

Our Ref: LM: Imc:DA/4944 AD2025/0006028

Your Ref: 25159

15 October 2025

Kwikbridge Pty Ltd A.C.N 010 95 801
C/- Mewing Planning Consultants Pty Ltd
GPO Box 1506
Brisbane QLD 4001
E-mail: jared.stewart@mewing.com.au

Attention: Mewing Planning Consultants Pty Ltd

Dear Mr Stewart

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

With reference to Development Application (DA/4944) 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 at Council's Special Meeting on 14 October 2025 .
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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.
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Application Details

Application Number:	DA/4944
Approval Sought:	Development Permit for a Material Change of Use
Description of the Development:	Material Change of Use – Shopping Centre
Category of Development:	Assessable Development
Category of Assessment:	Impact Assessment
Planning Scheme:	Cook Shire Council Planning Scheme 2017 v2.0

Premises Details

Location - Street Address: 87, 89, 91 and 93 Charlotte Street, Cooktown, Walker Street, 2 and 6 Walker Street, Cooktown, 40, 42 and 44 Adelaide Street, Cooktown 4895

Location - Real Property Description: Lot 82 on C1793, Lot 83 on C1793, Lot 84 on C1793, Lot 97 on C1793, Lot 98 on C1793, Lot 99 on C1793, Lot 100 on C1793, Lot 1 on RP700316, Lot 2 on RP700316 and Lot 3 on RP700316

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 Operational Works

Properly Made Submissions

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

Referral Agencies

A Heritage Exemption Certificate was issued for Development on a Queensland Heritage Place prior to lodgement of this application, therefore no part of the application required additional referral.

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 the first change of use does not happen within *six (6) 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

enc:	Attachment 1 (A)	Conditions Imposed by the Assessment Manager
	Attachment 1 (B)	Heritage Exemption Certificate (D25/26530)
	Attachment 2	Approved Plans (D25/37061)
	Attachment 3	Infrastructure Charges Notice (D25/37057)
	Attachment 4	Notice of Decision – Statement of Reasons (AD2025/0006027)
	Attachment 5	Extract of Appeal Provisions (Chapter 6 part 1 of the <i>Planning Act 2016</i>)

Attachment 1 (A) Conditions Imposed by the Assessment Manager
A. Assessment Manager (Council) Conditions

No.	Condition	Timing
GENERAL		
1.	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.	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
3.	The Developer must repair any damage to existing infrastructure (e.g. kerb and channel, footpath, or roadway) that may have occurred during any works undertaken as part of the development. Any damage that is deemed to create a hazard to the community, must be repaired immediately.	At all times
4.	Unless otherwise stated, all works must be designed, constructed, and maintained in accordance with the relevant Council policies, guidelines, and standards.	At all times
5.	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
APPROVED PLANS & DOCUMENTS		
6.	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



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):

Title	DWG / Ref.	Date	Prepared By
Locality Plan	SK_001	19/06/2025	TPG Architects
Planning Summary	SK_002	19/06/2025	TPG Architects
Existing Site Plan	SK_003	19/06/2025	TPG Architects
Site Plan	SK_004	17/06/2025	TPG Architects
Supermarket Plan	SK_005	12/17/20	TPG Architects
Tenancies Plan and Plant Room Supermarket	SK_006	12/17/20	TPG Architects
Roof Plan	SK_007	12/17/20	TPG Architects
Sections	SK_008	12/17/20	TPG Architects
Sections and Elevations	SK_009	12/17/20	TPG Architects
Elevations	SK_010	12/17/20	TPG Architects
3D View Ortho	SK_011	04/07/25	TPG Architects
3D Views	SK_012	04/07/25	TPG Architects
Renders	SK_013	04/07/25	TPG Architects
Renders	SK_014	04/07/25	TPG Architects
Elevation Tenancy 1 and 2	SK_015	04/07/25	TPG Architects
Ortho Tenancy 1 and 2	SK_017	04/07/25	TPG Architects
Roadworks	999-2201-21-DRG-1001	23/07/2025	Neon Consulting
Drainage	999-2201-21-DRG-1002	23/07/2025	Neon Consulting

7.

At all times

	Sewer Reticulation	999-2201-21-DRG-1003	23/07/2025	Neon Consulting	
	Water Reticulation	999-2201-21-DRG-1004	23/07/2025	Neon Consulting	
	Access Sight Distance	999-2201-21-DRG-1011	23/07/2025	Neon Consulting	
	19m Semi	999-2201-21-DRG-1014	24/09/2025	Neon Consulting	
	19m Semi	999-2201-21-DRG-1015	24/09/2025	Neon Consulting	
	19m Semi	999-2201-21-DRG-1016	24/09/2025	Neon Consulting	

HOURS OF OPERATION		
8.	Unless otherwise approved by Council, the hours of operation (trading) are 6:00am to 9:00pm, Monday to Sunday and Public Holidays. Any increase to the operating hours of this condition must be approved in writing by Council's Manager Planning and Environment.	At all times
9.	Delivery service vehicle access and standing, including the loading and unloading of refuse collection vehicles, is limited to the time period of 6am to 6pm only, Monday to Sunday.	At all times

REFUSE STORAGE		
10.	The development must be serviced by bulk bins and a bulk bin enclosure must be provided in accordance with Council's requirements.	Prior to Commencement of Use

DETAILED LANDSCAPE PLAN		
11.	Submit a Detailed Landscape Plan, prepared by a suitably qualified Landscape Architect or Landscape Designer, demonstrating: a. Landscaping generally in the indicated areas on the Site Plan (SK_004, dated 17/06/2025) prepared by TPG Architects; b. Shade trees within the car parking area; and c. A detailed planting design and schedule for all proposed landscaped areas in accordance with SC6.3 Planning Scheme Policy. The completion of all landscaping works for the development must be undertaken in accordance with the approved plans and the Detailed Landscape Plan. Landscaped areas must be maintained at all times and for the life of the development.	Prior to issue of the relevant Development Permit for Operational Work and as stated

WATER SUPPLY AND SEWERAGE WORKS		
12.	The development must be serviced by a single internal water and sewerage connection made clear of any buildings or structures, generally in accordance with the approved plans titled Sewer Reticulation (999-2201-21-DRG-1003, dated 23/07/2025) and Water Reticulation (999-2201-21-DRG-1004, dated 23/07/2025) prepared by Neon Consulting. Any redundant property connections or lines shall be decommissioned and removed. All the above works must be designed and constructed in accordance with the FNQROC Development Manual.	Prior to the Commencement of Works

LIQUID WASTE DISPOSAL		
13.	Trade waste discharge to sewers must meet the requirements of Council's Trade Waste Guidelines. Detailed Hydraulic Plans must be provided accompanied by a report which demonstrates that the facility complies with the policies and must be approved by Council prior to the issue of a Development Permit for Building Work. All measures for pre-treatment in accordance with the approved plans must be installed prior to Commencement of Use.	As stated

EXTERNAL WORKS		
14.	Undertake the following works external to the site: a. Construct a commercial crossover to Walker Street in accordance with the FNQROC Development Manual Standard Drawing S1015. b. Undertake interim works, including localised widening, to Adelaide Street as shown in the approved plans titled 19m Semi (999-2201-21-DRG-1016) to facilitate the intended service vehicle movement. The works must be maintained until such time as Council completes scheduled works to Adelaide Street. c. Upgrade the footpath along Charlotte Street and Walker Street in accordance with FNQROC Development Manual Standard Drawing S1035. Where there is an existing concrete footpath, the new section of footpath must match neatly in relation to alignment and grade. d. Provide line marking for vehicle parking along Walker Street. Note: Infrastructure works required under this condition are considered to be non-trunk infrastructure for the purposes of section 145 of the Planning Act 2016.	Prior to Commencement of Use

CROSS SECTION		
15.	Provide a cross section through the site at the southern end of the development to demonstrate the level difference between Charlotte Street and the two car parking levels on site.	Prior to issue of the relevant Development Permit for Operational Work

PEDESTRIAN CONNECTIVITY – INTERNAL		
16.	Provide a prioritised pedestrian pathway internal to the subject land that provides a link between the external footpath network along Charlotte Street to the main entrance of the supermarket. The pathway must be differentiated in colour, texture and/or line marking.	Prior to Commencement of Use

VEHICLE PARKING		
17.	The amount of vehicle parking for the development must be a minimum of seventy-eight (78) spaces, including three (3) PWD spaces, located internal to the site as per the approved plans of development.	Prior to Commencement of Use
18.	Provide loading facilities for the design vehicle in the location generally shown on the approved plan(s) of development. Design along the route to and from all loading bay facilities and the external road network, all access driveways, circulation driveways, parking aisles and the like with a layout that accommodates the turning movements of the design vehicle and ensure that all vehicles are able to enter and exit the site in a forward direction.	Prior to issue of the relevant Development Permit for Operational Work
19.	The car parking layout including, but not limited to parking bay dimensions, aisle widths, speed control and provisions of vehicle turn around areas must comply with the requirements of the Australian Standard AS2890.1-2004 Parking Facilities – Off Street Car Parking and constructed in accordance with Austroads and good engineering design. All car parking, driveway and vehicle manoeuvring areas must be imperviously sealed, drained and line marked. The car parking and manoeuvring areas on the site must specifically provide for the following: - Line marking and signage of all car parking areas; - The provision of space for vehicle (including service vehicle) turn around must be provided such that all vehicles can enter and exit in a forward direction; and - The accessible off-street car parking spaces must be designed in accordance with Australian Standard AS2890.6- Off-street car parking for People with Disabilities, including parking bay dimensions and shared area. The car parking design is to be certified by a Registered Professional Engineer of Queensland (RPEQ) that the car park manoeuvring provisions are considered safe and acceptable and comply with Australian Standards. The ramps between the upper and lower carpark area must comply with the gradient requirements of the Australian Standard AS2890.1-2004 Parking Facilities – Off Street Car Parking. The need for grade transitions at the top and bottom of the ramps must be assessed based on AS2890.1 Section 2.5.3 (d). Where grade transitions are required, the Applicant is to confirm that the proposed site levels and associated level changes can be accommodated including the grade transitions.	Prior to issue of the relevant Development Permit for Operational Work

	Evidence must be submitted to Council prior to the issue of a Development Permit for Operational Works that the development has responded to and incorporated the above requirements.	
20.	A sight distance assessment must be submitted to Council, certified by a Registered Professional Engineer of Queensland (RPEQ), and must confirm that the sight distances available at the entry and exit to the site and at the top and bottom of ramps are safe and acceptable and comply with Australian Standards.	Prior to issue of the relevant Development Permit for Operational Work

STORMWATER MANAGEMENT		
21.	Design a stormwater drainage system in accordance with the FNQROC Development Manual to satisfactorily drain the subject land such that the upstream drainage is not adversely affected and that the downstream drainage system is capable of adequately catering for the discharge of the modified flow produced as a result of the development. Detailed design drawings of all stormwater infrastructure required as a result of the development are to be provided to Council for endorsement. Once approved, all work must be carried out in accordance with the approved plan(s). The detailed drawings must include extension of the underground pipe network to connect the proposed internal southern drainage path through to existing Council underground pipe network. Note: Prior to an application for a Development Permit for Operational Work being made to Council, the Applicant is to engage with Council on scheduled works to Adelaide Street. The scope of works required under this condition will be limited to additional works made necessary as a consequence of the development. This must be confirmed in writing by Council's Director Infrastructure and may be managed under an Infrastructure Agreement.	Prior to the issue of the relevant Development Permit for Operational Work

LAWFUL POINT OF DISCHARGE		
22.	All stormwater from the property must be directed to a lawful point of discharge, as identified in the updated drainage study such that it does not adversely affect surrounding properties or properties downstream from the development. Underground stormwater systems internal to the site must be connected to an external Council piped system and not discharge into the kerb and channel.	At all times

SEDIMENT AND EROSION CONTROL		
23.	Soil and water management measures must be installed / implemented prior to discharge of water from the site, such that no external stormwater flow from the site adversely affects surrounding or downstream properties (in accordance with the requirements of the <i>Environmental Protection Act 1994</i> , and the FNQROC Development Manual).	At all times

CONSTRUCTION MANAGEMENT PLAN		
24.	A Construction Management Plan must be submitted to, and endorsed by, the Director Infrastructure prior to the issue of a Development Permit for Building Work. The Construction Management Plan must address all activities/operations associated with construction including, but not limited to: a. Hours of construction; b. Construction access; c. Parking of vehicles (including construction site employees and delivery vehicles); d. Traffic management and control (including sequencing of the on-road works required to maintain two way traffic flow at all times). e. Identify the need for and timing on obtaining necessary permits required for proposed temporary road closures. f. Maintenance of safe pedestrian access across the site's frontage (including access by persons with a disability). g. Building and demolition waste storage and disposal. h. On-site dust and noise management, so as to not cause a nuisance to the amenity of the surrounding area;. i. An erosion and sediment control plan. j. Tree protection management. k. Location and details of construction signage including any signage that is to be illuminated. The endorsed Construction Management Plan must be complied with, and a copy kept on site, at all times during construction of the development.	Prior to the Commencement of Works and as stated

STOCKPILING AND TRANSPORTATION OF MATERIAL		
25.	Soil used for filling or spoil from the excavation is not to be stockpiled in locations that can be viewed from adjoining premises or a road frontage for any longer than one (1) month from the Commencement of Works on the site. Transportation of fill or spoil to and from the site must not occur:	At all times

	a. Within peak traffic times (including school drop off and pick up times). b. Before 7:00am or after 6:00pm Monday to Friday. c. Before 7:00am or after 1:00pm Saturday. d. On Sunday or a Public Holiday.	
26.	Dust emissions or other air pollutants, including odours, must not extend beyond the boundary of the site and/or cause a nuisance to surrounding properties.	At all times.

