



# **TOWN PLANNING REPORT** **FOR** **DEVELOPMENT APPLICATION**

Material Change of Use – Function Facility

Located at 235-353 Mill Road, Yabulu QLD 4818; Lot 3 on RP743037

3 March 2026

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## 1.0 Application Summary

|                                  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
|----------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Proposal</b>                  | Development Application for Material Change of Use – Function Facility – Entertainment Venue                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| <b>Existing Approval</b>         | Nil                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| <b>Applicant</b>                 | Trevor Holley<br>C/- EDPI Australia                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| <b>Landowner</b>                 | Trevor Holley                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| <b>Street Address</b>            | 235-353 Mill Road, Yabulu QLD 4818                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| <b>Real Property Description</b> | Lot 3 on RP743037                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| <b>Planning Scheme</b>           | Townsville City Council Planning Scheme                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| <b>Easements</b>                 | Nil                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| <b>Lot size</b>                  | 36.5ha                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| <b>Zoning</b>                    | Rural                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| <b>Precinct</b>                  | Mixed farming precinct                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| <b>Overlays</b>                  | <ul style="list-style-type: none"> <li>• Bushfire hazard Overlay Map OM-02 – Potential impact buffer</li> <li>• Bushfire hazard Overlay Map OM-02 - Medium bushfire hazard area</li> <li>• Development Constraints Overlay Map OM-06.1 to OM-06.2 - Flood hazard - Medium hazard - further investigation area</li> <li>• Environment Natural Assets Overlay Map OM-08 - Environmental importance – High</li> <li>• Environment Natural Assets Overlay Map OM-08 - Environmental importance – Medium</li> <li>• Environment Natural Assets Overlay Map OM-08 - Environmental importance - Very high</li> </ul> |
| <b>State/ Federal Referrals</b>  | <ul style="list-style-type: none"> <li>• Schedule 10, Part 3, Division 4, Table 3, Item 1 – Material change of use that involves clearing native vegetation</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| <b>Current Site Use</b>          | Vacant                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| <b>Proposed Defined Use</b>      | Function facility                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| <b>Total GFA</b>                 | 483m <sup>2</sup>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| <b>Level of Assessment</b>       | Impact Assessable                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| <b>Relevant Codes</b>            | <ul style="list-style-type: none"> <li>• Rural zone code</li> <li>• Bushfire hazard overlay code</li> <li>• Flood hazard overlay code</li> <li>• Natural assets overlay code</li> <li>• Healthy waters code</li> <li>• Landscape code</li> <li>• Transport, impact, access and parking code</li> <li>• Works code</li> </ul>                                                                                                                                                                                                                                                                                  |
| <b>Application Fee</b>           | <b>Total Fee: \$5,548</b><br><b>Impact Fee: \$1,168</b><br><b>Category G – Minimum Fee: \$2,628</b><br><b>Additional Area Charge: 4 × \$438 = \$1,752</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                     |

\* Estimate based of Fees and Charges 2025/26

## 2.0 Introduction

We act on behalf of Trevor Holley ('the applicant'), a long-term Townsville resident of 25 years and homeowner within the locality for over 20 years. The applicant is committed to working collaboratively with Townsville City Council to achieve an outcome that supports local economic activity and enhances the city's commercial and social offering. This Development Application seeks approval for a Material Change of Use for a Function Facility at 235–353 Mill Road, Yabulu, described as Lot 3 on RP743037 ('the premises'). The proposal is privately funded and represents a modest, locally driven initiative intended to deliver community and economic benefits in a low-impact manner.

The nominated area for the Function Facility, centrally located within the property, has been selected to minimise potential impacts on nearby residences, fauna and flora, and environmental mapping. The remainder of the property will continue to function as the applicant's primary residence, making the applicant the nearest affected occupant. As the landowner who will reside on-site, the applicant is well placed to ensure that environmental impacts, amenity considerations and operational controls are appropriately managed. All relevant conditions imposed by State and Council authorities will be adhered to in full.

The proposal is to include the following at the premises as below:

- Toilet amenities block: 51m<sup>2</sup>
- Food Servery: 72m<sup>2</sup> (hot and cold baymaries, cold room, benches and sinks, general utilities storage)
- Storage/service shed: 72m<sup>2</sup>
- Covered entertainment area: 288m<sup>2</sup> (initially proposed as a temporary marquee structure, with potential for future upgrade to a permanent structure)
- Total GFA: 483m<sup>2</sup>

In preparation of this report, consideration has been given to:

- the existing use and operations;
- land use characteristics in the locality;
- existing infrastructure services;
- Strategic Framework;
- Townsville City Council Planning Scheme;
- Pre-lodgement Meeting Advice;
- Supporting information and designs;
- state and federal planning matters; and
- public notification.

Approval of the development will be addressed through this report but is warranted on the grounds:

- The proposed use is of small nature to be run from the landowner as their fulltime retirement venture.
- The Function Facility is appropriately located on a large rural allotment, well-separated from sensitive receptors, and designed to complement the area's rural character.
- The development footprint avoids mapped wetlands, waterways, and regulated vegetation.
- Clearing is minimal, limited to previously disturbed areas, and supported by a

Relevant Purpose Determination under the *Vegetation Management Act 1999*.

- No changes are proposed to Council's infrastructure.
- No effluent will be released to land or water were Environmental Relevant Activity is not triggered.
- On-site water storage and sewerage will meet supply needs, in accordance with City Plan requirements.
- Significant separation from nearest dwellings (all over 670m away).
- Surrounded by bushland and natural buffers.
- Noise-generating activities, including amplified music, will be managed, particularly after 10pm, to ensure compliance with noise requirements.
- Comparable developments closer to residential areas have demonstrated compliance with relevant noise thresholds.
- Low traffic generation with events typically drawing around 20 vehicles per event.
- Bus transport and carpooling encouraged, reducing traffic volumes.
- Site access via sealed roads (Bruce Hwy → Pope Rd → Mill Rd), with internal access road upgraded to rural standard.
- Grass parking area provided on-site with sufficient capacity and safe vehicle circulation.
- Supports regional tourism and contributes to Townsville's economy by attracting out-of-town visitors.
- Provides a unique rural venue for weddings and events, supporting local businesses and suppliers.
- Offers a social and cultural asset for the community in a location that enhances rural tourism potential.
- Able to meet Townsville City Plan's strategic intent and the themes of shaping Townsville, sustaining economic growth, and fostering liveable communities.
- Supports small-scale rural enterprise without compromising environmental values or community amenity.
- All buildings and infrastructure will meet relevant planning scheme codes and design standards.
- Public notification will be undertaken in accordance with the DA Rules, with any properly made submissions to be addressed through the assessment process.

