



TORRES SHIRE COUNCIL

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

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THURSDAY ISLAND 4875

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ABN 34 108 162 398

DATE: 18 July 2024

Our Ref: IDAS20/04
Enquire to: Ed Kulpa
Telephone: (07) 4069 1336

Roman Catholic Trust Corporation for the Diocese of Cairns
c/ Brazier Motti Pty Ltd
PO Box 1185
Cairns QLD 4870

Email: cns.planning@braziermotti.com.au

Dear Sir/Madam

Decision Notice – Minor Change

Given under section 83 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 16 July 2024.

APPLICATION DETAILS

Application No:	IDAS20/04
Approval Sought:	Minor Change to Development Permit for a Material Change of Use
Description of the Development	Material Change of Use – Special Purpose (Extension to Existing Educational Establishment)
Planning Scheme:	<i>Torres Shire Council Planning Scheme 2022</i>

LOCATION DETAILS

Street Address:	120 Douglas Street, Thursday Island
Real Property Description:	Lot 1 SP340642

DECISION DETAILS

The original decision date was 15 June 2021, with the original Decision Notice dated 16 June 2021.

Torres Shire Council, on 16 July 2024 decided to issue the following type of approval:

- Minor Change to Development Permit - Material Change of Use - Special Purpose (Extension to Existing Educational Establishment).

Subject to the following:

(A) Amend the conditions of the approval as follows:

- (1) Add an additional condition (condition 6a):
- (2) Amend condition 7 - Approved plans and documents to reflect the amended plans
- (3) Amend the following conditions to note applicable to stage 2 only.
 - (a) condition 23 & 25 – On-site Car Parking
 - (b) condition 26 – Operational Work – Road Works
 - (c) condition 27 – Road Works – Design & Construction – Chester Street
 - (d) condition 28 – Road Works – Design & Construction – Normanby Street
 - (e) condition 30 – Pedestrian footpath – Normanby Street
 - (f) condition 31 – Operational Work – Landscaping
 - (g) condition 32 – Establishment of landscaping works

(B) All other conditions remain as per decision notice dated 16 June 2021.

(C) An updated Infrastructure Charges Notice is issued for the amount of \$104,304.65 in relation to the Change Application (Minor Change) to Development Permit for Material Change of Use – Special Purpose (Extension to Existing Educational Establishment at 120 Douglas Street, Thursday Island, formally described as Lot 1 on SP340642.

(D) Issue a copy of the decision on the change application to the State Assessment Referral Agency (SARA).

CURRENCY PERIOD

The use of the subject land must be commenced within a period of six (6) years from the date, unless otherwise stated, 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

Not applicable – no part of the minor change application required public notification.

There were no properly made submissions to the original application.

REFERRAL AGENCIES

There were no referral agencies as part of this minor change application.

The referral agencies for the original application:

Referral Agency	Referral Matter
State Assessment and Referral Agency (SARA) Far North Queensland Regional Office PO Box 2358 CAIRNS QLD 4870 Ph: 07 4037 3214 Email: CairnsSARA@dasilgp.qld.gov.au MyDAS2 online referrals: https://prod2.dev-assess.qld.gov.au/suite/	Schedule 10, Part 9, Division 4, Subdivision 2, Table 4, Item 1 – Material Change of Use within 25 metres of a state-controlled road Schedule 10, Part 8, Division 2, Subdivision 3, Table 2, Item 1 – Material Change of Use adjoining a Queensland Heritage Place

FURTHER DEVELOPMENT PERMITS REQUIRED

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

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 2)

RIGHTS OF APPEAL

You are entitled to appeal against this decision. A copy of the relevant appeal provisions from the Planning Act 2016 are attached (Attachment 5).

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:



- 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 (*Planning Act 2016*).

CONDITIONS IMPOSED BY THE ASSESSMENT MANAGER

PARAMETERS OF APPROVAL

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.

Timing: At all times.

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.

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

4. WORKS – DEVELOPER RESPONSIBILITY

The Developer must repair any damage to existing infrastructure (e.g. kerb and channel, footpath or roadway) that may have occurred during any works undertaken as part of the development. Any damage that is deemed to create a hazard to the community, it must be repaired immediately.

Timing: At all times.

5. WORKS – DESIGN & STANDARD

Unless otherwise stated, all works must be designed, constructed and maintained in accordance with the FNQROC Development Manual and relevant Australian Standards.

Timing: At all times.

6. WORKS – SPECIFICATION & CONSTRUCTION

All engineering drawings/specifications, design and construction works must comply with the requirements of the FNQROC Development Manual and relevant Australian Standards and must be approved, supervised and certified by a Registered Professional Engineer of Queensland (RPEQ).

Timing: At all times.

6a STAGING

The use must not commence until all conditions of the approval relevant to each stage have been complied with. Stages to be developed in chronological order of each stage as identified on the approved plans. Unless otherwise expressly stated, the conditions must be read as being applicable to all stages.

Timing: At all times

APPROVED PLANS AND DOCUMENTS

7 APPROVED PLANS & DOCUMENTS

Undertake the approved development generally in accordance with the approved plans and documents including any amendments where made in red on the approved plan(s) or document(s):

Title	Plan No.	Revision/ Amended	Date	Prepared by
Cover & Drawing List	DA.00	4	30/10/2020 26/06/2024	Peddle Thorp
Site Plan – existing facilities	DA.01	4	30/10/2020 26/06/2024	Peddle Thorp
Masterplan as proposed upper + lower levels	DA.02	4	30/10/2020 26/06/2024	Peddle Thorp
Masterplan showing setbacks + dimensions	DA.03	4	30/10/2020 26/06/2024	Peddle Thorp
Early Learning + Student Amenities – upper level	DA.04	4	30/10/2020 26/06/2024	Peddle Thorp
Early Learning + Student Amenities	DA.05	4	30/10/2020 26/06/2024	Peddle Thorp
Sports Court + Canteen – upper level	DA.06	4	30/10/2020 26/06/2024	Peddle Thorp
Sports Court + Canteen – showing set-backs + dimensions	DA.07	4	30/10/2020 26/06/2024	Peddle Thorp
Main Entrance + Admin – lower level	DA.08	4	30/10/2020 26/06/2024	Peddle Thorp
Main Entrance + Admin – showing set-backs + dimensions	DA.09	4	30/10/2020 26/06/2024	Peddle Thorp
GLA + Staff Building – lower level	DA.10	4	30/10/2020 26/06/2024	Peddle Thorp
GLA + Staff building – showing set-backs + dimensions	DA.11	4	30/10/2020 26/06/2024	Peddle Thorp
Elevations – Normandy Street views	DA.12	4	30/10/2020 26/06/2024	Peddle Thorp
Elevations – Chester Street views	DA.13	4	30/10/2020 26/06/2024	Peddle Thorp
Elevations – views up from church	DA.14	4	30/10/2020 26/06/2024	Peddle Thorp
3 Dimensional Views existing + proposed view 1	DA.15	4	30/10/2020 26/06/2024	Peddle Thorp
3 Dimensional Views existing + proposed view 2	DA.16	4	30/10/2020 26/06/2024	Peddle Thorp

Title	Plan No.	Revision/ Amended	Date	Prepared by
3 Dimensional Views existing + proposed view 3	DA.17	4	30/10/2020 26/06/2024	Peddle Thorp
3 Dimensional Views existing + proposed view 4	DA.18	4	30/10/2020 26/06/2024	Peddle Thorp
Photo Montages	View 1	undated	undated	Peddle Thorp
Photo Montages	View 2	undated	undated	Peddle Thorp
Photo Montages	View 3	undated	undated	Peddle Thorp
Proposed Drop Off Area on Normanby Street	SK06	4	21/12/20 26/06/2024	Peddle Thorp
Heritage Impact Statement	21053	04	14/12/20	Australian Heritage Specialists
Heritage Impact Statement – addendum	Na		11/02/20	Australian Heritage Specialists

Timing: At all times.

8 CONDITIONS OF APPROVAL & APPROVED PLANS

Where there is a conflict between the conditions of this approval and the details shown on the approved plans and documents, the conditions of approval take precedence.

Timing: At all times.

ENGINEERING WORK – STORMWATER DRAINAGE WORKS

9 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.

10 STORMWATER MANAGEMENT PLAN

Submit to Council for endorsement, a detailed site-based stormwater management plan 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: Prior to or at the same time as a development application for Operational Work.

11 STORMWATER DRAINAGE WORKS

Design, construct and maintain 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.

EROSION AND SEDIMENT CONTROL

12 SUBMIT EROSION & SEDIMENT CONTROL PLAN

Submit an Erosion and Sediment Control Plan (ESCP) as part of the Operational Works application. The ESCP must:

- (i) Demonstrate the release of sediment-laden stormwater is avoided for the nominated design storm and minimised where the design storm is exceeded such that target contaminants are treated to the design objectives of the FNQROC Development Manual.
- (ii) Include erosion and sediment control measures that are to be designed and constructed in accordance with the document 'Best Practice Soil and Erosion Control' (IECA 2008).

Timing: As specified within the wording of this condition.

13 IMPLEMENT EROSION & SEDIMENT CONTROL PLAN

Implement and maintain the ESCP for the duration of the construction works, and until such time all exposed soil areas are permanently stabilised (e.g. turfed, hydro mulched, concreted on landscaped etc.).

Timing: As specified within the wording of this condition.

ENGINEERING WORK – WATER SUPPLY

14 WATER SUPPLY

Connect the development to Council's reticulated water network.

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

15 OPERATIONAL WORKS – WATER SUPPLY

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

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

16 WATER SUPPLY – DESIGN, CONSTRUCTION & MAINTENANCE

Design, construct and maintain 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 commencement of the use and at all times thereafter.

17 REDUNDANT WATER INFRASTRUCTURE

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

Timing: Prior to commencement of the use.

ENGINEERING WORK – SEWERAGE INFRASTRUCTURE

18 RETICULATED SEWERAGE NETWORK

Connect the development to Council's reticulated sewerage network.

Timing: At all times.

19 OPERATIONAL WORKS – SEWAGE INFRASTRUCTURE

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

Timing: Prior to commencement of any sewerage works onsite.

20 SEWERAGE WORKS – DESIGN CONSTRUCTION & MAINTENANCE

Design, construct and maintain 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 commencement of the use and at all times thereafter.

21 REDUNDANT SEWERAGE INFRASTRUCTURE

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

Timing: Prior to commencement of use.

ENGINEERING WORK - CAR PARKING AND ACCESS

22 OPERATIONAL WORK – PARKING & ACCESS

Obtain a Development Permit for Operational Work for Engineering Works - Parking and Access Works.

Timing: Prior to the commencement of any car parking or access works.

23 ON-SITE CAR PARKING (STAGE 2 ONLY)

Design, construct and maintain all car parking and access works generally in accordance with the approved plans, FNQROC Development Manual, AS2890-1: 2004 Parking facilities – Off-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.

24 VEHICULAR ACCESS

Design, construct and maintain the approved vehicular access, as per the approved plans and documents, in accordance with the FNQROC Development Manual.

Timing: At all times.

25 ON-SITE CAR PARKING (STAGE 2 ONLY)

Provide and retain twelve (14) sealed car parking spaces on-site in accordance with the approved plans and the AS2890-1:2004 Parking facilities – Off-street car parking .

Timing: At all times.

ENGINEERING WORKS – ROAD WORKS

26 OPERATIONAL WORK – ROAD WORKS (STAGE 2 ONLY)

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.

27 ROAD WORKS – DESIGN & CONSTRUCTION – CHESTER STREET (STAGE 2 ONLY)

- (a) Design and construct the road frontage of Chester 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 commencement of the use.

- (b) Access must be appropriately designed and signposted allowing for left in and left out vehicle movements only.
- (c) Vehicle access to the site from Chester Street is restricted to bus and service vehicles only. Appropriate signposting must be installed in accordance with the Manual of Uniform Traffic Control Devices.

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

28 ROAD WORKS – DESIGN & CONSTRUCTION – NORMANBY STREET (STAGE 2 ONLY)

- (a) Design and construct the road frontage of Normanby 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 commencement of the use and maintained at all times.

- (b) The existing carparking spaces located in the road reverse accessed from the northern-most access driveway must be removed. The proposed surface treatment of the access driveway must be detailed in the required Operational Works application.

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

- (c) A drop area off area must be provided along the frontage of Normanby Street in accordance with the approved plan of development.

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

29 REINSTATEMENT OF KERB AND CHANNEL

Any redundant driveway crossovers must be removed, and new kerb and channel reinstated to be consistent with the adjacent kerb and channel provide, where relevant.

Timing: At all times.

30 PEDESTRIAN FOOTPATH – NORMANBY STREET (STAGE 2 ONLY)

Design and construct a concrete pedestrian footpath a minimum width of 1.5 metres within the road frontage of Normanby Street generally in accordance with the approved plan. The pedestrian footpath must provide pedestrian access from the site frontage near the existing northern-most driveway extending to the northern extent of the existing linemarked carparking spaces along Normanby Street. 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 commencement of the use.

LANDSCAPING

31 OPERATIONAL WORK - LANDSCAPING (STAGE 2 ONLY)

Submit as part of the first Operational Works application a Landscaping Plan, prepared in accordance with the Torres Shire Planning Scheme, Schedule 7 – Minimum Standards for On-site Landscaping and the FNQROC Development Manual. The extent and location of landscaping must be generally in accordance with the approved plans and documents.

- (a) The existing mature tree located near the proposed new administration building/multi purpose court must be retained.
- (b) The proposed landscaping within the Normanby Street road reserve must be of a suitable species which at their ultimate size provide shade and visual buffer qualities.

Timing: As specified within the wording of the condition.

32 ESTABLISHMENT OF LANDSCAPING WORKS (STAGE 2 ONLY)

Establish, maintain and retain all landscaping generally in accordance with the approved Landscaping Plan. The landscaped areas must be subject to ongoing maintenance and replanting programme (if necessary).

Timing: At all times.

WASTE MANAGEMENT

33 WASTE STORAGE

Store all waste within a waste storage area (e.g. general waste, recyclable waste, pallets, empty drums). 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 commercial type bins

Timing: At all times.

AMENITY – GENERAL

34 AMENITY - GENERAL

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.

AMENITY – LIGHT

35 AMENITY - LIGHTING

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

Timing: At all times

AMENITY – BUILDING WORKS

36 AMENITY – BUILDING WORKS

Ensure all buildings and structures associated with the development are constructed from materials and/or painted or similarly treated with paint or pigment of a low reflective level that does not cause excessive glare and generally consistent with the approved plans of development and supporting material.

Timing: At all times.

AMALGAMATION OF LOTS

37 AMALGAMATION OF LOTS

All lots must be amalgamated to form one (1) title.

Timing: Prior to issue of building permit.

CONSTRUCTION ACTIVITY

38 CONSTRUCTION AND ENVIRONMENTAL MANAGEMENT PLAN

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 commencement of construction and at all times during construction and earthworks.

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 provision 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. 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.

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.

6. 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.
7. An application to TSC is required for water and/or sewerage services to be connected to a property. The developer should contact TSC for further information on the necessary forms and application process.
8. 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.
9. 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.

10. 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 Agriculture, Water and the Environment website <https://www.environment.gov.au/epbc/about>
11. 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*.

CONDITIONS IMPOSED BY A REFERRAL AGENCY

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



SARA reference: 2012-20260 SRA
 Council reference: IDAS20/04
 Applicant reference: 34293-003-01

9 February 2021

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

Attention: Maxwell Duncan

Dear Sir / Madam

SARA response—120 Douglas Street and Chester 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 on 14 December 2020.

Response

Outcome:	Referral agency response – with conditions.
Date of response:	9 February 2021
Conditions:	The conditions in Attachment 1 must be attached to any development approval.
Advice:	Advice to the applicant is in Attachment 2 .
Reasons:	The reasons for the referral agency response are in Attachment 3 .

Development details

Description:	Development permit	Material change of use for Special Purposed (Extension to existing Educational Establishment
SARA role:	Referral Agency.	
SARA trigger:	<ul style="list-style-type: none"> Schedule 10, Part 8, Division 2, Subdivision 3, Table 2, Item 1 – 	

Material change of use adjoining a Queensland Heritage Place

- Schedule 10, Part 9, Division 4, Subdivision 2, Table 4, Item 1 – Material change of use within 25 metres of a state-controlled road (Planning Regulation 2017)

SARA reference: 2012-20260 SRA
Assessment Manager: Torres Shire Council
Street address: 120 Douglas Street and Chester Street, Thursday Island
Real property description: Lot 404 on T2071; Lot 405 on T2071; Lot 406 on T2071; Lot 407 on T2071 and Lot 408 on SP243559
Applicant name: Roman Catholic Trust Corporation for the Diocese of Cairns
Applicant contact details: PO Box 1185
Cairns QLD 4870
gavin.allwood@braziermotti.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 4**.

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

For further information please contact Joanne Manson, SARA Far North QLD, Principal Planning Officer, on 40373228 or via email CairnsSARA@dsmip.qld.gov.au who will be pleased to assist.

Yours sincerely



Graeme Kenna
Manager (Planning)

cc Roman Catholic Trust Corporation for the Diocese of Cairns, gavin.allwood@braziermotti.com.au

enc Attachment 1 - Referral agency conditions
Attachment 2 - Advice to the applicant
Attachment 3 - Reasons for referral agency response
Attachment 4 - Representations provisions
Attachment 5 - Approved plans and specifications

Attachment 1—Referral agency conditions

(Under section 56(1)(b)(i) of the *Planning Act 2016* the following conditions must be attached to any development approval relating to this application) (Copies of the plans and specifications referenced below are found at **Attachment 5**)

No.	Conditions	Condition timing
Material change of use		
Schedule 10, Part 8, Division 2, Subdivision 3, Table 2, Item 1 – Development adjoining a Queensland Heritage Place —The chief executive administering the <i>Planning Act 2016</i> nominates the Director-General of the Department of Environment and Science to be the enforcement authority for the development to which this development approval relates for the administration and enforcement of any matter relating to the following conditions:		
1.	<p>The development must be carried out generally in accordance with:</p> <ul style="list-style-type: none"> • MASTERPLAN showing set-backs + dimensions, prepared by Peddle Thorp, date 230/10/2020, reference DA.03, revision 1 • EARLY LEARNING + STUDENT AMENITIES showing set-backs + dimensions, prepared by Peddle Thorp, date 230/10/2020, reference DA.05, revision 1 • SPORTS COURT + CANTEEN showing set-backs + dimensions, prepared by Peddle Thorp, date 230/10/2020, reference DA.07, revision 1 • MAIN ENTRANCE + ADMIN showing set-backs + dimensions, prepared by Peddle Thorp, date 230/10/2020, reference DA.09, revision 1 • ELEVATIONS Normandy Street view, prepared by Peddle Thorp date 30/10/2020, reference DA.12, revision 1 • ELEVATIONS Chester Street view, prepared by Peddle Thorp date 30/10/2020, reference DA.13, revision 1 • ELEVATIONS view up from Church, prepared by Peddle Thorp date 30/10/2020, reference DA.14, revision 1 	Prior to the commencement of use and to be maintained at all times
2.	A copy of this decision notice is to be retained at the Queensland heritage place.	For the duration of the works
3.	Provide written notification of the commencement of the material change of use for the expansion of the educational establishment to Environmental Services and Regulation, Department of Environment and Science at palm@des.qld.gov.au.	Within 10 working days of the commencement of the material change of use
4.	<p>(a) Take photographs of the area where the works are undertaken:</p> <ol style="list-style-type: none"> i. prior to the commencement of works; and ii. at the completion of works. <p>(b) Submit both sets of the photographs to Environmental Services and Regulation, Department of Environment and Science at palm@des.qld.gov.au.</p>	<p>(a)(i) – (a)(ii) as indicated</p> <p>(b) Within 10 working days of completion of the works</p>
5.	(a) All early rubble/rock retaining walls and concrete tanks as shown on Detail Survey Our Lady of Sacred Heart School Douglas, Normanby & Chester Streets, Thursday Island, prepared by RPS, date 7/2/2019, reference PR142694-1 are to be retained intact and	At all times

	insitu.	
6.	<p>(b) Prepare a vibration assessment and mitigation report to ensure that the excavation and construction of the development has no vibration induced structural or aesthetic impacts on Our Lady of the Sacred Heart Church. The report must:</p> <ol style="list-style-type: none"> i. Be authored by a RPEQ Engineer with experience working with State heritage listed masonry buildings; ii. Stipulate the vibration guidelines and maximum vibration levels in accordance with DIN4150-3 to ensure the vibration effects are set to the levels for sensitive/historic types of structure and to ensure the works do not result in 'minor damage' as defined in DIN4150-3; iii. Outline the methods proposed to manage vibration and avoid damaging the State heritage place and include a justification that describes the risk of damage to the State heritage place, based on the demolition and construction vibration levels proposed; iv. Define aesthetic damage thresholds (limited to hairline cracks in mortar joints of brick/stone construction) and structural damage thresholds in accordance with DIN4150-3; v. Provide the vibration management controls including: <ol style="list-style-type: none"> 1. Vibration monitoring; 2. Vibration alarms set below the designated vibration limit; 3. Vibration limits for less critical activities prior to the commencement of critical activities; 4. Construction methodologies to reduce impact. vi. Include the planning of proposed demolition and construction works; vii. Identify the reporting periods for vibration monitoring. <p>(b) Provide a copy of the vibration assessment and mitigation report to Environmental Services and Regulation, Department of Environment and Science at palm@des.qld.gov.au.</p> <p>(c) Carry out the development in accordance with the vibration assessment and mitigation report prepared under part (a) of this condition.</p>	<p>(a) and (b) Minimum of 60 days prior to any demolition works</p> <p>(c) For the duration of the excavation and construction works associated with the development</p>
7.	The overland flow and surface water drainage from any excavation or building works or final constructed building outcome must be either drained away from Our Lady of the Sacred Heart Church and retaining walls and/or drained to a legal discharge point.	At all times
<p>Schedule 10, Part 9, Division 4, Subdivision 2, Table 4, Item 1 — State transport corridors or future State transport corridors - The chief executive administering the <i>Planning Act 2016</i> nominates the Director-General of the Department of Transport and Main Roads to be the enforcement authority for the development to which this development approval relates for the administration and enforcement of any matter relating to the following conditions:</p>		
8.	<p>(a) Stormwater management of the development must ensure no worsening or actionable nuisance to the state-controlled road.</p> <p>(b) Any works on the land must not:</p> <ol style="list-style-type: none"> (i) create any new discharge points for stormwater runoff onto the 	(a) and (b) At all times

	<p>state-controlled road;</p> <p>(ii) interfere with and/or cause damage to the existing stormwater drainage on the state-controlled road;</p> <p>(iii) surcharge any existing culvert or drain on the state-controlled road;</p> <p>(iv) reduce the quality of stormwater discharge onto the state-controlled road.</p>	
9.	Direct access is not permitted between Thursday Island Road (Douglas Street) and Lot 404 and Lot 405 on T2071.	At all times

Attachment 2—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>Section 89 of the <i>Queensland Heritage Act 1992</i> requires “a person who discovers a thing the person knows or ought reasonably to know is an archaeological artefact or underwater cultural heritage artefact that is an important source of information about an aspect of Queensland’s history”, to give the chief executive of the Department of Environment and Science (DES) notice in the approved form, and as soon as practicable after the discovery.</p> <p>Following is a link to information on reporting a discovery: https://www.qld.gov.au/environment/land/heritage/archaeology/discoveries/</p> <p>Contact DES immediately by email archaeology@des.qld.gov.au or phone 13 QGOV (13 74 68) to report a find.</p>
3.	<p>A detail site survey to record evidence of lost site features is recommended to be undertaken prior to the development design works being finalized.</p> <p>Our Lady of the Sacred Heart Church Conservation Study by Michael Gunn prepared in 2000 includes the detailed site survey recommendation under policy 4.3 and protection of early rubble retaining walls and concrete water tanks under policy 4.4.</p>

Attachment 3—Reasons for referral agency response

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

The reasons for the department's decision are:

- The material change of use adjoining a state heritage place achieves partial compliance with SDAP, State code 14: Queensland heritage place, PO5.
- The proposed development conserves cultural heritage significance for the benefit of the community and future generations.
- With conditions, the proposed development minimizes and mitigates unavoidable detrimental impacts on the adjoining State heritage place.
- The material change of use within 25 metres of the state-controlled road achieves compliance with the relevant provisions of SDAP, State code 1: Development in a state-controlled road environment.
- With conditions, the proposed development:
 - o does not create a safety hazard for users of the state-controlled road
 - o does not compromise the structural integrity of the state-controlled road
 - o does not result in a worsening of the physical condition or operating performance of the state-controlled road
 - o does not compromise the state's ability to maintain and operate the state-controlled road.

