

Our Ref: RW:Imc:DA/4913 AD2025/0007566

Your Ref: M2-25

15 December 2025

Thomson Ruiz Group Pty Ltd
c/- U&i Town Plan
35 Sutherland Street
MAREEBA QLD 4880
E-mail: ramon@uitownplan.com.au

Attention: Ramon Samanes

Dear Mr Samanes

Decision Notice - Approval

Given under section 63 of the *Planning Act 2016*

With reference to Development Application (DA/4913) 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 Councils Ordinary Meeting on **15 December 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/4913
Approval Sought:	Development Permit for a Material Change of Use
Description of the Development:	Multiple Dwelling – 8 x Units
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: 80-84 Savage Street COOKTOWN 4895

Location - Real Property Description: Lot 14 PT ZZ C179114

All or part of above land: Part of Lot 14 C179114

Local Government Area: Cook Shire

Assessment Manager Conditions

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

Further Development Permits

Not Applicable.

Properly Made Submissions

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

Referral Agencies

Not applicable - no part of the application required 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



Robyn Walker
Acting Chief Operating Officer

enc:	Attachment 1	Conditions Imposed by the Assessment Manager
	Attachment 2	Approved Plans (D25/42853)
	Attachment 3	Notice of Decision – Statement of Reasons (AD2025/0007565)
	Attachment 4	Infrastructure Charges Notice (D25/42852)
	Attachment 5	Extract of Appeal Provisions (Chapter 6 part 1 of the <i>Planning Act 2016</i>)

Attachment 1 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 ⁸	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
6.	The use must not commence until the conditions of the approval relevant to each stage have been complied with.	At all times
7.	All development conditions contained in this development approval about infrastructure under Chapter 4 of the <i>Planning Act 2016</i> (the Act), should be read as being non-trunk infrastructure conditioned under section 145 of the Act, unless otherwise stated.	At all times
APPROVED PLANS & DOCUMENTS		
8.	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):	At all times

	<table><tr><th>Title</th><th>Sheet</th><th>Date</th><th>Prepared By</th></tr><tr><td>Proposed Subdivision Layout (Marked up)</td><td>SK1 Rev A</td><td>07/04/25</td><td>Genesis Engineering</td></tr><tr><td>Proposed 1 Bed Duplex (Marked up)</td><td>2</td><td>20/11/2024</td><td>MTC Builder Services</td></tr><tr><td>Proposed 1 Bed Duplex (Marked up)</td><td>3</td><td>20/11/2024</td><td>MTC Builder Services</td></tr><tr><td>Proposed 2 Bed Duplex</td><td>2</td><td>19/11/2024</td><td>MTC Builder Services</td></tr><tr><td>Proposed 2 Bed Duplex</td><td>3</td><td>19/11/2024</td><td>MTC Builder Services</td></tr><tr><td>Proposed 3 Bedroom House</td><td>2</td><td>19/11/2024</td><td>MTC Builder Services</td></tr><tr><td>Proposed 3 Bedroom House</td><td>3</td><td>19/11/2024</td><td>MTC Builder Services</td></tr><tr><td>Proposed 4 Bedroom House</td><td>2</td><td>19/11/2024</td><td>MTC Builder Services</td></tr><tr><td>Proposed 4 Bedroom House</td><td>3</td><td>19/11/2024</td><td>MTC Builder Services</td></tr><tr><td>Roadworks and Stormwater Drainage</td><td>240210-C02 Rev A</td><td>04/08/25</td><td>Genesis Engineering</td></tr></table>				Title	Sheet	Date	Prepared By	Proposed Subdivision Layout (Marked up)	SK1 Rev A	07/04/25	Genesis Engineering	Proposed 1 Bed Duplex (Marked up)	2	20/11/2024	MTC Builder Services	Proposed 1 Bed Duplex (Marked up)	3	20/11/2024	MTC Builder Services	Proposed 2 Bed Duplex	2	19/11/2024	MTC Builder Services	Proposed 2 Bed Duplex	3	19/11/2024	MTC Builder Services	Proposed 3 Bedroom House	2	19/11/2024	MTC Builder Services	Proposed 3 Bedroom House	3	19/11/2024	MTC Builder Services	Proposed 4 Bedroom House	2	19/11/2024	MTC Builder Services	Proposed 4 Bedroom House	3	19/11/2024	MTC Builder Services	Roadworks and Stormwater Drainage	240210-C02 Rev A	04/08/25	Genesis Engineering	
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9.	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																																														
FENCING																																																	
10.	Fencing must be provided in accordance with the approved plan of development and be a combination of retaining walls and fencing that achieves a minimum of 1.8 metres high along the front, side and rear boundaries		Prior to Commencement of Use																																														
WASTE DISPOSAL																																																	
11.	All bins and waste storage areas must be located on site, and not visible from the street or neighbouring properties.		At all times																																														
PRIVATE INFRASTRUCTURE																																																	
12.	All infrastructure internal to the subject site, unless otherwise altered by a condition of this Development Permit, is private infrastructure and will not be transferred to or maintained by Council.		At all times																																														

WATER SUPPLY AND SEWERAGE WORKS		
13.	<p>The development must be serviced by a single water and sewer connection made clear of any buildings or structures. The developer is responsible for sub metering.</p> <p>The above works must be designed and constructed in accordance with the FNQROC Development Manual.</p>	<p>Prior to the Commencement of Works</p> <p>And</p> <p>Prior to Commencement of Use</p>
INTERNAL WORKS - ROAD		
14.	Construct the private internal road in the location shown on the plan titled Roadworks and Stormwater Drainage (240210-C02 Rev A), dated 04/08/25 and prepared by Genesis Engineering.	Prior to Commencement of Use
VEHICLE PARKING		
15.	The amount of vehicle parking for the development must be a minimum of eight (8) spaces, located internal to the site as per the approved plans of development.	Prior to Commencement of Use
STORM WATER		
16.	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
17.	Any site works must not adversely affect flooding or drainage characteristics of properties that are upstream, downstream, or adjacent to the development site. This is inclusive of any clearing activities and earthworks within building envelopes and access driveways created by this development.	At all times
EROSION AND SEDIMENT CONTROL		
18.	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
ELECTRICITY AND TELECOMMUNICATIONS		
19.	The development must be connected to the reticulated electricity	Prior to

	supply network in accordance with the standards and requirements of the relevant service provider. Internal reticulation between the dwelling units must be via underground distribution.	Commencement of Use
20.	Telecommunications must be provided to the premises to the standards and requirements of the relevant service provider.	Prior to Commencement of Use
DAMAGE TO INFRASTRUCTURE		
21.	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 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	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. The currency period for this application is six (6) years. Should the approved use not commence within this time, the approval shall lapse.
3. The applicant/owner must notify Council their intention to commence the use after acceptable of and 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.
4. 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.
5. Removal of Protected Vegetation

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:

- *Environment Protection and Biodiversity Conservation Act 1999 (Cth);*
- *Nature Conservation Act 1999 (Qld);*
- *Vegetation Management Act 1999 (Qld).*

Attachment 2 **Approved Plans (D25/42853)**



PLAN
SCALE 1:500 (A1)

COOK SHIRE COUNCIL
DIGITALLY STAMPED
APPROVED PLAN

Development Application: Development Permit for a Material Change of Use - Multiple Dwelling (8 Units)

