

TORRES SHIRE COUNCIL



PO Box 171
THURSDAY ISLAND 4875

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

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

Our Ref: IDAS 21/15
Enquire to: Joseph Sabatino
Telephone: (07) 4083 1213

18 March 2022

Community Enterprise Qld
c/- RPS Australia East Pty Ltd
PO Box 1949
Cairns Qld 4870

Delivered via email – owen.caddick-king@rpsgroup.com.au

Dear Sir/Madam

Decision Notice – Approval *Given under section 63 of the Planning Act 2016*

With reference to the abovementioned Development Application, please find attached the relevant Decision Notice, which was approved by Torres Shire Council in full, subject to conditions.

Details of the decision are as follows:

DATE OF DECISION

Council approved the Development Application at the Council meeting on 15 March 2022.

APPLICATION DETAILS

Application No:	IDAS 21/15
Approval Sought:	Development Permit for a Material Change of Use
Description of the Development	Showroom (Hardware Store) and Multiple Dwelling Units (3 units)
Planning Scheme:	<i>Torres Shire Planning Scheme 2007</i> (Version Amendment 1 – 19 January 2016)

LOCATION DETAILS

Street Address:	85 Douglas Street, Thursday Island
Real Property Description:	Lot 712 on T2071

DECISION DETAILS

The following type of approval has been issued:

- Development Permit for Material Change of Use for Showroom (Hardware Store) and Multiple Dwelling Units (3 units)

CURRENCY PERIOD

The use of the subject land must be commenced within a period of six (6) years from the date the approval takes effect, in accordance with section 71 of the *Planning Act 2016*. Should the subject use not be commenced prior to the expiry of such period, this approval will lapse.

ASSESSMENT MANAGER CONDITIONS

This approval is subject to the conditions in *Attachment 1*.

PROPERLY MADE SUBMISSIONS

There were no properly made submissions for this application.

REFERRAL AGENCIES

The referral agencies for the application are:

Referral Agency	Referral Matter
State Assessment and Referral Agency (SARA) Far North Queensland Regional Office PO Box 2358 CAIRNS QLD 4870	Schedule 10, Part 9, Division 4, Subdivision 2, Table 4 (Planning Regulation 2017)

The State Assessment Referral Agency (SARA) Decision Notice dated 24 December 2021 (*Attachment 2*) approved the development subject to standard conditions regarding advertising devices and road corridor permit for works within the State-Controlled road reserve.

FURTHER DEVELOPMENT PERMITS REQUIRED

- Development Permit for Plumbing and Drainage Work
- Development Permit for Building Work
- Development Permit for Operational Work

OTHER REQUIRMENTS UNDER SECTION 43 OF THE PLANNING REGULATION 2017

Not Applicable

APPROVED PLANS AND SPECIFICATIONS

The approved plans are attached to this Decision Notice (*Attachment 3*).

RIGHTS OF APPEAL

You are entitled to appeal against this decision. A copy of the relevant appeal provisions from the Planning Act 2016 is attached.

OTHER DETAILS

You are further advised that the truth and accuracy of the information provided in the application form and accompanying information is relied on when assessing and deciding this application. If you find an inaccuracy in any of the information provided above or have a query or need to seek clarification about any of these details, please contact Torres Shire Council on (07) 4069 1336.

DELEGATED PERSON

Name: Dalassa Yorkston

Signature: 

Date: 18 March 2022

- Enc. **Attachment 1** – Conditions Imposed by the Assessment Manager
Attachment 2 – Conditions Imposed by a Referral Agency
Attachment 3 – Approved Plans
Attachment 4 – Notice about a Decision Notice
Attachment 5 – Extract of Appeal Provisions (Chapter 6 of the *Planning Act 2016*).

CONDITIONS IMPOSED BY THE ASSESSMENT MANAGER

A ASSESSMENT MANAGER (COUNCIL) CONDITIONS

1.0 PARAMTERS OF APPROVAL

1.1 **Compliance with conditions**

The Developer is responsible for ensuring compliance with this development approval and the conditions of the approval by an employee, agent, contractor, or invitee of the Developer at all times unless otherwise stated.

Timing: At all times.

1.2 **Works – Applicant’s Expense**

The cost of all works associated with the development and construction of the development including services, facilities and/or public utility alterations required are met at no cost to the Council or relevant utility provider, unless otherwise stated in a development condition.

Timing: At all times.

1.3 **Infrastructure Conditions**

All development conditions contained in this development approval about *infrastructure* under Chapter 4 of the *Planning Act 2016* (the Act), should be read as being non-trunk infrastructure conditioned under section 145 of the Act, unless otherwise stated.

Timing: At all times

1.4 **Works – Developer Responsibility**

The developer is required to have repaired any damage to existing infrastructure that may have occurred during any works carried out associated with the development. To the extent the damage is deemed to create a hazard to the community, it must be repaired immediately.

Timing: At all times.

1.5 **Works – Design & Standard**

Unless otherwise stated, all works must be designed, constructed, and maintained in accordance with the relevant TSC policies, guidelines, standards, and the FNQROC Development Manual.

Timing: At all times.

1.6 Where these conditions refer to “TSC” in relation to requiring Torres Shire Council to approve or be satisfied as to any matter, or conferring on the TSC a function, power or discretion, that role of the TSC may be fulfilled in whole or in part by a delegate appointed for that purpose by TSC.

Timing: At all times.

2.0 **APPROVED PLANS AND DOCUMENTS**

2.1 The approved development must be completed and maintained generally in accordance with the approved plans and documents, except where amended by the conditions of this permit.

Project Number	Plan/Document Name	Revision	Date
20B255	A000 Cover Sheet	23	11/02/2022
20B255	A001 Location	20	11/02/2022
20B255	A002 Site Plan	23	11/02/2022
20B255	A003 Floor Plans – Ground Floor	23	11/02/2022
20B255	A0004 Floor Plans – First Floor	21	11/02/2022
20B255	A005 Department & Area Plans	20	11/02/2022
20B255	A006 Elevations	23	11/02/2022
20B255	A007 Elevations 2	21	11/02/2022
20B255	A008 Perspectives	23	11/02/2022
20B255	A010 Typical Retaining Wall	21	11/02/2022
2202-009	Landscape Plan	01	28/02/2022

Timing: *At all times.*

- 2.2 Where there is any conflict between the conditions of this approval and the details shown on the approved plans and documents, the conditions of approval must prevail.

Timing: *At all times.*

3.0 LIMITATION OF APPROVED USE – MULTIPLE DWELLING UNITS

- 3.1 The Multiple Dwelling Units are approved for short term accommodation of external CEQ staff and other professionals visiting Thursday Island for purposes directly related to the approved Hardware Store use and/or other CEQ business activity within the Torres Strait and Cape York region.

Timing: *At all times.*

4.0 CULTURAL HERITAGE PRESERVATION

- 4.1 The applicant must submit to Council for review and approval a cultural heritage assessment including a cultural heritage interpretation plan to acknowledge the former open air picture theatre use. The interpretation plan must address how the cultural heritage significance of the site is communicated on-site.

Timing: *Prior to the issue of a Development Permit for Operational Works.*

- 4.2 The cultural heritage interpretation must be undertaken in accordance with the approved cultural heritage interpretation plan.

Timing: *At all times.*

- 4.3 If prior to or upon the commencement of works Stone Flagged Street Drains are uncovered all works along the Blackall Street frontage shall cease. A management plan must be submitted and approved by Council prior to the recommencement of works.

Timing: *Prior to and during construction.*

5.0 RETAINING WALLS

- 5.1 Prior to the commencement of any construction on site/of cut/fill batters and/or retaining structures on site, submit certification from a suitably qualified Registered Professional Engineer Queensland (RPEQ) stating that all cut/fill batters and/or retaining structures will

achieve a long term factor of safety greater than 1.5 and that the proposed cut/fill batters and/or retaining structures will not cause any adverse effect on the stability and integrity of the neighbouring buildings, properties, utility services and infrastructure.

Timing: *Prior to construction works.*

6.0 ENGINEERING WORK – STORMWATER DRAINAGE WORKS

6.1 Stormwater Management Plan

Submit to Council for endorsement, a detailed stormwater management plan for the subject site and works within Blackall Street certified by a Registered Professional Engineer of Queensland. In addition to other relevant stormwater quantity and quality management issues, the report must include the following:

- (i) A suitably scaled plan showing the stormwater catchment and sub-catchments for pre-development and post-developed scenarios;
- (ii) Include detailed engineering plans with details of any new drainage systems, or amendments and upgrading of existing drainage systems to implement the proposed drainage plan.

Timing: *At the time of lodgement of the development application for Operational Work*

6.2 Operational Work – Stormwater Drainage

Obtain a Development Permit for Operational Work for Engineering Work (Stormwater Drainage Works).

Timing: *Prior to the commencement of any Stormwater Drainage works.*

6.3 Stormwater Drainage Works

Design and construct all stormwater drainage works for the development generally in accordance with the endorsed stormwater management plan, FNQROC Development Manual, Queensland Urban Drainage Manual (QUDM) and the provisions of a Development Permit for Operational Work (Engineering Work – Stormwater Drainage Works).

Timing: *At all times.*

7.0 WATER SUPPLY

7.1 Connect the development to Council's reticulated water network.

Timing: *Prior to the commencement of the use and at all times thereafter.*

8.0 OPERATIONAL WORKS – WATER SUPPLY

8.1 Obtain a Development Permit for Operational Works for Engineering Work – Water Supply.

Timing: *Prior to the commencement of any Water Supply Works on site.*

9.0 WATER SUPPLY – DESIGN, CONSTRUCTION & MAINTENANCE

9.1 Design and construct all Water Supply Works generally in accordance with the approved plans, FNQROC Development Manual and the provisions of a Development Permit for Operational Works (Engineering Work – Water Supply).

