

From: Stephen Whitaker
Sent: 16 Feb 2018 12:17:41 +1000
To: Brian Millard
Cc: Dominic Hammersley; Carl Ewin; Planning (Shared)
Subject: Change to Development Application - EMAIL 1 OF 2 - 112 Barnwell Road, Kuranda - RAL/18/0002
Attachments: Attachment F.PDF, Attachment G.PDF, Attachment H.PDF, Attachment I.PDF, Attachment Updated Town Planning Report.pdf, HRP16299-003.L01.003.pdf, Attachment A.PDF, Attachment B.PDF, Attachment C.PDF, Attachment D.PDF, Attachment E.PDF

Hi Brian,

I refer to the development application over land at 112 Barnwell Road, Kuranda (MSC Ref: RAL/18/0002). We act for the Applicant, Reeve and Ocean Pty Ltd, in relation to this development application.

On behalf of the Applicant, please find attached correspondence provided in accordance with Section 52 of the *Planning Act 2016*, documenting a change to the application.

Due to the size of the documentation, it has been split across two (2) emails, this is email 1 of 2.

Should you have any queries in relation to this matter, please do not hesitate to contact me.

Kind Regards,
Stephen Whitaker
PLANNER
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Attachment F

State Development Assessment Provisions Code Response

1	State Code 6: Protection of State Transport Networks
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1. State Code 6: Protection of State Transport Networks

Table 6.2.2: All development

Performance Outcomes	Acceptable Outcomes	Response
Network impacts		
<p>PO1 Development does not result in a worsening of the safety of a state-controlled road.</p> <p>Note: To demonstrate compliance with this performance outcome, it is recommended that a Registered Professional Engineer of Queensland (RPEQ) certified road safety audit or road safety assessment (as applicable) is provided, prepared in accordance with the Guide to Traffic Impact Assessment, Department of Transport and Main Roads, 2017. Section 6 of the Guide To Traffic Impact Assessment, Department of Transport and Main Roads, 2017, provides guidance on how to determine whether a road safety audit or road safety assessment is required.</p>	No acceptable outcome is prescribed.	<p>R1 Alternative Outcome (as no Acceptable Outcome is provided) Refer to Attachment J – Traffic Impact Assessment Report.</p>
<p>PO2 Development does not result in a worsening of the infrastructure condition of a state-controlled road or road transport infrastructure.</p> <p>Note: To demonstrate compliance with this performance outcome, it is recommended that a RPEQ certified traffic impact assessment and pavement impact assessment are provided, prepared in accordance with the Guide To Traffic Impact Assessment, Department of Transport and Main Roads, 2017.</p>	No acceptable outcome is prescribed.	<p>R2 Alternative Outcome (as no Acceptable Outcome is provided) Refer to Attachment J – Traffic Impact Assessment Report.</p>
<p>PO3 Development does not result in a worsening of operating conditions on a state-controlled road or the surrounding road network.</p> <p>To demonstrate compliance with this performance outcome, it is recommended that an RPEQ certified traffic impact assessment, prepared in accordance with the Guide To Traffic Impact Assessment, Department of Transport and Main Roads, 2017, is provided.</p>	No acceptable outcome is prescribed.	<p>R3 Alternative Outcome (as no Acceptable Outcome is provided) Refer to Attachment J – Traffic Impact Assessment Report.</p>
<p>PO4 Development does not impose traffic loadings on a state-controlled road which could be accommodated on the local road network.</p>	AO4.1 The layout and design of the development directs traffic generated by the development to the local road network.	<p>R4.1 Complies The proposed development layout directs traffic generated from the development to Barnwell Road and Warril Drive, which are both local roads.</p>

Performance Outcomes	Acceptable Outcomes	Response
PO5 Upgrade works on, or associated with, a state-controlled road are built in accordance with relevant design standards.	AO5.1 Upgrade works on a state-controlled road are designed and constructed in accordance with the Road Planning and Design Manual, 2nd edition, Department of Transport and Main Roads, 2016.	R5 Not Applicable Upgrade works are not proposed.
PO6 Development involving the haulage of fill, extracted material or excavated spoil material exceeding 10,000 tonnes per year does not damage the pavement of a state-controlled road. Note: It is recommended that a transport infrastructure impact assessment and pavement impact assessment are provided, prepared in accordance with the Guide To Traffic Impact Assessment, Department of Transport and Main Roads, 2017.	AO6.1 Fill, extracted material and spoil material is not transported to or from the development site on a state-controlled road.	R6.1 Can Comply It is anticipated that earthworks to facilitate the development will be compensatory, meaning fill will not need to be imported or exported from the site. This will be confirmed at detailed design phase.
PO7 Development does not adversely impact on the safety of a railway crossing. Note: It is recommended that a traffic impact assessment be prepared to demonstrate compliance with this performance outcome. An impact on a level crossing may require an Australian Level Crossing Assessment Model (ALCAM) assessment to be undertaken. Section 2.2 – Railway crossing safety of the Guide to Development in a Transport Environment: Rail, Department of Transport and Main Roads, 2015, provides guidance on how to comply with this performance outcome.	<p>AO7.1 Development does not require a new railway crossing. OR</p> <p>AO7.2 A new railway crossing is grade separated.</p> <p>OR all of the following acceptable outcomes apply:</p> <p>AO7.3 Upgrades to a level crossing are designed and constructed in accordance with AS1742.7 – Manual of uniform traffic control devices, Part 7: Railway crossings and applicable rail manager standard drawings.</p> <p>Note: It is recommended a traffic impact assessment be prepared to demonstrate compliance with this acceptable outcome. An impact on a level crossing may require an Australian Level Crossing Assessment Model (ALCAM) assessment to be undertaken. Section 2.2 – Railway crossing safety of the Guide to Development in a Transport Environment: Rail, Department of Transport and Main Roads, 2015, provides guidance on how to comply with this acceptable outcome AND</p>	<p>R7.1 Complies The proposed development does not require a new railway crossing.</p> <p>R7.2 Not Applicable The proposed development complies with AO7.1.</p> <p>R7.3 Not Applicable The proposed development complies with AO7.1.</p>

Performance Outcomes	Acceptable Outcomes	Response
	<p>AO7.4 Access points achieve sufficient clearance from a level crossing in accordance with AS1742.7 – Manual of uniform traffic control devices, Part 7: Railway crossings by providing a minimum clearance of 5 metres from the edge running rail (outer rail) plus the length of the largest vehicle anticipated on-site.</p> <p>Note: Section 2.2 of the Guide to Development in a Transport Environment: Rail, Department of Transport and Main Roads, 2015, provides guidance on how to comply with this acceptable outcome. AND</p>	<p>R7.4 Not Applicable The proposed development complies with AO7.1.</p>
	<p>AO7.5 On-site vehicle circulation is designed to give priority to entering vehicles at all times.</p>	<p>R7.5 Not Applicable The proposed development complies with AO7.1.</p>
PO8 Development does not result in a worsening of the infrastructure condition of a railway or rail transport infrastructure.	No acceptable outcome is prescribed.	<p>R8 Alternative Outcome as no Acceptable Outcome is provided The proposed development is not located within the immediate vicinity of a railway. Primary traffic flow to and from the development will not have a direct interface with a railway.</p>
PO9 Development does not result in a worsening of operating conditions of a railway	No acceptable outcome is prescribed.	<p>R9 Alternative Outcome as no Acceptable Outcome is provided The proposed development is not located within the immediate vicinity of a railway. Primary traffic flow to and from the development will not have a direct interface with a railway.</p>
PO10 Development does not damage or interfere with public passenger transport infrastructure, public passenger services or pedestrian or cycle access to public passenger transport infrastructure and public passenger services.	<p>AO10.1 Vehicular access and associated road access works are not located within five metres of public passenger transport infrastructure. AND</p>	R10.1 Complies
	<p>AO10.2 Development does not necessitate the relocation of existing public passenger transport infrastructure. AND</p>	R10.2 Complies
	<p>AO10.3 Development does not obstruct pedestrian or cyclist access to public passenger transport infrastructure or public passenger services. AND</p>	R10.3 Complies
	<p>AO10.4 The normal operation of public passenger transport infrastructure or public passenger services is not interrupted during construction of the development.</p>	R10.4 Complies

Performance Outcomes	Acceptable Outcomes	Response
Stormwater and drainage		
PO11 Development does not result in an actionable nuisance, or worsening of, stormwater, flooding or drainage impacts in a state transport corridor.	No acceptable outcome is prescribed.	R11 Alternative Outcome (as no Acceptable Outcome is provided) The proposed development is not located within the immediate vicinity of a state transport corridor.
PO12 Run-off from the development site is not unlawfully discharged to a state transport corridor.	AO12.1 Development does not create any new points of discharge to a state transport corridor. AND	R12.1 Complies
	AO12.2 Stormwater run-off is discharged to a lawful point of discharge. Note: Section 3.4 of the Queensland Urban Drainage Manual, Department of Energy and Water Supply, 2013, provides further information on lawful points of discharge. AND	R12.2 Will Comply The lawful point of discharge will not be in the vicinity of a state transport corridor.
	AO12.3 Development does not worsen the condition of an existing lawful point of discharge to a state transport corridor.	R12.3 Complies
PO13 Run-off from the development site does not cause siltation of stormwater infrastructure affecting a state transport corridor.	AO13.1 Run-off from the development site is not discharged to stormwater infrastructure for a state transport corridor.	R13.1 Complies
Planned upgrades		
PO14 Development does not impede delivery of planned upgrades of state transport infrastructure.	AO14.1 Development is not located on land identified by the Department of Transport and Main Roads as land required for the planned upgrade of state transport infrastructure. Note: Land required for the planned upgrade of state transport infrastructure is identified in the DA mapping system. OR	R14.1 Complies The site is not identified as land required for the planned upgrade of state transport infrastructure.
	AO14.2 Development is sited and designed so that permanent buildings, structures, infrastructure, services or utilities are not located on land identified by the Department of Transport and Main Roads as land required for the planned upgrade of state transport infrastructure.	R14.2 Not Applicable The proposed development complies with AO14.1.

Performance Outcomes	Acceptable Outcomes	Response
	<p>OR all of the following acceptable outcomes apply:</p> <p>AO14.3 Structures and infrastructure located on land identified by the Department of Transport and Main Roads as land required for the planned upgrade of state transport infrastructure are able to be readily relocated or removed without materially affecting the viability or functionality of the development.</p> <p>AND</p>	<p>R14.3 Not Applicable The proposed development complies with AO14.1.</p>
	<p>AO14.4 Vehicular access for the development is consistent with the function and design of the planned upgrade of state transport infrastructure.</p> <p>AND</p>	<p>R14.4 Not Applicable The proposed development complies with AO14.1.</p>
	<p>AO14.5 Development does not involve filling and excavation of, or material changes to, land required for a planned upgrade to a state transport infrastructure.</p> <p>AND</p>	<p>R14.5 Not Applicable The proposed development complies with AO14.1.</p>
	<p>AO14.6 Land is able to be reinstated to the pre-development condition at the completion of the use.</p>	<p>R14.6 Not Applicable The proposed development complies with AO14.1.</p>

Table 6.2.3: Provision of public passenger transport infrastructure

Performance Outcomes	Acceptable Outcomes	Response
Provision of public passenger transport infrastructure		
<p>PO15 Upgraded or new public passenger transport infrastructure is provided to accommodate the demand for public passenger transport generated by the development.</p> <p>Note: To demonstrate compliance with this performance outcome, it is recommended a public transport impact assessment be prepared in accordance with appendix 1 of the State Development Assessment Provisions Supporting Information – Public Passenger Transport, Department of Transport and Main Roads, 2014.</p> <p>New or upgraded public passenger transport infrastructure provided should be in accordance with the Public Transport Infrastructure Manual, Department of Transport and Main Roads, 2015</p>	No acceptable outcome is prescribed.	<p>R15 Not Applicable</p> <p>The proposed development is not of sufficient scale to warrant the provision of public passenger transport infrastructure. The proposed road network could be utilized as part of a public passenger transport service if deemed necessary in the future.</p>
<p>PO16 Development is designed to ensure the location of public passenger transport infrastructure prioritises and enables efficient public passenger services.</p> <p>Note: Chapters 2 and 5 of the Public Transport Infrastructure Manual, Department of Transport and Main Roads, 2015 provides guidance on how to comply with this performance outcome.</p>	No acceptable outcome is prescribed.	<p>R16 Not Applicable</p> <p>The proposed development is not of sufficient scale to warrant the provision of public passenger transport infrastructure. The proposed road network could be utilized as part of a public passenger transport service if deemed necessary in the future.</p>
<p>PO17 Development enables the provision or extension of public passenger services to the development and avoids creating indirect or inefficient routes for public passenger services.</p>	No acceptable outcome is prescribed.	<p>R17 Alternative Outcome (as no Acceptable Outcome is provided)</p> <p>The proposed development provides a new local road network that would enable the provision of an efficient public passenger transport service to the local area, if required.</p>
<p>PO18 New or modified road networks are designed to enable development to be serviced by public passenger services.</p>	<p>AO18.1 Roads catering for buses are arterial or sub-arterial roads, collector or their equivalent.</p> <p>AND</p>	<p>R18.1 Complies</p> <p>The proposed development includes roads that are designed to a rural collector standard. Buses are not proposed to service the development, although could do so in the future if this was deemed necessary.</p>

Performance Outcomes	Acceptable Outcomes	Response
	<p>AO18.2 Roads intended to accommodate buses are designed and constructed in accordance with Road Planning and Design Manual (2nd edition), Volume 3: Guide to Road Design, Department of Transport and Main Roads, 2016.</p> <p>Note: Guidance on how to meet the acceptable outcome is available in the Road Planning and Design Manual (2nd edition), Volume 3: Guide to Road Design, Department of Transport and Main Roads, 2016.</p> <p>(1) Part 3:</p> <ul style="list-style-type: none"> a. 4.2 Traffic lanes b. 4.8 Bicycle lanes c. 4.9 High occupancy vehicle (HOV) lanes d. 4.12 Bus stops e. 7 Horizontal alignment f. 7.7 Super elevation g. 7.9 Curve widening <p>(2) Part 4:</p> <ul style="list-style-type: none"> a. 6.3 Bus Facilities b. 5.6 Design vehicle swept path <p>(3) Part 4A:</p> <ul style="list-style-type: none"> a. 5 Auxiliary lanes <p>(4) Part 4B: Roundabouts:</p> <ul style="list-style-type: none"> a. 4 Geometric design b. 4.6 Circulating carriageway. <p>AND</p>	<p>R18.2 Not Applicable Buses are not proposed to service the development.</p>
	<p>AO18.3 Traffic calming devices are not installed on roads used for buses.</p> <p>Note: Chapter 2 of the Public Transport Infrastructure Manual, Department of Transport and Main Roads, 2015 provides guidance on how to comply with this acceptable outcome.</p> <p>AND</p>	<p>R18.3 Not Applicable Buses are not proposed to service the development. Traffic calming devices are not proposed.</p>

Performance Outcomes	Acceptable Outcomes	Response
	<p>AO18.4 Where road humps are installed on roads used for buses, the road humps are designed in accordance with the Manual of Uniform Traffic Control Devices, Department of Transport and Main Roads, 2016.</p> <p>Note: Guidance on how to meet the acceptable outcome is available in the Manual of Uniform Traffic Control Devices, Part 13:</p> <ol style="list-style-type: none"> 1. Local Area Traffic Management, section 2.4 – Road humps 2. Supplement part 13: Local Area Traffic Management – 2.4.2-1 Hump profiles for bus routes. 	<p>R18.4 Not Applicable Buses are not proposed to service the development. Road humps are not proposed.</p>
<p>PO19 Development provides safe, direct and convenient pedestrian access to existing and future public passenger transport infrastructure.</p> <p>Note: Chapter 3 of the Public Transport Infrastructure Manual, Department of Transport and Main Roads, 2015 provides guidance on how to comply with this performance outcome. In particular, it is recommended that a pedestrian demand analysis be provided to demonstrate compliance with the performance outcome.</p>	No acceptable outcome is prescribed.	<p>R19 Not Applicable The proposed development is not of sufficient scale to warrant the provision of public passenger transport infrastructure. The proposed road network could be utilized as part of a public passenger transport service if deemed necessary in the future.</p>
<p>PO20 Onsite vehicular circulation ensures the safety of both public passenger transport services and pedestrians.</p>	<p>AO20.1 The location of onsite pedestrian crossings ensures safe sight distances for pedestrians and public passenger services. AND</p> <p>AO20.2 Onsite circulation is designed and constructed so that public passenger services can enter and leave in a forward gear at all times. AND</p> <p>AO20.3 Development does not result in public passenger services movements through car parking aisles.</p>	<p>R20 Not Applicable The proposed development is not of sufficient scale to warrant the provision of public passenger transport infrastructure. The proposed road network could be utilized as part of a public passenger transport service if deemed necessary in the future.</p>
<p>PO21 Taxi facilities are provided to accommodate the demand generated by the development.</p> <p>Note: Guidance on how to meet the performance outcome are available in chapter 7 of the Public Transport Infrastructure Manual, Department of Transport and Main Roads, 2015.</p>	No acceptable outcome is prescribed.	R21 Not Applicable
<p>PO22 Taxi facilities are located and designed to provide convenient, safe and equitable access for passengers.</p>	<p>AO22.1 A taxi facility is provided parallel to the kerb and adjacent to the main entrance. AND</p>	R22 Not Applicable

Performance Outcomes	Acceptable Outcomes	Response
	<p>AO22.2 Taxi facilities are designed in accordance with:</p> <ol style="list-style-type: none"> 1. AS2890.5–1993 Parking facilities – on-street parking and AS1428.1–2009 Design for access and mobility – general requirements for access – new building work 2. AS1742.11–1999 Parking controls – manual of uniform traffic control devices 3. AS/NZS 2890.6–2009 Parking facilities – off-street parking for people with disabilities 4. Disability standards for accessible public transport 2002 made under section 31(1) of the <i>Disability Discrimination Act 1992</i> 5. AS/NZS 1158.3.1 – Lighting for roads and public spaces, Part 3.1: Pedestrian area (category P) lighting – Performance and design requirements. 	
PO23 Educational establishments are designed to ensure the safe and efficient operation of public passenger services and pedestrian access.	AO23.1 Educational establishments are designed in accordance with the provisions of the Planning for Safe Transport Infrastructure at Schools, Department of Transport and Main Roads, 2011.	<p>R23 Not Applicable</p> <p>The proposed development does not involve an Educational Establishment.</p>

Attachment G

State Planning Policy Response

1. Planning for Liveable Communities and Housing

Requirement	Response
Housing Supply and Diversity	
(1) Land for housing development and redevelopment in areas that are accessible and well-connected to services, employment and infrastructure are identified.	Not Applicable The outcome is not applicable to the assessment of a development application.
(2) The development of residential land is facilitated to address and cater for all groups in the current and projected demographic, economic and social profile of the local government area, including households on low to moderate incomes	Complies The proposed development provides for the delivery of additional residential lots within the greater Kuranda locality, supporting greater availability and diversity in housing supply.
(3) A diverse, affordable and comprehensive range of housing options in accessible and well-serviced locations, is facilitated through: (a) appropriate, responsive and proactive zoning (b) supporting an appropriate mix of lot sizes and dwelling types, including housing for seniors and people requiring assisted living (c) considering incentives to promote affordable and social housing outcomes, particularly in areas in close proximity to services and amenities.	Complies The proposed development provides a variety of lot sizes and supports the provision of a range of housing options which complement, whilst further diversifying, the available housing options within the local area.
(4) Best practice, innovative, and adaptable housing design and siting is provided for and encouraged.	Not Applicable The proposed development involves Reconfiguring a Lot and does not involve the design or construction of housing.
(5) Sufficient land for housing is provided in appropriate locations to support the projected nonresident workforce population associated with approved largescale mining, agriculture, industry or infrastructure projects.	Not Applicable The outcome is not applicable to the assessment of a development application.
Liveable Communities	
Built and natural environment: (1) High quality urban design and place making outcomes are facilitated and promote: (a) affordable living and sustainable and complete communities (b) attractive, adaptable, accessible and inclusive built environments (c) personal safety and security (d) functional, accessible, legible and connected spaces (e) community identity through considering local features, character, needs and aspirations.	Complies The proposed development has been designed in a manner that is responsive to its local context and character. This is evident in the retention of areas of significance vegetation and other environmental features, allowing a sense of place and community to be developed. The proposed development provides a functional and legible road network.

Requirement	Response
<p>(2) Vibrant places and spaces, and diverse communities that meet lifestyle needs are facilitated by:</p> <p>(a) good neighbourhood planning and centre design</p> <p>(b) a mix of land uses that meet the diverse demographic, social, cultural, economic and lifestyle needs of the community</p> <p>(c) consolidating urban development in and around existing settlements</p> <p>(d) higher density development in accessible and well-serviced locations</p> <p>(e) efficient use of established infrastructure and services</p> <p>(f) supporting a range of formal and informal sporting, recreational and community activities.</p>	<p>Complies</p> <p>The proposed development supports the use of well located land proximate to the established centre of Kuranda for residential purposes. The proposal will maximise the efficient use of existing services and facilities in and around Kuranda. The proposed development provides for the further diversification of the type of residential development provided around Kuranda, whilst complementing the existing land uses on adjoining and nearby land.</p>
<p>(3) Development is designed to:</p> <p>(a) value and nurture local landscape character and the natural environment</p> <p>(b) maintain or enhance important cultural landscapes and areas of high scenic amenity, including important views and vistas that contribute to natural and visual amenity</p> <p>(c) maintain or enhance opportunities for public access and use of the natural environment.</p>	<p>Complies</p> <p>The proposed development has been designed to integrate into the natural environment to allow for the retention of areas of environmental significance such as waterway corridors, actual and potential Myola frog habitat and important vegetation. The proposed development, once fully complete, will provide a number of drainage reserves to allow for the retention of the natural environment. The proposed development allows greater access to these areas, with them potentially being suitable for active transport/recreational usage if deemed appropriate.</p>
<p>Infrastructure and services:</p> <p>(4) Connected pedestrian, cycling and public transport infrastructure networks are facilitated and provided.</p>	<p>Complies</p> <p>The proposed development provides a legible and functional road network that supports the movement of cars, cyclists and pedestrians and is sufficient to accommodate the future delivery of public transport, if considered appropriate. The proposed development retains a number of important environmental corridors within the site that may be suitable for future use as active transport corridors.</p>
<p>(5) Community facilities and services, including education facilities (state and non-state providers), health facilities, emergency services, arts and cultural infrastructure, and sport, recreation and cultural facilities are well-located, cost-effective and multi-functional.</p>	<p>Complies</p> <p>The proposed development is well-located to maximise the efficient use of a range of community services currently provided in the Kuranda area.</p>
<p>(6) Connection to fibre-optic telecommunications infrastructure (e.g. broadband) is supported in greenfield areas.</p>	<p>Can Comply</p>
<p>(7) All development accessed by common private title is provided with appropriate fire hydrant infrastructure and has unimpeded access for emergency service vehicles to protect people, property and the environment.</p>	<p>Not Applicable</p> <p>The proposed development does not involve the creation of common private title.</p>
Assessment Benchmarks	
<p>(1) Development ensures fire hydrants are installed and located to enable fire services to access water safely, effectively and efficiently.</p>	<p>Not Applicable</p> <p>The assessment benchmarks do not apply to the proposed development.</p>

Requirement	Response
(2) Road widths, and construction within the development, are adequate for fire emergency vehicles to gain access to a safe working area close to buildings and near water supplies whether or not on-street parking spaces are occupied.	Not Applicable The assessment benchmarks do not apply to the proposed development.
(3) Fire hydrants are suitably identified so that fire services can locate them at all hours.	Not Applicable The assessment benchmarks do not apply to the proposed development.