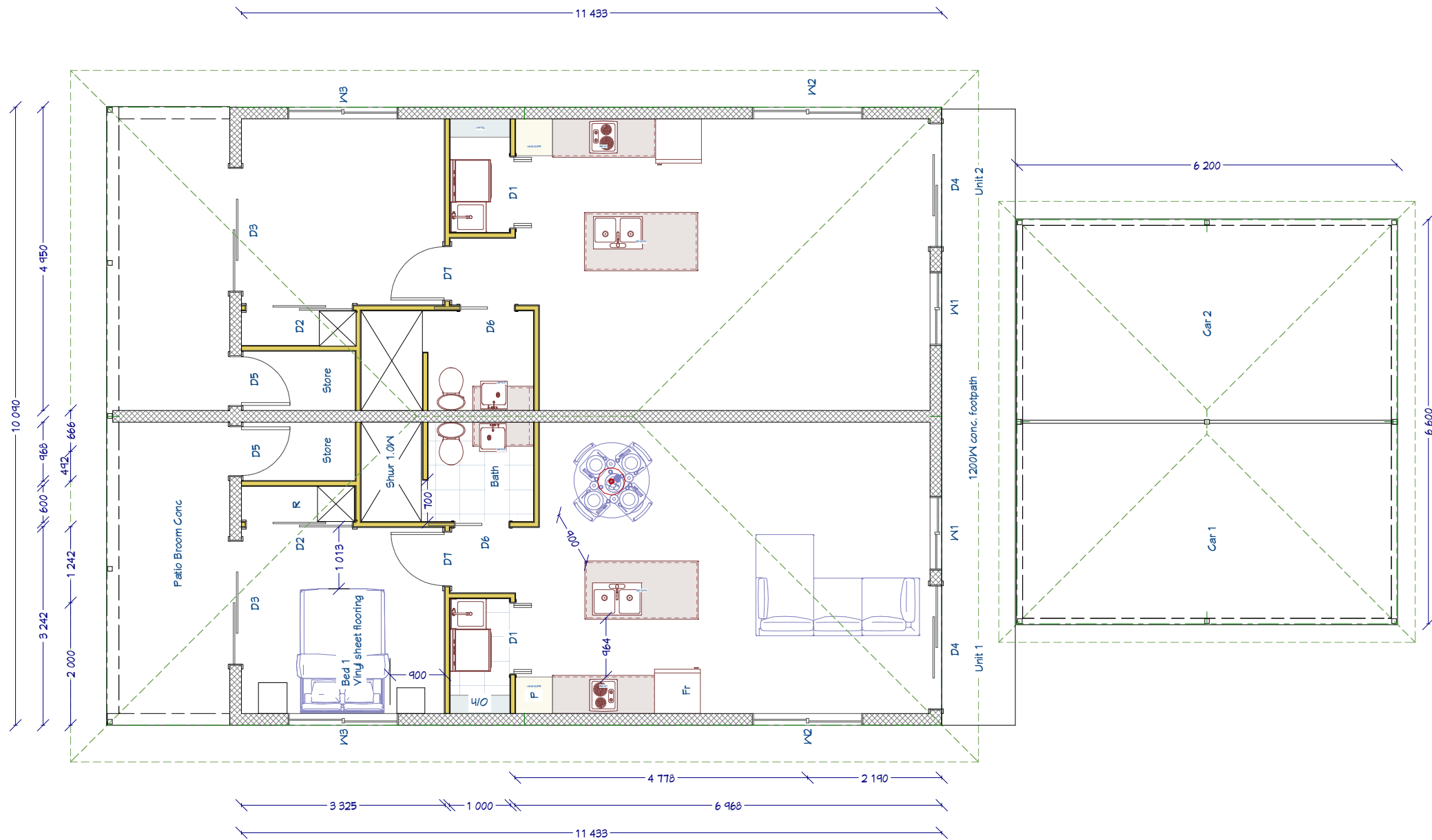
Lot: 14 on C179114

Referred to in Cook Shire Council's Decision Notice (AD2025/0007566)

Approval Date: 15 December 2025
Application Number: DA/4913

ISSUED FOR
DRAFT
NOT FOR
CONSTRUCTION

						<p>Do Not Scale. This drawing must not be used for construction unless issued "For Construction" and signed as Approved.</p>  <p>Genesis engineering</p> <p>Design Management Certification Inspections</p>	<p>Genesis Engineering (NQ) Pty Ltd</p> <p>0422 061 961 Australia +675 7067 6409 PNG 113 O'Shea Esp, CAIRNS, QLD 4878 www.genesisengnq.com.au</p>	<p>Client: GUNGARDE COMMUNITY CENTRE ABORIGINAL CORPORATION</p> <p>Project: 5 LOT (LEASE) SUBDIVISION AT 80-84 SAVAGE STREET, COOKTOWN</p>	Drawn: KCDD	Designed: EWK	Title: PROPOSED SUBDIVISION LAYOUT			
										Approved:				
										Signed:				
A	07/04/25	PRELIMINARY ISSUE			KCDD					Scale at A1:		Project No:	Drawing No:	Rev:
Rev.	Date.	Description			Drawn				Checked	1:500 (A1)			SK1	A



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Roof Trusses 900 max spacing
To Man.f spec.
15 degree pitch
C2 wind classification
Roof bracing to man.f spec.

Over hang 600 on Rake

850 clear opening
0.0 Threshold doorway
Fall in slab not greater than 1:40

Carparking Space providing
continuous path of travel to D4
Min. Car Space 3.2x6.0m

2 600
Frame Height
G.L.

Elevation 1

Galv. steel posts and steel beams
Cast in plates to slab
CFW connections

Pointed masonry
200 series external block work

1.2mW
F/Path

Privacy screen 1.8m High

Carport meets
driveway conc edge.

Elevation 2

200 series external masonry block work
3 coat paint system

Maintain 100mm visual barrier to slab edges
Provide 50mm fall away from building 1st 1.0

