



MINUTES

Planning and Environment Standing Committee Meeting

26 May 2020

**MINUTES OF COOK SHIRE COUNCIL
PLANNING AND ENVIRONMENT STANDING COMMITTEE MEETING
HELD AT THE ADMINISTRATION CENTRE, 10 FURNEAUX STREET, COOKTOWN
ON TUESDAY, 26 MAY 2020 AT 9.00AM**

1 AGENDA CONTENTS

2 ATTENDANCE

Cr Robyn Holmes (Deputy Mayor), Cr Peter Burns, Cr John Dessmann, Cr Larissa Hale, Cr Ross Logan, Cr Marilyn Morris, Ms Linda Cardew (Chief Executive Officer), Mr Lawrence Booth (Director Community, Economy and Innovation), Ms Heather Kelly (Director Organisational Business Services), Mr David Klye (Director Infrastructure), Ms Lisa Miller (Manager Planning and Environment), Mr Michael Fallon (Planning Officer)

3 MEETING OPENED

9.00am

4 APOLOGIES

Cr Peter Scott (Mayor)

5 ACKNOWLEDGEMENT OF COUNTRY

On behalf of all Councillors, the Deputy Mayor acknowledged the Guugu Yimithirr people, Traditional Custodians of the land on which we meet today, and paid respects to their Elders past, present and emerging.

6 DECLARATIONS OF INTEREST

Nil

7 CONFIRMATION OF PREVIOUS MINUTES

COMMITTEE RESOLUTION 2020/47

Moved: Cr Larissa Hale

Seconded: Cr John Dessmann

That the minutes of the Planning and Environment Standing Committee meeting held on 7 February 2020 be confirmed.

CARRIED

8 BUSINESS ARISING

Nil

9 AGENDA ITEMS

9.1 APPLICATION FOR A DEVELOPMENT PERMIT DA/4127 - MATERIAL CHANGE OF USE FOR A FOOD AND DRINK OUTLET AND SHORT TERM ACCOMMODATION (4 X UNITS) - LOT 910 ON C1793 - 111 CHARLOTTE STREET COOKTOWN

COMMITTEE RESOLUTION 2020/48

Moved: Cr Marilyn Morris

Seconded: Cr Ross Logan

1. That the application by Core Collective Architects C/- Ryan Strating for Development Permit DA/4127 for a Material Change of Use for a Food and Drink Outlet and Short Term Accommodation (4 x Units) on Lot 910 on C1793, located at 111 Charlotte Street Cooktown, be approved subject to the listed reasonable and relevant conditions.
2. 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*):
 - (a) An assessment was made against the applicable assessment benchmarks and the proposed development demonstrated compliance.
 - (b) The proposed development will have no detrimental impact on the surrounding land uses.

A. Assessment Manager (Council) Conditions

Approved Plans

1. The development must be carried out generally in accordance with the following plans submitted with the application, except for any variations required to comply with the conditions of this approval:
 - Cover Page – Core Collective Architects – Lot 910 on C1793, Charlotte Street, Cooktown – Job No.:1813 – DWG No.: A-00 – DA 02 03.2020 Development Application RFI – Date: 03.2020;
 - Site Plan – Existing, Demolition & Excavation – Core Collective Architects – Lot 910 on C1793, Charlotte Street, Cooktown – Job No.:1813 – DWG No.: A-01 – DA 02 03.2020 Development Application RFI – Date: 02.2020;
 - Site Plan – Proposed – Core Collective Architects – Lot 910 on C1793, Charlotte Street, Cooktown – Job No.:1813 – DWG No.: A-02 – DA 02 03.2020 Development Application – Date: 02.2020;
 - Proposed Floor Plan – Lower & Ground Floor – Core Collective Architects – Lot 910 on C1793, Charlotte Street, Cooktown – Job No.:1813 – DWG No.: A-03 – DA 02 03.2020 Development Application RFI – Date: 03.2020;
 - Proposed Floor Plan – Upper Floor – Core Collective Architects – Lot 910 on C1793, Charlotte Street, Cooktown – Job No.:1813 – DWG No.: A-04 – DA 02 03.2020 Development Application RFI – Date: 03.2020;
 - Elevations – Core Collective Architects – Lot 910 on C1793, Charlotte Street, Cooktown – Job No.:1813 – DWG No.: A-05 – DA 02 03.2020 Development Application RFI – Date: 03.2020.

