MATERIAL CHANGE OF USE – PARKING STATION (33 CAR PARKING SPACES) – 31-33 NORMAN STREET, GORDONVALE – DIVISION 1

N Lazarus | 8/7/4680 | #6253574

PROPOSAL: PARKING STATION

LANDOWNER: FAR NORTH HOTELS PTY LTD

APPLICANT: FAR NORTH HOTELS PTY LTD

C/- GMA CERTIFICATION

PO BOX 2760

NERANG QLD 4211

LOCATION OF SITE: 31 – 33 NORMAN STREET, GORDONVALE

PROPERTY: LOT 1 ON RP 732893 AND LOT ON 2 RP732893

ZONE: DISTRICT CENTRE

LOCAL PLAN: GORDONVALE LOCAL PLAN (PRECINCT 1 – TOWN CENTRE)

PLANNING SCHEME: CAIRNS PLAN 2016 V2.1

REFERRAL AGENCIES: NOT APPLICABLE

NUMBER OF SUBMITTERS: NOT APPLICABLE

STATUTORY ASSESSMENT DEADLINE: 22 JANUARY 2020

APPLICATION DATE: 31 OCTOBER 2019

DIVISION: 1

APPENDIX:

1. APPROVED PLAN(S) & DOCUMENT(S)
2. NOTICE OF INTENTION TO COMMENCE USE
3. FNQROC STANDARD DRAWINGS
4. INFRASTRUCTURE CHARGES CALCULATIONS
LOCALITY PLAN

RECOMMENDATION

That Council approves the development application for Parking Station (33 Car parking Spaces) over land described as Lot 1 on RP732893 and Lot 2 on RP732893, located at 31 - 33 Norman Street, Gordonvale, subject to the following:

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

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

<table>
<thead>
<tr>
<th>Drawing or Document</th>
<th>Reference</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Site Plan (Car parking)</td>
<td>DWG No. 1445-DD-A01</td>
<td>August 2019</td>
</tr>
<tr>
<td></td>
<td>Issue: P2</td>
<td></td>
</tr>
<tr>
<td>Car parking – Proposed</td>
<td>DWG No. 1445-DD-A0.2</td>
<td>September 2019</td>
</tr>
</tbody>
</table>
Assessment Manager Conditions

1. This approval, granted under the provisions of the Planning Act 2016, shall lapse six (6) years from the day the approval takes effect in accordance with the provisions of select one Section 85 of the Planning Act 2016.

2. Carry out the approved development generally in accordance with the approved drawing(s) and/or document(s), and in accordance with:
   a. The specifications, facts and circumstances as set out in the application submitted to Council;
   b. The following conditions of approval and the requirements of Council’s Planning Scheme and the FNQROC Development Manual.

   Except where modified by these conditions of approval

Timing of Effect

3. The conditions of the Development Permit must be effected prior to Commencement of Use, except where specified otherwise in these conditions of approval.

Notice of Intention to Commence Use

4. Prior to commencement of the use on the site, written notice must be given to Council that the development fully complies with the conditions of this Development Permit. The Applicant must return the attached “Notice of Intention to Commence Use” form prior to the commencement of use (Attached at Appendix 2).

Water Supply and Sewerage Works Internal

5. Undertake the following water supply and sewerage works internal to the subject land:
   a. Provide single internal sewer and water connections which must be clear of any buildings or structures; and
   b. Any redundant sewer property connection and water connection shall be decommissioned and removed.

   All the above works must be designed and constructed in accordance with the FNQROC Development Manual.

   All works must be carried out in accordance with the approved plans, to the requirements and satisfaction of the Chief Executive Officer prior to Commencement of Use or issue of a Compliance Certificate for the Plan of Survey, whichever occurs first.
Access and Parking

6. The car parking layout including, but not limited to parking bay dimension, aisle widths, speed control and provisions of vehicle turn around areas must comply with the requirements of the Australian Standard AS2890.1-2004 Parking Facilities – off street car parking and constructed in accordance with Austroads and good engineering design. The car parking and manoeuvring areas on the site must specifically provide for the following:

a. The car parking spaces for people with disabilities must be designed in accordance with Australian Standard AS2890.6-Off-Street Car Parking for People with Disabilities;

b. Manoeuvring space must be provided to enable all vehicles to enter and exit the site in forward gear;

c. The driveway must be designed in accordance with AS2890.1 Off Street Car Parking, including driveway width of a minimum of 3.0m; and

d. The car parking area and driveway must be imperviously sealed prior to use.

The parking station must be maintained in accordance with the above standards at all times.

