



31 July 2023

Planning Officer: Carl Ewin  
Direct Phone: (07) 4086 4656  
Our Ref: MCU/23/0014  
Your Ref: AU009935

Caldante Holdings Pty Ltd  
C/- RPS AAP Consulting Pty Ltd  
PO Box 1949  
CAIRNS QLD 4870

Dear Applicants,

## Confirmation Notice

### *Planning Act 2016*

Council acknowledges receipt of your application, which was properly made on 28 June 2023. This Confirmation Notice has been prepared in accordance with the Development Assessment Rules and contains information relevant to the processing and assessment of the application. The following details are confirmed:

#### APPLICATION DETAILS

Application No:	MCU/23/0014
Proposal:	Application for a Development Permit for Material Change of Use – Function Facility
Street Address:	121 Douglas Track, Speewah
Real Property Description:	Lot 45 on N157358
Planning Scheme:	Mareeba Shire Council Planning Scheme 2016

#### TYPE OF DEVELOPMENT

The application seeks development approval for:

- Development Permit for Material Change of Use – Function Facility

#### SUPERSEDED PLANNING SCHEME

Is the application for development under the Superseded Planning Scheme? No

#### CODE ASSESSMENT

Will Code Assessment be required? No

### IMPACT ASSESSMENT

Will Impact Assessment be required? Yes

### PUBLIC NOTIFICATION DETAILS

Is Public Notification Required? Yes

### REFERRAL AGENCIES

Based on the information accompanying the lodged application, no referral agencies are triggered.

### INFORMATION REQUEST

Has the applicant advised on the approved form that the applicant does not agree to accept an Information Request? No

A further Information Request is **made** by the assessment manager, as detailed below:

#### 1. Acoustic Assessment

Please provide an acoustic assessment, prepared by a suitably qualified Registered Professional Engineer of Queensland (RPEQ), that demonstrates that the proposed function facility will not have an unacceptable impact on the residential amenity of adjacent sensitive land uses. Of particular concern is the use of the site for functions that include amplified music and sounds (microphones etc.) The acoustic assessment should provide clarity as to the number of events to be held on-site on at least a monthly basis and at minimum, address the following:

- The appropriateness of the proposed frequency of events and the type and scale of events (i.e. ceremony only with no reception provided on-site, ceremony and reception packages, other functions that may not include amplified music/noise etc.);
- The topography of the site and established mature vegetation and its effectiveness as a noise buffer. It is understood that function location "M" which is proposed for use for large functions (up to 150 persons) is in an elevated position which may increase the impacts of amplified noise on surrounding sensitive receptors situated at a lower elevation;
- The level of noise and nuisance likely to be experienced at nearby sensitive receptors, particularly during the more noise sensitive evening and night time hours;
- Recommendations for noise mitigation measures and controls to be implemented by the applicant/developer as well as any third party specialist event company used to manage events.

#### 2. Traffic Impact Assessment

Please provide a Traffic Impact Assessment (TIA), prepared by a suitably qualified RPEQ investigating the proposed developments impacts on the local road network. The TIA should investigate anticipated vehicle movements, and any upgrades required to Speewah Road and Douglas Track. Douglas Track reverts back to a formed gravel standard approximately 40 metres to the west of the site access crossover.

### 3. Ecological Assessment

The majority of the site is covered in remnant vegetation inclusive of rainforest vegetation and is also situated adjacent and nearby to mapped *conservation areas*, including World Heritage Areas. Furthermore, anecdotal evidence suggests that Cassowaries frequent the subject site.

Please provide an ecological assessment, prepared by a suitably qualified professional, demonstrating that the use of the site as a function facility, in particular for functions with amplified music and noise, is not likely to have a detrimental impact on the site's biodiversity area as well as adjacent and nearby conservation areas. The ecological assessment should address the relevant Strategic Outcomes and Elements of Part 3.4 of the Planning Scheme's Strategic Framework as well as the relevant acceptable outcomes/performance outcomes of the Environmental significance overlay code.

#### End of Information Request

In responding to the Information Request, *Development Assessment Rule 13* states: -

#### **"13. Applicants Response**

- 13.1 *The period for the applicant to respond to an information request is 3 months from the date the information request was made or a further period agreed between the applicant and the assessing authority that made the information request.*
- 13.2 *The applicant may respond by giving the assessing authority that made the information request, within the period stated under section 13.1 -*
  - (a) *all of the information requested; or*
  - (b) *part of the information requested; or*
  - (c) *a notice that none of the information will be provided.*
- 13.3 *For any response given in accordance with sections 13.2(b) or (c), the applicant may also advise the assessing authority that it must proceed with its assessment of the application.*
- 13.4 *An applicant must provide a copy of any response to an information request made by a referral agency to the assessment manager."*

#### Further Advice

Anecdotal evidence suggests that the subject site is frequented by Cassowaries. The subject site is also situated adjacent a Forest Reserve to the north, and nearby to Wet Tropics World Heritage Area corridor to the east of the site. You are advised that referral may be required under the *Environmental Protection and Biodiversity Conservation Act 1999*. Further information on these matters can be obtained from [www.environment.gov.au](http://www.environment.gov.au)

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**PROJECT TEAM**

The contact details of the project team for your application are provided below. Your primary point of contact for any general enquires regarding this application is the project manager.

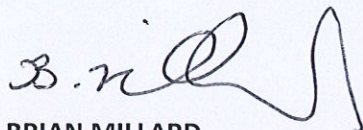
**Project Manager**      **Carl Ewin, Senior Planner**      **(07) 4086 4656**

**OTHER DETAILS**

You can follow the progress of this application online at [www.msc.qld.gov.au](http://www.msc.qld.gov.au).

Should you have any further queries in relation to the above, please do not hesitate to contact Council's Senior Planner on the above number.

Yours faithfully



**BRIAN MILLARD**  
**COORDINATOR PLANNING SERVICES**