Timing: *Prior to the commencement of the use and at all times thereafter.*

10.0 REDUNDANT WATER INFRASTRUCTURE

- 10.1 Remove all redundant water supply infrastructure, including but not limited to pipes and connection points.

Timing: Prior to the commencement of the use.

11.0 RETICULATED SEWERAGE NETWORK

- 11.1 Connect the development to Council's reticulated sewerage network.

Timing: At all times.

12.0 OPERATIONAL WORKS – SEWAGE INFRASTRUCTURE

- 12.1 Obtain a Development Permit for Operational Works for Engineering Work – Sewage Infrastructure.

Timing: Prior to the commencement of any Sewerage Works on site.

13.0 SEWERAGE WORKS – DESIGN CONSTRUCTION & MAINTENANCE

- 13.1 Design and construct all sewerage works generally in accordance with the approved plans, FNQROC Development Manual and the provisions of a Development Permit for Operational Works (Engineering Work – Sewage Infrastructure).

Timing: Prior to the commencement of the use and at all times thereafter.

14.0 REDUNDANT SEWERAGE INFRASTRUCTURE

- 14.1 Remove all redundant sewer infrastructure, including but not limited to pipes and connection point.

Timing: Prior to the commencement of the use.

15.0 ON-STREET CAR PARKING

- 15.1 Provide and retain nine (9) car parking spaces must be provided in the Blackall Street road reserve in accordance with the approved plans.

Timing: At all times.

- 15.2 The parking spaces must be kept available for use and must not be used for the storage of goods at any time.

Timing: At all times.

16.0 PARKING AND ACCESS – DESIGN CONSTRUCTION & MAINTENANCE

- 16.1 Design and construct all car parking and vehicle access and vehicle manoeuvring area generally in accordance with the approved plans, FNQROC Development Manual, AS2890-5:- 1993 Parking facilities – On-street car parking, Manual of Uniform Traffic Control Devices (Queensland) and the provisions of a Development Permit for Operational Work (Engineering Work – Parking and Access Works).

Timing: At all times.

17.0 PEDESTRIAN FOOTPATH – BLACKALL STREET

- 17.1 Design and construct a concrete pedestrian footpath a minimum width of 1.5 metres within the Blackall Street road reserve generally in accordance with the approved plan. The

footpath must be in accordance with the FNQROC Development Manual and the provisions of a Development Permit for Operational Work (Engineering work – Road works).

Timing: Prior to the commencement of the use.

18.0 STREETScape IMPROVEMENTS – BLACKALL STREET

18.1 Design and construct a public seat and roofed shelter within the Blackall Street road reserve generally in accordance with the approved plan. Plans must be provided as part of the Development Permit for Operational Work (Engineering work – Road works).

Timing: Prior to the commencement of the use.

18.2 The existing public telephone box located in the Blackall Street road reserve must be retained and incorporated in the streetscape improvement works.

Timing: At all times.

19.0 ROAD WORKS – DESIGN & CONSTRUCTION – BLACKALL STREET

19.1 Design and construct the road frontage of Blackall Street in accordance with the FNQROC Development Manual, relevant Australian Standards, Manual of Uniform Traffic Control Devices, approved plans and the provisions of a Development Permit for Operational Work (Engineering work – Road works).

Timing: Prior to the commencement of the use.

20.0 OPERATIONAL WORK – ROAD WORKS

20.1 Obtain a Development Permit for Operational Work for Engineering work – Road works.

Timing: Prior to the commencement of any road works required by this development.

21.0 LANDSCAPING WORKS

21.1 Establish landscaping generally in accordance with the approved Landscaping Plan.

Timing: At all times.

22.0 OPERATIONAL WORK - LANDSCAPING

22.1 Obtain a Development Permit for Operational Works – Landscaping.

Timing: Prior to the commencement of any road works required by this development.

23.0 WASTE STORAGE

23.1 Store all waste within the designated waste storage area as detailed on the approved plan of development. The waste storage area must be:

- (i) Designed and located to not cause nuisance to neighbouring properties;
- (ii) Screened from any road frontage or adjoining property;
- (iii) Of a sufficient size to accommodate required number and type of bins

Timing: At all times.

24.0 ELECTRICITY & TELECOMMUNICATIONS

24.1 Connect the development to reticulated electricity supply and telecommunications to the standard of the relevant service provider.

Timing: Prior to the commencement of the use and at all times thereafter.

25.0 AMENITY – GENERAL

25.1 Install and maintain suitable screening to all air conditioning and plant and service facilities located on the top or external face of the building. The screening structures must be constructed from materials that are consistent with materials used elsewhere on the façade of the building.

Timing: At all times.

26.0 AMENITY - LIGHTING

26.1 Maintain outdoor lighting to comply with AS4282:1997 - Control of the obtrusive effects of outdoor lighting.

Timing: At all times.

27.0 CONSTRUCTION AND ENVIRONMENTAL MANAGEMENT PLAN

27.1 The applicant must submit a Construction and Environmental Management Plan (CEMP) to Council for review and approval. The CEMP must be prepared by a suitably qualified professional and adequately demonstrate how the development will:

- (i) Traffic and parking generated during construction activities and works will be managed to minimise impacts on the surrounding area;
- (ii) Best practice waste management strategies during the construction phase; and
- (iii) Mitigate potential adverse impacts associated with dust, noise and lighting emissions, sediment and stormwater run-off.

Timing: Prior to the commencement of construction and at all times during construction and earthworks.

28.0 AMENITY AND ENVIRONMENTAL HEALTH

28.1 Undertake the approved development so there is no environmental nuisance or detrimental effect on any surrounding land uses and activities by reason of the emission of noise, vibration, odour, fumes, smoke, vapour, steam soot, ash, wastewater, waste products, oil or otherwise.

Timing: At all times.

29.0 SITE WORKS AND EROSION AND SEDIMENT CONTROL

29.1 Site works must be constructed such that they do not, at any time, in any way restrict, impair, or change the natural flow of runoff water unless where permitted in accordance with an Operational Works Permit, or cause a nuisance or worsening to adjoining *properties* or infrastructure.

Timing: Prior to commencement of the use.

29.2 Prepare and implement an Erosion and Sediment Control Strategy (ESCS) in accordance with the *FNQROC Development Manual* as it relates to the construction phase. The ESCS must be available for inspection by TSC officers during the construction phase.

Timing: Prior to commencement of the use.

- 29.3 Implement the ESCS for the duration of the construction phase and until such time all exposed soils areas are permanently stabilised (for example, turfed, hydro mulched, concreted, or landscaped).

Timing: Prior to commencement of the use.

30.0 ASSET MANAGEMENT

- 30.1 Any alteration necessary to electricity, telephone, water mains, and/or public utility installations resulting from the development or in connection with the development, must be undertaken and completed at no cost to TSC.

Timing: At all times.

B. ASSESSMENT MANAGER (COUNCIL) ADVISORY NOTES

1. This approval, granted under the provisions of the Planning Act 2016, shall lapse six (6) years from the day the approval takes effect in accordance with the relevant provisions of s85 of the Planning Act 2016.
2. Prior to commencing any construction activities, the applicant/developer will be required to obtain further development permits for building work, and plumbing and drainage work, as required under relevant legislation for this work.
3. Infrastructure Charges must be paid to Council as indicated on the Infrastructure Charges Notice at the rate applicable at the time of payment.
4. This approval does not negate the requirement for compliance with all other relevant Local Laws and other statutory requirements.
5. In accordance *Queensland Heritage Act 1992* should any archaeological artefacts be discovered during the development of the site a notice must be given in accordance with Part 9 of the Act.
6. The Environmental Protections Act 1994 states a person must not carry out any activity that causes, or is likely to cause, environmental harm unless the person takes all reasonable and practicable measures to prevent or minimise the harm. Environmental harm includes environmental nuisance. In this regard, persons and entities, involved in civil, earthworks and construction phases of this development, are to adhere to their 'general environmental duty' to minimise the risk of causing environmental harm.
7. No building materials or the like are to be stored on the footpath unless an appropriate approval from Council is obtained, including the payment of associated fees.
8. All building site managers must take all action necessary to ensure building materials and/or machinery on construction sites are secured immediately following the first potential cyclone warning and that relevant emergency telephone contacts are provided to Council Officers, prior to Commencement of Works.
9. Environmental harm is defined by the Act as any adverse effect, or potential adverse effect whether temporary or permanent and of whatever magnitude, duration or frequency on an environmental value and includes environmental nuisance. Therefore, no person should cause any interference with the environment or amenity of the area by reason of the emission of noise, vibration, smell, fumes, smoke vapour, steam, soot, ash, dust, wastewater, waste products, grit, sediment, oil or otherwise, or cause hazards likely in the opinion of the Council.
10. In accordance with the Environmental Protection (Water & Wetland Biodiversity) Policy 2019, all sand, silt, mud, paint, cement, concrete, builders waste or rubbish shall not be permitted to enter or be placed where it could reasonably be expected to more into a roadside gutter, stormwater drain or watercourse. On the spot fines apply for such offences.
11. All building site managers must take all action necessary to ensure building materials and/or machinery on construction sites are secured immediately following the first potential

cyclone warning and that relevant emergency telephone contacts are provided to Council Officers, prior to Commencement of Works.

12. This development approval does not authorise any activity that may harm Aboriginal and Torres Strait Islander cultural heritage. It is also advised that any land use activities must comply with the Aboriginal Cultural Heritage Act 2003 or the Torres Strait Islander Heritage Act 2003.
13. The Commonwealth Environment Protection and Biodiversity Conservation Act 1999 applies to action that has, will have or is likely to have a significant impact on matters of national environmental significance. Further information on the EPBC Act can be obtained from the Department of Agricultural, Water and the Environment website <https://www.environment.gov.au/epbc/about>

CONDITIONS IMPOSED BY A REFERRAL AGENCY

Attached under separate cover (this page has been intentionally left blank)



SARA reference: 2111-26244 SRA
 Council reference: IDAS21/15
 Applicant reference: PR142524-9

24 December 2021

Chief Executive Officer
 Torres Shire Council
 PO Box 171
 Thursday Island Qld 4875
 admin@torres.qld.gov.au

Attention: Dalassa Yorkston

Dear Sir/Madam,

SARA response—85 Douglas Street, Thursday Island

(Referral agency response given under section 56 of the *Planning Act 2016*)

The development application described below was confirmed as properly referred by the State Assessment and Referral Agency (SARA) on 30 November 2021.

