

**CAIRNS CITY COUNCIL**

**MINUTES**

**CAIRNSPLAN**

**SPECIAL MEETING**

**13 MAY 2004**

**COMMENCING AT 9 AM**

PRESENT: Councillor A Blake  
Councillor S Bonneau  
Councillor K Byrne (Chairperson)  
Councillor M Cochrane  
Councillor D Ford  
Councillor P Freebody  
Councillor P Gregory  
Councillor T James  
Councillor F Lindsay  
Councillor J Pezzutti  
Councillor K Plath  
Councillor A Sheppard

APOLOGY: Councillor M Gill

OFFICERS:

D Farmer	Chief Executive Officer
P Tabulo	General Manager City Development
N Huddy	Manager City Assessment
D Wellington	Team Leader Strategic Land Use Planning
G Schofield	Manager Media & Public Relations
D Quick	Executive Assistant to the Mayor
S Shearer	Secretary

## **APOLOGY**

**Council Notes the apology of Councillor Gill and in accordance with Section 252 (1) (b) of the Local Government Act, Council grants leave of absence.**

## **PURPOSE OF MEETING**

To consider the matters listed on the agenda and any matters considered to be of an urgent nature.

- 1. CAIRNSPLAN REPORT ON SUBMISSIONS RECEIVED DURING THE CONSULTATION PERIOD PART A - PROFORMA SUBMISSIONS** **1 - 85**  
**Deborah Wellington:8/26/5-05:#782245**

## **SHEPPARD / LINDSAY**

**That in addition to the itemised recommendations contained in this report, it is recommended that:**

- 1. Multi-unit housing be a minimum of Code Assessable in the Residential 2 Planning Areas, and where it is already impact assessable, it remains impact assessable.**
- 2. A separate report be provided to Council, with a view to having the following incorporated into CairnsPlan prior to adoption by Council:**
  - a. The Residential 2 Planning Area Code be reviewed to incorporate character and amenity elements and parameters for achieving a mix of housing types;**
  - b. The Multi Unit Housing Code be reviewed to incorporate provisions relating to character, streetscape, privacy and access to sunlight. In particular, the Brisbane City Council City Plan Multi-Unit Housing Code shall be used as a guide;**
  - c. Further consideration be given to how residential densities are applied. In particular, the CairnsPlan increases densities without any corresponding changes to the development requirements, this increase in density also provides an excellent opportunity to introduce a bonus system for developments incorporating desirable environmental and amenity elements.**
- 3. A Small Lot Housing Code be developed within the next 12 – 24 months, using the Brisbane City Council City Plan code as a guideline.**

**Advice**

**That the recommendations above, be incorporated as advice statements into responses to relevant submissions below.**

*carried*

**BONNEAU / COCHRANE**

**Recommendation No. 1**

- 1. That the Education Queensland land located at Poolwood Road, Kewarra Beach and described as Lot 8 on Plan C84351 be designated as a 'community facility', and the Residential 2 Planning Area designation be removed.**
- 2. That the recommendations 1, 2 & 3 contained at the start of this report be included as an advice statement in the response letter to the submitters.**

*carried*

**BONNEAU / COCHRANE**

**Recommendation No. 2**

- 1. That there be no change to the Planning Area Residential 2 for Lots 18 and 19 RP718406, located at Poolwood Road, Kewarra Beach.**
- 2. That the recommendations 1, 2 & 3 contained at the start of this report be included as an advice statement in the response letter to the submitters.**

*carried*

**BONNEAU / SHEPPARD**

**Recommendation No 3a & 3b – Division 11**

- 1. a. That part of 33-41 Cedar Road, Palm Cove, described as Lot 1 RP 722991 be excluded from the Tourist and Residential Planning Area and included in the Residential 2 Planning Area, generally in accordance with the diagram below. The area shall generally follow the alignment from Oliva Street across to Coral Coast Drive, with a slight bend towards the west.**

- b. That the planning area for the balance of Lot 1 RP722991 be changed from Tourist and Residential to Residential 1.**
- 2. That the landowner be advised that Council is prepared to further consider a proposal for a Local Centre designation over the eastern part of the site, however any further consideration would be subject to a Material Change of Use (Impact) application that amongst other things, specifically address:**
  - a. Overall population density for the site;**
  - b. Traffic, access and parking;**
  - c. The facilities and services proposed to be included in the local centre, and the need for these services in the locality;**
  - d. Environmental matters including drainage and vegetation retention.**
- 3. That the owner of 33-41 Cedar Road, Palm Cove, described as Lot 1 RP 722991 be advised of this decision.**
- 4. The 75 submitters in relation to the 33-41 Cedar Road, Palm Cove, described as Lot 1 RP 722991 be advised of this decision.**

*carried*

## **BONNEAU / COCHRANE**

### **Recommendation No. 4**

- 1. That there be no change to the Residential 2 Planning Area for Lot 1 RP732379.**
- 2. That land located at Linden Street, Clifton Beach, described as Lot 1 RP734974 & Lot 54 RP738906, be included in the Residential 1 Planning Area. With the exception of the land shown as park (on Drawing No. 31004/003 issue (H) dated 17 December 2003 prepared by Brazier Motti) which shall be included in the Conservation Planning Area.**

*carried with Councillor Freebody requesting that he be recorded as voting against the motion*

## **COCHRANE / SHEPPARD**

### **Recommendation No. 5a & 5b**

- 1. That the area designated as Industrial be changed to commercial.**

2. That the code for character and amenity – business and commercial be reviewed and amended to incorporate concerns highlighted in this and other submissions.
3. That the code for sub-regional centres be reviewed and amended to incorporate concerns highlighted in this and other submissions.
4. That an integrated local area plan for Smithfield be undertaken in the next 12 months, and include a Master Plan for the Smithfield sub-regional centre.

**Advice**

In accordance with a separate resolution of Council, the Bird Strike Hazard Overlay should be amended to limit it to those land uses with the potential to attract birds or bats as set out in the State Planning Policy. The conversion table will also be reviewed to make it clear where the relevant overlays increase the level of assessment.

*carried*

**SHEPPARD / BONNEAU**

**Recommendation No. 6a & 6b**

That the reconfiguration of a lot code be amended so that the minimum lot size for the Low Density Residential Planning Area is 4000 square metres in all districts.

*carried*

**PLATH / COCHRANE**

**Recommendation No. 7 – Division 5**

That the Planning Area for Lot 20 RP706600, known as West Barlow Park remain as Sport and Recreation.

*carried*

PEZZUTTI / FREEBODY

**Recommendation No. 8a**

1. That the Planning Area for the balance of Mt Sheridan Plaza described as Lot 4 SP136776 be changed from Residential 3 to District Centre.
2. That detailed investigation be undertaken for the Edmonton Business and Industry Precinct within the next 12-24 months and recommendations be incorporated in the CairnsPlan as part of a future review, and that the submissions relating to the Edmonton Business and Industry Precinct be taken into consideration at this time.

*carried*

PEZZUTTI / FREEBODY

**Recommendation No. 8b**

**That the Planning Area for the balance of Mt Sheridan Plaza Lot 4 SP136776 be changed from Residential 3 to District Centre.**

*carried*

LINDSAY / PEZZUTTI

**Recommendation No. 9a & 9b**

**That the following lots remain in the Rural 2 Planning Area within the Rural Lands District Plan:**

**Lot 2 RP851419  
Lot 2 & 3 SP126545 and Lot 2 RP802254  
Lots 3 and 7 RP704171 and Lot 1 NR3114  
Lots 2 & 3 RP887247.**

*carried*

LINDSAY / PEZZUTTI

**Recommendation 9c**

1. That a review of the wording of 'Section 1.4.3 Development Sequence' be undertaken with respect of the timing of development in the Edmonton-Gordonvale locality. The recommended changes shall be provided to Council for consideration, prior to the adoption of CairnsPlan.
2. That the Planning Area for Lot 31 SP118090 remain as Rural 2.

*carried*

PEZZUTTI / FREEBODY

**Recommendation No. 10 – Division 1**

That Lot 21 and 22 SP 116176 and Lots 1 and 2 NR5067 be included in the Low Density Residential Planning Area.

*carried*

LINDSAY / PEZZUTTI

**Recommendation No. 11a**

That for Lot 11 NR7225 amend the Planning Area designation in accordance with the future reconfiguration layout provided by Brazier Motti (Plan No. 30928/002).

*carried*

LINDSAY / PEZZUTTI

**Recommendation No. 11b**

That the Planning Area for Lot 1 on RP732481 be changed from Rural 1 to Residential 1.

*carried*

LINDSAY / PEZZUTTI

**Recommendation No. 11c**

**That the Bramston Beach Association looks at a more permanent solution to the boat ramp issue. A possible solution would be to construct a new boat ramp on the beach, north of the northern groyne.**

*carried*

LINDSAY / PEZZUTTI

**Recommendation 11d**

- 1. That the following words be included in Section 3.18.1 Rural Lands District – Description and Intent:**

**“Bramston Beach should ideally retain the quiet and peaceful village atmosphere that exists at present, reflecting the current primarily residential use. Future developments, both tourist and residential, should ideally complement the architectural style and character of the area, in terms of building form, scale, materials and fencing. All proposed development must have low environmental and visual impact. Significant existing vegetation along the beachfront should be retained and enhanced by tropical landscaping on both public and private gardens.”**

- 2. That the following code be added to the Rural Lands District:**

**Character**

<b>PERFORMANCE CRITERIA</b>	<b>ACCEPTABLE MEASURES</b>
<b>P1. Development of residential housing at Bramston beach must complement the architectural style and character of the area, in terms of building form, scale, materials and fences.</b>	<b>A1.1 Building height is not more than 7.5 metres with dwellings forming part of the existing low-set streetscape. AND A1.2 External building materials should complement the surrounding area’s built form. Materials should include; but are not limited to painted masonry, weather-board or custom-orb profile metal to all wall surfaces and metal sheeting for the roof. AND A1.3 Fencing where essential must be low key, not visually prominent and integrate elements of the low-key nature of the locality.</b>

### Site Coverage

PERFORMANCE CRITERIA	ACCEPTABLE MEASURES
P1. Dwellings are to be of a size and bulk generally consistent with the low density nature of the locality.	A1.1 Gross floor area is no more than 0.5 times the site area. AND A1.2 The site area is a minimum of 600m <sup>2</sup> and has a minimum frontage of 15m.

### Building Setbacks

PERFORMANCE CRITERIA	ACCEPTABLE MEASURES
P1. Buildings must be set back to: Maintain the character of the residential neighbourhood Achieve separation from neighbouring buildings and from road frontages.	A1.1 Setbacks from the road frontages and from the side and rear boundaries are in accordance with the Standard Building regulation. AND A1.2. Building work above a single storey in height requires additional set back from the front alignment.