Material used in the assessment of the application:

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

Attachment 4—Change representation provisions

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Attachment 5—Approved plans and specifications

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Development Assessment Rules—Representations about a referral agency response

The following provisions are those set out in sections 28 and 30 of the Development Assessment Rules¹ regarding **representations about a referral agency response**

Part 6: Changes to the application and referral agency responses

28 Concurrence agency changes its response or gives a late response

- 28.1. Despite part 2, a concurrence agency may, after its referral agency assessment period and any further period agreed ends, change its referral agency response or give a late referral agency response before the application is decided, subject to section 28.2 and 28.3.
- 28.2. A concurrence agency may change its referral agency response at any time before the application is decided if—
- (a) the change is in response to a change which the assessment manager is satisfied is a change under section 26.1; or
 - (b) the Minister has given the concurrence agency a direction under section 99 of the Act; or
 - (c) the applicant has given written agreement to the change to the referral agency response.²
- 28.3. A concurrence agency may give a late referral agency response before the application is decided, if the applicant has given written agreement to the late referral agency response.
- 28.4. If a concurrence agency proposes to change its referral agency response under section 28.2(a), the concurrence agency must—
- (a) give notice of its intention to change its referral agency response to the assessment manager and a copy to the applicant within 5 days of receiving notice of the change under section 25.1; and
 - (b) the concurrence agency has 10 days from the day of giving notice under paragraph (a), or a further period agreed between the applicant and the concurrence agency, to give an amended referral agency response to the assessment manager and a copy to the applicant.

¹ Pursuant to Section 68 of the *Planning Act 2016*

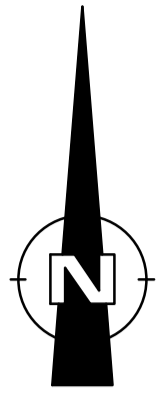
² In the instance an applicant has made representations to the concurrence agency under section 30, and the concurrence agency agrees to make the change included in the representations, section 28.2(c) is taken to have been satisfied.

Part 7: Miscellaneous

30 Representations about a referral agency response

30.1. 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.³

³ An applicant may elect, under section 32, to stop the assessment manager's decision period in which to take this action. If a concurrence agency wishes to amend their response in relation to representations made under this section, they must do so in accordance with section 28.



PLANS AND DOCUMENTS referred to in the REFERRAL AGENCY RESPONSE

SARA ref: 2012-20260 SRA

Date: 9 February 2020



IMPORTANT NOTE

1. This plan was prepared for the sole purposes of the client for the specific purpose of producing a detail plan. This plan is strictly limited to the purpose and does not apply directly or indirectly and will not be used for any other application, purpose, use or matter. The plan is presented without the assumption of a duty of care to any other person (other than the Client) ("Third Party") and may not be relied on by Third Party.

2. RPS Australia East Pty Ltd will not be liable (in negligence or otherwise) for any direct or indirect loss, damage, liability or claim arising out of or incidental to:

A. Third Party publishing, using or relying on information provided to it by the Client or a Third Party where the information is incorrect, incomplete, inaccurate, out-of-date or unreasonably;

B. RPS Australia East Pty Ltd relying on information provided to it by the Client or a Third Party where the information is incorrect, incomplete, inaccurate, out-of-date or unreasonably;

C. any inaccuracies or other faults with information or data sourced from a Third Party;

D. RPS Australia East Pty Ltd relying on surface indicators that are incorrect or inaccurate;

E. the Client or any Third Party not verifying information in this plan where recommended by RPS Australia East Pty Ltd;

F. lodgement of this plan with any local authority against the recommendation of RPS Australia East Pty Ltd;

G. the accuracy, reliability, suitability or completeness of any approximations or estimates made or referred to by RPS Australia East Pty Ltd in this plan.

3. Without limiting paragraph 1 or 2 above, this plan may not be copied, distributed, or reproduced by any process unless this note is clearly displayed on the plan.

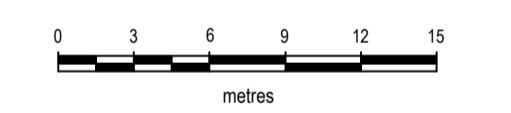
4. Scale shown is correct for the original plan and any copies of this plan should be verified by checking against the bar scale.

5. The title boundaries as shown hereon were not marked at the time of survey and have been determined by plan dimensions only and not by field survey. If not able to be so located, services have been plotted from the records of relevant authorities where available and have been noted accordingly on this plan. Where such records either do not exist or are inadequate a notation has been made hereon.

6. Prior to any demolition, excavation or construction on the site, the relevant authority should be contacted for possible location of further underground services and detailed locations of all services.

NOTE:
Sewer invert levels are taken from as-constructed records.

NOTES
Level Datum: AHD
Origin of Levels: OPM 99049
RL 5.42
Meridian: RP747337
Origin of Coordinates: East Corner
Lot 405 on T2071
E 1000
N 5000
Contour Interval: 0.2m
Index: 1.0m



SCALE 1:300 IS APPLICABLE ONLY TO THE ORIGINAL SHEET SIZE (A1) (1:600 @ A3)

Legend

Road - Sealed	—
Box Culvert	—
Open Lined Drain	—
Drain Pipe U/G	—
Sewer Pipe U/G	—
Electricity A/G	—
Electricity U/G	—
Top of Bank	—
Toe of Bank	—
Change of Grade	—
Edge of Vegetation	—
Edge of Scrub	—
Building	—
Fence	—
Eaves	—
Water Meter	■
Water Hydrant	■
Water Valve	■
Water Tap	■
Water Pump	■
Sewer Manhole	○
Sewer HCB	○
Electricity Pole	○
Field Inlet Pit	■
Telstra Pit	■
Sign	f
Floor Level	△
Tree/Palm	■

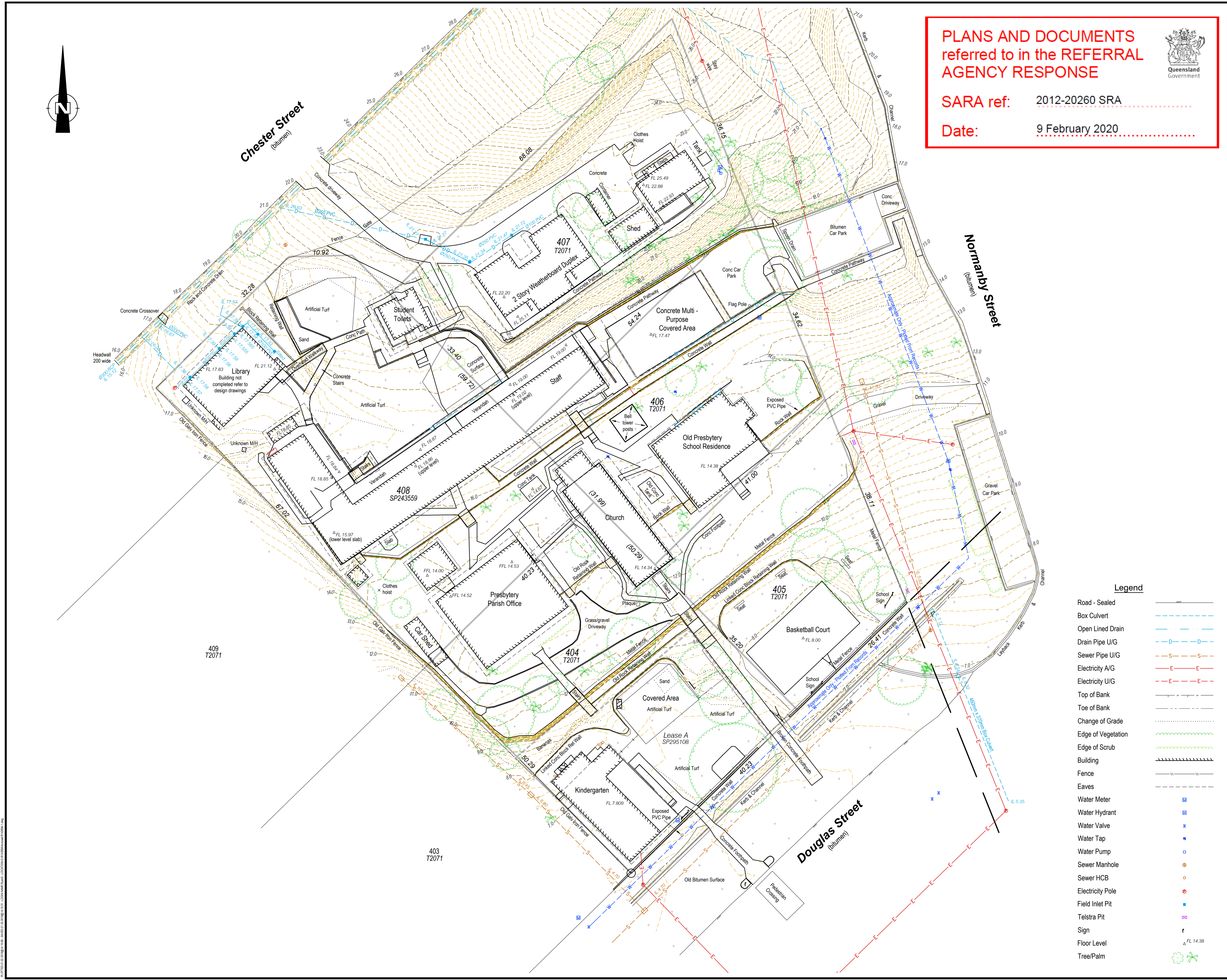
PROJECT MANAGER A. Solomon	SURVEYED VS & DKO 22/1/2019
COMPILED RMS	CAD REF PR142694-1.DWG
SHEET SIZE A1	SHEET OF SHEETS 1 1

RPS
RPS Australia East Pty Ltd
ACN 140 292 762
135 Abbott St
PO Box 1949
CAIRNS QLD 4870
T +61 7 4031 1336
F +61 7 4031 2942
W rpsgroup.com.au

Diocesan Project Services

Detail Survey
Our Lady of Sacred Heart School
Douglas, Normanby & Chester Streets
Thursday Island

SCALE 1:300	DATE 7/2/2019	DRAWING NO. PR142694-1	ISSUE
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MASTERPLAN

Buildings

1. New Entry and Administration Building below Sports Court (85)
2. Refurbished Administration (150)
3. Part refurbished/new GLA breakout spaces
4. New Early Learning with Prep Multi-Purpose and GLA (Y1) around Covered Area (60)
5. New student Amenities
6. New Covered Lunch area (125)
7. New Canteen (52)
8. New Multi-Purpose Sports Court (785)
9. New PE Store (25)

Infrastructure

10. Roadway and on-site Staff Parking for 12 cars
11. Extended vehicle Drop Off Area on Norman by Street
12. Provide new pedestrian friendly main entry point
13. Create 2 new on-site designated PWD car park spaces
14. Create new bus parking bays including access and delivery's

Open Space

15. New shaded seating and pathway to Main Entry
16. New Entry steps and meet + greet area
17. Landscaped tiered seating and access stairs
18. Minor Courtyard play space enhancements
19. New Prep Play Area
20. New Sensory Play Areas
21. New Adventure Play Area
22. New Discovery Play Area



PLANS AND DOCUMENTS referred to in the REFERRAL AGENCY RESPONSE

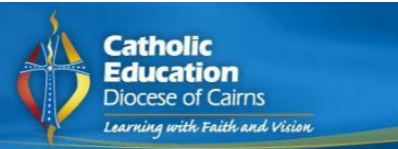


SARA ref: 2012-20260 SRA

Date: 9 February 2020



PEDDLE THORP
architecture | interiors | health | planning

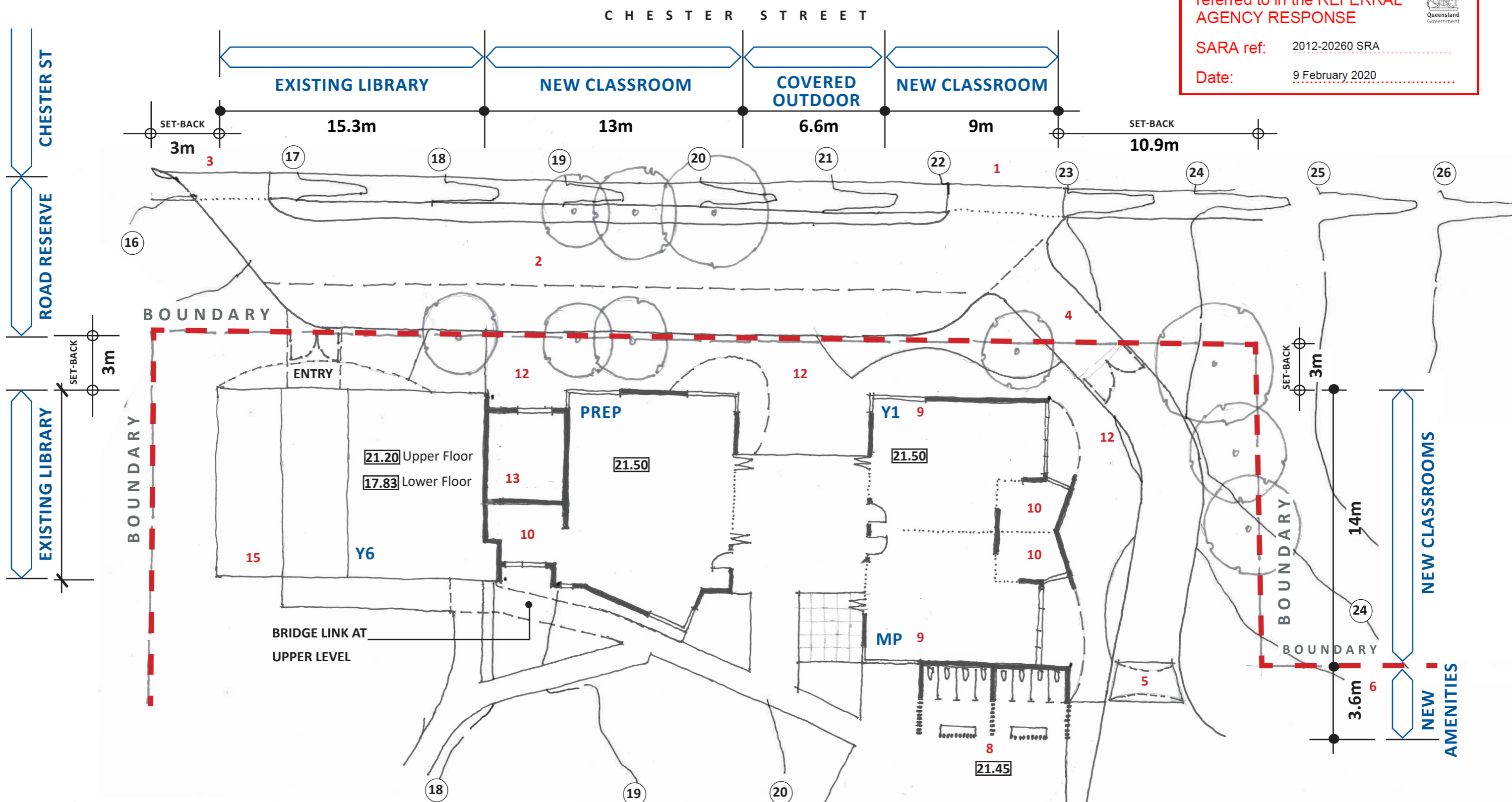


OLOSH DA APPLICATION

MASTERPLAN showing set-backs + dimensions

A3
1

Date
230/10/2020
DRAWING NO.
DA.03



KEY

- 1. New Vehicle Entry off Chester Street
- 2. Bus Parking + Vehicle drive through (one way)
- 3. New Vehicle Exit to Chester Street
- 4. Service Access Road
- 5. Traffic Calming
- 6. Adventure Play Area
- 7. Access to Covered Lunch Area + Sports Court
- 8. New Student Amenities
- 9. New Learning Spaces
- 10. Breakout Spaces
- 11. Covered Veranda Area
- 12. Outdoor Play Areas
- 13. Prep Store
- 14. Existing GLA (Library over)
- 15. Existing Stores (Library over)

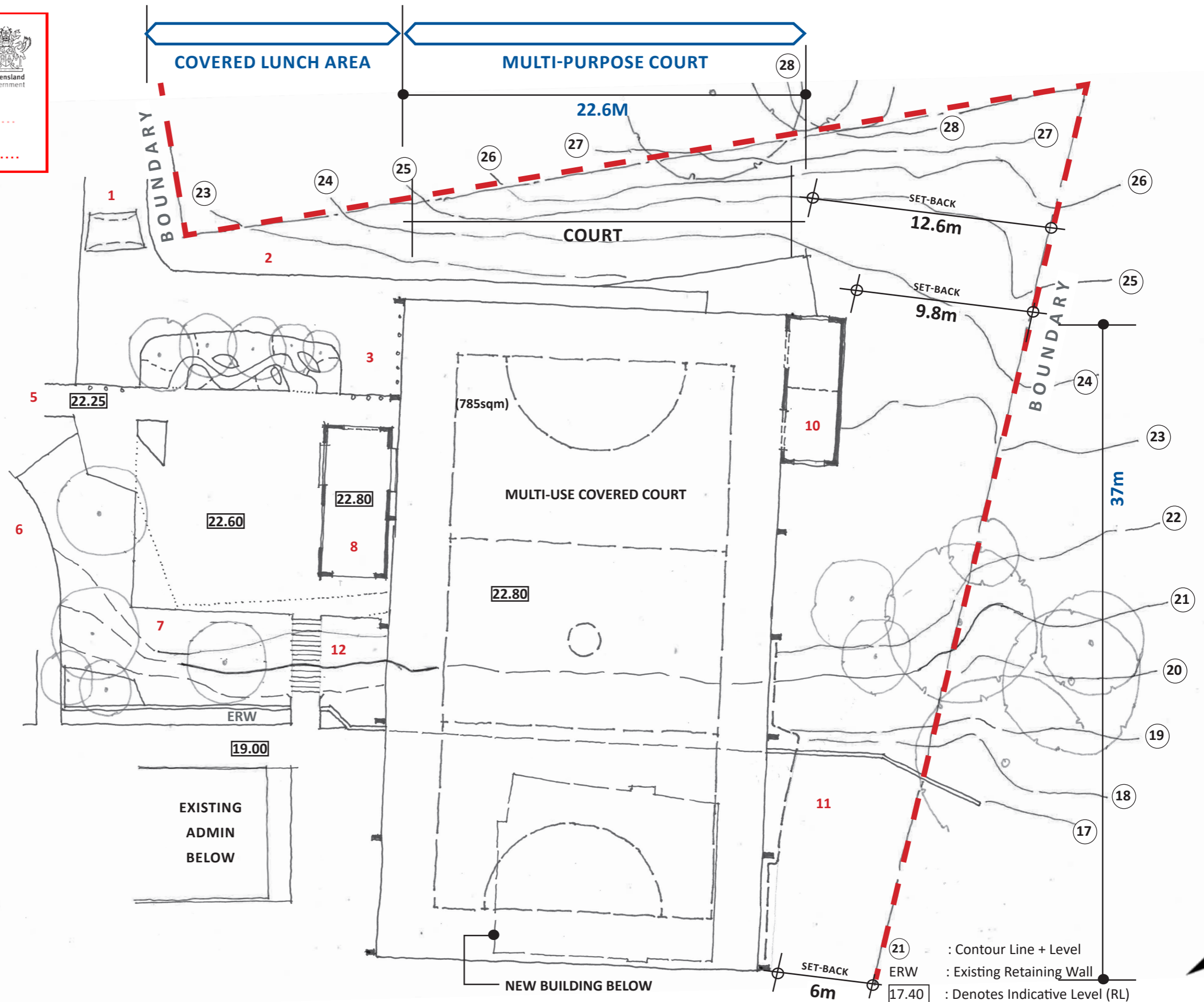
- (21) : Contour Line + Level
- ERW : Existing Retaining Wall
- [17.40] : Denotes Indicative Level (RL)

