

30 June 2016

KFF Investments Trust
C/- Murray and Associates (Qld) Pty Ltd
PO Box 665
EMERALD QLD 4720

Attention: Andrew Bell

email: andrewb@mursurv.com

Dear Sir,

INFORMATION REQUEST
Sustainable Planning Act 2009 s.276

Application Number: 400.2016.1
Proposal: Preliminary approval for Material Change of Use to vary the effect of the Central Highlands Regional Council Planning Scheme and Development Permit for Reconfiguring a Lot (One [1] lot into three [3] lots)
Address: Cnr Rundle Access Road and Bonnie Doon Road, Yamala
Property Description: Lot 1 on SP117848

After having completed a preliminary assessment of the abovementioned development application, it has been determined that additional information is required in order for Council to make a proper assessment of the development proposal.

The site is identified as Industry Investigation Zone as part of the Yamala Industry area, which comprises of land included in the Special Industry zone and Industry Investigation zone. It is clearly indicated in Economic Development strategic framework map – SFM006 that the intent is for the site is to become part of a Special Industry zoned Industrial area at Yamala. The Special Industry area at Yamala should be developed in accordance with a structure plan process that creates serviced lots for land uses consistent with the Special Industry zone code.

In accordance with the *Sustainable Planning Act 2009* (SPA) s 276, Council requests the following information to assist in its assessment of the development application:

1. Level of infrastructure service
The development application states that external road works, electricity and telecommunications shall be provided to the proposed lots. However in the planning report, section 7.1: Infrastructure and Services Theme, reference is made that on the basis of recent approvals assessed under the superseded Planning Scheme for

Emerald, it is not proposed to provide reticulated water or sewerage at subdivision stage.

The Strategic Framework Section contains the following:

- a. Section 3.7.4.1 (c) requires sufficient water supply for new development;
- b. Section 3.7.4.1 (f) requires provision of reticulated potable water to industrial land;
- c. Section 3.7.4.1 (g) requires that wastewater infrastructure maintains health, safety and amenity of local communities; and
- d. Section 3.7.4.1 (n) requires development to incorporate stormwater infrastructure that meets design criteria (see also 3.7.4.1 (q))

The infrastructure requirement is in the Industry Investigation zone code 6.2.12.2 (2) (b) that requires development to be undertaken in accordance with a plan of development that addresses a number of matters, including clause (xi) which stipulates development is provided with the full range of urban services. The standard of service should be determined based upon Section 9.4.3 Reconfiguring a lot code and Schedule 6: Planning Scheme Policy for development works.

Further information is requested as to how the proposed lots are to be serviced with infrastructure so that the proposed lots are fit for purpose, namely the undertaking of an industrial land use consistent with the Special Industry zone.

2. Structure plan and relationship of site to balance of Yamala industry area

The planning report does not contain a structure plan, or similar, that is necessary to enable an assessment of the proposed development against Section 6.12.2 of the Industry Investigation zone code. Section 7.2 'Purpose and overall outcomes sought for Industrial Investigation Zone' of the planning report clearly indicates that the proposed lots are to be utilised for land uses which would need to be consistent with the Special Industry zone. Prior to any approval for any preliminary approval for industry uses, which in this application is linked to the creation of land to establish industry uses, Council has to ensure that matters raised in 6.2.12.2 (a) of the Industry Investigation zone have been satisfactorily addressed.

Secondly, Section 3.7.1 (a) to (f) requires the orderly provision of infrastructure which is predicated on an understanding of the development of and proposed in Yamala industry area, in particular the linkages to adjoining lots and the existing Special Industry zoned area. The manner in which this may be achieved is set out in Section 6.2.12.2 (b) of the Industry Investigation zone.

Further information is sought as to how this development application has satisfactorily addressed section 6.2.12.2 in the absence of a structure plan and engineering report(s) that would enable assessment of future industrial development against the provisions of the Special Industry zone. Noting that there is only one established use in the Yamala Special Industry Area, being the cotton gin, leaving two thirds (2/3) of the Special Industry Zoned land vacant (it is noted that there are two existing approvals over this vacant land that have not yet been acted on).

3. Suitability of land as Special Industry

Section 6.2.12.2 (1) of the Scheme states *the purpose of the industry investigation code is to identify and protect land that may be suitable for industrial activities where further detailed planning, investigations and studies are required to determine the suitability of the industry investigation zone for use as an industry zone.* This is reiterated through the overall outcomes of the industry investigation code.

Elaborate on how the conclusion has been reached that the entirety of the site is suitable as Special Industry zone.

In response to this Information Request, s.278 of the SPA requires you to supply one of the following:

- a) All of the information requested; or,
- b) Part of the information requested together with a written notice asking the requesting authority to proceed with the assessment of the application: or
- c) A written notice –
 - (i) stating that the applicant does not intend to supply any of the information requested; and
 - (ii) asking the requesting authority to proceed with the assessment of the application.

It is also highlighted that under s.279 of the SPA, failure to respond to this Information Request within six (6) months from the above date will result in the lapsing of this application.

Should you require further information, please contact Council's Development Assessment Unit on ☎ (07) 4982 8359.

Yours faithfully



Sarah Ronnfeldt
Principal Planner - Development Assessment