



24 September 2025

Planning Officer: Carl Ewin
Direct Phone: 07 4086 4656
Our Reference: OPW/25/0007

Yves F Lovarco
PO Box 3009
CAIRNS QLD 4870

Dear Applicants,

Decision Notice

Planning Act 2016

I refer to your application and advise that on 24 September 2025, under delegated authority, Council decided to approve the application in full subject to conditions.

Details of the decision are as follows:

APPLICATION DETAILS

Application No:	OPW/25/0007
Street Address:	Kuranda Heights Road, Kuranda
Real Property Description:	Lot 2 on RP747074
Planning Scheme:	Mareeba Shire Council Planning Scheme 2016

DECISION DETAILS

Type of Decision:	Approval
Type of Approval:	Development Permit for Operational Works (Vegetation Clearing) assessable against the Mareeba Shire Council Planning Scheme 2016 - Environmental Significance Overlay and Hill and Slope Overlay
Date of Decision:	24 September 2025

CURRENCY PERIOD OF APPROVAL

The currency period for this development approval is **two (2) years** starting the day that this development approval takes effect. (Refer to Section 85 "Lapsing of approval at end of currency period" of the *Planning Act 2016*.)

INFRASTRUCTURE

Where conditions relate to the provision of infrastructure, these are non-trunk infrastructure conditions unless specifically nominated as a "**necessary infrastructure condition**" for the provision of trunk infrastructure as defined under Chapter 4 of the *Planning Act 2016*.

ASSESSMENT MANAGER CONDITIONS

ASSESSMENT MANAGER'S CONDITIONS (COUNCIL)

1. The extent and location of operational works (clearing) carried out on the site, including the location of the access driveway must be generally in accordance with that shown on the approved plan/s.
2. Where possible, all vegetation cleared on-site must be mulched or wood chipped for reused as ground cover on-site to help stop the spread of invasive weeds in the disturbed area.
3. Prior to any clearing occurring on land with a slope exceeding 15%, a detailed erosion and sediment control plan must be submitted to Council for review and approval prior to clearing works commencing.
3. No further assessable clearing can be carried out on the site without prior Council approval.

REFERRAL AGENCIES

Not Applicable.

APPROVED PLANS

The following plans are Approved plans for the development:

Plan/Document Number	Plan/Document Title	Prepared by	Dated
Map 2	The AOI extent and proposed clearing extent on lot 2RP747074	EcoRex	1/07/2025
Report Number 06/07/2025	Matters of Environmental Significance – Lot 2RP747074, Kuranda	EcoRex	6/07/2025

PROPERTY NOTES

Not Applicable.

RIGHTS OF APPEAL

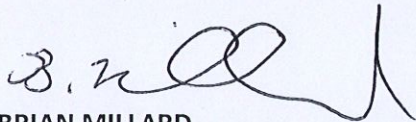
You are entitled to appeal against this decision. A copy of the relevant appeal provisions from the *Planning Act 2016* is attached.

During the appeal period, you as the applicant may suspend your appeal period and make written representations to council about the conditions contained within the development approval. If council agrees or agrees in part with the representations, a "negotiated decision notice" will be issued. Only one "negotiated decision notice" may be given. Taking this step will defer your appeal period, which will commence again from the start the day after you receive a "negotiated decision notice".

OTHER DETAILS

If you wish to obtain more information about Council's decision, electronic copies are available on line at www.msc.qld.gov.au, or at Council Offices.

Yours faithfully

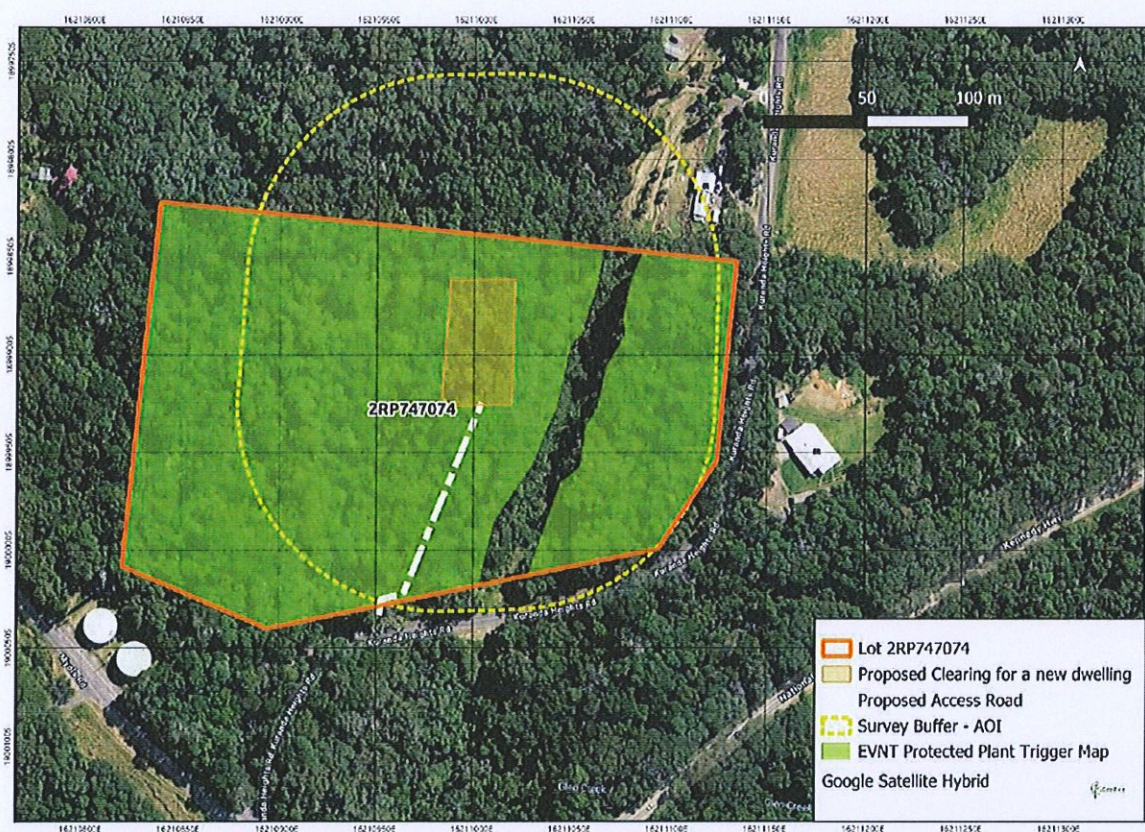


BRIAN MILLARD
COORDINATOR PLANNING & BUILDING

Enc: Approved Plans/Documents
 Appeal Rights

Approved Plans/Documents

4



Map 2. The AOI extent and proposed clearing extent on lot 2RP747074.

24/9/2025
B. nQ



EcoRex Report Number 06/07/2025
Matters of Environmental Significance – Lot 2RP747074, Kuranda.
Prepared for Mr Yves Lovarco.

