



MINUTES ORDINARY MEETING

19 JUNE 2024

2:00 P.M.

PRESENT: Cr A Eden (Chairperson)
 Cr R Coghlan
 Cr A Middleton
 Cr B Moller
 Cr B Olds
 Cr R Pyne
 Cr M Tickner
 Cr T Tim
 Cr K Vallely
 Cr C Zeiger

OFFICERS:

J Andrejic	A/Chief Executive Officer
C Posgate	Director People & Organisational Performance
M Wuth	Director Cairns Infrastructure & Assets
D Puia	Director Lifestyle & Community
L Whitton	Director Finance & Business Services
A Combe	Executive Manager Marketing & Communications
P Rogato	Media Coordinator
A Patterson	Executive Manager Licensing & Compliance
C Simmons	Executive Manager Development & Planning
S Foster	Executive Manager Creative Life
S Godkin	Minute Secretary

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CONFLICTS OF INTEREST

Cr Moller informed the meeting that he had a prescribed conflict of interest in Item 16, Financial Assistance for Not for Profit Organisation – Fees and Charges for Pyramid Residential Care Centre Incorporated for the Discretionary Full Waiver of Levied Charges for an Extension to Existing Retirement Village at 65-97 Cairns Road, Gordonvale – Division 1, as a result of his position on the Pyramid Residential Care Centre committee, who are an interested party in this matter. He will be dealing with this conflict by leaving the meeting when the matter is discussed and debated.

PURPOSE OF MEETING

To consider the matters listed on the agenda.

CONFIRMATION OF MINUTES OF ORDINARY MEETING 05/06/24

MOLLER / COGHLAN

That the Minutes of the Ordinary Meeting held on Wednesday, 5 June 2024 be confirmed.

carried unanimously

1. **CEO MONTHLY REPORT..... 16** 93/1/2 | #7432536

COGHLAN / OLDS

1. That Council notes:
 - a. The status of Council Resolutions.
 - b. The CEO Month in Review.
 - c. The Ex-Tropical Cyclone Jasper Flooding Recovery Update, including the intention to lodge a \$4.35M Disaster Recovery Funding Arrangements submission for the proposed landslip remediation works at Lake Morris Road, Kanimbla.

2. That Council:
 - a. Endorses Cairns Libraries' participation in Deadly Digital Communities pilot program and funding offer of \$50,000 from State Library of Queensland.
 - b. Delegates authority to the Chief Executive Officer in accordance with the *Local Government Act 2009* to negotiate, finalise and execute any and all matters associated with or in relation to the Deadly Digital Communities contract, subject to Council's normal grant funding policies and practices.

carried unanimously

2. GENERAL POLICY REVIEW 38
65/9/1 | #7438488

MOLLER / OLDS

That Council adopts the following General Policies:

1. Expenses Reimbursement and Support for Elected Representatives General Policy; and
2. Audit Committee Policy & Charter.

carried unanimously

**3. SUBMISSION FOR APPLICATION FOR FUNDING – FLOOD
 RESILIENCY PLAN PROJECT AND DYNAMIC FLOOD
 INTELLIGENCE SYSTEM – BARRON DELTA PROJECT 65**
83/4/4 | #7413824

COGHLAN / TICKNER

That Council:

1. Retrospectively endorses the submission of the application for funding under the Disaster Ready Fund – Round 2 for a Flood Resiliency Plan project (Phases 1 & 2); and
2. Retrospectively endorses the submission of the application for funding under the Queensland Resilience and Risk Reduction Funding Program for the Dynamic Flood Intelligence System – Barron Delta Project (Phase 3 seed funding); and
3. Delegates authority to the Chief Executive Officer in accordance with the *Local Government Act 2009* to finalise any and all matters relating to the above application, including the execution of associated funding agreements should Council's application/s be successful.

carried unanimously

4. PROJECT LAUNCH APPROVAL – 2024/25 KERB & CHANNEL AND SHOULDER SEALING PROGRAM (PT25225)..... 73
50/7/1-01 | #7422998

PYNE / OLDS

That Council:

1. Approves the Project Launch Approval (PLA) for the 2024/25 Kerb and Channel and Shoulder Sealing Renewal with a Project Launch Budget (PLB) of \$2,587,500 and an Approved End Date (AED) of 30 June 2025.
2. Delegates authority to the Chief Executive Officer in accordance with the *Local Government Act 2009* to enter into contracts, negotiate, finalise and execute any and all matters associated with or in relation to this program, subject to Council's normal procurement policies and practices.

carried unanimously

5. PROJECT LAUNCH APPROVAL – 2024/25 ROAD RESEAL PROGRAM (PT25227) 77
50/7/1-01 | #7430650

MOLLER / TICKNER

That Council:

1. Approves the Project Launch Approval (PLA) for the 2024/25 - Reseal Program with a Project Launch Budget (PLB) of \$3,087,500 and an Approved End Date (AED) of 30 June 2025; and
2. Delegates authority to the Chief Executive Officer in accordance with the *Local Government Act 2009* to enter into contracts, negotiate, finalise and execute any and all matters relating to this program subject to Council's procurement practices and policies.

carried unanimously

6. PROJECT LAUNCH APPROVAL – 2024/25 ASPHALT OVERLAY PROGRAM (PT25228) 82

50/7/1-01 | #7430660

OLDS / COGHLAN

That Council:

1. Approves the Project Launch Approval (PLA) for the 2024/25 Asphalt Overlay Program with a Project Launch Budget (PLB) of \$2,000,000 and an Approved End Date (AED) of 30 June 2025; and
2. Delegates authority to the Chief Executive Officer in accordance with the *Local Government Act 2009* to enter into contracts, negotiate, finalise and execute any and all matters relating to this program subject to Council's procurement practices and policies.

carried unanimously

7. PROJECT LAUNCH APPROVAL – 2024/25 PAVEMENT REHABILITATION PROGRAM (PT25232) 87

50/7/1-01 | #7430682

TICKNER / ZEIGER

That Council:

1. Approves the Project Launch Approval (PLA) for the 2024/25 – Pavement Rehabilitation Program with a Project Launch Budget (PLB) of \$4,880,000 and an Approved End Date (AED) of 30 November 2025; and
2. Delegates authority to the Chief Executive Officer in accordance with the *Local Government Act 2009* to enter into contracts, negotiate, finalise and execute any and all matters relating to this program subject to Council's procurement practices and policies.

carried unanimously

**8. 2024-27 WORKS FOR QUEENSLAND – PROJECT SUBMISSIONS
AND GRANT AGREEMENT..... 92**
50/7/1-01 | #7431720

OLDS / MOLLER

That Council:

1. Approves the submission of applications for funding under the Department of Housing, Local Government, Planning and Public Works 2024-27 Works for Queensland Program.
2. Delegates authority to the Chief Executive Officer in accordance with the *Local Government Act 2009* to finalise any and all matters relating to the above applications

carried unanimously

**9. REGIONAL ARTS DEVELOPMENT FUND (RADF) 2023/24 – MAJOR
ROUND TWO AND CITY OF THE ARTS HERO PROJECT 96**
79/6/8 | #7399466

PYNE / MIDDLETON

That Council:

1. Approves establishing Regional Arts Development Fund (RADF) agreements for a total of \$91,120 (ex GST) from the 2023/24 and 2024/25 RADF budgets with the following applicants for the below amounts:
 - a. Bertie Riley - \$10,000 (ex GST)
 - b. Cairns And District Chinese Association Inc - \$5,110 (ex GST)
 - c. Crate59 Artist Collective & Gallery - \$10,000 (ex GST)
 - d. JUTE Theatre Company - \$9,850 (ex GST)
 - e. Leanne Tennant - \$10,000 (ex GST)
 - f. Rebecca Altaffer - \$7,160 (ex GST)
 - g. Round Table Collaborations - \$10,000 (ex GST)
 - h. Shaun Edwards – \$9,000 (ex GST)
 - i. Tropical Arts Association Inc. – \$10,000 (ex GST)
 - j. Warren Jr Terence John Tyrrell - \$10,000 (ex GST)
2. Approves establishing a RADF agreement for a total of \$25,000 (ex GST) from the City of the Arts Hero Project 2023/24 RADF budget with NorthSite Contemporary Arts.

3. Delegates authority to the Chief Executive Officer in accordance with the *Local Government Act 2009* to finalise any and all matters relating to the above agreements.

carried unanimously

10. THE BOULDERS BABINDA – SAFETY REVIEW ACTIONS 108

73/2/34-01 | #7325543

MOLLER / VALLELY

That Council notes the update provided in this report.

carried unanimously

11. COMMUNITY PARTNERSHIPS GRANT ROUND 11 119

63/18/1 | #7389667

ZEIGER / TICKNER

That Council:

1. Approves \$170,058 (ex GST) funding from the 2024/2025 Community Partnerships Grant stream to the following applicants:
 - a) Cairns Chieftains GAA Inc. for the Chieftains 7s Festival of Irish Sport to the value of \$5,000 (ex GST).
 - b) Cairns Christian Ministers Network Inc. for Joy to the World –Christmas Carols & Fireworks to the value of \$18,200 (ex GST).
 - c) Cairns Hindu Samaj Inc. for Ganeshotsav to the value of \$5,000 (ex GST).
 - d) Deadly Inspiring Youth Doing Good (DIYDG) Aboriginal & Torres Strait Islander Corporation for Cairns NAIDOC ‘Friday in the Park’ 2024 to the value of \$21,000 (ex GST).
 - e) Edge Hill United Football Club Inc. for the First Nations Football Day up to the value of \$2,858 (ex GST).
 - f) Far North Qld Regional Swimming Association for the 2025 FNQ Swimming Long Course and Short Course Championships to the value of \$8,500 (ex GST).
 - g) FNQ Thai Cultural Community for The 6th FNQ Thai Cultural Loy Krathong Festival to the value of \$20,300 (ex GST).

