

# ATTACHMENT 9

## Code Response Tables

Prepared by:

**Property Projects Australia**

## 6.2.2 Medium Density Residential Zone Code

Overall Outcome	Response
<p>1. The purpose of the medium density residential zone is to provide for-</p> <ul style="list-style-type: none"> <li>a. medium density multiple dwellings; and</li> <li>b. community uses, and small-scale services, facilities and infrastructure, to support local residents.</li> </ul>	<p><b>Non-Compliant (1)</b></p> <p>Whilst the proposed development involves three (3) shop tenancies which will support local residents, the proposal does not align with the purpose of the zone code where not involving medium density multiple dwellings or a community use, a small-scale service, facilities or infrastructure.</p> <p>Refer to the information request response prepared by Property Projects Australia for further information.</p>
<p>2. The purpose of the code will be achieved through the following overall outcomes:</p>	
<ul style="list-style-type: none"> <li>a. Built form reflects a medium density scale and provides a pleasant living environment with a high standard of amenity.</li> </ul>	<p><b>Complies 2(a)</b></p> <p>Refer to the information request response prepared by Property Projects Australia for further information.</p>
<ul style="list-style-type: none"> <li>b. Development comprises a mix of houses, dual occupancy and multiple dwelling units.</li> </ul>	<p><b>Non-Compliant 2(b)</b></p> <p>The proposed development does not align with overall outcome (2) (b) of the zone code. Refer to the information request response prepared by Property Projects Australia for further information.</p>
<ul style="list-style-type: none"> <li>c. Residential neighbourhoods are located close to services, community facilities and appropriate levels of infrastructure.</li> </ul>	<p><b>Complies 2(c)</b></p> <p>The proposal involves the establishment of three (3) shop tenancies which are easily accessible by residents within the nearby neighbourhood.</p>
<ul style="list-style-type: none"> <li>d. Non-residential uses reflect the intended residential built form, support the immediate community and maintain residential amenity.</li> </ul>	<p><b>Complies 2(d)</b></p> <p>Refer to the information request response prepared by Property Projects Australia for further information.</p>

### 6.2.2.3 Criteria for assessment

Table 6.2 – Accepted development subject to requirements and assessable development

Performance Outcomes	Acceptable Outcomes	Response
<b>Built Form</b>		
<b>P01</b> The scale and height of buildings is consistent with medium density residential built form.	<b>A01.1</b> a. Building height does not exceed 8.5m	<b>Complies (P01)</b> The proposed development involves a scale and building height which is consistent and compatible with adjoining development and a typical medium density residential built form.  Refer to the information request response prepared by Property Projects Australia for further information.
	<b>A01.2</b> b. Site cover does not exceed: (a) 50% for buildings up to 4.5m in height (b) 40% for buildings over 4.5m but not exceeding 7.5m in height (c) 35% for buildings exceeding 7.5m in height.	<b>Complies (A01.2)</b> The proposed development results in a site cover of 24.4% of the site area.
<b>Siting</b>		
<b>P02</b> Buildings are sited to allow privacy and ventilation to adjoining properties and contribute to a	<b>A02.1</b> Buildings and structures maintain the following boundary clearance: (a) no less than 6m to the primary street frontage; and	<b>Complies (A02.1 / P02)</b> The proposed development results in the following setbacks: <u>Front / Eastern Boundary Setback:</u> ■ 1.000m (awning) and 9.000m (building).

<p>pleasant streetscape by providing sufficient area for landscaping.</p>	<p>(b) no less than 3m to all other road frontages</p>	<ul style="list-style-type: none"> <li>■ Refer to the information request response (Item 4) prepared by Property Projects Australia for further information.</li> </ul> <p><u>Front / Southern Boundary Setback:</u></p> <ul style="list-style-type: none"> <li>■ 142.585 (awning) and 145.380m (building).</li> </ul>
	<p>A02.2 Buildings and structures maintain the following minimum side and rear boundary clearance:</p> <p>(a) 1.5 metres for that part of the building which is 4.5 metres or less above ground level;</p> <p>(b) 2 metres for that part of the building which is greater than 4.5 metres but not greater than 7.5 metres above ground level;</p> <p>(c) 2 metres, plus 0.5 metres for every 3 metres or part thereof for that part of the building which is greater than 7.5 metres above ground level.</p>	<p><b>Complies (A02.2 / P02)</b></p> <p>The proposed development results in the following setbacks:</p> <p><u>Side / Northern Boundary Setback:</u></p> <ul style="list-style-type: none"> <li>■ 7.625m to the primary building line.</li> </ul> <p><u>Side / Western Boundary Setback:</u></p> <ul style="list-style-type: none"> <li>■ 0.500m to the primary building line.</li> <li>■ Refer to the information request response (Item 4) prepared by Property Projects Australia for further information.</li> </ul>
	<p>A02.3 Privacy screens are provided on decks and balconies overlooking habitable rooms on adjoining premises.</p>	<p><b>Not Applicable (A02.3)</b></p> <p>The proposed development does not involve any decks or balconies which can overlook habitable rooms on adjoining premises, however, a standard condition can be imposed to ensure compliance with the relevant requirements.</p>