STORAGE OF MACHINERY AND PLANT		
27.	The storage of any machinery, material or plant must not cause a nuisance to surrounding properties.	At all times

DAMAGE TO INFRASTRUCTURE		
28.	In the event that any part of Council's existing infrastructure is damaged as a result of construction activities occurring on the site, including but not limited to mobilisation of heavy earthmoving equipment and stripping/grubbing, the applicant/owner must notify the Cook Shire Council immediately of the affected infrastructure and have it repaired or replaced by Cook Shire Council, at the developer/builder/owner's cost, prior to the Commencement of Use.	At all times

ELECTRICITY AND TELECOMMUNICATIONS SUPPLY		
29.	The development must be connected to the reticulated electricity supply network in accordance with the relevant standards and requirements of the relevant service provider.	Prior to Commencement of Use
30.	Telecommunications must be provided to the premises in accordance with the relevant standards and requirements of the relevant service provider.	Prior to Commencement of Use

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. Operational Works approval is required for the earthworks and site grading, external roadworks as well as the internal carparking and accessways. Operational Works approvals are required to be obtained prior to the Commencement of Works on the site for the aspect of development.

3. The currency period for this application is six (6) years. Should the approved use not commence within this time, the approval shall lapse.
4. The applicant/owner must notify Council of their intention to commence the use compliance with these conditions or negotiated conditions (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.
5. A Heritage Exemption Certificate has been issued as the works constitute development on a Queensland Heritage Place under Schedule 10 Part 8 Division 2 Subdivision 3 Table 1 Item 1 of the Planning Regulation 2017. This certificate is included as an attachment to this Development Permit.
6. 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.
7. This development approval does not approve or authorise the removal of vegetation that is otherwise protected under separate State or Federal legislation, including under the following:
 - A. *Environment Protection and Biodiversity Conservation Act 1999 (Cth)*;
 - B. *Nature Conservation Act 1999 (Qld)*;
 - C. *Vegetation Management Act 1999 (Qld)*.

Attachment 1 (B) Heritage Exemption Certificate (D25/26530)

Queensland Heritage Act 1992

Section 74 Exemption Certificate

Application no:	202507-22627 EC
Date application received:	3 July 2025
Date of decision:	11 July 2025
Applicant:	Kwikbridge Pty Ltd C/ Mewing Planning Consultants Jared Stewart
QHR place ID:	601731
QHR place name:	Early Granite Kerb and Channel System, Cooktown
Location:	2 & 6 Walker Street and 42 & 44 Adelaide Street, COOKTOWN Lot98-100 C1793 & Lot 2,3 RP700316
Approval summary:	Development type: Building work • Driveway crossover for vehicular access to the proposed shopping centre

The application for an exemption certificate to carry out the development described above, is approved with conditions under section 74 of the *Queensland Heritage Act 1992*.

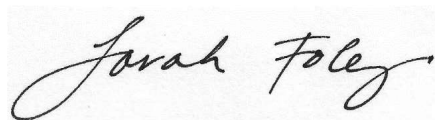
This exemption certificate attaches to the premises. Any person, including the owners, owners' successors in title and occupiers of the premises, may carry out development permitted by this exemption certificate and is bound by the conditions.

This exemption certificate only applies to development substantially started within 4 years of this decision.

Terms and phrases used in this document are defined principally in the *Queensland Heritage Act 1992*, and in the *Planning Act 2016* and its Regulation.

If more information is required, contact the project manager, Philippa Isles, Senior Heritage Officer, on (07) 3330 5846 or via email philippa.isles@detsi.qld.gov.au.

Yours sincerely



Sarah Foley

A/Cultural Heritage Coordinator, Heritage

Department of the Environment, Tourism, Science and Innovation

Delegate for the Chief Executive

administering the *Queensland Heritage Act 1992*



Queensland Heritage Act 1992
Section 74 Exemption Certificate

Version 1.5 – 13 June 2025

Conditions of approval:

No.	Condition	Condition timing
1.	Scope of development approved Carry out the development as described in the application received 3 July 2025 from the applicant Kwikbridge Pty Ltd C/ Mewing Planning Consultants. In the case of a discrepancy between application documents and conditions, conditions take precedence. <i>(Reason - To ensure development is carried out as approved)</i>	At all times.
2.	Keep a copy of the approval on site A copy of this exemption certificate and a copy of any documents that describe the approved development must be retained at the State heritage place. <i>(Reason – To facilitate the monitoring of development for compliance purposes)</i>	For the duration of the development.
3.	Notify start of development Provide written notice of the start of development to Environmental Services and Regulation, Department of Environment, Science and Innovation at palm@detsi.qld.gov.au . The notice must state: name of State heritage place, application number and condition number 3. <i>(Reason – To facilitate the monitoring of development for compliance purposes)</i>	No later than 2 business days prior to the commencement of the development.
4.	Photograph effect of development Submit photographs of the area where the development is undertaken, both before and after the development is completed to Environmental Services and Regulation, Department of the Environment, Tourism, Science and Innovation at palm@detsi.qld.gov.au . The submission must state: name of State heritage place, application number and condition number 4. <i>(Reason – To facilitate the monitoring of development for compliance purposes and to ensure change is adequately recorded)</i>	Within 10 business days of completion of the development.
5.	Permit access to the State heritage place Permit access to the State heritage place by Department of the Environment, Tourism, Science and Innovation officers if requested. <i>(Reason – To facilitate the monitoring of development for compliance purposes)</i>	For the duration of the development.
6.	Protect the State heritage place from damage Protect the existing features of the State heritage place from incidental damage and maintain protective measures to ensure the development does not result in damage to, or deterioration of, the State heritage place caused by weather, fire, vandalism, insects or other factors. <i>(Reason - To ensure the cultural heritage values of the State heritage place are appropriately recognised and managed)</i>	For the duration of the development.
7.	Report any damage to the State heritage place that occurs During development, should damage occur to any features of the State heritage place report such incidents immediately to Environmental Services and Regulation, Department of the Environment, Tourism, Science and Innovation at palm@detsi.qld.gov.au . <i>(Reason - To ensure the cultural heritage values of the State heritage place are appropriately recognised and managed)</i>	Immediately, should damage occur.

Queensland Heritage Act 1992
Section 74 Exemption Certificate

Version 1.5 – 13 June 2025

Approved documents:

Document no.	Document title	Date
999-2201-21-SK-0001	Attachment C:Engineering Drawings - <i>Site Plan</i>	18 June 2025 Rev A
999-2201-21- SK-0002	Attachment C:Engineering Drawings - <i>Detail Plan & Section</i>	18 June 2025 Rev A
999-2201-21-SK-0003	Attachment C:Engineering Drawings - <i>Structural Details</i>	30 June 2025 Rev A

Take Notice: This certificate does not exempt the applicant from the need to obtain such other approvals as may be required under other legislation.

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Located in the plot of land surrounded by the streets Charlotte St, Walker St, Adelaide St, the Subject Site is strategically positioned being Charlotte Street the main commercial hub of Cooktown and that even connects the city to the port and esplanade. Its spacious grounds present an ideal opportunity for development, highlighted by the introduction of an IGA Supermarket alongside complementary amenities. This location ensures high visibility and easy access, making it a natural magnet for both local residents and visitors entering Cooktown. In essence, the Subject Site isn't just a commercial venture; it's poised to become a central hub enriching the fabric of Cooktown's bustling community life.

COOK SHIRE COUNCIL

DIGITALLY STAMPED
APPROVED PLAN

Development Application: Development Permit for a Material Change of Use for a Shopping Centre

Lot: 82 on C1793, Lot 83 on C1793, Lot 84 on C1793, Lot 97 on C1793, Lot 98 on C1793, Lot 99 on C1793, Lot 100 on C1793, Lot 1 on RP700316, Lot 2 on RP700316 and Lot 3 on RP700316

Referred to in Cook Shire Council's Decision Notice (AD2025/0006028)

Approval Date: 14 October 2025
Application Number: DA/4944

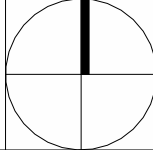
REVISION SCHEDULE		
REV	DATE	NOTE

GENERAL NOTES:
The Building Contractor to ensure that all building work shown on this drawing is to comply with the **National Construction Code**, Australian Standards & codes, local government authorities and any other bodies having jurisdiction over the works. Coordinate with specialist suppliers & comply with manufacturer's written specifications for the construction, application, installation for products and materials specified. The building contractor is to bring to the notice of the architect any discrepancies which are found contained in this drawing prior to commencement of works. All levels and dimensions shall be verified on site prior to commencement of any works.



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e calims@tpgarchitects.com.au
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ABN 61 063 799 333

DO NOT SCALE THE DRAWING.
ALL LEVELS AND DIMENSIONS MUST BE VERIFIED ON SITE PRIOR TO ANY WORKS.
0 25 50 125M
SCALE 1:2500 @ A1 (1:5000 @ A3)
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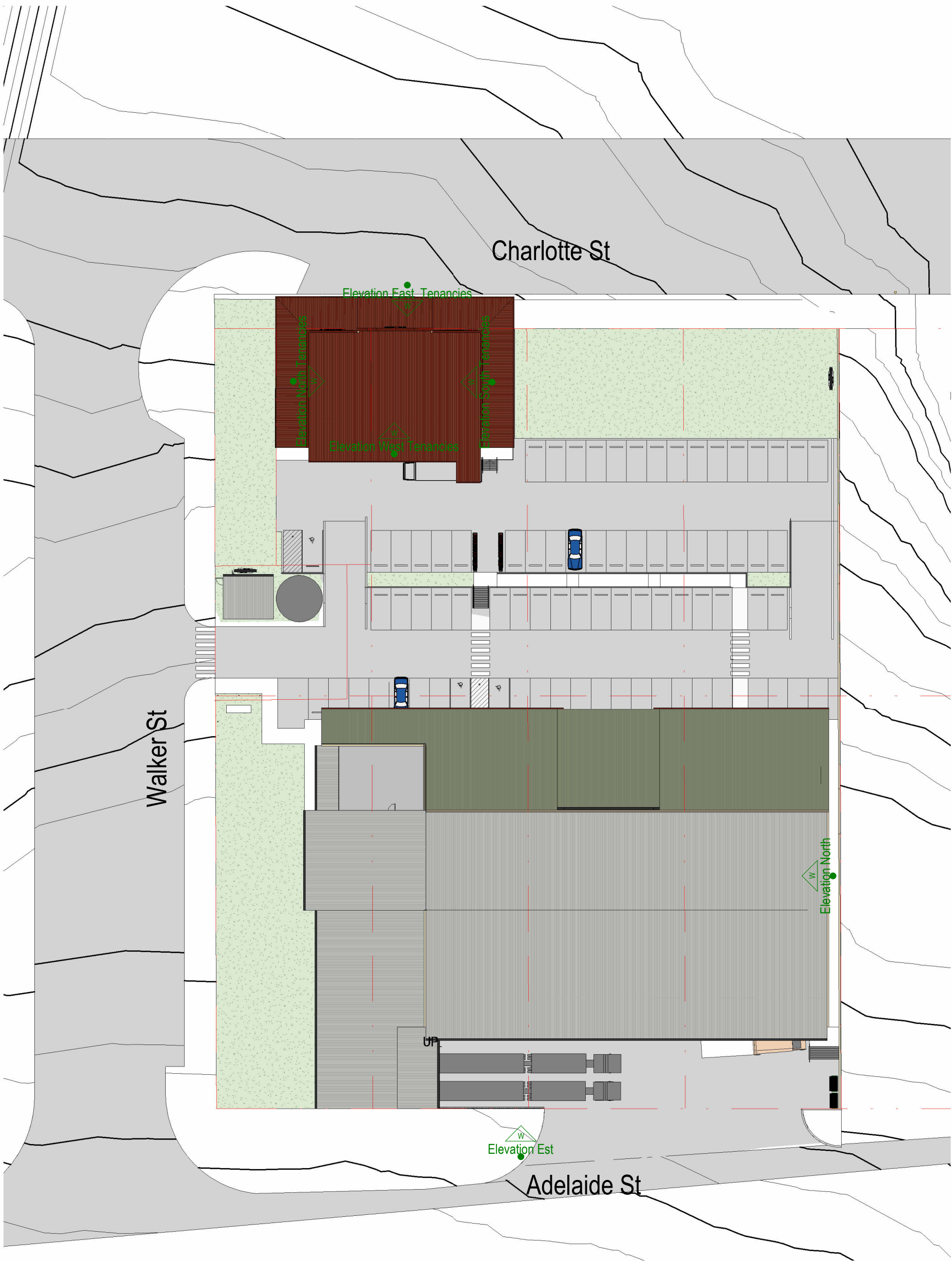


Project: **IGA Cooktown**

Sheet Title: **Locality Plan**

Date: 19/06/25	Phase: Sketch Design	Drawn: Author	Checked: Checker	Scale @ A1: 1 : 100
Project No: IGA-01	Draw No: SK_001	Revision No:		

FILE: C:\Users\Giuseppe\Documents\IGA-01_SHT24_COOK TOWN IGA CENTRAL TOWN_ed@tpgarchitects.com.au.rvt



