and recorded data on more than 2000 populations. This information is again assisting the ATH and other citizen science projects such as Wild Orchid Watch.

Disclaimer

Whilst all care has been taken to present the necessary information to the most accurate degree it should be noted that the surveys conducted upon the property in question are not fully comprehensive and unidentified flora and fauna may exist. Spatial data is based upon the reliability of data sources and some error may exist as a result. Care should be taken by the landholders to ensure compliance is met with all relevant agencies and authorities. Approval of applications and alike cannot be guaranteed by Land Plan.

DEVELOPMENT APPLICATION

DEVELOPMENT PERMIT:

Operational Works Vegetation Clearing

12B Morton Street Kuranda Qld. 4881
Lot 3 on SP213770

Prepared by: Scope Town Planning

May 2023



PLANNING FOR LOCALS

CONTENTS

	APPLICATION SUMMARY	3
1	PROPOSAL	4
1.1	Introduction	4
1.2	Proposed Development	4
	Figure 1: Site Plan (Clearing Area)	4
1.3	Site and Locality	5
	Figure 2: Aerial image of site	5
	Figure 3: Environmental Significance Overlay	6
	Figure 4: Hill and Slope Overlay	6
	Figure 5: Development Site location	7
	Figure 6: Development Site zoning	8
2	PLANNING CONSIDERATIONS	9
2.1	Compliance with Planning Scheme	9
2.2	Vegetation Clearing	9
2.3	State Agency Referral Items	9
3	PLANNING SUMMARY	10
4	RECOMMENDATION	10
	APPENDIX 1: Assessment Against the Planning Codes	(attached)
	APPENDIX 2: Proposed Site Plan	(attached)
	APPENDIX 3: Ecological Report	(attached)



APPLICATION SUMMARY	
DEVELOPMENT APPLICATION	Operational Works
PROPOSAL	Vegetation Clearing
ASSESSMENT LEVEL	Code
STREET ADDRESS	12B Morton Street Kuranda Qld. 4881
REAL PROPERTY ADDRESS	Lot 3 on SP213770
LAND AREA	2358m²
APPLICANT	Scope Town Planning c/- Land Owner
LAND OWNER	Kelli Mcdowell
LOCAL GOVERNMENT AREA	Mareeba Shire Council
PLANNING SCHEME	Mareeba Shire Planning Scheme (2017)
ZONE	Rural Residential Zone
PRECINCT	A
LOCAL PLAN	n/a
EASEMENTS	nil
IMPROVEMENTS	nil
APPLICABLE PLANNING CODES	Environmental Significance Overlay Code
	Hill and Slope Overlay Code
APPLICABLE REFERRALS	n/a

1 Proposal

1.1 Introduction

This application seeks a Development Permit for Operational Works for Vegetation Clearing over land at 12B Morton Street Kuranda Qld. 4881 formally known as Lot 3 on SP213770 being located within the Rural Residential Zone of the Mareeba Shire LGA.

As specified in Table 5.10.1 – Overlays, of the Mareeba Shire Planning Scheme, the application is classified as Code Assessable Development subject to compliance with the requirements of the relevant codes for a Operational Works (Vegetation Clearing) located within the Environmental Significance Overlay and Hill & Slope Overlay.

1.2 Proposed Development

The proposed development is the clearing of vegetation to provide an appropriate building area for the establishment of a Dwelling House and associates Outbuildings and Driveway.

As illustrated in Figure 1 below, the proposed Vegetation Clearing involves a 348m² portion of the heavily vegetated 2358m² lot including a 23m x 15m rectangular building envelope and a 1m x 3m area for a driveway. The proposed Operational Works involves the clearing of only a small portion of vegetation mapped as Wildlife Habitat in the Environmental Significance Overlay with the majority of the vegetation clearing area laying outside of the Wildlife Habitat area.

The majority of the site is also mapped within the Hill and Slope Overlay however a future Dwelling House is to be designed as a raised structure. As such, no earthworks or retaining structures are proposed with this application and any engineering requirements will be attended to at a later date.



