

ORDINARY MEETING

15 APRIL 2026

5.10

REQUEST FOR PRE-REQUEST RESPONSE NOTICE FOR PROPOSED MINOR CHANGE TO DEVELOPMENT APPROVAL FOR FABCOT PTY LTD - 171-173 & 175 TRINITY BEACH ROAD, TRINITY BEACH - DIVISION 9

PGS : 8/30/248 : #7851061

PROPOSAL:

REQUEST FOR PRE-REQUEST RESPONSE NOTICE FOR PROPOSED MINOR CHANGE TO THE DEVELOPMENT APPROVAL FOR MATERIAL CHANGE OF USE FOR SHOPPING CENTRE, HEALTH CARE SERVICE, CHILD CARE CENTRE, FOOD AND DRINK OUTLET, SERVICE STATION, RECONFIGURING A LOT (2 INTO 18 LOTS & ACCESS EASEMENT) AND OPERATIONAL WORKS FOR ADVERTISING DEVICE (PYLON SIGNAGE)

LANDOWNER:

FABCOT PTY LTD

APPLICANT:

FABCOT PTY LTD
C/- URBAN SYNC
PO BOZ 2970
CAIRNS QLD 4870

INTERESTED PARTIES:

FABCOT PTY LTD
URBAN SYNC
CCN ARCHITECTS PTY LTD
ANDREW GOLD LANDSCAPE ARCHITECTURE
SLR CONSULTING
CIVIL WALKER CONSULTING ENGINEERS
MWA ENVIRONMENTAL
VT CONSULTING ENGINEERS

LOCATION OF SITE:

171-173 & 175 TRINITY BEACH ROAD, TRINITY BEACH

PROPERTY:

LOT 1 ON RP741589 & LOT 156 ON NR5378

PLANNING SCHEME:

CAIRNS PLAN 2016 V3.1

LOCAL PLAN:

SMITHFIELD LOCAL PLAN

ZONE:

LOW-MEDIUM DENSITY RESIDENTIAL

REFERRAL AGENCIES:

STATE ASSESSMENT AND REFERRAL AGENCY (N/A TO THIS REQUEST)

NUMBER OF SUBMITTERS:

583 SUBMISSIONS (ORIGINAL APPLICATION)

STATUTORY ASSESSMENT DEADLINE:

NOT APPLICABLE

REQUEST DATE:

01/12/2025

DIVISION:

9

ATTACHMENTS:

1. CHANGED CONDITION PACKAGE
2. UPDATED PLANS OF DEVELOPMENT AND TECHNICAL REPORTING

LOCALITY PLAN:



RECOMMENDATION:

That Council:

- A. Issues FABCOT Pty Ltd with a Pre-Request Response Notice for the proposed Minor Change to the Development Approval for Material Change of Use for a Shopping Centre, Health Care Service, Child Care Centre, Food and Drink Outlet and Service Station (Development Permit), Reconfiguring a Lot - 2 Lots into 4 Lots (Development Permit) and 1 Lot into 14 Lots (Preliminary Approval) and Operational Work (Advertising Device – Pylon Sign).

- B. Notes the Pre-Request Response Notice confirms that Council does not object to the Proposed Minor Change, where it is consistent with the package of Changed Approved Plans and Documents and Development Conditions, provided at Attachment 1.**
 - C. Notes that FABCOT Pty Ltd will apply to the Planning and Environment Court, as the Responsible Entity for the proposed Minor Change; and**
 - D. Delegates authority, pursuant to the *Local Government Act 2009*, to the Chief Executive Officer, for the future conduct and resolution of the proposed Change Application in the Planning and Environment Court, where substantially in accordance with the package of Changed Approved Plans and Documents and Development Conditions, provided at Attachment 1.**
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EXECUTIVE SUMMARY

FABCOT Pty Ltd, seeks to make a Minor Change to its development approval issued by the Planning and Environment Court. The changes sought to the development include aspects dealing with the pickup facility (direct to boot), the loading dock area to facilitate the home delivery service, the approved hours of operation for the loading dock and site access arrangements.

It is understood that the primary drivers for the proposed changes are to address the needs of key tenants on the site, respond to contemporary market demands in how supermarkets operate, particularly through the direct to boot pickup and home delivery options and to improve the overall service vehicle access and circulation on the site.

The currently approved development will facilitate the establishment of a new centre at the corner of the Captain Cook Highway, Trinity Beach Road and Navigation Drive, to be anchored by a full line Woolworths supermarket.

In respect of the proposed Minor Change, consistent with s78A(2) of the *Planning Act 2016*, the Planning and Environment Court will be the 'responsible entity' to determine the change application on the basis that the current approval was given by the Court and there were properly made submissions for the original development application.

To assist the Court process for the proposed Minor Change, Officers have engaged with the Applicant in respect of the proposed changes to the approved development.

Officers are satisfied that impacts associated with the proposed changed development are substantially similar to those of the current approved development. The proposed changes are considered to constitute a Minor Change, where they are carried out in accordance with the suite of changed development conditions and changed plans of development. Overall, the changes do not pose any significant concern, do not introduce unacceptable impacts and will not result in a substantially different development.

To formalise this position, it is recommended that Council issue the Applicant with a Pre-Request Response Notice in respect of the proposed Minor Change. The purpose of the notice is to confirm that Council does not object to the proposed Minor Change, where it is consistent with the suite of changed development conditions and changed plans of development.

The notice will then form part of an application to be made by the Applicant to Court to facilitate the change. Carrying out early engagement with the Applicant and reaching agreement on required changes prior to the application being made to Court should provide benefits to Council in terms of the time and costs associated with the Court proceeding.

As part of this report, a resolution is sought from Council to delegate the conduct and resolution of the future Court proceeding to the CEO, where the Minor Change is substantially in accordance with the material put before Council as part of this request.

BACKGROUND

Council received the original Development Application in December 2017. The application as lodged included the following aspects of development:

- Material Change of Use (Shopping Centre, Health Care Service, Child Care Centre, Food and Drink Outlet and Service Station); and
- Reconfiguring a Lot (2 Lots into 4 Lots) and (1 Lot, being proposed Lot 3, into 14 Lots); and
- Operational Work (Advertising Device – Pylon Sign).

Assessment of the application was carried out throughout 2018 and included public notification, which attracted 583 properly made submissions. Ultimately, Council approved the development, and issued a part Preliminary Approval and part Development Permit, with the Decision Notice issued 15 October 2018.

Subsequent to the issue of the Decision Notice, various appeals were commenced in the Planning and Environment Court in late 2018 by the Applicant (FABCOT Pty Ltd) and a number of submitters for the Application including Dexus Funds Management Ltd (Dexus); Trinity Park Investments Pty Ltd and L'Armonia Pty Ltd (together referred to as TPI within this report); and Indigenous Business Australia ATF the IREIT Sub-Trust (IBA). The Cairns Combined Beaches Community Association (CCBCA) also elected to be a co-respondent for the appeal.

The hearing of the matter was set down for three weeks commencing mid-March 2020. During the course of the appeal and commensurate with the advice provided by Council's retained experts and legal representatives, Council took the view that a Development Permit for the whole of the development was appropriate rather than a part Preliminary Approval and part Development Permit, as originally granted.

The Court delivered its judgement on 30 April 2020 and allowed the Appeal by FABCOT Pty Ltd by approving the development subject to the imposition of appropriate lawful conditions. Final orders, being the issue of the approval, were made on 13 July 2020. Submitter parties appealed the Courts decision to approve the development to the Court of Appeal. The appeal applications were heard concurrently in September 2020. The Court of Appeal, in its judgement of May 2021, found a technical error in the judgement and reasons of the Planning and Environment Court and ordered that the matter be remitted to the Planning and Environment Court for determination by the primary judge.

The remitted hearing in the Planning and Environment Court occurred over four days in April 2022 and was limited in scope to those matters relevant from the Court of Appeal decision. The Court delivered judgement in the remitted hearing on 3 May 2022, and reconfirmed its original decision to approve the application in full, subject to conditions.

The final order of the Court was made on 6 May 2022, and it is that decision which the Applicant now seeks to change.

PROPOSED CHANGES

The Applicant has submitted a request to Council to provide a Pre-Request Response Notice in advance of an application being made to the Planning and Environment Court. The proposed changes to the development approval are summarised as follows:

1. Revised design of the click 'n' collect (pickup) area on the eastern side of the shopping centre to improve access, circulation and capacity;
2. Revised design of the loading dock to improve accessibility and capacity for home delivery services. This includes the relocation of fire tank and refuse storage area;
3. Changes to the hours of operation for loading dock activities in respect of deliveries to the site and home delivery services, but not including refuse collection activities. This necessitates changes to the acoustic fencing surrounding the loading dock where adjacent to existing and future residential development;
4. Modification to the footprint of the medical centre with a reduction in the overall width of the building, but an increase to the depth;
5. Removal of the site entry from Trinity Beach Road;
6. Modification of drainage infrastructure along the western boundary of the site to incorporate a primary piped solution rather than open channel solution;
7. An additional 10 car parking spaces to be provided across the site; and
8. Minor alterations to the boundaries of Lots 1, 2 and 4.

As part of the request, the Applicant has provided an updated suite of Architectural Plans, Landscape Concept Plans and supporting technical reporting, including Traffic, Stormwater, Civil Design and Acoustic Impact has been submitted and considered by Officers. The updated plans of development and technical reporting is provided in Attachment 2.

Through negotiations with the Applicant, Officers are agreeable to the proposed changes to the approved development, where the identified changes and additions are made to the conditions of approval, as reflected in Attachment 1.

Change Application

Section 81 of the *Planning Act 2016* applies to a change application for a minor change to a development approval. Whilst it will ultimately be a matter for the Court to determine, the responsible entity must consider the following matters:

(2) *When assessing the change application, the responsible entity must consider—*

Section 81 of the <i>Planning Act 2016</i>	Officer Assessment
(a) <i>the information the applicant included with the application; and</i>	The information the Applicant included with the application and additional information provided has been considered.
(b) <i>if the responsible entity is the assessment manager—any properly made submissions about the development application or another change application that was approved; and</i>	Council will not be the responsible entity for the Change Application. Submissions were received during the original development application, with submitters joining the Court proceedings. In the context of the approval ultimately granted by the Court and the content of the submissions, the changes proposed to the approved development are considered to have been appropriately addressed through existing conditions or proposed changed conditions of approval.
(c) <i>any pre-request response notice or response notice given in relation to the change application; and</i>	No pre-request response notice or response notice is required or has been given in respect of the change application.
(d) <i>if the responsible entity is, under section 78 (3)(ba) or (bb), the Minister—all matters the Minister would or may assess against or have regard to, if the change application were a development application called in by the Minister; and</i>	The responsible entity is not the Minister.
(da) <i>if paragraph (d) does not apply—all matters the responsible entity would or may assess against or have regard to, if the change application were a development application; and</i>	The responsible entity has considered all relevant matters. It is noted that the Planning Scheme in effect at the time of assessment for the original application, being CairnsPlan 2016 v3.1 remains the current Planning Scheme applying to the land.

(e) <i>another matter that the responsible entity considers relevant.</i>	No other matters are considered relevant.
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Officers have considered the request against section 81 of the *Planning Act 2016* and consider that the proposed changes will not materially alter the nature or scale of the approved development.

In accordance with Section 81(3) of the *Planning Act 2016*, Council has considered the following statutory instruments:

- CairnsPlan 2016 v3.1
- State Planning Policy
- Far North Queensland Regional Plan (FNQRP) 2009-2031

Minor Change Test

Schedule 1 of the DA Rules prescribes criteria when assessing a Change application for a Minor Change Request. One of the criteria for a minor change is that the proposed change does not result in a ‘substantially different development’, which is considered the following:

‘A change may be considered to result in a substantially different development if the proposed change:

Schedule 1 of the DA Rules – Minor Change Test	Officer Assessment
(a) <i>involves a new use; or</i>	The change does not involve a new use.
(b) <i>results in the application applying to a new parcel of land; or</i>	The change does not result in the application applying to a new parcel of land.
(c) <i>dramatically changes the built form in terms of scale, bulk and appearance; or</i>	The proposed change will alter some elements of the currently approved built form in relation to the health care centre, loading dock and pickup area, with consequential changes to the acoustic fencing around the loading dock. These changes are considered to not be dramatic in their nature and the development as a whole will still be readily recognised as a shopping centre with associated uses.
(d) <i>changes the ability of the proposed development to operate as intended;</i>	The change does not alter the ability of the proposed development to operate as intended.
(e) <i>removes a component that is integral to the operation of the development; or</i>	The development does not remove a component that is integral to the operation of the development.

<p>(f) <i>significantly impacts on traffic flow and the transport network, such as increasing traffic to the site; or</i></p>	<p>The proposal include a change to the access arrangements to the site. The current approval contemplates access into the site from both Trinity Beach Road and Navigation Drive. The changed proposal contemplates a single access only from Navigation Drive. There will not be a significant change to the overall volume of traffic accessing the site as the overall gross floor area is increasing by a very small amount (<10m²). The distribution of how traffic uses the road network to access the site will change. This is most likely to occur for those users originating from Trinity Beach, which were likely to use the Trinity Beach Road entrance, rather than the Navigation Drive entrance. Customers coming from the Captain Cook Highway would have to use the Navigation Drive entrance in the currently approved scenario as the entry from Trinity Beach Road was designed as a left in/left out only arrangement, with no movements permitted across Trinity Beach Road.</p> <p>To ensure the new intersection on Navigation Drive for the site access operates as intended, a new condition has been proposed for the conduct of a Road Safety Audit (RSA) at 6 months post commencement of use of the Shopping Centre. If risks or hazards are identified in the RSA that are attributable to the development, the Applicant will need to liaise with Council regarding remediation options.</p> <p>In consideration of the above, Officers are satisfied that the proposed change will not have a significant traffic impact.</p>
<p>(g) <i>introduces new impacts or increase the severity of known impacts; or</i></p>	<p>The proposed change to the loading dock arrangement alters the previously accepted acoustic reporting. As a consequence of the changed acoustic environment, the Applicant commissioned an updated acoustic impact assessment which has been submitted as part of this request.</p> <p>The updated report contemplates changes to the acoustic fencing requirements along the boundaries of the site adjacent to the loading dock, where directly adjoining existing of future residential land uses. The current approval contemplates 2m high acoustic barriers surrounding the loading dock area.</p>

	The initial updated report has proposed an increase in height to a maximum of 3.2m of the acoustic fences to ensure an acceptable acoustic environment for those adjacent residential premises. Officers queried the Applicant about potential consequences in the change in height of the fence. As a result of those queries, a revised acoustic report with an updated fence design has been submitted. The revised fence design includes a vertical height to 2.2m, with a further 1m section of fence angled into the site at 60 degrees. This arrangement achieves the required acoustic design requirements whilst presenting a similar built form. On this basis, Officers are satisfied that the change does not introduce a new impact or increase the severity of a known impact.
(h) <i>removes an incentive or offset component that would have balanced a negative impact of the development; or</i>	No incentives or offsets were applicable, nor does the change remove an incentive or offset component.
(i) <i>impacts on infrastructure provisions.'</i>	The change does not impact on infrastructure.

INFRASTRUCTURE CHARGES

There is a very minor increase in the overall Gross Floor Area of the development of ~10m². On the basis the Minor Change application is ultimately approved by the Court, an amended Infrastructure Charges Notice will be issued to the Applicant.

The current approval includes a necessary (trunk) infrastructure condition which requires the delivery of upgrades to Trinity Beach Road and the signalisation of the intersection of Trinity Beach Road and Navigation Drive. No changes are proposed to this condition as part of the change to the development approval.

It is noted that Officers have been engaged in negotiations with the developer on an Infrastructure Agreement (IA) that relates to the trunk infrastructure to be delivered as part of the development. Officers from Council's infrastructure, finance and planning teams have been involved in the negotiations to date. The negotiations for the IA are nearing completion and a separate report will be presented to Council in due course. The developer will be able to claim an offset and/or refund against the Levied Charges for the development. The final value of any offset and/or refund will be determined based on the value of Levied Charges and the final agreed value of the trunk infrastructure work.

RISK MANAGEMENT

Council Finance and the Local Economy

The development is to occur on privately owned land and all costs of the development on the land are the responsibility of the developer.

Community and Cultural Heritage

CairnsPlan 2016 sets out framework to ensure appropriate development occurs. The framework is reflected within the overlay, local plan, zone and development codes of which this development application has been assessed against.

Natural Environment

CairnsPlan 2016 sets out framework to ensure appropriate development occurs. The framework is reflected within the overlay, local plan, zone and development codes of which this development application has been assessed against.

ATTACHMENTS

1. Changed Condition Package
2. Updated Plans of Development and Technical Reporting



Brett Nancarrow
Executive Manager, Development & Planning



Mark Davey
Director, Planning Growth & Sustainability

ATTACHMENT 1: CHANGED CONDITION PACKAGE

PART A – DEVELOPMENT PERMIT - MATERIAL CHANGE OF USE FOR SHOPPING CENTRE, FOOD AND DRINK OUTLET, HEALTH CARE SERVICE, SERVICE STATION AND CHILD CARE CENTRE AND OPERATIONAL WORK FOR ADVERTISING DEVICE (PYLON SIGN)

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

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

Drawing or Document	Reference	Date
Development Statistics	Drawing No. P1528, DA-02 Revision <u>P</u> I , prepared by CCN Architects	<u>15 October 2025</u> 40 February 2020
Site Plan	Drawing No. P1528, DA-03, Revision <u>AD</u> P , prepared by CCN Architects	<u>25 November 2025</u> 19 February 2020
Roof Plan	Drawing No. P1528, DA-04, Revision <u>N</u> F , prepared by CCN Architects	<u>13 October 2025</u> 19 February 2020
Circulation Plan	Drawing No. P1528, DA-05, Revision <u>K</u> G , prepared by CCN Architects	<u>17 February 2026</u> 19 February 2020
Retail Elevations & Sections	Drawing No. P1528, DA-06, Revision <u>M</u> F , prepared by CCN Architects	<u>13 October 2025</u> 40 February 2020
Elevations 2	Drawing No P1528, DA-07 Revision <u>I</u> E , prepared by CCN Architects	<u>15 October 205</u> 40 February 2020
<u>Building and Pylon Signage Plan</u>	Drawing No P1528, DA-08, Revision <u>H</u> E , prepared by CCN Architects	<u>13 October 2025</u> 19 February 2020
Gross Floor Area Plan	Drawing No P1528 DA-09, Revision <u>L</u> G , prepared by CCN Architects	<u>15 October 2025</u> 19 February 2020
Net Lettable Area Plan	Drawing No. P1528, DA-10, Revision <u>L</u> F , prepared by CCN Architects	<u>15 October 2025</u> 19 February 2020
Childcare & Petrol Plan	Drawing No P1528, DA 13, Revision <u>G</u> E , prepared by CCN Architects	<u>15 October 2025</u> 27 May 2020
<u>Site Staging Plan</u>	Drawing No P1528, SK-103, Revision <u>A</u> , prepared by CCN Architects	<u>11 February 2026</u>
<u>Landscape Concept Plan</u>	Drawing No. 25.261, Sheet 1, Issue B, prepared by AGLA	<u>20 October 2025</u>
<u>DA Minor Change Amendments</u>	Drawing No. 25.261, Sheet 2, Issue B, prepared by AGLA	<u>20 October 2025</u>
<u>Proposed Planting Schedule</u>	Drawing No's. 25.261, Sheets 3 - 6, Issue B, prepared by AGLA	<u>20 October 2025</u>

Drawing or Document	Reference	Date
Overall Arrangement Proposed Site Access Amendment	Drawing No. 135-005-SK100, Revision 3, prepared by Civil Walker	22 October 2025
Overall Arrangement Typical Sections	Drawing No. 135-005-SK101, Revision 1, prepared by Civil Walker	22 October 2025
Updated Minor Change Noise Impact Assessment	Report No. 25151, prepared by MWA Environmental	19 March 2026
Concept Site Access Arrangement Trinity Beach Road	Drawing No. 135-002-SK12-2 Revision C, prepared by CivilWalker Consulting Engineering	1 June 2020
Concept Site Access Arrangement Master Plan	Drawing No. 135-002-SK12 Revision F, prepared by CivilWalker Consulting Engineering	1 June 2020
Concept Site Access Arrangement Navigation Drive (Two Lanes)	Drawing No. 135-002-SK12-1, Revision C, prepared by CivilWalker Consulting Engineering	1 June 2020
Statement of Landscape Intent	Drawing No L1.01, Revision 4 prepared by Landplan	19 February 2020
Landscape Schematic Design	Drawing No L1.02, Revision 4 prepared by Landplan	19 February 2020

CONDITIONS OF APPROVAL

1. This development approval shall lapse in accordance with section 85(1)(a)(ii) 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 satisfied prior to the Commencement of Use of the relevant aspect of development and be maintained at all times, to the satisfaction of the Chief Executive Officer, except where specified otherwise in these conditions of approval.

Notice of Intention to Commence Use

4. Prior to commencement of each approved ~~the~~ use on the site, written notice must be given to Council that the relevant use development fully complies with all applicable conditions of this Development Permit. Please return the attached “Notice of Intention to Commence Use” form when the use has commenced.

Operational Work Approvals

5. Operational Work Approvals are required for the earthworks, internal and external roadworks, private and public infrastructure works (sewer and water), landscaping and drainage works associated with each aspect of development. Approvals are required to be obtained prior to the commencement of works on the site for the aspect of development. Such works must be completed to the satisfaction of the Chief Executive Officer prior to commencement of use.

Limitation of Use

6. The gross floor area of the approved uses are limited to that identified on approved plans of development.

Hours of Operation

7. The hours of operation of the approved uses are limited to the following at all times, unless otherwise authorised by the Chief Executive Officer:
 - a. All activities of the Service Station and Food and Drink Outlet can be conducted 24hrs a day, Monday to Sunday;
 - b. All activities of the Child Care Centre are to be conducted between the hours of 6:30am to 6:30pm. The use of the outdoor play area of the Child Care Centre is limited to 7am to 6pm; and
 - c. The hours of operation for Shopping Centre and Health Care Centre are limited to 6am until 10pm, Monday to Sunday (not including loading dock hours of operation).

Advertising Device Limitation

8. The Advertising Device(s), including associated footings, must be wholly located within the boundaries of the site as identified on the approved plans of development.
9. The Advertising Device(s) as shown on the approved plans of development is limited to the following:
 - a. The Pylon Signage must have a maximum height above ground level of 8 metres; and
 - b. The content of the approved Advertising Device(s) must at all times have a direct relationship with lawful land uses occurring on the site.

External Lighting

10. Install external lighting in accordance with *AS4282 -2019 – Control of the Obtrusive Effects of Outdoor Lighting*. The installation of external lighting must be certified by a suitably qualified person prior to the commencement of use, and be maintained at all times.

Prioritised Pedestrian Pathway

11. Provide a prioritised pedestrian pathway internal to the subject site that provides a pedestrian link between all buildings as identified on the approved plans of development. The pathway must be differentiated in; colour, texture, and /or line marking, from the driveway surface finish.