## 2.1 Site Context

The premises is located at 235-353 Mill Road QLD 4818, properly described as Lot 3 on RP743037. The 36.5ha allotment is currently zoned Rural and remains undeveloped, featuring existing access roads and predominantly untouched vegetated land. A cleared portion of the site, located centrally to the east, is identified as the proposed location for development. Healey Creek runs along the eastern boundary, just outside the property. The site has frontage to Mill Road, which has recently been upgraded with a gravel hardstand surface and connects northward to Pope Road before intersecting with the Bruce Highway and continuing into the city.



**Figure 1: Aerial of Overall Area (Source: QLD Globe)**

The site comprises predominantly flat terrain with a gentle slope descending eastward. The proposed development is situated on a level area that gradually slopes down towards Healey Creek, which sits approximately 5 metres below the top of bank. Stormwater naturally drains into Healey Creek, flowing north towards Saunders Beach and eventually out to the ocean. Over the past decade, including during the 2019 floods and more recent heavy rainfall events in Townsville, the site has not experienced any flood inundation.



**Figure 2: Contours (Source: TCC Mapping)**

The property and surrounding rural lots are connected to electricity, however maintain onsite

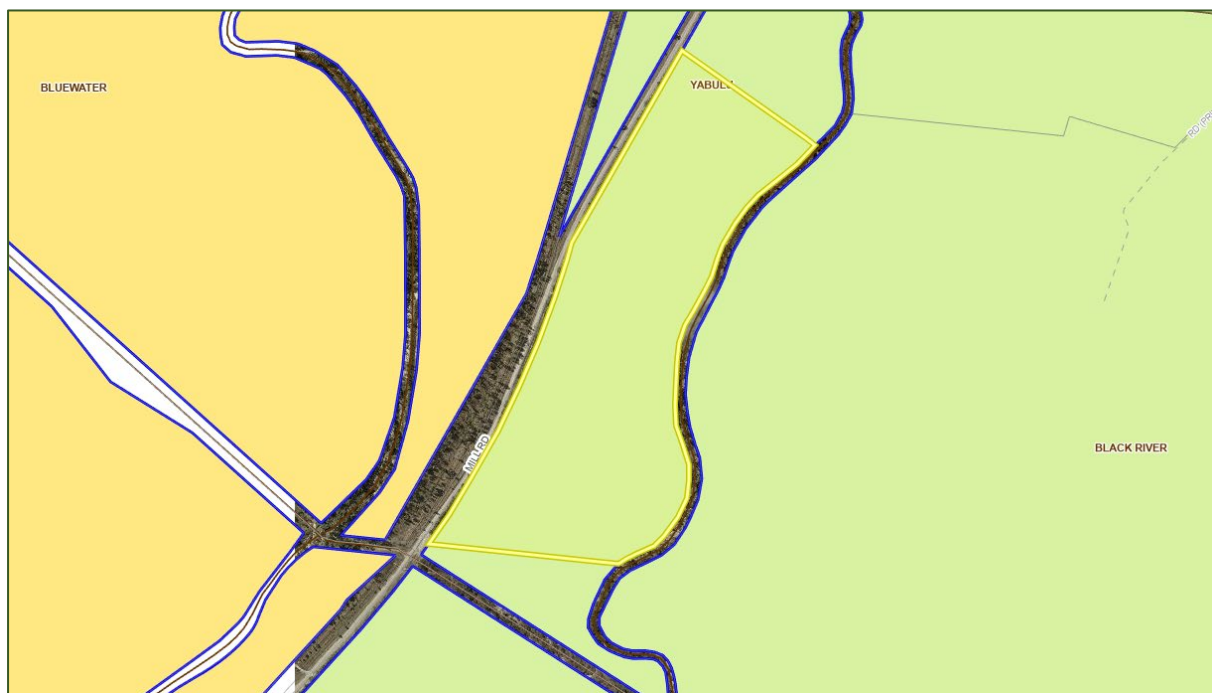
water and sewerage system. The nearest reticulated water is located within Black River and is not intended to be connected to as part of this development due to its small-scale nature.

The Owners Consent is attached in **Appendix B** with *Trevor Holley* as the sole registered property owner.

## 2.2 Surrounding Land Uses and Locality

The property is located in Yabulu, located approximately 27km west of the Townsville CBD, 10km west of the Deeragun Village and 15km west of North Shore.

Upon conducting a thorough review of the premise and its surroundings reveals that the immediate area consists primarily of rural residential properties and some small businesses. The northern, eastern, southern, and western aspects of the locality are characterised by larger rural properties featuring homes, dams, sheds and some agricultural. The subject site is zoned Rural and located within the Mixed Farming Precinct, consistent with all adjoining properties. However, land on the opposite side of Mill Road falls within the Grazing Precinct.



**Figure 3: Zoning and Precinct Mapping (Source: TCC Mapping)**

The existing and proposed land use for the site incorporates a mix of residential and small-scale commercial activities. The surrounding and adjoining properties reflect a similar pattern of development, ensuring compatibility with the proposed use.

|              |                      |
|--------------|----------------------|
| <b>North</b> | Rural/ Mixed farming |
| <b>East</b>  | Rural/ Mixed farming |
| <b>South</b> | Rural/ Mixed farming |
| <b>West</b>  | Rural/ Grazing       |

## 2.3 Pre-lodgement Consultation

This application follows pre-lodgement consultation with Tablelands Regional Council through written advice provided on 10 February 2025 – Council ref. Pre24/0025. Additional advice was sought through written email advising of changes of the use from Medium Impact Industry to Shop as well as advice on the Caretaker's Accommodation. Emphasis it to be put on the justification of the use within the Strategic Framework and non-compliance with the Rural Residential Zone Code. The Pre-lodgement advice outcomes provided by Council have formed the basis of this application.

Pre-lodgement advice was also sought from SARA through written advice on 7 January 2025 – SARA ref. 2412-43913 SPL, regarding the proposed development close proximity to a state-controlled road. The SARA advice however for the proposal in its current form is likely to comply with the relevant provisions of SDAP.

## 3.0 Proposal

### 3.1 Nature of the Proposal

The development application seeks approval for the establishment of a Function Facility – Entertainment Venue on a 36.5ha rural property. The proposal is intended to cater to private events such as weddings, parties, and other celebrations, and will support local tourism and rural enterprise in the area.

The facility will be positioned in an existing cleared portion of the property, centrally located approximately 200 metres west of the Mill Road frontage and 30 metres east of the western property boundary. Access to the development will be via an existing gravel driveway, which has historically been used for property maintenance and will be upgraded as needed to meet relevant standards.



