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Town Planning Report

81 SAVAGE STREET, COOKTOWN 4895

INFO@PROPERTYPROJECTSAUSTRALIA.COM.AU
PROPERTYPROJECTSAUSTRALIA.COM.AU
ABN 13 167 478 766



Town Planning Report

81 SAVAGE STREET, COOKTOWN 4895

- Development Permit for a Material Change of Use for Shopping Centre

Assessable Development (Impact Assessment)

Prepared by Property Projects Australia Pty Ltd
Prepared for Kwikbridge Pty Ltd ACN 010 595 801

27 August 2023

BRISBANE OFFICE
OFFICE 1 / 618-626 BRUNSWICK ST
NEW FARM QLD 4005 AUSTRALIA
PO BOX 1264 NEW FARM QLD 4005 AUSTRALIA
P +61 7 3254 1566

TOOWOOMBA OFFICE
123 MARGARET ST
TOOWOOMBA QLD 4350 AUSTRALIA
PO BOX 3686 TOOWOOMBA QLD 4350 AUSTRALIA
P +61 7 4632 0516

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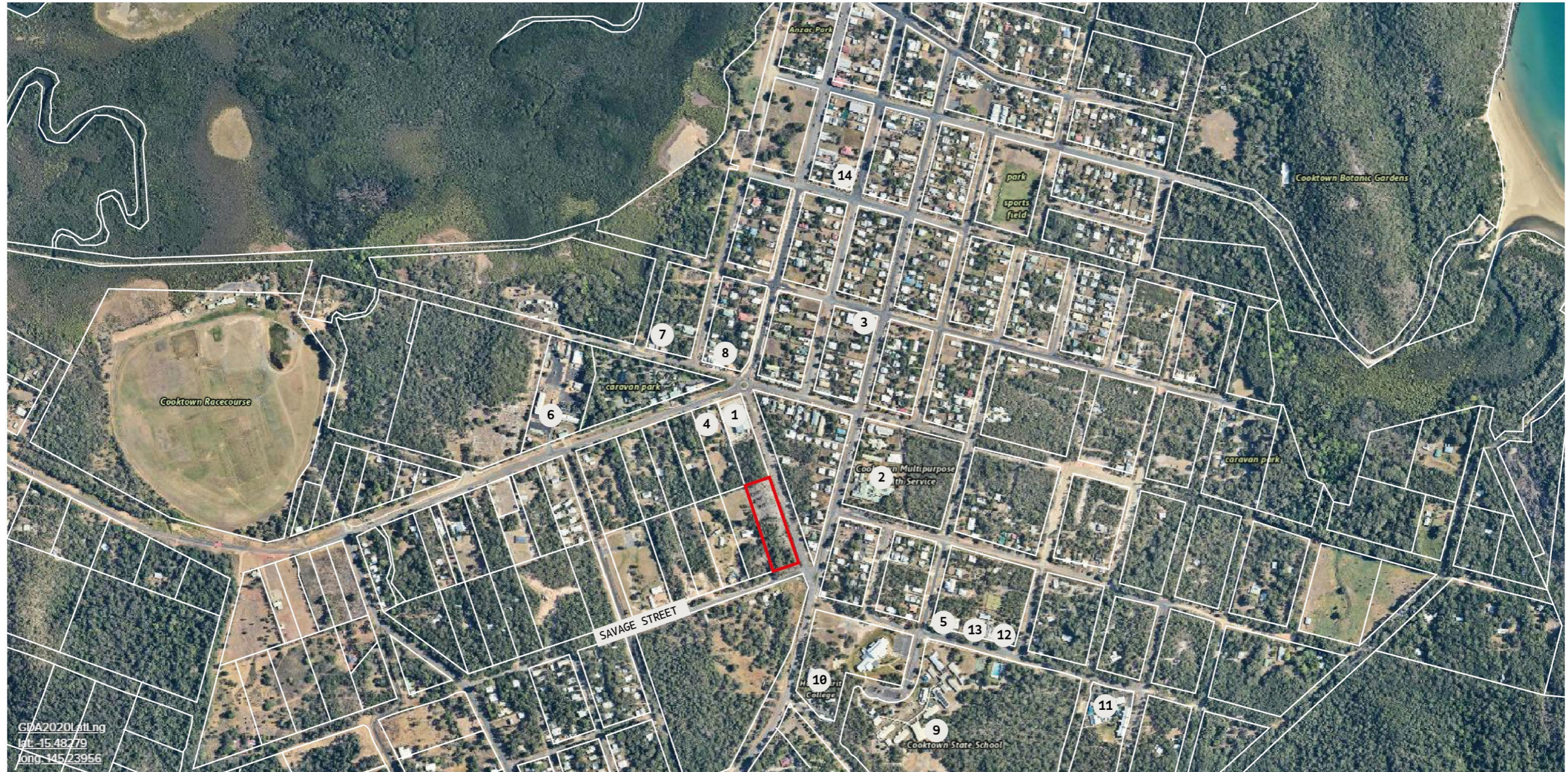
1. EXECUTIVE SUMMARY

