

Our Ref: M2-23

15 March 2023

Chief Executive Officer
Cook Shire Council
10 Furneaux Street
Cooktown, QLD, 4895
mail@cook.qld.gov.au

Attention: Planning Department

Dear Sir/Madam,

DEVELOPMENT APPLICATION SEEKING A
DEVELOPMENT PERMIT FOR A MATERIAL CHANGE OF USE – TOURIST PARK (UP TO 74 PEOPLE)
LOCATED AT: 165 BARRETT'S CREEK ROAD, COOKTOWN
FORMALLY DESCRIBED AS: LOT 13 ON BK157111

We act on behalf of our client, J&A Smith in preparing and submitting the following development application which seeks a Development Permit for a Material Change of Use under the *Planning Act 2016* located at 165 Barretts Creek Road, Cooktown to facilitate the establishment of a Tourist Park facility for up to 74 people over the site.

The property is appropriately zoned within the Rural Zone where Tourist Parks are encouraged in the planning scheme, subject to an **impact assessable** development application being submitted.

By way of this development application, the applicant is seeking specific approval to undertake the development as detailed within the attached planning report and approval of the plans. The report will include a complete assessment of the proposed development against the relevant assessment benchmarks within the Cook Shire Council Planning Scheme 2017.

In terms of application fees, the current fees and charges schedule stipulates that the application fee for the proposed development is \$2,590.00 as there are not structure tents or cabins. Please contact our office on 0411 344 110 to process the payment over the phone.

Should there be any questions or queries in relation to the development application presented, we would appreciate if you could contact our office immediately. As always, we ask if all correspondence be also forwarded to our office via email.

Yours faithfully,



Ramon Samanes
Director, U&i Town Plan
Bachelor of Applied Science, Majoring in Environmental and Urban Planning

PLANNING REPORT

DEVELOPMENT APPLICATION FOR A MATERIAL CHANGE OF USE – TOURIST PARK (UP TO 74 PEOPLE)

PROJECT LOCATION: SITUATED AT 165 BARRETT'S CREEK ROAD,
COOKTOWN

FORMALLY DESCRIBED AS LOT 13 ON BK157111

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ASSESSMENT MANAGER:	COOK SHIRE COUNCIL, PLANNING DEPARTMENT
DEVELOPMENT TYPE:	DEVELOPMENT PERMIT – MATERIAL CHANGE OF USE (IMPACT ASSESSABLE)
PROPOSED WORKS:	TOURIST PARK (UP TO 74 PEOPLE
REAL PROPERTY DESCRIPTION:	LOT 13 ON BK157111
LOCATION:	165 BARRETT'S CREEK ROAD, COOKTOWN
ZONE:	RURAL ZONE
APPLICANT:	J & A SMITH C/- U&I TOWN PLAN
ASSESSMENT CRITERIA:	MATERIAL CHANGE OF USE (IMPACT ASSESSABLE)
REFERRAL AGENCIES:	NIL
STATE PLANNING:	THE PROPOSAL DOES NOT TRIGGER ASSESSMENT AGAINST STATE PLANNING PROVISIONS.

IMPORTANT NOTE

Apart from fair dealing for the purposes of private study, research, criticism, or review as permitted under the Copyright Act, no part of this Report may be reproduced by any process without the written consent of R&A Samanes Pty Ltd ('U&i Town Plan').

This Report has been prepared for J & A Smith for the sole purpose of making a Development Application seeking a Development Permit for a Material Change of Use on land at 165 Barretts Creek Road, Cooktown (over lot 13 on BK157111) for the purpose of establishing a Tourist Park facility on the property. This report is strictly limited to the purpose, and facts and circumstances stated within. It is not to be utilised for any other purpose, use, matter or application.

U&i Town Plan has made certain assumptions in the preparation of this report, including:

- a) That all information and documents provided to us by the Client or as a result of a specific search or enquiry were complete, accurate and up to date;*
- b) That information obtained as a result of a search of a government register or database is complete and accurate.*

U&i Town Plan is not aware of any particular fact or circumstance, which would render these assumptions incorrect, as at the date of preparation of the Report.

While every effort has been made to ensure accuracy, U&i Town Plan does not accept any responsibility in relation to any financial or business decisions made by parties' other than those for whom the original report was prepared for and/or provided to. If a party other than the Client uses or relies upon facts, circumstances and/or content of this Report without consent of U&i Town Plan, U&i Town Plan disclaims all risk and the other party assumes such risk and releases and indemnifies and agrees to keep indemnified U&i Town Plan from any loss, damage, claim or liability arising directly or indirectly from the use of or reliance on this report.

1.0 EXECUTIVE SUMMARY

This development application is seeking a development permit for a Material Change of Use under the Planning Act 2016 at 165 Barretts Creek Road, Cooktown to provide for up to 74 people to camp on their property. The proposed Tourist Park will provide a unique destination for people to stay either as self-contained travellers.

The subject land parcels are located within the Rural Zone where the proposal triggers a material change of use development application to be submitted to Council for assessment and approval. Upon review of the Cook Shire Planning Scheme 2017 – Version 2.0 (planning scheme) the relevant tables of assessment confirm the application is subject to Impact Assessment. Accordingly, this application seeks the following approval:

- **Material Change of Use - Tourist Park (Impact assessable)**

This report has been undertaken to:

- Examine the physical characteristics of the subject land and appropriateness in relation to the proposed development;
- Present the proposed layout and orientation of the proposed Tourist Park;
- Address all applicable statutory requirements triggered through the Planning Act 2016 (PA) and the Planning Scheme; and
- Provide commentary on the identified key planning issues and offer reasonable alternative solutions as a means of establishing sound planning grounds in support of the proposed development, where required.

The Cook Shire Council Planning Scheme 2017 supports the establishment of Tourist Parks within the Rural Zone given that tourism is a major aspect of our shire's economy. By way of this development application, the applicant is seeking specific approval to undertake the development as detailed in this planning report and approval of the plans. Public notification for 15 business days applies given the development is impact assessable.

In summary, the proposed Tourist park facility provides a suitably code compliant facility within the accepted Rural Zone. Furthermore, the development is generally compliant with the Planning Scheme. There may some departures away from a handful of the 'deemed to comply' Acceptable Outcomes, although where these departures have been identified, a detailed assessment has been provided to justify and demonstrate that, based on sound planning grounds, compliance with the corresponding Performance Outcomes can still be achieved. Accordingly, we now submit this application to Council for assessment and trust that it suitably addresses all the statutory requirements under the Planning Scheme to allow favourable consideration through the application of reasonable and relevant development conditions.

2.0 SITE DESCRIPTION

The subject land parcels are described as Lot 13 on BK157111, which is located at 165 Barretts Creek Road, Cooktown. The site encompasses one (1) freehold allotment with a road frontage of approximately 312m along Barretts Creek Road. The property is about 10 minutes' drive out of town, which makes it a perfect place for visitors to visit and camp the night. The property is accessed via a crossover on along the southern boundary, with the driveway running along the boundary and into the house. In terms of improvements, the property contains a lovely acquainted 2 bedroom home, with a couple of sheds and a dam on the property.



Figure 1: Aerial View of the Subject Land Parcel

In terms of the zoning, the property is designated within the 'Rural Zone Code' under the Cook Shire Planning Scheme 2017. An insert of the subject property and the relevant zoning from the Cook Shire Planning Scheme is provided in figure 2 below.

