

Your Reference:

Our Reference: TF: mw: 24-05 (FID94553, EC004-23/24, 05596-00000-000, ID1867073)

Contact: enquiries@banana.qld.gov.au

14 May 2024

Banana Shire Council
C/- Reel Planning
1/9 Camford Street
MILTON QLD 4064

Dear Mr Upton,

Exemption Certificate

(Given under section 46 of the Planning Act 2016)

Exemption Certificate for: Material Change of Use for Workforce
Accommodation

Site Address: 93 Quarrie Road, Biloela

Lot & Plan Details: Lot 3 on SP311696

I wish to advise that an exemption certificate has been granted on 14 May 2024 for the application of the Bushfire Hazard Overlay of the Banana Shire Planning Scheme to the proposed development application for a Material Change of Use for Workforce Accommodation at 93 Quarrie Road, Biloela. This exemption certificate attaches to the subject land and must be provided to future owners and successors in title.

1. Description of the development to which this certificate relates

The following development is exempt under this certificate:

Assessable development under the Banana Shire Planning Scheme 2021	Scheme reference
Workforce Accommodation	Entire scheme
This site falls within the mapped area in which Temporary Local Planning Instrument No. 1 of 2024 – Workforce Accommodation is applicable. The development becomes code assessable following the exemption certificate for the application of the Bushfire Hazard Overlay.	

2. Referral Agencies

By email dated 3 May 2024, the State Assessment and Referral Agency advised that it was not a referral agency because the threshold for Workforce Accommodation in Schedule 20 of the *Planning Regulation 2017* is 50 dwellings

and because the proposed development has a common kitchen and laundry building the workforce accommodation facility does not contain dwellings as defined in Schedule 24 of the *Planning Regulation 2017*.

3. Reasons for giving exemption certificate

This development exemption certificate is provided in accordance with section 46(3)(b) of the Planning Act for the following reasons:

- The effects of the development would be minor or inconsequential, considering the circumstances under which the development was categorised as assessable development. A small part of the south western corner of the site is mapped as a potential impact buffer under the Bushfire Hazard Overlay. The Review of Bushfire Prone Area Mapping Banana Shire prepared by Denley Environmental determined the area to be a Low Hazard Area. Therefore, the bushfire risk to development in this part of the site would be minor. The application of the Bushfire Hazard Overlay made the proposed development impact assessable. The removal of the Bushfire Hazard Overlay maintains the development's status as assessable development, but makes it code assessable.
- The development was categorised as assessable development only because of particular circumstances that no longer apply. The small area in the south western corner of the site mapped as a potential impact buffer under the Bushfire Hazard Overlay will be largely cleared. An 18m wide vegetative buffer has been proposed between the development extent of the buildings and the edge of the vegetation. A large proportion of the vegetation making up the potential impact buffer area will be cleared for the development, significantly reducing the already Low Hazard Area bushfire risk.

Under the Banana Shire Planning Scheme 2021, development for a Material Change of Use for Workforce Accommodation is categorised as impact assessable in the Community Facilities Zone. However, the site (excluding the area designated in the potential impact buffer under the Bushfire Hazard Overlay) falls within the mapped area of Temporary Local Planning Instrument No. 1 of 2024 – Workforce Accommodation, which makes Workforce Accommodation in those mapped areas code assessable.

The exemption to apply the Bushfire Hazard Overlay over the small portion of the site is not considered to have any permanent or significant consequences on the proposed development or the surrounding area. The Workforce Accommodation use becomes code assessable development once the exemption from the Bushfire Hazard Overlay has been applied. It will not impact on the site or the operation of nearby rural residential and industrial activities and does not impact on the character of the area.

4. When exemption certificate ceases to have effect

This exemption certificate has effect for two years from the day after the date of this certificate.

Should you require further assistance in relation to this matter, please do not hesitate to contact Council's Development Services team on (07) 4992 9500.

Yours sincerely

A handwritten signature in blue ink, appearing to be 'Tarnya Fitzgibbon', with a long horizontal stroke extending to the right.

Tarnya Fitzgibbon

MANAGER DEVELOPMENT AND REGULATORY SERVICES