PLANS AND DOCUMENTS
referred to in the REFERRAL
AGENCY RESPONSE



SARA ref: 2012-20260 SRA

Date: 9 February 2020



KEY

- 1. New Service Road from Chester Street
- 2. Adventure Play Area
- 3. Deliveries
- 4. Covered Lunch Area
- 5. To Amenities + Early Learning
- 6. Existing Ramp
- 7. New Tiered Seating / Grassed Area
- 8. New Canteen
- 9. New MP Sports Court
- 10. PE Store
- 11. Entry Statement
- 12. Steps Down + Link to mid- upper levels
- 13. New Entrance and Admin below
- 14. Existing Admin below

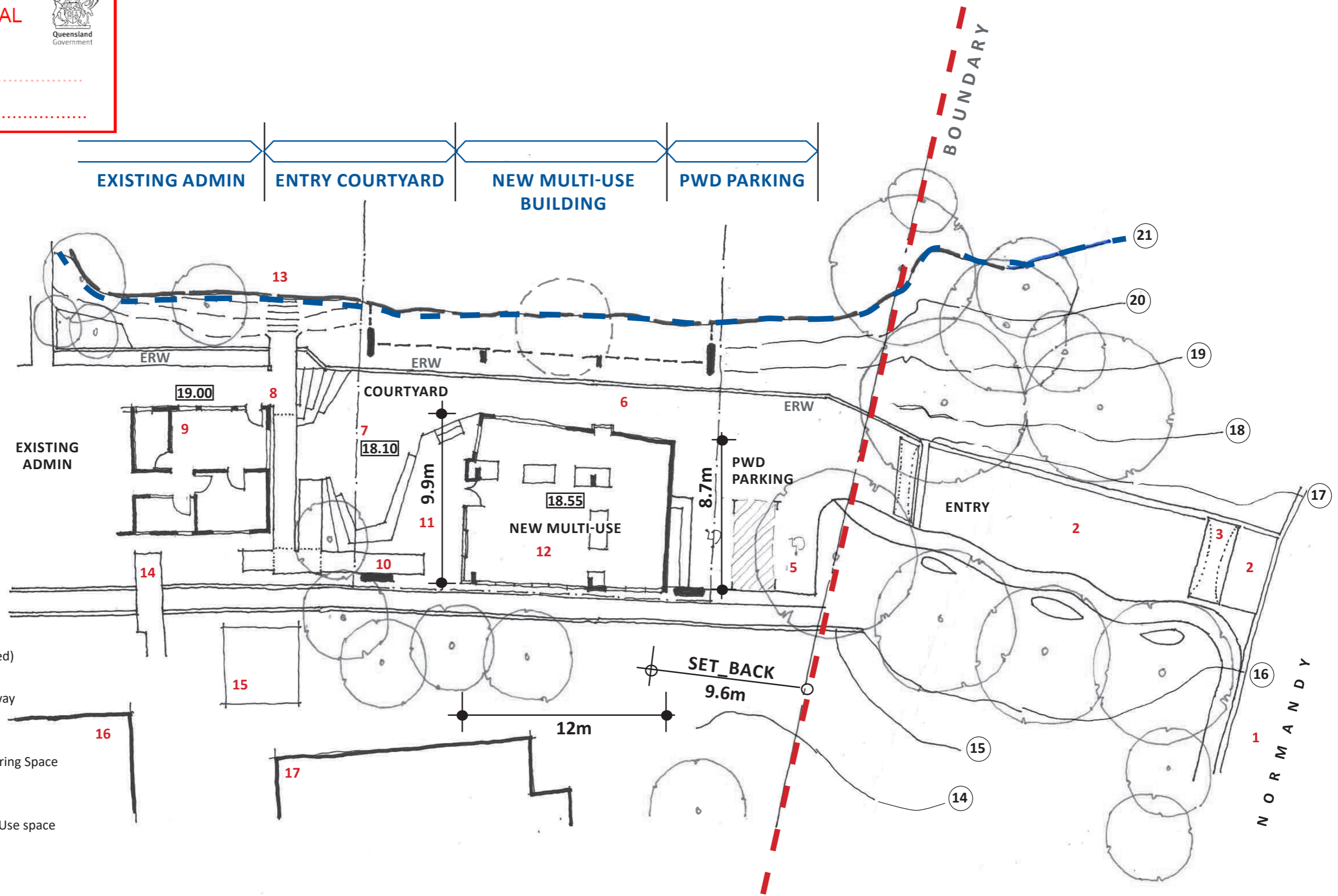
(21) : Contour Line + Level
 ERW : Existing Retaining Wall
 (17.40) : Denotes Indicative Level (RL)

PLANS AND DOCUMENTS
referred to in the REFERRAL
AGENCY RESPONSE



SARA ref: 2012-20260 SRA

Date: 9 February 2020



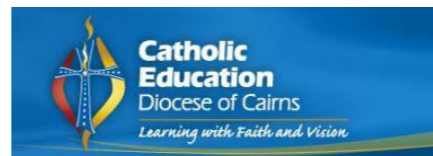
KEY

- 1. Stop Drop Go Area
- 2. Vehicle Access Road (restricted)
- 3. Traffic Calming
- 4. New Landscaped entry pathway
- 5. PWD Parking
- 6. Entry Walkway
- 7. New Entry Courtyard / Gathering Space
- 8. Main Entry
- 9. Reception (refurbished)
- 10. New ramp up to new Multi-Use space
- 11. Covered External area
- 12. New Admin
- 13. Steps + Link to upper level
- 14. Steps down to lower terrace (Church level)
- 15. Bell Tower
- 16. Church
- 17.. Staff Accommodation

- (21) : Contour Line + Level
- ERW : Existing Retaining Wall
- 17.40 : Denotes Indicative Level (RL)



PEDDLE THORP
architecture | interiors | health | planning



OLOSH DA APPLICATION

MAIN ENTRANCE + ADMIN
showing set-backs +
dimensions

A3

1

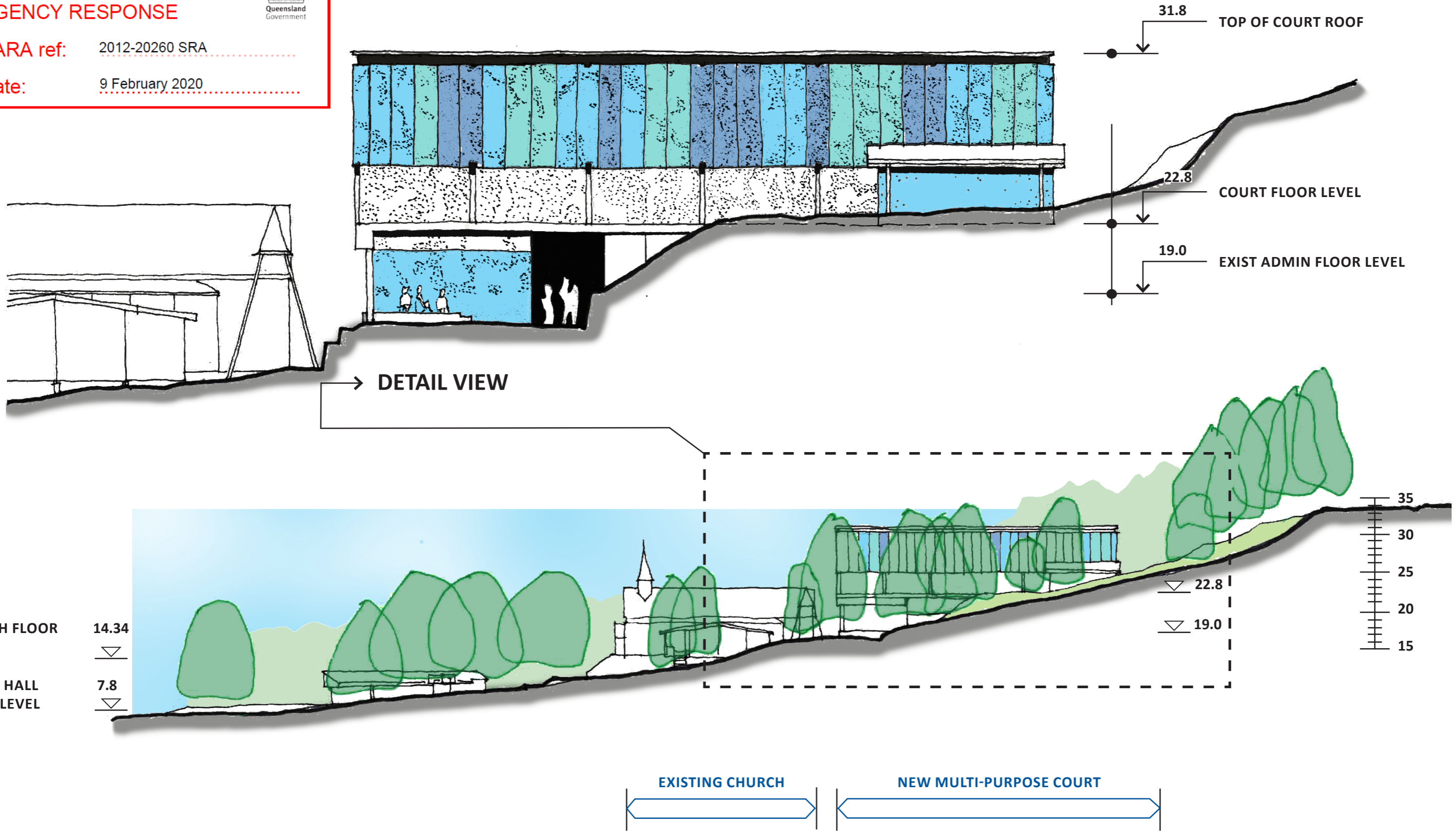
Date
230/10/2020
DRAWING NO.
DA.09

PLANS AND DOCUMENTS
referred to in the REFERRAL
AGENCY RESPONSE



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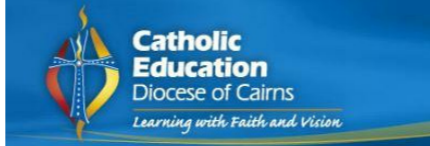
Date: 9 February 2020



SECTION VIEW Normandy Street



PEDDLE THORP
architecture | interiors | health | planning



OLOSH DA APPLICATION

ELEVATIONS
Normandy Street view

A3	Date 30/10/2020
1	DRAWING NO. DA.12

PLANS AND DOCUMENTS
referred to in the REFERRAL
AGENCY RESPONSE

SARA ref: 2012-20260 SRA

Date: 9 February 2020

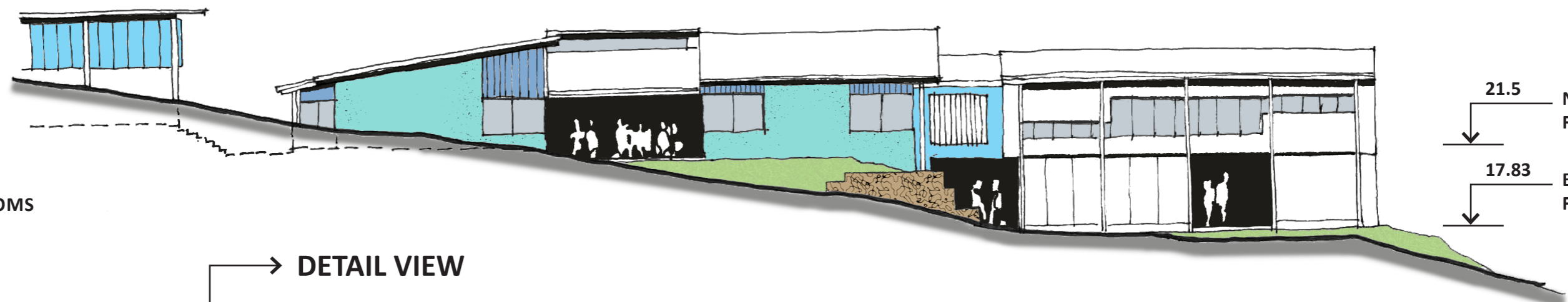


TOP COVERED
AREA ROOF
27.8

COVERED AREA
FLOOR LEVEL
22.8

21.5

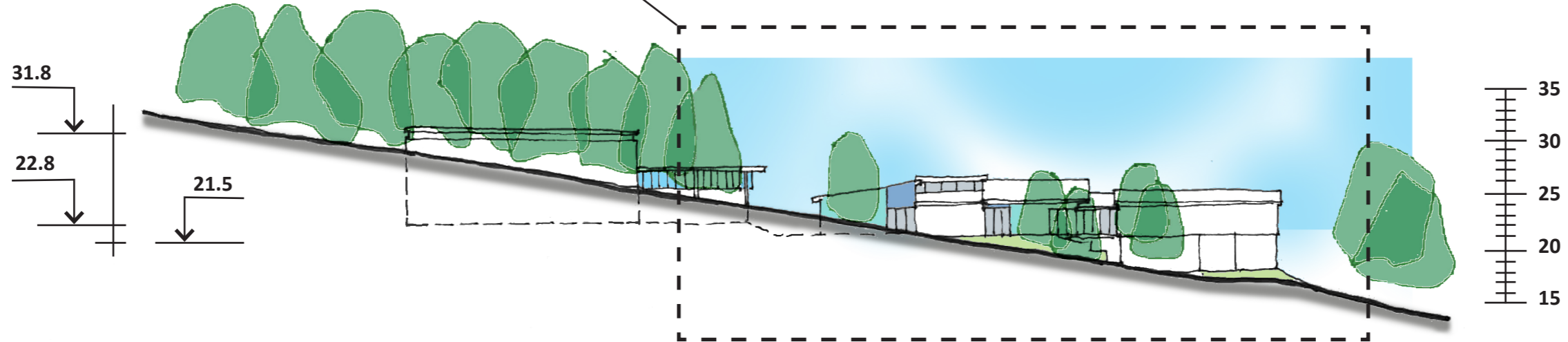
NEW CLASSROOMS
FLOOR LEVEL



21.5 NEW CLASSROOMS
FLOOR LEVEL

17.83 EXISTING LIBRARY
FLOOR LEVEL

→ DETAIL VIEW



31.8

22.8

21.5

35

30

25

20

15

NEW MP COURT

NEW COVERED AREA

NEW CLASSROOMS + AMENITIES

EXISTING LIBRARY + CLASSROOMS

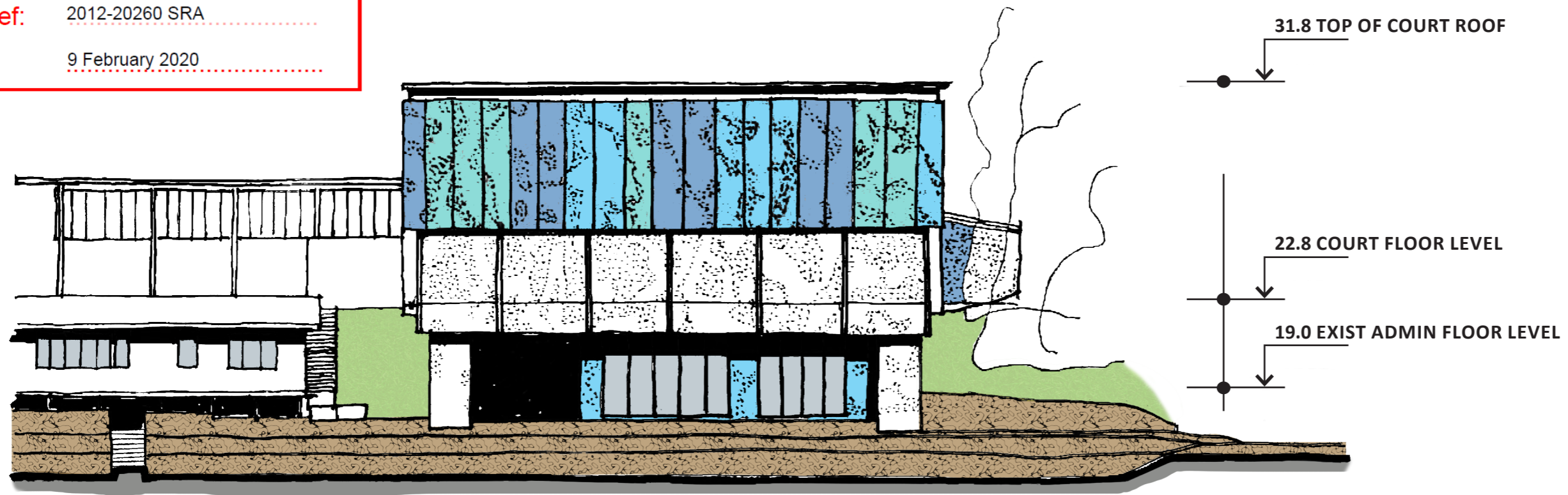
SECTION VIEW from Chester Street

PLANS AND DOCUMENTS
referred to in the REFERRAL
AGENCY RESPONSE

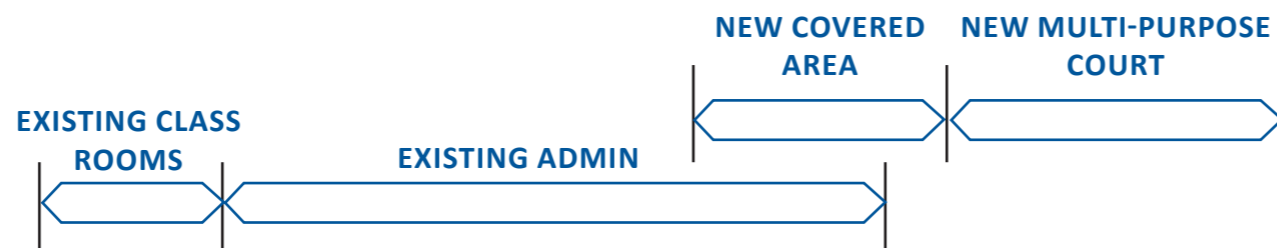
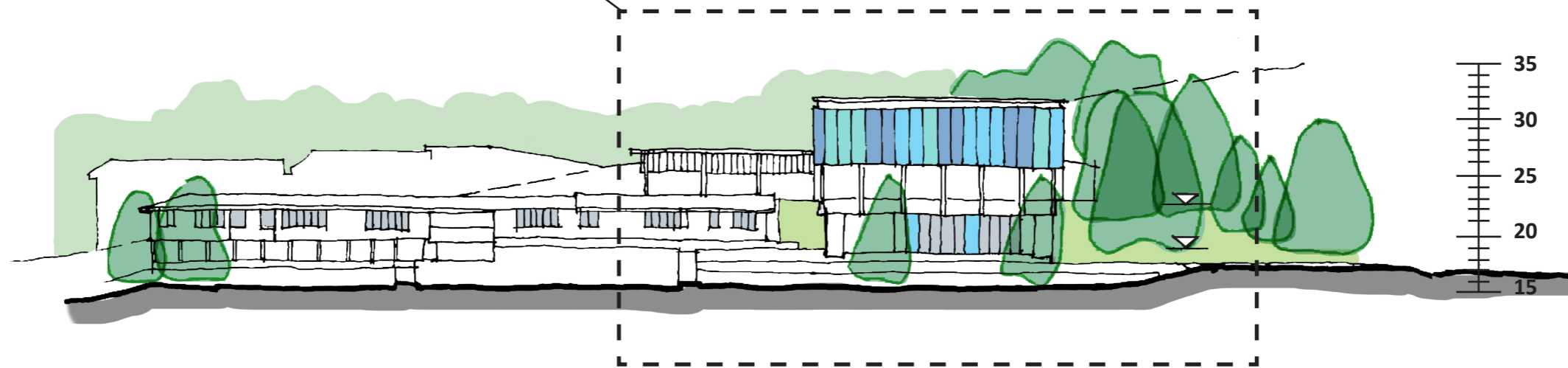


SARA ref: 2012-20260 SRA

Date: 9 February 2020



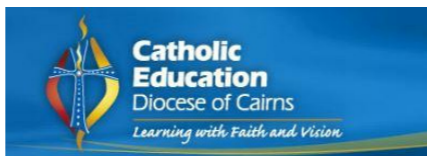
→ DETAIL VIEW



SECTION VIEW up from Church



PEDDLE THORP
architecture | interiors | health | planning



OLOSH DA APPLICATION

ELEVATIONS
view up from Church

A3
1

Date
30/10/2020
DRAWING NO.
DA.14

APPROVED PLANS

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

DRAWING LIST

No.	Title
DA.00	Cover + Drawing List
DA.01	SITE PLAN - existing facilities
DA.02	MASTERPLAN as proposed - upper + lower levels
DA.03	MASTERPLAN showing set-backs + dimensions
DA.04	EARLY LEARNING + STUDENT AMENITIES - upper level
DA.05	EARLY LEARNING + STUDENT AMENITIES - showing set-backs + dimensions
DA.06	SPORTS COURT + CANTEEN - upper level
DA.07	SPORTS COURT + CANTEEN - showing set-backs + dimensions
DA.08	MAIN ENTRANCE + ADMIN - lower level
DA.09	MAIN ENTRANCE + ADMIN - showing set-backs + dimensions
DA.10	GLA + STAFF BUILDING - lower level
DA.11	GLA + STAFF BUILDING - showing set-backs + dimensions
DA.12	ELEVATIONS - Normandy Street views
DA.13	ELEVATIONS - Chester Street views
DA.14	ELEVATIONS - views up from church
DA.15	3 DIMENTIONONAL VIEWS - existing + proposed - view 1
DA.16	3 DIMENTIONONAL VIEWS - existing + proposed - view 2
DA.17	3 DIMENTIONONAL VIEWS - existing + proposed - view 3
DA.18	3 DIMENTIONONAL VIEWS - existing + proposed - view 4



TORRES SHIRE COUNCIL

**DIGITALLY STAMPED
APPROVED PLAN**

Development Application: Minor Change to Development Permit for Material Change of Use— Special Purpose (Extension to Existing Educational Establishment)

Lot details: Lot 1 SP340642

Referred to in Council's Decision Notice

Approval Date: 16 July 2024
Application Number: IDAS 20/04



SITE PLAN existing facilities

A visual survey of existing facilities on Thursday Island has been carried out to determine those that were more recently constructed and meeting the immediate needs of the school as opposed to those that were at the end of their useful life and inadequate in their current form.