**Figure 4: Aerial Locality (Source: Nearmap)**

The proposal includes the following built elements, with a total gross floor area (GFA) of approximately 483m<sup>2</sup>:

- Toilet amenities block: 51m<sup>2</sup>
- Food Servery: 72m<sup>2</sup>
- Storage/service shed: 72m<sup>2</sup>
- Covered entertainment area: 288m<sup>2</sup> (initially proposed as a temporary marquee structure, with potential for future upgrade to a permanent structure)

These components will be arranged within an approximate 80m radius, allowing for spatial separation while maintaining operational cohesion. An interconnected landscaped outdoor area will link the buildings, enhancing amenity and usability for guests.

The Function Facility is designed to accommodate up to 150 guests and is expected to operate seasonally, primarily between May and October, although it is not limited to this timeframe. The facility will operate between midday and midnight, with all guests required to depart the premises by bus transport only to manage traffic, maintain amenity, and ensure safety. There will be no accommodation or camping onsite.

Vehicular access will be maintained via the existing driveway from Mill Road. Unsealed parking will be provided near the site entrance to accommodate guest drop-off, staff parking, and limited vehicles, while also acting as a firebreak and vegetation buffer. The project will encourage bus transportation to reduce traffic volume and impacts on local roads.

The proposed development will be fully self-sufficient with respect to essential services. As the site is not connected to Council's reticulated water network, potable water will be delivered and stored on-site in accordance with City Plan Schedule SC6.4.11.7 – On-Site Water Supply.

Wastewater will be treated and disposed of via an engineered on-site sewerage treatment system, supported by the attached Waste Treatment System Report. The system has been designed in accordance with the Queensland Plumbing and Wastewater Code, the Plumbing and Drainage Act 2018, and AS/NZS 1547:2012. It includes a Fuji Clean aerated treatment plant with a design capacity of 3,000 L/day for up to 100 persons, and a 1,000 m<sup>2</sup> subsurface drip irrigation land application area located outside mapped wetland areas. All installation details, setbacks, disposal layouts, and construction specifications will be addressed through the plumbing and drainage approval process.

Waste collection and disposal will be managed by the operator, consistent with the Waste Treatment System Report and Event Management Plan. The site will utilise a combination of industrial general-waste bins and appropriately distributed recycling bins, with waste removal undertaken by a commercial contractor as required following events.

The proposal is carefully designed to align with the rural character of the site while enabling a low-impact, economically beneficial use that supports local events, tourism, and the broader regional economy.



Figure 5: Proposed Site Plan prepared by Applicant (Source: Nearmap)

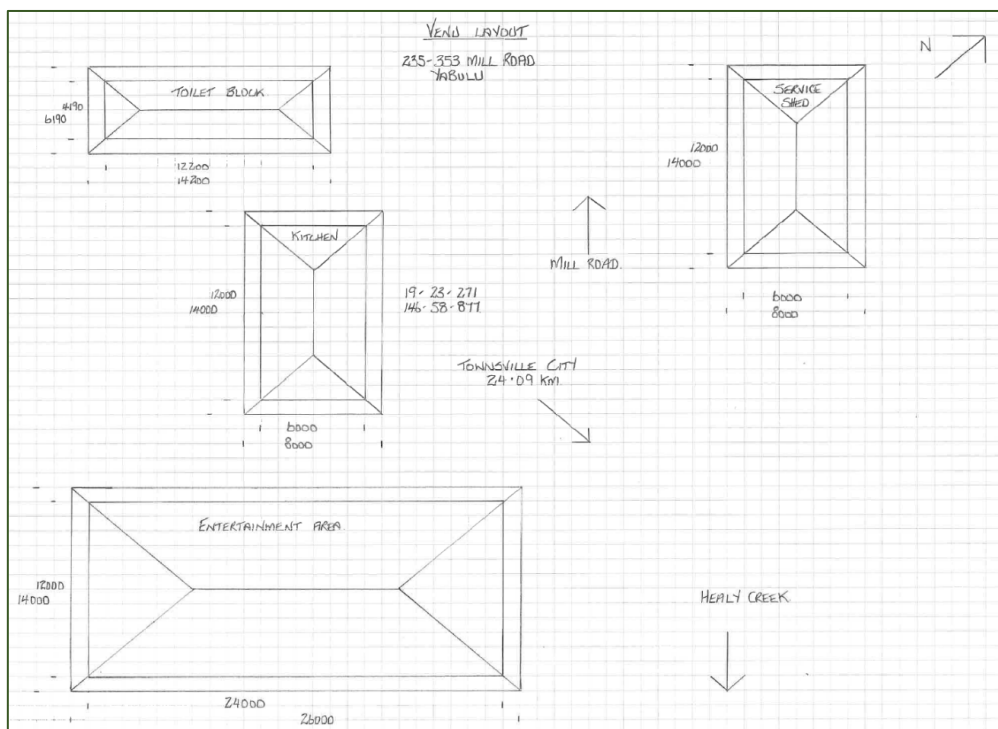


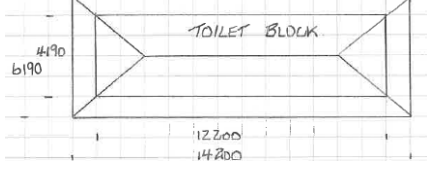
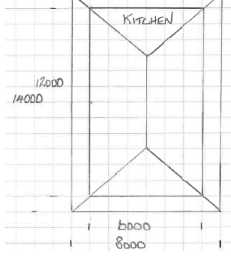
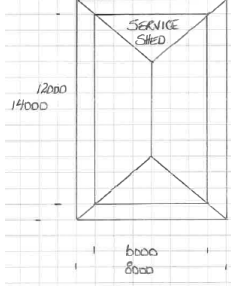
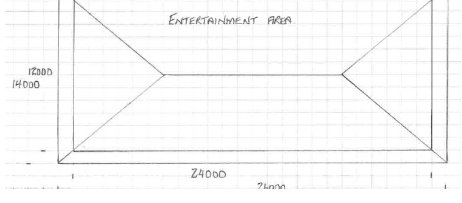
Figure 6: Venue Plan and Dimensions prepared by Applicant

The Function facility is a low-impact facility catering to entertainment venue, with a food servery, toilet and storage shed.

By maintaining a rural aesthetic, ensuring appropriate setbacks and implementing measures to reduce noise and traffic impacts. The proposal enhances local economic activity in a way

that complements rather than disrupts the surrounding environment, demonstrating a well-considered approach to development within this precinct.