Certification of Building Height

12. The height of buildings must be in accordance with the floor and roof levels shown on the approved plans of development.

Prior to the issue of a Certificate of Classification, or prior to the Commencement of Use, whichever occurs first for the certain aspect of development, submit certification from a licensed surveyor or building certifier that the overall height of the floor and 'as-constructed' roof levels are in accordance with the requirements of this condition.

Service Station

13. Prior to the issue of a Development Permit for Building Work for the Service Station, the applicant must submit an Air Quality Report prepared by a suitably qualified person which identifies the following,
 - a. Location of fuel vent stacks;
 - b. Vapour recovery to be implemented;
 - c. Volume of storage of fuel quantities to be stored onsite;
 - d. The proposed leak detection systems for underground pipework; and
 - e. Receptors including analysis of the adjoining Child Care Centre.

Details of the above requirements must be endorsed by the Chief Executive Officer prior to issue of a Development Permit for Building Works for the Service Station. The Service Station must be constructed in accordance with the requirements of the endorsed plan prior to the commencement of use and be maintained at all times

14. Store and dispense petroleum products in accordance with *AS1940-2004 - The storage of flammable and combustible liquids*.

15. Prior to the Commencement of Use of the Service Station, the uncovered forecourt area must be constructed and maintained in accordance with the following:
 - a. All ground surfaces of the forecourt area are to be constructed from impermeable materials, free of gaps or cracks;
 - b. Signage indicating 'flows to stormwater treatment system' is to be provided within the forecourt area. Signage is to be painted or otherwise indicated around the drain inlets; and
 - c. The forecourt and fuel delivery area is to be graded and drained into a certified stormwater treatment device as accepted by Council.

Detailed Landscape Plan

16. ~~Prior to the issue of a Development Permit for Operational Work, s~~Submit a Detailed Landscape Plan, prepared by a suitably qualified and experienced Landscape Architect or Landscape Designer, illustrating the following features:
 - a. A Landscape Design which is generally in accordance with that shown on the Landscape Concept Plan package prepared by AGLA (dated 20 October 2025), as identified in the table of Approved Plans and Documents in this Development Permit 'Statement of Landscape Intent prepared by Landplan, Drawing No. L1.01 dated February 2020';
 - ~~b. Landscaping between the building(s) and Trinity Beach Road to soften the built form;~~
 - ~~c. Screening of service areas and refuse areas;~~
 - b.d. Internal pedestrian pathways that use a surface treatment with colours and/or materials that are different to the hardstand treatment of the driveway;
 - ~~e. A detailed planting design and schedule for all proposed landscaped areas;~~
 - c.f. Any landscaped areas adjoining car parking, pedestrian paths and manoeuvring areas must be protected by a 150mm high vertical concrete kerb of similar obstruction. The kerb must be sufficiently set back from the edge of the landscaped area to prevent vehicular encroachment and damage to plants by vehicles;
 - d.g. Details of any fencing associated with the development;
 - e.h. The proposed substation located adjacent to the Health Care Service must be adequately screened from view; and
 - f.i. Landscaping with appropriate species of the drainage easement (swale) located along Trinity Beach Road and bio-retention basin.

The Detailed Landscape Plan must be submitted prior to the completion of Building Work associated with the approved Shopping Centre.

The completion of all landscaping works for the approved development must be undertaken in accordance with the approved plan prior to the Commencement of Use. Landscaped areas must be maintained at all times and for the life of the development to the satisfaction of the Chief Executive Officer.

Council's Environmental Officer is available to discuss specific planting palettes and proposed species prior to the submission of a Detailed Landscape Plan. Please contact Engineering Approvals and Inspections on (07) 4044 3632 or via engineering_admin@cairns.qld.gov.au.

Acoustic Attenuation

17. Provide a two (2) metre high acoustic barriers (at finished ground level) along the boundaries of the Shopping Centre and loading dock as identified in the approved Noise Impact Assessment, prepared by MWA Environmental (dated 19 March 2026), as identified in the table of Approved Plans and Documents in this Development Permit.

The materials of construction of the acoustic barriers may comprise masonry or overlapped timber palings, or a combination of each, to achieve a minimum surface density of 12.5kg/m².

Acoustic barriers constructed along the southern boundary of the site shall adopt 'Option B' as identified in the approved Noise Impact Assessment, prepared by MWA Environmental (dated 19 March 2026), as identified in the table of Approved Plans and Documents in this Development Permit.

The fencing must be complete prior to the Commencement of Use of the Shopping Centre, and maintained in good condition at all times.

Screen Fence

18. A minimum 1.8 metre (at finished ground level) high screen fence must be provided to the boundaries of the Health Care Service and Child Care Centre to the satisfaction of the Chief Executive Officer.

Where a screen fence joins to an acoustic barrier required by the conditions of this Development Permit, a transition in height shall be provided from the screen fence height to the acoustic barrier height. The grade of such transition shall be not less than 1:2 (height difference : transition distance)

The fencing must be consistent in terms of design and materials with other fences in the locality. The fencing must be completed prior to the Commencement of Use.

Noise Attenuation

19. Design and construct glazing with minimum Rw 31 (6.38mm laminate) for all façades of the Child Care Centre and the northern, western and southern facades of the Health Care Service.

Plant and Equipment Certification

20. Mechanical plant and equipment (e.g. air conditioning, plant and machinery units) must be designed, sited and acoustically attenuated to achieve the specified noise limits, measured from adjoining residential development as follows:
 - a. Day: $LA_{eq,adj,11hr} \leq RBL + 5 \text{ dBA} = 51 \text{ dB(A)}$;
 - b. Evening: $LA_{eq,adj,4hr} \leq RBL + 5 \text{ dBA} = 49 \text{ dB(A)}$; and
 - c. Night: $LA_{eq,adj,9hr} \leq RBL + 3 \text{ dBA} = 36 \text{ dB(A)}$
21. The condenser deck of the Shopping Centre must be constructed in accordance with the location as identified on the approved plans of development. The following noise mitigation and visual amenity measures must be incorporated into the rooftop condenser deck,
 - a. The provision amelioration design features including barriers or acoustic enclosures around the perimeter of the condenser deck, to achieve compliance with the approved noise criteria; and
 - b. Any mechanical plant and equipment located above ground level that is visible from external properties and the street must be screened with appropriate materials to improve the appearance of the building.

All the above works must be certified by a suitably qualified acoustic professional that all plant equipment complies with the noise criteria prior to the commencement of use of the Shopping Centre:

Odour Impacts

22. Ensure mechanical exhaust extraction ventilation systems, to remove cooking odours, comply with AS 1668.2: 2002 (*The use of ventilation and air conditioning in buildings - Ventilation design for indoor air contaminant control*). The above works must be certified by a suitably qualified person prior to the commencement of use, and be maintained at all times.

Direct to Boot, Hours of Deliveries and Refuse Collection

23. Delivery service vehicles access to the 'Loading Dock', ~~including the loading and unloading refuse collection vehicles, are~~ limited to the time period of 5am to 10pm only, Monday to Sunday. Refuse collection vehicles are limited to access the refuse collection area to the time period 6am to 6pm only, Monday to Sunday.

Direct to boot operations are limited to the time period 6am to 10pm only, Monday to Sunday.

Refuse Storage

24. The development must be designed to be serviced by bulk bins. A bulk bin enclosure must be provided in accordance with Council's requirements. Details of the bulk bin enclosures must be shown on the plan of works and must be approved by the Chief Executive Officer prior to issue of a Development Permit for Building Works. The bin enclosure must be constructed in accordance with the approved plans prior to the commencement of use.

Water Supply and Sewerage Works External

25. Undertake the following water supply and sewerage works external to the site to connect the site to existing water supply and sewerage infrastructure:
 - a. Augment existing water supply infrastructure to the extent necessary such that the development does not adversely affect the water supply to adjacent properties and such that a water service connection can be provided to the lot frontage;
 - b. Augment existing sewers and pump station downstream to the site, to the extent required to accommodate the increased flows generated by the development.

All the above works must be designed and constructed in accordance with the FNQROC Development Manual and indicated in any application for Development Permit for Operational Works. All works must be carried out in accordance with the approved plans, to the requirements and satisfaction of the Chief Executive Officer.

Infrastructure works required by this condition are considered to be non-trunk infrastructure for the purposes of Section 145 of the *Planning Act 2016*.

Water Supply and Sewerage Works Internal

26. Undertake the following water supply and sewerage works internal to the subject land:
 - a. The development must be serviced by a single internal water and sewerage connection made clear of any buildings or structures;
 - 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 and indicated in any application for Development Permit for Operational Works. All works must be carried out in accordance with the approved plans, to the requirements and satisfaction of the Chief Executive Officer.

Sewer Easement

27. Create an easement in favour of Council subject to Council's relevant standard terms document over all sewerage infrastructure on a non-standard alignment. A copy of the easement document must be submitted to Council for the approval by Council's solicitors at no cost to Council. The approved easement document must be submitted at the same time as submitting the request for plan sealing and must be lodged and registered with the Department of Natural Resource, Mines and Energy (DNRME) prior to the commencement of use of the relevant stage.

Inspection of Sewers

28. CCTV inspections of all constructed public sewers (including property sewers) must be undertaken. An assessment of the CCTV records must be undertaken by the developer's consultant and a report along with the footage submitted to Council for approval. Identified defects are to be rectified to the satisfaction of the Chief Executive Officer at no cost to Council.

Liquid Waste Disposal

29. Trade waste discharge to sewer must meet the requirements of Cairns Water and Waste's Trade Waste Environmental Management Plan (TWEMP). Detailed Hydraulic Plans must be provided accompanied by a report which demonstrates that the facility complies with the TWEMP and must be approved by Council prior to the issue of a Development Permit for Building Work. All measures for pre-treatment in accordance with the approved plans must be installed prior to Commencement of Use.

External Works for Transport Network (Trunk)

30. Undertake the following external roadworks with any associated drainage, footpath, site access and services generally in accordance with the approved plans of development and FNQROC Development Manual:
 - a. Upgrade Trinity Beach Road from Navigation Drive to Captain Cook Highway to a four (4) lane raised median divided 'Sub Arterial Road'. Provision must also be made for a safe pedestrian cyclist crossing on Trinity Beach Road to provide connectivity to the existing pathway on Trinity Beach Road (west); and
 - b. Install traffic signals at the intersection of Trinity Beach Road and Navigation Drive.

All the above works must be designed and constructed in accordance with the FNQROC Development Manual and indicated in any application for Development Permit for Operational Works. All works must be carried out in accordance with the approved plans, to the requirements and satisfaction of the Chief Executive Officer.

Infrastructure works required by this condition are considered to be trunk infrastructure for the purposes of Section 128 of the *Planning Act 2016*.

Note: Written approval may be required from the Department of Transport and Main Roads to carry out road works on a state-controlled road.

External Works for Transport Network (Non-Trunk)

31. Undertake the following external roadwork with any associated drainage, footpath, site access and services generally in accordance with the approved plans of development and FNQROC Development Manual:
- a. Design and construct a dedicated ~~egress from the site to left hand turning lane from Trinity Beach Road, including the extension of culvert infrastructure.~~ Provision must be made for a pedestrian/cyclist pathway;
 - b. Design and construct the intersection of the development access from Navigation Drive, including the culvert structure at Moores Gully crossing. Provision must also be made for a safe pedestrian cyclist/crossing of Navigation Drive to provide connectivity to the existing pathway located along Midship Street. The following elements are to be addressed as part of this intersection:
 - i. A Channelised Right Turn treatment (CHR) and Auxiliary Left Turn treatment must be provided at the intersection, with storage lengths designed to accommodate the traffic demand;
 - ii. The median opening must have a minimum width of 6 metres to enable right-turning vehicles exiting the development to undertake a safe two-stage manoeuvre; and
 - iii. The access road footpath crossing must incorporate a refuge island with a minimum width of 2 metres, separating the entry and exit lanes, to facilitate safe staged crossing for pedestrians and cyclists.
 - c. Design and construct the provision of a bus bay on both sides of Navigation Drive in accordance with the requirements of the Department of Transport and Main Roads (DTMR) and Translink; and
 - d. A minimum 2m wide footpath must be provided along Navigation Drive frontage and into the site.

All the above works must be designed and constructed in accordance with the FNQROC Development Manual and indicated in any application for Development Permit for Operational Works. All works must be carried out in accordance with the approved plans, to the requirements and satisfaction of the Chief Executive Officer.

Infrastructure works required by this condition are considered to be non-trunk infrastructure for the purposes of Section 145 of the *Planning Act 2016*.

Note: Written approval may be required from the Department of Transport and Main Roads to carry out road works on a state-controlled road.

Intersection Safety Audit

31A. Six (6) months after the Commencement of Use of the Shopping Centre, the Applicant must engage an independent Queensland Department Transport and Main Roads (TMR) accredited senior road safety auditor to undertake a Road Safety Audit (RSA) for the Navigation Drive / site access intersection. The RSA must be prepared consistent with the requirements of Austroads *Guide to Road Safety Part 6: Managing Road Safety Audits*.

The RSA scope is limited to risks and hazards that have emerged following project completion that were not identified or apparent at the detailed design or pre-opening stages.

The RSA report must be submitted to Council for approval and include (but not be limited to):

- a. Identification of all potential hazards and their locations;
- b. Assessment of safety risks at the intersection that may be present during shopping centre and network peak periods, including those arising from intersection performance such as traffic volumes, pedestrian activity, vehicle queuing and delays;
- c. A risk assessment of identified safety hazards undertaken and presented as per Austroads *Guide to Road Safety Part 6*;
- d. Recommended measures to mitigate identified risks; and
- e. Consideration of all road users.

The RSA findings, and where applicable, any remediations to address identified hazards and risks, must be certified by a Registered Professional Engineer of Queensland (RPEQ)

The post-commencement of use RSA must provide information on the key safety elements associated with the intersection that were assessed as part of the scope of the audit and any recommendations to address identified risks or hazards.

Where the RSA identifies potential remediations to address a risk or hazard, the Applicant must, within 28 days of submitted the RSA to Council, meet with Council to agree on any works reasonably required as a consequence of the development, and a reasonable program for their implementation. Only works that are within the land the subject of this development approval or road reserve that is adjacent to the development, are directly attributable to the development, and agreed in writing with Council, are required to be carried out. Agreed works must be completed within 6 months of the date of the written agreement with Council, unless a different period is provided for within the written agreement.

Vehicle Parking

32. The amount of vehicle parking for the development must be a minimum of ~~two hundred and ninety six (296)~~ three hundred and six (306) spaces located internal to the site as per the approved plans of development, as follows:
- a. ~~Thirty (30)~~ Twenty-seven (27) spaces for Child Care Centre;
 - b. Two hundred and sixty-nine (269) ~~fifty six (256)~~ for Shopping Centre and Health Care Centre; and
 - c. Ten (10) spaces for Service Station and Food and Drink Outlet.
33. 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. All car parking, driveway and vehicle manoeuvring areas must be imperviously sealed, drained and line marked. The car parking and manoeuvring areas on the site must specifically provide for the following:
- a. The driveways servicing the car parking areas must include a physical means of speed control at each exit point;
 - b. Line marking and signage of all car parking areas; and
 - c. The provision of space for vehicle (including service vehicle) turn around must be provided that all vehicles can enter and exit in a forward direction;
 - d. The accessible off-street car parking spaces must be designed in accordance with Australian Standard AS2890.6- Off-Street Car Parking for People with Disabilities, including parking bay dimensions and shared area; and

The car parking design is to be certified by a Registered Professional Engineer Queensland (RPEQ) that the car park manoeuvring provisions are considered safe and acceptable and comply with Australian Standards. Evidence must be submitted to Council prior to the issue of a Development Permit for Operational Works that the development has responded to and incorporated the above requirements.

Bicycle Parking

34. Provide secure on-site bicycle parking in accordance with the requirements of Table 9.4.8.3.d of the Parking and Access Code of the CairnsPlan2016. The bicycle parking spaces must be provided and available for use at the time of Commencement of Use.

Sediment and Erosion Control

35. Soil and water management measures must be installed / implemented prior to discharge of water from the site, such that no external stormwater flow from the site adversely affects surrounding or downstream properties (in accordance with the requirements of the Environmental Protection Act 1994, and the FNQROC Development Manual).

Lawful Point of Discharge

36. 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.

Plan of Drainage Works

37. Design and construct, at no cost to Council, all necessary stormwater management and drainage works (internal and external to the site) as identified on the approved plans of development. The subject land must be drained to the satisfaction of the Chief Executive Officer, in particular:
 - a. Drainage infrastructure in accordance with the FNQROC Development Manual
 - b. The drainage system from the development must incorporate a gross pollutant trap(s) or equivalent measure(s), meeting the following Council specifications for stormwater quality improvement devices (SQID), namely:
 - i. End-of-line stormwater quality improvement devices (SQID) shall be of a proprietary design and construction and shall carry manufacturer's performance guarantees as to removal of foreign matter from stormwater and structural adequacy of the unit.
 - ii. SQIDs shall remove at least ninety-five per cent of all foreign matter with a minimum dimension of three (3) mm and shall be configured to prevent re-injection of captured contaminants. The SQIDs treat all first flush runoff, which shall be defined as that volume of water equivalent to the runoff from the three (3) month ARI storm event. The location of SQIDs within the drainage system shall be planned to ensure that the first flush waters from all parts of the (developed) catchment are treated.
 - iii. The design of the SQID shall not compromise the hydraulic performance of the overall drainage system.
 - iv. SQIDs shall be positioned so as to provide appropriate access for maintenance equipment.

The above drainage measures must be submitted in conjunction with the application for first Operational Work application for the development. All works must be carried out in accordance with the approved plans, to the requirements and satisfaction of the Chief Executive Officer.

Drainage Easement

38. A private drainage easement(s) must be created over the proposed 'drainage infrastructure channel' located along adjacent Trinity Beach Road and the Captain Cook Highway, with a minimum width of 7 metres over Lot 2 in favour of Lot 1. A copy of the easement document(s) must be submitted to Council for approval by Council's solicitors at no cost to Council. The approved easement document(s) must be submitted at the same time as seeking Council approval for a Plan of Survey or prior to the commencement of use whichever occurs first and must be lodged and registered with the Department of Natural Resources, Mines and Energy in conjunction with the Plan of Survey.

Stormwater Management Plan

39. Submit a Site Based Stormwater Management Plan (SBSMP) to Council for approval prior to the issue of Development Permit for Operational Works. This document is required to report on the stormwater quantity and quality management required for the site, and shall focus on, but not be limited to, the following:
 - a. Nominate Best Practice site management procedures to control the severity and extent of soil erosion and pollutant transport and other water quality issues that may arise during the construction phase and post-construction phase;
 - b. Nominate requirements for ongoing post-construction management (inclusive of responsibility) of the Drainage Infrastructure Channel located along the western boundary of the site.

All works must be carried out in accordance with the approved plans, to the requirements and satisfaction of the Chief Executive Officer.

Minimum Fill and Floor Levels

40. All habitable floor levels in the building must be located a minimum of 300mm above the 1% AEP defined inundation event level, in accordance with the FNQROC Development Manual and Cairns Planning Scheme requirements.

Batter Treatment

41. Where it is proposed to incorporate batters and/or retaining walls into the development, such batters and/or retaining walls shall be designed in accordance with the requirements of the FNQROC Development Manual. Details of all batters and/or retaining walls are to be included in the Operational Work application and be approved by Council.

Construction Management Plan

42. A Construction Management Plan must be submitted to, and endorsed by the Chief Executive Officer prior to the issue of a Development Permit for Building Work. The Construction Management Plan must address all activities/operations associated with construction including, but not limited to:
- a. Hours of construction;
 - b. Construction access;
 - c. Parking of vehicles (including construction site employees and delivery vehicles);
 - d. Traffic management and control (including loading and unloading);
 - e. Maintenance of safe pedestrian access across the site's frontage (including access by persons with a disability);
 - f. Building and demolition waste storage and disposal;
 - g. On-site dust and noise management, so as to not cause a nuisance to the amenity of the surrounding area;
 - h. Tree protection management; and
 - i. Location and details of construction signage including any signage that is to be illuminated.

The endorsed Construction Management Plan must be complied with and a copy kept on site at all times during construction of the development. Identify the need for and timing on obtaining any necessary permits required for any proposed temporary road closures.

Construction Signage

43. Prior to the commencement of any construction works associated with the development, a sign detailing the project team must be placed on the road frontage of the site and must be located in a prominent position. The sign must remain in place for the duration of construction activities.

The sign must detail the relevant project coordinator for the works being undertaken on the site, and must list the following parties (where relevant) including telephone contacts:

- a. Developer;
- b. Project Coordinator;

- c. Architect / Building Designer;
- d. Builder;
- e. Civil Engineer;
- f. Civil Contractor; and
- g. Landscape Architect.

Stockpiling and Transportation of Material

- 44. Soil used for filling or spoil from the excavation is not to be stockpiled in locations that can be viewed from adjoining premises or a road frontage for any longer than one (1) month from the commencement of works on the site. Transportation of fill or spoil to and from the site must not occur:
 - a. within peak traffic times;
 - b. before 7:00am or after 6:00pm Monday to Friday;
 - c. before 7:00am or after 1:00pm Saturday; or
 - d. on Sunday or a Public Holiday
- 45. Dust emissions or other air pollutants, including odours, must not extend beyond the boundary of the site and/or cause a nuisance to surrounding properties.

Storage of Machinery and Plant

- 46. The storage of any machinery, material or plant must not cause a nuisance to surrounding properties, to the satisfaction of the Chief Executive Officer.

Damage to Infrastructure

- 47. In the event that any part of Council's existing sewer, water or road or drainage infrastructure is damaged as a result of construction activities occurring on the site, including but not limited to mobilisation of heavy earthmoving equipment and stripping/grubbing, the applicant/owner must notify the Cairns Regional Council immediately of the affected infrastructure and have it repaired or replaced by Cairns Regional Council, at the developer/builder/owner's cost.

Electricity and Telecommunications Supply

- 48. An underground connection of both electricity and telecommunication services are to be provided to the development. The HV/LV electrical reticulation supplying the development must be an underground network.

49. Where Ergon Energy requires the installation of a substation to augment their network, a padmount type is to be incorporated within the development and positioned so that it does not detract from the appearance of the streetscape and must be clear of footpath areas. Details of the electrical substation positioning must be endorsed by the Chief Executive Officer prior to the issue of Development Permit for Building Work.

Where a supply upgrade is not required by Ergon Energy, power supply to the development shall be provided by an underground service installed by Ergon Energy to a pillar at the property boundary.

50. The above conditions relating to electricity supply must be provided to Ergon Energy at the same time as the application for Network Connection Services.

Street Lighting

51. Street lighting is to be upgraded to Lighting Category V3 extending from Navigation Drive to Captain Cook Highway.

52. The existing Category V3 street lighting on Navigation Drive is to be reviewed and upgraded as required to address any non-compliance to AS/NZS 1158 Road Lighting Standards as a result of the construction of the access intersection and dedicated turn lanes.