		Refer to the information request response (Item 4) prepared by Property Projects Australia for further information.
<b>Design</b>		
<b>P03</b> The design of buildings: <ul style="list-style-type: none"> <li>a. Is in keeping with the intended character of the area;</li> <li>b. Incorporates Crime Prevention Through Environmental Design (CPTED) through casual surveillance to all street frontages; and</li> <li>c. Is appropriate for the tropical climate</li> </ul>	<b>A03.1</b> Buildings have windows, doors and balconies fronting the street.	<b>Complies (A03.1)</b> The proposed development includes windows, doors and balconies fronting both street frontages.
	<b>A03.2</b> Building bulk is softened by use of verandahs, eaves and overhangs, windows and variations in materials.	<b>Complies (A03.2)</b> The proposed development softens the building bulk through use of verandahs, eaves and overhangs, windows and variations in materials.
	<b>A03.3</b> Fences or walls along all street frontages are: <ul style="list-style-type: none"> <li>(a) a maximum of 1.8m above ground level and are at least 50% transparent; or</li> <li>(b) if the fence is not at least 50% transparent, has a maximum height of 1.2m above ground level.</li> </ul>	<b>Complies (A03.3)</b> The proposed development does not involve any fencing or wall which exceed 1.2m or 1.8m in height along the street frontages.
	<b>A03.4</b> Car parking is not located between the buildings and the street frontage/s.	<b>Complies (P03)</b> Whilst the car parking area is located between the building and street frontage, it is located within the most appropriate location based on the constraints of the site.
<b>P04</b>	No Acceptable Outcome specified.	<b>Complies (P04)</b> The proposed development incorporates landscaping along each road frontage and throughout the

Effective landscaping is employed to provide an attractive presentation to the street		development site which results in an effective and attractive landscaping outcome as viewed from the streetscape.
<b>P05</b> Safe and efficient vehicle movements are facilitated.	No Acceptable Outcome specified.	<b>Complies (P05)</b> The proposed development incorporates three (3) driveway crossovers which are appropriately located along the respective road frontages to ensure the proposal facilitates safe and efficient vehicle movements.
<b>P06</b> Waste material is stored so as not to be unsightly and so as to be conveniently collected.	No Acceptable Outcome specified.	<b>Complies (P06)</b> The proposed development incorporates a refuse storage area which is integrated and designed to ensure the area does not present as an unsightly element to adjoining sites or the streetscape. The area is appropriately located to ensure refuse can be conveniently collected.
<b>P07</b> Natural or built environments and human health are not harmed by the production of acid leachate resulting from disturbance of potential and/or actual acid sulphate soil by: a. Avoiding disturbance of such areas; or b. Treating and managing the disturbance to minimise the volume of acidic leachate within manageable levels; and	<b>A07.1</b> No potential or actual acid sulphate soils are disturbed as part of the development.	<b>Complies (A07.1)</b> A standard condition can be imposed to ensure compliance with the relevant requirements.
	<b>A07.2</b> Where the proposal disturbs soil below 5m AHD or 500m <sup>3</sup> or more of soil, the impacts are appropriately managed.	<b>Complies (A07.1)</b> A standard condition can be imposed to ensure compliance with the relevant requirements.

<p>c. Treating and managing surface and groundwater flows from areas of acid sulphate soils to minimise environmental harm.</p>		
<p><b>P08</b>  Movement of State declared or environmental pest plants and pest animals is prevented by:</p> <ul style="list-style-type: none"> <li>a. Not introducing any declared or environmental pest plants or animals onto the property; and</li> <li>b. not allowing seed or plant parts of declared or environmental pest plants to leave the property.</li> </ul>	<p>No Acceptable Outcome specified.</p>	<p><b>Complies (P08)</b>  The proposed development does not introduce any declared or environmental pest plants or animals. As demonstrated within the Ecological Response prepared by NRA Environmental Consultants (<b>Attachment 5</b>), the proposed development will have no adverse environmental impact where all impacts can be appropriately managed onsite. A standard condition can be imposed to ensure compliance with the relevant requirements.</p>

