



# **MINUTES**

## **Planning and Environment Standing Committee Meeting**

**27 April 2021**

**MINUTES OF COOK SHIRE COUNCIL  
PLANNING AND ENVIRONMENT STANDING COMMITTEE MEETING  
HELD AT THE COUNCIL CHAMBERS, ADMINISTRATION OFFICE, 10 FURNEAUX STREET,  
COOKTOWN  
ON TUESDAY, 27 APRIL 2021 AT 9.00AM**

**1 AGENDA CONTENTS**

**2 ATTENDANCE**

Mayor Peter Scott (Chair), Deputy Mayor Robyn Holmes, Councillor Peter Burns, Councillor John Dessmann, Councillor Larissa Hale, Councillor Ross Logan and Councillor Marilyn Morris

Linda Cardew (Chief Executive Officer), Lawrence Booth (Director Community, Economy and Innovation), Heather Kelly (Director Organisational Business Services), David Klye (Director Infrastructure) and Lisa Miller (Manager Planning and Environment)

**3 MEETING OPENED**

9.01am

**4 APOLOGIES**

Nil

**5 ACKNOWLEDGEMENT OF COUNTRY**

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

**6 DECLARATIONS OF INTEREST**

Nil

**7 CONFIRMATION OF PREVIOUS MINUTES**

**PLANNING AND ENVIRONMENT STANDING COMMITTEE MEETING**

**COMMITTEE RESOLUTION 2021/69**

Moved: Councillor Larissa Hale

Seconded: Councillor Peter Burns

That the minutes of the Planning and Environment Standing Committee Meeting held on 22 September 2020 be confirmed.

**CARRIED**

**8 BUSINESS ARISING**

Nil

**9 AGENDA ITEMS****9.1 REQUEST FOR AN EXTENSION OF THE CURRENCY PERIOD FOR DEVELOPMENT PERMIT DA/2214 - STAGE 8 OF RECONFIGURATION OF LOT 500 ON SP262378 - INTO THREE (3) LOTS - ROSSVILLE BLOOMFIELD ROAD, BLOOMFIELD****COMMITTEE RESOLUTION 2021/70**

Moved: Councillor Peter Burns

Seconded: Councillor John Dessmann

That Council grant a two (2) year extension to the currency period for Development Permit DA/2214, Reconfiguration of Lot 500 on SP262378 located at Rossville Bloomfield Road, Bloomfield, until 10 March 2023.

**CARRIED****9.2 APPLICATION FOR A DEVELOPMENT PERMIT DA/4317 - MATERIAL CHANGE OF USE FOR A DWELLING HOUSE (FLOOD AND OTHER COASTAL HAZARDS OVERLAY) - WEARY BAY ESPLANADE, BLOOMFIELD - LOT 5 ON PLAN RP734467****COMMITTEE RESOLUTION 2021/71**

Moved: Deputy Mayor Robyn Holmes

Seconded: Councillor John Dessmann

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 assessment benchmarks and the proposed development demonstrated compliance.
  - (b) The proposed development for a Dwelling House will have no detrimental impact on the surrounding land uses.
2. That the application by Camilla Haskell c/ GMA Certification for Development Permit DA/4317, Material Change of Use for a Dwelling House on Lot 5 RP734467 be approved subject to the following reasonable and relevant conditions.

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

1. The development must be carried out generally in accordance with the following Proposal Plan submitted with the application, except for any variations required to comply with the conditions of this approval:
  - Marshall Design – Elevations - Job No. 20040, Sheet SK-6/1, Date July 2020
  - Marshall Design – Elevations - Job No. 20040, Sheet SK-7/5, Date July 2020

- Marshall Design – Floor Plan Level 1 - Job No. 20040, Sheet SK-7/2, Date July 2020
- Marshall Design – Floor Plan Level 2 - Job No. 20040, Sheet SK-7/3, Date July 2020

### **Fire Management**

2. The proposed development must be provided with a 10,000L water tank with suitable fittings, exclusively for firefighting purposes to be located within 10m of the proposed dwelling house.
3. The development must be maintained at all times to a standard so as not to create a fire hazard.

### **Finished Floor Level**

4. The proposed development must achieve a finished floor level a minimum of 2.96m AHD.

Note – for information purposes only, refer advice clause 3 regarding updated projected levels.