Figure 1: Proposed area of Vegetation Clearing. (Scope Town Planning)

1.3 Site and Locality

The proposal site has an area of 2358m² and a 25m frontage to Morton Street which gains access to the Kennedy Highway via Rob Veivers Drive. The site is located amongst other Rural Residential allotments along the western side of Morton Street which are densely vegetated or partially cleared lots improved with Dwellings and associated Outbuildings.

The majority of the site is mapped as Wildlife Habitat on the Environmental Significance Overlay with a similar area being mapped within the Hill and Slope Overlay. The site is zoned Rural Residential (Precinct A – 4000m²) and is not located within a Local Plan.



Figure 2: Aerial image of 12B Morton Street, Kuranda (Qld. Globe).

As the densely vegetated site is largely affected by the Wildlife Habitat mapping of the Environmental Significance Overlay (Figure 5), an Ecological Assessment will be undertaken to identify the potential impacts of the proposed Vegetation Clearing. The Ecological Report is attached with this development application as Appendix 3.

The site slopes away from the Morton Street toward the rear having a level of ~362m AHD at the road frontage and ~345m AHD at the rear boundary. The majority of the site is mapped within the Hill and Slope Overlay (Figure 6) however no earthworks, retaining structures, buildings or other construction is proposed with this application and any engineering requirements will be attended to at a later date.



Figure 3: Development site Environmental Significance Overlay Wildlife Habitat mapping. (MSC Interactive Mapping)



Figure 4: Development site Hill & Slope Overlay mapping. (MSC Interactive Mapping)