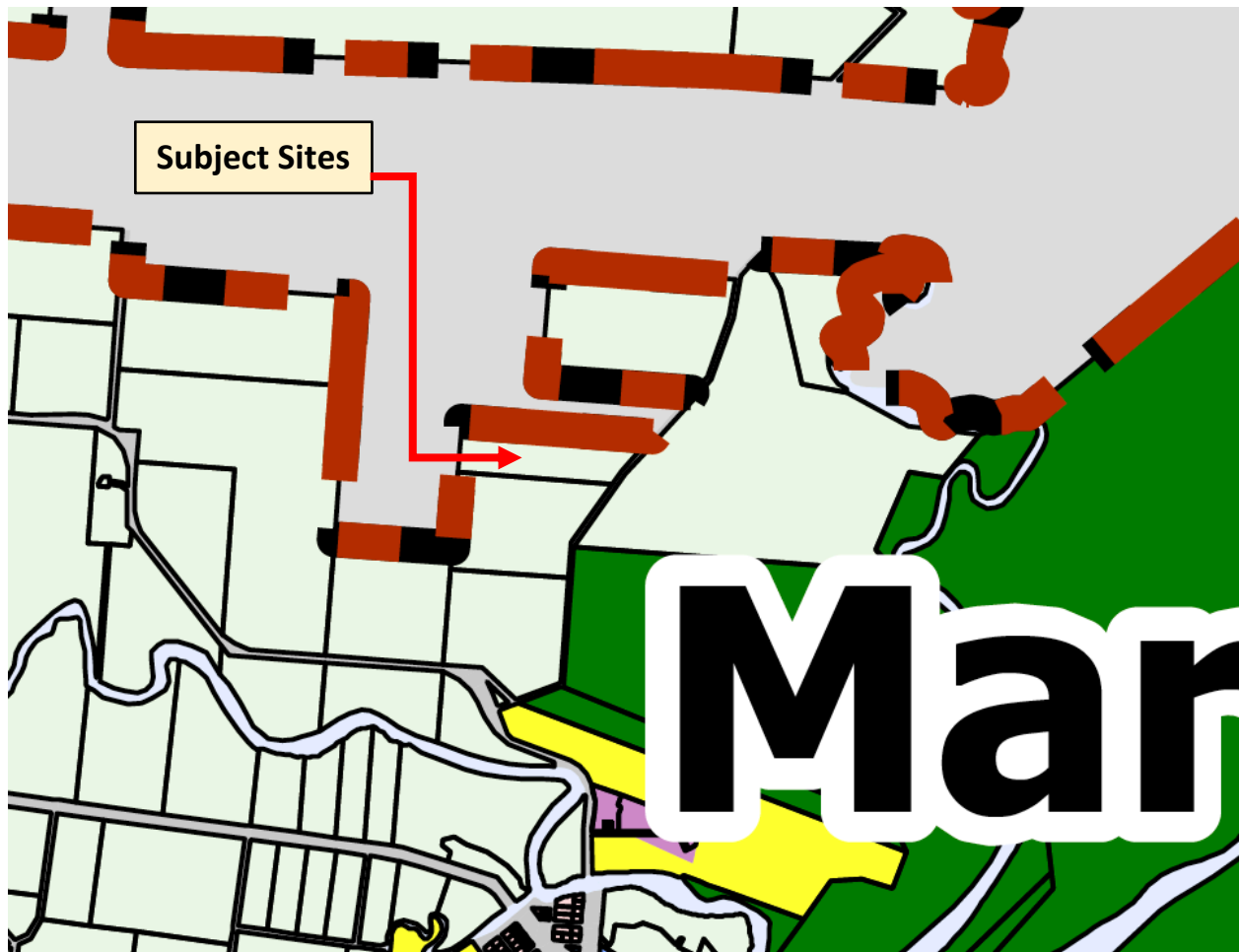


Figure 2: Zoning Plan Map 11, Cook Shire Planning Scheme 2017

A site summary is provided below:

Table 2.0: Site summary

Street address:	165 Barretts Creek Road, Cooktown
Real property description:	Lot 13 on BK157111
Local government area	Cook Shire Council
Tenure:	Freehold titles
Site area:	~24.281 hectares
Zone:	Rural Zone
Precinct:	N/A
Sub-precinct:	N/A
Current use:	Rural Lifestyle Allotment
Road frontages:	Barretts Creek Road
Adjacent uses:	Rural
Topography:	The site is generally flat, with a slope towards the house and shed area. The House sits on the highest point on the property.
Vegetation:	The property is sparsely vegetated with trees, with the majority of the property covered with grass.
Easements:	No easements exist over the properties.

Existing infrastructure:

Vehicular access is via a driveway which comes from Barretts Creek Road and runs along the southern boundary of the property.



Figure 3: Site Locality

3.0 DEVELOPMENT PROPOSAL

3.1 General Description

The Applicant seeks the required development approval from the Cook Shire Council ('Council') for the proposed Tourist Park (up to 74 people). Accordingly, this application seeks the following approval:

- Development Permit for a Material Change of Use - Tourist Park (up to 74 people)

3.2 Proposal Details

This development application is seeking a development permit for a Material Change of Use under the Planning Act 2016 at 165 Barretts Creek Road, Cooktown to provide for up to 74 people. The proposed tourist park is proposed to cater for up to 74 people and is expected to operate from around the 1st May through to the 31st

December weather permitting, which corresponds with the peak drive tourism season. It is expected that the tourist park would typically operate at 55% of its maximum capacity, based on the national average for occupancy rates for caravan parks.

The facility is proposed in response to the increasing demand from self-sufficient travelers, and the increasing demand from domestic tourism as a consequence of the covid 19 pandemic. Both of which are looking for alternative parking at cheaper rates than you traditionally find in a caravan park. The cheaper fees are achievable as a consequence of the tourist park not requiring costly amenities, due to the self-sufficient nature of the vehicles that will utilise the park.

The Tourist Park will be operated in line with the 'Leave no Trace' principles which encourages users to leave the site in the same or better condition than when arriving, leaving no evidence that they had ever been there. In terms of waste collection, the operators intend to collect cans and bottles for recycling and will also provide waste collection bins for general rubbish.

Access will be via the existing property access point off Barretts Creek Road, and once in the property they will driveway along the existing all-weather gravel driveway that is approximately 5m wide, where they will enter and check in at the house. As shown on the site plan there is a general area for parking for guests arriving to park. From there once guests are checked in, they will be given details of the areas they can camp to then choose their own preferred camp location, depending on their need for solar power or shade as no power or water infrastructure will be provided.

As such, given the nature of these types of campgrounds where nothing is permanent, the location of where guests can stay can change depending on their needs. Each visitor will have to register as part of their stay and provide details on the number of guests and vehicle registration to ensure a log is recorded. This will assist in monitoring and controlling the number of guests on-site to ensure that the number of visitors never exceeds 74 people at any one time. The system may evolve to an online registration and payment system (similar to covid registration systems) which keeps a tally of numbers and doesn't allow bookings to be processed over 74 people.

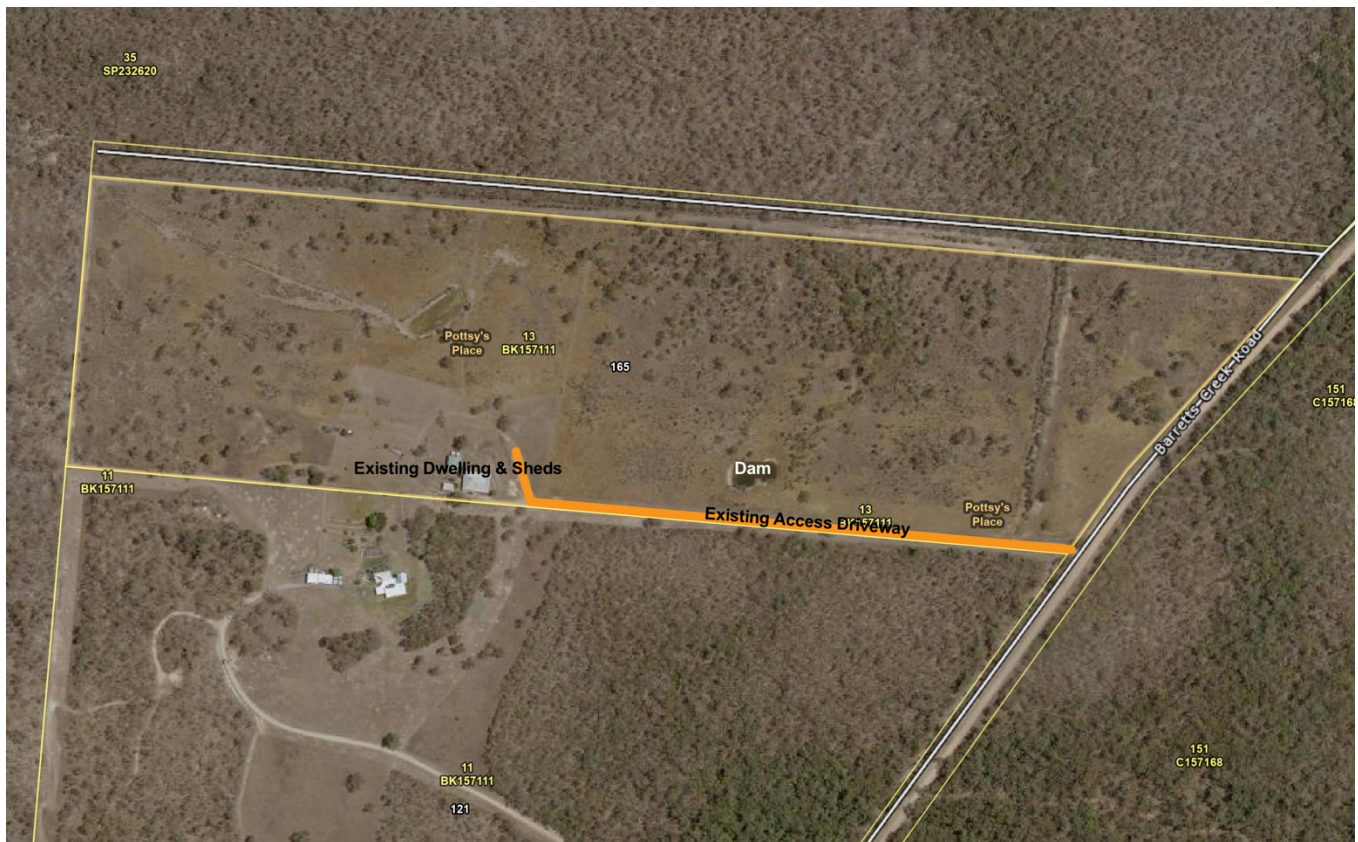


Figure 4: Extract from Development Plans

3.3 Development Definitions

The development proposal is described as a “Material Change of Use” under the Planning Act and planning scheme. The proposal is defined under the Planning Act as follows:

material change of use, of premises, means any of the following that a regulation made under [section 284\(2\)\(a\)](#) does not prescribe to be minor change of use—

- (a) the start of a new use of the premises;*
- (b) the re-establishment on the premises of a use that has been abandoned;*
- (c) a material increase in the intensity or scale of the use of the premises.*

3.4 Tourist Park

The proposed use that is intended to be established upon the site is defined under the Cook Shire Planning Scheme 2017 as the following:

Tourist park	<p>tourist park means the use of premises for—</p> <p>(a) holiday, accommodation in caravans, self-contained cabins, tents or other similar structures; or</p> <p>(b) amenity facilities, a food and drink outlet, a manager's residence, offices, recreation facilities for the use of occupants and their visitors, or staff accommodation, if the use is ancillary to the use in paragraph (a).</p>	Camping ground, caravan park, holiday cabins	Relocatable home park, tourist attraction, short-term accommodation, non-resident workforce accommodation
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4.0 DEVELOPMENT APPLICATION DETAILS

This development application is seeking a development permit for a Material Change of Use under the Planning Act 2016 at 165 Barretts Creek Road, Cooktown to provide a Tourist Park for up to 74 people. By way of this development application, the applicant is seeking specific approval to undertake the development as detailed in this planning report and approval of the plans.