53. Where street lighting is to be upgraded and prior to the issue of a development permit for Operational Works, a Rate 2 lighting scheme is to be prepared by an Ergon Energy approved consultant and submitted to the Chief Executive Officer for approval. The Rate 2 lighting scheme is to be designed in accordance with the relevant Road Lighting Standard AS/NZS 1158 and the FNQROC Development Manual. All new lighting columns are to be of steel construction with an underground service.

54. The above conditions relating to street lighting must be provided to Ergon Energy at the same time as the application for Network Connection Services.

Crime Prevention Through Environmental Design

55. All lighting and landscaping requirements are to comply with Council’s Planning Scheme Policy for Crime Prevention Through Environmental Design (CPTED).

REFERRAL AGENCY CONDITIONS & REQUIREMENTS

Referral Agency	Referral Agency Reference	Date	Council Reference	Electronic
State Assessment and Referral Agency	1801-3272 SRA	3 July 2020	#6422936	

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

PART B – DEVELOPMENT PERMIT FOR RECONFIGURING A LOT (2 INTO 4 LOTS & ACCESS EASEMENT)

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

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

Drawing or Document	Reference	Date
Reconfiguring of a Lot, Proposed Lots 1, 2, 3 & 4 and Easements Cancelling Lot 156 on NR5378 & Lot 1 RP741589 Trinity Beach	Drawing No. 16-185-001 Revision <u>54</u> , prepared by Urban Sync	<u>2 April 2026</u> 1 June 2020

CONDITIONS OF APPROVAL

1. This development approval shall lapse in accordance with section 85(1)(b)(ii) 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 satisfied prior Council approval of the Plan of Survey, to the satisfaction of the Chief Executive Officer, except where specified otherwise in these conditions of approval.

Access Easement

4. Grant the following easement:
 - a. An easement for access purposes in favour of Lot 1 and 2, over Lot 4 as shown on the approved plans; and
 - b. An easement for access purposes in favour of Lot 3, over Lot 1 for access and services to Navigation Drive only. The easement shall include a clause identifying the owner of Lot 1 will require the owner of Lot 3 to surrender the easement in the event that Lot 3 obtains access via a gazetted road reserve being a minor collector road.

A copy of the easement document(s) must be submitted to Council for approval by Council's solicitors at no cost to Council. The approved easement document(s) must be submitted at the same time as seeking Council approval of the Plan of Survey and must be lodged and registered with the Department of Natural Resources, Mines and Energy in conjunction with the Plan of Survey.

Lawful Point of Discharge

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

Damage to Infrastructure

6. In the event that any part of Council's existing sewer, water or road or drainage infrastructure is damaged as a result of construction activities occurring on the site, including but not limited to, mobilisation of heavy earthmoving equipment, stripping and grubbing, the applicant/owner must notify the Cairns Regional Council immediately of the affected infrastructure and have it repaired or replaced by Cairns Regional Council, at the developer/builder/owner's cost.

Drainage Easement

7. A private drainage easement(s) must be created over the proposed 'drainage infrastructure channel' located along adjacent Trinity Beach Road and the Captain Cook Highway, with a minimum width of 7 metres over Lot 2 in favour of Lot 1. A copy of the easement document(s) must be submitted to Council for approval by Council's solicitors at no cost to Council. The approved easement document(s) must be submitted at the same time as seeking Council approval for a Plan of Survey and must be lodged and registered with the Department of Natural Resources, Mines and Energy in conjunction with the Plan of Survey.

REFERRAL AGENCY CONDITIONS & REQUIREMENTS

Referral Agency	Referral Agency Reference	Date	Council Electronic Reference
State Assessment and Referral Agency	1801-3272 SRA	3 July 2020	#6422936

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

PART C – PRELIMINARY APPROVAL FOR RECONFIGURING A LOT (14 LOTS) ON APPROVED LOT 3

1. This preliminary approval shall lapse eight years (8) from the day the approval takes effect in accordance with the provisions of section 85 of the Planning Act 2016.
2. Prior to any Development Permit being issued for a Reconfiguring a Lot (14 Lots) in respect to approved Lot 3 on approved subdivision plan 'Reconfiguration of a Lot, Proposed Lot 1, 2, 3 & 4 and Easements Cancelling Lot 156 on NR5378 & Lot 1 on RP741589, Drawing No. 16-185-001, Revision 4 prepared by Urban Sync, dated 1 June 2020 an applicant must demonstrate the existence of the following to Council's satisfaction:
 - a. Lot 3 is provided with direct lot access from a gazetted road to a 'minor collector road' standard (or similar) in accordance with the road hierarchy established under FNQROC Regional Development Manual; and
 - b. the access easement over Lot 1, in favour of Lot 3 is surrendered.

FURTHER 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 Adopted 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.

45. For information relating to the Planning Act 2016 log on to <https://planning.dsdmip.qld.gov.au>. To access FNQROC Manual, Local Laws and other applicable Policies log on to www.cairns.qld.gov.au
56. Council will be implementing “smart” water meters during the currency period of this development. The Plumbing contractor must confirm with Council, at the time of making a Development Application for Plumbing Works, what the type of water meter/sub meter should be installed.

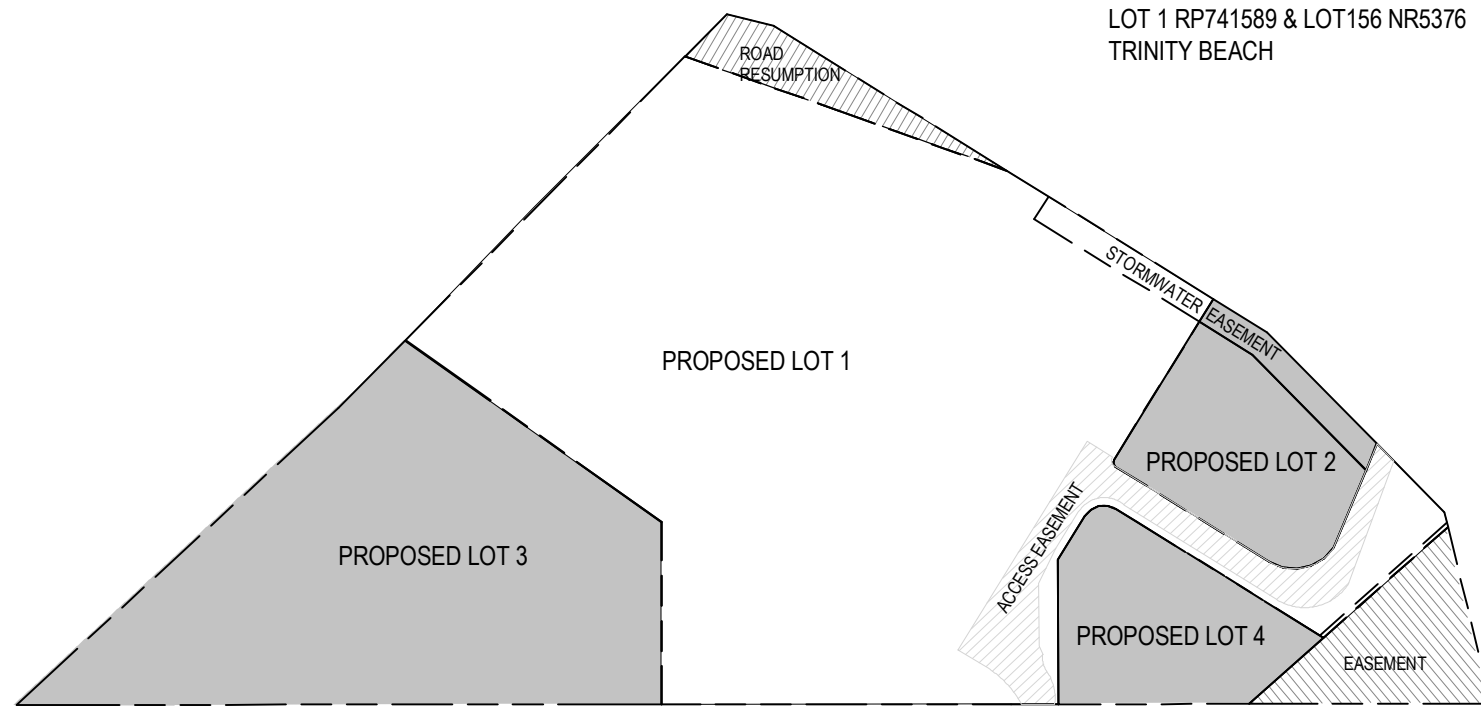
Advertising Device

67. This approval is limited to the approval of Advertising Device for Pylon Sign(s) only. A permit may be required for all other Advertising Devices in accordance with Local Law No.1 and Local Law No.4 (Advertising Devices) 2019.

Deed of Agreement

78. Council may seek a voluntary agreement with the applicant/owner in relation to the maintenance associated with the Navigation Drive access, particularly associated with Moore’s Gully crossing.

ATTACHMENT 2: UPDATED PLANS OF DEVELOPMENT AND TECHNICAL REPORTING - [#7854492](#)



SUBDIVISION PLAN

SITE COVER	
LOT 1 - RETAIL	26.5%
LOT 2 - PETROL/FAST FOOD	12%
LOT 4 - CHILDCARE	25%

KIT COMPLIANCE CHECKLIST	REQUIRED	COMPLIANT	COMMENTS IF NOT COMPLIANT, STATE THE ACTUALY PROVIDED
	Y/N	Y/N	
Ⓐ CAR PARK RATIO 5 CAR SPACES PER 100m ² OF GLA	Y	Y	5.0/100
Ⓑ SHADE SAILS MINIMUM 35% OF CAR BAYS REQUIRED TO BE COVERED	Y	Y	45%
Ⓒ CAR BAY SIZE MINIMUM 2.6 x 5.5m	Y	Y	
Ⓓ CAR PARK AISLE WIDTH MINIMUM 6.5m	Y	Y	
Ⓔ 80% OF CARS WITHIN 100m RADIUS OF SUPERMARKET ENTRY	Y	Y	100%
Ⓕ 2 WAY CAR PARK CIRCULATION THROUGHOUT	Y	Y	
Ⓖ MIN 1:40 FALL ACROSS CAR PARK	Y	Y	
Ⓗ TROLLEY BAYS MINIMUM 1 PER 40 CAR BAYS	Y	Y	
Ⓙ MINIMUM 7.2m WIDE SPLAY CAR PARK ACCESS POINTS	Y	Y	

CAR PARKING SCHEDULE	
LOT 2	
STANDARD PARKS	9
PWD PARKS	1
TOTAL PARKING SPACES	10

CAR PARKING SCHEDULE	
LOT 4	
STANDARD PARKS	26
PWD PARKS	1
TOTAL PARKING SPACES	27

SITE DESCRIPTION	
LOT 1 - RETAIL	23,625 m ²
LOT 2 - PETROL / FAST FOOD	2,822 m ²
LOT 3 - FUTURE RES. DEVMT	9,750 m ²
LOT 4 - CHILDCARE	2,468 m ²
ROAD RESUMPTION	778 m ²
TOTAL SITE AREA	40,950 m²

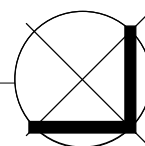
AREAS SCHEDULE [GLAR]	
Gross Lettable Area - Retail	
WOW SUPERMAKET	3,630 m ²
MEZZANINE	0 m ²
ON-LINE PICKUP	100 m ²
BWS	150 m ²
RETAIL TENANCIES	650 m ²
KIOSK	25 m ²
MEDICAL CENTRE	795 m ²
TOTAL GLAR	5,285 m²

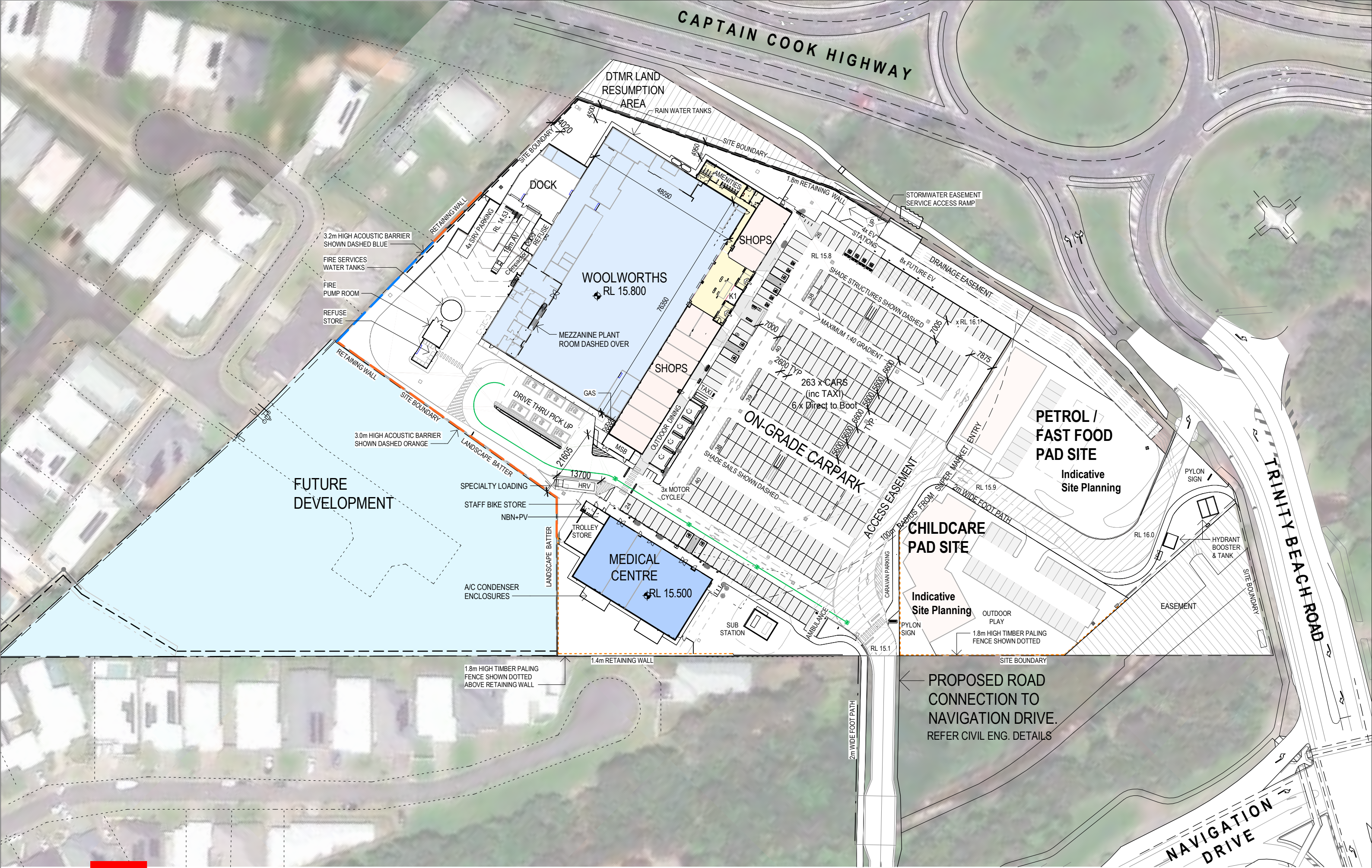
AREAS SCHEDULE - OTHER	
LOBBY / MALL	225 m ²
CENTRE AMENITIES	95 m ²
WOW PLANT ROOM	200 m ²
CENTRE MANAGER	8 m ²

CAR PARKING SCHEDULE	
LOT 1	
STANDARD PARKS	251
PWD PARKS	6
PRAM PARKS	4
SENIORS	2
ON-LINE PICKUP	6
TOTAL PARKING SPACES	269

CAR PARKING RATIO (LOT 1)	
ASSESSABLE AREA	5,310 m ²
CAR PARKS REQUIRED	266 [@ 5/100]
CAR PARKS PROPOSED	269
PARKING RATIO	5.0/100

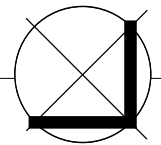
LANDSCAPING RATIO	
TOTAL SITE AREA	40,950 m ²
LANDSCAPE AREA (Lot 1)	3,483 m ²
LANDSCAPING RATIO (Lot 1:Total)	14.7 %





WOOLWORTHS TRINITY BEACH

CCN Architects Pty Ltd | 46 Edward Street BRISBANE QLD 4000 | t: (+617) 3221 0300 | e: info@ccnarchitects.com.au | www.ccnarchitects.com.au



SITE PLAN

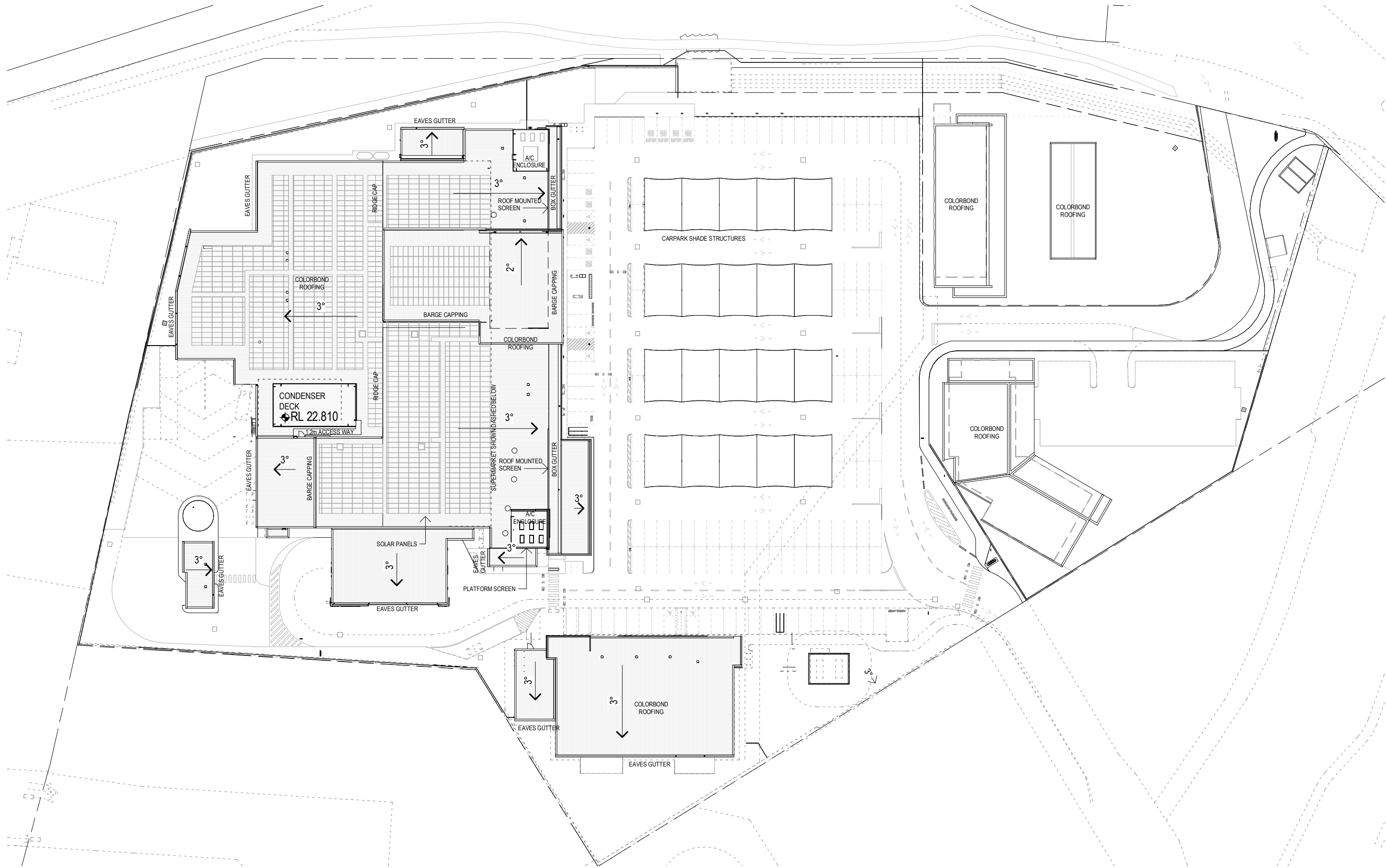
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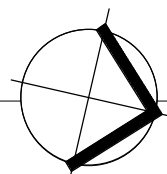
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PROPOSED ROAD CONNECTION TO NAVIGATION DRIVE. REFER CIVIL ENG. DETAILS



WOOLWORTHS TRINITY BEACH

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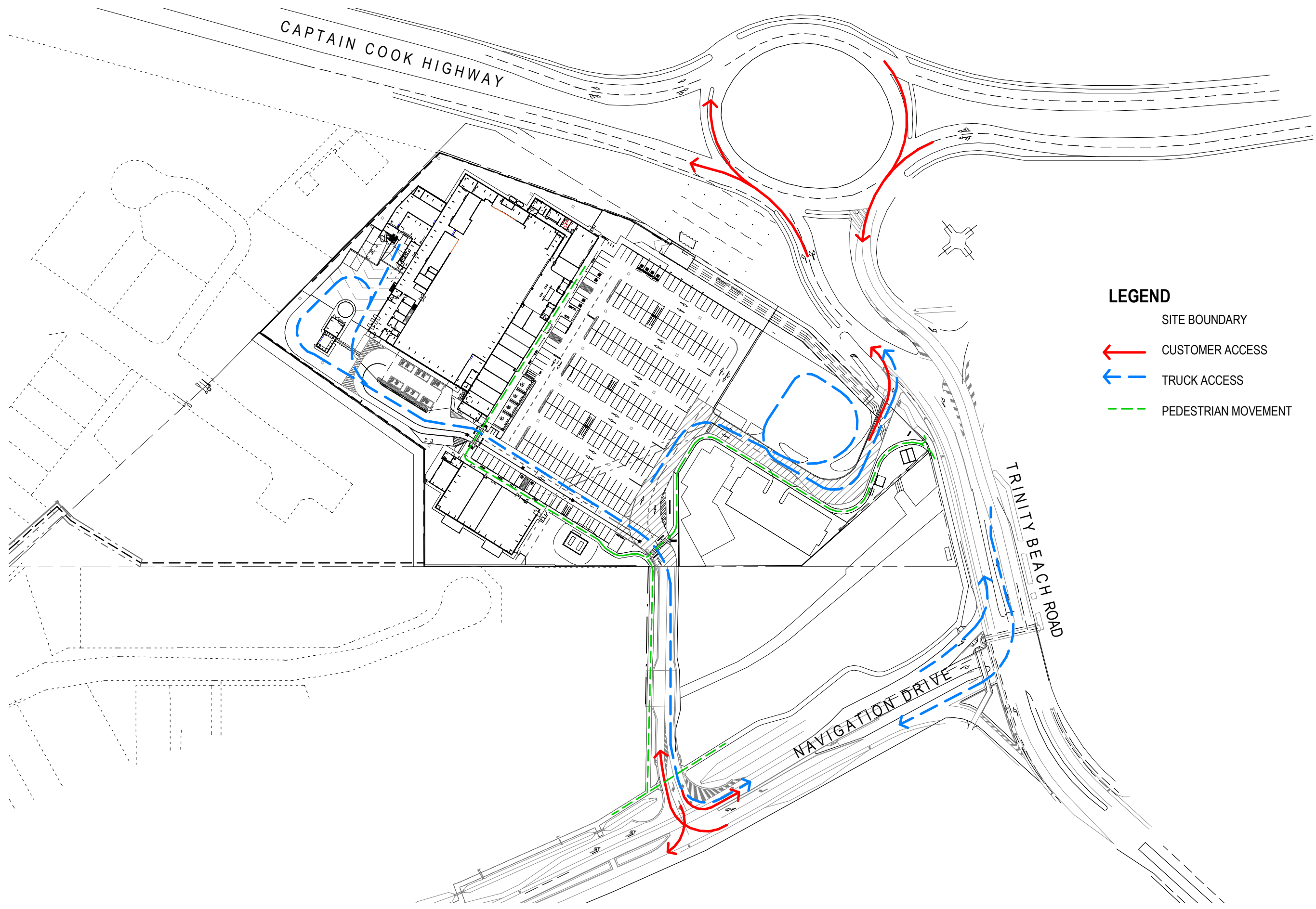
ROOF PLAN