### Landscaping

PERFORMANCE CRITERIA	ACCEPTABLE MEASURES
P1. The road reserve and streetscape must reflect the beachside village character of Bramston Beach, particularly with regard to the landscape character of the low density housing land use.	A1.1 Existing mature vegetation along the beachfront should be maintained and enhanced. AND A1.2 Landscaping on both public and private gardens should reflect the tropical character of the locality. OR A1.3 Landscape treatment in a corridor along Bramston Beach Road and Evans Road incorporates the retention of desirable existing mature native vegetation. AND A1.4 The landscaping treatment along the roads mentioned in A3, should include at least the following: <ul style="list-style-type: none"> <li>• trees planting at irregular spacing</li> <li>• grouping or clumping of trees</li> <li>• occasional views of built form through landscaped area.</li> </ul>

*carried*

**2. CAIRNSPLAN- REPORT ON SUBMISSIONS RECEIVED  
DURING THE CONSULTATION PERIOD HILLSLOPES -  
PART B** **1 - 188**  
**Deborah Wellington: 8/20/1-90: #775458**

**BONNEAU / COCHRANE**

**Recommendation No. 1a, b, c**

- 1. That no change to planning areas for Lot 34 NR7550, Lot 3 RP747724 & Lot 1 RP748655.**
- 2. That where Lot 34 NR7550, Lot 3 RP747724 & Lot 1 RP748655 are above the 40m contour, change the Hillslopes category from Category 1 (Urban) to Category 2 (Urban).**
- 3. That Mr Zupp the owner of Lot 33 on NR7550 be advised that there are no legal rights to a view and that the grounds and nature of the submission are outside of the scope of the Planning Scheme.**

*carried*

**BONNEAU / COCHRANE**

**Recommendation No. 2**

- 1. That for Lot 20 SP119697 where it is included in the Conservation Planning Area include this land in the Category 2 (Urban) Hillslopes Overlay.**
- 2. That for Lot 20 SP119697 where it is included in the Tourist Residential Planning Area, include the land in the Category 1 (Urban) Hillslopes Overlay.**

*carried*

**BONNEAU / BLAKE**

**Recommendation No. 3a, b, c, d, e**

- 1. Lot 137 RP744021 – no change to current Low Density Residential Planning Area and no change to the Hillslopes Category.**
- 2. Lot 1 RP808351 – no change to Residential 1 Planning Area and no change to Hillslopes Category 1 (Urban).**

3. Lot 2 RP808351 – no change to Planning Area or Hillslopes Category.
4. Lot 119 NR3443 – no change to Planning Area or Hillslopes Category.
5. Lot 169 NR6078 – no change to Conservation Planning Area or Hillslopes Category 2 (Urban), as the property boundary provides a logical boundary for the developable land, and also having consideration of the land use rights under the current zoning and to the visual prominence of this locality.
6. Lot 2 RP808351, Lot 119 NR3443, Lot 169 NR6078 No change to the Vegetation Conservation Overlay or Bushfire Risk Analysis Overlay.

*carried*

## BONNEAU / COCHRANE

### Recommendation No. 4a, b

1. That Lot 998 SP139628 - no change to planning area, change to Category 2 (Urban).
2. That Lot 2 SP115207 be included in the Residential 1 Planning Area instead of the Residential 2 Planning Area.
3. That Lot 2 SP115207 no change to the Category 1 (Urban) designation.
4. That Lot 252 NR7646 change to Conservation Planning Area with no change to the Category 2 (Urban).
5. Lot 998 SP139628, Lot 2 SP115207, Lot 252 NR7646 - no change to the Bushfire Risk Analysis Overlay.

*carried*

## BONNEAU / COCHRANE

### Recommendation No. 5

That no change be undertaken.

*carried*

## BONNEAU / BLAKE

### Recommendation No. 6

1. Change the Planning Area for Lot 998 SP146125 to be wholly within the Conservation Planning Area rather than the Low Density Residential Planning Area.

2. **Change the Hillslopes Designation for Lot 998 SP146125 to be wholly within the Category 2 (Urban) designation (from part Category 2 (Urban) & part Category 1 (Urban)).**

*carried*

**SHEPPARD / PLATH**

**Recommendation 7a, b – Division 12**

1. **Lot 359 SP105747 vegetated areas as depicted on Council's aerial photograph to be changed to the Hillslopes Category 2 Urban with the balance in the Hillslopes Category 1 Urban designation.**
2. **Lot 359 SP105747 areas in the Hillslopes Category 2 Urban designation to be included in the Conservation Planning Area with the balance as Residential 1.**
3. **Lot 5 CP891005 planning area to be Residential 1 below the 50 meter contour and conservation above 50 metres.**
4. **Lot 5 CP891005 no change to the Hillslopes Category 1 (Urban) designation.**
5. **Obstacle Limitation Surface Overlay Levels of Assessment Triggers be amended in accordance with the separate resolution in relation to this matter.**
6. **No change be made to the Bushfire Risk Overlay mapping or Levels of Assessment Triggers.**

*carried*

**BONNEAU / FORD**

**Recommendation 8a, b, c, d – Division 11**

1. **That for Lot 10 RP724040, Lot 1 RP742848, Lot 1–5 inclusive RP742848 no change to Planning Area.**
2. **That there is no change to the hillslopes overlay.**
3. **That there be no change to the vegetation overlay or bushfire risk mapping for the allotments.**

*carried*

## SHEPPARD / BLAKE

## Recommendation 9a, b, c, d.

1. That for Lot 2 RP742321, the planning areas be amended to reflect the approval 8/13/616. Particularly in relation to Open Space. Also allotments over 1000m<sup>2</sup> should be included in the Conservation Planning Area and allotments below this size should generally be included in the Residential 1 Planning Area.
2. That for Lot 2 RP742321, include the entire area in the Category 1 (Urban) Hillslopes Designation.
3. That Lot 2 SP123890 below the Category 2 (Urban) Hillslopes Designation shall be included in the Residential 1 Planning Area.
4. That Lot 2 SP123890 above the Category 2 (Urban) Hillslopes Designation shall remain in the Conservation Planning Area.
5. That Lot 2 SP123890 shall remain within Hillslopes Category (Urban) 1.
6. That for Lot 15 RP896124, the planning areas be amended to reflect the approval 8/30/25. Particularly in relation to Open Space. Also allotments over 1000m<sup>2</sup> should be included in the Conservation Planning Area and allotments below this size should generally be included in the Residential 1 Planning Area.
7. That for Lot 15 RP896124, include the entire area in the Category 1 (Urban) Hillslopes Designation.

*carried*

## BONNEAU / SHEPPARD

## Recommendation No. 10 – Division 11

1. That for Lot 0 GTP70285 and Lot 90 SP129123 there is no change to the hillslopes overlay.
2. That land located generally above the 40m contour on Earl Hill be included in the Conservation Planning Area with further amendments as follows:
  - a. All of Lot 0 GTP70285 be included in Conservation Planning Area.
  - b. Lot 90 SP129123 where above the 20m contour be included in Conservation Planning Area.

*carried*

**SHEPPARD / BONNEAU**

**Recommendation No. 11a, b**

- 1. That Lot 1 RP741221 be changed to Conservation Planning Area (from Low Density Residential).**
- 2. That no change to the Category 2 (Urban) Hillslopes Designation.**

*carried*

**SHEPPARD / JAMES**

**Recommendation No. 12**

- 1. That Planning Areas from Road Reserve in front of Lot 5 SP105735 be removed (now lot 5 SP160333).**
- 2. That for Lot 154 NR6988, no change.**

*carried*

**SHEPPARD / BLAKE**

**Recommendation No. 13**

**That it is agreed to include the land in Category 2 (Urban). This reflects the conservation zone, and will not alter use rights.**

*carried*

**SHEPPARD / BONNEAU**

**Recommendation No. 14a**

**That no change occur.**

*carried*

**SHEPPARD / BLAKE**

**Recommendation No. 14b**

**That the Barron-Smithfield District Map be amended such that Lot 33 SP160307 located at Fig Tree Drive, Caravonica be included partly within the Low Density Residential Planning Area (for the 3 approved lots) and the balance area remain in the Conservation Planning Area, as per the approved plan (see Development Permit 8/13/537).**

*carried*

**SHEPPARD / COCHRANE**

**Recommendation No. 15**

**That no change occur.**

*carried*

**SHEPPARD / COCHRANE**

**Recommendation No. 16**

- 1. That Lot 19 RP804194, Lot 1 RP804194, Lot 5 RP804193 no change to the Planning Area or Hillslopes Designation.**
- 2. That review of the Hillslopes code to ensure that the suitability for subdividing and/or building or building within hillslopes gives consideration to the gradients of areas to be developed.**

*carried*

**SHEPPARD / BLAKE**

**Recommendation No. 17**

- 1. That for Lot 174 NR6855 and Lot 806 NR7732 include the land Conservation Planning Area.**
- 2. That for Lot 174 NR6855 no change to the Hillslopes Category designations.**
- 3. That for Lot 806 NR7732 no change to the Rural Planning Area.**
- 4. That for Lot 806 NR7732 include the entire allotment in the Hillslopes Category 2 (Urban).**

5. That Lots 801, 74, 75, 76, 77 and 78 SP 153903 be included (part of land formerly described as Lot 116 SP139626) in the Conservation Planning Area and the Category 2 (Urban) Hillslopes Designation.

*carried*

SHEPPARD / BONNEAU

**Recommendation No. 18**

1. That Lot 14 RP 808373 be included in the Conservation Planning Area, rather than Open Space.
2. That Lot 11 SP154565 land currently included in Low Density Residential is to be included in Conservation Planning Area, and this area also be included in the Hillslopes Category 2 (Urban).
3. That for the balance of Lot 11 SP154565 land currently included in Residential 1 no change to Planning Area or Hillslopes designation.
4. That review the Hillslopes code to ensure that the suitability for subdividing and/or building or building within hillslopes gives consideration to the gradients of areas to be developed.

*carried*

BLAKE / COCHRANE

**Recommendation No. 19**

1. That Lot 1 RP733156 and Lot 2 RP717715 be included in the Residential 1 Planning Area instead of the Residential 2 Planning.
2. That Lot 1 RP733156 and Lot 2 RP717715 no change to the Hillslopes Category 1 (Urban).

*carried*

BLAKE / COCHRANE

**Recommendation No. 20**

1. That Lot 6 RP843520 be included fully within the Conservation Planning Area, as this will not alter the scale of residential use rights from the current Rural Designation.

2. That Lot 6 RP843520 be included fully within the Category 2 (Urban) Hillslopes designation.

*carried*

BLAKE / COCHRANE

Recommendation No. 21a, b, c

Defer – requested by applicant

1. That Lots 1 & 2 RP724523 be included in the Residential 1 Planning Area.
2. That the Hillslopes Designation for Lot 2 RP724523 be amended to reflect the decision of Material Change of Use 8/8/133.
3. That part of Lot 2 RP726694 currently shown as Residential 2, be included in the Residential 1 Planning Area and no change be made to the area of land included in the Conservation Planning Area.
4. That for Lot 2 RP726694 no change to the Hillslopes designation.

*carried*

BLAKE / FORD

Recommendation No. 22

That Lot 1 RP721634 - no change to Hillslopes designation or Planning Area.

*carried*

BLAKE / FORD

Recommendation No. 23

That Lot 1 RP722379, Lot 2 RP722379 – no change to Hillslopes designation or Planning Area.

*carried*

BLAKE / FORD

**Recommendation No. 24**

1. That for Lot 2 RP741238 and Lot 3 RP741238 no change to Residential 1 Planning Area or Hillslopes Designation.
2. That review the Hillslopes code to ensure that the suitability for subdividing and / or building or building within hillslopes gives consideration to the gradients of areas to be developed.

*carried*

BLAKE / FORD

**Recommendation No. 25**

1. That Lot 14 RP895993, Lot 15 RP895993, Lot 2 RP733372, Lot 16 RP895993 where the land is in the Hillslopes Category 2 (Urban) also include in the Conservation Planning Area.
2. That Lot 14 RP895993, Lot 15 RP895993, Lot 2 RP733372, Lot 16 RP895993 where the land is in the Hillslopes Category 1 (Urban) no change to Low Density Residential Planning Area.
3. That review the Hillslopes code to ensure that the suitability for subdividing and / or building or building within hillslopes gives consideration to the gradients of areas to be developed.