5.0 ASSESSMENT

The proposed development is identified as *impact assessable* in the material change of use table of assessments. There are no other relevant components of the planning scheme or *Planning Regulations 2017* which affect the level of assessment for the development. The development application is subject to a bound assessment against the specifically identified assessment benchmarks from the planning instruments. The following assessment benchmarks are identified as being applicable to the assessment of the development application.

5.1 Assessment Benchmarks Pertaining to State Planning Instruments

State Planning Policy

There are no applicable components of the State planning policy.

Cape York Regional Plan

The Minister has identified that the planning scheme, specifically the strategic framework, appropriately advances the Cape York Regional Plan, as it applies in the planning scheme area. Hence, compliance with the CYRP is demonstrated through the compliance with the Cook Shire Planning Scheme.

5.2 Assessment Benchmarks Pertaining to Local Planning Instruments

5.2.1 Planning Scheme (Cook Shire Council Planning Scheme 2017 – Version 2)

The applicable planning scheme for the application is the Cook Shire Council Planning Scheme 2017 – Version 2, and there are no other identified applicable local planning instruments.

5.2.2 Applicable Codes

It is noted that the tables of assessment for a Material Change of Use – Tourist Park applies to all zones and states that all aspects of the proposal require an impact assessable development application to be submitted.

The development is therefore only subject to assessment against the following codes:

Planning Scheme	
Assessment Benchmarks:	<ul style="list-style-type: none"> • Rural Zone Code • Works, Services & Infrastructure Code • Parking and Access Code • Biodiversity Overlay Code • Bushfire Hazard Overlay Code

Assessment Benchmarks – Planning Scheme

The application has been assessed against each of the applicable components of the planning scheme and found to be:

- consistent with the strategic framework,
- compliant with the applicable codes,
- reflective of the land use intent for the rural zone.

Any pertinent issues arising from the assessment against the planning scheme are discussed below. For clarity, any codes or outcomes not discussed below are considered to be objectively satisfied.

5.2.3 Strategic Framework

The Strategic Intent, and the Strategic Framework (SF) as a whole is a set of high order strategic outcomes and land use strategies which set the overarching policy intent for the lower order, more detailed components of the planning scheme i.e. zones, codes and policies. The Framework is split into various themes which cover the main aspects of land use planning and development governance. Given the level the Framework operates at, it is difficult to provide a direct, site-specific assessment of the proposal against its many components. However, a proposal that satisfies the lower order components of the planning scheme, i.e. zone codes, development codes, overlay codes, planning scheme policies, etc; inherently satisfies the intent of the Framework.

The SF sets the policy direction for the Shire for the life of the Planning Scheme. Regarding this development the relevant provisions of the SF are:

- Economic Wellbeing – Importance of Tourism on our economy; and
- Land Use Pattern – Supporting Rural based Tourism.

3.3 Economic Wellbeing

Regarding tourism activities in the rural area, the SF states within the following within the policy context, strategic outcomes and specific outcomes:

- Policy Context**
- (1) Council's *Economic Development Plan 2013-2015* (EDP) outlines the goal for a sustainable economy, drawing on key industries and partnerships, critical for community resilience and wellbeing. The EDP identifies the following key assets for the economy⁵:
 - (a) Location – working with natural attractions to ensure businesses thrive;
 - (b) Tourism infrastructure – promoting key assets including sealed roads, a range of accommodation options and services, fishing charters, croc spotting, bird watching, aboriginal culture tours, horse riding, historical tours and key events, such as the Cooktown Discovery Festival;
 - (c) Roads – The 2,750km of roads in Cook Shire are the lifeblood of the Shire and have the potential to boost the region's economic growth. The Mulligan Highway was sealed in 2006 providing year round access between Cairns and Cooktown; while the Peninsula Development Road between Lakeland and Laura was sealed in 2012;
 - (d) Air – Air services provide flights to Cooktown, Coen, Weipa and surrounding areas most days of the week;
 - (e) Sea – Cooktown is on the itinerary for several cruise ships, while cargo vessels operate from Cairns to the tip of the Cape;
 - (f) Internet connectivity – The National Broadband Network is expected to be rolled out early in the life of the scheme in the central business area of Cooktown, providing a boost to economic and social activity; and
 - (g) Economic infrastructure – This includes the Cooktown Events Centre, Cooktown Airport and future industrial subdivision, and the Cooktown foreshore with potential development opportunities.
 - (2) In addition to these assets is Cooktown's strategic importance as the logistical base for the live coral trout export industry, reef fishing, crayfish fishing and prawning, as well as its importance as a recreational fishing hub.
 - (3) Economic development opportunities also exist with the expansion of eco-tourism in National Parks.

- (f) Rural tourism – Rural amenity and scenic values play an important role in the Shire's tourism economy. Uses ranging from small scale farm stay operations to purpose built lodges (e.g. fishing charters; eco-tourism etc.) are supported where the use is ancillary to rural activities, helps alleviate constraints on local communities and assists in educating the community about the realities of rural life in Cook Shire.
- (9) Cook Shire's abundance of natural and cultural assets provide opportunities for establishment and expansion of tourism-related development and infrastructure in the following areas:
 - (a) National Parks, where amenity and environmental impacts can be managed.
 - (b) RVs and camping particularly in close proximity to Cooktown's services and facilities.

3.3.1 Strategic outcomes

- (1) Cooktown, the regional centre for southern Cape York, and smaller townships, is a place of high amenity, where businesses invest, create regional partnerships, broaden the economic base and deliver employment opportunities.
- (2) Cook Shire's finite supply of agricultural land around Lakeland is protected from fragmentation and alienation. Development and investment that increases food production capability, improves food security and achieves value-add opportunities will be supported.
- (3) Cook Shire's growing tourism industry attracts development and investment that captures visitation, increases visitor nights, protects natural assets and diversifies visitor experiences.

3.3.1.1 Specific outcomes

- (1) Cooktown and the smaller townships (identified on **Strategic Map 1**) continue to play a critical role in the Shire's economy, as follows:
 - (a) Cooktown's role as the major township and population centre is protected and enhanced through efficient use of commercial land in the business centre maximizing infill development opportunities that exist.
 - (b) Cooktown's role as the regional centre for community facilities and services on the southern Cape is enhanced by facilitating the expansion of State and Federal government services and infrastructure and growth in the public and private education sector.
 - (c) Industrial development opportunities for Cooktown are also realised (on industrial zoned land) in the town, in Marton and at the Cooktown Airport.
 - (d) Development which encourages the delivery of key infrastructure such as the waterfront precinct (in accordance with the Waterfront Master-plan) will be supported.
 - (e) The role of townships as summarised in section 3.3 above is protected and enhanced. Opportunities to establish or expand industries that support the role of these townships are supported if amenity impacts can be managed and tenure constraints can be overcome.
 - (f) Increases in population density and housing supply and diversity in Cooktown and the townships are supported to cater for increased economic activity where there is suitable access to services and infrastructure.
- (2) The role of the Shire's roads and infrastructure (shown on **Strategic Map 1**) in supporting business development is protected and enhanced.
- (3) Opportunities to diversify and grow the tourism industry, including cultural, adventure and nature-based tourism are realised subject to consideration of amenity and environmental impacts and infrastructure requirements.

Statement of Compliance:

The proposed Tourist Park provides an opportunity to grow our tourism industry by providing a suitable sized facility in a perfect location positioned within close proximity to Cooktown. The small-scale nature of the park ensures that the amenity of the area will not be affected by the activities proposed, and given the non-permanent nature of the use, means it can return back to its not developed state at any stage in the future. The rural zone is considered the logical location for such facilities, in locations that are free from intensive farming activity or intensive animal industries (meat poultry farms, feedlots etc.) so as to minimise the risk of ongoing land-use conflict.