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This report has been based upon the conditions encountered during the investigation and on the best available information. The accuracy of the advice provided in this report may be limited by reasonably unforeseeable errors or misgivings in searchers and information reviewed. This report does not constitute legal advice and is open to third party and government official interpretation of legislation and may thus be modified and adapted to this regard.

Plant names follow those listed in the [Census of the Queensland Flora](#). Non-native species are denoted by an asterisk (*) and are generally included under the comments field.

EcoRex, 174 Harvey Rd, Redlynch, 4870 Queensland
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6 July 2025

Document Set ID: 4556206

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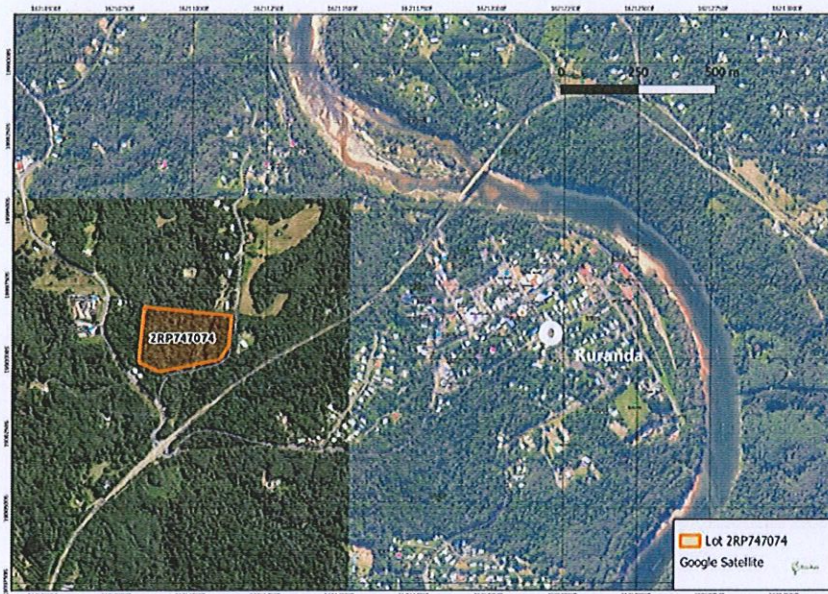


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1. Introduction

The owner of Lot 2RP747074 (1), has engaged EcoRex to undertake a survey and report on Matters of Environmental Significance (MES) that may constrain his proposed development application (DA) with the Mareeba Shire Council (MSC) to clear a section of the lot for a driveway and new dwelling – the Area of Interest (AOI) (Map 2).

The lot is located on the western outskirts of Kuranda, Queensland – on the corner of Myola Rd and Kuranda Height Road, Queensland.



1. The AOI in relation to local landmarks and the town of Kuranda.

1.1. Background.

The aim of the proposed DA is to construct a house pad ($\pm 2,200 \text{ m}^2$) and entrance driveway. The development footprint is proposed to be limited to essential clearing for residential access and construction only as the owner wishes to retain the ambience of a rainforest around the new dwelling.

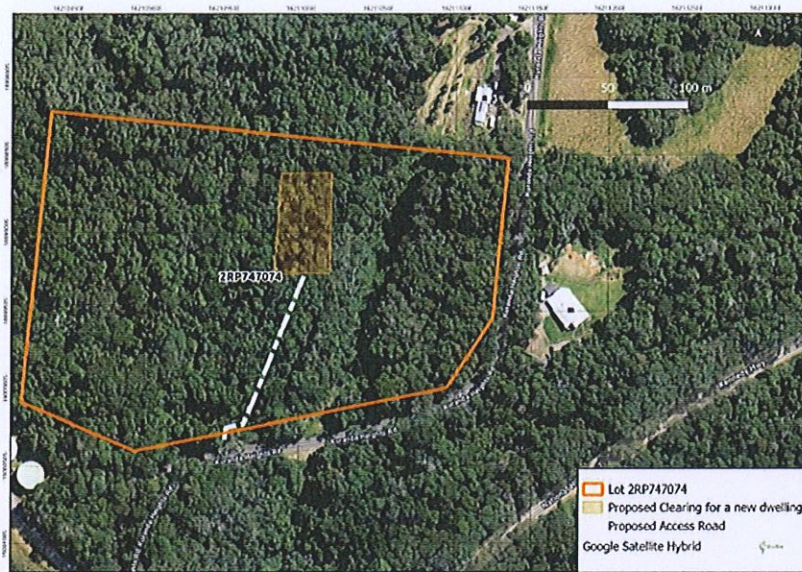
The proposed works are intended to proceed as a single-stage development, with construction anticipated to commence in 2025.

1.2. Scope.

Investigate and report on all MES that could constrain the proposed DA with MSC and any other potential assessing authority.

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Map 2. The AOI and relevant clearing proposals for the DA.

2. Methodology.

The survey methodology follows the accepted sequence of Desktop survey followed by a Site Investigations.

2.1. Desktop Review.

A review of databases and information relating to the following open sources of information (OSINF) list was undertaken as a desktop assessment. The results of these searches and reviews of information assist with gaining a better understanding of the ecology and broader landscape of the survey area.

The following databases and sources of information were reviewed:

- Regional Ecosystem mapping. The most recent version of the DES's remnant regional ecosystem (REDD) vegetation mapping (version 13.1, May 2024) was used to provide an indication of the status and location of remnant vegetation, of the project site.
- Wildlife Online database of flora. This database holds records of plants and animals that have been either sighted or collected within a given radius of the site (a search parameter can be prescribed which limits the search area to a given radius around a central point).
- Protected Matters database of Matters of National Environmental Significance (MNES). This database applies a range of bio-models to predict the presence of species of flora and fauna,

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and other matters of NES as cited under the Environmental Protection and Biodiversity Conservation Act 1999 (EPBC Act).

- HERBRECS database of plant records. This database provides confirmed records of plant collections made within a specified area, of which voucher specimens are held by the Environmental Protection Agency's (EPA) Queensland Herbarium. Data from this source provides useful information on the known location of rare and threatened species and expedites targeted surveys for such plants in the field as well as being a valuable source of what plant taxa are generally present on site or nearby.
- Atlas of Living Australia is a centralized searchable database for locally and regionally recorded fauna and flora.
- Literature review. A range of scientific papers and other literature were reviewed for each taxon potentially expected within the survey area.
- [Far North Queensland Regional Organisation of Councils \(FNQROC\)](#).

All database searches were undertaken using a standard 2km buffer surrounding the Project area, using the approximate central point of the site (Latitude: -16.82033° Longitude: 145.62568°) or Lot and Plan search (2RP747074).

Data for purely estuarine, oceanic, and pelagic marine taxa is not evaluated for this terrestrial site.

An initial likelihood assessment of species potentially occurring in the project area was conducted prior to this field assessment, based on the results of any initial field surveys, current state vegetation mapping and database records.

Likelihood assessments were undertaken using the known distribution and preferred habitat of the species and the identification of these habitat values from data base searches. The criteria used to assess the likelihood of threatened species occurring within the survey area is presented in Table 1 below.