**Part 3 – Strategic Framework**  
**Themes and Land Use Strategies**

Theme	Applicant Response
<p><b>Element – Economic Wellbeing</b>  <b>3.3.1 – Strategic Outcomes</b>  <b>3.3.1.1 – Specific Outcomes</b></p>	
<p>(1) Cooktown and the smaller townships (identified on Strategic Map 1) continue to play a critical role in the Shire’s economy, as follows:</p>	
<p>(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.</p>	<p><b>Complies (a)</b>  Refer to the Information Request Response prepared by Property Projects Australia.</p>
<p>(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.</p>	<p><b>Not Applicable (b)</b>  The proposed development does not involve State or Federal government services / infrastructure or a use that relates to the growth of public / private education sector.</p>
<p>(c) Industrial development opportunities for Cooktown are also realised (on industrial zoned land) in the town, in Marton and at the Cooktown Airport.</p>	<p><b>Not Applicable (c)</b>  The proposed development does not involve industrial development.</p>
<p>(d) Development which encourages the delivery of key infrastructure such as the waterfront precinct (in accordance with the Waterfront Master-plan) will be supported.</p>	<p><b>Not Applicable (d)</b>  The subject site is not located within or near the waterfront precinct.</p>
<p>(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</p>	<p><b>Complies (e)</b>  The proposed development provides a positive contribution to role of Cooktown in the Cook Shire Council area economy through</p>



<p>if amenity impacts can be managed and tenure constraints can be overcome.</p>	<p>increased consumer variety and commercial / employment opportunity within the town.</p> <p>The information request response demonstrates that the all amenity impacts associated with the proposal can be appropriately managed onsite.</p>
<p>(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.</p>	<p><b>Complies (f)</b></p> <p>The proposed development provides a positive contribution to the role of Cooktown in the Cook Shire Council area economy through increased consumer variety and commercial / employment opportunity within the town. The proposal seeks to capitalise on the estimated population growth within the region.</p>
<p>(2) The role of the Shire's roads and infrastructure (shown on Strategic Map 1) in supporting business development is protected and enhanced.</p>	<p><b>Complies (2)</b></p> <p>The proposed development does not interfere or compromise the role of the Shire's roads or infrastructure. The proposal capitalises on the site's proximity to the wider road network. The proposed development contributes to the growth of retail and business activities within the region through the redevelopment of the site which can be accessed via a variety of transport options.</p>
<p>(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.</p>	<p><b>Complies (3)</b></p> <p>Whilst the proposal does not involve a tourism industry use or activity (cultural, adventure and nature-based tourism), the proposed development supports the tourism industry by providing travellers with additional retail and business activities.</p>
<p>(4) Hard rock quarries and resources identified on Strategic Map 1 and their associated infrastructure are protected for their regional</p>	<p><b>Not Applicable (4)</b></p> <p>The site is not identified on Strategic Map 1.</p>

economic significance. These resources are protected from encroachment of incompatible uses in the area or on main transport routes.	
(5) Gravel pits identified on Strategic Map 1 are critical to road infrastructure in Cook Shire and these are protected against sterilisation.	<b>Not Applicable (5)</b> The site is not located in proximity to a gravel pit.
(6) The utility, integrity and safety of petroleum, gas and oil pipeline routes are protected but do not encroach on identified agricultural land. Development must not occur on pipeline land without the prior consent of the pipeline licence holders.	<b>Complies (6)</b> The proposed development does not encroach into agricultural land. The proposed development does not have the potential to negatively impact the utility, integrity and / or safety of the petroleum, gas and oil pipeline routes.
(7) The long term viability of existing and future agricultural production, rural industries, stock routes and other rural land uses is protected and enhanced and industry which value adds to primary produce will be encouraged.	<b>Complies (7)</b> Whilst the site is mapped within the Rural Land Use Overlay, the subject site is located within the Medium Density Residential Zone and is not suitable for agricultural purposes. However, the proposed development does not compromise the viability of existing or future agricultural production, rural industries, stock routes and other rural land uses.
(8) Development ensures the secure and sustainable water supply for agriculture, industry and construction. Existing and future infrastructure for dams, weirs and bores are protected.	<b>Complies (8)</b> The proposal does not involve dams, weirs or bores. The proposed development will be provided with a connection to Council's reticulated water supply.
<b>Element - Land Use Pattern</b>	
3.4.1 - Strategic Outcomes 3.4.1.1 - Specific Outcomes	