- h) Machans Beach Community Association for Moon Over Machans to the value of \$5,000 (ex GST).
 - i) Mission Australia for South Side Celebration (Child Protection Week event) to the value of \$5,000 (ex GST).
 - j) Papua New Guinea & Wantoks Association Cairns Incorporated for PNG's 49th Independence Celebration, Family & Cultural Day to the value of \$13,400 (ex GST).
 - k) Stratford Dolphins Football Club Inc. for the Barron River Foodfest to the value of \$10,000 (ex GST).
 - l) The Benevolent Society for 5x Neighbourhood Days to the value of \$8,000 (ex GST).
 - m) The Great Pyramid Race and Country Fair for The Great Pyramid Race to the value of \$13,500 (ex GST).
 - n) The Japanese Society of Cairns Inc. for Japan Bon Dance Festival 2024 to the value of \$23,300 (ex GST).
 - o) Young Animal Protection Society Inc. for FNQ Dogs Day Out to the value of \$11,000 (ex GST).
2. Delegates authority to the Chief Executive Officer in accordance with the *Local Government Act 2009* to finalise any and all matters relating to the above funding agreements.

carried unanimously

12. COMMUNITY PARTNERSHIPS GRANT – OUT OF ROUND

APPLICATIONS 138

63/18/1 | #7410253

OLDS / ZEIGER

That Council:

- 1. Supports the grant application received from Mission Australia for Homelessness Week 2024 to the value of \$3,100 (ex GST).
- 2. Does not support the grant application received from Tourism Palm Cove Inc for Food and Wine Frolic; and

3. Delegates authority to the Chief Executive Officer in accordance with the *Local Government Act 2009* to finalise any and all matters relating to the above funding agreements.

carried unanimously

13. TANK 3 AND TANK 5 AMENITIES CONSTRUCTION PC23221-02 .
 **144**
50/9/27-01 | #7432038

MIDDLETON / COGHLAN

That Council:

1. Awards Contract 2957 – Tank 3 and Tank 5 Amenities Construction to MyBuild Solutions Pty Ltd for a Lump Sum price of \$1,392,699 excluding GST.
2. Approves the Project Launch Approval for PC23221-02 with a Project Launch Budget of \$1,800,000 and an Approved End Date of 31 July 2025.
3. Delegates authority to the Chief Executive Officer in accordance with the *Local Government Act 2009* to enter into contracts, negotiate, finalise and execute any and all matters associated with or in relation to this contract, subject to Council’s normal procurement policies and practices.

carried unanimously

14. ENVIRONMENTAL OFFSET ON LOT 126 ON NR5009 CAIRNS
AIRPORT 151
61/1/3 | #7436436

COGHLAN / VALLELY

That Council:

1. Endorse the offset application put forward from Cairns Airport and provide approval as landowner for land rehabilitation on Lot 126 NR5009.
2. Pursuant to section 257(1)(b) of the *Local Government Act 2009* (“the Act”), delegate to the Chief Executive Officer the power to finalise all matters relating to the approval as landowner.

carried unanimously

**15. DEVELOPMENT PERMIT FOR A MATERIAL CHANGE OF USE
(RETIREMENT FACILITY) – 4L AND 34L CAPTAIN COOK
HIGHWAY, KEWARRA BEACH – DIVISION 9 180
8/8/1651 | 7400103**

OLDS / COGHLAN

That Council approves the development application for a Development Permit for a Material Change of Use (Retirement Facility) over land described as 4L and 34L Captain Cook Highway, Kewarra Beach, located at Lot 4 on SP330248 and Lot 34 on SP333333 (formerly Lot 34 on SP333333), subject to the following:

APPROVED DRAWING(S) AND / OR DOCUMENT(S)

The term ‘approved drawing(s) and / or document(s)’ or other similar expressions means:

Drawing or Document	Reference	Date
Contents Page	Ref No. 543500 Issue B Prepared by BDA Architecture	18 March 2024
Master Planning Cover Page	Ref No. 543500 Issue B Prepared by BDA Architecture	18 March 2024
Proposed Master Plan	Ref No. 543500 Issue B Prepared by BDA Architecture	18 March 2024
Proposed Staging Plan	Ref No. 543500 Issue B Prepared by BDA Architecture	18 March 2024
Van Store Plan	Ref No. 543500 Issue B Prepared by BDA Architecture	18 March 2024
Interface Section 1	Ref No. 543500 Issue B Prepared by BDA Architecture	18 March 2024
Interface Section 2	Ref No. 543500 Issue B Prepared by BDA Architecture	18 March 2024

Drawing or Document	Reference	Date
Interface Section 3	Ref No. 543500 Issue B Prepared by BDA Architecture	18 March 2024
Interface Section 4	Ref No. 543500 Issue B Prepared by BDA Architecture	18 March 2024
Interface Section 5	Ref No. 543500 Issue B Prepared by BDA Architecture	18 March 2024
Building Typologies Cover Page	Ref No. 543500 Issue B Prepared by BDA Architecture	18 March 2024
Home Type A – Ground Floor Plan	Ref No. 543500 Issue B Prepared by BDA Architecture	18 March 2024
Home Type A – Perspective	Ref No. 543500 Issue B Prepared by BDA Architecture	18 March 2024
Home Type B – Ground Floor Plan	Ref No. 543500 Issue B Prepared by BDA Architecture	18 March 2024
Home Type B – Perspective	Ref No. 543500 Issue B Prepared by BDA Architecture	18 March 2024
Home Type C – Ground Floor Plan	Ref No. 543500 Issue B Prepared by BDA Architecture	18 March 2024
Home Type C – Perspective	Ref No. 543500 Issue B Prepared by BDA Architecture	18 March 2024
Home Type D – Ground Floor Plan	Ref No. 543500 Issue B Prepared by BDA Architecture	18 March 2024
Home Type D – Façade Option	Ref No. 543500 Issue B Prepared by BDA Architecture	18 March 2024

Drawing or Document	Reference	Date
Home Type E – Ground Floor Plan	Ref No. 543500 Issue B Prepared by BDA Architecture	18 March 2024
Home Type E – Façade Option 1	Ref No. 543500 Issue B Prepared by BDA Architecture	18 March 2024
Home Type E – Façade Option 2	Ref No. 543500 Issue B Prepared by BDA Architecture	18 March 2024
Home Type F – Ground Floor Plan	Ref No. 543500 Issue B Prepared by BDA Architecture	18 March 2024
Home Type F – Façade Option	Ref No. 543500 Issue B Prepared by BDA Architecture	18 March 2024
Home Type G – Ground Floor Plan	Ref No. 543500 Issue B Prepared by BDA Architecture	18 March 2024
Home Type G – Façade Option	Ref No. 543500 Issue B Prepared by BDA Architecture	18 March 2024
Central Facilities Cover Page	Ref No. 543500 Issue B Prepared by BDA Architecture	18 March 2024
Site Plan	Ref No. 543500 Issue B Prepared by BDA Architecture	18 March 2024
Function Centre – Floor Plan	Ref No. 543500 Issue B Prepared by BDA Architecture	18 March 2024
Function Centre – Roof Plan	Ref No. 543500 Issue B Prepared by BDA Architecture	18 March 2024
Games / Wellness – Floor Plan	Ref No. 543500 Issue B Prepared by BDA Architecture	18 March 2024

Drawing or Document	Reference	Date
Games / Wellness – Roof Plan	Ref No. 543500 Issue B Prepared by BDA Architecture	18 March 2024
Main Building – Elevations	Ref No. 543500 Issue B Prepared by BDA Architecture	18 March 2024
Gym – Elevations	Ref No. 543500 Issue B Prepared by BDA Architecture	18 March 2024
Games Building – Elevations	Ref No. 543500 Issue B Prepared by BDA Architecture	18 March 2024
Central Facilities - Sections	Ref No. 543500 Issue B Prepared by BDA Architecture	18 March 2024
Central Facilities – Perspective View 1	Ref No. 543500 Issue B Prepared by BDA Architecture	18 March 2024
Central Facilities – Perspective View 2	Ref No. 543500 Issue B Prepared by BDA Architecture	18 March 2024
Central Facilities – Perspective View 3	Ref No. 543500 Issue B Prepared by BDA Architecture	18 March 2024
Central Facilities – Perspective View 4	Ref No. 543500 Issue B Prepared by BDA Architecture	18 March 2024
Central Facilities – Perspective View 5	Ref No. 543500 Issue B Prepared by BDA Architecture	18 March 2024
Central Facilities – Perspective View 6	Ref No. 543500 Issue B Prepared by BDA Architecture	18 March 2024
Central Facilities – Perspective View 7	Ref No. 543500 Issue B Prepared by BDA Architecture	18 March 2024

