

Our ref: L82673/PR152779 – OCK/SL
Council ref: DA/4663

135 Abbott Street
Cairns QLD 4870
T +61 7 4031 1336

Date: 27 March 2024

The Chief Executive Officer
Cook Shire Council
PO Box 3
Cooktown QLD 4895

Attn: Planning and Environment

Dear Sir/Madam,

**22 Howard Street, Cooktown – Material Change of Use, Multiple Dwellings (4 Units)
Information request response (pursuant to Section 13.2 and 13.3 of the Development Assessment
Rules)**

Your Ref: DA/4663

We refer to Council's Information Request, dated 15 August 2023, for the development application over the above site.

Pursuant to sections 13.2 of the *Development Assessment Rules* we provide our response to this information request below.

In accordance with Section 13.3 of the *Development Assessment Rules*, we confirm that this letter and attachments constitute our response to Council's information request. Accordingly, we request that Council complete its assessment of this development application.

Information Request Response

1 DESIGN

The proposed development is subject to assessment under the *Medium Density Zone Code* of the *Cook Shire Planning Scheme 2017*. An overall outcome of the code is to ensure that built form reflects a medium density scale and provides a pleasant living environment with a high standard of amenity. The design of the buildings are to address the street frontages along Howard Street and John Street by including building features such as windows, doors, and balconies. It is noted that the drawings submitted with the application do not include elevation of the proposed unit 4 (four) and as a result, does not address AO3.1 of the code.

In addition, effective landscaping is important as it provides an attractive presentation to the street, enhances the property's visual appeal, and contributes to a positive image of the surroundings as outlined in PO4 of the code. It also offers benefits such as privacy, noise reduction, and improved environmental conditions. However, it is unclear, from the documents provided, how the development intends to include landscaping into the proposal.

Furthermore, proper waste storage is essential to prevent unsightly clutter and facilitate convenient collection. It promotes cleanliness, sanitation, and a more appealing environment. Considering the density of the site, the application is to include the location of the waste storage containers and address PO6 of the code. This is repeated in the Purpose of the code (6.2.2.2(2)(a)(c)), highlighting the importance of the issue.

1. Provide drawings that include a site plan, floor plans, elevations and sections of all existing and proposed structures on the subject site. The drawings should also encompass designated waste storage locations for each dwelling in accordance with the code.
2. Submit a landscape proposal illustrating how the development aims to incorporate landscaping into the project and enhance the visual appeal along John Street and Howard Street.

Response

In response to Council's request, the proposal plans have been amended to include the following:

- Site and floor plans of all existing and proposed dwellings and structures;
- Elevations of all existing and proposed dwellings;
- Waste storage areas for each dwelling; and
- Additional landscaping in the front setback, to be planted in accordance with SC6.3 – Landscape Planning Scheme Policy.

Refer to **Appendix A**, for amended proposal plans.

2 SECURITY AND PRIVACY

Buildings and spaces should be designed and managed to define ownership boundaries. As such, a balance is between privacy and security; between the desire of a household for visual and acoustic privacy and the benefits of passive surveillance both for the householder and the adjoining public space. However, the drawings and documents submitted with the application do not demonstrate the principles of Crime Prevention Through Environment Design (CTPED) mentioned in PO3(b) of the Medium Density Residential Zone Code or include fences or walls along the street frontages specified in AO3.3 of the code. This is repeated in the Purpose of the code (6.2.2.2(2)(a)(c)), highlighting the importance of the issue.

3. Provide drawings and documents to include Crime Prevention Through Environment Design (CTPED) principles stated in PO3(b) of the Medium Density Residential Zone Code. Additionally, include required fences or walls along specified street frontages as per AO3.3 of the code.

Response

In response to council's request, the proposal plans have been amended to include fencing on all property boundaries. This includes a 1.2 metre semitransparent fence along the boundary with Howard Street and fences between the private open space of each dwelling. Refer to **Appendix A**, for amended proposal plans.