The particulars of the Function facility include:

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                                                                      |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------|
| <p><b>Toilet Block</b></p> <ul style="list-style-type: none"> <li>• 12.2m x 4.19m</li> <li>• GFA: 51m<sup>2</sup></li> <li>• 4 Unisex Toilets that accommodate the needs of Handicap requirements.</li> <li>• PWD</li> <li>• Converted 40ft shipping Container 600mm above ground level (lined outside with stacked stone tiling, internal tiled floor, floor to ceiling tiling, colorbond roof sheeting).</li> <li>• Access Ramp &amp; Verandah built to AS1428.1</li> </ul> |    |
| <p><b>Food Servery</b></p> <ul style="list-style-type: none"> <li>• 12m x 6m</li> <li>• GFA: 72m<sup>2</sup></li> <li>• Concrete slab</li> <li>• Besser block (lined outside with stacked stone tiling, internal tiled floor, colorbond roof sheeting).</li> </ul>                                                                                                                                                                                                            |   |
| <p><b>Storage/ Service Shed</b></p> <ul style="list-style-type: none"> <li>• 12m x 6m</li> <li>• GFA: 72 m<sup>2</sup></li> <li>• Concrete slab</li> <li>• Besser Block (lined outside with stacked stone tiling, colorbond roof sheeting).</li> </ul>                                                                                                                                                                                                                        |  |
| <p><b>Entertainment Area</b></p> <ul style="list-style-type: none"> <li>• 24m x 12m</li> <li>• GFA: 288m<sup>2</sup></li> <li>• Grassed area / rolled/ compacted pink crusher dust.</li> <li>• Temporary marquee. (removable steel frame with tarpaulin roof).</li> </ul>                                                                                                                                                                                                     |  |

The Function facility is illustrated in the Proposal Plans attached in **Appendix C**.

### 3.2 Waste Treatment System Report

The proposed Function Facility has been designed as a low-intensity rural venue and is not expected to generate any significant additional demand on Council's existing infrastructure

networks. All essential services will be delivered through on-site systems appropriate for the rural setting.

#### Water Supply

Potable water will be delivered to the site and stored in accordance with the requirements of City Plan Schedule SC6.4.11.7 – On-Site Water Supply. As the site is not connected to Townsville's reticulated water network, all water required for the facility will be stored and managed on-site.

#### On-Site Sewerage Infrastructure

Sewerage will be treated and disposed of via an engineered on-site sewerage facility designed specifically for the Function Facility. The Onsite Sewerage Assessment (OSA) and wastewater system design prepared by Wastewater Works (E.G. Clark) demonstrates compliance with the Queensland Plumbing and Wastewater Code, the Plumbing and Drainage Act 2018, and AS/NZS 1547:2012. The system has been sized for up to 100 persons with a maximum daily flow of 3,000 L/day, utilising a Fuji Clean aerated treatment plant and subsurface drip irrigation across a 1,000 m<sup>2</sup> land application area. The system is located outside mapped environmentally sensitive areas and incorporates required setbacks, filtration, irrigation layout and construction details. Refer to Waste Treatment System Report attached in **Appendix D**.

Applications for installation of the treatment plant and associated disposal infrastructure will be lodged with Council's Hydraulic and Building Services Unit as part of the plumbing and drainage approvals process.

Two ablution blocks, one existing and one new, will service the main event area. All proposed accommodation units will include ensuite bathrooms, ensuring adequate amenities are available for guests.

#### Electricity

Existing Ergon Energy overhead power infrastructure will be utilised and extended as required to provide a reliable power supply across the site.

#### Waste Management

Waste management will be managed by the developer through a combination of on-site sorting, secured storage, and scheduled removal by a licensed commercial waste operator. The site will maintain one industrial general-waste bin supported by appropriately distributed recycling bins. Collections will be arranged as required, including immediately following events, to ensure waste does not accumulate on-site and to maintain compliance with environmental and operational standards. Refer to Event Management Plan attached in **Appendix E**.

### 3.3 Stormwater and Drainage

The subject site comprises predominantly flat terrain with a gentle slope descending eastward towards Healey Creek and is located in a further investigation area. The proposed development is located on a flat portion of the site, which gradually slopes down to the creek, with a vertical separation of approximately 5m between the top of bank and the watercourse. Stormwater naturally drains towards Healey Creek, flowing northward to Saunders Beach before discharging into the ocean.

Historical observations over the past decade, including significant events such as the 2019 Townsville floods and recent high rainfall periods, confirm that the site has not experienced flood inundation. Existing shallow swales on site effectively direct stormwater away from the

development area, mitigating the risk of surface water pooling or localised flooding. The proposed development is modest in scale and located well above the flood-prone areas adjacent to Healey Creek. No changes are proposed that would compromise the existing stormwater drainage regime. All roof runoff will be captured and directed to an on-site drainage system designed to convey flows to a lawful point of discharge. The system will be designed in accordance with the Queensland Urban Drainage Manual (QUDM) and relevant planning scheme requirements, ensuring there is no adverse impact on adjoining properties or public roads.

While a formal Flood Impact Assessment has not been prepared, the site's elevated position relative to Healey Creek and the small-scale nature of the development (with minimal increase in impervious surfaces) support the conclusion that flood risk is negligible. The development does not result in significant additional runoff or modify overland flow paths. As such, no increase in depth or velocity of flow within the site or downstream areas is anticipated.

To support this position and address Council's comments regarding the site's identification within the medium flood hazard – further investigation area, a Stormwater Management Plan can be provided to include the following:

- Delineation of the contributing catchment area using up-to-date ground contour data;
- Rainfall intensities and hydrologic modelling based on local conditions;
- Flow path analysis and associated hydraulic computations demonstrating that development and access meet QUDM velocity and depth thresholds;
- Specification of the on-site drainage system, including roof capture and redirection to a lawful point of discharge;
- Measures such as guideposts or signage to clearly delineate access paths in the event of heavy rainfall or overland flow.

These measures will ensure the development is appropriately managed in accordance with QUDM and the planning scheme, with no detrimental impacts on the site's flood resilience or stormwater management capacity. Based on the site's elevated topography, historical flood immunity, and the low-impact nature of the proposed development, it was determined that such a report was not warranted in this instance.

### 3.3 Bushfire Assessment

The subject site is identified within a Medium Bushfire Hazard Area which only a small portion of the subject area sits within the potential bushfire area. While a formal Bushfire Hazard Assessment has not been prepared at this stage, the small-scale nature of the proposed development and the fact that no accommodation is proposed onsite has informed the decision not to undertake a full assessment at this time. The development is intended for intermittent use as a function facility, and in the event of any immediate bushfire threat, operations will be suspended, and events cancelled until it is safe to resume.

The proposed development maintains on-site water storage that can be utilised for fire-fighting purposes if required. Furthermore, the site layout includes a cleared buffer zone around the building, in accordance with environmental and planning considerations identified in the Relevant Proposed Determination. This buffer area will be maintained regularly and supplemented by rural fire breaks along the property boundaries and elsewhere as necessary. These measures form a key part of the property's defensible space and fire mitigation strategy.