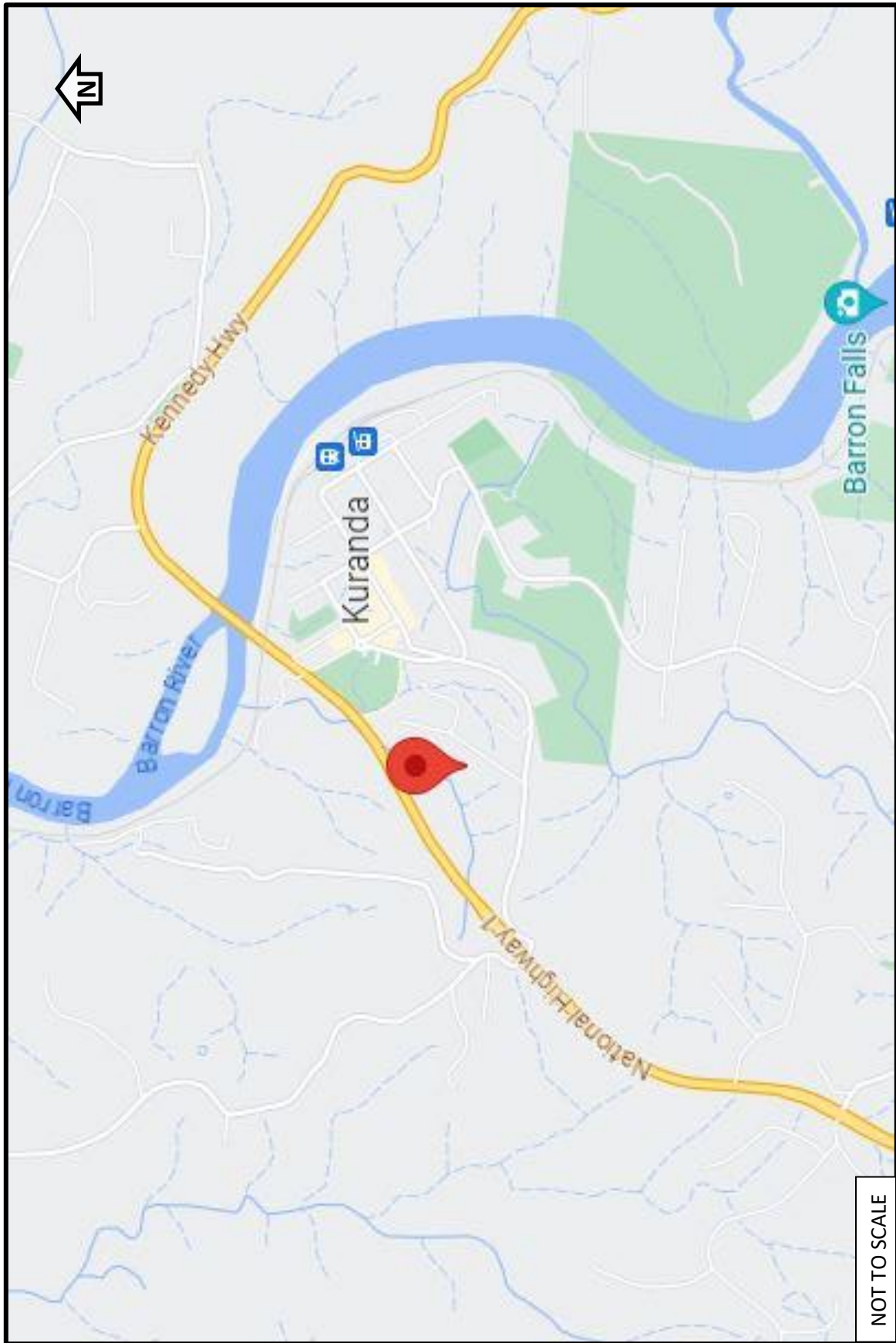


Figure 5: Development Site location map (Google Maps).

