



TORRES SHIRE COUNCIL

To lead, provide & facilitate a sustainable, safe & culturally vibrant community

P O Box 171
THURSDAY ISLAND 4875

Telephone (07) 4069 1336
Facsimile (07) 4069 1845

Email: admin@torres.qld.gov.au
ABN 34 108 162 398

11 February 2021

Our Ref: IDAS 2020-01
Street address 37 Loban Road, Thursday Island
Enquire to Torres Shire Council
Telephone: (07) 4083 1240

Jessica Louise Roberts
C/o JB Design Pty. Ltd.
PO Box 869
Bungalow, Qld 4870

Via Email: mark@jbdesign.com.au

Dear Mark,

Decision Notice - approval (with conditions)

Given under section 63 of the *Planning Act 2016*

The development application described below was properly made to Torres Shire Council on 17 September 2020.

Applicant details

Applicant name: Jessica Louise Roberts
c/o JB Design Pty. Ltd.
PO Box 869
Bungalow, Qld

contact details: mark@jbdesign.com.au

Application details

Applicant Number: IDAS 2020-01 – 37 Loban Road, Thursday Island
Approvals sought: Development Permit for a Material Change of Use
Description of the development: Multiple Dwelling (3 units)

Location details

Street address: 37 Loban Road Thursday Island
Real property description: Lot 7 on T20721
Local Government Area: Torres Shire Council

Decision

Date of decision: 27 January 2021
Decision Details: Approved subject to conditions. These conditions are set out in Attachment A.

Infrastructure charges are applicable to the development and the adopted charges notice is given at the same time as this decision.

Details of the approval

Development assessable under the planning scheme:
Impact Assessment – Multiple Dwelling (3 units)

Conditions

This approval is subject to the conditions in Attachment 1.

Further development permits

Please be advised that the following development permits are to be obtained before the development can be carried out where necessary under current laws and policies:

1. Development Permit for Building Works;

Properly made submissions

There were no properly made submissions for this **Impact** application.

Reasons for the decision

- 1 The development will be located in an area zoned for residential purposes and the scale and intensity of the proposed units is consistent with the outcomes of the zone;
- 2 The built form outcomes, with respect to density, setbacks, height, generally complies with the intent of the Torres Shire Planning scheme.
- 3 No significant environmental residual impact is resultant from the proposal;
- 4 The development is serviceable by urban infrastructure.
- 5 The proposal achieves the desired environmental outcomes of the Torres Shire planning Scheme and does not present any non-compliance that cannot be overcome by condition of approval.
- 6 The proposal will cater for the growing demand for residential housing need in the region in a location that is serviced and well situated amongst the existing township on Thursday Island.
- 7 Infrastructure charges will be applied in this case.
- 8 The State Assessment and Referral Agency decision approves the development against the State Development Assessment Provisions, subject to conditions and are attached to this decision.

Referral Agencies

The application was required to be referred to the State Assessment Referral Agency under Schedule 10, Part 9, Division 4, Subdivision 2, Table 4, item 1(a) of the Planning Regulation 2017. The referral was undertaken as the proposal sought a Material Change of Use on a premises near a State transport corridor.

The application was properly referred to the State Assessment and referral Agency (SARA) on 7 October 2020.

On 2 November the SARA decided to approved the development subject to conditions.

Other requirements under section 43 of the Planning Regulation

Not Applicable

Approved plans and specifications

The approved plans are attached to this decision notice.

Currency period for the approval

This development approval will lapse at the end of the period set out in section 85 of the *Planning Act 2016*:

- 6 years from the date the approval takes effect.

Rights of appeal

The rights of applicants to appeal to the Planning and Environment court against decisions about a development application are set out in chapter 6, part 1 of the *Planning Act 2016*. For particular applications, there may be also be a right to make an application for a declaration by a tribunal (see chapter 6, part 2 of the *Planning Act 2016*).

An applicant and/or submitter may appeal to the Planning and Environment Court or the Development tribunal against a number of matters (see Schedule 1 of the *Planning Act 2016*).

A copy of the extracts of the *Planning Act 2016* are attached.

For further information please contact Torres Shire Council on (07) 4083 1240.