**Figure 7: Bushfire Overlay Mapping (Source: TCC Mapping)**

The landowner has been in ongoing communication with the local Rural Fire Brigade to implement appropriate bushfire mitigation strategies. As part of these strategies, Asset Protection Zones (APZ) will be established and managed in accordance with relevant legislation and best practice bushfire planning principles. These zones include the following key elements:

- A fuel-reduced area surrounding the building that minimises the likelihood of fire spread.
- Regular clearing of dry leaves, grasses, weeds and undergrowth, and the strategic spacing of vegetation to prevent fire intensity near structures.
- Implementation of defensible zones with varying levels of vegetation management, with the strictest fuel reduction requirements closest to structures.
- Fire breaks that slow or stop the spread of fire, placed strategically along access paths and boundaries.
- Clear and maintained buffers to allow safe access for firefighting efforts during emergency events..
- All bushfire mitigation works and defensible space management will be undertaken in accordance with applicable local government and state bushfire planning requirements.

Should Council determine that a formal Bushfire Hazard Assessment is necessary, the applicant is prepared to commission the required assessment. If the outcomes of that assessment identify specific hazards, a Bushfire Management Plan will be prepared and implemented to address those risks in line with Council and Queensland Fire and Emergency Services (QFES) guidelines.

### 3.4 Access and Parking

A formal Traffic Impact Assessment has not been prepared for this application, as the proposed development qualifies as a low-impact traffic generating use, consistent with the thresholds and intent of Townsville City Plan – Schedule 6.4.5 Road Network Infrastructure.

The development is for a seasonal Function Facility that will operate intermittently throughout the year, with events expected to generate approximately 20 vehicles per event, the majority of which will arrive via pre-arranged bus transport or carpooling.

The site is located in a rural setting and is accessed via Bruce Highway, then Pope Road and Mill Road, all of which are sealed and capable of accommodating light to moderate vehicle traffic. From Mill Road, access to the venue will be via an existing unsealed track, which will be maintained to a minimum width of 6 metres and constructed to a rural standard as part of the proposal. This internal access track will be improved to ensure safe, all-weather access, including clear sightlines, wide verges for vehicle passing, and a mostly linear alignment that minimises turning hazards. The track has also historically been used for property maintenance and fire control access, demonstrating its existing capability for vehicle use, including emergency services.

Upon entry to the site, informal grassed car parking will be provided in a cleared area to the front of the facility. There will be a delineated no parking area to ensure all vehicles, including emergency vehicles, can enter and leave at any time. This area will offer sufficient space for manoeuvring, ensuring that all vehicles can enter and exit the site in a forward direction. Although parking is to be provided informally on grass, this is considered appropriate given the low-frequency use of the facility and the seasonal, dry-weather timing of events. This cleared area also makes part of the exclusion zone for the Relevant Purpose Determination.

Under SC6.10 – Parking Rates Planning Scheme Policy, the requirement for Function Facilities is to provide

*Sufficient spaces to accommodate the amount of vehicle traffic likely to be generated by the particular use.*

The site will comfortably accommodate this level of demand.

Given the rural setting, low-density road network, and limited event frequency, there is no requirement for additional upgrades or traffic safety measures on Mill Road or connecting roads. The development is not anticipated to cause congestion or adverse impacts to the local road system. The property is the first allotment after the sealed surfaces of Pope and Mill Roads will also assist in minimising dust and protecting amenity for neighbouring properties.

Furthermore, the site's remote location, low vehicle volumes, and large open areas ensure that access and circulation are safe, convenient, and appropriate for the intended use. The proposal does not involve pedestrian or cyclist traffic, which is consistent with the rural nature of the area.

The proposed Function Facility incorporates suitable access and parking arrangements that meet the intent and requirements of the Transport Impact, Access and Parking Code. The development is expected to have minimal traffic impact, supported by well-considered vehicle access, clear circulation paths, and ample informal parking areas. As such, the proposal is compliant with Council's planning scheme and relevant infrastructure design standards.

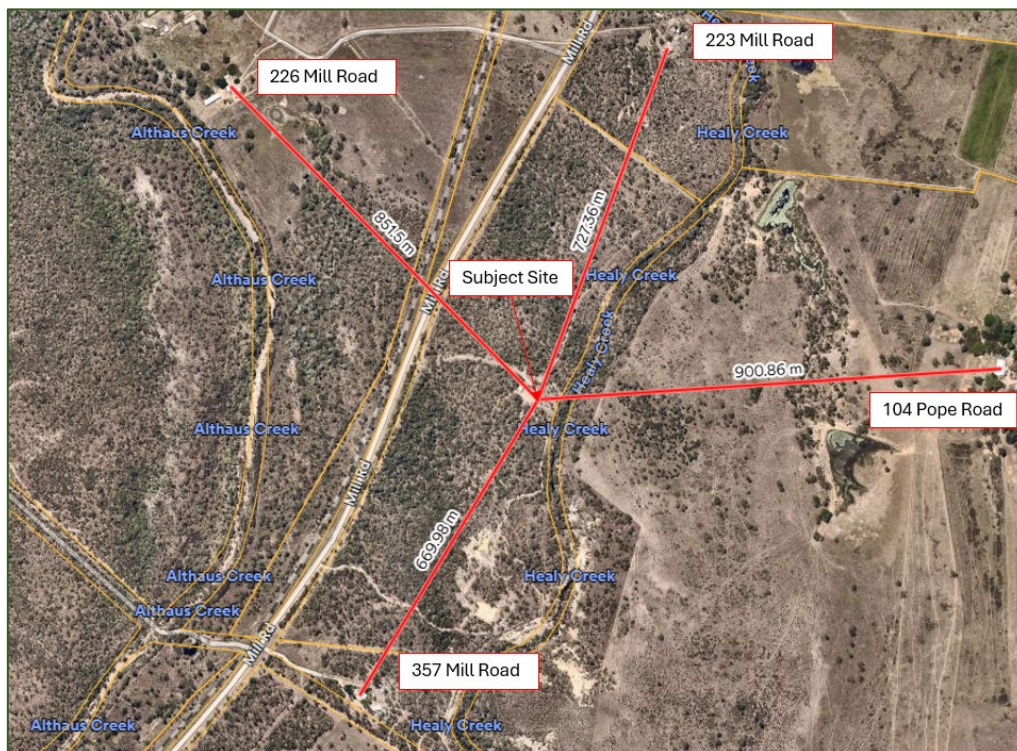
Refer to Event Management Plan attached in **Appendix E**.