3.4 Land Use Pattern

Regarding rural based tourism activities, the SF states within the following within the policy context, strategic outcomes and specific outcomes:

<p>Policy context</p> <p>(1) Cook Shire has a tough and colourful past built around the pastoral industry, agriculture and mining¹⁰. Today, Cook Shire’s unique culture, history, and environment continue to shape built form and land use, offering lifestyle choice, fostering proud and resilient communities and attracting tourists.</p>
<p>3.4.1.1 Specific outcomes</p> <p>Specific outcomes for land use in Cook Shire include:</p> <p>(1) Increased residential density on serviced lots close to town centres, with minimal impact on amenity and character, will be supported.</p> <p>(2) OM6 - Future Urban Expansion Overlay Maps recognises areas where long-term expansion of the town may occur and the land is protected from subdivision or changes of use that may jeopardise the logical pattern of growth and efficient infrastructure delivery. Further subdivision of these lands must demonstrate community need for urban expansion.</p> <p>(3) Rural-based tourism will be supported at an appropriate scale that contributes to the viability of the primary rural use and without sterilising existing or future commercial operations in the region.</p>
<p>(18) Specific outcomes for Helenvale, Rossville, Ayton and Portland Roads are as follows:</p> <p>(a) Development provides a range of basic services and facilities for residents, tourists and the surrounding rural area;</p> <p>(b) Commercial uses occur in Rossville where the scale and intensity is compatible with the ‘village in the rainforest’ character of the locality;</p> <p>(c) Residential amenity is protected and built form is low and consistent with local character;</p> <p>(d) Portland Roads provides limited visitor accommodation and basic services to fishing trawlers and recreational vessels;</p> <p>(e) Development in Ayton and Rossville accommodates limited population growth and provides opportunities for nature and recreational tourism based on the Wet Tropics World Heritage Area, the Bloomfield River, waterfalls and beach areas;</p>

Statement of Compliance:

The proposed Tourist Park provides an opportunity to grow our tourism industry by providing a suitable sized facility in a perfect location positioned within close proximity to Cooktown. The small-scale nature of the park ensures that the amenity of the area will not be affected by the activities proposed, and given the non-permanent nature of the use, means it can return back to its not developed state at any stage in the future.

5.2.4 Zone Codes

Rural Zone Code: Complies

6.2.9.2 Purpose

- (1) The purpose of the rural zone is to—
 - (a) provide for rural uses and activities; and
 - (b) provide for other uses and activities that are compatible with—
 - (i) existing and future rural uses and activities; and
 - (ii) the character and environmental features of the zone; and
 - (c) maintain the capacity of land for rural uses and activities by protecting and managing significant natural resources and processes.
- (2) The purpose of the code will be achieved through the following overall outcomes;
 - (a) Agricultural land is protected from fragmentation or alienation;
 - (b) Adequate infrastructure (particularly roads) is provided to service rural communities and support the rural economy;
 - (c) Intensive rural activities and aquaculture is separated from sensitive land uses to ensure they do not have a detrimental impact on the amenity of adjoining land;
 - (d) Existing extractive industries and known resource deposits are protected and provide opportunities for new extractive industry operations. All new and existing operations are located and designed to mitigate environmental impacts;
 - (e) Appropriate forms of tourism-based activities and associated short term accommodation are supported where at an appropriate scale and impacts can be managed;
 - (f) Development in the Eastern Kuku Yalanji Local Plan is supported, including higher densities for rural zoned sites at Little Annan and South Mungumby (Precincts 4 and 5 of the Local Plan).
 - (g) Built form is consistent with the rural character, which is typically a single dwelling house and ancillary structures necessarily associated with the rural activity, such as sheds.
 - (h) Scenic landscape values and rural character are protected from the visual impacts of clearing, construction and intensive uses;
 - (i) Development maintains adequate separation from natural features such as prominent hills and ridges, creeks, gullies, waterways, wetlands so they are retained, managed and enhanced.
 - (j) Non-rural development is designed and located so it does not compromise the long-term use of the land for rural purposes.
 - (k) Rural zoned land is protected from adhoc subdivision or changes of use. OM6.4 – Future Urban Expansion Overlay Map identifies Rural zoned land that may provide for the long-term expansion of the township subject to the provision of infrastructure and orderly, sequencing and assessment of constraints

Statement of Compliance:

As outlined in the statements above, tourism-based activities and associated short term accommodation are anticipated and supported within the rural zone. Tourism is an important part of solidifying Cook Shire's place on the tourism trail of Cape York Queensland, and the greater Cape York Experience. The property is positioned in a strategic location surrounded by beautiful bushland, which makes you feel like you're out in the middle of nowhere.

The Cook Shire Council Planning Scheme 2017 supports the establishment of tourism activities within the Rural Zone provided they do not compromise the long-term use of the land for rural purposes. The property has not traditionally been used for rural purposes. Given the non-permanent nature of the proposed Tourist Park activity and lack of permanent improvements proposed on the subject site, the development is not likely to compromise the long-term use of the land for rural purposes.

Accordingly, the development is compliant with the relevant Rural Zone purpose outcomes in that it does not compromise the long-term use of the land for rural purposes. The proposal is considered to satisfy the requirements set by the applicable assessment benchmarks from the planning scheme, specifically the Rural Zone. Based on the various reasons listed above and the proposed controls to be implemented, we consider that this development certainly has merit on solid planning grounds to justify and support the creation of an additional allotment. It is considered that this development in these particular and unique circumstances, meets the performance outcomes and purpose statements outlined within the Rural Zone Code.

5.2.5 Development Codes

Works, Services and Infrastructure code: Complies

- (1) *The purpose of this code is to ensure development is provided with the range of infrastructure services expected by the community.*
- (2) *The purpose of the code will be achieved through the following overall outcomes:*
 - (a) *Infrastructure is designed and constructed to a suitable standard;*
 - (b) *Works, services and infrastructure do not cause environmental degradation or increase the risk of natural hazards; and*
 - (c) *Development is designed, constructed and managed to avoid or minimise impacts on receiving waters.*

Statement of Compliance:

Existing infrastructure services will remain unchanged as part of this proposal. Access is the only thing the guests need into the site to check in, and then off to their chosen campsite for the duration of their stay. As noted, all campsites will need to be fully self-contained and will not be provided with any services or facilities.

In light of the above, there are no issues arising from the proposed development expansion and such an approval should be subject to standard conditions relating to the provision of infrastructure to the development.

Parking and Access Code: Complies

- (1) *The purpose of the Transport, parking and access code is to ensure transport, access and car parking is safe, efficient and convenient.*

- (2) *The purpose of the code will be achieved through the following overall outcomes:*
- (a) *The amount of parking provided for a particular land use is sufficient to meet the parking needs for that use;*
 - (b) *Parking and maneuvering areas, passenger setdown/pickup areas and goods loading/unloading facilities are provided in a safe and efficient manner; and*
 - (c) *Access arrangements do not compromise the safety and efficiency of the transport network.*

Statement of Compliance:

As noted, access to the property is obtained a crossover from Barretts Creek Road located on the south eastern corner of the lot, and then the driveway runs along the southern boundary into the property. No formal parking arrangement will be provided, given the nature of the use, size and constraints which will self-regulate the capacity at any given time.

As such, in this particular instance it is considered that this code is not applicable to this development in terms of controlling parking demands and requirements given the nature of the development.

5.2.6 Overlay Codes

Biodiversity Overlay Code: Complies

8.2.2.2 Purpose

- (1) The purpose of the Biodiversity overlay code is to protect biodiversity through:
 - (a) avoiding development within biodiversity areas;
 - (b) minimising the adverse impacts of development on biodiversity;
 - (c) management of pest and invasive species;
 - (d) strategic rehabilitation occurs through restoration of terrestrial and aquatic ecosystems;
 - (e) encourage expansion of habitat connectivity;
 - (f) minimise downstream impacts on biodiversity including fish habitats and the Great Barrier Reef.
- (2) The purpose of the code will be achieved through the following overall outcomes:
 - (a) Conservation, consolidation, connection and restoration of the network of lands with environmental significance.
 - (b) Protection and enhancement of waterways, wetlands and coastal environments with environmental significance and their hydrological value and water-cleaning functions.
 - (c) Avoidance of impacts to areas of environmental significance through the appropriate design and location of development.

Statement of Compliance:

The proposed Tourist Park provides an opportunity to grow our tourism industry by providing a suitable sized facility in a perfect location positioned within close proximity to Cooktown. The small-scale nature of the park

ensures that the amenity of the area will not be affected by the activities proposed, and given the non-permanent nature of the use, means it can return back to its not developed state at any stage in the future.

Furthermore, it is confirmed that the proposed Development will not involve native vegetation clearing that is assessable development as no clearing exemptions are created given there is no built infrastructure. Firebreak buffers are not applicable if there is no built infrastructure fixed to the plan.

Bushfire Hazard Overlay Code: Complies

- (1) *The purpose of the Bushfire Hazard Overlay Code is to:*
 - (a) *Provide for the assessment of the suitability of development in the Bushfire Hazard Overlay area to ensure that risk to life, property, community, economic activity and the environment during bushfire events is minimised.*
 - (b) *Ensure that development does not increase the potential for bushfire damage on-site or to other property.*
- (2) *The purpose of the Bushfire Hazard Overlay Code will be achieved through the following overall outcomes:*
 - (a) *the development siting, layout, and access responds to the risk of the bushfire hazard and minimises risk to personal safety*
 - (b) *the development is resilient to bushfire hazard events by ensuring siting and design accounts for the potential risks of bushfire hazards to property*
 - (c) *the development supports, and does not unduly burden disaster management response or recovery capacity and capabilities*
 - (d) *the development directly, indirectly and cumulatively avoids an unacceptable increase in severity of then bushfire hazard and does not significantly increase the potential for damage on the site or to other properties*
 - (e) *development avoids the establishment or intensification of vulnerable uses in or near areas subject to bushfire hazard*
 - (f) *the development avoids the release of hazardous materials as a result of a bushfire hazard event*
 - (g) *impacts from bushfire mitigation treatments on natural processes and the protective function of landforms and/or vegetation are avoided or minimized.*

Although the subject land parcels are mapped as containing areas of ‘medium potential bushfire intensity’. The key element of the proposal to note is the fact that no additional permanent infrastructure is proposed at this stage where this infrastructure must be protected from the hazard.