Table 1 – Site Details

Applicant:	Kwikbridge Pty Ltd ACN 010 595 801 C/- Property Projects Australia
Address of Site:	81 Savage Street, Cooktown 4895 (“the site”) Refer to Figure 1
Property Description:	Lot 212 on C17915
Area of Site:	12,140m ² (1.214ha)
Land Owner:	Kwikbridge Pty Ltd ACN 010 595 801 Refer to Appendix A
Regional Plan:	The site is located within the Priority Living Area (PLA) of the Cape York Regional Plan. Refer to Appendix A
Planning Scheme:	Cook Shire Council Planning Scheme 2017 (“the planning scheme”)
Zone and Precinct:	Medium Density Residential Zone Refer to Figure 2
Local Plan:	Not Applicable
Overlays:	The site is mapped to be affected by the following overlays: Biodiversity Overlay <ul style="list-style-type: none"> ■ MSES - Regulated Vegetation (Essential Habitat) Bushfire Hazard Overlay <ul style="list-style-type: none"> ■ High Potential Bushfire Intensity ■ Medium Potential Bushfire Intensity Rural Land Use Overlay <ul style="list-style-type: none"> ■ Important Agricultural Areas
Overview:	The proposed development seeks a development approval to relocate the existing IGA supermarket located at 29 Helen Street, Cooktown (Lot 12 on RP867051) to the site at 81 Savage Street, Cooktown. The site is currently vacant and will allow for the expansion of the IGA supermarket suitable to address client and operation requirements. The proposed development is defined as a shopping centre under the planning scheme where involving three (3) shops, as follows: <ul style="list-style-type: none"> ■ IGA supermarket ■ laundromat; and ■ liquor store.

	<p>The proposed development involves a total gross floor area of 2,272m² being 2,038m² associated with the IGA supermarket, 84m² associated with the laundromat and 150m² associated with the liquor store.</p> <p>The proposed development involves a site cover of 25% (2,977m²) with 2,657m² (22%) of landscaping on site. The maximum building height is two (2) storeys and 9.185m above ground level.</p> <p>The proposed development will provide ingress / egress via an all vehicle movements ingress / egress to Savage Street, an all vehicle movements ingress / egress to Harrigan Street and a left our only egress Harrigan Street.</p> <p>The proposed development will be serviced by 82 parking spaces, including two (2) disabled access parking spaces, seven (7) trailer / truck parking spaces suitable for larger vehicles and caravans including short term truck standing, four (4) electronic vehicle parking spaces and access and servicing for an articulated vehicle (AV).</p> <p>Refer to Section 2.0 and Section 4.0 for further information.</p>
Aspects of Development:	<ul style="list-style-type: none"> ■ Development Permit for a Material Change of Use for Shopping Centre
Category of Assessment:	<ul style="list-style-type: none"> <input checked="" type="checkbox"/> Impact Assessment
Public Notification:	The development application is required to be publicly notified for a minimum of fifteen (15) business days.
Assessment Manager:	Cook Shire Council
Referral Agency:	<p>The development application triggers referral to Energex under the Planning Regulation 2017 for the following:</p> <ul style="list-style-type: none"> ■ A material change of use within 100.0m of a substation site under Schedule 10, Part 9, Division 2, Table 2 of the Planning Regulation 2017.

Figure 1 - Context Plan - Aerial



GDA2020L111.ng
 lat -15.48279
 long 145.23956

LEGEND:

	81 SAVAGE STREET, COOKTOWN - SUBJECT SITE	3	AMPOL COOKTOWN	6	QLD AMBULANCE SERVICE FIELD OFFICE	9	COOKTOWN STATE SCHOOL	12	C&K COOKTOWN KINDERGARTEN
1	COOKTOWN HARDWARE	4	COMPOUND AUTOMOTIVE	7	SEABOURNE OUTBOARDS	10	HOLY SPIRIT COLLEGE	13	COOKTOWN DISTRICT COMMUNITY CENTRE
2	COOKTOWN HOSPITAL	5	BARRIER REEF CHILD CARE CENTRE	8	COOKTOWN AUTOREPAIRS	11	ENDEAVOR CHRISTIAN COLLEGE	14	EXISTING IGA FACILITY



SCALE: NTS SOURCE: NEARMAP
 THE CONTENT OF THIS DOCUMENT INCLUDES THIRD PARTY DATA. PROPERTY PROJECTS AUSTRALIA PTY LTD DOES NOT GUARANTEE THE ACCURACY OF SUCH DATA.



Figure 2 - Context Plan - Planning Scheme



LEGEND:

- 81 SAVAGE STREET, COOKTOWN - SUBJECT SITE
- MEDIUM DENSITY RESIDENTIAL ZONE
- COMMUNITY FACILITIES ZONE
- MIXED USE ZONE
- LOW DENSITY RESIDENTIAL ZONE
- CENTRE ZONE
- ENVIRONMENTAL MANAGEMENT ZONE
- RURAL RESIDENTIAL ZONE

SCALE: NTS SOURCE: NEARMAP

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2. DEVELOPMENT PROPOSAL

2.1 Site

As illustrated in **Figure 1**, the site (1.214ha) is located at 81 Savage Street and is formally described as Lot 212 on C17915. The site has a primary frontage of approximately 60.4m to Savage Street and a secondary frontage of approximately 201.6m to Harrigan Street.

The site is mapped within the Medium Density Residential Zone, refer to **Figure 2**, and is located within the mapped extent of the Biodiversity Overlay, the Bushfire Hazard Overlay and the Rural Land Use Overlay. There are other non residential uses in close proximity to the site, including, the Cooktown Hardware store and the Cooktown Hospital.

2.2 Context

As demonstrated within **Figure 1**, whilst the site is located within the Medium Density Residential Zone, the immediate area contains several non residential uses and non residential developments. The following sites have been highlighted where they are located in close proximity to the site:

- Cooktown Hardware - 48 Charlotte Street, Cooktown, adjoining site to the north; and
- Compound Automotive - 46 Charlotte Street, Cooktown, adjoining site to the north west.