Table 1. Assessment criteria used to evaluate taxa flagged as potentially occurring on site.

Likelihood	Definition
Known	Taxon was positively identified and recorded in the survey area during a previous field assessment; previous records of occurrence within the project area.
Likely	There are known records within the nearby surrounding area and suitable habitat exists on site.
Potentially	Known records occur within the surrounding area, but habitat in the survey area is sub-optimal, marginal, or degraded.
Unlikely	Habitat in the survey area might be suitable or marginal; however no known records of the taxon exist within the surrounding area.
Very Unlikely	Obligate habitat taxa with no suitable habitat on site
None	E.g., Obligate marine taxa not expected in a terrestrial environment

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2.2 Flora and Vegetation Field Survey.

The AOI was visited on several occasions between 7 June and 27 June 2025. Visits were conducted for such purposes as is required for the survey of vegetation communities, and other mandatory survey requirements as mandated by the Nature Conservation Act (1992) and EPBC Act (1999).

2.2.1. Vegetation Communities.

Vegetation communities discernible in the field were surveyed using the methodology for recording quaternary type information as defined by the 'Methodology for Survey and Mapping of Regional Ecosystems and Vegetation Communities in Queensland' (Nelder et al. 2012).

2.2.2. Endangered, Vulnerable and Near Threatened (EVNT) Flora.

EVNT flora, if observed in the field was catalogued and positions recorded in the field within the AOI.

2.2.3. Survey Timing.

The survey timing was undertaken within the potential flowering/fruiting period for all conservation significant flora and other species. Flowering and fruiting data were acquired directly from The Atlas of Living Australia (ALA, 2025) or online herbarium record labels (HERBRECS).

2.2.4. Flora Species Identification.

All conservation significant taxa and other flora involved are very well known to the investigators as local flora and easily distinguishable and identifiable even when not in flower or fruiting. When in doubt, taxa are cross referenced and identified using standard keys used in professional identification and compared to electronic copies of the TYPE specimens and an EcoRex proprietary electronic field herbarium.

2.3. Fauna Field Survey Methodology.

The AOI comprises a well-structured remnant forest, contiguous with adjacent low-density residential areas, riparian zones, the town of Kuranda and native regrowth vegetation, forming a mosaic of transitional habitats between forested, residential and pasture environments.

Given the structural complexity and connectivity of these habitats, the site presents excellent potential for supporting diverse vertebrate fauna. However, a fauna trapping program was deemed unnecessary due to the non-intrusive nature of the investigation and the primary objective of habitat quality assessment. Data collection was performed exclusively through passive, observational, and low-impact methods consistent with the *Terrestrial Vertebrate Fauna Survey Guidelines for Queensland* (DES, 2018) and informed by the best practice methodologies outlined in Thompson and Thompson (2017).

These include:

- Bio acoustic survey.
- Visual diurnal surveys.
- Scat identification.

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- Checking surrounding roads, paths, and tracks for incidental roadkill.

Physical observations on the presence of fauna were also done in conjunction with the Flora and Vegetation Survey.

Specific fauna identified in the desk top review as potential Matters of National Environmental Significance (MNES) or Matters of State Environmental Significance (MSES), were targeted.

Remote surveillance survey sites were established, representing the confluence of waterways or well-developed remnant and regrowth vegetation or remnant riparian regions.

Each remote surveillance site consisting of:

- an ultrasonic (Anabat Swift, Titley Scientific) passive detector,
- an acoustic (Anabat Chorus, Titley Scientific) passive detector,
- Six random placed unbaited infrared wildlife cameras.

Bio acoustic survey data was analysed using Anabat Insight (Titley Scientific) and Kaleidoscope analyses software (Wildlife Acoustics) and compared to an EcoRex proprietary animal vocalization data base or for unidentified bird calls compared against a CornellLab Birdsong database.

3. Desktop Survey Results and Analysis.

3.1. AOI Site Description and Terrain Information.

The whole lot is approximately 4.9 hectares in size and nearly completely covered by remnant vegetation ubiquitous to the Kuranda area and Macalister Range.

3.1.2. Bioregion.

The AOI falls within the Wet Tropics Bioregion (Bioregion 7) and specifically the Macalister sub region.

3.1.3. Surface Geology, Soils and Land zone.

The AOI falls within Qld Land zone 11, which consists of metamorphosed rocks, forming folded ranges, hills and lowlands.

Metamorphosed rock layers can be interspersed with sedimentary un-metamorphosed layers including mudstones and Graywacke. Primarily lower Permian and older sedimentary formations which are generally moderately to strongly deformed. Includes low- to high-grade and contact metamorphics such as phyllites, slates, gneisses of indeterminate origin and serpentinite, and interbedded volcanics.

Soils are mainly shallow, gravelly Rudosols and Tenosols, with Sodosols and Chromosols on lower slopes and gently undulating areas. Soils are typically of a skeletal, very low, low to moderate fertility with a poor ground and shrub vegetation cover and very low carrying capacity after clearing.

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These nutrient poor soils can be very evident in road cuttings and batters and contrast strongly against soils derived from intrusive geologies in the area and have very low herbivorous higher fauna carrying capacity due to the low nutrient levels.

3.1.4. Catchment Area.

The AOI falls within the catchment of the Barron River which terminates on the Coral Sea Coast just north of Cairns International Airport.

3.1.5. Terrain and Relief.

The AOI relief shows a moderately steep relief, especially towards creek lines. The colluvial movement of upper soils in the surrounding higher areas and downward nutrient flow being obvious along lower lying creek and water flow lines.

3.1.6. Climate.

Kuranda and the AOI, experiences only mild variations in temperature and its seasons consist of a dry season and a wet season. Temperatures seldom rise above 31°C or rarely drop below 20°C.

3.1.7. Local Government Area.

The AOI falls within the Local Government Area (LGA) of Mareeba Shire Regional Council (MSC).

3.2. Matters of State Environmental Significance (MSES).

All MSES potentially applicable to the AOI and a 2 km buffer extent is presented in Table 2.

Table 2. Summary of MSES present within the AOI.

