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24 September 2025

Chief Executive Officer
Douglas Shire Council

Attention: Jenny Elphinstone
Via email: enquiries@douglas.qld.gov.au

cc T W Peterson
c/- Hardy Town Planning and Consulting
Attention: Nick Hardy
Via email: nick@hardyplanning.com.au

Dear Sir/Madam,

Ergon Advice Agency Response – Change (Other) for Material Change of Use for Mobile Food and Drink Outlet and staging for existing approved Material Change of Use for Shopping, Food and Drink Outlet and Office located at 147-149 Port Douglas Road, Port Douglas, formally described as Lot 193 RP747071 Council Ref: MCUC 2021_4248/1 Applicant Ref: C1403 Our Ref: ECM 27943593 - 27959084

This referral agency response is given under section 56 of the *Planning Act 2016*.

Response	
Outcome	Approved in full - subject to conditions
Referral assessment capacity	Advice
Matters referral assessment made against (S55(2))	The purpose of the <i>Electricity Act 1994</i> and <i>Electricity Safety Act 2002</i>
Reasons for decision (S56(7)(b))	The works do not conflict with: <ul style="list-style-type: none">the objectives set out within Part 2, Section 3 of the <i>Electricity Act 1994</i>

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- the purpose of the *Electricity Safety Act 2002* as set out within Part 1 Division 2 Section 4 & 5.

The works do not adversely impact on the safe, efficient, and economically viable operation of the supply network.

Development Details	
Applicant	T W Peterson c/- Hardy Town Planning and Consulting
Assessment Manager	Douglas Shire Council
Council Application No.	MCUC 2021_4248/1
Street Address	Outlet and Office located at 147-149 Port Douglas Road, Port Douglas
RPD	193 RP747071
Development Type	Change (Other) for Material Change of Use for Mobile Food and Drink Outlet and staging for existing approved Material Change of Use for Shopping, Food and Drink Outlet and Office
Referral Trigger	<input checked="" type="checkbox"/> Schedule 10, Part 9, Division 2, Table 2, Item 1 (10.9.2.2.1) – Material Change of use of premises subject to an easement for the benefit of a distribution entity under the Electricity Act and the easement is for a supply network
Impacted Electrical Infrastructure	Easement E SP121817 – 22kV 500kVA Pad Mount Transformer (ID: SS8220)

Ergon provides the following response to the application in accordance with Section 56(1) of the *Planning Act 2016*:

Component of Development	Advice Agency direction
MCU	<input checked="" type="checkbox"/> S56(1)(b)(i) – approval subject to stated development conditions

In accordance with Section 56(1) should the Assessment Manager decide to approve the proposed Change (other) application, as an Advice Agency, Ergon requires that the assessment manager impose the below conditions. These conditions have been imposed in response to the matters prescribed under Section 55 (2) of the *Planning Act 2016*.

Table 1			
Plans forming part of this Approval			
<i>Title</i>	<i>Plan No.</i>	<i>Issue</i>	<i>Date</i>

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<i>Amended Plan</i>	<i>Site</i>	<i>201830 01</i>	<i>E</i>	<i>9 September 2025</i>
<i>Detail Plan</i>	-	-	-	<i>9 September 2025</i>

Table 2			
Condition		Timing	Purpose/Reason
1	<p>Carry out the approved development generally in accordance with the approved plans and documents outlined within table 1 of the approval and the following:</p> <ul style="list-style-type: none"> ▪ The specifications, facts and circumstances as set out in the development application submitted to Ergon; and ▪ Where a discrepancy or conflict exists between the written conditions of the approval and the approved plans, the requirements of the written conditions prevail 	At all times	To ensure the development is carried out generally in accordance with the plans of development submitted within the application
2	Any alterations to the plans and document(s) identified within Table 1 of this response are to be resubmitted to Ergon for comment	At all times	To ensure the development is carried out generally in accordance with the plans of development submitted within the application
3	All conditions of Easement E SP121817 must be maintained	At all times	To ensure compliance with easement conditions

General Advice:

- Compliance with the *Electrical Safety Act 2002*, including any Code of Practice under the Act and the *Electrical Safety Regulation 2013* including any safety exclusion zones defined in the Regulation is mandatory

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Should any doubt exist in maintaining the prescribed clearance to the overhead conductors and electrical infrastructure then the applicant is obliged under the Act to seek advice from Ergon.

- Any costs incurred by Ergon as a result of the works on the easement are to be met by the property Developer / owner.
- This response does not constitute an approval to commence any works within the easement. Consent to commence works relevant to the conditions of the easement is required. All works on easement (including but not limited to earthworks, drainage and detention basins, road construction, underground and overhead services installation) require detailed submissions, assessment, and consent (or otherwise) by Ergon.
- All works proposed to be undertaken in close proximity to overhead or underground electrical lines are to be undertaken in accordance with Ergon's Works Practice Manual WP1323. This document refers to various standards, guidelines, calculations, legal requirements, technical details, and other information relevant to working near high voltage infrastructure. A copy of WP1323 can be found online via Ergon's document library ([Document library | Ergon](#)).

Should you require any further information on the above matter, please contact Tammara Scott on 0492 137 878 or via email at townplanning@ergon.com.au.

Yours faithfully,



Tammara Scott
Town Planner

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