Specifically, the development approvals granted by the assessment manager 46 Charlotte Street, Cooktown (DA / 4181) and 48 Charlotte Street, Cooktown (DA / 3 458) also involves non residential uses within the land zoned for residential purposes, highlighting the characteristics of the area have changed since the planning scheme was drafted.

2.3 Overview

This development application seeks to establish a shopping centre over the site. The proposed development features a total gross floor area of 2,272m² across three (3) tenancies. Further information on the individual tenancies is provided within the following section of this town planning report.

Specifically, this development application seeks a development approval for the following aspect of development:

- Development Permit for Material Change of Use for a Shopping Centre.

In accordance with Table 5.5.2, a material change of use for a shopping centre within the Medium Density Residential Zone triggers assessable development subject to impact assessment.

The site is located within 100m of an Ergon substation site. As such, this development application triggers referral to Ergon under Schedule 10, Part 9, Division 2, Table 2 of the Planning Regulation 2017 where involving a material change of use of premises within 100.0m of a substation site.

2.4 Proposed Development

The proposed development will provide ingress / egress via an all vehicle movements ingress / egress to Savage Street, an all vehicle movements ingress / egress to Harrigan Street and a left our only egress Harrigan Street.

The proposed development will be serviced by 83 parking spaces, including two (2) disabled access parking spaces, seven (7) trailer / truck parking spaces suitable for larger vehicles and caravans including short term truck standing, four (4) electronic vehicle parking spaces and access and servicing for an articulated vehicle (AV).

The proposed development involves a site cover of 25% (2,977m²) with 2,657m² (22%) of landscaping on site. The maximum building height is two (2) storeys and 9.185m above ground level. Note, the second storey is limited to a mezzanine area / plant room which involves a gross floor area of 85m².

The site is located within an established urban area and the proposed development is capable of being connected to all required services and infrastructure, including water, sewer, stormwater, electricity and telecommunications. The existing structures on the site are to be removed / demolished to facilitate the proposed development.

The following information should be read in conjunction with the proposal plans provided at **Appendix B**.

2.1.1. Tenancy 1 – Supermarket

Tenancy 1 is proposed to be utilised as an IGA supermarket (Cornetts) and is to replace the existing IGA supermarket located at 29 Helen Street, Cooktown (Lot 12 on RP867051). The proposed development is require to service current demand, and projected demand, and there is no opportunity to expand the existing IGA supermarket at 29 Helen Street, Cooktown. Therefore, a new, purpose built IGA supermarket will be established to accommodate a use which can provide an appropriate level of service to align with current and anticipated consumer demands.

The IGA supermarket features a total gross floor area of 2,038m² comprised of the main supermarket area, back of house / service area, online collection area and office space.

2.1.2. Tenancy 2 – Liquor Store

Tenancy 2 of the proposed development involves a gross floor area of 150m² to be utilised as a liquor store. This tenancy is located along the eastern façade of the building along Harrigan Street.

2.1.3. Tenancy 3 – Laundry

Tenancy 3 of the proposed development involves a gross floor area of 84m² and will be utilised as a laundry / laundromat. This tenancy is located along the eastern façade of the building along Harrigan Street.

The following information should be read in conjunction with the proposal plans provided at **Appendix B** and further information on each individual tenancy is provided below.

2.5 Land Use and Operation

An overview of the proposed development and its intended operation is provided at **Table 2** below.

Table 2 – Land Use and Operation Summary

Aspect	Response
Defined Use:	<p>Shopping Centre means the use of premises for an integrated shopping complex consisting mainly of shops.</p> <p>Shop means the use of premises for:</p> <ol style="list-style-type: none"> a. displaying, selling or hiring goods; or b. providing personal services or betting to the public
Proposed Use:	Shopping Centre
Hours of Operation:	<p>The proposed development will operate under the following hours of operation:</p> <ul style="list-style-type: none"> ■ 7:00am – 7:00pm Monday to Friday; ■ 8:00am – 6:00pm Saturday; and ■ 9:00am – 5:00pm Sunday.
Vehicle Access:	<p>The proposed access arrangements involve the following driveway crossovers:</p> <ul style="list-style-type: none"> ■ Savage Street – one (1) 8.000m left in / left out driveway crossover. ■ Harrigan Street – one (1) 9.000m left in / left out driveway crossover. ■ Harrigan Street – one (1) 11.950m left out only driveway crossover <p>Refer to the engineering service report at Appendix C for further information.</p>
Pedestrian Access:	A dedicated pedestrian access pathway is provided within the car parking area.
Bike and Car Parking:	<p>The proposed development will be serviced by 83 parking spaces, including two (2) disabled access parking spaces, seven (7) trailer / truck parking spaces suitable for larger vehicles and caravans including short term truck standing, four (4) electronic vehicle parking spaces and access and servicing for an articulated vehicle (AV).</p> <p>Refer to the engineering service report at Appendix C for further information.</p>
Waste Storage / Collection:	All waste generated and collected on site will be stored within the waste storage area located within the south west corner of the building and will be collected in

Aspect	Response
	<p>accordance with requirements imposed by the assessment manager.</p> <p>Refer to the engineering service report at Appendix C for further information.</p>
Servicing / Loading:	<p>The servicing, loading and unloading for the proposed development will be facilitated via the loading zone located along the side / western boundary. The largest service vehicle likely to access the site for servicing / loading purposes is an articulated vehicle (AV).</p> <p>Refer to the engineering service report at Appendix C for further information.</p>

2.6 Design

The design of the proposed development has been carefully considered to achieve a built form which is compatible with nearby development, information on the key design aspects is provided at **Table 3** below.