*carried*

BLAKE / FORD

**Recommendation No. 26**

1. That Lot 1 RP892255 include in the Conservation Planning Area.
2. That Lot 1 RP892255 no change to Category 2 (Urban) Hillslopes.
3. That Lot 3 RP733372, Lot 2 RP728672, Lot 3 RP717128 where the land is in the Hillslopes Category 2 (Urban) also include in the Conservation Planning Area.
4. That Lot 3 RP733372, Lot 2 RP728672, Lot 3 RP717128 where the land is in Hillslopes Category 1 (Urban) include in the Low Density Residential Planning Area (i.e. no change).

5. That review the Hillslopes code to ensure that the suitability for subdividing and / or building or building within hillslopes gives consideration to the gradients of areas to be developed.

*carried*

SHEPPARD / COCHRANE

**Recommendation No. 27a – Division 12**

**That for Lot 2 RP894179 there is no change to the planning area or the hillslopes overlay.**

*carried*

SHEPPARD / BLAKE

**Recommendation No. 27b**

1. That Lot 17 RP703170 remain in the Conservation Planning Area.
2. That no change be made to the Vegetation Conservation Overlay or Hillslopes Overlay as the mapping is a trigger for further detailed site assessment at the time of development. The onus is on the landowner to confirm the values associated with the area and the direct and cumulative impacts associated with any development proposal.

*carried*

SHEPPARD / BLAKE

**Recommendation 28a, b**

**That for Lot 8 RP749301 no change to Planning Area or Hillslopes designation.**

*carried*

SHEPPARD / BLAKE

**Recommendation No. 29a, b**

**That for Lot 9 RP749301 no change to Planning Area or Hillslopes designation.**

*carried*

SHEPPARD / BLAKE

**Recommendation No. 30a b**

1. That for Lot 2 SP106972 no change to the Rural Planning Area.
- 2 That for Lot 2 SP106972 the land to the west of the 50m contour be included in the Hillslopes Category 2 (Urban).

*carried*

SHEPPARD / BLAKE

**Recommendation No. 31a, b, c – Division 12**

**That discussion on this item be deferred to the May 2004 Ordinary Meeting.**

*carried*

BLAKE / FORD

**Recommendation No. 32a, b, c, d.**

**That consideration of this matter be deferred to enable a separate report to be submitted addressing all submissions received for the Whitfield / Inner City locality. The report will consider:**

- The individual submissions;
- Past approvals including the type and intensity of the development;
- Community expectations and the rights of private landowners;
- The topography and visual sensitivity of the various sites;
- The implications of any recommendations on the Hillslopes Code, and any amendments that should be made.

*carried*

BLAKE / FORD

**Recommendation No. 33**

**That land located at East Parkridge Drive, Brinsmead described as Lot 950 SP139180, be included in the Category 2 (Urban) Hillslopes Designation.**

*carried*

BLAKE / FORD

**Recommendation No. 34**

That consideration of this matter be deferred to enable a separate report to be submitted addressing all submissions received for the Whitfield / Inner City locality. The report will consider:

- The individual submissions;
- Past approvals including the type and intensity of the development;
- Community expectations and the rights of private landowners;
- The topography and visual sensitivity of the various sites;
- The implications of any recommendations on the Hillslopes Code, and any amendments that should be made.

*carried*

BLAKE / FORD

**Recommendation No. 35a, b – Division 9**

1. That for Lot 22 NR8005 and Lot 791 SP101082 the Conservation Planning Area be changed to reflect the plan 8137-1 provided by C&B Group, the balance of the land remaining as designated.
2. That for Lot 22 NR8005 and Lot 791 SP101082 the Hillslopes Overlay be amended to reflect the plan 8137-2 provided by C&B Group.
3. That the hillslopes overlay also include the whole of lot 22 NR8005 and Lot 791 SP101082 in the hillslopes category 1 urban designation.
4. That for Lot 795 SP158394, Lot 796 SP158394, Lot 810 SP146132, Lot 811 SP146132, Lot 2 NR7586 no further changes.
5. That Review Table 1B – Conversion Table be reviewed for all Districts to make it clear where the overlays relating to the Operational Aspects of the Airport change the level of assessment in accordance with the requirements of the State Planning Policy 1/02 Development in the Vicinity of Airports.

*carried*

## BLAKE / FORD

## Recommendation No. 36a

That consideration of this matter be deferred to enable a separate report to be submitted addressing all submissions received for the Whitfield / Inner City locality. The report will consider:

- The individual submissions;
- Past approvals including the type and intensity of the development;
- Community expectations and the rights of private landowners;
- The topography and visual sensitivity of the various sites;
- The implications of any recommendations on the Hillslopes Code, and any amendments that should be made.

*carried*

## JAMES / PLATH

## Recommendation No. 36b,c

1. That for Lot 4 RP718792 and Lot 13 RP731121 Lake Morris Road, Kanimbla there be no change to the Planning Area or Hillslopes Designation, or the provisions of the Planning Scheme relating to assessment within the Conservation Planning Area.
2. That the submitters be reminded that within the first 2 years, of the life of the CairnsPlan (i.e. until approximately January 2007) landowners have the opportunity to apply to build a house under the current Planning Scheme, and the use would be self-assessable. Any approval to build a house is likely to have a 2 year currency period, taking the possible date for building the house to 2009.

*carried*

## SHEPPARD / BONNEAU

## Recommendation No. 37

1. That Lot 16 NR1068 be included fully within the Conservation Planning Area.
2. That Lot 1 RP707534, Lot 2 RP707534 remain in the Rural Planning Area.
3. That there be no change to the Hillslopes Designation.

*carried*

SHEPPARD / BLAKE

**Recommendation No. 38**

1. That all land contained within the Hillslopes Category 2 (Urban) the Redlynch Valley Estate, Redlynch, be included within the Conservation Planning Area.
2. That there be no changes to the proposed Planning Areas.

*carried*

COCHRANE / BLAKE

**Recommendation No. 39a, b**

**That in relation to Lot 2 RP736479, 1 Stratford Parade, Stratford, no change be made to the Planning Area or Hillslopes Designations or Vegetation Conservation / Watercourse Significance Overlay.**

*carried*

COCHRANE / JAMES

**Recommendation No. 40**

**That there be no change to the Planning Area or Hillslopes designation for Lot 2 RP737248, Tully St, Stratford.**

*carried*

FORD / BLAKE

**Recommendation No. 41a, b – Division 8**

**That consideration of this matter be deferred to enable a separate report to be submitted addressing all submissions received for the Whitfield / Inner City locality. The report will consider:**

- The individual submissions;
- Past approvals including the type and intensity of the development;

- **Community expectations and the rights of private landowners;**
- **The topography and visual sensitivity of the various sites;**
- **The implications of any recommendations on the Hillslopes Code, and any amendments that should be made.**

*carried*

FORD / BLAKE

**Recommendation No. 42a, b – Division 8**

**That lot 1 RP71067, Lot 5 RP731481, Lot 1 RP724847, Lot 6 RP731479, Lot 7 RP731480 and Lot 8 RP731497 be included in the conservation planning area and the hillslopes category 1 urban designation remain.**

*carried*

SHEPPARD / COCHRANE

**Recommendation No. 43**

- 1. That all land contained within the Hillslopes Category 2 (Urban) the Redlynch Valley Estate, Redlynch, be included within the Conservation Planning Area.**
- 2. That there be no changes to the proposed Planning Areas.**

*carried*

SHEPPARD / BONNEAU

**Recommendation No. 44**

- 1. That all land contained within the Hillslopes Category 2 (Urban) the Redlynch Valley Estate, Redlynch, be included within the Conservation Planning Area.**
- 2. That there be no changes to the proposed Planning Areas.**

*carried*

**SHEPPARD / BLAKE**

**Recommendation No. 45a, b**

1. That for land described as Lot 2 SP133387 located at Cascades Drive / Frond Close, Crystal Cascades that part of the land in the Low Density Residential zone in the current Planning Scheme, be included in the Low Density Residential Planning Area in CairnsPlan.
2. That for that part of Lot 2 SP155975 included in Hillslopes Category 2 (Urban), which is not currently in the Low Density Residential zone, also be included in the Conservation Planning Area.
3. That no further change to the Hillslopes designation for the balance of the land in the locality.

*carried*

**JAMES / FORD**

**Recommendation No. 46a, b**

1. That part of Lot 5 SP106718 included in Hillslopes Category 1 (Urban), be amended to be included in Hillslopes Category 2 (Urban). No change to Planning Area proposed.
2. Lot 6 SP109482, Kurrajong St Earlville be removed from the Hillslopes Category 1 (Urban) designation.
3. That there be no change to the Hillslopes Category 1 (Urban) designation for Lot 7 SP109482, Kurrajong St Earlville.
4. That there be no change to the Vegetation and Waterways Conservation Overlay or the Bushfire Hazard mapping for Lot 7 SP109482, Kurrajong St Earlville.

*carried*

**FREEBODY / JAMES**

**Recommendation No. 47a**

1. That for Lot 202 SP160303, Falcon Street Bayview Heights, that part of the site included in the Hillslopes Category 2 (Urban) also be included in the Conservation Planning Area.

2. That no further change to the Low Density Residential Planning Area, as the site is included in the hillslopes overlay and vegetation and conservation overlay, and this will trigger further detailed site assessment at the time of any future development.

*carried*

**FREEBODY / PEZZUTTI**

**Recommendation No. 47b**

**That no change to the hillslopes designation of land located at the end of Falcon Street, Bayview Heights.**

*carried*

**FREEBODY / PEZZUTTI**

**Recommendation No. 48a, b, c – Division 4**

1. *That Lot 1 RP728455 no change to Planning Area or Hillslopes designation.*
2. *That Lot 501 SP129122 no change to Planning Area or Hillslopes designation.*
3. *That the planning area for Lot 502 SP129122 remains as advertised ie Residential 1.*

*lost*

**BONNEAU / BLAKE**

1. That Lot 1 RP728455 no change to Planning Area or Hillslopes designation.
2. That Lot 501 SP129122 no change to Planning Area or Hillslopes designation.
3. That the planning area for Lot 502 SP129122 is changed from Residential 1 to Rural and there is no change to the Hillslopes overlay designation.

