

Our Ref: LM:tt:DA/4180:D23/17485

13 June 2023

Olkola Aboriginal Corporation
c/- Andre Grant
184 Mulgrave Road
Westcourt QLD 4870

E-mail: andre.grant@cfat.org.au

Dear Mr Grant

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 determined by the Chief Executive Officer as delegated on the 08 June 2023.

Details of the decision are as follows:

Application Details

Application Number:	DA/4180
Street Address:	Dixie Rd, Dixie QLD 4892
Real Property Description:	Lot 6 SP262570
Planning Scheme:	<i>Cook Shire Council Planning Scheme 2017 (v2)</i>

Decision Details

The original Decision Notice was dated 23 September 2020

Council's Chief Executive Officer as delegated on 08 June 2023, decided to issue the following type of approval:

Approval Sought:

Change Application (Minor) - Development Permit for Material Change of Use – Outstation and Nature Based Tourism

Currency Period for the Approval

This development approval will lapse at the end of the period set out in section 85 of the *Planning Act 2016*. This approval lapses if the first change of use does not happen within six (6) years.

Assessment Manager Conditions

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

Further Development Permits

Please be advised that the following development permits are required to be obtained before the development can be carried out:

1. Development Permit for carrying out Building Works;
2. Development Permit for Plumbing/Drainage Works.

Properly Made Submissions

Not applicable - no part of the application required public notification.

Reasons for the Decision

The proposed changes are consistent with the approval and introduce no new impacts.

Referral Agencies

Not applicable - no part of the application required referral.

Other requirements under section 43 of the *Planning Regulation 2017*

Not Applicable.

Approved Plans and Specifications

Copies of the approved plans, specifications and/or drawings are enclosed in **Attachment 2**.

Location Plan	Olkola Aboriginal Corporation Sandy Creek Bore Development	Drawing No. DA 002	Revision B	Dated 03/10/2019
Site Plan	Olkola Aboriginal Corporation Sandy Creek Bore	Drawing No. DA 003	Revision B	Dated 03/10/2019

	Development			
Ranger Station Floor Plan	Olkola Aboriginal Corporation Sandy Creek Bore Development	Drawing No. DA 100	Revision B	Dated 03/10/2019
Cultural Knowledge Centre Floor Plan	Olkola Aboriginal Corporation Sandy Creek Bore Development	Drawing No. DA 101	Revision B	Dated 03/10/2019
Ranger Station Sections	Olkola Aboriginal Corporation Sandy Creek Bore Development	Drawing No. DA 200	Revision B	Dated 03/10/2019
Cultural Centre Sections	Olkola Aboriginal Corporation Sandy Creek Bore Development	Drawing No. DA 201	Revision B	Dated 03/10/2019
Ranger Station Elevations	Olkola Aboriginal Corporation Sandy Creek Bore Development	Drawing No. DA 300	Revision B	Dated 03/10/2019
Cultural Centre Elevations	Olkola Aboriginal Corporation Sandy Creek Bore Development	Drawing No. DA 301	Revision B	Dated 03/10/2019

Rights of Appeal

You are entitled to appeal against this decision. A copy of the relevant appeal provisions from the *Planning Act 2016* are provided in Attachment 4 of this Decision Notice.

Other Details

Council relies on the accuracy of information included in the application documentation when assessing and deciding applications.

If you find an inaccuracy in any of the information provided above, have a query, or need to seek clarification about any of these details, please contact Cook Shire Council's Planning and Environment Department on 07 4082 0500 or E-mail: mail@cook.qld.gov.au.

Yours sincerely



Lisa Miller

Manager

Planning and Environment

Cook Shire Council

cc: Chief Executive – Department of State Development, Manufacturing, Infrastructure and Planning
(formerly Queensland Treasury)
Far North Queensland Regional Office
Cairns QLD 4870
Email: CairnsSARA@dsmip.qld.gov.au

enc: **Attachment 1 (Part 1)** – Conditions imposed by the assessment manager (Council)
Attachment 1 (Part 2) – Conditions imposed by the State Assessment and Referral Agency
(SARA)
Attachment 1 (Part 3) – Notice of Decision – Statement of Reasons (D23/17482)
Attachment 2 – Extract of Appeal Provisions (Chapter 6 part 1 of the *Planning Act 2016*)

Attachment 1 (Part 1) - Conditions imposed by the assessment manager (Council)

A. Assessment Manager (Council) Conditions

Approved Plan

1. The development must be carried out generally in accordance with the following Proposal Plan (Appendix A) submitted with the application, except for any variations required to comply with the conditions of this approval:
 - Location Plan – Olkola Aboriginal Corporation Sandy Creek Bore Development – Drawing No. DA 002 – Revision B – Dated 03/10/2019;
 - Site Plan - Olkola Aboriginal Corporation Sandy Creek Bore Development - Drawing No. DA 003 – Revision B – Dated 03/10/2019;
 - Ranger Station Floor Plan - Olkola Aboriginal Corporation Sandy Creek Bore Development - Drawing No. DA 100 – Revision B – Dated 03/10/2019;
 - Cultural Knowledge Centre Floor Plan – Olkola Aboriginal Corporation Sandy Creek Bore Development - Drawing No. DA 101 – Revision B – Dated 03/10/2019;
 - Ranger Station Sections – Olkola Aboriginal Corporation Sandy Creek Bore Development - Drawing No. DA 200 – Revision B – Dated 03/10/2019;
 - Cultural Centre Sections – Olkola Aboriginal Corporation Sandy Creek Bore Development - Drawing No. DA 201 – Revision B – Dated 03/10/2019;
 - Ranger Station Elevations – Olkola Aboriginal Corporation Sandy Creek Bore Development - Drawing No. DA 300 – Revision B – Dated 03/10/2019;
 - Cultural Centre Elevations - Olkola Aboriginal Corporation Sandy Creek Bore Development - Drawing No. DA 301 – Revision B – Dated 03/10/2019.

Access

2. Access to the proposed facility must be via the existing Dixie Road. Access between the subleased property boundary and the Dixie Road must be gravel sealed and contain ancillary stormwater drainage, and be constructed to the requirements of the FNQROC Development Manual.
3. Plans showing the location of access to the proposed facility must be submitted to Council's Manager Engineering for approval prior to construction and be supported by a Traffic Management Plan undertaken by a suitably qualified person for works within the road reserve.

Internal Driveway

4. The internal driveway to the proposed facility must be dust suppressed and be maintained for the life of the development.

Water Supply

5. The development must be provided with a potable water supply. This would be satisfied by the provision of a rainwater tank with a minimum capacity of 50,000 litres. Where an alternative source of supply is available within the allotment, the applicant can provide certified evidence as to the flow rates and water quality of the bore water or other supply to eliminate or reduce the requirement for on-site water storage.

Waste Disposal

6. Any application for wastewater treatment and disposal must include details of the proposed wastewater disposal systems and calculation demonstrating compliance with the Queensland Plumbing and Wastewater Code and AS/NZS, 1547:2000 – ‘On-site domestic wastewater management’. Details are to be provided to Council at the time of building application.

Building Works

7. All new structures must obtain the necessary permits for building works and plumbing and drainage approvals prior to any construction commencing on the site.

Environmental

8. The applicant must ensure that no soil or silt runoff occurs from the site during the construction and operational phase of the development.
9. No State Declared or Environmental pest plants and pest animals are to be introduced onto the property.

Electricity

10. The proposed development must be connected to a reliable electricity supply at the time of building application. Details of such supply must be provided to Council at the time of building application.

Fire Management

11. The development must be maintained at all times to a standard so as not to create a fire hazard.
12. Firebreaks must be provided around the Ranger Base Station and the Cultural Knowledge Centre creating separation from hazardous vegetation (of 1.5 times the predominant mature canopy tree height or 10 metres, whichever is greater), and must be maintained by the owners at all times.
13. Flammable material must not be allowed to build up around the buildings so as to create a potential fire hazard.

~~14. A water tank must be provided within 10 metres of each building which:~~

- ~~• Is either below ground or of non-flammable construction;~~
- ~~• Provides the capacity of at least 20KL;~~
- ~~• Has a minimum pressure and flow of 10L per second at 200kPa.~~

14. A water tank must be provided within 10 metres of each building which:

- Is either below ground or of non-flammable construction;
- Provides the capacity of at least 20KL;
- Has a minimum pressure and flow of 10L per second at 200kPa; or
- An adequate water supply is available from the existing dam and is freely accessible for firefighting purposes at all times.

14a. Prior to the commencement of construction, a Bushfire Management Plan incorporating evacuation procedures, fire break/trail maintenance, details of the water supply for firefighting purposes and the mobile trailer mounted firefighting unit, must be submitted and approved by Council's delegated officer. The approved use must comply with the approved Bushfire Management Plan at all times.

Stormwater

15. Stormwater must be directed to a legal point of discharge.

Timing of Effect

16. The conditions of this development permit must be complied with to the satisfaction of Council's Planning Officers prior to the commencement of the use.

17. The applicant must notify Council that all the conditions of the development permit have been complied with prior to the commencement of the use.

Public Utilities

18. The applicant/developer is responsible or the cost of necessary alterations to existing public utility mains, services or installations required by works in relation to the proposed development or any works required by the conditions of this approval.