<p>(1) Increased residential density on serviced lots close to town centres, with minimal impact on amenity and character, will be supported.</p>	<p><b>Not Applicable (1)</b> The proposed development does not involve residential development.</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><b>Not Applicable (2)</b> The subject site is not identified on the OM6 - Future Urban Expansion Overlay Map.</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><b>Not Applicable (3)</b> The proposed development does not involve rural based tourism.</p>
<p>(4) Freehold land surrounding Lakeland (outside the Local Plan Area) and west of Coen on Merapah, Holroyd River and Kendall River Stations is identified on OM8 - Rural Land Use Overlay Map and contains agricultural land as a commercial arable precinct. It is Council's intent to prevent land uses in this area that would alienate existing and potential commercial cropping values. Conversely it intends to encourage land uses integral to support commercial farming;</p>	<p><b>Not Applicable (4)</b> The proposed development does not involve land within the OM8 - Rural Land Use Overlay Map.</p>
<p>(5) Opportunities exist to create rural lifestyle allotments down to 4ha in areas of the shire close to services and facilities and with appropriate access to such services and facilities. Such allotments provide for small-scale horticultural and tropical fruit enterprises as well as housing choice in a rural/natural setting.</p>	<p><b>Not Applicable (5)</b> The proposed development does not involve rural lifestyle allotments.</p>
<p>(6) Industrial uses are consolidated on land in the Industry Zone where amenity and environmental impacts can be managed. In limited circumstances, industrial activities may occur outside the Industry</p>	<p><b>Not Applicable (6)</b> The proposed development does not involve an industrial use.</p>

<p>Zone but only where impacts on amenity, infrastructure and the environment can be managed, including:</p> <ol style="list-style-type: none"> <li>a. Industry directly associated with agriculture, animal husbandry or extractive resources which allow value-add activities close to the product source;</li> <li>b. Major industry and/or infrastructure which generates community benefit through employment, but cannot reasonably be accommodated in the Industry Zone due to specific land requirements and/or potential impacts;</li> <li>c. Industry within the smaller townships or settlements that services a local need and demonstrates a community benefit.</li> </ol>	
<p>(7) Establishing and expanding businesses in the Centre, Mixed Use and Township Zones is supported. Small-business and niche markets may be supported outside of these centres only where amenity impacts can be managed and the role of the centre is not undermined. The proliferation of commercial and industrial uses in residential areas is discouraged.</p>	<p><b>Complies (7)</b> Refer to the Information Request Response prepared by Property Projects Australia.</p>
<p>(8) Development in all Zones must ensure drainage, waste disposal, tidiness, weed and pest control, are managed to create healthy living environments and sustainability for future generations.</p>	<p><b>Complies (8)</b> The development, during construction and whilst operational, will be appropriately managed to ensure drainage, waste disposal, tidiness, weed and pest control are maintained to create a healthy living environment which promotes sustainability for future generations.</p>
<p>(9) Development inconsistent with the planned location, intensity or type of land use must demonstrate there is a community need for such development, no adverse amenity or environmental impact and adequate access to infrastructure or orderly extension of that infrastructure, including community infrastructure.</p>	<p><b>Complies (7)</b> Refer to the Information Request Response prepared by Property Projects Australia.</p>

<p>(10) The Eastern Kuku Yalanji Local Plan precincts at Trevethan, Little Annan, Shiptons Flat and Mungumby contain 'Good Living Areas' where Traditional Owners will construct dwellings and associated buildings in line with the particular precinct intent. These areas were identified by Traditional Owners in negotiation with the State government and Wet Tropics Management Authority having regard to ecological values, topography, aspect, accessibility, and traditional lore. The planning scheme may be amended to incorporate new Local Plans or reflect new precincts and/or changes to precincts that have been negotiated under an ILUA.</p>	<p><b>Complies (10)</b></p> <p>The site is not a significant heritage or Aboriginal cultural landscape or place. However, the standard duty of care provisions will be required to be satisfied as part of any redevelopment of the subject site. A standard condition can be imposed to ensure compliance with the relevant requirements.</p>
<p>(11) Townships maintain a compact form to avoid areas identified as having potential hazards, including:</p> <ul style="list-style-type: none"> <li>a. OM5 - Flood and Other Coastal Hazards Overlay Map showing potential flooding across the Shire, Medium and High Hazard flooding in the townships of Cooktown, Ayton, Marton, Coen and Laura and coastal erosion and tidal inundations;</li> <li>b. OM2 - Bushfire Hazard Overlay Maps show potential bushfire hazard areas in the townships of Cooktown, Ayton, Marton, Laura, Lakeland, Rossville and Portland Roads;</li> <li>c. OM14 - Landslide Hazard Overlay Map shows the potential landslide hazard in Cooktown;</li> </ul>	<p><b>Complies (11)</b></p> <p>The proposed built form has been designed in response to the constraints and slope of the site, ensuring residential amenity is maintained at an appropriate level.</p> <p>Note, the site is not located within the Flood and Other Coastal Hazards Overlay or the Landslide Hazard Overlay.</p>
<p>(12) Development proposed in areas of potential natural hazard must identify and protect existing physical, geotechnical and environmental features, drainage lines, topography, vegetation types and coastal values.</p>	<p><b>Not Applicable (12)</b></p> <p>The proposed development is not located in an area with potential natural hazards.</p> <p>As demonstrated within the specialist consultant reporting, the proposed development will have no adverse environmental impact.</p>

