

**COUNCIL RESOLUTION DELEGATED DUE TO THE REQUIREMENT OF SECTION 175E(6) OF THE *LOCAL GOVERNMENT ACT 2009* TO THE CHIEF EXECUTIVE OFFICER
IN ACCORDANCE WITH SECTION 257(1)(B) OF THE *LOCAL GOVERNMENT ACT 2009* – from 30 May 2018**

DATE OF MEETING & TYPE	MATERIAL PERSONAL INTEREST (MPI)	CONFLICT OF INTEREST (COI)	AGENDA ITEM	RESOLUTION NO.	OFFICER RECOMMENDATION	CHIEF EXECUTIVE OFFICER (CEO) APPROVAL	CEO CHANGE TO RECOMMENDATION – ALTERNATE RECOMMENDATION AND REASONS FOR CHANGE															
30/5/2018 Ordinary Meeting Minutes #5757432		Unity Team	Confirmation of the Infrastructure Services Committee Meeting Minutes 16 May 2018 Item1 Closed Session – Contractual Matter – Preferred Supplier Agreement 2623 – Supply and Laying of Asphaltic Concrete G Burdon 63/1/128 - #5741596	5767574	It is recommended that Council: 1. Awards Preferred Supplier Arrangement 2623 – Supply and Laying of Asphaltic Concrete to FGF Bitumen Pty Ltd, NQ Asphalt Pty Ltd, Boral Resources (Qld) Pty Ltd, Pioneer North Qld Pty Ltd and Bitumen Patch and Pave, based on a Schedule of Rates for a period of two years commencing 1 July 2018, with an extension option of up to 12 months available at Council's discretion. 2. Delegates authority to the Chief Executive Officer in accordance with the <i>Local Government Act 2009</i> to enter into contract, negotiate, finalise and execute any and all matters associated with or in relation to this contract subject to Council's normal procurement policies and practices.	31 May 2018	Approved by CEO as per officers recommendation															
30/5/2018 Ordinary Meeting Minutes #5757432		Unity Team	Item 1 Open Session RECONFIGURING A LOT (1 LOT INTO 10 LOTS AND PARK) – 330L Redlynch Intake Road REDLYNCH – DIVISION 6 Claire Anderson 8/13/2132 #5745245	5767881	It is recommended: A. That Council approves the Development Application for Reconfiguring a Lot (1 Lot into 10 Lots and Park) over land located at 330L Redlynch Intake Road, formally described as Lot 330 on SP264271, subject to the following: APPROVED DRAWING(S) AND / OR DOCUMENT(S) The term 'approved drawing(s) and / or document(s)' or other similar expressions means: <table border="1" data-bbox="1151 1108 2226 1371"> <thead> <tr> <th>Drawing or Document</th> <th>Reference</th> <th>Date</th> </tr> </thead> <tbody> <tr> <td>Reconfiguration Plan</td> <td>RPS Drawing No. 5159-216, Issue L, Council Reference #5735707</td> <td>18 April 2018</td> </tr> <tr> <td>Vehicular Parking Plan</td> <td>RPS Drawing No. 5159-228, Council Reference #5735707</td> <td>18 April 2018</td> </tr> <tr> <td>Electricity Plan</td> <td>Council Reference #5735707</td> <td>Received by Council 24 April 2018</td> </tr> <tr> <td>Building Setback Plan</td> <td>RPS Drawing No. 5159-227 D, Council Reference #5735707</td> <td>24 April 2018</td> </tr> </tbody> </table> Assessment Manager Conditions 1. This approval, granted under the provisions of the <i>Planning Act 2016</i> , shall lapse six (6) years from the day the approval takes effect in accordance with the provisions of Section 85 of the <i>Planning Act 2016</i> . 2. Carry out the approved development generally in accordance with the approved drawing(s) and/or document(s), and in accordance with:- a. The specifications, facts and circumstances as set out in the application submitted to Council; b. The following conditions of approval and the requirements of Council's Planning Scheme and the FNQROC Development Manual. Except where modified by these conditions of approval. Timing of Effect 3. The conditions of the Development Permit must be effected prior to Council approval of	Drawing or Document	Reference	Date	Reconfiguration Plan	RPS Drawing No. 5159-216, Issue L, Council Reference #5735707	18 April 2018	Vehicular Parking Plan	RPS Drawing No. 5159-228, Council Reference #5735707	18 April 2018	Electricity Plan	Council Reference #5735707	Received by Council 24 April 2018	Building Setback Plan	RPS Drawing No. 5159-227 D, Council Reference #5735707	24 April 2018	31 May 2018	Approved by CEO as per officers recommendation
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					<p>the Plan of Survey, except where specified otherwise in these conditions of approval.</p> <p>Operational Works</p> <p>4. A Development Permit for Operational Works is required for the construction of all internal earth works and civil infrastructure works including, but not limited to; earthworks, lighting, road, water, sewerage, park works, and drainage works associated with the development.</p> <p>All such works must be completed to the satisfaction of the Chief Executive Officer prior to Council approval of the Plan of Survey.</p> <p>Building Envelope and Access Plan</p> <p>5. A Building Envelope and Access Plan must be provided to each new lot in accordance with the approved Building Setback Plan, prepared by RPS Australia East Pty Ltd, Drawing No. 5159-227 D, dated 24 April 2018 (Council Reference #5735707).</p> <p>A Rates Notation to the above effect will be placed on the Rates File for each new lot.</p> <p>Street Layout and Design</p> <p>6. The street layout and design must comply with Queensland Streets and the FNQROC Development Manual, to the satisfaction of the Chief Executive Officer. Additionally:</p> <p>a. The access to all properties must be from 'new road' as identified on the Approved Plans;</p> <p>b. A footpath is to be provided from Redlynch Intake Road, extending along the full length of the unformed part of Shaws Road to the existing footpath in Shaws Road in accordance with FNQROC Development Manual; and</p> <p>c. A minimum of 0.5 spaces per lot must be available on-street to accommodate parking in accordance with Section 2.4 of Queensland Streets.</p> <p>All works must be carried out in accordance with the Approved Plans, to the satisfaction of the Chief Executive Officer prior to Council approval of the Plan of Survey.</p> <p>Community Purpose/Park Infrastructure</p> <p>7. The Open Space (Park) and New Road identified on Approved Plan, RPS Drawing No. 5159-216, issue L, dated 18 April 2018 must be transferred to Council as Road. The area of land must be constructed and developed to the requirements and satisfaction of the Chief Executive Officer. The land must be transferred to Council at the same time as registering the Plan of Survey with the Department of Natural Resources and Mines.</p> <p>Note: The Open Space (Park) is not identified in Council's Local Government Infrastructure Plan as trunk infrastructure.</p> <p>8. The Open Space (Park) area is to be only to be embellished with bollards (to prevent vehicle access), a gate that enables Council vehicle access, one seat, turf and landscaping (trees) around the periphery of the area. Permanent irrigation or any other embellishments are not permitted.</p> <p>A Plan detailing the above embellishments must be endorsed by the Chief Executive Officer prior to a Development Permit for Operational Works.</p>		

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					<p>The land and embellishments must be established at no cost to Council.</p> <p>Landscape Plan</p> <p>9. Undertake landscaping of the site and street frontages of the new road in accordance with <i>FNQROC Development Manual</i> and in accordance with a landscape plan prepared by a suitably qualified and experienced professional. The Landscape Plan must be endorsed by the Chief Executive Officer prior to the issue of a Development Permit for Operational Works. In particular, the plan must show:</p> <ul style="list-style-type: none"> a. Planting of the verge of the new road with trees, using appropriate species with regard to site constraints; and b. Details of fencing as required by Condition 10; and c. Details of landscaping as required by Condition 8; and d. The inclusion of all requirements as detailed in other relevant conditions included in this Approval, with a copy of this Development Approval to be given to the Applicant/Owner/Developer's Landscape Architect/Designer. <p>The Landscape Plan must be endorsed by the Chief Executive Officer prior to the issue of a Development Permit for Operational Works.</p> <p>Areas to be landscaped must be established prior to Council approval of the Plan of Survey and must be maintained for the duration of the on-maintenance period to the satisfaction of the Chief Executive Officer.</p> <p>Screen/Acoustic Fencing</p> <p>10. Details of the new screen fence located between Redlynch Intake Road and the site, as detailed on the Approved Plans, must be provided to the satisfaction of the Chief Executive Officer prior to the issue of a Development Permit for Operational Works.</p> <p>The fencing must be constructed prior to Council approval of the Plan of Survey.</p> <p>Water Supply and Sewerage Works Internal</p> <p>11. Undertake the following water supply and sewerage works internal to the subject land:</p> <ul style="list-style-type: none"> a. Provide a single internal sewer connection to each lot in accordance with the <i>FNQROC Development Manual</i>; b. Extend water mains such that each allotment can be provided with a water service connection to the lot frontage; c. Provide easements having a nominal width of 3m over sewers which are on a non-standard alignment. <p>All the above works must be designed and constructed in accordance with the <i>FNQROC Development Manual</i>.</p> <p>All works must be carried out in accordance with the approved plans, to the requirements and satisfaction of the Chief Executive Officer prior to Council approval of the Plan of Survey.</p> <p>Inspection of Sewers</p>		

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					<p>12. CCTV inspections of all constructed sewers must be undertaken. An assessment of the CCTV records must be undertaken by the Applicant/Owner/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 prior to Council approval of the Plan of Survey.</p> <p>Damage to Infrastructure</p> <p>13. In the event that any part of Council's existing road, sewer, water or drainage infrastructure is damaged as a result of survey or construction activities occurring on the site, including but not limited to, mobilisation of heavy earthmoving equipment, stripping and grubbing, the Applicant/Owner/Developer must notify Council immediately of the affected infrastructure and have it repaired or replaced by at the Applicant/Owner/Developer's cost, prior to Council approval of the Plan of Survey.</p> <p>Sewer Easement</p> <p>14. Create an easement in favour of Council subject to Council's relevant standard terms document over sewers on non-standard alignments to the requirements and satisfaction of the Chief Executive Officer. 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 seeking Council approval of the Plan of Survey and must be lodged and registered with the Department of Natural Resources and Mines in conjunction with the Plan of Survey.</p> <p>Lighting</p> <p>15. Prior to the issue of a Development Permit for Operational Works, a Rate 2 lighting scheme is to be prepared by Ergon Energy or its 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. The applicable lighting category is to be determined from the Road Hierarchy Table D1.1 and the corresponding applicable Lighting Categories Table D8.1 as identified in the FNQROC Development Manual. The lighting scheme must show light pole locations that align with property boundaries that represent the permitted design spacing and demonstrates no conflicts with stormwater, kerb inlet pits and other service.</p> <p>The above arrangements for the installation of street lighting within the proposed subdivision must be provided prior to Council approval of the Plan of Survey.</p> <p>Electricity and Telecommunications</p> <p>16. All new lots are to be provided with an underground electricity supply and telecommunication services.</p> <p>17. Written evidence of negotiations with Ergon Energy and the telecommunication's authority must be submitted to Council stating that both an underground electricity supply and telecommunication services will be provided to all new lots.</p> <p>This condition must be provided to Ergon Energy at the same time as the application for power supply.</p> <p>Lawful Point of Discharge</p> <p>18. The Applicant/Owner/Developer is to ensure that the flow of all external stormwater from the new lots is directed to a lawful point of discharge such that it does not adversely affect surrounding properties or properties downstream from the development.</p>		

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					<p>Sediment and Erosion Control</p> <p>19. A sediment and erosion control plan must be submitted prior the issue of a Development Permit for Operational Works. Such plans 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 <i>Environmental Protection Act 1994</i>, and the FNQROC Development Manual).</p> <p>Construction Access</p> <p>20. Vehicular access to the site for construction and demolition purposes must be provided via the existing entry to the site from Shaws Road, unless otherwise authorised by the Chief Executive Officer.</p> <p>B. That the following unique notation be placed on Councils future rates record for all new lots:</p> <p>1. A Building Envelope and Access Plan, prepared by RPS Australia East Pty Ltd, Drawing No. 5159-227 D, dated 24 April 2018 (Council Reference #5735707) applies to the lot. Contact Council's Planning Department for more information.</p> <p>ADVICE</p> <p>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.</p> <p>2. This approval does not negate the requirement for compliance with all other relevant Local Laws and other statutory requirements.</p> <p>Infrastructure Charges Notice</p> <p>3. A charge levied for the supply of trunk infrastructure is payable to Council towards the provision of trunk infrastructure in accordance with the Infrastructure Charges Notice. The original Infrastructure Charges Notice will be provided under cover of a separate letter.</p> <p>The amount in the Infrastructure Charges Notice has been calculated according to Council's Infrastructure Charges Resolution.</p> <p>Please note that this Decision Notice and the Infrastructure Charges Notice are stand-alone documents. The <i>Planning Act 2016</i> confers rights to make representations and appeal in relation to a Decision Notice and an Infrastructure Charges Notice separately.</p> <p>The amount in the Infrastructure Charges Notice is subject to index adjustments and may be different at the time of payment. Please contact the Planning Approvals Team at council for review of the charge amount prior to payment.</p> <p>The time when payment is due is contained in the Infrastructure Charges Notice.</p> <p>4. Council will be implementing "smart" meters during the currency of this development. The Plumbing contractor must confirm with Council, at the time of making a Development Application for Plumbing Works, what they type of water meter should be installed.</p> <p>5. For information relating to the <i>Planning Act 2016</i> log on to www.statedevelopment.qld.gov.au. To access FNQROC Manual, Local Laws and other applicable Policies log on to www.cairns.qld.gov.au.</p>		

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30/5/2018 Ordinary Meeting Minutes #5757432		Unity Team	Item 3. Open Session Extension Of Operating Hours For Eastern Events Lawn Function 2018 & 2019 Jennifer Thompson 10/1/12 #5751402	5767887	It is recommended that Council approves the conduct of live entertainment from the Eastern Events Lawn fenced off area until 12:00am (midnight) on Friday 7 September 2018 and the proposed date of Friday 13 September 2019 for the Cairns Amateurs event(s).	31 May 2018	Approved by CEO as per officers recommendation						
13/6/2018 Planning & Environment Committee Minutes #5775571		Unity Team	Item 3 Open Session Variation Request – Captain Cook Highway, Clifton Beach – DIVISION 9 D Favier 8/8/1492 #5685866v3	5777994	<p>It is recommended that Council:</p> <p>A. Approves the Variation Request seeking use rights consistent with the Mixed Use zone (Commercial Precinct) and the Low Medium Density Residential zone over land on the Captain Cook Highway, Clifton Beach and formally described as Lot 1 on RP734964 and Lot 2 on SP101232, subject to the following:</p> <p>APPROVED DRAWING(S) AND / OR DOCUMENT(S)</p> <p>The term ‘approved drawing(s) and / or document(s)’ or other similar expressions means:</p> <table border="1"> <thead> <tr> <th>Drawing or Document</th> <th>Reference</th> <th>Date</th> </tr> </thead> <tbody> <tr> <td>Proposed Zoning</td> <td>Plan No. 17-12.01</td> <td>Not Dated.</td> </tr> </tbody> </table> <p>ASSESSMENT MANAGER CONDITIONS</p> <ol style="list-style-type: none"> This Approval, granted under the provisions of the <i>Planning Act 2016</i>, shall lapse five (5) years from the day the approval takes effect in accordance with the provisions of section 88 of the <i>Planning Act 2016</i>. Carry out the approved development generally in accordance with the approved drawing(s) and/or document(s), and in accordance with: <ol style="list-style-type: none"> The specifications, facts and circumstances as set out in the application submitted to Council; and The following conditions of approval and the requirements of Council’s Planning Scheme and the FNQROC Development Manual. <p>Except where modified by these conditions of approval</p> <p>Variation of the CairnsPlan 2016v1.2</p> <ol style="list-style-type: none"> The CairnsPlan 2016v1.2 has been varied by applying the Mixed Use Zone (Commercial Precinct) and Low Medium Density Zone provisions to the land as generally shown on the approved plan attached and conditioned within this development approval where: <ol style="list-style-type: none"> A future Development Application under the Variation Approval is to have a level of assessment in accordance with the Zone Assessment Tables applicable to the zone (applying to the land as approved under this Variation Approval) under CairnsPlan 2016 V1.2, subject to the following: <ol style="list-style-type: none"> Adult Store Club (small scale) Club (other than small scale) Function Facility Funeral Parlour Hotel 	Drawing or Document	Reference	Date	Proposed Zoning	Plan No. 17-12.01	Not Dated.	13 June 2018	Approved by CEO as per Officers recommendation
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Proposed Zoning	Plan No. 17-12.01	Not Dated.											