External works

7. Undertake the following works external to the land at no cost to Council:

a. Provision of a concrete crossover(s) and apron(s) in accordance with FNQROC Development Manual Standard Drawing S1015 Rev D;

b. Re-instatement of any redundant crossovers replace with kerb and channel;

c. The Applicant is to ensure that the current kerb and channel to the frontage of the site is fit for the purpose. Any sections showing ponding, significant cracking, etc. shall be deemed as not fit for purpose and are to be replaced;

d. If additional on-street car parking can be gained due to the removal of redundant crossovers the applicant is required to linemark the bays in accordance with AS2890.5; and

e. Changes to on-street parking including signage and line marking must be undertaken at no cost to Council.
The above works must be outlined in an application for Operational Works and must be completed prior to the commencement of use.

**Landscaping Plan**

8. The site must be landscaped in accordance with details included on a Landscaping Plan. The Landscaping Plan must show:

a. Deep planting of southern setback area; and

b. A mix of trees, and large and small shrubs in all other landscaped areas.

Inclusion of any other relevant conditions included in this Development Permit. A copy of this Development Approval must be given to the applicant’s Landscape Architect/Designer.

The landscape plan must be endorsed by the Chief Executive Officer. The approval and completion of all landscaping works must be undertaken in accordance with the endorsed plan prior to the Commencement of Use.

Landscaped areas must be maintained at all times to the satisfaction of the Chief Executive Officer.

**Internal Lighting**

9. Position and direct any lighting, so that it complies with AS4282 - Control of the obtrusive effects of outdoor lighting. The installation of lighting must be certified by a suitably qualified person in accordance with the Australian Standard prior to the commencement of use.

Where additional measures are required to boundary treatments (including landscaping or walls, or the like) to protect the amenity of adjacent or surrounding premises and residents, provide detailed design of the treatments to Council for acceptance before the commencement of works.

**Sediment and Erosion Control**

10. All reasonable and practicable measures must be taken to prevent pollution entering existing creeks, waterways or drainage lines, as a result of silt run-off, oil and grease spills from any machinery. Wastewater as a result of cleaning equipment must not be discharged directly or in-directly to any watercourses, stormwater systems or private properties (in accordance with the requirements of the Environmental Protection Act 1994, the FNQROC Development Manual and Best Practice Erosion & Sediment Control (IECA Australasia, November 2008)).
Damage to Infrastructure

11. In the event that any part of Council’s existing sewer / water or road infrastructure is damaged, as a result of construction activities occurring on the site, including but not limited to; mobilisation of heavy construction equipment, stripping and grubbing, the applicant/owner must notify Cairns Regional Council immediately of the affected infrastructure and have it repaired or replaced at the developer’s/owners/builders cost, prior to the Commencement of Use.

Lawful Point of Discharge

12. All stormwater from the property must be directed to a lawful point of discharge, such that it does not adversely affect surrounding properties or properties downstream from the development, all to the requirements and satisfaction of the Chief Executive Officer.

Controlled Access

13. Prior to the installation of any access control equipment, (including but not limited to boom gates and ticketing machines), the following material must be submitted to Council for review and endorsement:

   a. Details of the property control equipment/devices; and

   b. Plans demonstrating that there is sufficient queuing space for a minimum of one vehicle within the property boundary.

ADVICE

1. All building site managers must take all action necessary to ensure building materials and / or machinery on construction sites are secured immediately following the first cyclone watch and that relevant emergency telephone contacts are provided to Council Officers, prior to commencement of works.

2. This approval does not negate the requirement for compliance with all other relevant Local Laws and other statutory requirements.

Infrastructure Charges Notice

3. A charge levied for the supply of trunk infrastructure is payable to Council towards the provision of trunk infrastructure in accordance with the Infrastructure Charges Notice. The original Infrastructure Charges Notice will be provided under cover of a separate letter.

The amount in the Infrastructure Charges Notice has been calculated according to Council’s Infrastructure Charges Resolution.
Please note that this Decision Notice and the Infrastructure Charges Notice are stand-alone documents. The Planning Act 2016 confers rights to make representations and appeal in relation to a Decision Notice and an Infrastructure Charges Notice separately.

The amount in the Infrastructure Charges Notice is subject to index adjustments and may be different at the time of payment. Please contact the Planning Approvals Team at council for review of the charge amount prior to payment.

The time when payment is due is contained in the Infrastructure Charges Notice.


**LAND USE DEFINITIONS***

In accordance with CairnsPlan 2016v2.1 the approved land use of Parking Station is defined as:

Premises used for parking vehicles where the parking is not ancillary to another use.