Drawing or Document	Reference	Date
Central Facilities – Perspective View 8	Ref No. 543500 Issue B Prepared by BDA Architecture	18 March 2024
Central Facilities – Perspective View 9	Ref No. 543500 Issue B Prepared by BDA Architecture	18 March 2024
Central Facilities – Perspective View 10	Ref No. 543500 Issue B Prepared by BDA Architecture	18 March 2024
Ancillary Structures Cover Page	Ref No. 543500 Issue B Prepared by BDA Architecture	18 March 2024
Shelter	Ref No. 543500 Issue B Prepared by BDA Architecture	18 March 2024
Maintenance Shed	Ref No. 543500 Issue B Prepared by BDA Architecture	18 March 2024
Hobby Shed/ Bus Shed/ Wash Down - Ground Floor Plan	Ref No. 543500 Issue B Prepared by BDA Architecture	18 March 2024
Hobby Shed/ Bus Shed/ Wash Down - Perspective	Ref No. 543500 Issue B Prepared by BDA Architecture	18 March 2024
Sewer Reticulation Master Plan	Dwg No. SKETCH 1212- 9 Rev M	12 March 2024
Water Reticulation Master Plan	Dwg No. SKETCH 1212- 8 Rev M	12 March 2024
Site Based Stormwater Quality Management Plan	Rev 2 Prepared by Trinity Engineering and Consulting	14 March 2024
Balance Cairns Landscape Master Plan	Prepared by LA3	18 March 2024
Pathway Locality Plan	Dwg No. SKETCH 1212- 200 Rev B	8 March 2024

ASSESSMENT MANAGER CONDITIONS

General Requirements		Timing
1.	<p>Approved Plans and Documents</p> <p>The development is to be completed and carried out generally in accordance with the above approved plans and reports submitted with the development application, except where modified by the conditions of this Development Permit.</p>	At all times.
2.	<p>Maintain the Approved Development</p> <p>Maintain the approved development generally in accordance with the approved plan(s) and document(s), and any relevant approval required by these conditions of approval.</p>	At all times.
3.	<p>Currency Period</p> <p>This development approval, granted under the provisions of the <i>Planning Act 2016</i> (Qld), lapses six (6) years from the day the development approval takes effect, in accordance with the provisions of section 85 of the <i>Planning Act 2016</i> (Qld).</p>	As stated.
4.	<p>Notice of Intention to Commence Use</p> <p>Written notice must be given to Council that the development fully complies with this Development Permit.</p> <p>Return the attached “Notice of Intention to Commence Use” (attached at Appendix 2).</p>	Prior to Commencement of Use.
5.	<p>Variation Approval</p> <p>The development must comply with the conditions of approval attached to the Decision Notice for Preliminary Approval to vary the effect of the Planning Scheme to introduce The Palms Plan of Development (PoD) (Council Ref: 8/30/277).</p>	At all times.
6.	<p>Water Supply and Sewerage Master Plan</p> <p>Provide an updated Water Supply and Sewerage Master Plan accompanied by supporting calculations and prepared/certified by a RPEQ which demonstrates how the development can be serviced by Council’s infrastructure under existing and ultimate network conditions, with no adverse impact to existing and planned future external development.</p> <p>The master plan must also address the following issues:</p> <p>a. Water service lines for proposed external lots (i.e. the</p>	Prior to the issue of a Development Permit for Operational Work.

General Requirements	Timing
<p>proposed Tourist Park) are to be located outside of private property or within easements in private property.</p> <p>b. Sewerage mains for proposed external lots (i.e. the proposed Tourist Park) are to be extended to the property boundary to provide an accessible connection point without requiring entry to the adjoining property. The sewerage main is to be contained in an easement.</p> <p>c. The 'Water Supply and Sewerage Masterplan for The Palms Development' dated March 2024 is for the Retirement Facility only; references to other Stages or aspects of development are outside the scope of this approval and are not endorsed or approved. All elements of the 'Water Supply and Sewerage Masterplan for The Palms Development' dated March 2024 which relate to subsequent stages of The Palms Development or that are not approved are of no effect until they are approved under a relevant development approval. All risk associated with provision of works providing a service for future potential development stages remains with the applicant.</p> <p>d. Any other relevant issues identified in conditions elsewhere in this approval.</p> <p>The Water Supply and Sewerage Master Plan must be provided to and endorsed by Council.</p>	
<p>7. Water Supply and Sewerage Works External</p> <p>Undertake the following water supply and sewerage work external to the premises to connect the land to existing water supply and sewerage infrastructure:</p> <p>a. Construct water and sewerage infrastructure in accordance with Council's approved Water Supply and Sewerage Master Plans;</p> <p>b. Provide a minimum 225mm water main extension and connection generally in accordance with Alternative 1 as shown on Sketch 1212-8 Rev M, inclusive of a district meter with telemetry feedback in proximity of the connection point;</p> <p>c. Provide a second connection generally in accordance with the northern proposed connection indicated on Sketch 1212-8 Rev M, inclusive of an additional normally closed connection to the 150mm main in the same locale, with a district meter with telemetry feedback in proximity of the connection point, after</p>	<p>Prior to Commencement of Use.</p>

General Requirements	Timing
<p>the dual interconnection;</p> <ul style="list-style-type: none"> d. Provide external sewer connection works generally in accordance with Sketch 1212-9 Rev M; e. District meters are to be installed at nominated locations at the Developers cost; and f. For any water and sewerage works on other private property, the developer must obtain the property owner's written consent to access the land and to undertake the works. <p>All the above work must be designed and constructed in accordance with the FNQROC Development Manual.</p> <p>This condition is imposed under section 145 of the Planning Act 2016 (Qld).</p> <p><i>Note: Council acknowledges that further design detail is likely to be developed as the development application progresses towards Operation Works Approval. An alternate alignment / connection methodology may be considered where the applicant can demonstrate, with supporting analysis and calculations that a hydraulically equivalent or better outcome can be achieved with no adverse impact on the existing and planned network, as documented in Council's Moore Road & University Reservoir Catchment Planning Study and Marlin Coast WWTP Sewerage Catchment Planning Study. The provision of district meters at the water connection points is required to enable Council to monitor for leaks and abnormal demand behaviour, given the extent of public water main proposed to be located within private property and the proposed service methodology interconnecting reservoir catchments.</i></p>	
<p>8. Water Supply and Sewerage Works Internal</p> <p>Undertake the following water supply and sewerage works internal to the premises:</p> <ul style="list-style-type: none"> a. The development must be serviced by the water and sewerage connections shown on the approved master plans and are to be made clear of any buildings or structures. b. The development must be serviced by internal water and sewerage reticulation infrastructure which will be owned and managed in private ownership. c. Each Home Site and Communal Facilities must be serviced by a single water and sewer connection. d. Water supply sub-metering must be designed and installed in accordance with the <i>Plumbing and</i> 	<p>Prior to Commencement of Use.</p>

General Requirements	Timing
<p><i>Drainage Act 2018 (Qld) and the Water Supply (Safety and Reliability) Act 2008 (Qld).</i></p> <p>e. Provide easements having a nominal width of 3 metres over existing, proposed or future Council sewers and water mains within the site.</p> <p>f. All proposed and existing public water and sewer assets and associated easements are to be located clear of proposed homesites. Where existing services and easements are proposed to be re-aligned, the proposed locations are to demonstrate equivalent or better protection and access prior to Council agreement to relinquish established easements.</p> <p>g. Where easements for proposed public water and sewer assets overlap, a cross section of the total easement(s) width is to be supplied demonstrating minimum separation distances are maintained and demonstrating that reasonable access for maintenance purposes (safe access trench width using battered construction) can be achieved whilst providing adequate protection to the adjacent, in service asset. Where necessary expand the easement widths and separation distances to ensure this requirement is met.</p> <p>h. Public water and sewerage mains within easements are to feature identification methods to ensure no unintentional interference or disruption by any private works. The applicant must demonstrate suitable methods (e.g., surface markers, detection tape) to address this requirement for Council's acceptance.</p> <p>i. Access manholes and changes in sewer direction for public sewers are to be located clear of proposed RV parking. Easements are to be amended as required to support modifications to the proposed sewer location.</p> <p>j. The northern proposed sewer connection and associated easement is to be located clear of the proposed electrical easement.</p> <p>k. Unfettered access (legal and practical) is to be provided to public infrastructure and associated easements at all times. The applicant must demonstrate how this requirement will be achieved, giving consideration to the following matters, at a minimum:</p> <ul style="list-style-type: none"> i. Independent 24hr access including for construction and maintenance vehicles. ii. Ability to traverse internal roads and greenspace corridors as required to achieve practical, trafficable access and turning room. 	

General Requirements	Timing
<ul style="list-style-type: none"> iii. Protection of liability from damage where Council is required to traverse private property for the purposes of reasonable and practical access to public infrastructure. iv. Identification of key trafficable access routes to the proposed easements and infrastructure and protection of these routes from future embellishments that may impede practical access. v. Formalisation of required access agreements, binding all current and future owners. <p>All the above works must be designed and constructed in accordance with the FNQROC Development Manual.</p> <p>All works must be carried out generally in accordance with the approved plan(s), to the requirements and satisfaction of Council.</p>	
<p>9. Sewer Easement</p> <p>Prepare for lodgement for registration at the Department of Resources (Titles Registry) a Sewer Easement in favour of Council, subject to Council's relevant standard terms document Registered Dealing Number 721329134, over Council sewers within the land or on other private land.</p> <p>The easement documents required must be:</p> <ul style="list-style-type: none"> a. In the approved form (Form 9) for lodgement to the Titles Registry; b. Executed by each relevant landowner; and c. Endorsed by Council prior to Commencement of Use for the relevant aspect of the development. 	As stated.
<p>10. Water Easement</p> <p>Prepare for lodgement for registration at the Department of Resources (Titles Registry) a Water Easement in favour of Council, subject to Council's relevant standard terms document Registered Dealing Number 721329134, over Council Water Mains within the land or on other private land.</p> <p>The easement documents required must be:</p> <ul style="list-style-type: none"> a. In the approved form (Form 9) for lodgement to the Titles Registry; b. Executed by each relevant landowner; and c. Endorsed by Council prior to Commencement of Use 	As stated.