Response

Outcome:	Referral agency response - No requirements
	Under section 56(1)(a) of the <i>Planning Act 2016</i> , the department advises it has no requirements relating to the application.
Date of response:	24 December 2021
Advice:	Advice to the applicant is in Attachment 1 .
Reasons:	The reasons for the referral agency response are in Attachment 2 .

Development details

Description:	Development permit	Material change of use for a showroom (hardware Store) and multiple dwelling units (3 units)
SARA role:	Referral Agency	
SARA trigger:	Schedule 10, Part 9, Division 4, Subdivision 2, Table 4 (Planning Regulation 2017)	
	Development application for a material change of use within 25m of a state-controlled road	

SARA reference: 2111-26244 SRA
Assessment Manager: Torres Shire Council
Street address: 85 Douglas Street, Thursday Island
Real property description: Lot 712 on T2071
Applicant name: Community Enterprise Queensland
Applicant contact details: C/- RPS Australia East Pty Ltd
135 Abbott Street
Cairns QLD 4870
owen.caddick-king@rpsgroup.com.au

Representations

An applicant may make representations to a concurrence agency, at any time before the application is decided, about changing a matter in the referral agency response (s. 30 Development Assessment Rules)

Copies of the relevant provisions are in **Attachment 3**.

A copy of this response has been sent to the applicant for their information.

For further information please contact Ruth Creffield, A/Senior Planning Officer, on 5352 9775 or via email CairnsSARA@dasilgp.qld.gov.au who will be pleased to assist.

Yours sincerely



Tony Croke
A/Manager (Planning)

cc Community Enterprise Queensland, owen.caddick-king@rpsgroup.com.au

enc Attachment 1 - Advice to the applicant
Attachment 2 - Reasons for referral agency response
Attachment 3 - Representations provisions

Attachment 1—Advice to the applicant

General advice	
1.	Terms and phrases used in this document are defined in the <i>Planning Act 2016</i> its regulation or the State Development Assessment Provisions (SDAP) v2.6. If a word remains undefined it has its ordinary meaning.
2.	<p>The development is proposing to erect advertising devices that will be visible from a state-controlled road. The applicant should seek advice from the Department of Transport and Main Roads (DTMR) to ensure that the advertising devices visible from a state-controlled road, and beyond the boundaries of the state-controlled road, are unlikely to create a traffic hazard for the state-controlled road.</p> <p>Note: DTMR has powers under section 139 of the Transport Operations (Road Use Management - Accreditation and Other Provisions) Regulation 2015 to require removal or modification of an advertising sign and / or a device which is deemed to create a danger to traffic.</p>
3.	<p>An application for a road corridor permit is required for any ancillary works and encroachments on a state-controlled road. Under section 50(2) and Schedule 6 of the <i>Transport Infrastructure Act 1994</i> (TIA) and Part 5 and Schedule 1 of the Transport Infrastructure (State-Controlled Roads) Regulation 2006, the applicant must obtain a road corridor permit from the DTMR to carry out ancillary and encroachments works on a state-controlled road.</p> <p>The applicant is required to contact the Cairns district office of DTMR on 4045 7144 to make an application for a Road Corridor Permit to carry out ancillary works and encroachments.</p> <p>Ancillary works and encroachments include but are not limited to advertising signs or other advertising devices, paths or bikeways, buildings/shelters/structures, vegetation clearing, landscaping and planting.</p>

Attachment 2—Reasons for referral agency response

(Given under section 56(7) of the *Planning Act 2016*)

The reasons for SARAs decision are:

- The proposed development is for a material change of use for a showroom and multiple dwelling units (3 units).
- The subject site is located within 25 metres of a state-controlled road, Douglas Street.
- SARA has assessed the development against State code 1: Development in a state-controlled road environment of the State Development Assessment Provisions (SDAP), version 2.6, and determined that the development achieves compliance with the performance outcomes of the State code without the need for conditions.

Material used in the assessment of the application:

- The development application material and submitted plans
- *Planning Act 2016*
- Planning Regulation 2017
- SDAP (version 2.6), as published by SARA
- The Development Assessment Rules
- SARA DA Mapping system

Attachment 3—Change representation provisions

(page left intentionally blank)

APPROVED PLANS

Attached under separate cover (this page has been intentionally left blank)



TORRES SHIRE COUNCIL

DIGITALLY STAMPED
APPROVED PLAN

Development Application: Development Permit for Material Change of Use — Showroom (Hardware Store) and Multiple Dwelling Units (3 Units).

Lot: Lot 712 on T2071

Referred to in Council's Decision Notice

Approval Date: 15 March 2022
Application Number: IDAS 21/15

CONCEPT DESIGN ONLY

COVER SHEET
PROPOSED THURSDAY ISLAND HARDWARE, THURSDAY ISLAND, QLD 4875

COMMUNITY ENTERPRISE QUEENSLAND

20B255

A000

PAWA
architecture

architecture | tropical design | masterplanning

DEC 2021 REVISION 23

This design document remains the property of PAWA Architecture and must not be used, retained or copied without the written permission of PAWA Architecture A.B.N. 39 611 217 835 | IPA - 1-110463

11/02/2022 2:05:58 PM

Sheet Number	Sheet Name
A000	COVER SHEET
A001	LOCATION
A002	SITE PLAN
A003	LAYOUT PLANS - GROUND FLOOR PLAN
A004	LAYOUT PLAN - FIRST FLOOR
A005	DEPARTMENT & AREA PLANS
A006	ELEVATIONS
A007	ELEVATIONS 2
A008	PERSPECTIVES - EXTERIOR
A009	TYPICAL SECTIONS
A010	TYPICAL RETAINING WALL

PROPOSED THURSDAY ISLAND HARDWARE

85 DOUGLAS ST, THURSDAY ISLAND



TORRES SHIRE COUNCIL

**DIGITALLY STAMPED
APPROVED PLAN**

Development Application: Development Permit for Material Change of Use — Showroom (Hardware Store) and Multiple Dwelling Units (3 Units).

Lot: Lot 712 on T2071

Referred to in Council's Decision Notice

Approval Date: 15 March 2022
Application Number: IDAS 21/15

CONCEPT DESIGN ONLY

LOCATION

PROPOSED THURSDAY ISLAND HARDWARE, THURSDAY ISLAND, QLD 4875

COMMUNITY ENTERPRISE QUEENSLAND

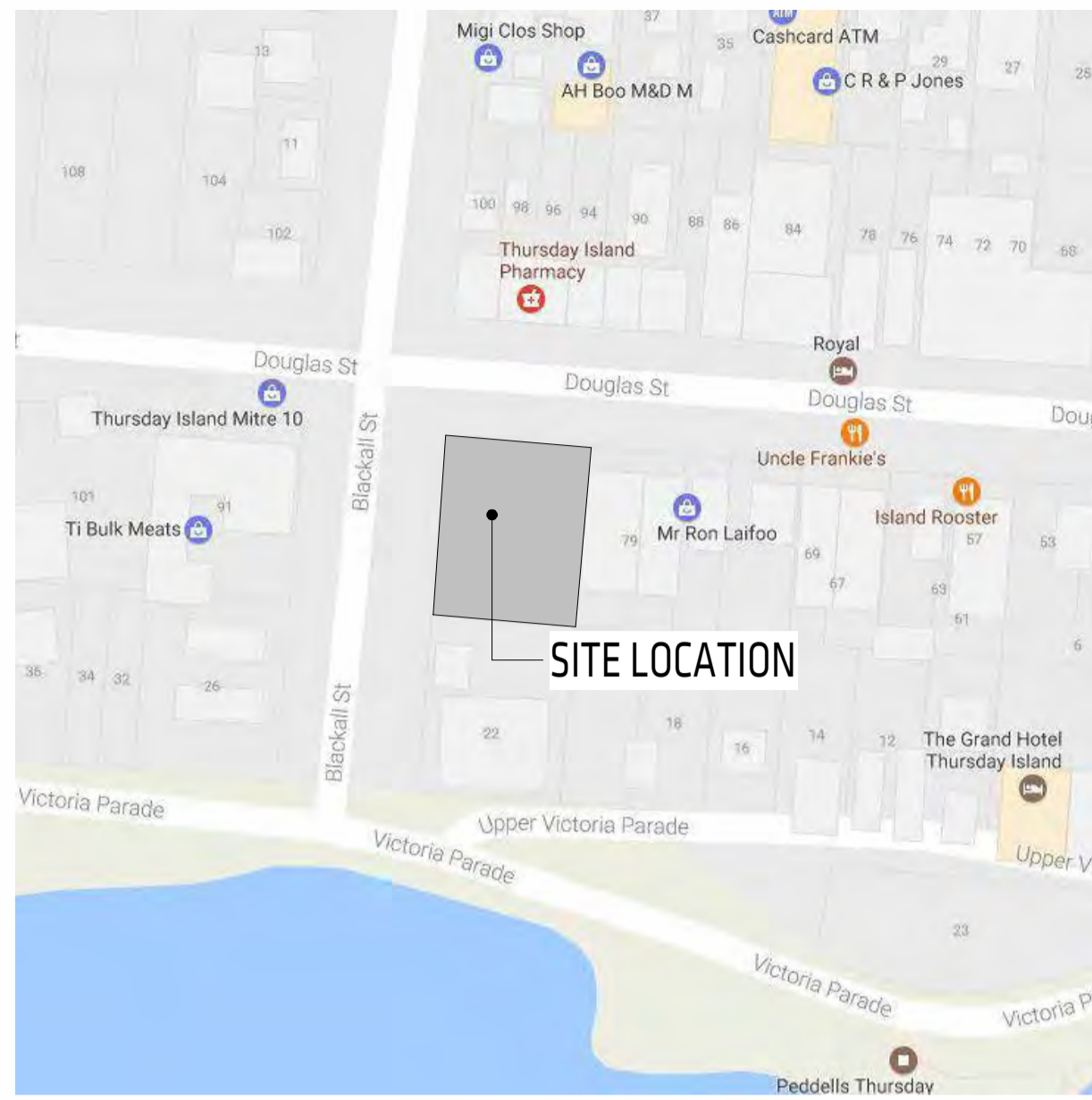
20B255

A001

PAWA
architecture

architecture | tropical design | masterplanning

OCT 2021 REVISION 20



2 LOCALITY PLAN
scale 1:5000 @ A1



1 PROPOSED SITE PLAN
scale 1:200 @ A1

TORRES SHIRE COUNCIL
DIGITALLY STAMPED
APPROVED PLAN

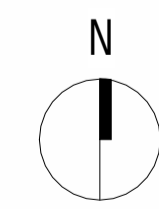
Development Application: Development Permit for Material Change of Use — Showroom (Hardware Store) and Multiple Dwelling Units (3 Units).

