

Our Ref: LM: Imc:DA/4873 D25/36993

14 October 2025

W. Savage, D. Savage and G. Savage
C-/ MD Land Surveys
228 Draper Street
PARRAMATTA PARK QLD 4870
E-mail: erin@mdlandsurveys.com.au

Attention: Erin Berthelsen

Dear Ms Berthelsen

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

With reference to Development Application (DA/4873) please find attached the relevant Decision Notice, which was approved by Cook Shire Council in full, subject to conditions.

Details of the decision are as follows:

Decision Details

Date of Decision: Council approved the Development Application by delegation to the Chief Executive Officer on **09 October 2025**.

Approval Details: **Approved in full** with conditions. These conditions are set out in Attachment 1 and are clearly identified to indicate whether the assessment manager or concurrence agency imposed them.

Application Details

Application Number: DA/4873

Approval Sought: Development Permit for a Lot Reconfiguration

Description of the Development: Reconfiguration of a Lot (2 into 3 lots) and Access Easement

Category of Development: Assessable Development

Category of Assessment: Code Assessment

Planning Scheme: Cook Shire Council Planning Scheme 2017 v2.0

Premises Details

Location - Street Address: 8 and 6 Buhmann Street, Cooktown 4895

Location - Real Property Description: Lot 16 on SP297336 and Lot 18 on SP219099

All or part of above land: All

Local Government Area: Cook Shire

Assessment Manager Conditions

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

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 Plumbing and Drainage Work
2. Development Permit for Building Work
3. Development Permit for Operational Works

Properly Made Submissions

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

Referral Agencies

The referral agencies for the application are:

Referral Agency	Referral Matter
State Assessment and Referral Agency (SARA) Far North Queensland Regional Office PO Box 2358 CAIRNS QLD 4870 Ph: 07 4037 3214 E-mail: CairnsSARA@dsdilgp.qld.gov.au MyDAS2 online referrals: https://prod2.dev-assess.qld.gov.au/suite/	Schedule 10, Part 9, Division 4, Subdivision 2 Table 1 (<i>Planning Regulation 2017</i>)

Variation approval details

Not Applicable

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**.

Currency Period for the Approval

This approval lapses if a plan for the reconfiguration that, under the *Land Title Act 1994*, is required to be given to a local government for approval is not given within *four (4) years*.

Lapsing of approval if development started but not completed

In accordance with section 88(1) of the *Planning Act 2016*, a development approval, other than a variation approval, for development lapses to the extent the development is not completed within any period or periods required under a development condition.

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 5 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: State Assessment and Referral Agency (SARA) CairnsSARA@dsdilgp.qld.gov.au

enc: **Attachment 1 (A)** Conditions Imposed by the Assessment Manager
Attachment 1 (B) Conditions Imposed by a Concurrence Agency (D25/21635)
Attachment 2 Approved Plans (D25/21636)
Attachment 3 Infrastructure Charges Notice (D25/21631)
Attachment 4 Notice of Decision – Statement of Reasons (AD2025/0003642)
Attachment 5 Extract of Appeal Provisions (Chapter 6 part 1 of the *Planning Act 2016*)

Attachment 1 (A) Conditions Imposed by the Assessment Manager

A. ASSESSMENT MANAGER (COUNCIL) CONDITIONS

No.	Condition	Timing
GENERAL		
1.	COMPLIANCE WITH CONDITIONS The Developer is responsible for ensuring compliance with this development approval and the conditions of the approval by an employee, agent, contractor, or invitee of the Developer.	At all times
2.	OUTSTANDING CHARGES All rates, service charges, interest and other charges levied on the land must be paid prior to Council endorsement of the Plan of Survey.	Prior to Council endorsement of the Plan of Survey
3.	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.	At all times
4.	WORKS - DAMAGE TO INFRASTRUCTURE The Developer must repair any damage to existing infrastructure 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, must be repaired immediately.	At all times
5.	WORKS – DESIGN & STANDARD Unless otherwise stated, all works must be designed, constructed, and maintained in accordance with the relevant Council policies, guidelines, and standards.	At all times
6.	WORKS – SPECIFICATION & CONSTRUCTION All engineering drawings/specifications, design and construction works must comply with the requirements of the relevant Australian Standards and must be approved, supervised, and certified by a Registered Professional Engineer of Queensland (RPEQ).	At all times
7.	COMMENCEMENT OF USE The use must not commence until the conditions of the approval relevant to each stage have been complied with.	At all times
8.	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.	At all times

9.	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.	At all times																																				
APPROVED PLANS & DOCUMENTS																																						
10.	Undertake the approved development generally in accordance with the approved plans and documents, including any amendments made in red on the approved plan(s) or document(s): <table><tr><th>Title</th><th>Ref.</th><th>Date</th><th>Prepared By</th></tr><tr><td>Proposed Reconfiguration of a Lot (2 Lots into 3 Lots – Lot 161, 162 and 181 and Easement A</td><td>Job No: 1577, Rev C</td><td>25/09/24</td><td>MD Land Surveys</td></tr><tr><td>General Arrangement</td><td>035-2501-01-DRG-0001, B</td><td>15.09.25</td><td>Neon</td></tr><tr><td>Earthworks Plan</td><td>035-2501-01-DRG-0002, B</td><td>15.09.25</td><td>Neon</td></tr><tr><td>Longitudinal Sections</td><td>035-2501-01-DRG-0003, B</td><td>15.09.25</td><td>Neon</td></tr><tr><td>Earthworks Sections</td><td>035-2501-01-DRG-0004, A</td><td>15.09.25</td><td>Neon</td></tr><tr><td>Access Sight Assessment</td><td>035-2501-01-DRG-0011, A</td><td>15.09.25</td><td>Neon</td></tr><tr><td>Access Sight Swept Path 1</td><td>035-2501-01-DRG-0012, A</td><td>15.09.25</td><td>Neon</td></tr><tr><td>Access Sight Swept Path 2</td><td>035-2501-01-DRG-0013, A</td><td>15.09.25</td><td>Neon</td></tr></table>	Title	Ref.	Date	Prepared By	Proposed Reconfiguration of a Lot (2 Lots into 3 Lots – Lot 161, 162 and 181 and Easement A	Job No: 1577, Rev C	25/09/24	MD Land Surveys	General Arrangement	035-2501-01-DRG-0001, B	15.09.25	Neon	Earthworks Plan	035-2501-01-DRG-0002, B	15.09.25	Neon	Longitudinal Sections	035-2501-01-DRG-0003, B	15.09.25	Neon	Earthworks Sections	035-2501-01-DRG-0004, A	15.09.25	Neon	Access Sight Assessment	035-2501-01-DRG-0011, A	15.09.25	Neon	Access Sight Swept Path 1	035-2501-01-DRG-0012, A	15.09.25	Neon	Access Sight Swept Path 2	035-2501-01-DRG-0013, A	15.09.25	Neon	At all times
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SERVICES		
11.	WATER SUPPLY Proposed Lots 161 and 162 must be connected to the reticulated water supply at full cost to the applicant. The developer will be responsible for metering. Where an alternative source of supply is available within the allotment, the applicant must provide certified evidence as to the flow rates and water quality of the bore water or other supply to eliminate or reduce the requirement of on-site water storage.	Prior to Council approval of the Plan of Survey
12.	ON-SITE WASTEWATER An on-site wastewater system must be provided on proposed Lots 161 and 162 at the time of construction of a dwelling house. Any application for wastewater treatment and disposal must include details	At the time of construction of a Dwelling House

	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 at the time of lodgement of a plumbing and building application.	
13.	ELECTRICITY SUPPLY Proposed Lots 161 and 162 must be connected to the reticulated electricity supply. All electrical infrastructure serving proposed Lot 161 and Lot 162 must be contained entirely within each respective lot.	At the time of construction of a Dwelling House
14.	TELECOMMUNICATIONS Telecommunications to proposed Lots 161 and 162 must be provided to the premises to the standards and requirements of the relevant service provider. All telecommunication infrastructure serving proposed 161 and 162 must be contained entirely within the respective lot.	At the time of construction of a Dwelling House

STORMWATER

15.	Any site works must not adversely affect flooding or drainage characterises of properties that are upstream, downstream, or adjacent to the development site.	At all times
16.	Existing watercourse systems and drainage areas within the subject site must be left in their current state, including no channel alterations and no removal of vegetation, unless otherwise approved.	At all times
17.	All stormwater from the subject site must be directed to a lawful point of discharge such that it does not adversely affect surrounding properties or properties downstream from the development, in accordance with the Queensland Urban Drainage Manual.	At all times

EROSION & SEDIMENT CONTROL

18.	The applicant must ensure that no sand, soil or silt runoff occurs from the site during the construction and operational phase of the development and erosion and sediment controls are in place.	At all times
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ACCESS

