



TORRES SHIRE COUNCIL

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

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DATE: 18 September 2024

Our Ref: IDAS24/14
Enquire to: Ed Kulpa
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Department of Tourism, Innovation & Sport on behalf of
Gudang Yadhaykenu Aboriginal Corporation
c/ RPS AAP Consulting Pty Ltd
135 Abbott Street
Cairns QLD 4870

Delivered via email: ian.doust@rpsconsulting.com

Dear Sir/Madam

Exemption Certificate

Given under Section 46(3)(b) of the Planning Act 2016

I am writing to inform you that Torres Shire Council approved at the Council meeting on 17 September 2024 an exemption certificate for assessable development over Lot 22 SP309088, Pajinka Road, Somerset as detailed herein.

The reason Council has decided to issue an exemption certificate is because the effects of the development are deemed to be minor or inconsequential.

- (a) The application triggers an Impact Assessable development for Carrying out Building Work as the site is designated as a Local Indigenous Heritage Plan on the Heritage Overlay map;
- (b) The building works are minor involving the demolition of buildings and structures constructed as part of the Pajinka Wilderness Lodge; and
- (c) The demolition of the buildings will not have an impact on the cultural heritage values of the site.

If you find an inaccuracy in any of the information provided or have a query or seek clarification about any of these details, please contact Council on the above telephone number.

Yours sincerely,

Dalassa Yorkston
Chief Executive Officer

EXEMPTION CERTIFICATE
(Section 46 of the *Planning Act 2016*)

INTRODUCTION

This exemption certificate is given on 18 September 2024 under section 46 (3)(b)(i) of the *Planning Act 2016* by Torres Shire Council acting as the local government that would be the assessment manager if the development, and no other development, were the subject of a development application.

APPLICATION DETAILS

Application Reference Number: IDAS24/14
Application Made Date: 12 September 2024
Local Categorising Instrument: *Torres Shire Council Planning Scheme 2022 (v1)*

SITE DETAILS

Street address: Pajinka Road, Somerset
Real property description: Lot 22 SP309088
Local government area: Torres Shire Council

DEVELOPMENT TO WHICH THIS EXEMPTION CERTIFICATE RELATES

Description: Carrying out Building Work (demolition)

REASONS FOR GIVING THE EXEMPTION CERTIFICATE

- (a) The application triggers an Impact Assessable development for Carrying out Building Work as the site is designated as a Local Indigenous Heritage Plan on the Heritage Overlay map;
- (b) The building works are minor involving the demolition of buildings and structures constructed as part of the Pajinka Wilderness Lodge; and
- (c) The demolition of the buildings will not have an impact on the cultural heritage values of the site.

WHEN DEVELOPMENT MUST START OR BE COMPLETED

This exemption certificate has effect for two (2) years after the day this certificate was given, in accordance with section 46 (8) of the *Planning Act 2016*.

ADVICE

- (a) The exemption certificate has effect for two (2) years in accordance with section 46(8) of the *Planning Act 2016*.
- (b) Clearing of regulated vegetation does not form part of this Exemption Certificate. Incidental and minor clearing of vegetation is permitted to facilitate the demolition and removal of the structures identified on the plan of development (8242-006, Revision A, dated 12 September 2024, drawn by Black&More).
- (c) Prior to commencing any works, the applicant/developer will be required to obtain further development permits for building work as required under relevant legislation for this work.
- (d) The *Environmental Protection Act 1994* states a person must not carry out any activity that causes, or is likely to cause, environmental harm unless the person takes all reasonable and

practicable measures to prevent or minimise the harm. Environmental harm includes environmental nuisance. In this regard, persons and entities, involved in civil, earthworks and construction phases of this development, are to adhere to their 'general environmental duty' to minimise the risk of causing environmental harm.

- (e) Environmental harm is defined by the Act as any adverse effect, or potential adverse effect whether temporary or permanent and of whatever magnitude, duration or frequency on an environmental value and includes environmental nuisance. Therefore, no person should cause any interference with the environment or amenity of the area by reason of the emission of noise, vibration, smell, fumes, smoke vapour, steam, soot, ash, dust, wastewater, waste products, grit, sediment, oil or otherwise, or cause hazards likely in the opinion of the Council.
- (f) The exemption certificate does not authorise any activity that may harm Aboriginal and Torres Strait Islander cultural heritage. It is also advised that any land use activities must comply with the *Aboriginal Cultural Heritage Act 2003* or the *Torres Strait Islander Heritage Act 2003*.
- (g) The Commonwealth *Environment Protection and Biodiversity Conservation Act 1999* applies to action that has, will have or is likely to have a significant impact on matters of national environmental significance. Further information on the EPBC Act can be obtained from the Department of Agricultural, Water and the Environment website <https://www.environment.gov.au/epbc/about>

This exemption certificate attaches to the premises and benefits each of the owners, the owners' successors in title and any occupiers of the premises.

