

**ENQUIRIES:** Mrs Michelle Henderson  
**PHONE:** (07) 4099 9457  
**FAX:** (07) 4044 3836  
**YOUR REF:** J000081:MOS:KLG  
**OUR REF:** 8/8/1307 SEDA (4203000)

4 December 2013

Department of Aboriginal, Torres Strait Islander &  
Multicultural Affairs  
C/- Gilvear Planning Pty Ltd  
PO Box 228  
**BABINDA QLD 4861**

Attention: Ms Kristy Gilvear

Dear Madam

**ACKNOWLEDGEMENT NOTICE FOR PRELIMINARY APPROVAL TO  
OVERRIDE THE DOUGLAS SHIRE PLANNING SCHEME (USE RIGHTS  
CONSISTENT WITH THE TOWNSHIP ZONE) AT GORGE ROAD, 301R &  
304R GORGE ROAD, MOSSMAN GORGE**

Receipt of the above application for a Preliminary Approval to Override the Douglas Shire Planning Scheme (Use Rights Consistent with the Township Zone) is acknowledged.

Please find attached an Acknowledgement Notice prepared in accordance with sections 267 & 268 of the *Sustainable Planning Act* 2009. The Acknowledgement Notice contains information relevant to the processing and assessment of the application.

It is indicated on the Acknowledgement Notice that the application requires referral to a referral agency. Accordingly you are required to forward a copy of the application and the attached Acknowledgement Notice to each referral agency within 20 business days (s 272). You must then advise Council in writing of the date that the application was referred to each agency (s 275). Should you be required to provide further information by a Concurrence Agency then a copy of any response to such request must also be lodged with Council as the Assessment Manager (s 278(2)). Council requires that you provide two (2) copies of the response to all such information requests.

43.2013.5470  
1/5

Public notification of the application may not commence until the end of the Information and Referral Stage, as the referral agency(s) may wish to make an information request. Should you be required to provide further information by a Concurrence Agency then a copy of any response to such request must also be lodged with Council as the Assessment Manager (s 278(2)). Council requires that you provide two (2) copies of the response to all such information requests.

Preliminary assessment of the application indicates that further information is required for Council to complete an assessment and determination of the application. This request will be sent under separate cover.

Should you require any further information or assistance, please contact Michelle Henderson of Council's Development Assessment team on telephone number (07) 4099 9457.

Yours faithfully

A handwritten signature in blue ink, appearing to read 'G. Boyd', is written over the printed name and title.

Graham Boyd  
Manager Development & Regulatory Services

Att



**ENQUIRIES:** Mrs Michelle Henderson  
**PHONE:** (07) 4099 9457  
**FAX:** (07) 4044 3836  
**YOUR REF:** J000081  
**OUR REF:** 8/8/1307 SEDA (4203000)

4 December 2013

**ACKNOWLEDGEMENT NOTICE PURSUANT TO S 268 SUSTAINABLE  
PLANNING ACT 2009 FOR DEVELOPMENT APPLICATION  
GORGE ROAD, 301R & 304R GORGE ROAD, MOSSMAN GORGE**

**PROPOSAL:**

Preliminary Approval to  
Override the Douglas Shire  
Planning Scheme (Use Rights  
Consistent with the Township  
Zone)

**APPLICANT:**

Department of Aboriginal,  
Torres Strait Islander &  
Multicultural Affairs  
C/- Gilvear Planning Pty Ltd  
PO Box 228  
BABINDA QLD 4861

**LOCATION OF SITE:**

Gorge Road, 301R & 304R  
Gorge Road  
MOSSMAN GORGE QLD  
4873

**REAL PROPERTY DESCRIPTION:**

Lot 152 on SR832 and Lot 100  
on RP911412

**TYPE OF DEVELOPMENT:**

The application seeks development approval for

	<i>Sustainable Planning Regulation 2009, schedule 3 reference</i>	<i>Development Permit</i>	<i>Preliminary Approval</i>
Making a material change of use assessable under the planning scheme, a temporary local planning instrument, a master plan or a preliminary approval to which SPA section 242 applies		<input type="checkbox"/>	<input checked="" type="checkbox"/>

This list is provided for your information only. It is the applicant's responsibility to identify any referral agencies for the application and give each referral agency a copy of:

## REFERRAL AGENCIES

Based on the information provided in the application, referral is required to the State Assessment and Referral Agency (SARA), administered by the Department of State Development, Infrastructure and Planning (DSDIP).

DSDIP prefers that referrals are made online at [www.dsdip.qld.gov.au/MyDAS](http://www.dsdip.qld.gov.au/MyDAS).

Alternatively, referrals can be posted or emailed as follows:

State Assessment and Referral Agency  
Department of State Development, Infrastructure and Planning  
Far North Queensland Regional Office  
Postal: PO Box 2358, CAIRNS QLD 4870  
Email: [CairnsSARA@dsdip.qld.gov.au](mailto:CairnsSARA@dsdip.qld.gov.au)

The triggers for the referral are listed in the following table:

For an application involving	Trigger (Sch. 7 Sustainable Planning Regulation 2009)	Name of technical agency	Advice or concurrence agency
Clearing vegetation	Table 3, Item 10	Department of Natural Resources & Mines	Concurrence

These lists are provided for your information only. It is the applicant's responsibility to identify any referral agencies for the application and give each referral agency a copy of:

- the application (including the application forms and supporting material)
- this acknowledgement notice, and
- any required application fee.

The above material must be given to each referral agency within:

- 20 business days after the applicant receives this acknowledgement notice, or
- the further period agreed between the assessment manager and the applicant.

If you do not give the material mentioned above to each referral agency within these timeframes, the application will lapse (see section 273 of the *Sustainable Planning Act 2009*).

You must also notify the assessment manager in writing of the dates/s that the above actions are undertaken.

**CODE ASSESSMENT REQUIRED:** No



**Applicable Planning Areas:**

- Rural Planning Area
- Conservation Planning Area

**Applicable Codes: Douglas**

- Rural Areas and Rural Settlements Locality Code
- Rural Planning Area Code
- Conservation Planning Area Code
- Design and Siting of Advertising Devices Code
- Filling and Excavation Code
- Landscaping Code
- Natural Areas and Scenic Amenity Code
- Vehicle Parking and Access Code

**IMPACT ASSESSMENT REQUIRED:**

Yes

The requirements for public notification are set out in the *Sustainable Planning Act 2009* (SPA), chapter 6, part 4. You should have regard to the legislation when carrying out the public notification. In summary, you are required to:

- publish a notice at least once in a newspaper circulating generally in the locality of the land
- place a notice on the land in the way prescribed under the *Sustainable Planning Regulation 2009* (SPR), and
- give a notice to the owners of all land adjoining the land.

All of the above notices must be in the approved form available on the Department of State Development, Infrastructure and Planning's website at [www.dsdip.qld.gov.au](http://www.dsdip.qld.gov.au).

The notification period for the application must be at least:

- **30 business days** (not including any business days between and including 20 December in a particular year and 5 January in the following year) as the application involves one or more of the following:
  - three (3) or more concurrence agencies
  - all or part of the development is assessable under a planning scheme and is prescribed under a regulation
  - all or part of the development is the subject of an application for a preliminary approval mentioned in s 242 of the SPA.

The notice placed on the land must remain on the land for all of the notification period.

**ASSESSMENT MANAGER INTENDS  
TO MAKE AN INFORMATION  
REQUEST:**

To be advised at a later date.