19.	Access to Lot 181 must be provided from the existing access on Buhmann Street and maintained to a Rural standard generally in accordance with FNQROC Development Manual Standard Drawings S1105.	At all times
20.	Access to proposed Lots 161 and 162 on Buhmann Street must be provided generally in accordance with the approved plans of development. The access driveway must be constructed prior to the commencement of building work and maintained to a rural crossover standard in	Prior to Council approval of the Plan of Survey

	accordance with the FNQROC Development Manual Standard Drawing S1105. The access driveway must be provided with a minimum width of 5.5 metres for the first 6 metres of the driveway in accordance with Neon Consulting Drawing No. 035-2501-01-DRG-0001 Rev B dated 15 September 2025. The access driveway must provide sufficient queuing space at the access location, with a suitable low gradient, in accordance with Section 3.3 Gradients of Access Driveways of the AS 2890.1-2004 Off-Street Car Parking. Conduits for internal allotment services must be provided adjacent to the concrete driveway for the full length of the driveway, unless otherwise approved.	
21.	ACCESS AND SERVICES EASEMENT Prepare for lodgement for registration at the Department of Resources (Titles Registry) the following Access and Services Easements, as identified on the Approved Plan(s), at no cost to Council: (i) An Access and Services (type) easement over the driveway in favour of Lot 162, over Lot 161 as shown as on the approval plan(s) of development. A copy of the signed easement documents must be submitted to Council with the plan of Survey for endorsement at no cost to Council.	Prior to Council approval of the Plan of Survey
22.	OPERATIONAL WORKS Prior to the commencement of works, an Operational Works application must be lodged and approved by Council for the following: (a) Vehicular Access crossover from Buhmann Street to property boundary of proposed Lot 161; (b) Access 2 Driveway benefitting proposed Lot 161; (c) Access 1 Driveway (Access Easement) over proposed Lot 161 benefitting proposed Lot 162. The application will need to include plans prepared by a Registered Professional Engineer Queensland (RPEQ), and be in accordance with the FNQROC Development Manual, and to the satisfaction of Council's Director Infrastructure. On completion of the works, Council shall require a Certificate of Completion from an RPEQ and a set of as constructed plans submitted to Council.	Prior to Council approval of the Plan of Survey

ENVIRONMENTAL		
23.	PEST MANAGEMENT No State declared or environmental pest, plants, and animals are to be introduced onto the property.	At all times

24.	At all times, Existing creek systems must be left in their current state, including no channel alterations and no removal of vegetation, unless otherwise approved.	At all times
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BUSHFIRE MANAGEMENT

25.	The development must be maintained at all times to a standard so as not to create a fire hazard.	At all times
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VEGETATION CLEARING

26.	Vegetation clearing on Buhmann Street fronting the development must be undertaken in the event that trees or branches obstruct vehicular sight lines northwest from the proposed access location.	At all times
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AMENITY

27.	EXTERNAL IMPACTS The development shall have no adverse impact on the amenity of the surrounding area by way of light nuisance, dust or noise.	At all times
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INFRASTRUCTURE CHARGES

28.	Infrastructure charges must be paid to Council prior to Council endorsement of the Plan of Survey as indicated on the attached Adopted Infrastructure Charges Notice at the rate applicable at the time of payment.	Prior to Council approval of the Plan of Survey
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COMPLIANCE

29.	All conditions of this Development Permit are to be complied with prior to the use commencing and, where relevant, maintained during operation.	As stated
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B. ASSESSMENT MANAGER (COUNCIL) ADVICE

1. The Reconfiguring a Lot approval authorised under this Development Permit must be completed and the Plan of Survey submitted to Council for endorsement within four (4) years from the commencement of this approval or the approval will lapse.
2. A development permit is required for carrying out Building Works and Operational 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.
3. Property Notation for Proposed Lot 161, 162 and 181 – The subject lots are located within the Landslide Hazard Overlay (greater than 15% slope). Any future Development Applications involving Building Works on these lots will trigger a reassessment of geotechnical requirements.
4. Property Notation for Proposed Lot 162 and 181 – Future Building Works within proposed Lots 162 and 181 must provide a minimum 20 metre setback from the top of high bank of Two Mile Creek.
5. The applicant/owner is to ensure compliance with the requirements of the *Aboriginal Cultural Heritage Act* and in particular ‘the duty of care’ that it imposes on all landowners.
6. Removal of Protected Vegetation
This development approval does not approve or authorize the removal of vegetation that is otherwise protected under separate State or Federal legislation, including under the following:
 - *Environment Protection and Biodiversity Conservation Act 1999 (Cth)*;
 - *Nature Conservation Act 1999 (Qld)*;
 - *Vegetation Management Act 1999 (Qld)*.

Attachment 1 (B) Conditions Imposed by a Concurrence Agency (D25/21635)



SARA reference: 2503-45053 SRA
Council reference: DA/4873:AD2025/0000937

9 April 2025

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

Attention: Lisa Miller

Dear Sir/Madam

SARA referral agency response—8 and 6 Buhmann Street, Cooktown

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

The development application described below was confirmed as properly referred by the State Assessment and Referral Agency (SARA) on 10 March 2025.

Response

Outcome:	Referral agency response – with conditions
Date of response:	9 April 2025
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	Reconfiguration of a Lot (2 lots into 3 lots) plus access easement
SARA role:	Referral agency	
SARA trigger:	Schedule 10, Part 9, Division 4, Subdivision 2, Table 1 (Planning Regulation 2017) - reconfiguring a lot near a State transport corridor	

SARA reference: 2503-45053 SRA

Assessment manager: Cook Shire Council

Street address: 8 and 6 Buhmann Street, Cooktown

Real property description: Lot 16 on SP297336 and Lot 18 on SP219099

Applicant name: W Savage, D Savage & G Savage
C/- MD Land Surveys

Applicant contact details: 228 Draper Street
Parramatta Park QLD 4870
erin@mdlandsurveys.com.au

Human Rights Act 2019 considerations: The decision has been assessed for compatibility with human rights under the *Human Rights Act 2019*. The decision was found not to limit human rights under the *Human Rights Act 2019* therefore, it is reasonable to conclude the decision is compatible with human rights.

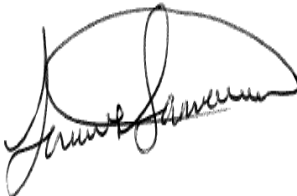
Representations

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 Sue Lockwood, A/Principal Planning Officer, on 40373214 or via email CairnsSARA@dsdilgp.qld.gov.au who will be pleased to assist.

Yours sincerely



Javier Samanes
A/ Manager (Planning)

cc W Savage, D Savage & G Savage, erin@mdlandsurveys.com.au

enc Attachment 1 - Referral agency conditions
Attachment 2 - Advice to the applicant
Attachment 3 - Reasons for referral agency response
Attachment 4 - Representations about a referral agency response provisions

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)

No.	Conditions	Condition timing
Reconfiguring a lot		
10.9.4.2.1.1 – Reconfiguring a lot near a state transport corridor— 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 condition(s):		
1.	Direct access is not permitted between the Mulligan Highway and proposed Lot 181.	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) version 3.2. If a word remains undefined it has its ordinary meaning.

Attachment 3—Reasons for referral agency response

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

The reasons for the SARA's decision are:

The proposed development can be conditioned to comply with the relevant provisions of State code 1: Development in a state-controlled road environment, as it:

- does not increase the likelihood or frequency of accidents, fatalities or serious injury for users of a state-controlled road
- does not adversely impact the structural integrity or physical condition of state-controlled roads, road transport infrastructure, public passenger transport infrastructure or active transport infrastructure
- does not adversely impact the function and efficiency of state-controlled roads
- does not adversely impact the state's ability to plan, construct, maintain, upgrade or operate state-controlled roads, or road transport infrastructure
- protects community amenity from significant adverse impacts of environmental emissions generated by road transport infrastructure or vehicles using state-controlled roads.

Material used in the assessment of the application:

- the development application material and submitted plans
- *Planning Act 2016*
- Planning Regulation 2017
- the SDAP (version 3.2), as published by SARA
- the Development Assessment Rules
- SARA DA Mapping system
- State Planning Policy mapping system
- section 58 of the *Human Rights Act 2019*

Attachment 4—Representations about a referral agency response provisions

(page left intentionally blank – attached separately)

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.