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

**EXECUTIVE SUMMARY**

Council is in receipt of a Development Application for Material Change of Use for a Parking Station at 31-33 Norman Street, Gordonvale, on land described as Lot 1 and 2 on RP732893.

The subject site has a total area of 1,209m² and benefits from a 25.4m frontage to Norman Street. The site is located within the District Centre zone, Precinct 1 (Town Centre) of the Gordonvale Local Plan. The proposed development (Parking Station) is Code Assessable within the District Centre Zone. The site previously contained two (2) shops, located to the front of the property (on the Norman Street frontage) and informal car parking to the rear.
The two (2) shops have been demolished. For the avoidance of doubt the demolition of the existing buildings at this location did not require a planning approval. The Places of Significance Overlay does not extend to this section of Norman Street, thus building works and demolition of buildings on this site are not regulated by the Planning Scheme.

The proposal seeks to establish an at grade Parking Station with 33 car parking spaces and a 6.2m wide crossover to Norman Street. The proposed carpark is to service the Gordonvale Town Centre generally and two (2) existing pubs within the Gordonvale Town Centre, being the Great Northern Hotel (on the corner of Norman and Gordon Streets) and the Parkview Tavern (on the corner of Gordon Street and Bell Lane).

In assessing the proposed development, reasonable and relevant conditions have been recommended to ensure compliance with the assessment benchmarks of the CairnsPlan 2016v2.1.

**TOWN PLANNING CONSIDERATIONS**

**Site Description**

The subject site is described as Lot 1 and 2 on RP732893 with an area of 1,209m² (Refer to Figure 1: Subject Site). The site is rectangular in shape with a 25.4m (approximate) frontage to Norman Street.
The site benefits from two (2) easements, Easements “A” and Easement “B”. Easement “A” provides access to the adjoining land to the south east, 35-35A Norman Street and Easement “B” provides access to the land to the east that contains the Parkview Tavern.

Easement A is to remain, although the Applicant is in the process of extinguishing Easement B, which is no longer required.

The site obtains access to Norman Street by two (2) crossovers located either side of the former buildings.

Additionally, the site is included within the following overlays of CairnsPlan 2016v2.1:

- Acid Sulfate Soils – 5.2m AHD;
- Airport Environs - PANS-OPS Area;
- Flood and Inundation Hazard – Flood Inundation (100 year ARI); and
- Transport Network – Collector Road (Norman Street) and Existing Neighbourhood Route (Pedestrian/Cycle).

**Background**

It is also noted that a number of improvements are occurring within the Gordonvale Local Plan Area, these include:

- The Great Northern Hotel;
- The Parkview Hotel; and
- The Ye Olde Gordonvale Pub.

**Description of Proposal**

The proposal seeks to establish a Parking Station. The Parking Station is to be an open sealed car park at ground level, with a site cover of 841.73m², accommodating 33 car parking spaces (Figure 2: Proposed Plan of Development).

**Figure 2: Proposed Plan of Development**
The site will benefit from one (1) 6.2m wide crossover to Norman Street. The two (2) existing crossovers will be made redundant and the kerb made good.

Landscaped setbacks will be provided to soften the impact of the hardstand area. The carpark will be setback:

- 2m from the front (Norman Street) boundary;
- 1m from the northern (side) boundary;
- 1.5m - 7.5m from the southern (side) boundary; and
- 0.35-3.27 from the rear (eastern) boundary.

**Statement of Reasons**

The following information is provided in accordance with section 63 of the *Planning Act 2016*.

**REASONS FOR DECISION**

The reasons for this decision are:

- The subject site is an area of 1,290m² and has a 25m (approximate) frontage to Norman Street. The Parking Station is to be an open sealed car park at ground level, with a site cover of 841.73m², accommodating 33 car parking spaces. The purpose of the car park is to serve demand for parking at the Parkview Hotel, the Great Northern Hotel, and the wider Gordonvale Town Centre generally.

- The development is considered to be appropriate for the site and compliance with the relevant provisions of CairnsPlan 2016 v2.1 has been demonstrated. Accordingly, the application is recommended for approval, subject to conditions.

**ASSESSMENT BENCHMARKS**

The proposed development was assessed against the following assessment benchmarks of CairnsPlan 2016 v2.1.

