



Our Ref: M6-25

18 July 2025

Chief Executive Officer Cook Shire Council 10 Furneaux Street Cooktown, QLD, 4895

Attention: Planning Department

Dear Sir/Madam,

DEVELOPMENT APPLICATION SEEKING A

DEVELOPMENT PERMIT FOR A MATERIAL CHANGE OF USE – MULTIPLE DWELLING

LOCATED AT: 9 ADELAIDE STREET, COOKTOWN **FORMALLY DESCRIBED AS:** LOT 16 ON C17927

We act on behalf of our client, R. De Silva in preparing and submitting the following development application which seeks a Development Permit for a Material Change of Use under the *Planning Act 2016* located at 9 Adelaide Street, Cooktown to facilitate the development of a multiple dwellings over the site.

The subject site is located in the centre town within close proximity to the main street, shopping centre, parkland, and fronts onto Adelaide Street. The site is currently vacant and void of any structures. In the immediate area along Adelaide Street there are storage sheds, duplexes, industrial, and short-term accommodation at the Gecko House. Overall, this development provides a suitable development solution for the site and the surrounding area in achieving the outcomes sought within the Low Density Residential Zone.

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

In terms of application fees, the current fees and charges schedule stipulates that the application fee for the proposed development is \$4,190.00. Please contact our office on 0411 344 110 to process the payment over the phone.

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

Yours faithfully,

Ramon Samanes

Director, U&i Town Plan

Bachelor of Applied Science, Majoring in Environmental and Urban Planning



PLANNING REPORT

DEVELOPMENT APPLICATION FOR A DEVELOPMENT PERMIT PLANNING ACT 2016

IMPACT ASSESSABLE : Material Change of Use

9 ADELAIDE STREET, COOKTOWN QLD 4895 being LOT 16 ON C17927 MULTIPLE DWELLING



Report Matrix

Report Matrix			
APPLICATION SUMMARY			
Applicant:	R. De Silva C/- U&i Town Plan		
Application Type:	Development Application for a Development Permit		
Development Type:	Material Change of Use		
Category of Development (Level of Assessment):	Impact Assessable		
Development Description:	Multiple Dwelling		
Assessment Manager:	Cook Shire Council		
Referral Agencies:	n/a		
CATEGORISING INSTRUMENTS			
Planning Scheme:	Cook Shire Planning Scheme 2017		
Planning Scheme Defined Uses/Works:	Multiple Dwelling		
Zoning:	Low Density Residential Zone		
Precincts/Sub-Precincts:	n/a		
Overlays:	Bushfire Hazard Overlay		
SITE DESCRIPTION	Flood and Other Coastal Hazard Overlay		
SHE DESCRIPTION			
Property Address:	9 Adelaide Street, Cooktown QLD 4895		
Real (Legal) Property Description:	Lot 16 on C17927		
Site Area:	1,011m2		
Landowner:	The Cabrall Family Trust		
Tenure:	Freehold		
Relevant Encumbrances:	NA		
Local Government Area:	Cook Shire Council		
Road Frontage:	Adelaide Street		

DOCUMENT CONTROL

Prepared by	Client	Report
C/- U&i Town Plan	R. De Silva	Report No. M6/25

Version	Date	Author
1.0	17.07.2025	RS:RS

© 2021 R&A Samanes Pty Ltd t/a U&i Town Plan, All Rights Reserved. Copyright in the whole and every part of this document belongs to U&i Town Plan and may not be used, sold, transferred, copied or reproduced in whole or in part in any manner or form or in or on any media to any person without the prior written consent of U&i Town Plan.

DISCLAIMER: This Report has been prepared in good faith and with due care by R&A Samanes Pty Ltd t/a U&i Town Plan. By accepting this Report, recipients agree for themselves and their affiliates to the terms of this Disclaimer. This Report has been prepared solely for development application and assessment purposes and not as specific advice to any particular recipient or any other person. It is not to be construed as a recommendation by R&A Samanes Pty Ltd t/a U&i Town Plan that any recipient proceeds with any investigation or with any purchase and/or lease of a property or service. In all cases recipients should carry out their own independent investigation, assessment and analysis. This Report is provided to the recipient on a contract for service basis and is not to be resupplied or replicated to any other person without the prior written consent of R&A Samanes Pty Ltd t/a U&i Town Plan. The recipient may, however, disclose the Report to any of its employees, advisors (including lawyers and accountants) or agents to the extent necessary to allow the recipient to evaluate the property/properties and to act on any opportunities.



CONTENTS

1.0	EXEC	UTIVE SUMMARY	4
2.0	SITE	AND LOCALITY	5
3.0	PROF	OSAL SUMMARY	5
4.0	ASSE	SSMENT	6
	4.1	Assessment Benchmarks Pertaining to State Planning Instruments	6
	4.2	Assessment Benchmarks Pertaining to Local Planning Instruments	7
		4.2.1 Strategic framework	8
		4.2.2 Low Density Residential Zone	.1
		4.2.3 Residential Use Codes	.3
		4.2.4 Development Codes	.4
		4.2.5 Overlay Codes	.4
	4.3	External Referrals	.7
	4.4	Public Notification	.7
5.0	CON	CLUSION	.7

APPENDICIES

Appendix 1: Development Application Forms

Appendix 2: Site Details

Appendix 3: Plans of Development



1.0 EXECUTIVE SUMMARY

This development application is made in accordance with the provisions of Chapter 3, Part 2 of the *Planning Act 2016* (the Act) and is seeking a development permit for a material change of use to facilitate Multiple Dwelling use. The subject premises is addressed as 9 Adelaide Street, Cooktown QLD 4895 more particularly described as Lot 16 on C17927. The premises is within the Low Density Residential Zone under the Cook Shire Planning Scheme 2017 (the planning scheme) which currently contains an existing shed on southern portion of the property.

For the purpose of this development application U&i Town Plan act on behalf of the applicant R. De Silva.

Following a detailed assessment of the proposal against the applicable local and state assessment benchmarks it has been determined that the development proposal is consistent with all applicable codes and policies. The development application is therefore required to be approved in accordance with rules of impact assessment as established under Act, subject to the imposition of reasonable and relevant conditions. A summary of the development application is provided below:

Table 1.0: Development application summary

APPLICATION SUMMARY		
Applicant:	R. De Silva C/- U&i Town Plan	
Application Type:	Development Application for a Development Permit	
Development Type:	Material Change of Use	
Category of Development (Level of Assessment):	Assessable Development – Impact Assessable	
Development Description:	Multiple Dwelling	
Assessment Manager:	Cook Shire Council	
Referral Agencies:	No referrals applicable.	
CATEGORISING INSTRUMENTS		
Planning Scheme:	Cook Shire Planning Scheme 2017	
Planning Scheme Defined Uses/Works:	Multiple Dwelling	
Zoning:	Low Density Residential Zone	
Precincts/Sub-Precincts:	n/a	
Overlays:	Bushfire Hazard Overlay Flood and Other Coastal Hazard Overlay	
SITE DESCRIPTION		
Property Address:	9 Adelaide Street, Cooktown QLD 4895	
Real (Legal) Property Description:	Lot 16 on C17927	
Site Area:	1,011m2	
Landowner:	The Cabrall Family Trust	
Tenure:	Freehold	
Relevant Encumbrances:	No particular encumbrances. Sewerage main extension upgrades to service the site have been paid and schedule to be completed in the coming weeks. Natural flow of stormwater is to the northwest corner of the site. Condition of approval will address this element to provide a stormwater management plan to address the flows and controls to occur as part of this development.	
Local Government Area:	Cook Shire Council	



2.0 SITE AND LOCALITY

The subject premises is a standard Freehold lot addressed as 9 Adelaide Street, Cooktown QLD 4895 more particularly described as Lot 16 on C17927. The premises is within the Low Density Residential Zone under the planning scheme which currently is vacant and void of any structure. This development seeks to establish four (4) new two (2) bedroom dwelling units with access onto Adelaide Street.

Any pertinent existing approvals which may affect the assessment of the proposal are identified in the table below:

APPLICATION REF.	DECISION AND DATE	ASSESSMENT MANAGER
NA	NA	NA

The following table describes the key characteristics of the site:

Table 2.0: Site characteristics

Table 2.0: Site characteristics	
SITE AND LOCALITY DESCRIPTION	
Property Address:	9 Adelaide Street, Cooktown QLD 4895
Real (Legal) Property Description:	Lot 16 on C17927
Site Area:	1,011m2
Landowner:	Zest For Life Pty Ltd
Tenure:	Freehold
Relevant Encumbrances:	No particular encumbrances. Sewerage main extension upgrades to service the site have been paid and schedule to be completed in the coming weeks. Natural flow of stormwater is to the northwest corner of the site. Condition of approval will address this element to provide a stormwater management plan to address the flows and controls to occur as part of this development.
Local Government Area: Cook Shire Council	
Zoning: Low Density Residential Zone	
Precincts/Sub-Precincts:	n/a
Existing Use of Land:	Existing shed on the southern portion of the property.
Road Frontage:	Adelaide Street
Topography:	The site slopes from Adelaide Street towards the northwest corner of the subject site.
Surrounding Land Uses:	Vacant lots adjacent. In the immediate area along Adelaide Street there are storage sheds, duplexes, industrial, and short-term accommodation at the Gecko House.

