

ENQUIRIES: Michelle Henderson
PHONE: (07) 4099 9457
FAX: (07) 4044 3836
YOUR REF: PR113314-1/SDR/AMB/L72309
OUR REF: 8/13/1740 SEDA (4045099)

26 July 2013

Mackay Sugar Limited
C/- RPS Australia East PR113314
PO Box 1949
CAIRNS QLD 4870

Attention: Mr Stuart Ricketts

Dear Sir

**ACKNOWLEDGMENT NOTICE AND INFORMATION REQUEST FOR
RECONFIGURING A LOT (1 LOT INTO 2 LOTS AND ACCESS EASEMENT)
ON LAND AT KIDD STREET MOSSMAN**

Receipt of the above application for Reconfiguring a Lot (1 Lot into 2 Lots + Access Easement) is acknowledged. Please find attached an Acknowledgment 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 Acknowledgment 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 (s272). You must then advise Council in writing of the date that the application was referred to each agency (S275). 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 (SPA Section 278(2)). Council requires that you provide two (2) copies of the response to all such information requests.

After a preliminary examination of the above application, the following information is required in order to complete an assessment of the proposal (s276):

- The Mossman Central Mill site is identified in Douglas Shire Planning Scheme Policy No. 4 – Cultural Heritage and Valuable Sites. Please provide a statement about how the proposed development complies with the Purpose and Elements of the Code.

- Provide a plan showing how the proposed lots will be serviced and provided with a separate Property Connection Branch.

If required, Council is willing to convene a meeting to discuss the above information request.

In accordance with Section 279 of the *Sustainable Planning Act 2009*, the application will lapse if no response to this information request is received within 6 months (3 months for enforcement notices).

Please note that the information response to Council should include two complete copies of the response and if plans form part of the response then two sets of such plans at scale should also be provided.

It is noted that concerns are raised with the proposed reconfiguration, particularly considering that there are alternative methods of achieving the objective of security for Horizon Science Pty Ltd, for example extended lease arrangements. While it is acknowledged that the current and intended ongoing use of the land as outlined in the application, as well as the proposed reconfiguration, complies in the main with applicable Planning Scheme Codes, concern is raised in terms of sound planning principles. It is considered that the proposed reconfiguration may not represent the orderly development of land. Concerns are raised that the creation of a freehold lot in this location has the potential to contribute to the fragmentation of the Mill site, particularly if similar proposals are entertained in the future.

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



Graham Boyd
Manager Development & Regulatory Services

Att.

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**ACKNOWLEDGMENT NOTICE PURSUANT TO S.268, SUSTAINABLE
 PLANNING ACT 2009 FOR DEVELOPMENT APPLICATION
 KIDD STREET MOSSMAN**

PROPOSAL: 1 Lot into 2 Lots and Access Easement

APPLICANT: Mackay Sugar Limited
 C/- RPS Australia East
 PR113314
 PO Box 1949
 CAIRNS QLD 4870

LOCATION OF SITE: Kidd Street MOSSMAN

REAL PROPERTY DESCRIPTION: Lot 27 on RP804231

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>
Reconfiguring a lot	<i>Part 1, table 3, item 1</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

REFERRAL AGENCIES

Based on the information provided in the application, referral is required to the following referral agencies:

For an application involving	Name of referral agency	Advice agency or concurrence agency	Address
<input checked="" type="checkbox"/> <i>Contaminated land</i>	<i>Department of State Development, Infrastructure and Planning</i>	<i>Concurrence</i>	<i>Far North Queensland Regional Office PO Box 2358 Cairns QLD 4870</i>

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:

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

The above material must be given to all referral agencies 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 all referral agencies within these timeframes, the application will lapse (see section 273 of the *Sustainable Planning Act 2009*).

CODE ASSESSMENT REQUIRED: Yes

Applicable Planning Area:

- Industry Planning Area

Applicable Codes:

- Mossman and Environs Locality Code
- Industry Planning Area Code
- Acid Sulfate Soils Code
- Cultural Heritage and Valuable Sites Code
- Natural Hazards Code
- Natural Areas and Scenic Amenity Code
- Reconfiguring a Lot Code

IMPACT ASSESSMENT REQUIRED: No

ASSESSMENT MANAGER INTENDS TO MAKE AN INFORMATION REQUEST: Yes, attached.