Water Supply

2. The development must be connected to the reticulated water supply at the time of construction at full cost to the applicant.
3. Water service connection for the development must be a minimum of 32mm service.

Sewerage

4. The development must be connected to the reticulated sewerage scheme at the time of construction, at full cost to the applicant. Plans must be submitted for approval by Council's Plumbing Inspector prior to works commencing.

Amenity

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

Access

6. Access to the proposed development must be from Charlotte Street.

Stormwater

7. Stormwater drainage must be in accordance with the approved plans and be directed to a legal point of discharge.

Electricity

8. The development must be connected to the reticulated electricity supply.

Landscaping

9. Landscaping must be provided as follows:
 - Plantings must be in accordance with Council's Landscaping Planning Scheme Policy;
 - Landscaped areas must be subject to regular and on-going maintenance, including the timely replacement of damaged or dead plants; and
 - Landscaping must enhance the residential amenity of the development.

Refuse Bins

10. Refuse bins must not be stored on the Charlotte Street frontage for any period greater than twenty-four (24) hours.
11. All bins and waste storage areas are to be located on site and screened so as to not be visible from the street or neighbouring properties.

Infrastructure Agreement

12. The applicant must enter into an infrastructure agreement with Council for a car parking contribution prior to the commencement of the use.

Colour Scheme

13. The colour scheme used on the development must be sympathetic to the buildings architectural style and the streetscape generally. Details of the colour scheme to be used must be submitted to Council's Manager Planning and Environment for approval at the time of building application.

Outstanding Charges

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

the certificate of classification.

Infrastructure Charges

15. Infrastructure charges must be paid to Council at the time of building application for the Short Term Accommodation and Food and Drink Outlet use indicated on the Adopted Infrastructure Charges Notice ('Appendix 'B') at the rate applicable at the time of payment.

Public Utilities

16. The developer is responsible for the cost of any alterations to public utilities as a result of complying with the conditions of this approval.

Currency Period

17. The currency period for this development approval is six (6) years. Should the use of the Short Term Accommodation and Food and Drink Outlet not be established within this time, the approval shall lapse.

Environmental Protection

18. The development is to comply with the provisions of the *Environmental Protection Act 1994* in relation to dust, noise, wastewater and any other contaminants that may cause environmental harm or nuisance, particularly during construction activities.

Filling and Excavation

19. Filling and excavation works are to comply with the FNQROC Development Manual.

B. Assessment Manager (Council) Advice

1. A development permit is required for carrying out Building Works, 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 of their intention to commence the use after acceptance of and compliance with these conditions, or negotiated decisions (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 2003*, and in particular - 'the duty of care' that it imposes on all landowners.
4. The food business must comply with the *Food Standards Code* and a person must apply for a food business licence before commencement of trade. An application for a licence should be submitted to Council including detailed plans of the proposed layout and fit out of the kitchen and associated activities.

CARRIED

9.2 APPLICATION FOR A DEVELOPMENT PERMIT DA/4162 - MATERIAL CHANGE OF USE FOR A NON-RESIDENT WORKFORCE ACCOMMODATION - LOT 10 ON SP254684 - PENINSULA DEVELOPMENT ROAD LAKELAND

COMMITTEE RESOLUTION 2020/49

Moved: Cr John Dessmann

Seconded: Cr Larissa Hale

1. That the application by Raymond and Cheryl Fitzgerald C/- U&i Town Plan for Development Permit DA/4162 for a Material Change of Use for a Non-Resident Workforce Accommodation on Lot 10 on SP254684, located at Peninsula Development Road Lakeland, be approved subject to the listed reasonable and relevant conditions.
2. 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*):
 - (a) An assessment was made against the applicable assessment benchmarks and the proposed development demonstrated compliance.
 - (b) The proposed development will have no detrimental impact on the surrounding land uses.