Town Planning Summary

Property Description:	Lot : 82C1793, 83C1793, 84C1793, 97C1793, 98C1793, 99C1793, 100C1793, 1RP700315, 1RP700316, 3RP700316 Street : 87-93 Charlotte Street Suburb : Cooktown Area : 8101 m ² Parish : Cook Shire County : Banks																																																		
Proposal:	Located in the plot of land surrounded by the streets Charlotte St, Walker St, Adelaide St, the Subject Site is strategically positioned being Charlotte Street the main commercial hub of Cooktown and that even connects the city to the port and esplanade. Its spacious grounds present an ideal opportunity for development, highlighted by the introduction of an IGA Supermarket alongside complementary amenities. This location ensures high visibility and easy access, making it a natural magnet for both local residents and visitors entering Cooktown. In essence, the Subject Site isn't just a commercial venture; it's poised to become a central hub enriching the fabric of Cooktown's bustling community life.																																																		
Planning District:	CookShire Council																																																		
Planning Zone:	Centre																																																		
Land Use:	Commercial																																																		
Site Area:	7859.17m ²																																																		
Gross Floor Area:	2733m ²																																																		
Site Coverage:	3646 m ² (46%)																																																		
Parking Required:	Accessible Carparking: Class 6 buildings with up to 1000 carparking spaces — 1 accessible space for every 50 carparking spaces or part thereof; and for each additional 100 carparking spaces or part thereof in excess of 1000 carparking spaces — 1 accessible space. Vehicle Parking Requirements: <table><tr><td>Shop: (a) Where less than 200m² GFA) (b) otherwise</td><td>(a) 1 space per 20 m2 of GFA. (b) 1 space per 50 m2 of GFA.</td></tr></table> <table><tr><td>Minimum Service Provisions:</td><td>Width</td><td>Length</td><td>Vertical Clearance</td></tr><tr><td>Small rigid vehicle</td><td>3.5 m</td><td>7.0 m</td><td>3.5 m</td></tr><tr><td>Heavy rigid vehicle</td><td>3.5 m</td><td>11.5 m</td><td>4.5 m</td></tr><tr><td>B - Double Truck</td><td>3.5 m</td><td>25.0 m</td><td>4.5 m</td></tr></table> <table><tr><td>Gross Floor Area:</td><td>Requirements:</td><td>Requirements:</td><td>Spot(s):</td></tr><tr><td>Tenancies</td><td>2712m²</td><td>200m²</td><td>1/20</td></tr><tr><td></td><td></td><td>2512m²</td><td>1/50</td></tr><tr><td></td><td></td><td></td><td>Total:</td></tr><tr><td></td><td></td><td></td><td>60.24</td></tr><tr><td>Future Tenancies</td><td>886m²</td><td></td><td>1/50</td></tr><tr><td></td><td></td><td></td><td>17.72</td></tr></table>					Shop: (a) Where less than 200m ² GFA) (b) otherwise	(a) 1 space per 20 m2 of GFA. (b) 1 space per 50 m2 of GFA.	Minimum Service Provisions:	Width	Length	Vertical Clearance	Small rigid vehicle	3.5 m	7.0 m	3.5 m	Heavy rigid vehicle	3.5 m	11.5 m	4.5 m	B - Double Truck	3.5 m	25.0 m	4.5 m	Gross Floor Area:	Requirements:	Requirements:	Spot(s):	Tenancies	2712m ²	200m ²	1/20			2512m ²	1/50				Total:				60.24	Future Tenancies	886m ²		1/50				17.72
Shop: (a) Where less than 200m ² GFA) (b) otherwise	(a) 1 space per 20 m2 of GFA. (b) 1 space per 50 m2 of GFA.																																																		
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Future Tenancies	886m ²		1/50																																																
			17.72																																																
Parking Provided:	Area		Spots Provided:																																																
	Parking		78																																																
Accessible Parking Spot:			3																																																
Bicycle Provided:			12																																																
Landscaping Provided:	Site Coverage: <table><tr><td>Site area:</td><td>= 7859.17m²</td></tr><tr><td>Covered Area:</td><td>= 3646m² (46%)</td></tr><tr><td>Impervious Material</td><td>= 3674m² (46%)</td></tr><tr><td>Landscaping</td><td>= 1574m² (20%)</td></tr></table>					Site area:	= 7859.17m ²	Covered Area:	= 3646m ² (46%)	Impervious Material	= 3674m ² (46%)	Landscaping	= 1574m ² (20%)																																						
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Covered Area:	= 3646m ² (46%)																																																		
Impervious Material	= 3674m ² (46%)																																																		
Landscaping	= 1574m ² (20%)																																																		

Architectural Drawings	
Sheet Number	Sheet Name
SK_001	Locality Plan
SK_002	Planning Summary
SK_003	Existing Site Plan
SK_004	Site Plan
SK_005	Supermarket Plan
SK_006	Tenancies Plan and Plant Room Supermarket
SK_007	Roof Plan
SK_008	Sections
SK_009	Sections and Elevation
SK_010	Elevations
SK_011	3D View Ortho
SK_012	3D Views
SK_013	Renders
SK_014	Renders
SK_015	Elevation Tenancy 1 and 2
SK_016	Elevations Tenancy 1 and 2
SK_017	Ortho Tenancy 1 and 2

COOK SHIRE COUNCIL

DIGITALLY STAMPED
APPROVED PLAN

Development Application: Development Permit for a Material Change of Use for a Shopping Centre

Lot: 82 on C1793, Lot 83 on C1793, Lot 84 on C1793, Lot 97 on C1793, Lot 98 on C1793, Lot 99 on C1793, Lot 100 on C1793, Lot 1 on RP700316, Lot 2 on RP700316 and Lot 3 on RP700316

Referred to in Cook Shire Council's Decision Notice (AD2025/0006028)

Approval Date: 14 October 2025
Application Number: DA/4944

REVISION SCHEDULE		
REV	DATE	NOTE

GENERAL NOTES:	
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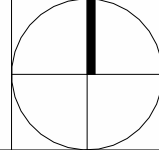
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0 25 50 125M

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Project:

IGA Cooktown

Sheet Title:

Planning Summary

Date: 19/06/25	Phase: Sketch Design	Drawn: Author	Checked: Checker	Scale @ A1: As indicated
Project No: IGA-01	Draw No:	Revision No:	SK_002	

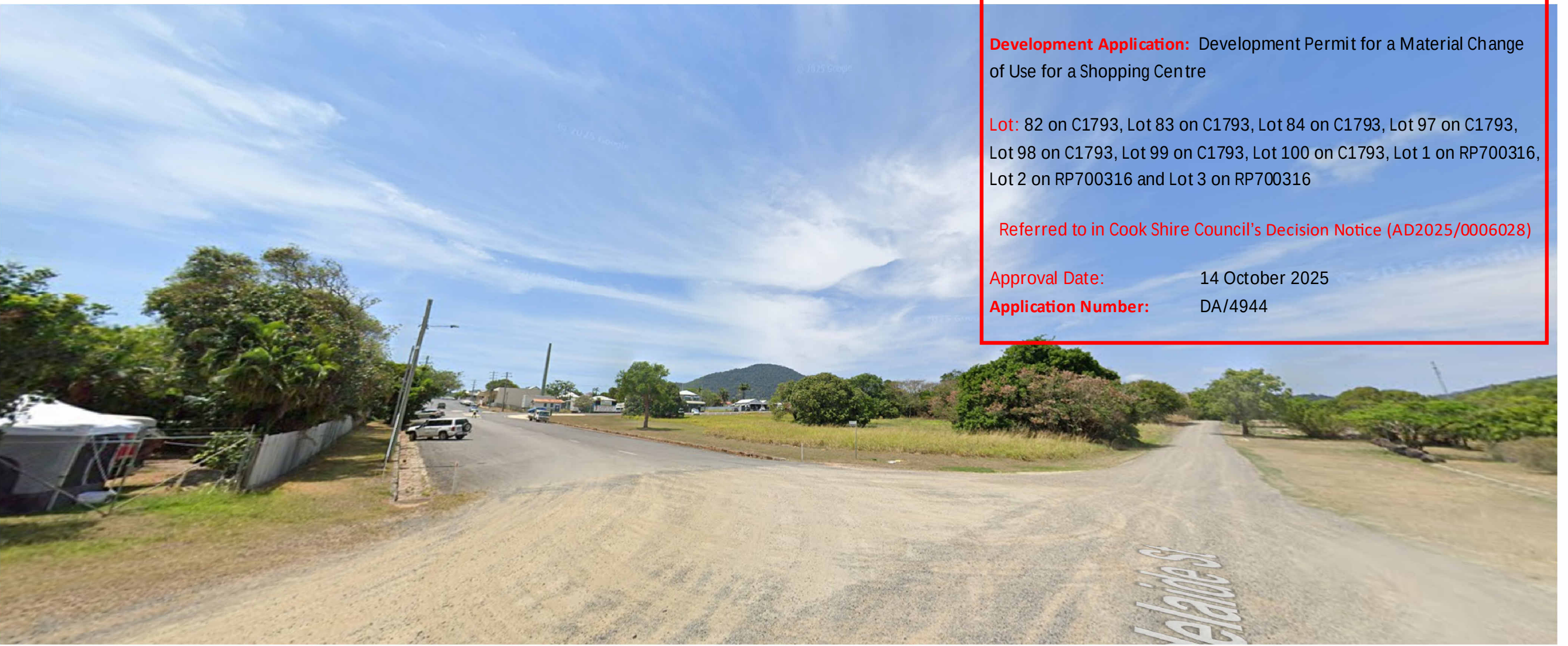
FILE: C:\Users\Giuseppe\Documents\IGA-01_SHT24_COOK TOWN IGA CENTRAL TOWN_ed@tpgarchitects.com.au.rvt



1 - View from Charlotte Street



2 - Junction of Charlotte Street and Walker Street



1 - View down Site from Adelaide Street

COOK SHIRE COUNCIL
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Referred to in Cook Shire Council's Decision Notice (AD2025/0006028)

Approval Date: 14 October 2025

Application Number: DA/4944

REVISION SCHEDULE		
REV	DATE	NOTE

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Project

IGA Cooktown

Sheet Title

Existing Site Plan

Date	Phase	Drawn	Checked	Scale @ A1
19/06/25	Sketch Design	Author	Checker	1:100
Project No	Dwg No	Revision No		
IGA-01	SK_003			

PRINTED: 10/07/2025 4:43:27 PM



COOK SHIRE COUNCIL
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Development Application: Development Permit for a Material Change of Use for a Shopping Centre

Lot: 82 on C1793, Lot 83 on C1793, Lot 84 on C1793, Lot 97 on C1793, Lot 98 on C1793, Lot 99 on C1793, Lot 100 on C1793, Lot 1 on RP700316, Lot 2 on RP700316 and Lot 3 on RP700316

Referred to in Cook Shire Council's Decision Notice (AD2025/0006028)

Approval Date: 14 October 2025
Application Number: DA/4944

Room NLA :		Room GFA :	
Supermarket	- 2066m ²	Supermarket	- 2149m ²
Tenancies	- 533m ²	Tenancies	- 563m ²
Amenities	- 17m ²	Amenities	- 21m ²
TOT. 2733m ²			

REVISION SCHEDULE		
REV	DATE	NOTE

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IGA Cooktown
Project Title
Site Plan
Date: 17/06/25
Phase: Sketch Design
Drawn: Author
Checked: Checker
Scale @ A1: As indicated
Project No: IGA-01
Dwg No: SK_004
Revision No:

FILE: C:\Users\Giuseppe\Documents\IGA-01_SHT24_COOK TOWN IGA CENTRAL TOWN_ed\tpgarchitects.com.au.rvt

REVISION SCHEDULE		
REV	DATE	NOTE

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Project

IGA Cooktown

Sheet Title

Supermarket Plan

Date12/17/20

PhaseSketch Design

DrawnAuthor

CheckedChecker

Scale @ A11:100

Project NoIGA-01

Dwg NoSK_005

Revision No

PRINTED: 31/07/2025 2:46:42 PM

COOK SHIRE COUNCIL
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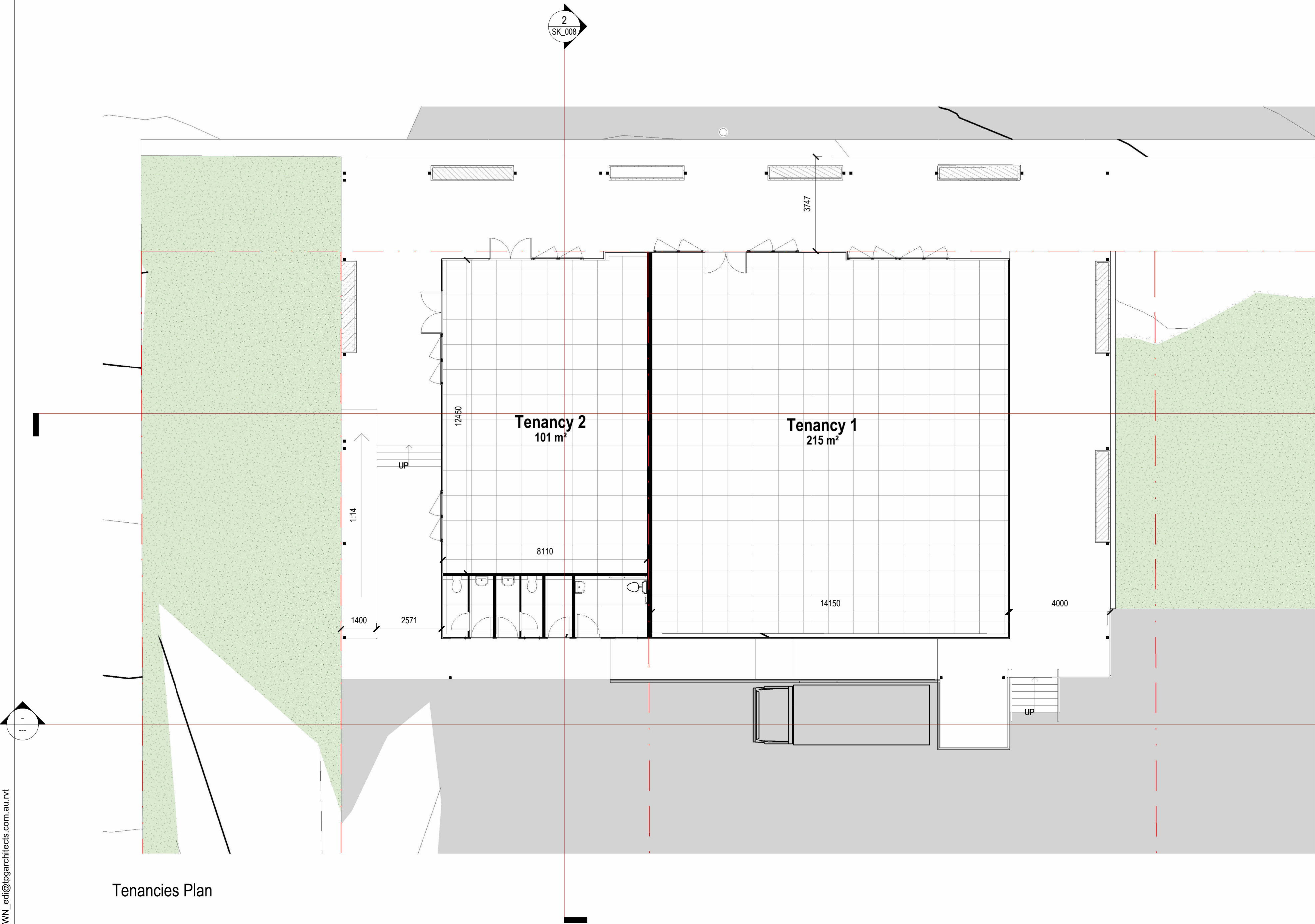
Development Application: Development Permit for a Material Change of Use for a Shopping Centre