The highlighted plan shown below helps indicate those areas of the campus that more or less likely to undergo change in the short to medium term.

TORRES SHIRE COUNCIL

**DIGITALLY STAMPED
APPROVED PLAN**

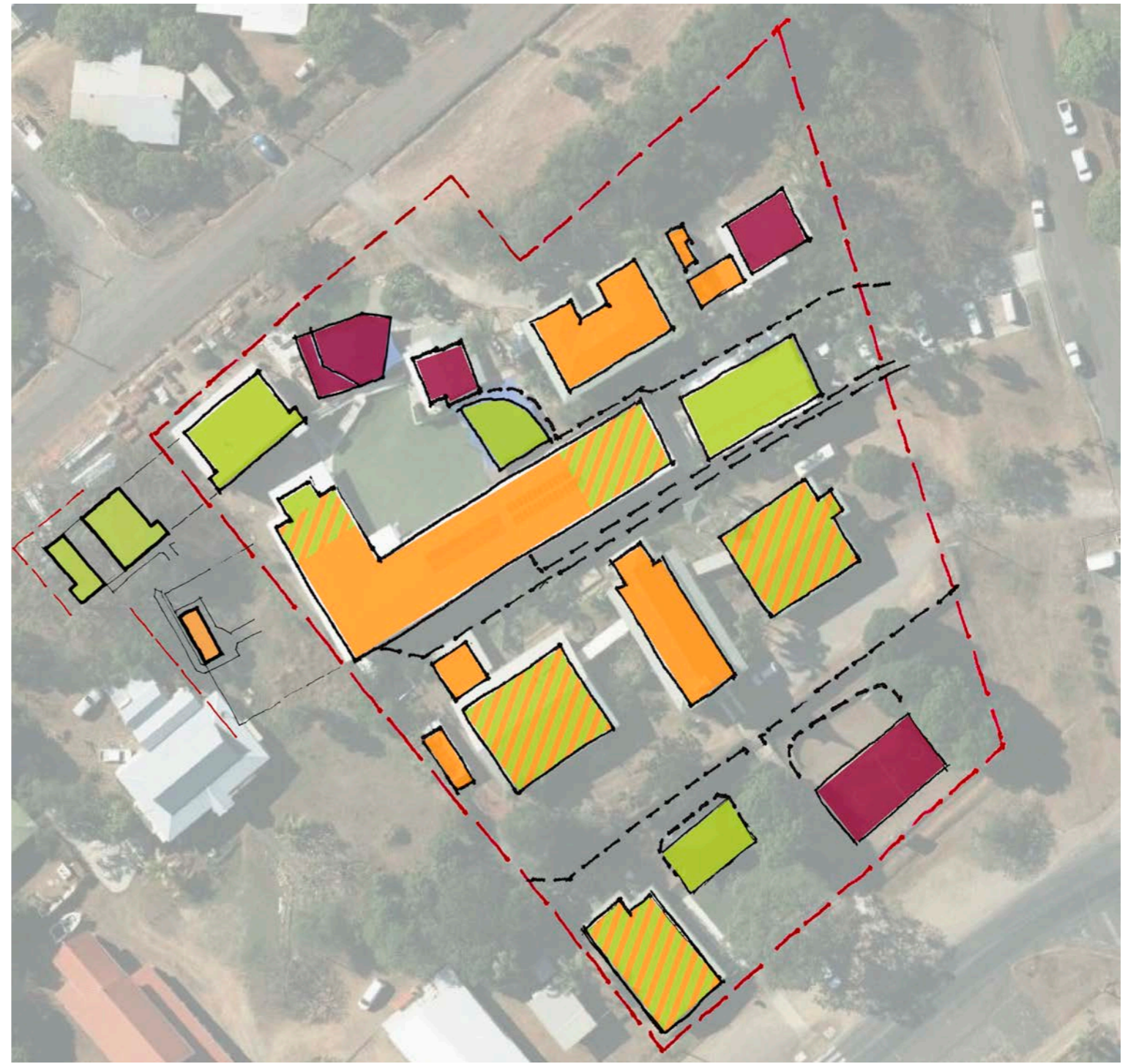
Development Application: Minor Change to Development Permit for Material Change of Use— Special Purpose (Extension to Existing Educational Establishment)

Lot details: Lot 1 SP340642

Referred to in Council's Decision Notice

Approval Date: 16 July 2024
Application Number: IDAS 20/04

- NEW OR RECENT FACILITY, MEETING CURRENT NEEDS
- RECENTLY REFURBISHED FACILITY, MEETING SHORT TERM/CURRENT NEEDS
- ADEQUATE FACILITY, NEEDING REFURBISHMENT AT SOME POINT
- INADEQUATE FACILITY, DIFFICULT TO REFURBISH, END OF USEFUL LIFE.



MASTERPLAN as Proposed

Buildings

- 1. New Entry and Administration Building below Sports Court
- 2. Refurbished Administration
- 4. New Early Learning with Prep Multi-Purpose and Junior GLA Covered Area
- 5. New student Amenities
- 6. New Covered Lunch area
- 7. New Canteen
- 8. New Multi-Purpose Sports Court
- 9. New PE Store
- 20. New Junior Teaching Block

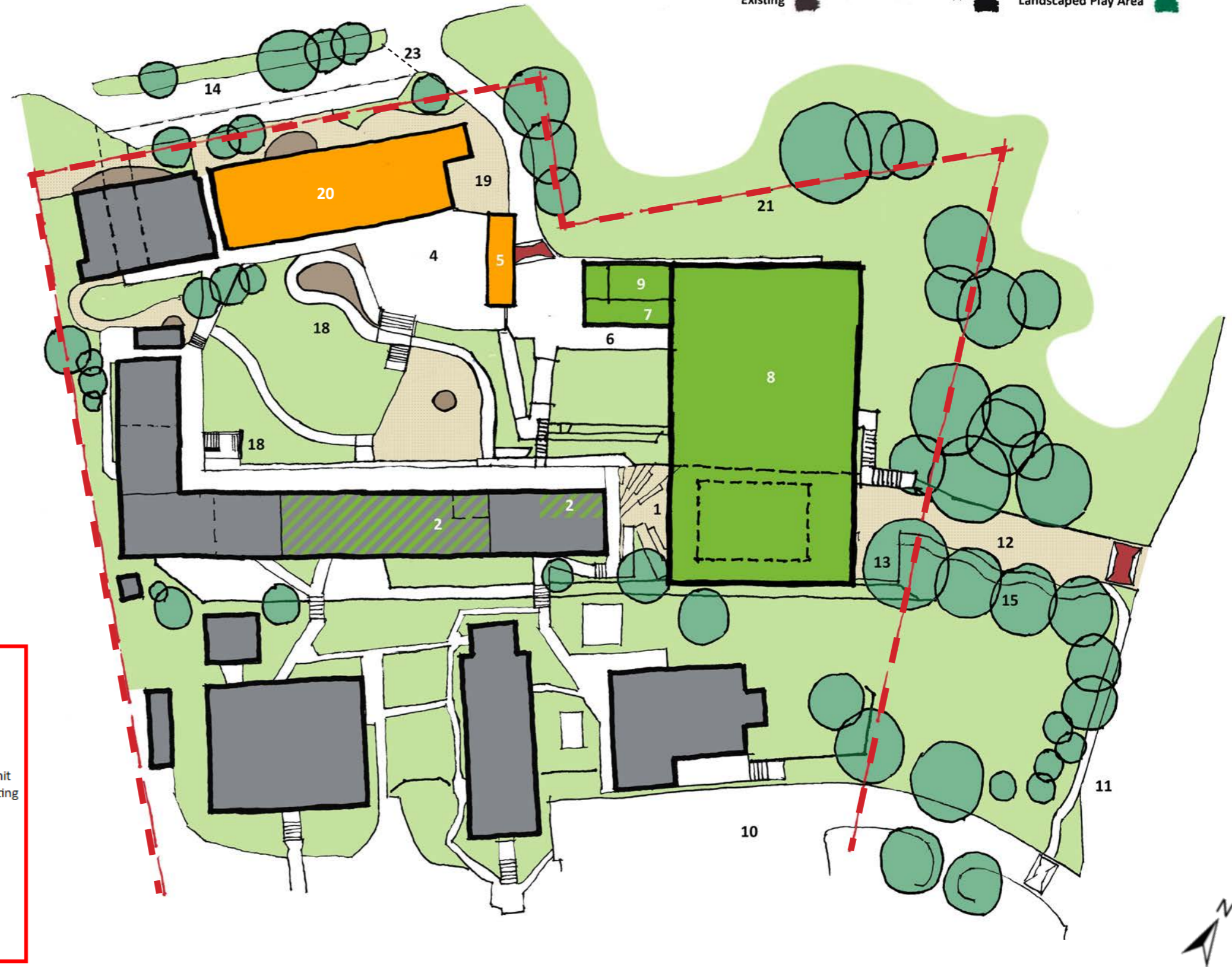
Infrastructure

- 10. Roadway and on-site Staff Parking for 12 cars
- 11. Extended vehicle Drop Off Area on Norman by Street
- 12. Provide new pedestrian friendly main entry point
- 13. Create 2 new on-site designated PWD car park spaces
- 14. Create new bus parking bays including access and deliveries
- 23. New Driveway

Open Space

- 15. New shaded seating and pathway to Main Entry
- 17. Landscaping and stairs
- 18. Minor Courtyard play space enhancements
- 19. New Prep Play Area
- 21. New Play Area

New Build		Paved/Gravel Area		Grassed Area	
Refurbed Existing		**		Trees	
Existing		**		Landscaped Play Area	



TORRES SHIRE COUNCIL

**DIGITALLY STAMPED
APPROVED PLAN**

Development Application: Minor Change to Development Permit for Material Change of Use— Special Purpose (Extension to Existing Educational Establishment)

Lot details: Lot 1 SP340642

Referred to in Council's Decision Notice

Approval Date: 16 July 2024
Application Number: IDAS 20/04

MASTERPLAN + STAGING

Buildings STAGE 1 ●

- 4. New Early Learning with Prep Multi-Purpose and Junior GLA Covered Area
- 5. New student Amenities
- 20. New Junior Teaching Block
- 21. New Play Area

Infrastructure STAGE 1 ●

- 23. New Driveway

Open Space STAGE 1 ●

- 18. Minor Courtyard play space enhancements

Buildings FUTURE STAGES ●

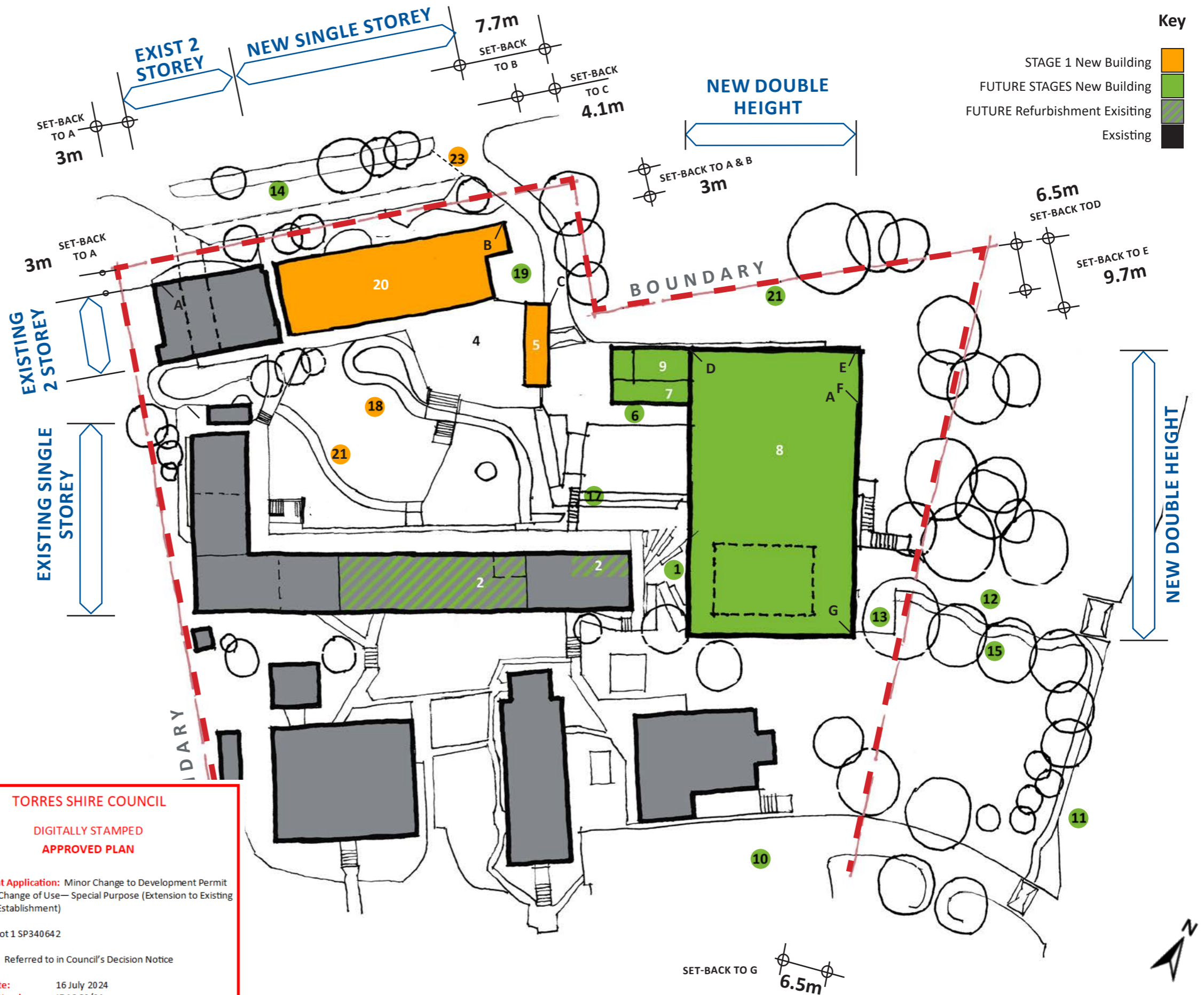
- 1. New Entry and Administration Building below Sports Court
- 2. Refurbished Administration
- 6. New Covered Lunch area
- 7. New Canteen
- 8. New Multi-Purpose Sports Court
- 9. New PE Store

Infrastructure FUTURE STAGES ●

- 10. Roadway and on-site Staff Parking for 12 cars
- 11. Extended vehicle Drop Off Area on Norman by Street
- 12. Provide new pedestrian friendly main entry point
- 13. Create 2 new on-site designated PWD car park spaces
- 14. Create new bus parking bays including access and delivery's

Open Space FUTURE STAGES ●

- 15. New shaded seating and pathway to Main Entry
- 17. Landscaping and stairs
- 19. New Prep Play Area



TORRES SHIRE COUNCIL

DIGITALLY STAMPED
APPROVED PLAN

Development Application: Minor Change to Development Permit for Material Change of Use— Special Purpose (Extension to Existing Educational Establishment)

Lot details: Lot 1 SP340642

Referred to in Council's Decision Notice

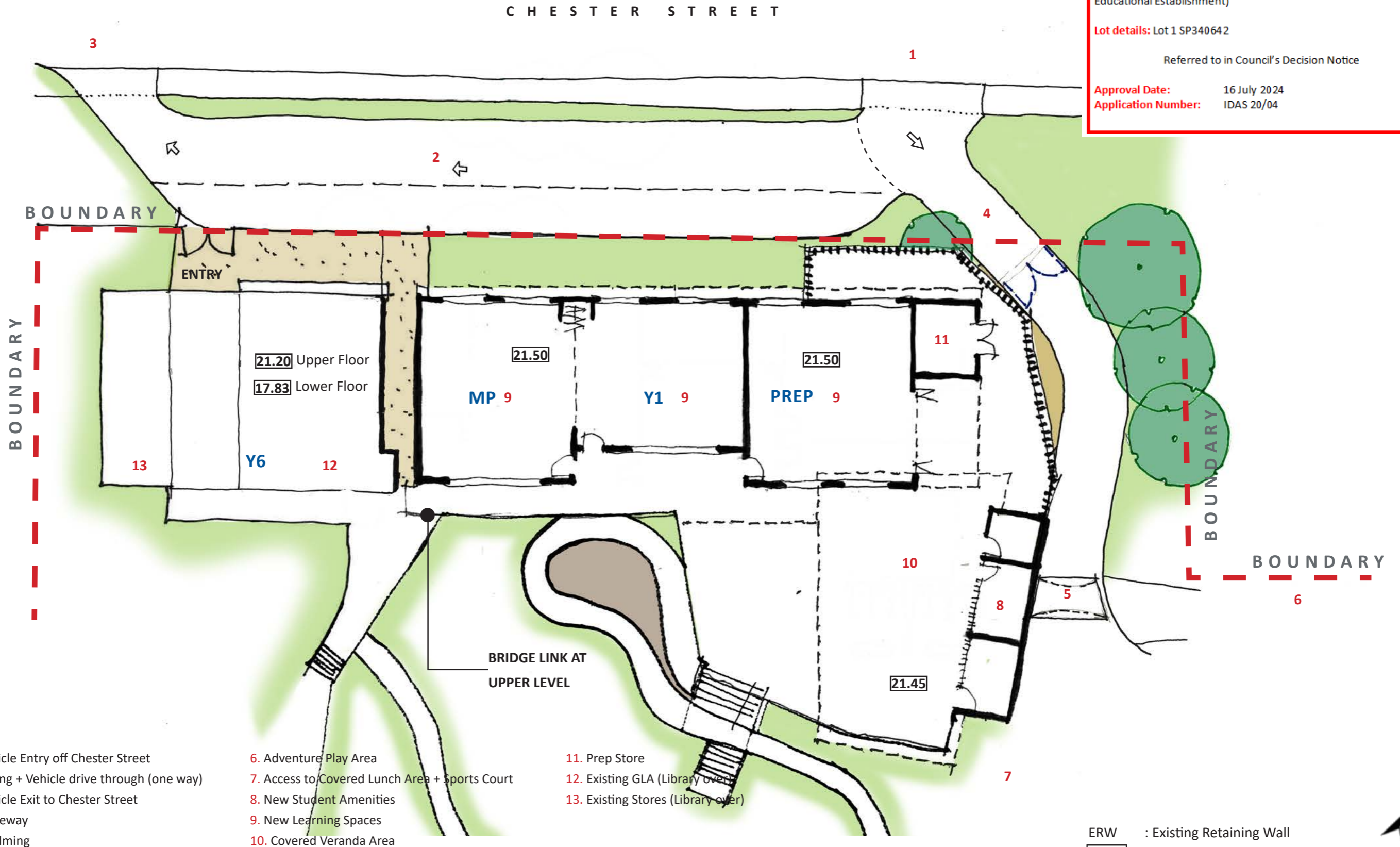
Approval Date: 16 July 2024
Application Number: IDAS 20/04

Development Application: Minor Change to Development Permit for Material Change of Use— Special Purpose (Extension to Existing Educational Establishment)

Lot details: Lot 1 SP340642

Referred to in Council's Decision Notice

Approval Date: 16 July 2024
Application Number: IDAS 20/04



KEY

- | | | |
|--|--|------------------------------------|
| 1. New Vehicle Entry off Chester Street | 6. Adventure Play Area | 11. Prep Store |
| 2. Bus Parking + Vehicle drive through (one way) | 7. Access to Covered Lunch Area + Sports Court | 12. Existing GLA (Library over) |
| 3. New Vehicle Exit to Chester Street | 8. New Student Amenities | 13. Existing Stores (Library over) |
| 4. New Driveway | 9. New Learning Spaces | |
| 5. Traffic Calming | 10. Covered Veranda Area | |