P1528

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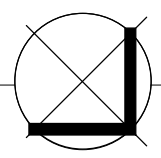
LEGEND

- SITE BOUNDARY
- ← CUSTOMER ACCESS
- ← TRUCK ACCESS
- PEDESTRIAN MOVEMENT



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CIRCULATION PLAN

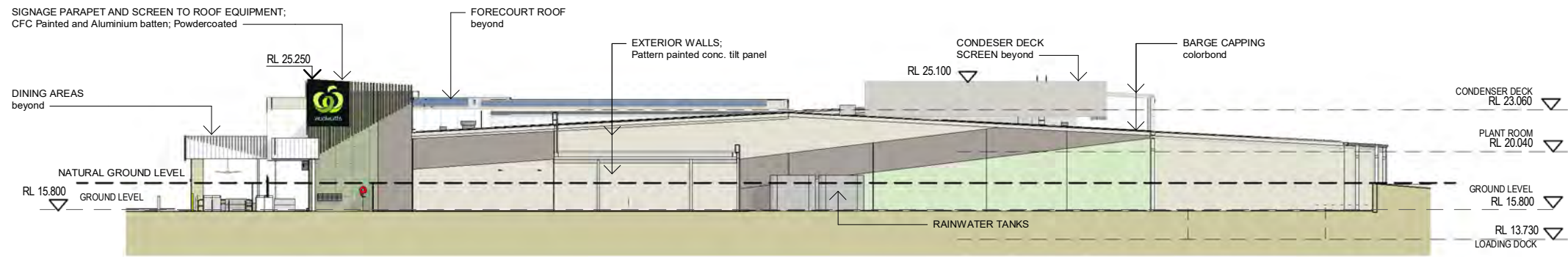
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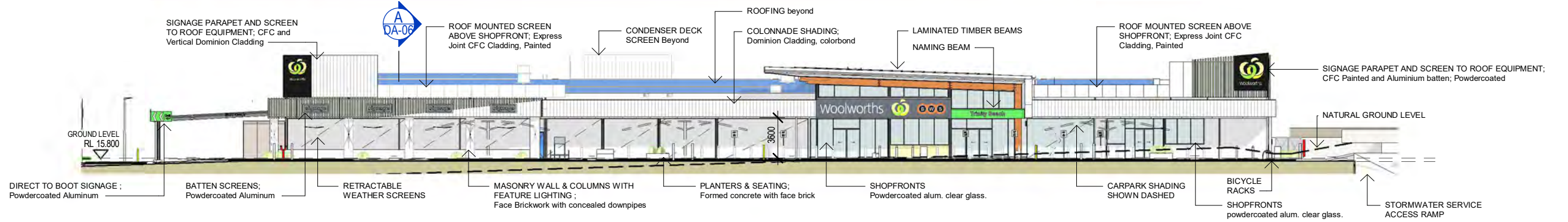
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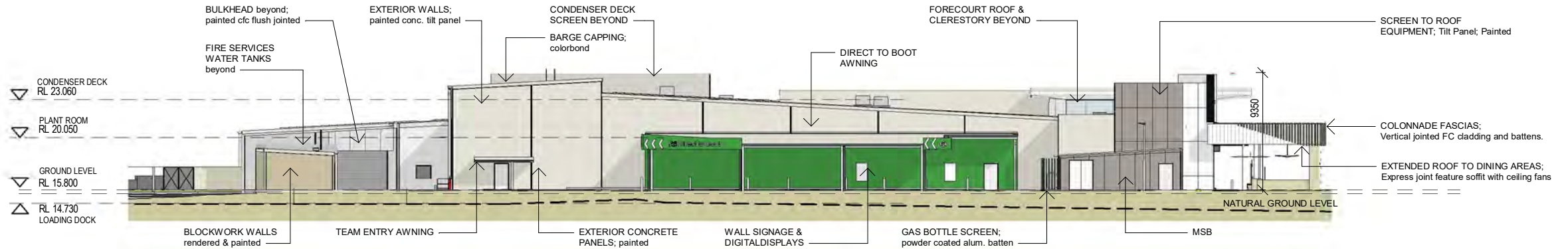
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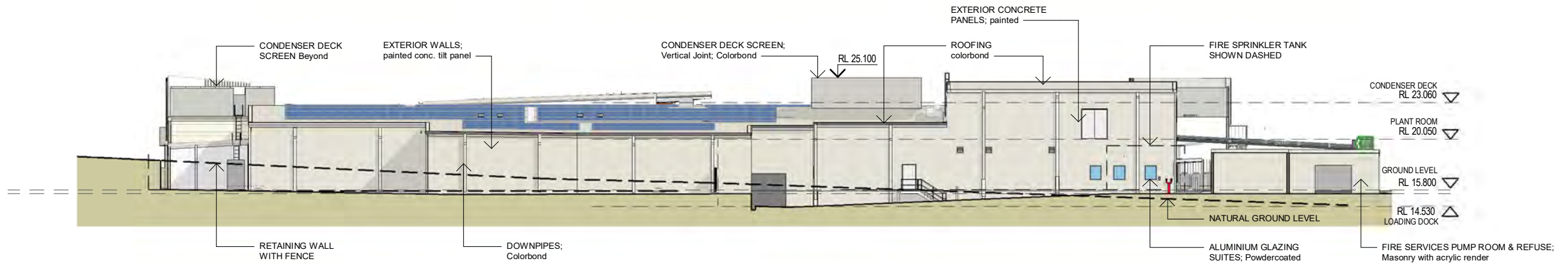
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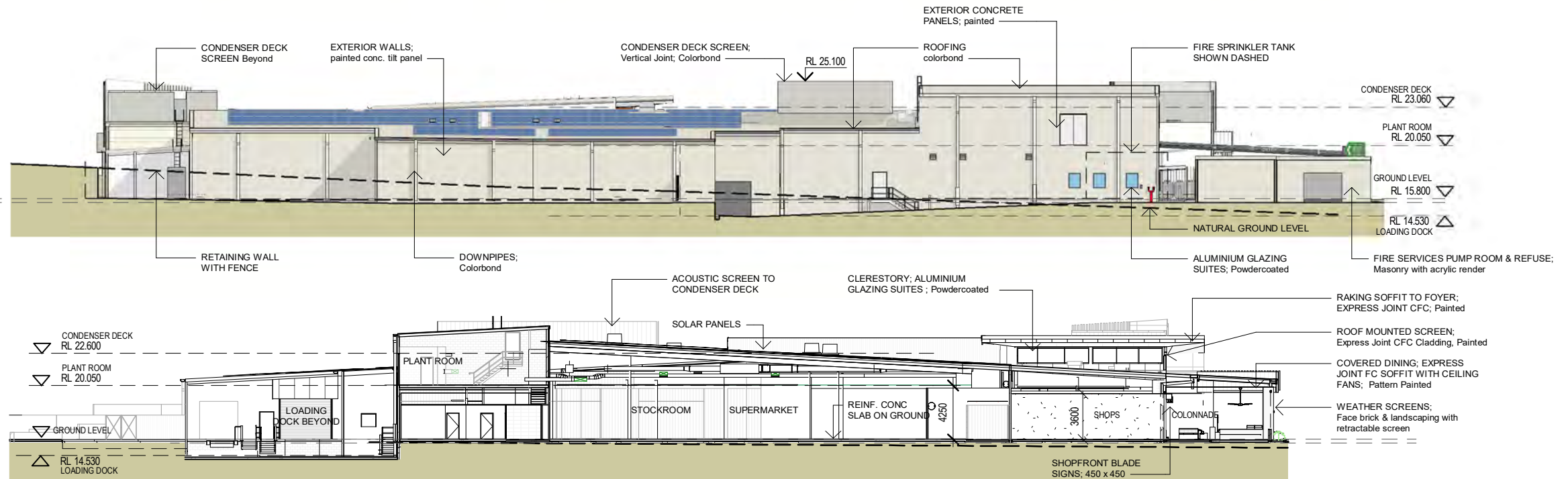
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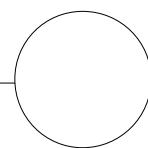


section A



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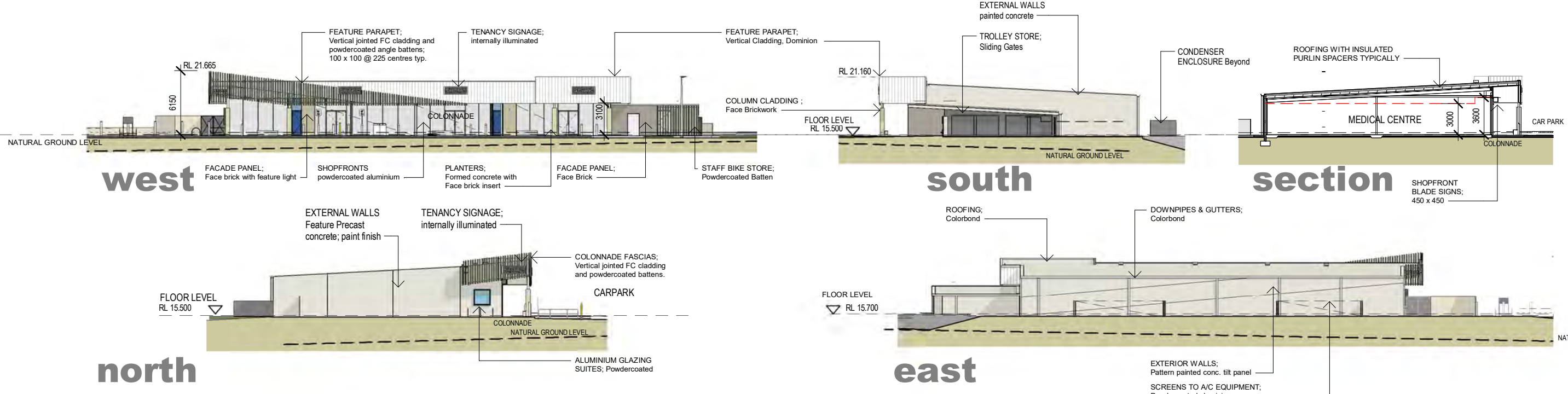
RETAIL ELEVATIONS & SECTION

P1528

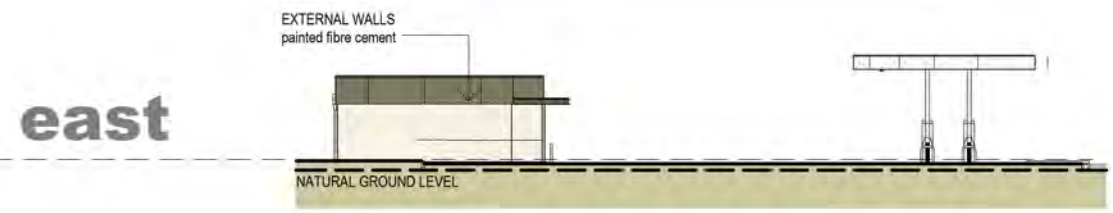
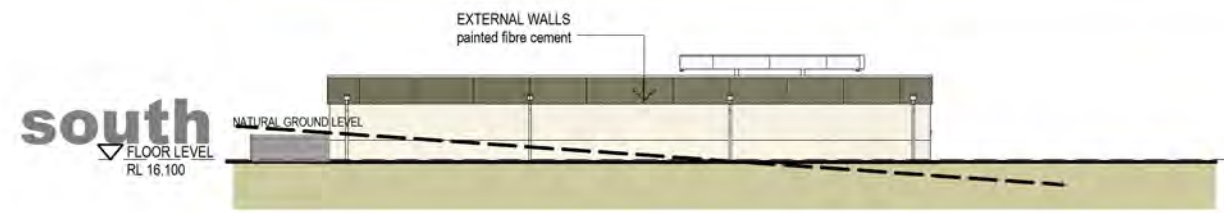
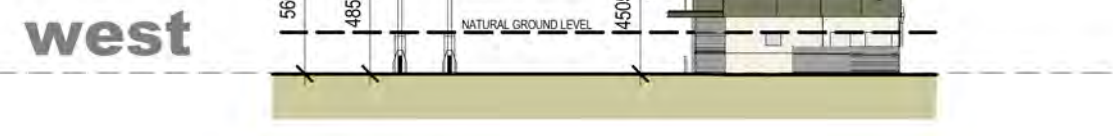
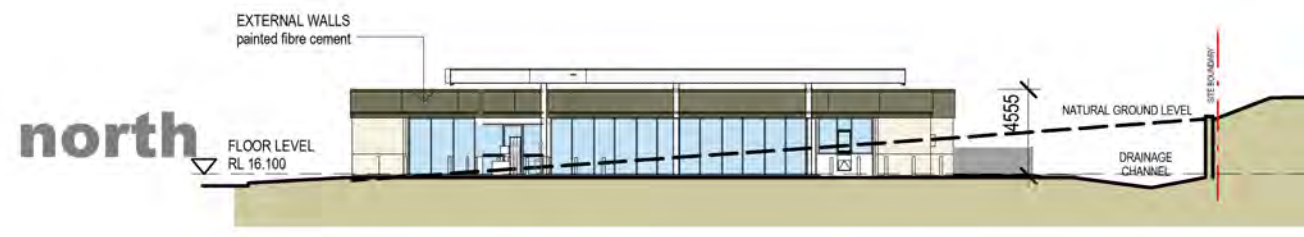
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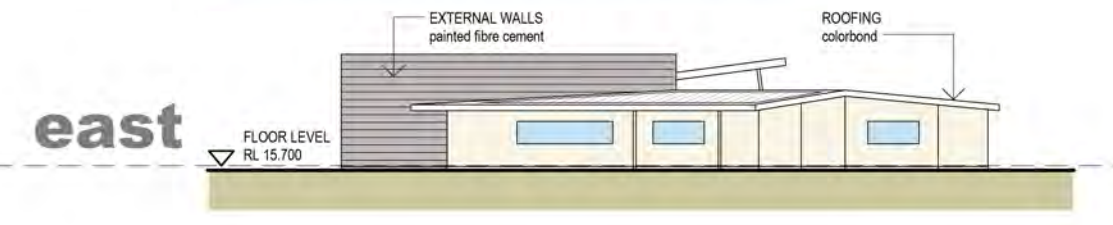
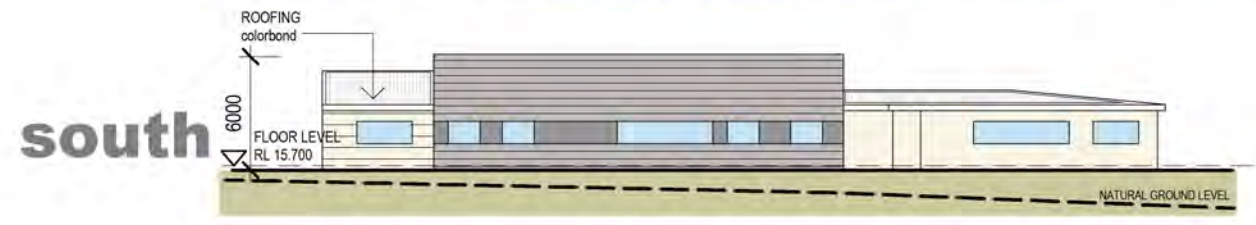
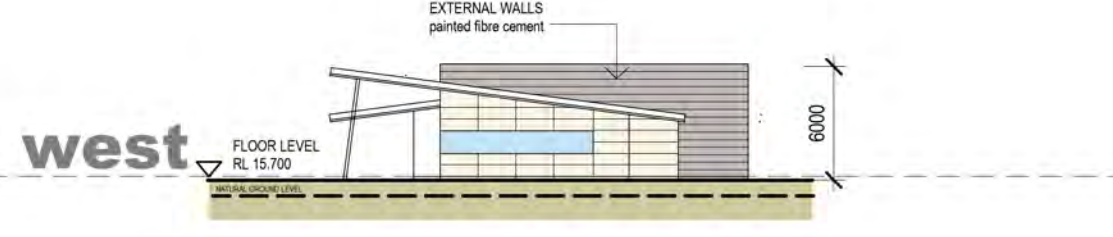
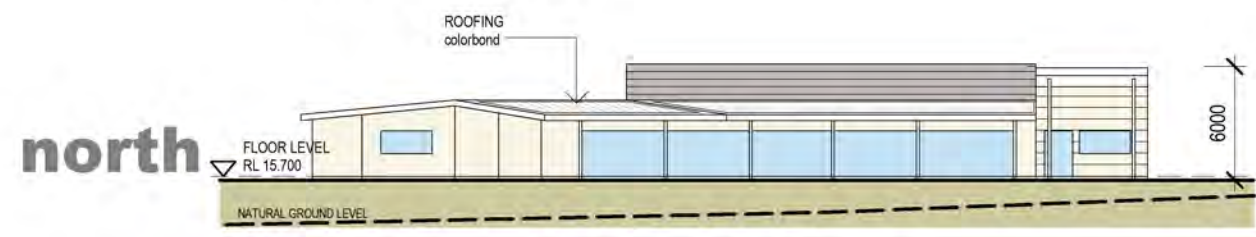
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MEDICAL CENTRE



PETROL

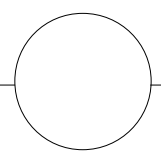


CHILDCARE



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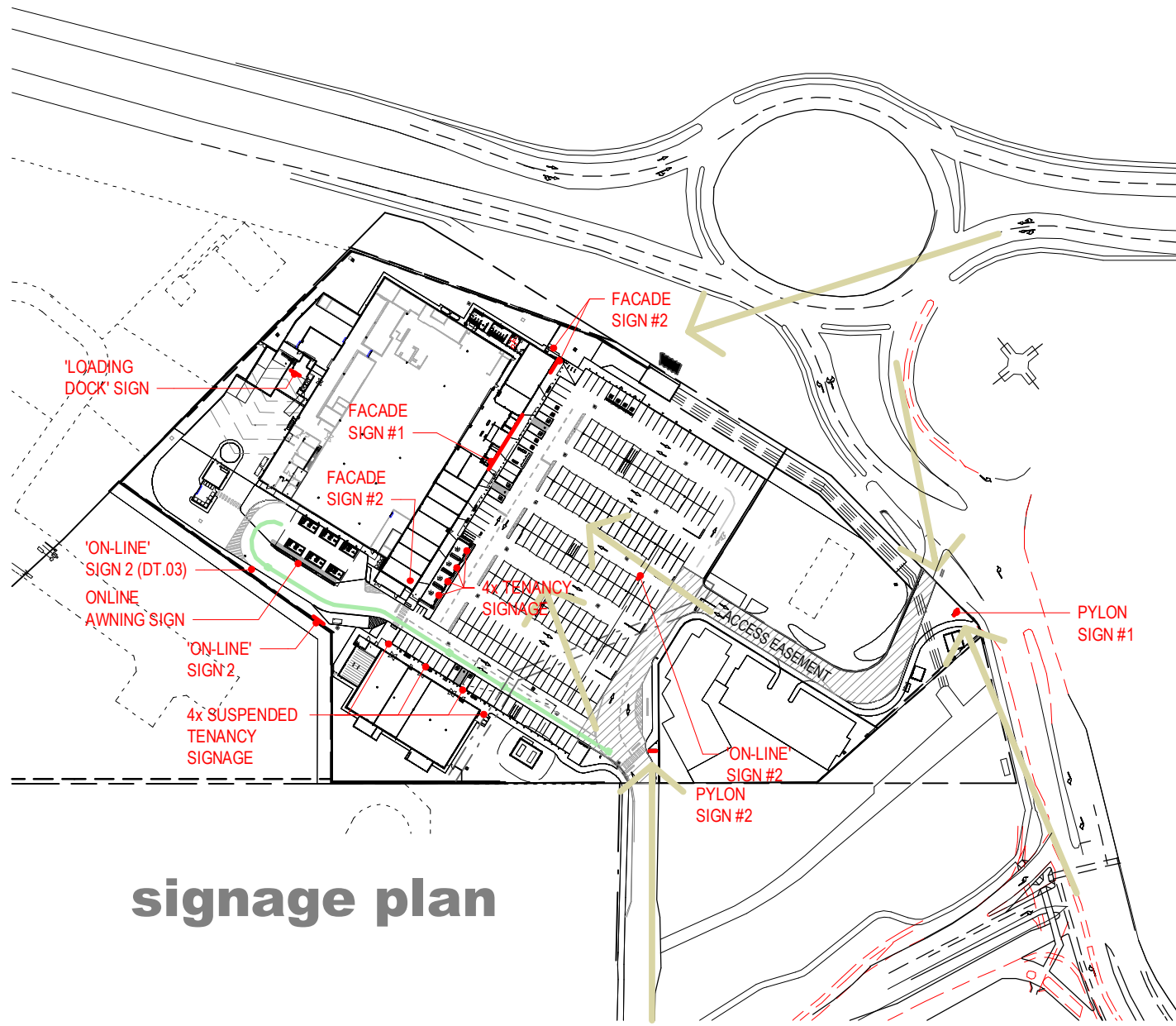
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P1528