3.0 PROPOSAL SUMMARY

This is a development application seeking a development permit for a Material Change of Use to approve a Multiple Dwelling over the subject allotment under the Planning Act 2016 located at 9 Adelaide Street, Cooktown.

The proposed development involves a development application seeking a development permit for a Material change of use in Multiple Dwelling. The Material Change of Use component of this development with the proposed multiple dwelling demonstrates how a suitable development outcome can be achieved for the site through efficient and effective design



The intent of this unit development is to provide an alternative form of residential accommodation to the Cooktown residential market which is modern, providing opportunities that suit the Cooktown climate and lifestyle. As shown on the elevation plans, the main building facade that is positioned to face Adelaide Street has the ability to satisfactorily address this street frontage. Energy efficiency is promoted through building features providing for maximum light and airflow and screening for sun and wind protection.

The site contains will be landscaped and fenced with an electrical sliding gate to provide security to the residence. Each unit will contain their own fenced off private open space area which may accommodate pets. There is also a communal area and landscaping at the end of the internal driveway for residence to utilise.

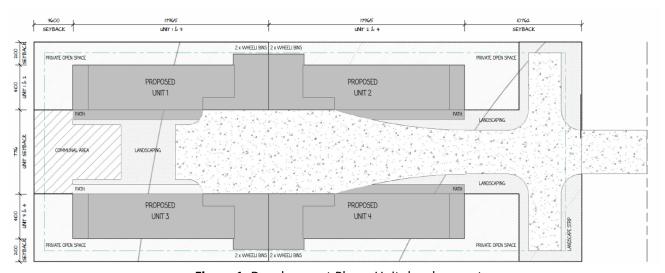


Figure 1: Development Plan – Unit development

4.0 STATUTORY ASSESSMENT

The proposed Material Change of Use being Multiple Dwelling is identified as *impact assessable* in the relevant tables of assessment for the Low Density Residential Zone . There are no other components of the planning scheme or *Planning Regulation 2016* which effect the level of assessment for the proposal. The development application is therefore subject to an impact assessment where the development is assessed against the entire planning scheme.

The development application does not trigger referral agency assessment.

4.1 ASSESSMENT BENCHMARKS PERTAINING TO STATE PLANNING INSTRUMENTS

State Planning Policy

Cook Shire Planning Scheme 2017 confirms in section 2.1 State planning policy that it has ministerial approval as having adequately integrated the State Planning Policy July 2014 into the planning scheme. There are no stand-alone components of the State planning policy which are relevant to the assessment of this development application.

Regional Plan

The Minister has identified that the planning scheme, specifically the strategic framework, appropriately advances the Cape York Regional Plan 2014, as it applies in the planning scheme area.



State Development Assessment Provisions

Under Schedule 10 of the *Planning Regulation 2017*, the development application has been assessed and identified that it does not trigger any referral as part of the assessment.

4.1.1 State Codes

Given the nature of the development (i.e. a tenure change based reconfiguration of a lot that does not involve additional lots, changes in boundaries or additional development intensity) the acceptable and performance outcomes from the State codes are either not applicable, irrelevant or intrinsically satisfied. While a direct assessment has been provided, the applicant also relies upon the assessment provided in section 4.2 below to adequately establish context and compliance with the State codes.

4.2 ASSESSMENT BENCHMARKS PERTAINING TO LOCAL PLANNING INSTRUMENTS

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

Cook Shire Planning Scheme 2017

The Cook Shire Planning Scheme 2017 (the planning scheme) includes tables of assessment which nominate the categories of development and assessment (levels of assessment) and nominate the assessment benchmarks for assessable development and the requirements for accepted development. The applicable tables of assessment for this development application are:

- Categories of development and assessment Material Change of Use; and
- Categories of development and assessment Overlays.

Assessment Benchmarks Summary

A summary of the relevant local level assessment benchmarks is provided in the table below:

Local Planning Instruments		
	Low Density Residential Zone code	
	Residential Use Code	
Diamaina ashama	Parking and Access Code	
Planning scheme:	Works, Services and Infrastructure Code	
	Bushfire Hazard Overlay Code	
	Flood and Other Coastal Hazards Overlay Code	

The development application has been assessed against each of the applicable local level assessment benchmarks and found to be:

- compliant with the purpose and applicable outcomes from the relevant codes; and
- consistent with the strategic framework for the planning scheme.

Any pertinent issues arising from the assessment against the local level assessment benchmarks are addressed below. For clarity, any codes or outcomes not specifically addressed below or in the proposal justification report are considered to be objectively satisfied.



4.2.1 Strategic Framework

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

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

- Economic Wellbeing The importance of provide housing to the region;
- Land Use Pattern Key issue is housing choice and affordability; and
- Strong communities Housing choice to be provided.

3.3 Economic Wellbeing

Regarding a strong economy and recognising Cooktown as a major township, the SF states within the following within the policy context, strategic outcomes and specific outcomes:

Policy Context

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



3.3.1.1 Specific outcomes

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

Statement of Compliance:

The proposed multiple dwelling development is suitably located within close proximity to the main street, shopping centre, parkland, and fronts onto Adelaide Street. The site is currently vacant and void of any structures. In the immediate area along Adelaide Street there are storage sheds, duplexes, industrial, and short-term accommodation at the Gecko House. Cooktown is currently experiencing an extreme housing shortage, with accommodation needed immediately to help reduce the impacts currently experienced from the lack of housing supply in Cooktown. This development provides a highest and best use outcome for the allotment whilst maintaining the character of the area and does not represent and overdevelopment for the site or area. This project will not resolve the housing crisis on its own, but it is part of the answer towards addressing the issue, and therefore should be supported along with any other housing project in the region.



3.4 Land Use Pattern

Regarding the housing crisis in Cooktown and the need for more housing choice and product on the market, the SF states within the following within the policy context, strategic outcomes and specific outcomes:

Policy context

- (1) Cook Shire has a tough and colourful past built around the pastoral industry, agriculture and mining¹⁰. Today, Cook Shire's unique culture, history, and environment continue to shape built form and land use, offering lifestyle choice, fostering proud and resilient communities and attracting tourists.
- (2) Council's Community Plan 2011-2021 provides insight into the concerns and aspirations of local residents. By far the biggest issue for residents is road infrastructure, followed by job shortages, small business development, economic diversity and communications infrastructure. In terms of the future land use pattern for the Shire, relevant context for these challenges are as follows:
 - (a) Land tenure 37% of the Shire's land area is occupied by National Parks and nature reserves; 53% is occupied by mining, State lands and reserves. Only 1% of the Shire is held in freehold title, leasehold (5%) and Aboriginal lease/trust (4%);
 - (b) Cooktown, Marton and Endeavour Valley Situated 324km north of Cairns and with a population of 2093 persons. Opportunities exist for consolidation of the commercial centre of Cooktown while protecting the historic urban fabric of the town. There are also opportunities for industrial expansion in Cooktown, at Marton and at the Cooktown airport. There has been a significant investment in the education sector. A key issue is housing choice and affordability;

Statement of Compliance:

The proposed multiple dwelling development is suitably located within close proximity to the main street, shopping centre, parkland, and fronts onto Adelaide Street. The site is currently vacant and void of any structures. In the immediate area along Adelaide Street there are storage sheds, duplexes, industrial, and short-term accommodation at the Gecko House. Cooktown is currently experiencing an extreme housing shortage, with accommodation needed immediately to help reduce the impacts currently experienced from the lack of housing supply in Cooktown. This development provides a highest and best use outcome for the allotment whilst maintaining the character of the area and does not represent and overdevelopment for the site or area. This project will not resolve the housing crisis on its own, but it is part of the answer towards addressing the issue, and therefore should be supported along with any other housing project in the region.

3.7 Strong communities

Regarding the housing choice is vital for our region, the SF states within the following within the policy context, strategic outcomes and specific outcomes:

Policy context

- (1) The Community Plan identifies community needs and articulates the long-term community vision, aspirations and priorities. Three themes in the Community Plan particularly highlight the importance of community in Cook Shire. These include:
 - (a) Active, Creative and Connected sports and play, cultural vitality and clubs and organisations



3.7.1 Strategic outcomes

- (1) The lifestyle opportunities, amenity and safety available in unique and diverse communities of Cook Shire is protected and enhanced.
- (2) Cook Shire's pre- and post-contact history is recorded, protected and promoted as appropriate.
- (3) Cook Shire is inclusive for people of all ages, cultures and abilities. Development provides housing choice and protects and enhances community infrastructure and services.
- (4) Development providing economic growth and employment opportunities, balanced with access to commercial, cultural, recreational, educational and community services is supported.
- (5) The visual character which defines townships, streetscapes, built form and hillsides is protected and reinforced.