Attachment 2 **Approved Plans (D25/21636)**



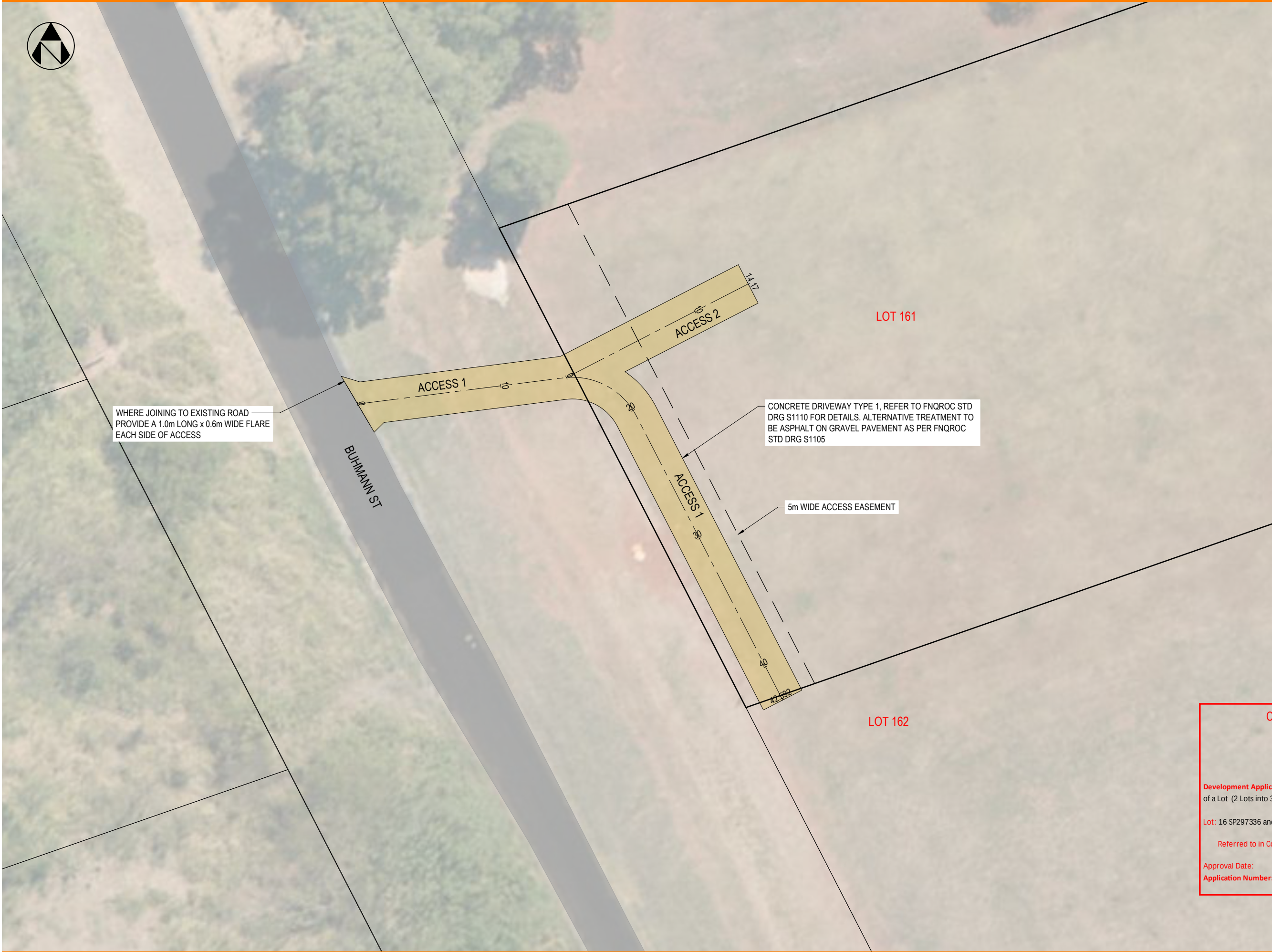
COOK SHIRE COUNCIL
DIGITALLY STAMPED
APPROVED PLAN

Development Application: Development Permit for a Re configuration of a Lot (2 Lots into 3 Lots) and Access Easement

Lot: 16 SP297336 and Lot 18 SP219099

Referred to in Cook Shire Council's Decision Notice (D25/36993)

Approval Date: 09 October 2025
Application Number: DA/4873



LEGEND

- EXISTING ROADWAY
- PROPOSED ACCESS
- EASEMENT BOUNDARY

COOK SHIRE COUNCIL

DIGITALLY STAMPED

APPROVED PLAN

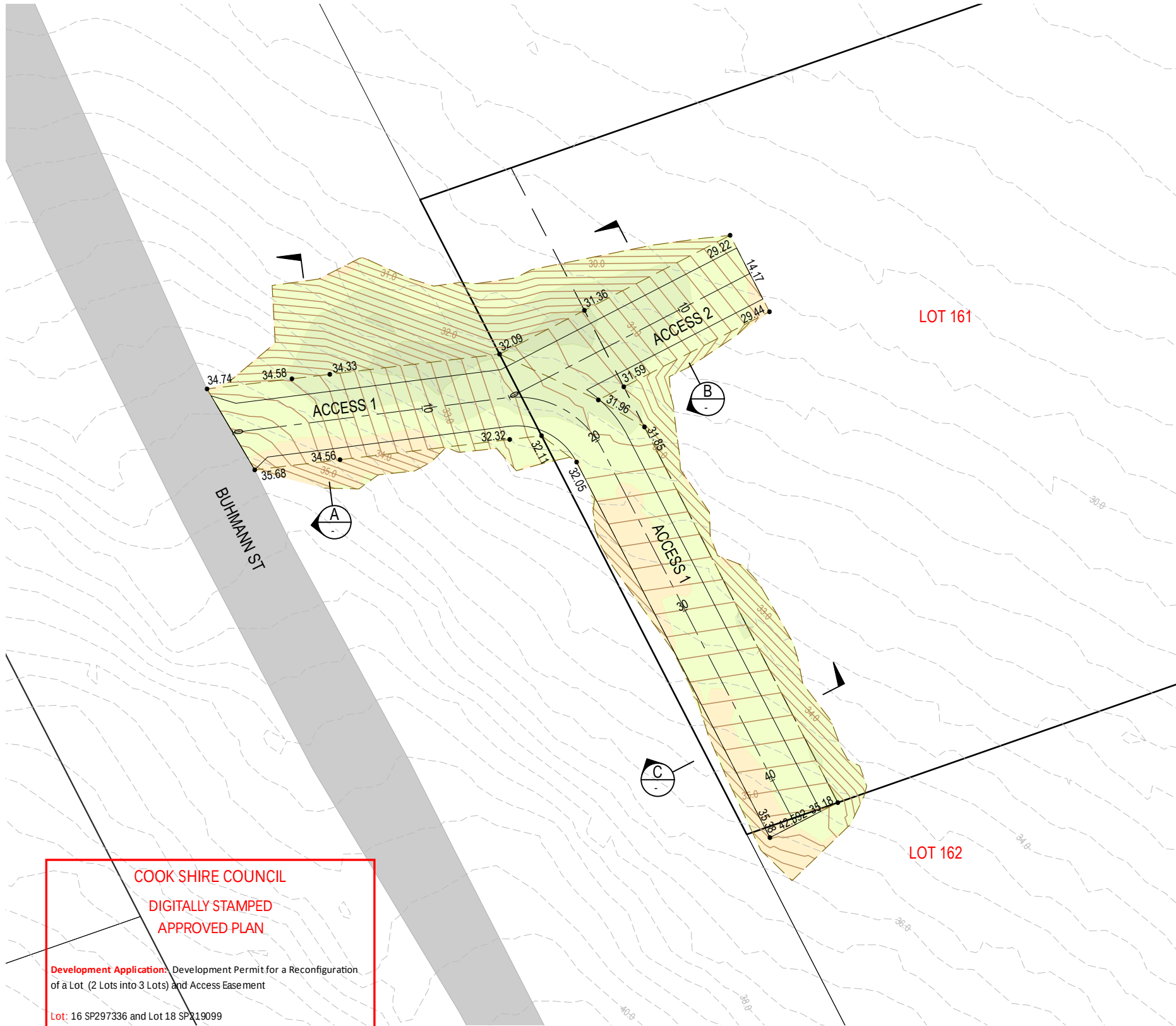
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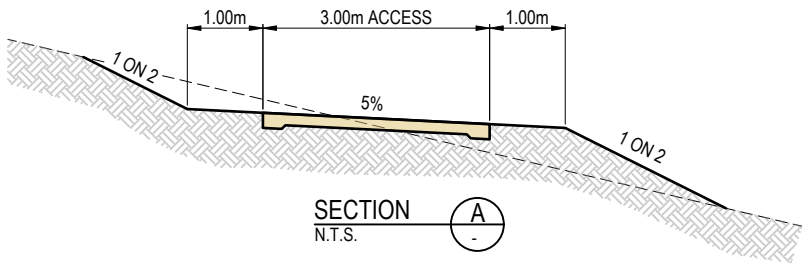
COOK SHIRE COUNCIL
DIGITALLY STAMPED
APPROVED PLAN