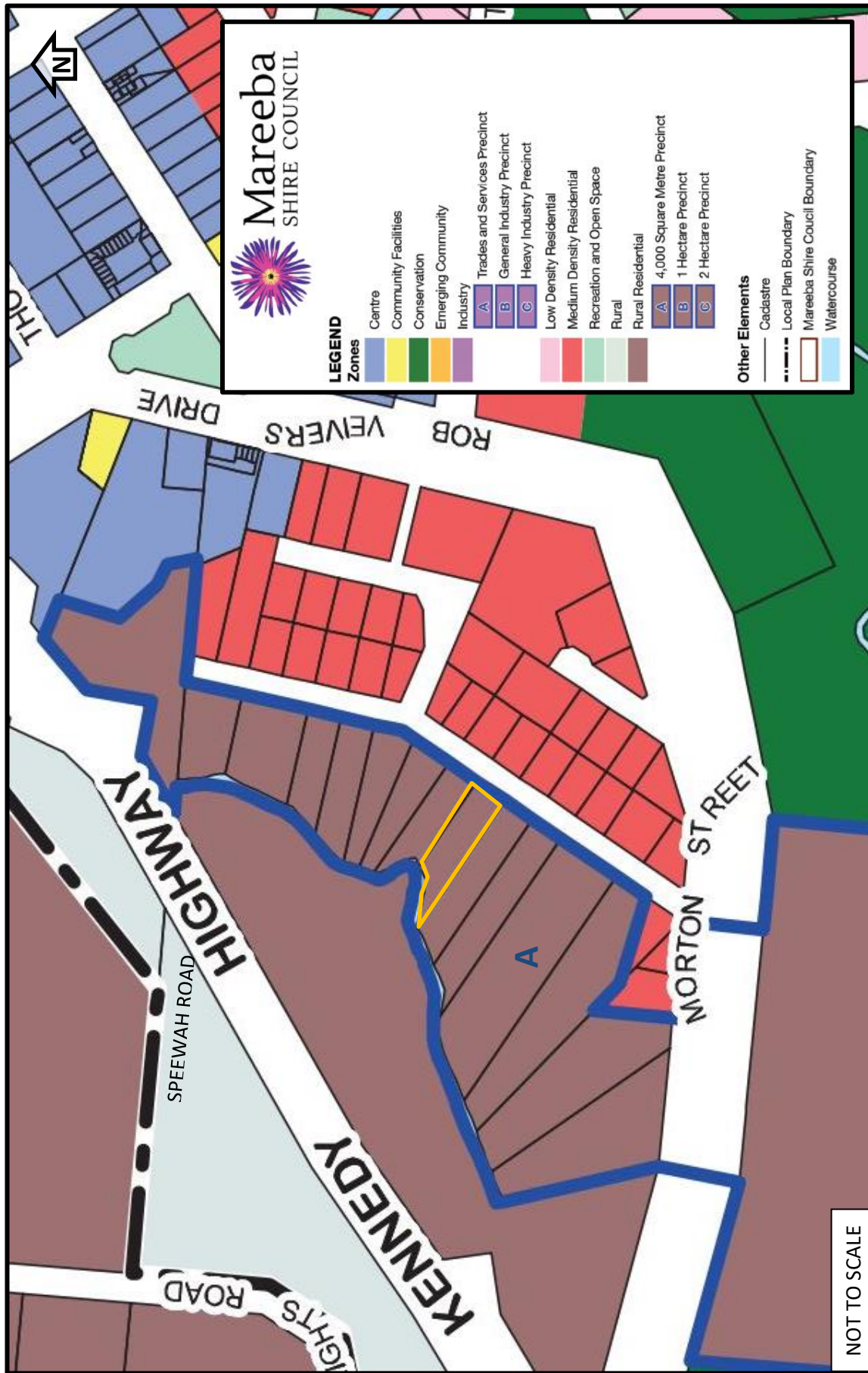


Figure 6: Development Site located in the Rural Residential (A) Zone. (MSC Mapping)

2 Planning Considerations

2.1 Compliance with Planning Scheme

This site is located within the Rural Residential Zone and affected by several Overlays. The proposed development for Operational Works (Vegetation Clearing) is Code Assessable Development being assessable against provisions of the following Codes of the Mareeba Shire Planning Scheme (2017);

8.2.4 Environmental Significance Overlay Code

8.2.8 Hill and Slope Code

An assessment of the development proposal against the applicable Codes is provided in Appendix 1 – Code Assessment.

The site is not subject to a Local Plan and all relevant State Policies are considered to be appropriately addressed in Mareeba Shire Planning Scheme.

2.2 Vegetation Clearing

The Rural Residential zoned site retains the rights to vegetation clearing for the accommodation of a Dwelling House, associated Outbuildings and Access. The development site contains dense, mature vegetation comprised of native species of flora and fauna. The clearing area is relatively small (~348m²) with the majority of the site to retain the existing vegetation along with a 1m landscape strip along the side and front boundaries to maintain privacy and aesthetics. A detailed Ecology Report is attached with this application as Appendix 3.

Note: The retained landscape area accounts for the difference in area mentioned in the attached Ecology Report.

2.3 State agency referral items

The proposed development application does not trigger referral to SARA or any other third party for assessment.

3 Planning Summary

This application seeks a Development Permit for Operational Works for Vegetation Clearing to provide an appropriate building area for the establishment of a Dwelling House and associated Outbuildings and Driveway over land at 12B Morton Street Kuranda Qld. 4881 formally known as Lot 3 on SP213770 being located within the Rural Residential Zone of the Mareeba Shire LGA.

The application is classified as Code Assessable Development subject to compliance with the requirements of the relevant codes of the Mareeba Shire Planning Scheme. The proposed development application does not trigger referral to SARA or any other third party for assessment.

An assessment of the development proposal against the applicable Codes is provided in Appendix 1 – Code Assessment and the relevant Plans are provided as Appendix 2 – Development Plans. In support of the application, an Ecological Report is also attached as Appendix 3.

4 Recommendation

It is the professional opinion of Scope Town Planning that the proposed Operational Works for Vegetation Clearing at over land at 12B Morton Street Kuranda satisfies the desired outcomes and requirements of the Mareeba Shire Planning Scheme and that this application should be fairly assessed and approved by Mareeba Shire Council with reasonable conditions.