Lot: Lot 712 on T2071

Referred to in Council's Decision Notice

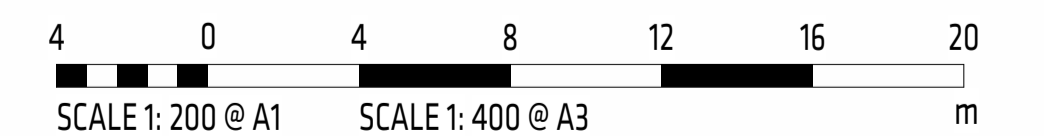
Approval Date: 15 March 2022
Application Number: IDAS 21/15

REAL PROPERTY DESCRIPTION
LOT 712 ON T2071
85 DOUGLAS ST
THURSDAY ISLAND
SITE AREA: 2026m²



SITE PLAN
PROPOSED THURSDAY ISLAND HARDWARE, THURSDAY ISLAND, QLD 4875

CONCEPT DESIGN ONLY



COMMUNITY ENTERPRISE QUEENSLAND

20B255

A002



TORRES SHIRE COUNCIL
DIGITALLY STAMPED
APPROVED PLAN

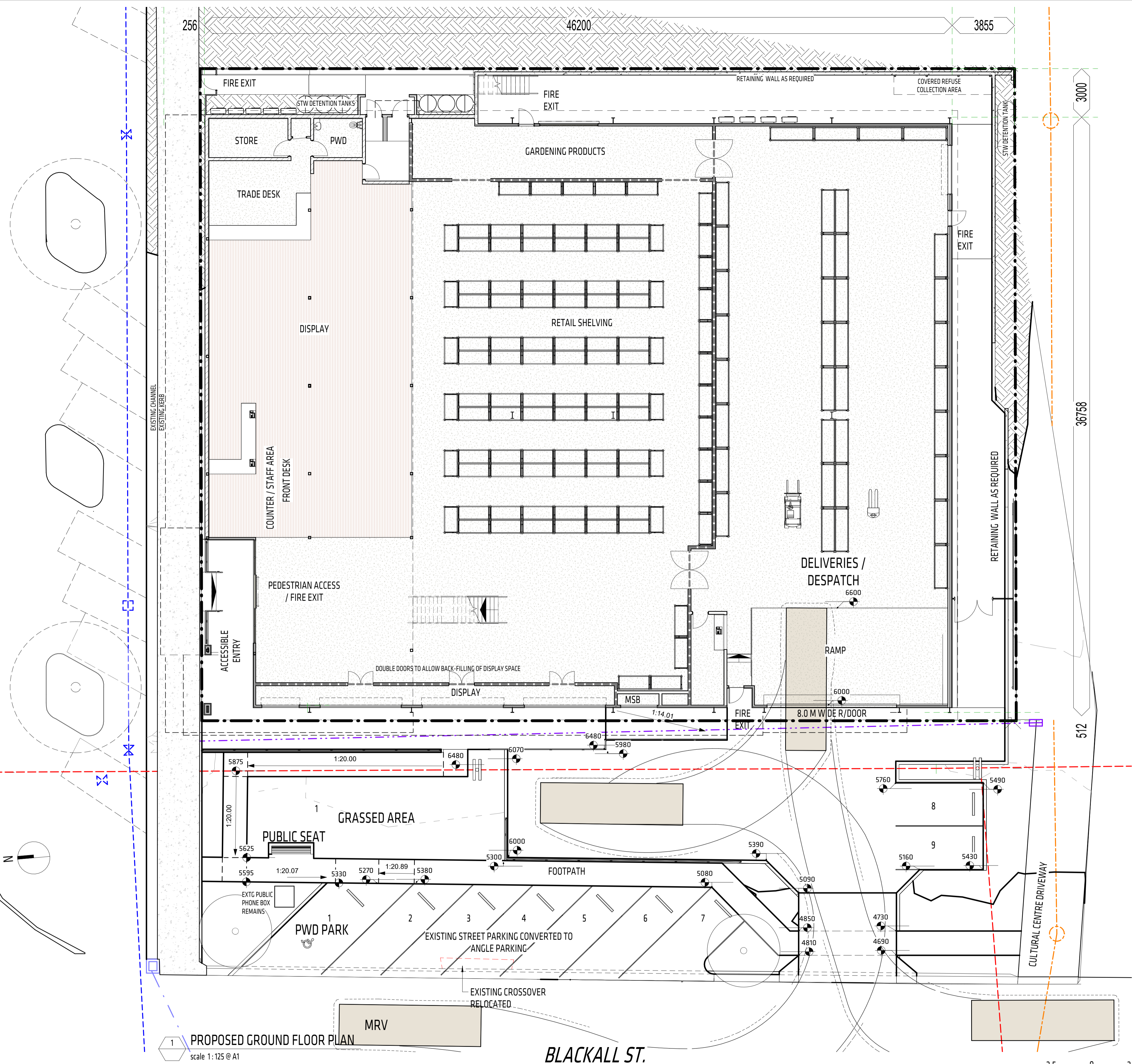
Development Application: Development Permit for Material Change of Use—Showroom (Hardware Store) and Multiple Dwelling Units (3 Units).

Lot: Lot 712 on T2071

Referred to in Council's Decision Notice

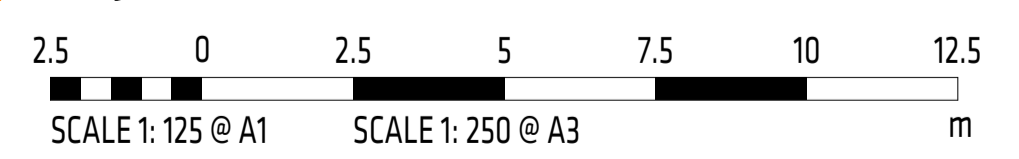
Approval Date: 15 March 2022
Application Number: IDAS 21/15

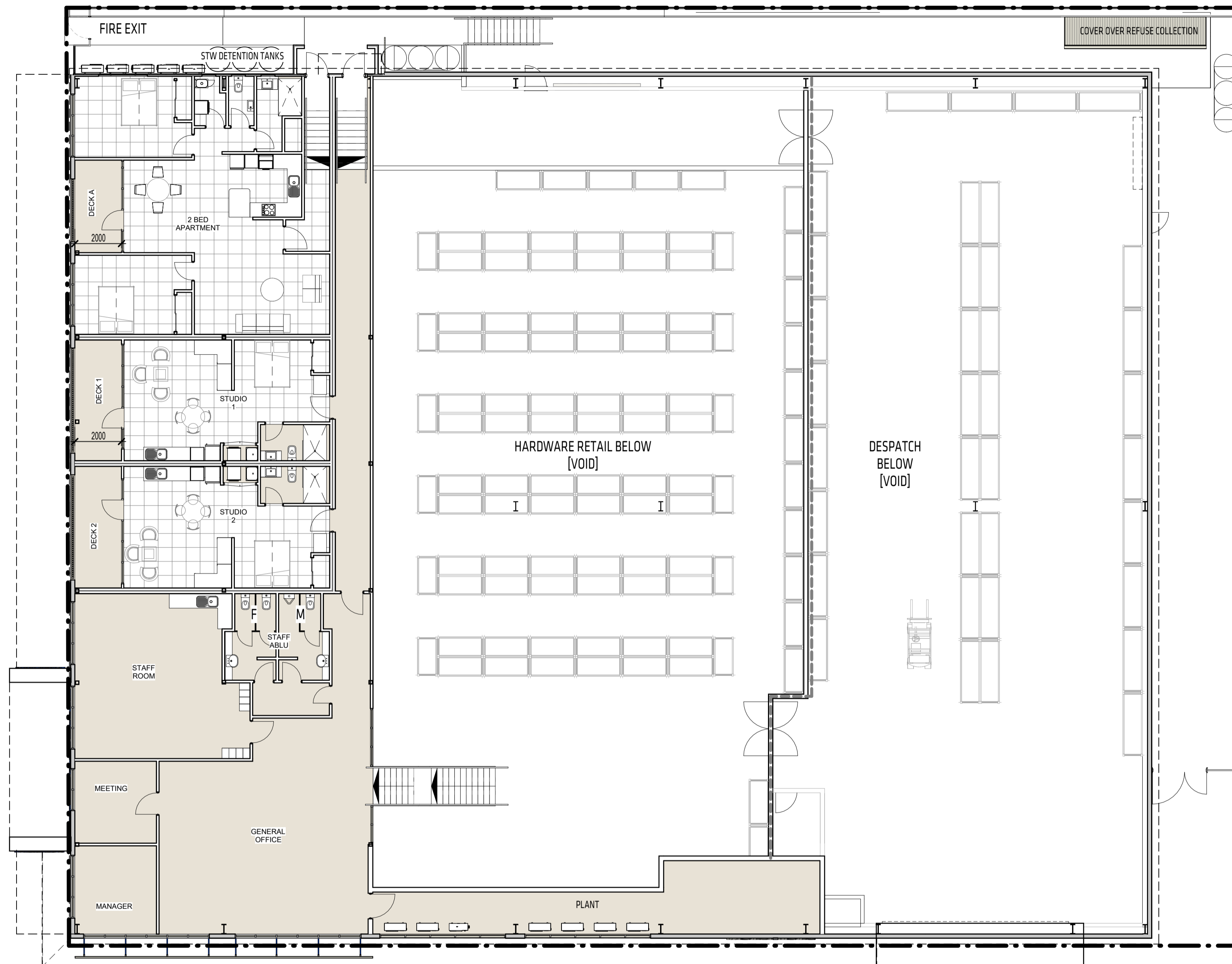
LAYOUT PLANS - GROUND FLOOR PLAN
PROPOSED THURSDAY ISLAND HARDWARE, THURSDAY ISLAND, QLD 4875



1 PROPOSED GROUND FLOOR PLAN
 scale 1:125 @ A1

CONCEPT DESIGN ONLY





1 PROPOSED FIRST FLOOR PLAN
scale 1:125 @ A1

BLACKALL ST.

