



MINUTES

**Planning and Environment Standing
Committee Meeting**

6 September 2019

**MINUTES OF COOK SHIRE COUNCIL
PLANNING AND ENVIRONMENT STANDING COMMITTEE MEETING
HELD AT THE ADMINISTRATION CENTRE, 10 FURNEAUX STREET, COOKTOWN
ON FRIDAY, 6 SEPTEMBER 2019 AT 9.00AM**

ACKNOWLEDGEMENT OF COUNTRY

Council acknowledges the Traditional Owners of the land on which we meet today and pays respect to Elders past, present and emerging.

1 ATTENDANCE

Cr Robyn Holmes (Deputy Mayor), Cr John Dessmann, Cr John Giese, Cr Larissa Hale, Cr Alan Wilson, Linda Cardew (Chief Executive Officer), Mr Eric Brown (Director Organisational Business Services), Lawrence Booth (Director Community, Economy and Innovation), David Klye (Director Infrastructure), Lisa Miller (Manager Planning & Environment), Michael Fallon (Planner)

2 APOLOGIES

Cr Peter Scott (Mayor), Cr Kaz Price

3 CONFIRMATION OF PREVIOUS MINUTES

COMMITTEE RESOLUTION 2019/38

Moved: Cr John Dessmann

Seconded: Cr Alan Wilson

That the minutes of the Planning and Environment Standing Committee Meeting held on 8 March 2019 be confirmed. **CARRIED**

4 BUSINESS ARISING

5 AGENDA ITEMS

5.1 DA/4043 - MAKING A MATERIAL CHANGE OF USE FOR A COMMUNITY USE (ALTERATIONS AND ADDITIONS TO THE EXISTING JAMES COOK MUSEUM), LOCATED AT 50 HELEN STREET COOKTOWN, FORMALLY DESCRIBED AS LOT 1 ON RP740816

COMMITTEE RESOLUTION 2019/39

Moved: Cr Larissa Hale

Seconded: Cr Alan Wilson

1. That the following reasons for the decision be included on the notice on Council's website (as required by section 63(4) of the *Planning Act 2016*) in the event that Council decides to approve the application:

- (a) An assessment was made against the applicable strategic framework and assessment benchmarks of the *Cook Shire Council Planning Scheme 2017* and the proposed development demonstrated compliance.

(b) The proposed development will have no detrimental impact on the surrounding land uses.

2. That the application by the National Trust of Australia (Queensland) Ltd C/- Milford Planning for Development Permit DA/4043, making a Material Change of Use for a Community Use (Alterations and Additions to the James Cook Museum) on Lot 1 on RP740816, located at 50 Helen Street Cooktown, be approved subject to reasonable and relevant conditions.

A. ASSESSMENT MANAGER (COUNCIL) CONDITIONS

Approved Plans

1. The development must be carried out generally in accordance with the following plans (Appendix A), except for any variation required to comply with these conditions of approval:
- Locality Plan, prepared by Stephen de Jersey Architect, dated 12.04.2019, reference 1727-DD1.1 and revision A;
 - Survey Plan, prepared by Stephen de Jersey Architect, dated 12.04.2019, reference 1727-DD1.2 and revision A;
 - Demolition Plans – Ground Plan, prepared by Stephen de Jersey Architect, dated 12.04.2019, reference 1727-DD2.1 and revision A;
 - Demolition Plans – Mid-Level Plan, prepared by Stephen de Jersey Architect, dated 12.04.2019, reference 1727-DD2.1a and revision A;
 - Demolition Plans – Upper Plan, prepared by Stephen de Jersey Architect, dated 12.04.2019, reference 1727-DD2.2 and revision A;
 - Demolition Plans – Attic Plan, prepared by Stephen de Jersey Architect, dated 12.04.2019, reference 1727-DD2.3 and revision A;
 - Demolition Plans – Roof Plan, prepared by Stephen de Jersey Architect, dated 12.04.2019, reference 1727-DD2.4 and revision A;
 - Demolition Elevations, prepared by Stephen de Jersey Architect, dated 12.04.2019, reference 1727-DD2.5 and revision A;
 - Demolition Elevations, prepared by Stephen de Jersey Architect, dated 12.04.2019, reference 1727-DD2.6 and revision A;
 - Demolition Elevations, prepared by Stephen de Jersey Architect, dated 12.04.2019, reference 1727-DD2.7 and revision A;
 - Demolition Elevations, prepared by Stephen de Jersey Architect, dated 12.04.2019, reference 1727-DD2.8 and revision A;
 - Demolition Elevations, prepared by Stephen de Jersey Architect, dated 12.04.2019, reference 1727-DD2.9 and revision A;
 - Proposed Plans – Ground Plan, prepared by Stephen de Jersey Architect, dated 12.04.2019, reference 1727-DD3.1 and revision A;
 - Proposed Plans – Upper Plan, prepared by Stephen de Jersey Architect, dated 12.04.2019, reference 1727-DD3.2 and revision A;
 - Proposed Plans – Attic Plan, prepared by Stephen de Jersey Architect, dated 12.04.2019, reference 1727-DD3.3 and revision A;

