



TORRES SHIRE COUNCIL

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

P.O Box 171
THURSDAY ISLAND 4875

Telephone (07) 4069 1336
Facsimile (07) 4069 1845

Email: admin@torres.gld.gov.au
ABN 34 108 162 398

DATE: 23 September 2026

Our Ref: IDAS26/10
Enquire to: Ed Kulpa
Telephone: (07) 4069 1336

Napcia Bin Tahal
c/- Urban Sync Pty Ltd
PO Box 2970
CAIRNS QLD 4870

E-mail: admin@urbansync.com.au

Dear Sir/Madam

Decision Notice – Approval

Given under section 63 of the Planning Act 2016

I wish to advise that Council has approved the development application in full.

Details of the decision are as follows:

DATE OF DECISION

Council approved the Development Application at the Council meeting on 15 September 2026.

APPLICATION DETAILS

Application No:	IDAS26/10
Approval Sought:	Development Permit for building work assessable against the planning scheme
Description of the Development	Dwelling House (secondary dwelling)
Planning Scheme:	Torres Shire Council Planning Scheme 2022 (Version 1)

LOCATION DETAILS

Street Address:	8 Miskin Street, Horn Island
Real Property Description:	Lot 104 W10071

DECISION DETAILS

The following type of approval has been issued:

- Development Permit for building work assessable against the planning scheme for a dwelling house (secondary dwelling)

CURRENCY PERIOD

The approval has a currency period of two (2) years under section 85 of the *Planning Act 2016*.

ASSESSMENT MANAGER CONDITIONS

This approval is subject to the conditions in Attachment 1.

PROPERLY MADE SUBMISSIONS

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

REFERRAL AGENCIES

There were no referral agencies as part of this application.

FURTHER DEVELOPMENT PERMITS REQUIRED

- Development Permit for Plumbing and Drainage Work
- Development Permit for Building Work.

OTHER REQUIREMENTS UNDER SECTION 43 OF THE PLANNING REGULATION 2017

Not Applicable

APPROVED PLANS AND SPECIFICATIONS

The approved plans are attached to this Decision Notice (Attachment 2).

RIGHTS OF APPEAL

You are entitled to appeal against this decision. A copy of the relevant appeal provisions from the Planning Act 2016 is attached (Attachment 4).

OTHER DETAILS

You are further advised that the truth and accuracy of the information provided in the application form and accompanying information is relied on when assessing and deciding this application. If you find an inaccuracy in any of the information provided above or have a query or need to seek clarification about any of these details, please contact Torres Shire Council on (07) 4069 1336.

DELEGATED PERSON

Name: Mary Bani

Signature:



Enc. **Attachment 1** – Conditions imposed by the Assessment Manager
Attachment 2 – Approved Plans
Attachment 3 – Notice about a Decision Notice
Attachment 4 – Extract of Appeal Provisions (Chapter 6, Part 1 and Schedule 1 of the *Planning Act 2016*).

CONDITIONS IMPOSED BY THE ASSESSMENT MANAGER

NO.	CONDITIONS	CONDITION TIMING
1.0	Parameters of Approval	
1.1	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 unless otherwise stated.	At all times.
1.2	Where these conditions refer to "TSC" in relation to requiring Torres Shire Council to approve or be satisfied as to any matter, or conferring on the TSC a function, power or discretion, that role of the TSC may be fulfilled in whole or in part by a delegate appointed for that purpose by TSC.	At all times.
1.3	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.
1.4	The developer is required to have repaired any damage to existing infrastructure that may have occurred during any works carried out associated with the development. To the extent the damage is deemed to create a hazard to the community, it must be repaired immediately.	At all times.
1.5	Unless otherwise stated, all works must be designed, constructed, and maintained in accordance with the relevant Council policies, guidelines, and standards, and the FNQROC Development Manual.	At all times.
1.6	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.

