

DEVELOPMENT APPLICATION NOTICE OF DECISION

Description of the Development

Approval Type:	Development Permit - Material change of use.
Description of Proposal:	Material change of use - telecommunications facility on part of the road reserve for the Mulligan Highway adjacent to Lot 142 Crown Land NPW406, and near the intersection with Quarantine Bay Road, Cooktown, Queensland.
Decision:	Approved in full with conditions – Development Application DA/3880.
Decision Date:	April 19, 2018.

Applicable Assessment Benchmarks

Planning Scheme:	Cook Shire Council Planning Scheme 2017 (v1.2, February 19 2018) Environmental and Conservation Zone Code Biodiversity Overlay Code Bushfire Hazard Overlay Code Scenic Amenity Overlay Code Landslide Hazard Overlay Code Strategic Framework of the Cook Shire Council Planning Scheme 2017
Regional Plan:	Cape York Regional Plan.
State Planning Policy (Part E)	Liveable Communities Mining and Extractive Resources Water Quality Natural Hazards, Risk and Resilience Strategic Airports and Aviation Facilities

Submissions

One submission was received during the public notification period of this application. The matters raised by this submission and Council's consideration of the matters in making this decision are summarised as:

1. The submitter requested that the facility be made available to phones serviced by all mobile phone companies, and capable of providing fixed NBN wireless signals. The grounds raised in this submission are not factors under Council's control or jurisdiction and cannot be enforced or regulated by Council or local government.

Reasons for the Decision

Cook Shire Council approved in full with conditions as it complied with the applicable assessment benchmarks. In particular:

- An assessment was made against the Cook Shire Planning Scheme 2017, the applicable assessment benchmarks and the State Planning Policy (SPP), and demonstrated compliance;
- The Telecommunications Facility is essential community infrastructure that will service the south Cooktown area;
- The Telecommunications Facility is consistent with the policy intent of the strategic framework;
- The application material has demonstrated that there is no adverse amenity or character impacts on the surrounding area.