*carried with Councillor Freebody requesting that he be recorded as voting against the motion*

**COUNCILLOR FREEBODY LEFT THE MEETING AT 10.50 AM**

PEZZUTTI / LINDSAY

**Recommendation No. 49**

**That for Lot 14 SP160314 there be no change to the hillslopes designation or Planning Area.**

*carried*

**COUNCILLOR FREEBODY RETURNED TO THE MEETING AT 10.54 AM**

PEZZUTTI / COCHRANE

**Recommendation No. 50a – Division 3**

- 1. That for Lot 200 SP153391 there be no change to the Planning Area.**
- 2. That for Lot 200 SP153391 there is no change to the Hillslopes overlay designation.**

*carried*

**COUNCILLOR PEZZUTTI DECLARED A MATERIAL PERSONAL INTEREST IN CLAUSE 50b OF PART B AND LEFT THE MEETING AND DID NOT PARTAKE IN DISCUSSIONS OR VOTING ON THIS MATTER**

FREEBODY / LINDSAY

**Recommendation No. 50b – Division 3**

- 1. That for Lot 3 SP109477 there be no change to the Planning Area.**
- 2. That for Lot 3 SP109477 there is no change to the Hillslopes overlay designation.**

*carried*

**COUNCILLOR PEZZUTTI RETURNED TO THE MEETING**

PEZZUTTI / LINDSAY

**Recommendation No. 51 – Division 3**

**That for Lot 3 SP144910, and the land formerly known as Lot 900 SP158383 there be no change to the Planning Area or hillslopes overlay designation.**

*carried*

LINDSAY / PEZZUTTI

**Recommendation No. 52a, b – Division 2**

- 1. That for Lot 43 RP704153, Lot 2 RP704191, Lot 47 RP704153, the Planning Area is changed to Rural 1 reflecting the current zone in the Planning Scheme for the Balance of the City of Cairns.**
- 2. That there be no change to the Hillslopes Designation for land described as Lot 43 RP704153, Lot 2 RP704191, Lot 47 RP704153.**
- 3. That there be no change to the Hillslopes Designation for land known as Hillview Estate, Walker Road, Bentley Park described as Lot 100 SP105721.**
- 4. To remove any doubt, for land described as Lot 45 RP704152, Lot 44 RP 704152, Lot 43 RP704153, Lot 31 N157602, Lot 2 RP704191, Lot 47 RP704153, Lot 339 Plan C157224, Lot 339 on Plan C157226, Lot 1 RP734771, Lot 603 on Plan N157224, Lot 42 RP704152, Lot 100 on SP105721, Lot 101 on Plan SP105721, Lot 1 on RL5301, Lot 47 on RP704153, Lot 48 on RP704153, Lot 604 on Plan N157224, Lot 335 on Plan C157266 and Lot 336 on Plan C157266, currently included in the Rural zone in the Planning Scheme for the Balance of the City of Cairns, this land is to remain in the Rural 1 Planning Area in CairnsPlan**

*carried*

LINDSAY / PEZZUTTI

**Recommendation No. 53 – Division 2**

- 1. That for Lot 603 N157224, Lot 100 SP105721, Lot 42 RP704152, the Planning Area is changed to Rural 1 reflecting the current zone in the Planning Scheme for the Balance of the City of Cairns.**

2. That there be no change to Hillslopes Designation for land described as Lot 603 N157224, Lot 100 SP105721, Lot 42 RP704152, Lot 41 RP704152.
3. To remove any doubt Lot 41 RP704152 which is currently included in the Residential 2 zone, will remain in the Residential 2 Planning Area.

*carried*

LINDSAY / PEZZUTTI

**Recommendation No. 54a, b**

1. That for Lot 31 on Plan N157602, Lot 43, 44 & 45 RP 704152 that the planning area is changed to Rural 1 reflecting the current Rural zone in the Planning Scheme for the Balance of the City of Cairns.
2. That there be no change Hillslopes Designation for land described as Lot 339 C157266, Lot 44 RP704152, Lot 31 N157602, Lot 45 RP704152.
3. That the vegetation element only, of the Vegetation Conservation/Watercourse Significance Overlay be amended Lot 43 on RP 704152 according to C&B Group Plan 8137-3.
4. That a general review of the Biodiversity Code and Reconfiguring a Lot Code be undertaken and the contents of submission #744803 be considered in the review and that a separate report on the review be provided to Council for consideration, prior to the adoption of CairnsPlan.

*carried*

LINDSAY / PEZZUTTI

**Recommendation No. 55 – Division 2**

1. That for Lot 1 RP734771 and part of Lot 21 SP146541 that the planning area is changed to Rural 1 reflecting the current Rural zone in the Planning Scheme for the Balance of the City of Cairns. That part of part of Lot 21 SP146541 currently zoned Residential 2 will remain as Residential 2.
2. That there be no change to the Hillslopes Designation for land described as Lot 1 RP734771, Lot 20 SP133790, Lot 21 SP146541.

*carried*

LINDSAY / PEZZUTTI

**Recommendation No. 56**

**That for Lot 2 RP724512, the area covered by the Hillslopes Category in CairnsPlan also be included in the Conservation Planning Area and that there be no change to the Planning Area for the balance of the allotment.**

*carried*

LINDSAY / PEZZUTTI

**Recommendation No. 57**

**That for Lot 33 N157607, Lot 7 NR6462, Lot 1 RP704174 the area covered by the Hillslopes Category in CairnsPlan also be included in the Conservation Planning Area and that there be no change to the Planning Area for the balance of the allotments.**

*carried*

LINDSAY / PEZZUTTI

**Recommendation No. 58a, b**

**#748650; #759646, #748176**

- 1. That the submissions received in relation to False Cape, described as Lot 108 RP712063, be considered as part of the Planning Report to be prepared for the Ordinary Meeting of 27 May, 2004.**
- 2. That Lot 108 RP712063 be included in the Hillslopes Category 1 (Urban) and Hillslopes Category 2 (Urban) designations. The differentiation between the categories shall be determined according to the slopes analysis provided by the applicant, and in accordance with the review of the draft code. A separate report shall be provided to Council on this matter prior to the adoption of the CairnsPlan.**

*carried*

**BONNEAU / SHEPPARD**

**Recommendation No. 59**

- 1. That for Lot 13 NR5512 & Lot 22 SP147762 located at Ellis Beach that there be no change to the Conservation or Tourist and Residential Planning Area mapping.**
- 2. That there be no change to the Planning Scheme provisions relating to the Conservation or Tourist and Residential Planning Areas.**

*carried*

**BLAKE / COCHRANE**

**Recommendation No. 60**

- 1. That the following words be added to the end of Section 3.5.1 of the Hillslopes Overlay, after the description of the different hillslopes categories.**
- 2. That each Hillslope property is different and ideally should be assessed individually on its merits. It is expected that any development within the designations require further assessment and accordingly where there is a discrepancy or doubt regarding the Hillslope Category Designation, the onus is on applicants to provide appropriate supporting information to confirm the values associated with the area and the direct and cumulative impacts associated with any development proposal.**

*carried*

**BLAKE / COCHRANE**

**Recommendation No. 61**

- 1. That consideration of this matter be deferred to enable a separate report to be submitted addressing all submissions received for the Whitfield / Inner City locality. The report will consider:**
  - The individual submissions;**
  - Past approvals including the type and intensity of the development;**
  - Community expectations and the rights of private landowners;**
  - The topography and visual sensitivity of the various sites;**
  - The implications of any recommendations on the Hillslopes Code, and any amendments that should be made.**

2. That the Hillslopes Code be reviewed and a copy of the revised code be provided to the submitter.

*carried*

BLAKE / FORD

**Recommendation No. 62**

That the Hillslopes Code be reviewed and a copy of the revised code be provided to the submitter.

*carried*

BLAKE / COCHRANE

**Recommendation No. 63**

That for properties located within Megan Close, Freshwater, those allotments within the 50m contour or higher, be included in the Hillslopes Category 1 (Urban) designation. In particular house numbers 31, 32, 33, 34, 35 and 36 shall be included in the designation.

*carried*

COCHRANE / BLAKE

**Recommendation No. 64**

That for Lot 4 RP740789, Primo Street, Freshwater:

1. No change to the Conservation Planning Area.
2. No change to the Hillslopes Designation.

*carried*

COCHRANE / BLAKE

Recommendation No. 65

That for Lot 55 RP808415 located at 50 Cassowary Street, Freshwater, there be no change to the Conservation Planning Area.

*carried*

COCHRANE / BLAKE

Recommendation No. 66

1. In relation to 7-11 Cochrane Street, Stratford, Lot 10 RP846962, no change be made to the Hillslopes Designations.
2. Mr Danny and Mrs Sarah Reardon be thanked for taking the time to review the CairnsPlan, and for making a submission in relation to their property and that they be advised of the following:

*The property has an area of 5441m<sup>2</sup> and in order to be able to locate any additional dwellings on the subject land, an application for subdivision (Reconfiguring a Lot) is required. This application would need to address the requirements of the Hillslopes Code, as well as the Vegetation and Waterways Overlay Code and other provisions of the Scheme. The presence of a small area of Hillslopes Category 2 (Urban) is not the primary or only aspect of the site that will need to be considered at the time of application and accordingly the mapping will not be amended as it is intended to be used as trigger for further detailed site assessment at the time of development. The detailed assessment will confirm the values associated with the area and the direct and cumulative impacts associated with any development proposal.*

*carried*

COCHRANE / BLAKE

Recommendation No. 67

That in relation to Lot 2 RP719919 located at 15 Cochrane St Stratford, no change be made to the Planning Area or Hillslopes Designations.

*carried*

FORD / BLAKE

**Recommendation No. 68**

**That Janet Walder be thanked for taking the time to review the CairnsPlan and for making a submission and that she be advised that the content of her submission was noted, and taken into consideration when considering the hillslopes submissions.**

*carried*

BLAKE / FORD

**Recommendation No. 69**

**That D. Blaslov be thanked for taking the time to review the CairnsPlan, and for making a submission and that they be advised that the provisions to control roof colours is contained in the draft Planning Scheme.**

*carried*

BLAKE / COCHRANE

**Recommendation No. 70**

**That K. Holmes be thanked for taking the time to review the CairnsPlan and for making a submission and that they be advised that the content of the submission was noted, and taken into consideration when considering the hillslopes submissions. However, these submission was not supported, as it is in conflict with the current and draft Planning Schemes, or generally in the other submissions received**

*carried*

COCHRANE / BLAKE

**Recommendation No. 71**

**That Ivor Morgan be thanked for taking the time to review the CairnsPlan and for making a submission and that he be advised that the content of his submission was noted, and taken into consideration when considering the submissions received in relation to CairnsPlan, particularly in relation to Hillslopes, tropical building design and residential character in streets containing Queenslanders.**

*carried*

**3. CAIRNSPLAN REPORT ON SUBMISSIONS RECEIVED -  
PART C - PLANNING AREA CHANGES REQUESTED BY  
CONSULTANTS & INDIVIDUALS** **1 - 148**  
Deborah Wellington: 8/26/5-05: #773601

**SHEPPARD / FORD**

**Recommendation No. 1**

- 1. That the Bushfire Risk Analysis Overlay mapping be amended to delete the low bushfire hazard areas.**
  
- 2. That no change to the Natural Hazard (Bushfire) Management Code.**  
*carried*

**BONNEAU / SHEPPARD**

**Recommendation No. 2 – Division 11**

**That land located at Unity Street, Clifton Beach described as Lot 1 RP722931, remain in the Residential 1 Planning Area.**

*carried*

**BONNEAU / COCHRANE**

**Recommendation No. 3**

- 1. That no change be made to the Vegetation Conservation/ Watercourse Significance Overlay**
  
- 2. That the Bushfire Risk Analysis Overlay mapping be amended to delete the low bushfire hazard areas.**

*carried*

BONNEAU / COCHRANE

**Recommendation No. 4**

1. That land known as Bluewater at 28 – 36 Trinity Beach Road, being part of Lot 200 SP106704, there be no change to the proposed Planning Area, and the Special Facilities Overlay not be applied.
2. That land known as Bluewater at 28 – 36 Trinity Beach Road, being part of Lot 200 SP106704, there be no change to the Vegetation Conservation/ Watercourse Significance Overlay.

*carried*

COCHRANE / BLAKE

**Recommendation No. 5**

That for land at 23 Sims Esplanade, Yorkeys Knob, described as Lot 33 RP808844 there be no change to the Vegetation Conservation/ Watercourse Significance Overlay.

*carried*

BONNEAU / SHEPPARD

**Recommendation No. 6**

That for land at 34 Kewarra Street, Kewarra Beach described as Lot 7 RP728025, there be no change to the Vegetation Conservation/ Watercourse Significance Overlay.

*carried*

SHEPPARD / COCHRANE

**Recommendation No. 7**

That for land at 23 Panguna Street, Trinity Beach described as Lot 23 RP728029 there be no change to the Vegetation Conservation/ Watercourse Significance Overlay.