To the extent development does not comply with a requirement stated above, the exemption certificate has no effect.

Torres Shire Council
DIGITALLY STAMPED
APPROVED PLAN

Exemption Certificate: Carrying out Building Work assessable against the Planning Scheme— Demolition
Subject site: Lot 22 S309088

Referred to in TSC's Exemption Certificate

Approval Date: 17 August 2024
Application Number: IDAS 24/14

LEGEND

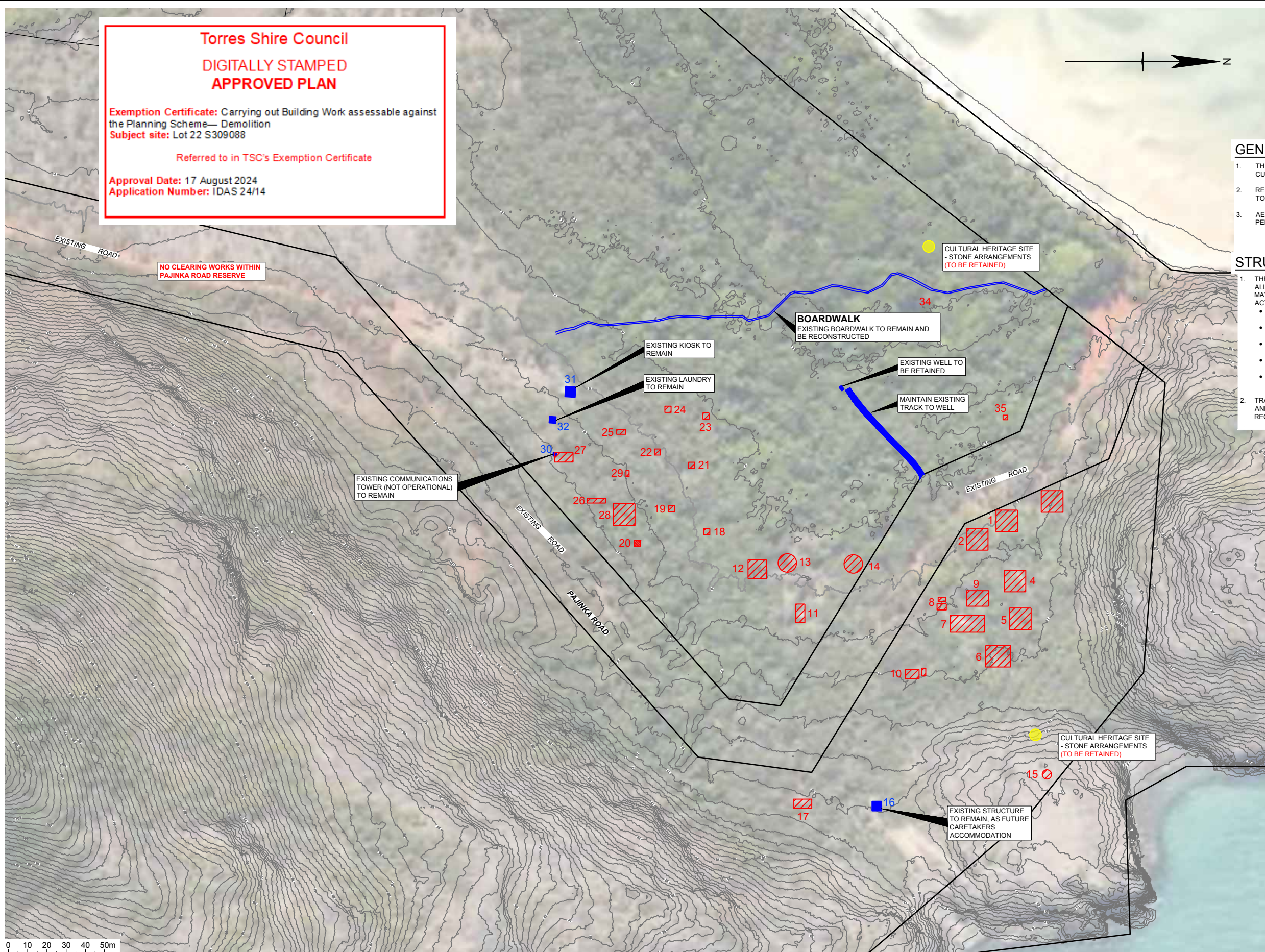
- RP BOUNDARY
- EXISTING STRUCTURE - TO RETAIN
- EXISTING STRUCTURE FOR DEMOLITION AND STRUCTURE NUMBER
- 10— LIDAR SURFACE CONTOURS (1m INTERVAL)