### **Access**

5. Access to the proposed development must be constructed from Weary Bay Esplanade in accordance with the FNQROC Development Manual.

### **Water Supply**

6. A potable water supply must be provided to the property at the time of construction of the dwelling house. 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 the flow rates and water quality of the bore water or other supply to eliminate or reduce the requirement of on-site water storage.

### **Effluent Disposal**

7. An effluent disposal system must be provided to the property at the time of construction of the dwelling house. 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 are to be provided at the time of lodgement of a Plumbing and Building application.

### **Electricity**

8. 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.

### **Noise and Dust**

9. The development must ensure that during the construction stage, no nuisance is caused to the surrounding properties by way of noise or dust emissions.

### **Stormwater**

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

**Environmental Protection**

11. 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**

12. The development site must be landscaped 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**

13. 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**

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

**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 currency period for this Development Approval is six (6) years. Should the use of a 'dwelling house' not be established within this time, the approval shall lapse.
- 3) Please note, technical reports undertaken for the Coastal Hazard Adaptation Strategy identified the 1% AEP for a projected combined sea level rise and storm tide inundation for Ayton/Bloomfield for 2100 to be 2.73 m AHD. It is recommended that the proposed dwelling achieves a finished floor level of 3.03 m AHD.
- 4) The applicant/owner must notify Council their intention to commence the use after acceptable 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.
- 5) 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.
- 6) The approved use is for a Dwelling House which is defined as:  
***Dwelling House*** – means a residential use of premises involving –
  - (a) 1 dwelling for a single household and any domestic outbuildings associated with the dwelling or;
  - (b) 1 dwelling for a single household, a secondary dwelling, and any domestic outbuildings associated with either dwelling.

**CARRIED**

**9.3 REQUEST FOR A MINOR CHANGE OT DEVELOPMENT PERMIT DA/4112 - RECONFIGURING A LOT - ONE (1) INTO TWO (2) LOTS - 28 CHARLOTTE STREET, COOKTOWN - LOT 303 ON C17915****COMMITTEE RECOMMENDATION**

Moved: Councillor Ross Logan

Seconded: Councillor Peter Burns

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) The proposed changes represent a minor change to the approval and compliance is achieved with applicable assessment benchmarks.
2. That the Minor Change application submitted by Kerry Hobbs and Debra Wade for a Minor Change to existing development approval DA/4112, Reconfiguring Lot 303 on C17915, located at 28 Charlotte Street Cooktown, into two (2) allotments be approved subject to the following amendments.

**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:
  - Proposed Plan of Development - Plan of Lots 32 & 33 Cancelling Lot 303 on C17915 – SP306391 – Prepared by Eddy Luigi Picco – Dated 06-06-2019.
  - Property Access – Drawing Number KH010221-C01, Revision A, Dated Feb 2021

**Access**

2. Access to proposed Lots 32 and 33 must be located generally in accordance with the approved plan of development via a shared six (6) metre wide crossover from the Charlotte Street frontage, and be constructed in accordance with the requirement of the FNQROC Development Manual; Drawing numbers ~~S1015 and S1105~~ Typical Alternative Floodway Type Access, and Design Manual D1, Road Geometry, section D1.17. The crossover shall be designed and constructed to the requirements of Australian Standard AS2890.1:2004, in particular Section 3: Access Facilities to Off-Street Parking Areas and Queuing Areas. ~~Culverts shall be designed and installed in accordance with Drawing S1105. The pipe size shall be a minimum of 600mm diameter.~~ Access between the property boundary and the road must be concrete sealed.
3. Evidence must be provided at the time of lodgement of Operational Works application for the driveway construction, that stormwater flows will not impact on neighbouring properties. ~~The level of the driveway must be raised to satisfy the site line condition as per AS2890.1:2004, Section 3: Access Facilities to Off-Street Parking Areas and Queuing Areas. The existing services must be raised accordingly.~~
4. The applicant must submit a Traffic Management Plan written by a suitably qualified person for Council approval for the works on the road reserve.

**Operational Works**

5. Engineering Plans must be submitted for approval by Council's Director Infrastructure Services as part of an Operational Works application prior to works commencing for construction of access crossovers (Conditions 2, 3 and 4). These plans must provide evidence that the sight distance requirements as per AS2890.1:2004 will be met.