TORRES SHIRE COUNCIL
DIGITALLY STAMPED
APPROVED PLAN

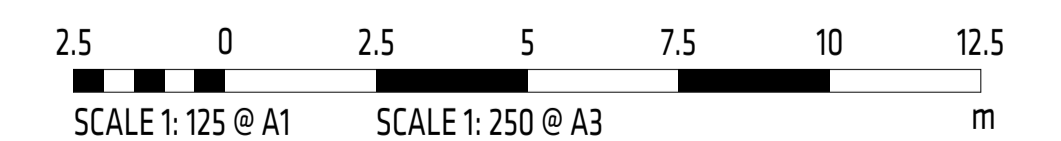
Development Application: Development Permit for Material Change of Use — Showroom (Hardware Store) and Multiple Dwelling Units (3 Units).

Lot: Lot 712 on T2071

Referred to in Council's Decision Notice

Approval Date: 15 March 2022
Application Number: IDAS 21/15

CONCEPT DESIGN ONLY



LAYOUT PLAN - FIRST FLOOR
PROPOSED THURSDAY ISLAND HARDWARE, THURSDAY ISLAND, QLD 4875

COMMUNITY ENTERPRISE QUEENSLAND

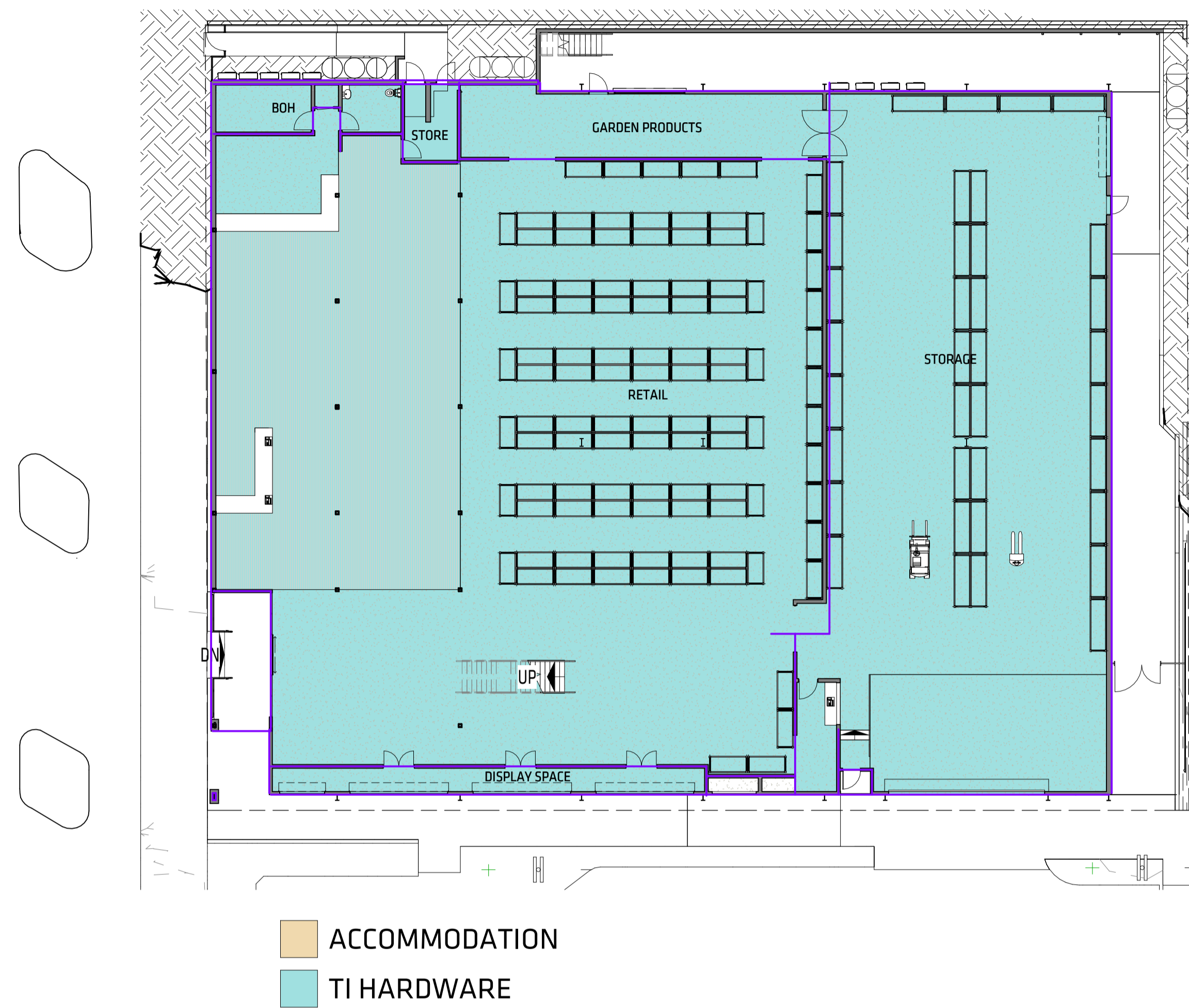
20B255

A004



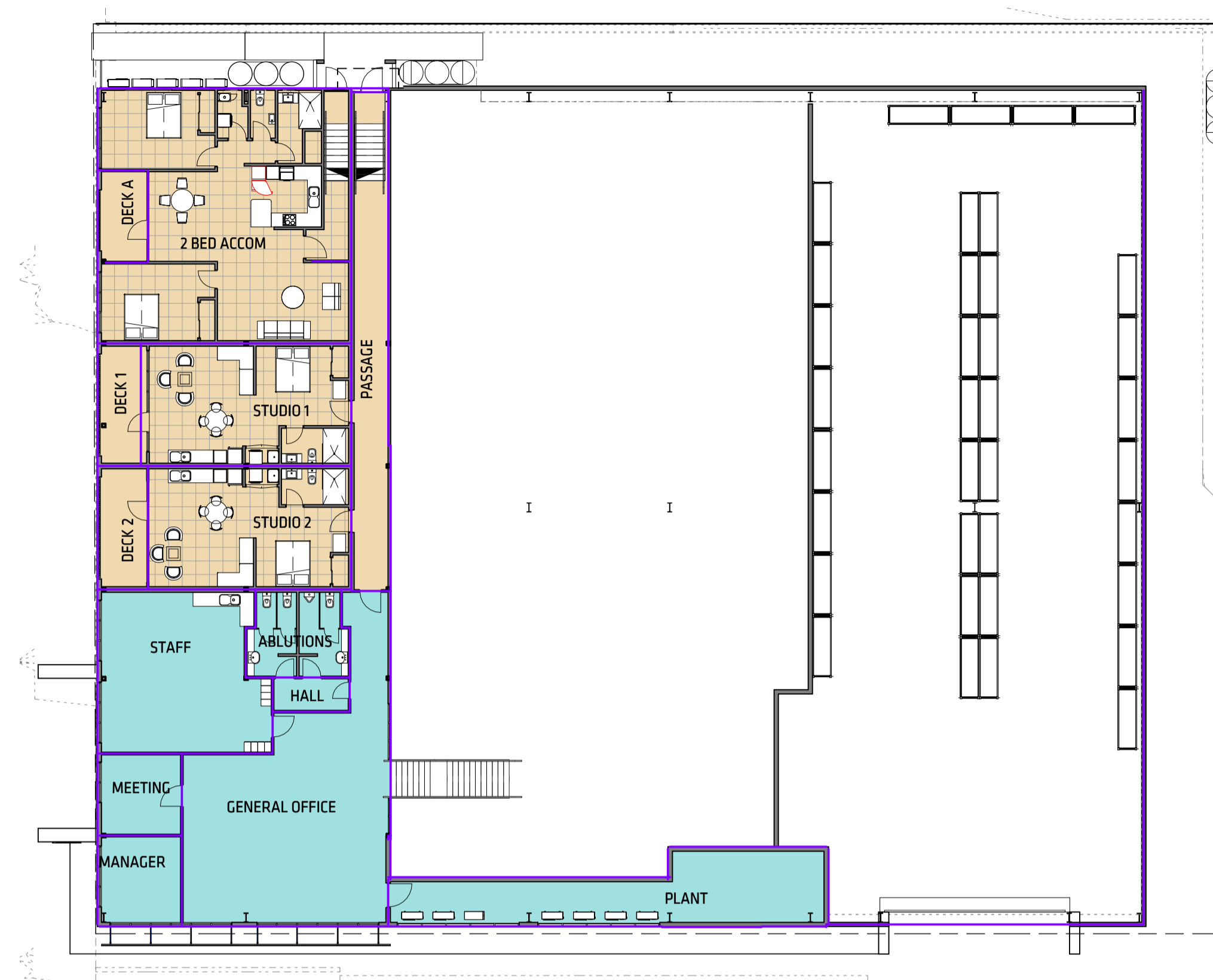
architecture | tropical design | masterplanning