GENERAL NOTES

1. THIS PLAN HAS BEEN PREPARED TO CONFIRM DEMOLITION EXTENTS FOR THE CULTURAL HERITAGE EXEMPTION CERTIFICATE.
2. REFER ALSO TO THE DEMOLITION SCHEDULE FOR DETAILS ABOUT STRUCTURES TO BE DEMOLISHED.
3. AERIAL IMAGERY IS SHOWN PER QUEENSLAND GLOBE. CONTOURS ARE SHOWN PER LIDAR.

STRUCTURAL DEMOLITION NOTES

1. THE CONTRACTOR SHALL ALLOW FOR ALL DEMOLITION AND REMEDIATION OF ALL AFFECTED SITE AS REQUIRED TO COMPLETE THE SCOPE OF WORKS. THIS MAY INCLUDE, BUT IS NOT LIMITED TO THE FOLLOWING SCHEDULE OF ACTIVITIES:
 - USE MECHANICAL METHODS TO SYSTEMATICALLY DISMANTLE BUILDINGS, STARTING FROM THE TOP AND WORKING DOWNWARDS.
 - UTILISE HEAVY MACHINERY SUCH AS EXCAVATORS AND BULLDOZERS FOR MAJOR STRUCTURAL ELEMENTS.
 - EXCAVATION OF ALL IN-GROUND CONSTRUCTION, INCLUDING CONCRETE SLABS AND FOOTINGS.
 - ENSURE CONTINUOUS DEBRIS REMOVAL TO MAINTAIN A CLEAN AND ORGANIZED SITE.
 - SORT DEBRIS ON-SITE, SEGREGATING RECYCLABLE AND NON-RECYCLABLE MATERIALS.
2. TRANSPORT RECYCLABLE MATERIALS TO DESIGNATED RECYCLING FACILITIES AND DISPOSE OF NON-RECYCLABLE WASTE ACCORDING TO LOCAL REGULATIONS.



NO CLEARING WORKS WITHIN PAJINKA ROAD RESERVE

CULTURAL HERITAGE SITE - STONE ARRANGEMENTS (TO BE RETAINED)

BOARDWALK
 EXISTING BOARDWALK TO REMAIN AND BE RECONSTRUCTED

EXISTING KIOSK TO REMAIN

EXISTING LAUNDRY TO REMAIN

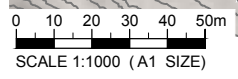
EXISTING WELL TO BE RETAINED

MAINTAIN EXISTING TRACK TO WELL

EXISTING COMMUNICATIONS TOWER (NOT OPERATIONAL) TO REMAIN

CULTURAL HERITAGE SITE - STONE ARRANGEMENTS (TO BE RETAINED)

EXISTING STRUCTURE TO REMAIN, AS FUTURE CARETAKERS ACCOMMODATION



FOR APPROVAL

No.	Description	Reviewed	Approved	Date
A	FOR DEVELOPMENT APPROVAL	PM	PM	12/09/24



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Client **DEPT OF TOURISM, INNOVATION & SPORT**
 Project **PAJINKA TRAIL WORKS**
 Drawn WM Drawing Check PM Approved *Original signed by P. Mathers* Date 12/09/2024
 Designed KMK Design Check PM RPEQ 6954
 Drawing is not to be used for construction unless approved

Drawing Title **CULTURAL HERITAGE EXEMPTION CERTIFICATE WORKS**
 Drawing Size **A1** Scale (A1 size) 1:1000
 Drg No **8242-006** Revision **A**

