

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/4621
Applicant:	MDF Industries Pty Ltd t/a Mareeba Sheds & Gas c/ Emergent Building Approvals
Proposal:	Development Permit for a Material Change of Use
Description of the Development:	Warehouse (Storage Facility)
Street Address:	Peninsula Developmental Road, Coen (Coen Airport)
Real Property Description:	Lot 1 on RP711002
Planning Scheme:	<i>Cook Shire Council Planning Scheme 2017 v2.0</i>
Land Zoning:	Community Facilities
Assessment Type:	Code Assessment

DECISION DETAILS

Type of Decision:	Approval with Conditions
Type of Approval:	Development Permit for Material Change of Use - Warehouse (Storage Facility)
Date of Decision:	14 June 2023

ASSESSMENT BENCHMARKS

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

Assessment Benchmarks	Comment
<i>Planning Regulation 2017</i> (Schedule 9)	Schedule 9 is not applicable as the application is not for building work under the Building Act.
<i>Planning Regulation 2017</i> (Schedule 10)	There are no matters stated in Schedule 10 of the Planning Regulation relevant to the subject site or proposed development. The application did not trigger a referral to the State Assessment Referral Agency.
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 (SPP), Part E	<p>Section 2.1 of the Planning Scheme identifies that the superseded version of the <i>State Planning Policy</i> is integrated in the Planning Scheme.</p> <p>A review of the current version of the SPP (July 2017) and assessment benchmark mapping applicable to Part E has determined that the state interests (natural hazards, risk and resilience) are appropriately reflected in the Planning Scheme and no additional assessment provisions in the current SPP (Part E) or updated mapping are applicable requiring further assessment.</p>
Temporary State Planning Policy	There are no Temporary State Planning Policies.

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

- 6.2.7 - Community Facilities Zone Code;
- 7.2.1 - Airport Environs Overlay Code;
- 8.2.3 - Bushfire Hazard Overlay Code;
- 8.3.2 - Parking and Access Code; and
- 8.3.3 – 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 development for a Warehouse is an appropriate use to be located on the site and will have no adverse impact on the rural character and amenity of the locality or adjoining land.

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.