Category	Area	Proportion
1a Protected Areas - estates	0 ha	0.00%
1b Protected Areas - nature refuges	0 ha	0.00%
1c Protected Areas - special wildlife reserves	0 ha	0.00%
2 State Marine Parks - highly protected zones	0 ha	0.00%
3 Fish habitat areas (A and B areas)	0 ha	0.00%
4 Strategic Environmental Areas (SEA)	0 ha	0.00%
5 High Ecological Significance wetlands on the Map of Queensland	0 ha	0.00%
6a High Ecological Value (HEV) wetlands	0 ha	0.00%
6b High Ecological Value (HEV) waterways	0 km	Not applicable
7a Threatened (endangered or vulnerable) wildlife	4.57 ha	93.30%
7b Special least concern animals	4.57 ha	93.30%
7c i Koala habitat area - core (SEQ)	0 ha	0.00%
7c ii Koala habitat area - locally refined (SEQ)	0 ha	0.00%
8a Regulated Vegetation - Endangered/Of concern in Category B (remnant)	0 ha	0.00%
8b Regulated Vegetation - Endangered/Of concern in Category C (regrowth)	0 ha	0.00%
8c Regulated Vegetation - Category R (GBR riverine regrowth)	0.06 ha	1.20%
8d Regulated Vegetation - Essential habitat	4.57 ha	93.30%
8f Regulated Vegetation - within 100m of a Vegetation Management Wetland	0 ha	0.00%

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Category	Area	Proportion
9a Legally secured offset areas - offset register areas	0 ha	0.00%
9b Legally secured offset areas - vegetation offsets through a Property Map of Assessable Vegetation	0 ha	0.00%

3.2.1. State Biodiversity Corridors.

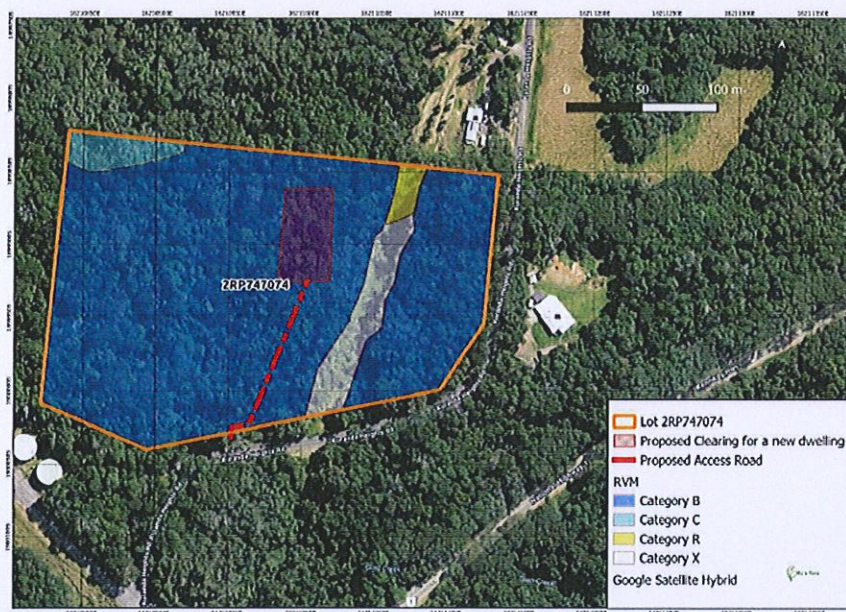
The AOI and whole of Kuranda township, also falls within a 3 km buffer of the centre line of a declared biodiversity corridor that extends along the Macalister Range.

3.2.2. Regulated Vegetation Mapping (RVM).

A summary of vegetation categories on the AOI as regulated by the Vegetation Management Act (1999) is listed in Table 3 and depicted in Map 3

Table 3. Regulated Vegetation extent on the lot.

Vegetation category	Extent (ha)
Category B	4.43
Category C	0.14
Category R	0.06
Category X	0.27
Total	4.9



Map 3. RVM for the AOI.

The greater part of the property and proposed clearing areas fall within Category B vegetation.

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3.2.3. Property Map of Assessable Vegetation (PMAV).

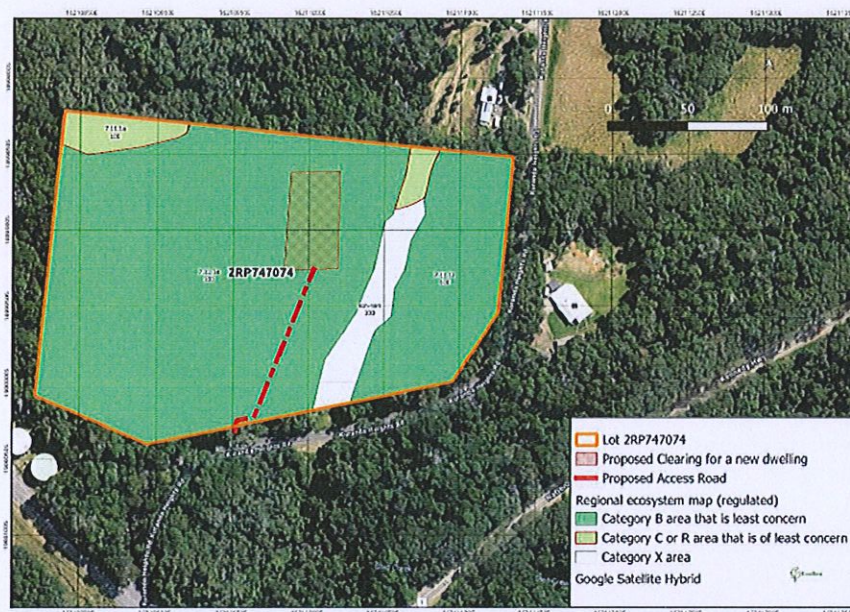
There is no Property Map of Assessable Vegetation (PMAV) on this property.

3.2.4. Regional Ecosystems (RE's).

A single RE is mapped for the AOI (Map 4) and is described in Table 4.

Table 4. RE's of the AOI.

Regional Ecosystem	VMA Status	Extent (Ha)	Short Description	Biodiversity Classification	% of AOI
7.11.1a	No concern at present	4.43	Simple to complex mesophyll to notophyll vine forest on moderately to poorly drained metamorphics (excluding amphibolites) of moderate fertility of the moist and wet lowlands, foothills, and uplands. Not a Wetland. 7.11.1a Mesophyll vine forest. Lowlands and foothills on metamorphics. Very wet and wet rainfall zones.	No Concern	90.34
Non-remnant	None	0.48	None	None	9.70



Map 4. Regional Ecosystem mapping for the AOI.

3.2.5. EVNT Protected Plant Trigger Mapping.

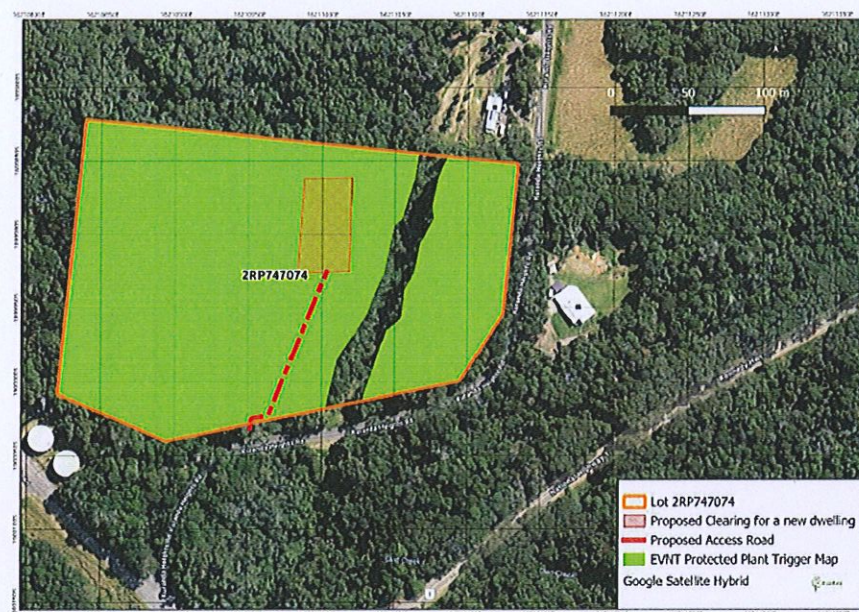
The AOI contains an area (Map 5) that mandates that a statutory protected plant survey for Endangered, Vulnerable and Near Threatened (EVNT) flora must be done under the jurisdiction of

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the Department of Environment, Tourism, Science, Technology and Innovation (DETSI), by a suitably qualified individual as prescribed by the Queensland Nature Conservation Act (1992).