### 3.5 Noise Emissions

A formal Noise Impact Assessment has not been undertaken for the proposed Function Facility as it is not considered necessary based on the site's context, distance to sensitive receptors, and the nature and scale of the development. The nearest habitable dwellings are all located a significant distance from the proposed function area, as outlined below:

- 357 Mill Road, Yabulu – approximately 670m south
- 223 Mill Road, Yabulu – approximately 730m north
- 226 Mill Road, Yabulu – approximately 850m west
- 104 Pope Road, Black River – approximately 900m east

The site is surrounded in all directions by either cleared land, dense bushland, or rural land used for agricultural or low-intensity business purposes. Healy Creek also provides a natural buffer along the western boundary, further contributing to acoustic separation.



**Figure 8: Distance to Closest Residential Dwelling (Source: Nearmap)**

Given the significant separation to the nearest sensitive receptors, more than three times the distance observed in similar function facility applications in the region, potential for adverse noise impact is considered minimal.

The development is designed to operate primarily during the day and evening, with functions concluding by midnight, and measures will be implemented to manage and minimise amplified noise levels after 10pm. These include reducing music volume, positioning speakers appropriately, and encouraging patrons to leave the premises via organised bus transport to reduce noise from vehicle movements and gatherings in parking areas.

Comparative assessments from nearby developments of larger scale and closer proximity to residential dwellings have demonstrated that predicted noise levels for function facilities, including amplified music and car parking, were generally compliant with the Environmental Protection (Noise) Policy 2019 and Environmental Protection Act 1994. Specifically, those assessments reported predicted external levels which we would also propose of:

- Visitor noise: 22 dB(A)
- Amplified music: 27 dB(A)
- Carpark noise: 17 dB(A)

These levels are well below the EPA noise limit and were deemed acceptable under both day and evening operational conditions.

Given that the proposed development is smaller in scale, further from sensitive receptors, and will incorporate noise management measures (e.g. proposed limiting speaker output after 10pm and strategic speaker placement), it is reasonable to conclude that it will comply with the applicable noise thresholds. Additionally, no mechanical plant or equipment is proposed that would pose a significant ongoing noise source and any required plant will be selected and located to achieve compliance with relevant criteria.

Based on the significant setbacks, natural buffers, and proposed noise mitigation measures, the development is not expected to result in adverse noise impacts to surrounding sensitive land uses. As such, a formal Noise Impact Assessment is not required, and compliance with Townsville City Plan 2014, EPP (Noise) 2019, and the Environmental Protection Act 1994 can be achieved. Should Council determine that a formal Noise Impact Assessment is necessary, the applicant is prepared to commission the required assessment.

### 3.6 Environmental

The proposed development has been designed and positioned to minimise environmental impact and ensure compliance with both local and state environmental planning requirements. The site is mapped under the Environmental Natural Assets Overlay and is also affected by areas of regulated vegetation, wetland protection, and a waterway (Healy Creek) along its eastern boundary. However, all elements of the proposed development, including buildings, access, and associated infrastructure, have been intentionally located outside these mapped environmental constraint areas, except for the regulated vegetation, and within an existing already mostly cleared section of the lot to avoid triggering additional assessment or operational risks.

In accordance with Schedule 10, Part 3, Division 4, Table 3, Item 1 of the *Planning Regulation 2017*, the proposal constituted a material change of use involving the clearing of native vegetation, requiring assessment under State Code 16 – Native Vegetation Clearing, attached in **Appendix J**. A Relevant Purpose Determination under section 22A of the *Vegetation Management Act 1999* was sought and approved on 17 March 2025 by the Department of Natural Resources and Mines, Manufacturing, and Regional and Rural Development. The development footprint has been refined to minimise the extent of clearing, and all proposed clearing is either on previously mostly cleared and weed affected area or kept to a minimum for access and safety buffers. A copy of this determination is included in **Appendix F**.

The site is partially affected by overlays relating to the Queensland Waterways and Wetlands Protection provisions. However, the proposed development has been entirely located outside of the mapped wetland protection area and does not involve any operational work (including earthworks) within or near the wetland or waterway boundary that would trigger high-impact activity. As such, no further referral to SARA is required under these provisions. Should any future works such as erosion control or stream bank restoration be considered, further pre-lodgement consultation with the relevant state agencies has been recommended and will be undertaken at the appropriate time.

Consideration was also given to the potential for the proposed on-site sewerage system to

trigger an Environmentally Relevant Activity (ERA) under the *Environmental Protection Act 1994*. Following discussions with the Department of Environment, Science and Innovation (DESI) during pre-lodgement, it was determined that an ERA is not triggered, as the proposed wastewater treatment system will not release effluent to land or waters, operate with a design capacity below 4,200L/day, or involve a controlled on-site disposal system, specifically designed to manage peak loading associated with events.

Therefore, no Environmental Authority (EA) is required. Nonetheless, the development will adhere to the general environmental duty provisions of the Act, and all system design and installation will comply with the Queensland Plumbing and Wastewater Code and AS/NZS 1547:2000 as well as the Planning Scheme provisions. The wastewater system will be located outside of the mapped wetland protection area.

The proposed Function Facility demonstrates a strong commitment to environmental protection by avoiding high-conservation areas, regulated vegetation, and waterways, and limiting any necessary vegetation clearing to previously disturbed or low-risk areas. An assessment against the Assessment Against the SDAP Codes attached in **Appendix J**. This application will be referred to SARA upon receiving written confirmation from Council.

## 4.0 Legislative Framework

### 4.1 Planning Act 2016

The *Planning Act 2016* serves as the foundational document for Queensland's planning system, overseeing and aligning local, regional, and State planning efforts. It provides the necessary structure for the creation of subordinate planning legislation and instruments, such as planning schemes, which work in concert to support and implement its framework. As such, the provisions outlined in the Act are directly applicable to the proposed development, ensuring its compliance with the broader planning objectives and regulations set forth by the state.

### 4.2 Planning Regulation 2017

The *Planning Regulation 2017* is an essential component of the overarching framework established by the *Planning Act 2016*. It plays a crucial role in reinforcing and clarifying the operational procedures outlined in the Act. Specifically, the Regulation delineates the roles of the Assessment Manager and Referral Agencies responsible for assessable development. Additionally, it integrates the pertinent State interests outlined in the State Planning Policy and State Development Assessment Provisions (SDAP) into the planning process.

As a result, the provisions set forth in the Regulation directly impact the proposed development, as they serve to ensure strict adherence to the operational guidelines mandated by the state. This comprehensive approach guarantees that the development is assessed and managed in accordance with the broader planning objectives and requirements established by Queensland's planning system.

### 4.3 State Planning Policy

The State Planning Policy (SPP) is a key planning instrument established under the Act to safeguard and advance the State's planning interests within the context of local government throughout Queensland. Local governments utilise the SPP when formulating or revising their planning schemes. Moreover, if certain State interests have not been fully incorporated into their local planning schemes, local governments will assess aspects of development applications using the SPP. It is considered that assessment against the provisions of the SPP is not necessary, as all relevant matters are appropriately addressed through the provisions of the planning scheme.