Storm water to discharge via 90mm
pipe system to legal point of discharge

Elevation 4

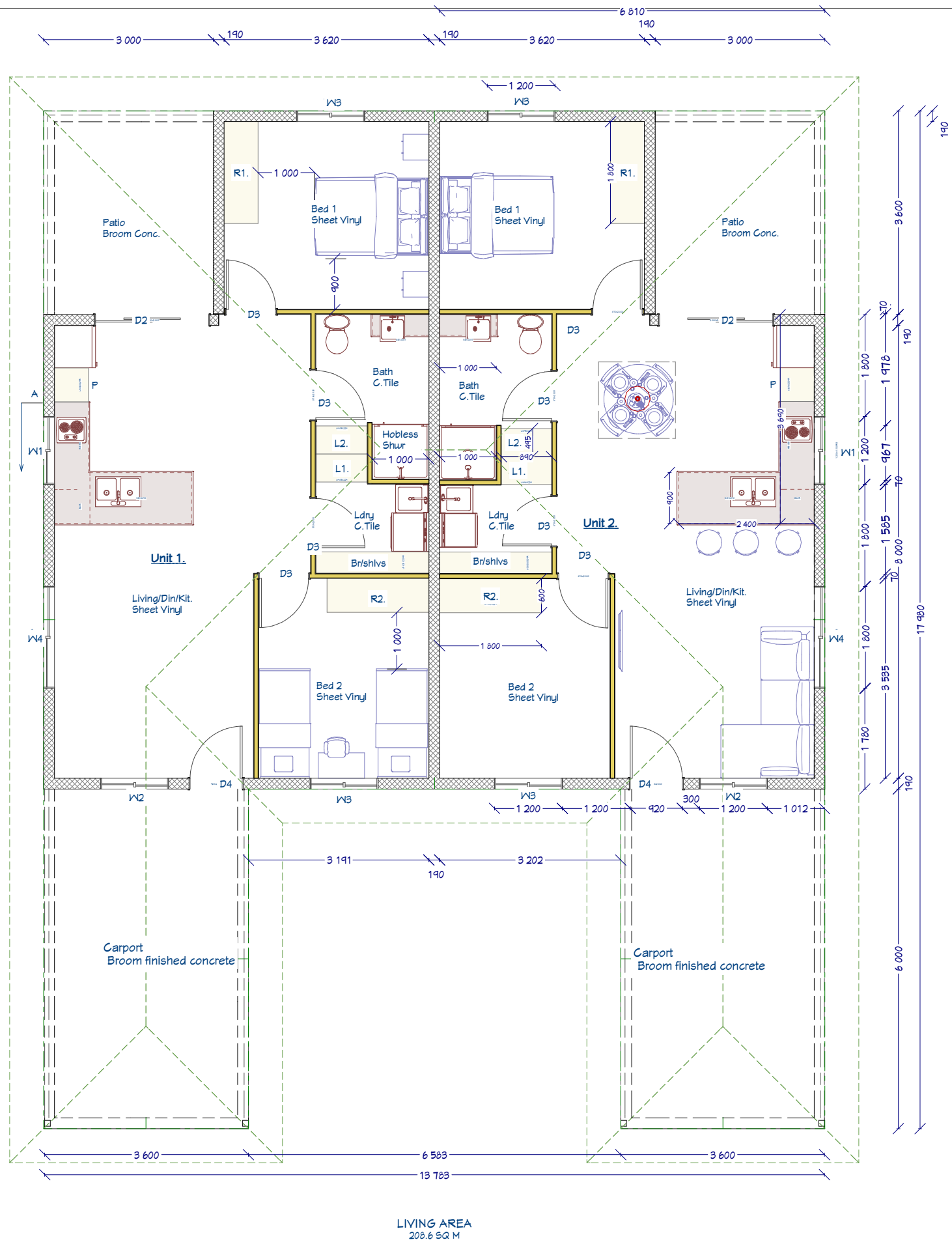
Roof Trusses 900 max spacing
To Man.f spec.
15 degree pitch
C2 wind classification
Roof bracing to man.f spec.

Over hang 600 on Rake

Conc. broom finished external conc.
Drivays, footpaths, Patios.
Carport meets concrete cross over to road reverse.

4.5mm hardies external sheet ceilings & eaves

Elevation 5



DOOR SCHEDULE					
NUMBER	QTY	HEIGHT	WIDTH	DESCRIPTION	COMMENTS
D01	2	2000	2000	SLIDER-GLASS	
D02	8	2000	870	HINGED-SLAB	
D03	2	2040	920	HINGED-DOOR P04	

WINDOW SCHEDULE					
NUMBER	QTY	HEIGHT	WIDTH	DESCRIPTION	COMMENTS
W01	2	1000	1200	RIGHT SLIDING	
W02	2	1200	1200	RIGHT SLIDING	
W03	4	900	1200	RIGHT SLIDING	
W04	2	1200	1800	RIGHT SLIDING	



COOK SHIRE COUNCIL

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APPROVED PLAN

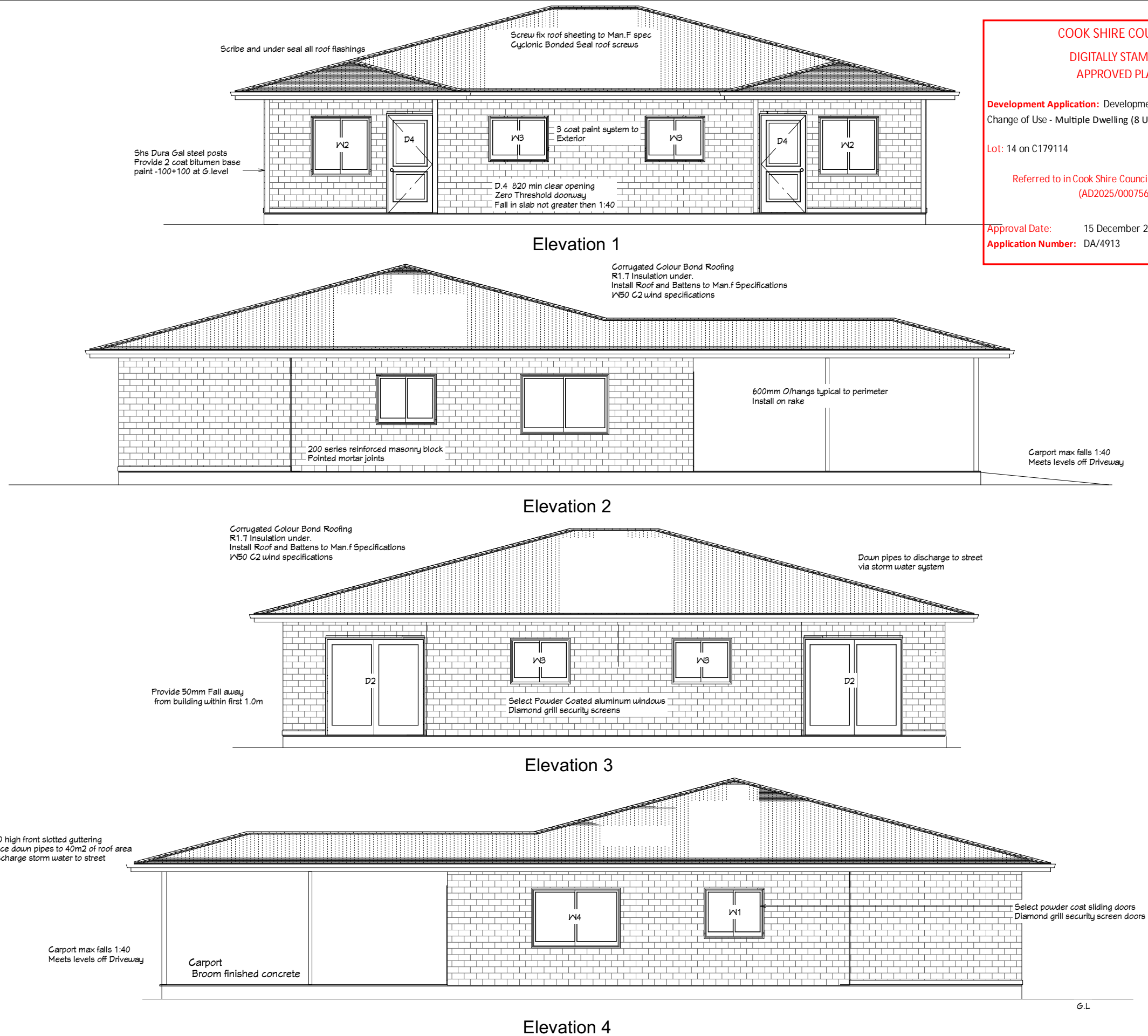
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Sheet #