As part of the general operation and maintenance of the property, the owner’s regularly mow and clean all areas where any visitors and guest may frequent, which ensures suitable fuel loads and buffers are provided to further reduce any potential fire risks. Furthermore, in the interest of being comprehensive, the relevant Bushfire Hazard Checklist has been completed as part of this application and is included in Appendix 4.

Given the proposal does not intend to incorporate any additional buildings or hazardous materials, it is considered that no further intensification of vulnerable uses or threat to personal safety is evident. Therefore, the proposal as it is presented complies with the desired outcomes of the bushfire overlay code.

6.0 PUBLIC NOTIFICATION

The application is impact assessable and will be subject to public notification in accordance with the requirements specified under the Development Assessment Rules & Planning Act 2016.

7.0 CONCLUSION

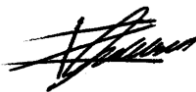
This application has been prepared by U&i Town Plan on behalf of the Cooktown Campout in relation to Lot 13 on BK157111, located at 165 Barretts Creek Road, Cooktown to facilitate the establishment of a Tourist Park. Accordingly, this application seeks the following approval:

- **Development Permit for a Material Change of Use Tourist Park (Up to 74 people)**

The applicant strongly believes that an assessment of the common material forming part of this development application in accordance with the decision-making rules established under the Planning Act will result in the approval of the development application and the issuing of a development permit subject to conditions.

The proposal is consistent with the “Purpose” of the Rural Zone and the applicable State level policy. The proposal constitutes works and a use of the site in a manner that meets the strategic outcomes sought by the planning instruments and the expectations of the community. The conclusion of this report is that all the requirements set by the assessment benchmarks can be met and that the strategic level policy outcomes sought by the planning scheme for the site and locality can be achieved. The common material provided as part of this development application contains sufficient justification to establish compliance with the assessment benchmarks. It is the applicant’s opinion that the development application contains sufficient justification to warrant approval subject to reasonable and relevant conditions.

We request that Council provide a copy of the Draft Conditions with sufficient time for review prior to issuing a Decision Notice for the development. If you have any queries, please do not hesitate to contact our office on 0411 344 110.



Ramon Samanes, MPIA

Director, U&i Town Plan

Bachelor of Applied Science, Majoring in Environmental and Urban Planning

APPENDIX 1: DA FORM 1

DA Form 1 – Development application details

Approved form (version 1.3 effective 28 September 2020) made under section 282 of the Planning Act 2016.

This form **must** be used to make a development application **involving code assessment or impact assessment**, except when applying for development involving only building work.

For a development application involving **building work only**, use *DA Form 2 – Building work details*.

For a development application involving **building work associated with any other type of assessable development (i.e. material change of use, operational work or reconfiguring a lot)**, use this form (*DA Form 1*) and parts 4 to 6 of *DA Form 2 – Building work details*.

Unless stated otherwise, all parts of this form **must** be completed in full and all required supporting information **must** accompany the development application.

One or more additional pages may be attached as a schedule to this development application if there is insufficient space on the form to include all the necessary information.

This form and any other form relevant to the development application must be used to make a development application relating to strategic port land and Brisbane core port land under the *Transport Infrastructure Act 1994*, and airport land under the *Airport Assets (Restructuring and Disposal) Act 2008*. For the purpose of assessing a development application relating to strategic port land and Brisbane core port land, any reference to a planning scheme is taken to mean a land use plan for the strategic port land, Brisbane port land use plan for Brisbane core port land, or a land use plan for airport land.

Note: All terms used in this form have the meaning given under the Planning Act 2016, the Planning Regulation 2017, or the Development Assessment Rules (DA Rules).

PART 1 – APPLICANT DETAILS

1) Applicant details	
Applicant name(s) <i>(individual or company full name)</i>	J&A Smith c/- U&i Town Plan
Contact name <i>(only applicable for companies)</i>	Ramon Samanes
Postal address <i>(P.O. Box or street address)</i>	PO Box 426
Suburb	COOKTOWN
State	QLD
Postcode	4895
Country	Australia
Contact number	0411344110
Email address <i>(non-mandatory)</i>	ramon@uitownplan.com.au
Mobile number <i>(non-mandatory)</i>	0411344110
Fax number <i>(non-mandatory)</i>	
Applicant's reference number(s) <i>(if applicable)</i>	M2-23

2) Owner's consent

2.1) Is written consent of the owner required for this development application?

- Yes – the written consent of the owner(s) is attached to this development application
 No – proceed to 3)

PART 2 – LOCATION DETAILS

3) Location of the premises (complete 3.1) or 3.2), and 3.3) as applicable)

Note: Provide details below and attach a site plan for any or all premises part of the development application. For further information, see [DA Forms Guide: Relevant plans](#).

3.1) Street address and lot on plan

Street address **AND** lot on plan (all lots must be listed), **or**

Street address **AND** lot on plan for an adjoining or adjacent property of the premises (appropriate for development in water but adjoining or adjacent to land e.g. jetty, pontoon. All lots must be listed).

a)	Unit No.	Street No.	Street Name and Type	Suburb
		165	Barretts Creek Road	Cooktown
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)
	4895	Lot 13	BK157111	Cook Shire Council
b)	Unit No.	Street No.	Street Name and Type	Suburb
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)

3.2) Coordinates of premises (appropriate for development in remote areas, over part of a lot or in water not adjoining or adjacent to land e.g. channel dredging in Moreton Bay)

Note: Place each set of coordinates in a separate row.

Coordinates of premises by longitude and latitude

Longitude(s)	Latitude(s)	Datum	Local Government Area(s) (if applicable)
		<input type="checkbox"/> WGS84 <input type="checkbox"/> GDA94 <input type="checkbox"/> Other: <input type="text"/>	

Coordinates of premises by easting and northing

Easting(s)	Northing(s)	Zone Ref.	Datum	Local Government Area(s) (if applicable)
		<input type="checkbox"/> 54 <input type="checkbox"/> 55 <input type="checkbox"/> 56	<input type="checkbox"/> WGS84 <input type="checkbox"/> GDA94 <input type="checkbox"/> Other: <input type="text"/>	

3.3) Additional premises

Additional premises are relevant to this development application and the details of these premises have been attached in a schedule to this development application

Not required

4) Identify any of the following that apply to the premises and provide any relevant details

In or adjacent to a water body or watercourse or in or above an aquifer

Name of water body, watercourse or aquifer:

On strategic port land under the *Transport Infrastructure Act 1994*

Lot on plan description of strategic port land:

Name of port authority for the lot:

In a tidal area

Name of local government for the tidal area (if applicable):

Name of port authority for tidal area (if applicable):

On airport land under the *Airport Assets (Restructuring and Disposal) Act 2008*

Name of airport:

<input type="checkbox"/> Listed on the Environmental Management Register (EMR) under the <i>Environmental Protection Act 1994</i>
EMR site identification: <input type="text"/>
<input type="checkbox"/> Listed on the Contaminated Land Register (CLR) under the <i>Environmental Protection Act 1994</i>
CLR site identification: <input type="text"/>

5) Are there any existing easements over the premises?
Note: Easement uses vary throughout Queensland and are to be identified correctly and accurately. For further information on easements and how they may affect the proposed development, see [DA Forms Guide](#).

Yes – All easement locations, types and dimensions are included in plans submitted with this development application

No

PART 3 – DEVELOPMENT DETAILS

Section 1 – Aspects of development

6.1) Provide details about the first development aspect

a) What is the type of development? *(tick only one box)*

Material change of use Reconfiguring a lot Operational work Building work

b) What is the approval type? *(tick only one box)*

Development permit Preliminary approval Preliminary approval that includes a variation approval

c) What is the level of assessment?

Code assessment Impact assessment *(requires public notification)*

d) Provide a brief description of the proposal *(e.g. 6 unit apartment building defined as multi-unit dwelling, reconfiguration of 1 lot into 3 lots):*

Tourist Park (Cooktown Campout)

e) Relevant plans
Note: Relevant plans are required to be submitted for all aspects of this development application. For further information, see [DA Forms guide: Relevant plans](#).

Relevant plans of the proposed development are attached to the development application

6.2) Provide details about the second development aspect

a) What is the type of development? *(tick only one box)*

Material change of use Reconfiguring a lot Operational work Building work

b) What is the approval type? *(tick only one box)*

Development permit Preliminary approval Preliminary approval that includes a variation approval

c) What is the level of assessment?

Code assessment Impact assessment *(requires public notification)*

d) Provide a brief description of the proposal *(e.g. 6 unit apartment building defined as multi-unit dwelling, reconfiguration of 1 lot into 3 lots):*

e) Relevant plans
Note: Relevant plans are required to be submitted for all aspects of this development application. For further information, see [DA Forms Guide: Relevant plans](#).