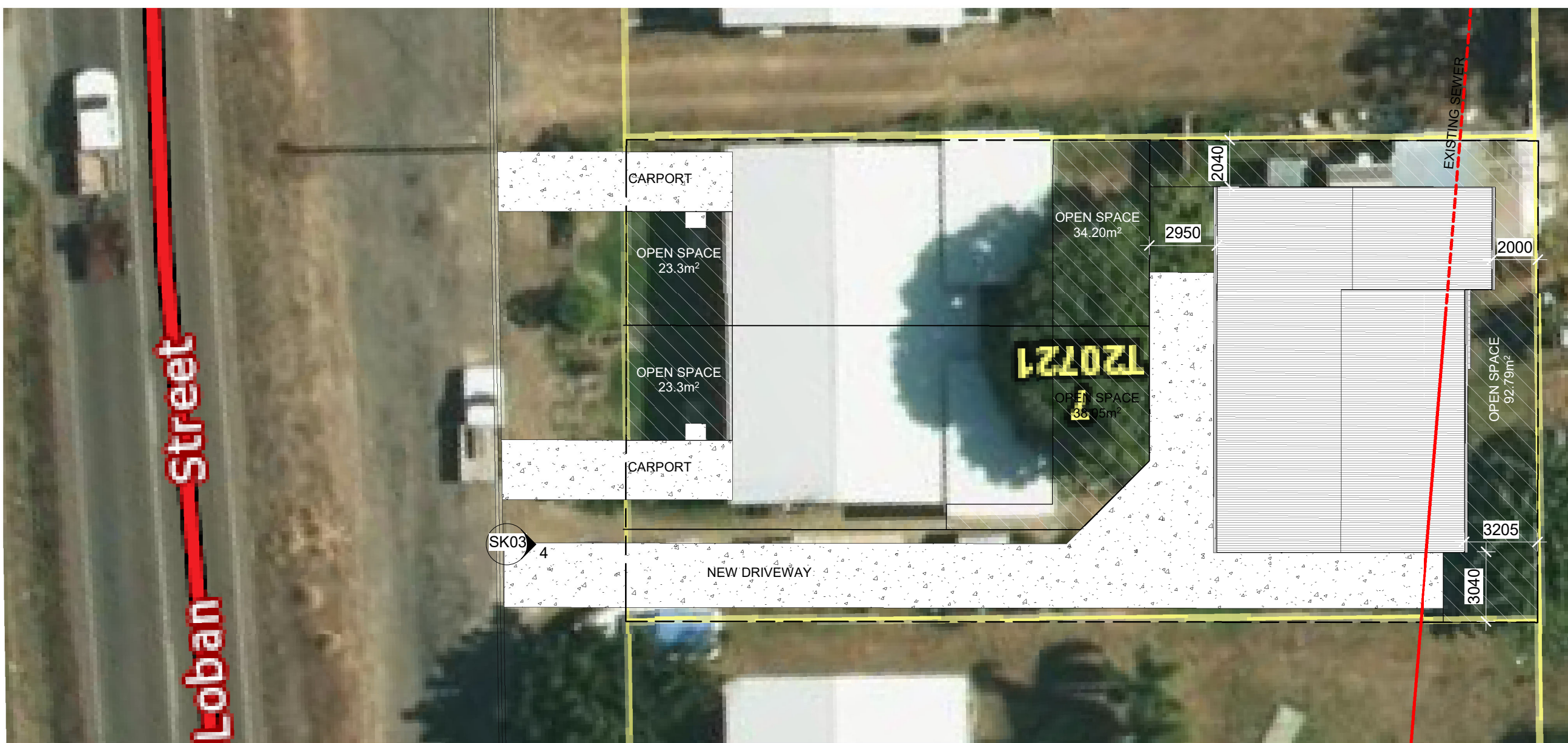
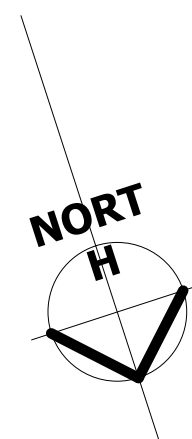
Yours sincerely,



Dalassa Yorkston
Chief Executive Officer

Enc. **Attachment 1** – Conditions imposed by the assessment manager
Attachment 2 – Approved Plans
Attachment 3 – Extract of Appeal Provisions (Chapter 6, Part 1 and Schedule 1 of the *Planning Act 2016*).

An Adopted infrastructure charges notice is attached.