A. Assessment Manager (Council) Conditions

Approved Plans

1. The development must be carried out generally in accordance with the following plans submitted with the application, except for any variations required to comply with the conditions of this approval:
 - Proposed Site Plan – Non-resident Workforce Accommodation (1 Unit) – Lot 10 on SP254684;
 - Site Plan, General Notes, etc. – Job No. 920662 Sheet No. 1 – Certified by KFB Engineers – Dated 08.08.2019;
 - Elevations, Notes, etc. – Job No. 920662 Sheet No. 2 – Certified by KFB Engineers – Dated 08.08.2019;
 - General Arrangement Plan, Notes, etc. – Job No. 920662 Sheet No. 3 – Certified by KFB Engineers – Dated 08.08.2019;
 - Section A, Details, Notes, etc. – Job No. 920662 Sheet No. 4 – Certified by KFB Engineers – Dated 08.08.2019;
 - Section B, Details, Notes, etc. – Job No. 920662 Sheet No. 5 – Certified by KFB Engineers – Dated 08.08.2019;
 - Footing Plan, Details, Notes, etc. – Job No. 920662 Sheet No. 6 – Certified by KFB Engineers – Dated 08.08.2019;
 - Roof Framing Plan, Details, Notes, etc. – Job No. 920662 Sheet No.7 – Certified by KFB Engineers – Dated 08.08.2019;
 - Roof Framing Plan, Details, Notes, etc. – Job No. 920662 Sheet No. 8 – Certified by KFB Engineers – Dated 08.08.2019.

Access

2. The road access location is to be located generally in accordance with TMR Layout Plan (90B –

23.03km), prepared by Queensland Government Transport and Main Roads, dated 30/04/2020, Reference TMR20-29841(500-248) and Issue A.

Internal Driveway

3. The internal driveway must be located as per the approved Proposed Site Plan – Non-resident Workforce Accommodation (1 Unit) – Lot 10 on SP254684.

Water Supply

4. A potable water supply must be provided to the property at the time of the issue of the building approval. This would be satisfied by the provision of a rainwater tank with a minimum capacity of 50,000 litres. Where an alternative source of water supply is available within the allotment, the Applicant can provide certified evidence as to water flow rates and the water quality of bore water or other supply to eliminate or reduce the requirement of on-site water storage.

Effluent Disposal

5. 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/NZS, 1547:2000 – ‘On-site domestic wastewater management’. Details must be provided at the time of lodgement of a Plumbing and Building application.

Electricity

6. The proposed development must be connected to reticulated electricity at the time of building application. If the development is proposed to be connected to another means of electricity supply, details of this supply must be provided for Council approval at the time of building application.

Amenity

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

Fire Management

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

Stormwater

9. Stormwater must be directed to a legal point of discharge.

Environmental Protection

10. During the construction stage of the dwelling house, the Applicant must ensure that no sand, soil, or silt runoff occurs from the site. Erosion and sediment controls must be in place.

Erosion Protection

11. The development site must be landscape with appropriate native trees and shrubs to prevent erosion and silt runoff from the site once construction of the dwelling house is complete.

Public Utilities

12. The development is responsible for the cost of any alterations to public utilities as a result of complying with the conditions of this approval.

Compliance

13. All relevant conditions of this development permit must be complied with prior to the use commencing.

Currency Period

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

Outstanding Charges

15. All rates, service charges, interest and other charges levied on the land are to be paid prior to the certificate of classification.

A. Assessment Manager (Council) Advice

1. A development permit is required for carrying out Building Works, 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 of their intention to commence the use after acceptance of and compliance with these conditions, or negotiated decisions (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 2003*, and in particular - 'the duty of care' that it imposes on all landowners.

CARRIED

10 CONFIDENTIAL REPORTS

Nil

11 GENERAL BUSINESS

The Meeting closed at 9.11am.

The minutes of this meeting will be confirmed at the Planning and Environment Standing Committee Meeting held on 23 June 2020.

.....

CHAIRPERSON