Johnathan Burns

Senior Town Planner | **Scope** Town Planning

DA Form 1 – Development application details

Approved form (version 1.3 effective 28 September 2020) made under section 282 of the Planning Act 2016.

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

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

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

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

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

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

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

PART 1 – APPLICANT DETAILS

1) Applicant details

Applicant name(s) (individual or company full name)	Kelli Joanne McDowell c/- Scope Town Planning
Contact name (only applicable for companies)	Johnathan Burns
Postal address (P.O. Box or street address)	38 Kowa Street
Suburb	Mareeba
State	Qld.
Postcode	4880
Country	Australia
Contact number	0450 781 841
Email address (non-mandatory)	jburns@scopetownplanning.com.au
Mobile number (non-mandatory)	
Fax number (non-mandatory)	
Applicant's reference number(s) (if applicable)	23009

2) Owner's consent

2.1) Is written consent of the owner required for this development application?

- Yes – the written consent of the owner(s) is attached to this development application
 No – proceed to 3)

PART 2 – LOCATION DETAILS

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

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

3.1) Street address and lot on plan

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

a)	Unit No.	Street No.	Street Name and Type	Suburb
		12b	Morton Street	Kuranda
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)
	4881	3	SP213770	Mareeba Shire
b)	Unit No.	Street No.	Street Name and Type	Suburb
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)

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

Note: Place each set of coordinates in a separate row.

- Coordinates of premises by longitude and latitude

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

- Coordinates of premises by easting and northing

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

3.3) Additional premises

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

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

In or adjacent to a water body or watercourse or in or above an aquifer
 Name of water body, watercourse or aquifer:

On strategic port land under the *Transport Infrastructure Act 1994*
 Lot on plan description of strategic port land:
 Name of port authority for the lot:

In a tidal area
 Name of local government for the tidal area (if applicable):
 Name of port authority for tidal area (if applicable):

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

<input type="checkbox"/> Listed on the Environmental Management Register (EMR) under the <i>Environmental Protection Act 1994</i>
EMR site identification: <input type="text"/>
<input type="checkbox"/> Listed on the Contaminated Land Register (CLR) under the <i>Environmental Protection Act 1994</i>
CLR site identification: <input type="text"/>

5) Are there any existing easements over the premises?
Note: Easement uses vary throughout Queensland and are to be identified correctly and accurately. For further information on easements and how they may affect the proposed development, see [DA Forms Guide](#).

Yes – All easement locations, types and dimensions are included in plans submitted with this development application

No

PART 3 – DEVELOPMENT DETAILS

Section 1 – Aspects of development

6.1) Provide details about the first development aspect

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

Material change of use Reconfiguring a lot Operational work Building work

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

Development permit Preliminary approval Preliminary approval that includes a variation approval

c) What is the level of assessment?

Code assessment Impact assessment *(requires public notification)*

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

Vegetation Clearing

e) Relevant plans
Note: Relevant plans are required to be submitted for all aspects of this development application. For further information, see [DA Forms guide: Relevant plans](#).

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

6.2) Provide details about the second development aspect

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

Material change of use Reconfiguring a lot Operational work Building work

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

Development permit Preliminary approval Preliminary approval that includes a variation approval

c) What is the level of assessment?

Code assessment Impact assessment *(requires public notification)*

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

e) Relevant plans
Note: Relevant plans are required to be submitted for all aspects of this development application. For further information, see [DA Forms Guide: Relevant plans](#).

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

6.3) Additional aspects of development

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

Not required

Section 2 – Further development details

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

Division 1 – Material change of use

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

8.1) Describe the proposed material change of use			
Provide a general description of the proposed use	Provide the planning scheme definition <i>(include each definition in a new row)</i>	Number of dwelling units <i>(if applicable)</i>	Gross floor area (m ²) <i>(if applicable)</i>

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

Division 2 – Reconfiguring a lot

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

9.1) What is the total number of existing lots making up the premises?	