General Requirements		Timing
	for the relevant aspect of the development.	
11.	<p>Dwelling Numbering</p> <p>Dwelling numbering must be installed within a prominent location at the entrance of each individual dwelling.</p>	At all times and prior to Commencement of Use.
12.	<p>External & Security Lighting</p> <p>Install and maintain a suitable system of security lighting to operate from dusk to dawn within all areas where the public may gain access, including car parking areas, building entrances, footpaths under permanent awnings and vegetated areas.</p> <p>All external lighting must be in accordance with AS/NZS 4282:2019 – Control of the obtrusive effects of outdoor lighting so as to not cause nuisance or distraction to nearby residents or passing motorists.</p>	Prior to Commencement of Use.
13.	<p>Internal Pathways</p> <p>Internal pathways must design in accordance with the following:</p> <ol style="list-style-type: none"> a. A minimum width of 2 metres or 3.5 metres when combined with a seating area; b. Comply with AS1428.1-4:2001 – Design for Access and Mobility; c. Have a firm, level, well drained non-slip surface; d. Provide handrails where there are grade changes or other areas of potential risk to pedestrians; e. Provide a covered principal walkway that links all on-site communal facilities; and f. A separate pedestrian pathway must be provided along the access road to connect the internal development with the external footpath network on Reefsedge Way. 	Prior to Commencement of Use.
14.	<p>Ancillary Uses</p> <p>Food and drink outlets associated with the development must only service staff, residents and their visitors.</p>	At all times.
15.	<p>Identification Display Board</p> <p>An Identification Display Board must be installed at each entrance in a visually prominent position at the main vehicular entry which includes the following:</p>	Prior to Commencement of Use.

General Requirements	Timing
<p>a. Contains an accurate site plan showing the overall layout of the development, including but not limited to communal facilities, manager's residence/office location, internal access ways and visitor carparking spaces;</p> <p>b. Provide lighting to allow for 24-hour viewing. Lighting is to be designed, located and oriented so as to not cause a nuisance to surrounding sensitive land uses; and</p> <p>c. Identify the location of fire hydrants.</p>	
<p>16. Staging</p> <p>The development may be undertaken in stages in accordance with the stages indicated on the Approved Proposed Staging Plan, Job No. 543500, Issue B, Prepared by BDA Architecture. Any changes to the approved stage layout must be accepted by Council prior to the change occurring.</p>	<p>At all times.</p>
<p>17. Main Entry</p> <p>The intersection at the main entry from the public road must be designed in accordance with current engineering standards and certified by an RPEQ.</p> <p>The certifying RPEQ must consider queue lengths and the impact of any gates or restriction to free flow of traffic at the Main Entry.</p> <p>Queuing of vehicles must be contained on the land and not extend into the public road.</p>	<p>Prior to issue of a Development Permit for Operational Works.</p>
<p>18. Internal Circulation</p> <p>The road network internal to the site will be private infrastructure.</p> <p>The internal circulation area must be designed in accordance with Australian Standard AS2890 – Parking Facilities and IPWEAQ Street Design Manual – Walkable Neighbourhoods.</p> <p>The parking design must be certified by a suitably qualified RPEQ Engineer.</p>	<p>Prior to Commencement of Use for each stage.</p>
<p>19. Car Parking</p> <p>A car parking report must be provided to Council for</p>	<p>Prior to Commencement of Use for the</p>

General Requirements	Timing
<p>endorsement. The report is to demonstrate the number of on-site car parks required to service the development at each stage.</p> <p>The number of on-site car parks must be provided in accordance with the endorsed car parking report.</p>	<p>first stage;</p> <p>AND</p> <p>Prior to Commencement of Use for each stage.</p>
<p>20. Roads and Footpaths Standards</p> <p>Design and construct a minimum 2 metre wide footpath and safe pedestrian crossing points along Discovery Drive and Moore Road as indicated in Sketch 1212-200 Rev B – Pathway Locality Plan. The footpath must be constructed in accordance with the relevant design guidelines and specifications detailed in the FNQROC Development Manual. The new sections of footpath must match neatly to the existing footpath at both extents in relation to alignment and grade.</p>	<p>Prior to Commencement of Use of the first home site.</p>
<p>21. Access Intersections</p> <p>Intersections of the private roads within Reefsedge Way must be designed in accordance with relevant Austroads standards and be of a suitable width to provide for 2-way movement.</p> <p>Where access to the development from the external road is gated, sufficient distance must be allowed for queuing between the gate and the external road, so that through movement is not impacted.</p>	<p>Prior to Commencement of Use.</p>
<p>22. Private Road</p> <p>Ownership, operation and maintenance of the private roads is to vest at all times with the Body Corporate, landowner and/or legal authority and would not become an asset of Council.</p>	<p>At all times.</p>
<p>23. RV / Caravan Parking</p> <p>The RV / Caravan off-street car park must be designed in accordance with the following:</p> <ol style="list-style-type: none"> a. Provide RPEQ certification for the design of the off-street car parking including bay dimensions, aisle widths, and the manoeuvring and vehicle turn-around areas. b. The off-street car park must be appropriately signed 	<p>Prior to Commencement of Stage 2.</p>

General Requirements	Timing
<p>and marked in accordance with relevant standards.</p> <p>c. The driveway servicing the parking area from the external road must be designed in accordance with Austroads standards for an intersection. An RPEQ certified plan must be provided as part of the development application for Operational Work for the car park that demonstrates that sight lines and vehicle turning paths meet the required standards of an intersection.</p> <p>d. A sufficient distance for queuing for RV's and vehicles towing caravans must be allowed between the gate and the external road, so that through movement is not impacted.</p> <p>e. The edge of the access crossover (inclusive of the aprons) must be 600mm clear of any stormwater kerb inlet pits and a minimum 1.0m from any power pole, street light pole or electrical junction box.</p> <p>f. The RV Carpark is to be utilised for parking purposes only for the exclusive use of residents. Overnight stays are not permitted.</p>	
<p>24. Vehicle Parking & Manoeuvring</p> <p>All parking, loading, servicing activities must be undertaken wholly within the site.</p> <p>No reliance must be placed on on-street parking to accommodate vehicles associated with the development use, including staff, visitors and service vehicles.</p>	At all times
<p>25. Bus Stop(s)</p> <p>Provide confirmation that the location/s of bus stop/s for a future bus route along Reefsedge Way are within a walkable distance of 400m from home sites within the development. This information is to be submitted in conjunction with the first development application for Operational Work associated with the approved development.</p> <p>Undertake road widening and construct bus indents at the identified locations in accordance with relevant standards maintaining a 4.5m verge.</p> <p>Provide footpath connectivity and safe crossing treatments between bus stops on opposite sides of the road.</p> <p>Complete the road widening, bus indents and pedestrian</p>	As stated.

General Requirements	Timing
connections prior to Commencement of Use for Stage 1.	
<p>26. Existing Vegetation</p> <p>The following vegetation must be retained and protected in accordance with AS4970-2009 Protection of trees on development sites:</p> <ul style="list-style-type: none"> a. Vegetation to be retained as demonstrated on the Technical Agency Response Plan Drawing TARP 1907-12384 SRA, SARA ref: 1907-12384 SRA dated 24 August 2023. b. Urban Waterway A trigger area and the Vegetated Waterway Buffer areas. <p><i>Note: The term Waterway Corridor is defined within Schedule 1 – Administrative Definitions contained within CairnsPlan 2016 v3.1.</i></p> <p><i>Note: A further Development Permit for Operational Work may be required for Vegetation Damage.</i></p>	At all times.
<p>27. Protection of Vegetation during Construction</p> <p>A Tree Protection Zone and vegetation clearing extent must be designed and established for vegetation to be retained prior to commencement of vegetation clearing. The Tree Protection Zone must ensure at all times:</p> <ul style="list-style-type: none"> a. Be in accordance with AS 4970-2009 Protection of trees on development sites; b. Be designed by a suitably qualified person; c. Tree protection measures are installed and maintained in accordance with the AS 4970-2009 Protection of trees on development sites for the duration of works; and d. No construction related activities (such as construction vehicle parking, liquid disposal, stockpiling etc.) is to occur within the Tree Protection Zone without certification from a certified Arborist. 	As stated.
<p>28. Wildlife</p> <p>Prior to commencement of vegetation clearing, an inspection to determine the possible presence of native wildlife and particular animal breeding places must be undertaken by a suitably qualified and experienced spotter/catcher. The assessment must include the identification of any breeding places for any</p>	As stated.