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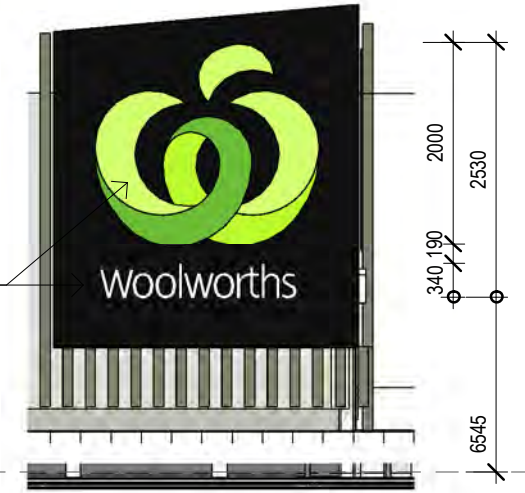


signage plan



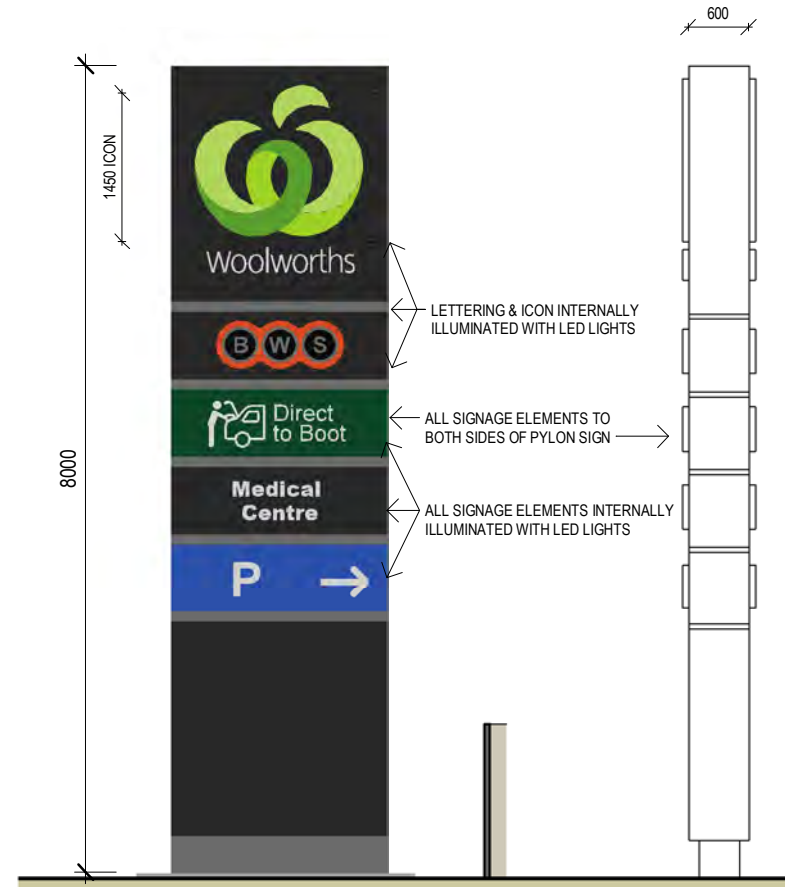
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SCALE 1:150



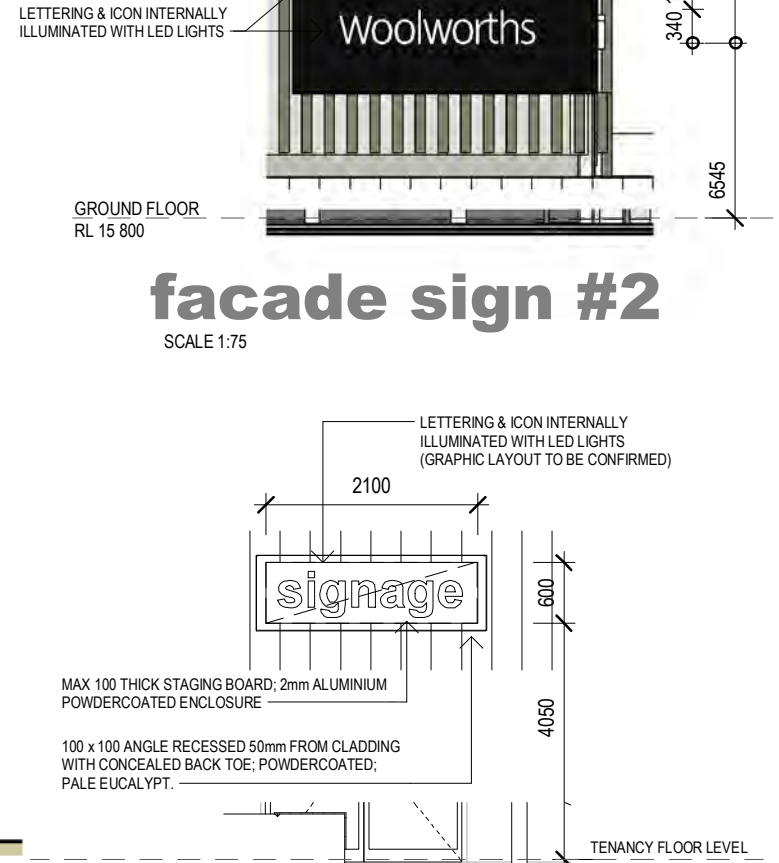
facade sign #2

SCALE 1:75



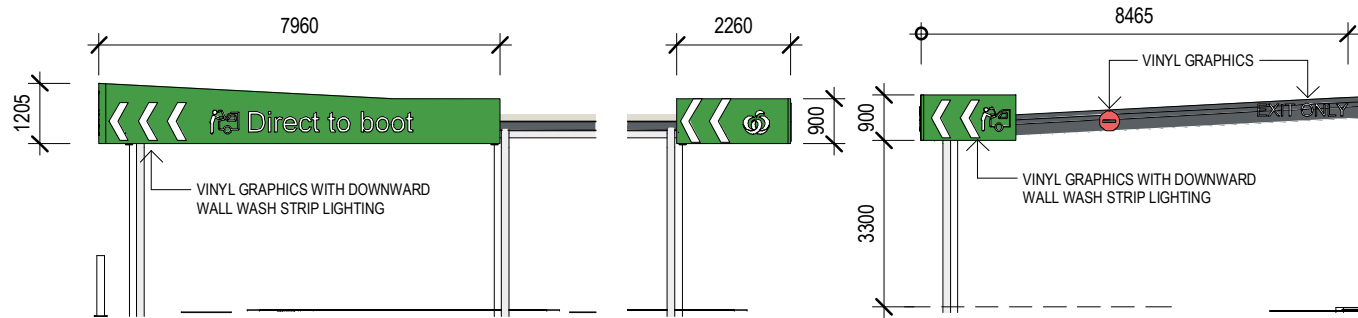
pylon signs #1 and #2

SCALE 1:75



tenancy signs

SCALE 1:75

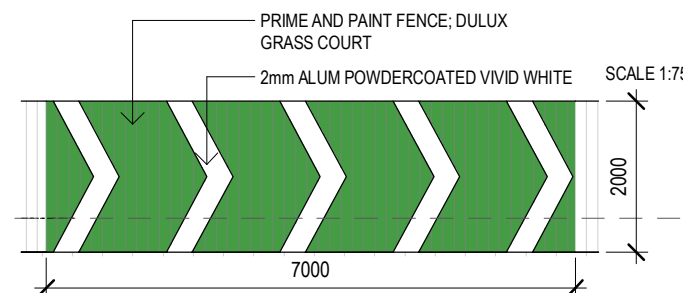


online awning sign

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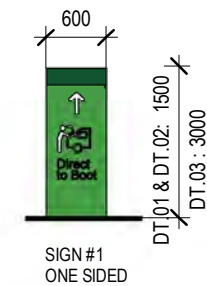
online sign beam

SCALE 1:150



online sign 2

SCALE 1:100



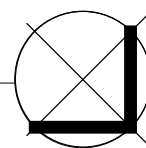
online sign 1

SCALE 1:75



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BUILDING & PYLON SIGNAGE

P1528

DA-08

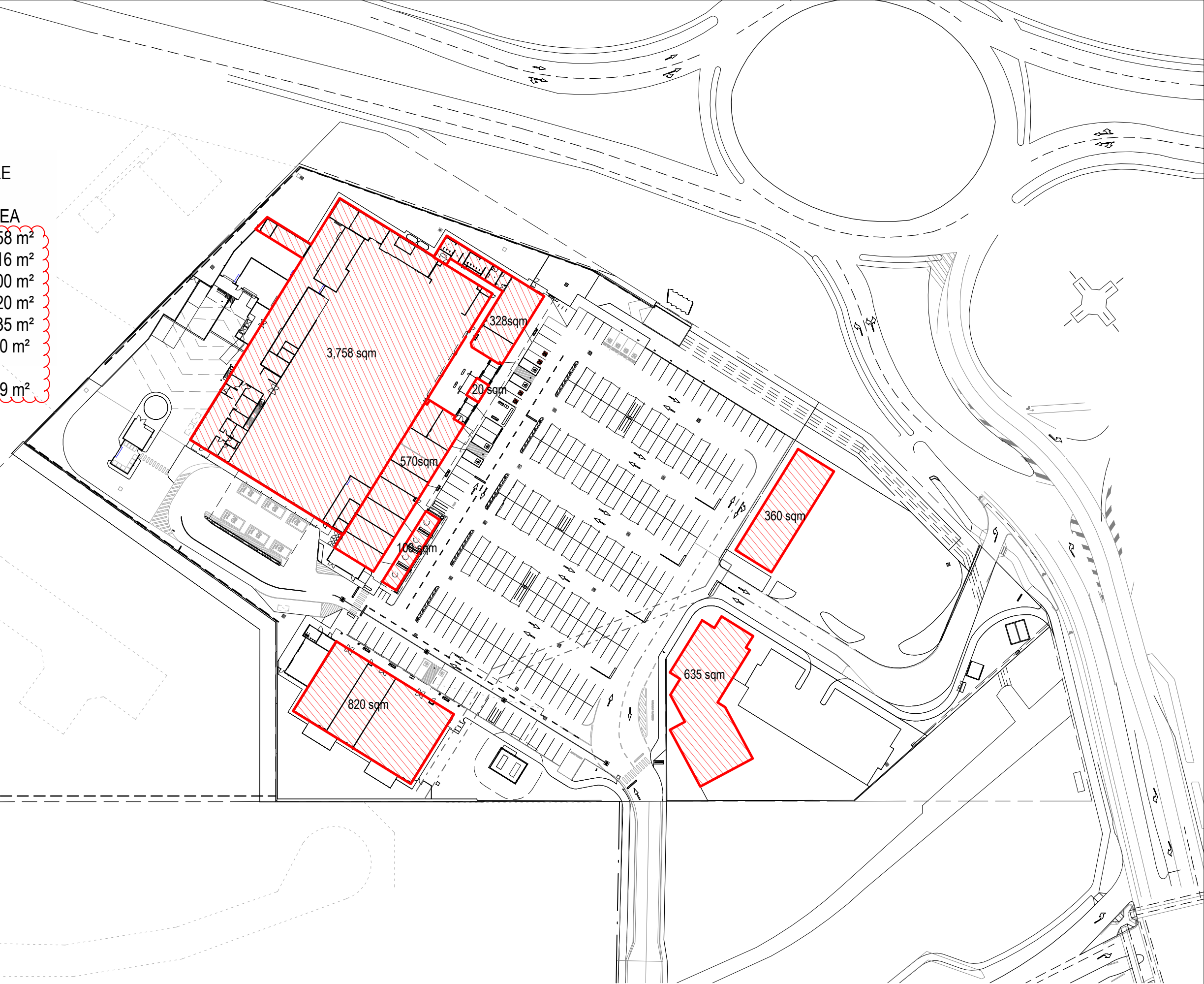
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As indicated @ A3

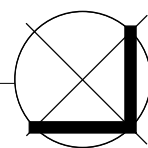
GROSS FLOOR AREA SCHEDULE

USE	AREA
Supermarket	3,758 m ²
Specialty Bld A (inc facil.)	916 m ²
Outdoor Dining	100 m ²
Medical	820 m ²
Childcare	635 m ²
Petrol / Fast Food	360 m ²
TOTAL	6,589 m²



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GROSS FLOOR AREA PLAN

P1528

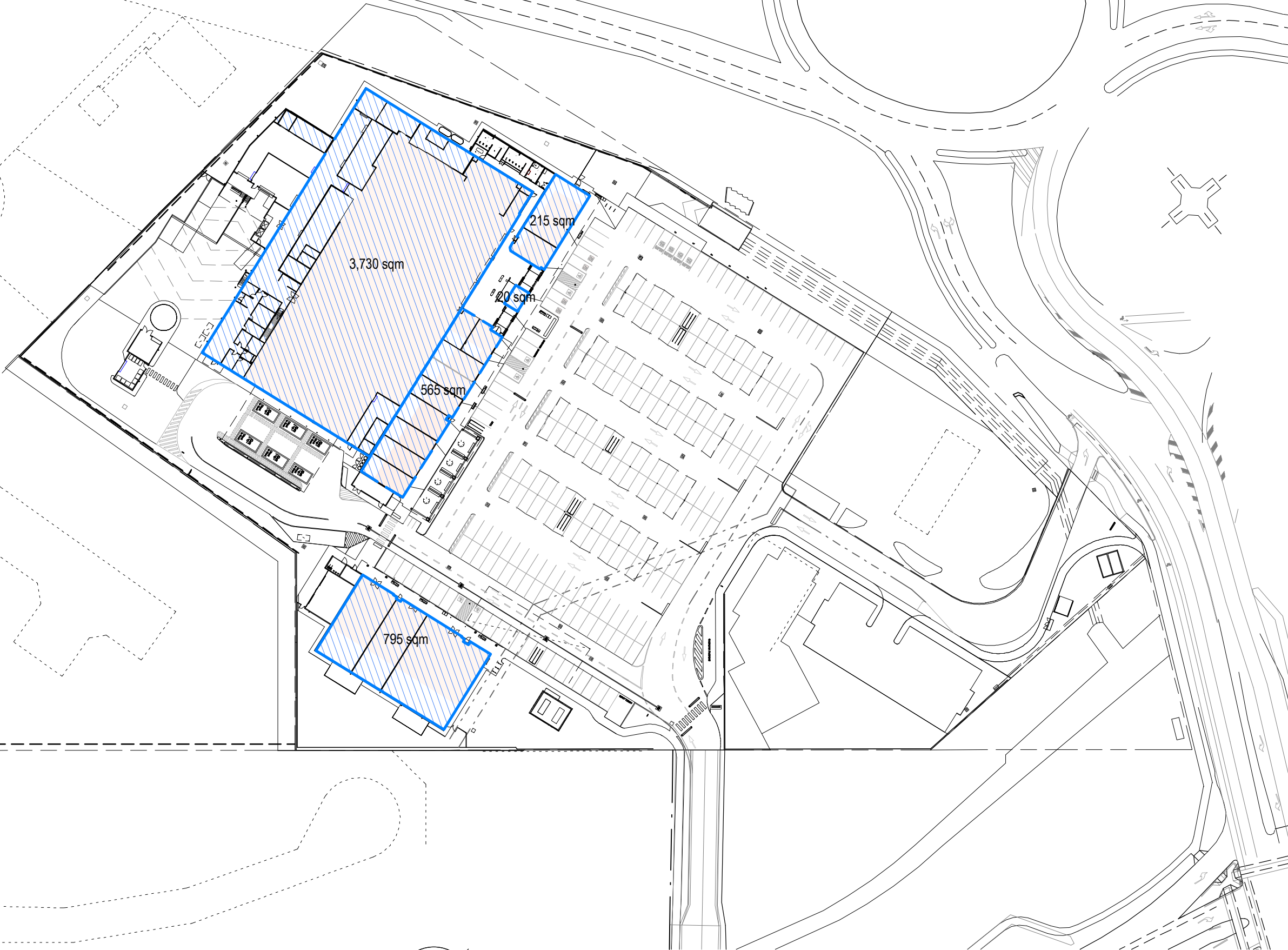
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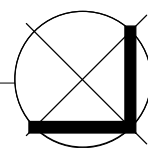
NETT LETTABLE AREA SCHEDULE

USE	AREA
Supermarket	3,730 m ²
Specialty (Bld A)	800 m ²
Outdoor Dining	105 m ²
Medical (Bld B)	795 m ²
TOTAL	5,430 m²



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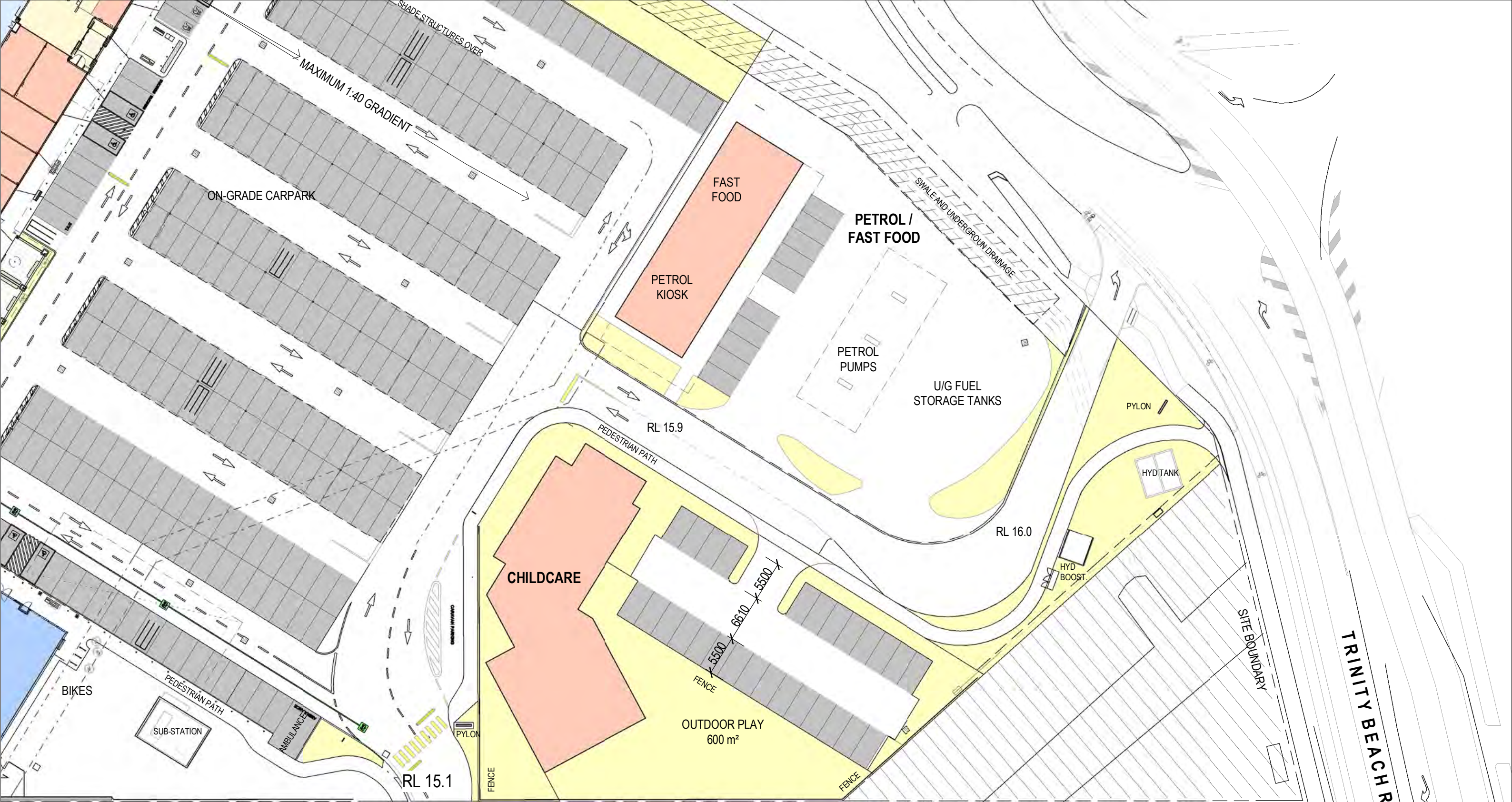
NETT LETTABLE AREA PLAN

P1528

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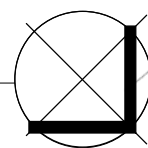
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CHILDCARE & PETROL PLANS

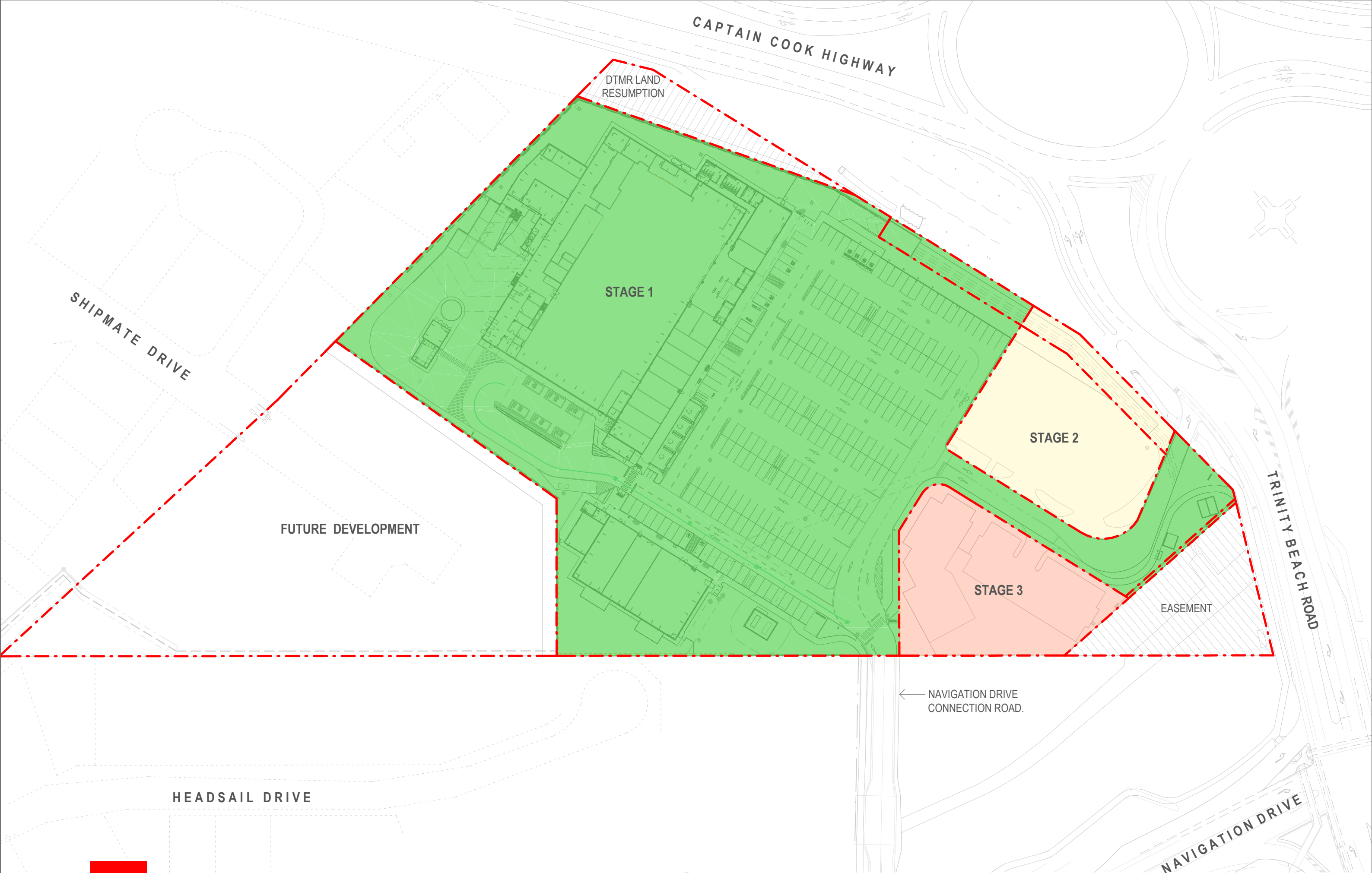
P1528

DA-13

[G]

15/10/2025 10:23:56 AM

1:500 @ A3



DTMR LAND RESUMPTION

STAGE 1

STAGE 2

STAGE 3

EASEMENT

← NAVIGATION DRIVE CONNECTION ROAD.