DEC 2021 REVISION 21



1 GROUND FLOOR - DEPARTMENTS & GROSS AREAS
A006 scale 1:200 @ A1

- BUILDING CLASSIFICATION (NCC)**
- CLASS 2 ACCOMMODATION UNITS (SOLE-OCCUPANCY UNITS)
 - CLASS 6 BUILDING USED FOR THE RETAIL OR SUPPLY OF SERVICES DIRECT TO THE PUBLIC



2 FIRST FLOOR - DEPARTMENTS & GROSS AREAS
A006 scale 1:200 @ A1

- SITE COVERAGE**
- OUTER LIMITS OF PROJECTION OF THE BUILDING; EXCLUDING OVERHANGS ETC = 1636 M2
 - SITE AREA = 2026 M2
 - SITE COVERAGE = 80.7%

AREA SCHEDULE (GROSS BUILDING)	
NAME	AREA
L00 GRD FLR	
TI HARDWARE	
RETAIL	963.8 m ²
STORAGE	534.1 m ²
GARDEN PRODUCTS	68.6 m ²
DISPLAY SPACE	32.5 m ²
BOH	25.1 m ²
STORE	12.1 m ²
TI HARDWARE	1636.2 m ²
L00 GRD FLR	
1636.2 m ²	
L01 1ST FLR	
ACCOMMODATION	
2 BED ACCOM	117.8 m ²
STUDIO 1	50.5 m ²
STUDIO 2	49.2 m ²
PASSAGE	36.9 m ²
DECK 2	12.2 m ²
DECK 1	10.5 m ²
DECK A	9.1 m ²
ACCOMMODATION	286.3 m ²
TI HARDWARE	
GENERAL OFFICE	90.5 m ²
STAFF	52.4 m ²
PLANT	52.2 m ²
ABLUTIONS	16.6 m ²
MANAGER	15.1 m ²
MEETING	13.6 m ²
HALL	5.2 m ²
TI HARDWARE	245.5 m ²
L01 1ST FLR	531.8 m ²
GRAND TOTAL	2168.0 m ²

TORRES SHIRE COUNCIL

DIGITALLY STAMPED

APPROVED PLAN

Development Application: Development Permit for Material Change of Use — Showroom (Hardware Store) and Multiple Dwelling Units (3 Units).

Lot: Lot 712 on T2071

Referred to in Council's Decision Notice

Approval Date: 15 March 2022
Application Number: IDAS 21/15

CONCEPT DESIGN ONLY



DEPARTMENT & AREA PLANS
PROPOSED THURSDAY ISLAND HARDWARE, THURSDAY ISLAND, QLD 4875

COMMUNITY ENTERPRISE QUEENSLAND

20B255

A005 **PAWA** architecture

architecture | tropical design | masterplanning

DEC 2021 REVISION 20

TORRES SHIRE COUNCIL

DIGITALLY STAMPED
APPROVED PLAN

Development Application: Development Permit for Material Change of Use — Showroom (Hardware Store) and Multiple Dwelling Units (3 Units).

Lot: Lot 712 on T2071

Referred to in Council's Decision Notice

Approval Date: 15 March 2022
Application Number: IDAS 21/15

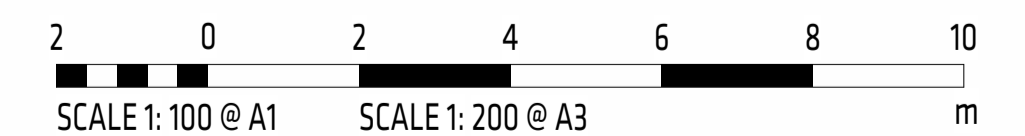


1 ELEVATION - DOUGLAS STREET
scale 1:100 @ A1



2 ELEVATION - BLACKALL STREET
scale 1:100 @ A1

CONCEPT DESIGN ONLY



ELEVATIONS
PROPOSED THURSDAY ISLAND HARDWARE, THURSDAY ISLAND, QLD 4875

COMMUNITY ENTERPRISE QUEENSLAND

20B255

A006

architecture | tropical design | masterplanning



Development Application: Development Permit for Material Change of Use — Showroom (Hardware Store) and Multiple Dwelling Units (3 Units).

Lot: Lot 712 on T2071

Referred to in Council's Decision Notice

Approval Date: 15 March 2022

Application Number: IDAS 21/15

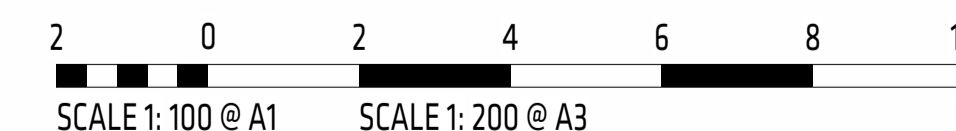


1 ELEVATION - SOUTH
scale 1:100 @ A1



2 ELEVATION - EAST
scale 1:100 @ A1

CONCEPT DESIGN ONLY



ELEVATIONS 2
PROPOSED THURSDAY ISLAND HARDWARE, THURSDAY ISLAND, QLD 4875

COMMUNITY ENTERPRISE QUEENSLAND

20B255

A007



architecture | tropical design | masterplanning

DEC 2021 REVISION 21



STREET LEVEL VIEW LOOKING DOWN DOUGLAS STREET TO CORNER



STREET LEVEL VIEW LOOKING FROM DOUGLAS STREET TO ENTRY



ELEVATED VIEW FROM DOUGLAS AND BLACKALL STREET CORNER

TORRES SHIRE COUNCIL
DIGITALLY STAMPED
APPROVED PLAN

Development Application: Development Permit for Material Change of Use—Showroom (Hardware Store) and Multiple Dwelling Units (3 Units).

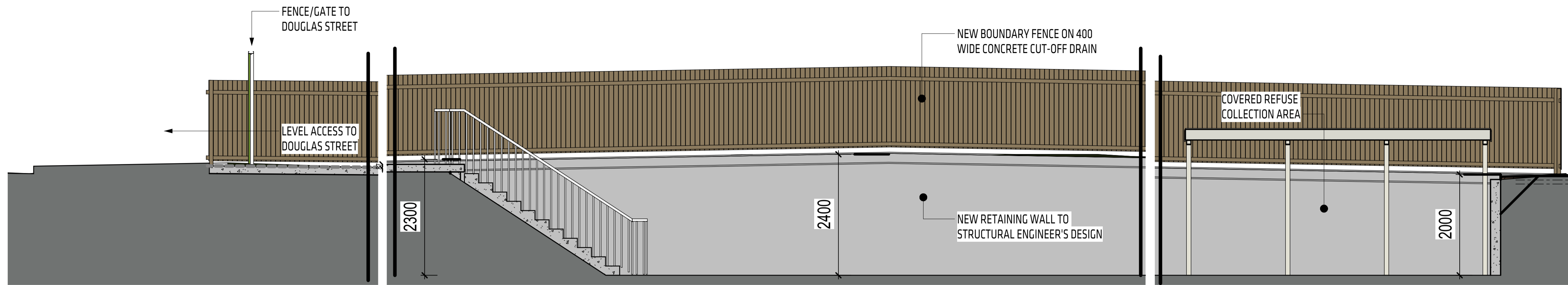
Lot: Lot 712 on T2071

Referred to in Council's Decision Notice

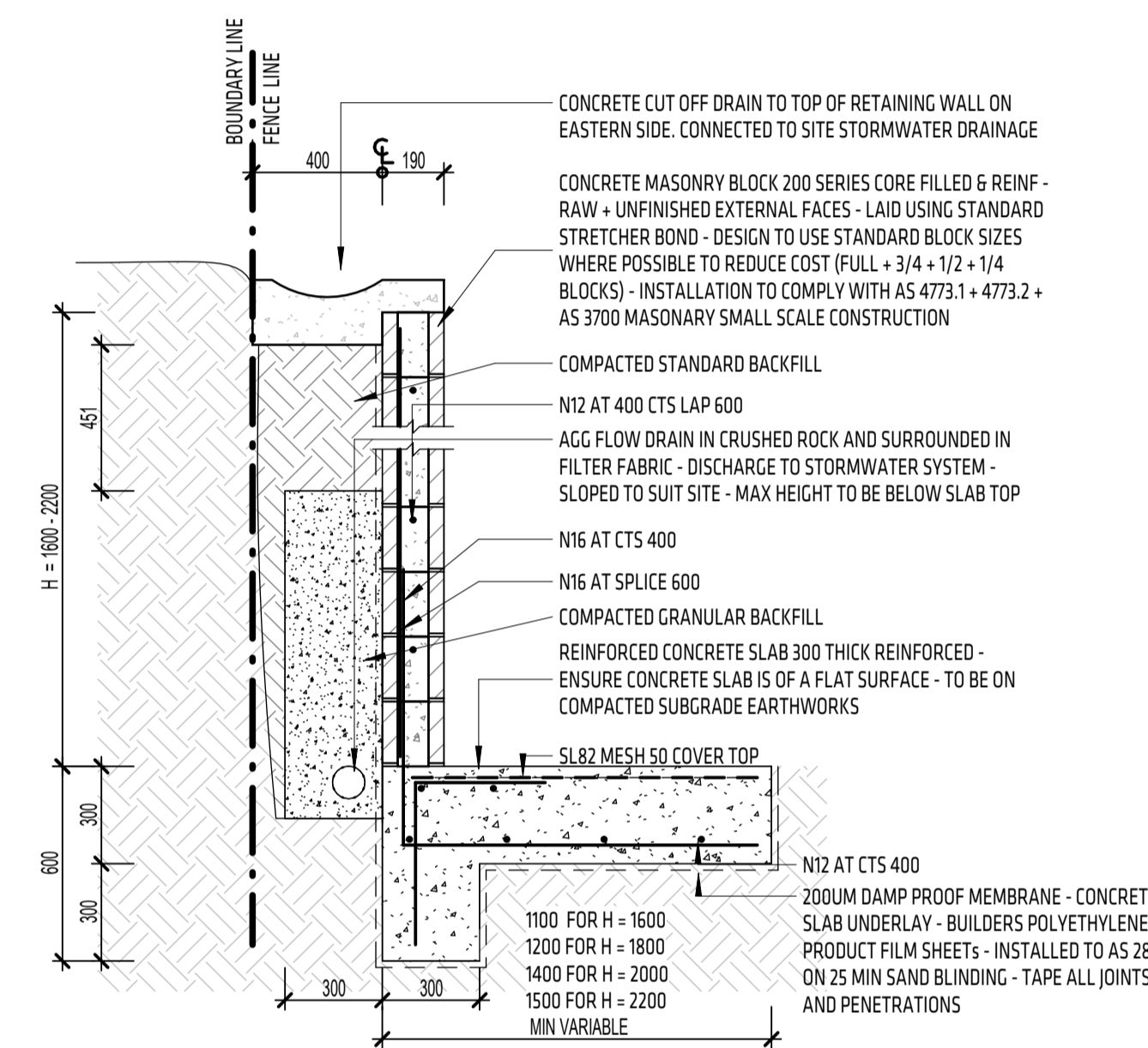
Approval Date: 15 March 2022
Application Number: IDAS 21/15