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					<p>vii. Low Impact Industry viii. Place of Worship ix. Showroom x. Reconfiguration of a Lot which results in lots equal to or less than 450m²</p> <p>For the above the level of assessment is Impact Assessable.</p> <p>b. The relevant Development Codes and Overlay Codes under the Planning Scheme in effect at the time, remain applicable to the assessment of a future Development Application over the land.</p> <p>Zone Map</p> <p>4. Provide a scaled and dimensioned Zone Map detailing the extent of the approved Mixed Use Zone (Commercial Precinct) and Low Medium Density Residential Zone. The Zone Map must be submitted and endorsed by the Chief Executive Officer prior to the issue of a Development Permit for the Development Application for Reconfiguring of a Lot required under Condition 6 below.</p> <p>5. A maximum site area of 1.6 ha is permitted to be allocated as Mixed Use Zone (Commercial Precinct).</p> <p>Reconfiguration of a Lot</p> <p>6. The applicant must apply for a Development Application for Reconfiguring a Lot to create the new land parcels containing the approved Mixed Use Zone (Commercial Precinct) and Low Medium Density Zone.</p> <p>The new land parcels containing the approved Mixed Use Zone (Commercial Precinct) and Low Medium Density Zone must be registered with the Department of Natural Resources, Mines and Energy prior to the lodgement of any future Development Application.</p> <p>Geotechnical Assessment</p> <p>7. A future Development Application for a Material Change of Use or Reconfiguring a Lot, other than a Development Application under Condition 6 above, over the portion of the site above 32m AHD must be supported by a geotechnical assessment.</p> <p>Flora and Fauna Assessment</p> <p>8. A future Development Application for a Material Change of Use or Reconfiguring a Lot, other than a Development Application under Condition 6 above, must be supported by a Flora and Fauna Assessment.</p> <p>Traffic</p> <p>9. A future Development Application for a Material Change of Use or Reconfiguring a Lot, other than a Development Application under Condition 6 above, must be supported by a Traffic Impact Assessment prepared by an RPEQ Certified Engineer. The report must detail any treatments required to ensure safe ingress and egress from the Captain Cook Highway.</p> <p>10. The Cairns Local Government Infrastructure Plan (LGIP) identifies future trunk transport (road) infrastructure over the subject premises. The infrastructure is described in the LGIP as the Alexandra Street Bokissa road connection and associated crossing, identified as TRF015 (Future Minor Collector) and SBF04 (Future Bridge) in the Transport (Roads) Plans for Trunk Infrastructure and associated Schedule of Works.</p>		

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					<p>The Development Application for the Reconfiguring a Lot under Condition 6 above is required to dedicate land necessary to provide for the future trunk infrastructure as described.</p> <p>Any subsequent Development Application proposed over the subject premises is required to provide for the future trunk infrastructure as described.</p> <p>Economic Needs and Impact Assessment</p> <p>11. A Development Application for a Shopping Centre greater than 500m² gross floor area or cumulative development greater than 500m² gross floor area within the Mixed Use Zone (Commercial Precinct) must be supported by an Economic Needs and Impact Assessment prepared in accordance with the Planning Scheme Policy – Centres and Centre Activities.</p> <p>Stormwater Master Plan and Modelling</p> <p>12. A future Development Application for a Material Change of Use or Reconfiguring a Lot, other than a Development Application under Condition 6 above, must include a stormwater master plan demonstrating local drainage characteristics of the site to determine the drainage impacts on upstream and downstream properties and the mitigation measures required to minimise such impacts. In particular, the stormwater master plan must address the following:</p> <ol style="list-style-type: none"> The contributing catchment boundaries; Primary and secondary flow paths for the 20%, 5%, 2% and 1% AEP flood events; Identify the requirement for drainage easements and reserves; Demonstrate that the post-development scenario has a no worsening impact on upstream and downstream properties; Information on the proposed works to accommodate flow paths and drainage network to achieve a 1% AEP immunity; and Lawful point of discharge. <p>B. The following notation be placed on Council's future rates record in respect of the existing Lot 1 on RP734964 and Lot 2 on SP101232:</p> <ol style="list-style-type: none"> The Cairns Local Government Infrastructure Plan (LGIP) identifies future trunk transport (road) infrastructure over the subject premises. The infrastructure is described in the LGIP as the Alexandra Street Bokissa road connection and associated crossing (identified as TRF015 (Future Minor Collector) and SBF04 (Future Bridge) in the Transport (Roads) Plans for Trunk Infrastructure and associated Schedule of Works. Any development proposed over the subject premises are required to provide for the future trunk infrastructure as described. <p>CONCURRENCE AGENCY CONDITIONS & REQUIREMENTS</p> <table border="1"> <thead> <tr> <th>Concurrency Agency</th> <th>Concurrency Agency Reference</th> <th>Date</th> <th>Council Electronic Reference</th> </tr> </thead> <tbody> <tr> <td>Department of Infrastructure Local Government and Planning</td> <td>1711-2380 SRA</td> <td>8 December 2017</td> <td>#5630741</td> </tr> </tbody> </table>	Concurrency Agency	Concurrency Agency Reference	Date	Council Electronic Reference	Department of Infrastructure Local Government and Planning	1711-2380 SRA	8 December 2017	#5630741		
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					Refer to Appendix 2: Concurrence Agency Requirements. (Please note that these conditions / requirements may be superseded by subsequent negotiations with the relevant referral agencies). ADVICE 1. This approval does not negate the requirement for compliance with all other relevant Local Laws and other statutory requirements. 2. For information relating to the <i>Planning Act 2009</i> log on to www.dsdmip.qld.gov.au . To access FNQROC Manual, Local Laws and other applicable Policies log on to www.cairns.qld.gov.au .		
13/6/2018 Planning & Environment Committee Minutes #5775571		Unity Team	Item 3 Closed Session Legal Matter – Planning & Environment Court Appeal No. 71 of 2018 – Cairns Regional Council ATS J2J Pty Ltd – 89-95 Arlington Esplanade & 5-7 Clifton Road, Clifton Beach – Division K Wilson 8/8/1497 #5765763	5778005	It is recommended that Council: 1. Notes the content of the report; 2. Delegates authority to Chief Executive Officer pursuant to the Local Government Act 2009 to progress and finalise any and all matters in relation to Planning and Environment Court Appeal No. 71 of 2018.	13 June 2018	Approved by CEO as per Officers recommendation
13/6/2018 Planning & Environment Committee Minutes #5775571		Unity Team	Prejudicial Matter – Taipans Basketball Incorporated Proposed New Sponsorship Agreement N Masasso 1/3/37 #5751289	5778021	It is recommended that Council: 1. Enters into a new sponsorship agreement with Taipans Basketball Incorporated for the period 1 July 2018 to 30 June 2020 with options to extend this agreement, at Council's discretion, to 30 June 2022 and 30 June 2023 and that this new agreement is to incorporate the recommended changes to the terms and conditions of the current agreement as outlined in this report; and 2. Delegates authority to the Chief Executive Officer in accordance with the Local Government Act 2009 to finalise any and all matters relating to Item 1 of this resolution including execution of the new sponsorship agreement on behalf of Council.	13 June 2018	Approved by CEO as per Officers recommendation
27/6/2018 Ordinary Meeting Minutes #5787950		Unity Team	Item 7 Open Session Sister Cities Update Report 2017-2018 L .Kirchner 79/4/1 #5655583	5792063	It is recommended that Council: 1. Receives and notes this Sister Cities update report; and 2. Approves Deputy Mayor Cr James travelling to Latvia, departing on 4 July 2018 and returning on 12 July 2018 to attend cultural celebrations in Riga, a sister city of Cairns, at the request of the Chairman of the Riga City Council.		
27/6/2018 Ordinary Meeting Minutes #5787950		Unity Team	Item 2 Closed Session Contractual Matter – contract 2647 Expression of Interest – Annual Book Sale Event Kristy Nicolaou 1/53/1-10 #5753859v1	5792066	It is recommended that Council notes: 1. the awarding of Contract 2647 Expression of Interest - Annual Book Sale to St Vincent de Paul Society Queensland for the 2018 event; and 2. that a Report to Council will be prepared following the 2018 event to provide a debrief and seek direction regarding the future of the event and the external provision model.		

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27/6/2018 Ordinary Meeting Minutes #5787950		Unity Team	Item 4 Closed Session Contractual Matter – Project Launch Approval for the 2018/19 Regional Bitumen Reseal Program Martin Perkowicz 50/5/3-01 #5763120	5792070	It is recommended that Council: 1. Approves the 2018/19 Regional Bitumen Reseal Program Project Launch Approval (PLA) with an Approved End Date (AED) of 30 June 2019; and 2. Awards the 2018/19 Regional Bitumen Reseal Program to FGF Bitumen Pty Ltd based on their schedule of rates tendered; and 3. Delegates authority to the Chief Executive Officer in accordance with the Local Government Act 2009 to enter into contracts, negotiate, finalise and execute any and all matters associated with or in relation to this project subject to Council's procurement practices and policies.																																									
27/6/2018 Ordinary Meeting Minutes #5787950		Unity Team	Item 5 Closed Session Legal Matter – Supreme Court Claim No. 34/2014 B Gardiner 1/3/21-20 #5747753	5792071	It is recommended that Council: 1. Notes the update on this legal matter; 2. Delegates authority to Chief Executive Officer pursuant to the Local Government Act 2009 to progress and finalise any and all matters in relation to Supreme Court Claim No. 34 of 2014.																																									
11/7/2018 Planning & Environment Committee Minutes #5801754		Unity Team	Item 1 Open Session Planning & Environment Legal Proceedings – Update Report – Period Ending June 2018 P Cohen 57/7/1 #4438802v16	#5807090	It is recommended that Council receive and note the Planning & Environment Legal Proceedings Update Report up to 30 June 2018.	11/7/2018	Approved by CEO as per Officers recommendation																																							
11/7/2018 Planning & Environment Committee Minutes #5801754		Unity Team	Item 4 Open Session Combined Application for a Material Change of Use (Multiple Dwellings, Short Term Accommodation, Office, Shop, Hotel and Food and Drink Outlet) and Reconfiguring a Lot (1 Lot into 6 Lots) and Reconfiguring a Lot (1 Lot into 2 lots) – 81-83 Spence Street Cairns City and 112-114 Bunda Street Portsmith – Division 5 Daniel Favier 8/30/242 #5596191	#5807631	It is recommended that Council approves the development application for a Material Change of Use (Multiple Dwellings, Short Term Accommodation, Office, Shop, Hotel, Food & Drink Outlet) and Reconfiguring (1 Lot into 6 Lots) and Reconfiguring a Lot (1 Lot into 2 Lots) over land described as Lot 2 on SP216464, Lot 5 on RP907662 and Lot 10 on SP201303, located at 81-83 Spence Street, Cairns City and 112-114 Bunda Street, Portsmith, subject to the following: PART A: MATERIAL CHANGE OF USE APPROVED DRAWING(S) AND / OR DOCUMENT(S) The term 'approved drawing(s) and / or document(s)' or other similar expressions means: <table border="1"> <thead> <tr> <th>Drawing or Document</th> <th>Reference</th> <th>Date</th> </tr> </thead> <tbody> <tr> <td>Staging Plan and Reconfiguration of a Lot Plan</td> <td>P4</td> <td>June 2018</td> </tr> <tr> <td>Staging Plan – Level CP1</td> <td>P5</td> <td>June 2018</td> </tr> <tr> <td>Staging Plan – Level 1 + CP2</td> <td>P6</td> <td>June 2018</td> </tr> <tr> <td>Staging Plan – Level 2 + CP3</td> <td>P7</td> <td>June 2018</td> </tr> <tr> <td>Staging Plan – Level 3 Podium Deck</td> <td>P8</td> <td>June 2018</td> </tr> <tr> <td>Staging Plan – Typical Tower Level</td> <td>P9</td> <td>June 2018</td> </tr> <tr> <td>Masterplan – Nova Cairns + Bunda St Carpark</td> <td>P10</td> <td>June 2017</td> </tr> <tr> <td>Bunda Street Carpark</td> <td>P11</td> <td>June 2017</td> </tr> <tr> <td>Level G – Towers 5 + 6</td> <td>P12</td> <td>June 2017</td> </tr> <tr> <td>Level G – Tower 7</td> <td>P13</td> <td>June 2017</td> </tr> <tr> <td>Level G – Towers 1 + 2</td> <td>P14</td> <td>June 2017</td> </tr> <tr> <td>Level G – Towers 3 + 4</td> <td>P15</td> <td>June 2017</td> </tr> </tbody> </table>	Drawing or Document	Reference	Date	Staging Plan and Reconfiguration of a Lot Plan	P4	June 2018	Staging Plan – Level CP1	P5	June 2018	Staging Plan – Level 1 + CP2	P6	June 2018	Staging Plan – Level 2 + CP3	P7	June 2018	Staging Plan – Level 3 Podium Deck	P8	June 2018	Staging Plan – Typical Tower Level	P9	June 2018	Masterplan – Nova Cairns + Bunda St Carpark	P10	June 2017	Bunda Street Carpark	P11	June 2017	Level G – Towers 5 + 6	P12	June 2017	Level G – Tower 7	P13	June 2017	Level G – Towers 1 + 2	P14	June 2017	Level G – Towers 3 + 4	P15	June 2017	11/7/2018	Approved by CEO as per Officers recommendation
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					Level CP1 – Towers 5 + 6	P16	June 2017		
					Level CP1 – Tower 7	P17	June 2017		
					Level CP1 – Tower 1 + 2	P18	June 2017		
					Level 1 + CP2 – Towers 5 + 6	P19	June 2017		
					Level 1 + CP2 – Tower 7	P20	June 2017		
					Level 1 + CP2 – Tower 1 + 2	P21	June 2017		
					Level 1 – Towers 3 + 4	P22	June 2017		
					Level 2 + CP3 – Towers 5 + 6	P23	June 2017		
					Level 2 + CP3 – Tower 7	P24	June 2017		
					Level 2 + CP3 – Towers 1 + 2	P25	June 2017		
					Level 2 – Towers 3 + 4	P26	June 2017		
					Level 3 – Towers 5 + 6	P27	June 2017		
					Level 3 – Tower 7	P28	June 2017		
					Level 3 – Towers 1 + 2	P29	June 2017		
					Level 3 – Towers 3 + 4	P30	June 2017		
					Levels 4 – 14/15 – Towers 5 + 6	P31	June 2017		
					Levels 4 - 16 – Tower 7	P32	June 2017		
					Levels 4-14 Tower 1, Levels 4-12 Tower 2	P33	June 2017		
					Levels 4 – 16 – Towers 3 + 4	P34	June 2017		
					Level 15 – Towers 5 + 6	P35	June 2017		
					Level 15 – Tower 1, Levels 13-15 – Tower 2	P36	June 2017		
					Level 16 – Towers 5 + 6	P37	June 2017		
					Level 16 – Towers 1 + 2	P38	June 2017		
					Level 17 – Towers 5 + 6	P39	June 2017		
					Level 17 – Tower 7	P40	June 2017		
					Level 17 – Towers 1 + 2	P41	June 2017		
					Levels 14 & 17 – Tower 4, Level 17 Tower 3	P42	June 2017		
					Level 18 – Towers 5 + 6	P43	June 2017		
					Level 18 – Tower 7	P44	June 2017		
					Level 18 – Towers 1 + 2	P45	June 2017		
					Level 15 + 18 – Towers 3 + 4	P46	June 2017		
					Level 19 – Towers 5 + 6	P47	June 2017		
					Level 19 – Tower 7	P48	June 2017		
					Level 19 – Tower 1 + 2	P49	June 2017		
					Level 19 – Towers 3 + 4	P50	June 2017		
					Level 20 – Tower 7	P51	June 2017		
					Level 20 – Towers 3 + 4	P52	June 2017		
					North & South Elevations	P54	June 2017		
					East & West Elevations	P55	June 2017		
					Internal Street Elevation – North & South	P56	June 2017		
					3D Perspective – Aerial	P58	June 2017		
					3D Perspective – Spence Street View	P59	June 2017		
					3D Perspective – Internal Streetscape	P60	June 2017		
					3D Perspective – Towers	P61	June 2017		
					3D Perspective – Internal Streetscape	P62	June 2017		
					3D Perspective – Spence Street	P63	June 2017		
					Yield Summary and Apartment Mix Summary	P65	June 2017		
					Yield Summary Towers 1 + 2	P66	June 2017		
					Yield Summary Towers 3 + 4	P67	June 2017		
					Yield Summary Towers 5 + 6	P68	June 2017		
					Yield Summary Tower 7 and Bunda Street Details	P69	June 2017		