General Requirements	Timing
<p>Endangered/Vulnerable or Near Threatened animal species, special least concern or colonial breeding species prior to the removal of any tree and/or vegetation.</p> <p>A brief Inspection Report must be prepared and submitted to Council within 7 business days of the field inspection.</p> <p>During the removal of trees and vegetation, the spotter/catcher must be present on site for the duration of tree and vegetation removal works.</p> <p><i>Note: Inspection reports must be emailed to planningadmin@cairns.qld.gov.au.</i></p> <p><i>Note: The Department of Environment & Science must be contacted if native wildlife is found to be present. The suitably qualified and experienced spotter/catcher must be present during the clearing of vegetation.</i></p>	
<p>29. Weed Management</p> <p>Submit a Weed Management Plan prepared by a suitably qualified person for Council approval. The plan must include a site survey that identifies and prioritises invasive biosecurity matter and environmental weeds to prevent spread and introduction and the identification of roles and responsibilities and the timing of works of all stakeholders associated with implementing the Weed Management Plan.</p> <p>Provide vehicle wash down and inspection facilities for all machinery entering and leaving the site during works to reduce the spread of weed species in and out of the locality. The vehicle wash down and inspection facilities must be established for inspection at the Pre-start meeting and maintained throughout the construction stage of the development. Written certification of clean down and/or inspection of plant and equipment must be undertaken to ensure compliance.</p>	<p>Prior to the Issue of a Development Permit for Operational Work.</p>
<p>30. Threatened Species and Protected Plant Management Plan</p> <p>Submit a Threatened Species and Protected Plant Management Plan (TSPMP) for Council approval.</p> <p>The following species were recorded on the site during the assessment of the Preliminary Approval 8/30/277:</p> <ul style="list-style-type: none"> • Macleay's Fig Parrot (<i>Cyclopsitta diophthalma</i> 	<p>Prior to issue of a Development Permit for Operational Work.</p>

General Requirements	Timing
<p><i>macleayana</i>);</p> <ul style="list-style-type: none"> • Bare-rumped Sheathtail Bat (<i>Saccolaimus saccolaimus nudicluniatus</i>); and • Spectacled Flying Fox (<i>Pteropus conspicillatus</i>). <p>The TSMP must include, but not be limited to the following information for each of the listed species and any additional species found on site pursuant to a contemporary field assessment:</p> <ol style="list-style-type: none"> a. A description and identification on plan(s) of the areas of the site which the listed species utilise for breeding, nesting, foraging, movement and other such activities; b. Identification of potential threats to the listed species on the site; c. Identification of detailed management strategies and/or required actions to be implemented on the site for the ongoing protection of, and reduction in risk to the listed species. These may include, but not be limited recommendations regarding species to be used for rehabilitation on the land, identification of vegetation of significance to a particular species; d. Identification of timing, sequencing and staging of the management strategies and/or required actions for the listed species; and identification of roles and responsibilities for stakeholders involved in the management of the listed species. <p>The Threatened Species Management Plan must align with and be submitted in conjunction with the Detailed Landscape Plan and Weed Management Plan. The Threatened Species Management Plan must be prepared by a suitably qualified and experienced ecologist.</p>	
<p>31. Detailed Landscaping Plan</p> <p>Submit a Detailed Landscaping Plan to Council generally in accordance with The Palms Plan of Development, Balance Cairns Landscape Masterplan prepared by LA3, Open Space and Landscape Master Plan prepared by LandPlan Landscape Architecture, and the FNQROC Development Manual (Version 9), prepared by a suitably qualified Landscape Architect/Landscape Designer.</p> <p>The Detailed Landscaping Plan must align with the Operational Works Civil Works internal and external road design, services and infrastructure including although not limited to telecommunications, electricity, stormwater</p>	<p>Prior to the issue of a Development Permit for Operational Work (Civil Works) or Building Works.</p>

General Requirements	Timing
<p>water and sewer services.</p> <p>The Detailed Landscaping Plan must include the following at a minimum:</p> <ol style="list-style-type: none"> a. Details on a plan of site requirements including, existing vegetation and watercourses to be retained, proposed surface levels, internal and external road design, services, and infrastructure including although not limited to telecommunications, electricity, stormwater water and sewer services demonstrating no conflicts with the landscaping and the environmental areas and vegetation to be retained. b. Where any works are proposed to occur in the vicinity of vegetation and trees to be retained, in accordance with AS4970-2009, provide details of the natural and finished ground levels and associated construction work tree root exclusion zones. c. Details and specifications for the extent of works for all structures, fencing, retaining walls, entry features, fixtures and furniture, edging, irrigation system, raw materials. d. Detailed planting plan and schedule including species (botanical name and common name), supply quantity and container size, dimensions of planting beds, species locations for deep planting/screen planting, feature garden beds, container planting; revegetation, street trees, open space shade trees, grassing. e. Species must be selected to ensure overhanging branches within home sites, roads and footpaths is avoided at plant maturity. Appropriate setbacks from infrastructure and services must be demonstrated by providing tree species canopy widths. f. Street tree planting must be designed in accordance with the FNQROC Development Manual Landscaping Design Guidelines, Standard Drawing CRC- S4210 Street Tree Planting, and the Cairns Regional Council Specific Requirements Appendix D (Verge) Tree Species for public Landscaping. Native species are required for street tree planting. <p>The following proposed species are not approved street tree (verge) species:</p> <ol style="list-style-type: none"> i. <i>Brachychiton velutinosus</i> ii. <i>Lagerstroemia indica</i> 'Natchez' iii. <i>Lagerstroemia indica</i> 'Tuscarora' 	

General Requirements	Timing
<p>iv. Largerstroemia indica ‘Zuni’</p> <p>v. Syzygium aqueum</p> <p>g. Species for internal landscaping must not be species listed within the Cairns Regional Council Specific Requirements Appendix F Extended Environmental Weed List. <i>Alocasia macrorrhiza</i>, Giant taro is not approved. Landscaping species diversity must be increased in accordance with Appendix E to incorporated additional hardy tropical plants within the site landscaping.</p> <p>h. Details of the location of the Urban Waterway A trigger area including the location of the top of bank and the associated 10 metre vegetation buffer.</p> <p>i. Details and specifications for revegetation of the Urban Waterway A vegetation buffer area. A diverse large range of local endemic species are required for all areas adjacent to natural areas and for revegetation of waterway buffer area. Species shall be selected from the state approved Ecorex Species List - The Palms RMP and revegetation in accordance with the Cairns Regional Council Specific Requirements Natural Area Restoration and Revegetation.</p> <p>j. Details of areas required for revegetation to remnant status under Declared Area Notice (2020/013945).</p> <p>k. An individual detailed planting plan, schedule, and quadrant for the following vegetated buffer areas with reference to Response to Info Request prepared by Project Balance Cairns Issue B, Interface Sections:</p> <p>i. 3-metre-wide vegetated visual amenity buffer;</p> <p>ii. 3-metre-wide vegetated highway buffer and 3-metre-wide stormwater drain;</p> <p>iii. 6-metre-wide vegetated visual amenity buffer to exiting public road frontage;</p> <p>iv. Any revegetation planting for areas in addition to revegetation requirements under Declared Area Notice (2020/013945).</p> <p>l. Landscape Specification including description of overall scope for the landscaping work, revegetation and restoration including staging and timing, site preparation, protection measures for existing vegetation, protection slope and stabilisation measures, weed eradication, soil preparation, mulching.</p> <p>m. Details of replacement advanced native trees to replace mature vegetation on the site that is required to be removed for earthworks over the site.</p> <p>n. Maintenance schedule including maintenance</p>	

General Requirements	Timing
<p>monitoring, inspection and reporting, specified time periods and work requirements for routine maintenance over a period of a year once established outlining requirements and details for of pruning, trimming, weeding, re-mulching, soil amelioration.</p> <p>o. Details of protection measures (e.g. 150mm high vertical concrete kerb or similar) for landscaped areas adjoining parking and manoeuvring areas to ensure they are protected from vehicle encroachment.</p>	
<p>32. Statutory Covenant for Environmental Purpose</p> <p>A Statutory Covenant for the protection and preservation of flora and fauna must be registered over areas required to be revegetated to remnant status under Declared Area Notice (2020/013945) and areas associated with the Urban Waterway A trigger area including the vegetation buffer to provide for the ongoing protection of the land for that purpose. The covenant must include, but is not limited to, the following details:</p> <p>a. The total extent of the covenant area; b. A description and purpose of the covenant; c. The responsibilities and obligations of the covenantee relating to the ongoing management of the covenant area to achieve the purpose of the covenant; that the covenantor must not use the covenant area for the construction of improvements or erection of buildings or for the storage of materials; and</p> <p>Any works not in accordance with the covenant and/or approved Detailed Landscaping Plan must be supported by relevant plans and documentation and approved by Council.</p> <p>The Covenant and Covenant documents must be provided to Council for review and approval and must be registered prior to Council endorsing the Commencement of Use for the development.</p>	<p>As stated.</p>
<p>33. Vegetated Visual Amenity Buffer Strategy</p> <p>Prepare and submit a Vegetated Visual Amenity Buffer Strategy that aligns with the detailed landscape plan to be submitted and the approved Open Space and Landscape Master Plan prepared by LandPlan Landscape</p>	<p>Prior to the Issue of a Development Permit for Operational Work (Civil Works) or the</p>