3

Drawn By:
MTC
Builder
Services
P/L

Date:
19/11/2024

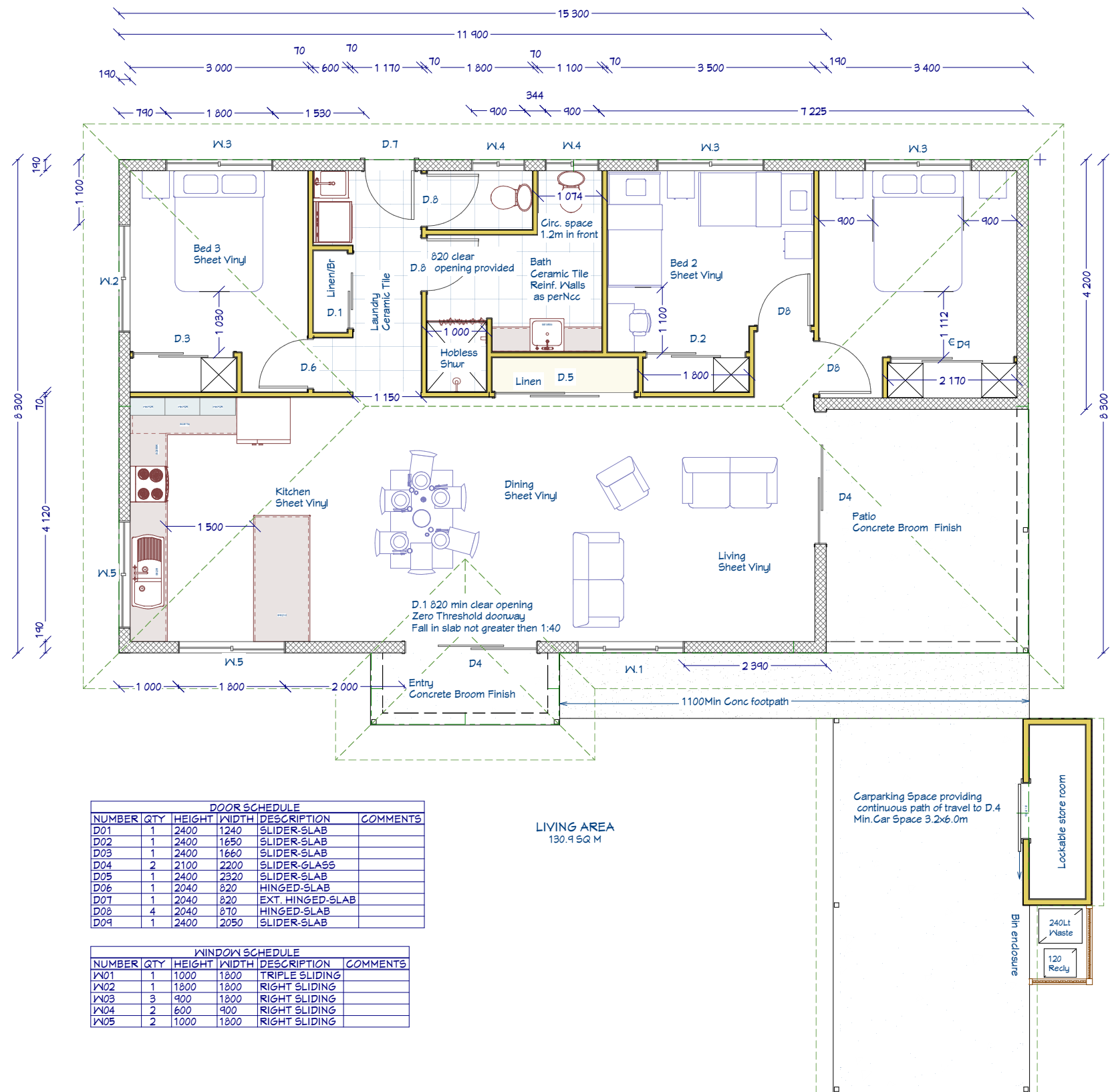
Scale:

Proposed 2 Bed Duplex
80-84 Savage Street Cooktown 4895

For; Gungarde
Community
Centre Aboriginal
Corporation

Proposed 3 Bedroom House
80-84 Savage Street Cooktown 4895

For; Gungarde
Community
Centre Aboriginal
Corporation



Floor Plan

COOK SHIRE COUNCIL
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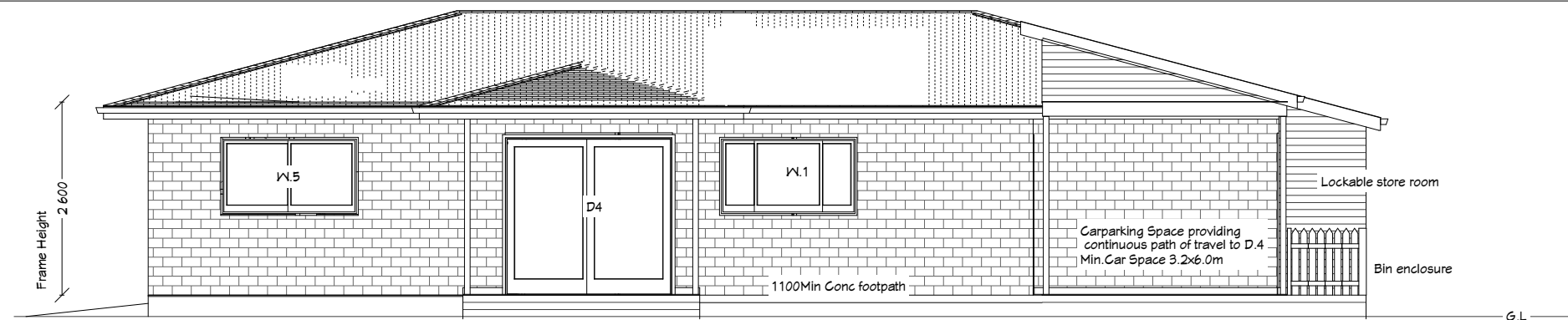
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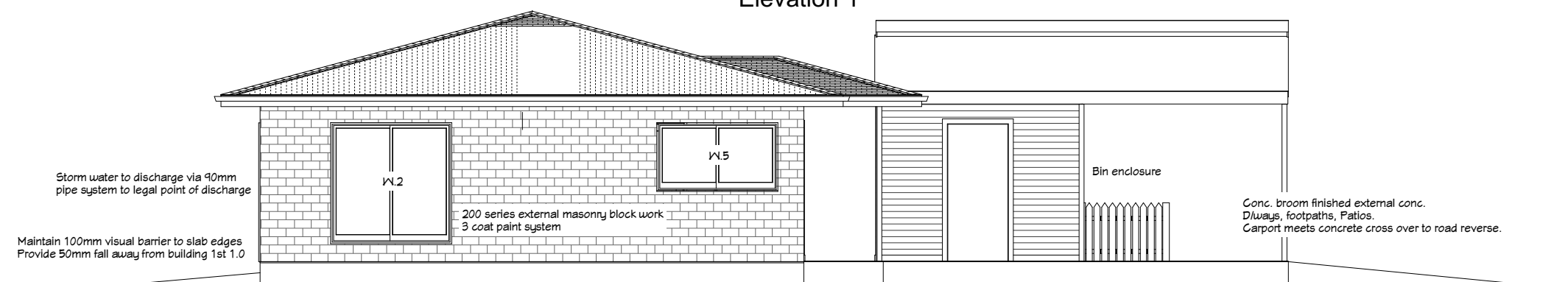
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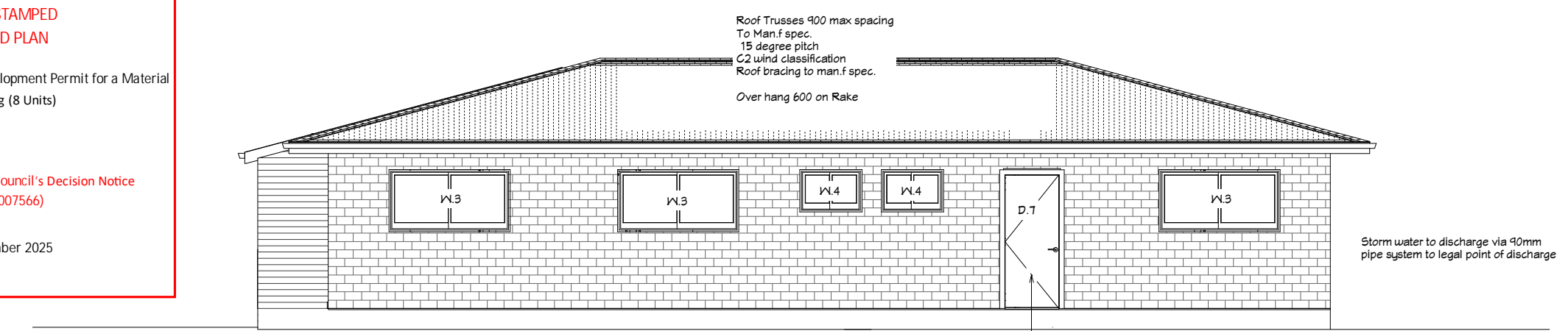
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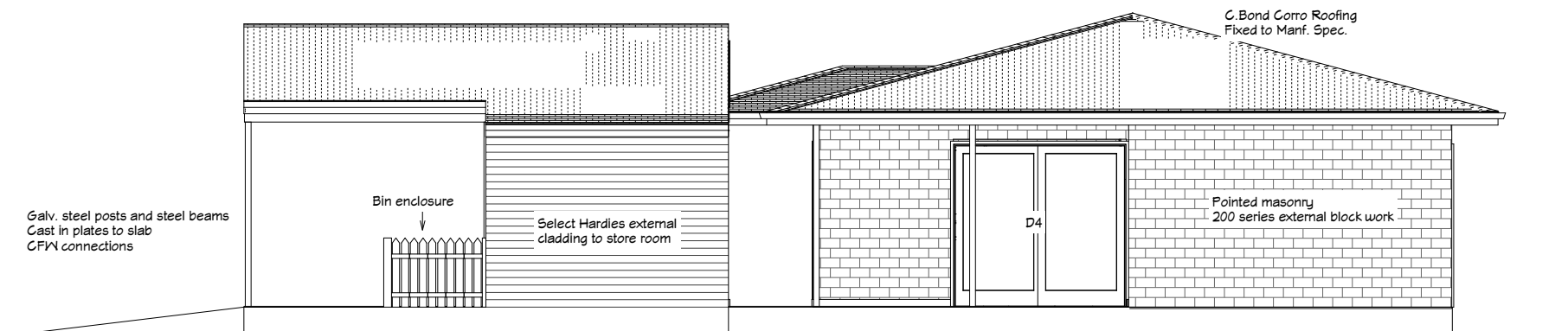
Elevation 1