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					<p>Assessment Manager Conditions</p> <ol style="list-style-type: none"> 1. This approval, granted under the provisions of the <i>Planning Act 2016</i>, shall lapse 10 years from the day the approval takes effect in accordance with the provisions of Section 85 of the <i>Planning Act 2016</i>. 2. Carry out the approved development generally in accordance with the approved drawing(s) and/or document(s), and in accordance with: <ol style="list-style-type: none"> a. The specifications, facts and circumstances as set out in the application submitted to Council; and b. The following conditions of approval and the requirements of Council's Planning Scheme and the FNQROC Development Manual. <p style="margin-left: 40px;">Except where modified by these conditions of approval</p> <p>Timing of Effect</p> <ol style="list-style-type: none"> 3. The conditions of the Development Permit must be effected prior to Commencement of Use, except where specified otherwise in these conditions of approval. <p>Staging</p> <ol style="list-style-type: none"> 4. Unless otherwise agreed by the Chief Executive Officer, the approved development must be carried out in accordance with the staging as illustrated on the approved plans. <p style="margin-left: 40px;">Where the applicant can satisfactory demonstrate compliance with the relevant conditions, Council will accept the staged titling of a Tower.</p> <p>Notice of Intention to Commence Use</p> <ol style="list-style-type: none"> 5. Prior to commencement of the use of use of each stage, written notice must be given to Council that the development fully complies with this Development Permit. Please return the attached "Notice of Intention to Commence Use" form when the use has commenced. (Attached at Appendix 3). <p>Operational Works</p> <ol style="list-style-type: none"> 6. An Operational Works Approval is required for the excavation works, on street works, internal road works, nominated earthworks, drainage works and water and sewer works associated with the development. Such works must be completed to the satisfaction of the Chief Executive Officer prior to Commencement of Use of use of each stage. <p>Amendment to Design</p> <ol style="list-style-type: none"> 7. The proposed development must be redesigned to accommodate the following changes: <ol style="list-style-type: none"> a. Internal Pedestrian Comfort – Design <p style="margin-left: 40px;">The canopy and internal footpath are to be provided with complementary awnings to ensure a minimum depth of protection to 3 metres with a height of no more than 4 metres between finished footpath level and the underside of the awning. In particular, protection is to be provided where a separation between the canopy and building is greater than 1 metre and the height of the canopy exceeds 4 metres.</p> <p style="margin-left: 40px;">An alternative to awning provision may be provided where it can be demonstrated such provision will interfere with the beneficial design of the public plaza or would better benefit by dense landscaping.</p> 		

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					<p>b. Privacy</p> <p>Provide screening / treatment to the living areas, balconies and habitable rooms of the dwelling units on the podium levels to ensure an acceptable level of privacy and amenity is afforded to residents from public use areas, footpaths and all roads internal and external to the site.</p> <p>Details of the above amendments must be endorsed by the Chief Executive Officer prior to issue of a Development Permit for Building Work.</p> <p>Internal Road, Plaza, Pedestrian, Vehicular Access, Parking and Common Areas</p> <p>8. The internal road, plazas, pedestrian / vehicular access and parking areas (including the Bunda Street Carpark) and all other common areas servicing the development must be managed by a Community Management Scheme. Council is not responsible for the operation, construction, maintenance or any costs associated with the function and operation of this private infrastructure. If the development consists of more than one Body Corporate then a parent Body Corporate shall be established to manage the operation and maintenance of the infrastructure.</p> <p>Air-Conditioning, Plant and Machinery Screens</p> <p>9. Air-conditioning, plant and machinery units located above ground level and visible from external properties and the street must be screened with appropriate materials to improve the appearance of the building. Unless agreed by the Chief Executive Officer, such screening must be completed prior to the Commencement of Use.</p> <p>Lockable Storage</p> <p>10. Provide each unit with a minimum of 2.3m² area and 2.1m height of lockable storage space conveniently located with respect to car accommodation.</p> <p>External Works (General)</p> <p>11. Undertake the following works external to the land, along the full length of the property's Spence Street frontage (unless otherwise specified), at no cost to Council:</p> <p>a. Construct full width paved footpath and landscaping generally in accordance with the Cairns City Centre Master Plan or otherwise agreed by the Chief Executive Officer, including but not limited to:</p> <p>i. Allowance for bin / street furniture;</p> <p>ii. The bus stop area will need to provide disabled access to footpath levels in accordance with Department of Transport and Main Roads standards; and</p> <p>iii. Stainless Steel Tactile Ground Surface Indicators to be installed as per AS 1428.4.1:2009 and AS1428.1:2009.</p> <p>b. Provision of a short auxiliary left turn lane and associated line marking on Spence Street.</p> <p>The width and capacity of the existing two westbound traffic lanes shall not be affected. The auxiliary left turn lane may require new or reconstructed pavement. Drawings to enable a complete review of the compliance of the proposed access, footpath and on-street work must be submitted to Council. The drawings are to show pavement details of the auxiliary left turn lane, linemarking details, traffic / parking signage details and</p>		

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					<p>footpath details. The drawings are also to show details of the bus stop fronting the site.</p> <p>c. Provide detailed design drawings and implement all external works as recommended by the endorsed revised traffic impact assessment report.</p> <p>d. Provision of commercial concrete crossovers and aprons in accordance with FNQROC Development Manual Standard Drawing S1015D, or other surface treatment as deemed appropriate by Council.</p> <p><i>NB: The maximum grade for a cross-over is 2.5% and when the site fronts and existing footpath the new cross-over must not interfere with existing footpath formation.</i></p> <p>e. The edge of the service access crossover must be setback a minimum of 1.5m from the existing light pole and post mounted switchboard / PE cell controller located on the footpath of the Spence Street road reserve. If this setback cannot be achieved without the need to relocate the said infrastructure, the infrastructure, including the lighting column on the opposite side of Spence Street, must be relocated such that the existing opposite pole arrangement and the design illuminance level as specified in AS/NZS 1158 is maintained.</p> <p>f. Upgrade existing Rate 3 street lighting within the median and footpath along the Spence Street frontage to Council's standard LED lighting to provide improved lighting for the safe movement of vehicular and pedestrian traffic at night. The lighting upgrade may be achieved by replacement of light and outreach only.</p> <p>g. Construct concrete kerb(s) at redundant crossover(s).</p> <p>h. The awning structural columns within the road reserve must be designed:</p> <p>i. to avoid conflict with services within the road reserve; and</p> <p>ii. to ensure public safety and structural integrity of the column(s) is maintained in the event a vehicle collides with the column(s).</p> <p>i. Repair any damage to existing kerb and channel, footway or roadway (including removal of concrete slurry from footways, roads, kerb and channel and stormwater gullies and drain lines) that may occur during and works carried out in association with the construction of the approved development.</p> <p>All works in the road reserve need to be properly separated from pedestrians and vehicles, with any diversions adequately signed and guarded. Particular attention must be given to providing safe passage for people with disabilities (ie the provision of temporary kerb ramps if pedestrian diversions are necessary).</p> <p>The external works outlined above require approval from Council in accordance with a Development Permit for Operational Works. Such work must be constructed in accordance with the endorsed plan to the satisfaction of the Chief Executive Officer prior to Commencement of Use.</p> <p>External Works (Bunda Street)</p> <p>12. Undertake the following works external to the land, along the full length of the property's Bunda Street frontage (unless otherwise specified), at no cost to Council:</p> <p>a. Construct a minimum 2m wide footpath for the full frontage of the property in Bunda Street in accordance with FNQROC Development Manual Standard Drawing 1035A.</p> <p>b. Construct pavement and asphalt the shoulder the full frontage of the site in Bunda</p>		

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					<p>Street in accordance with Council's FNQROC Development Manual.</p> <p>c. Linemark parking bays adjacent to the site in Bunda Street in accordance with AS2890.5.</p> <p>d. Provision of commercial concrete crossovers and aprons in accordance with FNQROC Development Manual Standard Drawing S1015D.</p> <p>e. Re-instatement of any redundant crossovers and replace with kerb and channel. Repair any damaged kerb and channel.</p> <p>All works in the road reserve need to be properly separated from pedestrians and vehicles, with any diversions adequately signed and guarded. Particular attention must be given to providing safe passage for people with disabilities (ie the provision of temporary kerb ramps if pedestrian diversions are necessary).</p> <p>The external works outlined above require approval from Council in accordance with a Development Permit for Operational Works. Such work must be constructed in accordance with the endorsed plan to the satisfaction of the Chief Executive Officer prior to Commencement of Use of the Carpark.</p> <p>Internal Works (Bunda Street)</p> <p>13. Lighting of the car park and circulation areas is to be provided in accordance with Pedestrian Area Lighting Standard AS/NZS 1158.3.1:2005.</p> <p>14. The car parking layout must comply with the Australian Standard AS2890.1 2004 Parking Facilities – off-street car parking and be constructed in accordance with Austroads and good engineering design. In addition, all parking, driveway and vehicular manoeuvring areas must be imperviously sealed, drained and line marked.</p> <p>Design of Internal Road and Public Use Areas</p> <p>15. Submit a detailed design of the internal roads and ground floor public use areas. The design shall include, but not be limited to:</p> <p>a. Grade transitions or other means of delineating pedestrian and vehicular movement areas;</p> <p>b. Methods to achieve safe pedestrian connections between the plaza areas, internal road and driveways to the parking areas;</p> <p>c. Details of proposed internal road and footpath surface treatments / finishes.</p> <p>d. Details of the canopy over the footpath areas;</p> <p>e. Integration with the footpath, bus stop and any other external works required by other conditions of this Development Permit along the Spence Street frontage of the property; and</p> <p>f. Locations of planting and hard landscaping works as required by other conditions of this Development Permit.</p> <p>All internal works, including ongoing maintenance, are to be at the expense of the applicant / owner and at no cost to Council.</p> <p>Approval for the internal works must be sought as part of the application for a Development Permit for Operational Works for each respective stage.</p>		

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					<p>Water Supply and Sewerage Works External (Excludes Bunda Street Site)</p> <p>16. Undertake the following water supply and sewerage works external to the site to connect the site to existing water supply and sewerage infrastructure:</p> <ul style="list-style-type: none"> a. The development consisting of Stages 1 to 2 is to be connected to Council's sewerage infrastructure in Spence Street that has capacity to service the development. The applicant is to negotiate with Cairns Water and Waste a possible ultimate connection of Stages 1 & 2 to a future manhole in the southern corner of the site near Hartley Street; b. The development consisting of Stages 3 to 7 is to be connected to Connection to this manhole will not be permitted until a number of proposed upgrades to the CBD sewerage network have been completed by Council. The developer is to provide a program and staging plan to Council's Water and Waste department to facilitate programming of the identified upgrade works. While Council will consider accommodating the developer's staging program, Council will not be obligated nor be liable to the developer for the timing and completion of the external upgrade works required unless otherwise expressly and formally agreed to by the Chief Executive Officer; c. The existing sewerage vent pipe is to be retained and fitted with an odour control vent cap. Alteration of the vent pipe, manhole cover and associated infrastructure to suit the development and external works would be permitted subject to approval. The vent pipe may be decommissioned and removed by Council in the future subject to completion of planned changes to the CBD sewerage network; d. That part of the service road that will be used by Council for maintenance of the future pump station is to be contained within an easement; and e. The ultimate development (consisting of Stages 1-7) is permitted to have two connections to Council's water network that are interconnected. One connection is permitted to the 300mm diameter trunk main in Spence Street and a second connection is permitted in Hartley Street. The developer is to augment existing water supply infrastructure to the extent necessary such that the development does not adversely affect the water supply to adjacent properties. <p>The external works outlined above require approval from Council in accordance with an application for Operational Works. Three (3) copies of a plan of the works at A1 size and one (1) copy at A3 size must be endorsed by the Chief Executive Officer prior to commencement of such works. Such work must be constructed in accordance with the endorsed plan to the satisfaction of the Chief Executive Officer prior to Commencement of Use or Council Approval of the Plan of Survey, whichever occurs first or otherwise agreed by the Chief Executive Officer.</p> <p>Water Supply and Sewerage Works Internal (Excludes Bunda Street Site)</p> <p>17. Undertake the following water supply and sewerage works internal to the subject land:</p> <ul style="list-style-type: none"> a. Internal private water and sewerage infrastructure is to be designed, constructed and commissioned in accordance with Council's development manual; b. Water supply sub-metering must be designed and installed in accordance with <i>The Plumbing and Drainage Act 2002</i> and the <i>Water Supply (Safety and Reliability) Act 2008</i>; and c. Private Water and Sewerage infrastructure must be managed by a Community Titles 		

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					<p>Scheme. If the development consists of more than one Body Corporate then a parent Body Corporate shall be established to manage the operation and maintenance of the internal water and sewerage infrastructure.</p> <p>All the above works must be designed and constructed in accordance with the FNQROC Development Manual.</p> <p>Three (3) copies of a plan of the works must be endorsed by the Chief Executive Officer prior to the issue of a development Permit for Operational Works.</p> <p>All works must be carried out in accordance with the approved plans, to the requirements and satisfaction of the Chief Executive Officer prior to Commencement of Use or Council Approval of the Plan of Survey whichever occurs first or otherwise agreed by the Chief Executive Officer.</p> <p>Fire Fighting</p> <p>18. Firefighting pumped connections are to be provided with a break tank. Any proposal to pump directly from Council's water supply mains for fire or sprinkler systems without a break tank must be supported by a hydraulic analysis undertaken by a RPEQ confirming that the main is not at risk of very low pressures (i.e. ground water intrusion and implosion) and excessive transient pressures associated with pump and valve operation (i.e. water hammer).</p> <p>Council does not guarantee a minimum service standard for firefighting from Council's water network. It is the responsibility of the property owner to design, construct and maintain the private fire system to ensure compliance with the relevant building codes and standards and install all necessary on-site pressure boosting and storage that maybe required.</p> <p>Sewer Easement</p> <p>19. Create an easement in favour of Council having a nominal width of 3 metres over any Council owned sewerage infrastructure within the site to the requirements and satisfaction of the Chief Executive Officer. A copy of the easement document must be submitted to Council for the approval by Council's solicitors at no cost to Council.</p> <p>The approved easement document must be submitted at the same time as seeking Council Approval for 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.</p> <p>Refuse Storage</p> <p>20. The development must be designed to be serviced by bulk bins. Bulk bin enclosures must be provided in accordance with Council's requirements. Brochures on these requirements – 'Requirements for Refuse Storage' are available from Cairns Water & Waste.</p> <p>Details 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.</p> <p>The bin enclosures must be constructed in accordance with the approved plans prior to the Commencement of Use or Council Approval of the Plan of Survey whichever occurs first.</p> <p>Liquid Waste Disposal</p> <p>21. 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.</p>		

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					<p>Onsite Vehicle Parking</p> <p>22. Provide on-site vehicle parking in accordance with the approved plans and the Car Parking Action Plan prepared by Cardno and dated 12 October 2015 (Council ref: #4903845).</p> <p>The car parking layout must comply with the Australian Standard AS2890.1 2004 Parking Facilities – off-street car parking and be constructed in accordance with Austroads and good engineering design, unless otherwise agreed by the Chief Executive Officer. In addition, all parking, driveway and vehicular manoeuvring areas must be imperviously sealed, drained and line marked.</p> <p>23. Provide and implement a detailed Implementation and Monitoring Plan that demonstrates how the proposed reduction actions outlined in the "Implementation and Monitoring Plan" section of the Car Parking Action Plan prepared by Cardno and dated 12 October 2015 (Council ref: #4903845) will be implemented for the life of the project. The Implementation and Monitoring Plan should consider project staging, governance, establishment and ongoing costs.</p> <p>The detailed Implementation and Monitoring Plan must be prepared by a suitably qualified professional and a copy provided to the Chief Executive Officer prior to issue of a Development Permit for Building Work for the second (2nd) Tower.</p> <p>24. Following the Commencement of Use of the fifth (5th) tower constructed an evaluation report on the implementation of the detailed Implementation and Monitoring Plan must be prepared by the Applicant to demonstrate that the assumptions in the report are verified. The upper bound of temporal Parking Reduction calculations (814 car parking spaces) contained in the Car Parking Action Plan prepared by Cardno dated 12 October 2015 (Council ref: #4903845) will be applied to the development unless the evaluation report can demonstrate a higher level of reduction. The evaluation report must be to the satisfaction of the Chief Executive Officer prior to the issue of a Development Permit for Building Works for sixth (6th) and seventh (7th) Towers.</p> <p><i>Note: Where the number of required car parking spaces cannot be provided, the Applicant may enter into an Infrastructure Agreement with Cairns Regional Council to address the deficit of onsite car parking spaces.</i></p> <p>Parking Layout Plan</p> <p>25. A Parking Layout Plan must be submitted which identifies the allocation of parking spaces, in accordance with requirements of the conditions of this Development Permit and to the satisfaction of the Chief Executive Officer prior to the issue of a Development Permit for Building Work for each respective stage.</p> <p>The plan must also identify the number and location of parking spaces allocated to each dwelling unit, including identification of number of bedrooms within each dwelling unit.</p> <p>26. The parking layout must comply with the Australian Standard AS2890.1 2004 Parking Facilities – off-street car parking and CairnsPlan unless otherwise agreed by the Chief Executive Officer, in particular:</p> <ul style="list-style-type: none"> a. Parking spaces adjacent to columns and walls must have a minimum unobstructed clear width as determined by AS2890.1; b. The driveway serving the parking area must include a physical means of speed control at the exit point; c. Provision must be made for loading / unloading of vehicles; 		