	Refer to the Ecological Response prepared by NRA Environmental Consultants (Attachment 5).
(13) Non-resident workforce accommodation is located to avoid areas of natural hazard and is designed to provide residents with a high standard of safety and amenity. Where proposed in environmentally sensitive areas or on agricultural land, the non-resident 17 workforce accommodation is located and designed to minimise impacts and ensure the land can be rehabilitated at the end of the life of the use.	<p><b>Not Applicable (13)</b></p> <p>The proposed development does not involve non-resident workforce accommodation.</p>
<p>(14) Specific outcomes for Cooktown are as follows:</p> <ul style="list-style-type: none"> <li>a. The historic built form of Charlotte Street is retained and new building work reflects the scale, height and architectural quality of this historic streetscape</li> <li>b. The town's scenic backdrop of hills and mountains is retained and respected by new development in and around these areas;</li> <li>c. Public access to the town's waterfront is maintained and enhanced with quality recreational open space, wharf facilities and tourist related business in accordance with Council's 'Cooktown Foreshore Redevelopment Plan';</li> <li>d. The Cooktown Foreshore Precincts identified as 'CF1' and 'MU1' on the Cooktown Zoning Map 13 (along with the adjoining Recreation and Open Space Zones) will improve public access to the waterfront with recreational space, mixed use development and tourism-related business.</li> <li>e. Development around Cooktown Airport does not compromise airport operations or residential amenity.</li> </ul>	<p><b>Complies (14)</b></p> <p>The proposed built form has been designed in response to the site constraints and to be compatible with the prevailing form to development within the immediate area. Notably, the built form is consistent with the built form approved over the adjoining site to the north (48 Charlotte Street, Cooktown).</p> <p>Note, the proposal is not located on Charlotte Street or in proximity to the town's waterfront.</p> <p>The proposed development does not involve a use which has the potential to compromise airport operations or residential amenity. Refer to the Information Request Response prepared by Property Projects Australia for further information.</p>
Element - Environmental Wellbeing	
3.5.1 - Strategic Outcomes	

3.5.1.1 - Specific Outcomes	
<p>(1) Development protects and enhances areas of regional, State, national and world environmental significance including:</p> <ul style="list-style-type: none"> <li>a. Declared Fish Habitat Areas at Annan River, Princess Charlotte Bay, Temple Bay, Margaret Bay, Silver Plains, Starcke River (Ngulun), Escape River and Pine River Bay;</li> <li>b. The Wet Tropics and Great Barrier Reef World Heritage Areas;</li> <li>c. Major river catchments for the Wenlock, Annan, Stewart and Lockhart basins; and</li> <li>d. National Parks, State forests and reserves including but not limited to Jardine River, Lakefield, Melville, Endeavour River and Munkan Kanju National Parks.</li> </ul>	<p><b>Not Applicable (1)</b></p> <p>The proposed development is not located near regional, State, national or world environmental significant areas.</p>
<p>(2) Development protects and enhances other areas of environmental significance including:</p> <ul style="list-style-type: none"> <li>a. Coastal habitats, wetlands, waterways and coastal vegetation;</li> <li>b. Prominent ridgelines and foothills, such as Grassy Hill;</li> <li>c. Areas of known rare and threatened species; and</li> <li>d. Ecological linkages and buffers for continuity of habitat.</li> </ul>	<p><b>Complies (2)</b></p> <p>The proposed development is not located near coastal habitats or coastal vegetation.</p> <p>Note, the site is not located near Grassy Hill or a prominent ridgeline. Note, the overlay mapping associated with the site does not recognise any wetland or watercourse on the subject site.</p> <p>As demonstrated within the specialist consultant reporting, the proposed development will have no adverse environmental impact. Refer to the Ecological Response prepared by NRA Environmental Consultants (<b>Attachment 5</b>).</p>
<p>(3) Development within protected areas will be limited to:</p> <ul style="list-style-type: none"> <li>a. Small-scale maintenance buildings, depots and visitor facilities;</li> <li>b. Essential infrastructure; and</li> </ul>	<p><b>Not Applicable (3)</b></p> <p>The proposed development is not located within a protected area.</p>