Statement of Compliance:

The proposed multiple dwelling development is suitably located within close proximity to the main street, shopping centre, parkland, and fronts onto Adelaide Street. The site is currently vacant and void of any structures. In the immediate area along Adelaide Street there are storage sheds, duplexes, industrial, and short-term accommodation at the Gecko House. Cooktown is currently experiencing an extreme housing shortage, with accommodation needed immediately to help reduce the impacts currently experienced from the lack of housing supply in Cooktown. This development provides a highest and best use outcome for the allotment whilst maintaining the character of the area and does not represent and overdevelopment for the site or area. This project will not resolve the housing crisis on its own, but it is part of the answer towards addressing the issue, and therefore should be supported along with any other housing project in the region.

4.2.2 Low Density Residential Zone Code

4.2.2.1 Purpose

The proposed development involves a development application seeking a development permit for a Material change of use in Multiple Dwelling. As such, we consider that the development is compliant with the purpose outcomes for the Low density residential zone, in that it provides a variety of low density dwelling types within the zone.

4.2.2.2 Code Outcomes

Given the impact assessable nature of the proposed development and the extent to which the applicant has chosen to design the development in accordance with the zone code, the majority of outcomes within the zone code are either objectively satisfied or not applicable. Any outcomes which are pertinent to the assessment of the proposal have been extracted and discussed below:



Performance outcomes	Acceptable outcomes	Justification
Built Form		
PO1 The scale and height of buildings is consistent with low density residential built form and has the appearance and bulk of a single dwelling house on a residential lot.	AO1.1 Accommodation density does not exceed one dwelling per site. Note: A secondary dwelling is not a separate dwelling for the purpose of satisfying this outcome. And AO1.2 Building height does not exceed 8.5m. And AO1.3 Site cover does not exceed 50%.	The proposed development provides a suitable development that is consistent with the built form and established uses in the immediate area. The residential product that will appear as four (4) small two (2) bedroom units completely compliant with the setbacks and design requirements, and represents an underdevelopment of the site, all of which was intentional to ensure it maintained the character of the area. Building height and site coverage comply with the relevant acceptable outcomes. Complies with PO1.
Siting		
PO2 Buildings are sited to allow privacy and ventilation to adjoining properties and contribute to a pleasant streetscape by providing sufficient area for landscaping.	AO2.1 Buildings and structures maintain the following boundary clearance: (a) no less than 6m to the primary street frontage; and (b) no less than 3m to all other road frontages.	The proposed built form is setback some 10.7m from Adelaide Street, further demonstrating the development aims to ensure it will contribute to streetscape and amenity of the surrounding area. Complies with PO2.
Design		
PO3 The design of buildings: (a) is in keeping with the intended character of the area; (b) incorporates Crime Prevention Through Environmental Design (CPTED) through casual surveillance to all street frontages; and (c) is appropriate for the tropical climate	AO3.3 Fences or walls along all street frontages are: (a) a maximum of 1.8m above ground level and are at least 50% transparent; or (b) if the fence is not at least 50% transparent, has a maximum height of 1.2m above ground level.	Fencing is proposed around the perimeter of the property as well as internally to separate private open spaces areas. Condition to be applied as part of this development. Will be complied with.
PO4 Effective landscaping is employed to provide an attractive presentation to the street.	No Acceptable Outcome specified.	There are areas available within the development to accommodate landscaping, particularly along the front boundary. Condition to be applied as part of this development.
PO6 Waste material is stored so as not to be unsightly and so as to be conveniently collected.	No Acceptable Outcome specified.	Will be complied with. The refuse bins will be stored behind the fencing so as to not be visible from the street. Complies with PO6.



As demonstrated by the above assessment, the development is able to objectively satisfy the outcomes and purpose of the zone code. Given the extent to which the proposal objectively satisfies the codes, a direct assessment against each of the outcomes is not considered necessary in order to demonstrate compliance. Formalisation of compliance with the code can be ensured through the imposition of standard conditions of approval including the requirements for the development to occur generally in accordance with the plans of development.

4.2.3 Residential Use Code

4.2.3.1 Purpose

The purpose of the residential development code is to facilitate a high standard of design and amenity for all residential development. The proposed development involves a development application seeking a development permit for a Material change of use in Multiple Dwelling. As such, we consider that the development is completely compliant with the purpose outcomes for the Residential Use Code.

4.2.3.2 Code Outcomes

Given the impact assessable nature of the proposed development and the extent to which the applicant has chosen to design the development in accordance with the zone code, the majority of outcomes within the zone code are either objectively satisfied or not applicable. Any outcomes which are pertinent to the assessment of the proposal have been extracted and discussed below:

Performance	Acceptable outcomes	Justification
outcomes		
Scale of Use		
PO1 The site has adequate area to accommodate buildings and structures, car parking, landscaping and communal and private open space.	AO1.2 Development for Dual Occupancy occurs on a site with the following minimum dimensions; (a) a site area of 800m² wh ere serviced by reticulated sewerage; or (b) a site area of 1000m² where not serviced by reticulated sewerage.	This provision applies to other developments where it specifies a minimum site area of 800m² where serviced by reticulated sewerage. The site is 1,011m² therefore complying with the A01.2. Accordingly the development of the site as proposed clearly demonstrates that the site has adequate area and dimensions to accommodate buildings and structures, car parking, landscaping and private open space areas.
		Complies with AO1.2
Open Space		
PO13 Private and communal open space is sufficient to meet the needs of residents and their guests.	AO13.4 Each dwelling unit has a minimum 60m² of private open space accessible only from that dwelling and for the sole use of occupants of that dwelling.	The units are divided by a fence that runs between the units, allowing both units to have their own fence private open space around each unit. Each unit has their own private open space area exceeding the minimum 60m² required.
		Complies with AO13.4

As demonstrated by the above assessment, the development is able to objectively satisfy the outcomes and purpose of the zone code. Given the extent to which the proposal objectively satisfies the codes, a direct



assessment against each of the outcomes is not considered necessary in order to demonstrate compliance. Formalisation of compliance with the code can be ensured through the imposition of standard conditions of approval including the requirements for the development to occur generally in accordance with the plans of development.

4.2.4 Development Codes

Parking & Access Code & Works, Services and Infrastructure code

The development has been designed with detailed consideration given to the management of elements such as reticulated sewer and water supply, electricity and telecommunications services, stormwater drainage, landscaping outcomes and parking and access facilities. Sufficient detail is provided on the plans of development to confirm compliance with the development codes and that solutions to addressing the servicing and utility needs of the development can be achieved. Accordingly, it is requested that the relevant standard conditions of approval be used to allow the material change of use decision to be reached as quickly as possible.

Car Parking Rationale

The proposed development is required to provide five (5) covered spaces as part of this development based on 1.2 spaces per unit. The proposal is fully code compliant with the four (4) covered spaces, with an additional visitors space for parking as illustrated on the plans.

Accordingly, the development is able to objectively satisfy the outcomes and purpose of the development codes. Given the extent to which the proposal objectively satisfies the codes, a direct assessment against each of the outcomes is not considered necessary in order to demonstrate compliance. Formalisation of compliance with the code can be ensured through the imposition of standard conditions of approval including the requirements for the development to occur generally in accordance with the plans of development and the standard civil and services design certification requirements.

Infrastructure

The proposed development will be connected into all infrastructure services available to the site including a new water and sewerage connection. Access to the four (4) units will be obtained from Adelaide Street via two-way access, with an electric gate to enter the property. Sewerage main extension upgrades to service the site have been paid and schedule to be completed in the coming weeks. Natural flow of stormwater is to the northwest corner of the site. Condition of approval will address this element to provide a stormwater management plan to address the flows and controls to occur as part of this development. With regards to power, it is anticipated that a condition of approval will be applied requiring both proposed allotments to be connected to the electricity network.

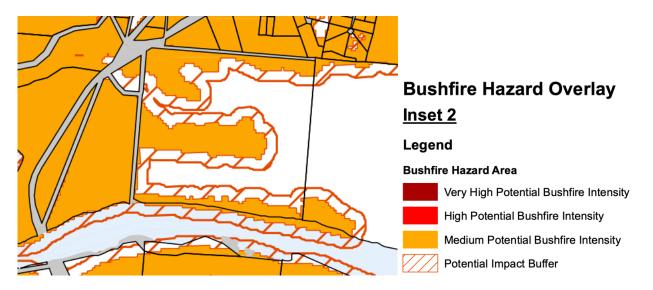
It is considered that the combined material change of use development achieves compliance with the outcomes sought to be achieved within Works, Services and Infrastructure Code, and we anticipate and accept standard conditions of approval to be applied to this development to ensure the relevant infrastructure is provided.