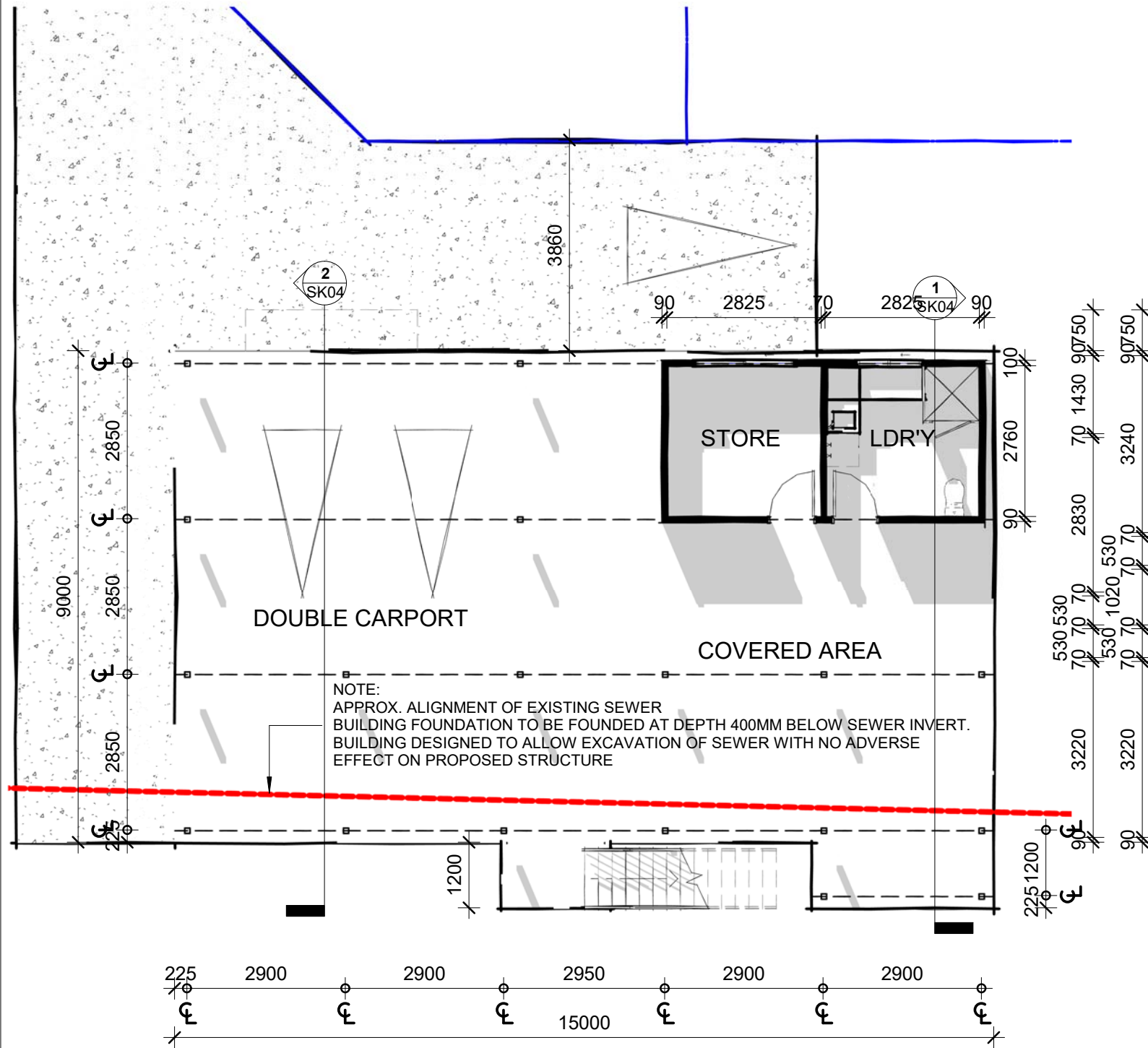
1 Site
SK01 1 : 200

Site Plan

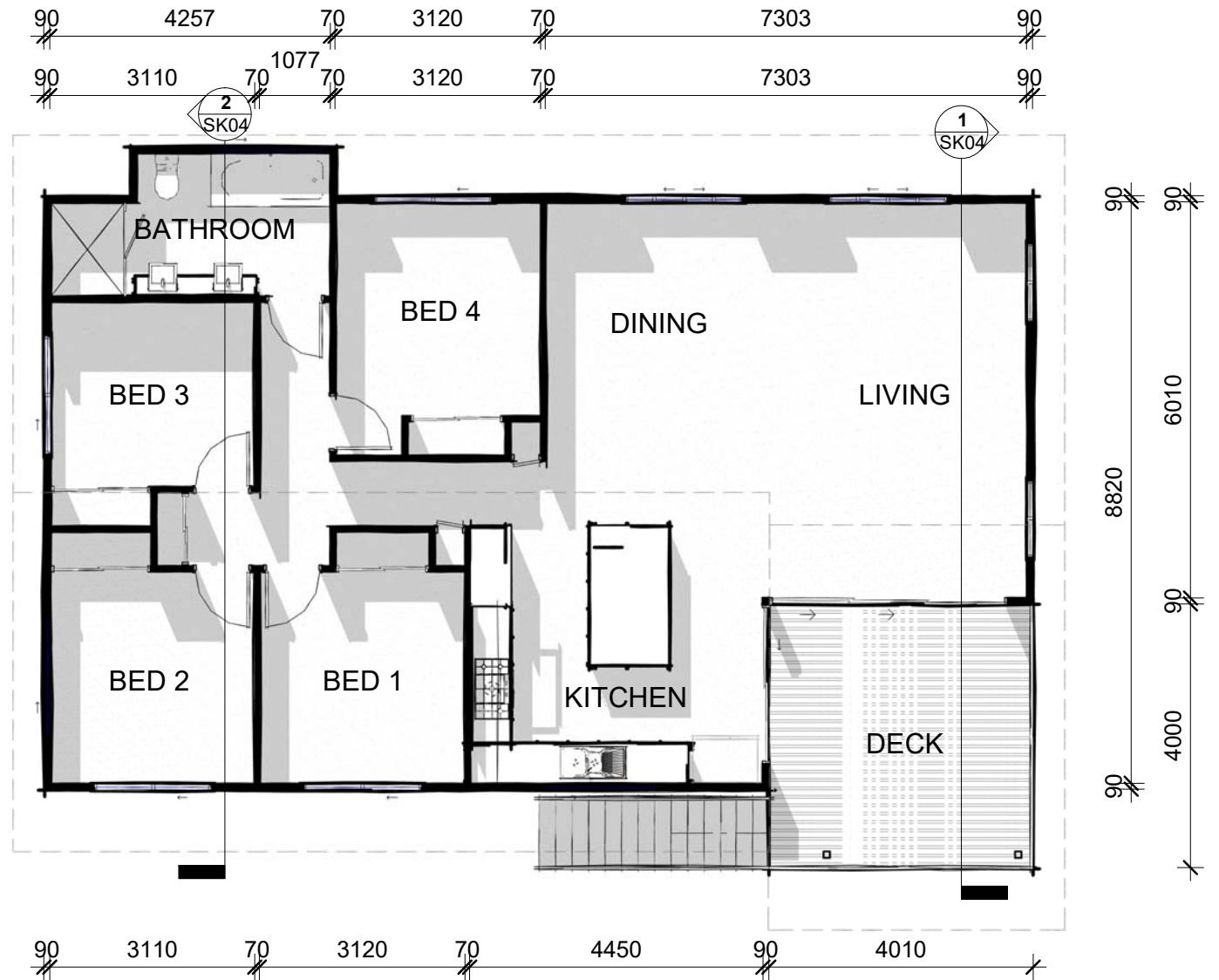
Proposed Residence 37 Loban Street, Thursday Island Milbourne

J B DESIGN CAIRNS PTY LTD ADDRESS Tel +61 7 40440500
 192 Mulgrave Road,
 Cairns 4870, Australia www.jbdesign.com.au
 ABN 056 308 153 - QBCC 67805
 Job No: 20-048 Scale: @A3 1 : 200
 Date: 23/10/2020 Sheet No: SK01 Issue: 1