**Access Handle**

6. The access handle must be located entirely within the boundary of proposed Lot 32, and must:
  - (a) Minimise impacts on adjoining properties;
  - (b) Allow all weather practical access;
  - (c) Prevent erosion and sedimentation due to movement of vehicles;
  - (d) Minimise dust generate; and
  - (e) Ensure stormwater flow is managed and discharged to a legal point of discharge.

**Water Supply**

7. Proposed Lots 32 and 33 must be able to be connected to the reticulated water supply prior to the Council endorsement of the Plan of Survey.
8. Proposed Lots 32 and 33 must be connected to the reticulated water supply at the time of building application.

**Sewerage**

9. Proposed Lots 32 and 33 must be able to be connected to the reticulated sewerage scheme prior to Council endorsement of the Plan of Survey.

**Stormwater Drainage**

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

**Electricity**

11. Each proposed lot must be provided with a reliable electricity supply at the time of construction of a dwelling house. Written evidence of such electricity supply must be provided at the time of lodgement of a building application for a house.

**Fire Management**

12. The development must be maintained at all times to a standard so as not to create a fire hazard.
13. Any new building (other than a class 10a) erected on any of the proposed lots shall:
  - Be sited in locations of lowest bushfire hazard within the lot;
  - Achieve setbacks from fire hazardous vegetation of 1.5 times the predominant mature canopy tree height, or ten (10) metres, whichever is greater.

**Environmental Protection**

14. No State declared or environmental pest, plants or animals are to be introduced onto the property.
15. The applicant must ensure that no soil or silt runoff occurs from the site during the

construction and operational phase of the development.

### **Public Utilities**

16. The developer is responsible for the cost of any alteration to Public Utilities as a result of complying with Conditions of this approval.
17. Utilities design must be in accordance with the FNQROC Development Manual D8 Operational Works Design Guidelines "Utilities".

### **Compliance**

18. 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**

19. 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.

### **Infrastructure Charges**

20. Infrastructure charges must be paid to Council prior to Council endorsement of the Plan of Survey as indicated on the attached Adopted Infrastructure Charges Notice at the rate applicable at the time of payment.

### **Endorsement**

21. 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 four (4) years from the commencement of this approval or this approval will lapse.

### **A. Advice (Council)**

1. The applicant be advised that a further Development Permit is required for carrying out Building works, along with Plumbing and Drainage Approval/Compliance Permits required for any Plumbing and Drainage works, prior to any building construction associated with this development.
2. 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.

*Deputy Mayor Robyn Holmes moved an amendment to the motion.*

### **COMMITTEE RESOLUTION 2021/72**

Moved: Deputy Mayor Robyn Holmes

Seconded: Councillor John Dessmann

That the point two (2) of the Assessment Manager (Council) Conditions be modified as follows:

### **Access**

2. Access to proposed Lots 32 and 33 must be located generally in accordance with the approved plan of development and constructed in accordance with the requirement of the FNQROC Development Manual and Design Manual D1, Road Geometry, section D1.17. The crossover shall be designed and constructed to the requirements of Australian Standard AS2890.1:2004, in particular Section 3: Access Facilities to Off-Street Parking Areas and

Queuing Areas.

CARRIED

*The new substantive motion was formed and put to the vote.*

### COMMITTEE RESOLUTION 2021/73

Moved: Councillor John Dessmann

Seconded: Deputy Mayor Robyn Holmes

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) The proposed changes represent a minor change to the approval and compliance is achieved with applicable assessment benchmarks.
2. That the Minor Change application submitted by Kerry Hobbs and Debra Wade for a Minor Change to existing development approval DA/4112, Reconfiguring Lot 303 on C17915, located at 28 Charlotte Street Cooktown, into two (2) allotments be approved subject to the following amendments.