General Requirements	Timing
<p>Architecture in respect of the buffers to be established adjacent to the external boundary of the land for that part of the land located within Precinct 3.</p> <p>The Strategy must provide detail with respect to the planting and maintenance regime required to successfully establish the designated buffer characteristics as follows:</p> <p>a. For Precinct 3, a 3m wide buffer that achieves a mature height of not less than 5m.</p> <p>The vegetated visual amenity buffers must be established prior to Council endorsing the Commencement of Use for the development.</p> <p>The strategy must detail the maintenance and management regime(s) that are to be implemented by the property owner(s) after certification of Commencement of use to ensure the visual amenity buffer establishes to maturity.</p> <p>The property owner(s) must ensure the approved landscaping is established and maintained for the life of the development.</p> <p><i>Note: A Rates Notation to this effect will be placed on the property file.</i></p>	<p>Commencement of any Building Works.</p>
<p>34. Landscaping Inspection</p> <p>Private Landscaping and Revegetation works must be inspected by Council prior to the Commencement of Use associated with the approved stage and always maintained in accordance with the approved Landscaping plan.</p> <p>Public Landscaping must be inspected at Works Acceptance and is subject to a minimum twelve (12) month establishment and maintenance period prior to Final Works Acceptance to the satisfaction of Council or as otherwise agreed in writing by Council.</p> <p>Any changes to the landscape planting must be noted (preferably in red ink) and submitted as an amendment at the time of requesting Inspection and so that Council has an accordance record of as-constructed drawings.</p> <p><i>Note: Amended plans must be submitted to planningadmin@cairns.qld.gov.au.</i></p>	<p>As stated.</p>

General Requirements	Timing
<p>35. Statutory Covenant for Vegetated Visual Amenity Buffer</p> <p>A Statutory Covenant for the Vegetated Visual Amenity Buffer must be registered over the home sites that adjoin external sensitive land uses to provide for the ongoing protection of the land for that purpose. The covenant must include, but is not limited to, the following details:</p> <ul style="list-style-type: none"> a. The total extent of the covenant area for a 3m wide area in accordance with the approved Proposed Master Plan, Issue B, dated 18 March 2024 and prepared by BDA Architecture; b. A description and purpose of the covenant; c. The responsibilities and obligations of the covenantee relating to the ongoing management of the covenant area to achieve the purpose of the covenant; that the covenantor must not use the covenant area for the construction of improvements or erection of buildings or for the storage of materials; and d. All works must align with the Vegetated Visual Amenity Buffer Strategy. <p>Any works not in accordance with the covenant and/or strategy must be supported by relevant plans and documentation and approved by Council.</p> <p>The Covenant and Covenant documents must be provided to Council for review and approval and must be registered prior to Council approval of the Plan of Subdivision.</p>	<p>As stated.</p>
<p>36. Drainage Easement</p> <p>An easement in favour of upstream properties with a width that must contain the 1% AEP defined inundation event from the upstream catchment or be three (3) metre wide, whichever is greater.</p> <p>Maintenance of the easement within the property is the responsibility of the property owner.</p> <p>The easement documents required must be:</p> <ul style="list-style-type: none"> a. In the approved form (Form 9) for lodgement to the Titles Registry; b. Executed by each relevant landowner; and c. Endorsed by Council prior to Commencement of Use for the relevant aspect of the development. 	<p>Prior to Commencement of Use of the first home site.</p>

General Requirements		Timing
37.	<p>Extension to Reefsedge Way</p> <p>Extend Reefsedge Way from the end of the existing road associated with Stage 4 of 'The Palms' development to a point where it is capable of servicing development access in the Northern Precinct associated with Stage 4.</p>	Prior to Commencement of Stage 4.
38.	<p>Sediment and Erosion Control</p> <p>Soil and water management measures must be installed / implemented prior to discharge of water from the site, such that no external stormwater flow from the site adversely affects surrounding or downstream properties (in accordance with the requirements of the Best Practice Erosion & Sediment Control IECA 2008, <i>Environmental Protection Act 1994</i> and the FNQROC Development Manual).</p>	Prior to Commencement of Works.
39.	<p>Refuse Collection Other</p> <p>The development must be designed to be serviced by private bulk bin collection for both waste and recycling.</p> <p>A roofed bin enclosure must be provided in accordance with Council's requirements and waste contractors requirements.</p> <p>Details of the location of the bin enclosure must be shown on the plan of works and must be approved by Council.</p> <p>The bin enclosure must be constructed in accordance with the approved plan(s).</p> <p>All works must be carried out in accordance with the approved plan(s), to the requirements and satisfaction of Council.</p>	Prior to Commencement of Use.
40.	<p>Electricity Supply</p> <p>An underground electricity reticulation supply must be provided to each lot in accordance with the requirements of Ergon Energy, the Queensland Electricity Connection Manual and AS/NZS 3000 Electrical installation – Wiring Rules Standard.</p> <p>The Applicant is to maintain all private infrastructure for the entire development's life.</p> <p>Any existing overhead electricity reticulation within the</p>	Prior to Commencement of Use.

General Requirements	Timing
development must be recovered or placed underground.	
<p>41. Electrical Design</p> <p>The development's internal underground electricity reticulation network must be designed and certified by a suitably qualified RPEQ electrical engineer.</p> <p>Ergon Energy's external electricity reticulation supplying the development must be underground designed in accordance with the requirements of Section D8.04 and Section D8.06 of the FNQROC Development Manual.</p>	<p>Prior to Commencement of Use.</p>
<p>42. Electrical Transformer</p> <p>As required by the development's electricity supply requirements, a padmount transformer must be installed on site and positioned in accordance with the following requirements:</p> <ol style="list-style-type: none"> a. not located on land used for open space or sport and recreation purposes; b. screened from view by landscaping, sightscreens and/or fencing; c. accessible for maintenance in accordance with the relevant utility provider; d. must be located clear of footpaths; e. must not be located over existing infrastructure. 	<p>Prior to Commencement of Use.</p>
<p>43. Telecommunications Services</p> <p>The development must be connected to the telecommunications network in accordance with section D8.05 of the FNQROC Development Manual.</p>	<p>Prior to Commencement of Use.</p>
<p>44. Evidence of Electrical and Telecommunication Connection</p> <p>Provide Council with evidence of the agreement to provide an electricity supply and telecommunication services for each new lot shown on the approved plan.</p>	<p>Prior to Commencement of Use.</p>
<p>45. Internal Street Lighting</p> <p>Provide street lighting designed in accordance with the Light Technical Parameters specified in the Road Lighting Standard AS/NZS 1158 for all internal roads.</p> <p>If non-compliant with the Road Lighting Standard provide Council with a statement prepared by a suitably qualified</p>	<p>Prior to Commencement of Use.</p>

General Requirements	Timing
<p>RPEQ stating the street lighting design is of a suitable and safe standard for the development.</p> <p>Applicant is to maintain all private electrical and street lighting infrastructure for the entire development's life.</p>	
<p>46. Public Street Lighting</p> <p>The existing Rate 2 street lighting scheme on Entrance Road is to be reconfigured for the addition of bus stops and new entrance intersections to the development.</p> <p>a. Provide an amended street lighting design for Entrance Road that is compliant with the relevant current Road Lighting Standard AS/NZS 1158 and the FNQROC Development Manual. The Rate 2 lighting scheme must be certified by a suitably qualified electrical/lighting Registered Professional Engineer Queensland.</p> <p>b. The application must include evidence in the form of detailed plans which show the locations of all existing and approved civil infrastructure, including water, sewer, drainage, road, footpaths and any existing or proposed telecommunication, lighting and electrical services.</p> <p>c. Additional lighting must be provided at a designated bus stop facility and the design must include the entry and exit lengths of the bus stop and entrance road intersections;</p> <p>d. The lighting scheme must be approved by Council prior to the issue of a Development Permit for Operational Work;</p> <p>e. All new lighting columns are to be of steel construction with LED luminaires installed at a zero-degree upcast and have an underground service.</p> <p>The approved street lighting scheme must be fully constructed and operational prior to completion of the retirement facility.</p>	<p>Prior to the issue of a Development Permit for Operational Works.</p>
<p>47. Offsets for Electrical and Telecommunication Services</p> <p>All electrical and telecommunication services outside the development must be located within the road reserve at a distance of 0.3m – 1.2m from the property boundary, unless otherwise approved.</p>	<p>At all times.</p>

General Requirements	Timing
<p>48. Liquid Waste Disposal</p> <p>Trade waste discharge to sewer must meet the requirements of Cairns Infrastructure and Assets' Trade Waste Environmental Management Plan (TWEMP).</p> <p>Detailed Hydraulic Plan(s) must be provided accompanied by a report which demonstrates that the facility complies with the TWEMP and must be approved by Council prior to the issue of a Development Permit for Building Work.</p> <p>All measures for pre-treatment in accordance with the approved plan(s) must be installed prior to Commencement of Use.</p>	As stated.
<p>49. Crime Prevention Through Environmental Design</p> <p>All lighting and landscaping requirements are to comply with Council's Planning Scheme Policy for Crime Prevention Through Environmental Design (CPTED).</p>	At all times.
<p>50. Screening of Air Conditioning and other Plant Enclosures</p> <p>Install and maintain suitable screening to all air conditioning, plant and services located on the external face of each building. The screening structures must be constructed from materials that are consistent with materials on the building.</p>	At all times and prior to Commencement of Use.
<p>51. Construction Management Plan</p> <p>A Construction Management Plan (CMP) must be submitted to, and endorsed by Council prior to the issue of the first Development Permit for Building Work. The Construction Management Plan must address all activities/operations associated with construction including, but not limited to:</p> <ul style="list-style-type: none"> a. Hours of construction; b. Construction access; c. Parking of vehicles (including construction site employees and delivery vehicles); d. Traffic management and control (including loading and unloading); e. Maintenance of safe pedestrian access across the site's frontage (including access by persons with a disability); f. Building and demolition waste storage and disposal; g. On-site dust and noise management, so as to not cause a nuisance to the amenity of the surrounding area; h. Tree protection management; and 	Prior to Works Commencing.