Currency Period

19. The currency period for this development approval is six (6) years. Should the use not be established within this time, the approval shall lapse.

Outstanding Charges

20. All rates, service charges, interest and other charges levied on the land must be paid prior to the use commencing.

B. Assessment Manager (Council) Advice

1. A development permit is required for carrying out Building Works, and a Plumbing and Drainage Approval/Compliance Permit is required for plumbing and drainage works prior to construction of any buildings associated with this development.
2. The applicant/owner must notify Council of their intention to commence the use after acceptance of and compliance with these conditions, or negotiated decisions (or court determined conditions) and prior to the commencement of the use. This will allow a check for compliance with conditions to be carried out by Council officers.
3. The applicant/owner is to ensure compliance with the requirements of the *Aboriginal Cultural Heritage Act 2003*, and in particular - 'the duty of care' that it imposes on all landowners.
4. This development approval has been issued during the COVID-19 applicable event declared under 275F of the *Planning Act 2016*. The period for undertaking the approved development may be subject to a further extension of time under section 275R of the *Planning Act 2016*.
5. The applicant should consult the Department of Regional Development, Manufacturing and Water to obtain guidance regarding the necessary water license for extracting water from a dam.

C. Referral Agency (Department of State Development, Manufacturing, Infrastructure and Planning now QLD Treasury) Response:

See the attached response from the Queensland Treasury dated 23 July 2020.

Appendix A – Approved Plans (D20/20635)



PROJECT NAME: CULCLA CORE DEVELOPMENT

DRAWING TITLE: SITE AND LOCATION LOCATION PLAN

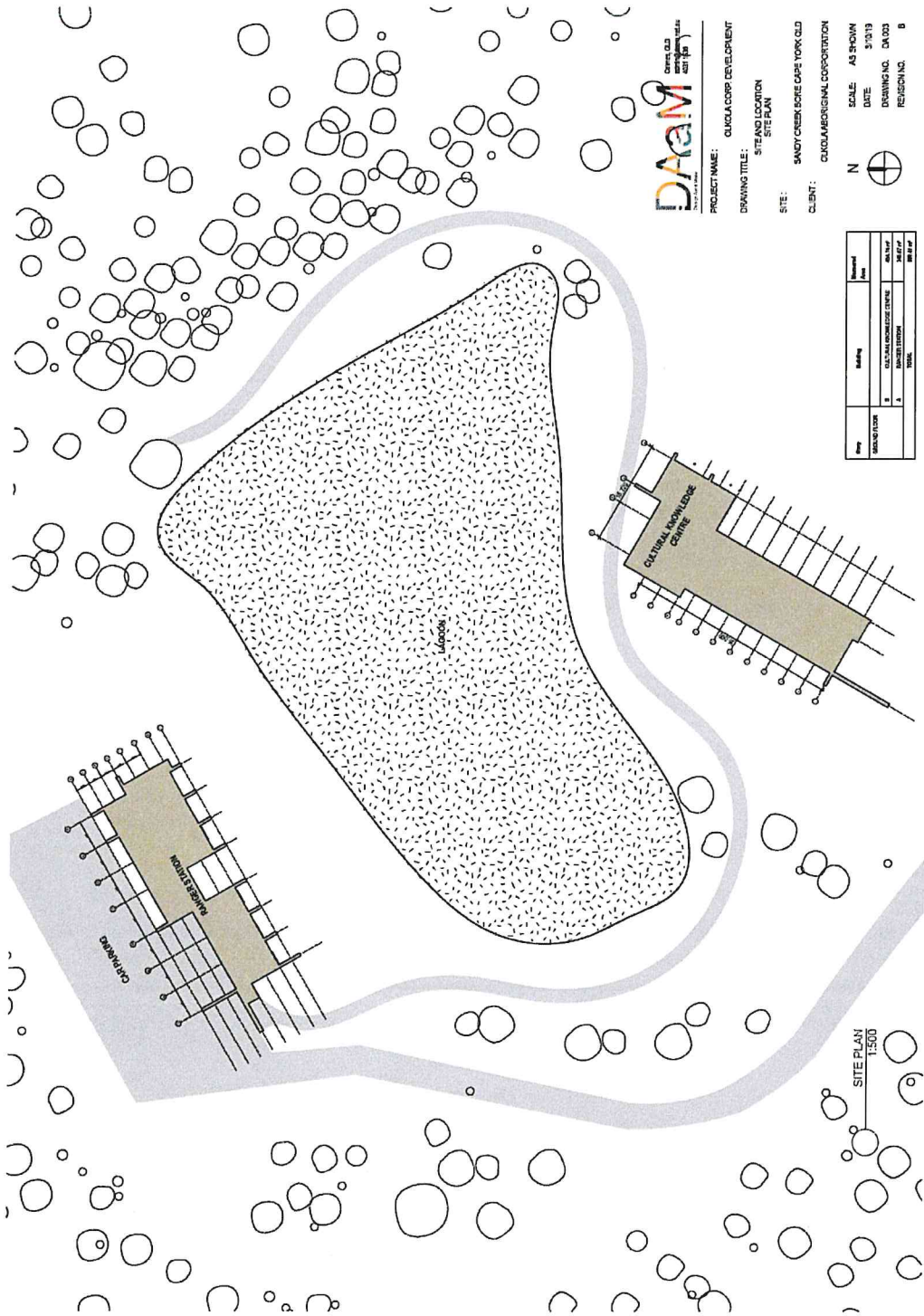
SITE: SANDY CREEK BORE CAPE YORK QLD

CLIENT: CULCLA ORIGINAL CORPORATION

SCALE: AS SHOWN
DATE: 3/10/19
DRAWING NO: CA002
REVISION NO: 5



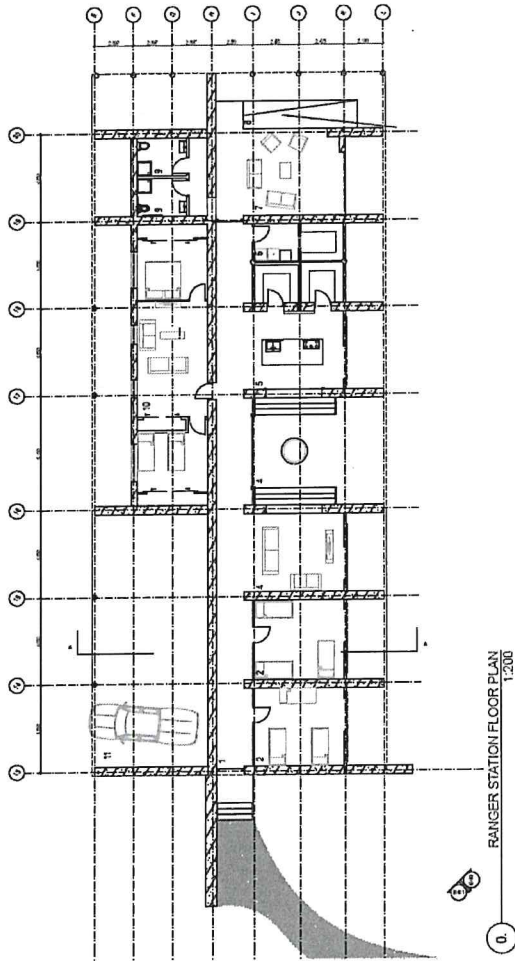
LOCATION PLAN
1:5000



PROJECT NAME: CULCULA CORP DEVELOPMENT
DRAWING TITLE: SITE AND LOCATION SITE PLAN
SITE: SANDY CREEK BORE GAPS YORK QLD
CLIENT: CULCULA ORIGINAL CORPORATION
SCALE: AS SHOWN
DATE: 3/10/19
DRAWING NO.: DA 003
REVISION NO.: 8

Rev	Revised	By	Date
1	1	DAAM	3/10/19
2	1	DAAM	3/10/19
3	1	DAAM	3/10/19
4	1	DAAM	3/10/19
5	1	DAAM	3/10/19
6	1	DAAM	3/10/19
7	1	DAAM	3/10/19
8	1	DAAM	3/10/19

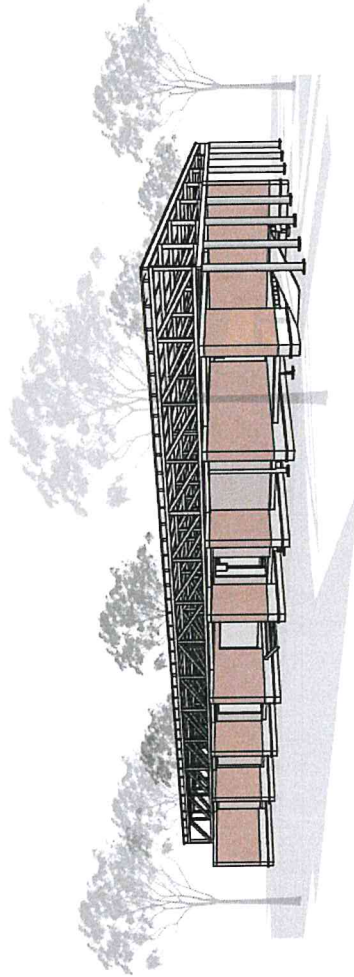
- 1 ENTRY
- 2 RANGERS SERVICE
- 3 OFFICE
- 4 WAITING AREA
- 5 KITCHEN
- 6 RESTROOMS
- 7 OUTDOOR COCK
- 8 ACCESSIBLE ENTRY
- 9 WAITING AREA
- 10 CARE TAKING LIVING
- 11 COVERED CAR PARKING