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					<p>d. The provision of vehicle wash bays; and</p> <p>e. Manoeuvring space must be provided to enable all vehicles to enter and exit the site in forward gear (including refuse and service/delivery vehicles).</p> <p>Amended plans showing the final layout are to be certified by a Registered Professional Engineer of Queensland confirming the design as compliant with AS2890.1 2004 and be endorsed by the Chief Executive Officer prior to the issue of a Development Permit for Building Work for each respective stage.</p> <p>Traffic Control and Circulation Plan</p> <p>27. The applicant is to submit a fully dimensioned Traffic Control and Circulation Plan detailing all proposed internal and external road treatments, entry and exit point lane configurations & widths, line marking (including chevrons, directional arrows etc), queuing aisle details and the like both internal to the site, within all parking areas and externally along Spence Street.</p> <p>The plan must also include circulation diagrams drawn in accordance with relevant standards to ensure sufficient space is provided for manoeuvring of all types of service vehicles that are likely to use the site, including circulation within the loading dock / refuse area.</p> <p>A site specific plan must be endorsed by the Chief Executive Officer prior to the issue of a Development Permit for Building Works for each respective stage.</p> <p>Circulation and Access Plan (Bunda Street Car Park)</p> <p>28. The applicant is to submit a Circulation and Access Plan detailing all proposed internal and external road treatments, entry and exit point lane configurations and widths, line marking (including chevrons, directional arrows etc), queuing aisle details and the like internal to the site and method of access control and how this will operate to ensure vehicle queuing only occurs within the site.</p> <p>The plan must also include circulation diagrams drawn in accordance with relevant standards to ensure sufficient space is provided for manoeuvring of all types of service vehicles that are likely to use the site.</p> <p>The Circulation and Access Plan must be endorsed by the Chief Executive Officer prior to the issue of a Development Permit for Operational Works.</p> <p>29. All internal and external works required in the final approved traffic control and circulation plan must be constructed in accordance with the endorsed plan and to the satisfaction of the Chief Executive Officer prior to Commencement of Use of each respective stage.</p> <p>Vehicle Wash Bay</p> <p>30. The vehicle wash bay must be roofed / covered and bunded and wastewater must be discharged through a 550 litre triple interceptor to sewer or as agreed to by the Chief Executive Officer.</p> <p>Temporary Vehicle Turnaround</p> <p>31. A temporary vehicle turnaround at the end of all partially constructed roads, including internal roads and service accesses must be provided. The turning facility must be of sufficient size to turn around all vehicles, including emergency service vehicles, in a continuous forward movement.</p> <p>Details of the temporary vehicle turnaround are to be included with application for Operational Works approval and endorsed by the Chief Executive Officer prior to the issue of the</p>		

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					<p>Development Permit for Operational Works for each respective stage.</p> <p>Protection of Landscaped Areas from Parking</p> <p>32. Landscaped areas adjoining the parking areas must be protected by a 150mm high vertical concrete kerb or similar obstruction. The kerb must be set back from the garden edge sufficiently to prevent vehicular encroachment and damage to plants by vehicles.</p> <p>Parking Signage</p> <p>33. Erect signs advising of the location of the off-street visitor parking area and access thereto. The signs must be erected prior to Commencement of Use. One (1) sign must be located on the Spence Street, Hartley Street and Bunda Street frontages.</p> <p>Bicycle Parking</p> <p>34. Provide secured, on-site bicycle parking in accordance with Table C2.7 of the <i>AUSTROADS of Guide to Traffic Engineering Practice Part 11 – Parking</i>. Based on the provisions in Table C2.7 (page 90) the minimum number of parking spaces required for the residential component of the development is 1 resident space per 3 units and 1 visitor space per 12 units. On-site bicycle parking for the non-residential component of the development must be provided in accordance with the rates specified for each of the individual uses. The bicycle parking area must be constructed prior to Commencement of Use of each respective stage.</p> <p>Lighting</p> <p>35. All lighting installed upon the premises including car parking areas must be certified by Ergon Energy (or such other suitably qualified person). The vertical illumination at a distance of 1.5 metres outside the boundary of the subject land must not exceed eight (8) lux measured at any level upwards from ground level.</p> <p>Above Ground Transformer Cubicles / Electrical Sub-Stations</p> <p>36. Above ground transformer cubicles and/or electrical sub-stations are to be positioned so that they do not detract from the appearance of the streetscape and must be clear of footpath areas. This will require cubicles / sub-stations to be setback from the street alignment behind a screen of landscaping, or incorporated within the built form of the proposed building. Details of the electrical sub-station positioning must be endorsed by the Chief Executive Officer prior to the issue of Development Permit for Building Work.</p> <p>Undergrounding of electricity supply</p> <p>37. All electricity lines along the full frontages of the subject site are to be placed underground. Such works are to be undertaken by Ergon Energy or an Ergon Energy approved contractor at the applicant's expense and are to be completed prior to Commencement of Use.</p> <p>38. Prior to Commencement of Use, the applicant/owner must submit to Council a letter from Ergon Energy, or details of alternative arrangements for the works, stating that satisfactory works have been completed for the provision of:</p> <ul style="list-style-type: none"> a. an underground electricity supply to the development; and b. locating of all above ground transformer cubicles clear of footpath areas. <p>Cairns International Airport - Operational Airspace & Lighting Emissions</p> <p>39. The applicant / owner must provide certification from the Cairns Airport Pty Ltd, Air Services Australia and the Civil Aviation Safety Authority (CASA) to demonstrate that:</p>		

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					<p>a. all buildings, structures, aerials, lightning rods, antennae, poles, posts, or other obstacles do not encroach within the Airport's operational airspace and Obstacle Limitation Surface (OLS) or Procedures for Air Navigation Services – Airport Operational Surfaces (PANS-OPS) as identified on the Operational Aspects of Cairns International Airport Overlay Maps in Council's Planning Scheme; and</p> <p>b. all lighting, cladding and building materials are of an acceptable standard so as not to impact on the operational aspects of the Airport with regard to light emissions, reflectivity or other emissions.</p> <p>The applicant/owner must independently validate compliance with the above condition at the following times:</p> <p>a. Prior to the commencement of works on site; and</p> <p>b. Upon completion of construction but prior to the commencement of use.</p> <p>All costs associated with meeting the requirements of this condition are to be borne by the applicant/owner.</p> <p>40. The applicant / owner must also provide confirmation that any encroachments in the Airport's operational airspace as a result of construction activities, including the use of cranes or other equipment, have been approved by Cairns Airport Pty Ltd International, or other responsible entity, prior to issue of a Development Permit for Building Work.</p> <p>Plan of Drainage Works</p> <p>41. The applicant / owner must provide a drainage plan for the development which demonstrates the subject land can be drained to the satisfaction of the Chief Executive Officer. In particular,</p> <p>a. Drainage infrastructure in accordance with the FNQROC Development Manual</p> <p>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:</p> <p>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.</p> <p>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 SQID 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.</p> <p>iii. The design of the SQID shall not compromise the hydraulic performance of the overall drainage system.</p> <p>iv. SQIDs shall be positioned so as to provide appropriate access for maintenance equipment.</p> <p>c. All new development shall have immunity from flooding associated with an ARI 100 year rainfall event; and</p>		

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					<p>d. Where practical, all new allotments must be drained to the road frontages, drainage easements or drainage reserves and discharged to the existing drainage system via storm water quality device(s).</p> <p>The plan must be endorsed by the Chief Executive Officer prior to the issue of a Development Permit for Operational Work with the necessary works being undertaken prior to Commencement of Use for each respective stage.</p> <p>Lawful Point of Discharge</p> <p>42. 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 upstream or downstream from the development, all to the requirements and satisfaction of the Chief Executive Officer.</p> <p>Minimum Fill and Floor Levels: CBD and Environs Area – Zone 2</p> <p>43. All floor levels in all buildings must be located above the predicted 1% AEP flood level of 2.80 metres AHD, plus 300mm freeboard for residential uses, in accordance with FNQROC Development Manual and Planning Scheme requirements.</p> <p>Ponding and/or Concentration of Stormwater</p> <p>44. The proposed development and any retaining walls are not to create ponding nuisances and/or concentration of stormwater flows to adjoining properties.</p> <p>Sediment and Erosion Control</p> <p>45. 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 <i>Environmental Protection Act 1994</i>, and the FNQROC Development Manual).</p> <p>Acid Sulfate Soils</p> <p>46. Excavation may result in disturbance of potential acid sulfate soils (PASS). Prior to excavation, in association with a geotechnical assessment, an acid sulfate soil investigation must be undertaken. The investigation must be performed in accordance with the latest <i>'Guidelines for Sampling and Analysis of Lowland Acid Sulfate Soils in Queensland'</i> produced by the Department of Environment and Resource Management (previously DNRW), and State Planning Policy 2/02 – Planning and Managing Development Involving Acid Sulfate Soils. Where it is found that PASS exist, treatment of soil must be undertaken on-site to neutralise acid, prior to disposal as fill, in accordance with the DNRW <i>'Queensland Acid Sulfate Soil Technical Manual'</i>.</p> <p>Structural Engineering Report</p> <p>47. Provide a site specific structural engineering report prepared by a qualified registered professional engineer for the building area (including podiums and basement area) indicating the soil type and stability of the land and providing an indication of the suitability of the land for the intended purpose prior to the issue of a Development Permit for Building Works for each respective stage.</p> <p>Landscaping Plan</p> <p>48. The site, including ground floor public use areas, podium deck recreational areas, must be landscaped in accordance with details included on a Landscaping Plan which is in accordance with the FNQROC Development Manual and Cairns City Centre Master Plan unless otherwise agreed by the Chief Executive Officer. The Landscaping Plan must show:</p>		

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					<p>a. Proposed methods of integrating the landscape theme with the streetscape upgrades required along the Spence Street frontage of the property;</p> <p>b. Planting Design:</p> <p>i. The inclusion of individual character through landscape design and plant species for the roads, public uses areas and outdoor areas within the development;</p> <p>ii. A planting design that does not include any species that are identified as Declared or Environmental Weeds or constitute an Invasive Species;</p> <p>iii. Provide a hierarchy of planting, which includes shade trees, shrubs and groundcovers.</p> <p>c. The roof terrace must remain un-landscaped;</p> <p>d. Hard Landscaping Works:</p> <p>i. Hardscape elements such as raised garden beds, seating areas, street furniture, refuse bins and details of proposed water features;</p> <p>ii. Methods of providing suitable shelter, weather protection and shade to users of the outdoor areas, including any proposed shade tree planting;</p> <p>iii. Natural and finished ground levels including details of all retaining works;</p> <p>iv. Details of any perimeter, private courtyard, terrace, plaza or street fencing;</p> <p>v. Protection of landscaped areas adjoining parking areas from vehicular encroachment by a 150 mm high vertical concrete kerb or similar obstruction; and</p> <p>vi. Bicycle parking in public areas in accordance with conditions of this Development Permit.</p> <p>Two (2) A1 copies and one (1) A3 copy of the Landscaping Plan must be endorsed by the Chief Executive Officer prior to the issues of a Development Permit for Building Work for each respective stage.</p> <p>The completion of all landscaping works must be undertaken in accordance with the endorsed plan prior to Commencement of Use of each respective stage. Landscaped areas must be maintained at all times to the satisfaction of the Chief Executive Officer.</p> <p>Screen Fence to Boundaries</p> <p>49. A screen fence must be provided to the side and rear boundaries of the subject land, to the satisfaction of the Chief Executive Officer. The fencing must be consistent in terms of design and materials with other fences in the locality.</p> <p>Hoarding must be installed to separate commenced stages from future stages.</p> <p>The applicant / owner must negotiate an acceptable level of fencing with Queensland Rail.</p> <p>The fencing must be completed prior to the Commencement of Use.</p> <p>Crime Prevention Through Environmental Design</p> <p>50. All lighting and landscaping requirements are to comply with Council's General Policy Crime Prevention Through Environmental Design (CPTED).</p>		

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					<p>Pest Plant Management</p> <p>51. Pest Plant Management is to be in accordance with the requirements of AP1.34 Pest Plant Management of the FNQROC Development Manual.</p> <p>Small infestations of the Class 2 Pest Plant “American Rats-tail Grass” <i>*Sporobolus jacquemontii</i> and the Class 3 Pest Plant “Singapore Daisy” <i>*Sphagneticola trilobata</i> are known to be present on the site.</p> <p>Details of Development Signage</p> <p>52. The development must provide clear and legible signage incorporating the street number for the benefit of the public.</p> <p>Advertising Signage</p> <p>53. Signs on the subject land must conform with relevant Local Laws and Planning Scheme to the requirements and satisfaction of the Chief Executive Officer.</p> <p>This Development Permit does not authorise the installation of any assessable Advertising Device.</p> <p><i>Note: Advertising Devices including Pylon Signs, Billboard Signs, Projecting Signs and Illuminated Signs are assessable development under the CairnsPlan 2016 V1.2 Planning Scheme and may require a Development Permit for Operational Works. Please note the use of LED, LCD, Plasma or similar screens are not “Acceptable Outcomes” under the Advertising Devices Code.</i></p> <p>Construction Management Plan</p> <p>54. 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 for the relevant stage(s). The Construction Management Plan must address all activities/operations associated with construction including, but not limited to:</p> <ul style="list-style-type: none"> a. Hours of construction; b. Parking of vehicles (including site employees and delivery vehicles); c. Traffic management and control (including loading and unloading); d. Maintenance of safe pedestrian access across the site’s frontage (including access by persons with a disability); e. Building waste storage and disposal; f. On-site dust and noise management, so as to not cause a nuisance to the amenity of the surrounding area; g. Tree protection management; and h. Location and details of construction signage including any signage that is to be illuminated. <p>The endorsed Construction Management Plan must be complied with and a copy kept on site at all times during construction of the development.</p> <p>Construction Signage</p>		

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					<p>55. 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 detail the relevant project coordinator for the works being undertaken on the site, and must list the following parties (where relevant) including telephone contacts:</p> <ul style="list-style-type: none"> a. Developer; b. Project Coordinator; c. Architect / Building Designer; d. Builder; e. Civil Engineer; f. Civil Contractor; g. Landscape Architect <p>Construction Access</p> <p>56. Vehicular access to the site for construction and demolition purposes must be provided from Hartley Street only, unless authorised by the Chief Executive Officer.</p> <p>Temporary Perimeter Fencing</p> <p>57. Temporary perimeter fencing must be provided around each stage to prevent pedestrian and vehicular access, apart from construction vehicles, to the remainder of the site.</p> <p>Stockpiling and Transportation of Fill Material</p> <p>58. 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.</p> <p>Transportation of fill or spoil to and from the site must not occur within:</p> <ul style="list-style-type: none"> a. peak traffic times; b. before 7:00 am or after 6:00 pm Monday to Friday; c. before 7:00 am or after 1:00 pm Saturdays; or d. on Sundays or Public Holidays. <p>59. Dust emissions or other air pollutants, including odours, must not extend beyond the boundary of the site and cause a nuisance to surrounding properties.</p> <p>Storage of Machinery and Plant</p> <p>60. The storage of any machinery, material and vehicles must not cause a nuisance to surrounding properties, to the satisfaction of the Chief Executive Officer.</p> <p>Demolish Structures</p> <p>61. All structures not associated with the approved development (including disused services and utilities) must be demolished and/or removed from the subject land prior to Commencement of Use.</p> <p>Damage to Council Infrastructure</p> <p>62. In the event that any part of Council's existing sewer / water, drainage or road infrastructure is damaged as a result of construction activities occurring on the site, including but not limited to; mobilisation of heavy construction equipment, stripping and grubbing, the applicant/owner must notify Cairns Regional Council immediately of the affected infrastructure and have it repaired or replaced at the developer's/owners/builders cost, prior to the Commencement of</p>		