Table 3 – Design Summary

Design:	
Building Form:	The proposal involves a building height of two (2) storeys and 9.185m above ground level. Note, the second storey is limited to a mezzanine area which involves a gross floor area of 85m ² .
Orientation:	Tenancy 1 is oriented towards the Savage Street frontage, whereas Tenancy 2 and Tenancy 3 are oriented towards Harrigan Street.
Setbacks:	<p><u>Front / Eastern Boundary Setback:</u></p> <ul style="list-style-type: none"> ■ 0.500m to the awning and 10.370m to the primary building line. <p><u>Front / Southern Boundary Setback:</u></p> <ul style="list-style-type: none"> ■ approximately 141.000m to the primary building line. <p><u>Side / Northern Boundary Setback:</u></p> <ul style="list-style-type: none"> ■ 5.200m to the primary building line. <p><u>Side / Western Boundary Setback:</u></p> <ul style="list-style-type: none"> ■ 0.250m to the primary building line.
Materials and Finishes:	Refer to the materials schedule provided within the proposal plans at Appendix B . Overall, the development application incorporates a mix of high quality and durable materials which provide visual interest.
Landscaping:	The proposed development provides 2,657m ² or 22% of the site area as landscaping.
Earthworks and Retaining:	The proposed development requires earthworks to achieve an appropriate grade / building pad. We understand a development

	<p>application seeking development approval for bulk earthworks is currently under assessment by the assessment manager.</p> <p>Refer to the engineering service report at Appendix C for further information.</p>
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2.7 Infrastructure, Services and Assets

An overview of the proposed infrastructure services connections and stormwater management strategies are provided at **Table 4** below.

Table 4 – Infrastructure, Services and Assets

Aspect	Response
Water:	<p>A new connection to the existing water reticulation infrastructure within either Savage Street or Harrigan Street will be established to service the proposed development.</p> <p>Refer to the engineering service report at Appendix C for further information.</p>
Sewer:	<p>The proposed development will be connected to the reticulated sewer network via a new low pressure sewer system which can pump effluent to the existing gravity sewer main which runs diagonally under Harrigan Street.</p> <p>Refer to the engineering service report at Appendix C for further information.</p>
Stormwater:	<p>Currently a large catchment flows into the site before discharging to the west of the site through a vegetated flow path. The proposed development will provide an onsite stormwater detention basin to ensure stormwater discharge does not exceed pre development flows ensuring no impact on downstream site or adjoining sites. The proposed development seeks to maintain the existing lawful point of discharge.</p> <p>Refer to the engineering service report at Appendix C for further information.</p>
Required Road Works:	<p>The proposed development does not require any external road works to the site.</p> <p>Refer to the engineering service report at Appendix C for further information.</p>
Electricity, Data and Telecommunications:	<p>The proposed development can be connected to the existing electricity, data and telecommunications infrastructure located along Savage Street or Harrigan Street.</p> <p>Refer to the engineering service report at Appendix C for further information.</p>

2.8 Proposed Area Breakdown

A summary of the areas associated with the proposed development is outlined at **Table 5** below.

Table 5 – Schedule of Areas

Aspect	Area (m ²)
Total Gross Floor Area:	2,272m²
Tenancy 1 (IGA Supermarket)	2,038m ²
Tenancy 2 (Liquor Store)	150m ²
Tenancy 3 (Laundry)	83m ²
Existing Impervious Area:	0m ²
Proposed Impervious Area:	9,297m ² (77%)
Total Landscaping Area:	2,657m ² (22%)
Site Cover:	2,977m ² (25%)

2.9 Supporting Information

The following information has been prepared in support of the development application.

2.9.1 Civil Engineering

A engineering services report has been prepared by Neon Consulting Pty Ltd at **Appendix C**, the key findings of the engineering services report are outlined below:

- On site car parking and servicing has been designed in accordance with the requirements of AS2890.1. The three (3) driveway crossovers provide safe and efficient vehicle access to and from the site.
- A connection to potable water network is available which will achieve the minimum pressure requirements. The site is located within proximity to the electricity network and can be provided a new property connection.
- The proposed development will be connected to the reticulated sewer network via a new private low pressure sewer system which can pump effluent to the existing gravity sewer main which runs diagonally under Harrigan Street.
- The stormwater captured on site and within the external catchment will be conveyed to the onsite stormwater detention basin to ensure stormwater discharge does not exceed pre development flows with no impact on downstream sites or adjoining sites. The proposed development seeks to maintain the existing lawful point of discharge.

2.10 Consultation

2.10.1 Assessment Manager

A prelodgement meeting was held with the assessment manager on 5 May 2023. A copy of the prelodgement meeting minutes and full response is provided at **Appendix D**.

3 ASSESSMENT BENCHMARKS

3.2 Compliance with Assessment Benchmarks

The development application involves assessable development subject to impact assessment and, therefore, in accordance with s.45 of the Planning Act 2016, the assessment of the development application must be carried out against:

- the assessment benchmarks included in a categorising instrument;
- the matters prescribed at Part 4, Division 4 of the Planning Regulation 2017; and
- as required, any other relevant matter.

3.2.1 State Planning Framework

A response to the legislative framework is provided at **Appendix E**. The response demonstrates that the development application complies with all of the applicable assessment benchmarks.

3.2.2 Local Planning Framework

A response to the planning scheme is provided at **Appendix F**. The response demonstrates that the development application complies with all of the applicable assessment benchmarks, or in the event of non compliance with acceptable outcomes, is able to achieve the intent of the planning scheme through compliance with the corresponding performance outcome. Applying the discretion to the impact assessable development advances the purpose of the Planning Act 2016 as well as the intent of the planning scheme.