2.0	Approved Plans and Documents							
2.1	The approved development must be completed and maintained generally in accordance with the approved plans and documents, except where amended by the conditions of this permit. <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th style="text-align: left;">Drawing No.</th><th style="text-align: left;">Date</th><th style="text-align: left;">Drawn by</th></tr> <tr> <td>NBT-01 A101 (A)</td><td>May 2026</td><td>TPG Architects</td></tr> </table>	Drawing No.	Date	Drawn by	NBT-01 A101 (A)	May 2026	TPG Architects	At all times
Drawing No.	Date	Drawn by						
NBT-01 A101 (A)	May 2026	TPG Architects						
2.2	Where there is any conflict between the conditions of this approval and the details shown on the approved plans and documents, the conditions of approval must prevail.	At all times.						

3.0	Stormwater	
3.1	Stormwater drainage must be directed to a lawful point of discharge being Miskin Street.	At all times.
3.2	Site works must not adversely affect flooding or drainage characterises of properties that are upstream, downstream, or adjacent to the development site.	At all times.

4.0	Water and Sewerage	
4.1	Connect the development to Council's reticulated water network.	Prior to the commencement of use and at all times thereafter.
4.2	Connect the development to Council's reticulated sewerage network.	Prior to the commencement of use and at all times thereafter.

5.0	Finished Floor Level for building in a storm tide inundation area and development is storm-tide inundation area	
5.1	The building must achieve the minimum finished floor level of: (a) Habitable room - 2.2m AHD plus 500mm freeboard; (b) Non-habitable room (other than a room used solely for the storage of motor vehicles) – 2.2m AHD plus 300mm freeboard; (c) Non-habitable room (where used solely for the storage of motor vehicles) – 2.2m AHD; and (d) A room comprising essential building services – 2.2m AHD plus 500mm freehold	At all times.
5.2	Certification from a Registered Professional Engineer of Queensland (RPEQ) must be provided confirming the building achieves the minimum floor level required in condition 5.1 and the building is of sufficient structural integrity to withstand the forces that the building would likely be subjected to during a storm-tide inundation event.	Prior to the issue of a development permit for building work

ASSESSMENT MANAGER (COUNCIL) ADVISORY NOTES

1. This approval, granted under the provisions of *the Planning Act 2016*, shall lapse two (2) years from the day the approval takes effect in accordance with the relevant provisions of s85 of the *Planning Act 2016*.
2. Prior to commencing any construction activities, the applicant/developer will be required to obtain further development permits for building work, and plumbing and drainage work, as required under relevant legislation for this work.
3. An application to Torres Shire Council is required for water and/or sewerage services to be connected to a property. The developer should contact Torres Shire Council for further information on the necessary forms and application process.
4. No building materials or the like are to be stored on the footpath unless an appropriate approval from Council is obtained, including the payment of associated fees.
5. All building site managers must take all action necessary to ensure building materials and/or machinery on construction sites are secured immediately following the first potential cyclone warning and that relevant emergency telephone contacts are provided to Council Officers, prior to Commencement of Works.
6. 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.

7. 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.
8. This development approval 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*.

APPROVED PLANS

Attached under separate cover (this page has been intentionally left blank)