An EVNT Flora Survey conducted in the survey period, did not find any EVNT Flora within the AOI, and is reported on elsewhere for DETSI.



Map 5. EVNT Flora Survey Trigger Map for the AOI.

3.2.6. Endangered, Vulnerable and Near Threatened (EVNT) Flora.

Queensland NCA (1992) listed EVNT flora that could potentially occur within the AOI and designated Protected Flora trigger area in Map 5, is listed and assessed against the criteria of Table 1 in Table 5 below.

Flora Matters of State Environmental Significance as highlighted by MSES searches that may occur within the AOI.

Table 5. Potential EVNT Flora that may occur within the AOI.

Taxon	NCA 1992 Status	Potential for Occurrence
<i>Archontophoenix myolensis</i>	Endangered	Likely
<i>Linospadix palmerianus</i>	Near Threatened	Likely
<i>Rhodamnia spongiosa</i>	Critically Endangered	Likely
<i>Rhodomyrtus pervagata</i>	Endangered	Likely
<i>Rhodomyrtus canescens</i>	Endangered	Likely

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Archontophoenix myolensis is a rare palm species endemic to the Kuranda region and is known from only a few verified collection and observation events. It has not been recorded within the Area of Interest (AOI), but a single specimen has been recorded approximately 2 km from the AOI, and the species has been documented in the broader locality across five distinct records between 1976 and 2010. These include multiple preserved specimens housed by the Australian Tropical Herbarium (ATH) in 1976, and additional records from the Queensland Herbarium (BRI) in 1993 and 1996, as well as photographic observations in 2010 (ALA, 2025). This species typically inhabits well-shaded, moist rainforest gullies and is often overlooked due to its morphological similarity to the more widespread *Archontophoenix alexandrae*.

Linospadix palmerianus, commonly known as the walking stick palm, is a small, clustering palm endemic to northeastern Queensland. It typically inhabits the understory of upland and mountain rainforests, thriving at elevations between 300 and 1,600 meters, particularly on granite and metamorphic substrates. While traditionally considered confined to the Mts. Bartle Frere and Bellenden-Ker ranges, recent data indicates a potential broader distribution.

Rhodamnia spongiosa is a small to medium-sized rainforest tree, typically attaining heights of 10–12 metres, and is known from three discrete populations in Queensland: south-eastern Queensland, the Atherton Tablelands, and Iron Range. This taxon is taxonomically incompletely known, with observable morphological variation between individuals from each of the three regions. Although multiple occurrence records exist across its range, the species is considered highly localised, with plants occurring only sporadically within suitable habitat. Growth rates are extremely slow, and recruitment is limited. Like many species within the Myrtaceae family, *Rhodamnia spongiosa* is highly susceptible to Myrtle Rust (*Austropuccinia psidii*). Modelling suggests that for several *Rhodamnia* taxa, the current individuals may represent the last of their species unless effective management actions are implemented.

Rhodomyrtus canescens is a small to medium-sized rainforest tree endemic to Queensland, typically reaching heights of 10–12 metres. It is known from three discrete populations: south-eastern Queensland, the Atherton Tablelands, and the Iron Range. While there are no documented records of this species in the immediate vicinity of Kuranda, multiple verified occurrences have been recorded in the Cairns region. This taxon is taxonomically incompletely known, with observable morphological variation between individuals from each of the three regions. Although multiple occurrence records exist across its range, the species is considered highly localised, with plants occurring only sporadically within suitable habitat. Growth rates are extremely slow, and recruitment is limited. Like many species within the Myrtaceae family, *Rhodomyrtus canescens* is highly susceptible to Myrtle Rust (*Austropuccinia psidii*).

Rhodomyrtus pervagata, commonly known as Ironwood is a small to medium-sized rainforest tree endemic to northeastern Queensland. It typically grows in and on the margins of coastal and sub-coastal rainforests, from the Windsor Tablelands south to the Paluma Range National Park, preferring soils derived from granite or basalt. *Rhodomyrtus pervagata* has been recorded in various locations across its range. The species is known to favour disturbance and is a characteristic component of rainforest regrowth.

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3.2.7. Conservation Significant Fauna.

Results from a data base search for potential EVNT Fauna that may occur within the AOI is assessed in Table 6 against the criteria in Table 1.

The nearby historical record of *Litoria dayi* is associated with a location described only as "20 miles west of Cairns." This imprecise spatial reference carries a low georeferencing confidence level, limiting its utility in accurately inferring current presence or habitat suitability within the Area of Interest (AOI).

Litoria myola, a cryptic and range-restricted species endemic to the Kuranda region, and has only been reliably recorded further north of the AOI, primarily within the Warril Creek and Myola localities. To date, there are no verified records of *L. myola* occurring outside this known range. Due to its morphological similarity to *Litoria serrata*, this species is susceptible to misidentification by non-specialists.

Erythrura trichroa (Blue-faced parrot finch), is a small finch associated with clearings in rainforests and marshy bogs with grassy edges in and around rainforests. It has also been recorded in gardens near such habitat. There are no recent verifiable records of this species from the Kuranda area.

Kuranda is well known for the presence of Cassowary and there is some potential for this species to occur or traverse the AOI. Cassowaries require very large home ranges and will persist in areas, such as Kuranda where locals feed the birds.

Table 6. Potential EVNT fauna that may occur within the AOI.

Taxon ID	Taxon	NCA 1992 Status	Potential for Occurrence in the AOI
579	<i>Litoria dayi</i>	Vulnerable	Unlikely
31630	<i>Litoria myola</i>	Critically Endangered	Unlikely
1087	<i>Casuarius casuarius</i>	Endangered	Potentially
1378	<i>Erythrura trichroa</i>	Near Threatened	Unlikely

3.2.8. Essential Habitat

Essential habitat mapping is indicated only for Cassowaries and covers the whole extent of Category B vegetation within the AOI.

3.3. Matters of National Environmental Significance.

The EPBC MNES search tool results are presented in Table 7 below.

Table 7. EPBC MNES search results.

Matters of National Environmental Significance	Presence nearby
Threatened Ecological Communities (TEC's)	1
Listed Threatened Species	35
Listed Migratory Species	3

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3.3.1. Threatened Ecological Communities

A search for Threatened Ecological Communities as Vegetation MNES, brought to light the potential presence of two EPBC listed Threatened Ecological Communities (TEC's).

