

7 September 2021

Reference: DA210009  
Enquire to: Kerri Kuehn  
Telephone: 07 4030 9409

Weipa Cabinets and Building Pty Ltd  
C/- The Building Approval Company  
PO Box 1053N  
CAIRNS NORTH QLD 4870

Dear Sir/Madam,

**RE:** Decision on Exemption Certificate under section 46 of the *Planning Act 2016*

I am writing to inform you that Weipa Town Authority (WTA) has decided to approve an exemption certificate for assessable development (*Medium Impact Industry (Storage Yard)*) over 5 Toots Holzheimer Road, Evans Landing formally described as Lot 662 on MP37848 as detailed herein.

The reason WTA has decided to issue an exemption certificate is because the effects of the development would be minor or inconsequential, considering the circumstances under which the development was categorised as assessable development. Specifically:

- The development is triggered as assessable development given it is mapped as a 'Lot containing known contamination issues' on the Contaminated Land Overlay of the *Weipa Town Planning Scheme 2019*. The land is not listed on the State Government's Environmental Management Register or the Contaminated Land Register (EMR/CLR), and a search of Council's records do not suggest otherwise;
- The proposed development is not for a sensitive land use, and minimal fill and excavation is proposed to be carried out during the construction of the storage yard, therefore limiting the disturbance to any potential contaminated land;
- The development is minor and inconsequential given it is an industrial use within the Industry Zone. It is noted that the purpose of the Industry Zone is to provide for a variety of industry uses, and that a Medium Impact Industry is typically Accepted Development (if complying with the assessment benchmarks) within this zone;
- The proposed development complies with the applicable assessment benchmarks;
- Compliance must be achieved with the assessment benchmarks as a condition of this exemption certificate. Council grants this exemption certificate subject to compliance with the acceptable outcomes being always achieved.

We highlight that this exemption certificate only relates to development under the *Planning Act 2016* and does not waive the need to obtain any relevant approvals or consents required by a local law or any other legislation.

If you find an inaccuracy in any of the information provided above or have a query or seek clarification about any of these details, please contact me on the above telephone number.

Yours sincerely,



Matthew Turnbull  
Acting Superintendent

**EXEMPTION CERTIFICATE**  
(Section 46 of the *Planning Act 2016*)

**INTRODUCTION**

This exemption certificate is given on 7 September 2021 under section 46 (3)(b)(i) of the *Planning Act 2016* by Weipa Town Authority acting as the local government that would be the assessment manager if the development, and no other development, were the subject of a development application.

**APPLICATION DETAILS**

Application Reference Number:	DA210009
Application Made Date:	N/A
Local Categorising Instrument:	<i>Weipa Town Planning Scheme 2019 (v1.0)</i>

**SITE DETAILS**

Street address:	5 Toots Holzheimer Road, Evans Landing
Real property description:	Lot 662 on MP37848
Local government area:	Weipa Town Authority

**DEVELOPMENT TO WHICH THIS EXEMPTION CERTIFICATE RELATES**

Description of Proposal:	<i>Medium Impact Industry (Storage Yard)</i>
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**WHEN DEVELOPMENT MUST START OR BE COMPLETED**

This exemption certificate has effect for two (2) years after the day this certificate was given, in accordance with section 46 (8) of the *Planning Act 2016*.

**ADVICE**

This exemption certificate attaches to the premises and benefits each of the owners, the owners' successors in title and any occupiers of the premises.

This exemption certificate has effect for 2 years after the day the certificate was given, or a later day stated on the certificate.

To the extent development does not comply with a requirement stated above, the exemption certificate has no effect.