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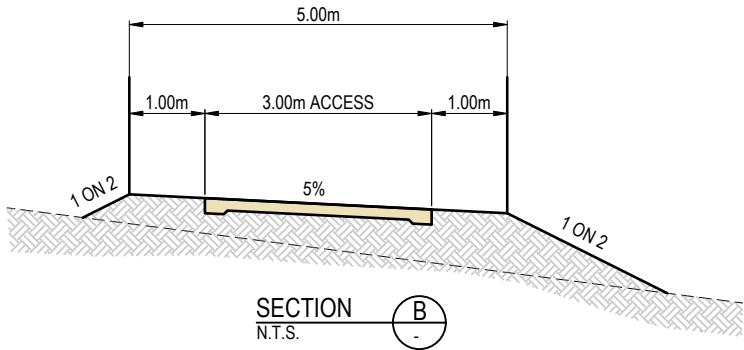
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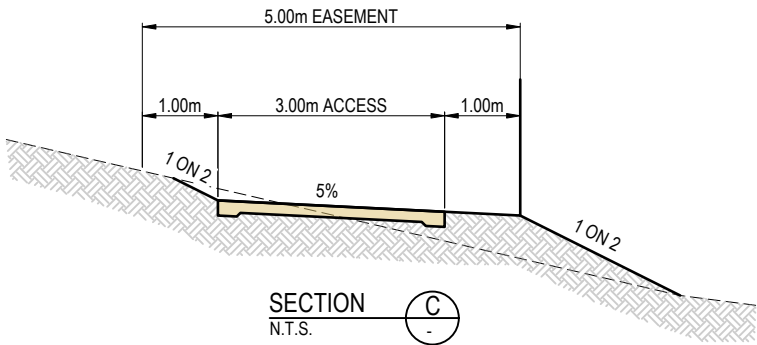
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SECTION A
N.T.S.



SECTION B
N.T.S.

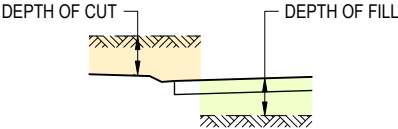


SECTION C
N.T.S.

LEGEND

- 32.70 FINISHED SURFACE LEVEL
- 32.0 DESIGN SURFACE CONTOURS (0.2m INTERVAL)
- 32.0 EXISTING LIDAR CONTOURS (0.5m INTERVAL)
- EASEMENT BOUNDARY

LEGEND - DEPTH OF EARTHWORKS



NEON
CONSULTING

W. SAVAGE, D. SAVAGE & G. SAVAGE

8 & 6 BUHMANN STREET, COOKTOWN

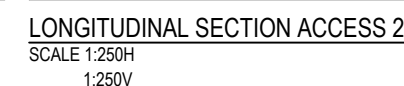
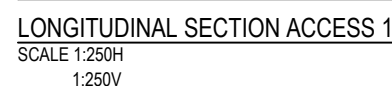
EARTHWORKS PLAN

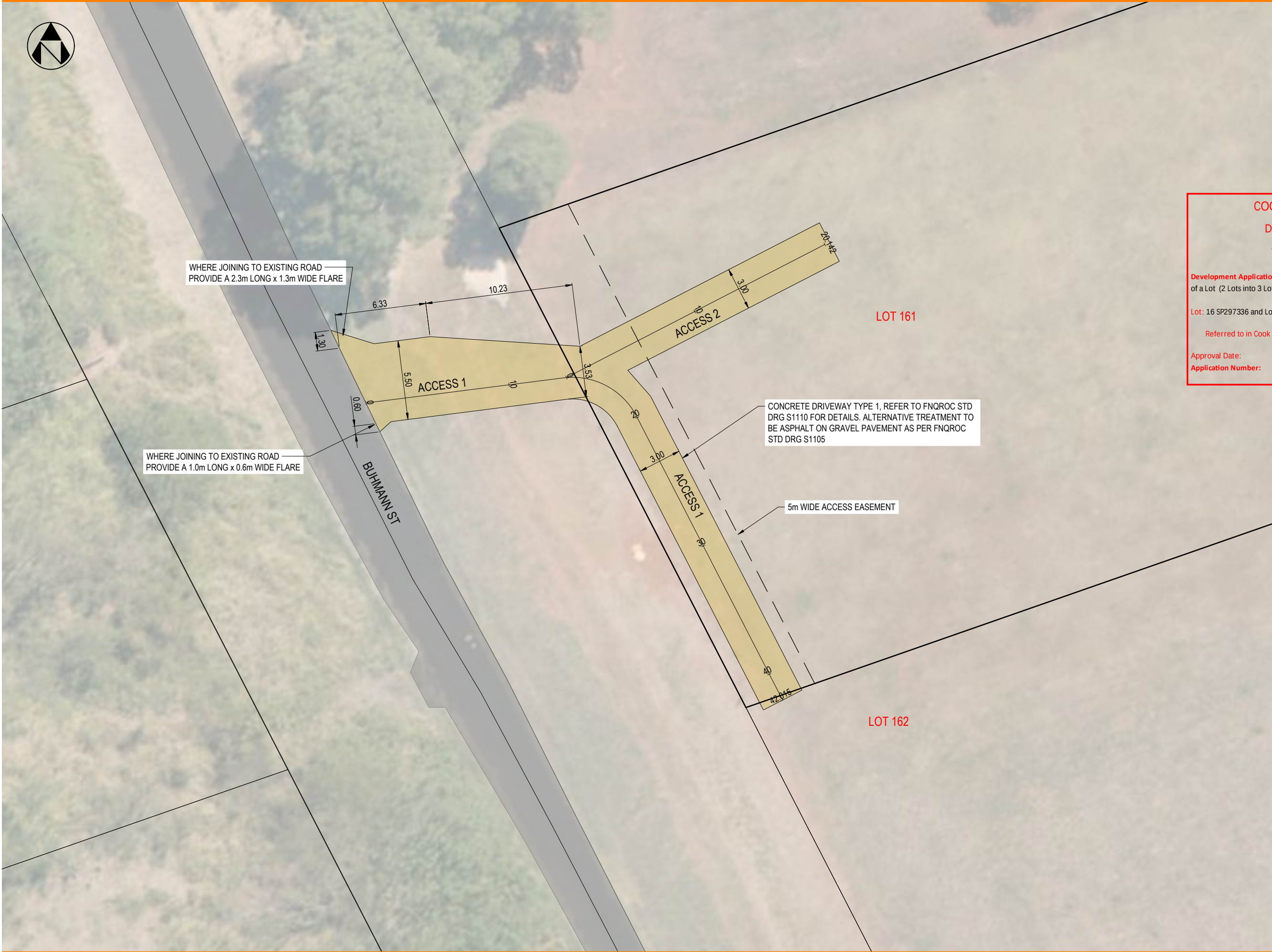
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WHERE JOINING TO EXISTING ROAD
PROVIDE A 2.3m LONG x 1.3m WIDE FLARE

WHERE JOINING TO EXISTING ROAD
PROVIDE A 1.0m LONG x 0.6m WIDE FLARE

CONCRETE DRIVEWAY TYPE 1, REFER TO FNQROC STD
DRG S1110 FOR DETAILS. ALTERNATIVE TREATMENT TO
BE ASPHALT ON GRAVEL PAVEMENT AS PER FNQROC
STD DRG S1105

5m WIDE ACCESS EASEMENT



NEON
CONSULTING

W. SAVAGE, D. SAVAGE & G. SAVAGE

8 & 6 BUHMANN STREET, COOKTOWN

GENERAL ARRANGEMENT

B 15.09.25 DETAILED SURVEY AND ACCESS WIDENED
A 20.05.25 INITIAL ISSUE

Rev Date Revision Notes
14/09/2025 10:22:28 AM File: I:\034\034-2501\110 Drawings\01 Drawings\035-2501-01-DRG-0001_GA.dwg

Drawn Design Check'd Appr'd RPEQ: 25102
PAM PAM CJC CJC C.J.CAPLICK

A3 Full Size (Scale as shown)
15.09.25

035-2501-01-DRG-0001

B



COOK SHIRE COUNCIL

DIGITALLY STAMPED

APPROVED PLAN

Development Application:

Development Permit for a Reconfiguration of a Lot (2 Lots into 3 Lots) and Access Easement

Lot:

16 SP297336 and Lot 18 SP219099

Referred to in Cook Shire Council's Decision Notice (D25/36993)

Approval Date:

09 October 2025

Application Number:

DA/4873

LEGEND

- 32.70

FINISHED SURFACE LEVEL
- 32.0

DESIGN SURFACE CONTOURS
(0.2m INTERVAL)
- 32.0

EXISTING LIDAR CONTOURS
(0.5m INTERVAL)
- EASEMENT BOUNDARY

LEGEND - DEPTH OF EARTHWORKS

- LESS THAN 0.5m

0.5m TO 1.0m

1.0m TO 1.5m

1.5m TO 2.0m

2.0m TO 2.5m

2.5m TO 3.0m

MORE THAN 3.0m
- DEPTH OF CUT

DEPTH OF FILL



B 15.09.25 DETAILED SURVEY AND ACCESS WIDENED
A 20.05.25 INITIAL ISSUE

Rev Date Revision Notes
14/09/2025 10:22:29 AM File: I:\034\034-2501\110 Drawings\035-2501-01-DRG-0001_GA.dwg

NEON
CONSULTING

W. SAVAGE, D. SAVAGE & G. SAVAGE

8 & 6 BUHMANN STREET, COOKTOWN

EARTHWORKS PLAN

Drawn PAM Design PAM Check'd CJC App'd CJC RPEQ 25102 C.J.CAPLICK

A3 Full Size (Scale as shown)
15.09.25

035-2501-01-DRG-0002

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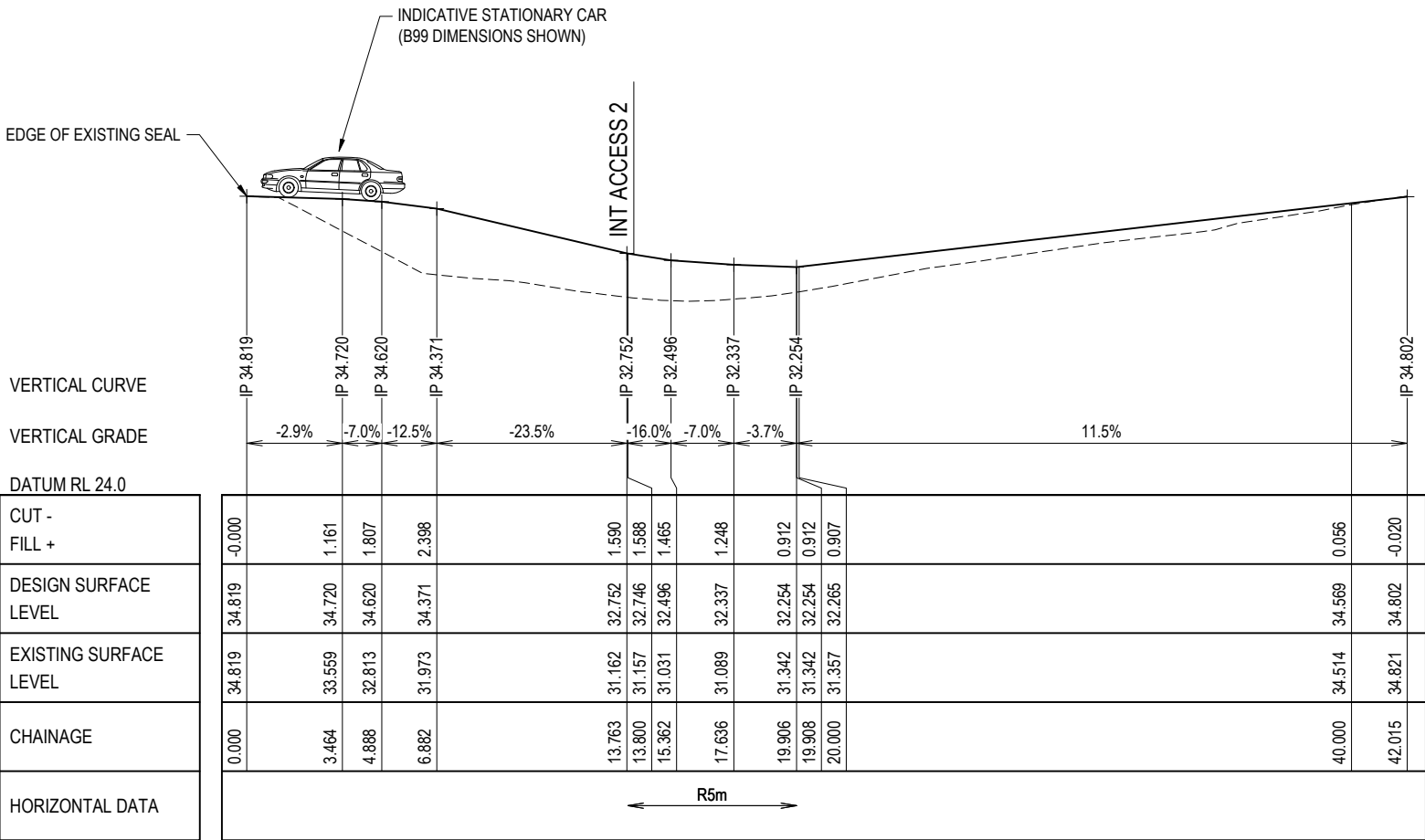
COOK SHIRE COUNCIL
DIGITALLY STAMPED
APPROVED PLAN

Development Application: Development Permit for a Reconfiguration of a Lot (2 Lots into 3 Lots) and Access Easement

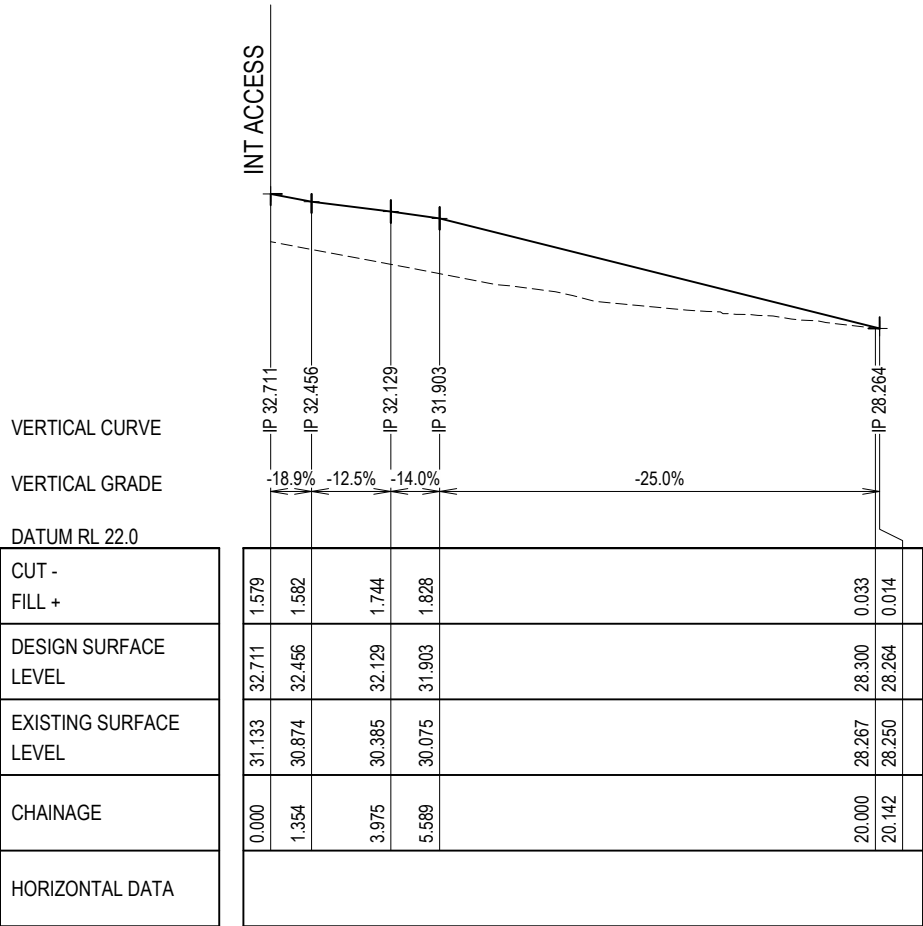
Lot: 16 SP297336 and Lot 18 SP219099

Referred to in Cook Shire Council's Decision Notice (D25/36993)