### 4.4 Regional Plan

The Regional Plan is a state planning instrument established under the Act to guide the long-term development and adaptation of regions. These plans aim to foster economic growth, support the creation of livable communities, and conserve natural resources. They are designed to consider the State interests outlined in the SPP, tailoring these priorities to the specific needs and context of each region.

The North Queensland Regional Plan is applicable to several local government areas, including Townsville City, Hinchinbrook Shire, Burdekin Shire, Charters Towers Regional, and Palm Island Aboriginal Shire. Implemented in March 2020, this plan aims to harness the region's growth, prosperity, and diversity by fostering a robust economy, creating jobs, attracting business investments, preserving the natural environment, and promoting tourism and lifestyle opportunities over the next 25 years. This is reflected in the four overarching

goals: Goal 1 – A leading economy in regional Australia; Goal 2 – A rich and healthy natural environment; Goal 3 – Liveable, sustainable, and resilient communities that embrace tropical living; and Goal 4 – A safe, connected, and efficient North Queensland. The proposed development supports all four goals, with particular emphasis on Goal 1, by contributing to the growth of tourism in the Townsville region.

#### 4.5 Planning Scheme Strategic Framework

The Strategic Framework establishes the policy direction for the planning scheme and serves as the foundation for ensuring suitable development within the planning scheme area throughout its duration.

To outline the policy direction for the planning scheme, the strategic framework is organised as follows:

- A. *the strategic intent;*
- B. *the following four themes that collectively represent the policy intent of the scheme:*
  - i. *shaping Townsville*
  - ii. *Strong, connected community;*
  - iii. *Environmentally sustainable future;*
  - iv. *Sustaining economic growth;*
- C. *the strategic outcomes proposed for development in the planning scheme area for each theme;*
- D. *the elements that refine and further describe the strategic outcomes;*
- E. *the specific outcomes sought for each, or a number of, elements;*
- F. *the land use strategies for achieving these outcomes.*

Each of these themes within the strategic framework aims to achieve specific strategic outcomes.

The Townsville planning scheme aims to meet housing, business, and community needs for the next 25 years by compactly developing the CBD and major activity centers like Aitkenvale, Thuringowa Central, and Hyde Park. It encourages sustainable transport options and investment in community facilities. The plan includes various housing options, limits rural residential areas to maintain a semi-rural lifestyle, and preserves special character residential areas. It protects the unique character and environmental values of Magnetic Island, Paluma, and the northern beaches, while also preserving the city's history and cultural heritage. The city's structure focuses on a network of activity centers, ensuring appropriate development for each area. Efficient and safe transport networks and infrastructure are prioritized to support the city's growth.

The proposal contributes meaningfully to shaping Townsville by enhancing the diversity of land uses in rural areas, offering a low-impact, well-integrated development that complements the city's broader urban structure. It supports a strong and connected community by offering a unique venue for weddings, events, and gatherings—filling a local gap in event infrastructure and creating opportunities for social engagement and celebration, specifically in the Yabulu area.

Under the theme of an environmentally sustainable future, the proposal will utilise on-site water and sewer solutions, stormwater management strategies, and low-scale development that respects the natural features of the site. The Function Facility is located on an existing cleared portion of land, avoiding impacts to mapped wetlands and waterways, and capitalising on existing access and infrastructure where possible.

Most notably, the proposal directly supports the objective of sustaining economic growth. The development promotes Townsville's role as a regional hub for tourism and hospitality, attracting guests from outside the local area for events. This contributes to increased visitor numbers and associated economic benefits through local spending on accommodation, catering, transport, and other services. The rural location and scenic setting also enhance Townsville's tourism offering by diversifying its hospitality options outside traditional urban centres.

By reusing parts of the existing site and introducing new facilities that are sensitively designed and appropriately located, the proposal helps meet both business and community needs while aligning with the Planning Scheme's emphasis on protecting rural character, managing infrastructure, and supporting compact and sustainable development over the next 25 years. All other rural functions can remain for the site and surrounding properties.

#### 4.6 State Development Assessment Provisions

The proposed development has undergone an evaluation within the state planning framework and under Schedule 10 of the *Planning Regulation 2017*. Following this assessment, it has been determined that the proposed use triggers assessment against the following:

- Schedule 10, Part 3, Division 4, Table 3, Item 1 – Material change of use that involves clearing native vegetation
- State Code 16: Native vegetation clearing

Furthermore, the site is affected by the Queensland Waterways and Barrier Works and Wetland Protection Overlay however the proposed development has been entirely sited outside of these mapped overlay areas and does not involve any works, specifically earthworks, that would otherwise trigger assessment under these provisions. In accordance with pre-lodgement advice received from the SARA, a Relevant Purpose Determination application was lodged and subsequently approved by the Department of Natural Resources and Mines, Manufacturing, and Regional and Rural Development on 17 March 2025. A copy of this determination is included in **Appendix F**.

A separate discussion was held regarding the potential for the on-site sewerage system to trigger an Environmental Relevant Activity (ERA). However, based on the proposed system design and intended use, it has been determined that an ERA will not be triggered. The development will not involve the release of effluent to land or waters, nor exceed the threshold of 4,200L/day of sewage generation. Wastewater will be managed via an on-site treatment system with appropriate storage and controlled discharge that remains below the relevant ERA thresholds. As such, an Environmental Authority (EA) is not required for this proposal. Nonetheless, the applicant acknowledges their responsibility to ensure ongoing compliance with ERA thresholds.

An assessment against the SDAP Provisions, specifically State Code 16 for Native vegetation clearing is provided in **Appendix J**.

#### 4.7 Local Planning Scheme Assessment Benchmarks

The proposed development has been assessed against the planning scheme and is found to mostly align with the objectives and overall outcomes outlined in the relevant planning scheme codes. This alignment is demonstrated through assessment with the relevant Performance and Acceptable Outcomes provided in **Appendix I**.

## 5.0 Planning Matters

The site is within the Townsville City Council local government area where mapping shows the premises in:

- Rural zone code
  - Mixed farming precinct
- Bushfire hazard overlay
- Flood hazard overlay
- Natural assets overlay

The premises is subject to the provisions of the Townsville City Plan 2014 ('the planning scheme').

Under the planning scheme, **Function facility** is defined as:

*Premises used for conducting receptions or functions that may include the preparation and provision of food and liquor for consumption on site.*

### 5.1 Level of Assessment

Under the Planning Scheme's Rural residential zone Level of Assessment Table 5.5.21 for Function facility, the application will be Impact Assessable and is to be assessed against the entirety of the scheme.