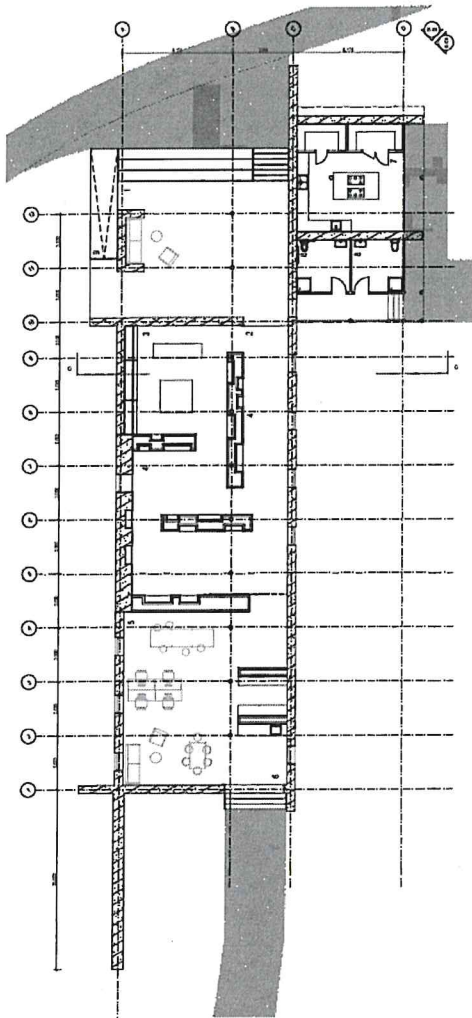
DAaM
Design Architecture
Interior Architecture
4871 1518

PROJECT NAME: QUICLA CORP DEVELOPMENT
DRAWING TITLE: DA PLANS
RANGER STATION FLOOR PLAN
SITE: SANDY CREEK RD/VE CAPE YORK QLD
CLIENT: QUICLA ORIGINAL CORPORATION

SCALE: AS SHOWN
DATE: 3/10/19
DRAWING NO: DA 100
REVISION NO: 8



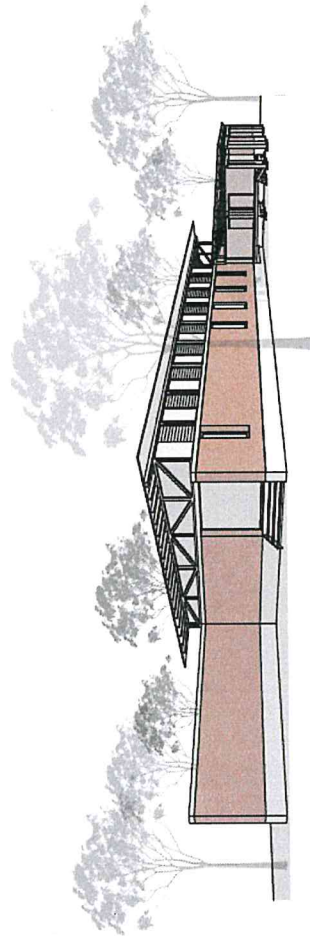
VIEWING PLATFORM
 ENTRY CULTURAL KNOWLEDGE CENTRE
 1 RECEPTION
 2 GALLERY
 3 RESEARCH CENTRE
 4 OFFICE
 5 CAMPER'S KITCHEN
 6 BATHROOM
 7 ACCESSIBLE ACCESS
 8

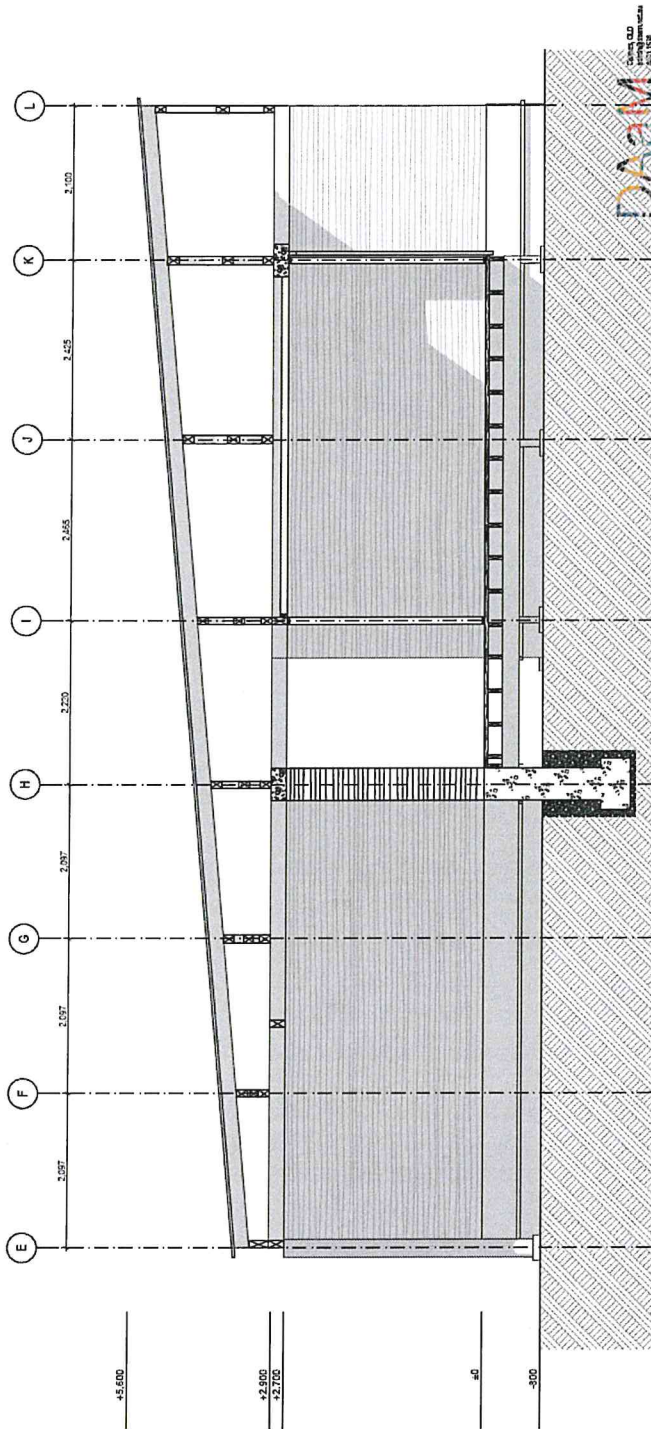


0. CULTURAL KNOWLEDGE CENTRE FLOOR PLAN
 1:200



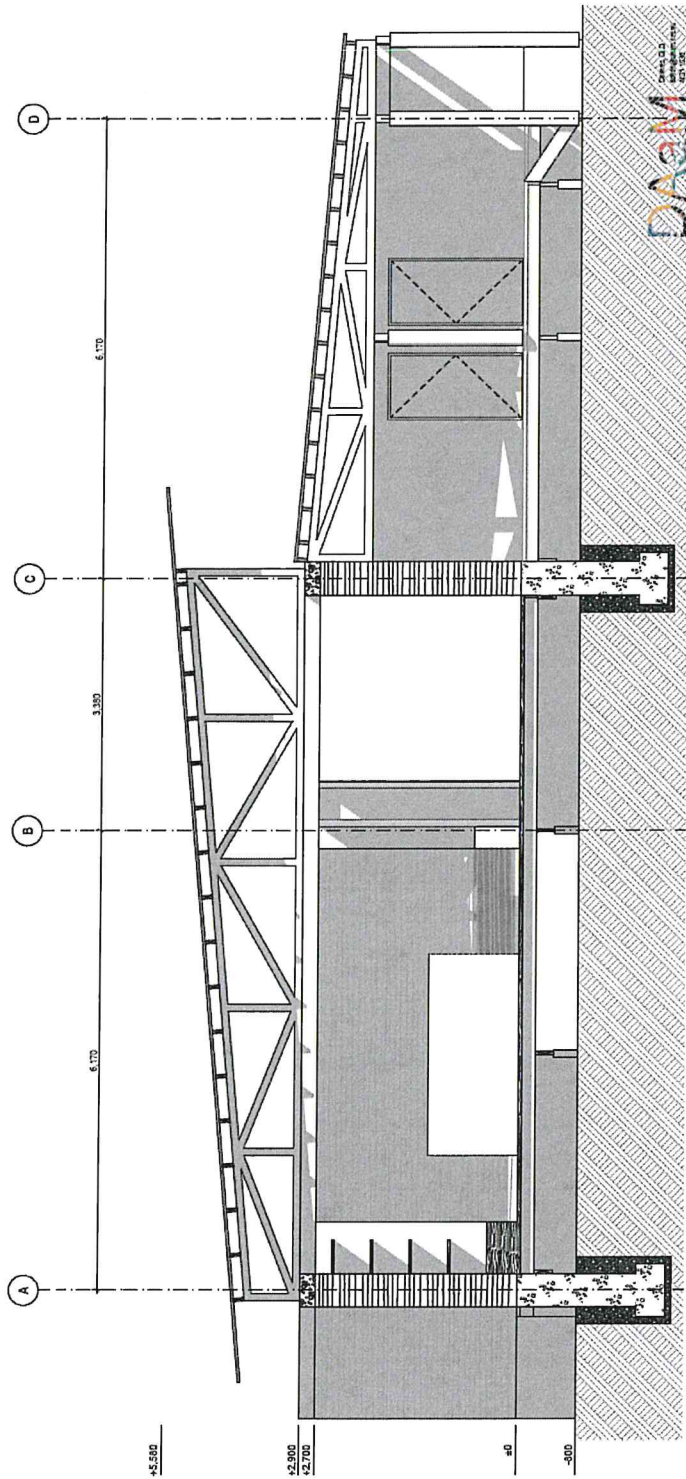
PROJECT NAME: DUKOLA CORP. DEVELOPMENT
 DRAWING TITLE: DA PLANS
 CULTURAL KNOWLEDGE CENTRE FLOOR PLAN
 SITE: SANDY CREEK DORE CAPE YORK QLD
 CLIENT: DUKOLA ORIGINAL CORPORATION
 SCALE: AS SHOWN
 DATE: 31/03/19
 DRAWING NO.: DA 101
 REVISION NO.: 8





