

Our Ref: LM: DA/4941:D25/26550

01 August 2025

R. De Silva
C-/ U&I Town Plan
35 Sutherland Street
MAREEBA QLD 4880

E-mail: Ramon.samanes@gmail.com

Attention: Ramon Samanes

Dear Mr Samanes

Information Request

Given under section 12 of the Development Assessment Rules

Cook Shire Council has carried out a further review of your development application for the following premises.

Location Details

Street Address:	9 Adelaide Street, COOKTOWN QLD 4895
Real Property Description:	Lot 16 on C17927
Local Government Area:	Cook Shire

Application Details

Application Number:	DA/4941
Approval Sought:	Development Permit for a Material Change of Use
Description of Proposal:	Multiple Dwellings (4 units)
Category of Development:	Assessable Development
Category of Assessment:	Impact Assessment

Information Requested

Cook Shire Council has determined that the following additional information is needed to assess the application:

PLANNING

Flood and Other Coastal Hazards Code

Although the site is not identified within the *Cook Shire Planning Scheme Overlay Map OM5 – Flood and Other Coastal Hazards*, it is recognised in the *State Planning Policy (SPP) Mapping System* as being located within the Medium Storm Tide Inundation Area. Amendments to any part of the SPP or supporting mapping may result in a local planning instrument no longer appropriately integrating a particular State interest. In these instances, the SPP and/or the supporting mapping apply to the extent of any inconsistency.

Accordingly, the applicant must address the SPP-mapped hazard area and provide sufficient justification to demonstrate that the proposed development is appropriately sited, designed and resilient in accordance with Planning Scheme assessment benchmarks.

In accordance with *Section 8.2.6 of the Flood and Other Coastal Hazards Overlay Code*, development within storm tide inundation areas must demonstrate compliance with the relevant performance outcomes, particularly PO1–PO4, to ensure risks to life and property are avoided or mitigated.

1. The applicant is requested to assess the proposed development against the *Flood and Other Coastal Hazards Overlay Code*.

Bushfire Hazard Overlay Code

The application identifies the site as being within a "Medium Potential Bushfire Intensity" area. However, mapping under the Bushfire Hazard Overlay indicates that the site is located within a Potential Impact Buffer, not a Medium Intensity area.

2. The applicant is requested to provide an assessment of the proposed development against the *Bushfire Hazard Overlay Code*, ensuring alignment with the correct bushfire hazard area as identified on the Bushfire Hazard Overlay Map.

ENGINEERING

Preliminary Earthworks Plan

Officers note the subject site slopes towards the western boundary, with a total fall across the site of approximately 2.0m over a horizontal distance of 50m.

3. The Applicant is requested to provide a preliminary earthworks and site grading plan demonstrating that appropriate site levels and grading can be achieved. The plan must, at a minimum, address the following:

- a. The car parking area is free draining in accordance with the FNQROC Development Manual; and
- b. Ramp and grade change transitions are designed in accordance with AS 2890.1:2004 Parking facilities – Off-street car parking.

Note: Council Officers may impose this requirement as a condition of approval. However, any modifications to the development arising from compliance with this condition could necessitate a subsequent change application following the initial approval.

Car Parking Dimensions

The proposed development appears to have no setback between the bin storage and carport but nominates a car parking space length of approximately 5.1m, as shown in figure 2 below. This configuration does not appear to comply with the required parking bay lengths outlined in AS 2890.1:2004 – Parking Facilities: Off-Street Car Parking.

4. The Applicant is requested to prepare a revised plan of the car port demonstrating compliance in accordance with the AS 2890.1:2004 – Parking Facilities: Off-Street Car Parking.

Note: a minimum car space length of 5.4m is required where the parking bay is adjacent to a wall or high kerb that restricts vehicle overhang in accordance with Figure 2.2 of the AS 2890.1:2004 – Parking Facilities: Off-Street Car Parking. Due to the nominated bin storage it appears these provisions would apply and a greater car park length should be detailed.

Council Officers may impose this requirement as a condition of approval. However, any modifications to the development arising from compliance with this condition could necessitate a subsequent change application following the initial approval.

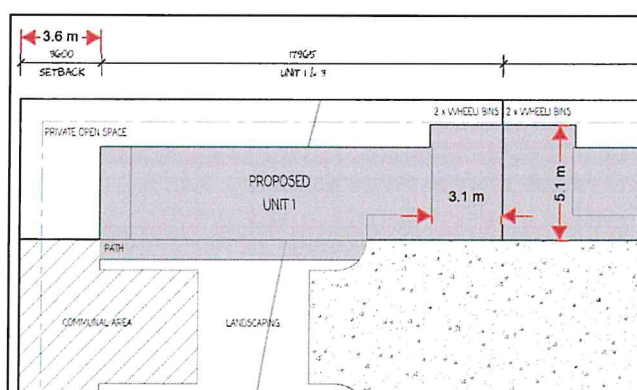


Figure 2 – Annotated Extract of Drawing No. 25066 SK-02 Site Set out Plan prepared by Zest for Life Pty Ltd

Access Width

Officers are generally supportive of the internal car parking layout, however, the proposed access crossover width of 4.0m does not appear to support simultaneous two-way vehicle movements.

5. The Applicant is requested to provide an amended minimum access width of 5.5m is to be achieved for the full length of the internal car parking aisle of the development to accommodate simultaneous two-way vehicle movement.

Note: Council Officers may consider imposing this requirement as a condition of approval. However, any modifications to the development arising from compliance with this condition could necessitate a subsequent change application following the initial approval.

Further details

The due date for providing the requested information is **three (3) months** from the date of this request, therefore you are required to respond no later than 01 November 2025.

In accordance with section 13.2 of the Development Assessment Rules, you may respond by giving:

- (a) all of the information requested; or
- (b) part of the information requested; or
- (c) a notice that none of the information will be provided.

As Cook Shire Council's assessment of your application will be based on the information provided, it is recommended that you provide all the information requested. In accordance with section 14.2 of the Development Assessment Rules, if you do not provide a response before the above due date (or a further agreed period), it will be taken as if you have decided not to respond to the information request and the Cook Shire Council will continue the assessment of your application without the information requested.

Please note that Council may request further advice any time before the application is decided if other matters arise as a result of public notification or further assessment of the application.

For further information, if you have a query, or to seek clarification about any of these details, please contact Council's Planning and Environment Department on (07) 4082 0500 or E-mail: mail@cook.qld.gov.au.

Yours sincerely



Lisa Miller

Manager Planning and Environment