#### **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:
  - Proposed Plan of Development - Plan of Lots 32 & 33 Cancelling Lot 303 on C17915 – SP306391 – Prepared by Eddy Luigi Picco – Dated 06-06-2019.
  - Property Access – Drawing Number KH010221-C01, Revision A, Dated Feb 2021

##### **Access**

2. Access to proposed Lots 32 and 33 must be located generally in accordance with the approved plan of development and constructed in accordance with the requirement of the FNQROC Development Manual and Design Manual D1, Road Geometry, section D1.17. The crossover shall be designed and constructed to the requirements of Australian Standard AS2890.1:2004, in particular Section 3: Access Facilities to Off-Street Parking Areas and Queuing Areas.
3. Evidence must be provided at the time of lodgement of Operational Works application for the driveway construction, that stormwater flows will not impact on neighbouring properties. ~~The level of the driveway must be raised to satisfy the site line condition as per AS2890.1:2004, Section 3: Access Facilities to Off-Street Parking Areas and Queuing Areas. The existing services must be raised accordingly.~~
4. The applicant must submit a Traffic Management Plan written by a suitably qualified person for Council approval for the works on the road reserve.

##### **Operational Works**

5. Engineering Plans must be submitted for approval by Council's Director Infrastructure

Services as part of an Operational Works application prior to works commencing for construction of access crossovers (Conditions 2, 3 and 4). These plans must provide evidence that the sight distance requirements as per AS2890.1:2004 will be met.

### **Access Handle**

6. The access handle must be located entirely within the boundary of proposed Lot 32, and must:
  - (a) Minimise impacts on adjoining properties;
  - (b) Allow all weather practical access;
  - (c) Prevent erosion and sedimentation due to movement of vehicles;
  - (d) Minimise dust generate; and
  - (e) Ensure stormwater flow is managed and discharged to a legal point of discharge.

### **Water Supply**

7. Proposed Lots 32 and 33 must be able to be connected to the reticulated water supply prior to the Council endorsement of the Plan of Survey.
8. Proposed Lots 32 and 33 must be connected to the reticulated water supply at the time of building application.

### **Sewerage**

9. Proposed Lots 32 and 33 must be able to be connected to the reticulated sewerage scheme prior to Council endorsement of the Plan of Survey.

### **Stormwater Drainage**

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

### **Electricity**

11. Each proposed lot must be provided with a reliable electricity supply at the time of construction of a dwelling house. Written evidence of such electricity supply must be provided at the time of lodgement of a building application for a house.

### **Fire Management**

12. The development must be maintained at all times to a standard so as not to create a fire hazard.
13. Any new building (other than a class 10a) erected on any of the proposed lots shall:
  - Be sited in locations of lowest bushfire hazard within the lot;
  - Achieve setbacks from fire hazardous vegetation of 1.5 times the predominant mature canopy tree height, or ten (10) metres, whichever is greater.

### **Environmental Protection**

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

### **Public Utilities**

16. The developer is responsible for the cost of any alteration to Public Utilities as a result of complying with Conditions of this approval.
17. Utilities design must be in accordance with the FNQROC Development Manual D8 Operational Works Design Guidelines "Utilities".

### **Compliance**

18. 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**

19. 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.

### **Infrastructure Charges**

20. Infrastructure charges must be paid to Council prior to Council endorsement of the Plan of Survey as indicated on the attached Adopted Infrastructure Charges Notice at the rate applicable at the time of payment.

### **Endorsement**

21. 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 four (4) years from the commencement of this approval or this approval will lapse.

### **A. Advice (Council)**

1. The applicant be advised that a further Development Permit is required for carrying out Building works, along with Plumbing and Drainage Approval/Compliance Permits required for any Plumbing and Drainage works, prior to any building construction associated with this development.
2. 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**

## **9.4 APPLICATION FOR A DEVELOPMENT PERMIT DA/4211 - MATERIAL CHANGE OF USE FOR EDUCATIONAL ESTABLISHMENT (OVAL AND PREP BUILDING) 12 CHARLES STREET, COOKTOWN - LOT 27 ON C17945; LOTS 1-12 ON RP703341 AND LOT 34 ON SP313412**

### **COMMITTEE RESOLUTION 2021/74**

Moved: Councillor Marilyn Morris

Seconded: Councillor Peter Burns

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 assessment benchmarks and the proposed development demonstrated compliance.
  - (b) The development of a sports oval and Prep building for the Endeavour Christian

College will see continued investment in the education sector in Cook Shire and enhance the school facility for the local community;

(c) The proposed development for an Educational Establishment (Oval and Prep Building) will have no detrimental impact on the surrounding land uses.

2. That the application by Christian Community Ministries Ltd c/- Lennox Planning and Development (Wendy Santana) for a Material Change of Use for Educational Establishment (Oval and Prep Building) over land described as Lot 27 C17945; Lots 1-12 RP703341; and Lot 34 SP313412 at 12 Charles Street, Cooktown, be approved subject to the following reasonable and relevant conditions.