2. Planning for Economic Growth

Requirement	Response
Agriculture	
(1) Agriculture and agricultural development opportunities are promoted and enhanced in important agricultural areas (IAAs).	Not Applicable The site is not located in an Important Agricultural Area.
(2) Agricultural Land Classification (ALC) Class A and Class B land is protected for sustainable agricultural use by: (a) avoiding fragmentation of ALC Class A or Class B land into lot sizes inconsistent with the current or potential use of the land for agriculture (b) avoiding development that will have an irreversible impact on, or adjacent to, ALC Class A or Class B land (c) maintaining or enhancing land conditions and the biophysical resources underpinning ALC Class A or Class B land.	Not Applicable The site is not designated as Agricultural Land Classification (ALC) Class A or Class B.
(3) Fisheries resources are protected from development that compromises long-term fisheries productivity, sustainability and accessibility.	Complies The proposal will not impact on fisheries resources.
(4) Growth in agricultural production and a strong agriculture industry is facilitated by: (a) promoting hard to locate intensive agricultural land uses, such as intensive animal industries, aquaculture, and intensive horticulture in appropriate locations (b) protecting existing intensive agricultural land uses, such as intensive animal industries, aquaculture, and intensive horticulture, from encroachment by development that is incompatible and/or would compromise the safe and effective operation of the existing activity (c) locating new development (such as sensitive land uses or land uses that present biosecurity risks for agriculture) in areas that avoid or minimise potential for conflict with existing agricultural uses through the provision of adequate separation areas or other measures (d) facilitating opportunities for co-existence with development that is complementary to agricultural uses that do not reduce agricultural productivity (e.g. on-farm processing, farm gate sales, agricultural tourism etc) (e) considering the provision of infrastructure and services necessary to support a strong agriculture industry and associated agricultural supply chains (f) ensuring development on, or adjacent to, the stock route network does not compromise the network's primary use for moving stock on foot, and other uses and values including grazing, environmental, recreational, cultural heritage, and tourism values.	Not Applicable The site is not located in an Important Agricultural Area. The site is not designated as Agricultural Land Classification (ALC) Class A or Class B.

Requirement	Response
Development and Construction	
(1) A sufficient supply of suitable land for residential, retail, commercial, industrial and mixed use development is identified that considers: (a) existing and anticipated demand (b) the physical constraints of the land (c) surrounding land uses (d) the availability of, and proximity to, essential infrastructure required to service and support such development.	Not Applicable The outcome is not applicable to the assessment of a development application.
(2) Appropriate infrastructure required to support all land uses is planned for and provided.	Complies Appropriate infrastructure will be provided to service the proposed lots.
(3) Mixed use development is achieved by appropriately zoning the land.	Not Applicable The outcome is not applicable to the assessment of a development application.
(4) An appropriate mix of lot sizes and configurations for residential, retail, commercial, mixed use and industrial development is provided for in response to the diverse needs of these uses and ancillary activities.	Complies The proposed development supports the provision of a range of residential lots which facilitate a further diversification of the offering of residential land within the local area.
(5) Efficient delivery of development is facilitated by the adoption of the lowest appropriate level of assessment for development that is consistent with the purpose of the zone.	Not Applicable The outcome is not applicable to the assessment of a development application.
(6) Land uses are consistent with the purpose of the zone.	Complies The proposal is consistent with the intent for the Myola Zone, as discussed in the Town Planning Report.
(7) State development areas and Priority Development Areas are: (a) identified and appropriately considered in terms of their planning intent (b) supported by compatible and complementary land uses and services on surrounding land.	Not Applicable The site is not located in a State Development Area or a Priority Development Area.
(8) Public benefit outcomes on state-owned land are achieved by appropriately zoning the land.	Not Applicable The outcome is not applicable to the assessment of a development application.
Mining and Extractive Resources	
Extractive resources: (1) Key resource areas (KRAs) are identified, including the resource/processing area, separation area, transport route and transport route separation area.	Not Applicable The outcome is not applicable to the assessment of a development application.

Requirement	Response
<p>(2) KRAs are protected by:</p> <p>(a) maintaining the long-term availability of the extractive resource and access to the KRA</p> <p>(b) avoiding new sensitive land uses and other incompatible land uses within the resource/processing area and the related separation area of a KRA that could impede the extraction of the resource</p> <p>(c) avoiding land uses along the transport route and transport route separation area of a KRA that are likely to compromise the ongoing use of the route for the haulage of extractive materials</p> <p>(d) avoiding new development adjacent to the transport route that is likely to adversely affect the safe and efficient transportation of the extractive resource.</p>	<p>Not Applicable</p> <p>The site is not located within the vicinity of a Key Resource Area.</p>
<p>Mineral, coal, petroleum and gas resources:</p> <p>(3) The importance of areas identified as having valuable minerals, coal, petroleum and gas resources, and areas of mining and resource tenures are considered.</p>	<p>Not Applicable</p> <p>The site is not identified as having valuable minerals, coal, petroleum or gas resources and is not subject to mining or resource tenures.</p>
<p>(4) Opportunities for mutually beneficial co-existence between coal, minerals, petroleum and gas resource development operations and other land uses are facilitated.</p>	<p>Not Applicable</p>
<p>(5) The location of specified petroleum infrastructure is considered.</p>	<p>Not Applicable</p>
<p>Assessment Benchmarks</p>	
<p>(1) Development within a resource/processing area of a KRA will not impede the undertaking of an existing or future extractive industry development.</p>	<p>Not Applicable</p> <p>The assessment benchmarks do not apply to the proposed development.</p>
<p>(2) Development of sensitive land uses and other potentially incompatible land uses is avoided within the separation area for a resource/processing area of a KRA, if it could impede the extraction of the resource.</p>	<p>Not Applicable</p> <p>The assessment benchmarks do not apply to the proposed development.</p>
<p>(3) Development not associated with extractive industry in the transport route separation area of a KRA does not increase the number of people working or residing in the transport route separation area unless the development mitigates the impacts of noise, dust and vibration generated by the haulage of extractive materials along the transport route.</p>	<p>Not Applicable</p> <p>The assessment benchmarks do not apply to the proposed development.</p>
<p>(4) Development adjacent to the transport route does not adversely affect the safe and efficient use of the transport route by vehicles transporting extractive resources.</p>	<p>Not Applicable</p> <p>The assessment benchmarks do not apply to the proposed development.</p>
<p>Tourism</p>	
<p>(1) The findings of state endorsed tourism studies and plans are considered and reflected where relevant.</p>	<p>Not Applicable</p> <p>The outcome is not applicable to the assessment of a development application.</p>

Requirement	Response
(2) Existing and potential opportunities, localities or areas appropriate for tourism development are identified and protected.	<p>Complies</p> <p>The proposed development is located proximate to the township of Kuranda, which supports a high level of locally, regionally and nationally significant tourist activity. The proposed development will increase the population within the immediate catchment of the Kuranda township, providing conditions that are conducive to the development of further services and infrastructure within Kuranda which may also serve tourists and tourism activities.</p>
<p>(3) The delivery of sustainable tourism development is facilitated where it:</p> <p>(a) is complementary to and compatible with other land uses, including sensitive land uses</p> <p>(b) promotes the protection or enhancement of the character, landscape and visual amenity, and the economic, social, cultural and environmental values of the natural and built assets associated with the tourism development.</p>	<p>Not Applicable</p>
(4) Appropriate infrastructure to support and enable tourism development is planned for.	<p>Not Applicable</p>

3. Planning for The Environment and Heritage

Requirement	Response
Biodiversity	
(1) Development is located in areas to avoid significant impacts on matters of national environmental significance and considers the requirements of the <i>Environment Protection and Biodiversity Conservation Act 1999</i> .	<p>Can Comply</p> <p>The proposed development has been designed to protect areas of environmental significance including regulated vegetation, waterway corridors and actual and potential Myola frog habitat. Covenants are proposed over frog habitat areas to ensure they are protected.</p> <p>The proposed development will be referred to the Commonwealth Department of the Environment and Energy in accordance with the requirements of the <i>Environment Protection and Biodiversity Conservation Act 1999</i>, for determination of whether the development involves a controlled action and therefore requires Commonwealth approval. The approval process under the EPBC Act is separate to the development approval process to which this development application relates. The potential need for a Commonwealth approval to be obtained, or at the least advice in relation to a controlled action, does not prevent the issuing of a development approval pursuant to the <i>Planning Act 2016</i>.</p>
(2) Matters of state environmental significance are identified and development is located in areas that avoid adverse impacts; where adverse impacts cannot be reasonably avoided, they are minimised.	<p>Complies</p> <p>The proposed development has been designed to protect areas of environmental significance including regulated vegetation, waterway corridors and actual and potential frog habitat. Covenants are proposed over frog habitat areas to ensure they are protected.</p>
(3) Matters of local environmental significance are identified and development is located in areas that avoid adverse impacts; where adverse impacts cannot be reasonably avoided, they are minimised.	<p>Complies</p> <p>The proposed development has been designed to protect areas of environmental significance including regulated vegetation, waterway corridors and actual and potential frog habitat. Covenants are proposed over frog habitat areas to ensure they are protected.</p>
(4) Ecological processes and connectivity is maintained or enhanced by avoiding fragmentation of matters of environmental significance.	<p>Complies</p> <p>Key environmental corridors, such as along waterways, have been protected to ensure environmental connectivity is retained and ecological processes can continue. The proposed development involves the provision of large residential lots in a non-urban setting, which is conducive to the retention of further vegetation and the provision of extensive landscaping that may further enhance environmental connectivity in the area.</p>
(5) Viable koala populations in South East Queensland are protected by conserving and enhancing koala habitat extent and condition.	<p>Not Applicable</p> <p>The proposed development is not located in South East Queensland.</p>

Requirement	Response
Coastal Environment	
Protection of the coastal environment:	Not Applicable
(1) Coastal processes and coastal resources statewide, including in the Great Barrier Reef catchment, are protected by: (a) concentrating future development in existing urban areas through infill and redevelopment (b) conserving the natural state of landforms, wetlands and native vegetation in the coastal management district (c) maintaining or enhancing the scenic amenity and aesthetic values of important natural coastal landscapes, views and vistas	The proposed development is not located in the coastal environment.
(2) Development of canals, dry land marinas, artificial waterways or marine infrastructure avoids adverse impacts on coastal resources and processes.	Not Applicable The proposed development is not located in the coastal environment.
(3) Reclamation of land under tidal water is avoided other than for the purpose of: (a) coastal-dependent development, public marine development or community infrastructure, where there is no reasonable alternative; or (b) strategic ports, priority ports, boat harbours or strategic airports and aviation facilities in accordance with a statutory land use plan, or statutory master plan; or (c) coastal protection works or work necessary to protect coastal resources or coastal processes.	Not Applicable The proposed development is not located in the coastal environment.
Development in the coastal environment:	Not Applicable
(4) Coastal-dependent development in areas adjoining tidal water is facilitated in preference to other types of development.	The proposed development is not located in the coastal environment.
(5) Opportunities for public use of and access to, and along, state coastal land is maintained or enhanced in a way that protects or enhances public safety and coastal resources.	Not Applicable The proposed development is not located in the coastal environment.
Cultural Heritage	
Aboriginal and Torres Strait Islander cultural heritage:	Can Comply
(1) Matters of Aboriginal cultural heritage and Torres Strait Islander cultural heritage are appropriately conserved and considered to support the requirements of the <i>Aboriginal Cultural Heritage Act 2003</i> and the <i>Torres Strait Islander Cultural Heritage Act 2003</i> .	The proposed development will be constructed in accordance with the obligations of the applicant under the <i>Aboriginal Cultural Heritage Act 2003</i> and the <i>Torres Strait Islander Cultural Heritage Act 2003</i> .
World and national cultural heritage:	Complies
(2) Adverse impacts on the cultural heritage significance of world heritage properties and national heritage places prescribed under the <i>Environment Protection and Biodiversity Conservation Act 1999</i> are avoided.	The proposed development is located wholly outside the Wet Tropics World Heritage Area.
State cultural heritage:	Complies
(3) Adverse impacts on the cultural heritage significance of state heritage places are avoided.	The site is not located within the vicinity of a Queensland Heritage Place.

Requirement	Response
Local cultural heritage:	Not Applicable
(4) Local heritage places and local heritage areas important to the history of the local government area are identified, including a statement of the local cultural heritage significance of the place or area.	The outcome is not applicable to the assessment of a development application.
(5) Development of local heritage places or local heritage areas does not compromise the cultural heritage significance of the place or area by: (a) avoiding adverse impacts on the cultural heritage significance of the place or area; or (b) minimising and mitigating unavoidable adverse impacts on the cultural heritage significance of the place or area.	Not Applicable The proposed development does not relate to Local Heritage Place and is not located within the vicinity of a Local Heritage Place.
(6) The conservation and adaptive reuse of local heritage places and local heritage areas are facilitated so that the cultural heritage significance is retained.	Not Applicable The proposed development does not relate to Local Heritage Place and is not located within the vicinity of a Local Heritage Place.
Water Quality	
(1) Development facilitates the protection or enhancement of environmental values and the achievement of water quality objectives for Queensland waters.	Can Comply
(2) Land zoned for urban purposes is located in areas that avoid or minimise the disturbance to: (a) high risk soils (b) high ecological value aquatic ecosystems (c) groundwater dependent ecosystems (d) natural drainage lines and landform features.	Not Applicable The outcome is not applicable to the assessment of a development application.
(3) Development is located, designed, constructed and operated to avoid or minimise adverse impacts on environmental values of receiving waters arising from: (a) altered stormwater quality and hydrology (b) waste water (other than contaminated stormwater and sewage) (c) the creation or expansion of non-tidal artificial waterways (d) the release and mobilisation of nutrients and sediments.	Can Comply
(4) At the construction phase, development achieves the applicable stormwater management design objectives in table A (appendix 2).	Can Comply Appropriate controls will be put in place at the construction phase of the project.
(5) At the post-construction phase, development: (a) achieves the applicable stormwater management design objectives on-site, as identified in table B (appendix 2); or (b) achieves an alternative locally appropriate solution off-site that achieves an equivalent or improved water quality outcome to the relevant stormwater management design objectives in table B (appendix 2).	Can Comply Appropriate controls will be put in place at the construction phase of the project.

Requirement	Response
(6) Development in water resource catchments and water supply buffer areas avoids potential adverse impacts on surface waters and groundwaters to protect drinking water supply environmental values.	Complies The proposed development has been designed to avoid the creation of new lots within established waterways and drainage lines. Appropriate management controls will be put in place during construction activities to prevent sediment run off.
Assessment Benchmarks	
(1) Development is located, designed, constructed and operated to avoid or minimise adverse impacts on environmental values arising from: (a) altered stormwater quality and hydrology (b) waste water (c) the creation or expansion of non-tidal artificial waterways (d) the release and mobilization of nutrients and sediments.	Not Applicable The assessment benchmarks do not apply to the proposed development.
(2) Development achieves the applicable stormwater management design objectives outlined in tables A and B (appendix 2)	Not Applicable The assessment benchmarks do not apply to the proposed development.
(3) Development in a water supply buffer area avoids adverse impacts on drinking water supply environmental values.	Not Applicable The assessment benchmarks do not apply to the proposed development.

4. Planning for Safety and Resilience to Hazards

Requirement	Response
Emissions and Hazardous Activities	
Protection from emissions and hazardous activities:	Not Applicable
(1) Industrial development, major gas, waste and sewerage infrastructure, and sport and recreation activities are located, designed and managed to avoid or mitigate adverse impacts of emissions on sensitive land uses and the natural environment.	The proposed development does not involve industrial development, major gas, waste and sewerage infrastructure, or sport and recreation activities.
(2) Activities involving the use, storage and disposal of hazardous materials and prescribed hazardous chemicals, dangerous goods, and flammable or combustible substances are located and managed to minimise the health and safety risks to communities and individuals.	Not Applicable The proposed development does not involve the use, storage and disposal of hazardous materials and prescribed hazardous chemicals, dangerous goods, and flammable or combustible substances.
(3) Prescribed hazardous chemicals, stored in a flood hazard area (where exceeding the hazardous chemicals flood hazard threshold), are located to minimise the risk of inundation and dispersion.	Not Applicable The proposed development does not involve the storage of prescribed hazardous chemicals.
(4) Sensitive land uses are protected from the impacts of previous activities that may cause risk to people or property including: (a) former mining activities and related hazards (e.g. disused underground mines, tunnels and shafts) (b) former landfill and refuse sites (c) contaminated land.	Complies The site is not identified as a former mining site, a former landfill site or a former refuse site and is not identified as contaminated land.
Protection of industrial development, major infrastructure, and sport and recreation facilities from encroachment:	Complies
(5) Protect the following existing and approved land uses or areas from encroachment by development that would compromise the ability of the land use to function safely and effectively: (a) Medium-impact, high-impact and special industries. (b) Extractive industries. (c) Hazardous chemical facilities. (d) Explosives facilities and explosives reserves. (e) High pressure gas pipelines. (f) Waste management facilities. (g) Sewage treatment plants. (h) Industrial land in a state development area, or an enterprise opportunity area or employment opportunity area identified in a regional plan. (i) Major sport, recreation and entertainment facilities. (j) Shooting facilities. (k) Motor sport facilities.	The proposed development is appropriately separated from types of uses described in outcome 5.

Requirement	Response
<p>Mitigation of adverse impacts from emissions and hazardous activities:</p> <p>(6) Development that is incompatible with the existing and approved land uses or areas included in policy 5 above, is located to avoid adverse impacts of environmental emissions, or health and safety risks, and where the impacts cannot be practicably avoided, development is designed to minimise the impacts.</p>	<p>Complies</p> <p>The proposed development is appropriately separated from types of uses described in outcome 5.</p>
<p>Acid sulfate soil affected areas:</p> <p>(7) Protect the natural and built environment, and human health from potential adverse impacts of acid sulfate soils by:</p> <p>(a) identifying areas with high probability of containing acid sulfate soils</p> <p>(b) providing preference to land uses that will avoid, or where avoidance is not practicable, minimise the disturbance of acid sulfate soils</p> <p>(c) including requirements for managing the disturbance of acid sulfate soils to avoid or minimise the mobilization and release of acid, iron or other contaminants.</p>	<p>Not Applicable</p> <p>The site is not located in an Acid Sulfate Soil affected area.</p>
Natural Hazards, Risk and Resilience	
<p>(1) Natural hazard areas are identified, including:</p> <p>(a) bushfire prone areas</p> <p>(b) flood hazard areas</p> <p>(c) landslide hazard areas</p> <p>(d) storm tide inundation areas</p> <p>(e) erosion prone areas.</p>	<p>Not Applicable</p> <p>The outcome is not applicable to the assessment of a development application.</p>
<p>(2) A fit-for-purpose risk assessment is undertaken to identify and achieve an acceptable or tolerable level of risk for personal safety and property in natural hazard areas.</p>	<p>Not Applicable</p> <p>The proposed development locates all residential lots outside the natural hazards shown in the SPP mapping.</p>
<p>Bushfire, flood, landslide, storm tide inundation, and erosion prone areas:</p> <p>(3) Land in an erosion prone area is not to be used for urban purposes, unless the land is located in:</p> <p>(a) an urban area in a planning scheme; or</p> <p>(b) an urban footprint identified in a regional plan.</p>	<p>Not Applicable</p> <p>The site is not located in an Erosion Prone Area.</p>
<p>(4) Development in bushfire, flood, landslide, storm tide inundation or erosion prone natural hazard areas:</p> <p>(a) avoids the natural hazard area; or</p> <p>(b) where it is not possible to avoid the natural hazard area, development mitigates the risks to people and property to an acceptable or tolerable level.</p>	<p>Complies</p> <p>The proposed development locates all residential lots outside the natural hazards shown in the SPP mapping. Whilst it is acknowledged that the site is identified as posing a bushfire risk by the planning scheme mapping, it is considered that the new scientific evidence upon which the SPP mapping has been based should be used to inform land use planning decisions. The mapping in the planning scheme is outdated, owing to the fact that it is a superseded planning scheme, and has been cleared based on a broad</p>

Requirement	Response
	scale study, which has since been superseded by more detailed reviews and investigations. It is noted that the SPP mapping is reflected in the current planning scheme.
<p>(5) Development in natural hazard areas:</p> <p>(a) supports, and does not hinder disaster management capacity and capabilities</p> <p>(b) directly, indirectly and cumulatively avoids an increase in the exposure or severity of the natural hazard and the potential for damage on the site or to other properties</p> <p>(c) avoids risks to public safety and the environment from the location of the storage of hazardous materials and the release of these materials as a result of a natural hazard</p> <p>(d) maintains or enhances the protective function of landforms and vegetation that can mitigate risks associated with the natural hazard.</p>	<p>Complies</p> <p>The proposed development locates all residential lots outside the natural hazards shown in the SPP mapping. Whilst it is acknowledged that the site is identified as posing a bushfire risk by the planning scheme mapping, it is considered that the new scientific evidence upon which the SPP mapping has been based should be used to inform land use planning decisions. The mapping in the planning scheme is outdated, owing to the fact that it is a superseded planning scheme, and has been cleared based on a broad scale study, which has since been superseded by more detailed reviews and investigations. It is noted that the SPP mapping is reflected in the current planning scheme.</p>
<p>(6) Community infrastructure is located and designed to maintain the required level of functionality during and immediately after a natural hazard event.</p>	<p>Not Applicable</p> <p>The proposed development does not involve community infrastructure.</p>
<p>(7) Coastal protection work in an erosion prone area is undertaken only as a last resort where coastal erosion or inundation presents an imminent threat to public safety or existing buildings and structures, and all of the following apply:</p> <p>(a) The building or structure cannot reasonably be relocated or abandoned.</p> <p>(b) Any erosion control structure is located as far landward as practicable and on the lot containing the property to the maximum extent reasonable.</p> <p>(c) Any increase in coastal hazard risk for adjacent areas from the coastal protection work is mitigated.</p>	<p>Not Applicable</p> <p>The site not located in an Erosion Prone Area.</p>
<p>Erosion prone areas within a coastal management district:</p> <p>(8) Development does not occur unless the development cannot feasibly be located elsewhere and is:</p> <p>(a) coastal-dependent development; or</p> <p>(b) temporary, readily relocatable or able to be abandoned development; or</p> <p>(c) essential community infrastructure; or</p> <p>(d) minor redevelopment⁶ of an existing permanent building or structure that cannot be relocated or abandoned.</p>	<p>Not Applicable</p> <p>The site not located in an Erosion Prone Area of a Coastal Management District.</p>
<p>(9) Development permitted in policy 8 above, mitigates the risks to people and property to an acceptable or tolerable level.</p>	<p>Not Applicable</p> <p>The site not located in an Erosion Prone Area of a Coastal Management District.</p>

