



MINUTES

Planning and Environment Standing Committee Meeting

31 January 2017

**MINUTES OF COOK SHIRE COUNCIL
PLANNING AND ENVIRONMENT STANDING COMMITTEE MEETING
HELD AT THE ADMINISTRATION CENTRE, 10 FURNEAUX STREET, COOKTOWN
ON TUESDAY, 31 JANUARY 2017 AT 9:00AM**

1 ATTENDANCE

Cr Peter Scott, Cr Kaz Price, Cr Alan Wilson, Cr Robyn Holmes, Cr John Dessmann, Cr John Giese, Cr Larissa Hale

2 APOLOGIES

Nil

Meeting opened at 9.07am

3 CONFIRMATION OF PREVIOUS MINUTES

4 BUSINESS ARISING

5 DECLARATIONS OF INTEREST

Nil

6 AGENDA ITEMS

6.1 PLANNING AND ENVIRONMENT STANDING COMMITTEE CHARTER

COMMITTEE RESOLUTION 2017/1

Moved: Cr Robyn Holmes

Seconded: Cr John Giese

That the Committee recommend Council adopt the following Terms of Reference and governance guidelines for the operation of the Planning and Environment Standing Committee:

The Terms of Reference of the Planning Committee is to consider Development Applications that cannot be held over for the following full Council meeting, review the implementation and functionality of the 2017 Planning Scheme and receive briefings on the preparations and implementation of the proposed Planning Act 2017.

The Planning Committee will operate along the following governance principles:

1. Include every Councillor and will be chaired by the Mayor or nominated alternate;
2. A quorum will comprise a minimum four (4) Councillors
3. Meetings will be held on the first Friday of the month commencing at 9.00am
4. Meetings are to be advertised and open to the public and all reports with the exception of those dealt with "in committee" to be made available with the agenda.
5. The Planning Committee will exercise powers delegated to it by resolution 30281 on 19 June 2012, in that S 257 Delegation of local government powers of the Local Government Act 2009 states: A local government may, by resolution, delegate a power under this Act or another Act to— (c) a standing committee, or joint standing committee, of the local government;

CARRIED

6.2 APPLICATION FOR A DEVELOPMENT PERMIT FOR DA/3675 - MATERIAL CHANGE OF USE FOR A RESTAURANT (BAR AND MINOR EXTENSION TO DINING AREA) ON LOT 98 SP249728 (LAURA ROADHOUSE) PENINSULA DEVELOPMENTAL ROAD, LAURA

COMMITTEE RESOLUTION 2017/2

Moved: Cr Alan Wilson

Seconded: Cr John Giese

That Council issue an approval for the development application submitted by Brian I Little c/o U&I Town Plan for the Material Change of Use for a Restaurant (Bar and Outdoor Dining Extension) over Lot 98 on Plan SP249728, Peninsula Developmental Road Laura, subject to the following conditions:

A. Assessment Manager (Council) Conditions

Approved Plan

1. The development must be carried out generally in accordance with the following proposal plans except for any modifications required to comply with the conditions of this approval:
 - 'Site Plan – Proposed Bar & Covered Dining Area', prepared by U & I Town Plan, dated 28 November 2016;
 - 950-1, 'Covered Area Extension Site Plan', prepared by Home Improvement Designers, dated 23 August 2016;
 - 950-2, 'Slab and Roof Plans', prepared by Home Improvement Designers, dated 23 August 2016;
 - 950-3, 'Covered Area Extension- Typical Section & Details', prepared by Home Improvement Designers, dated 23 August 2016.

Amenity

2. There shall be no adverse impact on the amenity of the surrounding area by reason of light nuisance, dust or noise.

Car Parking

3. The applicant is to erect signage advising patrons of the availability of parking at the rear of the site.
4. The driveway providing access to the rear of the site, as well as space at the rear of the site suitable for the parking of vehicles is to be kept clear at all times.