3 OPEN SPACE

The proposed development is subject to assessment under the *Residential Use Code* of the *Cook Shire Planning Scheme 2017*. An overall outcome of the code is to ensure that buildings are designed and located to ensure the amenity of future residents and sensitive uses on adjoining premises are protected and enhanced. Adequate private and communal open space is important as it meets residents' and guest needs as per PO13 of the code. Although, the town planning report submitted with the application indicates that the development has sufficient area to accommodate private open space for each unit as per AO13.2(b)(c), it is not demonstrated in the drawings provided. This is repeated in the Purpose of the code (9.3.3.2(1)(2)(a)), highlighting the importance of the issue.

4. Provide drawings and documentation to accurately depict the private open space for each unit, ensuring alignment with the aforementioned principles.

Response

In response to Council's concerns about Private Open Space, the proposal plans have been amended to clearly show areas of private open space for each unit, the total area of private open space for the dwellings are:

- Unit 1 – 129m²
- Unit 2 – 40.5m²
- Unit 3 – 57m²
- Unit 4 – 83.4m²

Refer to **Appendix A**, for amended proposal plans.

4 PARKING

The proposed development is subject to assessment under the *Parking and Access Code* of the *Cook Shire Planning Scheme 2017*. An overall outcome of the code is to ensure the amount of parking provided for a particular land use is sufficient to meet the parking needs for its intended use. Schedule 1 of the code requires that 1.2 car parking spaces per dwelling be required for multiple dwellings with a total of 5 parking spaces to be provided. However, the drawings submitted with the application indicates a total of 4 parking spaces to be provided.

5. Provide drawings demonstrating the location of 5 car parking spaces and their associated access points to the subject site.

Response

The proposal plans have been amended to show five car parking spaces in the front setback of the proposed development. There are four car spaces designated to the proposed units and one visitor space. The location and width of the proposed access points have also been included in the plans. Refer to **Appendix A**, for amended proposal plans.

5 Council's Further Advice

With regard to Council's Further Advice, dated 31 August '23 (refer to copy in **Appendix B**), it is noted that the existing development on the land comprises an existing dwelling house and associated buildings.

The Proposal Plans provided for reference in **Appendix A** have been amended to clearly indicate the 4 Proposed Units, as opposed to 3 existing Units plus an additional Unit.

Development Application Form 1 has been reviewed and now that amended Concept Plans have been provided to Council, there is no need to amend the DA Form 1.

Similarly, now that amended Concept Plans have been provided to Council (refer to **Appendix A**) and this response to Council's Further Advice, dated 31 August '23, acknowledges that the existing development on the land comprises an existing dwelling house and associated buildings, as opposed to 3 Multiple Dwelling Units, there is no need to amend the original Town Planning Report.

It is anticipated that this response to Council's Further Advice, dated 31 August '23, is adequate to allow Council to complete its assessment of the development application.

Yours sincerely,
for RPS AAP Consulting Pty Ltd



Owen Caddick-King

Senior Principal Planner

Owen.caddick-king@rpsgroup.com.au

+61 7 4031 1336

enc: **Appendix A:** Amended Proposal Plan, prepared by MTC Builder Services, dated 26/03/2024

Appendix B: Council's Further Advice, dated 31 August '23

Our ref: PR152779

Appendix A
**Amended Proposal Plan, prepared by MTC Builder Services,
dated 26/03/2024**

RESIDENTIAL BUILDING DRAWING SET

Lot 30 C 17949

22 Howard Street Cooktown QLD 4895

MTC Builder Services P/L
January 2023

Sheet #

1

Drawn By:

**MTC BUILDER
SERVICES P/L**

Date:

26/03/2024

Scale:

PROPOSED MULTIPLE DWELLINGS
22 HOWARD STREET COOKTOWN QLD 4895
LOT 30 C17949

CLIENT
Hongyu Feng

Sheet #

2

Drawn By:

**MTC BUILDER
SERVICES P/L**

Date:

26/03/2024

Scale:

Lot 30 on C17949 - 1000M2

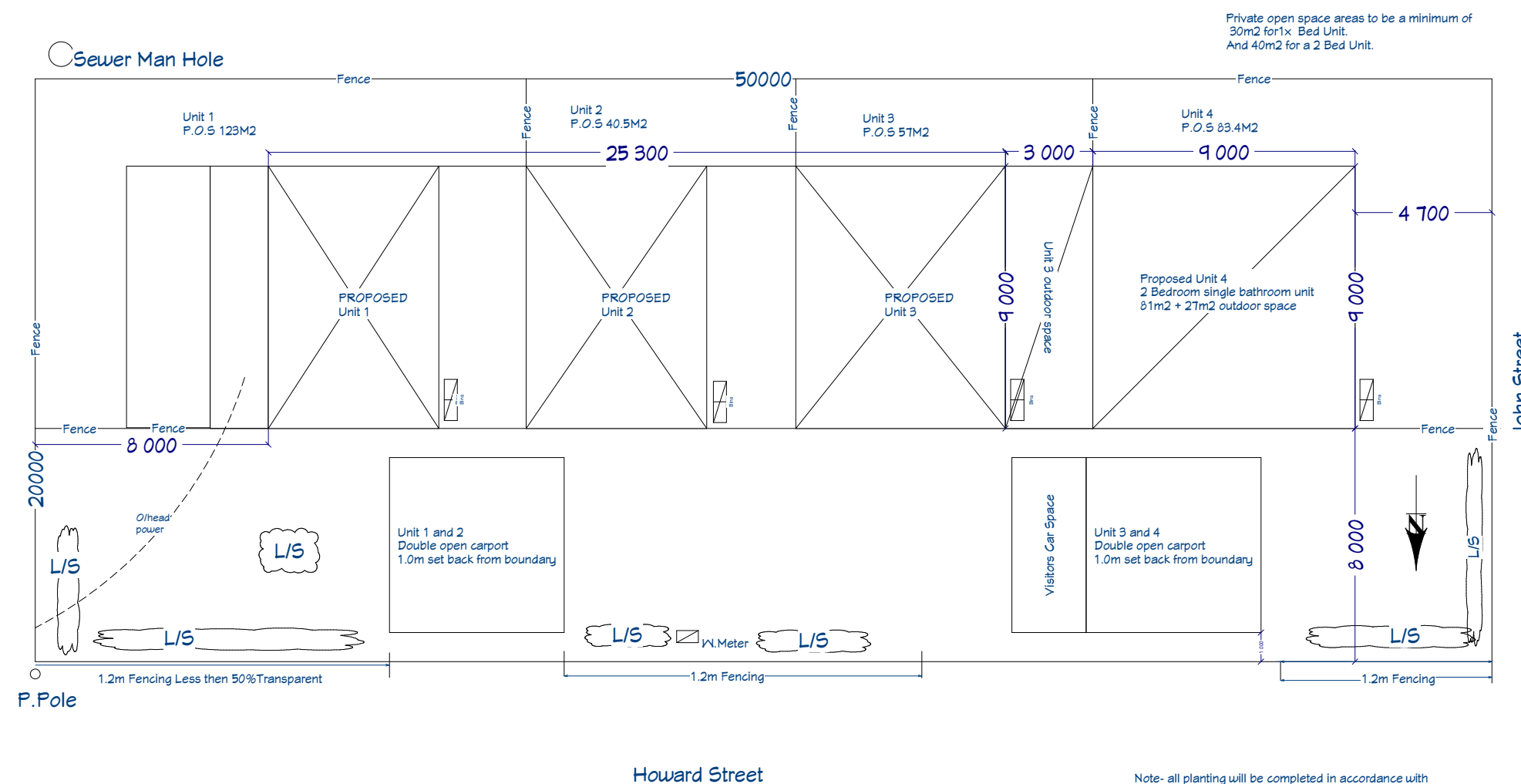
Measurements shown to Edge of Buildings

Storm water to discharge to Howard Street