Requirement	Response
Assessment Benchmarks	
Erosion prone areas within a coastal management district: (1) Development does not occur in an erosion prone area within a coastal management district unless the development cannot feasibly be located elsewhere and is: (a) coastal-dependent development; or (b) temporary, readily relocatable or able to be abandoned development; or (c) essential community infrastructure; or (d) minor redevelopment of an existing permanent building or structure that cannot be relocated or abandoned.	Not Applicable The site not located in an Erosion Prone Area of a Coastal Management District.
(2) Development permitted in (1) above, mitigates the risks to people and property to an acceptable or tolerable level.	Not Applicable The site not located in an Erosion Prone Area of a Coastal Management District.
Bushfire, flood, landslide, storm tide inundation, and erosion prone areas outside the coastal management district: (3) Development other than that assessed against (1) above, avoids natural hazard areas, or where it is not possible to avoid the natural hazard area, development mitigates the risks to people and property to an acceptable or tolerable level.	Complies The proposed development locates all residential lots outside the natural hazards shown in the SPP mapping. Whilst it is acknowledged that the site is identified as posing a bushfire risk by the planning scheme mapping, it is considered that the new scientific evidence upon which the SPP mapping has been based should be used to inform land use planning decisions. The mapping in the planning scheme is outdated, owing to the fact that it is a superseded planning scheme, and has been cleared based on a broad scale study, which has since been superseded by more detailed reviews and investigations. It is noted that the SPP mapping is reflected in the current planning scheme.
All natural hazard areas: (4) Development supports and does not hinder disaster management response or recovery capacity and capabilities.	Complies The proposed development supports improved access to areas of potential Bushfire Hazard in the surrounding area through the provision of a new road network.
(5) Development directly, indirectly and cumulatively avoids an increase in the severity of the natural hazard and the potential for damage on the site or to other properties.	Complies The proposed development is located outside the natural hazard areas identified by the SPP mapping.
(6) Risks to public safety and the environment from the location of hazardous materials and the release of these materials as a result of a natural hazard are avoided.	Not Applicable The proposed development does not involve hazardous materials.
(7) The natural processes and the protective function of landforms and the vegetation that can mitigate risks associated with the natural hazard are maintained or enhanced.	Complies

5. Planning for Infrastructure

Requirement	Response
Energy and Water Supply	
(1) Existing and approved future major electricity infrastructure locations and corridors (including easements and electricity substations), and bulk water supply infrastructure locations and corridors (including easements) are protected from development that would compromise the corridor integrity, and the efficient delivery and functioning of the infrastructure.	Complies The proposed development does not compromise the corridor integrity, or the efficient delivery and functioning of any existing or future energy or water supply infrastructure.
(2) Major electricity infrastructure and bulk water supply infrastructure such as pump stations, water quality facilities and electricity substations, are protected from encroachment by sensitive land uses where practicable.	Complies The proposed development is not located within the vicinity of major electricity infrastructure or bulk water supply infrastructure
(3) Development of major electricity infrastructure and bulk water supply infrastructure avoids or otherwise minimises adverse impacts on surrounding land uses and the natural environment.	Not Applicable The proposed development does not relate to major electricity infrastructure or bulk water supply infrastructure.
(4) The development and supply of renewable energy at the regional, local and individual scale is enabled in appropriate locations.	Not Applicable The outcome is not applicable to the assessment of a development application.
Infrastructure Integration	
(1) The outcomes of significant infrastructure plans and initiatives by all levels of government are considered and reflected, where relevant.	Not Applicable The outcome is not applicable to the assessment of a development application.
(2) Development achieves a high level of integration with infrastructure planning to: (a) promote the most efficient, effective and flexible use of existing and planned infrastructure (b) realise multiple economic, social and environmental benefits from infrastructure investment (c) ensure consideration of future infrastructure needed to support infill and greenfield growth areas (d) optimise the location of future infrastructure within communities to provide greater access to facilities and services and enable productivity improvements.	Complies The proposed development is appropriately located and designed to maximise the use of existing infrastructure and provide efficiencies in the delivery of new infrastructure.
(3) Development occurs: (a) in areas currently serviced by state and/or local infrastructure and associated services; or (b) in a logical and orderly location, form and sequence to enable the cost effective delivery of state and local infrastructure to service development.	Complies The proposed development forms a logical extension of the existing greater Kuranda area, with adjoining and nearby land used for residential purposes of a variety of types, sizes and densities. Appropriate infrastructure connections, commensurate with the nature and scale of the development, are proposed to be provided.
(4) Existing and planned infrastructure is protected from development that would compromise the ability of infrastructure and associated services to operate safely and efficiently.	Can Comply

Requirement	Response
Transport Infrastructure	
All transport infrastructure:	Complies
(1) Transport infrastructure and existing and future transport corridors are reflected and supported through compatible land uses.	Refer to Attachment J – Traffic Impact Assessment Report .
(2) Development is located in areas currently serviced by transport infrastructure, and where this cannot be achieved, development is facilitated in a logical and orderly location, form and sequence to enable cost-effective delivery of new transport infrastructure to service development.	Complies The proposed development, through the provision of new local roads, provides a logical extension of the road network, stemming from Barnwell Road and Myola Road.
(3) Development achieves a high level of integration with transport infrastructure and supports public passenger transport and active transport as attractive alternatives to private transport.	Complies The proposed development is located proximate to the Kuranda township. It increases the population located to the west of the town in order to provide conditions that are conducive to the operation of public passenger transport services. The local road network is designed in a manner that allows direct and efficient connectivity to all lots and is also supportive of active transport. Key waterway corridors have been retained as drainage reserves within the proposed lot layout and may be suitable for future use as active transport corridors.
(4) Development is located and designed to mitigate adverse impacts on development from environmental emissions generated by transport infrastructure.	Complies The proposed development is located proximate to the Kuranda township to reduce resident travel for key services.
(5) A road hierarchy is identified that reflects the role of each category of road and effectively manages all types of traffic.	Complies The proposed development establishes an appropriate network of local roads to service the proposed new lots and provide access to the major road network.
State transport infrastructure:	Not Applicable
(6) Development in areas surrounding state transport infrastructure, and existing and future state transport corridors, is compatible with, or support the most efficient use of, the infrastructure and transport network.	The site is not located within the vicinity of state transport infrastructure or existing and future state transport corridors
(7) The safety and efficiency of existing and future state transport infrastructure, corridors, and networks is not adversely affected by development.	Complies Refer to Attachment J – Traffic Impact Assessment Report .
Strategic Airports and Aviation Facilities	
(1) Strategic airports and aviation facilities are identified, including the associated Australian Noise Exposure Forecast (ANEF) contours, obstacle limitation surfaces or height restriction zones, public safety areas, lighting area buffers, light restriction zones, wildlife hazard buffer zones, and building restricted areas.	Not Applicable The outcome is not applicable to the assessment of a development application.

Requirement	Response
<p>(2) The safety, efficiency and operational integrity of strategic airports are protected.</p> <p>Development and associated activities:</p> <p>(a) do not create incompatible intrusions, or compromise aircraft safety, in operational airspace</p> <p>(b) avoid increasing risk to public safety in a public safety area</p> <p>(c) are compatible with forecast levels of aircraft noise within the 20 ANEF contour or greater [as defined by Australian Standard 2021–2015: Acoustics—Aircraft noise intrusion—Building siting and construction (AS 2021), adopted 12 February 2015] and mitigate adverse impacts of aircraft noise.</p>	<p>Complies</p> <p>The proposed development is limited to Reconfiguring a Lot. The proposed lots are suitable for the development of low scale houses.</p>
<p>(3) Development complements the role of a strategic airport as an economic, freight and logistics hub, and enhances the economic opportunities that are available in proximity to a strategic airport.</p>	<p>Complies</p> <p>The proposal does not prevent the ongoing development of strategic airports.</p>
<p>(4) Aviation facilities are protected by avoiding development and associated activities within building restricted areas that may affect the functioning of the aviation facilities.</p>	<p>Complies</p> <p>The proposed development is limited to Reconfiguring a Lot. The proposed lots are suitable for the development of low scale houses.</p>
<p>(5) Key transport corridors (passenger and freight) linking strategic airports to the broader transport network are identified and protected.</p>	<p>Not Applicable</p> <p>The outcome is not applicable to the assessment of a development application.</p>
Assessment Benchmarks	
<p>(1) Development and associated activities do not create a permanent or temporary physical or transient intrusion into a strategic airport's operational airspace, unless the intrusion is approved in accordance with the relevant federal legislation.</p>	<p>Not Applicable</p> <p>The assessment benchmarks do not apply to the proposed development.</p>
<p>(2) Development and associated activities do not include light sources or reflective surfaces that could distract or confuse pilots within a light restriction zone or lighting area buffer.</p>	<p>Not Applicable</p> <p>The assessment benchmarks do not apply to the proposed development.</p>
<p>(3) Emissions do not significantly increase air turbulence, reduce visibility or compromise the operation of aircraft engines in a strategic airport's operational airspace.</p>	<p>Not Applicable</p> <p>The assessment benchmarks do not apply to the proposed development.</p>
<p>(4) Development and associated activities do not attract wildlife or increase wildlife hazards within a wildlife hazard buffer zone.</p>	<p>Not Applicable</p> <p>The assessment benchmarks do not apply to the proposed development.</p>
<p>(5) Development and associated activities within a building restricted area do not interfere with the function of aviation facilities.</p>	<p>Not Applicable</p> <p>The assessment benchmarks do not apply to the proposed development.</p>
<p>(6) Development does not increase the risk to public safety within a public safety area.</p>	<p>Not Applicable</p> <p>The assessment benchmarks do not apply to the proposed development.</p>
<p>(7) Development within the 20 ANEF contour or greater is appropriately located and designed to prevent adverse impacts from aircraft noise.</p>	<p>Not Applicable</p> <p>The assessment benchmarks do not apply to the proposed development.</p>

Requirement	Response
Strategic Ports	
All strategic ports:	Not Applicable
(1) Strategic ports, and associated strategic port land and core port land, are identified.	The outcome is not applicable to the assessment of a development application.
(2) Development complements the role of a strategic port as an economic, freight and logistics hub, and enhances the economic opportunities that are available in proximity to a strategic port.	Not Applicable The site is not located within the vicinity of a strategic port.
(3) Strategic ports are protected from development that may adversely affect the safety, viability or efficiency of existing and future port operations.	Not Applicable The site is not located within the vicinity of a strategic port.
(4) Development is located and designed to mitigate adverse impacts on the development from environmental emissions generated by port operations.	Not Applicable The site is not located within the vicinity of a strategic port.
(5) Key transport corridors (including freight corridors) linking strategic ports to the broader transport network are identified and protected.	Not Applicable The site is not located within the vicinity of a strategic port.
(6) Statutory land use plans for strategic ports and the findings of planning and environmental investigations undertaken in relation to strategic ports are considered.	Not Applicable The site is not located within the vicinity of a strategic port.
Priority ports:	Not Applicable
(7) For priority ports, development is also consistent with the requirements of priority port master plans and priority port overlays as these are approved under the <i>Sustainable Ports Development Act 2015</i> .	The site is not located within the vicinity of a strategic port.

Attachment H

Far North Queensland Regional Plan Factsheet



State Planning Regulatory Provisions for regional plans

On 26 October 2012 the *Far North Queensland Regional Plan 2009-2031 State Planning Regulatory Provisions* were repealed.

The State Planning Regulatory Provisions (SPRP) for the Mackay Isaac Whitsunday and Wide Bay Burnett regional plans ceased to have effect from 11 July 2012 and 16 May 2012, respectively.

The SPRP for the *South East Queensland Regional Plan 2009-2031* remains in force pending the upcoming review of that plan.

Objective

The removal of the SPRP will return decision-making power to local governments so they may determine if a development proposal is an appropriate outcome for their area.

Development assessment

The effects of removal of the SPRP are:

- (1) Applications for material change of use (MCU) and reconfiguring a lot (RoL) will no longer require referral to the Department of State Development, Infrastructure and Planning (DSDIP).

Where referral advice was requested prior to the repeal of the SPRP, DSDIP will advise it has no requirements.

If a concurrence agency response has been issued but the application not yet decided, upon request DSDIP will issue new advice indicating it has no requirements, pursuant to section 290 of the *Sustainable Planning Act 2009* (SPA).

- (2) Any MCU or RoL application must be decided in the context of applicable provisions of the relevant regional plan and planning scheme, and other relevant instruments as required under SPA.

Land use categories

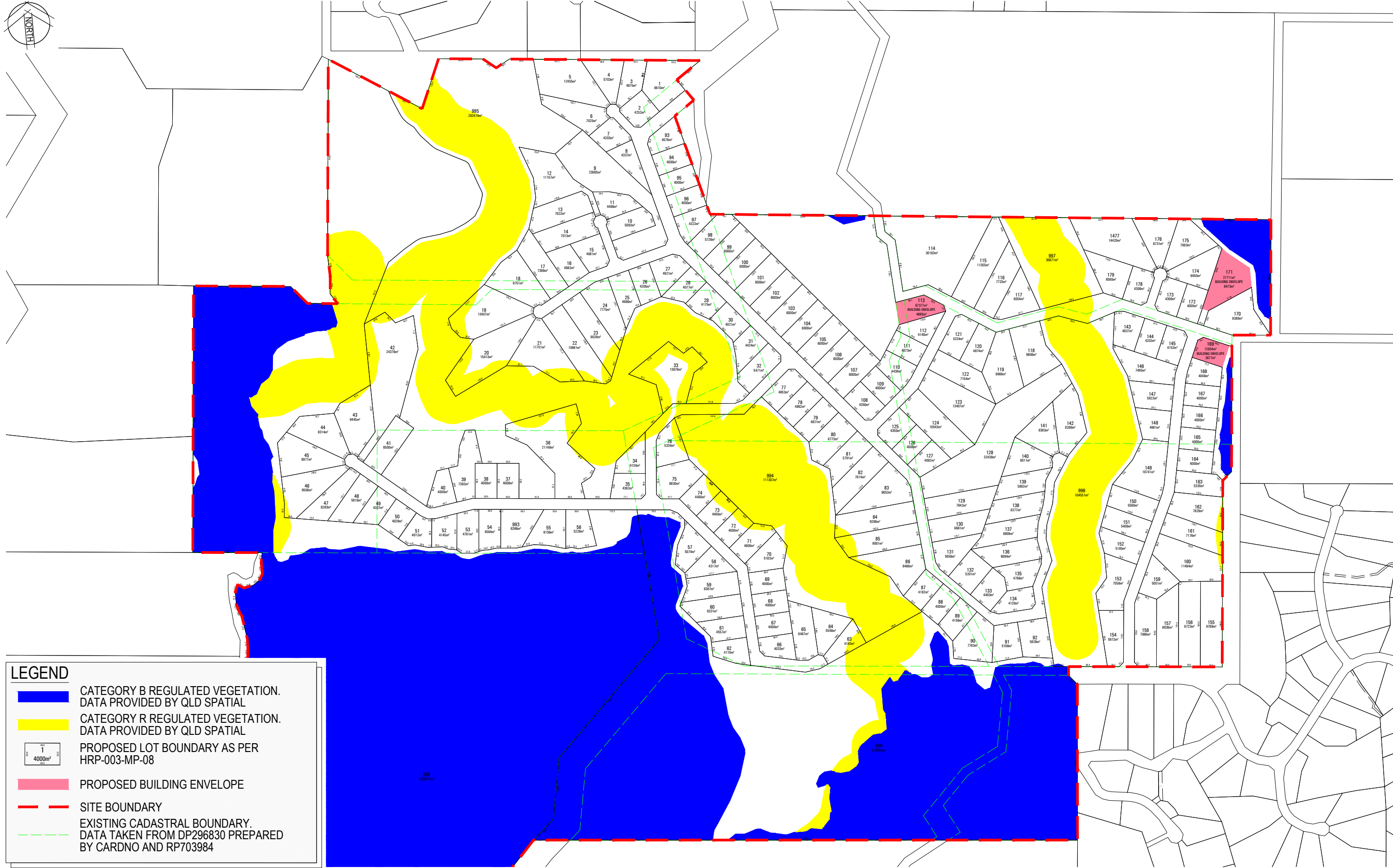
In the absence of the SPRP, the Urban Footprint, Rural Living Area and Regional Landscape and Rural Production Area are as defined in the regional plan mapping. Local governments are responsible for the interpretation of the boundary of these areas when preparing or amending their planning schemes or assessing development proposals.

Plan making

The removal of the SPRP does not change the policy of the regional plans which must be appropriately integrated into planning schemes.

Attachment I

Regulated Vegetation Plan



CATEGORY B REGULATED VEGETATION.
DATA PROVIDED BY QLD SPATIAL

CATEGORY R REGULATED VEGETATION.
DATA PROVIDED BY QLD SPATIAL

1

4000m

PROPOSED LOT BOUNDARY AS PER
HRP-003-MP-08

PROPOSED BUILDING ENVELOPE

SITE BOUNDARY

EXISTING CADASTRAL BOUNDARY.
DATA TAKEN FROM DP296830 PREPARED
BY CARDNO AND RP703984

LEGEND

XREF's: Q174088 Lot Cales 2017_10_03; HRP16299-003-XR.Ldr; 5m SLOPE ANALYSIS: 5m DEPTH RANGE
CAD File: H:2017\HRP16299 - KUR World Rural Residential Subdivision002 - Town Planning\Drafting\Acad\HRP16299-003-MP-20.dwg

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This plan is conceptual and for discussion purposes only. All areas, dimensions and land uses are preliminary, subject to investigation, survey, engineering, and Local Authority and Agency approvals.

REGULATED VEGETATION PLAN
LOTS 17, 18 & 22 ON N157227,
LOT 19 ON N157452, LOT 20 ON N157423
& LOTS 1 & 2 ON RP703984

Date	5/02/2018	Scale	AS SHOWN	Size	A1
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Our Ref HRP16299/003
Contact Dominic Hammersley

16 February 2018

The Chief Executive Officer
Mareeba Shire Council
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Attention: Development Assessment

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Dear Sir/Madam,

SUPERSEDED PLANNING SCHEME APPLICATION SEEKING A DEVELOPMENT PERMIT FOR RECONFIGURING A LOT (10 INTO 191 LOTS) OVER LAND AT 112 BARNWELL ROAD, KURANDA MORE PROPERLY DESCRIBED AS LOTS 17, 18, 19 AND 22 ON SP296830, LOT 95 ON N157452, LOT 20 ON N157423, LOT 131 ON N157491, LOT 129 ON NR456, LOT 290 ON N157480 AND LOT 43 ON N157359

We act for Reeve and Ocean Pty Ltd ('the Applicant').

On behalf of the Applicant, please accept this correspondence and the accompanying attachments as a properly made superseded planning scheme application pursuant to Sections 29, 50 and 51 of the *Planning Act 2016* ('the PA') seeking a Development Permit for Reconfiguring a Lot (10 into 191 Lots).

Please find **enclosed** the following documentation associated with this development application:

- (a) Attachment A: Application Form
- (b) Attachment B: Proposal Plans
- (c) Attachment C: Statement of Code Compliance prepared by Cardno;
- (d) Attachment D: Site Searches;
- (e) Attachment E: Superseded Planning Scheme Request Decision;
- (f) Attachment F: State Development Assessment Provisions Code Response prepared by Cardno;
- (g) Attachment G: State Planning Policy Response prepared by Cardno;
- (h) Attachment H: Far North Queensland Regional Plan Factsheet;
- (i) Attachment I: Regulated Vegetation Plan; and
- (j) Attachment J: Traffic Impact Assessment Report.

The following sections of this letter discuss the relevant details of the development application, including the site, the proposed development and the applicable statutory town planning framework, and provide an assessment of the proposal against this framework.

We understand that the relevant application fee in this instance is \$11,830.00, being the fee for a Reconfiguring a Lot involving more than 50 lots, calculated in accordance with Mareeba Shire Council's Fees and Charges Register 2017-2018. The application fee has been paid electronically by the Applicant prior to lodgement.

1. THE SITE

The development application relates to land at 112 Barnwell Road, Kuranda ('the site'). The site is more properly described as Lots 17, 18, 19 and 22 on SP296830, Lot 95 on N157452, Lot 20 on N157423, Lot 131 on N157491, Lot 129 on NR456, Lot 290 on N157480 and Lot 43 on N157359.

The proposed development, described in Section 2 of this letter, relates only to Lots 17, 18, 19 and 22 on SP296830 and Lot 20 on N157423, forming a five lot into 186 lot subdivision. The remaining land parcels, which form the southern area of the broader land holding to which the application relates, will be retained in their current form without alteration. These lots have been included for completeness, to ensure consistency with the decision of Mareeba Shire Council to assess this development application under a superseded planning scheme, as documented in the notice dated 20 July 2017 provided as **Attachment E** to this correspondence (refer to further discussion in Section 3.1.5 and 3.6 of this report).

The town planning assessment documented in this report relates only to the five lot into 186 lot subdivision of the northern part of the site. The town planning framework applicable to the southern part of the site has not been considered, as reconfiguration of these lots is not proposed.

The site includes a land area of 648.3046 hectares, of which 354.3514 hectares is located within the five lots proposed to be reconfigured. The site is currently used for a range of rural uses including animal keeping, animal husbandry and cropping and is improved with a dwelling house and various associated outbuildings.

Reever and Ocean Pty Ltd is the registered owner of all lots forming the site. The site does not benefit from, and is not burdened by, any easements. The site is not located on the Environmental Management Register ('the EMR') or the Contaminated Land Register ('the CLR').

For further detail refer to **Attachment D - Site Searches**.

2. PROPOSED DEVELOPMENT

2.1. Nature and Scale of Proposal

The proposed development involves the subdivision of the site into 191 lots, comprising:

- 179 lots intended for non-urban residential purposes;
- five (5) drainage reserves;
- two (2) balance lots; and
- five (5) lots retained in the south of the site.

The minimum lot size within the development is 4,000m².

For further detail refer to **Attachment B – Proposal Plans**.

2.2. Staging, Delivery and Timing

The proposed development will be delivered in eight (8) stages. The delivery of residential lots across these stages is documented in Table 1. The timing and sequencing of the stages is yet to be determined.

Table 1: Proposed Stages (Residential Lots)

Stage	Residential Lots	Stage	Residential Lots
Stage A	31 Lots	Stage E	23 Lots
Stage B	19 Lots	Stage F	22 Lots
Stage C	16 Lots	Stage G	21 Lots
Stage D	31 Lots	Stage H	16 Lots
		Total	179 Lots

For further detail refer to **Attachment B – Proposal Plans**.

2.3. Infrastructure and Services

Access to the development will be provided from Barnwell Road and Warril Drive, with new local roads provided throughout the site to provide access to individual lots.

Infrastructure services will be provided to all lots as follows:

- **Water:** Connections to the existing reticulated water network are proposed to be provided. It is anticipated that site water connections will be from the existing Kuranda Water Storage Reservoir.
- **Sewer:** On-site sewerage treatment arrangements are proposed for each proposed lot. Sufficient land area is provided within each lot to accommodate on-site treatment.
- **Electricity:** A connection to the electricity transmission network will be provided to each lot.
- **Telecommunications:** A telecommunications connection will be provided to each proposed lot in accordance with relevant service provider standards.
- **Stormwater:** Appropriate stormwater infrastructure will be provided. The site is benefited with a numbers of waterways that provide an established natural drainage system.

2.4. Environmental Protection and Management

The proposed development has been designed to respond to the existing natural environment and minimise its actual and potential impact on the existing natural environment. The proposed lot boundaries have been located to avoid the potential for clearing of remnant vegetation to occur as a result of existing legislative clearing exemptions¹. Remnant vegetation will be retained within the proposed lots, while drainage reserves are proposed to allow for the retention of regrowth vegetation associated with established waterways.

The proposed development includes building envelopes for proposed Lots 113, 169 and 171, which define the area within which all buildings and structures on these lots will be constructed. The proposed building envelopes are intended to reduce the potential for clearing of regulated vegetation to occur on the proposed lots by way of existing clearing

¹ The extent to which vegetation clearing is required to facilitate the development is limited to Category R (reef regrowth vegetation). This clearing relates to two road crossings of internal waterways.

exemptions. The extent of the proposed building envelopes is shown in **Attachment I – Regulated Vegetation Plan**.