1. Broad leaf tea-tree (*Melaleuca viridiflora*) woodlands in high rainfall coastal north Queensland.
2. Lowland tropical rainforest of the Wet Tropics.

Known RE's from the AOI and comparative equivalents of mapped regional ecosystems to TEC's are shown in Table 8.

Table 8. Comparative equivalents of Threatened Ecological Communities.

Threatened Ecological Community	EPBC Status	Old Regional Ecosystem Equivalents	Known Site Regional Ecosystems	Likelihood of Occurrence
Broad leaf tea-tree (<i>Melaleuca viridiflora</i>) woodlands in high rainfall coastal north Queensland	Endangered	7.3.8a-d., 7.5.4g., 8.3.2a., 8.5.2c., 8.5.6.	7.11.1a	None
Lowland tropical rainforest of the Wet Tropics	Endangered	Components relevant to Regional Ecosystems occurring on landform 11 RE7.11.1 (a, c); 7.11.2 (a); 7.11.23 (a, b); 7.11.3 (a) below 80 m ASL.	7.11.1a (above 80 m ASL)	None

Although the site is mapped as having a Regional Ecosystem associated with Lowland Tropical Rainforests of the Wet Tropics, the site lies at an altitude (320 m ASL to 380 m ASL) that is much higher than the required elevation that is below 80 m ASL to be classified as Lowlands. Site altitude thus precludes this TEC to be present.

None of the listed TEC's occur on site.

3.3.2. EPBC Listed Threatened Flora.

EPBC listed flora highlighted from the EPBC search tool are listed in Table 9 and analysed against the criteria in Table 1.

Table 9. Flora Matters of Environmental Significance as highlighted by the EPBC search tool for the AOI.

Taxon	EPBC Status	Habitat	Flowering/Fruiting time	Likelihood of Occurrence
<i>Alloxylon flammeum</i>	Vulnerable	Forest	February onwards	Unlikely
<i>Archontophoenix myolensis</i>	Endangered	Forest Ravines	May onwards	Likely
<i>Canarium acutifolium</i>	Vulnerable	Forest	February onwards	Unlikely
<i>Coleus gratus</i>	Vulnerable	Forest	All year	Unlikely

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Taxon	EPBC Status	Habitat	Flowering/Fruiting time	Likelihood of Occurrence
<i>Diplazium cordifolium</i>	Vulnerable	Rain Forest	Wet season	Unlikely
<i>Diplazium pallidum</i>	Endangered	Rain Forest	Wet season	Unlikely
<i>Leichhardtia araujacea</i>	Critically Endangered	Forest/Woodland	January onwards	Unlikely
<i>Myrmecodia beccarii</i>	Vulnerable	Coastal Forest	Year round (peak in October)	Very Unlikely
<i>Phaius pictus</i>	Vulnerable	Swamps	February onwards	Very Unlikely
<i>Phalaenopsis rosenstromii</i>	Endangered	Gallery Forest	February onwards	Unlikely
<i>Phlegmariurus filliformis</i>	Endangered	Forest	February onwards	Unlikely
<i>Polyphlebium squarrosus</i>	Critically Endangered	Forest	February onwards	Unlikely
<i>Phlegmariurus tetrastichoides</i>	Vulnerable	Forest	February onwards	Unlikely
<i>Polyphlebium endlicherianum</i>	Endangered	Rock pavements	February onwards	Unlikely
<i>Vappodes lithocola</i>	Endangered	Rock pavements	February onwards	Unlikely
<i>Zeuxine polygonoides</i>	Vulnerable	Forest	February Onwards	Unlikely

Except for *Archontophoenix myolensis*, already discussed under MSES, all these taxa can be excluded based on their very narrow habitat requirements.

3.3.3. EPBC Listed Threatened Fauna.

A list of fauna considered for presence within the AOI is provided in Table 10. Most of the taxa are unlikely to occur due to a lack of suitable habitat, or the site not being core habitat. Some of the records are old and inaccurate and just state Kuranda and may be from further north, south or in the hinterland. The most likely taxa to occur on Site are listed with an asterisk.

Table 10. Fauna of National Significance which are considered for potential occurrence on Site.

Taxon	EPBC Status	Likelihood of Occurrence
<i>Casuarus casuaris</i> *	Endangered	Potentially
<i>Calidris canutus</i>	Vulnerable	Very Unlikely
<i>Calidris ferruginea</i>	Critically Endangered	Very Unlikely
<i>Dasyurus hallucatus</i>	Endangered	Potentially
<i>Dasyurus maculatus gracilis</i> *	Endangered	Potentially
<i>Hipposideros semoni</i>	Vulnerable	Very Unlikely
<i>Macroderma gigas</i>	Vulnerable	Unlikely
<i>Mesembryomys gouldii rattoides</i>	Vulnerable	Very Unlikely
<i>Petaurides minor</i>	Vulnerable	Unlikely
<i>Phascogalea cinerea</i>	Endangered	Very Unlikely
<i>Pteropus conspicillatus</i>	Endangered	Very Unlikely
<i>Rhinolophus robertsi</i>	Vulnerable	Potentially
<i>Saccolaimus saccolaimus nudiclunatus</i>	Vulnerable	Potentially
<i>Litoria nyokolensis</i>	Critically Endangered	Unlikely

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Taxon	EPBC Status	Likelihood of Occurrence
<i>Litoria nyola</i>	Critically Endangered	Unlikely
<i>Litoria dayi</i>	Vulnerable	Unlikely
<i>Melanotaenia eachamensis</i>	Endangered	Very Unlikely
<i>Tyto novaehollandiae kimberli</i>	Vulnerable	Very Unlikely
<i>Varanus mertensi</i>	Endangered	Very Unlikely

3.3.4. EPBC Listed Migratory Species.

Non marine migratory fauna species considered for occurrence within the AOI are listed in Table 11.

None of the fauna species are considered to have any likelihood of occurring within the AOI due to narrow habitat requirements for mostly expansive water nearby and shallow flats for wading.

Table 11. Listed migratory Fauna of National Significance which were considered for potential occurrence within the AOI.

Taxon	EPBC Status	Likelihood of Occurrence
<i>Cuculus optatus</i>	Migratory	Unlikely
<i>Hirundopus caudatus</i>	Vulnerable Migratory	Unlikely
<i>Hirundo rustica</i>	Migratory	Unlikely
<i>Motacilla flava</i>	Migratory	Unlikely
<i>Actitis hypoleucos</i>	Migratory	Unlikely
<i>Calidris acuminata</i>	Vulnerable Migratory	Unlikely
<i>Calidris canutus</i>	Vulnerable Migratory	Unlikely
<i>Calidris ferruginea</i>	Critically Endangered Migratory	Unlikely
<i>Calidris melanotos</i>	Migratory	Unlikely
<i>Charadrius leschenaultii</i>	Vulnerable Migratory	Very Unlikely
<i>Gallinago harwickii</i>	Vulnerable Migratory	Unlikely
<i>Numenius madagascariensis</i>	Critically Endangered Migratory	Unlikely
<i>Pandion haliaetus</i>	Migratory	Unlikely
<i>Tringa nebularia</i>	Endangered Migratory	Unlikely

3.4. Matters of Local Environmental Significance.

Most of the Matters of Local Environmental Significance have already been dealt with in the preceding sections as MSES and MNES.