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

10) Subdivision				
10.1) For this development, how many lots are being created and what is the intended use of those lots:				
Intended use of lots created	Residential	Commercial	Industrial	Other, please specify:
Number of lots created				

10.2) Will the subdivision be staged?	
<input type="checkbox"/> Yes – provide additional details below	
<input type="checkbox"/> No	
How many stages will the works include?	
What stage(s) will this development application apply to?	

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

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

12) Boundary realignment

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

Current lot		Proposed lot	
Lot on plan description	Area (m ²)	Lot on plan description	Area (m ²)

12.2) What is the reason for the boundary realignment?

--

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

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

Division 3 – Operational work

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

14.1) What is the nature of the operational work?

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

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

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

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

\$ to be determined

PART 4 – ASSESSMENT MANAGER DETAILS

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

Mareeba Shire Council

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

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

PART 5 – REFERRAL DETAILS

17) Does this development application include any aspects that have any referral requirements?

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

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

Matters requiring referral to the **Chief Executive of the Planning Act 2016:**

- Clearing native vegetation
- Contaminated land (*unexploded ordnance*)
- Environmentally relevant activities (ERA) (*only if the ERA has not been devolved to a local government*)
- Fisheries – aquaculture
- Fisheries – declared fish habitat area
- Fisheries – marine plants
- Fisheries – waterway barrier works
- Hazardous chemical facilities
- Heritage places – Queensland heritage place (*on or near a Queensland heritage place*)
- Infrastructure-related referrals – designated premises
- Infrastructure-related referrals – state transport infrastructure
- Infrastructure-related referrals – State transport corridor and future State transport corridor
- Infrastructure-related referrals – State-controlled transport tunnels and future state-controlled transport tunnels
- Infrastructure-related referrals – near a state-controlled road intersection
- Koala habitat in SEQ region – interfering with koala habitat in koala habitat areas outside koala priority areas
- Koala habitat in SEQ region – key resource areas
- Ports – Brisbane core port land – near a State transport corridor or future State transport corridor
- Ports – Brisbane core port land – environmentally relevant activity (ERA)
- Ports – Brisbane core port land – tidal works or work in a coastal management district
- Ports – Brisbane core port land – hazardous chemical facility
- Ports – Brisbane core port land – taking or interfering with water
- Ports – Brisbane core port land – referable dams
- Ports – Brisbane core port land – fisheries
- Ports – Land within Port of Brisbane’s port limits (*below high-water mark*)
- SEQ development area
- SEQ regional landscape and rural production area or SEQ rural living area – tourist activity or sport and recreation activity
- SEQ regional landscape and rural production area or SEQ rural living area – community activity
- SEQ regional landscape and rural production area or SEQ rural living area – indoor recreation
- SEQ regional landscape and rural production area or SEQ rural living area – urban activity
- SEQ regional landscape and rural production area or SEQ rural living area – combined use
- Tidal works or works in a coastal management district
- Reconfiguring a lot in a coastal management district or for a canal
- Erosion prone area in a coastal management district
- Urban design
- Water-related development – taking or interfering with water
- Water-related development – removing quarry material (*from a watercourse or lake*)
- Water-related development – referable dams
- Water-related development – levees (*category 3 levees only*)
- Wetland protection area

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

- Airport land
- Environmentally relevant activities (ERA) (*only if the ERA has been devolved to local government*)