#### **A. ASSESSMENT MANAGER (COUNCIL) CONDITIONS**

##### **Approved Plans**

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:

- Proposed Athletics Track at 12 Charles Street, Cooktown QLD - Title Page – Dwg No.: C-00 – Revision: B – Dated: 29-05-2020 - Project No. 19-112 - Prepared by: Thirkell Consulting Engineers & Building Design;
- Proposed Athletics Track at 12 Charles Street, Cooktown QLD – Earthworks Details & Notes – Dwg No.: C-01 – Revision: C – Dated: 09-06-2020 – Project No. 19-112 - Prepared by: Thirkell Consulting Engineers & Building Design;
- Proposed Athletics Track at 12 Charles Street, Cooktown QLD – Earthworks Details & Notes – Dwg No.: C-04 – Revision: B – Dated: 29-05-2020 – Project No. 19-112 - Prepared by: Thirkell Consulting Engineers & Building Design;
- Proposed Athletics Track at 12 Charles Street, Cooktown QLD – Section & Details – Dwg. No.: C-06 – Revision: B – Dated: 29-05-2020 – Project No. 19-112 - Prepared by: Thirkell Consulting Engineers & Building Design;
- Proposed Athletics Track at 12 Charles Street, Cooktown QLD – Sections – Part 2 – Dwg. No.: C-07 – Revision: B – Dated: 29-05-2020 – Project No. 19-112 - Prepared by: Thirkell Consulting Engineers & Building Design;
- Proposed Athletics Track at 12 Charles Street, Cooktown QLD – Erosion & Sediment Control – North Side – Dwg. No.: ESC-01 – Revision: B – Dated: 29-05-2020 – Project No. 19-112 - Prepared by: Thirkell Consulting Engineers & Building Design;
- Proposed Athletics Track at 12 Charles Street, Cooktown QLD – Erosion & Sediment Control – South Side – Dwg. No.: ESC-02 – Revision: B – Dated: 29-05-2020 – Project No. 19-112 - Prepared by: Thirkell Consulting Engineers & Building Design;
- Proposed Athletics Track at 12 Charles Street, Cooktown QLD – Erosion & Sediment Control Details – Dwg. No.: ESC-03 – Revision: B – Dated: 29-05-2020 – Project No. 19-112 - Prepared by: Thirkell Consulting Engineers & Building Design;
- Proposed Prep School Facility – Site Plan, Location & Perspective – Dwg. No.: SK-A01 – Revision: P1 – Dated: 28-08-2019 – Project No. END.12 – Prepared by: Alpha Architects;
- Proposed Prep School Facility – Floor Plan – Dwg. No.: SK-A02 – Revision: P1 – Dated: 28-08-19 - Project No. END.12 - Prepared by: Alpha Architects;
- Proposed Prep School Facility – Elevations – Dwg. No.: SK-A03 – Revision: P1 – Dated: 28-08-2019 - Project No. END.12 - Prepared by: Alpha Architects;

- Proposed Oval – Plan – Dwg. No.: SK-A01 – Revision: P1 – Dated: 23-2-18 - Project No. END.11 - Prepared by: Alpha Architects;
- Proposed Prep Building – Overall Site Plan – Dwg. No.: SK-A04 – Revision: C - Dated: 04-05-2020 – Project No. END.12 - Prepared by: Alpha Architects;
- Proposed Athletics Track at 12 Charles Street, Cooktown, QLD – Earthworks Plan Showing DL, Cut & Fill – North End. Part 1 of 2 Sheets - Dwg. No.: C-02 – Revision: C – Dated: 20-11-2020 – Project No. 19-112 – Prepared by: Thirkell Consulting Engineers & Building Design;
- Proposed Athletics Track at 12 Charles Street, Cooktown, QLD – Earthworks Plan Showing DL, Cut & Fill – North End. Part 2 of 2 Sheets - Dwg. No.: C-02 – Revision: C – Dated: 20-11-2020 – Project No. 19-112 – Prepared by: Thirkell Consulting Engineers & Building Design;
- Proposed Athletics Track at 12 Charles Street, Cooktown, QLD – Gate, Basin and Ford Details - Dwg. No.: C-05 – Revision: C – Dated: 20-11-2020 – Project No. 19-112 – Prepared by: Thirkell Consulting Engineers & Building Design.