Approval Date: 09 October 2025
Application Number: DA/4873



LONGITUDINAL SECTION ACCESS
SCALE 1:250H
1:250V



LONGITUDINAL SECTION ACCESS 2
SCALE 1:250H
1:250V



COOK SHIRE COUNCIL

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APPROVED PLAN

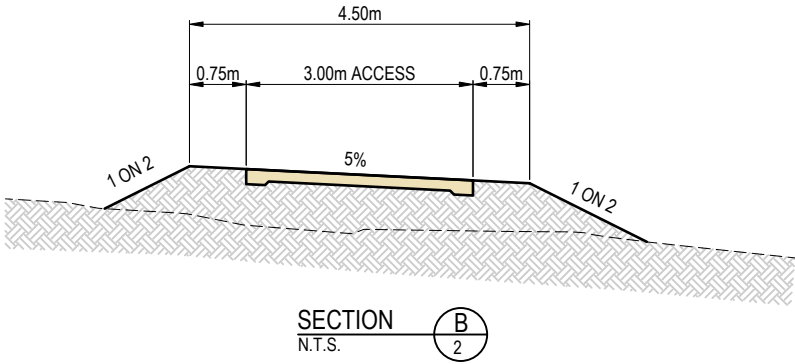
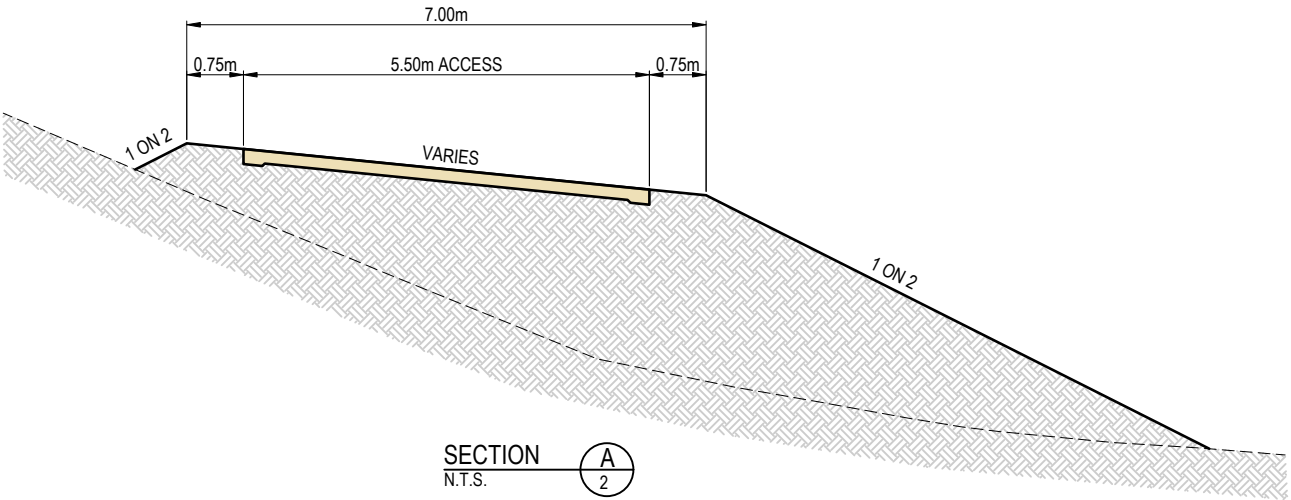
Development Application: Development Permit for a Reconfiguration of a Lot (2 Lots into 3 Lots) and Access Easement

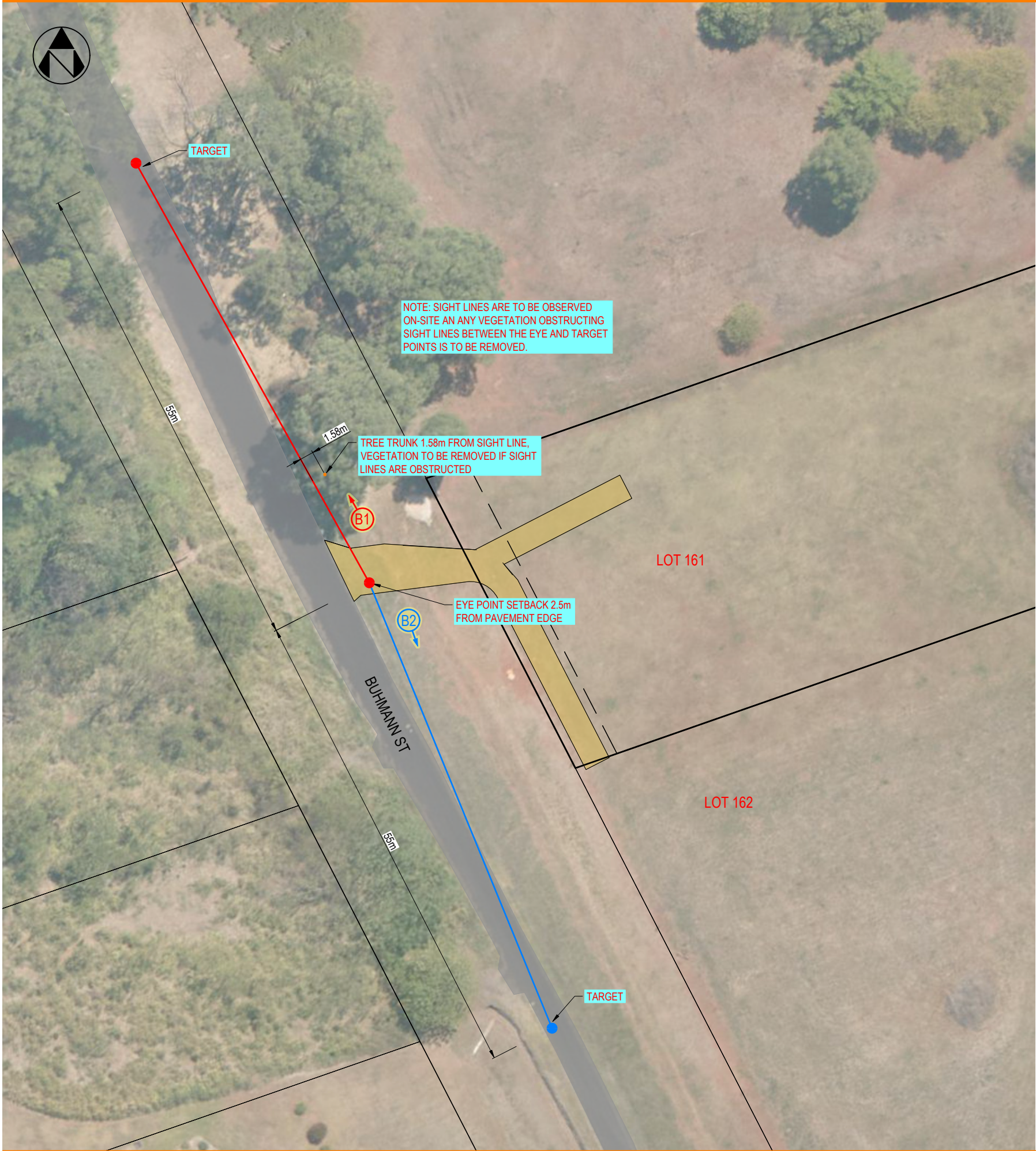
Lot: 16 SP297336 and Lot 18 SP219099

Referred to in Cook Shire Council's Decision Notice (D25/36993)

Approval Date: 09 October 2025

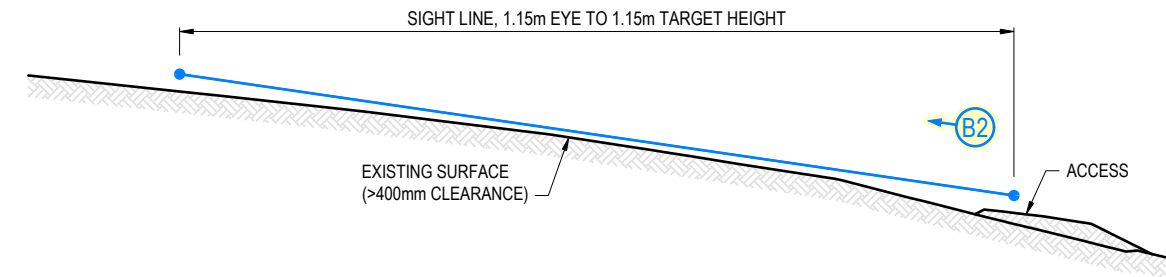
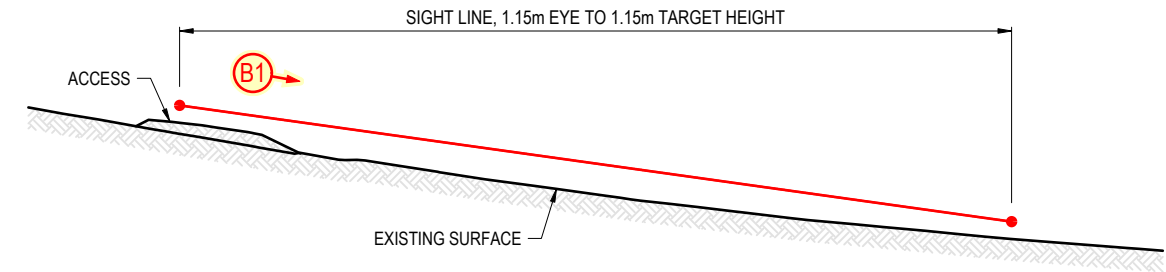
Application Number: DA/4873