Lot: 82 on C1793, Lot 83 on C1793, Lot 84 on C1793, Lot 97 on C1793, Lot 98 on C1793, Lot 99 on C1793, Lot 100 on C1793, Lot 1 on RP700316, Lot 2 on RP700316 and Lot 3 on RP700316

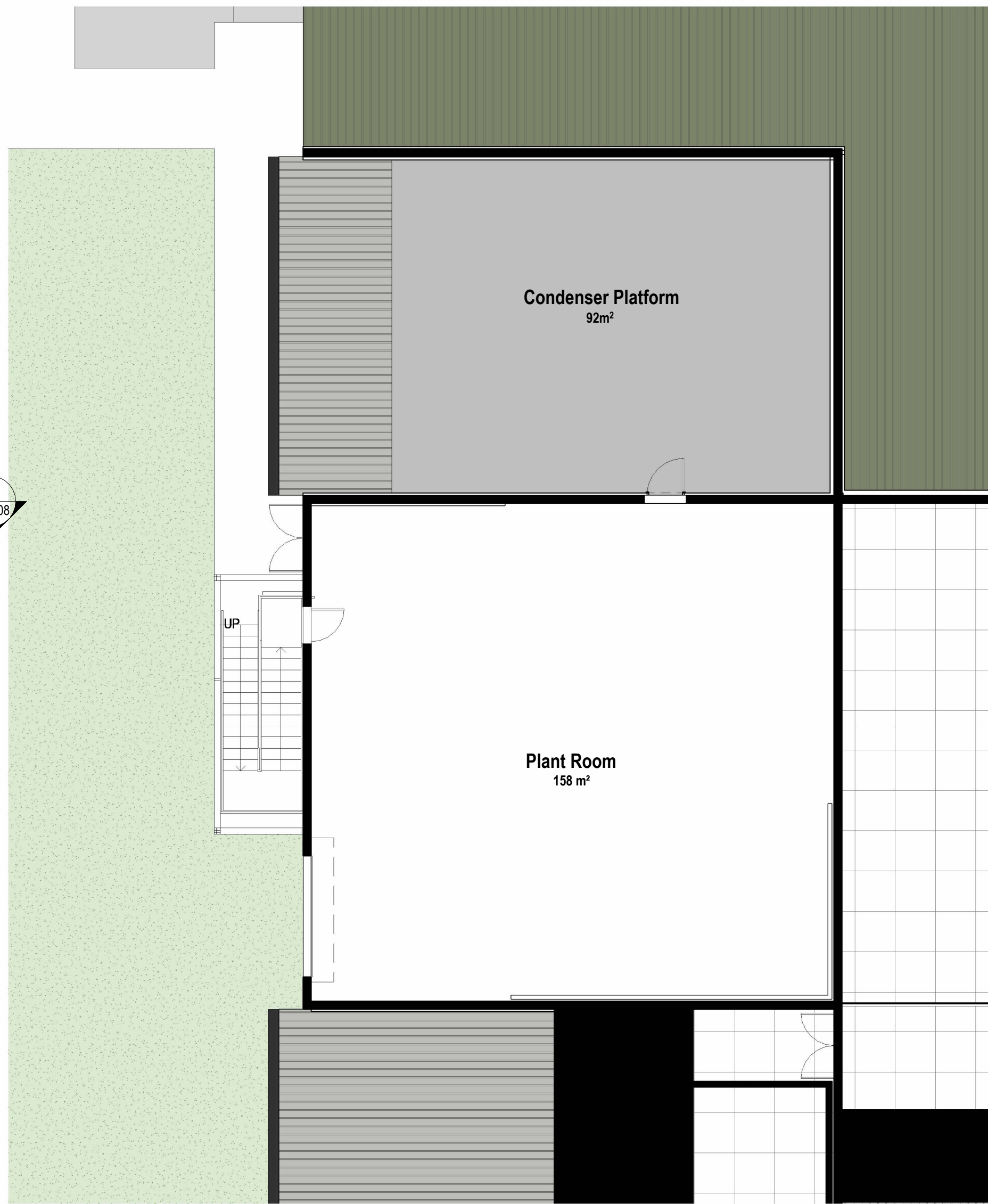
Referred to in Cook Shire Council's Decision Notice (AD2025/0006028)

Approval Date: 14 October 2025
Application Number: DA/4944

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Tenancies Plan



Plant Room Plan

COOK SHIRE COUNCIL
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Development Application: Development Permit for a Material Change of Use for a Shopping Centre

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Referred to in Cook Shire Council's Decision Notice (AD2025/0006028)

Approval Date: 14 October 2025
Application Number: DA/4944

REVISION SCHEDULE		
REV	DATE	NOTE

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IGA Cooktown
Project:
Date: 12/17/20 Phases: Sketch Design
Project No: IGA-01
Drawn: Author
Checked: Checker
Scale @ A1: 1:100
Revision No: SK_006

Tenancies Plan and Plant Room Supermarket
Date: 12/17/20 Phases: Sketch Design
Project No: IGA-01
Drawn: Author
Checked: Checker
Scale @ A1: 1:100
Revision No: SK_006

[illegible]

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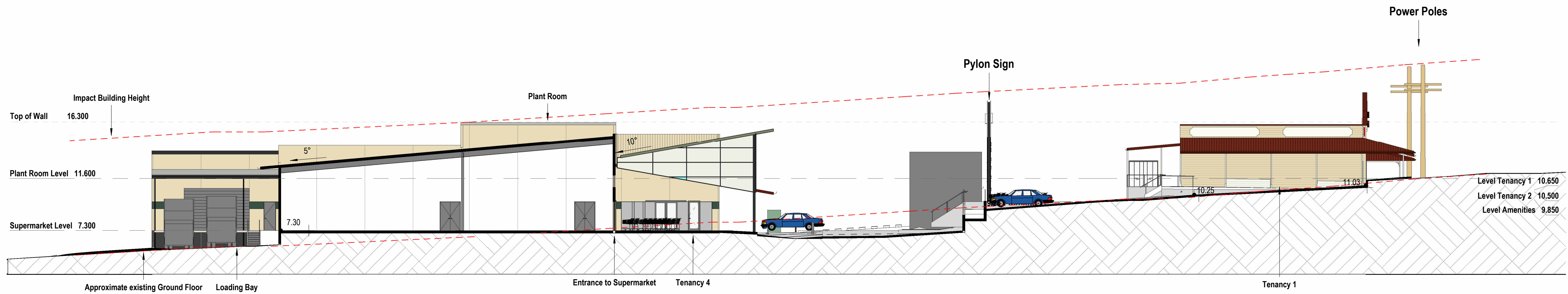
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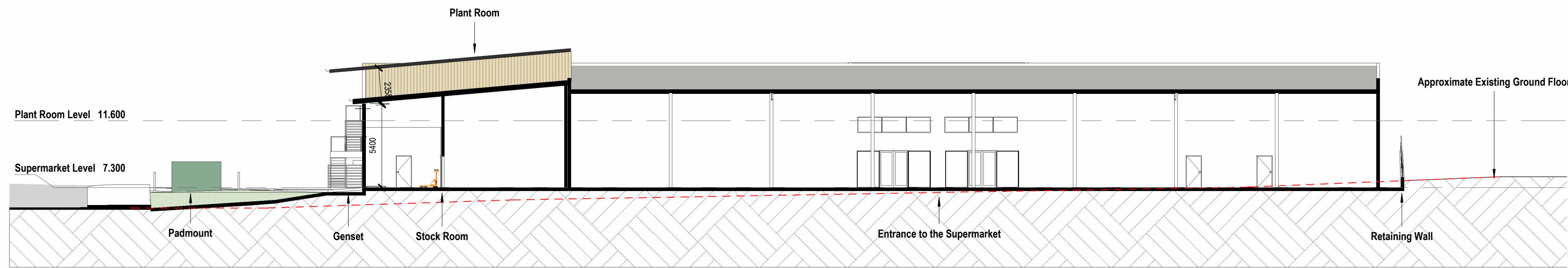
Sheet Title:

Roof Plan

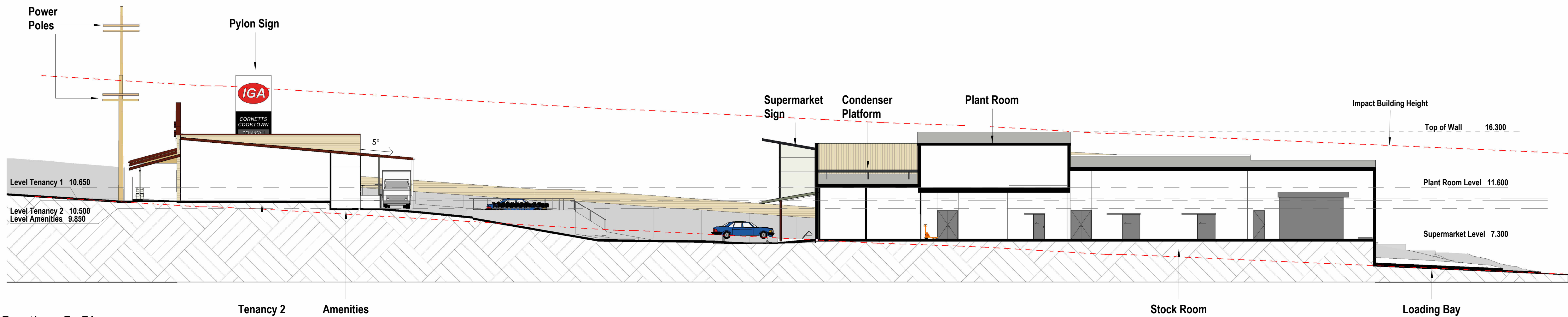
Date: 12/17/20	Phase: Sketch Design	Drawn: Author	Checked: Checker	Scale @ A1: 1 : 200
Project No: IGA-01		Dwg. No: SK_007		Revision No:



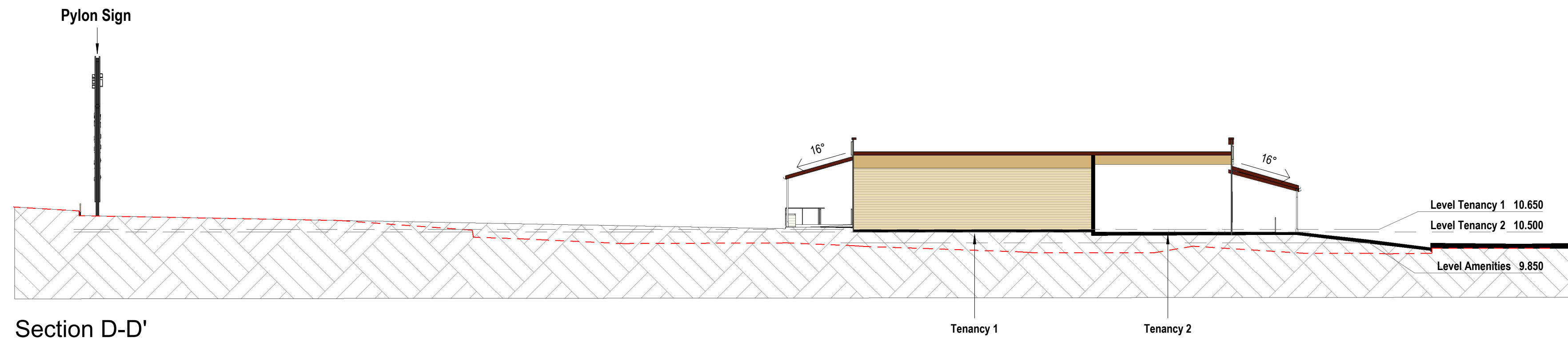
Section A-A'



Section B-B'



Section C-C'



Section D-D'

COOK SHIRE COUNCIL
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APPROVED PLAN

Development Application: Development Permit for a Material Change of Use for a Shopping Centre

Lot: 82 on C1793, Lot 83 on C1793, Lot 84 on C1793, Lot 97 on C1793, Lot 98 on C1793, Lot 99 on C1793, Lot 100 on C1793, Lot 1 on RP700316, Lot 2 on RP700316 and Lot 3 on RP700316

Referred to in Cook Shire Council's Decision Notice (AD2025/0006028)

Approval Date: 14 October 2025
Application Number: DA/4944

REVISION SCHEDULE		
REV	DATE	NOTE

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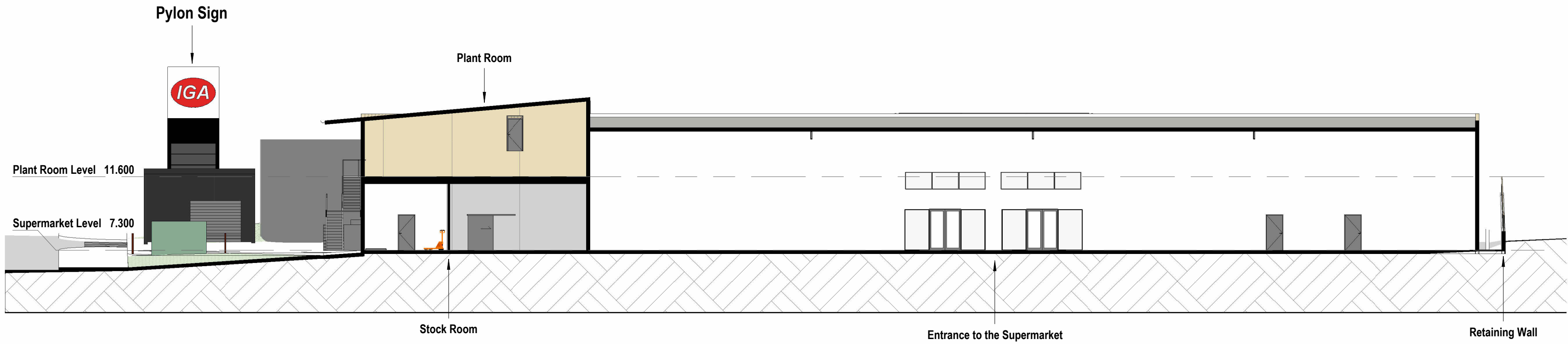
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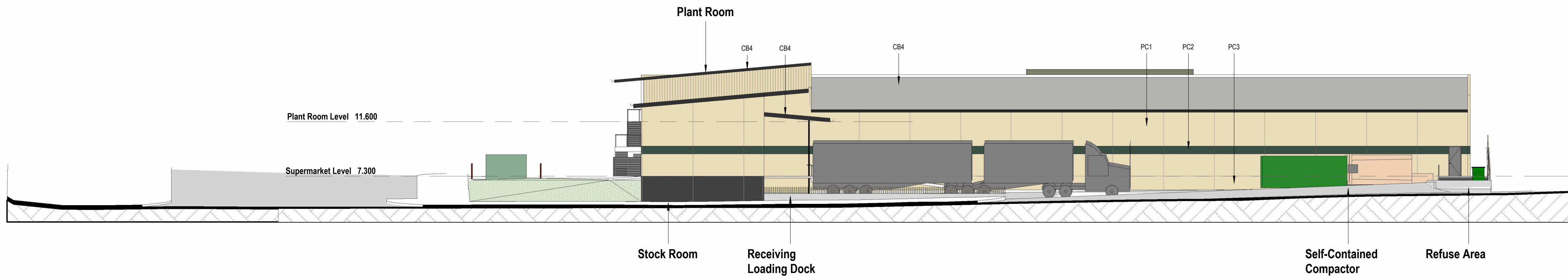
IGA Cooktown
Project
Date: 12/17/20 Phase: Sketch Design Drawn: Author Checked: Checker Scale @ A1: 1:200
Project No: IGA-01 Dwg No: SK_008 Revision No:

Sections

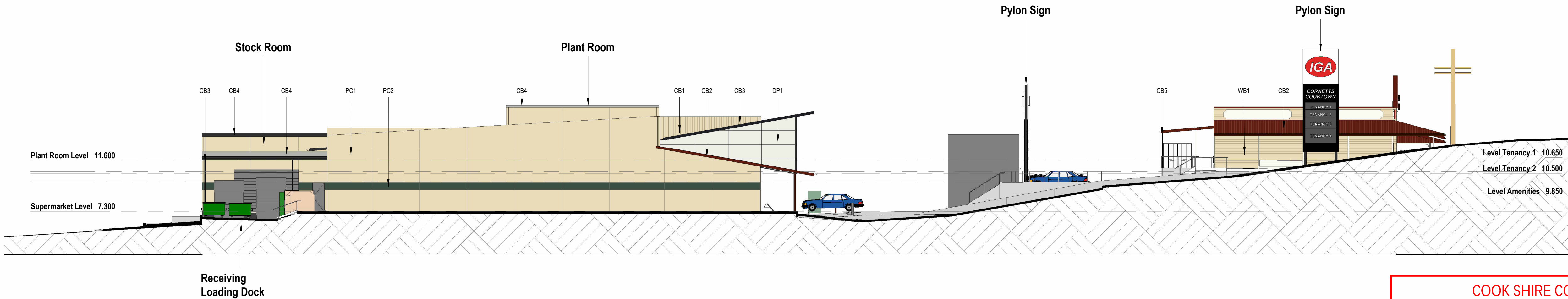
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Section E-E'

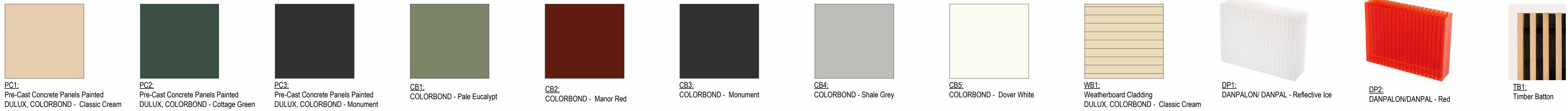


Elevation Est



Elevation North

Material Legend



COOK SHIRE COUNCIL
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Development Application: Development Permit for a Material Change of Use for a Shopping Centre

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Referred to in Cook Shire Council's Decision Notice (AD2025/0006028)

Approval Date: 14 October 2025
Application Number: DA/4944

REVISION SCHEDULE		
REV	DATE	NOTE

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Project

IGA Cooktown

Sheet Title

Sections and Elevation

Date: 12/17/20

Phase: Sketch Design

Drawn: Author

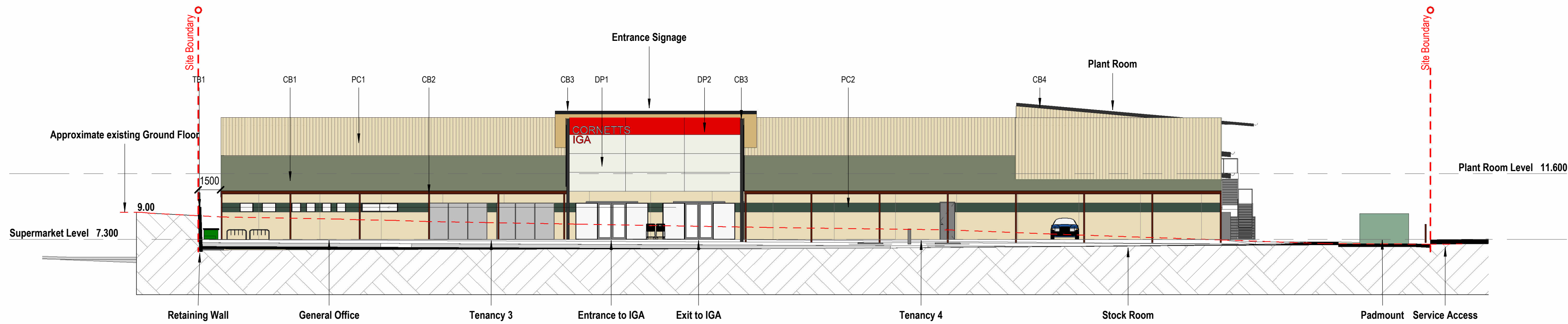
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Scale @ A1: As indicated

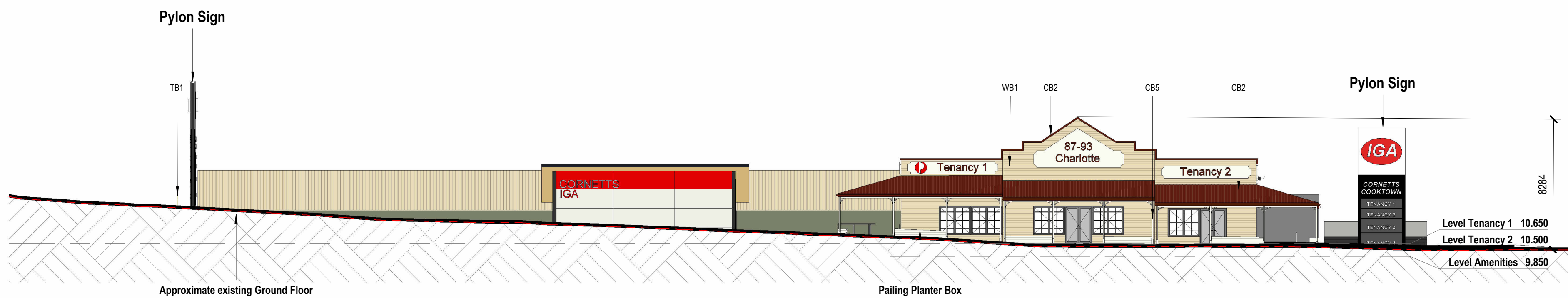
Project No: IGA-01

Dwg. No: SK_009

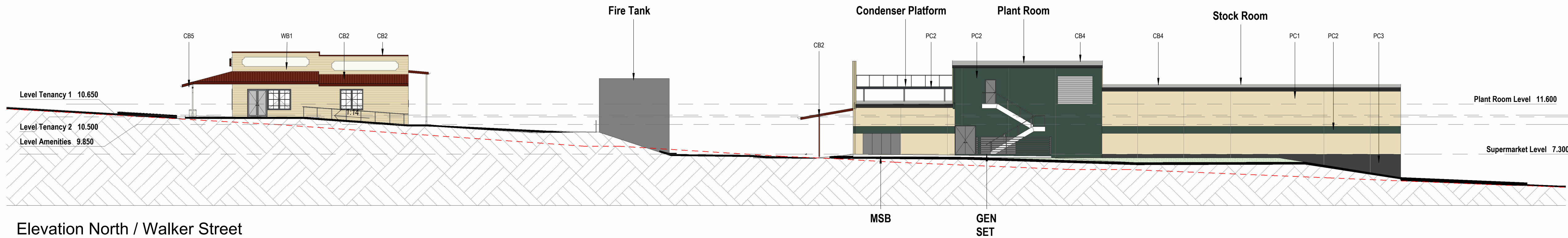
Revision No:



Elevation East Supermarket

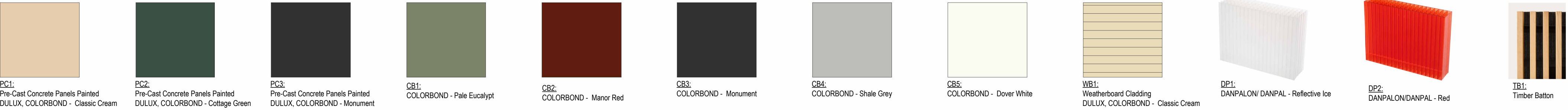


Elevation East / Charlotte Tenancies



Elevation North / Walker Street

Material Legend



COOK SHIRE COUNCIL

DIGITALLY STAMPED

APPROVED PLAN

Development Application: Development Permit for a Material Change of Use for a Shopping Centre

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Referred to in Cook Shire Council's Decision Notice (AD2025/0006028)

Approval Date: 14 October 2025

Application Number: DA/4944

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REVISION SCHEDULE		
REV	DATE	NOTE

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ALL LEVELS AND DIMENSIONS MUST BE VERIFIED ON SITE PRIOR TO ANY WORKS.

0 1 2 3 4 5m

SCALE 1:100 @ A1 (1:200 @ A3)

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Project: **IGA Cooktown**

Sheet Title: **Elevations**

Date: 12/17/20	Phase: Sketch Design	Drawn: Author	Checked: Checker	Scale @ A1: As indicated
Project No: IGA-01	Draw No: SK_010	Revision No:		

IGA Cooktown

3D View Ortho

COOK SHIRE COUNCIL

DIGITALLY STAMPED

APPROVED PLAN

Development Application: Development Permit for a Material Change of Use for a Shopping Centre

Lot: 82 on C1793, Lot 83 on C1793, Lot 84 on C1793, Lot 97 on C1793, Lot 98 on C1793, Lot 99 on C1793, Lot 100 on C1793, Lot 1 on RP700316, Lot 2 on RP700316 and Lot 3 on RP700316

Referred to in Cook Shire Council's Decision Notice (AD2025/0006028)

Approval Date: 14 October 2025

Application Number: DA/4944



IGA Cooktown

3D View



COOK SHIRE COUNCIL

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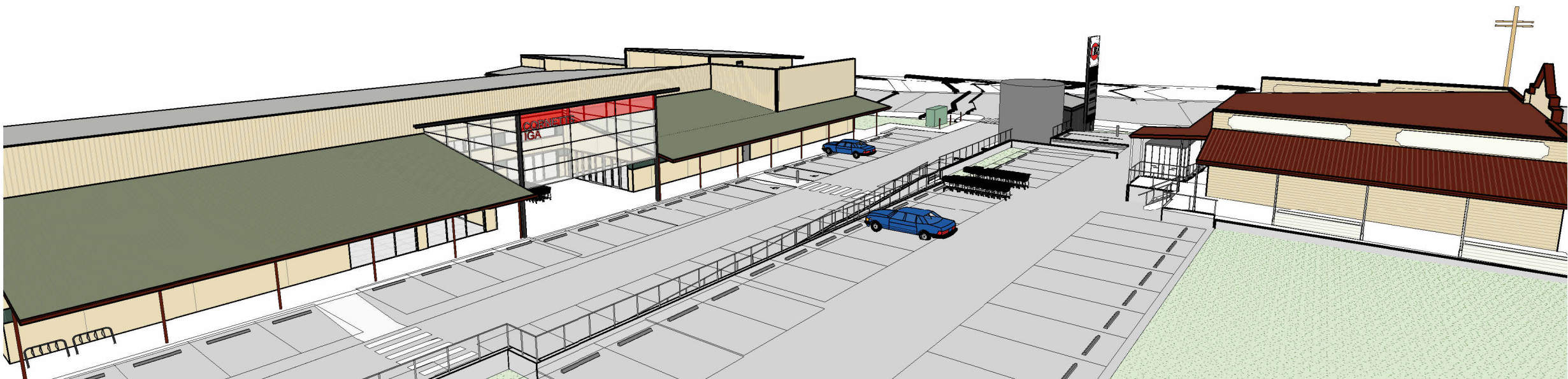
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IGA Cooktown