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					<p>Use.</p> <p>Limitation on Use of Roof Terrace</p> <p>63. The roof terrace is permitted only for use as an outdoor recreation space. To be clear, this area is not permitted to be used for consumption of food and beverage or other uses that may attract wildlife, particularly birdlife, unless agreed to by the Chief Executive Officer.</p> <p>PART B: RECONFIGURING A LOT</p> <p>Assessment Manager Conditions</p> <p>1. Carry out the approved development generally in accordance with the approved drawing(s) and/or document(s), and in accordance with:</p> <ul style="list-style-type: none"> a. The specifications, facts and circumstances as set out in the application submitted to Council, including recommendations and findings confirmed within technical reports; and b. The following conditions of approval and the requirements of Council's Planning Scheme and the FNQROC Development Manual. <p>Except where modified by these conditions of approval.</p> <p>Timing of Effect</p> <p>2. The conditions of the Development Permit must be satisfied prior to Council Approval of the Plan of Survey, except where specified otherwise in these conditions of approval.</p> <p>Staged Development</p> <p>3. The development is able to be undertaken in stages as generally indicated on the approved Plan of Development. Council must be notified of any proposed changes to the approved stage boundaries. The development must be undertaken in numerical sequence as depicted on the Approved Plan of Development.</p> <p>Community Title Scheme</p> <p>4. The development shall be established in a Community Title Scheme with Common Property. All proposed allotments shall be included as part of the principal/first/basic Community Title Scheme.</p> <p>Conversion of Easements to Common Property</p> <p>5. The conversion of any private easement(s) within the Community Title Scheme development to common property shall only be carried out in conjunction with a further registration of a Plan of Survey in the allotment in which the easement to be converted is located.</p> <p>Water Supply & Sewerage Master Plan</p> <p>6. An updated Water Supply and Sewerage Master Plan accompanied by supporting calculations must be provided which demonstrates how the development, including the ultimate development intent, can be serviced. The Master Plan shall identify any upgrades required to external water and sewerage infrastructure servicing the development.</p> <p>The Water Supply and Sewerage Master Plan must be endorsed by the Chief Executive Officer prior to the issue of a Development Permit for Operational Works for the development.</p> <p>Water Supply and Sewerage Works External</p>		

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					<p>7. Undertake the following water supply and sewerage works external to the site to connect the site to existing water supply and sewerage infrastructure:</p> <p>a. Extend water and sewer infrastructure to connect the site to Council's existing water and sewer infrastructure at a point that has sufficient capacity to service the development.</p> <p>Three (3) copies of a plan of the works must be endorsed by the Chief Executive Officer prior to the issue of a Development Permit for Operational Works.</p> <p>All works must be carried out in accordance with the approved plans, to the requirements and satisfaction of the Chief Executive Officer, prior to issue of a Compliance Certificate for the Plan of Survey.</p> <p>Water Supply and Sewerage Works Internal</p> <p>8. Undertake the following water supply and sewerage works internal to the subject land:</p> <p>a. Each lot within the Community Title Scheme development must be serviced by a single internal water and sewerage connection made clear of any buildings or structures;</p> <p>b. Private property sewers and water mains are to be designed, constructed and accepted to the same standard as public infrastructure;</p> <p>c. Each lot within the Community Title Scheme development must be provided with water supply sub-metering designed and installed in accordance with <i>The Plumbing and Drainage Act 2002</i> and the <i>Water Supply (Safety and Reliability) Act</i>; and</p> <p>d. Private Water and Sewerage infrastructure shall be owned, managed and maintained under a Community Title Scheme. Where the development consists of more than one Body Corporate, a principal Body Corporate shall be established to manage the operation and maintenance of the internal water and sewerage infrastructure.</p> <p>All the above works must be designed and constructed in accordance with the FNQROC Development Manual.</p> <p>Three (3) copies of a plan of the works must be endorsed by the Chief Executive Officer prior to the issue of a Development Permit for Operational Works.</p> <p>All works must be carried out in accordance with the approved plans, to the requirements and satisfaction of the Chief Executive Officer prior to issue of a Compliance Certificate for the Plan of Survey.</p> <p>Inspection of sewers</p> <p>9. CCTV inspections of all constructed 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 and at no cost to Council prior to the issue of a Compliance Certificate for the Plan of Survey.</p> <p>Sewer Easement(s)</p> <p>10. Create an easement in favour of Council, having a nominal width of 3 metres over all existing and constructed Council owned sewers within the site, to the requirements and satisfaction of the Chief Executive Officer. A copy of the easement document(s) must be submitted to Council for approval by Council's solicitors at no cost to Council.</p>		

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					<p>The approved easement document(s) must be lodged and registered with the Department of Natural Resources and Mines in conjunction with the Plan of Survey.</p> <p>CONCURRENCE AGENCY CONDITIONS & REQUIREMENTS</p> <table border="1" data-bbox="1175 464 2220 726"> <thead> <tr> <th>Concurrency Agency</th> <th>Concurrency Agency Reference</th> <th>Date</th> <th>Council Electronic Reference</th> </tr> </thead> <tbody> <tr> <td>Department of Infrastructure, Local Government and Planning</td> <td>WR17/39399</td> <td>26 October 2017</td> <td>#5594871</td> </tr> <tr> <td>Department of Infrastructure, Local Government and Planning</td> <td>1711-2349 SRA</td> <td>9 May 2018</td> <td>#5749274</td> </tr> </tbody> </table> <p>Refer to Appendix 4: Concurrence Agency Requirements. (Please note that these conditions / requirements may be superseded by subsequent negotiations with the relevant referral agencies).</p> <p>ADVICE</p> <ol style="list-style-type: none"> 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. This approval does not negate the requirement for compliance with all other relevant Local Laws and other statutory requirements. <p>Infrastructure Charges Notice</p> <ol style="list-style-type: none"> A charge levied for the supply of trunk infrastructure is payable to Council towards the provision of trunk infrastructure in accordance with the Infrastructure Charges Notice. The original Infrastructure Charges Notice will be provided under cover of a separate letter. <p>The amount in the Infrastructure Charges Notice has been calculated according to Council's Infrastructure Charges Resolution.</p> <p>Please note that this Decision Notice and the Infrastructure Charges Notice are stand-alone documents. The <i>Planning Act 2016</i> confers rights to make representations and appeal in relation to a Decision Notice and an Infrastructure Charges Notice separately.</p> <p>The amount in the Infrastructure Charges Notice is subject to index adjustments and may be different at the time of payment. Please contact the Planning Approvals Team at council for review of the charge amount prior to payment.</p> <p>The time when payment is due is contained in the Infrastructure Charges Notice.</p> <ol style="list-style-type: none"> For information relating to the <i>Planning Act 2009</i> log on to www.dsdmip.qld.gov.au. To access FNQROC Manual, Local Laws and other applicable Policies log on to www.cairns.qld.gov.au. <p>Food Premises</p> <ol style="list-style-type: none"> Premises intended to be used for the storage, preparation, handling, packing and/or service of food must comply with the requirements of the <i>Food Act 2006</i> and the Food Standards Code. Prior to construction or alteration of any premises used for storage, preparation, handling, 	Concurrency Agency	Concurrency Agency Reference	Date	Council Electronic Reference	Department of Infrastructure, Local Government and Planning	WR17/39399	26 October 2017	#5594871	Department of Infrastructure, Local Government and Planning	1711-2349 SRA	9 May 2018	#5749274		
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					<p>packing and/or service of food, application for such must be made with Council's Public Health Unit.</p> <p>7. An application for the construction or alteration of any food premises must be accompanied by two (2) copies of plans drawn to a scale not smaller than 1:100. Such plans are to include details of ventilation (including mechanical exhaust ventilation systems), finishes to walls, floors and ceilings, details of the proposed layout and materials to be used in the construction of all fixtures, fittings and equipment. The plans should include detailed cross sections of all areas to be included in the construction or alteration. All works must be carried out in accordance with the requirements of the <i>Food Act 2006</i>, Food Safety Standards and AS 4674 – 2004 – Design, construction and fit-out of food premises.</p> <p>8. Prior to operation of the food business, the operator must hold a current Food License issued by Council's Public Health Unit under the <i>Food Act 2006</i>. Every licensed food business is required to have a Food Safety Supervisor who has met specified competencies and is reasonably available at all times the business is operating. Contact the Council's Public Health Unit for further information.</p> <p>LAND USE DEFINITIONS*</p> <p>In accordance with CairnsPlan 2016v1.1 the approved land uses are defined as:</p> <p>Multiple Dwelling</p> <p>Premises containing three or more dwellings for separate households.</p> <p>Short Term Accommodation</p> <p>Premises used to provide short-term accommodation for tourists or travellers for a temporary period of time (typically not exceeding three consecutive months) and may be self-contained. The use may include a manager's residence and office and the provision of recreation facilities for the exclusive use of visitors.</p> <p>Office</p> <p>Premises used for an administrative, secretarial or management service or the practice of a profession, where no goods or materials are made, sold or hired and where the principal activity provides for the following:</p> <ul style="list-style-type: none"> - business or professional advice; - service of goods that are not physically on the premises; - office based administrative functions of an organisation. <p>Shop</p> <p>Premises used for the display, sale or hire of goods or the provision of personal services or betting to the public.</p> <p>Hotel</p> <p>Premises used primarily to sell liquor for consumption. The use may include short term accommodation, dining and entertainment activities and facilities.</p> <p>Food and Drink Outlet</p> <p>Premises used for preparation and sale of food and drink to the public for consumption on or off the site. The use may include the ancillary sale of liquor for consumption on site.</p>		

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					*This definition is provided for convenience only. This Development Permit is limited to the specifications, facts and circumstances as set out in the application submitted to Council and is subject to the abovementioned conditions of approval and the requirements of Council's Planning Scheme and the FNQROC Development Manual.								
25/7/2018 Ordinary Meeting Minutes #5820592		Unity Team	Item 2 Closed Session Prejudicial Matter – Resource And Performance Agreement 2018-2021 Super Yacht Group Great Barrier Reef Inc. A. Finocchiaro 1/8/8 #5765294	5823961	It is recommended that Council: 1. Notes the results of the review of the operations and performance of Super Yacht Group Great Barrier Reef Inc. undertaken by Council Officers; 2. Enters into a new Resource and Performance Agreement from 1 July 2018 to 30 June 2021 with the Super Yacht Group Great Barrier Reef Inc. with funding of \$30,000 (ex GST) per annum and incorporating the recommendations outlined in this report; and 3. Delegates authority to the Chief Executive Officer in accordance with the Local Government Act 2009 to finalise any and all matters associated with the new Resource and Performance Agreement.	25/7/2018	Approved by CEO as per Officers recommendation						
25/7/2018 Ordinary Meeting Minutes #5820592		Unity Team	Item 4 Closed Session Contractual Matter - Project Launch Approval – PCW18104 - Smart Cities And Suburbs Project – Reducing Urban Environmental Impacts On The Great Barrier Reef Lynne Powell 63/6/104 #5762160v9	5823968	It is recommended that Council: 1. Approves the Project Launch Approval for project PCW18104; and 2. Delegates authority to the CEO in accordance with the Local Government Act 2009 to enter into contracts, finalise and negotiate any and all matters relating to this project subject to normal procurement practices and policies.	25/7/2018	Approved by CEO as per Officers recommendation						
8/8/2018 Planning & Environment Committee Minutes #5832524		Unity Team	Item 3 Open Session Development Permit – Reconfiguring A Lot (2 Lots Into 5 Lots & Access Easement) (Code) – 82 & 84 Redlynch Intake Road, Redlynch – Division 6	5836573	It is recommended: A. That Council approves the development application for Reconfiguring a Lot (2 Lots into 5 Lots & Access Easement) located at 82 & 84 Redlynch Intake Road, Redlynch over land described as Lot 14 SP274779 and Lot 15 SP274779, subject to the following: APPROVED DRAWING(S) AND / OR DOCUMENT(S) The term 'approved drawing(s) and / or document(s)' or other similar expressions means: <table border="1" data-bbox="1228 1457 2220 1575"> <thead> <tr> <th>Drawing or Document</th> <th>Reference</th> <th>Date</th> </tr> </thead> <tbody> <tr> <td>Proposed Reconfiguration Lots 1-5 Cancelling Lot 14 & 15 on SP 274779</td> <td>Plan No. 34397/001A</td> <td>3 April 2018</td> </tr> </tbody> </table> Assessment Manager Conditions 1. This approval, granted under the provisions of the Planning Act 2016, shall lapse four (4) years from the day the approval takes effect in accordance with the provisions of Section 85 of the Planning Act 2016. 2. Carry out the approved development generally in accordance with the approved drawing(s) and/or document(s), and in accordance with: a. The specifications, facts and circumstances as set out in the application submitted to Council; b. The following conditions of approval and the requirements of Council's Planning	Drawing or Document	Reference	Date	Proposed Reconfiguration Lots 1-5 Cancelling Lot 14 & 15 on SP 274779	Plan No. 34397/001A	3 April 2018	8/8/2018	Approved by CEO as per Officers recommendation
Drawing or Document	Reference	Date											
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					<p>Scheme and the FNQROC Development Manual.</p> <p>Except where modified by these conditions of approval.</p> <p>Timing of Effect</p> <p>3. The conditions of the Development Permit must be satisfied prior to Council approval of the Plan of Survey, except where specified otherwise in these conditions of approval.</p> <p>Building Envelope Plan</p> <p>4. The Applicant shall submit a lot based Building Envelope Plan for each lot, generally in accordance with the 'Site Plan for Proposed Development Lot 14 & 15 Redlynch Intake Road SP274779 Redlynch' and showing the following information:</p> <ul style="list-style-type: none"> a. The areas of each building envelope in which a Class 1 or a Class 10 building or structure will be located (including any proposed setbacks or site coverage); b. Any future dwelling house located on the proposed Lots are required to accommodate vehicle parking and on site manoeuvring area to allow vehicles to enter and exit the lot in a forward direction in accordance with the relevant Australian Standards; c. A notation on the building envelope plan which identifies access to the site is restricted to left in/left out only; and d. The bin hardstand area required as part of Condition 6(b). <p>The lot based Building Envelope Plan must be submitted to and endorsed by Council prior to Council approval of the Plan of Survey. NB: A Rates Notation to the above effect will be placed on the Rates File for the new lots.</p> <p>Water Supply and Sewerage Works Internal</p> <p>5. Undertake the following water supply and sewerage works internal to the subject land:</p> <ul style="list-style-type: none"> a. Provide a single internal sewer connection to each lot in accordance with FNQROC Development Manual; b. The house drain for Lot 2, 3 and 4 must be extended to the building platform/envelope; c. Provide a private sewerage easement in Lots 2, 3 and 4; d. Service conduits are to be installed next to the access driveway for the future water supply service to Lots 2, 3 and 4; and e. Existing water connections and internal plumbing must be contained within the lot it serves. If not then the connection and internal plumbing must be relocated to within the lot serviced. <p>All the above works must be designed and constructed in accordance with the FNQROC Development Manual. All works must be carried out in accordance with the plans as modified by the conditions of approval, to the requirements and satisfaction of the Chief Executive Officer prior to Council approval of the Plan of Survey.</p> <p>External Works</p>		


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					<p>6. Undertake the following works external to the land at no cost to Council:</p> <p>a. Repair any damage to the roadway (including removal of concrete slurry from footways, roads, stormwater gullies and drain lines) that may occur during and works carried out in association with the construction of the approved development; and</p> <p>b. Provide a hardstand area within the Redlynch Intake road reserve for 10 wheelie bins associated with Lots 1 to 5 inclusive in a location easily accessible and serviced by a standard refuse collection vehicle. The hardstand area is to be a concrete stencilled pattern in order to clearly delineate the area. The hardstand area must be constructed prior to Council approval of the Plan of Survey.</p> <p>NB: A notation will be added to the future rates file for the lots advising that the hardstand is to be used for bin storage on collection days.</p> <p>The works required by this condition must be completed to the requirements and satisfaction of the Chief Executive Officer prior to Council approval of the Plan of Survey.</p> <p>Note: Infrastructure works required by this condition are considered to be non-trunk infrastructure for the purpose of Section 145 of the Planning Act 2016.</p> <p>Access to Lots</p> <p>7. Construct a concrete driveway or other approved impervious surface along the length of the access driveway servicing the development as identified on the approved plans of development. Construction of the concrete driveway shall be carried out in accordance with the FNQROC Development Manual Standard Drawing No S1110 Revision E (See Appendix). All works must be carried out to the requirements and satisfaction of the Chief Executive Officer prior to Council approval of the Plan of Survey.</p> <p>8. Create reciprocal access easements in accordance with the approved plans of development to provide vehicle access, on-site manoeuvring and visitor carparking to all lots, to the requirements and satisfaction of the Chief Executive Officer. The approved easement documents must be submitted at the same time as seeking approval for the Plan of Survey and must be lodged and registered with the Department of Environment and Resource Management in conjunction with the Plan of Survey.</p> <p>Lawful Point of Discharge</p> <p>9. 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.</p> <p>Ponding and/or Concentration of Stormwater</p> <p>10. The proposed development is not to create ponding nuisances and/or concentration of stormwater flows to adjoining properties.</p> <p>Service Conduits</p> <p>11. Provide service conduits (water, power, telecommunications) with associated access pits extending from the front boundary to the end of the access driveway as shown on the approved plan of development. All works must be carried out to the requirements and satisfaction of the Chief Executive Officer prior to Council approval of the Plan of</p>		