<input type="checkbox"/> Heritage places – Local heritage places
Matters requiring referral to the Chief Executive of the distribution entity or transmission entity: <input type="checkbox"/> Infrastructure-related referrals – Electricity infrastructure
Matters requiring referral to: <ul style="list-style-type: none"> • The Chief Executive of the holder of the licence, if not an individual • The holder of the licence, if the holder of the licence is an individual <input type="checkbox"/> Infrastructure-related referrals – Oil and gas infrastructure
Matters requiring referral to the Brisbane City Council: <input type="checkbox"/> Ports – Brisbane core port land
Matters requiring referral to the Minister responsible for administering the Transport Infrastructure Act 1994: <input type="checkbox"/> Ports – Brisbane core port land <i>(where inconsistent with the Brisbane port LUP for transport reasons)</i> <input type="checkbox"/> Ports – Strategic port land
Matters requiring referral to the relevant port operator , if applicant is not port operator: <input type="checkbox"/> Ports – Land within Port of Brisbane's port limits <i>(below high-water mark)</i>
Matters requiring referral to the Chief Executive of the relevant port authority: <input type="checkbox"/> Ports – Land within limits of another port <i>(below high-water mark)</i>
Matters requiring referral to the Gold Coast Waterways Authority: <input type="checkbox"/> Tidal works or work in a coastal management district <i>(in Gold Coast waters)</i>
Matters requiring referral to the Queensland Fire and Emergency Service: <input type="checkbox"/> Tidal works or work in a coastal management district <i>(involving a marina (more than six vessel berths))</i>

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

PART 6 – INFORMATION REQUEST

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

PART 7 – FURTHER DETAILS

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

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

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

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

- Yes – a copy of the receipted QLeave form is attached to this development application
 No – I, the applicant will provide evidence that the portable long service leave levy has been paid before the assessment manager decides the development application. I acknowledge that the assessment manager may give a development approval only if I provide evidence that the portable long service leave levy has been paid
 Not applicable (e.g. building and construction work is less than \$150,000 excluding GST)

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

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

- Yes – show cause or enforcement notice is attached
 No

23) Further legislative requirements

Environmentally relevant activities

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

- Yes – the required attachment (form ESR/2015/1791) for an application for an environmental authority accompanies this development application, and details are provided in the table below
 No

Note: Application for an environmental authority can be found by searching "ESR/2015/1791" as a search term at www.qld.gov.au. An ERA requires an environmental authority to operate. See www.business.qld.gov.au for further information.

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

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

Hazardous chemical facilities

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

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

Note: See www.business.qld.gov.au for further information about hazardous chemical notifications.

Clearing native vegetation

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

- Yes – this development application includes written confirmation from the chief executive of the *Vegetation Management Act 1999* (s22A determination)
- No

Note: 1. Where a development application for operational work or material change of use requires a s22A determination and this is not included, the development application is prohibited development.
2. See <https://www.qld.gov.au/environment/land/vegetation/applying> for further information on how to obtain a s22A determination.

Environmental offsets

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

- Yes – I acknowledge that an environmental offset must be provided for any prescribed activity assessed as having a significant residual impact on a prescribed environmental matter
- No

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

Koala habitat in SEQ Region

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

- Yes – the development application involves premises in the koala habitat area in the koala priority area
- Yes – the development application involves premises in the koala habitat area outside the koala priority area
- No

Note: If a koala habitat area determination has been obtained for this premises and is current over the land, it should be provided as part of this development application. See koala habitat area guidance materials at www.des.qld.gov.au for further information.

Water resources

23.6) Does this development application involve **taking or interfering with underground water through an artesian or subartesian bore, taking or interfering with water in a watercourse, lake or spring, or taking overland flow water under the Water Act 2000?**

- Yes – the relevant template is completed and attached to this development application and I acknowledge that a relevant authorisation or licence under the *Water Act 2000* may be required prior to commencing development
- No

Note: Contact the Department of Natural Resources, Mines and Energy at www.dnrme.qld.gov.au for further information.

DA templates are available from <https://planning.dsdmip.qld.gov.au/>. If the development application involves:

- Taking or interfering with underground water through an artesian or subartesian bore: complete DA Form 1 Template 1
- Taking or interfering with water in a watercourse, lake or spring: complete DA Form 1 Template 2
- Taking overland flow water: complete DA Form 1 Template 3.

Waterway barrier works

23.7) Does this application involve **waterway barrier works?**

- Yes – the relevant template is completed and attached to this development application
- No

DA templates are available from <https://planning.dsdmip.qld.gov.au/>. For a development application involving waterway barrier works, complete DA Form 1 Template 4.

Marine activities

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

- Yes – an associated resource allocation authority is attached to this development application, if required under the *Fisheries Act 1994*
- No

Note: See guidance materials at www.daf.qld.gov.au for further information.