Elevation 2



Elevation 3



Elevation 4

Elevations

Sheet #

3

Drawn By:
MTC
Builder
Services
P/L

Date:

19/11/2024

Scale:

Proposed 3 Bedroom House
80-84 Savage Street Cooktown 4895

For; Gungarde
Community
Centre Aboriginal
Corporation

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Sheet #

2

Drawn By:

MTC
Builder
Services
P/L

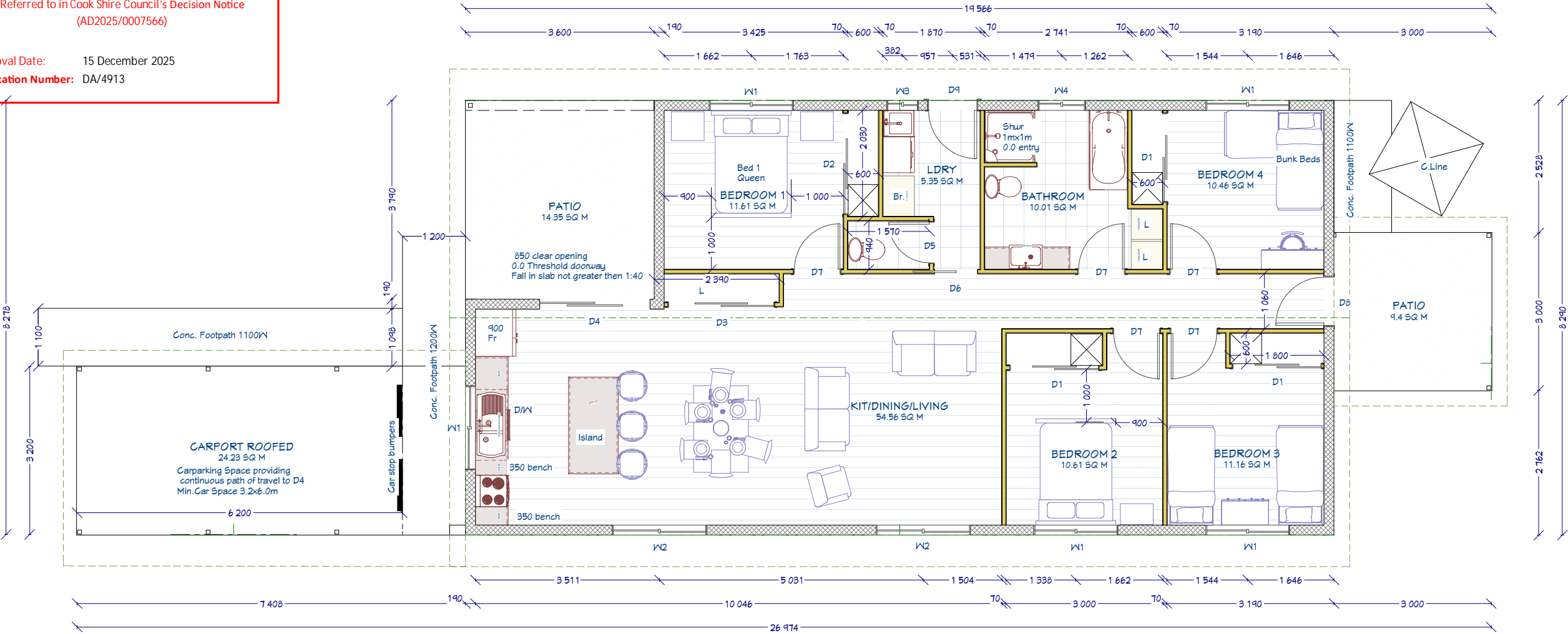
Date:

19/11/2024

Scale:

Proposed 4 Bedroom House
80-84 Savage Street Cooktown 4895

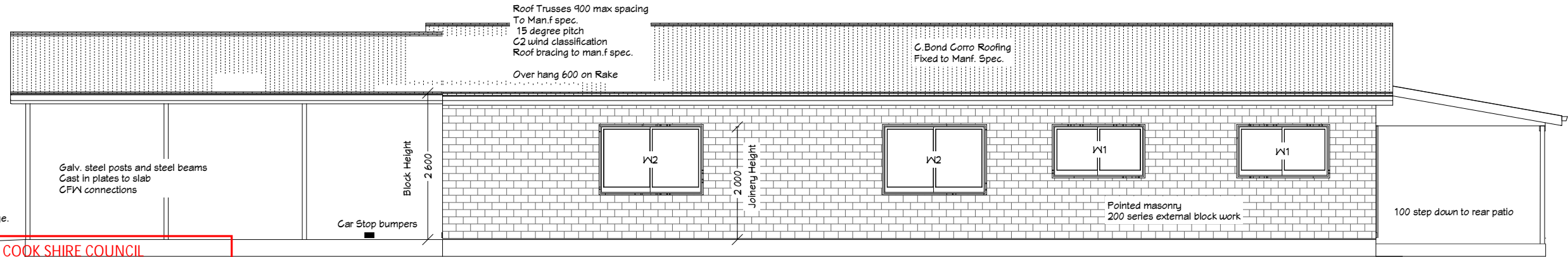
For; Gungarde
Community
Centre Aboriginal
Corporation