#	Map Reference	Structure Description	Construction Type	Construction Type - Additional Details (Dawsons)	Footprint			Average Structure Height (m3)	Approx. Volume (m3)	Condition	Demolition Status
					Approx. Length (m)	Approx. Width (m)	Approx. Area (m2)				
1	Point 1 - Resort Accommodation Cluster	Resort accommodation cluster consisting of 4 guest rooms	Slumped/Timber/Iron	*Hardwood timber structural framework *Glaunaised steel columns cast in concrete *External walls and soffits cladding material *Internal walls clad with Masonite *Particle board flooring *Internal ceiling lined with gyprock *Trimdek roofing sheets with timber fascia boards *Patio is timber decking with lattice balustrade.	14	14	196	3.5	686	Poor	Full Demolition
2	Point 2 - Resort Accommodation Cluster	Resort accommodation cluster consisting of 4 guest rooms	Slumped/Timber/Iron	*Hardwood timber structural framework *Glaunaised steel columns cast in concrete *External walls and soffits cladding material *Internal walls clad with Masonite *Particle board flooring *Internal ceiling lined with gyprock *Trimdek roofing sheets with timber fascia boards *Patio is timber decking with lattice balustrade.	14	14	196	3.5	686	Poor	Full Demolition
3	Point 3 - Resort Accommodation Cluster	Resort accommodation cluster consisting of 4 guest rooms	Concrete/Timber/Iron	*Slab on ground with hardwood timber structural framework. *External walls and soffits cladding material *Internal walls clad with Masonite *Vinyl tiles *Internal ceiling lined with gyprock *Trimdek roofing sheets with timber fascia boards *Patio is paved with timber bench seats	14	14	196	3.5	686	Poor	Full Demolition
4	Point 4 - Resort Accommodation Cluster	Resort accommodation cluster consisting of 4 guest rooms	Concrete/Timber/Iron	*Slab on ground with hardwood timber structural framework. *External walls and soffits cladding material *Internal walls clad with Masonite *Vinyl tiles *Internal ceiling lined with gyprock *Trimdek roofing sheets with timber fascia boards *Patio is paved with timber bench seats	14	14	196	3.5	686	Poor	Full Demolition
5	Point 5 - Resort Accommodation Cluster	Resort accommodation cluster consisting of 4 guest rooms	Concrete/Timber/Iron	*Slab on ground with hardwood timber structural framework. *External walls and soffits cladding material *Internal walls clad with Masonite *Vinyl tiles *Internal ceiling lined with gyprock *Trimdek roofing sheets with timber fascia boards *Patio is paved with timber bench seats	14	14	196	3.5	686	Poor	Full Demolition
6	Point 6 - Resort Accommodation Cluster	Resort accommodation cluster consisting of 4 guest rooms	Concrete/Timber/Iron	*Slab on ground with hardwood timber structural framework. *External walls and soffits cladding material *Internal walls clad with Masonite *Vinyl tiles *Internal ceiling lined with gyprock *Trimdek roofing sheets with timber fascia boards *Patio is paved with timber bench seats *Evidence of poly pipework heading to head pressure tank on fill.	16	14	224	3.5	704	Poor	Full Demolition
7	Point 7 - 50 Seat Dining Area, Bar, Kitchen, Laundry and Toilets	Resort dining area including a kitchen and bar area, within the same structure includes 2 x cold rooms, a laundry area and an ablution block.	Concrete/Steel/Timber/Iron	*Dining area is steel framed and clad with trimdek roof sheets *Paved under the roof *North of the dining area is a timber framed awning over concrete slab. *South of the dining area is the kitchen, bar, cold rooms, laundry and toilet area - slab on ground with timber framed walls and roof structure.	22	11	242	4	988	Collapsed	Full Demolition
8.1	Point 8 - Resort Reception	The resort reception includes a high timber framed entry way and an office building with a reception desk at entry.	Concrete/Timber/Iron	Reception *High timber framed entry way previously paved underneath. *Stone reception desk *Roof sheeting is trimdek.	3	5	15	4	60	Poor	Full Demolition
8.2	Point 8 - Resort Reception	The resort reception includes a high timber framed entry way and an office building with a reception desk at entry.	Concrete/Timber/Iron	Office *Office area is timber framed building over a concrete slab	4	6	24	4	96	Poor	Full Demolition
9.1	Point 9 - Resort Pool	The resort pool takes a free formed shape and is in ground, there is a pump/filter house adjacent to the pool on its east side.	Concrete	Pool *Reinforced concrete shell, thick tiled coping to edges *Pavers around pool	11	6	66	1.5	99	Poor	Full Demolition
9.2	Point 9 - Resort Pool	The resort pool takes a free formed shape and is in ground, there is a pump/filter house adjacent to the pool on its east side.	Concrete	Pump House *Framed with natural formed timber *Small concrete slab along with pavers in area.	3	3	9	2	18	Poor	Full Demolition
10.1	Point 10 - Caravan and Cold Room	There is a single caravan at this location, there is also a large room potentially used for storing bulk food items.	Light weight caravan	Caravan *Free-standing *Concrete slab adjacent *Light-framed shed to its south	2.5	5	12.5	2.5	31.25	Collapsed	Full Demolition
10.2	Point 10 - Caravan and Cold Room	There is a single caravan at this location, there is also a large room potentially used for storing bulk food items.	Freezer Panels/Concrete	Cold Room *Further south of the caravan + shed is a storage structure (freezer panels) on top of a concrete slab	6	9	54	3.5	189	Fair	Full Demolition