SHIPMATE DRIVE

FUTURE DEVELOPMENT

HEADSAIL DRIVE

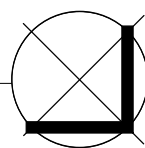
TRINITY BEACH ROAD

NAVIGATION DRIVE



WOOLWORTHS TRINITY BEACH

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SITE STAGING PLAN

P1528

SK-103 [A]

11/02/2026 5:47:40 PM

1 : 1000 @ A3



- 1** FEATURE SHADE/ SCREEN TREE
Medium to large canopied rounded tree species to provide shade over the frontages, provide visual amenity and screening to neighbouring properties; Refer Proposed Planting Schedule (ie: *Cupaniopsis anacardioides*, *Flindersia australis*, *Flindersia brayleyana*, *Manittoa lenticellata*, *Melaleuca quinquenervia*)
 - 2** SMALL CANOPIED / COLUMNAR TREE
Small canopied and columnar tree planting to assist in providing landscape softening and privacy screening to neighbouring properties; Refer Proposed Planting Schedule (ie: *Atractocarpus fitzalanii*, *Cassia fistula*, *Elaeocarpus eumundii*, *Stenocarpus sinuatus*, *Tristaniopsis laurina* 'Luscious')
 - 3** PALMS
Palm trees to assist in providing vertical softening and accentuation of the proposed development; Refer Proposed Planting Schedule (ie: *Archontophoenix alexandrae*, *Livistona decipiens*)
 - 4** SCREEN PLANTING
Planting to provide visual amenity and privacy screening; Refer Proposed Planting Schedule (ie: *Syzygium australe* Resilience)
 - 5** SHRUBS AND GROUNDCOVERS
Mass planting to large areas to assist in building presentation to the streetscape and to provide visual amenity; Refer Proposed Planting Schedule
 - 6** CLIMBERS
Vertical plant softening for visual amenity to provide increased visual amenity to proposed batten screens; Refer Proposed Planting Schedule
 - 7** LANDSCAPED DRAINAGE EASEMENT
Install erosion control matting (e.g. jute mat) and plant at a density of 6-8 plants per m². Proposed species are to be native and suitable for withstanding periodic overland flows; Refer Proposed Planting Schedule
- PROPOSED ACOUSTIC BARRIER
3000mm high shiplapped timber paling fence
 - PROPOSED ACOUSTIC BARRIER
2000mm high acoustic fence
 - PROPOSED TIMBER FENCE
1800mm high timber paling fence
 - PROPOSED ALUMINIUM FENCE
1200mm high rodded aluminium pool fence

NEARMAP DATED: 16/07/25



NEARMAP DATED: 16/07/25





CODE	SPECIES	COMMON NAME	SIZE*	SPACING(m)**	HEIGHT(m)	WIDTH (m)
PROPOSED FEATURE SHADE/ SCREEN TREES						
1.1	<i>Cupaniopsis anacardioides</i>	Tuckeroo	100L	as shown	15	10
1.2	<i>Flindersia australis</i>	Crows Ash	100L	as shown	30	10
1.3	<i>Flindersia brayleyana</i>	Queensland Maple	100L	as shown	12	8
1.4	<i>Manilloa lenticellata</i>	Handkerchief Tree	100L	as shown	12	8
1.5	<i>Melaleuca quinquenervia</i>	Broad-Leaved Paperbark	45L	as shown	15	8

CODE	SPECIES	COMMON NAME	SIZE*	SPACING(m)**	HEIGHT(m)	WIDTH (m)
PROPOSED SMALL CANOPIED / COLUMNAR TREES						
2.1	<i>Atractocarpus fitzalanii (Randia fitzalanii)</i>	Native Gardenia	100L	as shown	10	5
2.2	<i>Cassia fistula</i>	Golden Shower Tree	100L	as shown	10	5
2.3	<i>Elaeocarpus eumundii</i>	Smooth Leaved Quandong	100L	as shown	8	5
2.4	<i>Stenocarpus sinuatus</i>	Firewheel Tree	100L	as shown	8	5
2.5	<i>Tristanopsis laurina</i> Luscious	Water Gum	100L	as shown	10	5

***PLANT CONTAINER SIZE:**

100L	100 Litre container stock min	Min. height at time of planting: 2.4m
45L	45 Litre container stock min	Min. height at time of planting: 1.9-2.3m

****PLANT SPACING:**

The proposed densities of plants will be derived as a compromise between growth rate, anticipated size, and the ability to provide a good vegetative cover within a reasonable space of time.



CODE	SPECIES	COMMON NAME	SIZE*	SPACING(m)**	HEIGHT(m)	WIDTH (m)
PROPOSED PALMS						
3.1	<i>Archontophoenix alexandrae</i>	Alexandra Palm	100L	as shown	15	5
3.2	<i>Livistona decipiens</i>	Ribbon Fan Palm	100L	as shown	20	5
3.3	<i>Livistona decora</i>	Weeping Cabbage Palm	100L	as shown	18	7

CODE	SPECIES	COMMON NAME	SIZE*	SPACING(m)**	HEIGHT(m)	WIDTH (m)
PROPOSED SCREEN PLANTING						
4.1	<i>Callistemon viminalis</i> Wildfire	Bottlebrush	300mm	1.8	4	2
4.2	<i>Syzygium australe</i> Hinterland Gold	Lillypilly	200mm	1.2	4	2
4.3	<i>Syzygium australe</i> Resilience	Lillypilly	300mm	1.5	3	2
4.4	<i>Xanthostemon chrysanthus</i> Fairhill Gold	Golden Penda	200mm	1.5	3	2

***PLANT CONTAINER SIZE:**

100L	100 Litre container stock min	Min. height at time of planting: 2.4m
300mm	300mm dia minimum pot size	
200mm	200mm dia minimum pot size	

****PLANT SPACING:**

The proposed densities of plants will be derived as a compromise between growth rate, anticipated size, and the ability to provide a good vegetative cover within a reasonable space of time.



CODE	SPECIES	COMMON NAME	SIZE*	SPACING(m)**	HEIGHT(m)	WIDTH (m)
PROPOSED SHRUBS AND GROUNDCOVERS						
5.1	<i>Allamanda cathartica</i> Sunee	Dwarf Yellow Allamanda	200mm	0.8	1	1.2
5.2	<i>Cordyline terminalis</i> Rubra	Palm Lily	200mm	as shown	2.5	2
5.3	<i>Gardenia psidioides</i> Glennie River var White Star	Native Gardenia	200mm	1	0.75	2
5.4	<i>Gardenia jasminoides</i> Radicans	Creeping Gardenia	200mm	0.8	0.5	1-2
5.5	<i>Hibbertia scandens</i>	Golden Guinea Vine	140mm	1.2	0.5	3
5.6	<i>Ixora chinensis</i> Dwarf Gold syn Maui Yellow	Ixora Dwarf	200mm	0.8	1	1.2
5.7	<i>Liriope muscari</i> Evergreen Giant	Liriope	140mm	0.6	0.8	0.8
5.8	<i>Lomandra hystrix</i>	Mat Rush	140mm	0.8	1.8	1.5
5.9	<i>Melaleuca linariifolia</i> Snowstorm	Snowstorm Paperbark	200mm	1.2	1.5	1.5
5.10	<i>Xanthostemon chrysanthus</i> Little Goldie	Dwarf Golden Penda	200mm	0.7	1	0.8

***PLANT CONTAINER SIZE:**

200mm 200mm dia minimum pot size
 140mm 140mm dia minimum pot size

****PLANT SPACING:**

The proposed densities of plants will be derived as a compromise between growth rate, anticipated size, and the ability to provide a good vegetative cover within a reasonable space of time.



CODE	SPECIES	COMMON NAME	SIZE*	SPACING(m)**	HEIGHT(m)	WIDTH (m)
PROPOSED CLIMBERS						
6.1	<i>Chonemorpha fragrans</i>	Climbing Frangipani	300mm	as shown	6	-
6.2	<i>Hoya australis</i>	Wax Flower	300mm	as shown	3	1
6.3	<i>Stephanotis floribunda</i>	Stephanotis Jasmine	140mm	2	1	3-5

PROPOSED LANDSCAPED DRAINAGE EASEMENT

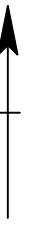
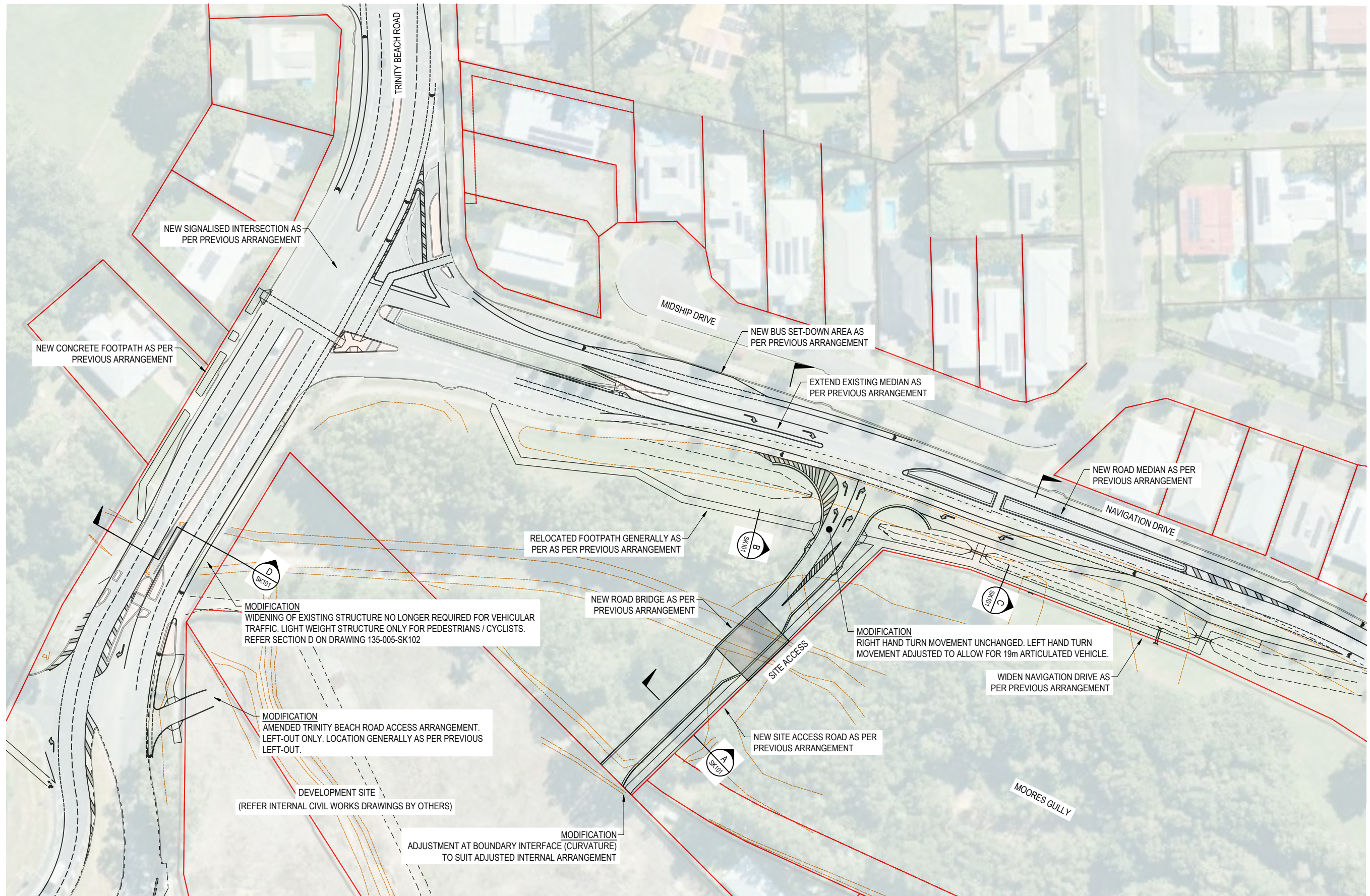
7.1	<i>Imperata cylindrica</i>	Blady Grass
7.2	<i>Lomandra hystrix</i>	River Mat-Rush
7.3	<i>Lomandra longifolia</i>	Spiny-Headed Mat Rush
7.4	<i>Myoporum parvifolium</i>	Creeping Boobialla
7.5	<i>Themeda triandra</i>	Kangaroo Grass

*PLANT CONTAINER SIZE:

300mm	300mm dia minimum pot size
140mm	140mm dia minimum pot size

**PLANT SPACING:

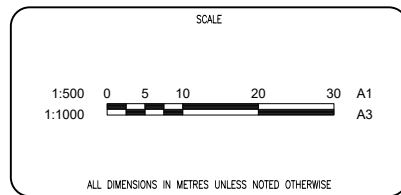
The proposed densities of plants will be derived as a compromise between growth rate, anticipated size, and the ability to provide a good vegetative cover within a reasonable space of time.



NO.	DATE	DESCRIPTION	DESIGN	APPROVED
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2	16.10.25	NOTATION ADJUSTMENTS	CW	DJW
1	12.09.25	INITIAL ISSUE		

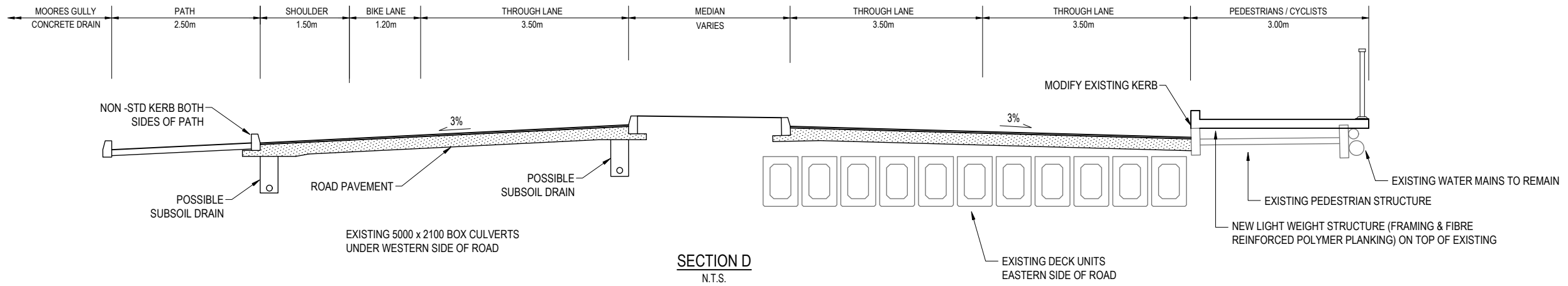
CLIENT

FABCOT PTY LTD

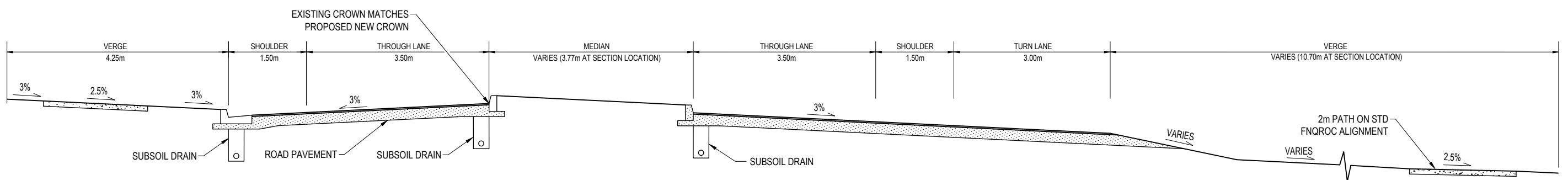


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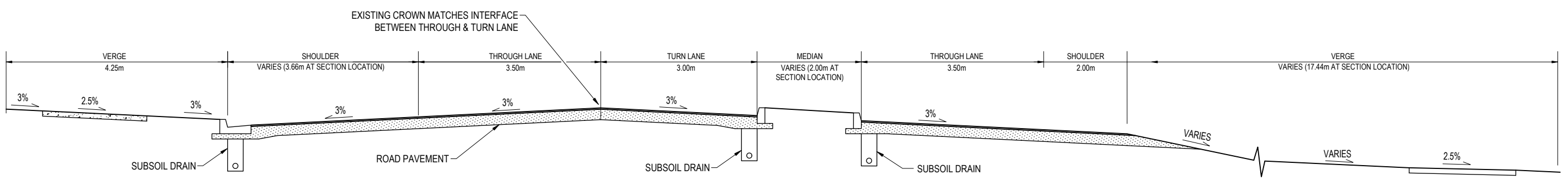
TRINITY BEACH WOOLWORTHS EXTERNAL WORK	
OVERALL ARRANGEMENT	
PROPOSED SITE ACCESS AMENDMENT	
DRAWING NO.	REVISION
135-005-SK100	3



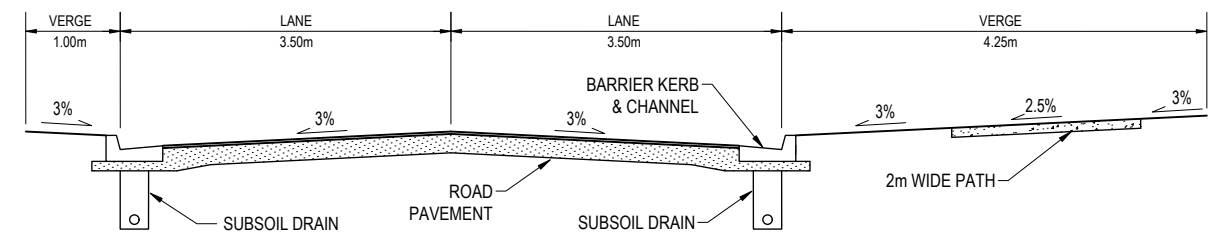
SECTION D
N.T.S.



SECTION C
N.T.S.



SECTION B
N.T.S.



SECTION A
N.T.S.

REVISIONS	NO.	DATE	DESCRIPTION	DESIGN	APPROVED
	1	22.10.25	FOR SUBMISSION		

CLIENT
FABCOT PTY LTD

SCALE
ALL DIMENSIONS IN METRES UNLESS NOTED OTHERWISE



DRAWN	CW	CHECKED	DJW
DESIGNED	CW	CHECKED	DJW
APPROVED			
DATE:		RPEQ:	

TRINITY BEACH WOOLWORTHS EXTERNAL WORK
OVERALL ARRANGEMENT
TYPICAL SECTIONS
 DRAWING NO. 135-005-SK101
 REVISION 1



UPDATED MINOR CHANGE
NOISE IMPACT ASSESSMENT
LOCAL CENTRE DEVELOPMENT
TRINITY BEACH ROAD AND CAPTAIN COOK HIGHWAY
TRINITY BEACH

Prepared for:
Woolworths Ltd

Prepared by:
MWA Environmental

19 March 2026

CONTENTS	PAGE
1.0 INTRODUCTION.....	1
1.1 STUDY BRIEF	1
1.2 SITE DESCRIPTION	1
1.3 PROPOSED MINOR CHANGE	2
2.0 NOISE CRITERIA	3
3.0 NOISE IMPACT ASSESSMENT.....	4
3.1 NEAREST NOISE SENSITIVE RECEPTORS.....	4
3.2 LOADING DOCK NOISE	4
3.3 DIRECT TO BOOT NOISE	7
3.4 NOISE CONTROL MEASURES	7
3.5 PREDICTED OVERALL NOISE LEVELS.....	8
4.0 CONCLUSIONS.....	10

FIGURES

ATTACHMENTS

1.0 INTRODUCTION

1.1 STUDY BRIEF

MWA Environmental has been engaged to prepare an updated Noise Impact Assessment in support of a proposed Minor Change application relating to the approved Shopping Centre Development on land situated at the corner of Trinity Beach Road and Captain Cook Highway, Trinity Beach.

This updated report has been prepared to assess revised barrier options along the southern boundary of the subject site as requested by Council. The report is part of a Minor Change application to the Planning and Environment Court to amend the current development conditions as approved under appeal to Planning and Environment Court (Appeal No. 201 of 2018) by Judgement dated 6 May 2022.

Relevantly for this report the Minor Change application primarily seeks amendments to the development layout of the loading dock area and the introduction of a Home Delivery service with associated changes to Condition 23 approved hours of deliveries. Condition 23 is as stated below:

Hours of Deliveries and Refuse Collection

23. Delivery service vehicles access to the 'Loading Dock', including the loading and unloading refuse collection vehicles, are limited to the time period of 6am to 6pm only, Monday to Sunday.

The Minor Change application is seeking to increase the deliveries hours to 5am to 10pm whilst leaving the refuse collection as approved (6am to 6pm) by amending Condition 23 to the following:

Hours of Deliveries and Refuse Collection

23. *Delivery service vehicles access to the 'Loading Dock', are limited to the time period of 5am to 10pm only, Monday to Sunday. Refuse collection to be limited to time period of 6am to 6pm only, Monday to Sunday.*

This assessment has considered the potential impact of noise emissions from the proposed amended development layout, the introduction of a Home Delivery service and increased hours of deliveries as will result surrounding existing and future noise sensitive receptors. The assessment has considered the minor change plans against the current development approval and detailed noise propagation modelling.

1.2 SITE DESCRIPTION

The subject site is located at the corner of Trinity Beach Road and Captain Cook Highway, Trinity Beach. The subject site has a property description of Lot 156 on NR5378 and Lot 1 on RP741589.

The site and surrounding properties are zoned Low-Medium Density Residential under the CairnsPlan 2016 Planning Scheme. The site is bound by Trinity Beach Road to the north and Captain Cook Highway to the west. The nearest existing residential dwellings are located adjoining the southern boundary of the site with future potential residential dwellings along the eastern part of the development in the future development land parcel.

The location of the subject site and surrounding land uses are shown on **Figure 1**, with land use zoning shown on **Figure 2**.

1.3 PROPOSED MINOR CHANGE

The proposed Hours of Deliveries and Refuse Collection hours are as follows:

- Delivery service vehicles including Home Delivery access to the 'Loading Dock', are limited to the time period of 5am to 10pm only, Monday to Sunday.
- Refuse collection to be limited to time period of 6am to 6pm only, Monday to Sunday.

The development plans are included as **Attachment 1**.

2.0 NOISE CRITERIA

The development approval provides the context for the approved noise limits applicable to both existing and future residential uses in proximity to the development site. Condition 20 of the development approval provides for the following noise limits which have been applied in the assessment of noise impacts associated with the proposed minor change application.

Plant and Equipment Certification

20. Mechanical plant and equipment (e.g. air conditioning, plant and machinery units) must be designed, sited and acoustically attenuated to achieve the specified noise limits, measured from adjoining residential development as follows:
 - a. Day: $L_{Aeq,adj,11hr} \leq RBL + 5 \text{ dBA} = 51 \text{ dB(A)}$;
 - b. Evening: $L_{Aeq,adj,4hr} \leq RBL + 5 \text{ dBA} = 49 \text{ dB(A)}$; and
 - c. Night: $L_{Aeq,adj,9hr} \leq RBL + 3 \text{ dBA} = 36 \text{ dB(A)}$

3.0 NOISE IMPACT ASSESSMENT

3.1 NEAREST NOISE SENSITIVE RECEPTORS

Assessment of potential noise impacts from the proposed development has been made at the nearest existing and future residential uses as shown on **Figure 3** and described below.