### **Staging**

2. Stage 1 includes the new Prep Building as indicated on the proposal plans and Stage 2 includes the new Oval. Conditions in this permit apply to all stages unless otherwise specified.

### **Capacity**

3. The maximum capacity of the school is capped at 210 students and 15 staff.

### **Water Supply**

4. The development must be connected to the reticulated water supply prior to the commencement of Stage 1 at full cost to the applicant.

### **Effluent Disposal**

5. The development must be connected to the reticulated sewerage scheme prior to the commencement of Stage 1, at full cost to the applicant. Plans must be submitted as part of a plumbing application for approval by Council's Plumbing Inspector prior to works commencing.

### **Amenity**

6. There shall be no adverse impact on the amenity of the surrounding area by reason of light nuisance, dust, or noise. No flood lighting is to be installed for the Oval.

### **Electricity Supply**

7. The applicant is to ensure that the Prep building has a reliable electricity supply, prior to the commencement of Stage 1.

### **Roadworks**

8. Prior to the commencement of Stage 2, the applicant must extend the bitumen seal on Parkinson Street to the location of the proposed access crossover to the oval, as indicated on 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.

### **Vehicle Access**

9. Emergency Access must be provided to the proposed Oval from Parkinson Street prior to the commencement of Stage 2 and be located as indicated on the approved plans.
10. Access from the property boundary to the road pavement must be bitumen sealed and be

constructed to the requirements of the FNQROC Manual.

### **Amalgamation**

11. Lots 27 on C17945; Lots 1-12 on RP703341; and Lot 34 on SP313412 must all be amalgamated prior to the lodgement of an application to carry out building or plumbing works for Stage 2.

### **Operational Works**

12. Prior to the commencement of construction of external works for Stage 2, other than by Council, an application must be submitted for a development permit for Operational Works for the following:

- Cut and Fill (Earthworks)
- Erosion and Sediment Control; and
- Road Works (Condition 8).

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.

### **Certificate and Maintenance**

13. Upon completion of the road works required by Condition 12, 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.

### **Public Utilities**

14. 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".

### **Bushfire**

15. The development must be maintained at all times to a standard so as not to create a fire hazard. In particular, the recommendations of the Bushfire Hazard Report prepared by Firescape Science dated 24 April 2020 must be implemented including:

- a. Using rainforest or other low flammability species in landscaping; and
- b. Maintenance to a low level of guinea grass bordering the proposed oval.

16. Firebreaks from hazardous vegetation surrounding the Prep building (of 1.5 times the predominant mature canopy tree height or 10 m, whichever is the greater) must be maintained by the owners at all times and flammable material must not be allowed to build up around the buildings so as not to create a fire hazard.

### **Environmental**

17. The applicant must ensure that no soil or silt runoff occurs from the site during the construction and operational phase of the development.

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

**Stormwater**

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

**Infrastructure Charges**

20. Infrastructure Charges must be paid to Council at the time of Building Application, for Stage 1, as indicated on the attached Adopted Infrastructure Charges Notice, at the rate applicable at the time of payment (see Appendix A).

**Compliance**

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

**Outstanding Charges**

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

**Currency Period**

23. The currency period for this application is six (6) years. Should the Educational Establishment (Oval and Prep Building) not be established within this time, the approval shall lapse.

**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 the 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 protected plants flora survey trigger map identifies ‘high risk areas’ where endangered, vulnerable, or near threatened plants are known to exist or are likely to exist. Under the *Nature Conservation Act 1999* it is an offence to clear protected plants that are ‘in the wild’ unless you are authorised or the clearing is exempt, for more information see section 89 of the Act.
5. The bare-rumped sheath tail bat (vulnerable under the EPBC Act, endangered under the NC Act) was recorded on-site. If the species is found to be roosting within the site, a referral under the EPBC Act may be required.

**CARRIED**

**10 CONFIDENTIAL REPORTS**

Nil

**11 GENERAL BUSINESS**

**The Meeting closed at 9.22am.**

The minutes of this meeting will be confirmed at the Planning and Environment Standing Committee Meeting held on 25 May 2021.

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**CHAIRPERSON**