

Our Ref: 2111
Your Ref: DA/4957

20 October 2025

Chief Executive Officer
Cook Shire Council
PO Box 3
COOKTOWN QLD 4895

Attention: Planning and Environment

Dear Sir/Madam

**RESPONSE TO INFORMATION REQUEST
DEVELOPMENT APPLICATION FOR RECONFIGURING A LOT (1 LOT INTO 2 LOTS & ACCESS EASEMENT)
232 SHIPTONS FLAT ROAD, ROSSVILLE – LOT 2 ON SP301676**

We refer to the above and advise that we act on behalf of RJ Webber, BF Webber, DB Webber and RR Webber (the Applicants) in relation to this matter.

Reference is made to the Information Request issued by Council, dated 23 September 2025 and received by email on the same day.

To allow for the continued assessment of the Development Application, we now provide this written response to Council's Information Request.

With respect to the specific matters raised in the Information Request, we advise as follows:

Access Easement

Council has determined that compliance with the Performance Outcomes of the Reconfiguring a Lot Code, specifically, PO1(c), PO3, A04.2, PO10, A011.3(c) and PO12(f), has not been adequately demonstrated.

All proposed allotments are required to provide lawful and practical site access without reliance on adjoining land. The submitted subdivision plan identifies an access easement over Lot 21 benefitting Lot 22. However, as currently presented, access to Lot 22 is discontinuous. Easements A and B are not connected, and the alignment of Easement B is obstructed by an existing watercourse, making it unsuitable for vehicle or pedestrian access.

1. *The applicant is requested to provide amended subdivision plans that demonstrate a continuous and trafficable access arrangement from the road reserve to proposed Lot 22.*

Further, reliance on an access easement traversing Lot 21 to facilitate access to Lot 22, rather than providing Lot 22 with direct frontage to Shiptons Flat Road, raises concerns regarding the amenity, safety, and functionality of Lot 21. These matters directly relate to PO12(f) and the overall outcomes of the Reconfiguring of a Code and rural landscape values identified in PO6(c) and PO9 of the Rural Zone Code.

2. *The applicant is requested to provide justification for why access to Lot 22 cannot be wholly contained within the proposed lot boundaries.*

3. The applicant is further requested to detail how any potential amenity, safety, and functional impacts associated with the proposed access easement over Lot 21 will be mitigated.

Response

It appears that the the plan of proposed reconfiguration has been misinterpreted. As clearly identified on the plan of proposed reconfiguration and stated within the planning report, Easement A is provided for Access Purposes and Easement B is provided for electricity purposes.

It is intended to provided Easement A over the existing access crossover from Shiptons Flat Road. The existing access crossover is located at the frontage of the access handle associated with proposed Lot 22.

Figure 1 below illustrates the existing access crossover from Shiptons Flat Road, that will be maintained to provide access to the proposed allotments.



Figure 1: image showing the existing access crossover from Shiptons Flat Road.

In order to provide lawful access to proposed Lot 21 it is proposed to provide an Access Easement (Easement A) over the part of the access handle of proposed Lot 22, from the frontage at Shiptons Flat Road to the frontage of proposed Lot 21. Access to proposed Lot 22 will be wholly contained within the access handle associated with the allotment.

Figure 1 above also illustrates the existing electricity infrastructure that is located at the frontage of the subject land. The electricity infrastructure that services the existing buildings and structures located on proposed Lot 22 traverses from the power pole shown in Figure 1 through proposed Lot 21, where Easement B is proposed. Easement B is required over the electricity infrastructure to protect the ongoing provision of the service.

Figure 2 below illustrates nature of proposed Easements A, being an Access Easement over Lot 22 to provide lawful access to Lot 21, the proposed access arrangements to Lots 21 and 22 and the nature of proposed Easement B over existing electricity infrastructure that traverses Lot 21 and services Lot 22.