*carried*

BLAKE / FORD

**Recommendation No. 8**

**That for land at 11 Brinsmead Road, Freshwater described as Lot 1 RP709390, there be no change to the Vegetation Conservation/ Watercourse Significance Overlay.**

*carried*

COCHRANE / BLAKE

**Recommendation No. 9**

**That for land at Caribbean and Oleander Streets, Holloways Beach described as Lot 2 RP729505 there be no change to the Vegetation Conservation/ Watercourse Significance Overlay.**

*carried*

BONNEAU / SHEPPARD

**Recommendation No.10**

**That for the development known as Island View Estate, Foley Road, Palm Cove there be no change to the Bushfire Risk Analysis Overlay.**

*carried*

BONNEAU / BLAKE

**Recommendation No. 11**

**That for land in Ardisia Street Smithfield particularly described as Lot 11 RP720187 there be no change to the Vegetation Conservation/ Watercourse Significance Overlay.**

*carried*

BONNEAU / JAMES

**Recommendation No. 12**

**That for 22-26 and 40-62 Clifton Road, Clifton Beach described as Lot 1 RP736317 and Lot 6 RP728049, there be no change to the Vegetation Conservation/ Watercourse Significance Overlay.**

*carried*

LINDSAY / PEZZUTTI

**Recommendation No. 13**

**That for 17 Bruce Highway, Edmonton described as Lot 10 RP704143 there be no change to the Conservation/ Watercourse Significance Overlay.**

*carried*

PEZZUTTI / LINDSAY

**Recommendation No. 14 – Division 3**

- 1. That in relation to Lot 181 RP746749, located on the corner of Anderson Road and Kowinka Street, White Rock there be no change to the Planning Area.**
- 2. That the submitter be advised that Council may consider a Material Change of Use application for the proposed change.**

*carried*

PEZZUTTI / FREEBODY

**Recommendation No. 15**

**That 8 Skull Road, White Rock described as Lot 4 RP727282 be included in the Residential 2 Planning Area.**

*carried*

LINDSAY / PEZZUTTI

**Recommendation No. 16 – Division 2**

1. That there is no change to the planning area for 32-44 Mt Peter Road, Edmonton described as Lots 1 & 2 RP722758.
2. That the submitter be advised that Council may consider a Material Change of Use application for the proposed change.

*carried*

LINDSAY / PEZZUTTI

**Recommendation No. 17**

That Lot 2 on RP724512 located at Mt Peter Road, Edmonton have a notation placed on the property in CairnsPlan to show the land as a poultry farm.

*carried*

PLATH / FREEBODY

**Recommendation No. 18**

That for land described as Lot 6 RP713440 and Lot 11 RP712433, Ishmael Road, Earlville the entire site be included in the Residential 3 Planning Area.

*carried*

BONNEAU / SHEPPARD

**Recommendation No. 19**

That Lot 14 RP735377 remain in the Low Density Residential Planning Area. No change to the Special Facilities Overlay or Schedule.

*carried*

COCHRANE / BLAKE

**Recommendation No. 20**

**That land situated at Redford Road, Caravonica Lot 57 & 125 on C157314, Lot 5 RP706560, Lot 1-3, 5, 14-16, 18-19,104, 106-113, 117, 201-220 on S1991, Lot 301-320, 401-420 on S1992:**

- 1. There be no change to the Rural 1 Planning Area designation.**
- 2. There be no change to the future public transport corridor overlay.**

*carried*

LINDSAY / PEZZUTTI

**Recommendation No. 21 – Division 1**

- 1. That for Lot 115 on NR1093, the Vegetation Conservation/ Watercourse Significance Overlay is amended so that the vegetation value is very low.**
- 2. That a review of the provisions dealing with agro forestry is undertaken with reference to the Vegetation Management Act.**

*carried*

BONNEAU / COCHRANE

**Recommendation No. 22**

- 1. That Table 1B – Conversion Table for all Districts be reviewed to make it clear where the overlays relating to the Operational Aspects of the Airport change the level of assessment in accordance with the requirements of the State Planning Policy 1/02 Development in the Vicinity of Airports.**
- 2. That the requirements be reviewed relating the development for lands affected by the Q100 Flood Inundation Overlay in accordance with the requirements of the State Planning Policy 1/03 Mitigating the Adverse Impacts of Flood Bushfire and Landslide.**

*carried*

## BONNEAU / BLAKE

## Recommendation No. 23

1. That wording for the Special Facilities be amended for all districts to read –  

“The development of the premises listed in the Schedule may proceed in accordance with the requirements of the approval (including compliance with the conditions imposed under the listed approval) or with the requirements of the relevant Planning Area in which the premises are located.”
2. That Table 1B – Conversion Table for all Districts be amended to provide exemption for land included within a Special Facilities Approval where it is developed in accordance with the approval.
3. That Table 1B – Conversion Table for all Districts be reviewed to make it clear where the overlays relating to the Operational Aspects of the Airport change the level of assessment in accordance with the requirements of the State Planning Policy 1/02 Development in the Vicinity of Airports.
4. That for Lot 111 on RP908159 no change to the Bushfire Risk Analysis Overlay.

*carried*

## SHEPPARD / BLAKE

## Recommendation No. 24

1. That a review of the building setback requirements be included as part of the overall review of the Residential 2 Planning Area Code.
2. That Table 1B – Conversion Table for all Districts be reviewed to make it clear where the overlays relating to the Operational Aspects of the Airport change the level of assessment in accordance with the requirements of the State Planning Policy 1/02 Development in the Vicinity of Airports.
3. That Lot 18 SP100469 located at Redlynch Intake Road, Redlynch there be no change to the Vegetation Conservation/ Watercourse Significance Overlay.

*carried*

**BONNEAU / SHEPPARD**

**Recommendation No. 25**

1. That for Lot 1-8 on SP158835, Lots 1-3 on SP161763, Lots 6 & 7 on RP712506 change the Planning Area from Residential 3 to Residential 1.
2. That should the allotments be included in a Planning Area with a higher residential density, the Residential 2 Planning Area may provide a suitable alternative. This will ensure that the height of the site is in line with the adjoining residential dwellings and the other developments in St Crispin Street whilst enabling a higher residential density.

*carried*

**BONNEAU / SHEPPARD**

**Recommendation No. 26**

**That the bikeway mapping be replaced with the mapping from the Cairns Pedestrian Movement and Cycle Travel Strategy, 2004**

*carried*

**BONNEAU / SHEPPARD**

**Recommendation No. 27**

**That the bikeway mapping be replaced with the mapping from the Cairns Pedestrian Movement and Cycle Travel Strategy, 2004**

*carried*

**SHEPPARD / BLAKE**

**Recommendation No. 28**

1. That the Special Facilities Overlay for the Redlynch Valley District be amended to include the entire site of Lot 998 on SP160320 & Lot 999 on SP142686.

2. That the Special Facilities Schedule for the Redlynch Valley District be amended to include the entire site of Lot 998 on SP160320 & Lot 999 on SP142686.

3. That the wording for the Special Facilities for all districts be amended to read –

“The development of the premises listed in the Schedule may proceed in accordance with the requirements of the approval (including compliance with the conditions imposed under the listed approval) or with the requirements of the relevant Planning Area in which the premises are located.”

*carried*

FORD / JAMES

**Recommendation No. 29**

1. That the Lakes Resort (Lot 0 on SP109461 & Lot 15 on SP164250) be removed from the Residential 3 Planning Area and be included in the Tourist and Residential Planning Area.

2. That the mapping for the overlays relating to the operational aspects of the Airport be amended to include information for adjoining districts.

3. That Table 1B – Conversion Table for all Districts be reviewed to make it clear where the overlays relating to the Operational Aspects of the Airport change the level of assessment in accordance with the requirements of the State Planning Policy 1/02 Development in the Vicinity of Airports.

4. That for the Lakes Resort (Lot 0 on SP109461 & Lot 15 on SP164250) there be no change to the Bushfire Risk Analysis Overlay.

*carried*

LINDSAY / PEZZUTTI

**Recommendation No. 30**

That Lot 102 NR6840 be included in the Industrial Planning Area.

*carried*

GREGORY / PEZZUTTI

**Recommendation No. 31**

**That the Planning Area map for the White Rock to Edmonton District be amended to include that part of Lot 2 RP714413 currently zoned commercial in the Local Centre Planning Area.**

*carried*

COCHRANE / BLAKE

**Recommendation No. 32 – Division 10**

1. **That the wording for the Special Facilities for all districts be amended to read –**

**“The development of the premises listed in the Schedule may proceed in accordance with the requirements of the approval (including compliance with the conditions imposed under the listed approval) or with the requirements of the relevant Planning Area in which the premises are located.”**

2. **That Table 1B – Conversion Table for all Districts be amended to provide exemption for land included within a Special Facilities Approval where it is developed in accordance with the approval.**
3. **That for Lot 321 on SP142702, Lot 322 on SP142706, Lot 33 on RP851526 no change to the Planning Area and the submitter be advised that Council may consider a Material Change of Use application for the proposed change.**
4. **That Table 1B – Conversion Table for all Districts be reviewed to make it clear where the overlays relating to the Operational Aspects of the Airport change the level of assessment in accordance with the requirements of the State Planning Policy 1/02 Development in the Vicinity of Airports.**

*carried*

## PLATH / FREEBODY

## Recommendation No. 33

1. That Lots 11-14 on C19829 to remain in the Industrial Planning Area.
2. That the review of the local heritage sites, to be undertaken by a suitably qualified consultant, particularly include the subject site (Lots 11-14 on C19829).

*carried*

## PEZZUTTI / FREEBODY

## Recommendation No. 34

1. That the wording for the Special Facilities for all districts be amended to read –
 

“The development of the premises listed in the Schedule may proceed in accordance with the requirements of the approval (including compliance with the conditions imposed under the listed approval) or with the requirements of the relevant Planning Area in which the premises are located.”
2. That Table 1B – Conversion Table for all Districts be amended to provide exemption for land included within a Special Facilities Approval where it is developed in accordance with the approval.

*carried*

## SHEPPARD / BONNEAU

## Recommendation No. 35

1. That Table 1B – Conversion Table for all Districts be reviewed to make it clear where the overlays relating to the Operational Aspects of the Airport change the level of assessment in accordance with the requirements of the State Planning Policy 1/02 Development in the Vicinity of Airports.
2. That the requirements relating the development for lands affected by the Q100 Flood Inundation Overlay be reviewed in accordance with the requirements of the State Planning Policy 1/03 Mitigating the Adverse Impacts of Flood Bushfire and Landslide.

*carried*

SHEPPARD / BONNEAU

**Recommendation No. 36**

**That the Planning Area designation be amended in order to reflect the approved Plan of Development for Outdoor Entertainment (Cable Water Ski Park) being Drawing Number SK 01a dated 22 October 2002 and prepared by C.M.G Consultants.**

*carried*

BONNEAU / BLAKE

**Recommendation No. 37**

- 1. That two minor changes are made to the Vegetation Conservation/ Watercourse Significance Overlay of the CairnsPlan to change the Key (Vegetation) Conservation Value area highlighted above into Low (Vegetation) Conservation Value classification so as not to affect the assessment level of development in this area.**
- 2. That no changes will be made to Bushfire Risk Analysis Overlay.**

*carried*

BONNEAU / JAMES

**Recommendation No. 38**

- 1. That Lot 1 RP746457, Upolu Esplanade, Palm Cove should remain in the proposed Residential 1 Planning Area to complement the Residential 1 areas of Gibson Close and Upolu Esplanade.**
- 2. That no changes will be made to CairnsPlan Bushfire Risk Analysis Overlay.**

*carried*

## SHEPPARD / COCHRANE

**Recommendation No. 39**

1. That there will be requirements for alteration to Map 2, Tourism Strategy from the GIS department, which will require purple star to be placed on the Paradise Palms Golf Course site.