PROPOSED MULTIPLE DWELLINGS

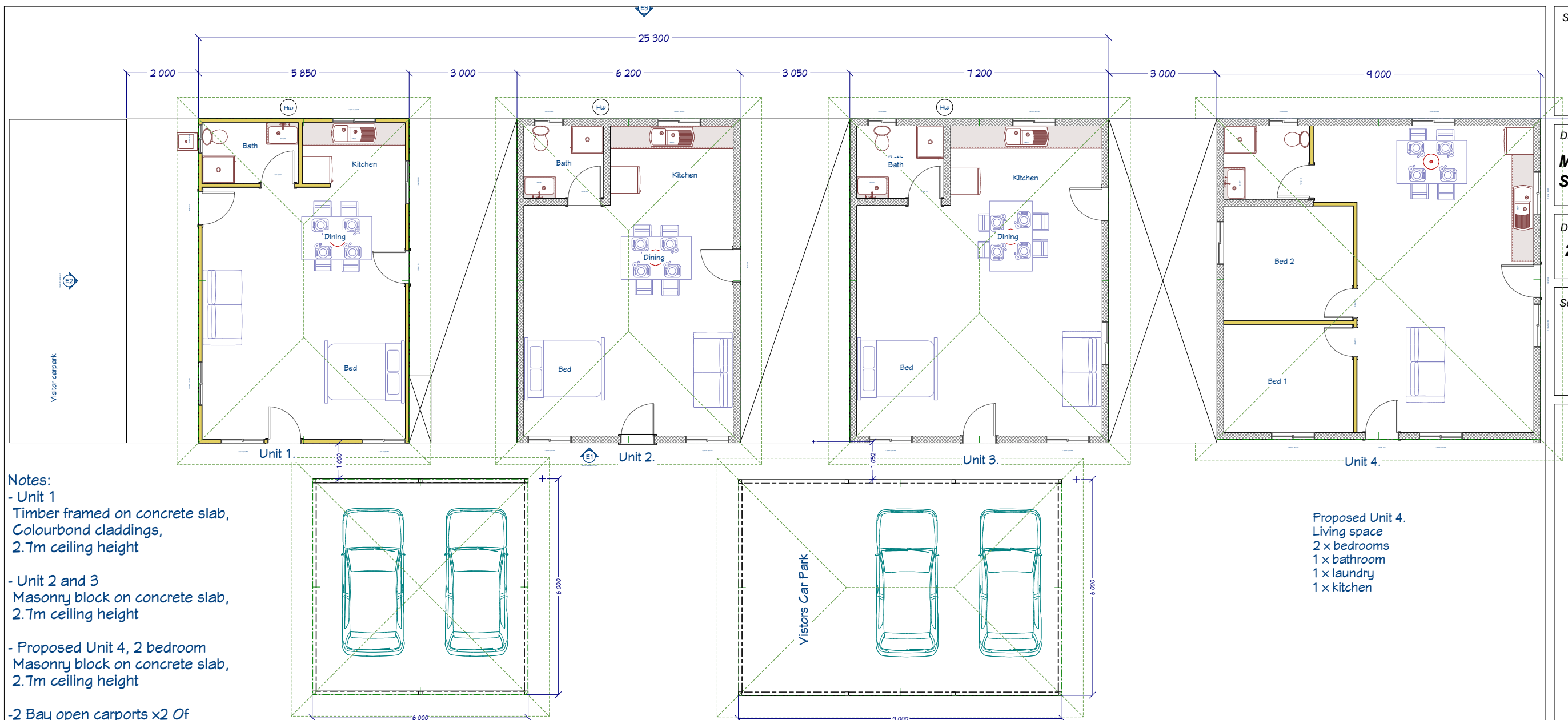
22 HOWARD STREET COOKTOWN QLD 4895
LOT 30 C17949