General Requirements	Timing
<p>i. Location and details of construction signage including any signage that is to be illuminated.</p> <p>The endorsed Construction Management Plan must be complied with and a copy kept on site at all times during construction of the development. The CMP must identify the need for and timing on obtaining any necessary permits required for any proposed temporary road closures.</p>	
<p>52. Construction Signage</p> <p>Prior to the commencement of any construction works associated with the development, a sign detailing the project team must be placed on the road frontage of the site and must be located in a prominent position. The sign must remain in place for the duration of construction activities.</p> <p>The sign must detail the relevant project coordinator for the works being undertaken on the site, and must list the following parties (where relevant) including telephone contacts:</p> <ul style="list-style-type: none"> a. Developer; b. Project Coordinator; c. Architect / Building Designer; d. Builder; e. Civil Engineer; f. Civil Contractor; g. Landscape Architect 	<p>Prior to Works Commencing.</p>
<p>53. Stormwater Design</p> <p>Prepare and provide to Council for endorsement an RPEQ (Stormwater) certification, with supporting information including a review of the local flood and drainage information currently available from Council (as a minimum this must include existing local drainage studies prepared for adjoining subdivisions and any new modelling available from Council and any internal and external works proposed), that the development is designed to provide immunity to the Defined Inundation Event, 1% AEP plus a freeboard of 300mm.</p> <p>Reference must be made to the original stormwater management plan and advice provided to Council if the design deviates from the intent of the stormwater management plan.</p>	<p>Prior to Commencement of Work.</p>

General Requirements		Timing
54.	<p>CCTV Stormwater</p> <p>A CCTV inspection must be undertaken for all as-constructed stormwater work under this Development Permit. A Consulting Engineering who is a Registered Professional Engineer Queensland (RPEQ) is to assess the CCTV footage and prepare a report on the condition of as-constructed stormwater. The report must be provided to and endorsed by Council and any rectification work must be fully completed.</p>	Prior to Commencement of Use.
55.	<p>Private Drainage Assets</p> <p>All rear allotment drainage pits and associated pipework contained within the lot boundaries of this development site must be private infrastructure and must not become an asset of Council.</p>	At all times.
56.	<p>Existing Creek and Drainage Areas</p> <p>Existing creek systems and drainage areas must be left in their current state, including no channel alterations and no removal of vegetation, unless otherwise approved.</p> <p>Adequate offset is to be provided to the existing creek top of bank in accordance with the planning scheme.</p>	At all times.
57.	<p>Minimum Fill and Floor Levels</p> <p>All finished floor levels of all habitable areas must be a minimum of 300mm above the 1% AEP defined inundation event.</p> <p><i>Note: Reference must be made to the Hydraulic Impact Assessment (Report No. MIS-0503, Rev 3, dated 22.10.19 prepared by Premise Water) in accordance with the Conditions of the Preliminary Approval.</i></p>	At all times.
58.	<p>Stormwater Quality</p> <p>The stormwater quality improvement devices proposed on the approved Site Based Stormwater Quality Management Plan, Issue 2, dated 13 March 2024 and prepared by Trinity Engineering and Consulting are to be implemented as required throughout the duration of the development.</p>	At all times.
59.	<p>Outlet Protection</p> <p>All stormwater outlets must have protection in</p>	Prior to Works Acceptance.

General Requirements	Timing
<p>accordance with Section D4.20 of the FNQROC Development Manual.</p>	
<p>60. Inspection of Sewers</p> <p>CCTV inspections of all constructed sewers must be undertaken.</p> <p>An assessment of the CCTV records must be undertaken by a suitably qualified person and a report along with the footage submitted to Council for review.</p> <p>Identified defects are to be rectified to the satisfaction of Council at no cost to Council. CCTV Report – Sewer</p> <p>The CCTV report, video files and a digital file with coding information (WinCan format), must be submitted during Work Acceptance Submission in accordance with the clause S6.29 (3) FNQROC Development Manual.</p>	<p>Prior to Works Acceptance.</p>
<p>61. Updated Road Traffic Noise Assessment Report</p> <p>Submit an updated Road Traffic Noise Assessment Report that reflects the approved layout.</p> <p><i>Note: Any amended Road Traffic Noise Assessment Report may need to be re-submitted to SARA for review and approval as this report is referenced in their conditions of approval.</i></p>	<p>Prior to Commencement of Work.</p>
<p>62. Acid Sulfate Soils Investigation</p> <p>Prepare an Acid Sulfate Soil Management Plan. The Acid Sulfate Soils Management Plan must be prepared and certified by a suitably qualified professional and a copy provided to Council prior to commencement of works and in conjunction with the Construction Management Plan. The applicant must implement the Acid Sulfate Soils Management Plan during construction works for the respective stage, to the satisfaction of Council.</p>	<p>As stated.</p>
<p>63. Reinstatement of Verge</p> <p>All land adjacent to the new internal private road access in the road verge which is disturbed as a consequence of creating the access, including the existing kerb and channel, footway or roadway, must be reinstated to its pre-works condition.</p>	<p>Prior to Commencement of Use;</p> <p>and</p> <p>Prior to the Works</p>

General Requirements		Timing
		Acceptance and the Final Works Acceptance.
64.	<p>Damage to Infrastructure and Land</p> <p>Where any part of Council’s existing infrastructure or land is damaged as a result of construction activities occurring on the land, including but not limited to; mobilisation of heavy construction equipment, stripping, grubbing and vegetation damage, notify Council immediately of the affected infrastructure or land and have it repaired, replaced or reinstated at no cost to Council.</p>	At all times and prior to Commencement of Use.

65.	<p>External Site Active Transport Connectivity</p> <p>In lieu of providing the pedestrian connection at the Deep Creek crossing outlined within the Preliminary Approval, provide to Council for endorsement an updated Pedestrian and Cycle Masterplan that ensures the site is connected and legible to active transport networks external to the site.</p> <p>The updated plan must:</p> <ol style="list-style-type: none"> Address the connectivity issues outlined within the original Pedestrian and Cycle Masterplan and Overall Masterplan within Preliminary Approval ref: 8/30/277; Align with the approved plans and conditions of the Preliminary Approval (8/30/277); and Remain consistent with the existing and planned active transport networks within the locality. 	Prior to the issue of a Development Permit for Operational Works.
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PART B: INFRASTRUCTURE CHARGES

- That an Infrastructure Charges Notice is issued for the development.

PART C: REFERRAL AGENCY RESPONSE

Referral Agency	Referral Agency Reference	Date	Council Electronic Reference
SARA	2310-37525 SRA	17 May 2024	#7400103
Ergon Energy	14667700-18920650	5 April 2024	#7395544

Refer to Attachment 3: Referral Agency Requirements. (Please note that these conditions / requirements may be superseded by subsequent negotiations with the relevant referral agencies).

PART D: RATES NOTATIONS

1. The following attributes are notated to the site as follows:

A Vegetated Visual Amenity buffer must be established at the rear of all home sites that adjoin external sensitive land uses, in accordance with the Proposed Master Plan, Issue B, dated 18 March 2024, prepared by BDA Architecture. These vegetated visual amenity buffer areas must be maintained for the life of the development.

2. Statutory Covenant for Environmental Purposes

A Statutory Covenant for Environmental Purposes (under the *Land Title Act 1994* (Qld)) is registered on the title of the lot. There are development approval conditions applicable in relation to the establishment and management of the covenant area. All property owner(s) must ensure compliance with the approved Covenant and relevant conditions of approval. All property owner(s) must ensure compliance with these conditions. Refer to Council's Decision Notice (8/8/1651) (online reference: 12549/2023). A copy of Council's Decision Notice is available for viewing and download on Council's website www.cairns.qld.gov.au.