Storm Water

5. Storm water must be directed to a legal point of discharge to the satisfaction of Council's Director Infrastructure Services.

Public Utilities

6. The proposal is to be connected to the reticulated water system and electricity supply prior to the commencement of the use.
7. The developer is responsible for the cost of any alterations to public utilities as a result of complying with the Conditions of this approval.

Utilities design must be in accordance with the FNQROC Development Manual D8 Operational Works Design Guidelines "Utilities".

Environmental

8. The applicant must ensure that no soil or silt runoff occurs from the site during the construction and operational phase of the development.
9. No State Declared or environmental pest plants and pest animals are to be introduced onto the property. The applicant/owner shall be responsible for the complete removal and destruction of any noxious weed or plants existing on the land the subject of the Development Permit.

Compliance

10. All conditions of this Development Permit are to be complied with prior to the use commencing and, where relevant, maintained during operation.

Outstanding Charges

11. All rates, service charge, interest and other charges levied on the land are to be paid prior to the use commencing.

Infrastructure Charges

12. Infrastructure charges must be paid to Council prior to the commencement of the use as indicated on the attached Adopted Infrastructure Charges Notice at the rate applicable at the time of payment.

Currency Period

13. The currency period for this application is four (4) years. Should the approved Restaurant (bar and minor Extension to Outdoor Dining Area) not be established within this time, the approval shall lapse.

B. Assessment Manager (Council) Advice

- a. A development permit is required for carrying out Building works (if required) 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 (if required).

CARRIED

6.3 APPLICATION FOR A DEVELOPMENT PERMIT - DA/3699 - MATERIAL CHANGE OF USE FOR THE PURPOSE OF AN EXTENSION TO AN EXISTING CARAVAN PARK (ADDITIONAL 26 SITES) ON LOT 2 SP134204, 14 HOPE STREET, COOKTOWN

COMMITTEE RESOLUTION 2017/3

Moved: Cr Larissa Hale

Seconded: Cr John Dessmann

That Council issue an approval for the development application submitted by John A Noonan and Mary M Noonan t/a Cooktown Caravan Park c/- U&I Town Plan for the Material Change of Use for a Caravan Park (26 Additional Sites) over Lot 2 SP 134204, subject to the following conditions:

A. Assessment Manager (Council) Conditions

Approved Plan

1. The development must be carried out generally in accordance with the following proposal plans except for any modifications required to comply with the conditions of this approval:
 - Appendix C, 'Site Plan – Cooktown Caravan Park', prepared by U & I Town Plan, dated 23 November 2016.

Site Capacity

2. The site is limited to a maximum of forty-one (41) individual sites.

Amenity

3. There shall be no adverse impact on the amenity of the surrounding area by reason of light nuisance, dust or noise.

Internal Car Parking

4. The development must make provision for a minimum five (5) off street visitor car parking spaces, to be located opposite the office as marked on Appendix C, 'Site Plan-Cooktown Caravan Park', prepared by U&I Town Plan, dated 23 November 2016.

Public Utilities

5. The proposal is to be connected to the reticulated water system, sewerage system and electricity supply prior to the commencement of the use.
6. The developer is responsible for the cost of any alterations to public utilities as a result of complying with the Conditions of this approval.

Utilities design must be in accordance with the FNQROC Development Manual D8 Operational Works Design Guidelines "Utilities".

Environmental

7. The applicant must ensure that no soil or silt runoff occurs from the site during the construction and operational phase of the development.
8. No State Declared or environmental pest plants and pest animals are to be introduced onto the property.

Compliance

9. All conditions of this Development Permit are to be complied with prior to the use commencing and, where relevant, maintained during operation.

Outstanding Charges

10. All rates, service charge, interest and other charges levied on the land are to be paid prior to the use commencing.

Infrastructure Charges

11. Infrastructure charges must be paid to Council prior to the commencement of the use as indicated on the attached Adopted Infrastructure Charges Notice at the rate applicable at the time of payment.