<table>
<thead>
<tr>
<th>Assessment Benchmarks</th>
<th>Zone</th>
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<tbody>
<tr>
<td></td>
<td>District centre</td>
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<td>Local Plans</td>
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<td>Gordonvale Overlays</td>
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<tr>
<td>Acid sulfate soils</td>
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<tr>
<td>Airport environs</td>
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<td>Flood and inundation hazards</td>
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<td>Transport network</td>
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<tr>
<td>Development codes</td>
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<tr>
<td>Parking station</td>
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<td>Centre design</td>
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<td>Environmental performance</td>
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<tr>
<td>Excavation and filling</td>
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<td>Infrastructure works</td>
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<td>Landscaping</td>
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<tr>
<td>Parking and access</td>
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<tr>
<td>Vegetation management</td>
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</table>
NON-COMPLIANCE WITH BENCHMARKS

The development was assessed against all of the assessment benchmarks listed above and complies with all of these with the exception listed below.

<table>
<thead>
<tr>
<th>Assessment Benchmark</th>
<th>Reasons for the approval despite non-compliance with benchmark</th>
</tr>
</thead>
<tbody>
<tr>
<td>Gordonvale Local Plan Purpose PO6 – On-site parking PO8 – Development Complements character</td>
<td>The loss of existing buildings is acknowledged. For the avoidance of doubt, no planning approval was required for the demolition of these buildings. Considering the nature of the land use (Parking Station), it is considered that a 2m deep vegetated front setback would be adequate to ensure that parking would be adequately screened from the street so as to ensure that the Parking Station did not dominate the streetscape. The proposal provides for vegetated boundary setbacks. A condition has been included which will ensure that setbacks are landscaped, this will assist to soften the appearance of the hardstand (car park) area.</td>
</tr>
<tr>
<td>Parking Station code PO2 – Amenity and Access and PO4 and PO5 – Landscaping and Screening</td>
<td>The Parking Station Code requires Parking Stations to be designed so that they are convenient and accessible to users. AO2.3 states that parking stations which are used by the general public during the hours of darkness are provided with night lighting that is suitably screened to protect the amenity of adjoining premises. Therefore a condition has been included in the recommendation to ensure that lighting is provided as part of the proposal. PO4 of the Parking Station Code states that the parking Station should be sufficiently screened from adjoining properties. PO5 states that the Parking Station will provide an attractive appearance to the street. It is acknowledged that adjoining properties are generally retail and commercial uses. All boundaries of the proposed parking station will have landscaped setbacks. Side and rear setbacks vary between 0.35-7.5m (see detailed setback distances below). Further, the property would be screened with a 1.8m high palling fence on the northern (side) and eastern (rear) boundaries to appropriately screen the car park from adjoining properties. It is noted that a fence is not provided on the southern (side) boundary, although this is appropriate considering that there would be a 6m vegetated setback to the southern side boundary, and side facing windows to the building at 35-35A Norman Street are located (approximately) of 1.8m above ground level, thus these side-facing windows do not form the dominant outlook for the building at 35-35A Norman Street. Further, the absence of a fence on this boundary allows for</td>
</tr>
</tbody>
</table>
improved passive surveillance of the shared easement located between 33 and 35 Norman Street.

The ground level, open air Parking Station will also benefit from a 2m vegetated setback to the Norman Street frontage, in keeping with AO5.1 of the Parking Station Code.

In summary the proposal would provide for adequate landscaping and screening to adjoining properties and the Street.

<table>
<thead>
<tr>
<th>Parking and Access code</th>
<th>PO9 – Vehicle queuing requirements</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>PO9 of the Parking and Access Code states that queuing and set down areas are provided to accommodate the demand generated by the development.</td>
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<tr>
<td></td>
<td>A condition has been included in the recommendation to ensure that if any controlled access (i.e. boom gates, ticketing etc.) is to be installed over the life of the development that details of the controlled access are to be provided to Council for review and endorsement prior to installation. Council would typically require this information to ensure that safe vehicle queuing could be achieved.</td>
</tr>
<tr>
<td></td>
<td>A condition has been included in the recommendation to ensure that a crossover is provided in accordance with FNQROC standard drawings and that redundant crossovers are made good.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Landscaping code</th>
<th>PO1 – Landscape Design</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>The proposal demonstrates that setbacks would be landscaped. Setback distances are proposed as follows:</td>
</tr>
<tr>
<td></td>
<td>• 2m from the front (Norman Street) boundary;</td>
</tr>
<tr>
<td></td>
<td>• 1m from the northern (side) boundary;</td>
</tr>
<tr>
<td></td>
<td>• 1.5m - 7.5m from the southern (side) boundary; and</td>
</tr>
<tr>
<td></td>
<td>• 0.35-3.27 from the rear (eastern) boundary.</td>
</tr>
<tr>
<td></td>
<td>A condition has been included in the recommendation which will ensure that landscaped setbacks would be achieved as part of the proposal, with deep planting to be achieved on the northern (side) boundary, adjoining No. 29 Norman Street.</td>
</tr>
</tbody>
</table>