Relevant plans of the proposed development are attached to the development application

6.3) Additional aspects of development

Additional aspects of development are relevant to this development application and the details for these aspects that would be required under Part 3 Section 1 of this form have been attached to this development application

Not required

Section 2 – Further development details

7) Does the proposed development application involve any of the following?	
Material change of use	<input checked="" type="checkbox"/> Yes – complete division 1 if assessable against a local planning instrument
Reconfiguring a lot	<input type="checkbox"/> Yes – complete division 2
Operational work	<input type="checkbox"/> Yes – complete division 3
Building work	<input type="checkbox"/> Yes – complete <i>DA Form 2 – Building work details</i>

Division 1 – Material change of use

Note: This division is only required to be completed if any part of the development application involves a material change of use assessable against a local planning instrument.

8.1) Describe the proposed material change of use			
Provide a general description of the proposed use	Provide the planning scheme definition <i>(include each definition in a new row)</i>	Number of dwelling units <i>(if applicable)</i>	Gross floor area (m ²) <i>(if applicable)</i>
Cooktown Campout	Tourist Park	Up to 74 self-contained travellers	

8.2) Does the proposed use involve the use of existing buildings on the premises?	
<input type="checkbox"/> Yes	
<input checked="" type="checkbox"/> No	

Division 2 – Reconfiguring a lot

Note: This division is only required to be completed if any part of the development application involves reconfiguring a lot.

9.1) What is the total number of existing lots making up the premises?	

9.2) What is the nature of the lot reconfiguration? <i>(tick all applicable boxes)</i>	
<input type="checkbox"/> Subdivision <i>(complete 10)</i>	<input type="checkbox"/> Dividing land into parts by agreement <i>(complete 11)</i>
<input type="checkbox"/> Boundary realignment <i>(complete 12)</i>	<input type="checkbox"/> Creating or changing an easement giving access to a lot from a constructed road <i>(complete 13)</i>

10) Subdivision				
10.1) For this development, how many lots are being created and what is the intended use of those lots:				
Intended use of lots created	Residential	Commercial	Industrial	Other, please specify:
Number of lots created				

10.2) Will the subdivision be staged?	
<input type="checkbox"/> Yes – provide additional details below	
<input type="checkbox"/> No	
How many stages will the works include?	
What stage(s) will this development application apply to?	

11) Dividing land into parts by agreement – how many parts are being created and what is the intended use of the parts?

Intended use of parts created	Residential	Commercial	Industrial	Other, please specify:
Number of parts created				

12) Boundary realignment

12.1) What are the current and proposed areas for each lot comprising the premises?

Current lot		Proposed lot	
Lot on plan description	Area (m ²)	Lot	Area (m ²)

12.2) What is the reason for the boundary realignment?

--

Division 3 – Operational work

Note: This division is only required to be completed if any part of the development application involves operational work.

14.1) What is the nature of the operational work?

<input type="checkbox"/> Road work	<input type="checkbox"/> Stormwater	<input type="checkbox"/> Water infrastructure
<input type="checkbox"/> Drainage work	<input type="checkbox"/> Earthworks	<input type="checkbox"/> Sewage infrastructure
<input type="checkbox"/> Landscaping	<input type="checkbox"/> Signage	<input type="checkbox"/> Clearing vegetation
<input type="checkbox"/> Other – please specify: <table border="1" style="width: 100%; height: 20px;"></table>		

14.2) Is the operational work necessary to facilitate the creation of new lots? (e.g. subdivision)

<input type="checkbox"/> Yes – specify number of new lots: <table border="1" style="width: 100%; height: 20px;"></table>
<input type="checkbox"/> No

14.3) What is the monetary value of the proposed operational work? (include GST, materials and labour)

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PART 4 – ASSESSMENT MANAGER DETAILS

15) Identify the assessment manager(s) who will be assessing this development application

Cook Shire Council

16) Has the local government agreed to apply a superseded planning scheme for this development application?

<input type="checkbox"/> Yes – a copy of the decision notice is attached to this development application
<input type="checkbox"/> The local government is taken to have agreed to the superseded planning scheme request – relevant documents attached
<input checked="" type="checkbox"/> No

PART 5 – REFERRAL DETAILS

17) Does this development application include any aspects that have any referral requirements?

Note: A development application will require referral if prescribed by the Planning Regulation 2017.

<input checked="" type="checkbox"/> No, there are no referral requirements relevant to any development aspects identified in this development application – proceed to Part 6

Matters requiring referral to the Chief Executive of the Planning Act 2016:

<input type="checkbox"/> Clearing native vegetation
<input type="checkbox"/> Contaminated land (unexploded ordnance)

- Environmentally relevant activities (ERA) *(only if the ERA has not been devolved to a local government)*
- Fisheries – aquaculture
- Fisheries – declared fish habitat area
- Fisheries – marine plants
- Fisheries – waterway barrier works
- Hazardous chemical facilities
- Heritage places – Queensland heritage place *(on or near a Queensland heritage place)*
- Infrastructure-related referrals – designated premises
- Infrastructure-related referrals – state transport infrastructure
- Infrastructure-related referrals – State transport corridor and future State transport corridor
- Infrastructure-related referrals – State-controlled transport tunnels and future state-controlled transport tunnels
- Infrastructure-related referrals – near a state-controlled road intersection
- Koala habitat in SEQ region – interfering with koala habitat in koala habitat areas outside koala priority areas
- Koala habitat in SEQ region – key resource areas
- Ports – Brisbane core port land – near a State transport corridor or future State transport corridor
- Ports – Brisbane core port land – environmentally relevant activity (ERA)
- Ports – Brisbane core port land – tidal works or work in a coastal management district
- Ports – Brisbane core port land – hazardous chemical facility
- Ports – Brisbane core port land – taking or interfering with water
- Ports – Brisbane core port land – referable dams
- Ports – Brisbane core port land – fisheries
- Ports – Land within Port of Brisbane’s port limits *(below high-water mark)*
- SEQ development area
- SEQ regional landscape and rural production area or SEQ rural living area – tourist activity or sport and recreation activity
- SEQ regional landscape and rural production area or SEQ rural living area – community activity
- SEQ regional landscape and rural production area or SEQ rural living area – indoor recreation
- SEQ regional landscape and rural production area or SEQ rural living area – urban activity
- SEQ regional landscape and rural production area or SEQ rural living area – combined use
- Tidal works or works in a coastal management district
- Reconfiguring a lot in a coastal management district or for a canal
- Erosion prone area in a coastal management district
- Urban design
- Water-related development – taking or interfering with water
- Water-related development – removing quarry material *(from a watercourse or lake)*
- Water-related development – referable dams
- Water-related development –levees *(category 3 levees only)*
- Wetland protection area

Matters requiring referral to the local government:

- Airport land
- Environmentally relevant activities (ERA) *(only if the ERA has been devolved to local government)*
- Heritage places – Local heritage places

Matters requiring referral to the Chief Executive of the distribution entity or transmission entity:

- Infrastructure-related referrals – Electricity infrastructure

Matters requiring referral to:

- The **Chief Executive of the holder of the licence**, if not an individual
- The **holder of the licence**, if the holder of the licence is an individual
- Infrastructure-related referrals – Oil and gas infrastructure

Matters requiring referral to the Brisbane City Council:

- Ports – Brisbane core port land

Matters requiring referral to the Minister responsible for administering the Transport Infrastructure Act 1994: <input type="checkbox"/> Ports – Brisbane core port land (<i>where inconsistent with the Brisbane port LUP for transport reasons</i>) <input type="checkbox"/> Ports – Strategic port land
Matters requiring referral to the relevant port operator, if applicant is not port operator: <input type="checkbox"/> Ports – Land within Port of Brisbane’s port limits (<i>below high-water mark</i>)
Matters requiring referral to the Chief Executive of the relevant port authority: <input type="checkbox"/> Ports – Land within limits of another port (<i>below high-water mark</i>)
Matters requiring referral to the Gold Coast Waterways Authority: <input type="checkbox"/> Tidal works or work in a coastal management district (<i>in Gold Coast waters</i>)
Matters requiring referral to the Queensland Fire and Emergency Service: <input type="checkbox"/> Tidal works or work in a coastal management district (<i>involving a marina (more than six vessel berths)</i>)

18) Has any referral agency provided a referral response for this development application?		
<input type="checkbox"/> Yes – referral response(s) received and listed below are attached to this development application <input checked="" type="checkbox"/> No		
Referral requirement	Referral agency	Date of referral response
Identify and describe any changes made to the proposed development application that was the subject of the referral response and this development application, or include details in a schedule to this development application (<i>if applicable</i>).		