A review of Major Tourist Attractions and Facilities for the CairnsPlan should be undertaken at a later date. Scheduling of this review should be timed for 6 months following adoption of CairnsPlan. The review should seek out all Major Tourist Attractions and Facilities for the Desired Environmental Outcome, Tourism Industry.

2. Obstacle Limitation Surface Overlay Levels of Assessment Triggers should remain as they stand.
3. Bushfire Risk Analysis Overlay- Levels of Assessment Triggers should remain as they stand.

*carried*

## SHEPPARD / FORD

**Recommendation No. 40**

1. That the recommendation relating to the Conservation Planning Area was included in item 7 of clause 2 – Hillslopes. No further consideration is required.
2. That the Obstacle Limitation Surface Overlay Levels of Assessment Triggers should remain as they stand.
3. That the Bushfire Risk Analysis Overlay- Levels of Assessment Triggers should remain as they stand.

*carried*

## SHEPPARD / COCHRANE

### Recommendation No. 41 – Division 12

1. That Lot 359 SP105747 vegetated areas as depicted on aerial photograph to be changed to the Hillslopes Category 2 Urban and included in the Conservation planning area with the balance as Residential 1.
2. That Table 1B – Conversion Table for all Districts be reviewed to make it clear where the overlays relating to the Operational Aspects of the Airport change the level of assessment in accordance with the requirements of the State Planning Policy 1/02 Development in the Vicinity of Airports.
3. That there is no change to the Bushfire Risk Analysis Overlay.

*carried*

## BONNEAU / COCHRANE

### Recommendation No. 42

1. That CairnsPlan to remain as it stands for future Road Hierarchy Overlay.
2. That CairnsPlan to remain as it stands for Bikeway Overlay.
3. That Table 1B – Conversion Table for all Districts be reviewed to make it clear where the overlays relating to the Operational Aspects of the Airport change the level of assessment in accordance with the requirements of the State Planning Policy 1/02 Development in the Vicinity of Airports.
4. That there is no change to the Bushfire Risk Analysis Overlay.

*carried*

## JAMES / FORD

### Recommendation No. 43

1. That Table 1B – Conversion Table for all Districts be reviewed to make it clear where the overlays relating to the Operational Aspects of the Airport change the level of assessment in accordance with the requirements of the State Planning Policy 1/02 Development in the Vicinity of Airports.
2. That there is no change to the Bushfire Risk Analysis Overlay.

*carried*

JAMES / FORD

**Recommendation No. 44**

1. That Table 1B – Conversion Table for all Districts be reviewed to make it clear where the overlays relating to the Operational Aspects of the Airport change the level of assessment in accordance with the requirements of the State Planning Policy 1/02 Development in the Vicinity of Airports.
2. That there is no change to the Bushfire Risk Analysis Overlay.

*carried*

JAMES / BLAKE

**Recommendation No. 45**

That Table 1B – Conversion Table for all Districts be reviewed to make it clear where the overlays relating to the Operational Aspects of the Airport change the level of assessment in accordance with the requirements of the State Planning Policy 1/02 Development in the Vicinity of Airports.

*carried*

JAMES / BLAKE

**Recommendation No. 46**

That Table 1B – Conversion Table for all Districts be reviewed to make it clear where the overlays relating to the Operational Aspects of the Airport change the level of assessment in accordance with the requirements of the State Planning Policy 1/02 Development in the Vicinity of Airports.

*carried*

JAMES / FORD

**Recommendation No. 47**

1. That Table 1B – Conversion Table for all Districts be reviewed to make it clear where the overlays relating to the Operational Aspects of the Airport change the level of assessment in accordance with the requirements of the State Planning Policy 1/02 Development in the Vicinity of Airports.

2. That there is no change to the Bushfire Risk Analysis Overlay.

*carried*

JAMES / FORD

**Recommendation No. 48**

1. That Table 1B – Conversion Table for all Districts be reviewed to make it clear where the overlays relating to the Operational Aspects of the Airport change the level of assessment in accordance with the requirements of the State Planning Policy 1/02 Development in the Vicinity of Airports.
2. That there is no change to the Bushfire Risk Analysis Overlay.

*carried*

JAMES / FORD

**Recommendation No. 49**

1. That Table 1B – Conversion Table for all Districts be reviewed to make it clear where the overlays relating to the Operational Aspects of the Airport change the level of assessment in accordance with the requirements of the State Planning Policy 1/02 Development in the Vicinity of Airports.
2. That there is no change to the Bushfire Risk Analysis Overlay.

*carried*

JAMES / FORD

**Recommendation No. 50**

1. That Table 1B – Conversion Table for all Districts be reviewed to make it clear where the overlays relating to the Operational Aspects of the Airport change the level of assessment in accordance with the requirements of the State Planning Policy 1/02 Development in the Vicinity of Airports.
2. That there is no change to the Bushfire Risk Analysis Overlay.

*carried*

JAMES / BLAKE

**Recommendation No. 51**

1. That there will be requirements for alteration to Map 2, Tourism Strategy from the GIS department, which will require purple star to be placed on the Green Island section of the map.
2. That the Tourist and Residential Planning Area to remain over the site.

*carried*

BONNEAU / COCHRANE

**Recommendation No. 52**

That Table 1B – Conversion Table for all Districts be reviewed to make it clear where the overlays relating to the Operational Aspects of the Airport change the level of assessment in accordance with the requirements of the State Planning Policy 1/02 Development in the Vicinity of Airports.

*carried*

BLAKE / FORD

**Recommendation No. 53**

That Lot 1 RP710692 situated at McGregor Road, Smithfield remain in the Residential 2 Planning Area.

*carried*

SHEPPARD / BONNEAU

**Recommendation No. 54a & 54b**

That Lot 29 NR1486 at McGregor Road, Smithfield:

1. No change to the Conservation or Low Density Residential Planning Areas.
2. No further action in relation to use rights for Low Density Residential, as this is addressed in the Integrated Planning Act.

- 3. No change to the Vegetation Conservation/ Watercourse Significance Overlay as the mapping is a trigger for further detailed site assessment at the time of development. The onus is on the land owner to confirm the values associated with the area and the direct and cumulative impacts associated with any development proposal.**

*carried*

JAMES / FORD

**Recommendation No. 55**

**That the site remain in the Residential 1 Planning Area as slope stability issues will be specifically addressed through the assessment of the current reconfiguration application.**

*carried*

LINDSAY / PEZZUTTI

**Recommendation No. 56 – Division 2**

**That the Lots 2 and 3 RP731027 remain in the Residential 1 Planning Area to enable any impacts of future expansion of the Grafton Hotel to be assessed by Council and the submitter be advised that Council may consider a Material Change of Use application for the proposed change.**

*carried*

SHEPPARD / BLAKE

**Recommendation No. 57**

**That Lot 1 RP710692 site remain in the Residential 2 Planning Area as per the Draft CairnsPlan.**

*carried*

BONNEAU / COCRHANE

**Recommendation No. 58**

**That the site be included in the Residential 1 Planning Area as per the Draft CairnsPlan.**

*carried*

PLATH / BLAKE

**Recommendation No. 59**

**That the site remain in the Commercial Planning Area.**

*carried*

PLATH / FREEBODY

**Recommendation No. 60**

**That the site and surrounding area remain in the Residential 2 Planning Area as it reflects the current residential density provisions under the Planning Scheme.**

*carried*

COCHRANE / BONNEAU

**Recommendation No. 61**

**That for Lot 107 SP162903 the current Residential 1 zone be carried over to the CairnsPlan and that the balance of the site be included in the Conservation Planning Area.**

*carried*

COCHRANE / BONNEAU

**Recommendation No. 62**

**That Lots 101 and 102 on SP162892 and Lots 104, 405 and 106 on SP162903 be included in the Residential 1 Planning Area.**

*carried*

COCHRANE / FORD

**Recommendation No. 63**

**That for Lot 2 RP739952 the current Residential 1 zone be carried over to the CairnsPlan and that the balance of the site be included in the Conservation Planning Area.**

*carried*

BONNEAU / COCHRANE

**Recommendation No. 64**

**That the site remain in the Commercial Planning Area with the Special Facilities overlay as per the Draft CairnsPlan.**

*carried*

FORD / JAMES

**Recommendation No. 65**

**That the site remain in the Community Facilities Planning Area as per the Draft Cairns Plan.**

*carried*

PEZZUTTI / FREEBODY

**Recommendation No. 66**

**That the subject allotments be included in the Residential 2 Planning Area as per the Draft CairnsPlan.**

*carried*

**BONNEAU / COCHRANE****Recommendation No. 67**

That the submitter be advised that the Vegetation and Waterways Conservation Overlay is based on mapping produced from aerial photography interpretation and limited field work. Conservation values were assigned based on the demonstration of a range of attributes. It is acknowledged that there are inherent limitations of the data due to the process of manual interpretation, the aerial photography rectification and radial distortion. However, the mapping will not be amended as it is intended to be used as trigger for further detailed site assessment at the time of any future development. At that time, the landowner / applicant will have the opportunity to demonstrate the applicability of such values.

*carried*

**COCHRANE / BLAKE****Recommendation No. 68**

That Lot 184 on NR6528 remain in the Open Space Planning Area as per the Draft CairnsPlan.

*carried*

**BONNEAU / SHEPPARD****Recommendation No. 69**

That the inclusion of Lot 14 on RP735377 in the Low Density Planning Area remain as per the Draft CairnsPlan.

*carried*

**SHEPPARD / BONNEAU****Recommendation No. 70**

That Council review the inclusion of the site in the Residential 3 Planning Area and possibly include it in the Community Facilities Planning Area.