CLIENT
Hongyu Feng

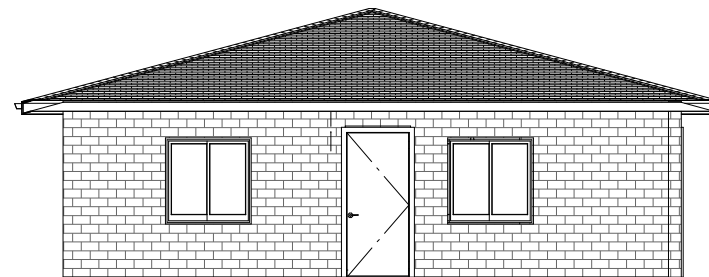
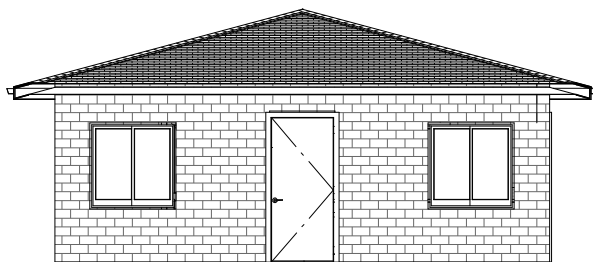
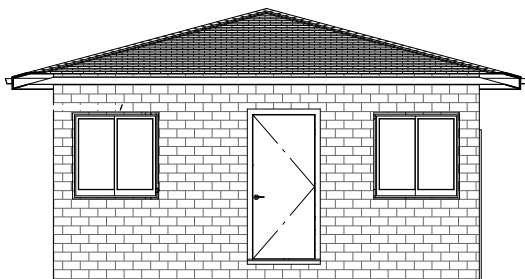


Note- all planting will be completed in accordance with
SC6.3- Landscape Planning Scheme Policy
Cookshire Planning Scheme 2017 V.20

SITE PLAN
SCALE 1:200



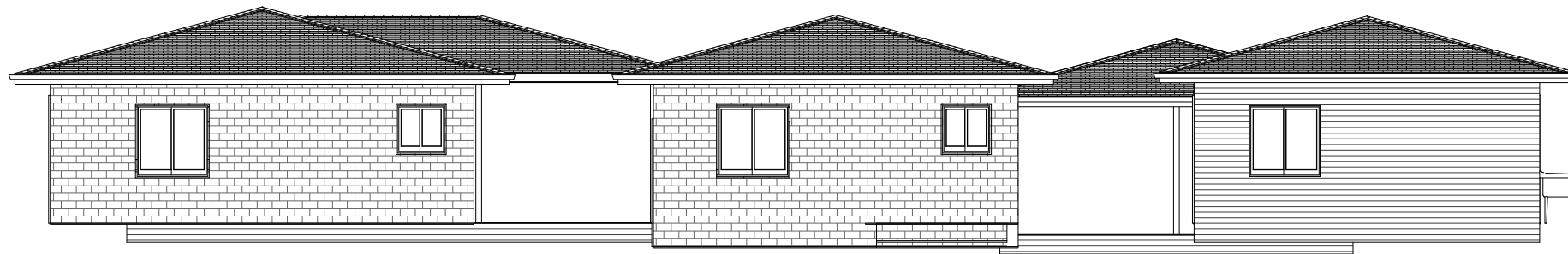
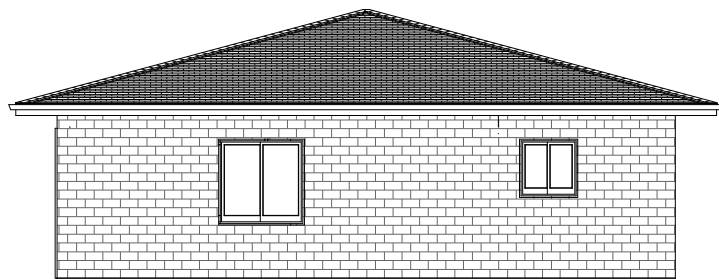
FLOOR PLAN
Scale 1:100