PROJECT NAME: QUCLA CORP DEVELOPMENT
 DRAWING TITLE: DETAILS
 RANGER STATION SECTIONS
 SITE: SANDY CREEK SIRE CAPE YORK QLD
 CLIENT: QUCLA ORIGINAL CORPORATION
 SCALE: AS SHOWN
 DATE: 31/01/19
 DRAWING NO. DA300
 REVISION NO. B

SECTION A-A RANGER STATION
 1:50

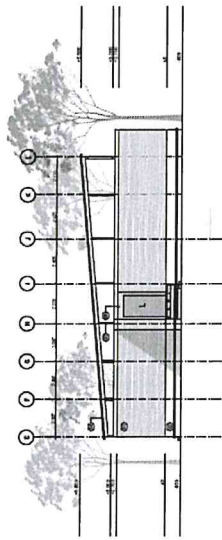


PROJECT NAME: CUJOLA COPP DEVELOPMENT
 DRAWING TITLE: DA SECTIONS
 CULTURAL CENTRE SECTIONS
 SITE: SANDY CREEK BORE CREEK YORK QLD
 CLIENT: CUJOLA ABORIGINAL CORPORATION
 SCALE: AS SHOWN
 DATE: 31/01/19
 DRAWING NO: DA/21
 REGION/NO: B

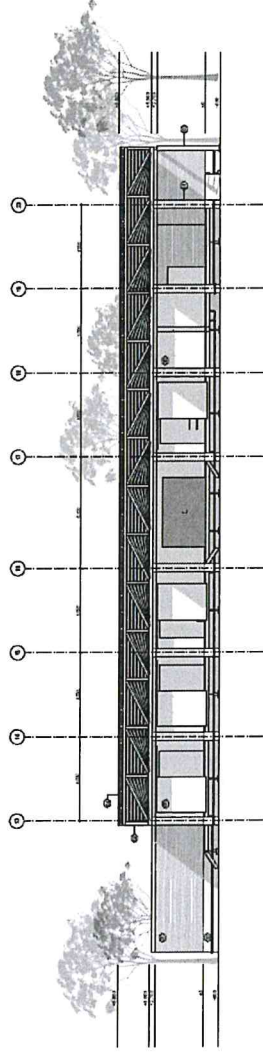
(C) SECTION C-C CULTURAL KNOWLEDGE CENTRE 1/20



PROJECT NAME: OULALA CORP. DEVELOPMENT
DRAWING TITLE: DA ELEVATIONS
 RANGER STATION ELEVATIONS
SITE: SANDY CREEK BORE CAPE YORK QLD
CLIENT: OULALAMORNINGAL CORPORATION
SCALE: AS SHOWN
DATE: 3/10/19
DRAWING NO.: DA 100
REVISION NO.: B



E-01 NORTH-WEST ELEVATION
1:200

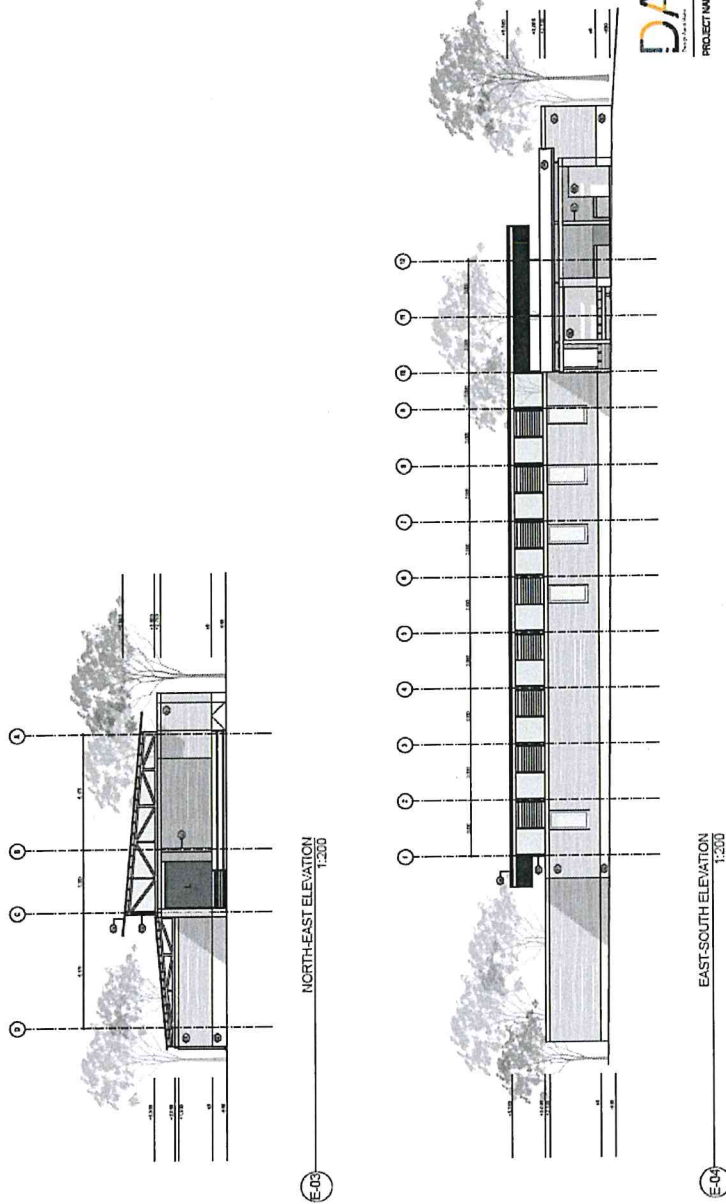


E-02 SOUTH-EAST ELEVATION
1:200

EXTERIOR MATERIALS PALETTE

- 01 HAMMED BARK
- 02 CONCRETE
- 03 IRONWOOD
- 04 CUSTOM GREY SLATWOOD





PROJECT NAME: CUCKA CORP DEVELOPMENT
DRAWING TITLE: DA ELEVATIONS CULTURAL CENTRE ELEVATIONS
SITE: SANDY CREEK/BOHE CAPE YORK QLD
CLIENT: CUCKA/BOHE/CAINAL CORPORATION
SCALE: AS SHOWN
DATE: 3/10/19
DRAWING NO.: DA.301
REVISION NO.:

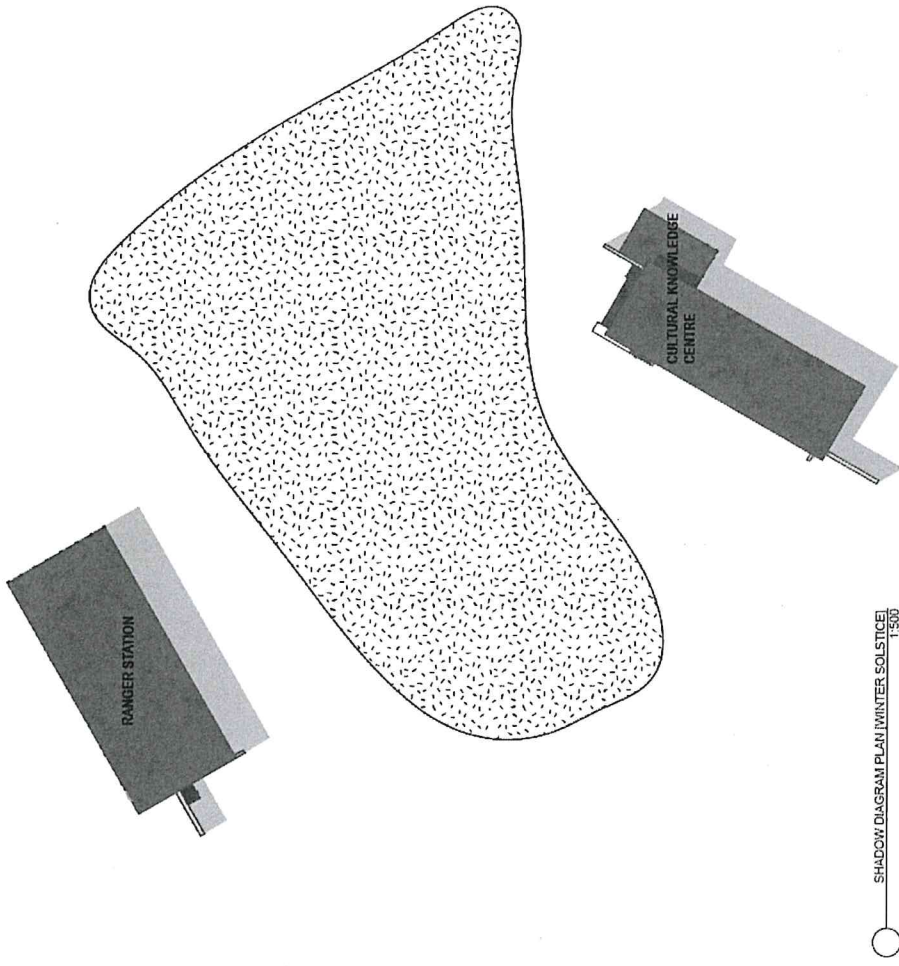
EXTERIORS MATERIALS PALETTE

	01. FARMED EARTH		02. CONCRETE		03. IRONWOOD		04. CUSTOM LOGS		05. PLYWOOD
--	------------------	--	--------------	--	--------------	--	-----------------	--	-------------



PROJECT NAME: CUCKA CREEK DEVELOPMENT
 DRAWING TITLE: SHADOW PLANS
 22 JUNE 2018
 SITE: SANDY CREEK CREEK COPE YORK QLD
 CLIENT: CUCKA ORIGINAL CORPORATION

SCALE: AS SHOWN
 DATE: 31/03/18
 DRAWING NO. DA-300
 REVISION NO. 8



Attachment 1 (Part 2) – Conditions imposed by the State Assessment and Referral Agency (SARA)

RA6-N



Queensland Treasury

SARA reference: 2006-17317 SRA
Council reference: DA/4160
Applicant reference: Sandy Creek

23 July 2020

Chief Executive Officer
Cook Shire Council
PO Box 3
Cooktown Qld 4895
mail@cook.qld.gov.au

Attention: Michael Fallon

Dear Sir/Madam

SARA response—Dixie Road, Dixie

(Referral agency response given under section 58 of the *Planning Act 2016*)

The development application described below was confirmed as properly referred by the State Assessment and Referral Agency (SARA) on 26 June 2020.

Response

Outcome:	Referral agency response – with conditions.
Date of response:	23 July 2020
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 (Outstation and Nature Based Tourism)
SARA role:	Referral Agency.	
SARA trigger:	Schedule 10, Part 3, Division 4, Table 3, Item 1 (Planning Regulation 2017)	
	Development application for a material change of use involving native	

Page 1 of 7

Far North Queensland regional office
Ground Floor, Cnr Grafton and Hartley
Street, Cairns
PO Box 2358, Cairns QLD 4870

vegetation clearing
SARA reference: 2006-17317 SRA
Assessment Manager: Cook Shire Council
Street address: Dixie Road, Dixie
Real property description: Lot 6 on SP262570
Applicant name: Olkola Aboriginal Corporation
c/- Dr Hannah Robertson
Applicant contact details: PO Box 523
Westcourt QLD 4870
hannah.robertson@unimelb.edu.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, Principal Planning Officer, SARA Far North QLD on 40373228 or via email CairnsSARA@dsmip.qld.gov.au who will be pleased to assist.

Yours sincerely



Brett Nancarrow
Manager (Planning)

cc Olkola Aboriginal Corporation C/- Dr Hannah Robertson , hannah.robertson@unimelb.edu.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 3, Division 4, Table 3, Item 1—The chief executive administering the <i>Planning Act 2016</i> nominates the Director-General of the Department of Natural Resources, Mines and Energy 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.	The clearing of vegetation under this development approval is limited to the areas identified as Area A (Parts A ¹ – A ⁷) and Area B (Parts B ¹ – B ³) as shown on attached Technical Agency Response Plan (TARP) 2006-17317 SRA dated 21 July 2020.	At all times
2.	No built structure, other than for fences, tracks/roads and underground services, is to be established, constructed or located within area identified as Area B (B ¹ – B ³) as shown on attached Technical Agency Response Plan (TARP) 2006-17317 SRA dated 21 July 2020.	At all times
3.	Any person(s) engaged or employed to carry out the clearing of vegetation under this development approval must be provided with a full copy of this development approval, and must be made aware of the full extent of clearing authorised by this development approval.	Prior to clearing

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.	To request an electronic file of the Derived Points (Attached to Plan: 2006-17317 SRA) as contained in this technical agency response, email a request to the Department of Natural Resources, Mines and Energy at northvegetation@dnrme.qld.gov.au and include application reference (2006-17317 SRA).
Further permits	
3.	Despite this development approval, other permits or approvals may be required for the clearing of vegetation. To determine if the proposed clearing requires other approvals under other local, State or federal laws go to www.qld.gov.au (search 'vegetation clearing requirements').

Attachment 3—Reasons for referral agency response

(Given under section 58(7) of the *Planning Act 2016*)

The reasons for the department's decision are:

- The majority of the proposed development is located within existing cleared areas.
- The proposed development will result in the potential clearing of 3.75ha hectares of Category B regulated vegetation of least concern regional ecosystem.
- The proposed development does not impact essential habitat.
- The proposed development does not result in a significant residual impact on matters of state environmental significance.
- The department carried out an assessment against SDAP, State code 16: Native vegetation clearing and found that, with conditions the proposed development:
 - avoids clearing, or where avoidance is not reasonably possible, minimises clearing to conserve vegetation, avoids land degradation, avoids the loss of biodiversity and maintains ecological processes.
 - avoids impacts on vegetation that is a matter of state environmental significance.

Material used in the assessment of the application:

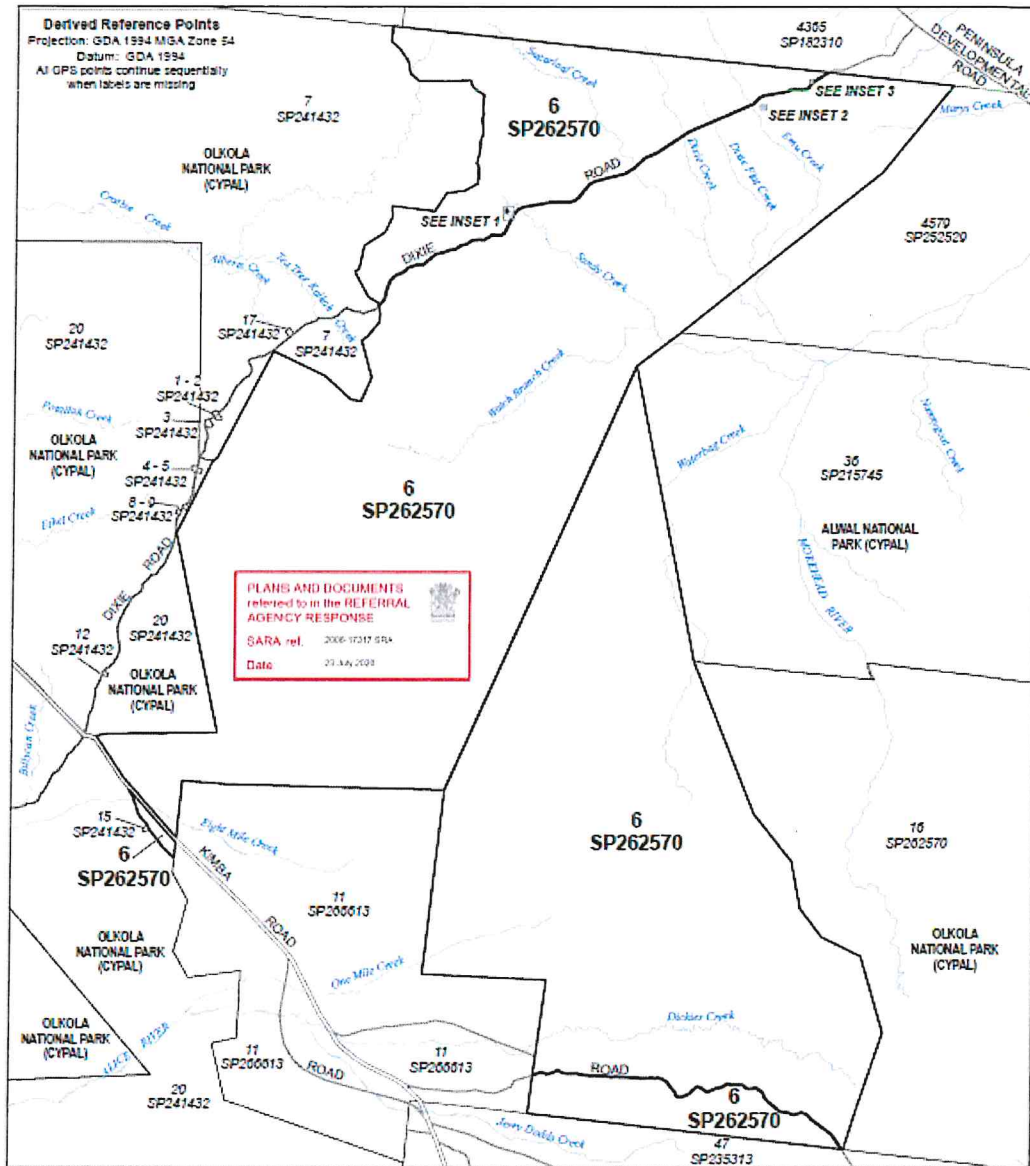
- The development application material and submitted plans
- *Planning Act 2016*
- Planning Regulation 2017
- The *State Development Assessment Provisions* (version [2.6]), as published by the SARA.
- The Development Assessment Rules
- SARA DA Mapping system