*carried*

BONNEAU / BLAKE

**Recommendation No. 71**

**That there be no change to CairnsPlan in Moore St, Trinity Beach.**

*carried*

JAMES / FORD

**Recommendation No. 72**

**That the site be included in the Residential 2 Planning Area as per the Draft CairnsPlan.**

*carried*

BONNEAU / SHEPPARD

**Recommendation No. 73**

**That there be no change to the Planning Area of Lot 1 RP721960.**

*carried*

BONNEAU / SHEPPARD

**Recommendation No. 74**

**That in relation to Lot 17 RP718589, there be no change to the Planning Area or Planning Scheme Provisions, and that the submitter be advised that if a landowner wishes to apply for a Dual Occupancy, the matter will require a Material Change of Use (impact) assessable application. Alternatively, a landowner can also apply under the Current Planning Scheme for the use, in the first 2 years of CairnsPlan.**

*carried*

**BONNEAU / FORD**

**Recommendation No. 75**

**That the subject allotments remain in the Residential 1 Planning Area as per the Draft CairnsPlan.**

*carried*

**BLAKE / COCHRANE**

**Recommendation No. 76 – Division 9**

**That the subject site remain in the Residential 3 Planning Area as per the Draft CairnsPlan as the existing use rights will not be affected.**

*carried*

**COCHRANE / BLAKE**

**Recommendation No. 77**

- 1. That Council include, Lot 8 SP114491 and Lot 7 SP114491 in the Commercial Planning Area.**
- 2. That Council advise the applicant that it may consider a Material Change of Use application being lodged on Lot 2 RP713136 and Lot 1 RP736335 for inclusion in the Commercial Planning Area subject to the application addressing relevant issues including:**
  - the need for additional Commercial land at Holloways Beach;**
  - the buffering of the residential land to the west and north;**
  - the allocation of land for drainage and park purposes;**
  - addressing the requirements of the ANEF, Flooding and other constraints.**
- 3. Lot 2 RP713136 and Lot 1 RP736335 Holloways Beach be included in the Rural Planning Area.**

*carried*

PEZZUTTI / BLAKE

**Recommendation No. 78**

**That the submission be noted and that no change be made to the Draft CairnsPlan.**

*carried*

COCHRANE / BONNEAU

**Recommendation No. 79**

**That the submitter's comments be considered during the development of the final CairnsPlan.**

*carried*

PLATH / FREEBODY

**Recommendation No. 80**

**That the sites remain in the Residential 3 Planning Area as per the Draft CairnsPlan.**

*carried*

SHEPPARD / BONNEAU

**Recommendation No. 81**

**That Lot 60 on RP862227 be included in the Open Space Planning Area.**

*carried*

FORD / BLAKE

**Recommendation No. 82 – Division 8**

**That Lot 3 on C198408 be included in the Open Space Planning Area.**

*carried*

JAMES / FORD

**Recommendation No. 83**

**That there be no change to the Draft CairnsPlan.**

*carried*

BONNEAU / SHEPPARD

**Recommendation No. 84.**

**That there be no change to the Draft CairnsPlan.**

*carried*

SHEPPARD / BONNEAU

**Recommendation No. 85**

1. **That no change is proposed to Operational Work, as this work results in assets for Council. It is in both Council's and the community's interest that such works / assets are subject to an operational works application process.**
2. **That Council, having regard for the broader values of land, environment and community determined no change be made to the Vegetation Conservation/ Watercourse Significance Overlay.**
3. **That Council, having regard for the broader values of land, environment or community determined that no change be made to the Biodiversity Code.**
4. **That while the request for Council review its approach to assessing building work is vague, it is agreed that the levels of assessment triggered in CairnsPlan, are not necessary in some instances. This has been reviewed separately and will be addressed in a variety of different responses to submissions.**
5. **That as it is evident that Midden P/L has a good understanding of the broader and specific elements of CairnsPlan and Council looks forward to receiving compliant applications in the future.**

*carried*

PLATH / FREEBODY

**Recommendation No. 86**

**That Humphrey Reynolds Perkins on behalf of Boral Resources be advised that their understanding of the provisions of the Planning Scheme in relation to Lot 2 C198374, Corner of Kenny Street & Fearnley Street Portsmouth are correct and that no change is proposed.**

*carried*

PLATH / FREEBODY

**Recommendation No. 87**

**That Humphrey Reynolds Perkins on behalf of Boral Resources be advised that their understanding of the provisions of the Planning Scheme in relation to Cairns Asphalt Plant, Lot 1 SP122862 on the corner of Tingira Street & Aumuller Street, are correct and that no change is proposed.**

*carried*

SHEPPARD / BONNEAU

**Recommendation No. 88**

- 1. That Humphrey Reynolds Perkins on behalf of Boral Resources be advised that their understanding of the provisions of the Planning Scheme in relation to Lots 8 & 9 RP749301 located at Redlynch Quarry, Redlynch Intake Road, Redlynch are correct and that no change is proposed.**
- 2. That a separate report be prepared and submitted to Council prior to the adoption of the draft Planning Scheme. The report shall consider and make recommendations on the need to amend the definition of Extractive Industry and the Extractive Industry code, particularly in relation to code assessable uses and haul routes.**

*carried*

COCHRANE / BLAKE

**Recommendation No. 89 – Division 10**

1. That Humphrey Reynolds Perkins on behalf of Boral Resources be advised that their understanding of the provisions of the Planning Scheme in relation to Lot 5 RP906407 Captain Cook Highway, Holloways Beach being the Boral Sand Extraction & Processing & Concrete Batching Plant are correct and that no change is proposed.
2. That a separate report be prepared and submitted to Council prior to the adoption of the draft Planning Scheme. The report shall consider and make recommendations on the need to amend the definition of Extractive Industry and the Extractive Industry code, particularly in relation to code assessable uses and haul routes.

*carried*

GREGORY / LINDSAY

**Recommendation No. 90 – Division 1**

That the extractive resources precinct map 3 in the Draft CairnsPlan not be amended.

*carried*

GREGORY / LINDSAY

**Recommendation No. 91**

That there be no change to the Conservation Planning Area Designation in relation to Lots 21-24, 30-31, 39-42, 81-84, 90, 99-100, 201-202, 206-213, 215-220, 301-309, 311-320, 601-615, 618-620, 701-718, 901-904, 909-912, 917-918 on Plan No W3091, County of Nares, Parish of Sophia and the remaining allotments located at North Woolanmaroo.

*carried*

COCHRANE / BLAKE

**Recommendation No. 92**

**That after considering submission #745659 from Caysand No. 60 Pty Ltd C/- Business Centre 2838 Southport QLD 4215, there be no change to the minimum lot size for the Rural 1 Planning Area.**

*carried*

PLATH / FREEBODY

**Recommendation No. 93**

**Defer for further consideration**

**That the area bounded by Spence, Buchan, Hartley and Kidston Streets should be placed in the Residential 2 Planning Area to allow for development up to 100 persons per hectare. This will be a decrease from the current Residential density of the properties in the Planning Scheme for Part of the City of Cairns of 100 Persons per Hectare.**

*carried*

FORD / JAMES

**Recommendation No. 94**

**That in relation to Lot 30 RP736343 located at 15 Oregon St Manoora, the Vegetation Conservation/ Watercourse Significance Overlay map be amended such that the drain along the southern boundary is designated as Watercourse Significance Category 4, rather than a Watercourse Significance Category 1.**

*carried*

COCHRANE / BLAKE

**Recommendation No. 95**

**That the submissions received in relation to Smithfield Waters, described as Lot 6 RP894527, Lot 4 RP748727 and Lot 456 RP748727 be considered as part of the Planning Report to be prepared for a separate Planning and Environment Committee Meeting. The separate report shall be provided to Council prior to the adoption of the CairnsPlan.**

*carried*

## **COUNCILLOR FREEBODY LEFT THE MEETING AT 12 NOON**

- 4. CAIRNSPLAN REPORT ON SUBMISSIONS RECEIVED DURING THE CONSULTATION PERIOD - PART D - SPECIFIC ISSUES** **1 - 77**  
 Deborah Wellington:8/26/5-05:#782223v2

### **SHEPPARD / FORD**

That in addition to the itemised recommendations contained in this report, it is recommended that:

#### **Multi-Unit Housing**

- 1. That a separate report to be submitted to Council in relation to Multi-Unit Housing and related codes. The report will consider:**
  - The individual submissions received on this matter;
  - Past approvals including the type and intensity of the development;
  - Community expectations and the rights of private landowners;
  - The character and amenity;
  - The implications of any recommendations on the Code and related codes, and any amendments that should be made.

The review shall seek the input from a panel of local architects and designers. Additionally, an independent professional Architect preferably with Planning qualifications shall also provide input into the review.

- 2. Desired Environmental Outcomes :**
  - a. A general review of the Desired Environmental Outcomes (DEOs) will be undertaken with a view to removing the words "effects of development will be minimised".**
  - b. That three new DEOs be added as follows:**
    - i. That Cairns Local Government Area has, cohesive and identifiable communities with a high level of amenity, strong sense of vitality, fairness and capacity for self-help, reflected in:**
      - Defined urban growth management boundaries which create distinct urban and rural town communities.
      - The integration of new communities with existing communities.
      - Safe, healthy and pleasant living environments.

- Access to a range of good quality, appropriate and diverse housing.
  - Business centres that contribute to a sense of community life and belonging.
  - Development which maintains enduring social networks and positive community identity.
  - Services which support individual and family wellbeing and facilitate positive community interaction.
  - Economic security.
- ii. A DEO specific to the built environment, describing Cairns as a liveable, sustainable, tropical city. e.g. “Development patterns and practices ensure Cairns is a liveable, sustainable, tropical city.”
- iii. A DEO generally reflecting the content of a DEO from Gold Coast City Council’s Planning Scheme which is a high-level DEO that is directly related to the production of housing, and highlights the local government’s role in influencing diversity of housing.
- c. That no further changes will be made to the DEOs at this time, however a further review of the DEOs and Performance Indicators will be undertaken as part of a future review of CairnsPlan.
3. That Council engage a suitably qualified consultant to undertake the following:
- a. Review of the boundaries of the character precincts to ensure they are inclusive of the best examples areas of known character housing or queenslander style housing.
  - b. Develop a general character statement for each character precinct.
  - c. Undertake a review of the local heritage sites to ensure it includes all the places identified in Council’s Heritage Strategy where appropriate.
  - d. Review the Cultural Heritage Code to ensure the performance criteria and acceptable measure achieve the stated purpose of the code and include reference to the Australian ICOMOS Charter for the Conservation of Places of Cultural Heritage Significance (Burra Charter) as the tool for assessing heritage values and the impact of development on them. Performance criteria and acceptable measures are developed for character precincts and requirements for archaeological investigations are included.
  - e. Over the next 12-24 months undertake further work to expand the places of local heritage significance and develop and implement a range of incentives and benefits for owners as identified in the Cairns Heritage Strategy.
  - f. Develop demolition control provisions using Brisbane City Council City Plan provisions as a model to apply to Character Precincts.

- 4 That character and amenity studies are undertaken for each of the Districts as part of the preparation of Integrated Local Area Plan, over the next 5 years, and incorporate this information into the CairnsPlan as part of future reviews.

*carried*

## **COUNCILLOR FREEBODY REJOINED THE MEETING AT 12.03PM**

BLAKE / COCHRANE

### **Recommendation No. 1**

That the recommendations contained at the start of this Clause relating to Desired Environmental Outcomes be included as an advice statement in the response letter to the submitters.

*carried*

COCHRANE / BLAKE

### **Recommendation No. 2**

1. That a program for the delivery of Integrated Local Area Plans be considered as part of Council's annual budgetary deliberation items.
2. That the recommendations contained at the start of Clause 1, and the start of this Clause relating to Multi-Unit Housing and residential character and the like be included as an advice statement in the response letter to the submitters.

*carried*

SHEPPARD / COCHRANE

### **Recommendation No. 3**

That the recommendations contained at the start of Clause 1, and the start of this Clause relating to Multi-Unit Housing and residential character and the like be included as an advice statement in the response letter to the submitter.