The AOI is located in the Far North Queensland Regional Landscape and Rural Residential Area and is zoned Rural Residential under the Mareeba Shire Council Planning Scheme.

This zoning permits dwelling houses as accepted or code assessable development, provided that key planning criteria such as setbacks, vegetation retention, bushfire hazard mitigation, and slope stability are met.

Accordingly, the proposed development within the AOI aligns with the intent of the Planning Scheme and is not considered inconsistent with the zoning provisions, provided that environmental considerations are addressed during vegetation clearing and the siting of the building pad.

4. Field Survey Results.

4.1. Field Survey Synopsis.

The field survey found:

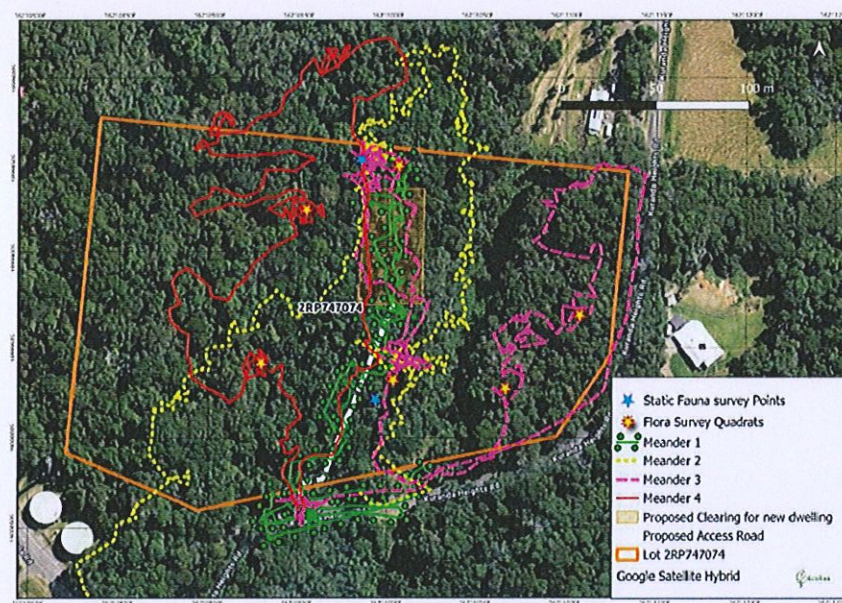
- No incongruence with the existing vegetation mapping for the AOI.
- No incongruence with the mapped regional ecosystems for the AOI.
- No EVNT flora within a 100-meter buffer zone of the proposed clearing areas.
- No EVNT fauna present within the survey period and no evidence for resident EVNT fauna was found within the AOI.

4.2. Survey Effort.

The combined survey effort within the Area of Interest (AOI) is illustrated in Table 12 and Map 6

Table 12. Survey effort.

Survey Type	Number	Time
EVNT survey meanders	Four	Four Days
Camera Traps	Eight	Eight Days Seven Nights
Ultrasonic Bat Detectors	Two	Eight Days Seven Nights
Bio acoustic Monitors	Two	Eight Days Seven Nights



Map 6. Combined survey extent.

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Targeted flora and fauna surveys were undertaken between 7 June and 27 June 2025, with a focus on detecting EVNT species.

4.3. Endangered Vulnerable and Near Threatened (EVNT) Flora.

The survey did not find any EVNT flora.

4.4. Vegetation.

The access road and proposed new dwelling site falls completely within the VMA mapped Category B vegetation and an example of the vegetation structure and general dominant species composition is given in Table 13.

4.5. Fauna.

4.5.1. Endangered Vulnerable and Near Threatened Fauna.

No presence of EVNT fauna was found on site.

4.5.2. Fauna Breeding Places.

No evidence of fauna breeding places was found within the proposed clearing area or proposed entrance road route. No other fauna breeding places were observed within the AOI.

5. Discussion.

5.1. Flora and Vegetation.

The vegetation of the AOI and lot is as described by the state vegetation mapping and consists of typical vegetation and flora of the Macalister Range and aligned to that of RE 7.11.1 and is characterised by various non characterizing Notophyll trees of no particular dominance and high variety of lianas, including *Calamus* species, *Smilax* sp., *Austrosteensia* sp., *Hibbertia scandens*, *Tetracera* sp. and the ubiquitous *Flagellaria indica*.

5.2. Fauna.

Fauna is typical of the surrounding forest fauna and common species observed and recorded included the Red-legged Pademelon (*Thylogale stigmatica*), Giant White-tailed Rat (*Uromys caudimaculatus*), common birds including Orange-footed Scrubfowl (*Megapodius reinwardt*), Emerald Dove (*Chalcophaps indica*) and Victoria's Rifle Bird (*Ptiloris victoriae*).

No reptiles or amphibians were physically recorded except for audible calls along the creek that belong to the Mottled Barred Frog (*Mixophyes coggeri*) a common species around Kuranda creeks.

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Table 13. Example of vegetation observed within the AOI.



Kuranda
Q3
14.06.2025 15:02
-16.81962, 145.62587 (+15m)
Altitude: 440m
51 Kuranda Heights Rd, Kuranda QLD 4881

Representing Flora Quadrats (Map 6Error! Reference source not found.):

Structural Information			
Tier	Species Composition	Height (m)	Cover %
T1	<i>Alstonia scholaris</i> , <i>Elaeocarpus bancroftii</i> , <i>Endiandra palmerstoni</i> , <i>Syzygium kuranda</i> , <i>Castanospermum australe</i>	15-25	60-80
T2	<i>Guioa lassioneura</i> , <i>Polyscias australiana</i> , <i>Melicope elleryana</i> , <i>Syzygium cryptophlebium</i> , <i>Acacia cincinnata</i>	6-15	50-60
Lianas	<i>Calamus australis</i> , <i>Calamus mottii</i> , <i>Calamus radicalis</i> , <i>Tetracera nordiana</i> , <i>Austrosteensia stipularis</i>		
S1	<i>Benstonia monticola</i> , <i>Alstonia muelleriana</i> , <i>Pittosporum rubiginosum</i> , <i>Cryptocarya mackinoniana</i>	3-6	60-80
S2	<i>Benstonia monticola</i> , <i>Gardenia ovularis</i> , <i>Gahnia sieberiana</i> , <i>Linospadix microcaryus</i>	1-3	40-50
G1	<i>Oplismenus compositus</i> , <i>Taenitis pinnata</i> , <i>Balanophora fungosa</i> , <i>Apostasia wallichii</i> , <i>Leptaspis banksii</i>	0.5-1	10-15

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6. Development Impact Assessment.

The proposed clearing of Category B vegetation will trigger an assessment of the development by the State Assessment and Referral Agency (SARA).