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					<p>Survey.</p> <p>Existing Services</p> <p>12. Written confirmation of the location of existing services (water, electricity and telecommunications) for the land must be provided. In any instance where existing services are contained within another lot, the following applies, either:</p> <p>a. Relocate the services to comply with this requirement; or</p> <p>b. Arrange registration of necessary easements over services located within another lot prior to, or in conjunction with, the lodgement of the plan sealing application.</p> <p>Electricity and Telecommunications</p> <p>13. All new lots are to be provided with an underground electricity supply and telecommunication service.</p> <p>14. Written evidence of negotiations (e.g certificate of supply) with Ergon Energy and the telecommunication authority for Lots 1-5 must be submitted to Council stating that both an underground electricity supply and telecommunications service will be provided to the new allotment prior to Council approval of the Plan of Survey.</p> <p>15. Where the electrical load of the development necessitates a supply upgrade by Ergon Energy, provision must be made for a padmount type transformer on the site. A pole mount transformer would only be acceptable where the existing network does not require an upgrade in order to service the development. Where a padmount transformer is required, the installation shall be such that it does not detract from the appearance of the streetscape and must be clear of footpath areas.</p> <p>FURTHER ADVICE</p> <p>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.</p> <p>2. This approval does not negate the requirement for compliance with all other relevant Local Laws and other statutory requirements.</p> <p>3. Where any future Dwelling House exceeds the site coverage within the relevant zone code, if within Places of Significance Overlay or does not comply with carparking spaces provisions may require a development application for Material Change of Use (Dwelling House).</p> <p>Infrastructure Charges Notice</p> <p>4. A charge levied for the supply of trunk infrastructure is payable to Council towards the provision of trunk infrastructure in accordance with the Infrastructure Charges Notice. The original Infrastructure Charges Notice will be provided under cover of a separate letter.</p> <p>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.</p>		

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					<p>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.</p> <p>5. For information relating to the Planning Act 2016 log on to www.dilgp.qld.gov.au. To access FNQROC Manual, Local Laws and other applicable Policies log on to www.cairns.qld.gov.au.</p> <p>RATES NOTIFICATION</p> <p>That the following Rates Notation be placed on the rates file for the following Lots 1-5:</p> <p>1. There is a dedicated hardstand area on Redlynch Intake Road for the placement of refuse and recycling bins on collection day which is required to be used. Bins are not to be placed in other areas of the verge.</p> <p>Building Envelope</p> <p>2. Proposed Lots 1-5 contain a building envelope which demonstrates a Dwelling House can be contained on the allotment. Any future dwelling house located on the proposed Lots are required to accommodate vehicle parking and on site manoeuvring area to allow vehicles to enter and exit the lot in a forward direction.</p> <p>B. That Council issues an Early Concurrence Agency Response in accordance with Section 57 of the Planning Act 2016 located at 82 & 84 Redlynch Intake Road, Redlynch over land described as Lot 14 SP274779 and Lot 15 SP274779, subject to the following:</p> <p>APPROVED DRAWING(S) AND / OR DOCUMENT(S)</p> <p>The term 'approved drawing(s) and / or document(s)' or other similar expressions means:</p> <table border="1" data-bbox="1228 1241 2243 1503"> <thead> <tr> <th>Drawing or Document</th> <th>Reference</th> <th>Date</th> </tr> </thead> <tbody> <tr> <td>Proposed Development Lot 14 & 15 Redlynch Intake Road SP274779 - Site Plan</td> <td>HDZ1501 Sheet 1 of 9, Issue Q (Council Ref: #5823237)</td> <td>Received (27/07/2018)</td> </tr> <tr> <td>Elevations</td> <td>HDZ, Sheet 3 of 9, Issue B (Council Ref: #5734039)</td> <td>Received (23/04/2018)</td> </tr> <tr> <td>Proposed Development Lot 14 & 15 Redlynch Intake Road SP274779 - Site Plan</td> <td>HDZ, Sheet 1 of 9, Issue P (Council Ref: #5734039)</td> <td>Received (23/04/2018)</td> </tr> </tbody> </table> <p>1. The proposed siting layout request generally appears to satisfy the performance criteria stated in MP 1.1 – Design and Siting Standard for Single Detached House – On Lots under 450m² of the Queensland Development Code.</p> <p>The following encroachments are approved:</p> <p>a. The siting of the Dwelling House 1 to be setback 0.925m to the outermost projection of the side (west) boundary;</p> <p>b. The siting of Dwelling House 2 to be setback 0.925m to the outermost projection of the side (east) boundary;</p> <p>c. The siting of the Dwelling House 3 to be setback 0.9m to the outermost projection of the side (east) boundary;</p>	Drawing or Document	Reference	Date	Proposed Development Lot 14 & 15 Redlynch Intake Road SP274779 - Site Plan	HDZ1501 Sheet 1 of 9, Issue Q (Council Ref: #5823237)	Received (27/07/2018)	Elevations	HDZ, Sheet 3 of 9, Issue B (Council Ref: #5734039)	Received (23/04/2018)	Proposed Development Lot 14 & 15 Redlynch Intake Road SP274779 - Site Plan	HDZ, Sheet 1 of 9, Issue P (Council Ref: #5734039)	Received (23/04/2018)		
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					<p>d. The siting of the Dwelling House 4 to be setback 0.9m to the outermost projection of the side (east) boundary & built to boundary side boundary (west); and</p> <p>e. The siting of the Dwelling House 5 to be built boundary to the side (west) boundary.</p>						
8/8/2018 Planning & Environment Committee Minutes #5832524		Unity Team	Item 1 – Closed Session Prejudicial Matter – Resource And Performance Agreement 2018-2021 Citizens Of The Great Barrier Reef Foundation Limited	5836595	<p>It is recommended that Council :</p> <ol style="list-style-type: none"> Enters into a Resource and Performance Agreement from 1 July 2018 to 30 June 2021 with the Citizens of the Great Barrier Reef Foundation Limited with funding of \$50,000 (ex GST) per annum and incorporating the recommendations outlined in this report; and Delegates authority to the Chief Executive Officer in accordance with the Local Government Act 2009 to finalise any and all matters associated with the Resource and Performance Agreement. 	8/8/2018	Approved by CEO as per Officers recommendation				
22/8/2018 Ordinary Meeting Minutes #5846615		Unity Team	Item 5 – Operational Works Advertising Device (Illuminated Sign) – 63 Abbott Street, Cairns City – Division 5 K Reaston 8/10/533 #5839506	5850324	<p>It is recommended:</p> <p>A. That Council approves the development application for Operational Work (illuminated sign) located at 63 Spence Street, Cairns City over land described as Lot 2 on RP701116, subject to the following:</p> <p>APPROVED DRAWING(S) AND/OR DOCUMENT(S)</p> <p>The term 'approved drawing(s) and/or document(s)' or other similar expression means:</p> <table border="1"> <thead> <tr> <th>Reference</th> <th>Date</th> </tr> </thead> <tbody> <tr> <td>BSV_POA_ABBOTT_001</td> <td>17/3/18</td> </tr> </tbody> </table> <p>ASSESSMENT MANAGER CONDITIONS</p> <ol style="list-style-type: none"> Carry out the approved development generally in accordance with the approved drawing(s) and/or document(s), and in accordance with: <ol style="list-style-type: none"> The specifications, facts and circumstances as set out in the application submitted to Council, including recommendations and findings confirmed within technical reports; and The following conditions of approval and the requirements of Council's Planning Scheme and the FNQROC Development Manual. <p>Except where modified by these conditions of approval.</p> <p>Timing of Effect</p> The conditions of the Development Permit must be satisfied at all times that the approved Advertising Device is erected on the site, to the satisfaction of the Chief Executive Officer, except where specified otherwise in these conditions of approval. <p>Advertising Device – Minimum Device Standards</p> <ol style="list-style-type: none"> The advertising device must have a minimum pixel pitch of 10mm. The advertising device must be fitted with sensors that control the luminance output of the device. A minimum of two sensors must be installed and operational at all times. The maximum luminance output of the device must not exceed the candelas per m² relative to the ambient light level identified within the table below. 	Reference	Date	BSV_POA_ABBOTT_001	17/3/18	22/8/2018	Approved by CEO as per Officers recommendation
Reference	Date										
BSV_POA_ABBOTT_001	17/3/18										

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					<table border="1" data-bbox="1228 321 2169 470"> <tr> <td>Ambient light level (lux)</td> <td>Maximum luminance output (candelas per m²)</td> </tr> <tr> <td>Greater than 2000 lux (e.g. daytime)</td> <td>7000 cd/m²</td> </tr> <tr> <td>Between 400 – 2000 lux (e.g. dawn and dusk)</td> <td>1000 cd/m²</td> </tr> <tr> <td>Less than 400 lux</td> <td>400 cd/m²</td> </tr> </table> <p data-bbox="1210 499 1516 527">Advertising Device Content</p> <p data-bbox="1210 558 2249 669">6. At all times the content of the images / messages associated with the advertising device must comply with the Australian Association of National Advertisers Code of Ethics and must be consistent with all decisions made by the Advertising Standards Board.</p> <p data-bbox="1196 701 1709 728">Advertising Device – Operational requirements</p> <p data-bbox="1210 760 2249 871">7. Any advertisement displayed on the advertising device must not change faster than one advertisement per 90 seconds (dwell time) unless otherwise supported by the Risk and Safety assessment outlined in condition 18 and to the satisfaction of the Chief Executive Officer.</p> <p data-bbox="1210 903 2249 1014">8. Each transition between advertisement must occur instantaneously with a maximum completion time of 0.1 seconds (transition time). Methods of image animation or transition such as 'fly in' or 'scroll', or any other type of message change that is not instantaneous is not permitted.</p> <p data-bbox="1210 1045 2249 1100">9. The screen must not go blank or display a solid colour between different advertisements.</p> <p data-bbox="1210 1131 2249 1243">10. Only a single advertisement may be displayed during a single dwell time. Sequential messages which require more than one screen to convey a message are not permitted. The display screen must not split or display multiple advertisements during a single dwell time.</p> <p data-bbox="1210 1274 2249 1360">11. All advertisements must remain static for the entire dwell time. Advertisements are not permitted to move, flash or change brightness. Scrolling or moving images or video images are not permitted.</p> <p data-bbox="1210 1392 2249 1478">12. In the event of malfunction or failure of the advertising device or associated sensors, the advertising device must be switched off until the matter is resolved or for the duration of the fault.</p> <p data-bbox="1279 1509 2249 1564">Note: malfunction includes greater than 1% of all pixels being damaged or not operational.</p> <p data-bbox="1210 1596 2249 1650">13. The operation of the advertising device must ensure that the illumination of the device does not cause any environmental nuisance to any nearby premises or roadways.</p> <p data-bbox="1210 1682 2249 1822">14. Prior to commencement, an Operational Plan must be prepared that details: a. management procedures in the event of malfunction, failure or damage; and b. maintenance procedures for the life of the device.</p> <p data-bbox="1279 1854 2249 1965">The Operational Plan must be provided to the Chief Executive Officer prior to Commencement of Use and must be to the satisfaction of the Chief Executive Officer. At all times the operation of the device must be in accordance with the management and maintenance procedures contained within the approved Operational Plan.</p>	Ambient light level (lux)	Maximum luminance output (candelas per m ²)	Greater than 2000 lux (e.g. daytime)	7000 cd/m ²	Between 400 – 2000 lux (e.g. dawn and dusk)	1000 cd/m ²	Less than 400 lux	400 cd/m ²		
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					<p>Advertising Device – Monitoring Requirements</p> <p>15. The operation of the device, including but not limited to luminance outputs, ambient light levels and hours of operation must be monitored and a record of the data must be kept for a minimum of 3 months and must be provided to an authorised officer upon request. Monitoring must occur continuously at all times and must record data at a minimum of 1 recording per 10 minutes or at each change in illumination level, whichever is the more frequent.</p> <p>Installation</p> <p>16. The installation or erection of the Advertising Device is to be:</p> <ul style="list-style-type: none"> a. Certified by a qualified person; and b. Securely fixed so as not to endanger public safety. <p>Removal of existing Advertising Devices</p> <p>17. The existing advertising devices located at the subject site on the Abbott Street and Spence Street are to be removed prior to the development under this approval commencing.</p>  <p>Risk and safety assessment</p> <p>18. A Risk and safety assessment must be prepared by a suitably qualified person, submitted to Council and endorsed by the Chief Executive Officer prior to the issue of the Development Permit for Building Work. The suitably qualified person must confirm that the design, siting and operational requirements of the advertising device do not pose a safety risk to pedestrians, motorists, cyclist or other road users.</p> <p>Where necessary, the assessment may provide recommendations for the design, siting, operational requirements and maintenance to ensure that the advertising device does not pose a safety risk as above. Where recommendations are made that impose additional restrictions on the operation of the advertising device, these recommendations prevail, to the extent that they are in conflict with any conditions of this Development Permit.</p> <p>Cessation of use</p> <p>19. The Advertising Device, and any associated equipment or fittings, must be removed 5 years from the date of this Decision Notice.</p>		