The proposed development has also been designed to respond to areas of potential Litoria Myola habitat. Habitat areas will be covered by covenants that will provide the following overarching controls:

- The maintenance of the covenant areas free of buildings and structures;
- The prevention of vegetation clearing within the covenant areas; and
- The achievement of lighting levels at the edge of the covenant areas.

The detail of the covenant provisions is intended to be developed by the Applicant after the approval of the development, in consultation with the Commonwealth Government (refer to Section 3.7 of this report for further detail). The Applicant would accept a reasonable and relevant condition of approval requiring covenant documentation to be provided for inspection by Council. Covenant areas are shown in **Attachment B – Proposal Plans**.

2.5. Relationship to the KUR-World Integrated Eco-Resort

The site forms part of the land that is the subject of a Coordinated Project designation relating to the KUR-World Integrated Eco-Resort ('KUR-World') under the *State Development and Public Works Organisation Act 1971* ('the SDPWOA'). An Environmental Impact Statement (EIS) is currently being prepared for KUR-World pursuant to the SDPWOA.

The proposed development is a separate and alternative development proposal for the site and is not linked or associated in any way with KUR-World. The proposed development does not involve the "bringing forward" or excision of any component of KUR-World and does not affect or relate to the EIS process currently underway.

3. STATUTORY TOWN PLANNING FRAMEWORK

3.1. Planning Act 2016

The *Planning Act 2016* ('the PA') is the statutory instrument for the State of Queensland under which, amongst other matters, development applications are assessed by local governments. The PA is supported by the *Planning Regulation 2017* ('the PR').

The following sections of this report discuss the parts of the PA and PR applicable to the assessment of a development application.

3.1.1. Approval and Development

Pursuant to Sections 49, 50 and 51 of the PA, the development application seeks a Development Permit for Reconfiguring a Lot (10 into 191 Lots).

The applicant seeks a currency period of 10 years for any development approval issued as a result of the development application, to support the delivery of the development in multiple stages as discussed in Section 2.2 of this report. It is noted that under the PA, the currency period of a development approval cannot be extended by virtue of the obtaining of a related approval (such as an Operational Works approval), as could be achieved under the now repealed *Sustainable Planning Act 2009* (commonly referred to as the "rolling forward" provisions). The absence of the ability to "roll forward" a currency period means that Operational Works must be completed within the currency period for the Reconfiguring a Lot.

3.1.2. Application

The proposed development is:

- development which is located completely in a single local government area;
- is development made assessable under a local categorising instrument, as discussed in Section 5.3; and
- that is Reconfiguring a Lot, other than a lot that is, or includes, airport land.

In accordance with Section 48 of the PA and Section 21 and Schedule 8, Table 2, Item 1 of the PR, the development application is required to be made to the applicable local government, in this instance being Mareeba Shire Council.

3.1.3. Referral

Section 52(2) of the PA and Section 22 and Schedules 9 and 10 of the PR provide for the identification of the jurisdiction of referral agencies, to which a copy of the development application must be provided.

The development application is required to be referred to the Department of State Development, Manufacturing, Infrastructure and Planning (State Assessment and Referral Agency) as it constitutes development exceeding a threshold in Schedule 20 of the PR that requires referral in accordance with Schedule 10, Part 9, Division 4, Subdivision 1, Table 1 of the PR.

In relation to vegetation clearing, it is noted that referral of a development application involving Reconfiguring a Lot is triggered for vegetation clearing matters where:

- a lot that the application relates to is five (5) hectares or larger; and
- the size of any lot created is 25 hectares or less; and
- either:
 - the reconfiguration involves operational work that is assessable development under section 5 (of the part of the PR), other than operational work that is only the clearing of regulated regrowth vegetation; or
 - on any lot created, accepted operational work, other than operational work that is only the clearing of regulated regrowth vegetation, may be carried out.

It is acknowledged that the site includes lots greater than five hectares and that the proposed development will result in the creation of lots with an area less than 25 hectares.

Accepted operational work is defined in Schedule 24 of the PR as follows:

“accepted operational work, for a material change of use or reconfiguring a lot, means operational work that—

- (a) *is the clearing of native vegetation—*
 - (i) *for essential management; or*
 - (ii) *for routine management; or*
 - (iii) *on freehold land, or land leased under the Land Act, if the clearing is necessary for prescribed building work; and*
- (b) *would be assessable development under schedule 10, part 3, division 2, section 5 if it were carried out on the lot immediately before the material change of use or reconfiguration happened, but because of the material change of use or reconfiguration is exempt clearing work.”*

In this regard it is noted that:

- The extent to which lot boundaries are located within areas of regulated vegetation, other than regulated regrowth vegetation, is limited to the locations of current lot boundaries, meaning that the proposed development does not provide any additional exempt clearing opportunities associated with boundaries. Further detail is provided in the plan provided as **Attachment I**.
- All other lot boundaries are located at least 10 metres from the edge of any mapped area of regulated vegetation, other than regulated regrowth vegetation, ensuring that further clearing opportunities are not created, as shown in **Attachment I**.
- The extent to which clearing of vegetation will be required to establish infrastructure associated with the development is limited to Category R (regrowth) and Category X vegetation. The clearing of Category B vegetation will not be required.
- The proposed development is limited to the reconfiguration of the site, meaning that clearing opportunities could only directly result from the development by way of the placement of boundaries or the construction of infrastructure (as discussed above). The proposed development does not alter the planning framework (such as the zoning) applicable to any subsequent use of the lots proposed.
- The extent to which exempt clearing could be undertaken to construct a single dwelling (clearing for prescribed building work) on the proposed lots is limited to five lots, namely Lots 113, 169, 171, 998 and 999. This is consistent with the number of locations where clearing for prescribed building work could presently be undertaken on the site. The proposed development therefore does not result in the creation of any additional opportunities for clearing for prescribed building work.
- The extent to which exempt clearing for prescribed building work could be undertaken is further limited by the identification of building envelopes for proposed Lots 113, 169 and 171, which restrict buildings and structures on these lots to outside areas of regulated vegetation. Further detail is provided in **Attachment I**.

An assessment of the proposed development against the applicable codes of the State Development Assessment Provisions, which are prescribed in Schedule 10 of the SPR as matters the referral agency's assessment are to be against, is provided in **Attachment F**.

With respect to Schedule 10, Section 4 of the PR, which identifies Prohibited Development in relation to vegetation clearing, it is noted that:

- The proposed development involves Reconfiguring a Lot; and
- The extent to which vegetation clearing is required to facilitate the proposed Reconfiguring a Lot is limited to two road crossings of waterways. These crossings will involve the clearing of Category R vegetation, that is proposed to be undertaken in compliance with the Managing Category R Regrowth Vegetation accepted development vegetation clearing code, being clearing for necessary infrastructure.

On this basis, the proposed development is not development to which Section 4 of Schedule 10 of the PR relates and is not prohibited development.

3.1.4. Public Notification

Section 53(1) of the PA provides that an applicant must give notice of a development application where any part is subject to Impact Assessment or where it is an application which includes a variation request.

The development application is subject to Code Assessment and does not include a variation request. Notice of the development application is therefore not required in this instance.

3.1.5. Superseded Planning Scheme

In accordance with Section 29 of the PA, Mareeba Shire Council, in correspondence dated 20 July 2017 (refer to **Attachment E**), has agreed to assess the proposed development against the *Mareeba Shire Planning Scheme 2004* ('the Planning Scheme'). This development application is therefore a superseded planning scheme application, as discussed in Section 29 of the PA.

3.1.6. Assessment Framework

As discussed in Section 3.6 of this report, a Code Assessable development application is required in this instance. Section 45(3) of the PA provides that:

- “(3) A code assessment is an assessment that must be carried out only—*
- (a) against the assessment benchmarks in a categorising instrument for the development; and*
 - (b) having regard to any matters prescribed by regulation for this paragraph.”*

The Planning Scheme, as the applicable local categorising instrument, is discussed in greater detail in Section 3.6 of this report.

Section 26 of the PR provides the following assessment benchmarks for the purposes of Section 45(3)(a) of the PA:

- (1) For section 45(3)(a) of the Act, the code assessment must be carried out against the assessment benchmarks for the development stated in schedules 9 and 10.*
- (2) Also, if the prescribed assessment manager is the local government, the code assessment must be carried out against the following assessment benchmarks—*
 - (a) the assessment benchmarks stated in—*
 - (i) the regional plan for a region, to the extent the regional plan is not identified in the planning scheme as being appropriately integrated in the planning scheme; and*
 - (ii) the State Planning Policy, part E, to the extent part E is not identified in the planning scheme as being appropriately integrated in the planning scheme; and*
 - (iii) any temporary State planning policy applying to the premises;*
 - (b) if the local government is an infrastructure provider—the local government’s LGIP.*
- (3) However, an assessment manager may, in assessing development requiring code assessment, consider an assessment benchmark only to the extent the assessment benchmark is relevant to the development.”*

Section 27 of the PR provides matters for the purposes of Section 45(3)(b) of the PA:

- (1) *For section 45(3)(b) of the Act, the code assessment must be carried out having regard to—*
 - (a) *the matters stated in schedules 9 and 10 for the development; and*
 - ...
 - (d) *if the prescribed assessment manager is a person other than the chief executive—*
 - (i) *the regional plan for a region, to the extent the regional plan is not identified in the planning scheme as being appropriately integrated in the planning scheme; and*
 - (ii) *the State Planning Policy, to the extent the State Planning Policy is not identified in the planning scheme as being appropriately integrated in the planning scheme; and*
 - (iii) *for designated premises—the designation for the premises; and*
 - (e) *any temporary State planning policy applying to the premises; and*
 - (f) *any development approval for, and any lawful use of, the premises or adjacent premises; and*
 - (g) *the common material.*
- (2) *However—*
 - (a) *an assessment manager may, in assessing development requiring code assessment, consider a matter mentioned in subsection (1) only to the extent the assessment manager considers the matter is relevant to the development; and*
 - (b) *if an assessment manager is required to carry out code assessment against assessment benchmarks in an instrument stated in subsection (1), this section does not require the assessment manager to also have regard to the assessment benchmarks.*

The following sections of this report discuss the applicable assessment benchmarks and applicable matters in further detail.

3.2. Schedules 9 and 10 of the Planning Regulation 2017

Schedules 9 and 10 of the PR do not prescribe any applicable assessment benchmarks. Schedule 10 of the PR provides matters for referral agencies which are discussed in Section 3.1.3 of this report.

3.3. Far North Queensland Regional Plan 2009-2031

The *Far North Queensland Regional Plan 2009 - 2031* ('the Regional Plan') is intended to guide and manage the region's development and to address key regional environmental, social, economic and urban objectives. The site falls within the area to which the Regional Plan applies.

The Regional Plan is not identified in the Planning Scheme as being appropriately integrated in the Planning Scheme.

The Regional Plan is therefore applicable to the assessment of the development application:

- pursuant to Section 45(3)(a) of the PA and Section 26(2)(a)(i) of the PR, to the extent it contains assessment benchmarks; and
- pursuant to Section 45(3)(b) of the PA and Section 27(1)(d)(i) of the PR, as a matter to which the assessment manager may have regard.

3.4. State Planning Policy

The State Planning Policy ('the SPP') was released on 2 December 2013 and replaced all previous State Planning Policies. The SPP has since been revised, with new versions released on 2 July 2014, 29 April 2016 and 3 July 2017.

The SPP is not identified in the Planning Scheme as being appropriately integrated in the Planning Scheme.

The SPP is therefore applicable to the assessment of the development application:

- pursuant to Section 45(3)(a) of the PA and Section 26(2)(a)(ii) of the PR, to the extent it contains assessment benchmarks in Part E; and
- pursuant to Section 45(3)(b) of the PA and Section 27(1)(d)(ii) of the PR, as a matter to which the assessment manager may have regard.

3.5. Temporary State Planning Policies

There are currently no temporary State Planning Policies in effect in Queensland.

3.6. Mareeba Shire Planning Scheme 2004

The Planning Scheme came into effect on 10 January 2005. On 1 July 2016 it was superseded by the *Mareeba Shire Planning Scheme 2016*. In accordance with Section 29 of the PA, Mareeba Shire Council, in correspondence dated 20 July 2017 (refer to **Attachment E**), has agreed to assess the proposed development against the superseded planning scheme ('the Planning Scheme').

3.6.1. **Zone**

The site is located within Precincts A, C and E of the Myola Zone.

3.6.2. **Overlays**

Table 2 identifies the overlays applicable to the site.

Table 2: Applicable Overlays

Overlay	Sub-category
Significant Vegetation Overlay	<ul style="list-style-type: none"> • Category A • Category B
Natural and Cultural Heritage Features Overlay	<ul style="list-style-type: none"> • Ridgelines • Scenic Areas • Waterway
Natural Disaster – Bushfire Overlay	<ul style="list-style-type: none"> • Low Bushfire Hazard • Medium Bushfire Hazard

3.6.3. Level of Assessment²

Table 22 of the Planning Scheme provides that Reconfiguring a Lot is subject to Code Assessment in the Myola Zone. The applicable overlays do not elevate the applicable Level of Assessment. In accordance with Section 1.10 of the Planning Scheme, the proposed development is therefore subject to Code Assessment.

For the purposes of the consideration of the development under the PA, the Level of Assessment provided by the Planning Scheme is taken to be the Category of Development and Assessment for the development.

3.6.4. Applicable Codes

The Tables of Assessment applicable to the proposed development identify that the following codes are applicable to the assessment of the proposed development:

Zone Codes

- Myola Zone Code

Overlay Codes

- Natural and Cultural Heritage Features Overlay Code
- Natural Disaster – Bushfire Overlay Code

Development Codes

- Reconfiguring a Lot Code

3.7. Relationship to the Environment Protection and Biodiversity Conservation Act 1999

The Commonwealth Government, through the *Environment Protection and Biodiversity Conservation Act 1999* ('the EPBC Act'), regulates activities and actions that may affect matters of national and international environmental significance ("a controlled action").

It is acknowledged that the site and its surrounds have the potential to contain matters protected by the EPBC Act, noting the site's proximity to the Wet Tropics World Heritage Area.

The proposed development will be referred to the Commonwealth Department of Environment and Energy in accordance with the requirements of the EPBC Act, for determination as to whether the proposal involves a controlled action and therefore requires Commonwealth approval. The approval process under the EPBC Act is separate to the development approval process under the PA. The potential need for a Commonwealth approval to be obtained, or at the least advice in relation to a controlled action, does not prevent the issuing of a development approval pursuant to the PA.

4. ASSESSMENT OF COMPLIANCE

The statutory town planning framework applicable to the assessment of the development application is discussed in Chapter 3 of this report. The following sections provide an assessment of the proposed development against the relevant components and provisions of this framework.

² The PA and the PR do not elevate the category of development or assessment of the development. Reference should be made to Section 3.1.3 for specific discussion on vegetation clearing.

4.1. Far North Queensland Regional Plan 2009-2031

The site is located in the area to which the Far North Queensland Regional Plan 2009-2031 ('the Regional Plan') applies. One of the mechanisms provided by the Regional Plan to guide land use within the region is a preferred land use pattern. The site is designated within the Regional Landscape and Rural Production Area ('the RLRPA'), which is one of three regional land use categories.

It is acknowledged that the primary role of the RLRPA is to identify and protect rural and non-urban areas.

Page 31 of the Regional Plan identifies that the "...RLRPA includes land with one or more of the following values:

- *good quality agricultural land and other productive rural areas*
- *natural resources such as mineral and extractive resources and native and plantation forests*
- *water catchment and groundwater areas*
- *areas of ecological significance, including*
- *endangered and of concern regional ecosystems*
- *Wet Tropics World Heritage Area and protected area tenures*
- *essential wildlife habitat of the southern cassowary and mahogany glider*
- *wetlands*
- *beaches, islands and other coastal areas*
- *outdoor recreation and regional open space areas*
- *inter-urban breaks."*

It is acknowledged that the site contains areas of environmental significance and supports a range of environmental processes, which warrant its designation within the RLRPA. The proposed development has been sensitively designed to minimise its environmental impact by:

- providing residential lots within areas of existing cleared areas or in areas that do not support remnant vegetation;
- retaining areas of environmental significance such as waterways and remnant vegetation in their natural state³ and reducing the potential for further clearing of protected vegetation (when compared with current clearing opportunities);
- protecting the habitat of the Myola frog through the inclusion of a covenant on part of all new lots that comprise Myola frog habitat or potential Myola frog habitat;
- providing larger lot sizes that support the retention of additional natural features on site;
- setting aside large environmental areas as a key component of the development and attract residents who will seek to protect and enhance the natural environment; and
- restricting the proposed development to the northern part of the site, whilst retaining the southern part of the site in its natural state.

³ Except where for limited road crossings of waterways

With respect to the other purposes for the RLRPA discussed by the Regional Plan above, it is noted that:

- The site is not designated as good quality agricultural land;
- The site does not benefit from any mapped or otherwise designated mineral or extractive resources;
- The site is not used as a plantation forest;
- The site is not located within a coastal area;
- The site comprises a private freehold land holding and does not support outdoor recreation or regional open space; and
- The site is located within the environs of Kuranda and is not considered to form an interurban break, noting that surrounding land use, including the settlements of Myola and Kowrowa are consistent with the type of development found within the outer reaches of other townships within the region such as Mareeba (Biboohra), Atherton (Tolga) and Innisfail (Mourilyan/Mundoo). It is also important to note that the site and the abovementioned settlements all fall within the boundary of the locality of Kuranda.

On this basis, it is considered that the designation of the site within the RLRPA predominately reflects its environmental values which affect only part of the site. As discussed previously, the proposed development has been designed to allow for the maintenance, management and enhancement of key environmental values on the site, whilst also supporting its use for sensitive, low scale non-urban residential development. The proposed development is therefore considered to be consistent with the environmental values relevant to the sites designation within the RLRPA.

This approach, in considering the RLRPA as a mechanism to protect environmental features, is also reflected in the designation of similar land within the environs of Kuranda. The Regional Plan designates a number of areas proximate to the site and the Kuranda township currently improved with varying densities of residential development within the RLRPA, as shown in Table 3.

Table 3: Non-Urban Residential Development in Kuranda Environs in the RLRPA

#	Location
A1	Land accessed from Warril Drive, which adjoins the site
A2	Land to the north-west of the Kuranda township, accessed from Myola Road
A3	Land to the immediate south-west of the centre of Myola
A4	Land fronting and surrounding Green Forest Road
A5	Land to the west of Black Mountain Road
A6	Land north of the Barron River accessed from Hickory Road
A7	Land accessed from Kelly Road, Speewah

Each of the above areas are comparable to the site, in that they include areas of environmental significance which have been retained and managed while allowing for the development of low scale, non-urban residential activities within the catchment of the Kuranda township.

This local interpretation of the Regional Plan should also be considered in light of the construct of the Regional Plan, specifically with respect to its implementation in development assessment. When the Regional Plan originally commenced in 2009, it was supported by the Far North Queensland Regional Plan 2009-2031 State Planning

Regulatory Provisions ('the Regional Plan SPRP'). The Regional Plan SPRP provided controls that implemented the policy outcomes of the Regional Plan as part of the decision-making process. The Regional Plan SPRP was repealed on 26 October 2012. In repealing the Regional Plan SPRP, the Queensland Government provided a factsheet (refer to **Attachment H**) that explained how the Regional Plan would be used in development assessment. The factsheet states:

"The removal of the SPRP will return decision-making power to local governments so they may determine if a development proposal is an appropriate outcome for their area."

The factsheet continues by explaining that:

"Local governments are responsible for the interpretation of the boundary of these areas when preparing or amending their planning schemes or assessing development proposals."

On the basis of the above statements, the repeal of the Regional Plan SPRP was undertaken in order to allow greater flexibility in the implementation of the Regional Plan in development assessment, to reflect local circumstances, as determined by local governments. This approach is consistent with that seen in the area surrounding the Kuranda township, where a range of non-urban residential uses are located in the RLRPA (as discussed previously). The proposed development is therefore considered to be consistent with the local interpretation and implementation of the Regional Plan with respect to its RLRPA designation.

The ability for Mareeba Shire Council to implement the Regional Plan having regard to local conditions is also shown in the zoning pattern of the *Mareeba Shire Council Planning Scheme 2016* ('the 2016 planning scheme')⁴. The 2016 planning scheme is identified as being considered, by the Minister, as reflecting the Regional Plan. The zoning maps for the 2016 planning scheme include a number of areas within the Rural Residential Zone, despite being designated in the RLRPA by the Regional Plan. Notable examples are shown in Table 4 and Figures 1-5.

Table 4: Rural Residential Zoned Land in RLRPA

#	Location	Roads
B1	Kuranda	Kennedy Highway
B2	Kuranda	Masons Road
B3	Kuranda	Barron Falls Road
B4	Kuranda	Mason Road
B5	Kuranda	Myola Road, Christensen Road, Fairyland Road, Jarawee Road, Kuranda Heights Road
B6	Kuranda	Black Mountain Road and Shiva Close
B7	Kuranda	Hickory Road, Rosewood Drive, Cadagi Drive, Silkwood Avenue
B8	Kuranda	Kingfisher Drive, Barnwell Road, Monaro Close, Myola Oak Forest Road, High Chapparal Road, Boyle Road, Green Forest Road, Oak Forest Road
B9	Kuranda	Warril Drive, Hilltop Close, Hope Close, Punch Close, Shane Court, Mount Haren Road

⁴ Whilst it is acknowledged that the proposed development is to be assessed against the superseded planning scheme, the consideration of the 2016 planning scheme is relevant in the interpretation of the Regional Plan.