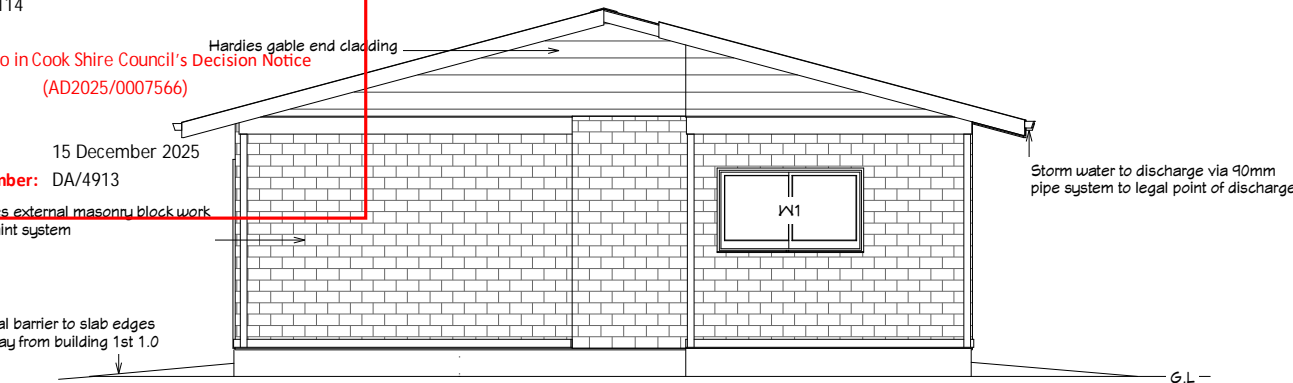
WINDOW SCHEDULE						
NUMBER	QTY	HEIGHT	WIDTH	DESCRIPTION	MANUFACTURER	COMMENTS
W01	5	900	1600	RIGHT SLIDING		
W02	2	1200	1500	RIGHT SLIDING		
W03	1	900	600	RIGHT SLIDING		
W04	1	900	900	RIGHT SLIDING		

DOOR SCHEDULE						
NUMBER	QTY	HEIGHT	WIDTH	MANUFACTURER	COMMENTS	DESCRIPTION
D01	3	2400	1670			SLIDER-DOOR P04
D02	1	2400	1900			SLIDER-DOOR P04
D03	1	2400	2000			SLIDER-DOOR P04
D04	1	2000	2100			SLIDER-GLASS
D05	1	2040	770			HINGED-SLAB
D06	1	2040	820			POCKET-DOOR P04
D07	5	2040	870			HINGED-SLAB
D08	1	2040	920			HINGED-SLAB
D09	1	2040	920			EXT. HINGED-SLAB