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					<p>B. That with respect to the inconsistency between the proposal and the applicable provisions of CairnsPlan 2016 v1.0, Council provides the following grounds for approval pursuant to s335 of the Sustainable Planning Act 2009:</p> <ol style="list-style-type: none"> The development does not compromise the achievement of the Strategic Outcomes of CairnsPlan 2016 v1.0. The conditions of approval seek to address the identified conflicts with the aspects contained within CairnsPlan 2016v1.0 including adverse impacts to the streetscape, amenity and character of the city centre; and traffic and safety concerns. <p>FURTHER ADVICE</p> <ol style="list-style-type: none"> This approval, granted under the transitional provisions of the Planning Act 2016, shall lapse two (2) years from the day the approval takes effect in accordance with the provisions of section 339 and Section 341 of the Sustainable Planning Act 2009. Conditions numbered 18 and 19 are non-severable conditions. The Applicant/owner is advised that this approval does not approve the construction of the building work. A Development Permit for Building Work must be obtained in order for construction to commence. 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. This approval does not negate the requirement for compliance with all relevant Local Laws and statutory requirements. For information relating to the Planning Act 2016 log on to planning.dsdmip.qld.gov.au. To access the FNQROC Development Manual, Local Laws and other applicable policies log on to www.cairns.qld.gov.au 								
22/8/2018 Ordinary Meeting Minutes #5846615		Unity Team	Item 3 Closed Session – Contractual Matter – Register of Prequalified Suppliers for Project Consultants Neil Singleton 63/1/159-01 #5832398	5850329	<p>It is recommended that Council:</p> <ol style="list-style-type: none"> Awards Register of Prequalified Suppliers (ROPS) 2655 – Project Consultants to the list of Suppliers in Attachment 1, for a period of two years commencing 1 September 2018, with a further extension option of up to 12 months at Council's discretion. Delegates authority to the Chief Executive Officer in accordance with the Local Government Act 2009 to enter into contract, negotiate, finalise and execute any and all matters associated with or in relation to this contract subject to Council's normal procurement policies and practices. 	22/8/2018	Approved by CEO as per Officers recommendation						
12/9/2018 Ordinary Meeting Minutes #5865443		Unity Team & Cr Cooper	Item 1 Open Session - Preliminary Approval For Reconfiguring A Lot (1 Lot Into 255 Lots And Park) – 3l Hickling Access, Gordonvale – Division 1 C Anderson 8/13/2099 #5846210v2	5869727	<p>It is recommended that Council issues a Preliminary Approval for Reconfiguring a Lot (1 Lot into 255 Lots and Park) in accordance with Section 60(5) of the <i>Planning Act 2016</i>, over land described as Lot 3 on SP147279, located at 3L Hickling Access, Gordonvale, subject to the following:</p> <p>APPROVED DRAWING(S) AND / OR DOCUMENT(S)</p> <p>The term 'approved drawing(s) and / or document(s)' or other similar expressions means:</p> <table border="1"> <thead> <tr> <th>Drawing or Document</th> <th>Reference</th> <th>Date</th> </tr> </thead> <tbody> <tr> <td>Layout Plan</td> <td>Cardno, Drawing No. Q174124-002-MP-01, Revision H, Council Reference #5768767</td> <td>15 May 2018</td> </tr> </tbody> </table>	Drawing or Document	Reference	Date	Layout Plan	Cardno, Drawing No. Q174124-002-MP-01, Revision H, Council Reference #5768767	15 May 2018	12/9/2018	Approved by CEO as per Officers recommendation
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					<p>Assessment Manager Conditions</p> <p>1. This Preliminary Approval, granted under the provisions of the <i>Planning Act 2016</i>, shall lapse six (6) years from the day the approval takes effect in accordance with the provisions of Section 88 of the <i>Planning Act 2016</i>.</p> <p>Amendment to Design</p> <p>2. As part of any subsequent Development Application for Reconfiguring a Lot, the proposed development as shown on the <i>Layout Plan</i>, Dwg. No. Q174124-002-MP-01, Revision I, dated 26 July 2018, prepared by Cardno must be amended to accommodate the following changes:</p> <ul style="list-style-type: none"> a. The diameter of the cul-de-sac in Stage 4 must be suitable for a Heavy Rigid Vehicle (Garbage Vehicle) to turn around in a forward direction; b. The full length of the road in Stages 2, 4 and 5 must be design to an Access Street Standard in accordance with FNQROC Development Manual; c. All Access Streets or higher order roads must include a 2 metre wide footpath in accordance with FNQROC Development Manual in the absence of a Footpath Masterplan being submitted to Council; and d. The proposed 20 metre wide north-south road is to be realigned at the northern end so that the future extension of the road will cross the creek at the most effective location perpendicular to the channel of flow. A temporary turn-around must be provided at the northern end of the road location within the development site. <p>Building Envelope</p> <p>3. As part any subsequent Development Application for Reconfiguring a Lot, the Applicant must submit a Building Envelope Plan(s) for Lots 219 – 229, 242 and 243 as shown on the <i>Layout Plan</i>, Dwg. No. Q174124-002-MP-01, Revision I, dated 26 July 2018, prepared by Cardno. The plan must detail:</p> <ul style="list-style-type: none"> a. The setbacks of the Building Envelope to each property boundary; and b. That the boundary setbacks shown on the Building Envelope are calculated from the outermost projection of any buildings and/or structures on the lot. <p>Water Supply and Sewerage Infrastructure Plan</p> <p>4. As part any subsequent Development Application for Reconfiguring a Lot, the Applicant must submit a Water Supply and Sewerage Infrastructure Plan and supporting information (including Hydraulic Network Analysis) to demonstrate how the development will be serviced by Council's Infrastructure. In particular:</p> <ul style="list-style-type: none"> a. The subject site is located outside the Priority Infrastructure Area (PIA) as identified in Council's Local Government Infrastructure Plan (LGIP). The PIA in the Gordonvale area signals the most efficient areas to service the expected growth as set out in the planning assumptions in the LGIP. It aims to efficiently utilise existing infrastructure capacity and provide new capacity in an orderly and sequential manner. <p>The Infrastructure Plan is to set out the timing and staging of the development that is consistent, and/or identify where it is inconsistent (e.g. any upsizing and/or bring forward of timing), with the LGIP.</p> <ul style="list-style-type: none"> b. The plan must detail any interim servicing arrangements for the development and identify thresholds (lot yield and timing) associated with those interim and ultimate 		

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					<p>servicing arrangements, including any limitation on the development for any interim connection to Council's infrastructure;</p> <p>c. Identify external catchments that will be connected to and/or serviced by the internal sewer or water networks; and</p> <p>d. Identify possible development areas (whether internal or external to the development site) for a booster pump station that will cater for the proposed development and future developments external to the development site.</p> <p>Traffic</p> <p>5. As part of any subsequent Development Application for Reconfiguring a Lot, the Applicant must submit a Traffic Impact Assessment. The Traffic Impact Assessment must be undertaken by an appropriately qualified and experienced RPEQ Traffic Engineer with respect to the impacts of the proposed development on the existing transport network and Council's ultimate road network. The Traffic Impact Assessment must be carried out in accordance with Austroads guidelines and shall include, but not be limited to the following matters:</p> <p>a. The proposed staging of the development and anticipated timing;</p> <p>b. The prediction of road traffic generated by the proposed development, traffic distribution and travel patterns, for each stage of the development;</p> <p>c. Assessment of the development traffic generation impact from a safety and capacity perspective on the surrounding road network including:</p> <p>i. Draper Road; and</p> <p>ii. the intersection of Draper Road and Dempsey Street;</p> <p>d. Concept plans detailing ameliorative measures required to mitigate any identified impacts.</p> <p>The Assessment of the Draper Road and Dempsey Street intersection must identify the anticipated timing (number of lots) that will trigger the need for the proposed roundabout as recommended in the <i>Draper Road North Traffic Technical Memorandum</i>, Q174124, dated 17 April 2018. The analysis must also include details of any interim upgrades to the existing road network which are required to be completed prior to Council approval of the Survey Plan for the first lot.</p> <p>The report should include appropriate discussion and data to support the recommendations. All assumptions must be documented and references detailed.</p> <p>Drainage</p> <p>6. As part of any subsequent Development Application for Reconfiguring a Lot, the Applicant must ensure that all proposed lots are setback a minimum of 10 meters from the top of bank of all existing watercourses. A Detailed Survey Plan must be provided as part of any subsequent Development Application which clearly identifies the top of bank of all watercourses, as well as the required 10 metre setback.</p> <p>7. As part of a subsequent Development Application for Reconfiguring a Lot, the Applicant must submit a Flood Impact Assessment for Mackey Creek to address the following, as a minimum:</p> <p>a. Confirm that finished lot levels within the proposed development have immunity to a</p>		

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					<p>1% AEP event,</p> <p>b. Confirm the extent of the 1% AEP flood event in relation to the site both pre and post development,</p> <p>c. Assessment of flood velocities for the site, with particular focus on areas where new infrastructure as a result of the development will be installed in close proximity to the existing watercourse to ensure there are no potential future scour issues (i.e. scour of roads or stormwater outlets),</p> <p>d. Identify the type of crossing proposed for the road spanning across Mackey Creek, in particular the Applicant shall submit a Time of Closure assessment for this crossing.</p> <p>The drainage study is to be certified by an appropriately qualified and experienced engineer (RPEQ certified) and must comply, in all regards, with the requirements of the Queensland Urban Drainage Manual (QUDM) and the Council's development manual (FNQROC).</p> <p>8. As part any subsequent Development Application for Reconfiguring a Lot, the Applicant must submit a preliminary concept design of all elements of both the interim and ultimate detention systems (i.e. Detention Basins or the like), in accordance with the <i>Draper Road North Stormwater Management Technical Memorandum</i>, Q174124-005, dated 16 May 2018. The design must clearly demonstrate how detention at each stage of development will result in a no worsening effect to the surrounding area.</p> <p>Stormwater Quality</p> <p>9. As part of any subsequent Development Application for Reconfiguring a Lot, a Stormwater Quality Management Plan must be submitted detailing the following matters:</p> <p>a. Drainage infrastructure in accordance with the FNQROC Development Manual, the Queensland Urban Drainage Manual (QUDM) and that meets the applicable stormwater quality design objectives contained within the Appendix 2 of the State Planning Policy (July 2017) for construction and post-construction phases of the development; and</p> <p>b. The drainage network for 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:</p> <p>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.</p> <p>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 SQID 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.</p> <p>iii. The design of the SQID shall not compromise the hydraulic performance of the overall drainage system.</p> <p>iv. SQIDS (e.g. GPTs) shall include a removal basket equivalent or similar to the CleansAll product, to allow simple and economical maintenance of the device. They shall be positioned to allow for economic and efficient maintenance operations, and will require a reinforced concrete hard standing</p>		

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					<p>area to be provided from the edge of the carriageway to the SQID location. Vehicular access shall be provided to the hard standing area in the form of a crossover or lay back kerb, constructed in accordance with the provisions of FNQROC Development Manual, and access from the public road reserve to the SQID must remain unrestricted.</p> <p>The Stormwater Quality Management Plan must be prepared and signed by a Registered Professional Engineer Queensland (RPEQ).</p> <p>CONCURRENCE AGENCY CONDITIONS & REQUIREMENTS</p> <table border="1"> <thead> <tr> <th>Concurrency Agency</th> <th>Concurrency Agency Reference</th> <th>Date</th> <th>Council Reference</th> <th>Electronic</th> </tr> </thead> <tbody> <tr> <td>State Assessment Referral Agency</td> <td>1711-2699 SRA</td> <td>31 July 2018</td> <td>#5829222</td> <td>and #5830274</td> </tr> </tbody> </table> <p>Refer to Appendix 2: Concurrence Agency Requirements. (Please note that these conditions / requirements may be superseded by subsequent negotiations with the relevant referral agencies).</p> <p>ADVICE</p> <ol style="list-style-type: none"> This Preliminary Approval does not negate the requirement for compliance with all other relevant statutory requirements. For information relating to the <i>Planning Act 2016</i> log on to www.planning.dsdmip.qld.gov.au. To access FNQROC Manual, Local Laws and other applicable Policies log on to www.cairns.qld.gov.au. As part of any subsequent Development Application for Reconfiguring a Lot, the Applicant may wish to submit a Building Envelope Plan for all lots within the development to assist in providing certainty to future purchasers regarding setbacks. Further, under CairnsPlan 	Concurrency Agency	Concurrency Agency Reference	Date	Council Reference	Electronic	State Assessment Referral Agency	1711-2699 SRA	31 July 2018	#5829222	and #5830274		
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12/9/2018 Ordinary Meeting Minutes #5865443		Unity Team & Cr Bates	Item 1 Closed Session – Prejudicial Matter - Application For A Permanent Road Closure Under The Land Act 1994 – Cairns North – Division 5 Teneille Bailey 55/2/3 #5854713v2	5869733	<p>It is recommended that Council:</p> <ol style="list-style-type: none"> Advises the applicant that it supports an application for a permanent road closure under the Land Act 1994 over an area of 290m2 of road which adjoins Lot 745 on SP148783 subject to: <ol style="list-style-type: none"> A drainage study being undertaken over the area; and An easement being formalised for drainage purposes over the existing drainage infrastructure within the 290m2 area of road. Delegates authority to the Chief Executive Officer in accordance with the Local Government Act 2009 to negotiate and finalise all matters associated with the application for a permanent road closure. 	12/9/2018	Approved by CEO as per Officers recommendation										
26/9/18 Ordinary Meeting Minutes #5880267		Unity Team, Cr Moller & Cr James	Item 6 Closed session, Prejudicial Matter – Resource and Performance Agreement 2018-2020 with Study Cairns Inc Belinda Hutchinson / 1/8/8 / #5831608	5883286	<p>It is recommended that Council:</p> <ol style="list-style-type: none"> Notes the results of the review of the operations and performance of Study Cairns Inc. undertaken by Council Officers; Enters into a new Resource and Performance Agreement from 1 July 2018 to 30 June 2020 with Study Cairns Inc. with funding of \$100,000 (ex GST) per annum and incorporating the recommendations outlined in this report; and Delegates authority to the Chief Executive Officer in accordance with the Local Government Act 2009 to finalise any and all matters associated with the new Resource and Performance Agreement. 	26/9/18	Approved by CEO as per Officers recommendation										

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10/10/18 Ordinary Meeting – Minutes #5891404		Unity Team, Cr Cooper	Item 1 Open session - Negotiated Decision for Operational Works Advertising Device (Illuminated Sign) – 63 Abbott Street, Cairns City – Division 5 Peter Boyd 8/10/533 #5887315	5894813	It is recommended that Council refuses the Negotiated Decision Request for Operational Work (illuminated sign) located at 63 Spence Street, Cairns City over land described as Lot 2 on RP701116 on the following ground: 1. Conditions 17 and 19 seek to address the identified conflicts with the aspects contained within CairnsPlan 2016v1.0 including adverse impacts to the streetscape, amenity and character of the city centre.	10/10/18	Approved by CEO as per Officers recommendation																																							
10/10/18 Ordinary Meeting – Minutes #5891404		Unity Team	Item 5 Open session – Combined Application – Material Change of Use for Shopping Centre, Health Care Service, Child Care Centre, Food and Drink Outlet and Service Station, Reconfiguring a Lot (2 lots into 17 lots and Access Easement) and Operational Works for Advertising Device (Pylon Signage) – 171-173 Trinity Beach Road, Trinity Beach and 175 Trinity Beach Road, Trinity Beach – Division 9 C Mariot 8/30/248 #5769929	5894826	A. It is recommended that Council approves a Development Permit for Material Change of Use for Child Care Centre, Service Station, Food and Drink Outlet and Operational Works for Advertising Device (Pylon Signage) in accordance with the Planning Act 2016 located at 171-173 & 175 Trinity Beach Road, Trinity Beach, over land described as Lot 1 on RP741589 and Lot 156 on NR5378, subject to the following: APPROVED DRAWING(S) AND / OR DOCUMENT(S) The term ‘approved drawing(s) and / or document(s)’ or other similar expressions means: <table border="1"> <thead> <tr> <th>Drawing or Document</th> <th>Reference</th> <th>Date</th> </tr> </thead> <tbody> <tr> <td>Site Plan (as amended)</td> <td>Drawing No P1528, DA 03, Revision I, prepared by CNN Architects</td> <td>March 2018</td> </tr> <tr> <td>Elevations 2</td> <td>Drawing No P1528, DA 07 Revision D, prepared by CNN Architects</td> <td>March 2018</td> </tr> <tr> <td>Signage Plan</td> <td>Drawing No P1528, DA 08, Revision B, prepared by CNN Architects</td> <td>March 2018</td> </tr> <tr> <td>Gross Floor Area Plan (as amended)</td> <td>Drawing No P1528 DA 09, Revision B, prepared by CNN Architects</td> <td>-</td> </tr> <tr> <td>Childcare & Petrol Plan</td> <td>Drawing No P1529, DA 13, Revision B, prepared by CNN Architects</td> <td>March 2018</td> </tr> <tr> <td>Concept Site Access Arrangement Trinity Beach Road</td> <td>Drawing No. 135-002-SK12-2 Revision B, prepared by CivilWalker Consulting Engineering</td> <td>July 2018</td> </tr> <tr> <td>Concept Site Access Arrangement Master Plan</td> <td>Drawing No. 135-002-SK12-2 Revision D, prepared by CivilWalker Consulting Engineering</td> <td>July 2018</td> </tr> <tr> <td>Concept Site Access Arrangement Navigation Drive (Two Lanes)</td> <td>Drawing No. 135-002-SK12-2 Revision B, prepared by CivilWalker Consulting Engineering</td> <td>July 2018</td> </tr> <tr> <td>Statement of Landscape Intent (as amended)</td> <td>Drawing No L1.01 Prepared by Landplan</td> <td>November 2017</td> </tr> <tr> <td>Landscape Schematic Design</td> <td>Drawing No L1.02, prepared by Landplan</td> <td>November 2017</td> </tr> <tr> <td>Acoustic Report</td> <td>Reference: 2017370 R01A, prepared by Acoustic Works</td> <td>November 2017</td> </tr> <tr> <td>Trinity Beach Convenience Centre Engineering Report</td> <td>135-002-001R, Revision B, prepared by Civil Walker Engineering</td> <td>December 2017</td> </tr> </tbody> </table> ASSESSMENT MANAGER CONDITIONS 1. This development approval, granted under the provisions of the Planning Act 2016, shall lapse eight (8) years from the day the approval takes effect in accordance with the provisions of section 88 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:	Drawing or Document	Reference	Date	Site Plan (as amended)	Drawing No P1528, DA 03, Revision I, prepared by CNN Architects	March 2018	Elevations 2	Drawing No P1528, DA 07 Revision D, prepared by CNN Architects	March 2018	Signage Plan	Drawing No P1528, DA 08, Revision B, prepared by CNN Architects	March 2018	Gross Floor Area Plan (as amended)	Drawing No P1528 DA 09, Revision B, prepared by CNN Architects	-	Childcare & Petrol Plan	Drawing No P1529, DA 13, Revision B, prepared by CNN Architects	March 2018	Concept Site Access Arrangement Trinity Beach Road	Drawing No. 135-002-SK12-2 Revision B, prepared by CivilWalker Consulting Engineering	July 2018	Concept Site Access Arrangement Master Plan	Drawing No. 135-002-SK12-2 Revision D, prepared by CivilWalker Consulting Engineering	July 2018	Concept Site Access Arrangement Navigation Drive (Two Lanes)	Drawing No. 135-002-SK12-2 Revision B, prepared by CivilWalker Consulting Engineering	July 2018	Statement of Landscape Intent (as amended)	Drawing No L1.01 Prepared by Landplan	November 2017	Landscape Schematic Design	Drawing No L1.02, prepared by Landplan	November 2017	Acoustic Report	Reference: 2017370 R01A, prepared by Acoustic Works	November 2017	Trinity Beach Convenience Centre Engineering Report	135-002-001R, Revision B, prepared by Civil Walker Engineering	December 2017	10/10/18	Approved by CEO as per Officers recommendation
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Concept Site Access Arrangement Trinity Beach Road	Drawing No. 135-002-SK12-2 Revision B, prepared by CivilWalker Consulting Engineering	July 2018																																												
Concept Site Access Arrangement Master Plan	Drawing No. 135-002-SK12-2 Revision D, prepared by CivilWalker Consulting Engineering	July 2018																																												
Concept Site Access Arrangement Navigation Drive (Two Lanes)	Drawing No. 135-002-SK12-2 Revision B, prepared by CivilWalker Consulting Engineering	July 2018																																												
Statement of Landscape Intent (as amended)	Drawing No L1.01 Prepared by Landplan	November 2017																																												
Landscape Schematic Design	Drawing No L1.02, prepared by Landplan	November 2017																																												
Acoustic Report	Reference: 2017370 R01A, prepared by Acoustic Works	November 2017																																												
Trinity Beach Convenience Centre Engineering Report	135-002-001R, Revision B, prepared by Civil Walker Engineering	December 2017																																												