**INFRASTRUCTURE CHARGES**

The proposed development triggers Infrastructure Charges. There is no proposed GFA, thus no charge for the land use, although the proposal triggers a charge for impervious area. Refer to Appendix 4 to view calculations.
ATTACHMENTS:

Appendix 1 – Approved plan(s) & document(s)
Appendix 2 – Notice of Intention to Commence Use
Appendix 3 – FNQROC Standard Drawings
Appendix 4 – Infrastructure Charges Calculations

Nastassja Lazarus
Planning Officer
Action Officer

Peter Boyd
Manager Strategic Planning & Approvals

Kelly Reaston
General Manager Planning & Environment
APPENDIX 1: Approved plan(s) & document(s)
Notice of Intention to Commence Use

DEVELOPMENT PERMIT

Planning Act 2016

<table>
<thead>
<tr>
<th>Development Permit</th>
<th>8/7/4680</th>
</tr>
</thead>
<tbody>
<tr>
<td>Date of Approval</td>
<td>5 December 2019</td>
</tr>
<tr>
<td>Approved Use</td>
<td>Parking Station (33 Carparking Spaces)</td>
</tr>
<tr>
<td>Location</td>
<td>31 Norman Street GORDONVALE, 33 Norman Street</td>
</tr>
<tr>
<td>Property Description</td>
<td>Lot 1 and 2 on RP732893</td>
</tr>
</tbody>
</table>

I/we are hereby notifying Cairns Regional Council of my/our intention to commence the approved use outlined above

on _______________________________ (insert date).

I have read the conditions of the Decision Notice issued and believe that all the applicable conditions have been complied with.

Applicant:
Address:
Contact Phone:
Signature of Applicant/Owner:
Date:
APPENDIX 3: FNQROC Standard Drawings

*ALL CROSSOVERS NOT COMPLYING WITH THIS DRAWING REQUIRE APPROVAL*

- All new concrete footpaths, where required in new developments shall be designed to match to existing footpath slabs,
- (1:14 maximum grade. Plain concrete only)
- All existing footpaths are to be altered without approval.

**RESIDENTIAL VEHICLE CROSSING**

(OPTIONAL KERB TYPE)

- Footpath area
- 1200 mm minimum concrete slab
- 95 mm minimum compacted gravel to 95% standard under crossover
- Damp proof membrane as a layer between the bedding material and underside of concrete
- Variable slope to suit property. Must match to an existing footpath

**COMMERCIAL & INDUSTRIAL VEHICLE CROSSING**

- Footpath area
- 1200 mm minimum concrete slab
- 95 mm minimum compacted gravel to 95% standard under crossover
- Damp proof membrane as a layer between the bedding material and underside of concrete

**NOTES**

1. All items to be detailed correctly in accordance to Australian standard.
2. All items to be detailed in accordance to FNQROC Standard Drawings.
3. All items to be detailed in accordance to FNQROC Standard Drawings.
4. All items to be detailed in accordance to FNQROC Standard Drawings.
5. All items to be detailed in accordance to FNQROC Standard Drawings.
6. All items to be detailed in accordance to FNQROC Standard Drawings.
**APPENDIX 4: Infrastructure Charges Notice**

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**Appendix A to Infrastructure Charges Notice**

<table>
<thead>
<tr>
<th>Category</th>
<th>Use</th>
<th>Quantity</th>
<th>Charge</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Commercial (retail)</strong></td>
<td>Shop</td>
<td>366</td>
<td>$52,575.43</td>
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<tr>
<td><strong>Stormwater Charge</strong></td>
<td>$1.04 m² impervious (site area)</td>
<td>366</td>
<td>$382.12</td>
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**EXISTING CHARGE**

- $52,957.56

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**AC - (PROPOSED LAND USE CHARGE)**

<table>
<thead>
<tr>
<th>Category</th>
<th>Use</th>
<th>Quantity</th>
<th>Charge</th>
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<tr>
<td><strong>Other uses</strong></td>
<td>Parking Station</td>
<td>841.73</td>
<td>$7,154.71</td>
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</tbody>
</table>

**PROPOSED CHARGE**

- $7,154.71

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**LC (LEVIED CHARGE)**

- $0.00

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**Account:** T548 06448

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**Checked by:** Gina Bartlett

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