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IGA Cooktown

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IGA Cooktown

Elevation Tenancy 1 and 2



1 Elevation East Tenancies
SK002 1 : 100



2 Elevation North Tenancies
SK002 1 : 100

COOK SHIRE COUNCIL

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IGA Cooktown

Ortho Tenancy 1 and 2

COOK SHIRE COUNCIL

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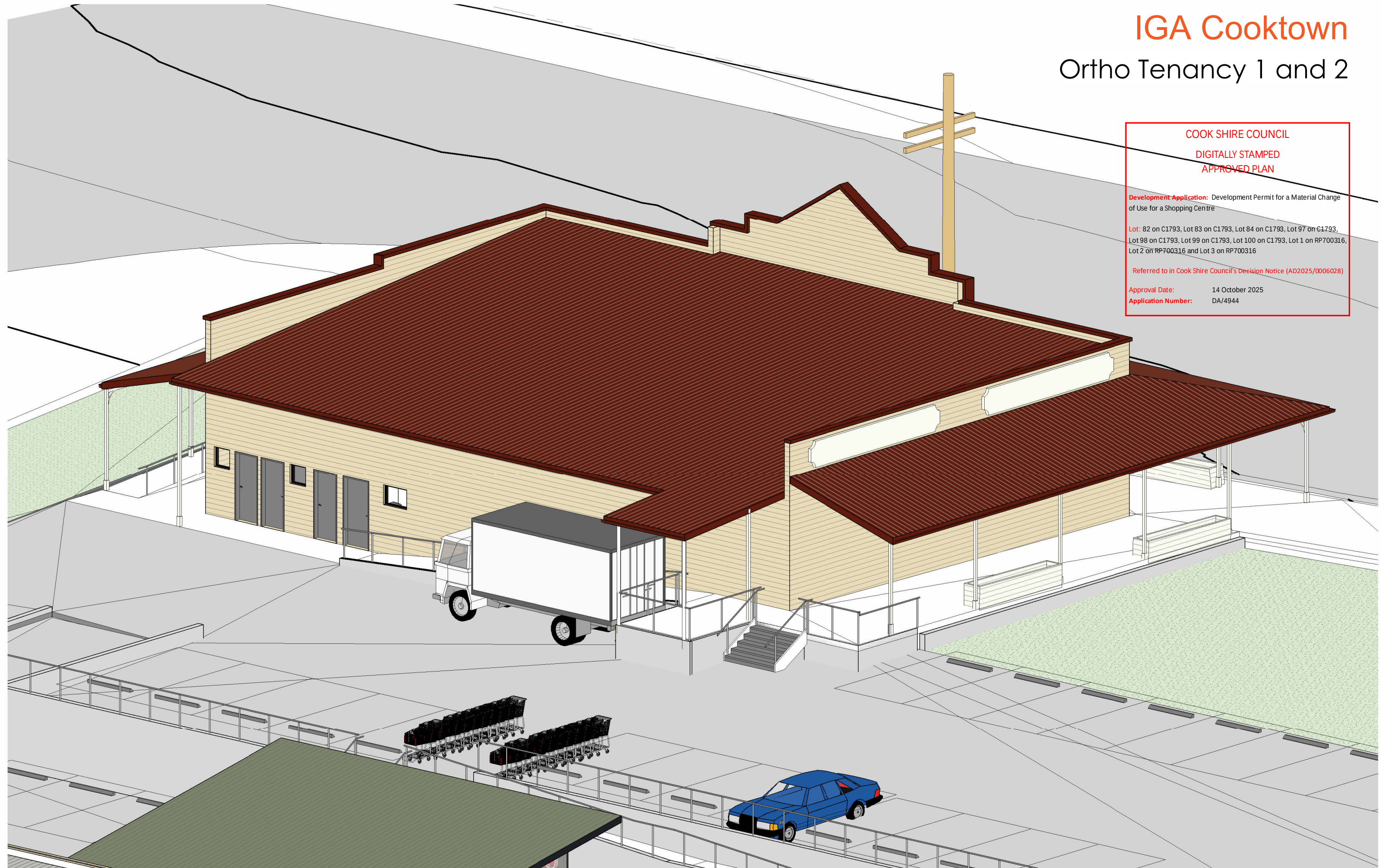
Development Application: Development Permit for a Material Change of Use for a Shopping Centre

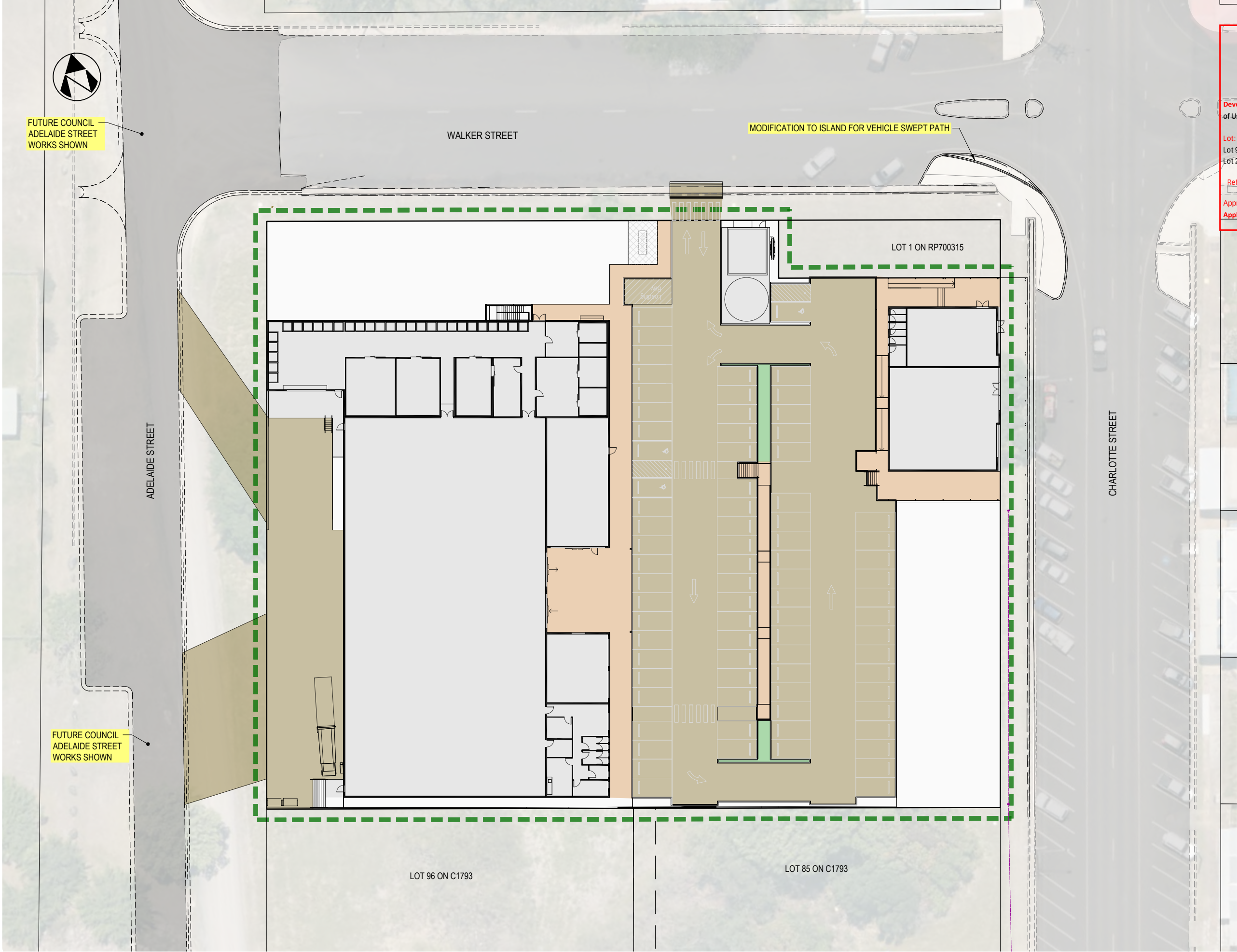
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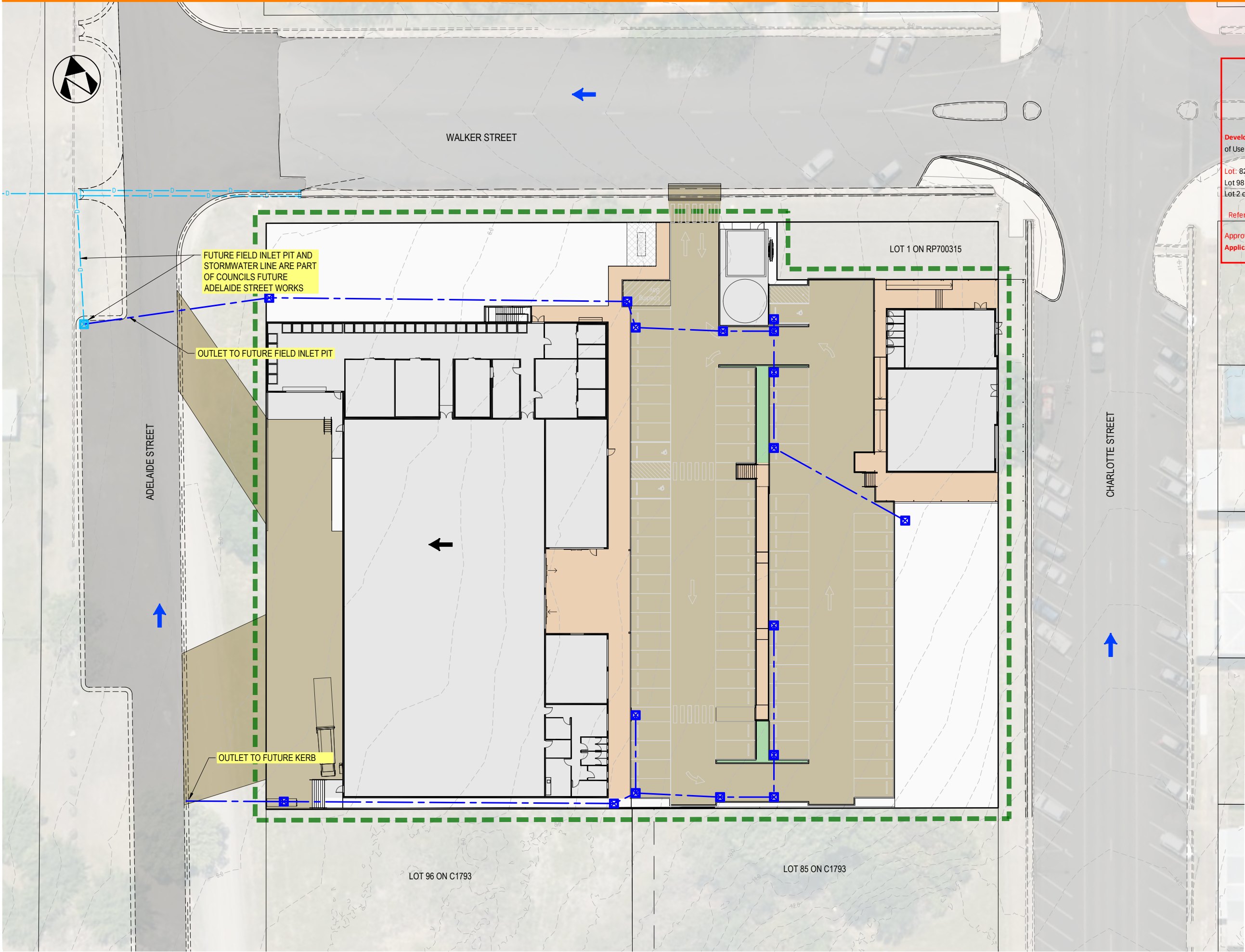
14 October 2025

Application Number:

DA/4944

LEGEND

- PROPOSED ACCESS/HARDSTAND
- PROPOSED PATHWAY



COOK SHIRE COUNCIL

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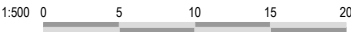
Referred to in Cook Shire Council's Decision Notice (AD2025/0006028)