CONCEPT DESIGN ONLY

PERSPECTIVES - EXTERIOR
PROPOSED THURSDAY ISLAND HARDWARE, THURSDAY ISLAND, QLD 4875



2 RETAINING WALL ON EASTERN BOUNDARY
scale 1:50 @ A1



1 TYPICAL RETAINING WALL
scale 1:20 @ A1

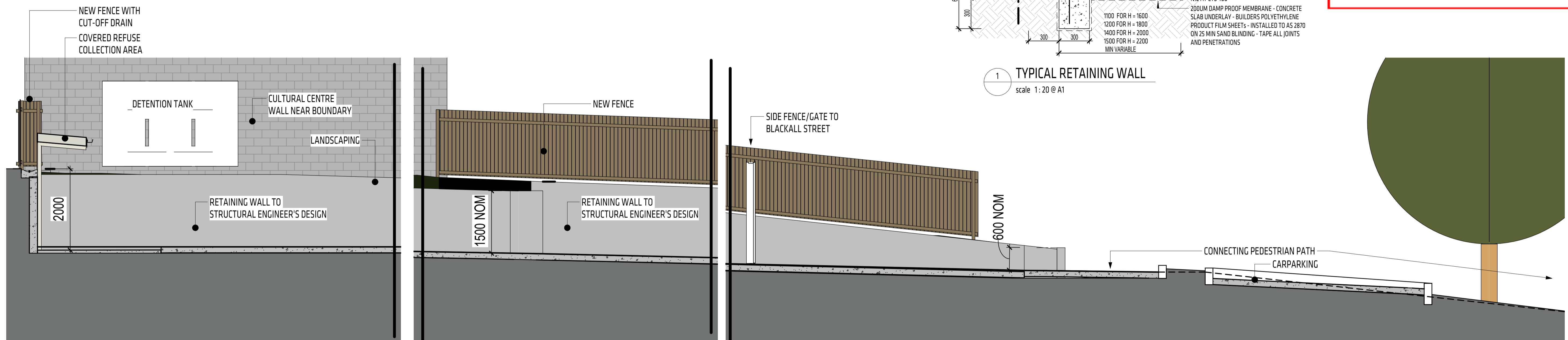
TORRES SHIRE COUNCIL
DIGITALLY STAMPED
APPROVED PLAN

Development Application: Development Permit for Material Change of Use—Showroom (Hardware Store) and Multiple Dwelling Units (3 Units).

Lot: Lot 712 on T2071

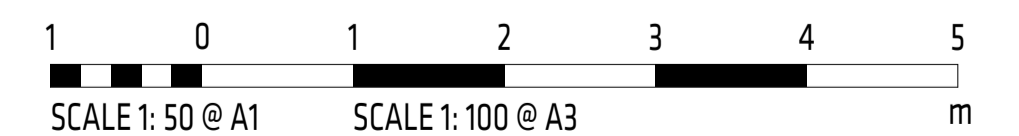
Referred to in Council's Decision Notice

Approval Date: 15 March 2022
Application Number: IDAS 21/15



3 RETAINING WALL ON SOUTHERN BOUNDARY
scale 1:50 @ A1

CONCEPT DESIGN ONLY



TYPICAL RETAINING WALL
PROPOSED THURSDAY ISLAND HARDWARE, THURSDAY ISLAND, QLD 4875

COMMUNITY ENTERPRISE QUEENSLAND

20B255

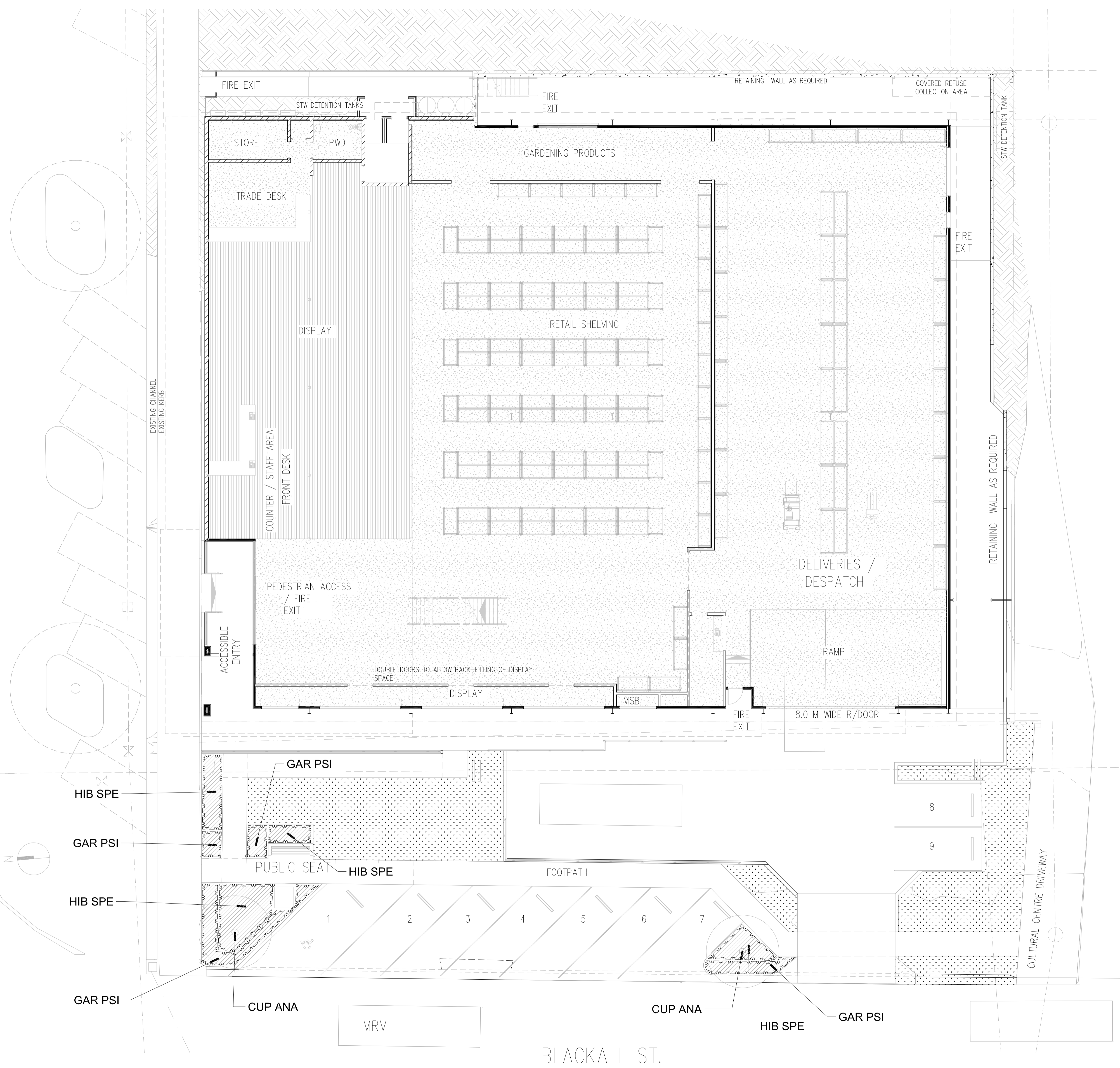
A010



architecture | tropical design | masterplanning

DEC 2021 REVISION 21

DOUGLAS ST.