4 KEY PLANNING MATTERS

4.1 Land Use Suitability

As demonstrated within **Figure 2**, the site is located within the Medium Density Residential Zone. Within the Medium Density Residential Zone, a shopping centre is generally not contemplated and triggers assessable development subject to impact assessment.

The planning scheme, being the Cook Shire Council Planning Scheme 2017, commenced over six (6) years ago on 01 February 2017. At the time the scheme was prepared, the exact requirements of the community were unknown and, therefore, the zoning structure of the area does not directly align with the requirements of the community.

As illustrated within **Figure 1**, there are several non residential uses located in close proximity to the site.

Whilst the proposed development where involving a non residential use is inconsistent with portions of the Medium Density Residential Zone Code, the proposed development is consistent with the prevailing patterns of development within the immediate area. As such, despite the underlying zoning of the site, the proposed development aligns with the community expectations for future development within the area.

The following section provides further discussion regarding key aspects of the proposed development and clearly demonstrates that the proposed development is, on balance, an appropriate development outcome. Specifically, the development application warrants approval because:

- the proposed development is consistent with the strategic framework;
- the locational attributes of the site support non residential development;
- there is an absence of off site impacts;
- there is a demonstratable planning, community and economic need;
- an absence of suitable alternative sites;
- the built form is responsive to the site's attributes and surrounding development; and
- other relevant matters exist.

4.2 Strategic Framework

The strategic framework sets the policy direction for the planning scheme, to ensure that development occurs appropriately within the local government area for the life of the planning scheme. There are five (5) themes identified within the framework which represent the policy intent for the planning scheme:

- economic wellbeing
- land use pattern
- environmental wellbeing
- infrastructure and servicing
- strong communities

An assessment against the relevant components of the strategic framework has been provided within **Appendix G** and the assessment demonstrates that the development application is consistent with the intent of the strategic framework.

Further detailed information in relation to the strategic framework is provided within the following sections of this town planning report.

4.3 Site Context

As demonstrated at **Figure 2**, the site is located within the Medium Density Residential Zone at the Savage Street / Harrigan Street intersection. There is a significant level of other non residential development within close proximity to the site, including, but not limited to the following sites:

- Cooktown Hardware - 48 Charlotte Street, Cooktown
- Cooktown Hospital - 48 Hope Street, Cooktown
- Queensland Ambulance Service Field Office - 33 Charlotte Street, Cooktown
- Compound Automotive - 46 Charlotte Street, Cooktown
- Seabourne Outboards - 1 Boundary Street, Cooktown
- Cooktown Auto Repairs - 5 Boundary Street, Cooktown
- Kingdom Hall of Jehovah's Witnesses - 4/6 May Street, Cooktown
- Barrier Reef Child Care Centre - 9 Charles Street, Cooktown
- Cooktown District Community Centre - 11 Charles Street, Cooktown
- Cooktown Kindergarten - 15 Charles Street, Cooktown
- Cooktown State School - 10 Charles Street, Cooktown
- Holy Spirit College - 1 Burkitt Street, Cooktown
- Ampol Cooktown - 68 Hope Street, Cooktown
- Endeavour Christian College - 12 Charles Street, Cooktown

The proposed redevelopment of the subject site for non residential uses is consistent with the prevailing patterns of development within the immediate area. As such, despite the underlying zoning of the site, the proposed development aligns with the community expectations for future development within the area.

Of particular interest, a development approval (DA / 3458) was granted by Cook Shire Council over the adjoining site to the north, being 48 Charlotte Street, Cooktown (Lot 201 on C17915) (**Extract 1**). The development approval was for hardware and trade supplies within the Medium Density Residential Zone. Based on a review of aerial imagery, we understand there is approximately 2,250m² of gross floor area across the site.



Extract 1 - Cooktown Hardware
Source - Google Streetview

Further to the above, a development approval (DA / 4181) was granted by the assessment manager over 46 Charlotte Street, Cooktown (Lot 202 on C17915) for low impact industry being a mechanical workshop and caretakers accommodation within the Low Density Residential Zone.

The two (2) above development approvals demonstrate the characteristics of the immediate area have changed since the planning scheme was drafted.

4.4 Locational Attributes

The sites locational attributes support and promote non residential development. These attributes are as follows:

- The site is located on Harrigan Street / the Mulligan Highway, which is a major access road for people travelling to and from Cooktown.
- The location on a major road will reduce customer traffic within the city centre, reduce the number and frequency of delivery trucks travelling through the central business district and residential streets. The sites location on two (2) higher order roads, ensures the site is highly exposed to passing traffic.
- Currently, the existing IGA supermarket cannot be expanded without it being overbearing or a discordant element within the streetscape due to sites constraints, predominantly associated with the site area, other issues which the existing facility, involve:
 - the fragmented ownership of adjoining sites;
 - the heritage listed church prohibits expansion potential;
 - servicing requirements not being able to be met on site; and
 - the ability for the continued operation during construction.
- The site area, regular dimensions and high standard of accessibility ensure that matters relating to car parking, servicing and refuse collection can be readily accommodated on site, without impact on the surrounding road network or the adjoining neighbours. The site dimensions allow for appropriate setbacks to the two (2) road frontage boundaries which will be developed as landscaping zones.

- The proposed development will result in a much improved streetscape outcome along both Savage Street and Harrigan Street with landscaping provided along each respective frontage, ensuring the car parking areas do not dominate the streetscape. An attractive, green and safe landscaping outcome which promotes active transportation will be established.
- The development approvals granted over 46 Charlotte Street, Cooktown and 48 Charlotte Street, Cooktown for non residential uses further substantiate the immediate area is not suitable for residential development.

Based on the above, the locational attribute of the site supports non-residential development.