Approval Date: 14 October 2025

Application Number: DA/4944

LEGEND

- DRAINAGE PIPE
- FIELD/KERB INLET PIT
- FALL ON LOTS
- ROAD FLOW
- EXISTING DRAINAGE PIPE

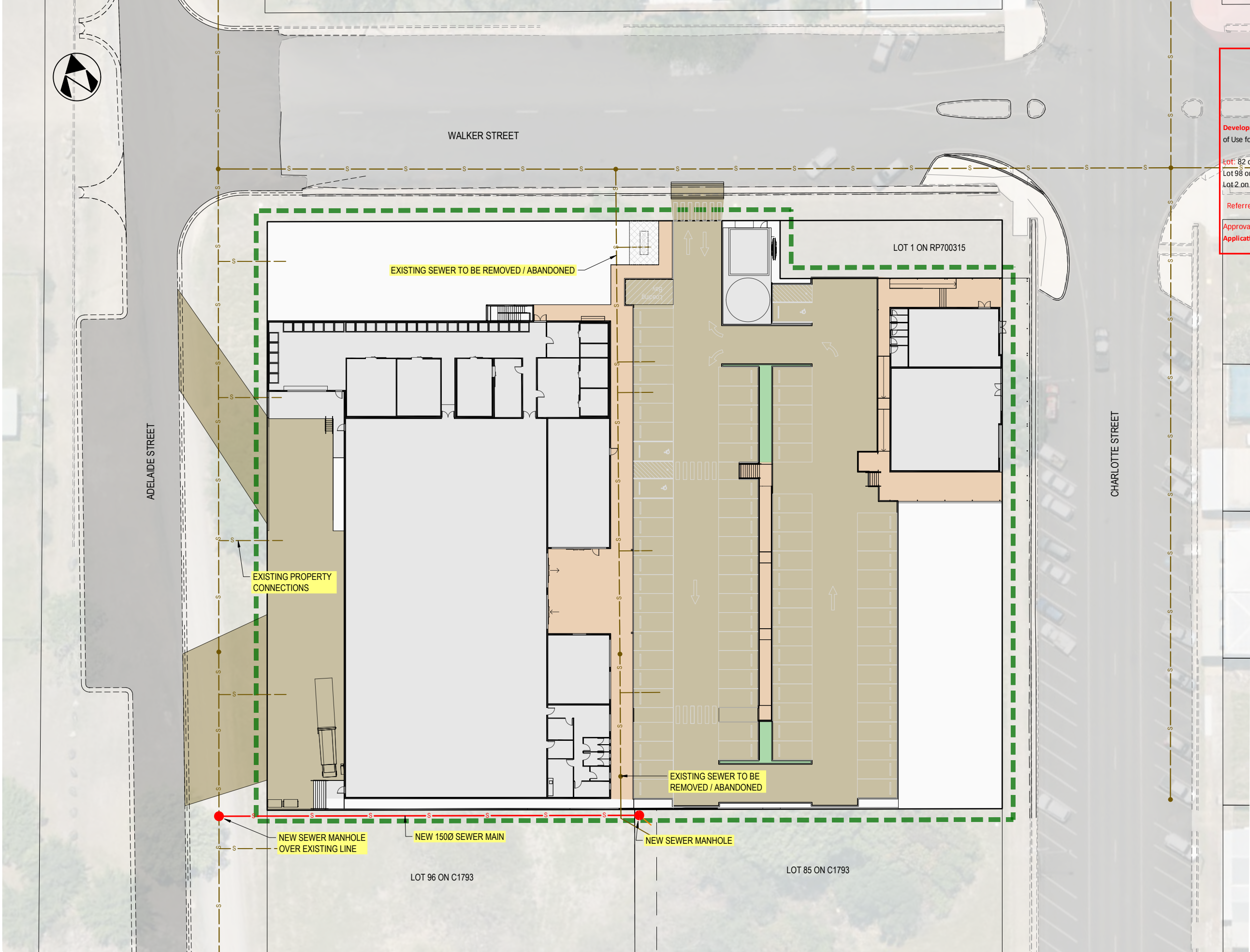


NEON
CONSULTING

KWIK BRIDGE PTY LTD

COOKTOWN IGA
CHARLOTTE STREET, COOKTOWN
MASTERPLANS
DRAINAGE

999-2201-21-DRG-1002



COOK SHIRE COUNCIL

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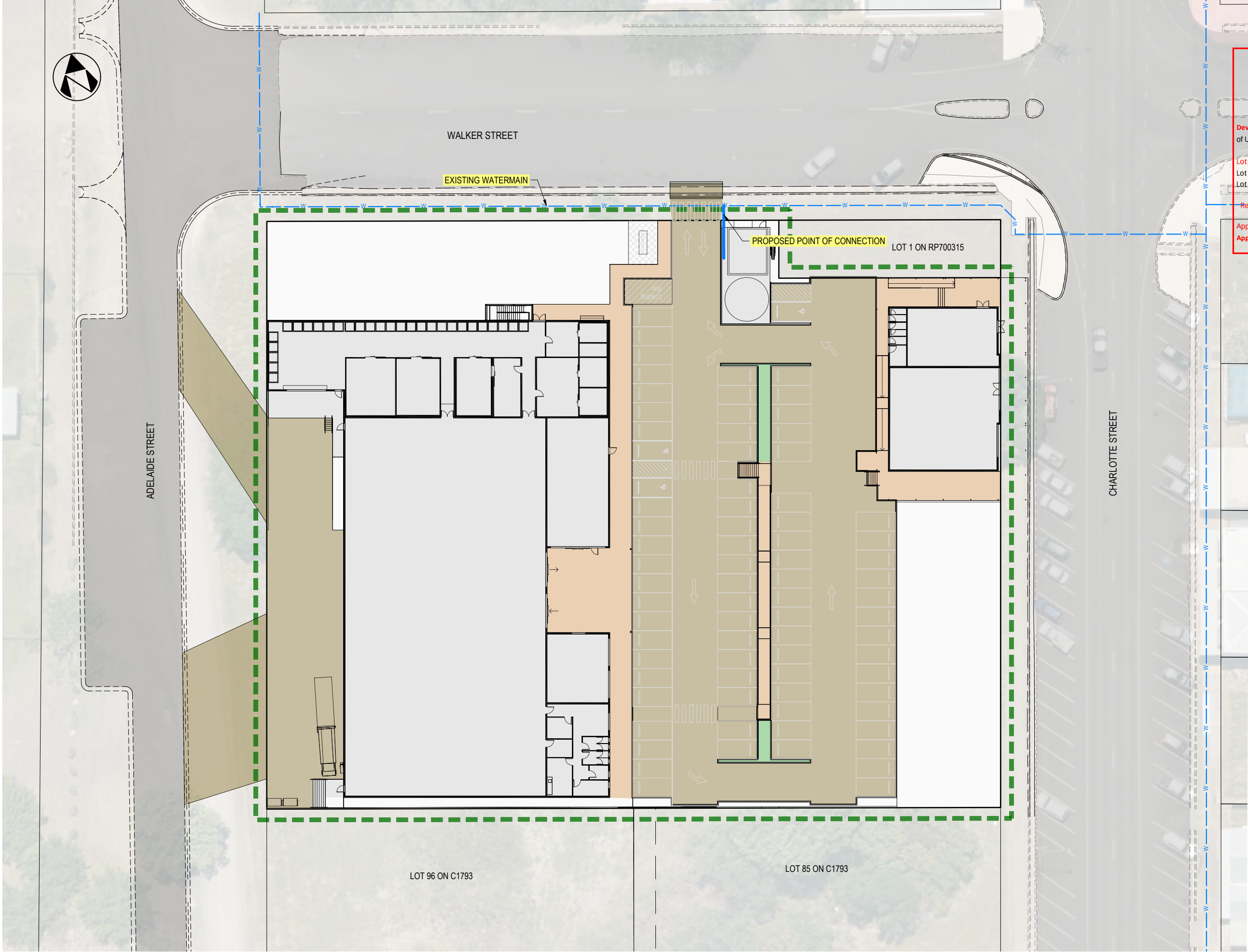
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LEGEND

SEWER MAIN Ø150

EXISTING SEWER MAIN



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Application Number: DA/4944

LEGEND

- WATER MAIN Ø100
- EXISTING WATER MAIN

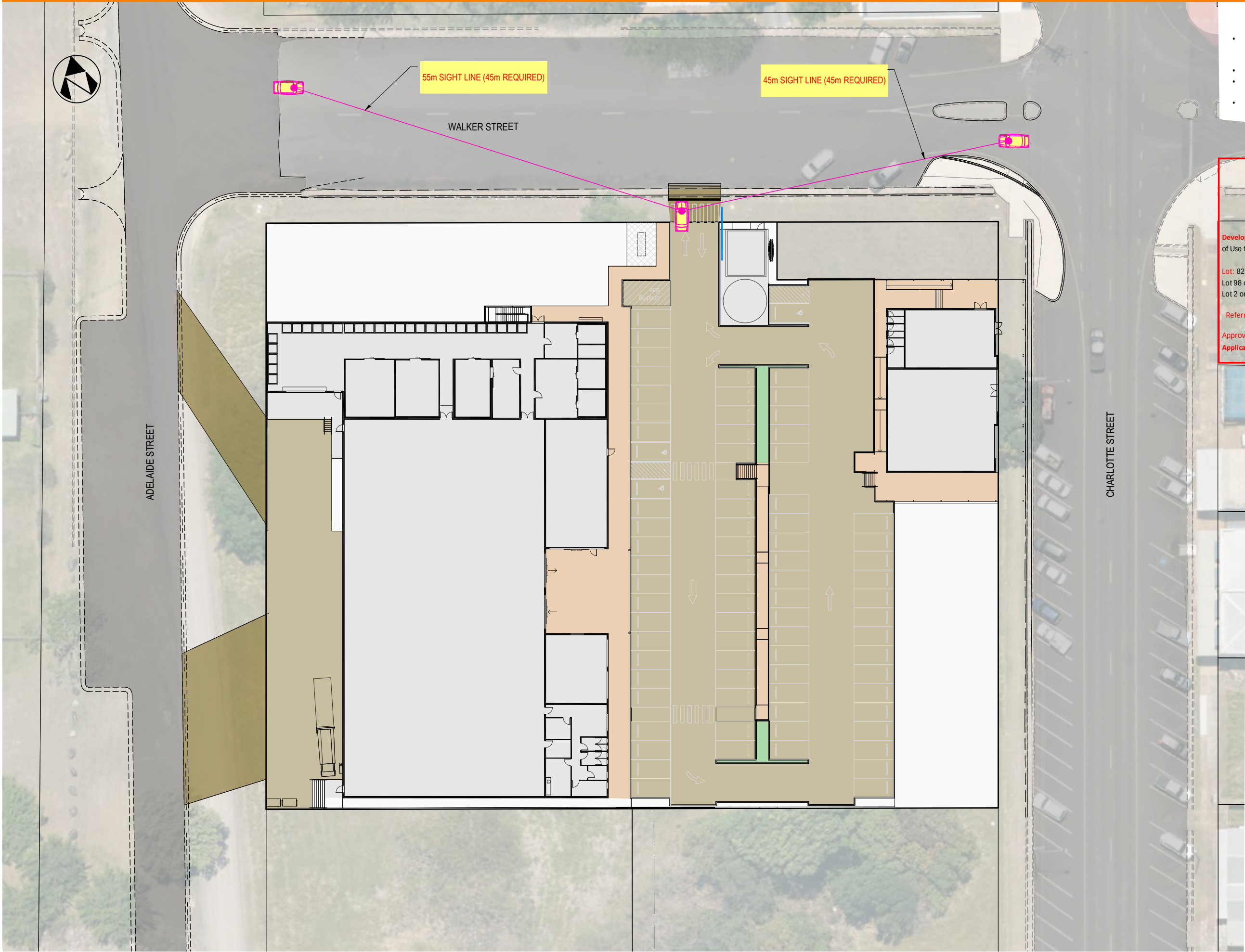


NEON
CONSULTING

KWIK BRIDGE PTY LTD

COOKTOWN IGA
CHARLOTTE STREET, COOKTOWN
MASTERPLANS
WATER RETICUALTION

999-2201-21-DRG-1004



NOTES

- SIGHT DISTANCE REQUIREMENTS AT ACCESS DRIVEWAYS OBTAINED FROM AS/NZS 2890.1 SECTION 3.2.4.
- ROAD FRONT SPEED = 50km/h (POSED)
- SIGHT DISTANCE REQUIRED = 45m (MINIMUM)
- VERTICAL GEOMETRY IS UNOBSTRUCTED BASED SURVEY