11	Point 11 - Generator and Vehicle Shed	Structure used to house the three generators used to power the site and to carryout general maintenance activities including vehicle service and storage.	Concrete/Steel	*Large slab *Steel structure on one end. *3 panel frames, ~4m spacing *Shed area has roof iron sheeting	12	6	72	4	288	Collapsed	Full Demolition
12	Point 12 - Diesel Tanks	Large bund area containing two diesel storage tanks with a capacity in the order of 25,000 litres each.	Concrete/Steel	*Bund comprises of reinforced concrete slab, masonry block bund. *Tanks are mild steel with pumps and valves	12	12	144	4	576	Collapsed	Full Demolition
13	Point 13 - Water Tank 1	Large free standing water tank.	Concrete/Steel	*Light-steel bolt-together-type tank. *Suspect reinforced slab beneath	120		113.1	3	339.34	Collapsed	Full Demolition
14	Point 14 - Water Tank 2	Large free standing water tank.	Concrete/Steel	*Light-steel bolt-together-type tank. *Suspect reinforced slab beneath *Water storage	120		113.1	3	339.34	Collapsed	Full Demolition
15	Point 15 - Water Tank 3	Small free standing water tank.	Steel/Rubber	*Light-steel bolt-together-type tank. *Suspect no concrete slab beneath. *Water storage and head pressure for resort	60		28.3	2	66.66	Collapsed	Full Demolition
16	Point 16 - Staff Accommodation	Accommodation building consisting of a single room, a bathroom area and a combined kitchen, lounge and dining area.	Slumped/Timber/Iron	*ATCO demountable building	6	6	36	3	108	Poor	Full Demolition
17	Point 17 - Staff Accommodation	Accommodation building consisting of three rooms, a bathroom area and a combined kitchen, lounge and dining area.	Slumped/Timber/Iron	*Hardwood timber structural framework *Glaunaised steel columns cast in concrete *External walls and soffits cladding material *Internal walls clad with Masonite *Particle board flooring *Internal ceiling lined with gyprock *Trimdek roofing sheets with timber fascia boards *Steel stringers to stairs where timber boards were used as treads.	6	12	72	3.5	252	Poor	Full Demolition
18	Point 18 to 24 - Staff Accommodation	Accommodation building consisting of one room and a screened enclosure at entry and separate light steel screened enclosure.	Slumped/Timber/Iron	*Hardwood timber structural framework *Glaunaised steel columns cast in concrete *External walls and soffits cladding material *Internal walls clad with Masonite *Particle board flooring *Internal ceiling lined with gyprock *Trimdek roofing sheets with timber fascia boards *Steel stringers with concrete treads. *Separate light-steel enclosures mostly feature slab on ground, connected to mains power, sheeted with trimdek.	4	4	16	4	64	Poor	Full Demolition
19	Point 18 to 24 - Staff Accommodation	Accommodation building consisting of one room and a screened enclosure at entry and separate light steel screened enclosure.	Slumped/Timber/Iron	*Hardwood timber structural framework *Glaunaised steel columns cast in concrete *External walls and soffits cladding material *Internal walls clad with Masonite *Particle board flooring *Internal ceiling lined with gyprock *Trimdek roofing sheets with timber fascia boards *Steel stringers with concrete treads. *Separate light-steel enclosures mostly feature slab on ground, connected to mains power, sheeted with trimdek.	4	4	16	4	64	Poor	Full Demolition
20	Point 18 to 24 - Staff Accommodation	Accommodation building consisting of one room and a screened enclosure at entry and separate light steel screened enclosure.	Slumped/Timber/Iron	*Hardwood timber structural framework *Glaunaised steel columns cast in concrete *External walls and soffits cladding material *Internal walls clad with Masonite *Particle board flooring *Internal ceiling lined with gyprock *Trimdek roofing sheets with timber fascia boards *Steel stringers with concrete treads. *Separate light-steel enclosures mostly feature slab on ground, connected to mains power, sheeted with trimdek.	4	4	16	4	64	Poor	Full Demolition
21	Point 18 to 24 - Staff Accommodation	Accommodation building consisting of one room and a screened enclosure at entry and separate light steel screened enclosure.	Slumped/Timber/Iron	*Hardwood timber structural framework *Glaunaised steel columns cast in concrete *External walls and soffits cladding material *Internal walls clad with Masonite *Particle board flooring *Internal ceiling lined with gyprock *Trimdek roofing sheets with timber fascia boards *Steel stringers with concrete treads. *Separate light-steel enclosures mostly feature slab on ground, connected to mains power, sheeted with trimdek.	4	4	16	4	64	Poor	Full Demolition
22	Point 18 to 24 - Staff Accommodation	Accommodation building consisting of one room and a screened enclosure at entry and separate light steel screened enclosure.	Slumped/Timber/Iron	*Hardwood timber structural framework *Glaunaised steel columns cast in concrete *External walls and soffits cladding material *Internal walls clad with Masonite *Particle board flooring *Internal ceiling lined with gyprock *Trimdek roofing sheets with timber fascia boards *Steel stringers with concrete treads. *Separate light-steel enclosures mostly feature slab on ground, connected to mains power, sheeted with trimdek.	4	4	16	4	64	Poor	Full Demolition