Quarry materials from a watercourse or lake

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

- Yes – I acknowledge that a quarry material allocation notice must be obtained prior to commencing development
 No

Note: Contact the Department of Natural Resources, Mines and Energy at www.dnrme.qld.gov.au and www.business.qld.gov.au for further information.

Quarry materials from land under tidal waters

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

- Yes – I acknowledge that a quarry material allocation notice must be obtained prior to commencing development
 No

Note: Contact the Department of Environment and Science at www.des.qld.gov.au for further information.

Referable dams

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

- Yes – the 'Notice Accepting a Failure Impact Assessment' from the chief executive administering the *Water Supply Act* is attached to this development application
 No

Note: See guidance materials at www.dnrme.qld.gov.au for further information.

Tidal work or development within a coastal management district

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

- Yes – the following is included with this development application:
- Evidence the proposal meets the code for assessable development that is prescribed tidal work (*only required if application involves prescribed tidal work*)
 - A certificate of title
- No

Note: See guidance materials at www.des.qld.gov.au for further information.

Queensland and local heritage places

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

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

Note: See guidance materials at www.des.qld.gov.au for information requirements regarding development of Queensland heritage places.

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

Brothels

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

- Yes – this development application demonstrates how the proposal meets the code for a development application for a brothel under Schedule 3 of the *Prostitution Regulation 2014*
 No

Decision under section 62 of the Transport Infrastructure Act 1994

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

- Yes – this application will be taken to be an application for a decision under section 62 of the *Transport Infrastructure Act 1994* (subject to the conditions in section 75 of the *Transport Infrastructure Act 1994* being satisfied)
 No

Walkable neighbourhoods assessment benchmarks under Schedule 12A of the Planning Regulation

23.16) Does this development application involve reconfiguring a lot into 2 or more lots in certain residential zones (except rural residential zones), where at least one road is created or extended?

- Yes – Schedule 12A is applicable to the development application and the assessment benchmarks contained in schedule 12A have been considered
- No

Note: See guidance materials at www.planning.dsdmip.qld.gov.au for further information.

PART 8 – CHECKLIST AND APPLICANT DECLARATION

24) Development application checklist

I have identified the assessment manager in question 15 and all relevant referral requirement(s) in question 17

Yes

Note: See the *Planning Regulation 2017* for referral requirements

If building work is associated with the proposed development, Parts 4 to 6 of [DA Form 2 – Building work details](#) have been completed and attached to this development application

Yes

Not applicable

Supporting information addressing any applicable assessment benchmarks is with the development application

Note: This is a mandatory requirement and includes any relevant templates under question 23, a planning report and any technical reports required by the relevant categorising instruments (e.g. local government planning schemes, State Planning Policy, State Development Assessment Provisions). For further information, see [DA Forms Guide: Planning Report Template](#).

Yes

Relevant plans of the development are attached to this development application

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

Yes

The portable long service leave levy for QLeave has been paid, or will be paid before a development permit is issued (see 21)

Yes

Not applicable

25) Applicant declaration

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

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

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

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

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

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

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

PART 9 – FOR COMPLETION OF THE ASSESSMENT MANAGER – FOR OFFICE USE ONLY

Date received: Reference number(s):

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

QLeave notification and payment	
<i>Note: For completion by assessment manager if applicable</i>	
Description of the work	
QLeave project number	
Amount paid (\$)	Date paid (dd/mm/yy)
Date receipted form sighted by assessment manager	
Name of officer who sighted the form	

Individual owner's consent for making a development application under the *Planning Act 2016*

¹ Kelli Joanne McDowell
[Insert full name.]

as owner of the premises identified as follows:

Lot 3 on SP213770 (12B Marion St, Kuramba Qld. 4881)

consent to the making of a development application under the *Planning Act 2016* by:

Scope Town Planning

on the premises described above for:

Operational Works (Vegetation Clearing)

 2/4/23
[Signature of owner and date signed]