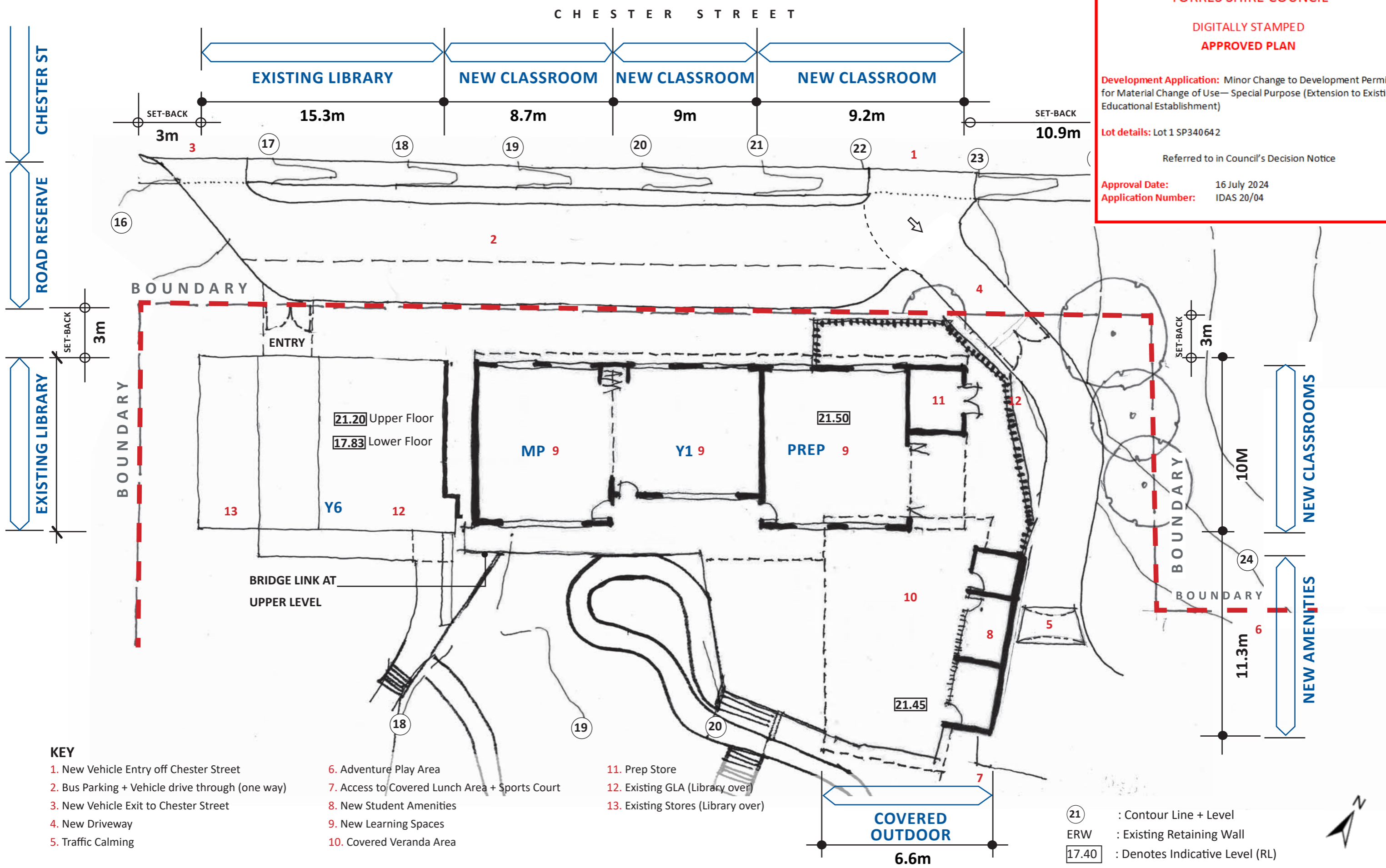
ERW : Existing Retaining Wall
17.40 : Denotes Indicative Level (RL)

Development Application: Minor Change to Development Permit for Material Change of Use— Special Purpose (Extension to Existing Educational Establishment)

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- 6. Adventure Play Area
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- 8. New Student Amenities
- 9. New Learning Spaces
- 10. Covered Veranda Area
- 11. Prep Store
- 12. Existing GLA (Library over)
- 13. Existing Stores (Library over)

- (21) : Contour Line + Level
- ERW : Existing Retaining Wall
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TORRES SHIRE COUNCIL

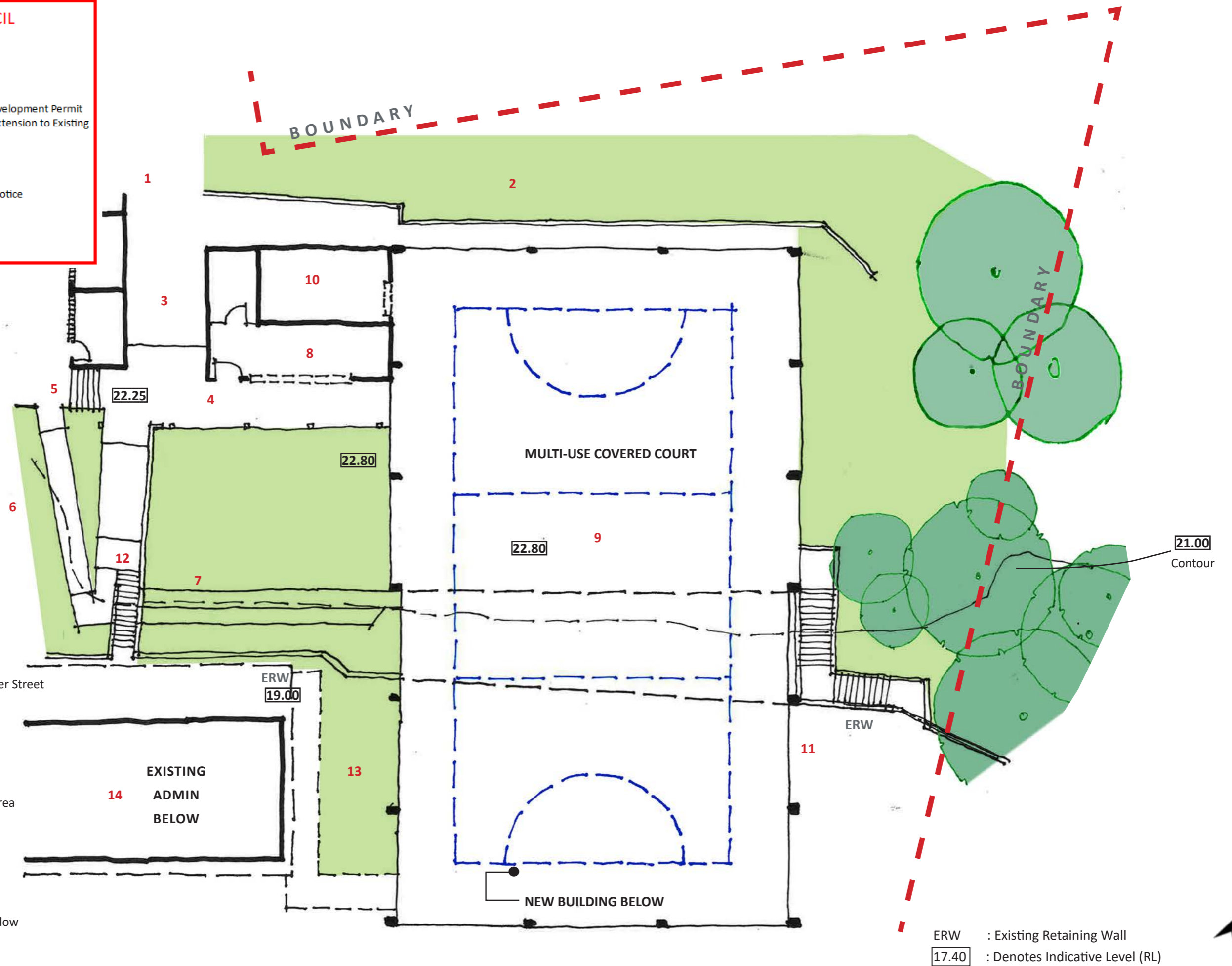
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KEY

- 1. New Service Road from Chester Street
- 2. Adventure Play Area
- 3. Deliveries
- 4. Covered Lunch Area
- 5. To Amenities + Early Learning
- 6. Existing Ramp
- 7. New Landscaping / Grassed Area
- 8. New Canteen
- 9. New MP Sports Court
- 10. PE Store
- 11. Entry Statement
- 12. Steps Down + Link to Admin
- 13. New Entrance and Admin below
- 14. Existing Admin below

ERW : Existing Retaining Wall
17.40 : Denotes Indicative Level (RL)

TORRES SHIRE COUNCIL

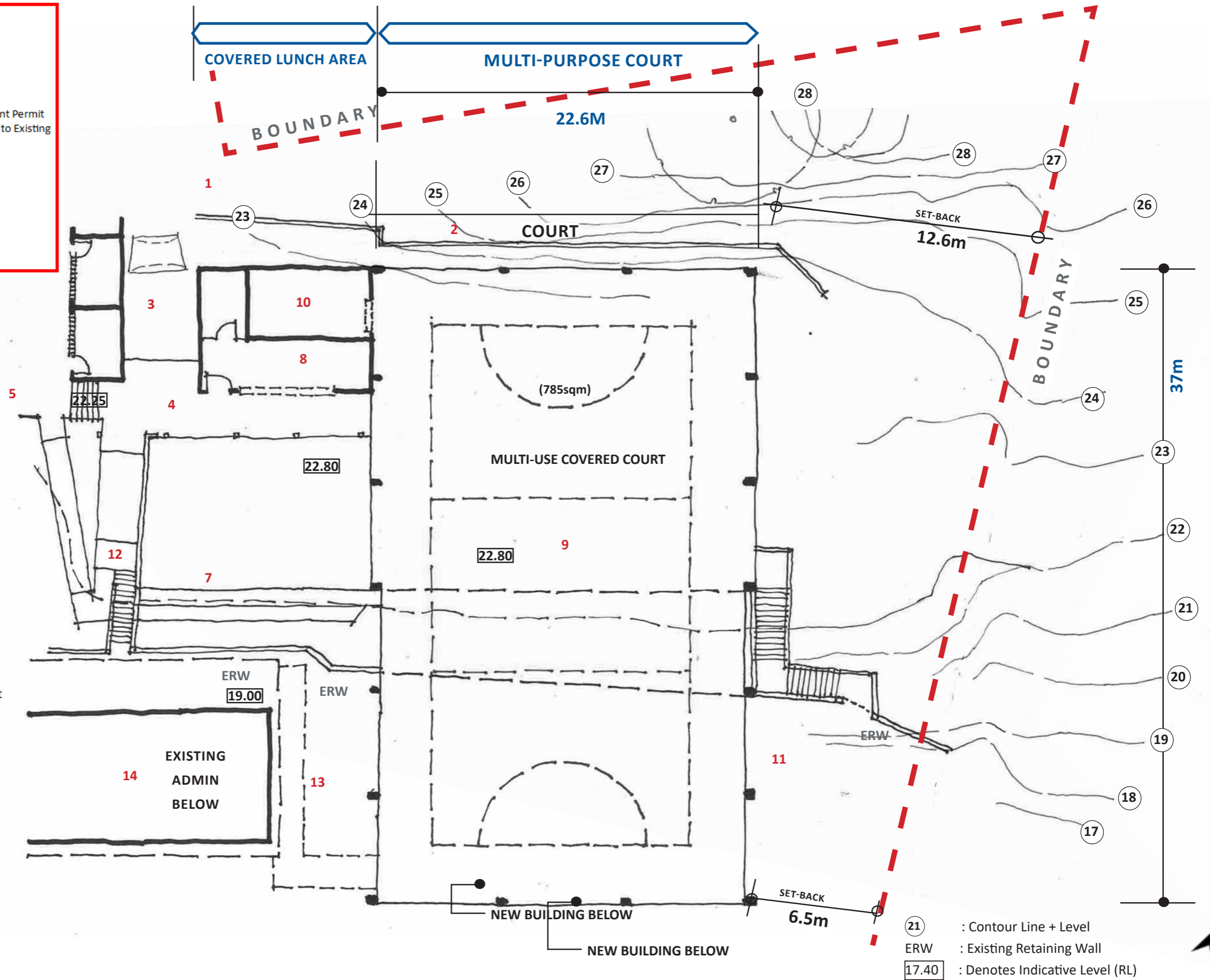
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TORRES SHIRE COUNCIL

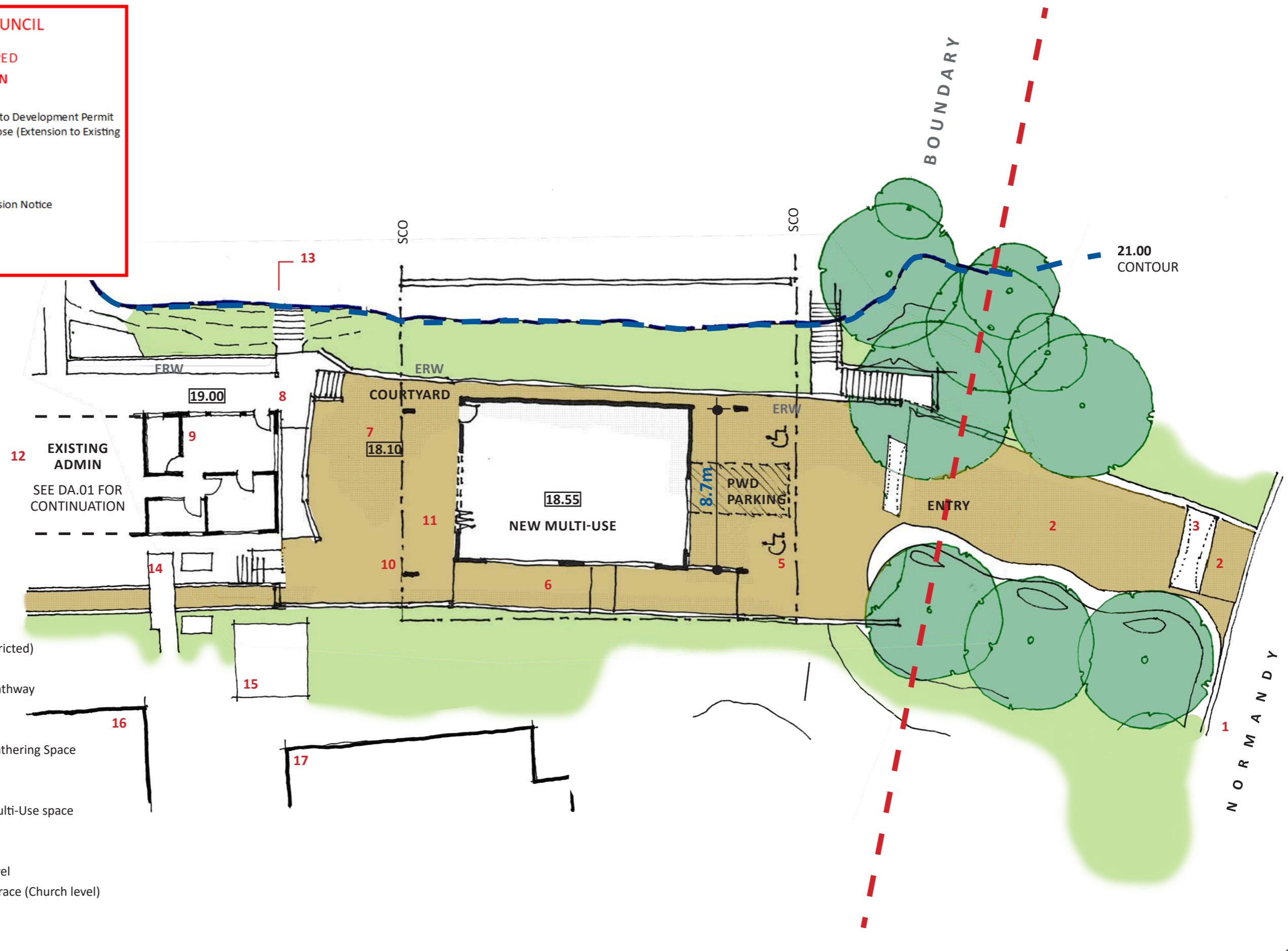
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KEY

- 1. Stop Drop Go Area
- 2. Vehicle Access Road (restricted)
- 3. Traffic Calming
- 4. New Landscaped entry pathway
- 5. PWD Parking
- 6. Entry Walkway
- 7. New Entry Courtyard / Gathering Space
- 8. Main Entry
- 9. Reception (refurbished)
- 10. New ramp up to new Multi-Use space
- 11. Covered External area
- 12. Existing Admin
- 13. Steps + Link to upper level
- 14. Steps down to lower terrace (Church level)
- 15. Bell Tower
- 16. Church
- 17.. Staff Accommodation

ERW : Existing Retaining Wall
17.40 : Denotes Indicative Level (RL)

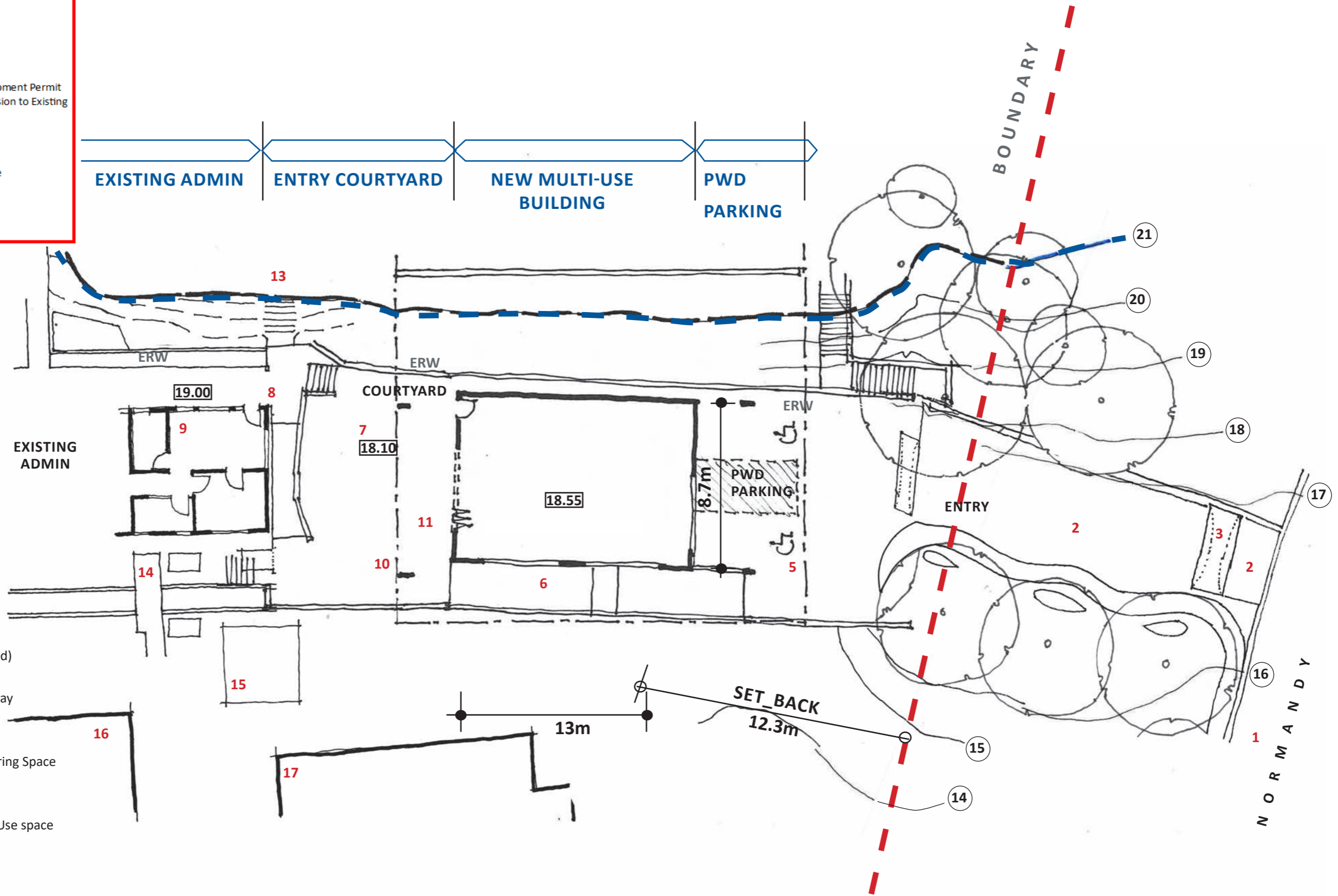
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EXISTING ADMIN ENTRY COURTYARD NEW MULTI-USE BUILDING PWD PARKING



KEY

1. Stop Drop Go Area
2. Vehicle Access Road (restricted)
3. Traffic Calming
4. New Landscaped entry pathway
5. PWD Parking
6. Entry Walkway
7. New Entry Courtyard / Gathering Space
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- ②1 : Contour Line + Level
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TORRES SHIRE COUNCIL