4.2.5 Overlay Codes

Bushfire Hazard Overlay Code: Complies

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



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

As part of the general operation and maintenance of the property, the owner's regularly mow and clean all areas where any visitors and guest may frequent, which ensures suitable fuel loads and buffers are provided



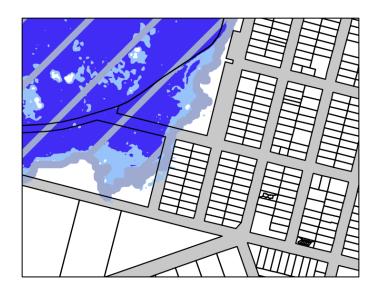
to further reduce any potential fire risks. Furthermore, in the interest of being comprehensive, the relevant Bushfire Hazard Checklist has been completed as part of this application and is included in Appendix 4.

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

Flood and Other Coastal Hazards Overlay: Complies

8.2.6.2 Purpose

- (1) The purpose of the Flood and other coastal hazards overlay code is to manage development in identified flood and erosion prone hazard areas so that risk to life, property, community and the environment from natural hazards is minimised, and to ensure that development does not increase the potential for flood damage on site or to other property and manages impacts on coastal processes.
- (2) The purpose of the code will be achieved through the following overall outcomes:
 - (a) development maintains the safety of people from flood events;
 - (b) development minimises the potential damage to property from flooding;
 - (c) development does not result in adverse impacts on the environment or the amenity of a location;
 - (d) development provides an evacuation path to enable the safe evacuation of people during a flood event or a place to provide the safe refuge of people during a flood event;
 - (e) development does not have an adverse impact on flood conveyance capacity, flood levels and velocities, floodplain storage capacity and drainage characteristics, taking into account the additional impacts of flood from cumulative impacts of development;
 - (f) development avoids the release of hazardous materials as a result of a natural hazard event:
 - (g) development supports, and does not unduly burden disaster management response or recovery capacity and capabilities;
 - (h) adverse impacts on coastal processes and resources are avoided or minimised;





Council in the pre-lodgement advice indicated that the site triggered referral to this overlay, however it appears it's not mapped as being within the flood hazard area. Therefore, no further comment or assessment required.

4.3 EXTERNAL REFERRALS

The development application does not trigger referral agency assessment, as discussed in section 4.1 above.

4.4 PUBLIC NOTIFICATION

The application is impact assessable and will be subject to public notification for 15 business days.

5.0 CONCLUSION

This development application is made in accordance with the provisions of Chapter 3, Part 2 of the *Planning Act 2016* (the Act) and is seeking a development permit for a material change of use being Multiple Dwelling. The subject premises is addressed as 9 Adelaide Street, Cooktown QLD 4895 more particularly described as Lot 16 on C17927. The premises is within the Low Density Residential Zone under the Cook Shire Planning Scheme 2017 (the planning scheme).

An assessment of the proposal was undertaken against the applicable assessment benchmarks which confirms that it is consistent with the provisions of the applicable planning instruments, specifically the local government planning scheme. Council are therefore required to **approve** the development application pursuant to the rules of impact assessment established under the Act, and issue a development permit subject to the imposition of reasonable and relevant conditions.

RECOMMENDATION

That this development application seeking a development permit for a Material Change of Use being Multiple Dwelling over the subject premises situated at 9 Adelaide Street, Cooktown QLD 4895 more particularly described as Lot 16 on C17927, be approved subject to reasonable and relevant conditions.

STATEMENT OF REASONS

Subject to the imposition of reasonable and relevant conditions, the development is able to comply with the following applicable assessment benchmarks against which the application was required to be assessed.

Applicable Assessment Benchmarks:

State Planning Instruments		
NA	NA	
Local Planning Instruments		
Planning scheme:	Low Density Residential Zone code Residential Code Parking and Access Code Works, Services and Infrastructure Code Bushfire Hazard Overlay Code Flood and Other Coastal Hazards Overlay Code	



REASON FOR APPROVAL DESPITE NON-COMPLIANCE WITH ASSESSMENT BENCHMARKS

Sufficient justification has been provided and satisfactory grounds have been established to conclude that the proposed development remains consistent with the strategic intent and overall outcomes of the planning scheme. In substantive terms, this conclusion is based on the following reasons:

- The proposed Multiple Dwelling land use outcome directly aligns with the Purpose of the Low Density Residential zone code.
- > The development can be adequately serviced.
- The built form outcome is consistent with the relevant assessment benchmarks and will not result in any adverse impacts on residential amenity of surrounding properties.
- > The development outcome reflects a community expectation for lots of this size and dimension given the existing settlement pattern for the immediate locality and past development decisions made by council.
- The development will maintain the existing level and standard of servicing provided by the relevant infrastructure networks.
- > The proposal addressed an established planning need for the development.
- The proposal does not undermine the planning scheme
- ➤ The development allows the site to better contribute to the achievement of the Strategic Framework.



APPENDIX 1: DA FORM 1 – DEVELOPMENT APPLICATION DETAILS

DA Form 1 – Development application details

Approved form (version 1.6 effective 2 August 2024) made under section 282 of the Planning Act 2016.

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

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

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

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

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

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

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

PART 1 – APPLICANT DETAILS

1) Applicant details		
Applicant name(s) (individual or company full name)	R. De Silva c/- U&I Town Plan	
Contact name (only applicable for companies)	Ramon Samanes	
Postal address (P.O. Box or street address)	35 Sutherland Street	
Suburb	Mareeba	
State	QLD	
Postcode	4880	
Country	Australia	
Contact number	0411344110	
Email address (non-mandatory)	Ramon.samanes@gmail.com	
Mobile number (non-mandatory)	0411344110	
Fax number (non-mandatory)		
Applicant's reference number(s) (if applicable)	M6-25	
1.1) Home-based business		
Personal details to remain private in accordance with section 264(6) of Planning Act 2016		
2) Owner's consent		
2.1) Is written consent of the owner required for this development application?		
✓ Yes – the written consent of the owner(s) is attached to this development application✓ No – proceed to 3)		



PART 2 – LOCATION DETAILS

3) Location of the premises (complete 3.1) or 3.2), and 3.3) as applicable) Note: Provide details below and attach a site plan for any or all premises part of the development application. For further information, see <u>DA</u> Forms Guide: Relevant plans.									
3.1) Street address and lot on plan									
	Street address AND lot on plan (all lots must be listed), or								
Str	Street address AND lot on plan for an adjoining or adjacent property of the premises (appropriate for development in water but adjoining or adjacent to land e.g. jetty, pontoon. All lots must be listed).								
Unit No. Street No. Street Name and Type Suburb						Suburb			
- \		9		Adela	ide St				Cooktown
a)	Postcode	Lot N	0.	Plan Type and Number				P, SP)	Local Government Area(s)
	4895	16		C179	27				Cook Shire Council
	Unit No.	Stree	t No.	Stree	t Name and	Туре			Suburb
L .\									
b)	Postcode	Lot N	0.	Plan	Type and Nu	ımber (e.g. R	P, SP)	Local Government Area(s)
					for developme	nt in rem	ote are	as, over part of a	a lot or in water not adjoining or adjacent to land
	g. channel dred lace each set of				row				
	ordinates of					e			
Longit	·	p. 0.10	Latitud		o ana lamaa	 Datum	 า		Local Government Area(s) (if applicable)
				-(-)		□ WGS84			
						☐ GDA94			
						Otl	her:		
Co	ordinates of	premis	es by ea	asting	and northing				
Eastin	g(s)	North	ing(s)		Zone Ref.	Datum	tum		Local Government Area(s) (if applicable)
					☐ 54	☐ WGS84			
					☐ 55		☐ GDA94		
					☐ 56	Otl	her:		
3.3) A	dditional pre	mises							
	•				•	-	plicat	ion and the d	etails of these premises have been
	ached in a so t required	neaule	e to this	aeveia	pment appli	cation			
	required								
4) Ider	ntify any of th	ne follo	wing tha	at appl	y to the prem	nises ar	nd pro	vide any rele	vant details
	or adjacent to								
Name	of water bod	ly, wat	ercourse	or aq	uifer:			·	
On	strategic po	rt land	under th	ne <i>Trai</i>	nsport Infras	tructure	Act :	1994	
Lot on plan description of strategic port land:									
Name of port authority for the lot:									
☐ In a tidal area									
Name of local government for the tidal area (if applicable):									
	Name of port authority for tidal area (if applicable)								

On airport land under the Airport Assets (Restructuring	and Disposal) Act 2008
Name of airport:	
Listed on the Environmental Management Register (EM	IR) under the Environmental Protection Act 1994
EMR site identification:	
Listed on the Contaminated Land Register (CLR) under	the Environmental Protection Act 1994
CLR site identification:	
5) Are there any existing easements over the premises? Note: Easement uses vary throughout Queensland and are to be identified how they may affect the proposed development, see <u>DA Forms Guide</u> .	d correctly and accurately. For further information on easements and
☐ Yes ☑ No	
PART 3 – DEVELOPMENT DETAILS	