- LEGEND**
- EXISTING ROADWAY
 - PROPOSED ACCESS
 - EASEMENT BOUNDARY

- NOTES**
- SIGHT DISTANCE REQUIREMENTS AT ACCESS DRIVEWAYS OBTAINED FROM AS/NZS 2890.1 SECTION 3.2.4.
 - POSTED SPEED IS 60km/h
 - 55m OF SIGHT DISTANCE IS REQUIRED ALONG THE ROAD FRONTAGE
 - VERTICAL GEOMETRY IS UNOBSTRUCTED BASED DETAILED SURVEY



COOK SHIRE COUNCIL

DIGITALLY STAMPED

APPROVED PLAN

Development Application: Development Permit for a Reconfiguration of a Lot (2 Lots into 3 Lots) and Access Easement

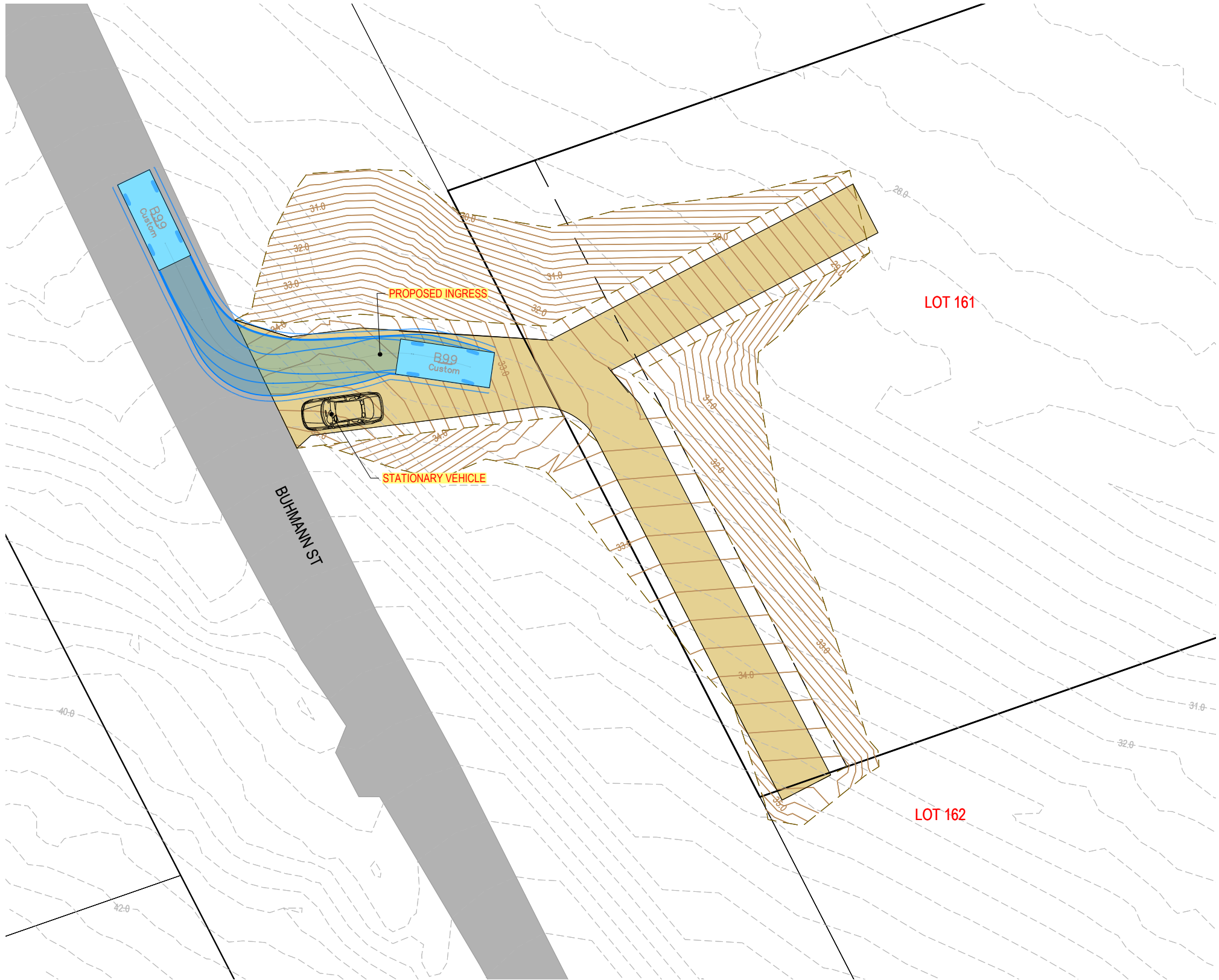
Lot: 16 SP297336 and Lot 18 SP219099

Referred to in Cook Shire Council's Decision Notice (D25/36993)

Approval Date: 09 October 2025

Application Number: DA/4873





COOK SHIRE COUNCIL
DIGITALLY STAMPED
APPROVED PLAN

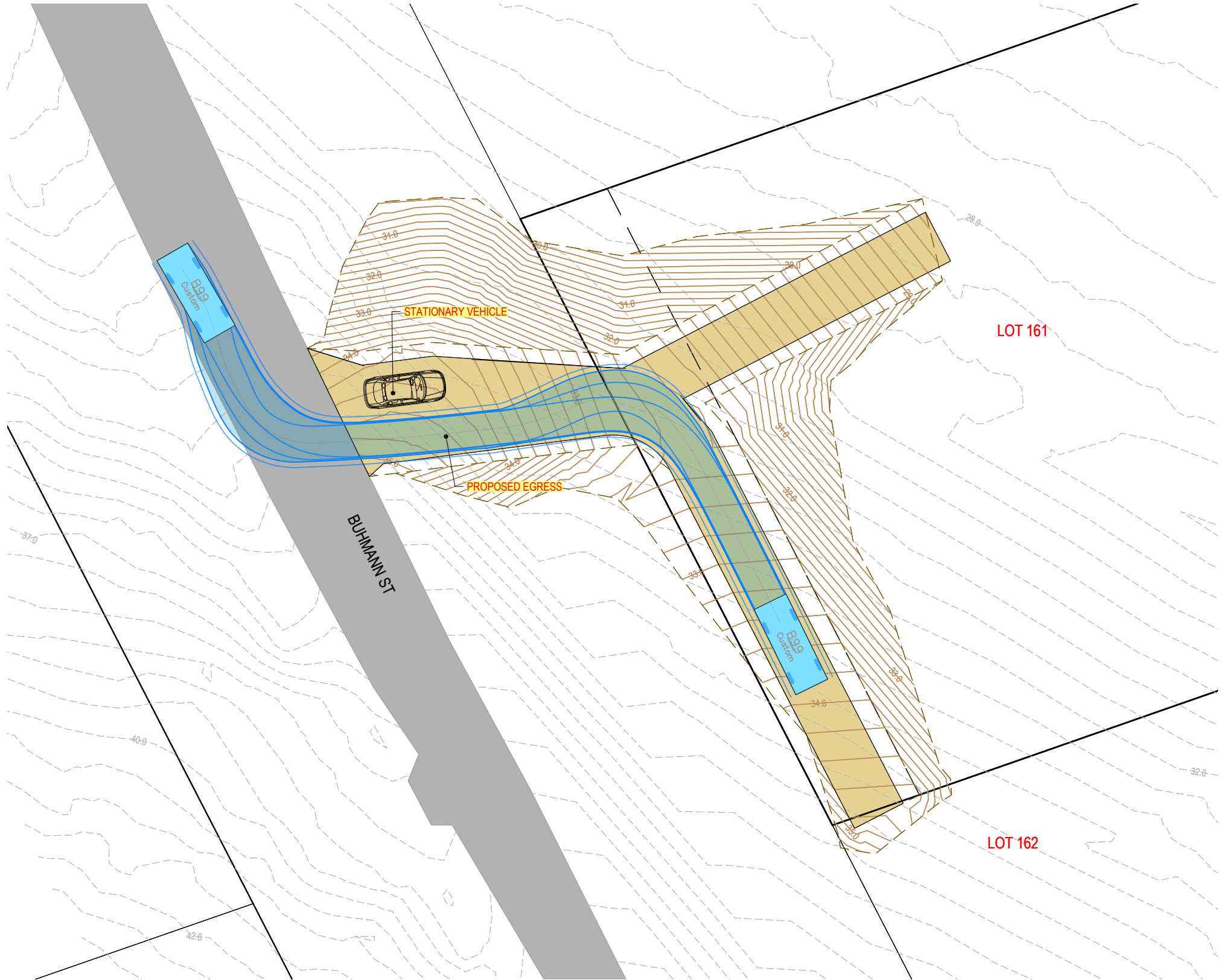
Development Application: Development Permit for a Reconfiguration of a Lot (2 Lots into 3 Lots) and Access Easement

Lot: 16 SP297336 and Lot 18 SP219099

Referred to in Cook Shire Council's Decision Notice (D25/36993)