4.5 Absence of Offsite Impacts

As outlined within this town planning report, all potential impacts generated on site can be appropriately managed and mitigated to ensure the level of residential amenity in the immediate area is not further compromised.

The following information has been prepared to demonstrate how each potential impact will be managed / mitigated:

- **Privacy / Visual Impacts** – The built form does not include windows or opportunities for overlooking into adjoining residential development which has been achieved through building design and siting.
- **Environmental Impacts** – The proposed development does not involve a use or activity that has the potential to cause environmental impacts.
- **Hours of Operation** – The proposed development will operate under the following hours of operation:
 - Monday to Friday – 7:00am – 7:00pm.
 - Saturday – 8:00am – 6:00pm.
 - Sunday – 9:00am – 5:00pm.

It is anticipated that an acoustic barrier will be constructed along the northern boundary and western boundary. For context, the Cooktown Hardware store located on the adjoining lot to the north (48 Charlotte Street, Cooktown) operates under the following hours of operation:

- Monday to Friday – 7:00am to 4:00pm.
- Saturday – 8:00am to 1:00pm.
- Sunday – 9:00am to 1:00pm.

Further to the above, Condition 15 of the development approval granted by Council over 48 Charlotte Street, Cooktown outlines the following hours of operation:

- Monday to Friday – 7:00am to 5:30pm.
- Saturday – 8:00am to 4:00pm.

- Sunday - 9:00am to 4:00pm.
- **Waste Products** - All waste generated onsite will be stored within the dedicated refuse storage area which has been designed to accommodate the waste generated by the proposed development.
- **Traffic** - Given the location of the site on two (2) higher order roads, traffic generated will be directed back into the regional road network, ensuring traffic is not introduced onto residential streets. In addition, the car parking and manoeuvring areas onsite have been appropriately designed, buffered and setback to ensure the noise generated from these areas does not cause nuisance.
- **Dust** - The proposed land uses do not have the potential to generate dust.
- **Infrastructure** - As demonstrated within the engineering services report at **Appendix C** the proposed development is located within proximity to all required services and, therefore, will have no impact on the capacity of existing infrastructure to continue to service surrounding development.

As outlined above and within the supporting documentation, the proposed development will not result in an unreasonable impact on residential amenity.

4.6 Need

4.6.1 Economic

The existing IGA supermarket is currently unable to accommodate the requirements of the community which has resulted in the current store trading 30% less than it should be for the catchment area. This leads to residents seeking alternative locations, outside of Cooktown, to shop and obtain groceries.

Based on feedback from the operator, we understand some residents currently leave Cooktown to places such as Mareeba, Port Douglas and Cairns for regular grocery shopping which results in a decrease in expenditure in the immediate area. The decrease in expenditure in the immediate area is further exacerbated where consumers will generally spend their money at more than one (1) shop or location per vehicle trip outside of Cooktown, leading to further expenditure leakage out of the catchment.

An assessment against the relevant elements of s.3.3 (Economic Wellbeing) of the strategic framework has been undertaken within **Appendix G** with further information provided below:

- Increasing the offering and opportunity for expenditure within the local area contributes to reducing the outflow of expenditure from the immediate local area.
- The proposed relocation and expansion of the IGA supermarket is an economically appropriate outcome when considering the operation of the existing IGA supermarket, which is operating below industry standards.
- A new purpose built facility will provide an improved consumer experience in comparison to the existing facility.

- The local economy will benefit from the flow on impacts of increased economic and employment activity both during construction and while in operation, without an unacceptable impact on the hierarchy of centres.
- Given Cooktown and the wider Cook Shire Council area is a tourist destination, it is anticipated that the proposed facility will generate substantial expenditure from tourism tourists and people passing through Cooktown.
- The proposed development does not encroach into agricultural land nor does it have the potential to negatively impact the utility, integrity and / or safety of the petroleum, gas and oil pipeline routes.

As outlined above, there is a quantifiable economic need for a new shopping centre on the subject site with a primary anchor tenant of IGA.

4.6.2 Planning

The feedback received from the assessment manager in relation to the purpose of the Medium Density Residential Zone Code as part of the prelodgement meeting is noted and acknowledged.

The removal of the existing IGA supermarket from the existing site within the Centre Zone will result in the land, which is more suitable for centre activities, being developed more closely to the intent of the Centre Zone. Specifically, the land in question is more suitable to accommodate administrative, cultural, entertainment and / or professional uses and activities.

An IGA within a regional town needs to be able to accommodate access by trucks, caravans and other larger vehicles which are not suitable to be manoeuvring through the central business district area / Centre Zone.

An assessment against the relevant elements of s.3.4 (Land use Pattern) of the strategic framework has been undertaken within **Appendix G** with further information provided below:

- The redevelopment of the site for a non residential use will have no material impact on the supply of residential land or dwellings within Cooktown where the site adjoins a Hardware store facility. The development for a residential use on the subject site is not appropriate where residential amenity at the site is already comprised.
- The proposed development facilitates the redevelopment of underutilised land within the urban footprint for retail and business activities.
- The existing facility does not provide readily available parking for larger vehicles.
- Currently there is not enough space at the existing IGA supermarket to facilitate onsite servicing and, therefore, servicing is required to be undertaken from the street.

As established in this town planning report, there is a clear planning need for the proposed development which involves relocating the existing IGA supermarket from the central business district to a purpose built facility.

4.6.3 Community

One (1) of the key drivers behind this development application is providing Cooktown with one (1) facility which can accommodate their needs. This will ensure resident expenditure occurs within Cooktown and does not leak out to adjoining catchments.