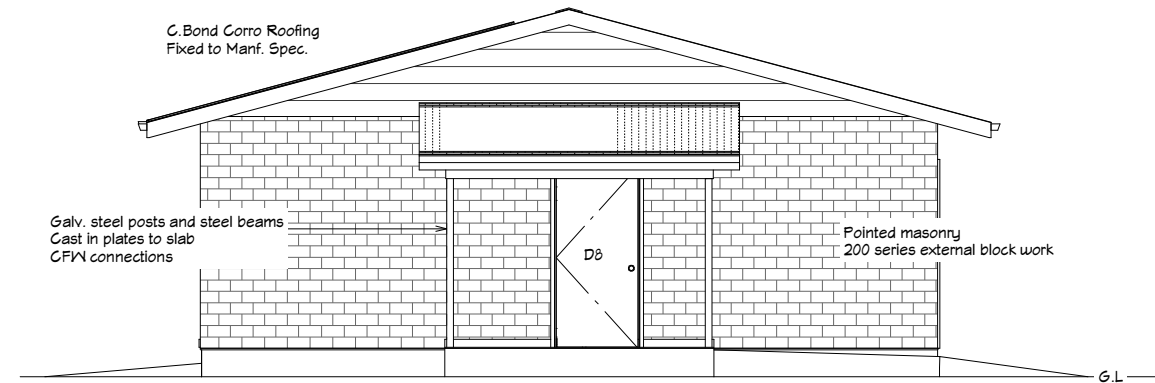
Floor plan



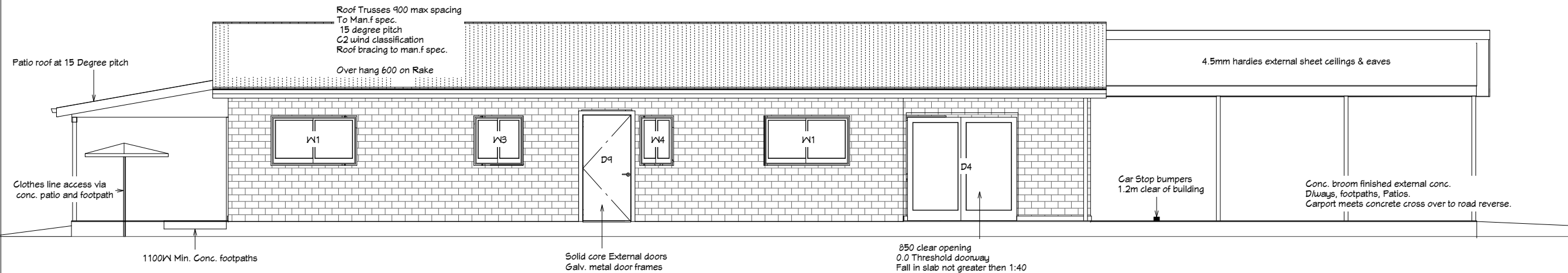
Elevation 1



Elevation 2

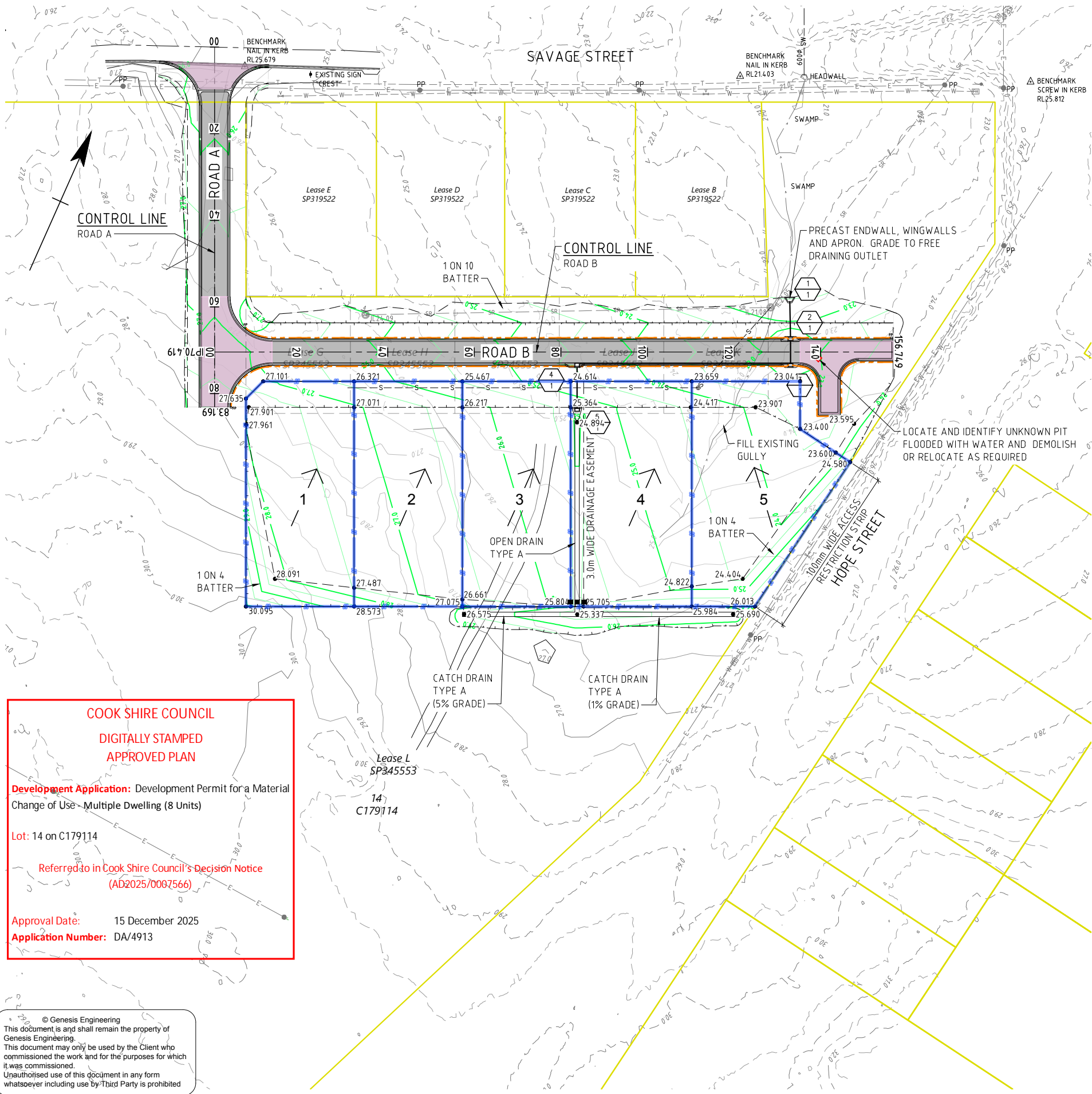


Elevation 4



Elevation 3

Elevations



LEGEND

- 11.00 EXISTING SURFACE CONTOUR
- SR EXISTING SEWER (RECORDS)
- SW EXISTING STORMWATER
- W EXISTING WATER MAIN
- T EXISTING TELSTRA
- E EXISTING O/H ELECTRICITY
- EXISTING FENCE
- 25.0 FINISHED SURFACE CONTOUR
- 24.256 FINISHED SURFACE LEVEL
- NEW UNDERGROUND STORMWATER DRAINAGE
- FP SUBSOIL DRAINAGE AND FLUSH POINT
- 30mm AC SURFACING
- 50mm AC SURFACING
- NEW TYPE 1 TUBULAR STEEL FENCE IN ACCORDANCE WITH FNQROC STD DWG S1025. PROVIDE 2 PANEL SWINGING GATES TO SUIT CARPORT ACCESS
- S PROPOSED SEWER

- NOTES:**
- SURVEY & EXISTING SERVICES**
- THE EXISTING SERVICES SHOWN ON THESE DRAWINGS ARE DERIVED FROM SURFACE SURVEY AND COUNCIL RECORDS AND MAY NOT REPRESENT THE EXISTING SERVICES PRESENT BELOW THE SURFACE.
 - THE CONTRACTOR SHALL BE RESPONSIBLE TO LOCATE ALL EXISTING SERVICES PRIOR TO ANY EXCAVATION, PARTICULARLY ON FOOTPATHS.
 - ALL DAMAGE TO EXISTING SERVICES SHALL BE MADE GOOD TO THE SATISFACTION OF THE SUPERINTENDENT AND THE RELEVANT AUTHORITY, ALL AT THE CONTRACTORS EXPENSE. THE CONTRACTOR SHALL NOTIFY THE RELEVANT AUTHORITY IMMEDIATELY WHEN ANY DAMAGE OCCURS.
 - THE LINE AND LEVEL OF EXISTING UNDERGROUND SERVICES SHALL BE DETERMINED BY THE CONTRACTOR AND THE ENGINEER SHALL BE NOTIFIED OF ANY POTENTIAL CLASHES WITH DESIGN STRUCTURES AND SERVICES PRIOR TO COMMENCING CONSTRUCTION.
 - EXISTING OUTLET LEVELS OR CONNECTION LEVELS FOR ALL DESIGN STORMWATER AND SEWER SHALL BE CONFIRMED BY THE CONTRACTOR AND THE ENGINEER SHALL BE NOTIFIED OF ANY VARIATIONS PRIOR TO COMMENCING CONSTRUCTION.
 - EXISTING SERVICES ON THE DRAWINGS ARE PLOTTED FROM THE BEST INFORMATION AVAILABLE. NO RESPONSIBILITY IS TAKEN BY THE PRINCIPAL OR SUPERINTENDENT FOR THE ACCURACY AND COMPLETENESS OF THE INFORMATION SHOWN.
 - PRIOR TO THE COMMENCEMENT OF CONSTRUCTION THE CONTRACTOR IS TO ESTABLISH ON SITE THE EXACT POSITION OF ALL UNDERGROUND SERVICES IN THE PROPOSED WORKS AREA. METHODS FOR ACHIEVING THIS WILL INCLUDE BUT NOT BE LIMITED TO:-
 - CAREFUL EXAMINATION OF THE CONTRACT DRAWINGS.
 - CONSULTATION WITH THE RELEVANT SERVICE AUTHORITIES.
 - COMPREHENSIVELY SCANNING THE AFFECTED AREAS WITH A CABLE DETECTOR AND MARKING ON THE GROUND THE POSITION OF ALL SERVICES.
 - HAND EXCAVATING TO EXPOSE ALL SUCH SERVICES WHICH MAY BE AFFECTED BY THE PROPOSED WORKS UNDER THE DIRECTION OF THE RELEVANT SERVICE AUTHORITY.
 - SURVEY DATA OUTSIDE EXTENTS OF FIELD SURVEY HAS BEEN MERGED WITH QUEENSLAND GOVERNMENT 2009 LIDAR INFORMATION.

- SERVICES**
- THE CONTRACTOR SHALL COORDINATE ALL BUILDING SERVICES (e.g. LANDSCAPING, IRRIGATION, WATER, POWER, SEWER, GAS, TELECOMMUNICATIONS) FOR CONSTRUCTION, AND SHALL CHECK FOR ANY SERVICE ALIGNMENT CLASHES PRIOR TO COMMENCING WORKS ONSITE. NOTIFY THE RELEVANT CONSULTANT SHOULD THERE BE ANY PROBLEMS OR CLASHES FOR DESIGN ADJUSTMENTS.

- ALL WORKS**
- CONSTRUCTION AND INSTALLATION OF ALL WORKS AS DETAILED ON THESE DRAWINGS SHALL BE IN ACCORDANCE WITH THE PROCEDURES, SPECIFICATIONS AND DRAWINGS CONTAINED IN THE CURRENT ISSUE OF THE FNQROC DEVELOPMENT MANUAL AND TO THE REQUIREMENTS OF THE CAIRNS REGIONAL COUNCIL.

- GENERAL NOTES**
- TRAFFIC CONTROL DEVICES (ROAD EDGE GUIDE POSTS, SIGNS, ETC) SHALL BE SUPPLIED AND INSTALLED IN ACCORDANCE WITH THE REQUIREMENTS OF THE CURRENT ISSUE OF THE MANUAL OF UNIFORM TRAFFIC CONTROL DEVICES AS ISSUED BY THE DEPARTMENT OF TRANSPORT, QUEENSLAND AND FNQROC STD DWG S1041.
 - ENSURE SERVICE CONDUITS ARE LAID BENEATH ANY EARLY WORKS FINISHES. E.g. WATER, POWER, TELECOMMUNICATIONS, ETC.
 - THE CONTRACTOR SHALL REMOVE ALL EXISTING CONSTRUCTION, TREES, SERVICES ETC AS NECESSARY TO PERMIT CONSTRUCTION OF THE NEW WORKS.
 - THE CONTRACTOR SHALL OBTAIN COUNCIL INSPECTIONS AND THEIR WITNESS TO TESTING PRIOR TO MAKING SERVICES LIVE. A COPY OF COUNCIL'S INSPECTION CERTIFICATE SHALL BE PROVIDED TO THE SUPERINTENDENT PRIOR TO PRACTICAL COMPLETION.