<p>c. Outcomes in accordance with the Indigenous Land Use Agreement, as reflected in the Eastern Kuku Yalanji Local Plan</p>	
<p>(4) Development is designed to ensure water quality is protected and enhanced by:</p> <ul style="list-style-type: none"> <li>a. Minimising disturbance to riparian habitats in and adjoining waterways and wetlands;</li> <li>b. Minimising the discharge of contaminants and silt;</li> <li>c. Specific management techniques must be incorporated into development to avoid the harmful consequences of disturbing or generating acid sulphate soils;</li> <li>d. Responding to local climate and landscape characteristics;</li> <li>e. Protecting natural drainage lines and overland flow paths and mitigating potential erosion risk; and</li> <li>f. Avoiding ground water contamination.</li> </ul>	<p><b>Complies (4)</b></p> <p>The overlay mapping associated with the site does not recognise any wetland or watercourse on the subject site. The proposed development will be constructed and operated to ensure water quality is protected and enhanced.</p> <p>A standard condition can be imposed to ensure compliance with the relevant requirements.</p>
<p>(5) Water resources such as the Annan River and Duck Farm sub-artesian area (shown on OM11 – Water Resources Overlay) are protected.</p>	<p><b>Not Applicable (5)</b></p> <p>The proposed development is not located in the OM11 Water Resources Overlay.</p>
<p>(6) Development manages the interface between industrial and sensitive uses by protecting the health, wellbeing, amenity and safety of individuals and the community.</p>	<p><b>Complies (6)</b></p> <p>Whilst the proposed development does not involve an industrial use or sensitive use, the proposal will provide a positive contribution to the health, wellbeing, amenity and safety of individuals within the community and the community as a whole.</p>
<p>(7) Urban development in the coastal townships of Cooktown, Ayton and Marton is consolidated within existing urban zoned land, to minimise the extent of development into the coastal zone and avoid exposure to coastal hazards.</p>	<p><b>Complies (7)</b></p> <p>The proposed development is located within the urban footprint.</p>



<p>(8) Development avoids erosion prone areas, storm tide inundation areas, and undeveloped sections of tidal waterways. Where development cannot avoid erosion prone areas, significant adverse environmental impacts are mitigated. Coastal dependant development will be supported in preference to other types of development.</p>	<p><b>Not Applicable (8)</b> The subject site is not located within an erosion prone area, storm tide inundation area or an undeveloped section of tidal waterway.</p>
<p>(9) Development maintains and enhances opportunities for public access and use of public open space, waterways and the coastal foreshore.</p>	<p><b>Not Applicable (9)</b> The subject site is not located within proximity to the coastal foreshore.</p>
<p><b>Element - Infrastructure and servicing</b></p>	
<p>3.6.1 - Strategic Outcomes 3.6.1.1 - Specific Outcomes</p>	
<p>(1) The Local Government Infrastructure Plan (LGIP) identifies the location, size and timing of trunk infrastructure delivery within the Priority Infrastructure Area (PIA). Development within the PIA will be required to contribute to the delivery of trunk infrastructure or construct non-trunk infrastructure to connect into the network.</p>	<p><b>Complies (1)</b> The proposed development is located within the Priority Infrastructure Area (PIA). The site is not impacted on by any planned works.</p>
<p>(2) Development outside of the Cooktown PIA will:</p> <ul style="list-style-type: none"> <li>a. Ensure infrastructure design and delivery in accordance with the Development Manual Planning Scheme Policy;</li> <li>b. Reach an agreement with Council to provide infrastructure; and</li> <li>c. Contribute to additional costs required.</li> </ul>	<p><b>Not Applicable (2)</b> The proposed development is located within the Cooktown PIA.</p>
<p>(3) Development facilitates the provision, uptake and application of high-speed broadband options in Cooktown to build the capacity of businesses and increase commercial activity and liveability.</p>	<p><b>Complies (3)</b> The proposed development will be provided a connection to the high-speed broadband in Cooktown.</p>

<p>(4) Development supports the progression of key infrastructure such as the Cooktown waterfront masterplan and the Lakeland water/sewerage delivery, to increase liveability and facilitate urban expansion.</p>	<p><b>Complies (4)</b> The proposed development does not impact or compromise the Cooktown waterfront masterplan or the Lakeland water/sewerage delivery.</p>
<p>(5) Cook Shire's key community infrastructure is protected and enhanced, including the Cooktown Events Centre (which is also a cyclone shelter for Cooktown), education facilities, aged housing, emergency services and community facilities (public library, swimming pool and sporting ground).</p>	<p><b>Complies (5)</b> The proposed development does not interfere with or compromise the ability for the existing community infrastructure to continue operating. The proposal will make a positive contribution to the operation of the existing community infrastructure.</p>
<p>(6) Opportunities to develop energy and allied industries are supported where:</p> <ul style="list-style-type: none"> <li>a. It provides a secure green energy future such as wind, solar or hydro power;</li> <li>b. Long-term economic growth and employment;</li> <li>c. Significant natural and cultural areas are avoided; and</li> <li>d. Impacts on sensitive uses are managed.</li> </ul>	<p><b>Not Applicable (6)</b> The proposed development does not involve existing or planned energy infrastructure.</p>
<p>(7) Existing and planned energy infrastructure (such as high voltage power lines, gas and oil pipelines) is protected from incompatible development.</p>	<p><b>Not Applicable (7)</b> The proposed development will not impact any existing or planned energy infrastructure.</p>
<p>(8) Telecommunications are available in all townships for business, education, social connection, tourism and emergencies. Where available, development provides or augments fibre optic cable/broadband infrastructure.</p>	<p><b>Complies (8)</b> The proposed development will be serviced by all essential telecommunications services.</p>
<p>(9) Road and transport infrastructure that provides intra-regional access and support to economic development is protected and enhanced, as follows:</p>	<p><b>Complies (9)</b></p>

