

NOTICE ABOUT DECISION – STATEMENT OF REASONS

This Notice is prepared in accordance with s63(5) and s83(9) of the Planning Act 2016 to provide information about a decision that has been made in relation to a development application. The purpose of the Notice is to enable a public understanding of the reasons for the planning decision, specifically having regard to:

- the relevant parts of the Planning Scheme and Assessment Benchmarks against which the application was assessed; and*
- any other information, documents or other material Council was either required to, or able to, consider in its assessment.*

All terms used in this Notice have the meanings given them in the Planning Act 2016 or otherwise their ordinary meaning.

APPLICATION DETAILS

Application No:	DA/4942
Applicant:	Ausco Modular Pty Ltd
Proposal:	Development Permit for Operational Works
Description of the Development:	Stormwater Drainage
Street Address:	16-26 Garden Street, Cooktown QLD 4895
Real Property Description:	Lots 19, 18, 17, 16, 15, and 14 on Plan SP336242
Planning Scheme:	Cook Shire Council Planning Scheme 2017 v2.0
Land Zoning:	Low Density Residential Zone
Assessment Type:	Code Assessment

DECISION DETAILS

Type of Decision:	Approval with Conditions
Type of Approval:	Development Permit for Operational Works – Stormwater Drainage
Date of Decision:	11 September 2025

ASSESSMENT BENCHMARKS

The following Assessment Benchmarks applied to the development from the following Categorising Instruments:

Assessment Benchmarks	Comment
<i>Planning Regulation 2017</i> (Schedule 9)	Schedule 9 is not applicable as the application is not for building work under the Building Act.
<i>Planning Regulation 2017</i> (Schedule 10)	Schedule 10 of the Planning Regulation 2017 is not applicable as the development application for Operational Works does not include referrable works.
Regional Plan	Section 2.2 of the Planning Scheme identifies that the Cape York Regional Plan has been adequately reflected in the Planning Scheme. A separate assessment against the Regional Plan is not required.
State Planning Policy (SPP), Part E	Section 2.1 of the Planning Scheme identifies that the superseded version of the State Planning Policy is integrated in the Planning Scheme. Further, assessment against the SPP was undertaken at the time of assessment of the Reconfiguring of a Lot approval DA/4314.
Temporary State Planning Policy	There are no Temporary State Planning Policies.

Local Categorising Instrument (Cook Shire Council Planning Scheme 2017):

Assessment against the relevant provisions of the planning scheme was undertaken at the Reconfiguring of a Lot stage (Development Permit DA/4314) and Operational Works stage (Development Permit DA/4328). The development demonstrated compliance with the relevant benchmarks. The works forming part of this application for Operational Works have either been designed to meet the requirements of the Works, Services and Infrastructure Code and FNQROC Development Manual, or conditioned to comply.

Local Categorising Instrument (Variation Approval)

Not Applicable

Local Categorising Instrument (Temporary Local Planning Instrument)

Not Applicable

PUBLIC NOTIFICATION

Not Applicable

REASONS FOR THE DECISION

The application is **approved** on the following grounds:

- a. An assessment was made against the related Development Permit for Operational Works and the applicable assessment benchmarks and the proposed development demonstrated compliance.
- b. The proposed works seek to upgrade existing drainage infrastructure and will have no adverse impacts on the subject sites or adjacent properties.

REASONS FOR APPROVAL DESPITE NON-COMPLIANCE WITH ASSESSMENT BENCHMARKS

Not Applicable

ADDITIONAL RELEVANT MATTERS FOR IMPACT ASSESSMENT

Not Applicable

OTHER MATTERS PRESCRIBED BY THE *PLANNING REGULATION 2017*

Not Applicable

OTHER DETAILS

If you wish to obtain more information about Council's decision, including a copy of Council's Decision Notice and any conditions or plans relating to the development, please refer to Council's webpage.