Currency Period

12. The currency period for this application is four (4) years. Should the approved caravan park not be established within this time, the approval shall lapse.

B. Assessment Manager (COUNCIL) Advice

- a. A development permit is required for carrying out Building works (if required) 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.

CARRIED

6.4 APPLICATION FOR A DEVELOPMENT PERMIT - DA/3678 - RECONFIGURATION OF A LOT FOR THE PURPOSE OF A BOUNDARY REALIGNMENT - 2 LOTS INTO 2 LOTS ON LOT 1 SP147286 & LOT 2 SP 147287, 7208 MULLIGAN HIGHWAY, LAKELAND

COMMITTEE RESOLUTION 2017/4

Moved: Cr Alan Wilson

Seconded: Cr John Giese

That Council issue an approval for the development application submitted by Sharprock Pty Ltd c/- U&I Town Plan for the Reconfiguration of a Lot (2 into 2 lot Boundary Realignment) over Lot 1 SP 147286 and Lot 2 SP 147287, subject to the following conditions:

A. Assessment Manager (Council) Conditions

Approved Plan

- 1) The development must be carried out generally in accordance with the following proposal plans contained in Appendix A, except for any modifications required to comply with the conditions of this approval:
 - 'Boundary Realignment – Lot 1 on SP147286 & Lot 2 on SP147287', prepared by U & I Town Plan, dated 19 August 2016; and
 - 'Boundary Realignment – Lot 1 on SP147286 & Lot 2 on SP147287 – Further detailed plan', prepared by U & I Town Plan, dated 19 August 2016.

Access

- 2) Access to each lot must be via the existing access to the Mulligan Highway.

Effluent Disposal

- 3) Any application for wastewater treatment and disposal must include details of the proposed wastewater disposal systems and calculation demonstrating compliance with the Queensland Plumbing and Wastewater Code and AS/NZS1547:2000 – 'On-site domestic wastewater management'.

Water Supply

- 4) A separate source of water supply must be provided to each of the proposed allotments at the time of construction of a dwelling house. This would be satisfied by the provision of rainwater tanks with a minimum capacity of 50,000 litres for each lot. Where an alternative source of supply is available within the allotment, the applicant can provide certified evidence as to the flow rates and water quality of the bore water or other supply to eliminate or reduce the requirement for on-site water storage.

Fire Management

- 5) All lots must be maintained by the owners at all times so as not to create a fire hazard.

Electricity Supply

- 6) Each proposed lot must be provided with a reliable electricity supply at the time of construction of a house. Written evidence of such electricity supply must be provided at the time of lodgment of a building application for a house.

Public Utilities

- 7) The developer is responsible for the cost of any alteration to public utilities as a result of complying with conditions of this approval.
- 8) Utilities design must be in accordance with the FNQROC Development Manual D8 Operational Works Design Guidelines "Utilities".

Compliance

- 9) All conditions of this development permit are to be complied with prior to the Plan of Survey being submitted to Council for endorsement.

Outstanding Charges

- 10) All rates, service charge, interest and other charges levied on the land are to be paid prior to council endorsement of the Plan of Survey.

Signing and Sealing

- 11) The reconfiguration of a lot approved authorized by this Development Permit must be completed and the Plan of Survey submitted to Council for endorsement within two (2) years from the commencement of this approval or this approval will lapse.

B. Advice (Council)

- a. A development permit is required for carrying out Building works (if required) 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.
- b. The development permit does not include an approval for Operational Works, filling or excavation not associated with the reconfiguring a lot application. Any future works requiring assessment against the planning scheme are to be applied for as a separate application.

CARRIED

7 GENERAL BUSINESS

Cook Shire Council Planning Scheme 2017 adopted by Council will take affect 1 February 2017.
Planning Act 2016 will come into effect July 2017.

The Meeting closed at 10.28am.

The minutes of this meeting were confirmed at the Planning and Environment Standing Committee Meeting held on .

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CHAIRPERSON