#	Location	Roads
B10	Speewah	Douglas Track, Possum Close, Kelly Road,
B11	Koah	Koah Road, Mar Street
B12	Koah	Koah Road
B13	Koah	Kennedy Highway, Brickworks Road
B14	Bibbohra	Bilwon Road, Cypress Road, Pine Close, Orchid Close
B15	Mareeba	Emerald End Road, Emerald End Close
B16	Mareeba	Emerald End Road, Godfrey Road, Catherine Atherton Drive, Country Road, Annie Court
B17	Mareeba	Kennedy Highway, Malone Road
B18	Mareeba	Kennedy Highway, Kay Road, Rollinson Drive
B19	Mareeba	Cobra Road
B20	Mareeba	Ray Road, Mines Road, Rayfield Avenue, Agius Crescent
B21	Mareeba	Ellery Road
B22	Mareeba	La Spina Road, Nucifora Drive, Standen Road, Rioko Road
B23	Arriga	Macadamia Street, Karri Close
B24	Julatten	Mossman Mount Molloy Road, Mount Lewis Road, Churchill Creek Road, Carr Road,
B25	Julatten	Mossman Mount Molloy Road, Brown Road, Button Close

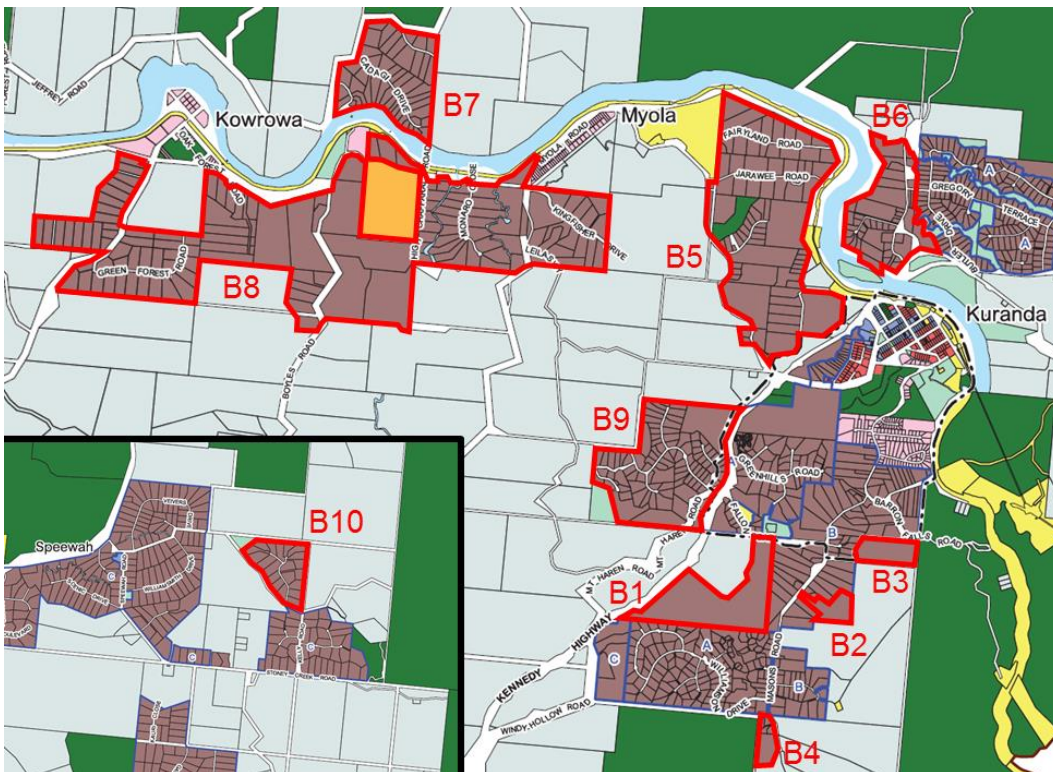


Figure 1: Locations B1-B10

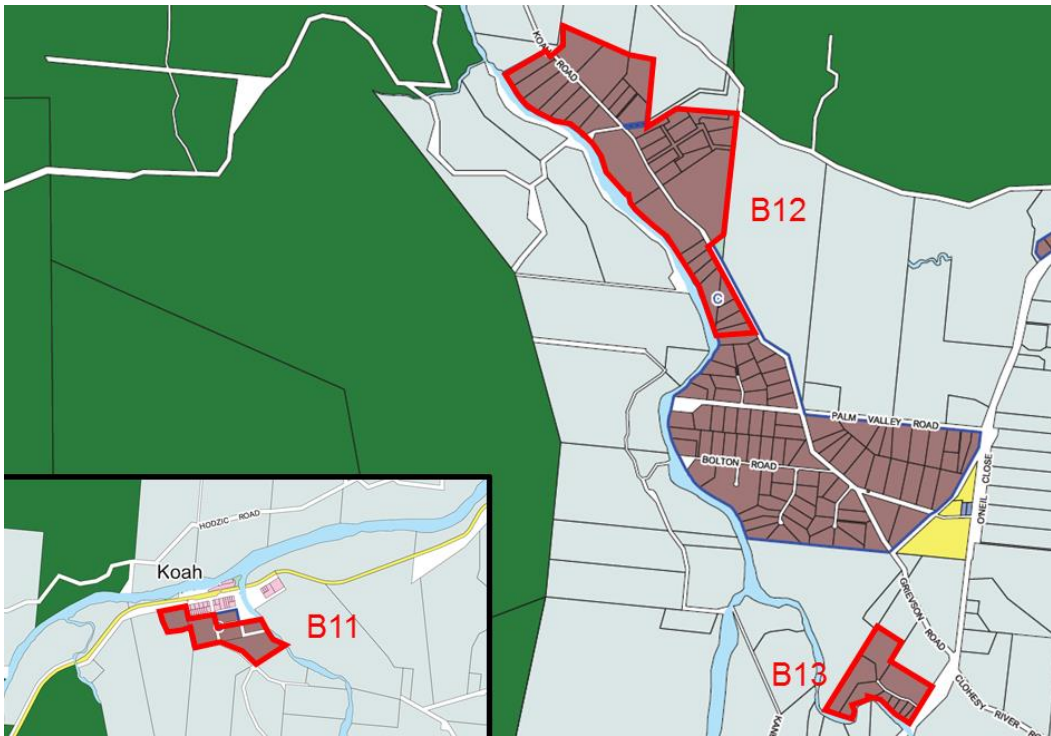


Figure 2: Locations B11-B13

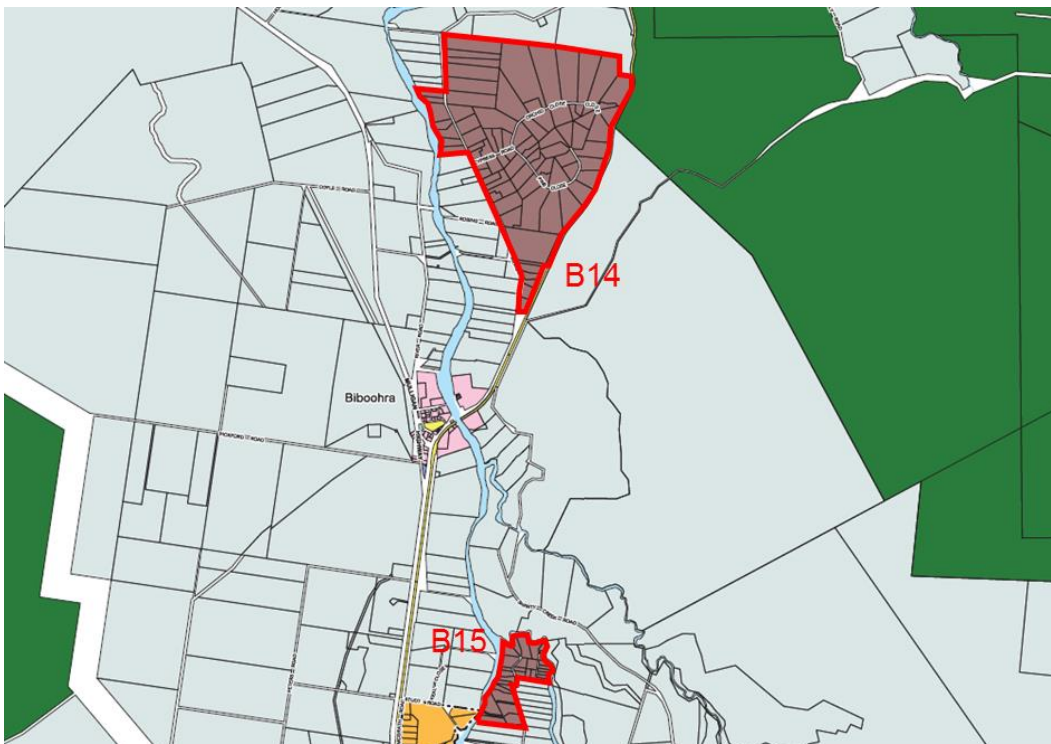


Figure 3: Locations B14-B15

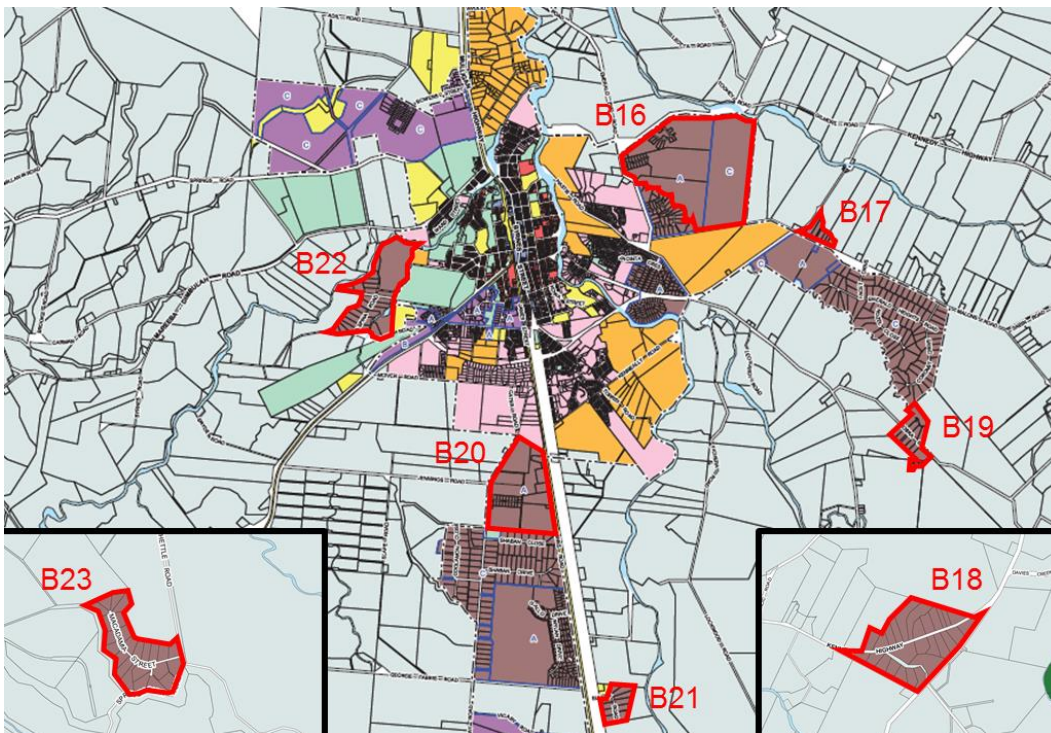


Figure 4: Locations B16-B23

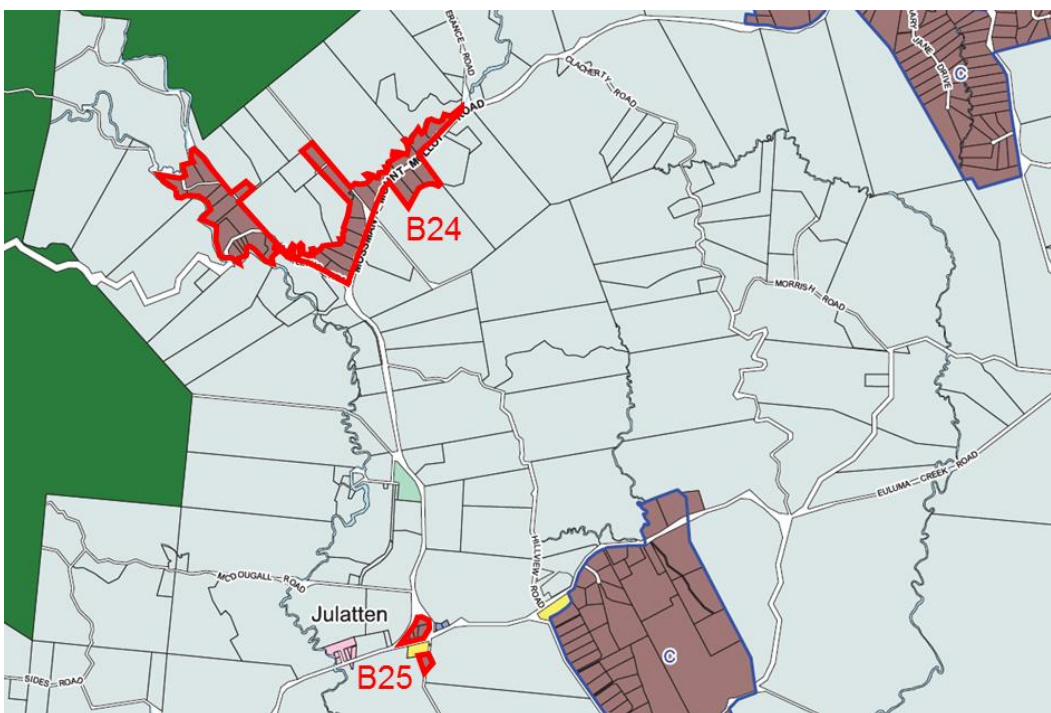


Figure 5: Locations B24-B25

Therefore, whilst it is acknowledged that the approval of the proposed development may, at face value, appear to be inconsistent with the designation of the site within the RLRPA, the proposed development is not inconsistent with the manner in which the Regional Plan has been interpreted and implemented having regard to local conditions.

It is also relevant to consider the time that has passed since the Regional Plan came into force in 2009, at a time when the *Integrated Planning Act 1997* ('the IPA') was still in force. For reference, the IPA has since been replaced by both the *Sustainable Planning Act 2009* and the PA. The Regional Plan is no longer reflective of current land use and development trends within the region, nor is it consistent with the State Government's current policy direction with respect to regional planning. In this instance, where a development is being considered eight years after the Regional Plan came into force, it is appropriate to apply a level consideration of planning merit in reading the Regional Plan as a whole.

In considering the Regional Plan as a whole, the use of the site for low scale non-urban residential development can be seen to benefit the region and be consistent with the broader principles of the Regional Plan, in that:

- The site is located proximate to the Kuranda township, providing residents of the proposed development with easy access to a range of key services whilst maximising the efficient use of these existing services, consistent with Regional Policies 4.1 and 4.2 of the Regional Plan;
- The site is serviced by elements of existing infrastructure including Myola Road, the Kennedy Highway and the Kuranda District State College. The location of the proposed development ensures the efficient utilisation of this existing infrastructure, including any future upgrades, consistent with Regional Policies 3.2, 6.1 and 8.1 of the Regional Plan;
- The proposed development provides for the protection, enhancement and management of existing areas of environmental significance, consistent with Regional Policies 1.1 and 7.1 of the Regional Plan;
- The proposed development provides for improved public access to areas of environmental significance, consistent with Regional Policies 2.1, 3.2, 3.3 and 3.5 of the Regional Plan.
- The proposal's location adjoining and proximate to established residential and urban areas, which is further emphasised through the provision of road connections from both Barnwell Road and Warril Drive to the proposed development, supports the development of improved community identity, collaboration and cohesiveness, consistent with Regional Policies 3.1, 3.4 and 3.5 of the Regional Plan.
- The proposed development has been designed to sensitively integrate into the natural environment, maintaining the character and amenity of the local area in a manner that is consistent with that found throughout the Kuranda locality to ensure the retention of a sense of place, consistent with Regional Policies 2.1, 2.3 and 3.5 of the Regional Plan.
- The proposed development is located to increase the potential for a level of self-containment for Kuranda, Mareeba Shire and the Tablelands, due to its location near Kuranda, consistent with Regional Policy 5.1 of the Regional Plan.
- The proposed development supports economic activity, during both construction and operational phases, within the local economy where an increased local population is conducive to greater demand for local business activity and local skills whilst increasing the critical mass required to support industry diversification, consistent with Regional Policies 5.1 and 5.2 of the Regional Plan.
- The proposed development supports the provision of a diversity of housing options within the region, particularly in the Tablelands area, consistent with Regional Policy 4.4 of the Regional Plan.
- The proposed development provides a range of areas that are suitable for use as public open space, supporting improved community health, consistent with Regional Policy 3.3 of the Regional Plan.

- The proposed development has been designed to appropriately respond to, and mitigate risks associated with, natural hazards, consistent with Regional Policy 4.7 of the Regional Plan.

Whilst the preferred land use pattern is one component of the Regional Plan, it does not reflect all of the policy outcomes sought by the Regional Plan. As outlined above, a balanced assessment of the proposed development, having regard to the range of regional policies that the Regional Plan seeks to promote, demonstrates that the development supports the furthering of the Regional Plan, when read as a whole.

On the basis of the above commentary, the proposed development is considered to:

- Be reflective of, and consistent with, the local interpretation and implementation of the provisions of the Regional Plan relating to the RLRPA;
- Have planning merit when considered in light of the broader principles of the Regional Plan;
- Contribute toward the achievement of a number of regional policies articulated in the Regional Plan when considered as a whole as part of a balanced assessment; and
- Appropriately balance a number of competing interests and policy conflicts within the Regional Plan by providing a locally sensitive and site specific response.

It is therefore considered that the approval of the proposed development would not be inconsistent with the Regional Plan.

4.2. State Planning Policy

An assessment of the proposed development against the relevant assessment benchmarks and other matters of the SPP is provided in **Attachment G – State Planning Policy Response**. The assessment undertaken demonstrates that the proposed development is consistent with the relevant requirements of the SPP.

4.3. Planning Scheme Codes

A detailed assessment of the proposed development against the applicable codes of the Planning Scheme is provided in **Attachment C - Statement of Code Compliance**. The following sections provide a summary of the assessment undertaken.

4.4.1. Myola Zone Code

The proposed development complies, or can comply with some of the Probable Solutions of the Myola Zone Code. Alternative Solutions are proposed where no applicable Probable Solution is provided. Alternative Solutions are also proposed in some other instances, specifically in relation to Precinct A PS1.2, Precinct A PS5.1-PS5.3, Precinct C PS1.2, Precinct C PS5.1-PS5.3 and Precinct C PS6. In all instances, the provided Alternative Solutions demonstrate that the proposed development complies with the corresponding Specific Outcome. The proposed development therefore achieves compliance with the Purpose and Overall Outcomes of the code.

4.4.2. Natural and Cultural Heritage Features Overlay Code

The Natural and Cultural Heritage Features Overlay Code provides only one Specific Outcome that is applicable to the proposal. A Probable Solution is not provided for this Specific Outcome. The proposed development, by way of an Alternative Solution, achieves compliance with this Specific Outcome and therefore achieves compliance with the Purpose and Overall Outcomes of the code.

4.4.3. Natural Disaster – Bushfire Overlay Code

The proposed development provides an Alternative Solution in relation to Specific Outcome S1, which is the only applicable Specific Outcome of the code. The Alternative Solution proposed demonstrates that the proposal complies with the outcome and therefore complies with the Purpose and Overall Outcomes of the code.

4.4.4. Reconfiguring a Lot Code

The Reconfiguring a Lot Code does not provide any applicable Probable Solutions. Alternative Solutions have been provided that demonstrate that the proposed development achieves compliance with each applicable Specific Outcome. The proposed development subsequently complies with the Purpose and Overall Outcomes of the code.

5. CONCLUSION

The information provided in this report, and accompanying attachments, demonstrates that the proposed development achieves compliance with the applicable provisions of the relevant planning framework.

We therefore recommend that Council favourably consider the proposed development and approve the development application, subject to reasonable and relevant conditions.

If you have any queries, please contact me.

Yours faithfully



Dominic Hammersley
Business Unit Manager – Northern Australia
Principal, Planning
For Cardno
4034 0503
dominic.hammersley@cardno.com.au

Enc: Attachments A-J

MSC Ref RAL/18/0002
Our Ref HRP16299/003
Contact Dominic Hammersley

Cardno (Qld) Pty Ltd
ABN 57 051 074 992

16 February 2018

The Chief Executive Officer
Mareeba Shire Council
PO Box 154
MAREEBA QLD 4880

**Attention: Brian Millard,
Senior Planner**

Delivery via email: BrianM@msc.qld.gov.au

15 Scott Street
Parramatta Park QLD 4870
Australia

P.O. Box 1619
Cairns QLD 4870
Australia

Phone: 61 7 4034 0500

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Dear Brian,

**CHANGE TO DEVELOPMENT APPLICATION PURSUANT TO SECTION 52 OF THE
PLANNING ACT 2016**

**SUPERSEDED PLANNING SCHEME APPLICATION SEEKING A DEVELOPMENT
PERMIT FOR RECONFIGURING A LOT (12 INTO 191 LOTS) OVER LAND AT 112
BARNWELL ROAD, KURANDA MORE PROPERLY DESCRIBED AS LOTS 17, 18
AND 22 ON N157227, LOTS 1 AND 2 ON RP703984, LOTS 19 AND 95 ON N157452,
LOT 20 ON N157423, LOT 131 ON N157491, LOT 129 ON NR456, LOT 290 ON
N157480 AND LOT 43 ON N157359 AND ROAD RESERVES (MSC REF:
RAL/18/0002)**

We act for Reeve and Ocean Pty Ltd ('the Applicant') in relation to the
abovementioned superseded planning scheme application ('the application').

On behalf of the Applicant, please accept this correspondence as written notice,
pursuant to Section 52 of the *Planning Act 2016* ('the PA'), of a change to the
application.

The following sections document the change and the applicable statutory town planning
framework.

1. CHANGES TO APPLICATION

1.1 Development Layout

The Applicant has made a number of minor modifications to the layout of the proposed
subdivision to which the application relates. These changes are reflected in new
proposal plans included as part of the **attachment** to this correspondence. The
changes undertaken primarily relate to the relationship between the proposed
development and regulated vegetation. The following changes have been undertaken¹:

- Relocation of the boundary between Lots 164 and 169 to place all Category B
vegetation in Lot 169.

¹ All lot numbers refer to those shown in the changed application

- Relocation of the boundary between Lot 999 (balance) and Lot 994 (drainage) to remove all Category B vegetation from Lot 994.
- Alteration of the boundary between Lots 50-56 and Lot 998 to remove all Category B vegetation from Lots 50-56.
- Inclusion of a new boundary along the western side of Lot 995 to include all Category B vegetation in the west of the site in Lot 998.
- Inclusion of building envelopes for Lots 113, 169 and 171 to further qualify the extent of these lots intended to be developed with buildings/structures.

The changes to the lot layout maintain the number of proposed non-urban residential lots (179), the number of drainage reserves (2) and the number of balance lots (7). The changed application therefore continues to seek approval to subdivide the site into 191 lots.

1.2 Property Description

Since the lodgement of the application, the description of the land to which the application relates has changed, due to the finalisation of a road closure application by the Department of Natural Resources and Mines. As part of this change to the application, the Applicant seeks to reflect the current property details in the application material (refer to the **attachment**). A summary of the changes in the description of the land to which the application relates is provided in Table 1 below. To confirm, the change in property description does not result in the application applying over new or different land. The application, as made, related to both freehold lots and road reserves. The road reserves over which the application was made have now been closed and included in the adjoining land, as documented in Table 1.

Table 1: Previous and Current Property Descriptions

Previous Description (as per application as made)	Current Description (as per changed application)
Lot 17 on N157227	Lot 17 on SP296830
Road reserves adjoining Lot 17 on N157227	
Lot 18 on N157227	Lot 18 on SP296830
Road reserves adjoining Lot 18 on N157227	
Lot 22 on N157227	Lot 22 on SP296830
Lot 1 on RP703984	
Lot 2 on RP703984	
Road reserves adjoining Lot 22 on N157227	
Lot 19 on N157452	Lot 19 on SP296830
Road reserves adjoining Lot 19 on N157452	
Lot 95 on N157452	Lot 95 on N157452
Lot 20 on N157423	Lot 20 on N157423
Lot 131 on N157491	Lot 131 on N157491
Lot 129 on NR456	Lot 129 on NR456
Lot 290 on N157480	Lot 290 on N157480
Lot 43 on N157359	Lot 43 on N157359

With respect to owner's consent, we note that the Applicant is now the registered owner of all land to which the application relates. In accordance with Section 51(2) of the PA, owner's consent is therefore not required in this instance.

