

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/4913
Applicant:	Thomson Ruiz Group Pty Ltd c/- U&I Town Plan
Proposal:	Development Permit for a Material Change of Use
Description of the Development:	Multiple Dwelling (8 Units)
Street Address:	80-84 Savage Street, Cooktown 4895
Real Property Description:	Lot 14 on C179114
Planning Scheme:	Cook Shire Council Planning Scheme 2017 v2.0
Land Zoning:	Low Density Residential Zone
Assessment Type:	Impact Assessment

DECISION DETAILS

Type of Decision:	Approval with Conditions
Type of Approval:	Development Permit for a Material Change of Use - Multiple Dwelling (8 Units)
Date of Decision:	15 December 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)	The application did not require referral under Schedule 10 of the Planning Regulation.
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State Planning Policy (SPP), Part E	Section 2.1 of the Planning Scheme identifies that the superseded version of the State Planning Policy is integrated in the Planning Scheme. A review of the current version of the SPP (July 2017) and assessment benchmark mapping applicable to Part E has determined that the state interests are reflected in the Planning Scheme and no additional assessment provisions in the current SPP (Part E), or updated mapping are applicable requiring further assessment against the SPP.
Temporary State Planning Policy	There are no Temporary State Planning Policies.

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

- Low Density Residential Zone code
- Biodiversity Overlay code
- Bushfire Hazard Overlay code
- Residential Use code
- Parking and Access code
- Works, Services and Infrastructure code

Local Categorising Instrument (Variation Approval)

Not Applicable

Local Categorising Instrument (Temporary Local Planning Instrument)

Not Applicable

PUBLIC NOTIFICATION

A review of Council's records determined no submissions were received.

REASONS FOR THE DECISION

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

- a. An assessment was made against the applicable assessment benchmarks and the development demonstrated compliance with a majority of the prescribed matters. Where necessary, other relevant matters were considered to inform a recommendation.
- b. Development conditions have been imposed to:
 - i. limit any adverse impact on the locality or adjoining lots; and
 - ii. address the constraints of the site.

REASONS FOR APPROVAL DESPITE NON-COMPLIANCE WITH ASSESSMENT BENCHMARKS

Not Applicable

ADDITIONAL RELEVANT MATTERS FOR IMPACT ASSESSMENT

The development application was subject to public notification from 15 October 2025 to 5 November 2025. The Notice of Compliance was submitted to Council by the Applicant on 6 November 2025 advising that the public notification was carried out in accordance with the provisions of the Act. No submissions were received during the Public Notification period.

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.