

**DECLARATION OF USE  
MADE UNDER THE *PLANNING ACT 2016***

I, the Honourable Mark Ryan MP, Acting Minister for Housing, Local Government and Planning and Minister for Public Works declare in accordance with section 275O of the *Planning Act 2016* (the Planning Act), the following uses for the Tropical Cyclone Jasper – associated rainfall and flooding event:

1. **Shop** defined as:

**Shop** means use of premises primarily for the sale of goods ordinarily acquired for personal, domestic or household use or consumption such as food, toiletries and medicine (whether or not requiring a prescription).

To remove any doubt, the definition of shop for the purposes of this notice does not include the following uses under the Planning Regulation 2017:

- (a) adult store
- (b) agricultural supplies store
- (c) betting agency
- (d) food and drink outlet
- (e) garden centre
- (f) hardware and trade supplies
- (g) health care services
- (h) market
- (i) outdoor sales
- (j) service station (excluding shop component)
- (k) showroom.

The following uses where directly necessary for the supply of goods to a shop:

2. **Warehouse** defined as:

**Warehouse** means the use of premises for –

- (a) storing or distributing goods, whether or not carried in a building; or
- (b) the wholesale of goods, if the use is ancillary to the use in paragraph (a).

3. **Transport depot** defined as:

**Transport depot** means the use of premises for –

- (a) storing vehicles, or machinery, that are used for a commercial or public purpose; or
- (b) cleaning, repairing or servicing vehicles or machinery, if the use is ancillary to the use in paragraph (a).

This declaration applies to the local government areas governed by the following local governments and has effect from 6 January 2024 to 9 February 2024:

- Carpentaria Shire Council
- Cassowary Coast Regional Council
- Hinchinbrook Shire Council
- Kowanyama Aboriginal Shire Council
- Lockhart River Aboriginal Shire Council

In accordance with section 275P of the Planning Act, where any of the following has the effect limiting the hours of operation of the use or use of the class or restricting the movement of goods in relation to the use or a use of the class:

- a provision of the Planning Act
- a requirement of a designation
- a condition of a development approval.

For the period this declaration is in effect, the provision, requirement or condition does not apply in relation to the carrying out of the use, or a use of the class, on premises in the area to which the declaration applies.

A handwritten signature in blue ink, appearing to read 'Mark Ryan', with a long horizontal stroke extending to the right.

The Honourable Mark Ryan MP  
**Acting Minister for Housing, Local Government and Planning**  
**Minister for Public Works**