Section 1 – Aspects of development



6.3) Additional aspects of development				
	e relevant to this development application	and the details for the	se aspects	
that would be required under Part 3 S	section 1 of this form have been attached			
6.4) Is the application for State facilitated	· · · · · · · · · · · · · · · · · · ·			
Yes - Has a notice of declaration been	n given by the Minister?			
⊠ No				
Section 2 – Further development de	etails			
7) Does the proposed development appli				
	- complete division 1 if assessable agains	t a local planning instru	ıment	
_	- complete division 2			
Operational work Yes -	- complete division 3			
Building work	- complete DA Form 2 – Building work det	ails		
-				
Division 1 – Material change of use				
Note: This division is only required to be completed if local planning instrument.	any part of the development application involves a i	material change of use asse	ssable against a	
8.1) Describe the proposed material char	nge of use			
Provide a general description of the	Provide the planning scheme definition	Number of dwelling	Gross floor	
proposed use	(include each definition in a new row)	units (if applicable)	area (m²)	
4 Units	Multiple Dwelling	4 units	(if applicable) n/a	
+ Office	William Dwelling	4 driito	11/4	
8.2) Does the proposed use involve the I	use of existing buildings on the premises?			
Yes	ise of existing buildings of the prefitises:			
□ No				
	ate to temporary accepted development u	nder the Planning Reg	ulation?	
	e details in a schedule to this development		didtiorr.	
⊠ No		арриосион		
Provide a general description of the temp	porary accepted development	Specify the stated pe	riod dates	
under the Planning Regulation				
Division 2 – Reconfiguring a lot				
Note: This division is only required to be completed if 9.1) What is the total number of existing		configuring a lot.		
5.1) What is the total number of existing	ots making up the premises:			
Subdivision (complete 10)	☐ Dividing land into parts by	agreement (complete 1)	1)	
Boundary realignment (complete 12)	☐ Creating or changing an e			
	from a constructed road (a			



10) Subdivision							
10.1) For this develop	oment, how	many lots are	being creat	ed and wha	at is the intended	use of those lots:	
Intended use of lots created		Residential	Com	mercial	Industrial	Other, please specify:	
N	.1						
Number of lots create	ed						
10.2) Will the subdivis	sion be sta	ged?					
☐ Yes – provide add ☐ No	litional deta	ails below					
low many stages wil	I the works	include?					
What stage(s) will this apply to?	s developm	nent applicatior	1				
11) Dividing land into parts?	parts by a	greement – hov	w many part	s are being	created and wha	t is the intended use of the	
Intended use of parts	created	Residential	Com	mercial	Industrial	Other, please specify:	
Number of parts crea	ted						
	,	1	-		1		
2) Boundary realign				4	- 4		
2.1) What are the cu	Current I	•	s for each ic	t comprising	<u> </u>	posed lot	
ot on plan descriptio		rea (m²)		Lot on plan description		Area (m²)	
ot on plan descriptio	/II //I	ea (III)		Lot on plan description		Alea (III)	
12.2) What is the reas	son for the	boundary reali	gnment?				
,		,					
 What are the dimental area of the schedule if there area 			y existing ea	sements be	eing changed and	I/or any proposed easement	
Existing or proposed? Width (Length (m)		rpose of the easement? (e.g. destrian access)		Identify the land/lot(s) benefitted by the easemen	
vision 3 – Operation	nal work						
e: This division is only red				pment applica	tion involves operatio	nal work.	
4.1) What is the natu	ure of the c	pperational wor	_		□ \\/oton :=	front week was	
☐ Road work ☐ Drainage work			☐ Stormwat		_	nfrastructure e infrastructure	
Landscaping] Signage			y vegetation	
☐ Other – please sp	ecify:					,	
4.2) Is the operation		cessarv to facil	litate the cre	ation of nev	v lots? (e.g. subdivi	sion)	
Yes – specify num					(2.9)-04.04		
cc opcomy man							



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

PART 4 – ASSESSMENT MANAGER DETAILS

15) Identify the assessment manager(s) who will be assessing this development application
Cook Shire Council
16) Has the local government agreed to apply a superseded planning scheme for this development application?
Yes – a copy of the decision notice is attached to this development application
☐ The local government is taken to have agreed to the superseded planning scheme request – relevant documents attached
⊠ No

PART 5 - REFERRAL DETAILS

17) Does this development application include any aspects that have any referral requirements? Note: A development application will require referral if prescribed by the Planning Regulation 2017.
No, there are no referral requirements relevant to any development aspects identified in this development application − proceed to Part 6
Matters requiring referral to the Chief Executive of the Planning Act 2016:
☐ Clearing native vegetation
Contaminated land (unexploded ordnance)
Environmentally relevant activities (ERA) (only if the ERA has not been devolved to a local government)
☐ Fisheries – aquaculture
Fisheries – declared fish habitat area
Fisheries – marine plants
Fisheries – waterway barrier works
Hazardous chemical facilities
☐ Heritage places – Queensland heritage place (on or near a Queensland heritage place)
☐ Infrastructure-related referrals – designated premises
☐ Infrastructure-related referrals – state transport infrastructure
☐ Infrastructure-related referrals – State transport corridor and future State transport corridor
☐ Infrastructure-related referrals – State-controlled transport tunnels and future state-controlled transport tunnels
☐ Infrastructure-related referrals – near a state-controlled road intersection
☐ Koala habitat in SEQ region – interfering with koala habitat in koala habitat areas outside koala priority areas
☐ Koala habitat in SEQ region – key resource areas
Ports – Brisbane core port land – near a State transport corridor or future State transport corridor
Ports – Brisbane core port land – environmentally relevant activity (ERA)
Ports – Brisbane core port land – tidal works or work in a coastal management district
Ports – Brisbane core port land – hazardous chemical facility
Ports – Brisbane core port land – taking or interfering with water
Ports – Brisbane core port land – referable dams
Ports – Brisbane core port land – fisheries
Ports – Land within Port of Brisbane's port limits (below high-water mark)
SEQ development area
SEQ regional landscape and rural production area or SEQ rural living area – tourist activity or sport and recreation activity
SEQ regional landscape and rural production area or SEQ rural living area – community activity
SEQ regional landscape and rural production area or SEQ rural living area – indoor recreation
SEQ regional landscape and rural production area or SEQ rural living area – urban activity
SEQ regional landscape and rural production area or SEQ rural living area – combined use
SEQ northern inter-urban break – tourist activity or sport and recreation activity



SEQ northern inter-urban break – community activity							
SEQ northern inter-urban break – indoor recreation							
SEQ northern inter-urban break – urban activity							
SEQ northern inter-urban break – combined use							
Tidal works or works in a coastal management district							
Reconfiguring a lot in a coastal management district or for a canal							
	Erosion prone area in a coastal management district						
Urban design							
Water-related development – taking or interfering with							
Water-related development – removing quarry material	(from a watercourse or lake)						
Water-related development – referable dams	,						
Water-related development –levees (category 3 levees only)						
Wetland protection area							
Matters requiring referral to the local government :							
Airport land							
Environmentally relevant activities (ERA) (only if the ERA	has been devolved to local government)						
Heritage places – Local heritage places							
Matters requiring referral to the Chief Executive of the di	-	on entity:					
Infrastructure-related referrals – Electricity infrastructure	e						
Matters requiring referral to:							
The Chief Executive of the holder of the licence, if	not an individual						
The holder of the licence, if the holder of the licence	- 1 1 1 6 6 9 9 9 9 1 1 1 6 9 9 9 9 9 9 9						
☐ Infrastructure-related referrals – Oil and gas infrastructure							
Matters requiring referral to the Brisbane City Council:							
☐ Ports – Brisbane core port land							
Matters requiring referral to the Minister responsible for administering the Transport Infrastructure Act 1994:							
Ports – Brisbane core port land (where inconsistent with the Brisbane port LUP for transport reasons)							
Ports – Strategic port land							
Matters requiring referral to the relevant port operator , if applicant is not port operator:							
Ports – Land within Port of Brisbane's port limits (below high-water mark)							
Matters requiring referral to the Chief Executive of the re	levant port authority:						
Ports – Land within limits of another port (below high-water							
Matters requiring referral to the Gold Coast Waterways A	·						
☐ Tidal works or work in a coastal management district (in	_						
	Matters requiring referral to the Queensland Fire and Emergency Service : Tidal works or work in a coastal management district (involving a marina (more than six vessel berths))						
Tidal works of work in a coastal management district (in	ivolving a marina (more than six vessel t	pertns))					
40)	this						
18) Has any referral agency provided a referral response f							
Yes – referral response(s) received and listed below ar	e attached to this development a	application					
No							
Referral requirement	Referral agency	Date of referral response					
Identify and describe any changes made to the proposed							
referral response and this development application, or incl	ude details in a schedule to this	development application					
(if applicable).							