Attachment 4—Change representation provisions

(page left intentionally blank – attached separately)

Attachment 5—Approved plans and specifications

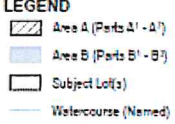


(page left intentionally blank – attached separately)

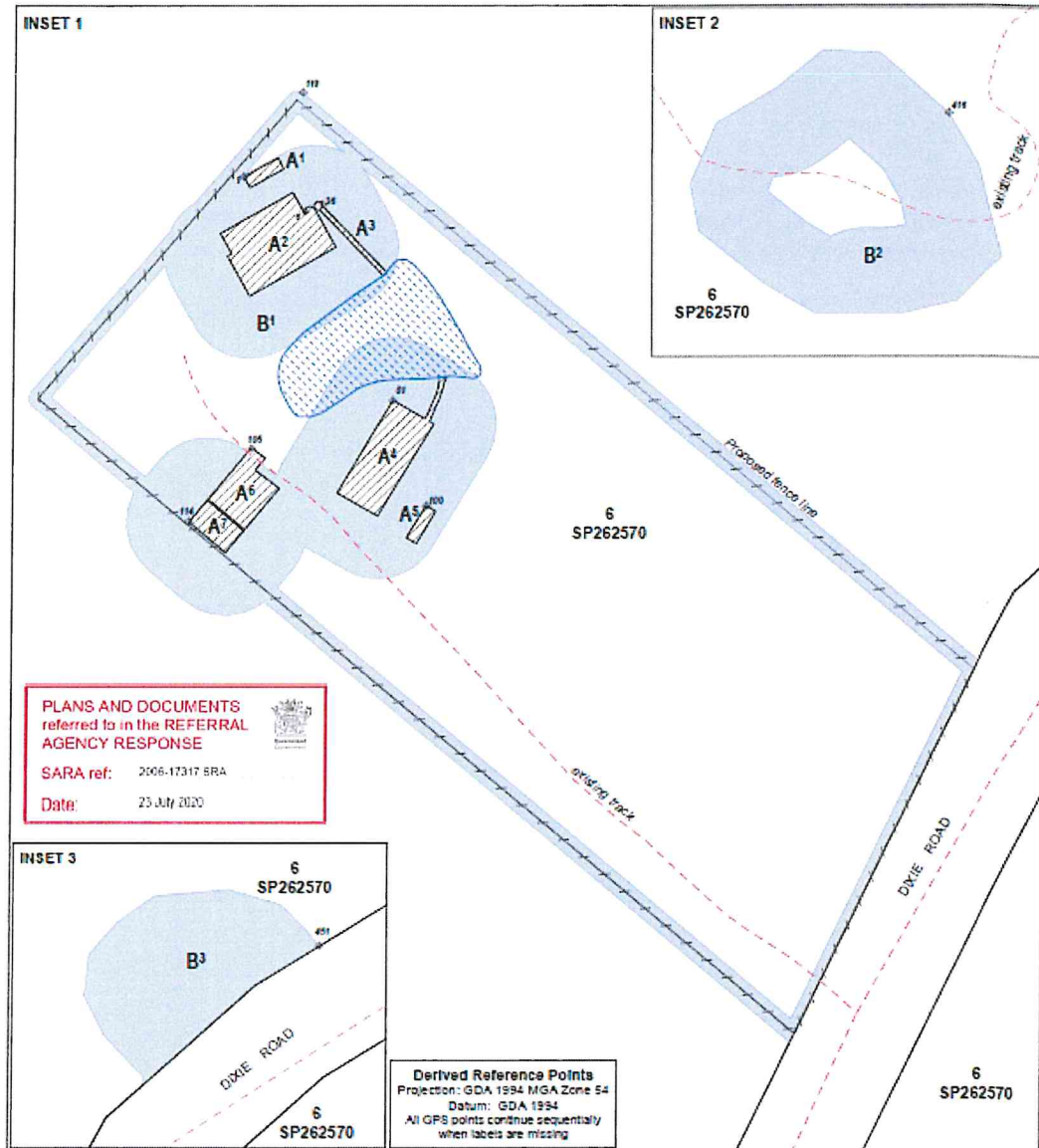


1:200 000 @ A3 size
 0 5 000 10 000 15 000 m
 Projection: GDA 1994 MGA Zone 54 Datum: GDA 1994

Note: Derived Reference Points are provided to assist in the location of area boundaries. Responsibility for locating these boundaries lies solely with the landholder and delegated contractor(s).

The property boundaries shown on this plan are APPROXIMATE ONLY. They are NOT an accurate representation of the legal boundaries.
 This plan must be read in conjunction with Decision Notice 2006 -17317 SRA

LEGEND 	Technical Agency Response Plan Plan of Area A (Parts A¹ - A⁷), Area B (Parts B¹ - B³) in Lot 6 on Plan SP262570		 
	eLVAS Case ID: 2020/011986 LOCAL GOVT: COOK SHIRE LOCALITY OF DIXIE		
File Reference: TSV20025 - VEG Compiled from: DCCB, RVM & NRM Notes on File Prepared by: E Russell Department: DNRM Region: NORTH Date: 21 July 2020			

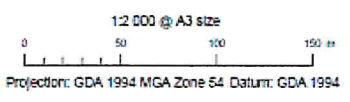


PLANS AND DOCUMENTS referred to in the REFERRAL AGENCY RESPONSE

SARA ref: 2006-17317 SRA

Date: 23 July 2020



Derived Reference Points
 Projection: GDA 1994 MGA Zone 54
 Datum: GDA 1994
 All GPS points continue sequentially when labels are missing



Note: Derived Reference Points are provided to assist in the location of area boundaries. Responsibility for locating these boundaries lies solely with the landholder and delegated contractor(s).

The property boundaries shown on this plan are APPROXIMATE ONLY. They are NOT an accurate representation of the legal boundaries.

This plan must be read in conjunction with Decision Notice 2006 -17317 SRA

<p>LEGEND</p> <ul style="list-style-type: none"> ○ Derived Reference Points (start points) □ Subject Lot(s) ▨ Area A (Parts A¹ - A⁷) ▩ Area B (Parts B¹ - B³) --- Proposed fence line ■ Water <p><small>Note: This is a colour plan and should only be reproduced in colour</small></p>	<p>Technical Agency Response Plan</p> <p>Plan of Area A (Parts A¹ - A⁷), Area B (Parts B¹ - B³) in Lot 6 on Plan SP262570</p> <p>eLVAS Case ID: 2020/011966</p>		 N	 Version: 1
	<p>LOCAL GOVT: COOK SHIRE LOCALITY OF DIXIE</p> <p>File Reference: TSV20025 Compiled from: DCDB, RVM & NRM0 Notes on File</p> <p>Prepared by: E. Russell Department: DNRM Region: NORTH Date: 21 July 2020</p>		<p>TARP</p> <p>2006 -17317 SRA</p> <p>Sheet 2 of 2</p>	

Attachment to Plan: 2006-17317 SRA


Derived Reference Points for GPS

Horizontal Datum: GDA94 Projection: Transverse Mercator MGA 94 Zone 54

PLANS AND DOCUMENTS referred to in the REFERRAL AGENCY RESPONSE

SARA ref: 2006-17317 SRA

Date: 23 Aug 2020



Note: Derived Reference Points are provided to assist in the location of the area boundaries. Responsibility for locating area boundaries lies solely with the landholder and delegated contractor(s). This attachment must be read in conjunction with the accompanying plan and the Referral Agency Response 2006-17317 SRA. Derived Reference Points are indicated on the accompanying plan and proceed sequentially if labels are missing.