<ul style="list-style-type: none"> <li>a. Shiptons Flat Road, Endeavour Valley Road, the Peninsula Development Road and the Mulligan Highway are State controlled roads (see Strategic Map 1). These roads are protected from development that is sensitive to traffic noise, is visually obtrusive, or would impede traffic, stock and freight movements or future upgrades.</li> <li>b. Other key roads (see Strategic Map 1) provide important, and sometimes the only, road access to remote settlements on Cape York. These roads are preserved and maintained at the appropriate standard for this purpose and development considers potential impacts on their operation.</li> <li>c. Cooktown Airport is the principal aviation infrastructure for the Shire and provides for remote access and regional development needs. It is protected from incompatible forms of development, including noise sensitive urban activities and uses that would create aviation hazards.</li> <li>d. Strategic airports including the RAAF Base Scherger, Weipa airport and Northern Peninsula airport are protected from incompatible intrusions that would compromise aircraft safety in operational airspace. State and local road corridors are also protected.</li> <li>e. Small regional airports such as Coen, Laura, Lockhart River and Ayton are protected from development that would threaten operations.</li> <li>f. The urban expansion area identified in the Lakeland Local Plan is sequenced in a way that provides for the orderly and efficient provision and integration of land use and infrastructure.</li> </ul>	<p>The proposed development does not have the potential to adversely impact intra-regional access, however, seeks to support economic development within Cooktown.</p> <p>The subject site is located within proximity to the Mulligan Highway and the proposal involves a use that is suitable to be located in proximity to major transport corridor.</p> <p>Note, the subject site is not located near Cooktown Airport.</p> <p>Note, the proposal does not involve land near the Lakeland Local Plan or within the Cooktown Foreshore Commercial Precinct.</p> <p>Note, the proposal does not involve gravel pits.</p>
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<p>g. Gravel pits critical to road infrastructure, including those identified on Strategic Map 1 remain accessible so that roads can be maintained for public safety and supporting the economy.</p> <p>h. The Cooktown Foreshore Commercial Precinct will meet the economic, environmental and social demand for recreational boating, commercial facilities and trading vessel facilities.</p> <p>i. Compatible land uses, such as industry, commercial, retail and other employment activities are located near major transport corridors, subject to mitigation of noise and visual impacts, and in a manner that does not adversely affect the safety and efficiency of the road network.</p> <p>j. Development surrounding the strategic port in Weipa (identified on Strategic Map 1) is compatible with, depends upon and gains economic advantage from proximity to the port; and equally supports the port's role as a freight and logistics hub.</p> <p>k. Cooktown's locally significant port is protected and enhanced as a communal focal point and place of economic development. It is protected as a safe and efficient port for recreational and commercial vessels.</p> <p>l. The role of ports and associated infrastructure at Portland Roads, Archer Point and Skardon River are protected and enhanced by infrastructure improvements and development.</p>	
<p>(10) Development integrates land uses and enables complementary businesses and industries to co-locate. This will assist in reducing vehicle trips, prioritise a safe and comfortable walking and cycling environment and increase resilience to potential impacts of oil vulnerability.</p>	<p>Complies (10)</p> <p>The proposed development integrates land uses and enables complementary businesses to co-locate within one (1) location which contributes to reducing vehicle trips, creating a safe and comfortable walking and cycling environment.</p>
<p>(10) Waste, storm water and waste water infrastructure is designed and located to protect the environment and amenity, as follows:</p>	<p>Complies (10)</p>

