



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

Date: Tuesday, 24 August 2021
Time: 9.00am
Location: Council Chambers
Administration Office
10 Furneaux Street, Cooktown

AGENDA AND BUSINESS PAPERS

Planning and Environment Standing Committee Meeting

24 August 2021

**Linda Cardew
Chief Executive Officer**

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1 AGENDA CONTENTS

2 ATTENDANCE

3 MEETING OPENED

4 APOLOGIES

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 all Traditional Owners past, present and emerging throughout Cook Shire.

6 DECLARATIONS OF INTEREST

7 CONFIRMATION OF MINUTES

Planning and Environment Standing Committee meeting held on 27 July 2021

8 BUSINESS ARISING

9 AGENDA ITEMS

9.1 LIONS PARK PLAYGROUND SHADE STRUCTURE

File Number: D21/20104

Author: Reel Planning Pty Ltd

Authoriser: Heather Kelly, Director Organisational Business Services

Attachments:

- 1 Lions Park Playground Shade Structure - Original Plans 
- 2 Lions Park Playground Shade Structure - AHS Report 
- 3 Lions Park Playground Shade Structure - Revised Plans 
- 4 Lions Park Playground Shade Structure - Preliminary Concept 

PRECIS

This report is to gain Council's approval to progress with the revised design and plans for the shade structure to be installed above the new playground equipment in Lions Park, Cooktown.

BACKGROUND/HISTORY

In May 2021 Reel Planning was forwarded conceptual plans of a planned shade structure over Lions Park (see attachment 1) and asked to advise on the application approval requirements under the planning scheme. Reel Planning advised that a code assessable application for building works was triggered under the planning scheme as the proposed structure was identified within both the Neighbourhood Character Area (on the Character Overlay) and the Erosion Prone Area (on the Flood and other Coastal Hazards Overlay).

The primary assessment would be against the Character Overlay Code which required an assessment in relation to:

- The impacts of the structure on the historic streetscape (overall outcome a);
- The architectural style of the proposed structure and whether it was sympathetic to the original building types (overall outcome b);
- Whether the structure, being located on the waterfront and visible from both the land and water, exhibited a high standard of design (overall outcome c); and
- Whether the development had any adverse impact on an adjoining heritage place (overall outcome d).

Reel Planning was also advised that Council had received two complaints from members of the public in relation to the proposed design and the impacts that it would have on the streetscape and views through to the Endeavour River. In light of these complaints, and because the assessment against the Character Overlay Code required considerations of visual amenity and impacts, Reel Planning recommended that Council engage a specialist firm to assist. In July 2021 Council engaged Australian Heritage Specialists (AHS) to undertake a desktop assessment and provide advice about the compliance of the proposed structure with Council's planning scheme. The Initial Advice report (refer to attachment 2) included an assessment against the Character Overlay code and whilst it found that it was generally compliant with the code, it also noted (in response to PO5/AO5 of the code) that the proposed structure would potentially dominate, rather than complement the historic streetscape. In concluding the advice included a recommendation that the proposed shade structure should be modified to:

- Improve the form and scale to minimise visual impacts on the streetscape character;
- Include design improvements that could use contemporary design features that complement the surrounding heritage forms (rather than try and replicate them).

In discussion of the AHS report with Council officers, Reel Planning was provided with an alternate design for the shade structure with overlapping skillions roofs (refer to Attachment 3). Following receipt of these plans Reel Planning provided further advice to Council which concluded that:

- Having further considered the Character Overlay Code and the assessment by AHS, the original design for the structure was likely to be technically compliant with the code (and therefore able to be approved by Council), however this would potentially deliver an unintended outcome that was visually obtrusive in its context.
- Accepting that there were certain functional requirements for the shade structure (e.g. providing adequate sun protection and high enough to meet the relevant standards), the shade structure should be to the greatest extent possible, designed to minimise the visual impact when viewed from both the water and from Charlotte Street.
- The alternate design consisting of the overlapping skillion roofs would likely achieve a superior outcome insofar as they are (when compared to the original design) permeable and maintain the existing view corridors through to the Endeavour River. In further support of this design it was noted that the Character Overlay Code skillion roofs were one of desired roof forms. A sketch concept showing the Charlotte Street elevation is at Attachment 4.

LINK TO CORPORATE PLAN

ENV 3: Appropriate consideration is given to planning and development controls, design guidelines, traditional ownership and sustainable development principles when making planning decisions.

ENV 3a. *Planning outcomes demonstrate the quality of development assessment processes by achieving results consistent with Council's strategic direction.*

CONSULTATION

Consultation has been undertaken with:

- Councillors
- Executive Leadership Team
- Planning and Environment Team
- Building and Facilities Team
- Consultant Planners
- Heritage consultants

LEGAL IMPLICATIONS (STATUTORY, BASIS, LEGAL RISKS)

Nil

POLICY IMPLICATIONS

Cook Shire Council Planning Scheme 2017

FINANCIAL AND RESOURCE IMPLICATIONS (BUDGETARY)

This project is 100% grant funded and the proposed structure falls within the project budget.

RECOMMENDATION

That Council resolves to progress with the revised plans to achieve a less intrusive profile in the form of a skillion style roof, as indicated in Attachments 3 and 4 to this report, for the playground shade structure in Lions Park, Cooktown.

10 CONFIDENTIAL REPORTS

Nil

11 GENERAL BUSINESS