

NOTICE ABOUT DECISION – STATEMENT OF REASONS

This Notice is prepared in accordance with s63(5) and s83(9) of the Planning Act 2016 to provide information about a decision that has been made in relation to a development application. The purpose of the Notice is to enable a public understanding of the reasons for the planning decision, specifically having regard to:

- the relevant parts of the Planning Scheme and Assessment Benchmarks against which the application was assessed; and*
- any other information, documents or other material Council was either required to, or able to, consider in its assessment.*

All terms used in this Notice have the meanings given them in the Planning Act 2016 or otherwise their ordinary meaning.

APPLICATION DETAILS

Application No:	DA/4426
Applicant:	Endeavour Reach Pty Ltd C/- Murray & Associates (QLD) Pty Ltd
Proposal:	Development Permit for a Reconfiguration of a Lot
Description of the Development:	Reconfiguration of a Lot - 4 into 4 lots and access and services easement
Street Address:	23-26 Webber Esplanade, Cooktown
Real Property Description:	Lot 0 on SP188678 Lot 1 on SP188678 Lot 2 on SP188678 Lot 3 on SP188678 Lot 4 on SP188678
Planning Scheme:	Cook Shire Council Planning Scheme 2017
Land Zoning:	Low Density Residential
Assessment Type:	Code

DECISION DETAILS

Type of Decision:	Approval with Conditions
Type of Approval:	Development Permit for a Reconfiguration of a Lot - 4 into 4 lots and access and services easement

Date of Decision:

27 May 2022

ASSESSMENT BENCHMARKS

The following Assessment Benchmarks applied to the development from the following Categorising Instruments:

Assessment Benchmarks	Comment
Planning Regulation 2017 (Schedule 9)	Schedule 9 is not applicable as the application is not for building work under the Building Act
Planning Regulation 2017 (Schedule 10)	Schedule 10 is not applicable as the application did not trigger referral
Regional Plan	Section 2.2 of the Planning Scheme identifies that the Cape York Regional Plan has been adequately reflected in the Planning Scheme. A separate assessment against the Regional Plan is not required.
State Planning Policy, part E	Section 2.1 of the Planning Scheme identifies that the superseded version of the State Planning Policy is integrated in the Planning Scheme. A review of the current version of the SPP (July 2017) and mapping has determined that the state interests are adequately reflected in the Planning Scheme and no additional assessment provisions in the current SPP (part E) or updated mapping are applicable requiring further assessment against the SPP.
Temporary State Planning Policy	There are no Temporary State Planning Policy

Local Categorising Instrument (Cook Shire Council Planning Scheme 2017):

- Low Density Residential Zone Code;
- Biodiversity Overlay Code;
- Bushfire Hazard Overlay Code;
- Scenic Amenity Overlay Code;
- Reconfiguring a Lot Code; and
- Works, Services, and Infrastructure Code.

Local Categorising Instrument (Variation Approval)

Not Applicable

Local Categorising Instrument (Temporary Local Planning Instrument)

Not Applicable

PUBLIC NOTIFICATION

Not Applicable

REASONS FOR THE DECISION

The application is **approved** on the following grounds:

- (a) An assessment was made against the applicable assessment benchmarks and the proposed development demonstrated compliance.
- (b) The proposed lot layout has been appropriately designed for the subject site.
- (c) The proposed development will have no detrimental impact on the subject site or adjoining properties.

REASONS FOR APPROVAL DESPITE NON-COMPLIANCE WITH ASSESSMENT BENCHMARKS

Not Applicable

ADDITIONAL RELEVANT MATTERS FOR IMPACT ASSESSMENT

Not Applicable

OTHER MATTERS PRESCRIBED BY THE PLANNING REGULATION 2017

Not Applicable

OTHER DETAILS

If you wish to obtain more information about Council's decision, including a copy of Council's Decision Notice and any conditions or plans relating to the development, please refer to Council's webpage.