2. APPLICABLE STATUTORY TOWN PLANNING FRAMEWORK

2.1 Minor Change

The PA provides, in Section 52(3), that where a change is a minor change, the change does not affect the development assessment process. A minor change, for a development application, is defined in Schedule 2 of the PA as a change that:

- “(i) does not result in substantially different development; and*
- (ii) if the application, including the change, were made when the change is made—would not cause—*
 - (A) the inclusion of prohibited development in the application; or*
 - (B) referral to a referral agency if there were no referral agencies for the development application; or*
 - (C) referral to extra referral agencies; or*
 - (D) a referral agency to assess the application against, or have regard to, matters prescribed by regulation under section 55(2), other than matters the referral agency must have assessed the application against, or have had regard to, when the application was made; or*
 - (E) public notification if public notification was not required for the development application; or”*

Schedule 1 of the Development Assessment Rules defines “substantially different development” as:

- “4. A change may be considered to result in a substantially different development if the proposed change:*
 - (a) involves a new use; or*
 - (b) results in the application applying to a new parcel of land; or*
 - (c) dramatically changes the built form in terms of scale, bulk and appearance; or*
 - (d) changes the ability of the proposed development to operate as intended; or*
 - (e) removes a component that is integral to the operation of the development; or*
 - (f) significantly impacts on traffic flow and the transport network, such as increasing traffic to the site; or*
 - (g) introduces new impacts or increase the severity of known impacts; or*
 - (h) removes an incentive or offset component that would have balanced a negative impact of the development; or*
 - (i) impacts on infrastructure provisions.”*

The change to the application is a minor change as the changed application:

- does not involve substantially different development, as the change:
 - does not involve a new use or type of development, the proposed development continues to seek approval to subdivide the site;
 - does not result in the application applying to a new parcel of land (for further detail refer to Section 1.2 of this correspondence);
 - does not dramatically change the scale and nature of the proposed development, noting that it continues to propose 191 lots, including 179 non-urban residential lots;

- does not change the ability for the proposed development to operate as intended, noting that the overall layout of the proposed development remains unchanged;
- does not remove a component that is integral to the operation of the development;
- does not significantly impact on traffic flow or the transport network, noting that the same number of non-urban residential, drainage and balance lots are proposed;
- does not introduce new impacts or increase the severity of known impacts, noting that the proposed development, as changed, results in a reduction of available clearing exemptions;
- does not remove an incentive or offset component that would have balanced a negative impact of the development; and
- does not impact on infrastructure provisions;
- does not involve prohibited development;
- does not trigger referral to any agencies beyond those already triggered (also refer to the discussion in Section 2.2);
- does not require a referral agency to assess the application against any additional matters; and
- does not require public notification.

On the basis of the above, the change to the application is a minor change, as defined by the PA.

2.2 Referral for Vegetation Clearing

Mareeba Shire Council ('Council'), on 2 February 2018, issued a Confirmation Notice for the application. This Confirmation Notice identified, amongst other things, that the application triggered referral to the Department of State Development, Manufacturing, Infrastructure and Planning ('DSDMIP') for vegetation clearing matters, pursuant to Schedule 10, Part 3, Division 4, Table 2 of the *Planning Regulation 2017* ('the PR').

As outlined in the Town Planning Report supporting the original development application, the Applicant considers that the application, as lodged, does not trigger referral for vegetation clearing. We understand Council has identified this referral trigger on the basis of paragraph (a)(iii) of the definition of accepted operational work in Schedule 24 of the PR, which relates to clearing for prescribed building work (to establish a single dwelling).

In relation to the ability to undertake clearing to establish a single dwelling, we note that the changed application includes five lots, namely proposed Lots 113, 169, 171, 998 and 999 that include Category B vegetation. The proposed development therefore includes five opportunities to undertake clearing to establish a single dwelling. The area of the site from which these lots are created currently comprises five lots, all of which presently contain Category B vegetation, namely Lots 17, 18, 19 and 22 on SP296830 and Lot 20 on N157423.

The proposed development therefore does not increase the number of opportunities (five) to undertake clearing for prescribed building (to establish a single dwelling).

To further qualify the intent with respect to non-urban residential lots that contain Category B regulated vegetation, the Applicant has prescribed building envelopes for proposed Lots 113, 169 and 171, defining the area within which all buildings and structures on these lots will be constructed. The building envelopes do not include any area of regulated vegetation.

The proposed reconfiguration does not give rise to the undertaking of vegetation clearing by way of exemption that would have been assessable development prior to the

proposed reconfiguration. Any clearing that is able to be undertaken on the proposed lots is limited to clearing that can already be done by way of an exemption. On this basis, the application does not trigger referral to DSDMIP for vegetation clearing.

3. UPDATED DOCUMENTATION

To assist Council in its assessment of the changed application, a complete copy of the application material, reflecting the change documented in this notice, is **attached** to this correspondence.

4. REQUIRED COUNCIL ACTIONS

As discussed in Section 2.2 of this letter, the changed application does not trigger referral to the DSDMIP for vegetation clearing matters. The Applicant requests that Council issued an amended Confirmation Notice that reflects the changed application, particularly in relation to referral requirements.

5. CONCLUSION

We trust the information provided in this correspondence is sufficient for Council to consider the changed application. If you have any queries in relation to this matter, please contact me.

Yours faithfully



Dominic Hammersley
Business Unit Manager – Northern Australia
Principal, Planning
For Cardno
4034 0503
dominic.hammersley@cardno.com.au

Enc: Attachment

Attachment

Updated Application Material

Attachment A

Application Form

DA Form 1 – Development application details

Approved form (version 1.0 effective 3 July 2017) 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 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**, 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) <i>(individual or company full name)</i>	Reever and Ocean Pty Ltd
Contact name <i>(only applicable for companies)</i>	c-/ Dominic Hammersley, Cardno
Postal address <i>(P.O. Box or street address)</i>	PO Box 1619
Suburb	CAIRNS
State	QLD
Postcode	4870
Country	Australia
Contact number	07 4034 0500
Email address <i>(non-mandatory)</i>	dominic.hammersley@cardno.com.au
Mobile number <i>(non-mandatory)</i>	
Fax number <i>(non-mandatory)</i>	
Applicant's reference number(s) <i>(if applicable)</i>	HRP16299/003

2) Owner's consent	
2.1) Is written consent of the owner required for this development application?	
<input type="checkbox"/> Yes – the written consent of the owner(s) is attached to this development application <input checked="" type="checkbox"/> 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
		112	Barnwell Road	Kuranda
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)
	4881	17	SP296830	Mareeba
b)	Unit No.	Street No.	Street Name and Type	Suburb
		112	Barnwell Road	Kuranda
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)
	4881	18	SP296830	Mareeba
c)	Unit No.	Street No.	Street Name and Type	Suburb
		112	Barnwell Road	Kuranda
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)
	4881	19	SP296830	Mareeba
d)	Unit No.	Street No.	Street Name and Type	Suburb
		112	Barnwell Road	Kuranda
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)
	4881	22	SP296830	Mareeba
e)	Unit No.	Street No.	Street Name and Type	Suburb
		112	Barnwell Road	Kuranda
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)
	4881	95	N157452	Mareeba
f)	Unit No.	Street No.	Street Name and Type	Suburb
		112	Barnwell Road	Kuranda
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)
	4881	20	N157423	Mareeba
g)	Unit No.	Street No.	Street Name and Type	Suburb
		112	Barnwell Road	Kuranda
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)
	4881	131	N157491	Mareeba
h)	Unit No.	Street No.	Street Name and Type	Suburb
		112	Barnwell Road	Kuranda
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)
	4881	129	NR456	Mareeba
i)	Unit No.	Street No.	Street Name and Type	Suburb
		112	Barnwell Road	Kuranda
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)
	4881	290	N157480	Mareeba

j)	Unit No.	Street No.	Street Name and Type	Suburb
		112	Barnwell Road	Kuranda
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)
	4881	43	N157359	Mareeba

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. Only one set of coordinates is required for this part.

☐ 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:	

☐ 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:	

3.3) Additional premises

☐ Additional premises are relevant to this development application and their details have been attached in a schedule to this 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:

Owen Creek, Haren Creek, Cain Creek, tributary of Warril Creek

☐ 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:

☐ Listed on the Environmental Management Register (EMR) under the *Environmental Protection Act 1994*

EMR site identification:

☐ Listed on the Contaminated Land Register (CLR) under the *Environmental Protection Act 1994*

CLR site identification:

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? <i>(tick only one box)</i>			
<input type="checkbox"/> Material change of use	<input checked="" type="checkbox"/> Reconfiguring a lot	<input type="checkbox"/> Operational work	<input type="checkbox"/> Building work
b) What is the approval type? <i>(tick only one box)</i>			
<input checked="" type="checkbox"/> Development permit	<input type="checkbox"/> Preliminary approval	<input type="checkbox"/> Preliminary approval that includes a variation approval	
c) What is the level of assessment?			
<input checked="" type="checkbox"/> Code assessment	<input type="checkbox"/> Impact assessment <i>(requires public notification)</i>		
d) Provide a brief description of the proposal <i>(e.g. 6 unit apartment building defined as multi-unit dwelling, reconfiguration of 1 lot into 3 lots)</i> :			
10 lots into 191 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 .			
<input checked="" type="checkbox"/> 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? <i>(tick only one box)</i>			
<input type="checkbox"/> Material change of use	<input type="checkbox"/> Reconfiguring a lot	<input type="checkbox"/> Operational work	<input type="checkbox"/> Building work
b) What is the approval type? <i>(tick only one box)</i>			
<input type="checkbox"/> Development permit	<input type="checkbox"/> Preliminary approval	<input type="checkbox"/> Preliminary approval that includes a variation approval	
c) What is the level of assessment?			
<input type="checkbox"/> Code assessment	<input type="checkbox"/> Impact assessment <i>(requires public notification)</i>		
d) Provide a brief description of the proposal <i>(e.g. 6 unit apartment building defined as multi-unit dwelling, reconfiguration of 1 lot into 3 lots)</i>			
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 .			
<input type="checkbox"/> Relevant plans of the proposed development are attached to the development application			

6.3) Additional aspects of development
<input type="checkbox"/> 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
<input checked="" type="checkbox"/> 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 checked="" type="checkbox"/> Yes – complete division 2
Operational work	<input 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 (include each definition in a new row)	Number of dwelling units (if applicable)	Gross floor area (m ²) (if applicable)

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?	
Six (6)	

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

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	179			7 (drainage and balance) 5 (retained rural)

10.2) Will the subdivision be staged?	
<input checked="" type="checkbox"/> Yes – provide additional details below	
<input type="checkbox"/> No	
How many stages will the works include?	Eight (8)
What stage(s) will this development application apply to?	All stages

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 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 type="checkbox"/> No	

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

\$ _____

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?

☒ Yes – a copy of the decision notice is attached to this development application

☐ Local government is taken to have agreed to the superseded planning scheme request – relevant documents attached

☐ No

PART 5 – REFERRAL DETAILS

17) Do any aspects of the proposed development require referral for 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 Regulation 2017:

- ☐ Clearing native vegetation
- ☐ Contaminated land (*unexploded ordnance*)
- ☐ Environmentally relevant activities (ERA) (*only if the ERA have not been devolved to a local government*)
- ☐ Fisheries – aquaculture
- ☐ Fisheries – declared fish habitat area
- ☐ Fisheries – marine plants
- ☐ Fisheries – waterway barrier works
- ☐ Hazardous chemical facilities
- ☐ Queensland heritage place (*on or near a Queensland heritage place*)
- ☐ Infrastructure – designated premises
- ☒ Infrastructure – state transport infrastructure
- ☐ Infrastructure – state transport corridors and future state transport corridors
- ☐ Infrastructure – state-controlled transport tunnels and future state-controlled transport tunnels
- ☐ Infrastructure – state-controlled roads
- ☐ Land within Port of Brisbane's port limits
- ☐ SEQ development area
- ☐ 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 – residential development
- ☐ SEQ regional landscape and rural production area or SEQ Rural living area – urban activity
- ☐ Tidal works or works 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 – construction of new levees or modification of existing levees (*category 2 or 3 levees only*)
- ☐ Wetland protection area

Matters requiring referral to the local government:

- ☐ Airport land
- ☐ Environmentally relevant activities (ERA) (*only if the ERA have been devolved to local government*)
- ☐ Local heritage places

Matters requiring referral to the chief executive of the distribution entity or transmission entity:

- ☐ Electricity infrastructure

Matters requiring referral to:

- 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
- ☐ Oil and gas infrastructure

Matters requiring referral to the Brisbane City Council:

- ☐ Brisbane core port land

Matters requiring referral to the Minister under the Transport Infrastructure Act 1994:

- ☐ Brisbane core port land
- ☐ Strategic port land

Matters requiring referral to the **relevant port operator**:

- ☐ Brisbane core port land (below high-water mark and within port limits)

Matters requiring referral to the **chief executive of the relevant port authority**:

- ☐ Land within limits of another port

Matters requiring referral to the **Gold Coast Waterways Authority**:

- ☐ Tidal works, or development in a coastal management district in Gold Coast waters

Matters requiring referral to the **Queensland Fire and Emergency Service**:

- ☐ Tidal works, or development in a coastal management district

18) Has any referral agency provided a referral response for this development application?

- ☐ Yes – referral response(s) received and listed below are attached to this development application

- ☒ 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 the development application the subject of this form, 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

- ☒ I agree to receive an information request if determined necessary for this development application

- ☐ I do not agree to accept an information request for this development application

Note: By not agreeing to accept an information request I, the applicant, acknowledge:

- 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
- Part 3 of the DA Rules will still apply if the application is an application listed under section 11.3 of the DA Rules.

Further advice about information requests is contained in the [DA Forms Guide](#).

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 – the yellow local government/private certifier's 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

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 EM941) 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 "EM941" 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.justice.qld.gov.au for further information.

Clearing native vegetation

23.3) Does this development application involve **clearing native vegetation** that requires written confirmation 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 is accompanied by written confirmation from the chief executive of the *Vegetation Management Act 1999* (s22A determination)
- ☒ No

Note: See www.qld.gov.au for further information.

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 conservation

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

☐ Yes

☒ No

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

Water resources

23.6) Does this development application involve **taking or interfering with artesian or sub artesian water, taking or interfering with water in a watercourse, lake or spring, taking overland flow water or waterway barrier works?**

☐ Yes – the relevant template is completed and attached to this development application

☒ No

Note: DA templates are available from www.dilgp.qld.gov.au.

23.7) Does this application involve **taking or interfering with artesian or sub artesian water, taking or interfering with water in a watercourse, lake or spring, or taking overland flow water** under the *Water Act 2000*?

☐ Yes – I acknowledge that a relevant water authorisation under the *Water Act 2000* may be required prior to commencing development

☒ No

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

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 and Mines at www.dnrm.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 Heritage Protection at www.ehp.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.dews.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.ehp.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.ehp.qld.gov.au for information requirements regarding development of Queensland heritage places.

Name of the heritage place:		Place ID:	
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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

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 <i>Note: See the Planning Regulation 2017 for referral requirements</i>	<input checked="" type="checkbox"/> Yes
If building work is associated with the proposed development, Parts 4 to 6 of <i>Form 2 – Building work details</i> have been completed and attached to this development application	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> Not applicable
Supporting information addressing any applicable assessment benchmarks is with development application <i>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.</i>	<input checked="" type="checkbox"/> Yes
Relevant plans of the development are attached to this development application <i>Note: Relevant plans are required to be submitted for all aspects of this development application. For further information, see DA Forms Guide: Relevant plans.</i>	<input checked="" type="checkbox"/> Yes
The portable long service leave levy for QLeave has been paid, or will be paid before a development permit is issued (<i>see 21</i>)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> Not applicable

25) Applicant declaration

<input checked="" type="checkbox"/> By making this development application, I declare that all information in this development application is true and correct <input checked="" type="checkbox"/> 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 <i>Electronic Transactions Act 2001</i> <i>Note: It is unlawful to intentionally provide false or misleading information.</i>
<p>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.</p> <p>Personal information will not be disclosed for a purpose unrelated to the <i>Planning Act 2016</i>, <i>Planning Regulation 2017</i> and the <i>DA Rules</i> except where:</p> <ul style="list-style-type: none"> such disclosure is in accordance with the provisions about public access to documents contained in the <i>Planning Act 2016</i> and the <i>Planning Regulation 2017</i>, and the access rules made under the <i>Planning Act 2016</i> and <i>Planning Regulation 2017</i>; or required by other legislation (including the <i>Right to Information Act 2009</i>); or otherwise required by law. <p>This information may be stored in relevant databases. The information collected will be retained as required by the <i>Public Records Act 2002</i>.</p>

PART 9 – 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

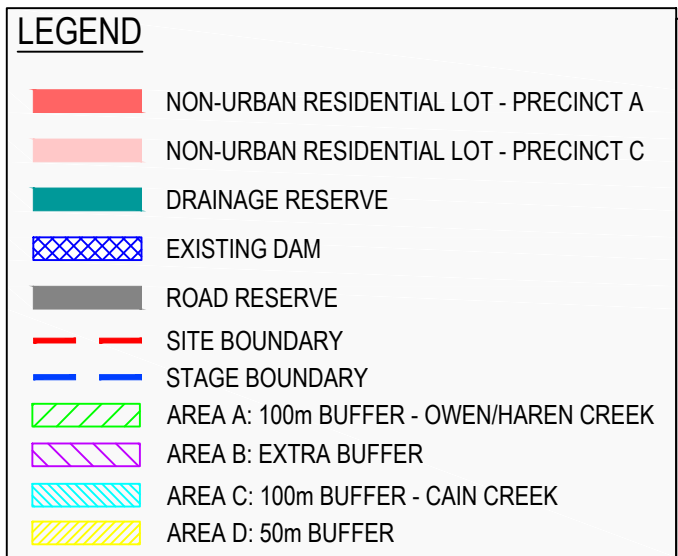
Note: For completion by assessment manager if applicable

Description of the work	
QLeave project number	
Amount paid (\$)	
Date paid	
Date receipted form sighted by assessment manager	
Name of officer who sighted the form	

The *Planning Act 2016*, the *Planning Regulation 2017* and the *DA Rules* are administered by the Department of Infrastructure, Local Government and Planning. This form and all other required development application materials should be sent to the assessment manager.

Attachment B

Proposal Plans



REEVER AND OCEAN PTY LTD
 LOTS 17, 18 & 22 ON N157227, 43 ON N157359
 N157423, 1 & 2 ON RP703984, 19 & 95 ON N157452
 129 ON N456, 131 ON N157491, 290 ON N157480

AUSTRALASIA	ASIA	AFRICA	MIDDLE EAST	UK/EUROPE	NORTH AMERICA	LATIN AMERICA
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Attachment C

Statement of Code Compliance

Statement of Code Compliance

Mareeba Shire Planning Scheme 2004

- | | |
|---|---|
| 1 | Myola Zone Code |
| 2 | Reconfiguring a Lot Code |
| 3 | Natural and Cultural Heritage Features Overlay Code |
| 4 | Natural Disaster – Bushfire Overlay Code |

1. Myola Zone Code

4.125 Building Siting, Scale and Amenity

Not Applicable – The proposed development involves the reconfiguration of the site and does not involve the siting of any buildings.

4.126 Reconfiguring a Lot

Specific Outcomes	Probable Solutions	Response
For Code Assessable Development		
For Myola Precinct “A”		
<p>S1 Each new lot intended for residential use has adequate area to allow for:</p> <p>(i) a dwelling house and ancillary buildings and structures to be erected in a location that is convenient and, as far as practicable, avoids placing people and works at risk from flooding or other hazard; and</p> <p>(ii) protection of ridgelines and waterways as identified on Map N1, and</p> <p>(iii) minimal clearing of vegetation; and</p> <p>(iv) reasonable vehicular access for a car from the road to the dwelling site.</p>	<p>PS1.1 If the site:</p> <p>(a) is not located within Category B vegetation area as identified on Significant Vegetation Overlay Map V1; and</p> <p>(b) does not include ridgelines, waterways or scenic areas as identified on Map N1; and</p> <p>(c) has a gradient of less than 15%;</p> <p>each new lot or separate part of a lot intended for residential use, has the following:</p> <p>(i) a minimum area of 600m² and maximum area of 1,000m²; and</p> <p>(ii) a minimum frontage of 20m;</p> <p>OR</p>	<p>R1.1 Not Applicable</p> <p>The site includes ridgelines and waterways and includes areas with a gradient greater than 15%. PS1.1 is therefore not applicable in this instance.</p>
	<p>PS1.2 If the site:</p> <p>(a) is located within Category B vegetation area as identified on Significant Vegetation Overlay Map V1; or</p> <p>(b) includes ridgelines, waterways or scenic areas as identified on Map N1; and</p> <p>(c) has a gradient greater than 15%; and</p> <p>each new lot intended for residential use, has the following :</p> <p>(i) a minimum area of 4,000m²; and</p> <p>(ii) a minimum frontage of 50m.</p>	<p>R1.2 Alternative Solution</p> <p>The extent of the proposed development located within Precinct A includes lots with a land area of 4,000m² or greater. In most instances, a minimum frontage of 50 metres has been provided. In select instances, the frontage of the proposed lots is less than 50 metres. In instances where a frontage of less than 50 metres is proposed it is noted that:</p> <ul style="list-style-type: none"> Sufficient land area exists to improve the sites with a dwelling house and associated infrastructure, where in many instances the proposed lots are well above the minimum size of 4,000m²;

Specific Outcomes	Probable Solutions	Response
		<ul style="list-style-type: none"> • The proposed lots are appropriately located and designed to ensure that residents are not subject to danger associated with natural hazards. • The proposed lot layout has been specifically designed to avoid and protect areas of significant vegetation, particularly along waterways. • The large size of lots proposed will allow for the retention of vegetation within lots, if desired, whilst providing land for residential improvements. • The proposed lot layout has been designed in response to the natural slope of the site. • All lots are provided with sufficient frontage to achieve vehicular access from a road. <p>On this basis, it is considered that the proposed development achieves compliance with S1.</p>
<p>S2 Each new lot is capable of being connected to the following:</p> <ul style="list-style-type: none"> (i) reticulated water supply; (ii) reticulated sewerage infrastructure; (iii) urban drainage system; (iv) underground power supply; and telecommunications. 	<p>PS2 No acceptable solution prescribed.</p>	<p>R2 Alternative Solution (as no Acceptable Outcome is provided)</p> <p>The proposed residential lots are capable of being connected to an appropriate level of infrastructure services. With respect to sewerage infrastructure, it is acknowledged that on-site sewerage infrastructure is proposed. The proposed lots are, however, capable of being provided with a connection to a reticulated sewerage infrastructure network in the future, therefore complying with S2.</p> <p>The proposed development involves a non-urban residential subdivision of the site. The Overall Outcomes of the zone code applicable to Precinct A contemplate urban residential development in this precinct and this is reflected in the level of infrastructure services intended under S2 (i.e. a higher level of wastewater treatment was contemplated in support of urban subdivision).</p> <p>The proposed development does not prevent the future development of the site for urban residential purposes, such as through the further subdivision of the proposed lots or the intensification of their use, at which time, urban infrastructure services, such as connections to a</p>

Specific Outcomes	Probable Solutions	Response
		reticulated sewerage network, are capable of being provided.
S3 New roads are to an urban standard.	PS3 New roads are designed and constructed in accordance with the Planning Scheme Policy 4-Development Manual.	R3 Can Comply The proposed subdivision layout has been designed to facilitate the delivery of roads consistent with relevant FNQROC standards.
S4 New lots are designed to ensure vegetation is retained and wild life corridors (wildlife corridors are identified as Category B on Map V1) are maintained and not obstructed.	PS4 Subdivision layout design retains vegetation and community of trees to facilitate free and uninterrupted movements of wildlife.	R4 Complies The proposed lot layout has been specifically designed to retain vegetated corridors, particularly along waterways. These corridors will support movement of wildlife through the site.
S5 Accessible and convenient public open space is provided for the recreation and well being of the community.	PS5.1 Land for parks and recreation is provided in accordance with Planning Scheme Policy 5 - Open Space Contribution or	R5 Alternative Solution The proposed development will be subject to infrastructure charges calculated in accordance with Council's resolution. The proposed development involves the provision of extensive drainage reserves which have the capacity to support a range of recreational functions.
	PS5.2 A cash contribution is paid as laid out in the Planning Scheme Policy 5 - Open Space Contribution.	
	PS5.3 Access is in accordance with AS1428-Design for Access and Mobility to infrastructure associated with development of public open space for community recreation use.	
S6 Augmentation of the road network servicing the development is provided	P6.1 A cash contribution is paid as laid out in the Planning Scheme Policy 6 -Augmentation of the Road Network101	R6 Alternative Solution The proposed development will be subject to infrastructure charges calculated in accordance with Council's resolution.
For Myola Precinct "B"		
S1 Each new lot intended for residential use has adequate area to allow for: (i) a dwelling house and ancillary buildings and structures to be erected in a location that is convenient and, as far as practicable, avoids placing people and works at risk from flooding or other hazard; and (ii) protection of ridgelines and waterways as identified on Map N1, and (iii) minimal clearing of vegetation; and (iv) reasonable vehicular access for a car from the road to the dwelling site.	PS1.1 If the site: (a) is not located within Category B vegetation area as identified on Significant Vegetation Overlay Map V1; and (b) does not include ridgelines, waterways or scenic areas as identified on Map N1; and (c) has a gradient of less than 15%; each new lot or separate part of a lot intended for residential use, has the following: (i) a minimum area of 600m ² and maximum area of 1,000m ² ; and (ii) a minimum frontage of 20m;	R1 Not Applicable The site is not located within Myola Precinct B.