PART 6 – INFORMATION REQUEST

19) Information request under the	ne DA Rules					
☑ I agree to receive an information	ation request if determined necess	sary fo	or this development applic	ation		
☐ I do not agree to accept an i	nformation request for this develo	pmen	t application			
Note: By not agreeing to accept an information request I, the applicant, acknowledge:						
application and the assessment n	will be assessed and decided based on the manager and any referral agencies releval formation provided by the applicant for the	nt to the	development application are no	ot obligated under the DA		
Part 3 under Chapter 1 of the DA	Rules will still apply if the application is a	n applica	ation listed under section 11.3 o	f the DA Rules or		
Part 2under Chapter 2 of the DA	Rules will still apply if the application is for	state fa	acilitated development			
Further advice about information reques	sts is contained in the <u>DA Forms Guide</u> .					
PART 7 – FURTHER DI	ETAILS					
20) Are there any associated de	evelopment applications or curren	t appr	ovals? (e.g. a preliminary app	roval)		
☐ Yes – provide details below ☐ No	or include details in a schedule to	this d	evelopment application			
List of approval/development application references	Reference number	Date		Assessment manager		
☐ Approval ☐ Development application						
☐ Approval ☐ Development application						
21) Has the portable long service operational work)	ce leave levy been paid? (only appl.	icable to	development applications invo	lving building work or		
☐ Yes – a copy of the receipte	d QLeave form is attached to this	devel	opment application			
assessment manager decide give a development approva	vide evidence that the portable lo es the development application. I Il only if I provide evidence that th	ackno e porta	wledge that the assessmeable long service leave le	ent manager may		
Not applicable (e.g. building)	and construction work is less tha	n \$150	0,000 excluding GST)			
Amount paid	Date paid (dd/mm/yy)		QLeave levy number (A	, B or E)		
\$						
22) Is this development application notice?	tion in response to a show cause	notice	or required as a result of	an enforcement		
Yes – show cause or enforce	ement notice is attached					
⊠ No						

23) Further legislative require	ments						
Environmentally relevant ac	ctivities et la companyation de						
	23.1) Is this development application also taken to be an application for an environmental authority for an Environmentally Relevant Activity (ERA) under section 115 of the <i>Environmental Protection Act 1994</i> ?						
	nent (form ESR/2015/1791) for an application for an environment application, and details are provided in the table below						
⊠ No							
	tal authority can be found by searching "ESR/2015/1791" as a search term to operate. See <u>www.business.qld.gov.au</u> for further information.	n at <u>www.qld.gov.au</u> . An ERA					
Proposed ERA number:	Proposed ERA threshold:						
Proposed ERA name:							
Multiple ERAs are applica this development application	ble to this development application and the details have be on.	en attached in a schedule to					
Hazardous chemical facilities	e <u>s</u>						
23.2) Is this development app	lication for a hazardous chemical facility?						
Yes – Form 536: Notificati application	on of a facility exceeding 10% of schedule 15 threshold is a	attached to this development					
No							
	for further information about hazardous chemical notifications.						
Clearing native vegetation 23.3) Does this development application involve clearing native vegetation that requires written confirmation that the chief executive of the Vegetation Management Act 1999 is satisfied the clearing is for a relevant purpose under section 22A of the Vegetation Management Act 1999?							
☐ Yes – this development ap Management Act 1999 (st No	oplication includes written confirmation from the chief execu 22A determination)	tive of the Vegetation					
Note: 1. Where a development app the development application	lication for operational work or material change of use requires a s22A det in is prohibited development. <u>i/environment/land/vegetation/applying</u> for further information on how to ol						
Environmental offsets							
23.4) Is this development appa a prescribed environmental	lication taken to be a prescribed activity that may have a si matter under the Environmental Offsets Act 2014?	gnificant residual impact on					
	an environmental offset must be provided for any prescribe al impact on a prescribed environmental matter	d activity assessed as					
	on of the Queensland Government's website can be accessed at <u>www.qla</u>	l <u>.gov.au</u> for further information on					
Koala habitat in SEQ Regio	<u>n</u>						
	application involve a material change of use, reconfiguring nent under Schedule 10, Part 10 of the Planning Regulatior						
	plication involves premises in the koala habitat area in the plication involves premises in the koala habitat area outside	•					
Note: If a koala habitat area determ	ination has been obtained for this premises and is current over the land, it habitat area guidance materials at <u>www.desi.qld.gov.au</u> for further informa						



23.6) Does this development application involve taking or interfering with underground water through an artesian or subartesian bore, taking or interfering with water in a watercourse, lake or spring, or taking overland flow water under the <i>Water Act 2000</i> ?
 Yes – the relevant template is completed and attached to this development application and I acknowledge that a relevant authorisation or licence under the <i>Water Act 2000</i> may be required prior to commencing development No
Note: Contact the Department of Resources at www.resources.qld.gov.au for further information.
DA templates are available from <u>planning.statedevelopment.qld.gov.au</u> . If the development application involves:
Taking or interfering with underground water through an artesian or subartesian bore: complete DA Form 1 Template 1
Taking or interfering with water in a watercourse, lake or spring: complete DA Form1 Template 2
Taking overland flow water: complete DA Form 1 Template 3.
Metanues, harrier werks
<u>Waterway barrier works</u> 23.7) Does this application involve waterway barrier works?
☐ Yes – the relevant template is completed and attached to this development application☐ No
DA templates are available from <u>planning.statedevelopment.qld.gov.au</u> . For a development application involving waterway barrier works, complete DA Form 1 Template 4.
Marine activities
23.8) Does this development application involve aquaculture, works within a declared fish habitat area or removal, disturbance or destruction of marine plants?
Yes – an associated <i>resource</i> allocation authority is attached to this development application, if required under the <i>Fisheries Act 1994</i>
⊠ No
Note: See guidance materials at www.daf.qld.gov.au for further information.
Quarry materials from a watercourse or lake
23.9) Does this development application involve the removal of quarry materials from a watercourse or lake under the <i>Water Act 2000?</i>
☐ Yes – I acknowledge that a quarry material allocation notice must be obtained prior to commencing development ☐ No
Note : Contact the Department of Resources at www.resources.qld.gov.au and www.business.qld.gov.au for further information.
Quarry materials from land under tidal waters
23.10) Does this development application involve the removal of quarry materials from land under tidal water under the <i>Coastal Protection and Management Act 1995?</i>
☐ Yes – I acknowledge that a quarry material allocation notice must be obtained prior to commencing development☒ No
Note: Contact the Department of Environment, Science and Innovation at www.desi.qld.gov.au for further information.
Referable dams
23.11) Does this development application involve a referable dam required to be failure impact assessed under section 343 of the <i>Water Supply (Safety and Reliability) Act 2008</i> (the Water Supply Act)?
Yes – the 'Notice Accepting a Failure Impact Assessment' from the chief executive administering the Water Supply Act is attached to this development application
⊠ No
Note: See guidance materials at www.resources.gld.gov.au for further information

Water resources



Tidal work or development within a coastal management district						
23.12) Does this development application involve tidal work or development in a coastal management district?						
 Yes – the following is included with this development application: □ Evidence the proposal meets the code for assessable development that is prescribed tidal work (only required if application involves prescribed tidal work) □ A certificate of title ☑ No 						
Note : See guidance materials at www.desi.qld.gov.au for further information.						
Queensland and local heritage places 23.13) Does this development application propose development on or adjoining a place entered in the Queensland heritage register or on a place entered in a local government's Local Heritage Register?						
Yes – details of the heritage place are provided in the table below						
Note: See guidance materials at www.desi.qld.gov.au for information requirements regarding development of Queensland heritage places. For a heritage place that has cultural heritage significance as a local heritage place and a Queensland heritage place, provisions are in place under the Planning Act 2016 that limit a local categorising instrument from including an assessment benchmark about the effect or impact of, development on the stated cultural heritage significance of that place. See guidance materials at www.planning.statedevelopment.qldgov.au for information regarding assessment of Queensland heritage places.						
Name of the heritage place: Place ID:						
Decision under section 62 of the Transport Infrastructure Act 1994						
23.14) Does this development application involve new or changed access to a state-controlled road?						
 Yes – this application will be taken to be an application for a decision under section 62 of the <i>Transport Infrastructure Act 1994</i> (subject to the conditions in section 75 of the <i>Transport Infrastructure Act 1994</i> being satisfied) No 						
Walkable neighbourhoods assessment benchmarks under Schedule 12A of the Planning Regulation						
23.15) Does this development application involve reconfiguring a lot into 2 or more lots in certain residential zones (except rural residential zones), where at least one road is created or extended?						
 ☐ Yes – Schedule 12A is applicable to the development application and the assessment benchmarks contained in schedule 12A have been considered ☒ No 						
Note : See guidance materials at www.planning.statedevelopment.qld.gov.au for further information.						
PART 8 – CHECKLIST AND APPLICANT DECLARATION						
24) Development application checklist						
I have identified the assessment manager in question 15 and all relevant referral requirement(s) in question 17 Note: See the Planning Regulation 2017 for referral requirements						
If building work is associated with the proposed development, Parts 4 to 6 of <u>DA Form 2 − Building work details</u> have been completed and attached to this development application ☐ Yes ☐ Yes						
Supporting information addressing any applicable assessment benchmarks is with the development application						
Note: This is a mandatory requirement and includes any relevant templates under question 23, a planning report and any technical reports required by the relevant categorising instruments (e.g. local government planning schemes, State Planning Policy, State Development Assessment Provisions). For further information, see DA Forms Guide: Planning Report Template						