- LANDSCAPING**
- ALL INTERNAL & EXTERNAL LANDSCAPING SHALL BE ESTABLISHED AND MAINTAINED TO THE SATISFACTION OF THE COUNCIL.

- 'AS CONSTRUCTED' INFORMATION**
- THE CONTRACTOR SHALL PROVIDE 'AS CONSTRUCTED' DRAWINGS INCLUDING BOTH ELECTRONIC AND HARD COPIES CERTIFIED BY A REGISTERED SURVEYOR FOR ALL UNDERGROUND SERVICES INSTALLED FOR THIS PROJECT IN ACCORDANCE WITH FNQROC AND COUNCIL REQUIREMENTS.

SURVEY DATUM
SURVEYOR: CG SURVEYING AND PLANING
REF: 00257-01 DET 01 (A)
SURVEYED: 17/05/2025

LEVEL DATUM: AHD
ORIGIN OF LEVELS: PM92565 RL 28.966
MERIDIAN: SP319522



ISSUED FOR
APPROVAL
NOT FOR
CONSTRUCTION

COOK SHIRE COUNCIL

**DIGITALLY STAMPED
APPROVED PLAN**

Development Application: Development Permit for a Material Change of Use - Multiple Dwelling (8 Units)

Lot: 14 on C179114

Referred to in Cook Shire Council's Decision Notice (AD2025/0007566)

Approval Date: 15 December 2025
Application Number: DA/4913

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						<p>Do Not Scale. This drawing must not be used for construction unless issued "For Construction" and signed as Approved.</p>	 <p>Genesis engineering</p> <p>Design Management Certification Inspections</p>	<p>Genesis Engineering (NQ) Pty Ltd 0422 061 961 Australia +675 7067 6409 PNG +679 7333 429 Fiji 113 O'Shea Esp, CAIRNS, QLD 4878 www.genesisengnq.com.au</p>	<p>Client: GUNGARDE COMMUNITY CENTRE ABORIGINAL CORPORATION</p> <p>Project: 5 LOT SUBDIVISION AT 80-84 SAVAGE ST, COOKTOWN</p>	Drawn: KCDD	Designed: KCDD	Title: ROADWORKS AND STORMWATER DRAINAGE							
					Approved:														
														Signed:		Scale at A1:	Project No:	Drawing No:	Rev:
A	04/08/25	INITIAL ISSUE			KCDD											1:500	240210	240210 - C02	A
Rev.	Date.	Description			Drawn					Checked									

Attachment 3 **Notice of Decision – Statement of Reasons (AD2025/0007565)**

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/4913
Applicant:	Thomson Ruiz Group Pty Ltd c/- U&I Town Plan
Proposal:	Development Permit for a Material Change of Use
Description of the Development:	Multiple Dwelling (8 Units)
Street Address:	80-84 Savage Street, Cooktown 4895
Real Property Description:	Lot 14 on C179114
Planning Scheme:	Cook Shire Council Planning Scheme 2017 v2.0
Land Zoning:	Low Density Residential Zone
Assessment Type:	Impact Assessment

DECISION DETAILS

Type of Decision:	Approval with Conditions
Type of Approval:	Development Permit for a Material Change of Use - Multiple Dwelling (8 Units)
Date of Decision:	15 December 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 did not require referral under Schedule 10 of the Planning Regulation.
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):

- Low Density Residential Zone code
- Biodiversity Overlay code
- Bushfire Hazard Overlay code
- Residential Use 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 determined 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 15 October 2025 to 5 November 2025. The Notice of Compliance was submitted to Council by the Applicant on 6 November 2025 advising that the public notification was carried out in accordance with the provisions of the Act. No submissions 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.

Attachment 4 **Infrastructure Charges Notice (D25/42852)**

Our Ref: LMIL:Imc:DA/4913:D25/42852

Your Ref: M2-25

15 December 2025

Thomson Ruiz Group Pty Ltd

c/- U&i Town Plan

35 Sutherland Street

MAREEBA QLD 4880

E-mail: ramon@uitownplan.com.au

Attention: Ramon Samanes

Dear Mr Samanes

ADOPTED INFRASTRUCTURE CHARGES NOTICE

Development Application - DA/4913 – 80-84 Save Street Cooktown 4895

Applicant: Thomson Ruiz Group Pty Ltd c/- U&I Town Plan
Property Owner: Burrigirku Land Trust ABN 84 054 368 304
Location: 80-84 Savage Street, Cooktown 4895
Real Property Description: Lot 14 on C179114
Site Area: 10.25 hectares
Zone: Low Density Residential Zone
Proposed Use: Material Change of Use for Multiple Dwellings (8 Units)

CHARGES CALCULATION

Material Change of Use – Residential

Development Class	Charge	Unit of Measure	No. of Units	Amount of Charge
Residential (1 or 2 bedroom dwelling)	\$1,500.00 (Water Supply)	Per dwelling	6	\$9,000.00
Residential (1 or 2 bedroom dwelling)	\$1,500.00 (Sewerage)	Per dwelling	6	\$9,000.00
Residential (1 or 2 bedroom dwelling)	\$1,800.00 (Transport)	Per dwelling	6	\$10,800.00
Residential (1 or 2 bedroom dwelling)	\$600.00 (Public Parks & Community Land)	Per dwelling	6	\$3,600.00
Residential (1 or 2 bedroom dwelling)	\$600.00 (Stormwater)	Per dwelling	6	\$3,600.00
Total Charge				\$36,000.00

Development Class	Charge	Unit of Measure	No. of Units	Amount of Charge
Residential (3 or more bedroom dwelling)	\$2,100.00 (Water Supply)	Per dwelling	2	\$4,200.00
Residential (3 or more bedroom dwelling)	\$2,100.00 (Sewerage)	Per dwelling	2	\$4,200.00
Residential (3 or more bedroom dwelling)	\$2,520.00 (Transport)	Per dwelling	2	\$5,040.00
Residential (3 or more bedroom dwelling)	\$840.00 (Public Parks & Community Land)	Per dwelling	2	\$1,680.00
Residential (3 or more bedroom dwelling)	\$840.00 (Stormwater)	Per dwelling	2	\$1,680.00
Total Charge				\$16,800.00

(Note: Infrastructure Charge calculation based on Gross floor Area (GFA) of 435m² and total impervious area of 860m². 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

Residential RAL

Development Class	Charge	Unit of Measure	No. of Units	Amount of Charge
Residential RAL	\$2,100.00 (Water Supply)	Per Lot	1	\$2,100.00
Residential RAL	\$2,100.00 (Sewerage)	Per Lot	1	\$2,100.00
Residential RAL	\$2,520.00 (Transport)	Per Lot	1	\$2,520.00
Residential RAL	\$840.00 (Public Parks & Community Land)	Per Lot	1	\$840.00
Residential RAL	\$840.00 (Stormwater)	Per Lot	1	\$840.00
Total Credit				\$8,400.00

Net Adopted Infrastructure Charges Summary:

Total Adopted Charge	Total Credit	Total Infrastructure Charge
\$52,800.00	\$8,400.00	\$44,400.00

(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 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

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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- (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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- (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.