

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/4950
Applicant:	Brian Boserio c/- MD Land Surveys
Proposal:	Development Permit for Operational Works
Description of the Development:	Operational Works for Road, Drainage and Water Infrastructure
Street Address:	1843 Mulligan Highway, Cooktown 4895
Real Property Description:	Lot 216 on SP137304
Planning Scheme:	Cook Shire Council Planning Scheme 2017 v2.0
Land Zoning:	Rural Zone
Assessment Type:	Code Assessment

DECISION DETAILS

Type of Decision:	Approval with Conditions
Type of Approval:	Change Application (Minor) - Development Permit for Operational Works for Road, Drainage and Water Infrastructure
Date of Decision:	23 March 2026

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 does not include any referable 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State Planning Policy (SPP), Part E	Section 2.1 of the Planning Scheme identifies that the superseded version of the <i>State Planning Policy</i> 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):

Assessment against the relevant provisions of the planning scheme was undertaken at the Reconfiguring a Lot stage (Development Permit DA/4609). The development demonstrated compliance with the relevant benchmarks. The works forming part of this application for Operational Work have either been designed to meet the requirements of the Works, Services and Infrastructure Code and FNQROC Development Manual, or conditioned to comply.

State Planning Policy (SPP): State Planning Policy (July 2017)

Planning Regulation 2017: This application did not trigger any matter prescribed by the regulation

PUBLIC NOTIFICATION

Minor Change application was not subject to Public Notification

REASONS FOR THE DECISION

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

- a. An assessment was made against the applicable assessment benchmarks and the proposed development demonstrated compliance.