



I hereby give notice that a Planning and Environment Standing Committee Meeting will be held on:

Date: Friday, 3 March 2017
Time: 9.00am
Location: Administration Centre
10 Furneaux Street
Cooktown

AGENDA AND BUSINESS PAPERS

Planning and Environment Standing Committee Meeting

3 March 2017

Tim Cronin
Chief Executive Officer

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5.1 APPLICATION FOR A DEVELOPMENT PERMIT FOR DA/3727 -
 RECONFIGURATION OF A LOT 16 ON PLAN SP219099 AND LOT 17 ON PLAN
 SP219099, LOCATED AT 8 AND 4 BUHMANN STREET COOKTOWN INTO TWO
 (2) LOTS BY WAY OF BOUNDARY REALIGNMENT..... 4

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1 ATTENDANCE

2 APOLOGIES

3 CONFIRMATION OF PREVIOUS MINUTES

Ordinary Meeting - 31 January 2017

4 BUSINESS ARISING

5 AGENDA ITEMS

5.1 APPLICATION FOR A DEVELOPMENT PERMIT FOR DA/3727 - RECONFIGURATION OF A LOT 16 ON PLAN SP219099 AND LOT 17 ON PLAN SP219099, LOCATED AT 8 AND 4 BUHMANN STREET COOKTOWN INTO TWO (2) LOTS BY WAY OF BOUNDARY REALIGNMENT.

File Number: D17/1395

Author: Special Projects Officer (Planning)

Authoriser: Gary Kerr, Director Development, Environment & Community

Attachments: 1 Appendix 'A' Proposal Plan for DA/3727 Reconfiguration of a Lot

PRECIS

Applicant

Desmond John and Gloria Isabel Savage

Owner

Desmond J and Gloria I Savage

Location

8 and 4 Buhmann Street, Cooktown

Real Property Description

Lots 16 and 17 on Plan SP219099

Area

Lot 16 - 1.6 hectares and Lot 17 - 1.71 hectares

Zone

Rural Residential (Superseded Planning Scheme for Cook Shire (2007))

Proposed Use

Reconfiguration into two (2) lots by way of boundary realignment

Current Use

Lot 16 – Vacant, Lot 17 - House

REPORT

Application has been made to Council under its Superseded IPA Planning Scheme (2007), for the issue of a Development Permit for Reconfiguration of Lots 16 and 17 on Plan SP219099, located at 8 and 4 Buhmann Street Cooktown into two (2) lots, by way of boundary realignment. This application is Code Assessable Development under the Superseded Planning Scheme for Cook Shire.

PROPOSAL

The application is for a Development Permit for the reconfiguration of Lots 16 and 17 on Plan SP219099 by way of Boundary Realignment. The areas of the proposed lots are:

Proposed Lot 16 – 2.741hectares

Proposed Lot 17 – 4.180 sq metres

The proposed boundary realignment removes 1.292 hectares from existing Lot 17 and adds it to existing Lot 16.

Access to the proposed development must be via the existing approved accesses onto Buhmann Street.

SITE

The subject site currently has a house located on proposed Lot 17 while proposed Lot 16 is vacant. The development site is within the reticulated water and electricity area but sewerage is not available. Both proposed Lots 16 and 17 have bitumen sealed road frontage to Buhmann Street. The development site is zoned Rural Residential under Council's Superseded Planning Scheme (Planning Scheme for Cook Shire 2007) and is within the Hillslopes Overlay (30 meter contour) area. The site is located at 8 (Lot 16) and 4 (Lot 17) Buhmann Street, Cooktown.

TOWN PLANNING CONSIDERATIONS

The applicant has requested in writing that this application be assessed under Council's Superseded IPA Planning Scheme (Planning Scheme for Cook Shire 2007) and this has been agreed to by Council. The development site is zoned Rural Residential under this Scheme and Reconfiguration of the lots is Code Assessable Development. The purpose of the Rural Residential Zone Code is to achieve the following overall outcomes for the Rural Residential Zone:

- *Rural residential areas provide large lots offering a high standard of residential amenity in a semi-rural setting;*
- *Rural uses are limited to low impact activities such as hobby farming, which are compatible with the rural residential nature of the surrounds and do not detrimentally impact upon local amenity via odour, chemical sprays, traffic or noise;*
- *Rural residential zoned land identified as Future Urban Land provides for the long term expansion of the township and is protected from inappropriate subdivision or changes of use, which could jeopardise its functionality as Future Urban Land. Subdivision of Future Urban Land for urban purposes only occurs where there is a demonstrated community need;*
- *Where town water and sewerage are not available, domestic infrastructure is contained entirely within the boundaries of the site;*
- *Rural residential areas do not alienate Good Quality Agricultural Land or compromise farming activities on adjoining Rural zoned land;*
- *Rural residential areas have access to community services and facilities; and*
- *The environmental and biodiversity values of the Rural Residential zoned land are protected.*

The development site is located within the Hillslopes Overlay (30 meter contour) area as identified on Map 15 of the Superseded Planning Scheme and is within the identified Future Urban Expansion Area.

CODE REQUIREMENTS

The Planning Scheme for Cook Shire 2007 (Superseded Scheme) identifies the following Codes as being applicable to this development application:

- Rural Residential Zone Code
- Reconfiguration of a Lot Code
- Works, Services and Infrastructure Code
- Parking and Access Code
- Hillslopes Overlay Code
- Natural Hazards Code

The proposed development is acceptable from a planning point of view and the proposed Reconfiguration (Boundary Realignment) complies with the relevant Performance Criteria applicable to this application.

REFERRAL AGENCIES

There are no Referral Agencies triggered for the purpose of this application.

DISCUSSION

The proposed development application is for reconfiguration of a lot by way of boundary realignment, and will not result in the creation of any additional lots. Proposed Lots 16 and 17 created by this boundary realignment still comply with the minimum areas and dimensions as listed in Schedule 1 of the Reconfiguration of a Lot Code for Rural Residential zoned lots with reticulated water. The development site is within the reticulated water and electricity area with proposed Lot 17 already connected to water and electricity. Proposed Lots 16 and 17 front the bitumen sealed Buhmann Street with access to be provided by the existing approved accesses. The development is consistent with the intent of the Rural Residential Zone Code and complies with the relevant Performance Criteria applicable to this application. The development is therefore recommended to Council for approval, subject to Conditions.

RECOMMENDATION

That the application by Desmond John Savage and Gloria Isabel Savage for a Development Permit DA/3727, Reconfiguration of Lots 16 and 17 on Plan SP219099 located at 8 and 4 Buhmann Street, Cooktown into two (2) lots by way of boundary realignment be approved subject to the following conditions:

A. Assessment Manager (Council) Conditions**Approved Plans**

1. The development must be carried out generally in accordance with the following Proposal Plan (Appendix 'A') submitted with the application, except for any variations required to comply with the conditions of this approval:
 - SLS Surveying & Mapping – Proposed Boundary Realignment – Plan Number 2388 – Date 01/02/2017.

Access

2. Access to proposed Lots 16 and 17 must be from Buhmann Street via the existing Council approved accesses.

Water Supply

3. Proposed Lot 16 must be connected to the reticulated water supply by means of separate metered connection at the time of application for a development permit to carry out building works.

Effluent Disposal

4. Wastewater treatment and disposal applications must include details of proposed wastewater disposal systems and calculations demonstrating compliance with the Queensland Plumbing and Wastewater Code and AS/NZS, 1547:2000 – On-site Domestic Wastewater Management. Details are to be provided at the time of lodgement of a Plumbing and Building application.

Electricity

5. Proposed lot 16 must be connected to the reticulated electricity supply via underground reticulation at the time of application for a development permit to carry out building works.

Fire Management

6. The development must be maintained at all times to a standard so as not to create a fire hazard.

Stormwater Drainage

7. All stormwater drainage must be to a legal point of discharge.

Slope and Erosion Protection

8. All native vegetation in areas that have a slope of 30%, are highly erosion prone, are unstable or are intermittent water courses must be retained.

Cut and Fill

9. Operational Works permits must be obtained from Council prior to filling or excavation activities involving:
 - a) >10 cubic metres of material; or
 - b) On a slope with a gradient of 15% or greater.

Dwelling House

10. A development permit must be obtained from Council for making a Material Change of Use of Premises for a House on proposed Lot 16 prior to any building application for a house being approved.

Public Utilities

11. The developer is responsible for the cost of any alteration to Public Utilities as a result of complying with Conditions of this approval.

Telecommunication Supply

12. Proposed Lot 16 must be connected to Telecommunication services at the time of application for a development permit to carry out building works.