ADVICE

1.	<p>Planning Laws</p> <p>Information relating to the <i>Planning Act 2016</i> (Qld), <i>Planning Regulation 2017</i> (Qld) and Development Assessment Rules is located on the Queensland Government's planning website.</p>
2.	<p>Definitions</p> <p>All terms used in this development approval have those definitions as defined under the <i>Planning Act 2016</i> (Qld) and <i>Planning Regulation 2017</i> (Qld) (as at the date of the approval), Queensland Development Code and CairnsPlan 2016.</p> <p>To the extent of any inconsistency, the order of precedence of the above instruments is as follows:</p> <ol style="list-style-type: none"> <i>Planning Act 2016</i> (Qld); <i>Planning Regulation 2017</i> (Qld); Queensland Development Code; CairnsPlan 2016; and FNQROC Development Manual.
3.	<p>FNQROC Regional Development Manual</p> <p>Access to FNQROC Development Manual, Local Laws, CairnsPlan 2016 and other referenced planning scheme policies are located on Council's</p>

	<p>website – www.cairns.qld.gov.au.</p>
4.	<p>Infrastructure Charges Notice</p> <p>A charge levied for the supply of trunk infrastructure is payable to Council in accordance with Council’s Infrastructure Charges Resolution No. 2 of 2021 and the Infrastructure Charges Notice, a copy of which is attached for reference purposes only.</p> <p>The original Infrastructure Charges Notice will be provided under cover of a separate letter.</p> <p>The amount in the Infrastructure Charges Notice has been calculated according to Council’s Infrastructure Charges Resolution.</p> <p>Please note that this Decision Notice and the Infrastructure Charges Notice are stand-alone documents. The <i>Planning Act 2016</i> (Qld) confers rights to make representations and appeal in relation to a Decision Notice and an Infrastructure Charges Notice separately.</p> <p>The amount in the Infrastructure Charges Notice is subject to index adjustments and may differ at the time of payment. Please contact Council’s Development Assessment Team for review of the charge amount prior to payment.</p> <p>The time when payment is due is contained within the Infrastructure Charges Notice.</p>
5.	<p>Removal of Protected Vegetation</p> <p>This development approval does not approve or authorise the removal of vegetation that is otherwise protected under separate State or Federal legislation, including under the following:</p> <ol style="list-style-type: none"> a. <i>Environment Protection and Biodiversity Conservation Act 1999</i> (Cth); b. <i>Nature Conservation Act 1999</i> (Qld); and c. <i>Vegetation Management Act 1999</i> (Qld). <p>For further information see: https://www.qld.gov.au/environment/land/management/vegetation/damage.</p>
6.	<p>Native Wildlife</p> <p>Prior to any vegetation damage, an inspection to determine the possible presence of native wildlife and animal breeding places must be undertaken by a suitably qualified and experienced spotter/catcher. The assessment must include the identification of any breeding places for any Endangered/Vulnerable or Near Threatened animal species, special least concern or colonial breeding species prior to the removal of any trees and/or vegetation as per the requirements of section 332 of the <i>Nature</i></p>

	<p>Conservation (Wildlife Management) Regulation 2006 (Qld). The Department of Environment and Science must be contacted where any Endangered, Vulnerable or Near Threatened native wildlife is found to be present in any area subject to works.</p>
7.	<p>Yellow Crazy Ants</p> <p>Yellow crazy ants are designated as invasive biosecurity matter under the <i>Biosecurity Act 2014 (Qld)</i>. All parties (whether landholders or not) are required to take all reasonable measures to prevent the movement of yellow crazy ants. This includes restrictions on the movement of any materials deemed to be infested with yellow crazy ants. For further information contact the Department of Environment and Science – https://www.daf.qld.gov.au/business-priorities/biosecurity/policy-legislation-regulation/biosecurity-act-2014/biosecurity-matter-report/restricted-matter.</p>
8.	<p>Electric Ant Quarantine Area</p> <p>The <i>Biosecurity Act 2014 (Qld)</i> and the <i>Biosecurity Regulation 2016 (Qld)</i> places restrictions on the movement of electric ants and “high risk items” within and out of the zone, and places certain obligations and restrictions on landowners within the zone. For further information consult the following website – https://www.business.qld.gov.au/industries/farms-fishing-forestry/agriculture/land-management/health-pests-weeds-diseases/pests/electric-ants/movement-controls.</p>
9.	<p>Environmental Nuisance</p> <p>Construction or operational activities, including but not limited to, the operation of mechanical plant and equipment, must not cause an ‘environmental nuisance’ within the meaning of the <i>Environmental Protection Act 1994 (Qld)</i> to any sensitive receptor as stated within Schedule 1 of the <i>Environmental Protection (Noise) Policy 2019 (Qld)</i>.</p> <p>Noise from air-conditioning units, swimming and spa pool filters, service equipment or other mechanical equipment must not emanate from the subject land to a degree that would in the opinion of an Authorised Person (officer) of Council, create an environmental nuisance having regard to the provisions of Chapter 8 Part 3B of the <i>Environmental Protection Act 1994 (Qld)</i>.</p>
10.	<p>Cyclone Watch Site Management</p> <p>All building site managers must take all action necessary to ensure building materials and/or machinery on construction sites are secured immediately following the first cyclone watch and that relevant emergency telephone contacts are provided to Council Officers, prior to commencement of works.</p>

LAND USE DEFINITIONS*

In accordance with Schedule 24 of the *Planning Regulation 2017*, and CairnsPlan 2016 the approved land use of Retirement Facility is defined as:

“Retirement facility means a residential use of premises for –

- (a) accommodation for older members of the community, or retired persons, in independent living units or serviced units; or
- (b) amenity and community facilities, a manager’s residence, health care and support services, preparing food and drink or staff accommodation, if the use is ancillary to the use in paragraph (a).”

*This definition is provided for convenience only. This Development Permit is limited to the specifications, facts and circumstances as set out in the application submitted to Council and is subject to the abovementioned conditions of approval and the requirements of Council’s Planning

carried unanimously

**16. FINANCIAL ASSISTANCE FOR NOT FOR PROFIT ORGANISATION
– FEES AND CHARGES FOR PYRAMID RESIDENTIAL CARE
CENTRE INCORPORATED FOR THE DISCRETIONARY FULL
WAIVER OF LEVIED CHARGES FOR AN EXTENSION TO
EXISTING RETIREMENT VILLAGE AT 65-97 CAIRNS ROAD,
GORDONVALE DIVISION 1 538
8/8/1163 | #7424803**

Cr Moller left the meeting 2:46 p.m.

PYNE / TICKER

That Council:

1. Enters into an Infrastructure Agreement with Pyramid Residential Care Centre Incorporated for a partial waiver of levied charges to the sum of \$497,946 associated with Stages 1 and 2 of the Approved Development in accordance with the Financial Assistance For Not For Profit Organisations – Fees & Charges General Policy; and
2. Delegates authority to the Chief Executive Officer in accordance with the *Local Government Act 2009* (Qld) to enter into contracts, negotiate, finalise, and execute any and all matters associated with the Infrastructure Agreement with Pyramid Residential Care Centre Incorporated on the basis outlined within the report, including any amendments as agreed by the parties.

carried unanimously

Cr Moller returned 2.49 p.m.

**17. FINANCIAL PERFORMANCE REPORT FOR THE PERIOD ENDED
31 MAY 2024..... 549**
63/17/2-01 | #7424424

COGHLAN / TICKNER

That Council notes the financial performance report for the period ended 31 May 2024.

carried unanimously

BUSINESS NOT ON THE AGENDA

- 1. CONGRATULATIONS ON IRONMAN EVENT LAST WEEKEND.**
- 2. CONGRATULATIONS TO A MOORE FOR WORK DONE WITH THE RSPCA.**

There are two items in closed session. These items relate to budgetary matters.

Can I please have a mover and a seconder to move into Closed Session under Section 254J(3)(c) of the Local Government Regulations 2012.

CLOSED SESSION

COGHLAN / OLDS

COUNCIL RESOLVED TO GO INTO CLOSED SESSION TO DISCUSS THE FOLLOWING MATTERS AS LISTED IN THE AGENDA:

- 1. BUDGETARY MATTER – OUTSTANDING DEBT REPORT 3**
63/8/31-01 | #7421172v1
- 2. BUDGETARY MATTER – SALE OF LAND FOR OVERDUE RATES . 3**
63/8/31-01 | #7431014

carried unanimously

OUT OF CLOSED SESSION

COUNCIL RESOLVED TO MOVE OUT OF CLOSED SESSION

OLDS / TICKNER

carried unanimously

RESOLUTIONS ARISING FROM MATTERS DISCUSSED IN CLOSED SESSION.

1. BUDGETARY MATTER – OUTSTANDING DEBT REPORT 3 **63/8/31-01 | #7421172v1**

MOLLER / COGHLAN

1. That Council notes the status of the outstanding debt owed to Council as at 31 May 2024; and
2. Approves the write-off of:
 - a. \$145,412.10 for Regulated Parking Infringement Notice fines issued to 31 May 2024 that are considered unrecoverable; and
 - b. \$156,179.25 for Regulated Parking Infringement Notice fines that have been issued prior to 30 June 2019 and sent to the State Penalties Enforcement Registry and now considered unlikely to be recovered.
 - c. \$65,142.24 for Animals Infringement Notice fines that have been issued prior to 30 June 2019 and sent to the State Penalties Enforcement Registry and now considered unlikely to be recovered.
 - d. \$6,435.55 relates to 20 animal infringements issued to 9 October 2023 that are considered unrecoverable.

carried unanimously

2. BUDGETARY MATTER – SALE OF LAND FOR OVERDUE RATES. 3 **63/8/31-01 | #7431014**

COGHLAN / TICKNER

That Council:

1. Resolves to sell the following properties in accordance with the *Local Government Regulation 2012; Chapter 4, Part 12, Division 3, Selling or*

Acquiring Land for Overdue Rates and Charges and Council’s Debt Recovery Policy; and

- 2. Approves the properties as tabled below to be issued with Notices of Intention to Sell and delegates authority to the Chief Executive Officer in accordance with the *Local Government Act 2009* to negotiate, finalise, cease or execute any and all matters relevant to the process of sale or acquisition:

427492	335430	960732	146647
428789	763748	582924	488890
429324	129908	632331	497131
1012103	304295	777540	539783
818773	749515	975870	997288
330555	244004	995852	479485
332494	260232	141788	

carried unanimously

THE MEETING CLOSED AT 2:56 PM

CONFIRMED THIS DAY OF 2024

.....
MAYOR

.....
ACTING CHIEF EXECUTIVE OFFICER