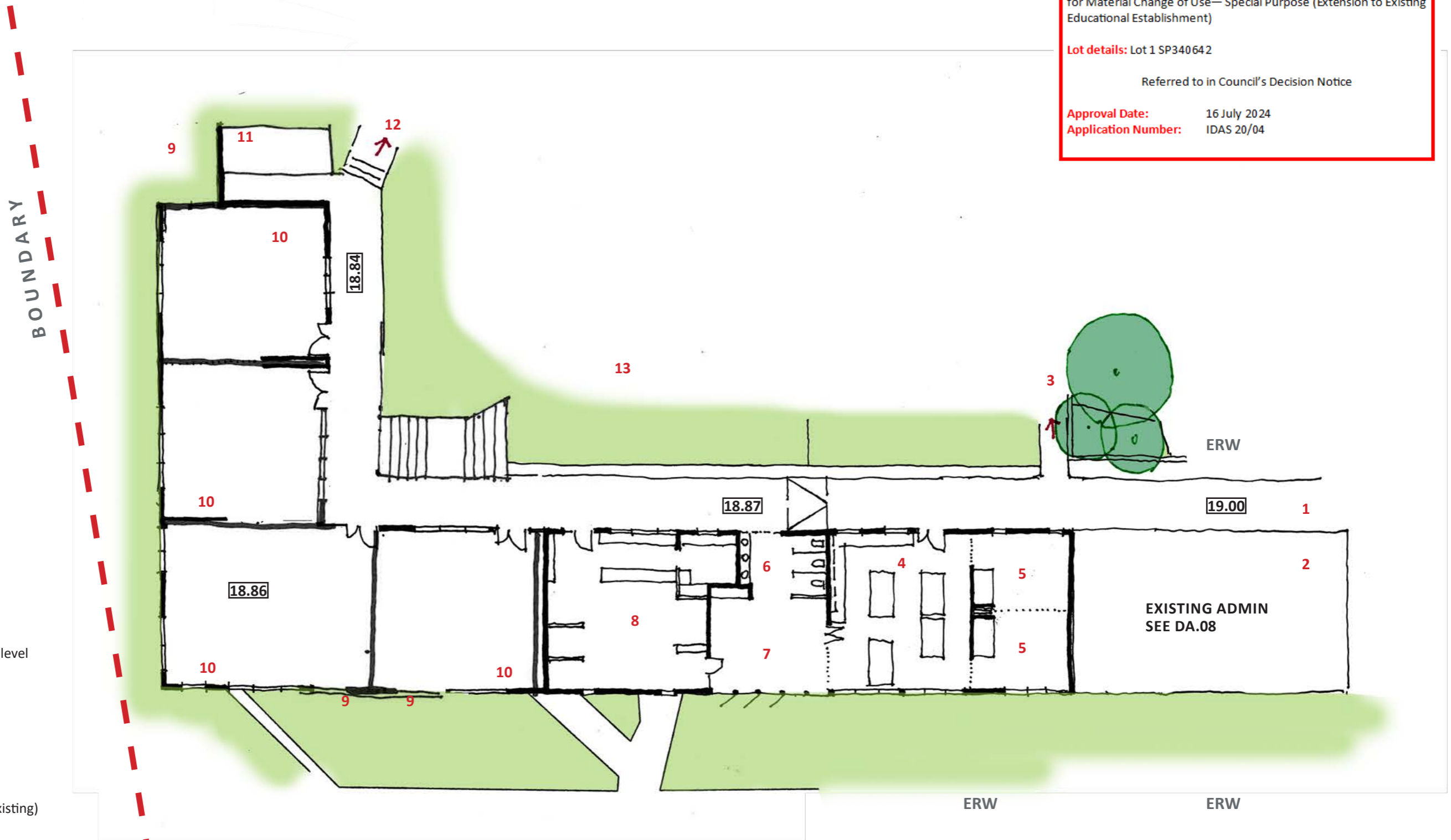
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KEY

- 1. Main Entry
- 2. Reception + Admin
- 3. Existing Ramp up to upper level
- 4. Staff Workroom
- 5. Multi-Purpose Space
- 6. New Staff Amenities
- 7. Staff Outdoor Area
- 8. Staffroom
- 9. Outdoor areas
- 10. General Learning Area (existing)
- 11. Existing Staff Amenities
- 12. Access to Library and upper level
- 13. Existing Outdoor Play Area

ERW : Existing Retaining Wall
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TORRES SHIRE COUNCIL

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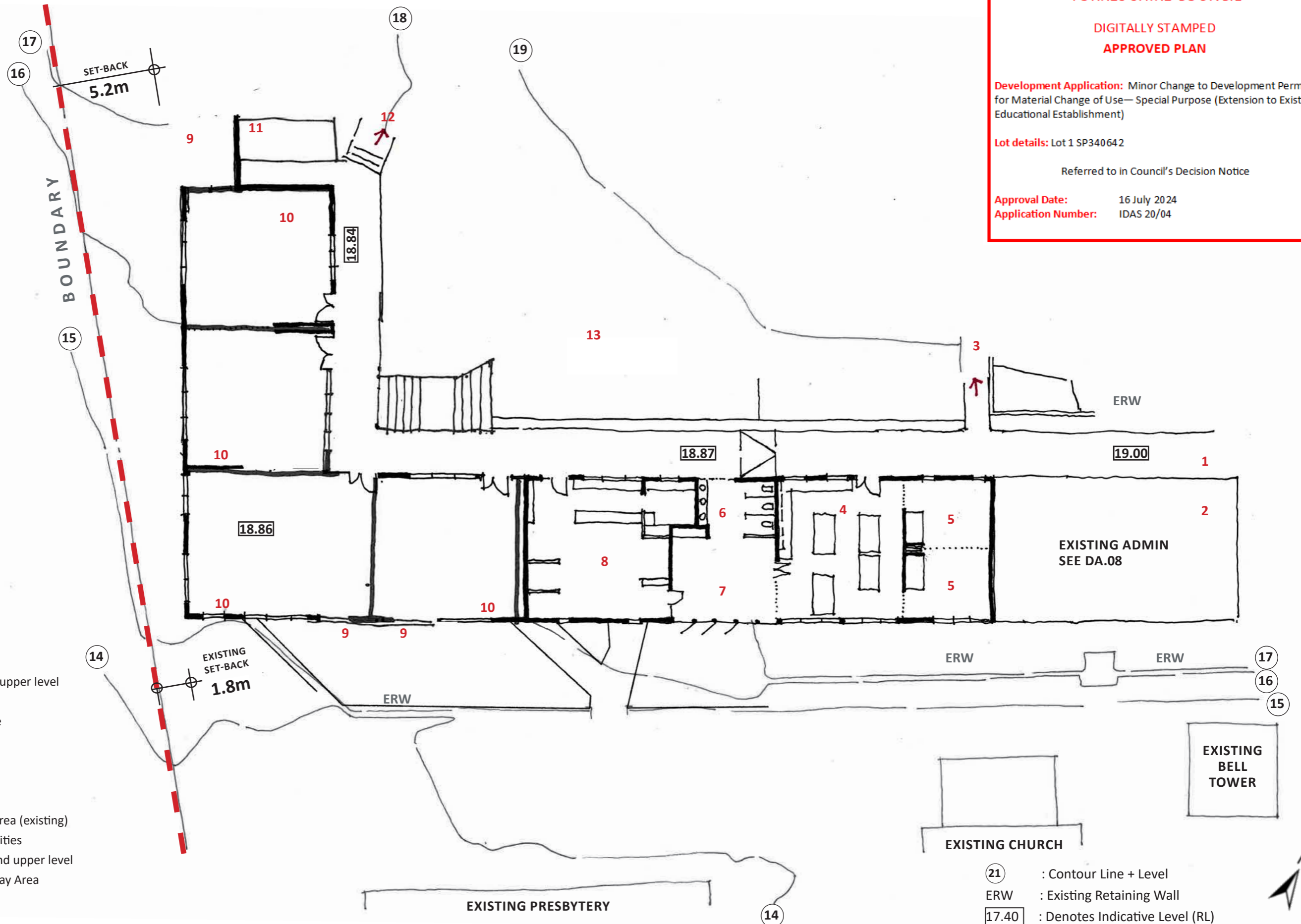
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21 : Contour Line + Level
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TORRES SHIRE COUNCIL

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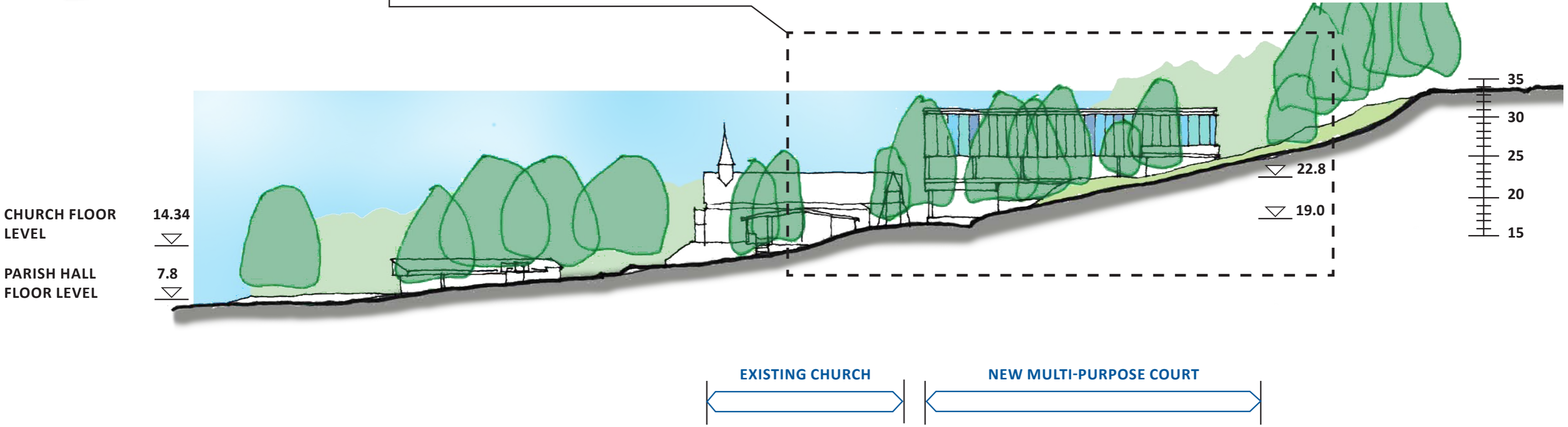
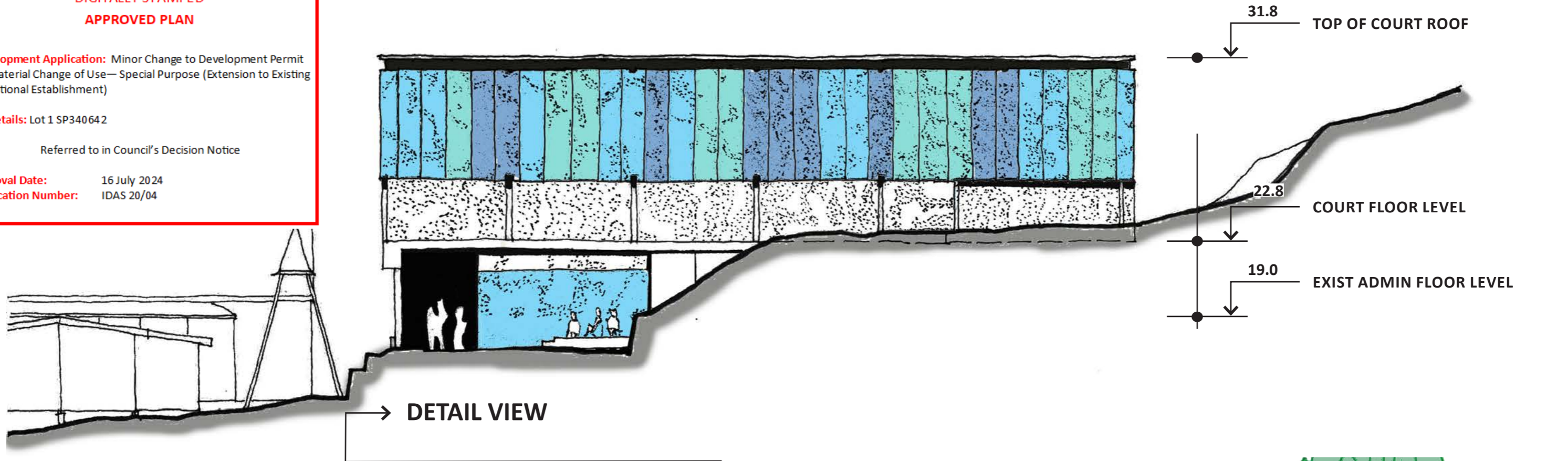
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SECTION VIEW Normandy Street

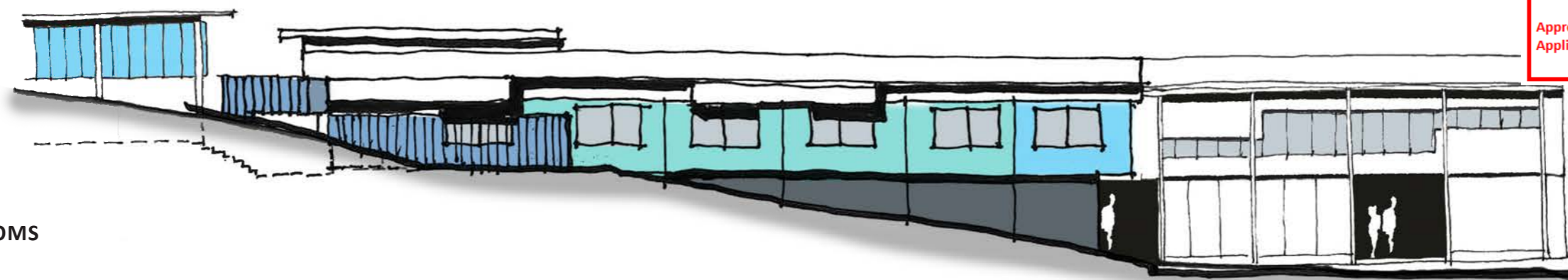
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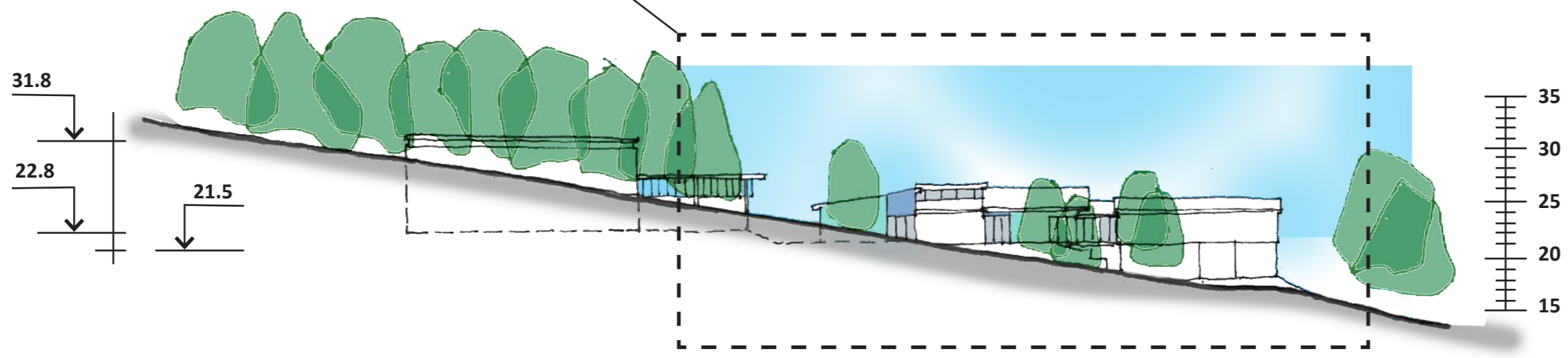
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TOP COVERED
AREA ROOF
27.8
COVERED AREA
FLOOR LEVEL
22.8
21.5
NEW CLASSROOMS
FLOOR LEVEL



21.5 NEW CLASSROOMS
FLOOR LEVEL
17.83 EXISTING LIBRARY
FLOOR LEVEL

→ DETAIL VIEW

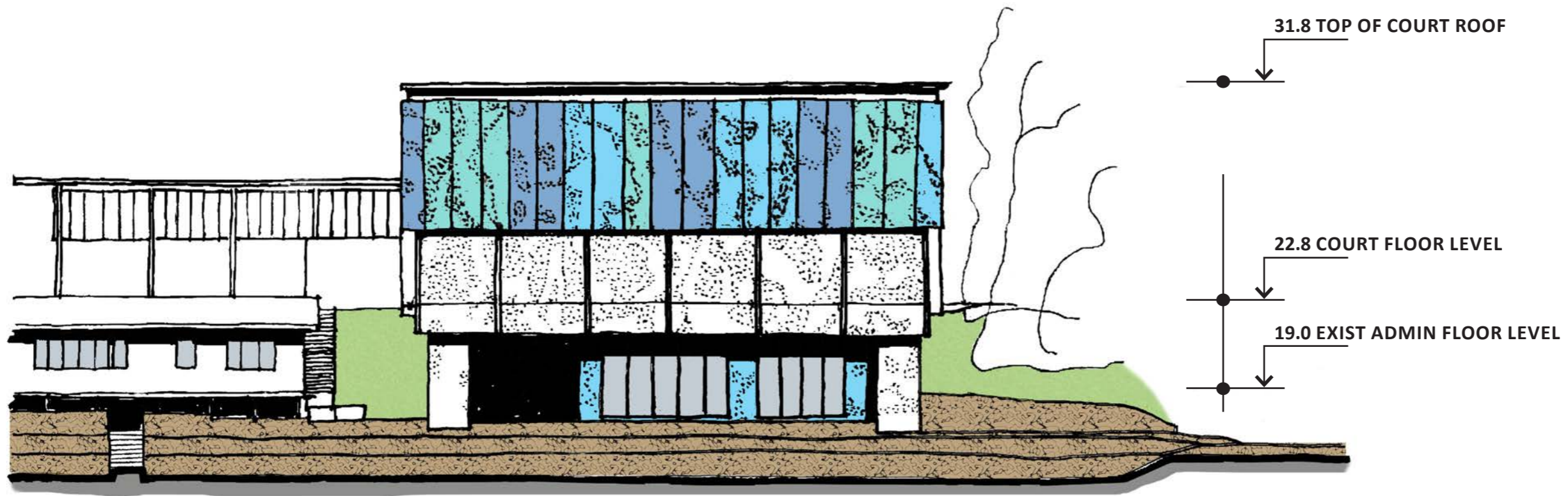


31.8
22.8
21.5

35
30
25
20
15



SECTION VIEW from Chester Street



→ **DETAIL VIEW**



SECTION VIEW up from Church

TORRES SHIRE COUNCIL

**DIGITALLY STAMPED
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VIEW 1 LOOKING UP FROM DOUGLAS STREET Existing

TORRES SHIRE COUNCIL

DIGITALLY STAMPED
APPROVED PLAN

Development Application: Minor Change to Development Permit for Material Change of Use— Special Purpose (Extension to Existing Educational Establishment)

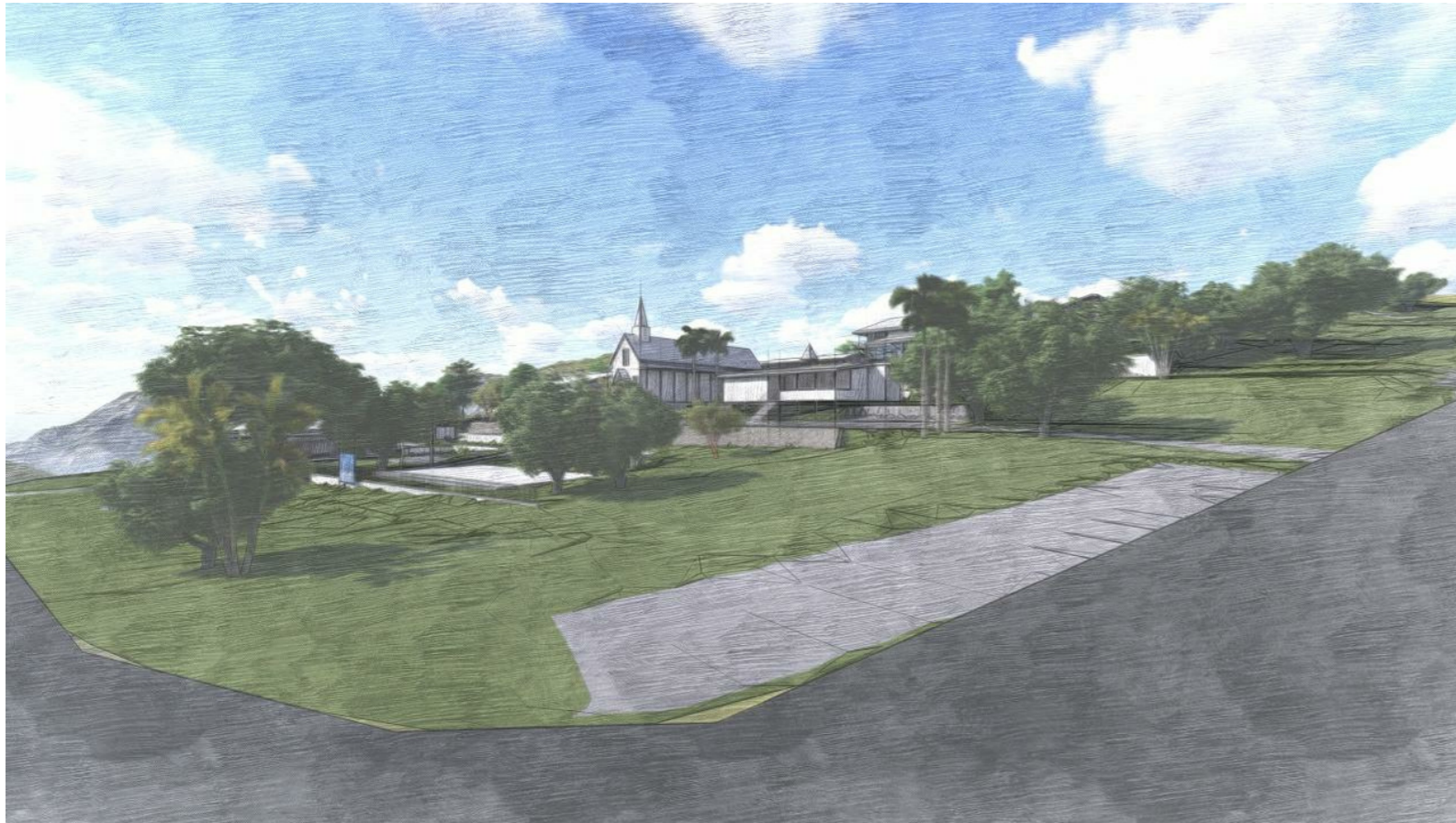
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VIEW 1 LOOKING UP FROM DOUGLAS STREET Proposed