Building Alignment Setback

13. A building alignment setback of forty metres from the Mulligan Highway frontage of proposed Lot 16 shall apply to all new structures located on the subject land.

Compliance

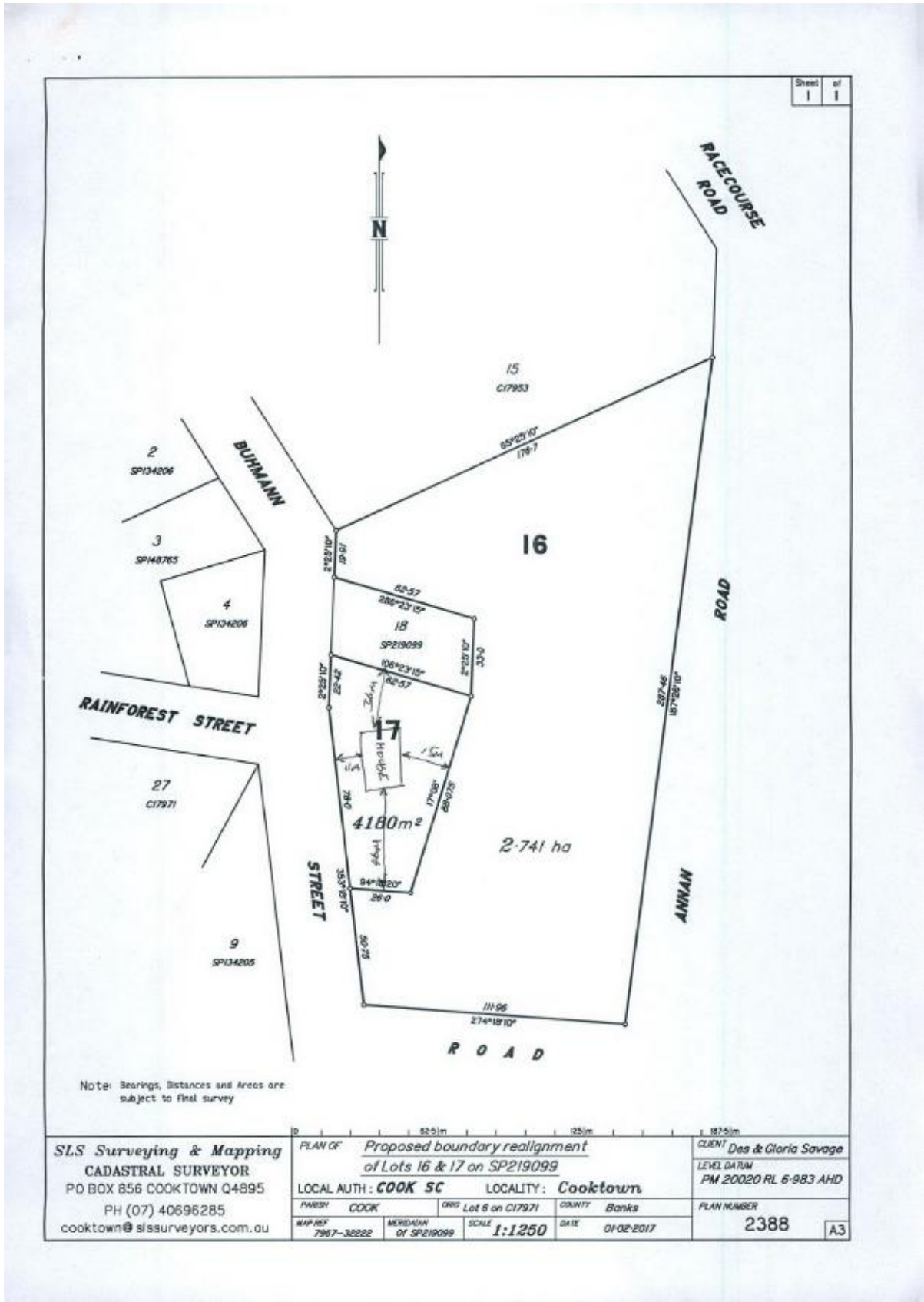
14. All relevant Conditions of this Development Permit must be complied with prior to the Plan of Survey being submitted to Council for endorsement.

Outstanding Charges

15. All rates, service charges, interest and other charges levied on the land are to be paid prior to Council Endorsement of the Plan of Survey.

Endorsement

16. The reconfiguration of a lot approval authorised 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.



6 GENERAL BUSINESS