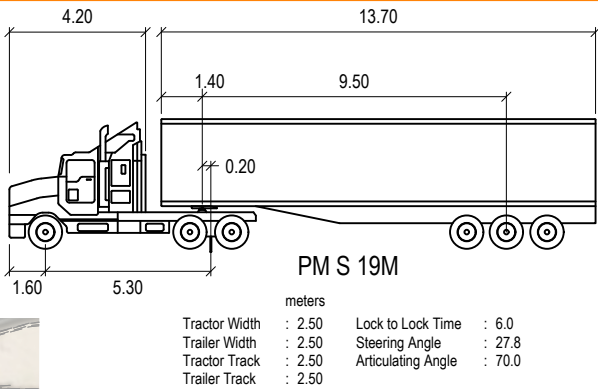
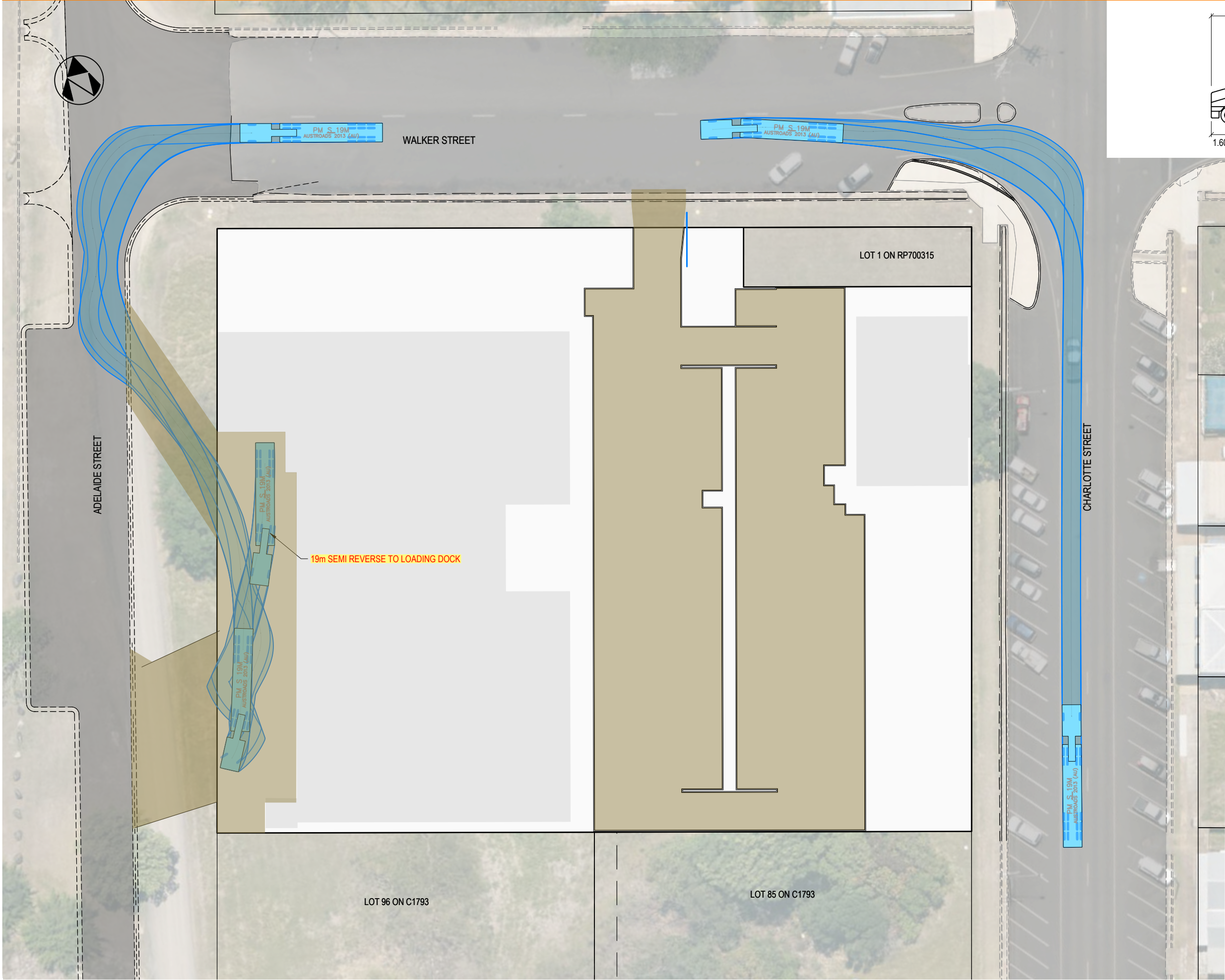
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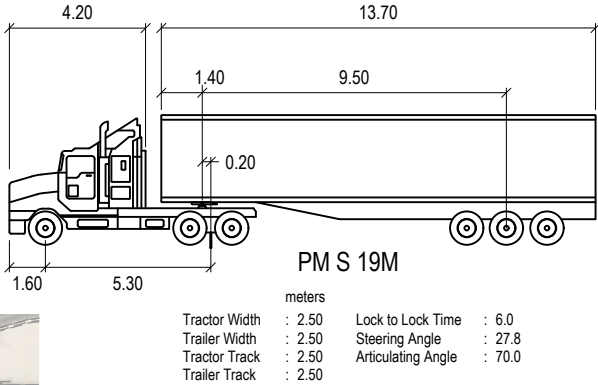
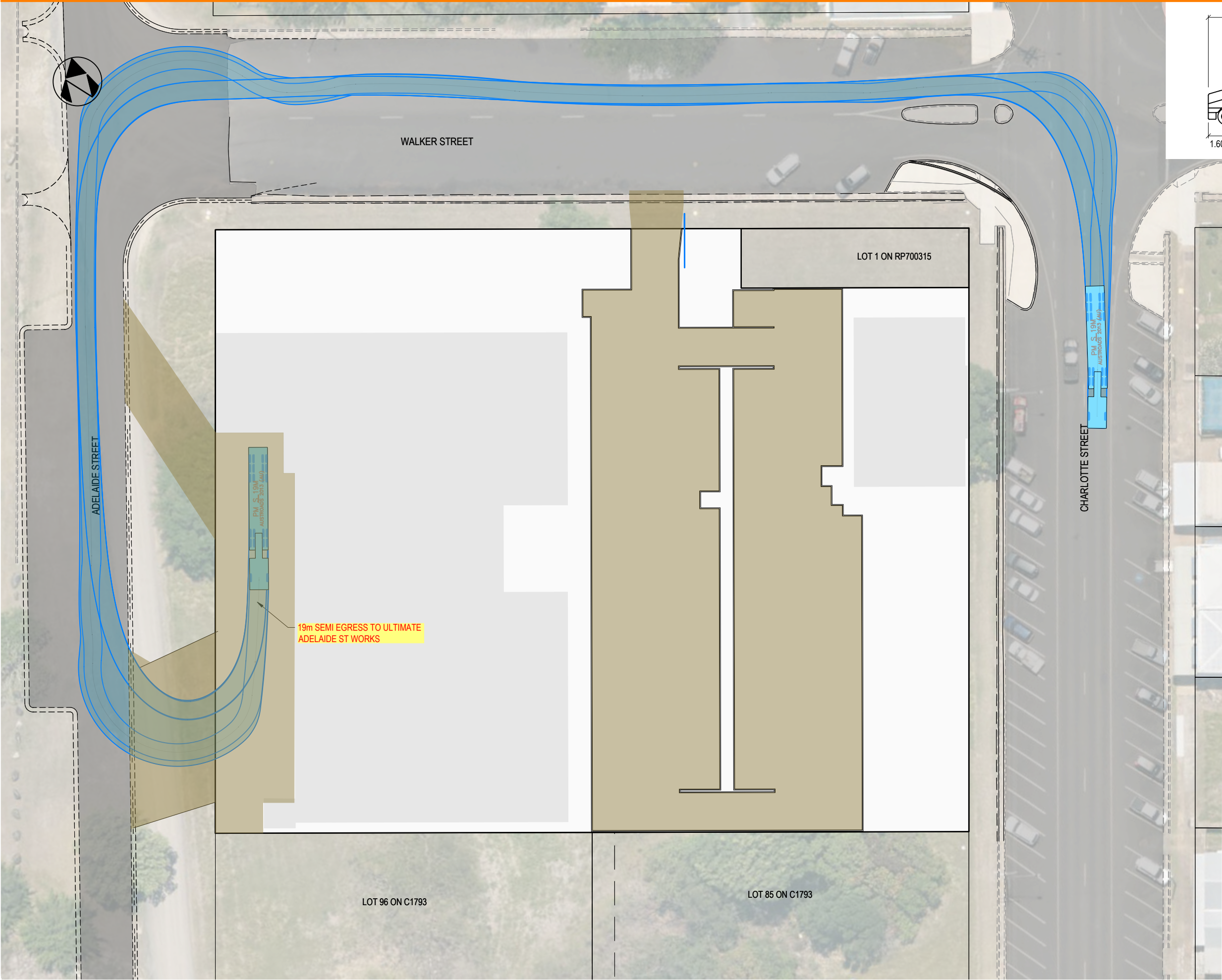
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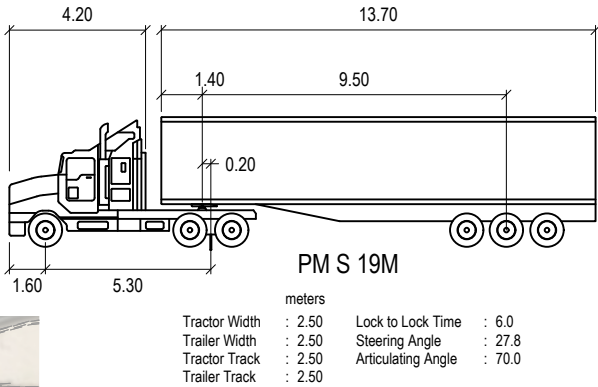
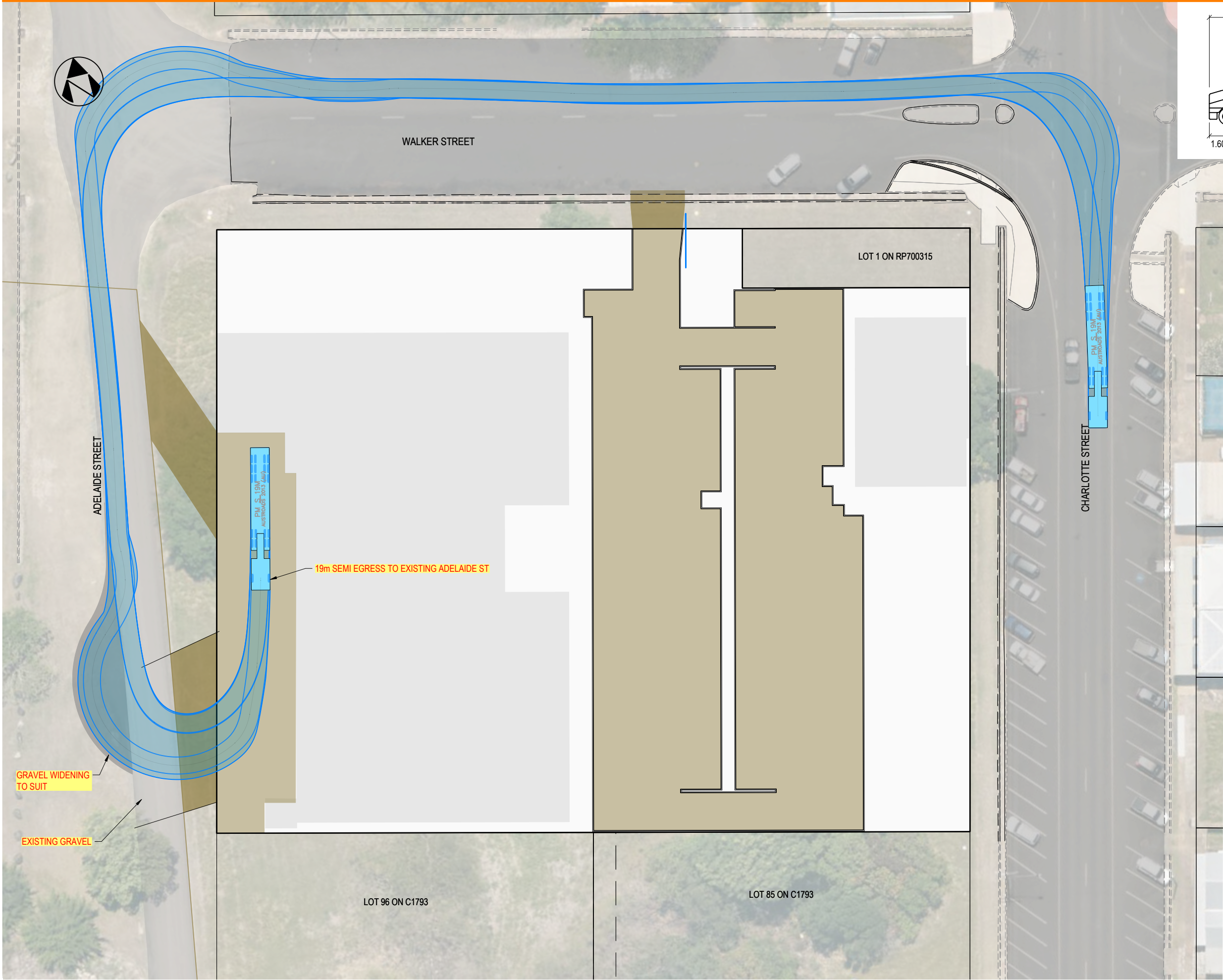
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COOK SHIRE COUNCIL

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Referred to in Cook Shire Council's Decision Notice (AD2025/0006028)

Approval Date: 14 October 2025
Application Number: DA/4944



Our Ref: LMIL:Imc:DA/4944:D25/37057

Your Ref: 25159

14 October 2025

Kwikbridge Pty Ltd A.C.N 010 95 801
C/- Mewing Planning Consultants Pty Ltd
GPO Box 1506
BRISBANE QLD 4001
E-mail: jared.stewart@mewing.com.au

Attention: Mewing Planning Consultants Pty Ltd

Dear Mr Stewart

ADOPTED INFRASTRUCTURE CHARGES NOTICE
Development Application - DA/4944

Applicant:	Kwikbridge Pty Ltd ACN 010 95 801 C/- Mewing Planning Consultants Pty Ltd
Property Owner:	Kwikbridge Pty Ltd ACN 010 95 801
Location:	87, 89, 91 and 93 Charlotte Street, Walker Street, 2 and 6 Walker Street, 40, 42 and 44 Adelaide Street, Cooktown 4895
Real Property Description:	Lot 82 on C1793, Lot 83 on C1793, Lot 84 on C1793, Lot 97 on C1793, Lot 98 on C1793, Lot 99 on C1793, Lot 100 on C1793, Lot 1 on RP700316, Lot 2 on RP700316 and Lot 3 on RP700316
Site Area:	7,851m ²
Zone:	Centre Zone
Proposed Use:	Material Change of Use – Shopping Centre

CHARGES CALCULATION

Material Change of Use – Shopping Centre

Commercial (Retail)				
Development Class	Charge	Unit of Measure	No. of Units	Amount of Charge
Commercial (Retail)	\$16.20 (Water Supply)	2,733m ² (\$ per m2 GFA)	1	\$44,274.60
Commercial (Retail)	\$16.20 (Sewerage)	2,733m ² (\$ per m2 GFA)	1	\$44,274.60
Commercial (Retail)	\$21.60 (Transport)	2,733m ² (\$ per m2 GFA)	1	\$59,032.80
Commercial (Retail)	\$0.00 (Public Parks & Community Land)	2,733m ² (\$ per m2 GFA))	0	\$0.00
Commercial (Retail)	\$3.00 (Stormwater	(\$ per impervious m2)	1	\$10,938.00
Total Charge				\$158,520.00

(Note: Infrastructure Charge calculation based on Gross floor Area (GFA) of 2,733m² and total impervious area of 3646m². Total GFA and Impervious areas are as defined in the approved plan of development. Impervious area is as defined in the *Cook Shire Council Charges Resolution No.2 2018*.

CREDIT CALCULATION

Material Change of Use – Shopping Centre

Development Class	Charge	Unit of Measure	No. of Units	Amount of Charge
Vacant Lot	\$2,352.00 (Water Supply)	Per Lot	10	\$23,520.00
Vacant Lot	\$2,352.00 (Sewerage)	Per Lot	10	\$23,520.00
Vacant Lot	\$2,772.00 (Transport)	Per Lot	10	\$27,720.00
Vacant Lot	\$0.00 (Public Parks & Community Land)	Per Lot	0	\$0.00
Vacant Lot	\$924.00 (Stormwater	Per Lot	10	\$9,240.00
Total Credit				\$84,000.00

Net Adopted Infrastructure Charges Summary:

Total Adopted Charge	Total Credit	Total Infrastructure Charge
\$158,520.00	\$84,000.00	\$74,520.00

(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 the commencement of the use.

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

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/4944
Applicant:	Kwikbridge Pty Ltd ACN 010 595 801 c/- Mewing Planning Consultants Pty Ltd
Proposal:	Development Permit for a Material Change of Use – Shopping Centre
Description of the Development:	Material Change of Use – Shopping Centre
Street Address:	87, 89, 91 and 93 Charlotte Street, Cooktown, Walker Street, 2 and 6 Walker Street, Cooktown, 40, 42 and 44 Adelaide Street, Cooktown
Real Property Description:	Lot 82 on C1793, Lot 83 on C1793, Lot 84 on C1793, Lot 97 on C1793, Lot 98 on C1793, Lot 99 on C1793, Lot 100 on C1793, Lot 1 on RP700316, Lot 2 on RP700316 and Lot 3 on RP700316
Planning Scheme:	Cook Shire Council Planning Scheme 2017 v2.0
Land Zoning:	Centre Zone
Assessment Type:	Impact Assessment

DECISION DETAILS

Type of Decision:	Approval with Conditions
Type of Approval:	Development Permit for a Material Change of Use – Shopping Centre
Date of Decision:	14 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)	State Assessment and Referral Agency (SARA) – Schedule 10 Part 8 Division 2 Subdivision 3 Table 1 Item 1 – Development on a Queensland Heritage Place.
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 the state interests are reflected in the Planning Scheme and no additional assessment provisions in the current SPP (Part E) or updated mapping are applicable requiring further assessment against the SPP.
Temporary State Planning Policy	There are no Temporary State Planning Policies.

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

- Centre Zone Code
- Bushfire Hazard Overlay Code
- Parking and Access Code
- Works, Services, and Infrastructure Code

Local Categorising Instrument (Variation Approval)

Not Applicable

Local Categorising Instrument (Temporary Local Planning Instrument)

Not Applicable

PUBLIC NOTIFICATION

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

REASONS FOR THE DECISION

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

- a. An assessment was made against the applicable assessment benchmarks and the development demonstrated compliance with a majority of the prescribed matters. Where necessary, other relevant matters were considered to inform a recommendation.
- b. Development conditions have been imposed to:
 - i. limit any adverse impact on the locality or adjoining lots; and
 - ii. address the constraints of the site.

REASONS FOR APPROVAL DESPITE NON-COMPLIANCE WITH ASSESSMENT BENCHMARKS

Not Applicable

ADDITIONAL RELEVANT MATTERS FOR IMPACT ASSESSMENT

The development application was subject to public notification from 21 August 2025 to 12 September 2025. The Notice of Compliance was submitted to Council on 15 September 2025 advising that the public notification was carried out in accordance with the provisions of the Act. No submissions (neither properly made nor not properly made) were received during the Public Notification period.

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.

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*

Current as at 18 July 2025

Page 275

Authorised by the Parliamentary Counsel

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.

Current as at 18 July 2025

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Authorised by the Parliamentary Counsel

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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- (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.