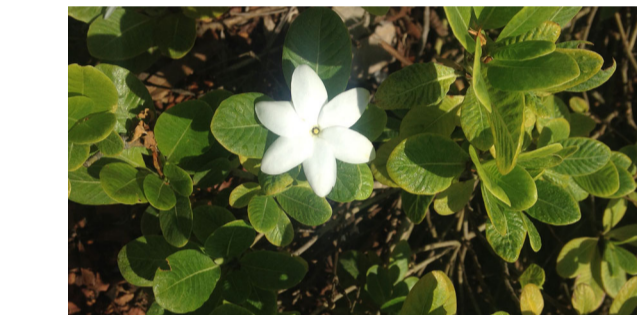
PLANT PALETTE






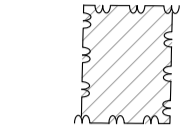
CUPANIOPSIS ANACARDIOIDES



HIBISCUS SPECIES



GARDENIA PSIDIROIDES

-  EXISTING TREES TO BE RETAINED
-  PROPOSED NEW TREES
-  GRASS SEEDING AS SPECIFIED
-  PLANTING AS SPECIFIED

PLANT SCHEDULE

HIB SPE	HIBISCUS SPECIES	@ 3/M ²
GAR PSI	GARDENIA PSIDIROIDES	@ 4/M ²
CUP ANA	CUPANIOPSIS ANACARDIOIDES	AS SHOWN

TORRES SHIRE COUNCIL


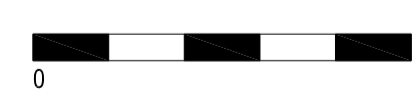
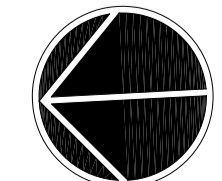
DIGITALLY STAMPED APPROVED PLAN

Development Application: Development Permit for Material Change of Use—Showroom (Hardware Store) and Multiple Dwelling Units (3 Units).

Lot: Lot 712 on T2071

Referred to in Council's Decision Notice

Approval Date: 15 March 2022
Application Number: IDAS 21/15

01	DA SUBMISSION	28/02/2022	CM
rev. no	description	date	drawn
			
p 0439 005 294 e simon@landplanla.com.au PO Box 781 Bungalow 4870			
client			
project			
THURSDAY ISLAND HARDWARE			
title			
LANDSCAPE CONCEPT PLAN			
scale			
 (AT A1 SIZE SHEET)			
drawn	approved	date	
C.M.	S.M.	28/02/2022	
project number			northpoint
2202-009			
drawing number		rev	
		01	

BLACKALL ST.

CULTURAL CENTRE DRIVEWAY

NOTICE ABOUT DECISION – STATEMENT OF REASONS

This Notice is prepared in accordance with s63(5) and s83(9) of the Planning Act 2016 to provide information about a decision that has been made in relation to a development application. The purpose of the Notice is to enable a public understanding of the reasons for the planning decision, specifically having regard to:

- the relevant parts of the Planning Scheme and Assessment Benchmarks against which the application was assessed; and
- any other information, documents or other material Council was either required to, or able to, consider in its assessment.

All terms used in this Notice have the meanings given them in the Planning Act 2016 or otherwise their ordinary meaning.

APPLICATION DETAILS

Application No:	IDAS 21/15
Applicant:	Community Enterprise Qld c/- RPS Australia East Pty Ltd
Proposal:	Development Permit for Material Change of Use
Description of the Development:	Showroom (Hardware Store) and Multiple Dwelling Units (3 units)
Street Address:	85 Douglas Street, Thursday Island
Real Property Description:	Lot 712 on T2071
Planning Scheme:	<i>Torres Shire Planning Scheme 2007</i> (Version Amendment 1 – 19 January 2016)
Land Zoning:	Business Zone
Assessment Type:	Code (Showroom) & Impact (Multiple Dwelling Units)

DECISION DETAILS

Type of Decision:	Approval with Conditions
Type of Approval:	Development Permit for [Material Change of Use / Reconfiguring a Lot / Operational Works / Building Work]
Date of Decision:	15 March 2022

ASSESSMENT BENCHMARKS

The following Assessment Benchmarks applied to the development from the following Categorising Instruments:

Categorising Instrument (*Planning Regulation 2017*)

This application did not trigger any matters prescribed by the regulation.

Categorising Instrument (*State Planning Policy - July 2017*)

- Natural Hazards, Risk, and Resilience (Erosion Prone Area)
- Transport Infrastructure (State-controlled Road, Area Within 25m of a State-controlled Road);

- Strategic Airports and Aviation Facilities (Wildlife Hazard Buffer Zone, Aviation Facility).

Local Categorising Instrument (Torres Shire Planning Scheme 2007 (Version Amendment 1 – 19 January 2016):

- Business Zone Code;
- Multiple Dwelling Unit Code;
- Cultural Heritage Overlay Code.

Local Categorising Instrument (Variation Approval)

Not applicable.

Local Categorising Instrument (Temporary Local Planning Instrument)

Not applicable.

PUBLIC NOTIFICATION

A review of Council's records has determined that no properly made submissions were received.

REASONS FOR THE DECISION

The application is **approved** on the following grounds:

- (a) The proposal is generally compliant with the assessment benchmarks and consistent with the Torres Shire Council Planning Scheme 2007.
- (b) The proposed development is consistent with the land use intent under the Torres Shire Council Planning Scheme 2022.
- (c) In lieu of onsite parking, development works are proposed within the Blackall Street road reserve to improve the on-street carparking layout.
- (d) The proposed development has been appropriately designed for the subject site.

REASONS FOR APPROVAL DESPITE NON-COMPLIANCE WITH ASSESSMENT BENCHMARKS

Not applicable.

ADDITIONAL RELEVANT MATTERS FOR IMPACT ASSESSMENT

Not applicable.

OTHER MATTERS PRESCRIBED BY THE PLANNING REGULATION 2017

Not applicable.

OTHER DETAILS

If you wish to obtain more information about Council's decision, including a copy of Council's Decision Notice and any conditions or plans relating to the development, please refer to Council's website.

APPEAL RIGHTS

(Planning Act 2016 & Planning Regulation 2017)

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

Appeal by an Applicant

An applicant for a development application may appeal to the Planning and Environment Court against the following:

- the refusal of all or part of the development application;
- a provision of the development approval;
- the decision to give a preliminary approval when a development permit was applied for;
- a deemed refusal of the development application.

An applicant may also have a right to appeal to the Development tribunal. For more information, see schedule 1 of the *Planning Act 2016*.

Appeal by an Eligible Submitter

An eligible submitter for a development application may appeal to the Planning and Environment Court against the decision to approve the application, to the extent the decision relates to:

- any part of the development application that required impact assessment
- a variation request.

The timeframes for starting an appeal in the Planning and Environment Court are set out in section 229 of the *Planning Act 2016*.

Attachment 4 is an extract from the *Planning Act 2016* that sets out the applicant's appeal rights and the appeal rights of a submitter.

To stay informed about any appeal proceedings which may relate to this decision visit:

<https://planning.dsdmip.qld.gov.au/planning/our-planning-system/dispute-resolution/pe-court-database>.



Torres Shire Council

INFRASTRUCTURE CHARGES NOTICE

(section 52 and schedule 16 of Planning Act 2016)

APPLICANT:	Community Enterprise Queensland c/ RPS Australia East Pty Ltd										
APPLICATION:	Material Change of Use – Showroom (Hardware Store) and Multiple Dwelling Units (3 units)										
LOT DESCRIPTION :	Lot 712 on T2071										
DATE OF COUNCIL MEETING:	15 March 2022										
FILE REFERENCE:	IDAS 21/15										
AMOUNT OF THE LEVIED CHARGE: (Details of how these charges were calculated are shown overleaf)	<table border="1"> <thead> <tr> <th>Development Type</th> <th>Adopted Infrastructure Charge</th> <th>Credits</th> <th>Total Charge</th> </tr> </thead> <tbody> <tr> <td>Showroom (Hardware Store) and Multiple Dwelling Units (3 units)</td> <td>\$347,694.94</td> <td>\$28,334.90</td> <td>\$319,360.00</td> </tr> </tbody> </table>			Development Type	Adopted Infrastructure Charge	Credits	Total Charge	Showroom (Hardware Store) and Multiple Dwelling Units (3 units)	\$347,694.94	\$28,334.90	\$319,360.00
Development Type	Adopted Infrastructure Charge	Credits	Total Charge								
Showroom (Hardware Store) and Multiple Dwelling Units (3 units)	\$347,694.94	\$28,334.90	\$319,360.00								
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 712 on T2071										
SITE ADDRESS	85 Douglas Street, 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 (1 or 2 bedroom dwelling)	3 units	\$6,071.99	CR Table 2.1	\$18,215.97
Commercial (bulk goods)	1,881.70m ²	\$49.58	CR Table 2.2	\$93,294.68

Sewerage

Development Description	Units of Measure	Charge Rate	Reference	Amount
Residential (1 or 2 bedroom dwelling)	3 units	\$5,059.99	CR Table 2.1	\$15,179.97
Commercial (bulk goods)	1,881.70m ²	\$42.50	CR Table 2.2	\$79,972.25

Transport

Development Description	Units of Measure	Charge Rate	Reference	Amount
Residential (1 or 2 bedroom dwelling)	3 units	\$3,035.99	CR Table 2.1	\$9,107.97
Commercial (bulk goods)	1,881.70m ²	\$28.33	CR Table 2.2	\$53,308.56

Community Facilities and Parks

Development Description	Units of Measure	Charge Rate	Reference	Amount
Residential (1 or 2 bedroom dwelling)	3 units	\$2,024.00	CR Table 2.1	\$6,072.00
Commercial (bulk goods)	1,881.70m ²	\$21.24	CR Table 2.2	\$39,967.30

Stormwater

Development Description	Units of Measure	Charge Rate	Reference	Amount
Residential (1 or 2 bedroom dwelling)	3 units	\$4,047.98	CR Table 2.1	\$12,143.94
Commercial (bulk goods)	2,023m ²	\$10.10 (per impervious m ²)	CR Table 2.2	\$20,432.30

TOTAL ADOPTED CHARGE	\$347,694.94
-----------------------------	---------------------

CREDIT

Adopted Charges Development Description	Water Supply	Sewerage	Transport	Community Facilities & Parks	Stormwater	Total
Vacant Land rate as per clause 3.1(d)	\$8,500.77	\$7,083.98	\$4,250.39	\$2,833.59	\$5,667.17	\$28,334.90

TOTAL CHARGE	\$319,360.04
---------------------	---------------------



**Dalassa Yorkston
Chief Executive Officer**

Date: 18 March 2022

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
-