Relevant plans of the development are attached to this development application

information, see <u>DA Forms Guide: Relevant plans.</u>

development permit is issued (see 21)

Note: Relevant plans are required to be submitted for all aspects of this development application. For further

The portable long service leave levy for QLeave has been paid, or will be paid before a



Yes

25) Applicant declaration	
By making this development application, I declare correct	that all information in this development application is true and
	is form, I consent to receive future electronic communications ency for the development application where written information d 12 of the <i>Electronic Transactions Act 2001</i>
Note: It is unlawful to intentionally provide false or misleading inform	
assessment manager, any relevant referral agency ar which may be engaged by those entities) while proces All information relating to this development application published on the assessment manager's and/or referr Personal information will not be disclosed for a purpos Regulation 2017 and the DA Rules except where: • such disclosure is in accordance with the provision Act 2016 and the Planning Regulation 2017, and the Planning Regulation 2017; or • required by other legislation (including the Right to otherwise required by law.	se unrelated to the <i>Planning Act 2016</i> , Planning about public access to documents contained in the <i>Planning</i> the access rules made under the <i>Planning Act 2016</i> and
PART 9 – FOR COMPLETION OF THE USE ONLY	ASSESSMENT MANAGER – FOR OFFICE
Date received: Reference r	number(s):
Notification of engagement of alternative assessment	manager
Prescribed assessment manager	The first of the f
Name of chosen assessment manager	
Date chosen assessment manager engaged	
Contact number of chosen assessment manager	
Relevant licence number(s) of chosen assessment manager	
QLeave notification and payment Note: For completion by assessment manager if applicable	
Description of the work	
QLeave project number	
Amount paid (\$)	Date paid (dd/mm/yy)
Date receipted form sighted by assessment manager	

Name of officer who sighted the form



APPENDIX 2: OWNER'S CONSENT



CLIENT ACCEPTANCE FORM / OWNER'S CONSENT

(To Be Completed and Returned)

PROJECT:	Material Change of Use – Multiple Dwelling
PROJECT ADDRESS:	9 Adelaide Street, Cooktown (Lot 16 on C17927)

Client Details

Client:	ROSHAN DE SILVA	(entel client remie) (primary contact)
Invoice	ZEST FOR LIFE PTY LTD	(enter leveue address)
Address:	ZEST FOR LIFE PTY LTD 54 VIEW LINE TOE, HOPE ISLAND	S &LA 42/2
Phone:	0424 504 580	(entire der riphone)
Email:	radesilve biggond. net. au	(enter chert email)
Accounts	(enter a	count cmail 8 phone)
Contact:	ANNE DE SILVA	

Landowner Details (proof of ownership to be supplied by owner's, i.e. rates notices OR current title search supplied)

Landowner Name/s:	ZEST FOR LIFE PTY LTS (enter landowner name/s) ATE THE DE SILVA FAMILY TRUST
Address:	54 VIEW LINE TOE, HOPE ISLAND OLD 4212
All Owners Signatures:	(slipsatures from all strukars are & Europe

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

Signed:

2 Les

Name:

ROSHANDE SILVA

Date:

12 JUNE 2025

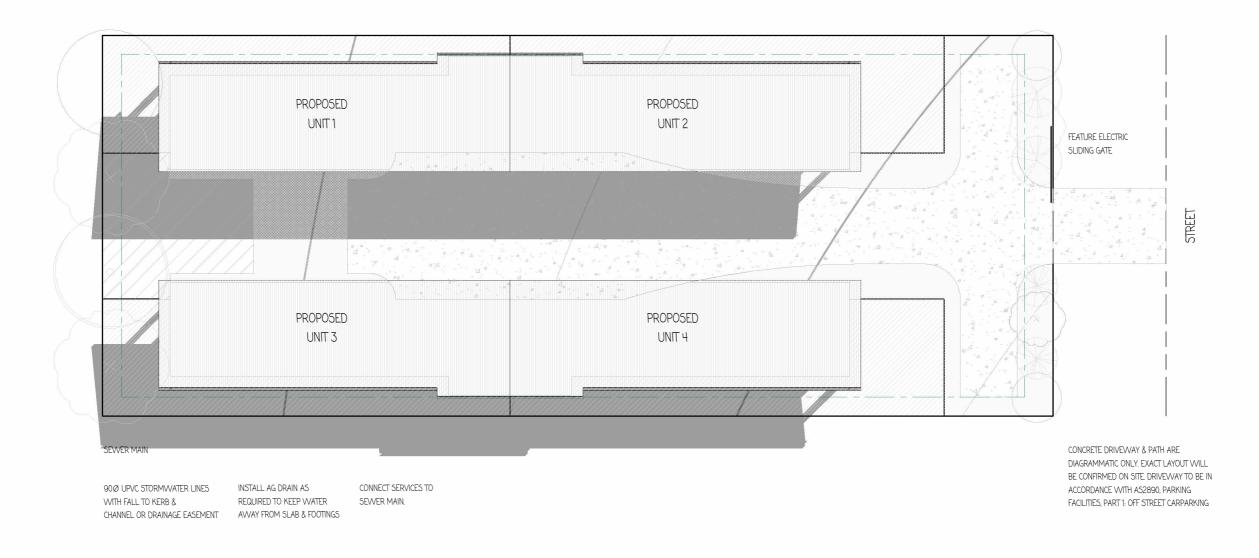
Please complete, sign and return to: ramon@uitownplan.com.au. Along with a copy of the receipt of payment of selected fees.



APPENDIX 3: DEVELOPMENT PLANS

PLANNING INFORMATION

SITE AREA 1011m2 UNIT AREA (TOTAL) 347m2 PRIVATE OPEN SPACE AREA 244m2 LANDSCAPING AREA 112m2 DRIVEWAY AREA 258m2 COMMUNAL SPACE AREA 50m2 CAR PARKS REQ'D 5 SPACES CAR PARKS PROVIDED 6 SPACES



Site Plan

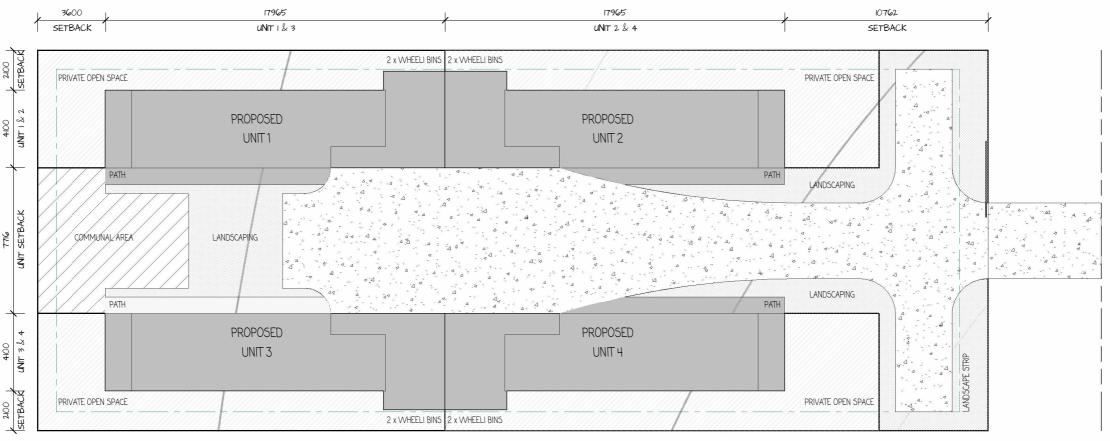
Proposed Units

THIS DRAWING IS COPYRIGHT & MUSTNOT BE RETAINED, COPIED OR USED VVITHOUT THE AUTHORITY OF EDR BUILDING DESIGNS. DO NOT SCALE FROM THE DRAWING. THE CONTRACTOR & HIS/HER SUB-CONTRACTORS ARE TO VERIFY DIMENSIONS ON SITE PRIOR TO SHOP DRAWINGS OR COMMENCING MANUFACTURE. THE CONTRACTOR IS TO ANNOUNCE ANY DISCREPANCIES TO THE DESIGNER VWHICH MAY BE FOUND IN THIS DRAWVING PRIOR TO COMMENCING CONSTRUCTION.



Zest for Life Pty Ltd

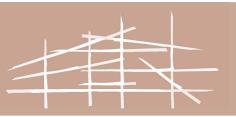
Lot 16 Adelaide St Cooktown C:\Users\ernes\Dropbox\Projects\25000 Jobs\25066\\VorkingDwgs\25066\Vd's.rvt



5ite Setout Plan

Proposed Units

THIS DRAWING IS COPYRIGHT & MUSTNOT BE RETAINED, COPIED OR USED WITHOUT THE AUTHORITY OF EDR BUILDING DESIGNS. DO NOT SCALE FROM THE DRAWING. THE CONTRACTOR & HIS/HER SUB-CONTRACTORS ARE TO VERIFY DIMENSIONS ON SITE PRIOR TO SHOP DRAWINGS OR COMMENCING MANUFACTURE THE CONTRACTOR IS TO ANNOUNCE ANY DISCREPANCIES TO THE DESIGNER WHICH MAY BE FOUND IN THIS DRAWING PRIOR TO COMMENCING CONSTRUCTION.