Specific Outcomes	Probable Solutions	Response
	<p>OR</p> <p>PS1.2 If the site:</p> <p>(a) is located within Category B vegetation area as identified on Significant Vegetation Overlay Map V1; or</p> <p>(b) includes ridgelines, waterways or scenic areas as identified on Map N1;and</p> <p>(c) has a gradient greater than 15%;and</p> <p>each new lot intended for residential use, has the following :</p> <p>(i) a minimum area of 4,000m²; and</p> <p>(ii) a minimum frontage of 50m.</p>	
<p>S2 Each new lot is capable of being connected to the following:</p> <p>(i) reticulated water supply;</p> <p>(ii) reticulated sewerage infrastructure;</p> <p>(iii) urban drainage system;</p> <p>(iv) underground power supply; and telecommunications.</p>	PS2 No acceptable solution prescribed.	<p>R2 Not Applicable</p> <p>The site is not located within Myola Precinct B.</p>
<p>S3 Each new lot is capable of being accessed, via a road crossing of Barron River directly linking Precinct A and Precinct B, with a flood immunity of greater than Q10.</p>	PS3 No acceptable solution prescribed.	<p>R3 Not Applicable</p> <p>The site is not located within Myola Precinct B.</p>
<p>S4 New roads are constructed to an urban standard.</p>	PS4 New roads are designed and constructed in accordance with the Planning Scheme Policy 4-Development Manual.	<p>R4 Not Applicable</p> <p>The site is not located within Myola Precinct B.</p>
<p>S5 New lots are designed to ensure vegetation is retained and wild life corridors (wildlife corridors are identified as Category B on Map V1) are maintained and not obstructed.</p>	PS5 Subdivision layout design retains vegetation and community of trees to facilitate free and uninterrupted movements of wildlife.	<p>R5 Not Applicable</p> <p>The site is not located within Myola Precinct B.</p>
<p>S6 Accessible and convenient public open space is provided for the recreation and well being of the community.</p>	<p>PS6.1 Land for parks and recreation is provided in accordance with Planning Scheme Policy 5 - Open Space Contribution or</p> <p>PS6.2 A cash contribution is paid as laid out in the Planning Scheme Policy 5 - Open Space Contribution</p> <p>PS6.3 Access is in accordance with AS1428-Design for Access and Mobility to infrastructure associated with</p>	<p>R6 Not Applicable</p> <p>The site is not located within Myola Precinct B.</p>

Specific Outcomes	Probable Solutions	Response
	development of public open space for community recreation use.	
S7 Augmentation of the road network servicing the development is provided	PS7 A cash contribution is paid as laid out in the Planning Scheme Policy 6 -Augmentation of the Road Network	R7 Not Applicable The site is not located within Myola Precinct B.
For Myola Precinct “C”		
S1 Each new lot intended for residential use has adequate area to allow for: (i) a dwelling house and ancillary buildings and structures to be erected in a location that is convenient and, as far as practicable, avoids placing people and works at risk from flooding or other hazard; and (ii) protection of ridgelines and waterways as identified on Map N1, and (iii) minimal clearing of vegetation; and (iv) reasonable vehicular access for a car from the road to the dwelling site.	PS1.1 If the site: (a) is not located within Category B vegetation area as identified on Significant Vegetation Overlay Map V1; and (b) does not include ridgelines, waterways or scenic areas as identified on Map N1; and (c) has a gradient of less than 15%; each new lot or separate part of a lot intended for residential use, has the following: (i) a minimum area of 4000m ² to 2 hectares with an average of 8000m ² and (ii) a minimum frontage of 50m; OR	R1.1 Not Applicable The site includes ridgelines and waterways and includes areas with a gradient greater than 15%. PS1.1 is therefore not applicable in this instance.
	PS1.2 If the site: (a) is located within Category B vegetation area as identified on Significant Vegetation Overlay Map V1; or (b) includes ridgelines, waterways or scenic areas as identified on Map N1;and (c) has a gradient greater than 15%;and each new lot intended for residential use, has the following : (i) a minimum area of 4,000m ² to 2 hectares with an average of 8000 m ² ; and (ii) a minimum frontage of 50m.	R1.2 Alternative Solution The extent of the proposed development located within Precinct C includes lots with a land area of 4,000m ² or greater. The average lot size in this area is 8,092m ² , above the 8,000m ² discussed in PS1.2. In most instances, a minimum frontage of 50 metres has been provided. In select instances, the frontage of the proposed lots is less than 50 metres. In instances where a frontage of less than 50 metres is proposed it is noted that: <ul style="list-style-type: none"> • Sufficient land area exists to improve the sites with a dwelling house and associated infrastructure, where in many instances the proposed lots are well above the minimum size of 4,000m²; • The proposed lots are appropriately located and designed to ensure that residents are not subject to danger associated with natural hazards.

Specific Outcomes	Probable Solutions	Response
		<ul style="list-style-type: none"> The proposed lot layout has been specifically designed to avoid and protect areas of significant vegetation, particularly along waterways. The large size of lots proposed will allow for the retention of vegetation within lots, if desired, whilst providing land for residential improvements. The proposed lot layout has been designed in response to the natural slope of the site. All lots are provided with sufficient frontage to achieve vehicular access from a road. <p>On this basis, it is considered that the proposed development achieves compliance with S1.</p>
S2 Each new lot is capable of being connected to the following: (a) a suitable potable water supply; and (b) a suitable sewerage disposal system; and (c) an appropriate urban drainage system; and (d) underground power supply; and telecommunications.	PS2.1 Lots are connected to reticulated water and sewerage to the standards as stated in Planning Scheme Policy 4 - Development Manual (sections D6 and D7) in towns where these services are available; OR	R2.1 Not Applicable The proposal will comply with PS2.2.
	PS2.2 (i) Lots are provided with a water supply in accordance with Planning Scheme Policy 1 – Water Supply (Outside Reticulated Water Supply Areas); and (ii) On site sewage disposal facilities are provided in accordance with the Plumbing and Drainage Act 2002.	R2.2 Will Comply The proposed lots are intended to be serviced by a reticulated water supply network and on-site sewerage systems, at the time of Dwelling House development.,
	PS2.3 Lots are provided with underground electricity and telephone supplies.	R2.3 Can Comply Appropriate electrical and telecommunications connections will be provided to each lot.
	PS2.4 Stormwater drainage systems are provided in accordance with the Planning Scheme Policy 4 – Development Manual S4.	R2.4 Can Comply Stormwater drainage infrastructure can be provided in compliance with PS2.4.
S3 New roads are constructed to an urban standard.	PS3 New roads are designed and constructed in accordance with the Planning Scheme Policy 4- Development Manual.	R3 Can Comply The proposed subdivision layout has been designed to facilitate the delivery of roads consistent with relevant FNQROC standards.

Specific Outcomes	Probable Solutions	Response
S4 New lots are designed to ensure vegetation is retained and wild life corridors (wildlife corridors are identified as Category B on Map V1) are maintained and not obstructed.	PS4 Subdivision layout design retains vegetation and community of trees to facilitate free and uninterrupted movements of wildlife.	R4 Complies The proposed lot layout has been specifically designed to retain vegetated corridors, particularly along waterways. These corridors will support movement of wildlife through the site.
S5 Accessible and convenient public open space is provided for the recreation and well being of the community.	PS5.1 Land for parks and recreation is provided in accordance with Planning Scheme Policy 5 - Open Space Contribution or.104	R5 Alternative Solution The proposed development will be subject to infrastructure charges calculated in accordance with Council's resolution. The proposed development involves the provision of extensive drainage reserves which have the capacity to support a range of recreational functions.
	PS5.2 A cash contribution is paid as laid out in the Planning Scheme Policy 5 - Open Space Contribution	
	PS5.3 Access is in accordance with AS1428-Design for Access and Mobility to infrastructure associated with development of public open space for community recreation use.	
S6 Augmentation of the road network servicing the development is provided	PS6 A cash contribution is paid as laid out in the Planning Scheme Policy 6 -Augmentation of the Road Network	R6 Alternative Solution The proposed development will be subject to infrastructure charges calculated in accordance with Council's resolution.
For Myola Precinct "D"		
S1 A choice of residential allotments are provided on steeper and heavily vegetated land and provided with most conventional urban services such as underground power, sealed roads, urban drainage but not connected to reticulated water and sewerage	PS1 (i) The minimum lot size is 2 hectares, with an average area of 4 hectares; and (ii) The minimum frontage is eighty (80) metres.	R1 Not Applicable The site is not located within Myola Precinct D.
S2 New roads are constructed to an urban standard.	PS2 New roads are designed and constructed in accordance with the Planning Scheme Policy 4- Development Manual.	R2 Not Applicable The site is not located within Myola Precinct D.
S3 Waterways within the precinct are retained in their natural state to protect scenic and environmental values.	PS3 Riparian buffers may be considered as Open Space contribution where appropriate and is retained or restored to a natural condition and included in the Conservation zone	R3 Not Applicable The site is not located within Myola Precinct D.
S4 New lots are designed to ensure vegetation is retained and wild life corridors (wildlife corridors are identified as Category B on Map V1) are maintained and not obstructed.	PS4 Subdivision layout design retains vegetation and community of trees to facilitate free and uninterrupted movements of wildlife.	R4 Not Applicable The site is not located within Myola Precinct D.
	PS5.1	R5 Not Applicable

Specific Outcomes	Probable Solutions	Response
<p>S5 Each new lot is capable of being connected to the following:</p> <p>(a) a suitable potable water supply; and</p> <p>(b) a suitable sewerage disposal system; and</p> <p>(c) an appropriate urban drainage system; and</p> <p>(d) underground power supply; and telecommunications.</p>	<p>(i) Lots are provided with a water supply in accordance with Planning Scheme Policy 1 – Water Supply (Outside Reticulated Water Supply Areas); and</p> <p>(ii) On site sewage disposal facilities are provided in accordance with the Plumbing and Drainage Act 2002; and</p> <hr/> <p>PS5.2 Lots are provided with underground electricity and telephone supplies; and</p> <hr/> <p>PS5.3 Stormwater drainage systems are provided in accordance with the Planning Scheme Policy 4 – Development Manual S4.</p>	<p>The site is not located within Myola Precinct D.</p>
<p>S6 Accessible and convenient public open space is provided for the recreation and well being of the community.</p>	<p>PS6.1 Land for parks and recreation is provided in accordance with Planning Scheme Policy 5 - Open Space Contribution or.107</p> <hr/> <p>PS6.2 A cash contribution is paid as laid out in the Planning Scheme Policy 5 - Open Space Contribution</p> <hr/> <p>PS6.3 Access is in accordance with AS1428-Design for Access and Mobility to infrastructure associated with development of public open space for community recreation use.</p>	<p>R6 Not Applicable</p> <p>The site is not located within Myola Precinct D.</p>
<p>S7 Augmentation of the road network servicing the development is provided</p>	<p>PS7 A cash contribution is paid as laid out in the Planning Scheme Policy 6 -Augmentation of the Road Network</p>	<p>R7 Not Applicable</p> <p>The site is not located within Myola Precinct D.</p>
For Myola Precinct “E”		
<p>S1 The area is retained in its existing state to protect scenic and environmental values.</p>	<p>PS1 No further reconfiguration is permitted.</p>	<p>R1 Alternative Outcome</p> <p>The extent to which the proposed development is located within Precinct E is limited to the creation of a balance parcel. This balance parcel supports the retention of the sites environmental and scenic values.</p>

2. Reconfiguring a Lot Code

Specific Outcomes	Probable Solutions	Response
For all Zones in Part 4 - Zones		
S1 Vehicular access Each new lot has appropriate vehicular access to a road that does not significantly detract from the function of the road; and complies with the Planning Scheme Policy 4 - Development Manual.	PS1 No probable solution provided.	R1 Alternative Solution (as no Probable Solution is provided) The proposed development delivers a local road network that facilitates the provision of appropriate access to the proposed residential lots. Access to local roads can be provided in accordance with appropriate standards.
S2 On-site services and facilities Each new lot is provided with an appropriate level of the following: <ul style="list-style-type: none"> i. water supply; and ii. sewage treatment; and iii. drainage; and iv. power supply; and v. telecommunications; and complies with the Planning Scheme Policy 4 - Development Manual.	PS2 No probable solution provided.	R2 Alternative Solution (as No Probable Solution is provided) The proposed lots will be provided with a reticulated water supply, appropriate drainage infrastructure, power connections and telecommunications connections commensurate to the nature and style of residential development proposed. On-site sewerage treatment will be provided in association with Dwelling House development.
S3 Works All works are carried out in accordance with the Planning Scheme Policy 4- Development Manual.	PS3 No probable solution provided.	R3 Alternative Solution (as No Probable Solution is provided) Any works associated with the proposed development will be carried out in accordance with the relevant policies.
Urban use (For Residential, Village and Rural Residential zone Reconfigurations)		
S4 Urban use Each new lot intended for residential use has adequate useable area to allow for: <ul style="list-style-type: none"> (i) a dwelling house and ancillary buildings and structures to be erected in a location that is convenient and, as far as practicable, avoids placing people and works at risk from flooding or other hazard; and (ii) adequate useable open space for the occupants; and (iii) reasonable vehicular access for a car from the road to a site for the dwelling house; and 	PS4 No probable solution provided.	R4 Not Applicable The proposed development is located in the Myola Zone.

Specific Outcomes	Probable Solutions	Response
<p>(iv) for new reconfigurations creating in excess of twenty (20) lots, street networks are designed to ensure connected open space networks or streets to facilitate convenient bicycle and pedestrian trips; and</p> <p>(v) for reconfigurations including the opening of new roads, new road networks are designed with a hierarchy of streets and connectivity to ensure future bus servicing is practical; and</p> <p>complies with the Planning Scheme Policy 4-Development Manual.</p>		

3. Natural and Cultural Heritage Features Overlay Code

Specific Outcomes	Probable Solutions	Response
S1 Cultural Heritage Places (a) significant elements of the mining history of Mareeba Shire are conserved; and (b) buildings, structures and operational works which demonstrate significant historical periods in the development of the Shire are conserved; and (c) known natural features which are significant to the indigenous cultural heritage of the Shire are protected.	PS1 No probable solution provided.	R1 Not Applicable The site does not contain a mapped cultural heritage place.
S2 Areas under the <i>Nature Conservation Act 1992</i> Development within 100 metres of an identified area under the <i>Nature Conservation Act 1992</i> which has rare and threatened species recognised by the Act, has no significant adverse effects on the area, including those related to: (a) management of fire risk, including the use of natural firebreaks; or (b) changes to natural drainage; or (c) unmanaged public access; or (d) effluent disposal; or (e) changes to natural activities of animals with respect to the location and effects of uses, fencing, lighting and the like.	PS2 No probable solution provided.	R2 Not Applicable The site is not located within 100 metres of an area identified under the <i>Nature Conservation Act 1992</i> . Note: An identified area is taken to be a protected area under Section 14 of the <i>Nature Conservation Act 1992</i> .
S3 Wetlands and Waterways (a) There are no significant adverse effects on identified wetlands and identified waterways in terms of: (i) habitat; or (ii) water quality; or (iii) landscape quality. (b) For intensive agriculture, a buffer is maintained from the high bank of a waterway having regard to: (i) water quality, and (ii) fauna habitat corridor, and (iii) the retention of undisturbed vegetation , or (iv) revegetation of appropriate areas with local endemic species.	PS3 No probable solution provided.	R3 Alternative Solution (as No Probable Solution is provided) The proposed development has been designed to avoid the provision of residential lots within areas of waterways. Waterways have been retained through the creation of drainage reserves. Development within these waterways is limited to required road crossings.

Specific Outcomes	Probable Solutions	Response
S4 Conservation of Buildings and Places of Local Heritage Significance (i) Original in situ building fabric are preserved and restored; and (ii) material which is damaged or altered from its original state are repaired and replaced with contemporary materials consistent with existing built fabric; and (iii) The curtilage and setting of the building are protected from development which conflicts with the character or scale of the existing building/s.	PS4 No probable solution provided.	R4 Not Applicable The site does not contain a local heritage place.
S5 Respect for Form and Appearance of Natural Heritage Features and Cultural Heritage Features Development affecting Natural Heritage Features and Cultural Heritage Features does not adversely impact upon buildings and structures of historic significance.	PS5 No probable solution provided.	R5 Not Applicable The site does not contain any natural heritage features or cultural heritage features.
S6 Retention of Natural Heritage Features and Cultural Heritage Features Buildings or structures within a Natural Heritage Feature or Cultural Heritage Feature are retained in an undamaged state or are enhanced through conservation of building fabric or structures.	PS6 No probable solution provided.	R6 Not Applicable The site does not contain any natural heritage features or cultural heritage features.
S7 Mineral Resources are protected Mineral Resources are protected from conflicting land uses which may constrain the current or future utilisation of such resources.	PS7 No probable solution provided.	R7 Not Applicable The site is not designated as containing mineral resources.

4. Natural Disaster – Bushfire Overlay Code

Specific Outcomes	Probable Solutions	Response
<p>S1 Development maintains the safety of people and property by mitigating the risk through:</p> <ul style="list-style-type: none"> lot design and the siting of buildings; and including firebreaks that provide adequate: <ul style="list-style-type: none"> setbacks between buildings/structures and hazardous vegetation, and access for firefighting/other emergency vehicles; providing adequate road access for firefighting/other emergency vehicles and safe evacuation; and providing an adequate and accessible water supply for firefighting purposes. 	<p>For Self Assessment</p> <p>PS1.1 Buildings and structures:</p> <p>(a) on lots greater than 2,500m²:</p> <ul style="list-style-type: none"> are sited in locations of lowest hazard within the lot; and achieve setbacks from hazardous vegetation¹⁶ of at least 15 metres; and <p>(b) on lots less than or equal to 2,500m²:</p> <ul style="list-style-type: none"> are sited in locations of lowest hazard within the lot; and achieve setbacks from hazardous vegetation of at least 5 metres. <hr/> <p>For Code Assessment:</p> <p>PS1.2 Buildings and structures:</p> <p>(a) on lots greater than 2,500m²:</p> <ul style="list-style-type: none"> are sited in locations of lowest hazard within the lot; and achieve setbacks from hazardous vegetation¹⁸ of 1.5 times the predominant mature canopy tree height or 10 metres, whichever is the greater; and are located a minimum of 10 metres from any retained vegetation strips or small areas of vegetation; and are sited so that elements of the development least susceptible to fire are sited closest to the bushfire hazard. <p>(b) on lots less than or equal to 2,500m², maximise setbacks from hazardous vegetation.</p> <hr/> <p>For Self Assessment and Code Assessment:</p>	<p>R1 Alternative Solution</p> <p>Whilst it is acknowledged that the mapping accompanying the superseded planning scheme identifies the site as being within low and medium bushfire hazard areas, it is noted that since the drafting of the planning scheme, more accurate mapping of bushfire hazard has been undertaken and reflected in the State Planning Policy. It is also noted that this new hazard mapping is reflected in the current 2016 planning scheme. The new mapping shows that only two small parts of the site are located in potential buffer areas. These areas are well separated from the proposed residential lots, being located in a balance lot and a drainage reserve. On the basis of the new information available, it is considered that the site does not present a bushfire risk and therefore specific action in this regard is not necessitated.</p>

Specific Outcomes	Probable Solutions	Response
	<p>PS1.3 For uses involving new or existing buildings with a gross floor area greater than 50m², each lot has:</p> <ul style="list-style-type: none"> a reliable reticulated water supply that has sufficient flow and pressure characteristics for fire fighting purposes at all times (minimum pressure and flow is 10 litres a second at 200 kPa); <p>OR</p> <ul style="list-style-type: none"> an on-site water storage of not less than 5,000 litres (eg accessible dam or tank with fire brigade tank fittings, swimming pool). 	
	<p>For Code Assessment only:</p> <p>PS1.4 Lots are designed so that their size and shape allow for:</p> <ul style="list-style-type: none"> (a) efficient emergency access to buildings for fire-fighting appliances (e.g. by avoiding long narrow lots with long access drives to buildings); <p>AND</p> <ul style="list-style-type: none"> (b) setbacks and building siting in accordance with PS1.2 above. 	
	<p>For Code Assessment only:</p> <p>PS1.5 Firebreaks are provided by:</p> <ul style="list-style-type: none"> (a) a perimeter road that separates lots from areas of bushfire hazard and that road has: <ul style="list-style-type: none"> a minimum cleared width of 20 metres; and a constructed road width and weather standard complying with local government standards. <p>OR</p> <ul style="list-style-type: none"> (b) where it is not practicable to comply with PS1.5 (a), fire maintenance trails are located as close as possible to the boundaries of the lots and the adjoining bushland hazard, and the fire/maintenance trails: 	

Specific Outcomes	Probable Solutions	Response
	<ul style="list-style-type: none"> have a minimum cleared width of 6 metres; <p>AND</p> <ul style="list-style-type: none"> have a formed width and gradient, and erosion control devices to local government standards; <p>AND</p> <ul style="list-style-type: none"> have vehicular access at each end; and provide passing bays and turning areas for fire-fighting appliances; <p>AND</p> <ul style="list-style-type: none"> are either located on public land, or within an access easement that is granted in favour of the local government and Queensland Fire & Rescue Service. <p>AND</p> <p>(c) sufficient cleared breaks of 6 metres minimum width in retained bushland within the development (eg creek corridors and other retained vegetation) to allow burning of sections and access for bushfire response.</p>	
	<p>For Code Assessment only:</p> <p>PS1.6 Roads are designed and constructed in accordance with applicable local government and State government standards and:</p> <p>(a) have a maximum gradient of 12.5%;and</p> <p>(b) exclude cul-de-sacs, except where a perimeter road isolates the development from hazardous vegetation or the cul-de-sacs are provided with an alternative access linking the cul-de-sacs to other through roads.</p>	
	<p>For Code Assessment only:</p> <p>PS1.7 Development complies with a Bushfire Management Plan for the premises.</p>	
For Code Assessment only:	For Code Assessment only:	R2 Not Applicable

Specific Outcomes	Probable Solutions	Response
S2 Public safety and the environment are not adversely affected by the detrimental impacts of bushfire on hazardous materials manufactured or stored in bulk.	PS2 Development complies with a Bushfire Management Plan for the premises.	The proposed development does not involve the manufacturing or storage of hazardous materials in bulk.