- The nearest two (2) full line supermarkets are located approximately three (3) hours or a 300km drive south to the Coles or Woolworths located in Port Douglas.
- The strong population growth within the region is expected to continue over the next 10-years and will be guided by existing and planned residential development within the region.

An assessment against the relevant elements of s.3.7 (Strong Communities) of the strategic framework has been undertaken within **Appendix G** with further information provided below:

- The site adjoins one (1) lot that is used for residential purposes and the proposed development does not involve an industrial use.
- The proposed development does not involve a use or activity which is capable of causing environmental impacts on nearby residential premises.
- Importantly, the proposed development achieves compliant boundary setbacks and landscaping buffers to ensure residential amenity at nearby site is not compromised.
- The proposed built form has been designed in response to the constraints of the site to align with other built forms within the area without being an intrusive visual element within the streetscape.
- The proposed development is not located in proximity to a local heritage place and will not adversely impact sites located within the Character Overlay Code in the planning scheme.
- The proposed development seeks to increase opportunities for people from all backgrounds, regardless of age, economic status, lifestyle and physical ability, to reside in close proximity to services, facilities and employment. This point is further highlighted when considering the employment benefits during both construction and operation.
- A focal point for community activity, interaction and employment will be established as part of this proposal which is within walking distance to caravan parks and the hospital.

As outlined above, there is a clear community need for a new purpose built IGA supermarket.

4.7 Availability of Alternative Sites

This section of the town planning report analyses alternative sites to accommodate the proposed development. While there are sites located within a zone which more closely aligns to the characteristics of a shop / shopping centre, there are practical barriers which prevent the acquisition and or development of these sites. The practical barriers include,

site area and configuration, appropriately zoning, fragmented land ownership and unreasonable purchase prices.

The prelodgement meeting summary notes the following:

- . . . This position may change following the review of the necessary supporting plans and technical reports to accompany the application (discussed below) - including a detailed assessment of economic, community and planning need which provides an analysis of alternate sites in which a shopping centre is contemplated to occur under the planning scheme. . .

For clarity, the planning scheme does not specifically contemplate a shopping centre within any of the eleven (11) zones.

Under the planning scheme:

- A shop, with a gross floor area under 200m², is code assessable within the Low Density Residential Zone (Table 5.5.1).
- A shop, within an existing building where no external building work is required, is accepted development subject to requirements within the Centre Zone (Table 5.5.3). In the instance where the development involves a new building, external building work or does not align with the requirements for accepted development, a shop within the Centre Zone is code assessable.
- A shop, within an existing building, is accepted development subject to requirements within the Mixed Use Zone (Table 5.5.4). In the instance where the development involves a new building or does not align with the requirements for accepted development, a shop within the Mixed Use Zone is code assessable. Note, to remain code assessable, the site cannot be located within the MU1 Precinct (Cooktown Foreshore Mixed Use Precinct) and the development cannot exceed three (3) storeys.
- A shop, if not accepted development and within the MU1 Precinct (Cooktown Foreshore Mixed Use Precinct) and / or exceeding three (3) storeys is impact assessable (Table 5.5.4).
- A shop within the Township Zone is code assessable (Table 5.5.5).
- A shop, where located on Lot 2 on SP287154 and containing a gross floor area under 200m² within the Industry Zone is code assessable (Table 5.5.6).
- A shop, where located within the CF1 Precinct - Cooktown Foreshore Commercial Precinct on Zoning Map 13, is accepted development within the Community Facilities Zone (Table 5.5.7).

The planning scheme does not contemplate shopping centres within a specific zone.

Table 6 outlines sites within the assessment managers area which could potentially accommodate a shopping centre complex with an IGA, bottle shop, carparking areas, loading areas and other areas at the scale proposed. Other site requirements include level ground

with a site area between 5,000m² and 6,000m². In an ideal situation, the applicant would seek to development a site with an area of 8,000m² to accommodate future expansion.

Table 6 – Alternative Sites

Address	RPD	Area (m ²)	Zone
31 Helen Street, Cooktown	Lot 114 on C1793	1,012m ²	Centre Zone
<p>Positives</p> <ul style="list-style-type: none"> ■ The existing IGA supermarket currently operates from the adjoining site (29 Helen Street, Cooktown) and could be expanded into the adjoining site. ■ 31 Helen Street, Cooktown is owned by the applicant. ■ A total retail size of 2,302m² and 25 off street carparking spaces. <p>Negatives</p> <ul style="list-style-type: none"> ■ Heavy vehicles currently pass through pedestrian and residential areas to get to the site. ■ Slope of the site prohibits further expansion of the facility. ■ Would have to close business for a period during expansion. ■ The site cannot be expanded on to the scale required to service the catchment. 			
33, 35 and 37 Helen Street, Cooktown and 84, 86 and 88 Charlotte Street, Cooktown	Lots 104, 105, 106 115, 116 and 117 on C1793	6,072m ²	Centre Zone
<p>Positives</p> <ul style="list-style-type: none"> ■ A total retail size of 2,202m² and approximately 60 off street carparking spaces ■ Located within the Centre Zone. <p>Negatives</p> <ul style="list-style-type: none"> ■ This alternative development site was investigated, however, the slope of the land is not suited to non residential development. ■ Heavy vehicles currently pass through pedestrian and residential areas to get to the site. ■ 86 Charlotte Street, Cooktown is not for sale. ■ 35 and 37 Helen Street, Cooktown are no longer available for purchase. ■ This site accommodates the Cooktown Library. 			
Caravan Park (Plus Part of Anzac Park)	Lot 1 and 2 on RP744394 and Lot 56 on C1793	6,000m ²	Centre Zone Recreation and Open Space
<p>Positives</p> <ul style="list-style-type: none"> ■ A total retail size of 2,100m² and approximately 60 off street carparking spaces. ■ Predominantly located within the Centre Zone. <p>Negatives</p> <ul style="list-style-type: none"> ■ No option to expand the facility in the future. 			