Exemption Certificate: Carrying out Building Work assessable against the Planning Scheme - Demolition
Subject site: Lot 22 536959

Referred to in TSC's Exemption Certificate

Approval Date: 17 August 2024
Application Number: DAS 2474

23	Point 18 to 24 - Staff Accommodation	Accommodation building consisting of one room and a screened enclosure at entry and separate light steel screened enclosure.	Stumped/Timber/Iron	*Hardwood timber structural framework *Galvanised steel columns cast in concrete *External walls and soffits cladding material *Internal walls clad with Masonite *Particle board flooring *Internal ceiling lined with gyprock *Trimdek roofing sheets with timber fascia boards *Steel stringers with concrete treads *Separate light-steel enclosures mostly feature slab on ground, connected to mains power, sheeted with trimdek.	4	4	16	4	64	Poor	Full Demolition
24	Point 18 to 24 - Staff Accommodation	Accommodation building consisting of one room and a screened enclosure at entry and separate light steel screened enclosure.	Stumped/Timber/Iron	*Hardwood timber structural framework *Galvanised steel columns cast in concrete *External walls and soffits cladding material *Internal walls clad with Masonite *Particle board flooring *Internal ceiling lined with gyprock *Trimdek roofing sheets with timber fascia boards *Steel stringers with concrete treads *Separate light-steel enclosures mostly feature slab on ground, connected to mains power, sheeted with trimdek.	4	4	16	4	64	Poor	Full Demolition
25	Point 25 - Staff Accommodation	Accommodation building consisting of a single unsealed room.	ATCO building	*ATCO type demountable building	3	6	18	3.5	63	Poor	Full Demolition
26	Point 26 - Staff Accommodation	Accommodation building consisting of four rooms.	ATCO building	*ATCO type demountable building	3	12	36	3.5	126	Poor	Full Demolition
27	Point 27 - Staff Accommodation	Accommodation building consisting of three rooms, a bathroom area and a combined kitchen, lounge and dining area.	Stumped/Timber/Iron	*Hardwood timber structural framework *Galvanised steel columns cast in concrete *External walls and soffits cladding material *Internal walls clad with Masonite *Particle board flooring *Internal ceiling lined with gyprock *Trimdek roofing sheets with timber fascia boards *Steel stringers to stairs where timber boards were used as treads.	6	12	72	3.5	252	Collapsed	Full Demolition
29	Point 29 - Abandoned Tractor	Non serviceable tractor previously used for maintenance.	Steel	*Old Tractor	4	2	8	1.5	12	Poor	Full Demolition
35	Point 35 - Storage Shed	Small storage shed	Iron	*Light-weight, possibly garden shed type structure.	3	3	9	3.5	31.5	Collapsed	Full Demolition