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Our Ref: PR113314/SDR/AMB/L72488

Date: 09 August 2013

Attn: Mr Graham Boyd
Chief Executive Officer
Cairns Regional Council
PO Box 359
Cairns QLD 4870

Via: Smart eDA

Dear Sir,

RE: RESPONSE TO INFORMATION REQUEST PURSUANT TO SECTION 278 OF THE SUSTAINABLE PLANNING ACT 2009 FOR DEVELOPMENT PERMIT FOR 'RECONFIGURATION OF A LOT' (1 INTO 2 AND ACCESS EASEMENT) CONVERTING EXISTING 'LEASE E' TO FREEHOLD TITLE FOR LAND FORMALLY DESCRIBED AS LOT 27 ON RP804231- MOSSMAN MILL, MOSSMAN.

We act on behalf of Mackay Sugar Limited (the 'applicant') in relation to the above-described Development Application.

On 26 July, an Information Request was received from Cairns Regional Council. Pursuant to Section 278 of the *Sustainable Planning Act 2009*, we provide the applicants response to the requested information below.

Item 1:

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.

Response

The subject site is included within the 'Cultural Heritage and Valuable Site' planning policy, the purpose of which is to 'support the local dimension of the Planning Scheme by ensuring that the cultural heritage and valuable sites of the Shire are Recorded and protected from removal, from inappropriate redevelopment and from inappropriate adjacent development'.

The Mossman Central Mill site is recognised as a key feature that distinguishes the identity of Mossman and surrounding areas and as such requires protection from unsuitable development.

It is argued however that the reconfiguration relating to this application does not alter the existing or future intended use of the site and thus is not in conflict with the purpose or elements of the code. As the reconfiguration simply seeks to formalise the existing uses relating to the site, the development does not pose a threat of altering the operation or changing the cultural heritage of the mill, existing character, buildings or cultural values of the land.

Item 2:

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

Response

RPS note that 'Lease E' being the proposed allotment site, is currently (internally) serviced by all necessary infrastructure required for the operation of the existing land use operating within the lease site.

It is also noted that searches undertaken with regard to Council's service utilities show that a 100mm Water connection point is located at the entrance of the Mill Site. It is proposed that the new allotment will acquire a separate metering which will be installed under the 'current' connection and will be included within the existing access driveway burdened by the formal easement.

Existing Services include:

- Water reticulation
- Waste water reticulation
- Electricity
- Telecommunication

A suitable condition on the approval can ensure that these services are included with an easement (if necessary) or relocated to be consistent with Council's development manual requirements.

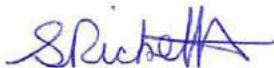
Conclusion

In accordance with Section 278(1) (a) of the Sustainable Planning Act 2009, this letter and attachments constitutes the applications full response to the information requested.

We trust this information is sufficient for your purposes, however should you require any further details or clarification, please do not hesitate to contact the writer by telephone.

Yours sincerely

RPS



Stuart Ricketts
Principal-Senior Planner