1 Ground Floor
SK02 1 : 100



2 First Floor
SK02 1 : 100

Floor Plan

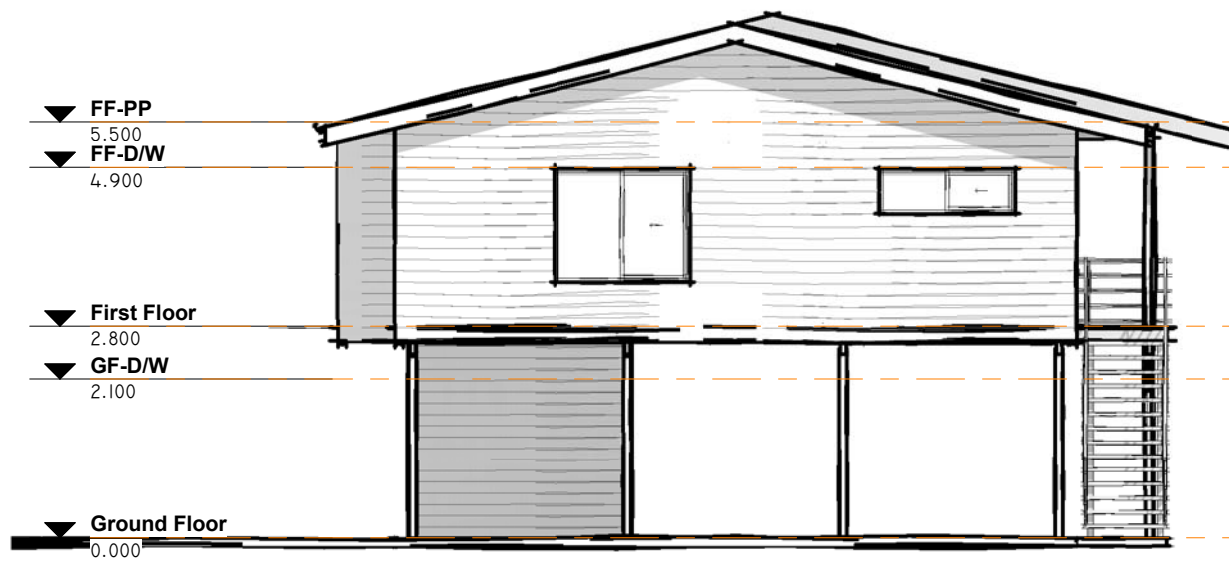




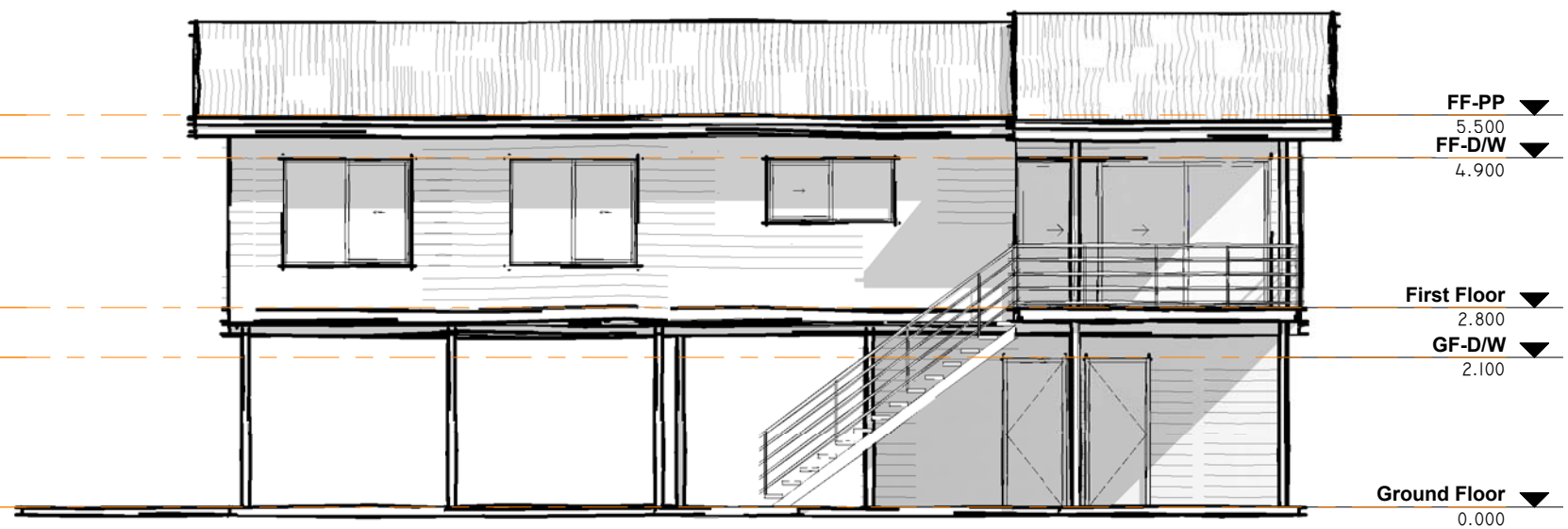
3 South
SK03 1 : 100



4 West
SK03 1 : 100

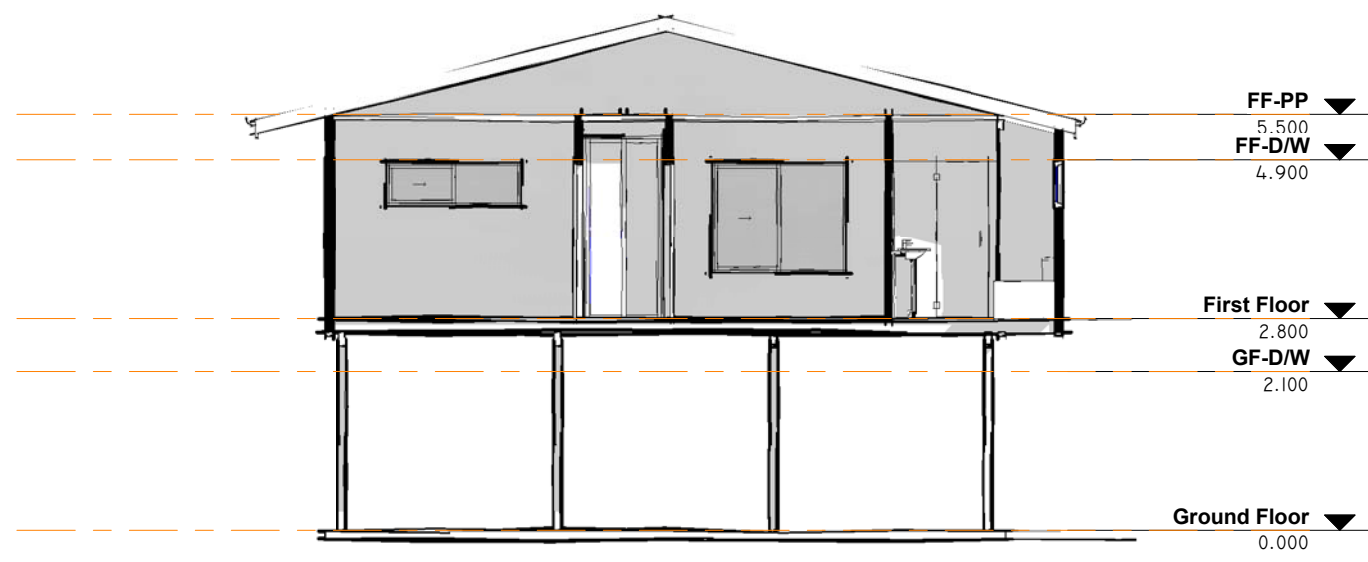


1 North
SK03 1 : 100

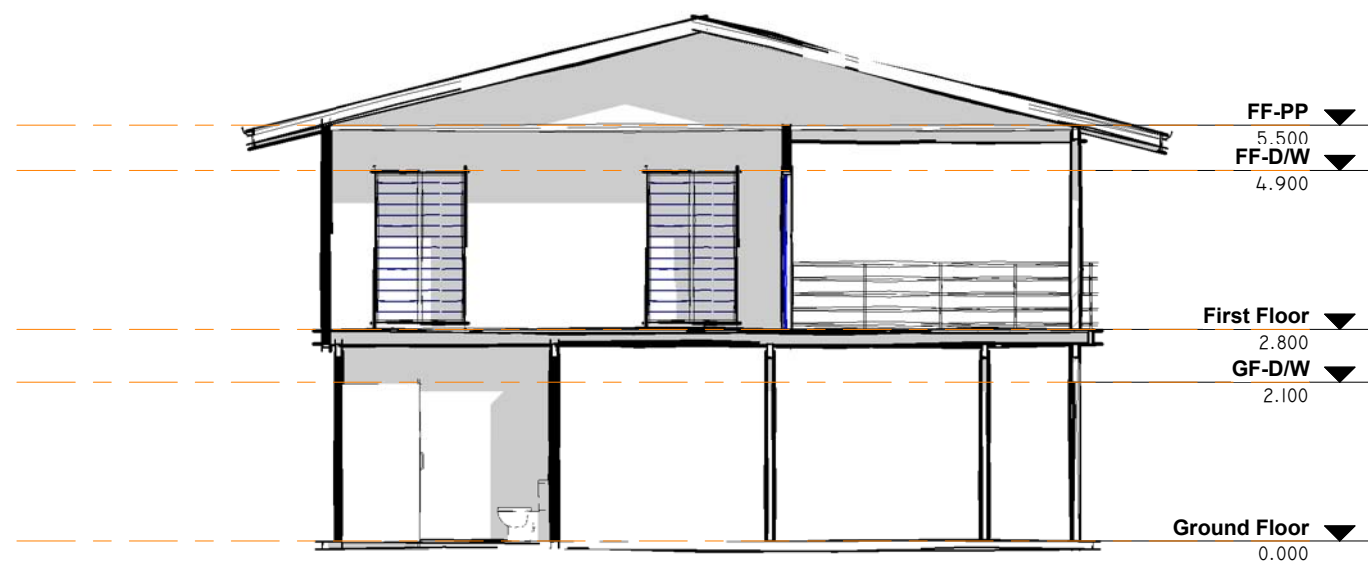


2 East
SK03 1 : 100

Elevations



2 Section 2
SK04 1 : 100



1 Section 1
SK04 1 : 100

Sections

Proposed Residence 37 Loban Street, Thursday Island Milbourne

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ABN 056 308 153 - QBCC 67805 Cairns 4870, Australia www.jbdesign.com.au

Job No: 20-048 Scale: @A3 1 : 100
Date: 28/04/2020 Sheet No: SK04 Issue:

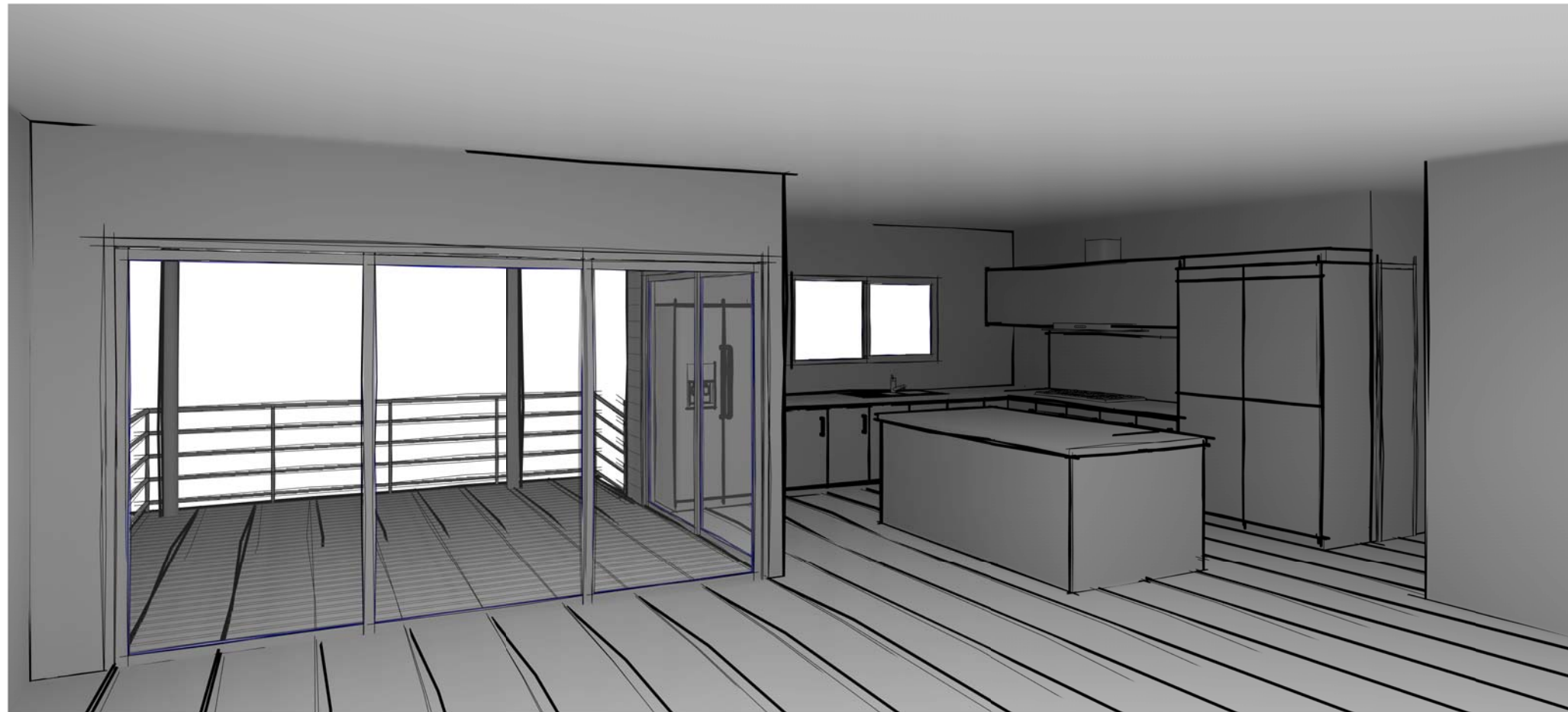




2 3D View 2
SK05



3 3D View 3
SK05



1 3D View 1
SK05

3D





Torres Shire Council

INFRASTRUCTURE CHARGES NOTICE (section 52 and schedule 16 of Planning Act 2016)

APPLICANT: Jessica Louise Roberts
– c/o JB Design Pty Ltd
Via Email: mark@jbdesign.com.au

APPLICATION: Material Change of Use – Multiple Dwelling (3 units)

Notice Number: ICN Lot 7 on T20721

DATE: 27 January 2021

FILE REFERENCE: IDAS 2020 37 Loban Road Thursday Island

AMOUNT OF THE LEVIED CHARGE:
(Details of how these charges were calculated are shown overleaf)

Development Type	Adopted Infrastructure Charge	Credits	Total Charge
3x 3 bed units	\$28,335.90 per dwelling x 3	\$85,007.70	\$28,335.90

AUTOMATIC INCREASE OF LEVIED CHARGE: The amount of the levied charge is subject to an automatic increase. Refer to the General Information attached to this notice for more information on how the increase is worked out.

LAND TO WHICH CHARGE APPLIES: Lot 7 on T20721

SITE ADDRESS 37 Loban Road Thursday Island

PAYABLE TO: Torres Shire Council

WHEN PAYABLE: Material Change of Use – When the change of use occurs as stated in the Planning Act 2016

OFFSETS OR REFUNDS NIL

This charge is made in accordance with *Council's Charges Resolution (No.2) 2018* and section 52 and *Schedule 16 of the Planning Regulation 2017*.

DETAILS OF CALCULATION

ADOPTED CHARGES

Water Supply

Development Description	Units of Measure	Charge Rate	Reference	Amount
Residential (3 or more bedroom dwelling)	3 Units	\$ 8,500.77	CR Table 2.1	\$25,502.31

Sewerage

Development Description	Units of Measure	Charge Rate	Reference	Amount
Residential (3 or more bedroom dwelling)	3 Units	\$7,083.98	CR Table 2.1	\$21,251.94

Transport

Development Description	Units of Measure	Charge Rate	Reference	Amount
Residential (3 or more bedroom dwelling)	3 Units	\$4,250.39	CR Table 2.1	\$12,751.17