Parcel	ID	Easting	Northing	Parcel	ID	Easting	Northing	Parcel	ID	Easting	Northing
A1	1	756449	8333471	A3	61	756486	8333456	B1	121	756509	8333491
A1	2	756467	8333481	A3	62	756486	8333456	B1	122	756513	8333487
A1	3	756470	8333476	A3	63	756486	8333457	B1	123	756624	8333395
A1	4	756452	8333466	A3	64	756486	8333457	B1	124	756837	8333217
A1	5	756449	8333471	A3	65	756486	8333457	B1	125	756738	8333016
A2	6	756481	8333453	A3	66	756486	8333457	B1	126	756468	8333242
A2	7	756481	8333453	A3	67	756486	8333458	B1	127	756461	8333248
A2	8	756481	8333454	A3	68	756487	8333458	B1	128	756456	8333245
A2	9	756481	8333454	A3	69	756487	8333458	B1	129	756450	8333242
A2	10	756481	8333455	A3	70	756487	8333458	B1	130	756442	8333241
A2	11	756482	8333455	A3	71	756487	8333458	B1	131	756433	8333242
A2	12	756482	8333455	A3	72	756488	8333458	B1	132	756426	8333244
A2	13	756482	8333455	A3	73	756488	8333458	B1	133	756419	8333249
A2	14	756483	8333456	A3	74	756488	8333458	B1	134	756412	8333254
A2	15	756483	8333456	A3	75	756489	8333458	B1	135	756405	8333260
A2	16	756483	8333456	A3	76	756489	8333458	B1	136	756400	8333265
A2	17	756484	8333456	A3	77	756490	8333458	B1	137	756394	8333271
A2	18	756484	8333456	A3	78	756490	8333457	B1	138	756390	8333278
A2	19	756484	8333456	A3	79	756490	8333457	B1	139	756389	8333287
A2	20	756484	8333456	A3	80	756490	8333456	B1	140	756389	8333297
A2	21	756484	8333455	A4	81	756528	8333354	B1	141	756392	8333306
A2	22	756485	8333455	A4	82	756545	8333344	B1	142	756338	8333351
A2	23	756485	8333455	A4	83	756546	8333346	B1	143	756336	8333354
A2	24	756485	8333455	A4	84	756548	8333352	B1	144	756337	8333358
A2	25	756486	8333455	A4	85	756551	8333357	B1	145	756369	8333396
A2	26	756497	8333434	A4	86	756552	8333361	B1	146	756400	8333431
A2	27	756493	8333432	A4	87	756552	8333366	B1	147	756404	8333436
A2	28	756452	8333409	A4	88	756555	8333366	B1	148	756410	8333442
A2	29	756440	8333430	A4	89	756556	8333366	B1	149	756412	8333446
A2	30	756443	8333431	A4	90	756555	8333363	B1	150	756414	8333450
A2	31	756437	8333441	A4	91	756554	8333359	B1	151	756417	8333453
A2	32	756474	8333463	A4	92	756552	8333355	B1	152	756420	8333455
A2	33	756481	8333452	A4	93	756550	8333351	B1	153	756423	8333458
A2	34	756481	8333453	A4	94	756549	8333347	B1	154	756472	8333514
A2	35	756481	8333453	A4	95	756547	8333343	B1	155	756474	8333516
A3	36	756490	8333456	A4	96	756549	8333342	B1	156	756476	8333517
A3	37	756490	8333456	A4	97	756520	8333293	B1	157	756478	8333516
A3	38	756490	8333456	A4	98	756499	8333305	B1	158	756480	8333515
A3	39	756494	8333452	A4	99	756528	8333354	B1	159	756450	8333473
A3	40	756507	8333439	A5	100	756546	8333299	B1	160	756449	8333472
A3	41	756521	8333425	A5	101	756551	8333295	B1	161	756465	8333481
A3	42	756524	8333421	A5	102	756540	8333279	B1	162	756466	8333482
A3	43	756523	8333420	A5	103	756535	8333282	B1	163	756466	8333482
A3	44	756522	8333419	A5	104	756548	8333299	B1	164	756470	8333484
A3	45	756519	8333423	A6	105	756454	8333329	B1	165	756475	8333486
A3	46	756516	8333428	A6	106	756481	8333324	B1	166	756479	8333487
A3	47	756504	8333438	A6	107	756461	8333324	B1	167	756484	8333488
A3	48	756492	8333450	A6	108	756456	8333318	B1	168	756488	8333488
A3	49	756489	8333454	A6	109	756456	8333317	B1	169	756493	8333487
A3	50	756489	8333454	A6	110	756468	8333308	B1	170	756498	8333486
A3	51	756488	8333454	A6	111	756450	8333286	B1	171	756502	8333484
A3	52	756488	8333454	A6	112	756431	8333302	B1	172	756502	8333484
A3	53	756487	8333454	A6	113	756454	8333329	B1	173	756497	8333488
A3	54	756487	8333454	A7	114	756421	8333290	B1	174	756477	8333505
A3	55	756487	8333454	A7	115	756430	8333301	B1	175	756450	8333473
A3	56	756487	8333454	A7	116	756450	8333285	B1	176	756467	8333481
A3	57	756486	8333454	A7	117	756440	8333274	B1	177	756449	8333471
A3	58	756486	8333455	A7	118	756421	8333290	B1	178	756452	8333466
A3	59	756486	8333455	B1	119	756480	8333515	B1	179	756470	8333476
A3	60	756486	8333456	B1	120	756505	8333494	B1	180	756467	8333481

Attachment to Plan: 2006-17317 SRA

Derived Reference Points for GPS

Horizontal Datum: GDA94 Projection: Transverse Mercator MGA 84 Zone 54



Note: Derived Reference Points are provided to assist in the location of the area boundaries. Responsibility for locating area boundaries lies solely with the landholder and delegated contractor(s). This attachment must be read in conjunction with the accompanying plan and the Referral Agency Response 2006-17317 SRA. Derived Reference Points are indicated on the accompanying plan and proceed sequentially if labels are missing.

Parcel	ID	Easting	Northing	Parcel	ID	Easting	Northing	Parcel	ID	Easting	Northing
B1	181	756515	8333470	B1	241	756494	8333361	B1	301	756471	8333252
B1	182	756526	8333451	B1	242	756498	8333369	B1	302	756738	8333029
B1	183	756528	8333446	B1	243	756502	8333375	B1	303	756828	8333211
B1	184	756530	8333442	B1	244	756505	8333378	B1	304	756820	8333385
B1	185	756530	8333437	B1	245	756509	8333381	B1	305	756551	8333435
B1	186	756530	8333432	B1	246	756516	8333385	B1	306	756553	8333441
B1	187	756530	8333429	B1	247	756516	8333385	B1	307	756541	8333451
B1	188	756529	8333423	B1	248	756517	8333385	B1	308	756511	8333476
B1	189	756527	8333419	B1	249	756517	8333385	B1	309	756513	8333474
B1	190	756524	8333415	B1	250	756519	8333386	B1	310	756514	8333471
B1	191	756521	8333411	B1	251	756520	8333386	B1	311	756515	8333470
B1	192	756518	8333408	B1	252	756521	8333386	B1	312	756440	8333274
B1	193	756514	8333406	B1	253	756521	8333386	B1	313	756450	8333285
B1	194	756499	8333397	B1	254	756526	8333387	B1	314	756430	8333301
B1	195	756498	8333397	B1	255	756531	8333387	B1	315	756421	8333290
B1	196	756498	8333397	B1	256	756535	8333386	B1	316	756440	8333274
B1	197	756494	8333394	B1	257	756540	8333385	B1	317	756635	8333282
B1	198	756485	8333390	B1	258	756544	8333382	B1	318	756540	8333279
B1	199	756477	8333385	B1	259	756547	8333381	B1	319	756551	8333295
B1	200	756468	8333380	B1	260	756551	8333373	B1	320	756548	8333289
B1	201	756460	8333377	B1	261	756552	8333372	B1	321	756535	8333282
B1	202	756450	8333376	B1	262	756554	8333371	B1	322	756520	8333293
B1	203	756441	8333378	B1	263	756554	8333371	B1	323	756549	8333342
B1	204	756433	8333382	B1	264	756556	8333370	B1	324	756547	8333343
B1	205	756426	8333389	B1	265	756570	8333367	B1	325	756549	8333347
B1	206	756421	8333397	B1	266	756573	8333364	B1	326	756550	8333351
B1	207	756416	8333405	B1	267	756576	8333361	B1	327	756552	8333355
B1	208	756412	8333413	B1	268	756579	8333357	B1	328	756554	8333359
B1	209	756409	8333421	B1	269	756580	8333353	B1	329	756555	8333363
B1	210	756408	8333425	B1	270	756582	8333349	B1	330	756556	8333366
B1	211	756379	8333391	B1	271	756582	8333345	B1	331	756556	8333366
B1	212	756348	8333355	B1	272	756582	8333341	B1	332	756552	8333366
B1	213	756398	8333314	B1	273	756582	8333341	B1	333	756552	8333361
B1	214	756405	8333323	B1	274	756582	8333341	B1	334	756551	8333357
B1	215	756405	8333323	B1	275	756581	8333332	B1	335	756548	8333352
B1	216	756405	8333323	B1	276	756581	8333332	B1	336	756546	8333346
B1	217	756409	8333327	B1	277	756578	8333324	B1	337	756545	8333344
B1	218	756413	8333330	B1	278	756574	8333319	B1	338	756528	8333354
B1	219	756418	8333332	B1	279	756574	8333319	B1	339	756490	8333305
B1	220	756423	8333334	B1	280	756548	8333276	B1	340	756520	8333293
B1	221	756428	8333334	B1	281	756546	8333272	B1	341	756440	8333430
B1	222	756433	8333334	B1	282	756542	8333269	B1	342	756452	8333409
B1	223	756438	8333334	B1	283	756539	8333268	B1	343	756493	8333422
B1	224	756443	8333332	B1	284	756534	8333263	B1	344	756497	8333434
B1	225	756447	8333330	B1	285	756530	8333262	B1	345	756488	8333455
B1	226	756452	8333327	B1	286	756526	8333261	B1	346	756485	8333455
B1	227	756431	8333302	B1	287	756521	8333260	B1	347	756485	8333455
B1	228	756450	8333286	B1	288	756517	8333260	B1	348	756485	8333455
B1	229	756468	8333308	B1	289	756513	8333261	B1	349	756484	8333455
B1	230	756456	8333317	B1	290	756509	8333262	B1	350	756484	8333456
B1	231	756456	8333318	B1	291	756509	8333262	B1	351	756484	8333456
B1	232	756459	8333321	B1	292	756506	8333263	B1	352	756484	8333456
B1	233	756467	8333314	B1	293	756506	8333263	B1	353	756484	8333456
B1	234	756467	8333315	B1	294	756506	8333263	B1	354	756483	8333456
B1	235	756467	8333315	B1	295	756482	8333277	B1	355	756483	8333456
B1	236	756469	8333319	B1	296	756481	8333274	B1	356	756483	8333456
B1	237	756470	8333322	B1	297	756479	8333270	B1	357	756482	8333456
B1	238	756485	8333346	B1	298	756477	8333267	B1	358	756482	8333455
B1	239	756489	8333354	B1	299	756474	8333263	B1	359	756482	8333455
B1	240	756490	8333355	B1	300	756468	8333255	B1	360	756481	8333455