- Proposed Plans – Roof Plan, prepared by Stephen de Jersey Architect, dated 12.04.2019, reference 1727-DD3.4 and revision A;
- Proposed Elevations, prepared by Stephen de Jersey Architect, dated 12.04.2019, reference 1727-DD3.5 and revision A;
- Proposed Elevations, prepared by Stephen de Jersey Architect, dated 12.04.2019, reference 1727-DD3.6 and revision A;
- Proposed Sections, prepared by Stephen de Jersey Architect, dated 12.04.2019, reference 1727-DD3.7 and revision A;
- Proposed Sections, prepared by Stephen de Jersey Architect, dated 12.04.2019, reference 1727-DD3.8 and revision A;
- Proposed Sections, prepared by Stephen de Jersey Architect, dated 12.04.2019, reference 1727-DD3.9 and revision A;
- Proposed Visualisations, prepared by Stephen de Jersey Architect, dated 12.04.2019, reference 1727-DD3.10 and revision A;
- Proposed Visualisations, prepared by Stephen de Jersey Architect, dated 12.04.2019, reference 1727-DD3.11 and revision A;
- Proposed Visualisations, prepared by Stephen de Jersey Architect, dated 12.04.2019, reference 1727-DD3.12 and revision A;
- Sections 2.1, 2.3, 2.4, 3.8 and 3.9 of the Design Development Report: James Cook Museum Refresh – “A Modern Act of Reconciliation” Prepared for: The National Trust of Australia (Queensland), prepared by Stephen de Jersey Architect, dated 10.05.2019 and revision A;
- Proposed Plans – Roof Plan, prepared by Stephen de Jersey Architect, dated 12.04.2019, reference 1727-DD3.4 and revision A.

Vehicle Access

2. Vehicle access to the site must be via the proposed access crossover on Furneaux Street.

Road Works and Car parking

3. The applicant must extend the bitumen seal on Furneaux Street to the existing Kerb and Channel, from the proposed access crossover on Furneaux Street to the corner of Furneaux Street and Helen Street. Construction must be in accordance with the FNQROC Development Manual requirements. Engineering drawings must be submitted for approval by Council’s Director Infrastructure as part of an Operational Works application prior to work commencing.
4. Parking on the Helen Street frontage must remain as bitumen sealed angled car parking spaces, with the provision of two (2) disabled car parking spaces. Construction must be in accordance with the FNQROC Development Manual requirements. Engineering drawings must be submitted for approval by Council’s Director Infrastructure as part of an Operational Works application prior to work commencing.
5. The applicant must provide three (3) parallel spaces on the (widened) Furneaux Street frontage. Construction must be in accordance with the FNQROC Development Manual requirements. Engineering drawings must be submitted for approval by Council’s Director Infrastructure as part of an Operational Works application prior to work commencing.
6. The applicant is to provide a concrete footpath linking the existing crossing of the Helen

Street Kerb with the approved pedestrian ramp, as per the approved plans. Construction must be in accordance with the FNQROC Development Manual requirements. Engineering drawings must be submitted for approval by Council's Director Infrastructure as part of an Operational Works application prior to work commencing.