R1 (South):	4 Hanby Court
R2 (South):	2 Hanby Court
R3 (East):	Future Residential in future development area
R4 (East):	Future Residential in future development area
R5 (East):	Future Residential in future development area
R6 (East):	Future Residential in future development area

3.2 LOADING DOCK NOISE

The minor change development plan incorporates a shared loading dock area with supermarket deliveries, refuse collection and home deliveries. Access to the loading dock will be via an access route on the eastern side of the supermarket building. The loading bay is designed to accommodate various size trucks (1 x AV bay, 2 x MRV and HRV bays and 4 x SRV bays) as well as a compactor area.

Based on this, the SoundPLAN noise model was conservatively set up to consider noise emissions from the following servicing events occurring for the proposed servicing hours of 5am to 10pm, concurrently with peak passenger vehicle associated with the direct to boot traffic:

- One (1) refuse collection between 6am and 7am night period and 7am and 6pm day period – i.e as per approved 6am to 6pm hours of refuse collection;
- One (1) AV delivery per hour between 5am and 10pm period, this is equivalent to:
 - Two (2) AV deliveries for night period – 5am to 7am
 - Eleven (11) AV deliveries for day period – 7am to 6pm
 - Eleven (4) AV deliveries for evening period – 6pm to 10pm
- Two (2) HRV or MRV deliveries per hour between 5am and 10pm period, this is equivalent to:
 - Four (4) HRV or MRV deliveries for night period – 5am to 7am
 - Twenty-four (24) HRV or MRV deliveries for day period – 7am to 6pm
 - Eight (8) HRV or MRV deliveries for evening period – 6pm to 10pm

- Four (4) SRV deliveries per hour between 5am and 10pm period, this is equivalent to:
 - Eight (8) SRV deliveries for night period – 5am to 7am
 - Forty-eight (48) SRV deliveries for day period – 7am to 6pm
 - Sixteen (16) SRV deliveries for evening period – 6pm to 10pm

As proposed, the following limitations for servicing are considered:

- All refuse collection to occur between 6am and 6pm, 7 days a week.
- Service vehicles (deliveries and loading/unloading) at loading dock to occur 5am to 10pm, 7 days a week.

Measured noise levels for various loading docks and servicing activities have been recorded by MWA Environmental and others and are summarised as follows:

Table 1: Servicing Noise Sources Considered in Noise Prediction Model

Modelled Noise Source	Modelled Source Type	Sound Power Level L_{max} – dB(A)	Sound Power Level L_{eq} – dB(A)
Slow moving AV truck accessing loading dock	Line Source	101	61/m ¹
Slow moving HRV/ MRV truck accessing loading dock	Line Source	99	59/m ²
Slow moving SRV (home delivery truck) accessing loading dock	Line Source	93	53/m ³
Refuse Truck accessing refuse area	Line Source	101	61/m ⁴
Unloading Activities	Point Source	98	76.0
Truck refrigeration Unit at loading dock	Point Source	85.2	85.2
Refuse collection (impulse corrected)	Point Source	101	101 ⁵
Compactor operation	Point Source	80	73.0 ⁶
Reversing Beeper	Point Source	103	103 ⁷
Truck Airbrake	Point Source	110	110 ⁸

The resultant noise level from the above servicing noise sources and other development noise emissions at the nearest receptors are summarised in **Section 3.6** below.

¹ SWL of one truck movement traveling at average 10km/hr. Activity rate adjusted for number of movements as above.

² SWL of one truck movement traveling at average 10km/hr. Activity rate adjusted for number of movements as above.

³ SWL of one truck movement traveling at average 10km/hr. Activity rate adjusted for number of movements as above.

⁴ SWL of one truck movement traveling at average 10km/hr. Activity rate adjusted for number of movements as above.

⁵ Activity rate adjusted for 1 minute collection activity per event.

⁶ Based on 30 minutes operational duration per hour between 7am and 6pm.

⁷ Activity rate adjusted for 30 seconds operational duration per AV, HRV or MRV per hour.

⁸ Activity rate adjusted for 2 seconds operational duration per AV, HRV or MRV per hour.

3.3 DIRECT TO BOOT NOISE

Vehicle movement and vehicle parking at the direct to boot area adjacent to the eastern façade of the supermarket building has been assessed based upon the revised development layout. They are six (6) direct to boot bays under a canopy.

Review of the updated traffic engineering technical memorandum prepared by SLR Consulting ⁹ provided updated development traffic analysis. The report suggested 'additional development traffic - 40vph (AM) and 63vph (PM) - that will now turn right to enter via Navigation Drive instead of turning left at Trinity Beach Road'. We note that the Navigation Drive access road is linked to the direct to boot access area. Although the peak vehicle volumes are not reported to be directly associated with direct to boot traffic volume, it is assumed that the use of these peak trips to assess the direct to boot traffic impact would be a highly conservative assumption.

The source noise levels applied to vehicle movements along the direct to boot route and parking bay activities were derived from the traffic generation rates, SoundPLAN library and sources recorded by MWA Environmental and others as presented in **Table 2**.

Table 2: Summary of Vehicle Noise Sources Considered in Model

Modelled Noise Source	Modelled Source Type	Sound Power Level L_{eq} – dB(A)	Sound Power Level L_{max} – dB(A)
Car movement along direct to boot access route	Line Source	49/m ¹⁰	89.0
Car Parking – Direct to Boot (includes car starts / door slams noise)	Area Source	70 ¹¹	90.0

The resultant noise level from the above development noise emissions at the nearest receptors are summarised in **Section 3.6** below.

3.4 NOISE CONTROL MEASURES

To achieve noise compliance at the nearest noise sensitive residential use, the noise modelling included the following noise control measures:

- Direct to Boot Hours of Operation are 6am until 10pm, Monday to Sunday.
- Refuse collection hours are 6am to 6pm only, Monday to Sunday.
- Servicing deliveries hours are 5am and 10pm only, Monday to Sunday.

⁹ Technical Memorandum - Trinity Beach Supermarket, 171–173 & 175 Trinity Beach Road – Minor Change – Traffic Engineering Assessment, 620.042552 dated 17 October 2025.

¹⁰ SWL per vehicle movement at average 10km/hr, with peak trips as noted above.

¹¹ Based on 1 parking bay movement per hour with activity rate applied as per peak trip volume.

- A **3.0 to 3.2 metre high** acoustic barrier along part of the southern boundary of the site. The barrier height to be on top of retaining wall or height above finished pavement level, whichever is higher point. Two options have been considered for the southern boundary barrier:
 - **Option A** - Barrier section above 2.0 metres to be constructed using transparent material.
 - Or
 - **Option B** - The barrier to comprise of a 2.0m and 2.2m vertical barrier segments with an additional 1.0m length of cantilever barrier angled at 60 degrees into the site (0.87 metres vertical height);
- A **3.0 metre high** acoustic barrier along part of the eastern boundary of the site. The barrier height to be on top of retaining wall or height above finished pavement level, whichever is higher point.

The recommended acoustic barrier options are presented on **Figure 4A and 4B**. The acoustic barrier materials are required to be gap-free and achieve a minimum surface density of 12.5kg/m².

The SoundPLAN noise model has utilised the above operational and structural noise control measures, Option B noise barrier in this assessment, to predict the cumulative noise levels as presented in **Section 3.5** below.

3.5 PREDICTED OVERALL NOISE LEVELS

The predicted overall noise levels at the nearest noise sensitive residential uses during day (7am to 6pm), evening (6pm to 10pm) and night (10pm to 7am) periods are summarised in **Table 3** for assessment against the approved noise limits. The predicted overall noise levels utilised acoustic barrier Option B (**Figure 4B**) along the southern boundary.

The predicted overall noise levels of Option A acoustic barriers along the southern boundary were previously assessed in the noise reported prepared by MWA Environmental dated 10 November 2025. The only change to the barrier outcomes of Option A is the notation that '*Barrier section above 2.0 metres to be constructed using transparent material*'.

Table 3: Resultant Noise Levels – Existing and Future Residential Uses – With Acoustic Barrier Option B - L_{Aeq} dB(A)

Receptor	Predicted Noise Level - $L_{Aeq, adj, T}$ dB(A)		
	$L_{Aeq, 11hr}$ (7am to 6pm)	$L_{Aeq, 4hr}$ (6pm to 10pm)	$L_{Aeq, 9hr}$ (10pm to 7am)
R1	42	42	36
R2	40	40	33
R3	39	39	33
R4	41	41	34
R5	42	42	34
R6	40	41	32
Noise Criteria	51 dB(A)	49 dB(A)	36 dB(A)
Compliance	Yes	Yes	Yes

Noise contour maps of the predicted daytime, evening and night-time noise levels across the model domain are presented in **Attachment 2**.

The noise modelling demonstrates that the minor change development proposal can achieve the noise limits identified in the development conditions at the nearest receptors given that the above operational and structural noise control measures are implemented on site.

4.0 CONCLUSIONS

MWA Environmental has been engaged to prepare a Noise Impact Assessment in support of a proposed Minor Change application relating to the approved Shopping Centre Development to be located at the corner of Trinity Beach Road and Captain Cook Highway, Trinity Beach.

This report has been prepared to support proposed changes to the current development conditions as approved under appeal to Planning and Environment Court (Appeal No. 201 of 2018) by Judgement dated 6 May 2022.

The Minor Change application primarily seeks amendments to the development layout of the loading dock area and the introduction of Home Delivery service with associated changes to Condition 23 approved hours of deliveries.

The Minor Change application is seeking to increase the hour of deliveries to 5am to 10pm whilst leaving the refuse collection as approved (6am to 6pm) by amending Condition 23 to the following:

Hours of Deliveries and Refuse Collection

23. *Delivery service vehicles access to the 'Loading Dock', are limited to the time period of 5am to 10pm only, Monday to Sunday. Refuse collection to be limited to time period of 6am to 6pm only, Monday to Sunday.*

This assessment has considered the potential impact of noise emissions from the proposed amended development layout and increased hours of delivery at surrounding existing and future noise sensitive receptors.

Based on the noise assessment conducted, the following operational and structural noise control measures are recommended on site:

- Direct to Boot Hours of Operation are 6am until 10pm, Monday to Sunday.
- Refuse collection hours are 6am and 6pm only, Monday to Sunday.
- Servicing deliveries hours are 5am and 10pm only, Monday to Sunday.
- A **3.0 to 3.2 metre high** acoustic barrier along part of the southern boundary of the site. The barrier height to be on top of retaining wall or height above finished pavement level, whichever is higher point. Two options have been considered for the southern boundary barrier:
 - **Option A** - Barrier section above 2.0 metres to be constructed using transparent material.
 - Or
 - **Option B** - The barrier to comprise of a 2.0m and 2.2m vertical barrier segments with an additional 1.0m length of cantilever barrier angled at 60 degrees into the site (0.87 metres vertical height);

- A **3.0 metre high** acoustic barrier along part of the eastern boundary of the site. The barrier height to be on top of retaining wall or height above finished pavement level, whichever is higher point.

The recommended acoustic barrier options are presented on **Figure 4A and 4B**. The acoustic barrier materials are required to be gap-free and achieve a minimum surface density of 12.5kg/m². The predicted noise levels from both barrier options demonstrates compliance with the relevant noise limits.

In summary the assessment undertaken demonstrates that the proposed amended operations can be undertaken during the proposed hours on the basis of the amended site plan and in accordance with the relevant noise amenity standards with the implementation of the recommended noise control measures.

MWA Environmental
19 March 2026

FIGURES



LEGEND
 - - - - - SITE LOCATION
 ———— PROPERTY BOUNDARY

DRAWING REFERENCE
 © THE STATE OF QUEENSLAND 2025
 (DEPARTMENT OF NATURAL RESOURCES
 AND MINES, AND REGIONAL AND RURAL
 DEVELOPMENT) QLDGLOBE.

N

0 25 50 75m

CLIENT
FABCOT PTY LTD

PROJECT
NOISE IMPACT ASSESSMENT
WOOLWORTHS
TRINITY BEACH
TRINITY BEACH ROAD & CAPTAIN COOK HIGHWAY
TRINITY BEACH QLD

TITLE
SITE LOCATION AND SURROUNDING LAND USES

JOB	TRINITY BEACH	FIGURE 1
JOB NO.	25151	
DATE	19/03/26	DWG NUMBER
SCALE	1:2500 (A4)	25151-1
REV.		

mwa
 ENVIRONMENTAL

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 W www.mwaenviro.com.au
 ABN 94 010 833 084



LEGEND

- SITE LOCATION
- PROPERTY BOUNDARY
- CRC CAIRNSPLAN 2016 ZONING**
- Low-Medium Density Residential
- Low Density Residential
- Rural residential
- Special Purpose
- Sport and Recreation
- Open Space

DRAWING REFERENCE
 CAIRNS REGIONAL COUNCIL, INTERACTIVE
 MAPPING, CAIRNSPLAN 2016, ZONING.

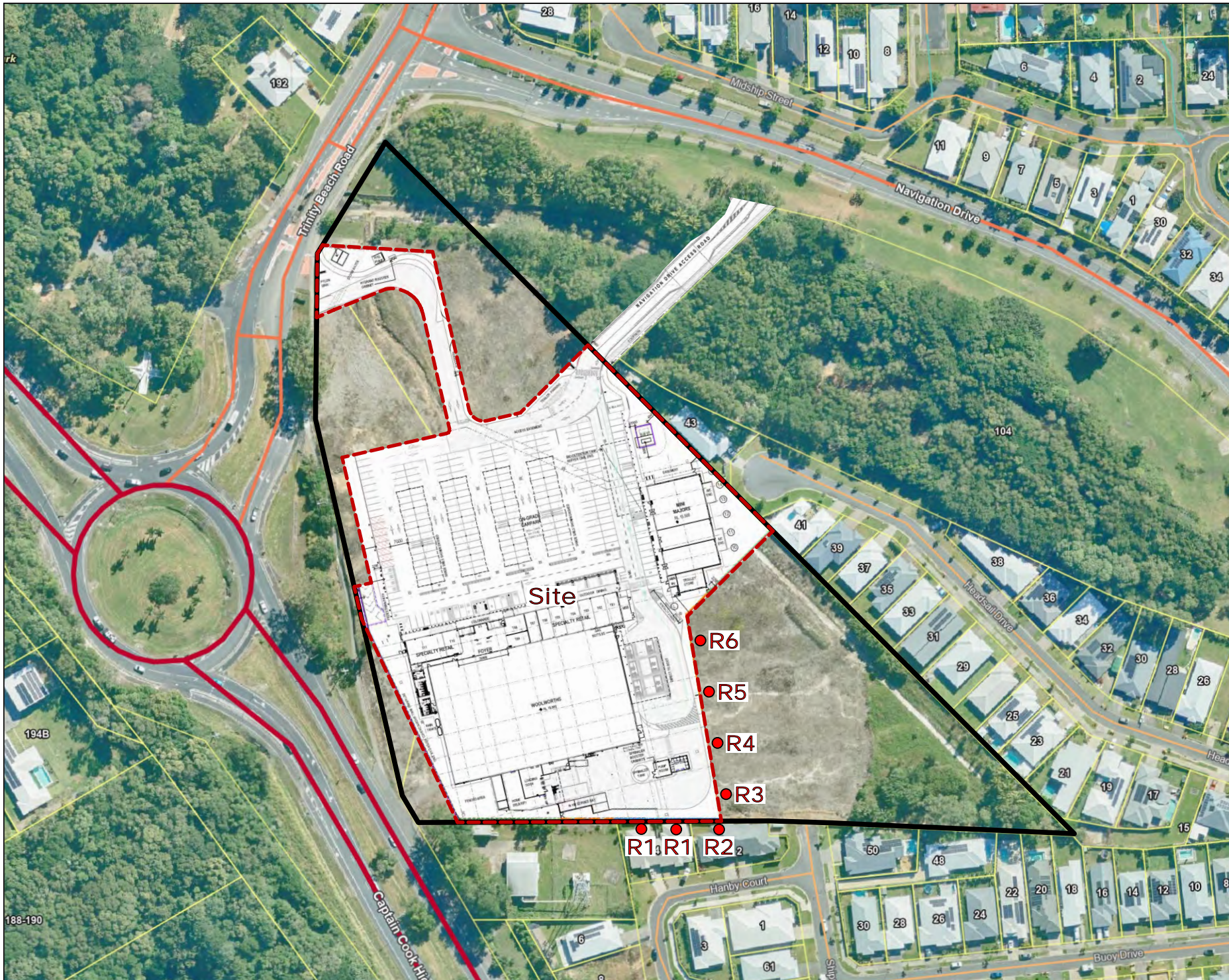
CLIENT
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PROJECT
NOISE IMPACT ASSESSMENT
WOOLWORTHS
TRINITY BEACH
TRINITY BEACH ROAD & CAPTAIN COOK HIGHWAY
TRINITY BEACH QLD

TITLE
SITE LOCATION AND SURROUNDING LAND USES

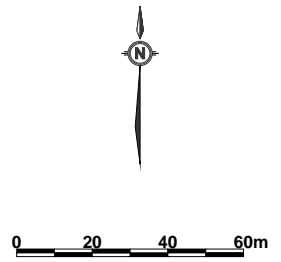
JOB	TRINITY BEACH	FIGURE 2
JOB NO.	25151	
DATE	19/03/26	DWG NUMBER
SCALE	1:2500 (A4)	25151-2
REV.		

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LEGEND
 - - - SITE LOCATION
 - - - PROPERTY BOUNDARY
 ● R6 SENSITIVE RECEPTOR LOCATIONS (R1-R6)

DRAWING REFERENCES
 - CCN ARCHITECTS PTY LTD,
 PROJECT # P1528, SITE PLAN,
 DWG # CD-B-01.
 - © THE STATE OF QUEENSLAND 2025
 (DEPARTMENT OF NATURAL RESOURCES
 AND MINES, AND REGIONAL AND RURAL
 DEVELOPMENT) QLD.GLOBE.



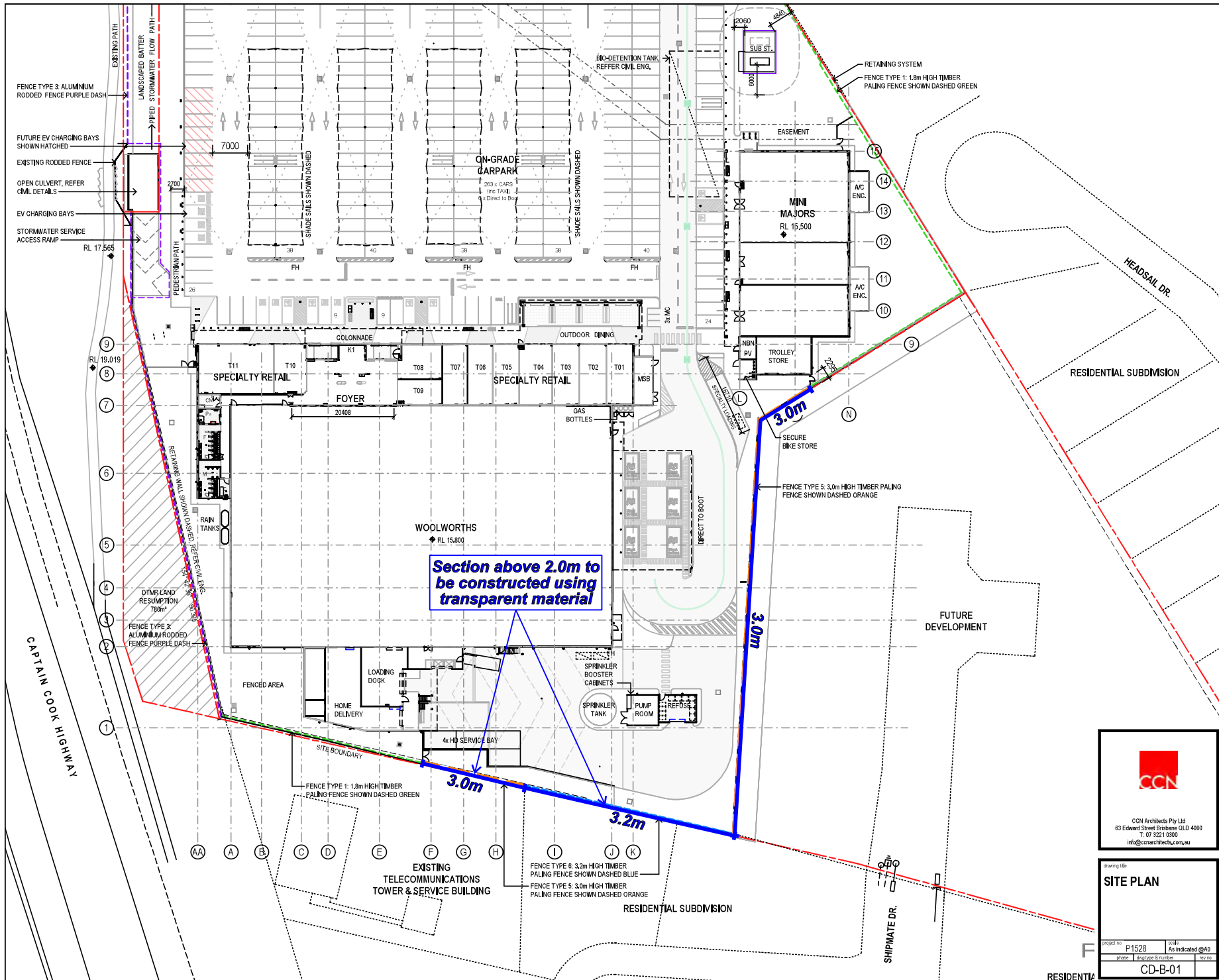
CLIENT
FABCOT PTY LTD

PROJECT
NOISE IMPACT ASSESSMENT
WOOLWORTHS
TRINITY BEACH
TRINITY BEACH ROAD & CAPTAIN COOK HIGHWAY
TRINITY BEACH QLD

TITLE
SENSITIVE RECEPTOR LOCATIONS

JOB	TRINITY BEACH	FIGURE 3
JOB NO.	25151	
DATE	19/03/26	DWG NUMBER
SCALE	1:2000 (A4)	25151-3
REV.		

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LEGEND

3.2m BARRIER HEIGHT ABOVE TOP OF RETAINING WALL OR ABOVE ADJACENT PAVEMENT LEVEL WHICHEVER IS HIGHER ACOUSTIC BARRIER (WHERE NOTED, SECTION ABOVE 2.0m TO BE CONSTRUCTED USING TRANSPARENT MATERIAL)

DRAWING REFERENCE
CCN ARCHITECTS PTY LTD,
PROJECT # P1528, SITE PLAN,
DWG # CD-B-01.