*carried*

BLAKE / PLATH

**Recommendation No. 4**

**That there be no change to the Infrastructure Works Code at this time.**

*carried*

BONNEAU / JAMES

**Recommendation No. 5**

1. **That the submitters be advised that their concerns were taken into consideration when reviewing the Hillslopes submissions.**
2. **That there be no change to the mapping or classification system for vegetation values and watercourses.**
3. **That the content of the submissions be noted and considered as part of a future review of CairnsPlan.**

*carried*

SHEPPARD / COCHRANE

**Recommendation No. 6**

**That the recommendations contained at the start of this Clause relating to Heritage be included as an advice statement in the response letter to the submitters.**

*carried*

BLAKE / FORD

**Recommendation No. 7**

**That the recommendations contained at the start of Clause 1, and the start of this Clause relating to Multi-Unit Housing and residential character and the like be included as an advice statement in the response letter to the submitters.**

*carried*

COCHRANE / FORD

**Recommendation No. 8**

**That there be no change to the Site Coverage / Tree Protection provisions of CairnsPlan.**

*carried*

BLAKE / COCHRANE

**Recommendation No. 9**

1. **That the contents of submission no 747386 be taken into consideration when reviewing the Hillslopes Code and that a report on the review of the Code be provided to Council prior to the adoption of CairnsPlan.**
2. **That as part of the future review of CairnsPlan, consideration be given to the defining of Planning Areas, through the use of Overlays such as vegetation and hillslopes. To this end, land that is constrained should be included in the Conservation Planning Area, or lesser intensity Planning Areas. This approach would need to take into consideration previous approvals, rights and expectations of landowners and the community and the technology available, quality of data and errors that may be inherent in the data.**
3. **That as part of the future review of CairnsPlan, consideration be given to the inclusion of additional definitions, depending on the issues that arise in the use of the scheme once gazetted.**
4. **That the contents of submission no 747386 be taken into consideration when reviewing the Hillslopes Code and the Population density provisions as part of the separate report on Multi-Unit Housing and Residential Planning Areas, which is to be submitted to Council prior to the adoption of the CairnsPlan.**

*carried*

FORD / BLAKE

**Recommendation No. 10a**

**That the recommendations contained at the start of Clause 1, and the start of this Clause relating to Multi-Unit Housing and residential character and the like be included as an advice statement in the response letter to the submitters.**

*carried*

COCHRANE / BONNEAU

**Recommendation No. 10b**

**That the recommendations contained at the start of Clause 1, and the start of this Clause relating to Multi-Unit Housing and residential character and the like be included as an advice statement in the response letter to the submitters.**

*carried*

SHEPPARD / FORD

**Recommendation No. 11a**

**That the recommendations contained at the start of this Clause relating to Heritage be included as an advice statement in the response letter to the submitters.**

*carried*

PLATH / JAMES

**Recommendation No. 11b**

**That the recommendations contained at the start of this Clause relating to Heritage be included as an advice statement in the response letter to the submitters.**

*carried*

BLAKE / COCHRANE

**Recommendation No. 11c**

**That the recommendations contained at the start of this Clause relating to Heritage be included as an advice statement in the response letter to the submitters.**

*carried*

COCHRANE / FORD

**Recommendation No. 11d**

- 1. That the recommendations contained at the start of this Clause relating to Heritage be included as an advice statement in the response letter to the submitters.**
- 2. That as part of a future review of CairnsPlan, the Cultural Heritage Significance Code should be reviewed with further consideration being given to the performance criteria and acceptable measures relating to the protection of local heritage places and precincts.**

*carried*

PLATH / FREEBODY

**Recommendation No. 11e**

- 1. That the recommendations contained at the start of this Clause relating to Heritage be included as an advice statement in the response letter to the submitters.**
- 2. That the review identified in recommendation 1 specifically include Lot 21 SP111321, known as Queerah Meatworks.**

*carried*

SHEPPARD / BLAKE

**Recommendation No. 11f**

- 1. That the recommendations contained at the start of this Clause relating to Heritage be included as an advice statement in the response letter to the submitters.**
- 2. That the review identified in recommendation 1 specifically include 95-99 Grafton Street.**

*carried*

PEZZUTTI / GREGORY

**Recommendation No. 11g**

**That the Cairns Yacht Club not be included in the schedule of local heritage places and associated overlay for the CBD – North Cairns District.**

*carried*

BLAKE / COCHRANE

**Recommendation No. 11h**

- 1. That the recommendations contained at the start of this Clause relating to Heritage be included as an advice statement in the response letter to the submitters.**
- 2. That the review identified in recommendation 1 also specifically include consideration of the boundaries for character precincts and include an assessment of the potential to include parts of the Cairns Esplanade within a precinct in the CBD – North Cairns District.**

*carried*

FORD / JAMES

**Recommendation No. 11i**

- 1. That the recommendations contained at the start of this Clause relating to Heritage be included as an advice statement in the response letter to the submitters.**
- 2. That the review identified in recommendation 1 specifically include 199 The Esplanade.**

*carried*

SHEPPARD / FORD

**Recommendation No. 11j**

1. That support for the Grafton Street Chinese Historical Precinct and suggestion for interpretative signage for the area is noted.
2. That no action required, as this is not a planning matter.

*carried*

COCHRANE / BLAKE

**Recommendation No. 11k**

1. That no further action required as letters outlining the process have been sent to all submitters.
2. Copy of the Council report be available on Council's web page and at each library.

*carried*

COCHRANE / FORD

**Recommendation No. 11l**

**That in response to the submission, there be no change to the Planning Area for Stratford, as the CairnsPlan reasonably addresses the concerns of the submitter.**

*carried*

COCHRANE / FORD

**Recommendation No. 11m**

**That the matter be noted for consideration as part of future bikeway strategy reviews.**

*carried*

FORD / PEZZUTTI

**Recommendation No. 11n**

**That no action is required, as this is not a planning matter.**

*carried*

FORD / BLAKE

**Recommendation No. 12a**

**That the residents of 56 – 80 Reservoir Rd, between Mahogany and Enmore Streets (Lots 5 – 17 RP 711963) be advised that:**

- 1. There be no change to the Residential 3 Planning Area designation for Lots 5 – 17 RP 711963, located between 56 – 80 Reservoir Road, Manoora.**
- 2. The residents should also be commended on the approach taken and quality of their submission.**

*carried*

JAMES / FORD

**Recommendation No. 12b**

**That Peter Robinson Planner on behalf of Mr Richard Lindsay and D & M Bragg, be advised that:**

- 1. The land located at 170 –180 Mayers Street (corner of Patience Street) Manunda described as Lot 61 C198101 is to remain in the Industrial Planning Area, and will not be included in the Residential 3 designation.**
- 2. The land on the eastern side of Mayers street between Patience Street and the rear of the lots fronting Anderson Street, will not be included in the Residential 3 Planning Area.**

*carried*

COCHRANE / BLAKE

**Recommendation No. 12c**

- 1. That Peter Robinson Planner on behalf of Australia Estates P/L be advised that there is no change proposed to the Industrial Planning Area for the Foxwood Site Captain Cook Highway Aeroglen described as Lot 2 NR6367.**
- 2. That no change is made to the land in the Industrial Designation either side of Sheridan Street from O'Keefe Street to Saltwater Creek.**

*carried*

COCHRANE / BLAKE

**Recommendation No. 12d**

**That the site and surrounding area be included in the Industry Planning Area.**

*carried*

JAMES / FORD

**Recommendation No. 12e**

**That the site and surrounding area be included in the Industry Planning Area.**

*carried*

JAMES / FORD

**Recommendation No. 12f**

- 1. That 19 – 29 Anderson Street described as Lot 49 SP149826 be excluded from the Residential 3 Planning Area and included in the Commercial Planning Area.**
- 2. That in regard to Commercial and Industrial Planning Areas in the Inner Suburbs District a complete review of the nature of the land uses and Planning Area designations be undertaken during the next 2 years, with consideration being given to the Centres Strategy. Any changes should then be advertised as part of a review of CairnsPlan.**

*carried*

JAMES / BLAKE

**Recommendation No. 12g**

**That the parking rates for commercial / business land uses be reviewed and a separate report be provided to Council, prior to the final adoption of the Planning Scheme. In particular the review should considered the requirements for Medical Centres and Professional Offices.**

*carried*

JAMES / BLAKE

**Recommendation No. 12h**

**That Lots 8 and 10 RP71087 remain in the Commercial Planning Area as per the Draft CairnsPlan.**

*carried*

SHEPPARD / BONNEAU

**Recommendation No. 12i Division 12**

- 1. That the Planning Area for Lot 115 SP149839 located at the corner of Lower Freshwater Road and Brinsmead Kamerunga Road, Redlynch be changed from Commercial to Residential 2.**
- 2. That the owner of Lot 115 SP149839 be advised that Council may consider a Material Change of Use application for commercial uses.**

*carried*

SHEPPARD / COCHRANE

**Recommendation No. 12j - Division 12**

- 1. That the Planning Area for Lot 115 SP149839 located at the corner of Lower Freshwater Road and Brinsmead Kamerunga Road, Redlynch be changed from Commercial to Residential 2.**
- 2. That the owner of Lot 115 SP149839 be advised that Council may consider a Material Change of Use application for commercial uses.**

*carried*

SHEPPARD / BONNEAU

**Recommendation No. 12k**

**That no change be made to the boundary between Residential 2 and Rural for land located at Fairweather Road, Cairns Western Arterial, Kamerunga Road described as Lots 1 & 4 RP703109 and Lot 119 SP149839.**

*carried*

**COUNCILLOR GREGORY & COUNCILLOR PEZZUTTI DECLARED A PERSONAL MATERIAL INTEREST IN 13a, LEFT THE MEETING AT 12.14PM AND DID NOT PARTAKE IN DISCUSSIONS OR VOTING**

LINDSAY / FREEBODY

**Recommendation No. 13a**

**That the infrastructure on the mapping be included. In conjunction with the submitter Council officers prepare a new code for development of land adjacent to the cane railway infrastructure.**

*carried*

LINDSAY / FREEBODY

**Recommendation 13b**

**That the land between Edmonton and Gordonvale shall remain as shown on the draft CairnsPlan, the land is shown as Rural on the FNQ 2010 plan and is outside the scope of residential development for the life of this plan.**

*carried*

FREEBODY / LINDSAY

**Recommendation No. 13c**

**That the minimum lot size of 40ha in Rural Planning Area be maintained.**

*carried*

FREEBODY / LINDSAY

**Recommendation No. 13d**

**That the provisions of CairnsPlan be maintained as proposed and that the submitter be advised Council is prepared to participate with the State Government and key stakeholders in a study to investigate options for the rural/sugar industries and changes that may need to be included to future Planning Schemes.**

*carried*

**COUNCILLOR GREGORY & COUNCILLOR PEZZUTTI RETURNED TO THE MEETING AT 12.20 PM**

GREGORY / LINDSAY

**Recommendation No. 13e**

**That the provisions of CairnsPlan be retained proposed and the submitter be advised Council is prepared to participate with the State Government and key stakeholders in a study to investigate options for the rural/sugar industries and changes that may need to be included to future Planning Schemes.**

*carried*

GREGORY / PEZZUTTI

**Recommendation No. 13f**

**That a review of the Planning Scheme be undertaken to confirm that building operational works and agro-forestry in the rural planning areas are self-assessable development.**

*carried*

GREGORY / PEZZUTTI

**Recommendation No. 13g**

**That the submitter be advised that it is the Planning Scheme's and Council's intent that the proposed buffer width distances will be accurately determined at the time of development occurring.**

*carried*

GREGORY / PEZZUTTI

**Recommendation No. 13h**

**That consideration is given to including the issue of "exemption" certificates under the draft Scheme and that Council Officers and the applicant work together to develop such a certificate for the Babinda Mill site.**

*carried*

BONNEAU / FORD

**Recommendation 13i**

**That Jenny Green of 10 Whelk St Trinity Beach 4878 be advised that:**

- 1. The CairnsPlan introduces a Vegetation And Waterways Overlay which along with the Biodiversity Code, specifies setback distances to watercourses and measures to protect both the watercourses and vegetation.**
- 2. Your comments in relation to building on hillslopes were noted and taken into consideration when Planning Officers and Council considered the submissions received in relation to hillslopes.**
- 3. While the Garden Competition is not specifically related to the Planning Scheme, your suggestion was forwarded to the relevant competition organisers.**

*carried*

**THE MEETING CLOSED AT 12.25 pm.**

**CONFIRMED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 2004**

.....  
**MAYOR**

.....  
**CHIEF EXECUTIVE OFFICER**