Community Facilities and Parks

Development Description	Units of Measure	Charge Rate	Reference	Amount
Residential (3 or more bedroom dwelling)	3 Units	\$2,833.59	CR Table 2.1	\$8,500.77

Stormwater

Development Description	Units of Measure	Charge Rate	Reference	Amount
Residential (3 or more bedroom dwelling)	3 Units	\$5,667.17	CR Table 2.1	\$17,001.51

Adopted Charges Development Description	Water Supply	Sewerage	Transport	Community Facilities & Parks	Stormwater	Total
Residential (3 or more bedroom dwelling) x3	\$42503.85	\$35419.9	\$21251.95	\$14167.95	\$28335.85	\$85,007.70
DISCOUNT	Dual occupancy discount as per section 3.0 of the Adopted Infrastructure Charges Resolution No.2, 2018, Part 3.1 (c)					\$56,671.80

LEVIED CHARGE

The adopted infrastructure charge for Residential (3 or more bedroom dwelling) under the Adopted Infrastructure Charges Resolution is the applicable charge rate.

Development	Adopted Charge	Rate	Total
Demand			
Residential (3 or more bedroom dwelling)	\$28,335.90 per dwelling	3 x 3 bedroom units	\$85,007.70
Discount			
Existing dual occupancy	Vacant land (1 Lot) discount as per section 3.0 of the Adopted Infrastructure Charges Resolution No.2, 2018, Part 3.1 (c)		\$56,671.80
Total Charges			\$28,335.90

Dalassa Yorkston
Chief Executive Officer

INFORMATION NOTICE

Authority and Reasons for Charge	This Infrastructure Charges Notice has been given in accordance with section 119-123 of the <i>Planning Act 2016</i> to support the Local government's long-term infrastructure planning and financial sustainability.
Appeals	Pursuant to section Chapter 6 of the <i>Planning Act 2016</i> a person may appeal an Infrastructure Charges Notice. Attached is an extract from the <i>Planning Act 2016</i> that details your appeal rights.
Automatic Increase Provision of charge rate (\$)	<p>An infrastructure charge levied by Council is to be increased by the difference between the Producer Price Index (PPI) applicable at the time the infrastructure charge was levied, and PPI Index applicable at the time of payment of the levied charge, adjusted by reference to the 3-yearly PPI Index average¹. If the levied charge is increased using the method described above, the charge payable is the amount equal to the sum of the charge as levied and the amount of the increase.</p> <p>However, the sum of the charge as levied and the amount of the increase is not to exceed the maximum adopted charge the Council could have levied for the development at the time the charge is paid.</p>
GST	The Federal Government has determined that contributions made by developers to Government for infrastructure and services under the <i>Planning Act 2016</i> are GST exempt.
To whom the charge must be paid	<p>Payment of the Charge must be made payable to TORRES SHIRE COUNCIL, PO Box 171, Thursday Island, Qld 4875.</p> <p>The Infrastructure Charge has been calculated in accordance with the charges stated in Council's Charges Resolution. This notice will be escalated to time of payment to the extent permitted under legislation in force at that time.</p> <p>It is requested that you contact Council's Planning and Development Department to confirm that amount payable prior to making payment.</p>

¹ 3-yearly PPI average is defined in section 114 of the *Planning Act 2016* and means the PPI adjusted according to the 3-year moving average quarterly percentage change between financial quarters. PPI is the producer price index for construction 6427.0 (ABS PPI) index number 3101 – Road and Bridge construction index for Queensland published by the Australian Bureau of Statistics.

Payment

This notice is due and payable by the due time shown. Cheques, money orders or postal notes should be made payable to TORRES SHIRE COUNCIL and crossed "Not Negotiable". Change cannot be given on cheque payments. Property owners will be liable for any dishonour fees.

Overseas Payees

Please forward your infrastructure charges payment by way of a bank draft for the required amount in Australian dollars.

Method of Payment**PAYMENT BY MAIL**

Confirm the current Infrastructure Charge applicable and obtain an updated payment notice from Council's Planning and Development Department.

Mail this updated payment notice immediately with your payment to: TORRES SHIRE COUNCIL, PO Box 171, Thursday Island, Qld 4875.

NOTE: Cheques must be made payable to TORRES SHIRE COUNCIL

PAYMENT AT COUNCIL OFFICES

Confirm the current Infrastructure Charge applicable.

Present written confirmation of charges with your payment to Torres Shire Council Chambers, 68 Douglas Street, Thursday Island.

NOTE: Cheques must be made payable to TORRES SHIRE COUNCIL

PAYMENT MADE BY CREDIT CARD

Credit Cards accepted: Mastercard or Visa

Enquiries

Enquiries regarding this Infrastructure Charges Notice should be directed to the TORRES SHIRE COUNCIL, Planning and Development Department, during office hours 9am to 4pm Monday to Friday by phoning (07) 4069 1336 or email at admin@torres.qld.gov.au