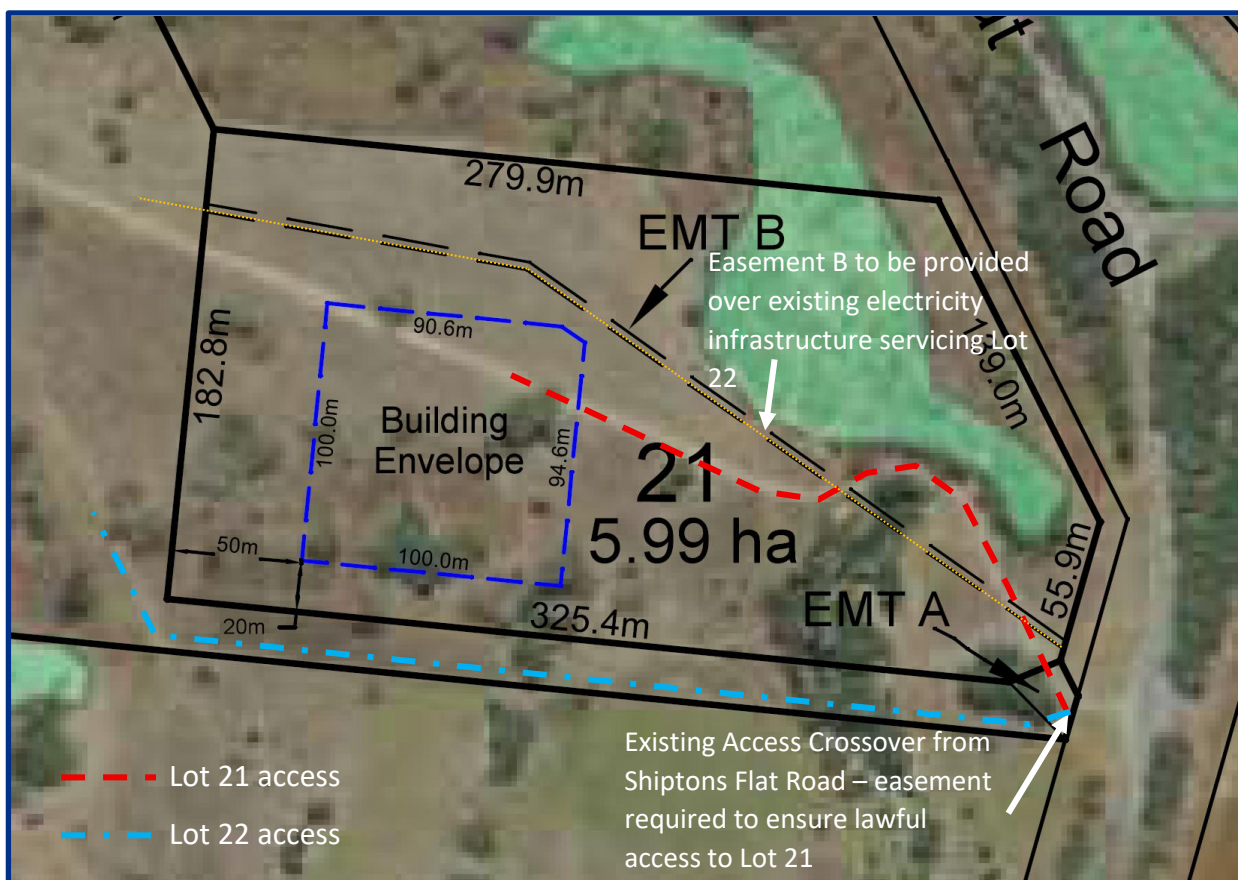


Figure 2: Extract of plan of proposed reconfiguration showing the nature the proposed easements and the access arrangements to each of the proposed lots

As provided in the planning report, it is considered that the proposed development for Reconfiguring a Lot (1 lot into 2 lots and Access Easement) is consistent with the purpose and overall outcomes of the applicable codes and achieves compliance with either the prescribed Acceptable Outcomes or Performance Outcomes. We trust that the further explanation demonstrates that the proposal achieves compliance with the Performance Outcomes and Acceptable Outcomes, PO1(c), PO3, A04.2, P010, A011.3(c) and P012(f) of the Reconfiguring a Lot Code and PO6(c) and P09 of the Rural Zone Code.

Site Details

4. Please provide an updated site plan to show:
 - a. All existing and proposed boundary lines;
 - b. All existing buildings and structures;
 - c. All existing and proposed driveways/vehicular crossings;
 - d. Identify and notate all existing structures on site.

Response

It is considered that the plan of proposed reconfiguration submitted with the Development Application for Reconfiguring a Lot (1 lot into 2 lots and Access Easement) clearly identifies:

- All existing and proposed boundary lines;
- All existing buildings and structures;
- All existing and proposed driveways/vehicular crossings; and
- Identifies all existing structures on site.