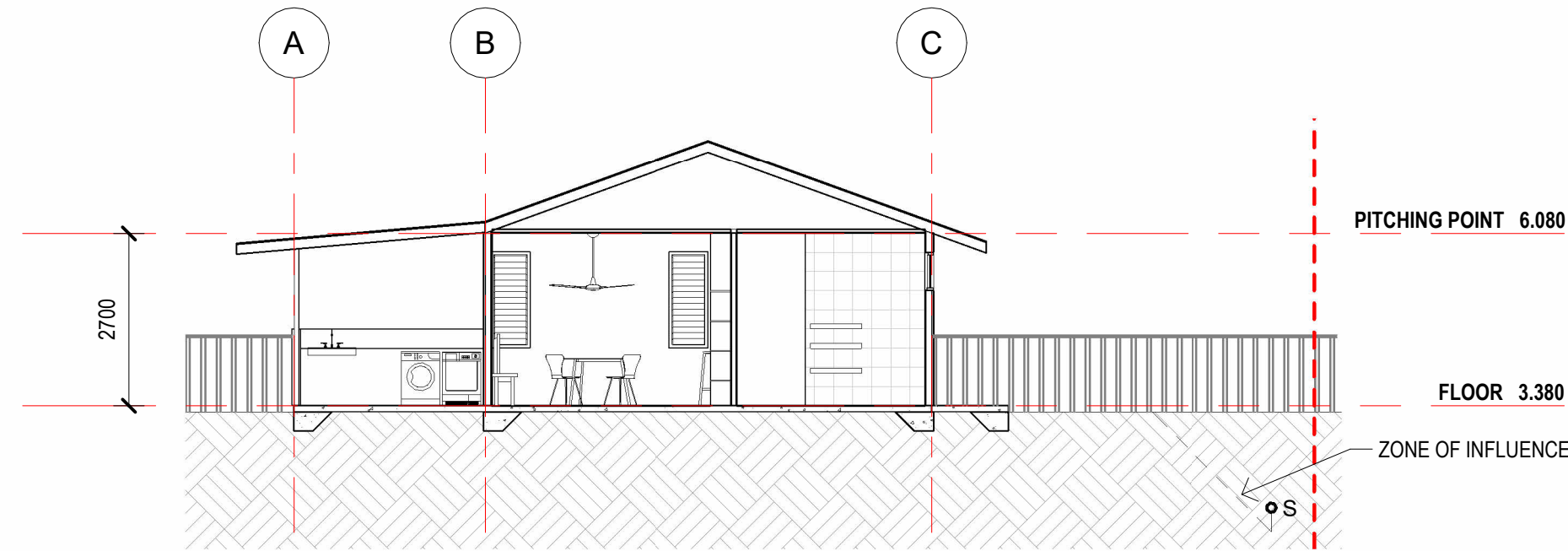


3 SITE PLAN
1 : 200

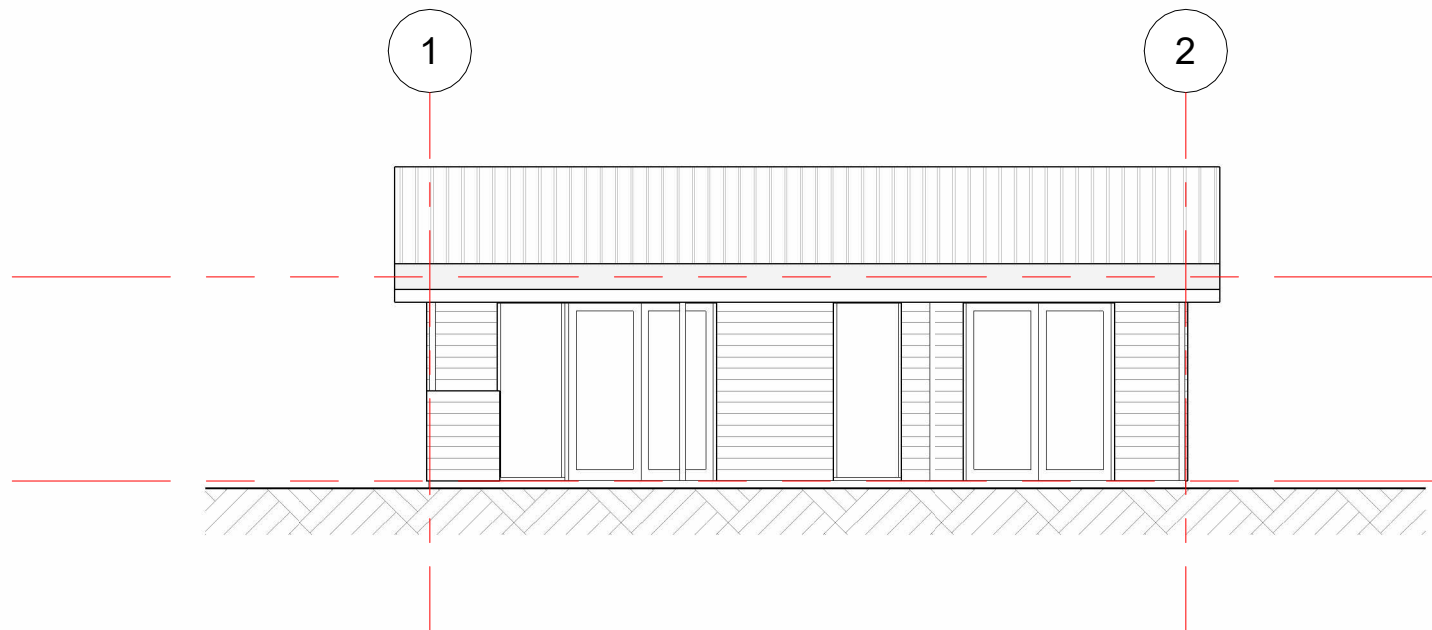


2 CONTEXT PLAN
1 : 1000

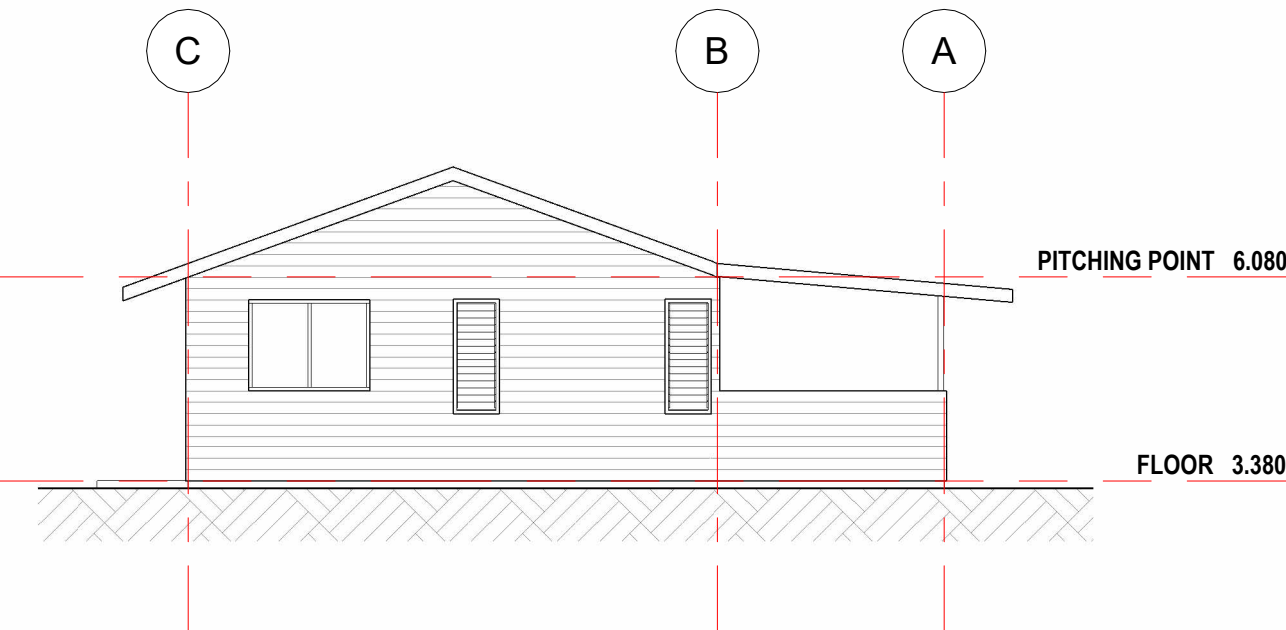
8 Miskin Street



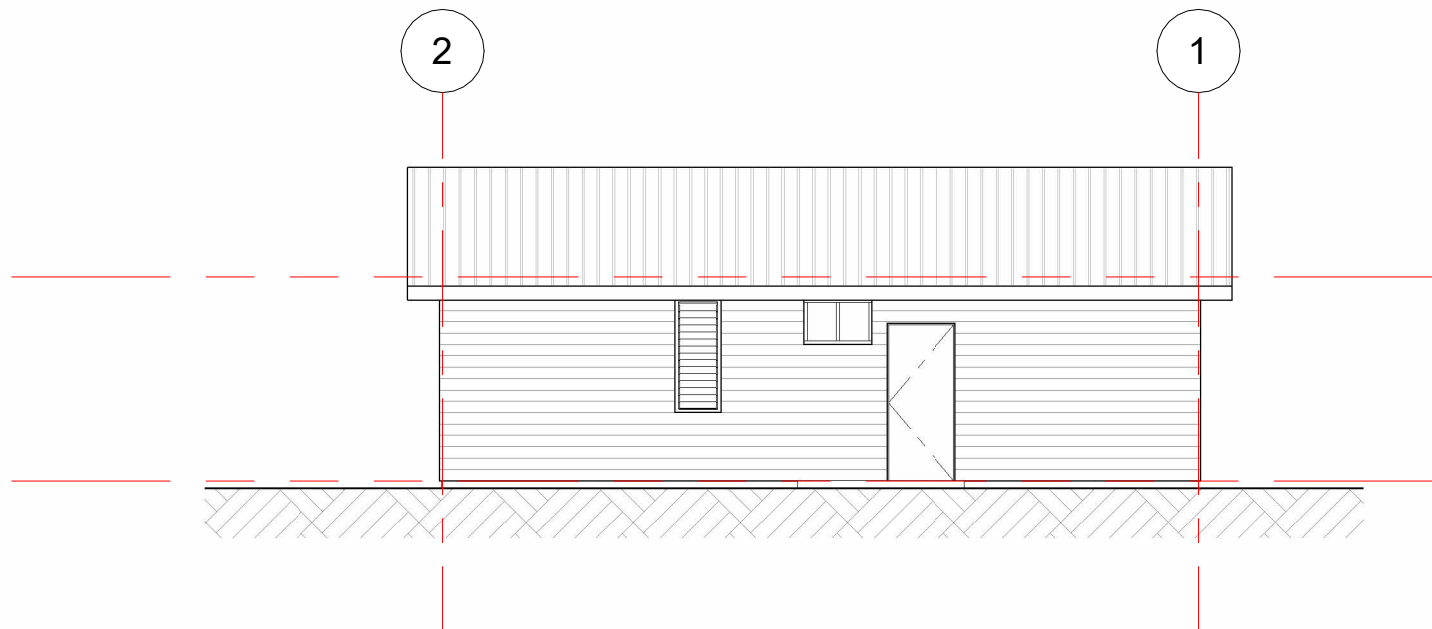
4 SECTION - SOUTH WEST
A101
1 : 100



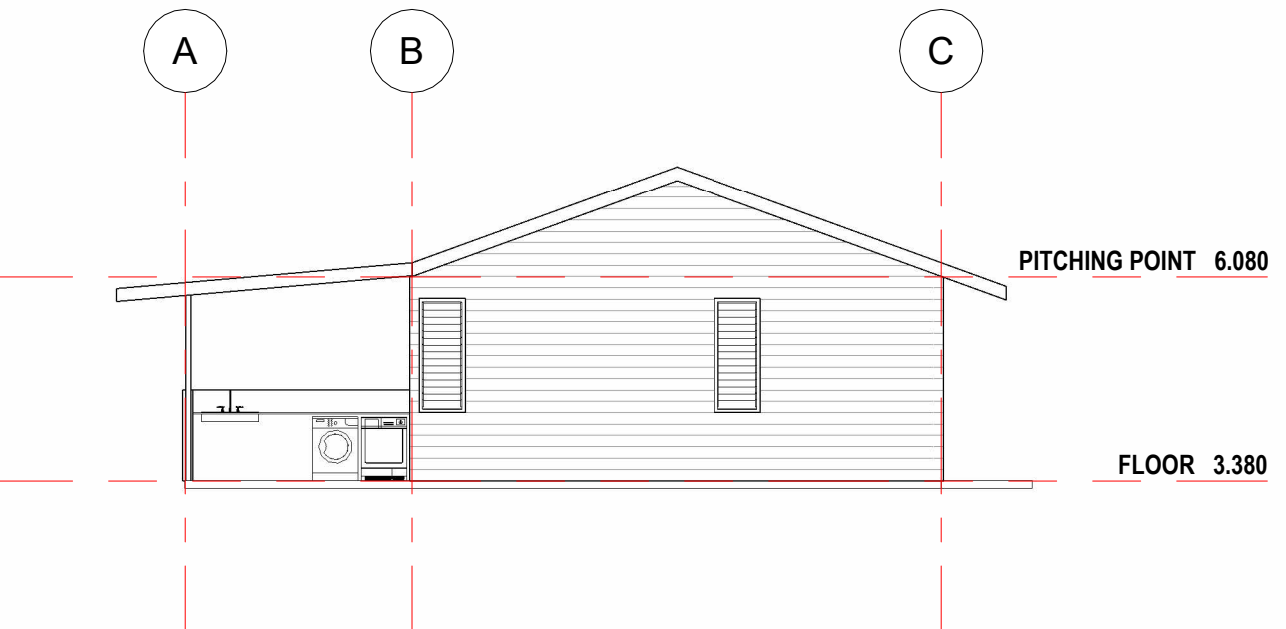
6 ELEVATION - NORTH WEST
A101
1 : 100



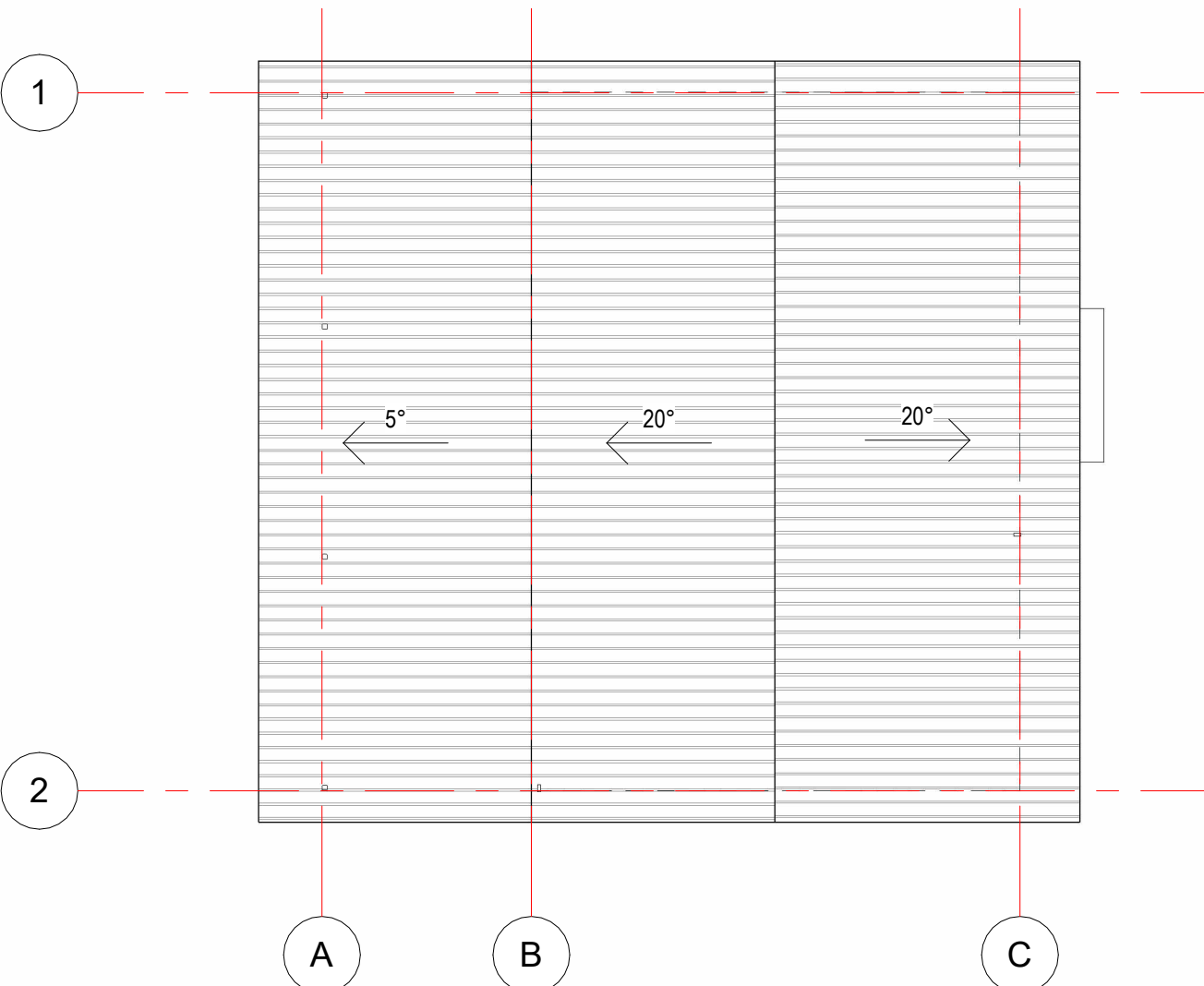
7 ELEVATION - NORTH EAST
A101
1 : 100



8 ELEVATION - SOUTH EAST
A101
1 : 100



9 ELEVATION - SOUTH WEST
A101
1 : 100



5 ROOF PLAN
A101
1 : 100