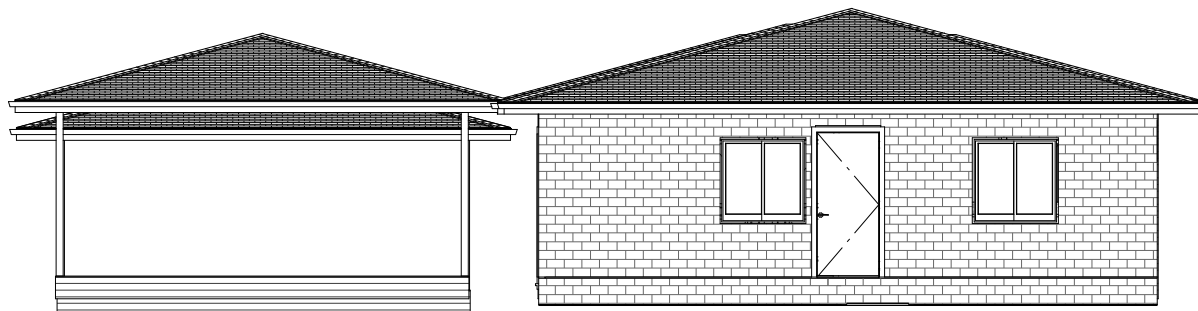
Northern Elevation



Eastern Elevation



Southern Elevation



Western Elevation

ELEVATIONS
Scale 1:100

Sheet #

4

Drawn By:

**MTC BUILDER
SERVICES P/L**

Date:

26/03/2024

Scale:

PROPOSED MULTIPLE DWELLINGS
22 HOWARD STREET COOKTOWN QLD 4895
LOT 30 C17949

CLIENT
Hongyu Feng

Appendix B

Council's Further Advice, dated 31/08/2023

Owen Caddick-King

From: Planning & Environment Team <development@cook.qld.gov.au>
Sent: Thursday, 31 August 2023 5:07 PM
To: Owen Caddick-King
Subject: DA/4663 - Material Change of Use – Multiple Dwelling (4 units) - Lot 30 on C17949
- 22 Howard Street Cooktown

CAUTION: This email originated from outside of RPS.

Dear Owen,

I hope this message finds you well.

In reference to our conversation over the phone yesterday concerning the property at Lot 30 on C17949, located at 22 Howard Street, Cooktown, I wanted to provide you with further information.

As we discussed, the property currently holds approval records for a single residential dwelling. However, the application that was submitted, along with the supporting documents for DA/4663 - Material Change of Use – Multiple Dwelling (4 units), inaccurately portrays the site as consisting of three (3) separate dwellings with a proposal for an additional unit. This discrepancy needs to be addressed.

To rectify this issue, it is necessary to revise both the Development Application Form 1 and the accompanying documents to accurately reflect the existing approval status of the property. This correction is essential to ensure that the assessment process moves forward accurately and appropriately.

Thank you for your attention to this matter.

To obtain full records of the subject site council recommend you apply for a town planning search request form (link below).

Website links and contacts

Land records search request form – Town Planning

<https://www.cook.qld.gov.au/council-desc/forms/land-record-search-request-forms/public-template-land-record-search-request-town-planning-v1-july-2022.pdf/view>

**Taase Taase | Graduate Planning Officer | Planning & Environment
Cook Shire Council**

Please note, **this address is not monitored**, please send your correspondence to: mail@cook.qld.gov.au and it will be forwarded to the appropriate officer for action.

For urgent queries please call our Customer Experience staff on: 07 4082 0500.

Regards

Planning and Environment | Organisational Business Services
Cook Shire Council

Phone | 07 4082 0500

Email | mail@cook.qld.gov.au **Website** | www.cook.qld.gov.au

Address | 10 Furneaux Street (PO Box 3), Cooktown, Qld 4895

Cook Shire Council



Cook Shire Council acknowledges the Traditional Owners of this Country and recognises the continuing connection to lands, waters and communities. We pay our respects to Aboriginal and Torres Strait Islander cultures and to Elders past, present and emerging.

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