<p>a. Landfills and resource recovery facilities are located outside of flood prone areas and areas of high ecological significance. Cooktown landfill is protected from encroachment of sensitive uses.</p> <p>b. Commercial, industrial and multi-unit dwellings provide accessible bin areas, including areas for recycling.</p> <p>c. In rural and remote areas, local waste management and recovery is encouraged for domestic and small-scale operations. Larger development requiring transportation of waste are located close to transport infrastructure.</p> <p>d. Best practice stormwater and wastewater management protects the environmental values of receiving water and avoids contaminants entering waterways.</p>	<p>The consultant reporting provided as part of the development application and as part of the information request response demonstrate that the waste, stormwater and wastewater infrastructure is appropriately located.</p> <p>A standard condition can be imposed to ensure compliance with the relevant requirements.</p>
<p>(12) Development protects and enhances the role of parks and community facilities in providing important recreation opportunities, drainage, scenic amenity, bushland protection and buffering.</p>	<p><b>Not Applicable (12)</b></p> <p>The proposed development does not interfere with parks and community facilities.</p>
<p>(13) Council supports future water supply infrastructure that facilitates growth in agriculture and the urban population at Lakeland.</p>	<p><b>Not Applicable (13)</b></p> <p>The proposed development is not located at Lakeland.</p>
<p>Element - Strong Communities</p>	
<p>3.7.1 - Strategic Outcomes 3.7.1.1 - Specific Outcomes</p>	
<p>(1) Developers are required to discharge their duty of care under the Aboriginal Cultural Heritage Act 2003, particularly where development is proposed which would involve surface disturbance beyond that which has already occurred.</p>	<p><b>Complies (1)</b></p> <p>A standard condition can be imposed to ensure compliance with the relevant requirements.</p>

<p>(2) Development protects and preserves heritage and visual amenity through sensitive design and integration with existing buildings, landscapes, hill slopes, streetscape and infrastructure on-site and in the surrounding area.</p>	<p><b>Complies (2)</b></p> <p>The proposed development will have no impact on protecting or preserving heritage amenity. The proposed built form has been designed in response to the constraints of the site and to align with other nearby commercial developments. As outlined within the information request response, the proposal achieves a built form which is reflective of medium density development.</p>
<p>(3) Places of local heritage significance have been identified, registered and protected via the Character Overlay Code in Part 8 of this Planning Scheme. The re-use of places of local heritage significance is supported where the heritage significance and amenity is maintained. Development adjoining places of local heritage significance maintain and enhance the heritage values of the nominated.</p>	<p><b>Complies (3)</b></p> <p>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 Part 8 of this Planning Scheme.</p>
<p>(4) Within townships, commercial development is designed to directly front the street and street awnings are maintained and extended where possible.</p> <p>a. Cooktown - The historic built form of the main commercial area is retained and new building work reflects the scale, height and architectural quality of this historic streetscape. The town's scenic backdrop of hills and mountains retains its natural appearance and new development in such areas is not visually obtrusive.</p> <p>b. All other townships - There is a general mix of land use typical of smaller townships, with non-residential uses being limited in scale and designed so as not to compromise residential amenity. New buildings and land uses reflect the low density, spacious character and design of the existing township.</p>	<p><b>Complies (4)</b></p> <p>Whilst the proposal is not located within the main commercial area of Cooktown, the proposal has been designed in response to the site, adjoining development and the wider area. The proposed built form aligns with the scale, height and architectural quality in Cooktown.</p>

<p>(5) Development protects and enhances the healthy and active lifestyle of residents by integrating open space and recreation areas and providing opportunities for linkages between areas.</p>	<p><b>Complies (5)</b> The proposed development promotes healthy and active lifestyles for residents by providing important services in walking distance of several residential pockets in the area.</p>
<p>(6) Development which increases the opportunity for people from all backgrounds, age, economic status, lifestyle and physical ability to live in close proximity to services, facilities and employment will be supported.</p>	<p><b>Complies (6)</b> The proposed development increases opportunity for people from all backgrounds, age, economic status, lifestyle and physical ability to live in close proximity to services, facilities and employment.</p>
<p>(7) Development creates safe, integrated and well serviced communities. Infill development maximises opportunities for people to live and work close to existing or planned community services and open space facilities and community facilities create focal points for community activity.</p>	<p><b>Complies (7)</b> The proposed development contributes to a safe, integrated, and well-serviced community by providing a focal point for community activity that is accessible by active transportation.</p>
<p>(8) Community safety and crime prevention are incorporated into development through casual surveillance opportunities, land use mix and activity generation, a clear definition of public and private spaces, exterior building design and lighting.</p>	<p><b>Complies (8)</b> The proposed development promotes community safety and crime prevention through built form design elements, including, casual surveillance opportunities, land use mix and activity generation. The proposal includes a clear definition of public and private spaces through exterior building design.</p>
<p>(9) Non-resident workforce accommodation associated with existing or approved mining, agriculture, industry or infrastructure projects is located within existing townships where the accommodation can be integrated without adversely impacting on nearby sensitive land uses. Where it is more efficient to locate the accommodation outside of existing townships it is to be self-sufficient in terms of infrastructure servicing.</p>	<p><b>Not Applicable (9)</b> The proposed development does not involve non-resident workforce accommodation.</p>