VIEW 2 LOOKING UP FROM CORNER of DOUGLAS STREET and NORMANBY STREET Existing

TORRES SHIRE COUNCIL

DIGITALLY STAMPED
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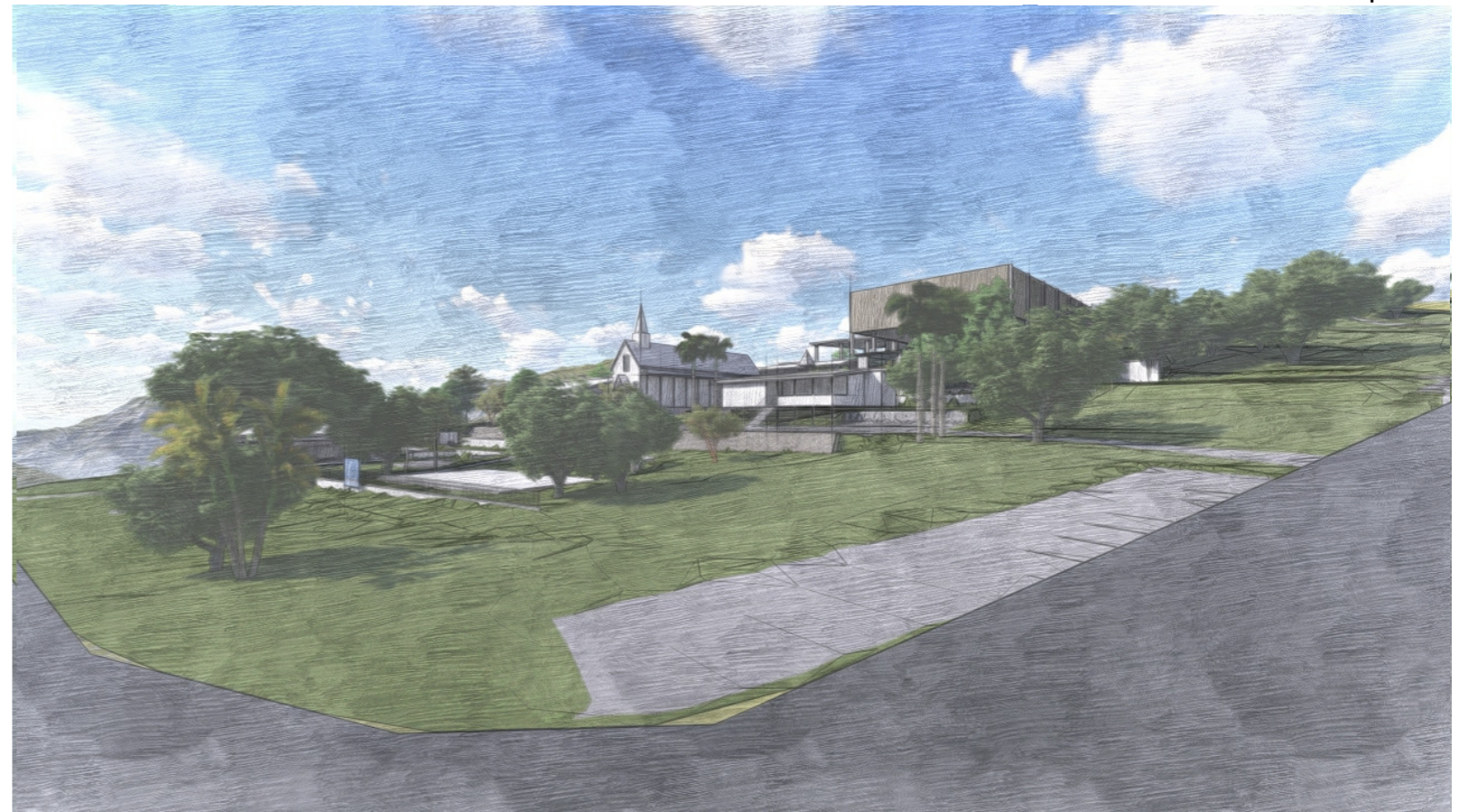
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Approval Date: 16 July 2024
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VIEW 2 LOOKING UP FROM CORNER of DOUGLAS STREET and NORMANBY STREET Proposed





VIEW 3 SCHOOL ENTRANCE FROM NORMANBY STREET Existing

TORRES SHIRE COUNCIL

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APPROVED PLAN

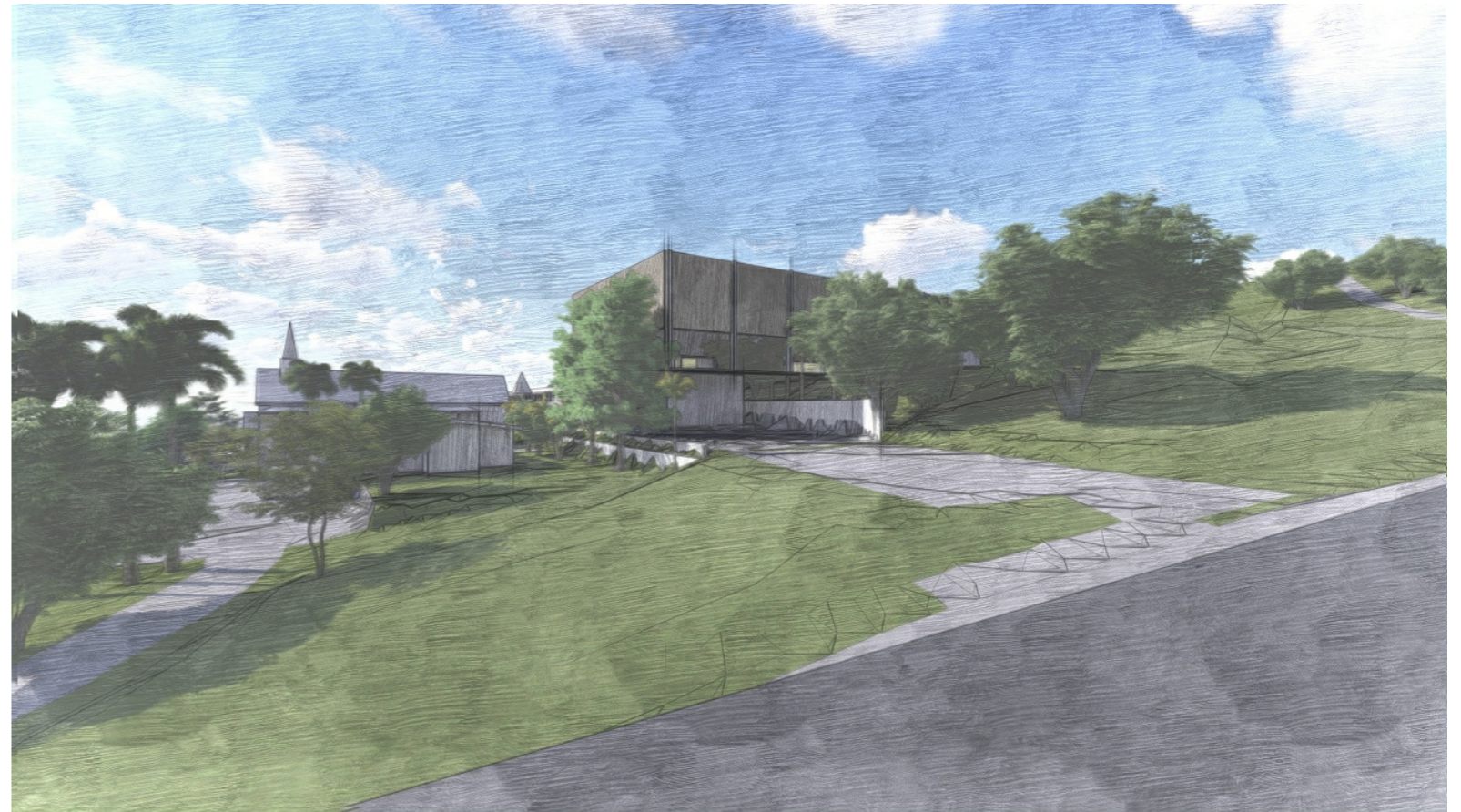
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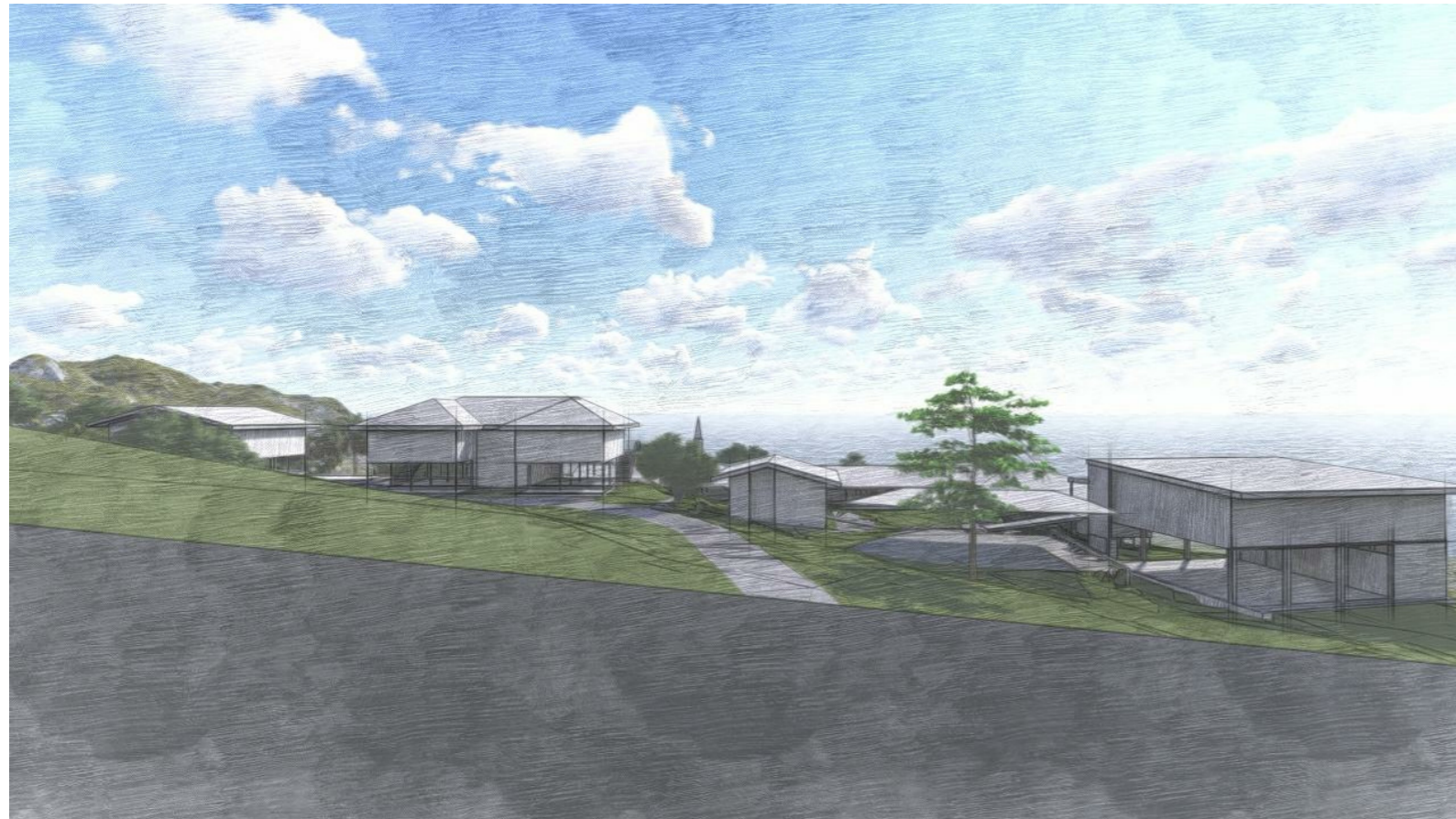
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VIEW 3 SCHOOL ENTRANCE FROM NORMANBY STREET Proposed





VIEW 4 LOOKING DOWN FROM CHESTER STREET Existing

TORRES SHIRE COUNCIL

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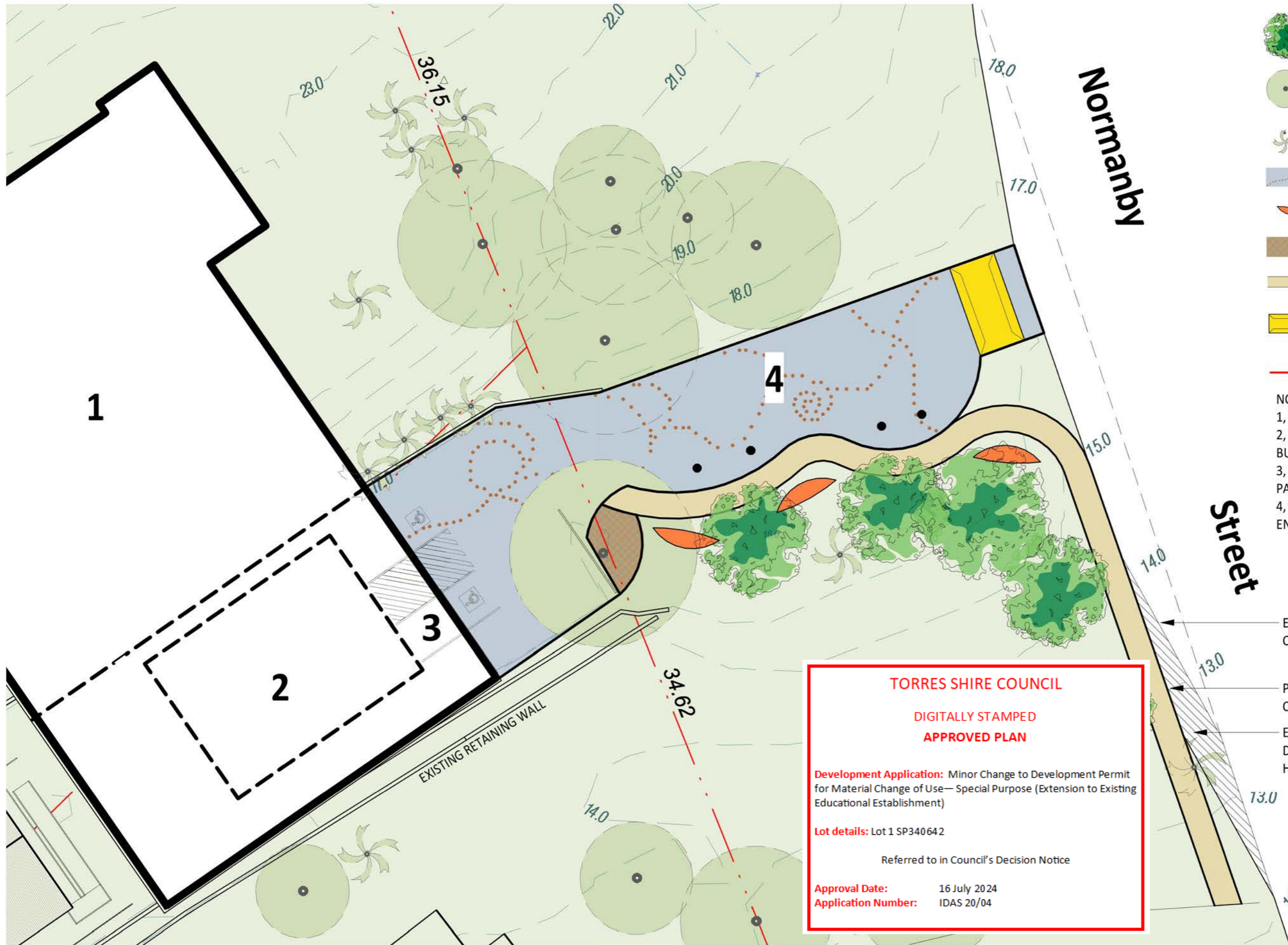
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VIEW 4 LOOKING DOWN FROM CHESTER STREET Proposed





- KEY**
- NEW TREES
 - EXISTING TREES
 - EXISTING PALMS
 - NEW PAVED ENTRY DRIVEWAY
 - NEW BENCH SEAT
 - NEW GARDEN BED
 - NEW FOOTPATH
 - NEW SPEED TABLES AND RAISED PEDESTRIAN CROSSING
 - BOUNDARY LINE

- NOTES:**
- 1, NEW MULTI-PURPOSE SPORTS COURT
 - 2, NEW ENTRY AND NEW MULTI-USE BUILDING BELOW SPORTS COURT
 - 3, 2 NEW ON-SITE DESIGNED PWD CAR PARK SPACES
 - 4, NEW PEDESTRIAN FRIENDLY MAIN ENTRY POINT

TORRES SHIRE COUNCIL
 DIGITALLY STAMPED
 APPROVED PLAN

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EXISTING LINE OF KERB

PROPOSED LINE OF KERB

EXTEND VEHICLE DROP OFF AREA TO HATCHED AREA

1 SITE PLAN
 1 : 200

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 20/04
Applicant:	Roman Catholic Trust Corporation for the Diocese of Cairns c/ Brazier Motti Pty Ltd
Proposal:	Minor Change to Development Permit - Material Change of Use – Special Purpose (Extension to Existing Educational Establishment)
Street Address:	120 Douglas Street, Thursday Island
Real Property Description:	Lot 1 SP340642
Planning Scheme:	Torres Shire Council Planning Scheme 2022 (Version 1)

DECISION DETAILS

Type of Decision:	Approval with Conditions
Type of Approval:	Minor Change to Development Permit - Material Change of Use – Special Purpose (Extension to Existing Educational Establishment)
Date of Decision:	16 July 2024

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*)

Local Categorising Instrument (Torres Shire Council Planning Scheme 2007 and Torres Shire Planning Scheme 2022):

Local Categorising Instrument (Variation Approval)

- Not applicable.

Local Categorising Instrument (Temporary Local Planning Instrument)

- Not applicable.

PUBLIC NOTIFICATION

Not applicable – no part of the change application required public notification. No submissions were received for the original application.

REASONS FOR THE DECISION

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

- (a) The proposed change is minor, does not trigger additional referrals and does not result in any additional areas of non-compliance with the relevant assessment benchmarks under the *Torres Shire Planning Scheme 2022*.

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, please refer to Council's webpage at <https://www.torres.qld.gov.au/development-applications-1>

APPEAL RIGHTS

(Planning Act 2016 & Planning Regulation 2017)

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

Chapter 6 Dispute resolution

Part 1 Appeal rights

229 Appeals to tribunal or P&E Court

- (1) Schedule 1 states—
 - (a) matters that may be appealed to—
 - (i) either a tribunal or the P&E Court; or
 - (ii) only a tribunal; or
 - (iii) only the P&E Court; and
 - (b) the person—
 - (i) who may appeal a matter (the *appellant*); and
 - (ii) who is a respondent in an appeal of the matter; and
 - (iii) who is a co-respondent in an appeal of the matter; and
 - (iv) who may elect to be a co-respondent in an appeal of the matter.
- (2) An appellant may start an appeal within the appeal period.
- (3) The *appeal period* is—
 - (a) for an appeal by a building advisory agency—10 business days after a decision notice for the decision is given to the agency; or
 - (b) for an appeal against a deemed refusal—at any time after the deemed refusal happens; or
 - (c) for an appeal against a decision of the Minister, under chapter 7, part 4, to register premises or to renew the registration of premises—20 business days after a notice is published under section 269(3)(a) or (4); or

- (d) for an appeal against an infrastructure charges notice—20 business days after the infrastructure charges notice is given to the person; or
- (e) for an appeal about a deemed approval of a development application for which a decision notice has not been given—30 business days after the applicant gives the deemed approval notice to the assessment manager; or
- (f) for an appeal relating to the *Plumbing and Drainage Act 2018*—
 - (i) for an appeal against an enforcement notice given because of a belief mentioned in the *Plumbing and Drainage Act 2018*, section 143(2)(a)(i), (b) or (c)—5 business days after the day the notice is given; or
 - (ii) for an appeal against a decision of a local government or an inspector to give an action notice under the *Plumbing and Drainage Act 2018*—5 business days after the notice is given; or
 - (iii) for an appeal against a failure to make a decision about an application or other matter under the *Plumbing and Drainage Act 2018*—at anytime after the period within which the application or matter was required to be decided ends; or
 - (iv) otherwise—20 business days after the day the notice is given; or
- (g) for any other appeal—20 business days after a notice of the decision for the matter, including an enforcement notice, is given to the person.