PART 6 – INFORMATION REQUEST

19) Information request under Part 3 of the DA Rules
<input checked="" type="checkbox"/> I agree to receive an information request if determined necessary for this development application <input type="checkbox"/> I do not agree to accept an information request for this development application Note: <i>By not agreeing to accept an information request I, the applicant, acknowledge:</i> <ul style="list-style-type: none"> that this development application will be assessed and decided based on the information provided when making this development application and the assessment manager and any referral agencies relevant to the development application are not obligated under the DA Rules to accept any additional information provided by the applicant for the development application unless agreed to by the relevant parties Part 3 of the DA Rules will still apply if the application is an application listed under section 11.3 of the DA Rules. <i>Further advice about information requests is contained in the DA Forms Guide.</i>

PART 7 – FURTHER DETAILS

20) Are there any associated development applications or current approvals? (e.g. a preliminary approval)			
<input type="checkbox"/> Yes – provide details below or include details in a schedule to this development application <input checked="" type="checkbox"/> No			
List of approval/development application references	Reference number	Date	Assessment manager
<input type="checkbox"/> Approval <input type="checkbox"/> Development application			
<input type="checkbox"/> Approval <input type="checkbox"/> Development application			

21) Has the portable long service leave levy been paid? (only applicable to development applications involving building work or operational work)

- Yes – a copy of the receipted QLeave form is attached to this development application
- No – I, the applicant will provide evidence that the portable long service leave levy has been paid before the assessment manager decides the development application. I acknowledge that the assessment manager may give a development approval only if I provide evidence that the portable long service leave levy has been paid
- Not applicable (e.g. building and construction work is less than \$150,000 excluding GST)

Amount paid	Date paid (dd/mm/yy)	QLeave levy number (A, B or E)
\$		

22) Is this development application in response to a show cause notice or required as a result of an enforcement notice?

- Yes – show cause or enforcement notice is attached
- No

23) Further legislative requirements

Environmentally relevant activities

23.1) Is this development application also taken to be an application for an environmental authority for an **Environmentally Relevant Activity (ERA)** under section 115 of the *Environmental Protection Act 1994*?

- Yes – the required attachment (form ESR/2015/1791) for an application for an environmental authority accompanies this development application, and details are provided in the table below
- No

Note: Application for an environmental authority can be found by searching “ESR/2015/1791” as a search term at www.qld.gov.au. An ERA requires an environmental authority to operate. See www.business.qld.gov.au for further information.

Proposed ERA number:		Proposed ERA threshold:	
Proposed ERA name:			

- Multiple ERAs are applicable to this development application and the details have been attached in a schedule to this development application.

Hazardous chemical facilities

23.2) Is this development application for a **hazardous chemical facility**?

- Yes – *Form 69: Notification of a facility exceeding 10% of schedule 15 threshold* is attached to this development application
- No

Note: See www.business.qld.gov.au for further information about hazardous chemical notifications.

Clearing native vegetation

23.3) Does this development application involve **clearing native vegetation** that requires written confirmation that the chief executive of the *Vegetation Management Act 1999* is satisfied the clearing is for a relevant purpose under section 22A of the *Vegetation Management Act 1999*?

- Yes – this development application includes written confirmation from the chief executive of the *Vegetation Management Act 1999* (s22A determination)
- No

Note: 1. Where a development application for operational work or material change of use requires a s22A determination and this is not included, the development application is prohibited development.
2. See <https://www.qld.gov.au/environment/land/vegetation/applying> for further information on how to obtain a s22A determination.

Environmental offsets

23.4) Is this development application taken to be a prescribed activity that may have a significant residual impact on a prescribed environmental matter under the *Environmental Offsets Act 2014*?

- Yes – I acknowledge that an environmental offset must be provided for any prescribed activity assessed as having a significant residual impact on a prescribed environmental matter
- No

Note: The environmental offset section of the Queensland Government's website can be accessed at www.qld.gov.au for further information on environmental offsets.

Koala habitat in SEQ Region

23.5) Does this development application involve a material change of use, reconfiguring a lot or operational work which is assessable development under Schedule 10, Part 10 of the Planning Regulation 2017?

- Yes – the development application involves premises in the koala habitat area in the koala priority area
- Yes – the development application involves premises in the koala habitat area outside the koala priority area
- No

Note: If a koala habitat area determination has been obtained for this premises and is current over the land, it should be provided as part of this development application. See koala habitat area guidance materials at www.des.qld.gov.au for further information.

Water resources

23.6) Does this development application involve **taking or interfering with underground water through an artesian or subartesian bore, taking or interfering with water in a watercourse, lake or spring, or taking overland flow water under the *Water Act 2000***?

- Yes – the relevant template is completed and attached to this development application and I acknowledge that a relevant authorisation or licence under the *Water Act 2000* may be required prior to commencing development
- No

Note: Contact the Department of Natural Resources, Mines and Energy at www.dnrme.qld.gov.au for further information.

DA templates are available from <https://planning.dsdmip.qld.gov.au/>. If the development application involves:

- Taking or interfering with underground water through an artesian or subartesian bore: complete DA Form 1 Template 1
- Taking or interfering with water in a watercourse, lake or spring: complete DA Form 1 Template 2
- Taking overland flow water: complete DA Form 1 Template 3.

Waterway barrier works

23.7) Does this application involve **waterway barrier works**?

- Yes – the relevant template is completed and attached to this development application
- No

DA templates are available from <https://planning.dsdmip.qld.gov.au/>. For a development application involving waterway barrier works, complete DA Form 1 Template 4.

Marine activities

23.8) Does this development application involve **aquaculture, works within a declared fish habitat area or removal, disturbance or destruction of marine plants**?

- Yes – an associated resource allocation authority is attached to this development application, if required under the *Fisheries Act 1994*
- No

Note: See guidance materials at www.daf.qld.gov.au for further information.

Quarry materials from a watercourse or lake

23.9) Does this development application involve the **removal of quarry materials from a watercourse or lake** under the *Water Act 2000*?

- Yes – I acknowledge that a quarry material allocation notice must be obtained prior to commencing development
- No

Note: Contact the Department of Natural Resources, Mines and Energy at www.dnrme.qld.gov.au and www.business.qld.gov.au for further information.

Quarry materials from land under tidal waters

23.10) Does this development application involve the **removal of quarry materials from land under tidal water** under the *Coastal Protection and Management Act 1995*?

- Yes – I acknowledge that a quarry material allocation notice must be obtained prior to commencing development
 No

Note: Contact the Department of Environment and Science at www.des.qld.gov.au for further information.

Referable dams

23.11) Does this development application involve a **referable dam** required to be failure impact assessed under section 343 of the *Water Supply (Safety and Reliability) Act 2008* (the Water Supply Act)?

- Yes – the 'Notice Accepting a Failure Impact Assessment' from the chief executive administering the Water Supply Act is attached to this development application
 No

Note: See guidance materials at www.dnrme.qld.gov.au for further information.

Tidal work or development within a coastal management district

23.12) Does this development application involve **tidal work or development in a coastal management district**?

- Yes – the following is included with this development application:
- Evidence the proposal meets the code for assessable development that is prescribed tidal work (*only required if application involves prescribed tidal work*)
 - A certificate of title
- No

Note: See guidance materials at www.des.qld.gov.au for further information.

Queensland and local heritage places

23.13) Does this development application propose development on or adjoining a place entered in the **Queensland heritage register** or on a place entered in a local government's **Local Heritage Register**?

- Yes – details of the heritage place are provided in the table below
 No

Note: See guidance materials at www.des.qld.gov.au for information requirements regarding development of Queensland heritage places.

Name of the heritage place:		Place ID:	
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Brothels

23.14) Does this development application involve a **material change of use for a brothel**?

- Yes – this development application demonstrates how the proposal meets the code for a development application for a brothel under Schedule 3 of the *Prostitution Regulation 2014*
 No

Decision under section 62 of the Transport Infrastructure Act 1994

23.15) Does this development application involve new or changed access to a state-controlled road?

- Yes – this application will be taken to be an application for a decision under section 62 of the *Transport Infrastructure Act 1994* (subject to the conditions in section 75 of the *Transport Infrastructure Act 1994* being satisfied)
 No

Walkable neighbourhoods assessment benchmarks under Schedule 12A of the Planning Regulation

23.16) Does this development application involve reconfiguring a lot into 2 or more lots in certain residential zones (except rural residential zones), where at least one road is created or extended?

- Yes – Schedule 12A is applicable to the development application and the assessment benchmarks contained in schedule 12A have been considered
 No

Note: See guidance materials at www.planning.dsdmip.qld.gov.au for further information.