Approval Date: 09 October 2025

Application Number: DA/4873



COOK SHIRE COUNCIL
DIGITALLY STAMPED
APPROVED PLAN

Development Application: Development Permit for a Reconfiguration of a Lot (2 Lots into 3 Lots) and Access Easement

Lot: 16 SP297336 and Lot 18 SP219099

Referred to in Cook Shire Council's Decision Notice (D25/36993)

Approval Date: 09 October 2025

Application Number: DA/4873

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NEON
CONSULTING

W. SAVAGE, D. SAVAGE & G. SAVAGE

8 & 6 BUHMANN STREET, COOKTOWN

ASSESS SWEPT PATH 2

A 20.05.25 INITIAL ISSUE

Rev Date Revision Notes

14/09/2025 10:23:02 AM File: I:\034\034-2501\110 Drawings\01 Drawings\035-2501-01-DRG-0011_Sight and Swept.dwg

Drawn PAM Design PAM Check'd GJC App'd CJC RPEQ 25102 C.J.CAPLICK

A3 Full Size (Scale as shown) 15.09.25

035-2501-01-DRG-0013

A

Attachment 3 Infrastructure Charges Notice (D25/21631)

Our Ref: TT:Imc:DA/4873:D25/21631

09 October 2025

W. Savage, D. Savage and G. Savage
C-/ MD Land Surveys
228 Draper Street
PARRAMATTA PARK QLD 4870

E-mail: erin@mdlandsurveys.com.au

Attention: Erin Berthelsen

Dear Ms Berthelsen

ADOPTED INFRASTRUCTURE CHARGES NOTICE
Development Application - DA/4873 - 8 and 6 Buhmann Street Cooktown QLD

Applicant: W. Savage, D. Savage and G. Savage c- / MD Land Surveys
Property Owner: W. Savage, D. Savage and G. Savage
Location: 8 and 6 Buhmann Street Cooktown QLD
Real Property Description: Lot 16 SP297336 and Lot 18 SP219099
Site Area: 4.1740ha and 0.2004ha
Zone: Rural Residential Zone
Proposed Use: Reconfiguring a Lot (2 Lots into 3 Lots) and Access Easement

CHARGES CALCULATION

Development Class	Charge	Unit of Measure	No. of Units	Amount of Charge
Residential RAL	\$2,100.00 (Water Supply)	Per allotment	3	\$6,300.00
Residential RAL	\$2,100.00 (Sewerage)	Per allotment	n/a	n/a
Residential RAL	\$2,520.00 (Transport)	Per allotment	3	\$7,560.00
Residential RAL	\$840.00 (Public Parks & Community Land)	Per allotment	3	\$2,520.00
Residential RAL	\$840.00 (Stormwater)	Per allotment	3	\$2,520.00
Total Charge				\$18,900.00

CREDIT CALCULATION

Development Class	Charge	Unit of Measure	No. of Units	Amount of Charge
Residential RAL	\$2,100 (Water Supply)	Per Lot	2	\$4,200.00
Residential RAL	\$2,100 (Sewerage)	Per Lot	n/a	n/a
Residential RAL	\$2,520 (Transport)	Per Lot	2	\$5,040.00
Residential RAL	\$840 (Public Parks & Community Land)	Per Lot	2	\$1,680.00
Residential RAL	\$840 (Stormwater)	Per Lot	2	\$1,680.00
Total Credit				\$12,600.00

Net Adopted Infrastructure Charges Summary

Total Adopted Charge	Total Credit	Total Infrastructure Charge
\$18,900.00	\$12,600.00	\$6,300.00

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

Due Date for Payment:

Payment of the total infrastructure charge must be paid to Council prior to or at the time of Council endorsement of the survey plan.

Payment Details:

Payment of the adopted infrastructure charge must be made to Cook Shire Council.

Goods and Services Tax

The federal government has determined that rates and utility charges levied by a local government will be GST free. Accordingly, no GST is included in this infrastructure charge notice.

Adopted Infrastructure Charge is Subject to Price Variation

The amount of the adopted infrastructure charge is subject to variations in the Consumer Price Index (C.P.I.). All groups from the reference date stated in this notice until the date the payment is made.

This notice will lapse if the development approval stops having effect.

RIGHTS OF APPEAL:

Pursuant to the provisions of Chapter 6 of *The Planning Act 2016*, a person may appeal to the Planning & Environment Court against the decision of this Council. Please refer to



<https://www.legislation.qld.gov.au/view/html/inforce/current/act-2016-025> to access the *Planning Act 2016*. Please refer to sections 124, 125, and 229 to 232 which detail your appeal rights regarding this notice.

Should you require any further information or assistance on this matter please contact Council's Manager Planning Environment, Lisa Miller on (07) 4082 0500.

Yours faithfully,

Brian Joiner
Chief Executive Officer

Attachment 4 **Notice of Decision – Statement of Reasons (AD2025/0003642)**

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/4873
Applicant:	W. Savage, D. Savage and G. Savage C/- MD Land Surveys
Proposal:	Development Permit for a Reconfiguration of a Lot
Description of the Development:	Reconfiguration of a Lot (2 Lots into 3 Lots) and Access Easement
Street Address:	8 Buhmann Street and 6 Buhmann Street Cooktown QLD
Real Property Description:	Lot 16 on SP297336 and Lot 18 on SP219099
Planning Scheme:	Cook Shire Council Planning Scheme 2017 v2.0
Land Zoning:	Rural Residential Zone
Assessment Type:	Code Assessment

DECISION DETAILS

Type of Decision:	Approval with conditions
Type of Approval:	Development Permit for a Reconfiguration of a Lot (2 Lots into 3 Lots) and Access Easement
Date of Decision:	9 October 2025

ASSESSMENT BENCHMARKS

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

Assessment Benchmarks	Comment
<i>Planning Regulation 2017</i> (Schedule 9)	Schedule 9 is not applicable as the application is not for building work under the Building Act.
<i>Planning Regulation 2017</i> (Schedule 10)	The application triggered a referral to SARA under Schedule 10, Part 9, Division 4, Subdivision 2, Table 1 for Reconfiguring a Lot near a State Transport Corridor
Regional Plan	Section 2.2 of the Planning Scheme identifies that the Cape York Regional Plan has been adequately reflected in the Planning Scheme. A separate assessment against the Regional Plan is not required.
State Planning Policy (SPP), Part E	Section 2.1 of the Planning Scheme identifies that the superseded version of the State Planning Policy is integrated in the Planning Scheme. A review of the current version of the SPP (July 2017) and assessment benchmark mapping applicable to Part E has determined that no additional assessment provisions in the current SPP (Part E) or updated mapping are applicable requiring further assessment against the SPP. However, amendments to any part of the SPP or supporting mapping may result in a local planning instrument no longer appropriately integrating a particular State interest. In these instances the SPP and/or the supporting mapping apply to the extent of any inconsistency.
Temporary State Planning Policy	There are no Temporary State Planning Policies.

Local Categorising Instrument (Cook Shire Council Planning Scheme 2017):

- Rural Residential Zone Code;
- Bushfire Hazard Overlay Code;
- Landslide Hazard Overlay Code;
- Scenic Amenity Overlay Code;
- Reconfiguring a Lot Code; and
- Works, Services, and Infrastructure Code.

Local Categorising Instrument (Variation Approval)

Not Applicable

Local Categorising Instrument (Temporary Local Planning Instrument)

Not Applicable

PUBLIC NOTIFICATION

Not Applicable

REASONS FOR THE DECISION

The application is approved on the following grounds:

- a. An assessment was made against the applicable assessment benchmarks and the proposed development demonstrated compliance.
- b. The development has demonstrated that the proposed lots will not have an adverse impact on the subject site or adjacent properties.

REASONS FOR APPROVAL DESPITE NON-COMPLIANCE WITH ASSESSMENT BENCHMARKS

Not Applicable

ADDITIONAL RELEVANT MATTERS FOR IMPACT ASSESSMENT

Not Applicable

OTHER MATTERS PRESCRIBED BY THE *PLANNING REGULATION 2017*

Not Applicable

OTHER DETAILS

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

Attachment 5 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

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Current as at 18 July 2025

Authorised by the Parliamentary Counsel

Planning Act 2016
Chapter 6 Dispute resolution
[s 229]

- (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.

Note—

For limitations on appeal rights in relation to a development approval
for development requiring social impact assessment, see section 106ZJ.

(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 a decision of the Minister, under chapter 7, part 4, to amend the registration of premises to include additional land in the affected area for the premises—20 business days after the day a notice is published under section 269A(2)(a); or
- (e) for an appeal against an infrastructure charges notice—20 business days after the infrastructure charges notice is given to the person; or
- (f) 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
- (g) 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*

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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
- (h) 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.

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Planning Act 2016
Chapter 6 Dispute resolution

[s 231]

- (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

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Authorised by the Parliamentary Counsel

- (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.