Assessment benchmarks are attached in **Appendix I** and include assessment against:

- Rural zone code
- Bushfire hazard overlay code
- Flood hazard overlay code
- Natural assets overlay code
- Healthy waters code
- Landscape code
- Transport, impact, access and parking code
- Works code

#### 5.1.1 Rural zone code

The proposed development is located within the Rural zone, where low-impact and small-scale non-residential uses can be supported when they maintain rural character, avoid land use conflicts and serve the needs of the surrounding community. The Function Facility is designed as a modest, owner-operated rural enterprise that aligns with these expectations by operating intermittently, generating low traffic volumes, and maintaining large setbacks from neighbouring properties. The development is situated entirely within an existing cleared area, ensuring that rural landscape values, natural landform and surrounding agricultural activities are not disturbed. Its scale, frequency of use and reliance on existing rural access infrastructure ensure it remains compatible with the locality's rural amenity. Furthermore, the use provides a community-oriented venue that supports local gatherings and small events without introducing urban-style built form, lighting or activity levels. Overall, the proposal represents a low-impact, contextually appropriate use that preserves the character, functionality and openness of the Rural zone.

An assessment against the Rural zone code has been provided in **Appendix I**.

### 5.1.2 Bushfire Hazard Overlay Code

The proposed Function Facility is located partly within a Medium Bushfire Hazard Area; however, only a small portion of the development within potential bushfire hazard area only. The development footprint is positioned within an existing cleared area that provides natural separation from bushfire-prone vegetation. Given the small-scale, intermittent nature of the use and the absence of on-site accommodation, a full Bushfire Hazard Assessment has not been undertaken at this stage. The landowner has implemented a comprehensive suite of mitigation measures including on-site water storage for firefighting, a regularly maintained cleared buffer zone, rural fire breaks, and the establishment of APZs in consultation with the local Rural Fire Brigade. These APZs incorporate fuel reduction, vegetation spacing, defensible space and safe access for emergency services. In the event of a bushfire threat, operations will cease immediately and events will be cancelled until conditions are safe. Should Council require a formal Bushfire Hazard Assessment, the applicant is prepared to undertake one and implement any resulting Bushfire Management Plan in accordance with QFES and Council requirements.

An assessment against the Bushfire hazard overlay code has been provided in **Appendix I**.

### 5.1.3 Flood Hazard Overlay Code

The proposed Function Facility is situated on an elevated and predominantly flat portion of the site, with approximately 5 m of vertical separation above the top of bank of Healey Creek. Although the broader property is mapped within a medium flood hazard – further investigation area, historical evidence, including the 2019 Townsville flood event and subsequent high-rainfall periods, confirms that the development area has never experienced inundation. Existing shallow swales naturally convey stormwater away from the building area toward Healey Creek, and the development will not alter these drainage patterns. Given the small scale of the proposal and minimal increase in impervious surface, no changes to flood behaviour, including depth, velocity or duration, are expected on or beyond the site. All roof water will be captured and directed to a lawful point of discharge in accordance with QUDM. While a formal Flood Impact Assessment has not been prepared, a Stormwater Management Plan can be provided if required to demonstrate compliance with QUDM, including catchment delineation, hydrologic modelling, flow-path analysis, and safe access considerations.

An assessment against the Flood hazard overlay code has been provided in **Appendix I**.

### 5.1.4 Natural Assets Overlay Code

The proposed Function Facility is entirely contained within an existing previously cleared area mapped as high environmental importance, ensuring no disturbance to adjoining very high environmental importance areas, including the Healey Creek corridor. Only weed species will be removed, and all necessary vegetation clearing has been authorised through the Relevant Purpose Determination issued on 17 March 2025, confirming the works are limited, justified and avoid significant ecological values. No intact habitat, remnant vegetation or high-value ecological features will be impacted, and earthworks are minimal. The proposal therefore maintains ecological functions, habitat connectivity and the long-term viability of the site's surrounding high and very high

environmental areas

An assessment against the Natural assets overlay code has been provided in **Appendix I**.

## 5.2 Public Notification

As the application is Impact Assessable, it must undergo Public Notification in accordance with Section 17 of the DA Rules. Once the application is properly made and Parts 2 and 3 of the DA Rules have been completed, we will coordinate and manage the following public notification requirements:

- Erecting signage along the Mill Road frontage.
- Sending notification letters to adjoining property owners.
- Publishing a notice in the local newspaper.

Throughout the process, Council will be kept informed at each stage, with notifications and supporting evidence provided upon commencement and completion of each requirement.

## 6.0 Conclusion

The application seeks a Development Permit for Material Change of Use – Function Facility Outlet at 235-353 Mill Road QLD 4818, properly described as Lot 3 on RP743037.

The proposed Function Facility is a low-impact, small-scale rural enterprise that has been carefully designed to respect and maintain the rural character and environmental values of the site. The development footprint is confined to an existing cleared area, supported by a Relevant Purpose Determination authorising limited weed removal and confirming that no high-value or remnant vegetation will be disturbed. All surrounding natural assets, including the very high environmental importance Healey Creek corridor, remain fully protected.

Comprehensive consideration has been given to bushfire, flooding, stormwater, access and servicing requirements. The site is elevated and historically flood-free, with natural drainage patterns retained and no change to flood behaviour expected on or off the site. Bushfire risk is appropriately managed through defensible space, fire breaks, Asset Protection Zones, on-site water storage and ongoing engagement with the Rural Fire Brigade. Stormwater will be managed on-site before being lawfully discharged, and wastewater will be treated and dispersed via a fully engineered system that meets all relevant standards, ensuring no discharge to waterways.

Traffic and access impacts are minimal due to the intermittent and low-frequency nature of events, supported by bus transport, an upgraded all-weather rural access track, and ample informal parking within a cleared area. The proposal does not require upgrades to the external road network or council infrastructure. Noise, lighting and operational impacts are effectively managed through site separation, large setbacks and the Event Management Plan.

The development represents a contextually appropriate rural land use that supports local enterprise, provides a unique community venue, contributes to rural tourism, and enhances Townsville's event offerings without compromising environmental values, rural amenity or public safety. It strikes an appropriate balance between economic opportunity, community benefit and environmental stewardship.

Based on these considerations, we suggest that the proposed development has the potential for approval, subject to reasonable and relevant conditions.

Yours sincerely,



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## Appendix A: DA Form 1

## Appendix B: Owners Consent

## Appendix C: Proposal Plans

## Appendix D: Waste Treatment System Report

## Appendix E: Event Management Plan

## Appendix F: Relevant Purpose Determination

## Appendix G: TCC Pre-lodgement Meeting Minutes

## Appendix H: SARA Pre-lodgement Meeting Advice

## Appendix I: Assessment Against TCC Codes

## Appendix J: Assessment Against State Codes

## Appendix K: Site Photos