- Would require a portion of the ANZAC park to be developed for a non residential use.
- Heavy vehicles pass through pedestrian and residential areas to get to the site.
- The site is slightly to small in area to accommodate a purpose built IGA facility.

77 - 93 Charlotte Street, 30 - 44 Adelaide Street, Cooktown	Lot 82, 83, 84, 85, 86, 88, 89, 92, 93, 94, 95, 96, 97, 98, 99 and 100 on C1793. Lot 1 and 2 on RP817982	18,000m ²	Centre Zone
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Positives

- Features a site area which could accommodate a purpose built IGA facility.
- located within the Centre Zone.

Negatives

- Cost of land.
- The owner is not willing to sell part of the block and the cost to purchase the while block is unviable from the cost perspective.

As outlined above, there is a shortage of available, appropriately zoned land within the central business district which is suitable to be developed as an IGA supermarket.

4.8 Built Form Design

The design of the overall development has been carefully considered to ensure a built form which is of an appropriate bulk and scale is established to minimise any potential impacts on adjoining uses.

Although the proposed exceeds the maximum building height for the site, being 8.5m above ground level, prescribed by acceptable outcome A01.1 of the Medium Density Residential Zone Code, the proposed development provides a low rise built form which is consistent and compatible with the existing and intended scale of the streetscape and area. Specifically, the proposed development, which provides a predominantly single store built form, is consistent and compatible with the prevailing form of development within the area which includes one (1) storey dwelling houses and one (1) and two (2) storey non residential buildings.

As noted previously, Cooktown Hardware is located on the adjoining site to the north west (48 Charlotte Street, Cooktown). Notably, the adjoining non residential building features a building height of 9.185m above ground level which is consistent and compatible with the maximum building height associated with this development application. The hardware building also includes a mezzanine level / services level.

Whilst the proposed development does not involve residential development within the residential zone, the proposed built form has been carefully designed and positively contributes to the immediate environment which provides a high level of amenity for users.

In accordance with performance outcome P02 of the Medium Density Residential Zone Code, the proposed development does not involve any decks or balconies which can overlook habitable

rooms on adjoining premises. Through design and siting features, the facility once operational, will not compromise the privacy or ventilation to adjoining properties. Notably, the facility will provide a meaningful contribution to streetscapes along Harrigan Street and Savage Street.

The design of the built has been formulated through a review of the prevailing form of development within the immediate area and wider Cooktown area. A built form which is appropriate for the Far North Queensland environment, consistent and compatible with the adjoining built form to the north west, in terms of design, siting, setbacks and building height, will be established as part of this development application.

4.9 Other Relevant Matters

As the development application is subject to impact assessment, the assessment manager has a broad discretion when assessing the development application, including the consideration of other relevant matter'.

In this instance, the proposed development is compatible with the relevant outcomes for the site under the Medium Density Residential Zone Code and progresses the intent of the strategic framework. In addition, the following items are submitted as other relevant matters for consideration:

- The location of the proposed development at the junction of two (2) high order roads is an appropriate and logical land use planning outcome, which is consistent with reasonable community expectations for the redevelopment of this site.
- Despite the underlying zoning of the site, the site has a low level of residential amenity due to road traffic noise. The development of a non residential use on that land, which is adversely impacted by the road traffic noise, is a better land use outcome and will have a more positive impact on the streetscape, the immediate area and wider area.
- The proposed development is consistent with development patterns at other intersections located within proximity of the site.
- The proposed development does not create interface issues with adjoining development. The proposed built form is of a domestic scale and any noise emissions can be managed through the implementation of standard acoustic mitigation measures that will ensure the amenity of adjoining residents is maintained.
- There is an overarching economic need for the proposed development and the proposed development will create an economic benefit through employment and investment during the construction phase and subsequent operational phases.
- The current planning scheme commenced over six (6) years ago on 01 February 2017. At the time the scheme was drafted, the exact requirements of the community was not known and, therefore, the zoning structure of the area does not directly align with the requirements of the community. Based on our review, there is a clear shortage of

suitability land which is appropriate to be developed for a shopping centre at the scale which is proposed as part of this development application.

- The lack of available centre zoned land limits the ability of an established business to continue operation within a rural town.
- The proposed development will seamlessly integrate into the immediate locality which features several non residential uses, refer to **Section 4.0** of this town planning report. On this basis, it is not considered that the proposed non residential use is infringing into an established residential precinct.
- The site adjoins one (1) lot which is utilised for a residential use, being a dwelling house. The proposed development does not involve a use which has the potential to cause air quality impacts on nearby residents.

5 CONCLUSIONS AND RECOMMENDATION

This town planning report has been prepared by Property Projects Australia Pty Ltd on behalf of Kwikbridge Pty Ltd ACN 010 595 801 (“the applicant”) in support of a development application lodged over land located at 81 Savage Street, Cooktown 4895 being more formally described as Lot 212 on C17915.

Specifically, this development application seeks a development approval for the following aspect:

- Development Permit for a Material Change of Use for Shopping Centre

As the development application is subject to impact assessment, a broad discretion is applied to the assessment of this development application. In applying this discretion, it is submitted that the development application is, on balance, in the public interest and a logical land use planning outcome which, having regard to fundamental planning principles, will advance the purpose of the Planning Act 2016.

The proposed development is recommended for approval, subject to reasonable and relevant conditions.