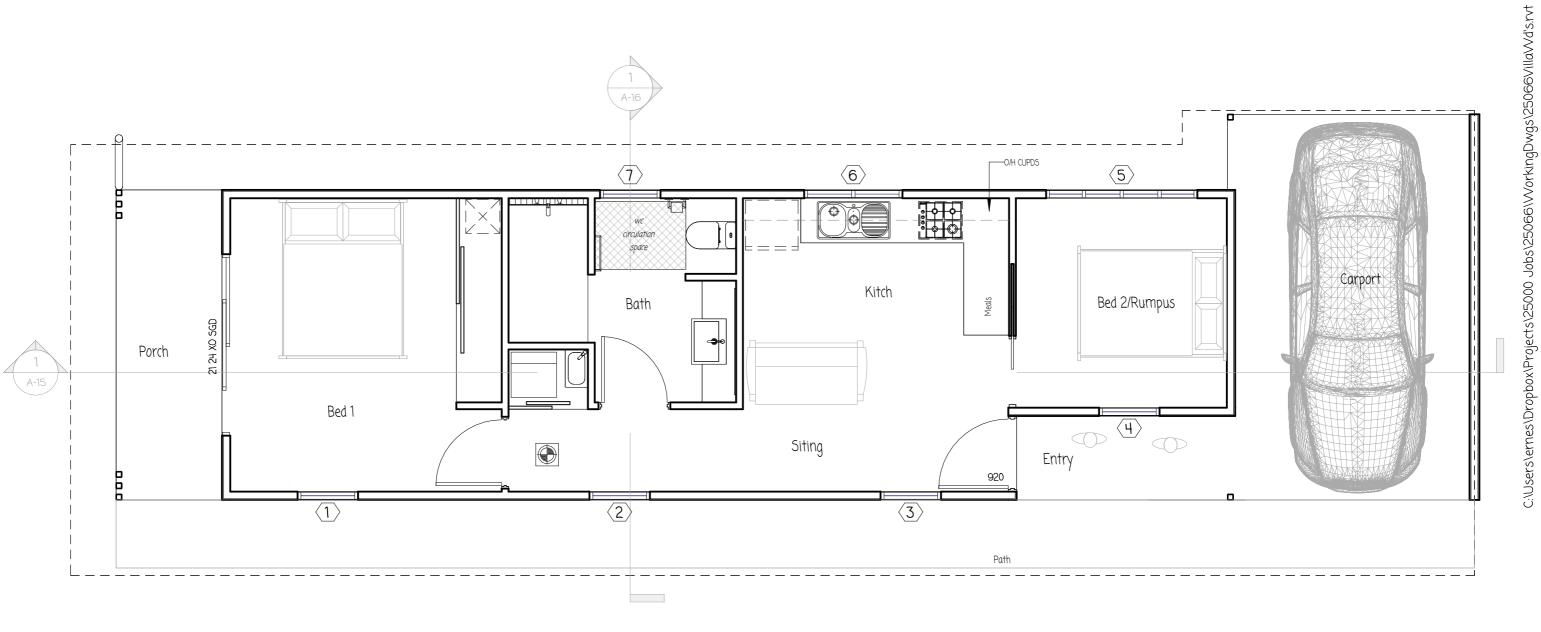
Zest for Life Pty Ltd

Lot 16 Adelaide St Cooktown









Floor Plan

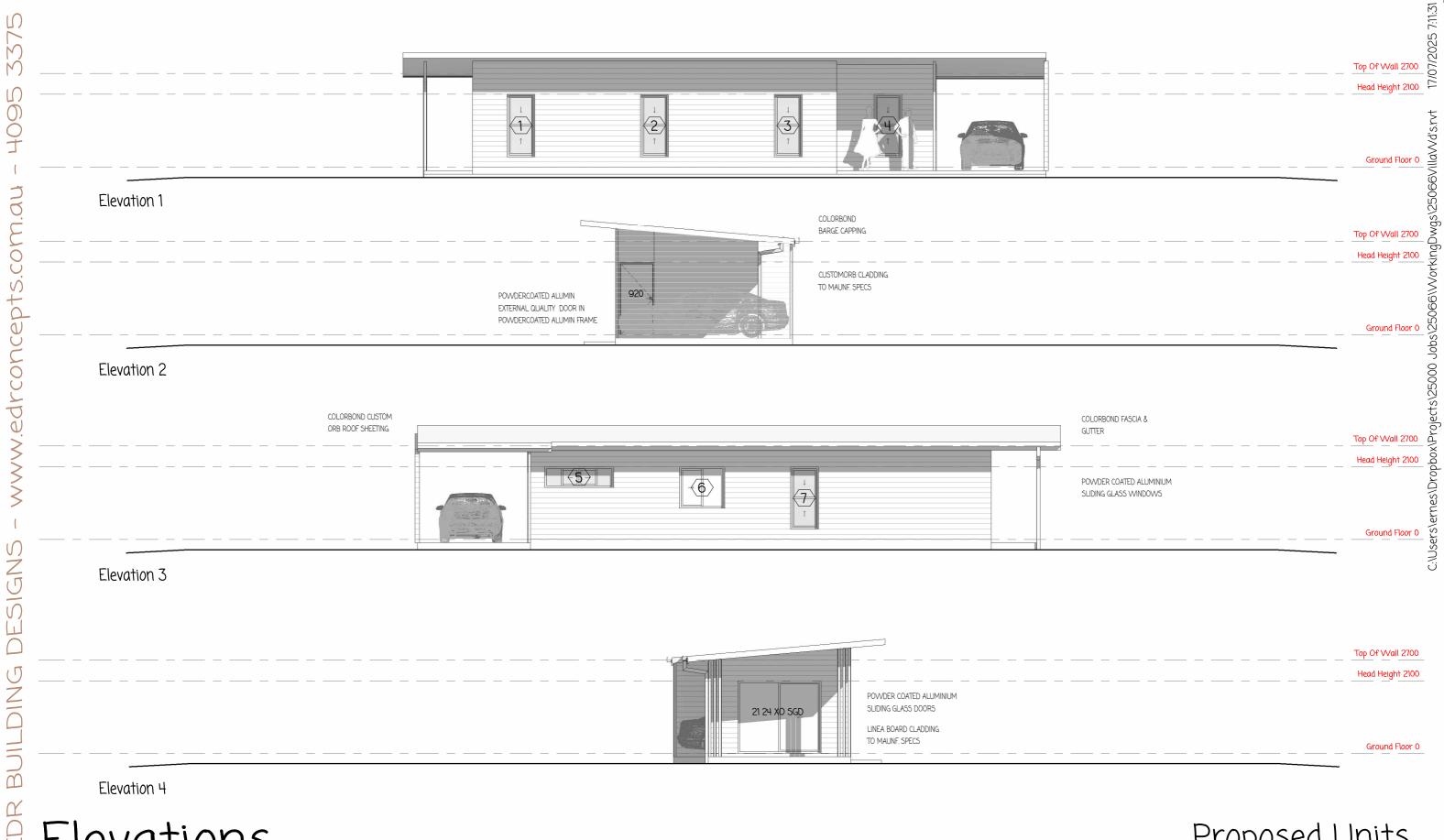
Proposed Units

THIS DRAWING IS COPYRIGHT & MUSTNOT BE RETAINED, COPIED OR USED WITHOUT THE AUTHORITY OF EDR BUILDING DESIGNS. DO NOT SCALE FROM THE DRAWING. THE CONTRACTOR & HIS/HER SUB-CONTRACTORS ARE TO VERIFY DIMENSIONS ON SITE PRIOR TO SHOP DRAWINGS OR COMMENCING MANUFACTURE. THE CONTRACTOR IS TO ANNOUNCE ANY DISCREPANCIES TO THE DESIGNER WHICH MAY BE FOUND IN THIS DRAWING PRIOR TO COMMENCING CONSTRUCTION.



Zest for Life Pty Ltd

Lot 16 Adelaide St Cooktown



Elevations

Proposed Units

THIS DRAWING IS COPYRIGHT & MUSTNOT BE RETAINED, COPIED OR USED WITHOUT THE AUTHORITY OF EDR BUILDING DESIGNS. DO NOT SCALE FROM THE DRAWING. THE CONTRACTOR & HIS/HER SUB-CONTRACTORS ARE TO VERIFY DIMENSIONS ON SITE PRIOR TO SHOP DRAWINGS OR COMMENCING MANUFACTURE. THE CONTRACTOR IS TO ANNOUNCE ANY DISCREPANCIES TO THE DESIGNER WHICH MAY BE FOUND IN THIS DRAWING PRIOR TO COMMENCING CONSTRUCTION.



Zest for Life Pty Ltd

Lot 16 Adelaide St Cooktown