N

0 10 20 30m

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PROJECT
**NOISE IMPACT ASSESSMENT
WOOLWORTHS
TRINITY BEACH
TRINITY BEACH ROAD &
CAPTAIN COOK HIGHWAY
TRINITY BEACH QLD**

TITLE
**ACOUSTIC BARRIER
OPTION A**

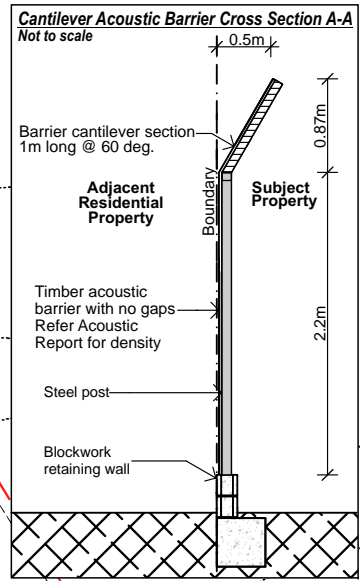
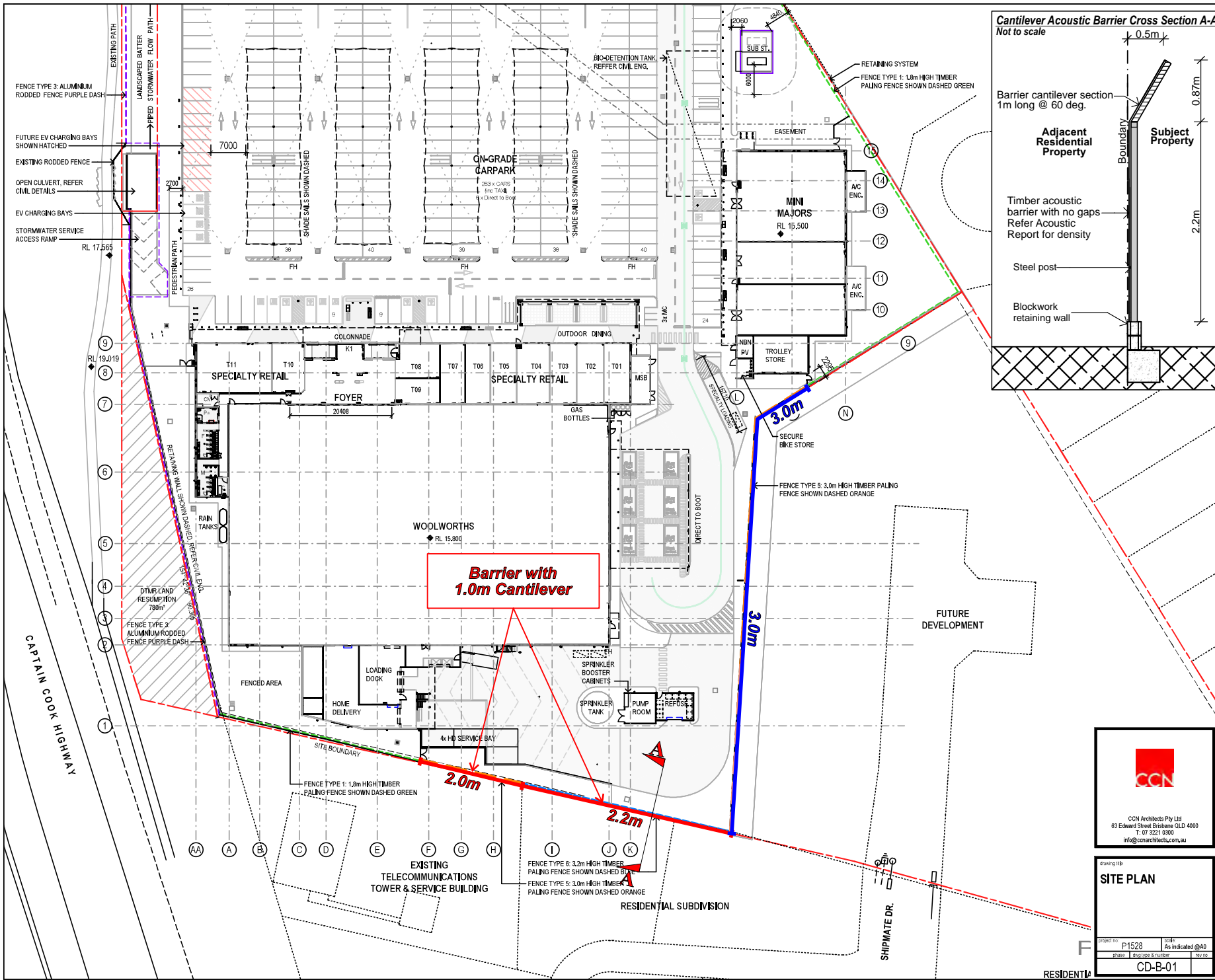
JOB	TRINITY BEACH	FIGURE 4A
JOB NO.	25151	
DATE	19/03/26	DWG NUMBER
SCALE	1:1000 (A4)	25151-4A
REV.		

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drawing title
SITE PLAN

Project no.	P1528	Scale	As indicated @A0
Sheet no.	CD-B-01	Drawn by	rev no.

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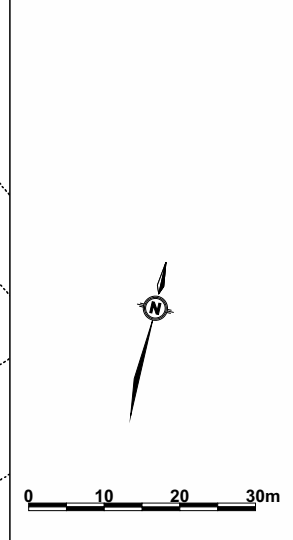


LEGEND

2.2m BARRIER HEIGHT ON TOP OF RETAINING WALL
 CANTILEVER ACOUSTIC BARRIER (REFER CANTILEVER BARRIER CROSS SECTION A-A)

3.0m BARRIER HEIGHT ABOVE TOP OF RETAINING WALL OR ABOVE ADJACENT PAVEMENT LEVEL
 WHICHEVER IS HIGHER ACOUSTIC BARRIER

DRAWING REFERENCE
 CCN ARCHITECTS PTY LTD,
 PROJECT # P1528, SITE PLAN,
 DWG # CD-B-01.



CLIENT
FABCOT PTY LTD

PROJECT
**NOISE IMPACT ASSESSMENT
 WOOLWORTHS
 TRINITY BEACH
 TRINITY BEACH ROAD &
 CAPTAIN COOK HIGHWAY
 TRINITY BEACH QLD**

TITLE
**ACOUSTIC BARRIER
 OPTION B**

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drawing title
SITE PLAN

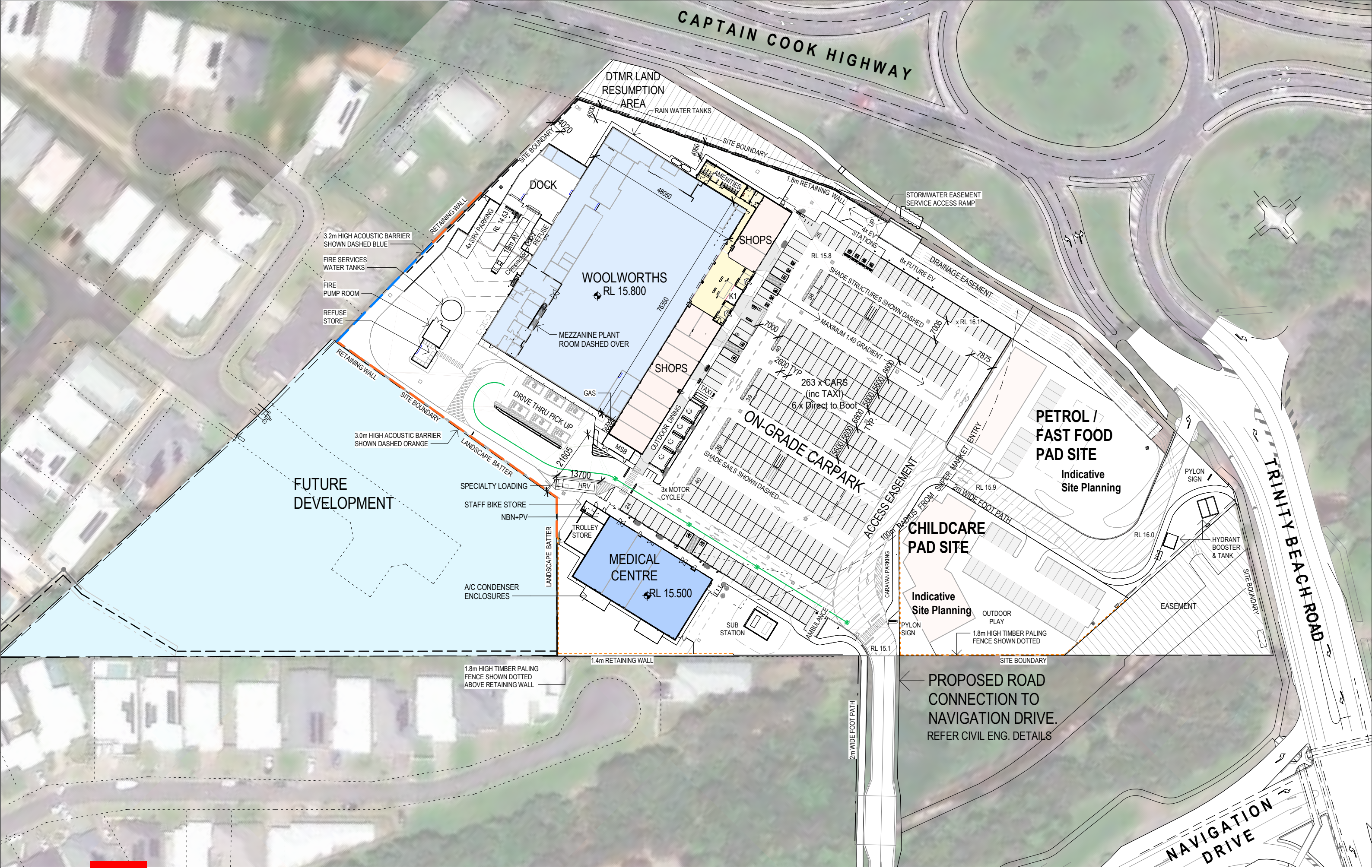
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 sheet no: 2 of 2 Drawing no: CD-B-01 Rev no: 1

JOB	TRINITY BEACH	FIGURE 4B
JOB NO.	25151	
DATE	19/03/26	DWG NUMBER
SCALE	1:1000 (A4)	25151-4B
REV.		

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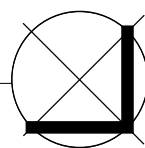
ATTACHMENT 1

Design Drawings



WOOLWORTHS TRINITY BEACH

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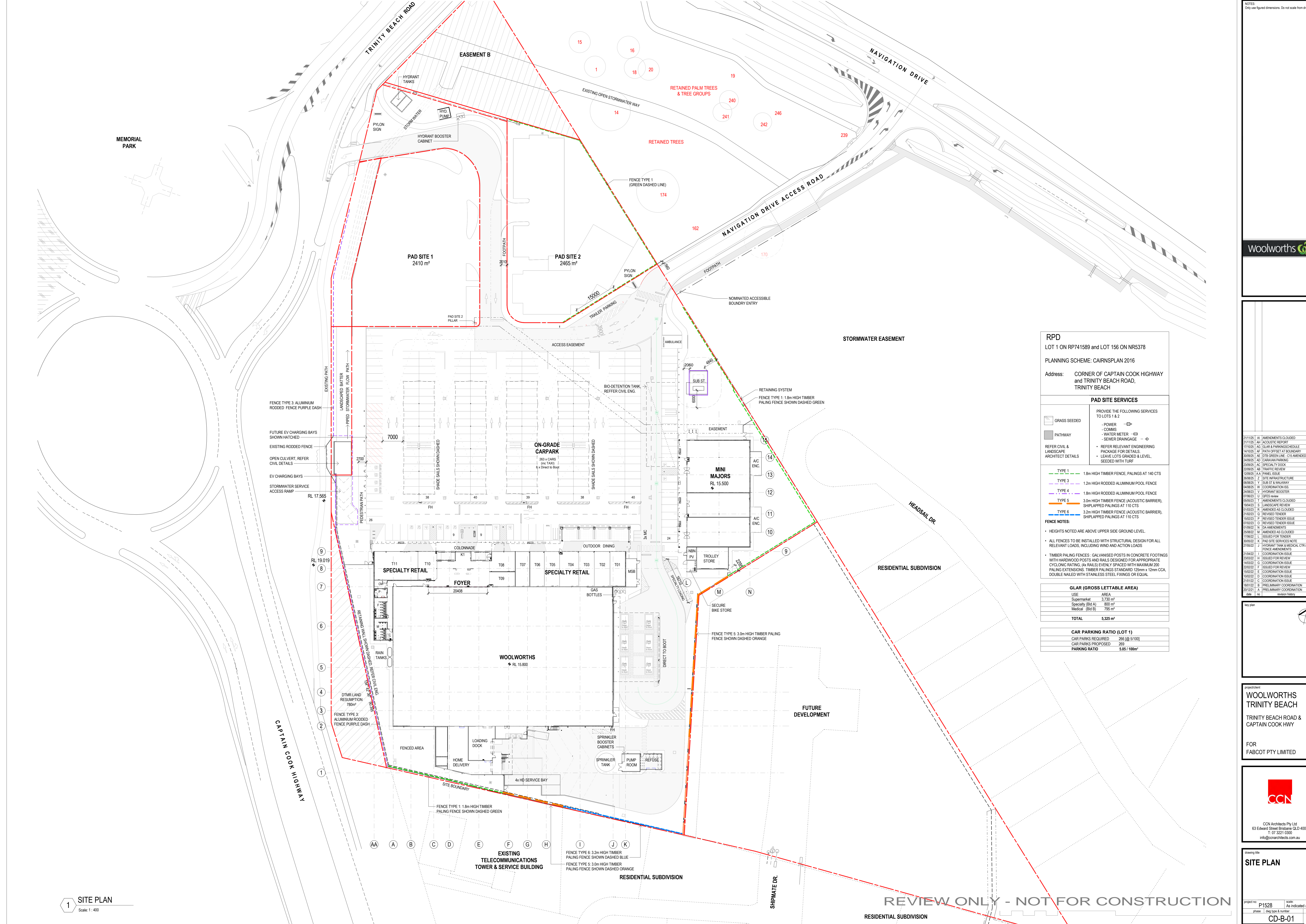
SITE PLAN

P1528

DA-03 []

25/11/2025 10:20:40 AM

1:1000 @ A3



RPD
 LOT 1 ON RP741589 and LOT 156 ON NR5378

PLANNING SCHEME: CAIRNSPLAN 2016

Address: CORNER OF CAPTAIN COOK HIGHWAY and TRINITY BEACH ROAD, TRINITY BEACH

PAD SITE SERVICES

PROVIDE THE FOLLOWING SERVICES TO LOTS 1 & 2

- POWER
- COMMS
- WATER METER
- SEWER DRAINAGE

REFER CIVIL & LANDSCAPE ARCHITECT DETAILS

- REFER RELEVANT ENGINEERING PACKAGE FOR DETAILS
- LEAVE LOTS GRADED & LEVEL, SEEDED WITH TURF

CLAR (GROSS LETTABLE AREA)

USE	AREA
Supermarket	3,730 m ²
Specialty (BIG A)	800 m ²
Medical (BIG B)	795 m ²
TOTAL	5,325 m²

CAR PARKING RATIO (LOT 1)

CAR PARKS REQUIRED	266 @ 5:1000
CAR PARKS PROPOSED	269
PARKING RATIO	5.05 / 100m²

City use figured dimensions. Do not scale from drawings.

Woolworths

Woolworths TRINITY BEACH
 TRINITY BEACH ROAD & CAPTAIN COOK HWY
 FOR FABCOT PTY LIMITED

CCN

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SITE PLAN

Project no: P1528 scale: As indicated @A0
 Date: 20/10/2024 Rev: 01

CD-B-01

1 SITE PLAN
 Scale: 1:400

REVIEW ONLY - NOT FOR CONSTRUCTION

ATTACHMENT 2

SoundPLAN Model Results



Noise level
L_{Aeq}(11hr)
in dB(A)

<= 40	<= 40
40 <	<= 43
43 <	<= 46
46 <	<= 49
49 <	<= 52
52 <	<= 55
55 <	<= 58
58 <	<= 61
61 <	

Legend

- Cadastral
- Line source
- Point receiver
- ▨ Parking lot
- Point source
- ▨ Development Buildings
- ▨ Noise Barrier

**Trinity Beach 25151
Other Change**

**Local Centre
Noise Impact**

Day Period

March 2026

Length scale 1:1500





Noise level
 LAeq(4hr)
 in dB(A)

<= 40	<= 40
40 <	<= 43
43 <	<= 46
46 <	<= 49
49 <	<= 52
52 <	<= 55
55 <	<= 58
58 <	<= 61
61 <	

- Legend
- Cadastral
 - Line source
 - Point receiver
 - ▨ Parking lot
 - Point source
 - ▨ Development Buildings
 - ▨ Noise Barrier

**Trinity Beach 25151
 Other Change**

**Local Centre
 Noise Impact**

Evening Period

March 2026



Length scale 1:1500

0 10 20 40 60



Noise level
LAeq(9hr)
in dB(A)

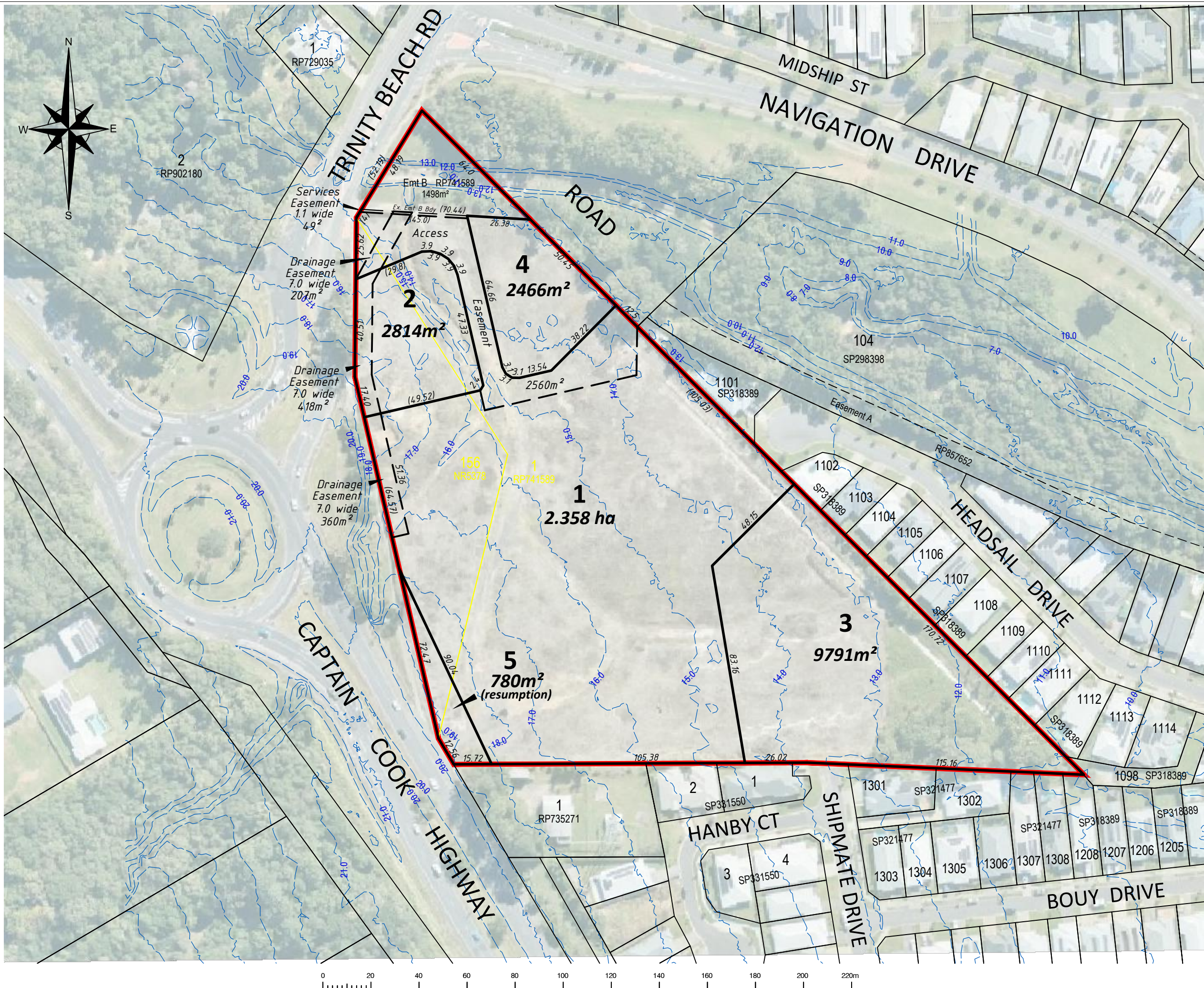
<= 40	<= 40
40 <	<= 43
43 <	<= 46
46 <	<= 49
49 <	<= 52
52 <	<= 55
55 <	<= 58
58 <	<= 61
61 <	> 61

- Legend
- Cadastral
 - Line source
 - * Point receiver
 - ▨ Parking lot
 - Point source
 - ▧ Development Buildings
 - ▬ Noise Barrier

Trinity Beach 25151
Other Change
Local Centre
Noise Impact
Night Period
March 2026



Length scale 1:1500
 0 10 20 40 60



Note:
 This plan is for Concept / Reconfiguration purposes only;
 All lots, areas and dimensions are approximate only and are subject to Survey, Engineering and Council approvals.

The contours shown on this plan have been derived from DNRM LiDAR only and should not be used for final detailed engineers design.

DNRM DCDB; DNRM Aerial Photography; DNRM LiDAR.
 Based on or contains data provided by the State of Queensland (Department of Natural Resource & Mines) [2017]. In consideration of the State permitting use of this data you acknowledge and agree that the State gives no warranty in relation to the data (including accuracy, reliability, completeness, currency or suitability) and accepts no liability (including without limitation, liability in negligence) for any loss, damage or costs (including consequential damage) relating to any use of the data. Data must not be used for direct marketing or be used in breach of the privacy laws.

The aerial photography used in this plan has been overlaid as a best fit on the boundaries shown and position is approximate only.
 Photography publish date: 3/7/2025.

LiDAR date of capture: 2010
 Level Datum: AHD
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— LIDAR CONTOURS AT 1.0m INTERVALS
 — SUBJECT SITE



Reconfiguration of a Lot
 Proposed Lots 1, 2, 3 & 4 and Easements
 Cancelling Lot 156 on NR5378
 & Lot on 1 RP741589
 Trinity Beach

Local Authority		CAIRNS REGIONAL COUNCIL	
Date	2/4/2026	Level - Coordinate Origin	AHD Approx MGA Zone 55
Scale	1:1500	Sheet Size	A3
Drawing No.	16-185 - 001	Revision	5