The proposed development will result in the clearing of a small area of remnant vegetation within the AOI, which is currently classified as of no concern at present by the VMA (1999) and a biodiversity classification of no concern at present

There are no Fauna or Flora species present that are classified as Endangered, Vulnerable or Near Threatened.

The development footprint does not directly encroach on critical riparian zones or wetlands.

7. Conclusion.

The field survey results indicate that the proposed development will not significantly impact on any MNES or MSES within the AOI.

7.1. Rural Residential Zoning.

- Under Mareeba Shire Council's scheme, a dwelling house is typically accepted development in the Rural Residential Zone, provided it complies with all applicable codes.
- These may include:
 - Bushfire hazard overlays,
 - Effluent disposal requirements,
 - Setbacks and building envelopes.

The zoning does not override state vegetation regulations.

7.2. Clearing of Category B Vegetation.

From – VMA, Schedule 21 – Exempt Clearing Work, *Part 2, Table 1*:

- Item 1 allows clearing on freehold land for necessary built infrastructure, including a dwelling house, where:
 - The clearing is reasonably necessary,
 - The total area cleared is less than 2 hectares, and
 - It's not in a mapped area of significant concern (e.g., koala, wetland, reef catchment).

It thus appears that bar any unforeseen other rulings, the development proposal should be acceptable within the limits provided to EcoRex by the owner.

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8. Recommendations.

Based on the survey results, a recommendation to mitigate potential environmental impacts would be to limit vegetation clearing to the essential area required for the development footprint.

8.1. Disposal of cleared vegetation.

Cleared vegetation should preferably be disposed of by tub grinding where practically possible and the resultant mulch used on site to cover exposed earth around the building pad to prevent erosion and weed growth.

Burning of cleared trees should be limited to areas where it is not practically possible to use a tub grinder or similar and ashes returned to the environment when cold or safe to do so. These actions will limit further loss of nutrients from the surrounding topsoil.

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Appeal Rights

PLANNING ACT 2016 & THE PLANNING REGULATION 2017

Chapter 6 Dispute resolution

Part 1 Appeal rights

229 Appeals to tribunal or P&E Court

(1) Schedule 1 of the *Planning Act 2016* states –

(a) Matters that may be appealed to –

- (i) either a tribunal or the P&E Court; or
- (ii) only a tribunal; or
- (iii) only the P&E Court; and

(b) The person-

- (i) who may appeal a matter (**the appellant**); and
- (ii) who is a respondent in an appeal of the matter; and
- (iii) who is a co-respondent in an appeal of the matter; and
- (iv) who may elect to be a co-respondent in an appeal of the matter.

(Refer to Schedule 1 of the Planning Act 2016)

(2) An appellant may start an appeal within the appeal period.

(3) The **appeal period** is –

- (a) for an appeal by a building advisory agency – 10 business days after a decision notice for the decision is given to the agency; or
- (b) for an appeal against a deemed refusal – at any time after the deemed refusal happens; or
- (c) for an appeal against a decision of the Minister, under chapter 7, part 4, to register premises or to renew the registration of premises – 20 business days after a notice is published under section 269(3)(a) or (4); or
- (d) for an appeal against an infrastructure charges notice – 20 business days after the infrastructure charges notice is given to the person; or
- (e) for an appeal about a deemed approval of a development application for which a decision notice has not been given – 30 business days after the applicant gives the deemed approval notice to the assessment manager; or
- (f) for any other appeal – 20 business days after a notice of the decision for the matter, including an enforcement notice, is given to the person.

Note –

See the P&E Court Act for the court's power to extend the appeal period.

(4) Each respondent and co-respondent for an appeal may be heard in the appeal.

(5) If an appeal is only about a referral agency's response, the assessment manager may apply to the tribunal or P&E Court to withdraw from the appeal.

- (6) To remove any doubt. It is declared that an appeal against an infrastructure charges notice must not be about-
- (a) the adopted charge itself; or
 - (b) for a decision about an offset or refund-
 - (i) the establishment cost of trunk infrastructure identified in a LGIP; or
 - (ii) the cost of infrastructure decided using the method included in the local government's charges resolution.

230 Notice of appeal

- (1) An appellant starts an appeal by lodging, with the registrar of the tribunal or P&E Court, a notice of appeal that-
 - (a) is in the approved form; and
 - (b) succinctly states the grounds of the appeal.
- (2) The notice of appeal must be accompanied by the required fee.
- (3) The appellant or, for an appeal to a tribunal, the registrar must, within the service period, give a copy of the notice of appeal to –
 - (a) the respondent for the appeal ; and
 - (b) each co-respondent for the appeal; and
 - (c) for an appeal about a development application under schedule 1, table 1, item 1 – each principal submitter for the development application; and
 - (d) for an appeal about a change application under schedule 1, table 1, item 2 – each principal submitter for the change application; and
 - (e) each person who may elect to become a co-respondent for the appeal, other than an eligible submitter who is not a principal submitter in an appeal under paragraph (c) or (d); and
 - (f) for an appeal to the P&E Court – the chief executive; and
 - (g) for an appeal to a tribunal under another Act – any other person who the registrar considers appropriate.
- (4) The *service period* is –
 - (a) if a submitter or advice agency started the appeal in the P&E Court – 2 business days after the appeal has started; or
 - (b) otherwise – 10 business days after the appeal is started.
- (5) A notice of appeal given to a person who may elect to be a co-respondent must state the effect of subsection (6).
- (6) A person elects to be a co-respondent by filing a notice of election, in the approved form, within 10 business days after the notice of appeal is given to the person.

231 Other appeals

- (1) Subject to this chapter, schedule 1 and the P&E Court Act, unless the Supreme Court decides a decision or other matter under this Act is affected by jurisdictional error, the decision or matter is non-appealable.
- (2) The *Judicial Review Act 1991*, part 5 applies to the decision or matter to the extent it is affected by jurisdictional error.
- (3) A person who, but for subsection (1) could have made an application under the *Judicial Review Act 1991* in relation to the decision or matter, may apply under part 4 of that Act for a statement of reasons in relation to the decision or matter.
- (4) In this section –

decision includes-

- (a) conduct engaged in for the purpose of making a decision; and
- (b) other conduct that relates to the making of a decision; and
- (c) the making of a decision or failure to make a decision; and
- (d) a purported decision ; and
- (e) a deemed refusal.

non-appealable, for a decision or matter, means the decision or matter-

- (a) is final and conclusive; and
- (b) may not be challenged, appealed against, reviewed, quashed, set aside or called into question in any other way under the Judicial Review Act 1991 or otherwise, whether by the Supreme Court, another court, a tribunal or another entity; and
- (c) is not subject to any declaratory, injunctive or other order of the Supreme Court, another court, a tribunal or another entity on any ground.

232 Rules of the P&E Court

- (1) A person who is appealing to the P&E Court must comply with the rules of the court that apply to the appeal.
- (2) However, the P&E Court may hear and decide an appeal even if the person has not complied with the rules of the P&E Court.