PART 8 – CHECKLIST AND APPLICANT DECLARATION

24) Development application checklist	
I have identified the assessment manager in question 15 and all relevant referral requirement(s) in question 17 <i>Note: See the Planning Regulation 2017 for referral requirements</i>	<input checked="" type="checkbox"/> Yes
If building work is associated with the proposed development, Parts 4 to 6 of DA Form 2 – Building work details have been completed and attached to this development application	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> Not applicable
Supporting information addressing any applicable assessment benchmarks is with the development application <i>Note: This is a mandatory requirement and includes any relevant templates under question 23, a planning report and any technical reports required by the relevant categorising instruments (e.g. local government planning schemes, State Planning Policy, State Development Assessment Provisions). For further information, see DA Forms Guide: Planning Report Template.</i>	<input checked="" type="checkbox"/> Yes
Relevant plans of the development are attached to this development application <i>Note: Relevant plans are required to be submitted for all aspects of this development application. For further information, see DA Forms Guide: Relevant plans.</i>	<input checked="" type="checkbox"/> Yes
The portable long service leave levy for QLeave has been paid, or will be paid before a development permit is issued (see 21)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> Not applicable

25) Applicant declaration	
<input checked="" type="checkbox"/> By making this development application, I declare that all information in this development application is true and correct	
<input checked="" type="checkbox"/> Where an email address is provided in Part 1 of this form, I consent to receive future electronic communications from the assessment manager and any referral agency for the development application where written information is required or permitted pursuant to sections 11 and 12 of the <i>Electronic Transactions Act 2001</i>	
<i>Note: It is unlawful to intentionally provide false or misleading information.</i>	
<p>Privacy – Personal information collected in this form will be used by the assessment manager and/or chosen assessment manager, any relevant referral agency and/or building certifier (including any professional advisers which may be engaged by those entities) while processing, assessing and deciding the development application. All information relating to this development application may be available for inspection and purchase, and/or published on the assessment manager's and/or referral agency's website.</p> <p>Personal information will not be disclosed for a purpose unrelated to the <i>Planning Act 2016</i>, <i>Planning Regulation 2017</i> and the DA Rules except where:</p> <ul style="list-style-type: none"> • such disclosure is in accordance with the provisions about public access to documents contained in the <i>Planning Act 2016</i> and the <i>Planning Regulation 2017</i>, and the access rules made under the <i>Planning Act 2016</i> and <i>Planning Regulation 2017</i>; or • required by other legislation (including the <i>Right to Information Act 2009</i>); or • otherwise required by law. <p>This information may be stored in relevant databases. The information collected will be retained as required by the <i>Public Records Act 2002</i>.</p>	

PART 9 – FOR COMPLETION OF THE ASSESSMENT MANAGER – FOR OFFICE USE ONLY

Date received: Reference number(s):

Notification of engagement of alternative assessment manager	
Prescribed assessment manager	
Name of chosen assessment manager	
Date chosen assessment manager engaged	
Contact number of chosen assessment manager	
Relevant licence number(s) of chosen assessment manager	

QLeave notification and payment			
<i>Note: For completion by assessment manager if applicable</i>			
Description of the work			
QLeave project number			
Amount paid (\$)		Date paid (dd/mm/yy)	
Date receipted form sighted by assessment manager			
Name of officer who sighted the form			

APPENDIX 2: LANDOWNER'S CONSENT

CLIENT ACCEPTANCE FORM / OWNER'S CONSENT

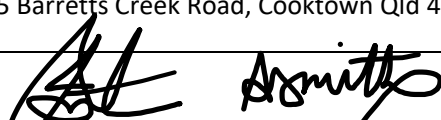
(TO BE COMPLETED AND RETURNED)

PROJECT:	Material Change of Use – Tourist Park (up to 74 people)
PROJECT ADDRESS:	165 Barretts Creek Road, Cooktown (Lot 13 on BK157111)

Client Details

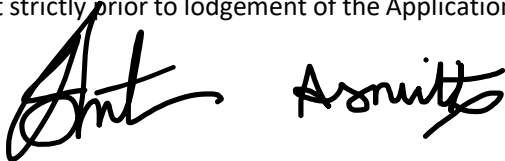
Client:	Jeremy and Ashleigh Smith
Invoice Address:	165 Barretts Creek Road, Cooktown Qld 4895
Phone:	0407 488 355
Email:	cooktowncampout@gmail.com
Accounts Contact:	As per above

Landowner Details

Landowner Name/s:	Jeremy and Ashleigh Smith
Address:	165 Barretts Creek Road, Cooktown Qld 4895
All Owners Signatures:	 (signatures from all landowners & Dated)

I / we, the party named below (the Client), confirm the commission of R&A Samanes Pty Ltd t/a U&i Town Plan (the Consultant), in relation to the project referenced above and accept all terms and conditions of the Quote and in particular confirm responsibility for payment of fees generated by this commission and payable to the Consultant strictly prior to lodgement of the Application and in other cases within 7 days of the date of invoice.

Signed:



Name: Jeremy and Ashleigh Smith

Date: 07/04/2023

Please complete, sign and return to: ramon@uitownplan.com.au. Along with a copy of the receipt of payment of selected fees.

APPENDIX 3: DEVELOPMENT PLANS

Barretts Creek Road

Campground



APPENDIX 4: FIRE HAZARD CHECKLIST

FIRE HAZARD ANALYSIS

The following analysis can be completed by the land owner to provide their own written summary of issues. If any clarification is required, please contact Council's Town Planning section on (07) 4069 5533.

Fuel type:

Comment: Grasses throughout some patches of bushland. As noted, there is no built infrastructure proposed as part of this development, hence this code does not necessarily apply. Nevertheless, areas for camping will be maintained to provide suitable buffers for visitors to camp.

Topographic features:

Comment: The site is surrounded by features which would limit the amount and extent of fire hazard relevant to the property. The site is flat, with some gullies which reduces the rate of spread.

Fire history:

Comment: No known history or fires over the property. As such, no further comment is required or considered warranted on this subject.

Proposed development:

Comment: Grasses throughout some patches of bushland. As noted, there is no built infrastructure proposed as part of this development, hence this code does not necessarily apply. Nevertheless, areas for camping will be maintained to provide suitable buffers for visitors to camp.

Damage potential:

Comment: Minimal damage potential given the buffers and areas maintained around the property. The proposed use for a tourist park is for self-contained campers only at this stage, therefore no potential damage to infrastructure.

Protection measures:

Comment: The camping areas will be maintained to provide suitable buffers for campers.

FIRE HAZARD ASSESSMENT CHECKLIST

Property Description - Lot 13 on BK157111

Property Address - 165 Barretts Creek Road, Cooktown

Assessor name - Ramon Samanes, U&i Town Plan

- 15.03.23

Assessment date

1. FUEL AVAILABLE to sustain fire:

Vegetation:	Open forest or woodland + Grass	5
	Tall, wet eucalypt forest Grassland	4
	Heath	3
	Acacia thickets	3
	Cropping, horticulture	2
	Rainforest and other types	1
Fuel Load:	VERY HIGH 15.1 t/ha +	5
	HIGH 10.1 - 15.0	4
	MODERATE 5.1 - 10.0	3
	LOW <u>2.1 - 5.0</u>	2
	VERY LOW 0.1 - 2.0	1
		-

2. TOPOGRAPHY:

Slope	Very Steep	16° +	5
	<u>Steep</u>	11° - 15°	4
	Moderate	7° - 10°	3
	Gentle	2° - 6°	2
	Flat	< 1°	1
Aspect:	North		5
	Northwest to west		4
	Mixed		3
	North to east		2
	East to south		1
SUB-TOTAL			<u>6</u>

3. IGNITION SOURCES:

VERY HIGH	(Very frequent outbreaks)	10	<input type="checkbox"/>
HIGH	(Frequent fires, 1 every 1-2 years)	8	<input type="checkbox"/>
MODERATE	(Occasional fires, 1 every 3-5 years)	5	<input type="checkbox"/>
<u>LOW</u>	(Rarely any fire, 1 every 6-10 years)	2	<input type="checkbox"/>
VERY LOW	(No previous fires)	1	<input type="checkbox"/>

4. FIRE SEASON SEVERITY:

VERY HIGH	(Normally Very High to Extreme Fire Danger exists)	5	<input type="checkbox"/>
HIGH		4	<input type="checkbox"/>
MODERATE	(Normally Moderate Fire Danger exists)	3	<input type="checkbox"/>
<u>LOW</u>	- Rainforest adjacent to the river in a Riparian Area.	2	<input type="checkbox"/>
VERY LOW	(Normally Low to Very Low Fire Danger exists)	1	<input type="checkbox"/>

5. HOUSING/BUILDING DENSITY:

VERY HIGH	(One house per 0.5ha.)	10	<input type="checkbox"/>
HIGH	(One house per 0.6 – 2ha.)	8	<input type="checkbox"/>
<u>MODERATE</u>	(One house per 2-10ha.)	6	<input type="checkbox"/>
LOW	(One house per 10-50ha.)	4	<input type="checkbox"/>
VERY LOW	(One house per 50ha. +)	2	<input type="checkbox"/>

6. DAMAGE POTENTIAL:

VERY HIGH	(Complete destruction possible)	10	<input type="checkbox"/>
HIGH	(Partial destruction, complete scorch)	8	<input type="checkbox"/>
MODERATE	(Some severe scorch)	5	<input type="checkbox"/>
<u>LOW</u>	(Minimal damage can occur)	2	<input type="checkbox"/>
VERY LOW	(No damage)	1	<input type="checkbox"/>

Summary of scores:

TOTAL SCORE: 20

CATEGORIES/RISK (please circle based on your score above):

VERY LOW	Score: 5 – 13
LOW	Score: 14 – 24
MODERATE	Score: 25 – 35
HIGH VERY	Score: 36 – 46
HIGH	Score: 47 – 55

Overall assessment: LOW bushfire hazard.

The key element of the proposal to note is the fact that no additional permanent infrastructure is proposed at this stage where this infrastructure must be protected from the hazard. The glamping sites located around the dam are located outside of the hazard areas, while any self-contained traveller's staying along the airstrip can move at any time should a fire start on the property. As part of the general operation and maintenance of the property, the owner's regularly mow and clean all areas where any visitors and guest may frequent, which ensures suitable fuel loads and buffers are provided to further reduce any potential fire risks.