Note—

See the P&E Court Act for the court’s power to extend the appeal period.

- (4) Each respondent and co-respondent for an appeal may be heard in the appeal.

- (5) If an appeal is only about a referral agency's response, the assessment manager may apply to the tribunal or P&E Court to withdraw from the appeal.
- (6) To remove any doubt, it is declared that an appeal against an infrastructure charges notice must not be about—
 - (a) the adopted charge itself; or
 - (b) for a decision about an offset or refund—
 - (i) the establishment cost of trunk infrastructure identified in a LGIP; or
 - (ii) the cost of infrastructure decided using the method included in the local government's charges resolution.

230 Notice of appeal

- (1) An appellant starts an appeal by lodging, with the registrar of the tribunal or P&E Court, a notice of appeal that—
 - (a) is in the approved form; and
 - (b) succinctly states the grounds of the appeal.
- (2) The notice of appeal must be accompanied by the required fee.
- (3) The appellant or, for an appeal to a tribunal, the registrar, must, within the service period, give a copy of the notice of appeal to—
 - (a) the respondent for the appeal; and
 - (b) each co-respondent for the appeal; and
 - (c) for an appeal about a development application under schedule 1, section 1, table 1, item 1—each principal submitter for the application whose submission has not been withdrawn; and
 - (d) for an appeal about a change application under schedule 1, section 1, table 1, item 2—each principal submitter for the application whose submission has not been withdrawn; and

Schedule 1 Appeals

section 229

1 Appeal rights and parties to appeals

- (1) Table 1 states the matters that may be appealed to—
 - (a) the P&E court; or
 - (b) a tribunal.
- (2) However, table 1 applies to a tribunal only if the matter involves—
 - (a) the refusal, or deemed refusal of a development application, for—
 - (i) a material change of use for a classified building; or
 - (ii) operational work associated with building work, a retaining wall, or a tennis court; or
 - (b) a provision of a development approval for—
 - (i) a material change of use for a classified building; or
 - (ii) operational work associated with building work, a retaining wall, or a tennis court; or
 - (c) if a development permit was applied for—the decision to give a preliminary approval for—
 - (i) a material change of use for a classified building; or
 - (ii) operational work associated with building work, a retaining wall, or a tennis court; or
 - (d) a development condition if—
 - (i) the development approval is only for a material change of use that involves the use of a building classified under the Building Code as a class 2 building; and

- (ii) the building is, or is proposed to be, not more than 3 storeys; and
 - (iii) the proposed development is for not more than 60 sole-occupancy units; or
 - (e) a decision for, or a deemed refusal of, an extension application for a development approval that is only for a material change of use of a classified building; or
 - (f) a decision for, or a deemed refusal of, a change application for a development approval that is only for a material change of use of a classified building; or
 - (g) a matter under this Act, to the extent the matter relates to the Building Act, other than a matter under that Act that may or must be decided by the Queensland Building and Construction Commission; or
 - (h) a decision to give an enforcement notice—
 - (i) in relation to a matter under paragraphs (a) to (g); or
 - (ii) under the *Plumbing and Drainage Act 2018*; or
 - (i) an infrastructure charges notice; or
 - (j) the refusal, or deemed refusal, of a conversion application; or
 - (l) a matter prescribed by regulation.
- (3) Also, table 1 does not apply to a tribunal if the matter involves—
 - (a) for a matter in subsection (2)(a) to (d)—
 - (i) a development approval for which the development application required impact assessment; and
 - (ii) a development approval in relation to which the assessment manager received a properly made submission for the development application; or
 - (b) a provision of a development approval about the identification or inclusion, under a variation approval, of a matter for the development.

- (4) Table 2 states the matters that may be appealed only to the P&E Court.
- (5) Table 3 states the matters that may be appealed only to the tribunal.
- (6) In each table—
 - (a) column 1 states the appellant in the appeal; and
 - (b) column 2 states the respondent in the appeal; and
 - (c) column 3 states the co-respondent (if any) in the appeal; and
 - (d) column 4 states the co-respondents by election (if any) in the appeal.
- (7) If the chief executive receives a notice of appeal under section 230(3)(f), the chief executive may elect to be a co-respondent in the appeal.
- (8) In this section—

storey see the Building Code, part A1.1.

Table 1 Appeals to the P&E Court and, for certain matters, to a tribunal
<p>1. Development applications</p> <p>For a development application other than an excluded application, an appeal may be made against—</p> <ul style="list-style-type: none"> (a) the refusal of all or part of the development application; or (b) the deemed refusal of the development application; or (c) a provision of the development approval; or (d) if a development permit was applied for—the decision to give a preliminary approval.

Table 1 Appeals to the P&E Court and, for certain matters, to a tribunal			
Column 1 Appellant	Column 2 Respondent	Column 3 Co-respondent (if any)	Column 4 Co-respondent by election (if any)
The applicant	The assessment manager	If the appeal is about a concurrence agency's referral response—the concurrence agency	<p>1 A concurrence agency that is not a co-respondent</p> <p>2 If a chosen assessment manager is the respondent—the prescribed assessment manager</p> <p>3 Any eligible advice agency for the application</p> <p>4 Any eligible submitter for the application</p>
<p>2. Change applications</p> <p>For a change application other than an excluded application, an appeal may be made against—</p> <p>(a) the responsible entity's decision on the change application; or</p> <p>(b) a deemed refusal of the change application.</p>			

Table 1 Appeals to the P&E Court and, for certain matters, to a tribunal			
Column 1 Appellant	Column 2 Respondent	Column 3 Co-respondent (if any)	Column 4 Co-respondent by election (if any)
<p>1 The applicant</p> <p>2 If the responsible entity is the assessment manager—an affected entity that gave a pre-request notice or response notice</p>	<p>The responsible entity</p>	<p>If an affected entity starts the appeal—the applicant</p>	<p>1 A concurrence agency for the development application</p> <p>2 If a chosen assessment manager is the respondent—the prescribed assessment manager</p> <p>3 A private certifier for the development application</p> <p>4 Any eligible advice agency for the change application</p> <p>5 Any eligible submitter for the change application</p>
<p>3. Extension applications</p> <p>For an extension application other than an extension application called in by the Minister, an appeal may be made against—</p> <p>(a) the assessment manager’s decision on the extension application; or</p> <p>(b) a deemed refusal of the extension application.</p>			

Table 1 Appeals to the P&E Court and, for certain matters, to a tribunal			
Column 1 Appellant	Column 2 Respondent	Column 3 Co-respondent (if any)	Column 4 Co-respondent by election (if any)
<p>1 The applicant</p> <p>2 For a matter other than a deemed refusal of an extension application—a concurrence agency, other than the chief executive, for the application</p>	<p>The assessment manager</p>	<p>If a concurrence agency starts the appeal—the applicant</p>	<p>If a chosen assessment manager is the respondent—the prescribed assessment manager</p>
<p>4. Infrastructure charges notices</p> <p>An appeal may be made against an infrastructure charges notice on 1 or more of the following grounds—</p> <p>(a) the notice involved an error relating to—</p> <p style="padding-left: 20px;">(i) the application of the relevant adopted charge; or</p> <p><i>Examples of errors in applying an adopted charge—</i></p> <ul style="list-style-type: none"> • the incorrect application of gross floor area for a non-residential development • applying an incorrect ‘use category’, under a regulation, to the development <p style="padding-left: 20px;">(ii) the working out of extra demand, for section 120; or</p> <p style="padding-left: 20px;">(iii) an offset or refund; or</p> <p>(b) there was no decision about an offset or refund; or</p> <p>(c) if the infrastructure charges notice states a refund will be given—the timing for giving the refund; or</p> <p>(d) for an appeal to the P&E Court—the amount of the charge is so unreasonable that no reasonable relevant local government could have imposed the amount.</p>			

Table 1 Appeals to the P&E Court and, for certain matters, to a tribunal			
Column 1 Appellant	Column 2 Respondent	Column 3 Co-respondent (if any)	Column 4 Co-respondent by election (if any)
The person given the infrastructure charges notice	The local government that gave the infrastructure charges notice	—	—
<p>5. Conversion applications An appeal may be made against— (a) the refusal of a conversion application; or (b) a deemed refusal of a conversion application.</p>			
Column 1 Appellant	Column 2 Respondent	Column 3 Co-respondent (if any)	Column 4 Co-respondent by election (if any)
The applicant	The local government to which the conversion application was made	—	—
<p>6. Enforcement notices An appeal may be made against the decision to give an enforcement notice.</p>			
Column 1 Appellant	Column 2 Respondent	Column 3 Co-respondent (if any)	Column 4 Co-respondent by election (if any)
The person given the enforcement notice	The enforcement authority	—	If the enforcement authority is not the local government for the premises in relation to which the offence is alleged to have happened—the local government

Table 1 Appeals to the P&E Court and, for certain matters, to a tribunal			
7. Enforcement notices under the <i>Plumbing and Drainage Act 2018</i> An appeal may be made against the decision to give an enforcement notice.			
Column 1 Appellant	Column 2 Respondent	Column 3 Co-respondent (if any)	Column 4 Co-respondent by election (if any)
The person given the enforcement notice	The local government that gave the enforcement notice	—	—

Table 2 Appeals to the P&E Court only			
1. Appeals from tribunal An appeal may be made against a decision of a tribunal, other than a decision under section 252, on the ground of— (a) an error or mistake in law on the part of the tribunal; or (b) jurisdictional error.			
Column 1 Appellant	Column 2 Respondent	Column 3 Co-respondent (if any)	Column 4 Co-respondent by election (if any)
A party to the proceedings for the decision	The other party to the proceedings for the decision	—	—
2. Eligible submitter appeals For a development application or change application other than an excluded application, an appeal may be made against the decision to approve the application, to the extent the decision relates to— (a) any part of the development application or change application that required impact assessment; or (b) a variation request.			

Table 2 Appeals to the P&E Court only			
Column 1 Appellant	Column 2 Respondent	Column 3 Co-respondent (if any)	Column 4 Co-respondent by election (if any)
<p>1 For a development application—an eligible submitter for the development application</p> <p>2 For a change application—an eligible submitter for the change application</p>	<p>1 For a development application—the assessment manager</p> <p>2 For a change application—the responsible entity</p>	<p>1 The applicant</p> <p>2 If the appeal is about a concurrence agency’s referral response—the concurrence agency</p>	<p>Another eligible submitter for the application</p>
<p>3. Eligible submitter and eligible advice agency appeals</p> <p>For a development application or change application other than an excluded application, an appeal may be made against a provision of the development approval, or a failure to include a provision in the development approval, to the extent the matter relates to—</p> <p>(a) any part of the development application or change application that required impact assessment; or</p> <p>(b) a variation request.</p>			

Schedule 1

Table 2 Appeals to the P&E Court only			
Column 1 Appellant	Column 2 Respondent	Column 3 Co-respondent (if any)	Column 4 Co-respondent by election (if any)
<p>1 For a development application—an eligible submitter for the development application</p> <p>2 For a change application—an eligible submitter for the change application</p> <p>3 An eligible advice agency for the development application or change application</p>	<p>1 For a development application—the assessment manager</p> <p>2 For a change application—the responsible entity</p>	<p>1 The applicant</p> <p>2 If the appeal is about a concurrence agency’s referral response—the concurrence agency</p>	<p>Another eligible submitter for the application</p>
<p>4. Compensation claims</p> <p>An appeal may be made against—</p> <p>(a) a decision under section 32 about a compensation claim; or</p> <p>(b) a decision under section 265 about a claim for compensation; or</p> <p>(c) a deemed refusal of a claim under paragraph (a) or (b).</p>			
Column 1 Appellant	Column 2 Respondent	Column 3 Co-respondent (if any)	Column 4 Co-respondent by election (if any)
A person dissatisfied with the decision	The local government to which the claim was made	—	—

**Table 2
Appeals to the P&E Court only**

5. Registered premises

An appeal may be made against a decision of the Minister under chapter 7, part 4.

Column 1 Appellant	Column 2 Respondent	Column 3 Co-respondent (if any)	Column 4 Co-respondent by election (if any)
<p>1 A person given a decision notice about the decision</p> <p>2 If the decision is to register premises or renew the registration of premises—an owner or occupier of premises in the affected area for the registered premises who is dissatisfied with the decision</p>	<p>The Minister</p>	<p>—</p>	<p>If an owner or occupier starts the appeal—the owner of the registered premises</p>

6. Local laws

An appeal may be made against a decision of a local government, or conditions applied, under a local law about—

- (a) the use of premises, other than a use that is the natural and ordinary consequence of prohibited development; or
- (b) the erection of a building or other structure.

Table 2 Appeals to the P&E Court only			
Column 1 Appellant	Column 2 Respondent	Column 3 Co-respondent (if any)	Column 4 Co-respondent by election (if any)
A person who— (a) applied for the decision; and (b) is dissatisfied with the decision or conditions.	The local government	—	—

Table 3 Appeals to a tribunal only			
1. Building advisory agency appeals An appeal may be made against giving a development approval for building work to the extent the building work required code assessment against the building assessment provisions.			
Column 1 Appellant	Column 2 Respondent	Column 3 Co-respondent (if any)	Column 4 Co-respondent by election (if any)
A building advisory agency for the development application related to the approval	The assessment manager	The applicant	1 A concurrence agency for the development application related to the approval 2 A private certifier for the development application related to the approval

Table 3 Appeals to a tribunal only			
<p>2. Inspection of building work</p> <p>An appeal may be made against a decision of a building certifier or referral agency about the inspection of building work that is the subject of a building development approval under the Building Act.</p>			
Column 1 Appellant	Column 2 Respondent	Column 3 Co-respondent (if any)	Column 4 Co-respondent by election (if any)
The applicant for the development approval	The person who made the decision	—	—
<p>3. Certain decisions under the Building Act and the <i>Plumbing and Drainage Act 2018</i></p> <p>An appeal may be made against—</p> <p>(a) a decision under the Building Act, other than a decision made by the Queensland Building and Construction Commission, if an information notice about the decision was given or required to be given under that Act; or</p> <p>(b) a decision under the <i>Plumbing and Drainage Act 2018</i>, other than a decision made by the Queensland Building and Construction Commission, if an information notice about the decision was given or required to be given under that Act.</p>			
Column 1 Appellant	Column 2 Respondent	Column 3 Co-respondent (if any)	Column 4 Co-respondent by election (if any)
A person who received, or was entitled to receive, an information notice about the decision	The entity that made the decision	—	—
<p>4. Failure to decide an application or other matter under the Building Act</p> <p>An appeal may be made against a failure to make a decision under the Building Act within the period required under that Act, other than a failure by the Queensland Building and Construction Commission to make a decision, if an information notice about the decision was required to be given under that Act.</p>			

Table 3 Appeals to a tribunal only			
Column 1 Appellant	Column 2 Respondent	Column 3 Co-respondent (if any)	Column 4 Co-respondent by election (if any)
A person who was entitled to receive notice of the decision	The entity that failed to make the decision	—	—
<p>5. Failure to decide an application or other matter under the <i>Plumbing and Drainage Act 2018</i></p> <p>An appeal may be made against a failure to make a decision under the <i>Plumbing and Drainage Act 2018</i> within the period required under that Act, other than a failure by the Queensland Building and Construction Commission to make a decision, if an information notice about the decision was required to be given under that Act.</p>			
Column 1 Appellant	Column 2 Respondent	Column 3 Co-respondent (if any)	Column 4 Co-respondent by election (if any)
A person who was entitled to receive an information notice about the decision	The entity that failed to make the decision	—	—



Torres Shire Council

UPDATED INFRASTRUCTURE CHARGES NOTICE

(section 52 and schedule 16 of Planning Act 2016)

This updated Infrastructure Charges Notices is provided as a result of the Change Application decided by Council at the meeting held on 16 July 2024.

DATE:	18 July 2024																
APPLICANT:	Roman Catholic Trust Corporation for the Diocese of Cairns – c/o Brazier Motti Pty Ltd																
APPLICATION:	Material Change of Use – Special Purpose (Extension to existing Educational Establishment)																
LOT DESCRIPTION:	Lot 1 SP340642																
ORIGINAL INFRASTRUCTURE NOTE DATE:	15 June 2021																
FILE REFERENCE:	IDAS 20/04																
AMOUNT OF THE LEVIED CHARGE: <i>(Details of how these charges were calculated are shown overleaf)</i>	<p>Stage 1</p> <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>Extension to existing Educational Establishment</td> <td>\$55,872.50</td> <td>\$9,957.45</td> <td>\$45,915.05</td> </tr> </tbody> </table> <p>Stage 2</p> <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>Extension to existing Educational Establishment</td> <td>\$177,379.00</td> <td>\$118,989.40</td> <td>\$58,389.60</td> </tr> </tbody> </table>	Development Type	Adopted Infrastructure Charge	Credits	Total Charge	Extension to existing Educational Establishment	\$55,872.50	\$9,957.45	\$45,915.05	Development Type	Adopted Infrastructure Charge	Credits	Total Charge	Extension to existing Educational Establishment	\$177,379.00	\$118,989.40	\$58,389.60
Development Type	Adopted Infrastructure Charge	Credits	Total Charge														
Extension to existing Educational Establishment	\$55,872.50	\$9,957.45	\$45,915.05														
Development Type	Adopted Infrastructure Charge	Credits	Total Charge														
Extension to existing Educational Establishment	\$177,379.00	\$118,989.40	\$58,389.60														
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 1 SP340642																
SITE ADDRESS	120 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.1) 2022* and section 52 and *Schedule 16 of the Planning Regulation 2017*.

Name: Dalassa Yorkston **Signature:** 

DETAILS OF CALCULATION - STAGE 1

ADOPTED CHARGES – Proposed Building Works (GFA) and impervious area

Water Supply

Development Description	Units of Measure	Charge Rate	Reference	Amount
Educational Establishment	275 m ²	\$53.69 per m ²	CR Table 2.2	\$14,764.75

Sewerage

Development Description	Units of Measure	Charge Rate	Reference	Amount
Educational Establishment	275 m ²	\$46.02 m ² per GFA	CR Table 2.2	\$12,655.50

Transport

Development Description	Units of Measure	Charge Rate	Reference	Amount
Educational Establishment	275 m ²	\$30.68 per m ² GFA	CR Table 2.2	\$8,437.00

Community Facilities and Parks

Development Description	Units of Measure	Charge Rate	Reference	Amount
Educational Establishment	275 m ²	\$23.01 per m ² GFA	CR Table 2.2	\$6,327.75

Stormwater

Development Description	Units of Measure	Charge Rate	Reference	Amount
Educational Establishment	1,250 m ²	\$10.95 per m ² GFA	CR Table 2.2	\$13,687.50

TOTAL ADOPTED CHARGE (proposed building work (GFA) and impervious area)	\$55,872.50
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CREDIT – Building work demolition (GFA) and impervious area demolition

Adopted Charges Development Description	Water Supply	Sewerage	Transport	Community Facilities & Parks	Stormwater	Total
Educational Establishment (building work demolition GFA 39 m ²)	\$2,093.91	\$1,794.78	\$1,196.52	\$897.39	\$3,974.85 \$10.95 per m ² impervious area – total impervious area (demolition) – 363m ²	\$9,957.45
CREDIT						\$9,957.45

NET ADOPTED INFRASTRUCTURE CHARGES SUMMARY:

Total Adopted Charge	Total Credit	Total Infrastructure Charge
\$55,872.50	\$9,957.45	\$45,915.05

(Note: The Total Infrastructure Charge = Total Charges – Total Credit for Existing Use)

TOTAL CHARGE	\$45,915.05
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DETAILS OF CALCULATION - STAGE 2

ADOPTED CHARGES – Proposed Building Works (GFA) and impervious area

Water Supply

Development Description	Units of Measure	Charge Rate	Reference	Amount
Educational Establishment	985 m ²	\$53.69 per m ²	CR Table 2.2	\$52,884.65

Sewerage

Development Description	Units of Measure	Charge Rate	Reference	Amount
Educational Establishment	985 m ²	\$46.02 m ² per GFA	CR Table 2.2	\$45,329.70

Transport

Development Description	Units of Measure	Charge Rate	Reference	Amount
Educational Establishment	985 m ²	\$30.68 per m ² GFA	CR Table 2.2	\$30,219.80

Community Facilities and Parks

Development Description	Units of Measure	Charge Rate	Reference	Amount
Educational Establishment	985 m ²	\$23.01 per m ² GFA	CR Table 2.2	\$22,664.85

Stormwater

Development Description	Units of Measure	Charge Rate	Reference	Amount
Educational Establishment	2,400 m ²	\$10.95 per m ² GFA	CR Table 2.2	\$26,280.00

TOTAL ADOPTED CHARGE (proposed building work (GFA) and impervious area)	\$177,379.00
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CREDIT – Building work demolition (GFA) and impervious area demolition

Adopted Charges Development Description	Water Supply	Sewerage	Transport	Community Facilities & Parks	Stormwater	Total
Educational Establishment (building work demolition GFA 724m ²)	\$38,871.56	\$33,318.48	\$22,212.32	\$16,659.24	\$7,927.80 \$10.95 per m ² impervious area – total impervious area (demolition) – 724m ²	\$118,989.4
CREDIT						\$118,989.40

NET ADOPTED INFRASTRUCTURE CHARGES SUMMARY:

Total Adopted Charge	Total Credit	Total Infrastructure Charge
\$177,379.00	\$118,989.40	\$58,389.60

(Note: The Total Infrastructure Charge = Total Charges – Total Credit for Existing Use)

TOTAL CHARGE	\$58,389.60
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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