TORRES SHIRE COUNCIL

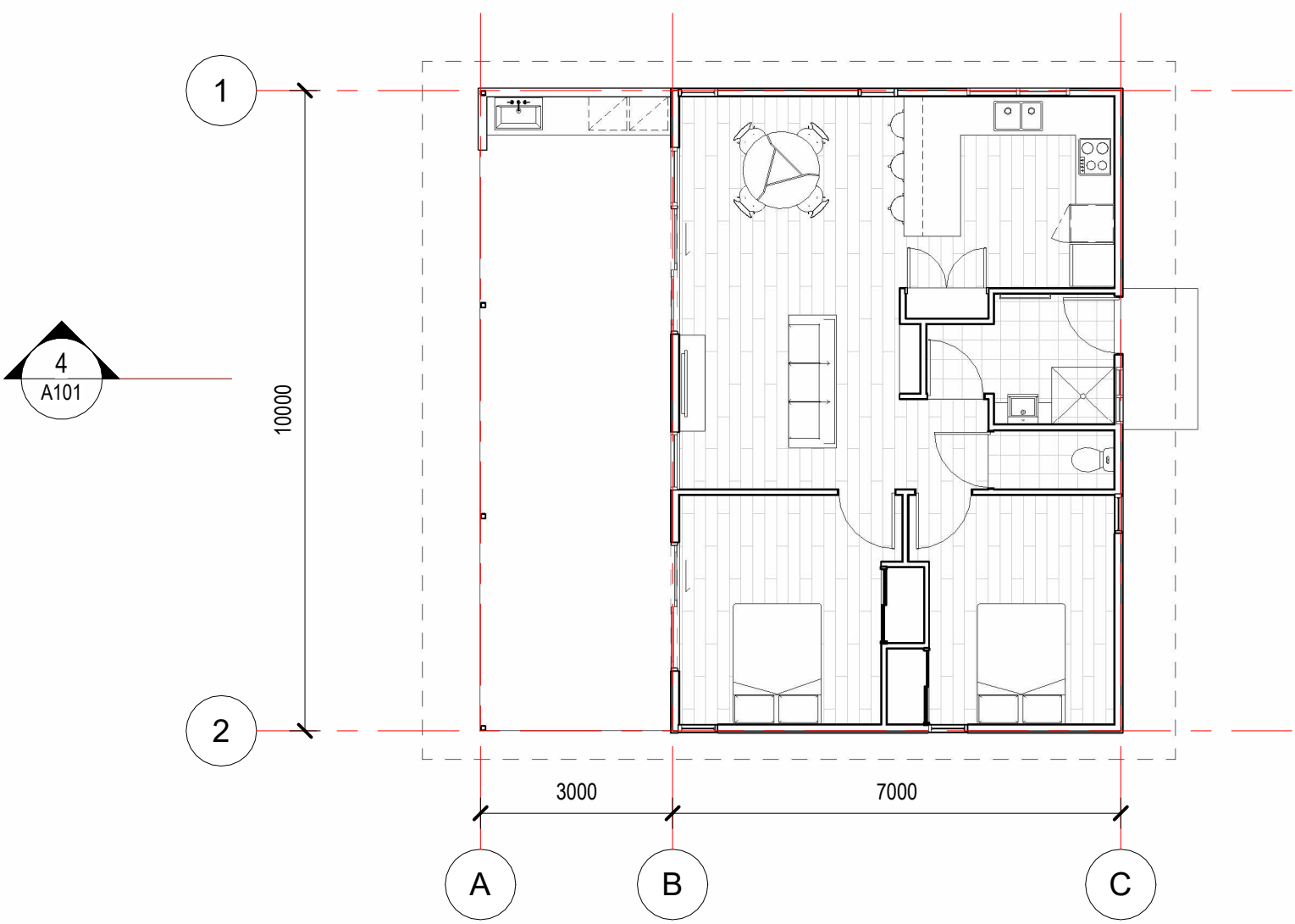
**DIGITALLY STAMPED
APPROVED PLAN**

Development Application: Development Permit—building work assessable against the planning scheme for a dwelling house (secondary dwelling)

Lot details: Lot 104 W10071

Referred to in Council's Decision Notice

Approval Date: 15 September 2026
Application Number: IDAS 26/10



1 FLOOR PLAN
A101
1 : 100

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:	IDAS26/10
Applicant:	Napcia Bin Tahal c/ Urban Sync