Figure 3 below, provides an annotated image of plan of proposed reconfiguration that was submitted with the Development Application, identifying that each of the abovementioned items are included on the plan.

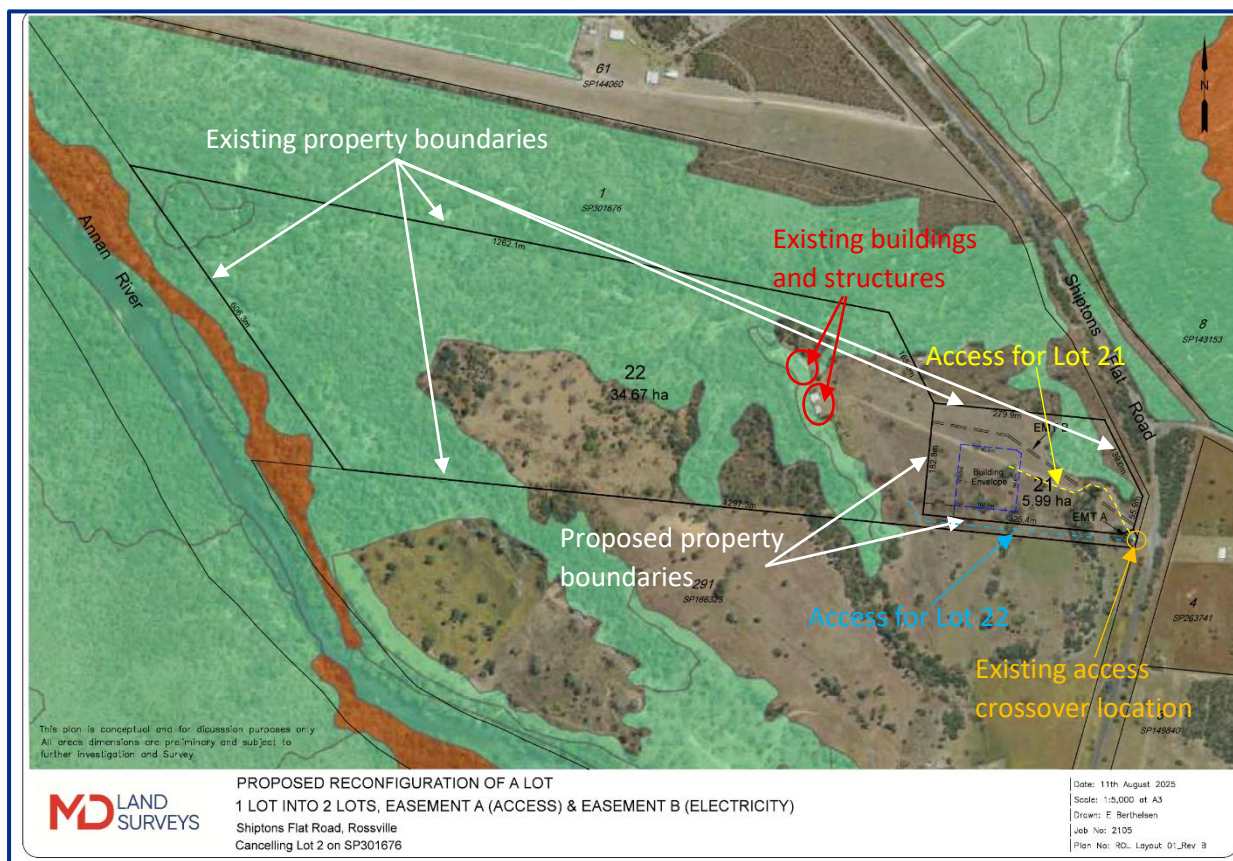


Figure 3: Annotated image of plan of proposed reconfiguration

Given that the plan of proposed reconfiguration as submitted with the Development Application identifies each of these items, the provision of an updated plan is not considered necessary.

We trust the enclosed information is sufficient for Council's continued assessment of the application.

In the meantime, should you have any further queries in relation to the information response please do not hesitate to contact the undersigned on 0402 806 016 or erin@mdlandsurveys.com.au.

Yours Sincerely


 Erin Berthelsen
 Senior Planner