Operational Works

7. Prior to the commencement of construction of external works other than by Council, an application must be submitted for a development permit for Operational Works for the following:
- Road works;
 - Pedestrian and disabled persons access; and
 - Erosion and sediment control.

This application will need to include Operational Works plans prepared by a Registered Professional Engineer Queensland in accordance with the FNQROC Development Manual standards and are to be to the satisfaction of Council's Director Infrastructure Services.

Certificate and Maintenance

8. Upon completion of the works required by Condition seven (7), a certificate from a Registered Professional Engineer Queensland is to be submitted to Council stating that the works have been carried out properly and in accordance with the plans and specifications approved by Council. The certificate shall set out the full engineering details of the works as completed and shall show all relevant survey data and levels, together with a bond for five (5) percent of the total works costs, to meet the costs of any maintenance period not exceeding twelve (12) months.

Construction Waste Management Plan

9. The applicant is to prepare and submit to Council a Construction Waste Management Plan. The Plan is to be approved by Council's Manager Planning and Environment before the development permit for building works is issued.

Disabled Access

10. Disabled persons access to the development must be provided to the satisfaction of Council's Manager Planning and Environment and Director Infrastructure.

Public Utilities

11. The proposal is to be connected to the reticulated water system, sewerage system and electricity supply prior to the commencement of the use.
12. The applicant is responsible for the cost of any alteration or repair to public utilities as a result of complying with these conditions of approval, or damage as a result of construction.
13. Utilities design must be in accordance with the FNQROC Development Manual D8 Operational Works Design Guidelines "Utilities".

Colour Scheme

14. The development must be painted in a heritage colour scheme sympathetic to the building's architectural style and the streetscape generally. Details are to be provided at the time of lodgement of a building application.

Environmental

15. The applicant must ensure that no soil or silt runoff occurs from the site during the

construction and operational phase of the development.

16. No State Declared or environmental pest plants and pest animals are to be introduced onto the property.

Stormwater

17. Stormwater must be directed to a legal point of discharge. Details are to be provided at the time of a Building application.

Heritage Kerb and Channel

18. The development must have no impact on the heritage registered Early Granite Kerbing and Channelling, Cooktown, QHR 60173. Adequate temporary protection of that kerbing and channelling will be required if the construction activity proposed vehicle crossing of the kerb and channelling of Furneaux and Helen Street.

Outstanding Charges

19. All rates, service charges, interest and other charges levied on the land are to be paid prior to construction.

Infrastructure Charges

20. Infrastructure Charges must be paid to Council at the time of Building Application, as indicated on the attached Adopted Infrastructure Charges Notice at the rate applicable at the time of payment (see Appendix B).

Currency Period

21. The currency period for this approval is six (6) years. Should the approved use not be established within this time, the approval shall lapse.

B. CONCURRENCE AGENCY RESPONSE AND CONDITIONS

See attached Referral Agency response with conditions from the Department of State Development, Manufacturing, Infrastructure and Planning (DSDMIP) dated 18 July 2019.

C. ASSESSMENT MANAGER (COUNCIL) ADVICE

1. A development permit is required for carrying out Building Works (including demolition), 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.
2. The applicant/owner must notify Council their intention to commence use after acceptance of and compliance with these conditions or negotiated conditions (or court determined conditions) and prior to the commencement of the use. This will allow a check for compliance with conditions to be carried out by Council officers.
3. The applicant/owner is to ensure compliance with the requirements of the *Aboriginal Cultural Heritage Act* and in particular 'the duty of care' that it imposes on all landowners.
4. Council advises that the Cooktown community be consulted prior to the removal of the Mango Tree (*Mangifera indica*) on the north-western corner of the property, as to its removal for the reasons identified in the '*Vegetation Survey of the James Cook Museum, Cooktown*' prepared by the Curator of the Cooktown Botanic Gardens.

CARRIED

6 GENERAL BUSINESS

The Meeting closed at 9.08am.

The minutes of this meeting will be confirmed at the next Planning and Environment Standing Committee Meeting to be held as required.

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CHAIRPERSON