Attachment to Plan: 2006-17317 SRA

Derived Reference Points for GPS

Horizontal Datum: GDA94 Projection: Transverse Mercator MGA 94 Zone 54

PLANS AND DOCUMENTS
related to the REFERRAL
AGENCY RESPONSE

SARA ref: 2006-17317 SRA
Date: 23 July 2020



Note: Derived Reference Points are provided to assist in the location of the area boundaries. Responsibility for locating area boundaries lies solely with the landholder and delegated contractor(s). This attachment must be read in conjunction with the accompanying plan and the Referral Agency Response 2006-17317 SRA. Derived Reference Points are indicated on the accompanying plan and proceed sequentially if labels are missing.

Parcel	ID	Easting	Northing	Parcel	ID	Easting	Northing	Parcel	ID	Easting	Northing
B1	361	756481	8333454	B2	421	770188	8338803				
B1	362	756481	8333454	B2	422	770183	8338803				
B1	363	756481	8333453	B2	423	770140	8338803				
B1	364	756481	8333453	B2	424	770113	8338819				
B1	365	756481	8333453	B2	425	770078	8338846				
B1	366	756481	8333452	B2	426	770074	8338871				
B1	367	756474	8333463	B2	427	770088	8338903				
B1	368	756437	8333441	B2	428	770100	8338910				
B1	369	756443	8333431	B2	429	770119	8338922				
B1	370	756440	8333430	B2	430	770144	8338941				
B1	371	756486	8333456	B2	431	770161	8338940				
B1	372	756486	8333456	B2	432	770174	8338940				
B1	373	756486	8333456	B2	433	770211	8338908				
B1	374	756486	8333455	B2	434	770135	8338851				
B1	375	756486	8333454	B2	435	770148	8338843				
B1	376	756487	8333454	B2	436	770155	8338846				
B1	377	756487	8333454	B2	437	770183	8338848				
B1	378	756487	8333454	B2	438	770181	8338848				
B1	379	756487	8333454	B2	439	770188	8338850				
B1	380	756488	8333454	B2	440	770185	8338864				
B1	381	756488	8333454	B2	441	770176	8338879				
B1	382	756489	8333454	B2	442	770158	8338895				
B1	383	756489	8333454	B2	443	770146	8338885				
B1	384	756492	8333450	B2	444	770142	8338883				
B1	385	756504	8333438	B2	445	770134	8338878				
B1	386	756516	8333426	B2	446	770126	8338876				
B1	387	756519	8333423	B2	447	770117	8338874				
B1	388	756522	8333419	B2	448	770114	8338867				
B1	389	756523	8333420	B2	449	770128	8338857				
B1	390	756524	8333421	B2	450	770135	8338851				
B1	391	756521	8333425	B3	451	772752	8340210				
B1	392	756507	8333439	B3	452	772718	8340189				
B1	393	756494	8333452	B3	453	772716	8340187				
B1	394	756490	8333456	B3	454	772712	8340185				
B1	395	756490	8333456	B3	455	772709	8340181				
B1	396	756490	8333456	B3	456	772709	8340181				
B1	397	756490	8333457	B3	457	772660	8340137				
B1	398	756490	8333457	B3	458	772659	8340141				
B1	399	756490	8333458	B3	459	772639	8340183				
B1	400	756489	8333458	B3	460	772629	8340184				
B1	401	756489	8333458	B3	461	772631	8340205				
B1	402	756488	8333458	B3	462	772648	8340222				
B1	403	756488	8333458	B3	463	772665	8340236				
B1	404	756488	8333458	B3	464	772704	8340240				
B1	405	756487	8333458	B3	465	772731	8340232				
B1	406	756487	8333458	B3	466	772745	8340218				
B1	407	756487	8333458	B3	467	772747	8340215				
B1	408	756487	8333458	B3	468	772752	8340210				
B1	409	756486	8333458								
B1	410	756486	8333457								
B1	411	756486	8333457								
B1	412	756486	8333457								
B1	413	756486	8333457								
B1	414	756486	8333456								
B1	415	756486	8333456								
B2	416	770211	8338908								
B2	417	770227	8338881								
B2	418	770238	8338833								
B2	419	770215	8338810								
B2	420	770194	8338805								

Attachment 1 (Part 3) – Notice of Decision – Statement of Reasons (D23/17482)

D23/17482

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:	DA/4180
Approval Sought:	Change Application (Minor) Development Permit for a Material Change of Use – Outstation and Nature Based Tourism
Description of the Development:	Outstation and Nature Based Tourism
Street Address:	Dixie Road, Dixie QLD 4892
Real Property Description:	Lot 6 on SP262570

DECISION DETAILS

Type of Decision:	Approval subject to Conditions
Date of Decision:	08 June 2023

APPLICABLE ASSESSMENT BENCHMARKS

Planning Scheme: Cook Shire Council Planning Scheme 2017 (V2.0)

- Rural Zone Code
- Residential Use Code
- Works, Services, and Infrastructure Code
- Parking and Access Code
- Biodiversity Overlay Code
- Bushfire Hazard Overlay Code
- Flood and Other Coastal Hazards

State Planning Policy (SPP): State Planning Policy (July 2017)

Planning regulation 2017: This application did not trigger any matters prescribed by the regulation.

PUBLIC NOTIFICATION

The Minor Change Application was not subject to public notification.

REASONS FOR THE DECISION

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

- The proposed changes are consistent with the approval and introduce no new impacts.

Attachment 2 - Extract of Appeal Provisions (Chapter 6 part 1 of the *Planning Act 2016*)

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

- (e) each person who may elect to be a co-respondent for the appeal other than an eligible submitter for a development application or change application the subject of the appeal; and
 - (f) for an appeal to the P&E Court—the chief executive; and
 - (g) for an appeal to a tribunal under another Act—any other person who the registrar considers appropriate.
- (4) The *service period* is—
- (a) if a submitter or advice agency started the appeal in the P&E Court—2 business days after the appeal is started; or
 - (b) otherwise—10 business days after the appeal is started.
- (5) A notice of appeal given to a person who may elect to be a co-respondent must state the effect of subsection (6).
- (6) A person elects to be a co-respondent to an appeal by filing a notice of election in the approved form—
- (a) if a copy of the notice of appeal is given to the person—within 10 business days after the copy is given to the person; or
 - (b) otherwise—within 15 business days after the notice of appeal is lodged with the registrar of the tribunal or the P&E Court.
- (7) Despite any other Act or rules of court to the contrary, a copy of a notice of appeal may be given to the chief executive by emailing the copy to the chief executive at the email address stated on the department's website for this purpose.

231 Non-appealable decisions and matters

- (1) Subject to this chapter, section 316(2), schedule 1 and the P&E Court Act, unless the Supreme Court decides a decision or other matter under this Act is affected by jurisdictional error, the decision or matter is non-appealable.

- (2) The *Judicial Review Act 1991*, part 5 applies to the decision or matter to the extent it is affected by jurisdictional error.
- (3) A person who, but for subsection (1) could have made an application under the *Judicial Review Act 1991* in relation to the decision or matter, may apply under part 4 of that Act for a statement of reasons in relation to the decision or matter.
- (4) In this section—
decision includes—
- (a) conduct engaged in for the purpose of making a decision; and
 - (b) other conduct that relates to the making of a decision; and
 - (c) the making of a decision or the failure to make a decision; and
 - (d) a purported decision; and
 - (e) a deemed refusal.
- non-appealable*, for a decision or matter, means the decision or matter—
- (a) is final and conclusive; and
 - (b) may not be challenged, appealed against, reviewed, quashed, set aside or called into question in any other way under the *Judicial Review Act 1991* or otherwise, whether by the Supreme Court, another court, any tribunal or another entity; and
 - (c) is not subject to any declaratory, injunctive or other order of the Supreme Court, another court, any tribunal or another entity on any ground.

232 Rules of the P&E Court

- (1) A person who is appealing to the P&E Court must comply with the rules of the court that apply to the appeal.
- (2) However, the P&E Court may hear and decide an appeal even if the person has not complied with rules of the P&E Court.