Proposal:	Development Permit for building work assessable against the planning scheme
Description of the Development:	Dwelling house (secondary dwelling)
Street Address:	8 Miskin Street, Horn Island
Real Property Description:	Lot 104 W11071
Planning Scheme:	Torres Shire Council Planning Scheme 2022 (Version 1)
Land Zoning:	Low-medium density residential
Assessment Type:	Code

DECISION DETAILS

Type of Decision:	Approval with Conditions
Type of Approval:	Development Permit for building work assessable against the planning scheme
Date of Decision:	15 September 2026

ASSESSMENT BENCHMARKS

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

Categorising Instrument (*Planning Regulation 2017*)

This application did not trigger any matters prescribed by the regulation

Categorising Instrument (State Planning Policy - July 2017)

Local Categorising Instrument (Torres Shire Council Planning Scheme 2022):

Standard Outcomes

- Airport Environs Overlay

- Coastal Hazard Overlay
- Heritage Overlay
- Potential and Actual Acid Sulfate Soils Overlay

Merit Outcomes

- General
- Natural Hazards including climate change

Local Categorising Instrument (Variation Approval)

- Not applicable.

Local Categorising Instrument (Temporary Local Planning Instrument)

- Not applicable.

PUBLIC NOTIFICATION

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

REASONS FOR THE DECISION

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

- The proposal is compliant with the assessment benchmarks and consistent with the Torres Shire Council Planning Scheme 2022.
- The proposed secondary dwelling can achieve compliance with the prescribed finished floor level for building within a storm tide inundation area.
- The proposed building is well removed from the identified local heritage place.

REASONS FOR APPROVAL DESPITE NON-COMPLIANCE WITH ASSESSMENT BENCHMARKS

Not applicable.

ADDITIONAL RELEVANT MATTERS FOR IMPACT ASSESSMENT

Not applicable.

OTHER MATTERS PRESCRIBED BY THE PLANNING REGULATION 2017

Not applicable.

OTHER DETAILS

If you wish to obtain more information about Council's decision, please refer to Council's webpage at <https://www.torres.qld.gov.au/development-applications-1>