Attachment D

Site Searches

CURRENT TITLE SEARCH

DEPT OF NATURAL RESOURCES AND MINES, QUEENSLAND

Request No: 27859680

Search Date: 31/01/2018 08:51

Title Reference: 51131992

Date Created: 29/01/2018

Previous Title: 40074596

REGISTERED OWNER

Dealing No: 718543088 29/01/2018

REEVER AND OCEAN PTY LTD A.C.N. 168 166 416

ESTATE AND LAND

Estate in Fee Simple

LOT 17 SURVEY PLAN 296830
Local Government: MAREEBA

EASEMENTS, ENCUMBRANCES AND INTERESTS

1. Rights and interests reserved to the Crown by
Deed of Grant No. 20164038 (POR 17V)
2. MORTGAGE No 717992137 02/05/2017 at 10:10
KA HOU LOI

ADMINISTRATIVE ADVICES - NIL

UNREGISTERED DEALINGS - NIL

CERTIFICATE OF TITLE ISSUED - No

Caution - Charges do not necessarily appear in order of priority

** End of Current Title Search **

COPYRIGHT THE STATE OF QUEENSLAND (DEPT OF NATURAL RESOURCES AND MINES) [2018]
Requested By: D-ENQ CITEC CONFIRM



Department of Environment and Heritage Protection (EHP)
ABN 46 640 294 485
400 George St Brisbane, Queensland 4000
GPO Box 2454 Brisbane QLD 4001 AUSTRALIA
www.ehp.qld.gov.au

SEARCH RESPONSE
ENVIRONMENTAL MANAGEMENT REGISTER (EMR)
CONTAMINATED LAND REGISTER (CLR)

Transaction ID: 50434952 EMR Site Id: 07 February 2018
This response relates to a search request received for the site:
Lot: 17 Plan: SP296830

EMR RESULT

The above site is NOT included on the Environmental Management Register.

CLR RESULT

The above site is NOT included on the Contaminated Land Register.

ADDITIONAL ADVICE

All search responses include particulars of land listed in the EMR/CLR when the search was generated.
The EMR/CLR does NOT include:-

1. land which is contaminated land (or a complete list of contamination) if EHP has not been notified
2. land on which a notifiable activity is being or has been undertaken (or a complete list of activities) if EHP has not been notified

If you have any queries in relation to this search please phone 13QGOV (13 74 68)

Administering Authority

CURRENT TITLE SEARCH

DEPT OF NATURAL RESOURCES AND MINES, QUEENSLAND

Request No: 27859681

Search Date: 31/01/2018 08:51

Title Reference: 51131990

Date Created: 29/01/2018

Previous Title: 40074594

REGISTERED OWNER

Dealing No: 718543083 29/01/2018

REEVER AND OCEAN PTY LTD A.C.N. 168 166 416

ESTATE AND LAND

Estate in Fee Simple

LOT 18 SURVEY PLAN 296830
Local Government: MAREEBA

EASEMENTS, ENCUMBRANCES AND INTERESTS

1. Rights and interests reserved to the Crown by
Deed of Grant No. 20120036 (POR 18V)
2. MORTGAGE No 717992137 02/05/2017 at 10:10
KA HOU LOI

ADMINISTRATIVE ADVICES - NIL

UNREGISTERED DEALINGS - NIL

CERTIFICATE OF TITLE ISSUED - No

Caution - Charges do not necessarily appear in order of priority

** End of Current Title Search **

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Requested By: D-ENQ CITEC CONFIRM



Department of Environment and Heritage Protection (EHP)
ABN 46 640 294 485
400 George St Brisbane, Queensland 4000
GPO Box 2454 Brisbane QLD 4001 AUSTRALIA
www.ehp.qld.gov.au

SEARCH RESPONSE
ENVIRONMENTAL MANAGEMENT REGISTER (EMR)
CONTAMINATED LAND REGISTER (CLR)

Transaction ID: 50434953 EMR Site Id: 07 February 2018
This response relates to a search request received for the site:
Lot: 18 Plan: SP296830

EMR RESULT

The above site is NOT included on the Environmental Management Register.

CLR RESULT

The above site is NOT included on the Contaminated Land Register.

ADDITIONAL ADVICE

All search responses include particulars of land listed in the EMR/CLR when the search was generated.
The EMR/CLR does NOT include:-

1. land which is contaminated land (or a complete list of contamination) if EHP has not been notified
2. land on which a notifiable activity is being or has been undertaken (or a complete list of activities) if EHP has not been notified

If you have any queries in relation to this search please phone 13QGOV (13 74 68)

Administering Authority

CURRENT TITLE SEARCH

DEPT OF NATURAL RESOURCES AND MINES, QUEENSLAND

Request No: 27859683

Search Date: 31/01/2018 08:51

Title Reference: 51131991

Date Created: 29/01/2018

Previous Title: 40074595

REGISTERED OWNER

Dealing No: 718543087 29/01/2018

REEVER AND OCEAN PTY LTD A.C.N. 168 166 416

ESTATE AND LAND

Estate in Fee Simple

LOT 19 SURVEY PLAN 296830
Local Government: MAREEBA

EASEMENTS, ENCUMBRANCES AND INTERESTS

1. Rights and interests reserved to the Crown by
Deed of Grant No. 20113100 (POR 19V)
2. MORTGAGE No 717992137 02/05/2017 at 10:10
KA HOU LOI

ADMINISTRATIVE ADVICES - NIL

UNREGISTERED DEALINGS - NIL

CERTIFICATE OF TITLE ISSUED - No

Caution - Charges do not necessarily appear in order of priority

** End of Current Title Search **

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Requested By: D-ENQ CITEC CONFIRM



Department of Environment and Heritage Protection (EHP)
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GPO Box 2454 Brisbane QLD 4001 AUSTRALIA
www.ehp.qld.gov.au

SEARCH RESPONSE
ENVIRONMENTAL MANAGEMENT REGISTER (EMR)
CONTAMINATED LAND REGISTER (CLR)

Transaction ID: 50434956 EMR Site Id: 07 February 2018
This response relates to a search request received for the site:
Lot: 19 Plan: SP296830

EMR RESULT

The above site is NOT included on the Environmental Management Register.

CLR RESULT

The above site is NOT included on the Contaminated Land Register.

ADDITIONAL ADVICE

All search responses include particulars of land listed in the EMR/CLR when the search was generated.
The EMR/CLR does NOT include:-

1. land which is contaminated land (or a complete list of contamination) if EHP has not been notified
2. land on which a notifiable activity is being or has been undertaken (or a complete list of activities) if EHP has not been notified

If you have any queries in relation to this search please phone 13QGOV (13 74 68)

Administering Authority

CURRENT TITLE SEARCH

DEPT OF NATURAL RESOURCES AND MINES, QUEENSLAND

Request No: 27768176

Search Date: 17/01/2018 12:30

Title Reference: 20815084

Date Created: 25/09/1970

Previous Title: 20602064

20602065

20602066

20602067

REGISTERED OWNER

Dealing No: 715946556 11/08/2014

REEVER AND OCEAN PTY LTD A.C.N. 168 166 416

ESTATE AND LAND

Estate in Fee Simple

LOT 20 CROWN PLAN N157423

Local Government: MAREEBA

EASEMENTS, ENCUMBRANCES AND INTERESTS

1. Rights and interests reserved to the Crown by
Deed of Grant No. 20109044 (POR 20V)
Deed of Grant No. 20109045 (POR 20V)

2. MORTGAGE No 717992137 02/05/2017 at 10:10
KA HOU LOI

ADMINISTRATIVE ADVICES - NIL

UNREGISTERED DEALINGS - NIL

CERTIFICATE OF TITLE ISSUED - No

Corrections have occurred - Refer to Historical Search

Caution - Charges do not necessarily appear in order of priority

** End of Current Title Search **

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Requested By: D-ENQ CITEC CONFIRM



Department of Environment and Heritage Protection (EHP)
ABN 46 640 294 485
400 George St Brisbane, Queensland 4000
GPO Box 2454 Brisbane QLD 4001 AUSTRALIA
www.ehp.qld.gov.au

SEARCH RESPONSE
ENVIRONMENTAL MANAGEMENT REGISTER (EMR)
CONTAMINATED LAND REGISTER (CLR)

Transaction ID: 50431081 EMR Site Id: 17 January 2018
This response relates to a search request received for the site:
Lot: 20 Plan: N157423

EMR RESULT

The above site is NOT included on the Environmental Management Register.

CLR RESULT

The above site is NOT included on the Contaminated Land Register.

ADDITIONAL ADVICE

All search responses include particulars of land listed in the EMR/CLR when the search was generated.
The EMR/CLR does NOT include:-

1. land which is contaminated land (or a complete list of contamination) if EHP has not been notified
2. land on which a notifiable activity is being or has been undertaken (or a complete list of activities) if EHP has not been notified

If you have any queries in relation to this search please phone 13QGOV (13 74 68)

Administering Authority

CURRENT TITLE SEARCH

DEPT OF NATURAL RESOURCES AND MINES, QUEENSLAND

Request No: 27859678

Search Date: 31/01/2018 08:51

Title Reference: 51131989

Date Created: 29/01/2018

Previous Title: 40074593

REGISTERED OWNER

Dealing No: 718543082 29/01/2018

REEVER AND OCEAN PTY LTD A.C.N. 168 166 416

ESTATE AND LAND

Estate in Fee Simple

LOT 22 SURVEY PLAN 296830
Local Government: MAREEBA

EASEMENTS, ENCUMBRANCES AND INTERESTS

1. Rights and interests reserved to the Crown by
Deed of Grant No. 20112035 (POR 22V)
Deed of Grant No. 20115003 (POR 21V)
2. MORTGAGE No 717992137 02/05/2017 at 10:10
KA HOU LOI

ADMINISTRATIVE ADVICES - NIL

UNREGISTERED DEALINGS - NIL

CERTIFICATE OF TITLE ISSUED - No

Caution - Charges do not necessarily appear in order of priority

** End of Current Title Search **

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Requested By: D-ENQ CITEC CONFIRM



Department of Environment and Heritage Protection (EHP)
ABN 46 640 294 485
400 George St Brisbane, Queensland 4000
GPO Box 2454 Brisbane QLD 4001 AUSTRALIA
www.ehp.qld.gov.au

SEARCH RESPONSE
ENVIRONMENTAL MANAGEMENT REGISTER (EMR)
CONTAMINATED LAND REGISTER (CLR)

Transaction ID: 50434957 EMR Site Id: 07 February 2018
This response relates to a search request received for the site:
Lot: 22 Plan: SP296830

EMR RESULT

The above site is NOT included on the Environmental Management Register.

CLR RESULT

The above site is NOT included on the Contaminated Land Register.

ADDITIONAL ADVICE

All search responses include particulars of land listed in the EMR/CLR when the search was generated.
The EMR/CLR does NOT include:-

1. land which is contaminated land (or a complete list of contamination) if EHP has not been notified
2. land on which a notifiable activity is being or has been undertaken (or a complete list of activities) if EHP has not been notified

If you have any queries in relation to this search please phone 13QGOV (13 74 68)

Administering Authority

CURRENT TITLE SEARCH

DEPT OF NATURAL RESOURCES AND MINES, QUEENSLAND

Request No: 27768347

Search Date: 17/01/2018 12:41

Title Reference: 20162218

Date Created: 03/06/1912

REGISTERED OWNER

Dealing No: 715946556 11/08/2014

REEVER AND OCEAN PTY LTD A.C.N. 168 166 416

ESTATE AND LAND

Estate in Fee Simple

LOT 43 CROWN PLAN N157359
Local Government: MAREEBA

For exclusions / reservations for public purposes refer to
Plan CP N157359

EASEMENTS, ENCUMBRANCES AND INTERESTS

1. Rights and interests reserved to the Crown by
Deed of Grant No. 20112207 (POR 43V)
2. LEASE No 602653149 (N709579) 28/06/1973
OF PART OF THE LAND
TO ROYAL FLYING DOCTOR SERVICE OF AUSTRALIA (QUEENSLAND
SECTION)
ORIGINAL TERM: FOR 99 YEARS
COMMENCING 01 JUN 1972
OR OPTIONS AS MAY BE STATED
3. MORTGAGE No 717992137 02/05/2017 at 10:10
KA HOU LOI

ADMINISTRATIVE ADVICES - NIL

UNREGISTERED DEALINGS - NIL

CERTIFICATE OF TITLE ISSUED - No

Corrections have occurred - Refer to Historical Search

Caution - Charges do not necessarily appear in order of priority

** End of Current Title Search **

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www.ehp.qld.gov.au

SEARCH RESPONSE
ENVIRONMENTAL MANAGEMENT REGISTER (EMR)
CONTAMINATED LAND REGISTER (CLR)

Transaction ID: 50431245 EMR Site Id: 17 January 2018
This response relates to a search request received for the site:
Lot: 43 Plan: N157359

EMR RESULT

The above site is NOT included on the Environmental Management Register.

CLR RESULT

The above site is NOT included on the Contaminated Land Register.

ADDITIONAL ADVICE

All search responses include particulars of land listed in the EMR/CLR when the search was generated.
The EMR/CLR does NOT include:-

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2. land on which a notifiable activity is being or has been undertaken (or a complete list of activities) if EHP has not been notified

If you have any queries in relation to this search please phone 13QGOV (13 74 68)

Administering Authority

CURRENT TITLE SEARCH

DEPT OF NATURAL RESOURCES AND MINES, QUEENSLAND

Request No: 27768182

Search Date: 17/01/2018 12:30

Title Reference: 20142039

Date Created: 02/01/1906

REGISTERED OWNER

Dealing No: 715946556 11/08/2014

REEVER AND OCEAN PTY LTD A.C.N. 168 166 416

ESTATE AND LAND

Estate in Fee Simple

LOT 95 CROWN PLAN N157452
Local Government: MAREEBA

For exclusions / reservations for public purposes refer to
Plan CP N157452

EASEMENTS, ENCUMBRANCES AND INTERESTS

1. Rights and interests reserved to the Crown by
Deed of Grant No. 20142039 (POR 95V)
2. MORTGAGE No 717992137 02/05/2017 at 10:10
KA HOU LOI

ADMINISTRATIVE ADVICES - NIL

UNREGISTERED DEALINGS - NIL

CERTIFICATE OF TITLE ISSUED - No

Corrections have occurred - Refer to Historical Search

Caution - Charges do not necessarily appear in order of priority

** End of Current Title Search **

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SEARCH RESPONSE
ENVIRONMENTAL MANAGEMENT REGISTER (EMR)
CONTAMINATED LAND REGISTER (CLR)

Transaction ID: 50431080 EMR Site Id: 17 January 2018
This response relates to a search request received for the site:
Lot: 95 Plan: N157452

EMR RESULT

The above site is NOT included on the Environmental Management Register.

CLR RESULT

The above site is NOT included on the Contaminated Land Register.

ADDITIONAL ADVICE

All search responses include particulars of land listed in the EMR/CLR when the search was generated.
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If you have any queries in relation to this search please phone 13QGOV (13 74 68)

Administering Authority

CURRENT TITLE SEARCH

DEPT OF NATURAL RESOURCES AND MINES, QUEENSLAND

Request No: 27768178

Search Date: 17/01/2018 12:30

Title Reference: 20159093

Date Created: 04/09/1911

REGISTERED OWNER

Dealing No: 715946556 11/08/2014

REEVER AND OCEAN PTY LTD A.C.N. 168 166 416

ESTATE AND LAND

Estate in Fee Simple

LOT 129 CROWN PLAN NR456
Local Government: MAREEBA

EASEMENTS, ENCUMBRANCES AND INTERESTS

1. Rights and interests reserved to the Crown by
Deed of Grant No. 20134028 (POR 129V)
2. MORTGAGE No 717992137 02/05/2017 at 10:10
KA HOU LOI

ADMINISTRATIVE ADVICES - NIL

UNREGISTERED DEALINGS - NIL

CERTIFICATE OF TITLE ISSUED - No

Corrections have occurred - Refer to Historical Search

Caution - Charges do not necessarily appear in order of priority

** End of Current Title Search **

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GPO Box 2454 Brisbane QLD 4001 AUSTRALIA
www.ehp.qld.gov.au

SEARCH RESPONSE
ENVIRONMENTAL MANAGEMENT REGISTER (EMR)
CONTAMINATED LAND REGISTER (CLR)

Transaction ID: 50431243 EMR Site Id: 17 January 2018
This response relates to a search request received for the site:
Lot: 129 Plan: NR456

EMR RESULT

The above site is NOT included on the Environmental Management Register.

CLR RESULT

The above site is NOT included on the Contaminated Land Register.

ADDITIONAL ADVICE

All search responses include particulars of land listed in the EMR/CLR when the search was generated.
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If you have any queries in relation to this search please phone 13QGOV (13 74 68)

Administering Authority

CURRENT TITLE SEARCH

DEPT OF NATURAL RESOURCES AND MINES, QUEENSLAND

Request No: 27768177

Search Date: 17/01/2018 12:30

Title Reference: 20417160

Date Created: 01/12/1948

Previous Title: 20245149

20245150

REGISTERED OWNER

Dealing No: 715946556 11/08/2014

REEVER AND OCEAN PTY LTD A.C.N. 168 166 416

ESTATE AND LAND

Estate in Fee Simple

LOT 131 CROWN PLAN N157491

Local Government: MAREEBA

For exclusions / reservations for public purposes refer to
Plan CP N157491

EASEMENTS, ENCUMBRANCES AND INTERESTS

1. Rights and interests reserved to the Crown by
Deed of Grant No. 20116095 (POR 131V)

2. MORTGAGE No 717992137 02/05/2017 at 10:10
KA HOU LOI

ADMINISTRATIVE ADVICES - NIL

UNREGISTERED DEALINGS - NIL

CERTIFICATE OF TITLE ISSUED - No

Corrections have occurred - Refer to Historical Search

Caution - Charges do not necessarily appear in order of priority

** End of Current Title Search **

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Requested By: D-ENQ CITEC CONFIRM



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ABN 46 640 294 485
400 George St Brisbane, Queensland 4000
GPO Box 2454 Brisbane QLD 4001 AUSTRALIA
www.ehp.qld.gov.au

SEARCH RESPONSE
ENVIRONMENTAL MANAGEMENT REGISTER (EMR)
CONTAMINATED LAND REGISTER (CLR)

Transaction ID: 50431082 EMR Site Id: 17 January 2018
This response relates to a search request received for the site:
Lot: 131 Plan: N157491

EMR RESULT

The above site is NOT included on the Environmental Management Register.

CLR RESULT

The above site is NOT included on the Contaminated Land Register.

ADDITIONAL ADVICE

All search responses include particulars of land listed in the EMR/CLR when the search was generated.
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If you have any queries in relation to this search please phone 13QGOV (13 74 68)

Administering Authority

CURRENT TITLE SEARCH

DEPT OF NATURAL RESOURCES AND MINES, QUEENSLAND

Request No: 27768348

Search Date: 17/01/2018 12:41

Title Reference: 20198083

Date Created: 29/03/1920

REGISTERED OWNER

Dealing No: 715946556 11/08/2014

REEVER AND OCEAN PTY LTD A.C.N. 168 166 416

ESTATE AND LAND

Estate in Fee Simple

LOT 290 CROWN PLAN N157480
Local Government: MAREEBA

For exclusions / reservations for public purposes refer to
Plan CP N157480

EASEMENTS, ENCUMBRANCES AND INTERESTS

1. Rights and interests reserved to the Crown by
Deed of Grant No. 20198083 (POR 130 A OVER V)
2. MORTGAGE No 717992137 02/05/2017 at 10:10
KA HOU LOI

ADMINISTRATIVE ADVICES - NIL

UNREGISTERED DEALINGS - NIL

CERTIFICATE OF TITLE ISSUED - No

Corrections have occurred - Refer to Historical Search

Caution - Charges do not necessarily appear in order of priority

** End of Current Title Search **

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400 George St Brisbane, Queensland 4000
GPO Box 2454 Brisbane QLD 4001 AUSTRALIA
www.ehp.qld.gov.au

SEARCH RESPONSE
ENVIRONMENTAL MANAGEMENT REGISTER (EMR)
CONTAMINATED LAND REGISTER (CLR)

Transaction ID: 50431244 EMR Site Id: 17 January 2018
This response relates to a search request received for the site:
Lot: 290 Plan: N157480

EMR RESULT

The above site is NOT included on the Environmental Management Register.

CLR RESULT

The above site is NOT included on the Contaminated Land Register.

ADDITIONAL ADVICE

All search responses include particulars of land listed in the EMR/CLR when the search was generated.
The EMR/CLR does NOT include:-

1. land which is contaminated land (or a complete list of contamination) if EHP has not been notified
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If you have any queries in relation to this search please phone 13QGOV (13 74 68)

Administering Authority

Attachment E

Superseded Planning Scheme Request Decision



Mareeba
SHIRE COUNCIL

RECEIVED
26 JUL 2017
BY:

65 Rankin Street
PO Box 154 MAREEBA QLD 4880

P: 07 4086 4657
F: 07 4092 3323

W: www.msc.qld.gov.au
E: info@msc.qld.gov.au

Council Ref: PreEnq/17/0029

Our Ref: BM:nj

20 July 2017

Reever and Ocean Pty Ltd
C/- Cardno
PO Box 1619
CAIRNS QLD 4870

Dear Applicant/s,

**NOTICE OF DECISION - REQUEST FOR APPLICATION OF SUPERSEDED PLANNING SCHEME
RECONFIGURING A LOT - SUBDIVISION (12 INTO 186 LOTS)**

**LOTS 17 & 18 ON N157227, LOTS 1 & 2 ON RP703984, LOT 22 ON N157227, LOT 20 ON N157423,
LOTS 19 & 95 ON N157452, LOT 43 ON N157359, LOT 129 ON NR456, LOT 290 ON N157480 AND
LOT 131 ON N157491**

SITUATED AT 112 BARNWELL ROAD AND 301 BOYLES ROAD, KURANDA

I refer to your request dated 30 June 2017 for the application of the now superseded Mareeba Shire Planning Scheme 2004 (Amendment No. 01/11) for the assessment of a future application for reconfiguring a lot - subdivision (12 into 186 Lots) over the abovementioned property.

In accordance with section 97 of the *Sustainable Planning Act 2009* (SPA) I wish to confirm that on 19 July 2017, Council, has approved your request. A code assessable development application is required to be submitted to Council for assessment for the proposed subdivision within six (6) months.

The plan of development for which this approval applies is limited to that which is shown on the attached plan (**Attachment 1**) and does not constitute an approval of the application of the superseded planning scheme for any other form or scale of development on the property. Furthermore, this approval is subject to the statutory timeframes included in sections 98, 99 and 100 of the SPA.

Should you require any further information, please contact Council's **Senior Planner, Brian Millard** on the above telephone number.

Yours faithfully

**BRIAN MILLARD
SENIOR PLANNER**

Attachment: 1. Proposed Plan of Development