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					<p>a. The specifications, facts and circumstances as set out in the application submitted to Council;</p> <p>b. The following conditions of approval and the requirements of Council’s Planning Scheme and the FNQROC Development Manual.</p> <p>Except where modified by these conditions of approval.</p> <p>Timing of Effect</p> <p>3. The conditions of the Development Permit must be satisfied prior to the Commencement of Use, to the satisfaction of the Chief Executive Officer, except where specified otherwise in these conditions of approval.</p> <p>Notice of Intention to Commence Use</p> <p>4. Prior to commencement of the use on the site, written notice must be given to Council that the development fully complies with this Development Permit. Please return the attached “Notice of Intention to Commence Use” form when the use has commenced (attached at Appendix 2).</p> <p>5. An Operational Works Approval is required for the earthworks, internal and external roadworks, private and public infrastructure works (sewer and water), landscaping and drainage works associated with the development. Approval is required to be obtained prior to the commencement of any works on the site. Such works must be completed to the satisfaction of the Chief Executive Officer prior to commencement of use.</p> <p>Limitation of Use</p> <p>6. The approved uses are limited to the following unless otherwise authorised by the Chief Executive Officer:</p> <p>a. The uses identified as being approved in accordance with this Development Permit as illustrated on the approved plans of development;</p> <p>b. All activities of the Service Station and Food and Drink Outlet can be conducted 24hrs a day, Monday to Sunday; and</p> <p>c. 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.</p> <p>Advertising Device Limitation</p> <p>7. 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.</p> <p>8. The Advertising Device(s) as shown on the approved plans of development is limited to the following:</p> <p>a. The Pylon Signage must have a maximum height above ground level of 9 metres;</p> <p>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.</p> <p>External Lighting</p> <p>9. Install external lighting in accordance with AS4282 -1997 – Control of the Obtrusive</p>		

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					<p>Effects of Outdoor Lighting. The installation of external lighting must be certified by a suitably qualified person prior to the commencement of use.</p> <p>Detailed Plans – Materials, Finishes and Colour Palette</p> <p>10. Prior to the issue of a Development Permit for Building Work, the applicant/owner must submit and have approved by Council detailed plans, prepared by a registered Architect or Building Designer for implementation within the development. The detailed plans should illustrate the façade treatment, external materials, and colours of the building, in accordance with the following:</p> <ul style="list-style-type: none"> a. Detailed floor plans, sections and elevations of materials for the façade including structural elements; b. Provision for servicing and infrastructure, including but not limited to padmount transformers and fire/sprinkler boosters; c. Details of the bulk bin servicing points; d. Details of screening of mechanical plant equipment and acoustic attenuation. <p>Carry out the building work in accordance with the approved drawings to the satisfaction of the Chief Executive Officer. Submit certification to Council by a registered Architect or Building Designer confirming the building has been constructed in accordance with approved drawings prior to the commencement of use.</p> <p>Certification of Building Height</p> <p>11. The building height of buildings must be in accordance with the floor and roof levels shown on the approved plans of development.</p> <p>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.</p> <p>Service Station</p> <p>12. 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,</p> <ul style="list-style-type: none"> 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. <p>Details of the above requirements must be endorsed by the Chief Executive Officer prior to issue of a Development Permit for Building Works. The Service Station must be constructed in accordance with the requirements of the endorsed plan prior to the commencement of use.</p>		

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					<p>13. Store and dispense petroleum products in accordance with AS1940-2004 – The storage of flammable and combustible liquids.</p> <p>14. Prior to the commencement of use, the uncovered forecourt area must be constructed and maintained in accordance with the following:</p> <ul style="list-style-type: none"> 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. <p>Detailed Landscape Plan</p> <p>15. Prior to the issue of a Development Permit for Building Work, submit a Detailed Landscape Plan, prepared by a suitably qualified and experienced Landscape Architect or Landscape Designer, illustrating the following features:</p> <ul style="list-style-type: none"> a. A Landscape Design which is generally in accordance with that shown on the 'Statement of Landscape Intent prepared by Landplan, dated November 2017'; b. Landscaping between the Service Station and Trinity Beach Road to soften the side of the building; c. Screening of service areas and refuse areas; 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; 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; g. Details of any fencing associated with the development; <p>The completion of all landscaping works for the approved development must be undertaken in accordance with the approved plan prior to the issue of a 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.</p> <p>Note: 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.</p> <p>Screen Fence</p> <p>16. A minimum 1.8 metre (at finished ground level) high screen fence must be provided to the boundaries of the Service Station, Food and Drink Outlet and Child Care Centre to the satisfaction of the Chief Executive Officer. The fencing must be consistent in terms</p>		

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					<p>of design and materials with other fences in the locality. The fencing must be completed prior to the Commencement of Use.</p> <p>Noise Attenuation</p> <p>17. Design and construct the façades of the Child Care Centre in accordance with the acoustic treatments as identified in the approved 'Noise Report, prepared by Acoustic Works, dated November 2017'.</p> <p>Plant and Equipment Certification</p> <p>18. 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 as identified within the approved 'Noise Report, prepared by Acoustic Works, dated November 2017'.</p> <p>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. Such screening must be completed prior to the Commencement of Use.</p> <p>Hours of Deliveries and Refuse Collection</p> <p>19. Delivery service vehicles access to the site, including loading, unloading and refuse collection, are limited to the time period of 6am to 9pm only.</p> <p>Refuse Storage</p> <p>20. The development must be designed to be serviced by bulk bins. A bulk bin enclosure must be provided in accordance with Council's requirements.</p> <p>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.</p> <p>Water Supply and Sewerage Works External</p> <p>21. Undertake the following water supply and sewerage works external to the site to connect the site to existing water supply and sewerage infrastructure:</p> <p>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;</p> <p>b. Augment existing sewers and pump station downstream to the site, to the extent required to accommodate the increased flows generated by the development.</p> <p>Such work must be constructed in accordance with the endorsed plan to the satisfaction of the Chief Executive Officer prior to Commencement of Use or Council approval of the Plan of Survey for the development, whichever occurs first.</p> <p>Note: Infrastructure works required by this condition are considered to be non-trunk infrastructure for the purposes of Section 145 of the Planning Act 2016.</p>		

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					<p>Water Supply and Sewerage Works Internal</p> <p>22. Undertake the following water supply and sewerage works internal to the subject land:</p> <ul style="list-style-type: none"> 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. <p>All the above works must be designed and constructed in accordance with the FNQROC Development Manual. All works must be carried out in accordance with the approved plans to the requirements and satisfaction of the Chief Executive Officer prior to Commencement of Use.</p> <p>Liquid Waste Disposal</p> <p>23. 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.</p> <p>External Works for Transport Network (Trunk)</p> <p>24. Undertake the following external roadworks with any associated drainage, footpath, site access and services identified on the approved plans of development and in accordance with the relevant Cairns Planning Scheme Codes and FNQROC Development Manual,</p> <ul style="list-style-type: none"> a. Upgrade Trinity Beach Road from Navigation Drive to Captain Cook Highway as identified on 'Concept Site Access Arrangement Trinity Beach Road, prepared by CivilWalker Consulting Engineers, dated July 2018' to a four (4) lane raised median divided 'sub arterial road' in accordance with the FNQROC Development Manual. 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); b. Install traffic signals at the intersection of Trinity Beach Road and Navigation Drive. <p>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.</p> <p>Infrastructure works required by this condition are considered to be trunk infrastructure for the purposes of Section 128 of the Planning Act 2016.</p> <p>NB: Written approval may be required from the Department of Transport and Main Roads to carry out road works on a state-controlled road.</p> <p>External Works for Transport Network (Non-Trunk)</p> <p>25. Undertake the following external roadwork with any associated drainage, footpath, site access and services shown on the approved plans of development in accordance with the relevant Cairns Planning Scheme Codes and FNQROC,</p>		

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					<p>a. Design and construct a dedicated left hand turning lane from Trinity Beach Road as identified on 'Concept Site Access Arrangement Trinity Beach Road, prepared by CivilWalker Consulting Engineers, dated July 2018'. Provision must be made for a pedestrian/cyclist pathway;</p> <p>b. Design and construct the intersection of the development access to Navigation Drive as identified on 'Concept Site Access Arrangement Navigation Drive (Two Lanes), prepared by CivilWalker Consulting Engineers, dated July 2018'. Provision must also be made for a safe pedestrian cyclist/crossing of Navigation Drive to provide connectivity to the existing pathway on Midship Street;</p> <p>c. Design and construct a bus bay on both sides of Navigation Drive in accordance with the requirements of the Department of Transport and Main Roads and Translink;</p> <p>d. A minimum 2m wide footpath must be provided along Navigation Drive frontage and into the site as identified on 'Concept Site Access Arrangement Navigation Drive (Two Lanes), prepared by CivilWalker Consulting Engineers, dated July 2018';</p> <p>e. Design and construct Navigation Drive access, including inclusion of a Moore's Gully crossing as identified on 'Concept Site Access Arrangement Navigation Drive (Two Lanes), prepared by CivilWalker Consulting Engineers, dated July 2018'</p> <p>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.</p> <p>Infrastructure works required by this condition are considered to be non-trunk infrastructure for the purposes of Section 145 of the Planning Act 2016.</p> <p>Note: Written approval may be required from the Department of Transport and Main Roads to carry out road works on a state-controlled road.</p> <p>Vehicle Parking</p> <p>26. The amount of vehicle parking for the development must be as per the approved plans of development, being a total of ten (10) spaces for the Service Station & Food and Drink Outlet and thirty (30) spaces for the Child Care Centre. 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.</p> <p>The car parking and manoeuvring areas on the site must specifically provide for the following:</p> <p>a. If and where required, provide off-street accessible parking in accordance with AS2890.6 – Off-street carparking for people with disabilities;</p> <p>b. The driveways servicing the car parking areas must include a physical means of speed control at each exit point;</p> <p>c. Line marking and signage of all car parking areas; and</p>		

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					<p>d. 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;</p> <p>e. 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</p> <p>The car parking design is to be certified by a Registered Professional Engineer Queensland (RPEQ) that the car park manoeuvring provisions (swept paths) are considered safe and acceptable and comply with Australian Standards.</p> <p>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.</p> <p>Bicycle Parking</p> <p>27. Provide secured, on-site bicycle parking in accordance with the requirements of Table 9.4.8.3.d of the Parking and Access Code of the Cairns Planning Scheme. The bicycle parking spaces must be provided and available for use at the time of Commencement of Use.</p> <p>Sediment and Erosion Control</p> <p>28. 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).</p> <p>Lawful Point of Discharge</p> <p>29. 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.</p> <p>Plan of Drainage Works</p> <p>30. Design and construct, at no cost to Council, all necessary stormwater management and drainage works (internal and external to the site) in accordance with the recommendations of the approved 'Engineering Report, prepared by Civil Walker, dated December 2017'. The subject land must be drained to the satisfaction of the Chief Executive Officer, in particular:</p> <p>a. Drainage infrastructure in accordance with the FNQROC Development Manual;</p> <p>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:</p> <p>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.</p>		

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					<ul style="list-style-type: none"> 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. <p>The above drainage measures should be submitted in conjunction with the application for Operational Works 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.</p> <p>Drainage Easement</p> <p>31. A private drainage easement(s) must be created over the proposed drainage channel with a minimum width of 7 metres over Lot 1 in favour of Lot 2. 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 a Compliance Certificate 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.</p> <p>Stormwater Management Plan</p> <p>32. A Site Based Stormwater Management Plan (SBSMP) is required for the site. The SBSMP shall be submitted to Council for approval prior to the issue of 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:</p> <ul style="list-style-type: none"> 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 Channel located along the western boundary of the site. <p>Minimum Fill and Floor Levels</p> <p>33. 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.</p> <p>Construction Management Plan</p> <p>34. 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:</p>		

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					<ul style="list-style-type: none"> a. Hours of construction; b. Construction access; c. Parking of vehicles (including construction site employees and delivery vehicles); d. Traffic management and control (including loading and unloading); e. Maintenance of safe pedestrian access across the site's frontage (including access by persons with a disability); f. Building and demolition waste storage and disposal; g. On-site dust and noise management, so as to not cause a nuisance to the amenity of the surrounding area; h. Tree protection management; and i. Location and details of construction signage including any signage that is to be illuminated. <p>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.</p> <p>Construction Signage</p> <p>35. Prior to the commencement of any construction works associated with the development, a sign detailing the project team must be placed on the road frontage of the site and must be located in a prominent position. The sign must remain in place for the duration of construction activities.</p> <p>The sign must detail the relevant project coordinator for the works being undertaken on the site, and must list the following parties (where relevant) including telephone contacts:</p> <ul style="list-style-type: none"> a. Developer; b. Project Coordinator; c. Architect / Building Designer; d. Builder; e. Civil Engineer; f. Civil Contractor; g. Landscape Architect <p>Stockpiling and Transportation of Material</p> <p>36. 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:</p> <ul style="list-style-type: none"> 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 		

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					<p>d. on Sunday or a Public Holiday</p> <p>37. 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.</p> <p>Storage of Machinery and Plant</p> <p>38. The storage of any machinery, material or plant must not cause a nuisance to surrounding properties, to the satisfaction of the Chief Executive Officer.</p> <p>Acid Sulfate Soils</p> <p>39. The excavation for the construction of the building may result in disturbance of potential acid sulfate soils (PASS). Prior to excavation, an acid sulfate soil investigation must be undertaken. The investigation must be performed in accordance with the latest 'Guidelines for Sampling and Analysis of Lowland Acid Sulfate Soils in Queensland' produced by the Department of Natural Resources, Mines and Energy and in accordance with the State Planning Policy: State interests – emissions and hazardous activities: Guidance on acid sulfate soils and the Queensland Acid Sulfate Soils Technical Manual and must be prepared by a suitably qualified and experienced person. Where it is found that PASS exist, treatment of soil must be undertaken on-site to neutralise acid, prior to disposal as fill, in accordance with the DNRME 'Queensland Acid Sulfate Soil Technical Manual'.</p> <p>Damage to Infrastructure</p> <p>40. 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.</p> <p>Electricity and Telecommunications Supply</p> <p>41. 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.</p> <p>42. 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.</p> <p>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.</p> <p>43. The above conditions relating to electricity supply must be provided to Ergon Energy at the same time as the application for Network Connection Services.</p> <p>Street Lighting</p> <p>44. Street lighting is to be upgraded to Lighting Category V3 extending from Navigation Drive to Captain Cook Highway.</p> <p>45. 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</p>		

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					<p>Standards as a result of the construction of the access intersection and dedicated turn lanes.</p> <p>46. 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.</p> <p>47. The above conditions relating to street lighting must be provided to Ergon Energy at the same time as the application for Network Connection Services.</p> <p>Storage of Machinery and Plant</p> <p>48. The storage of any machinery, material and vehicles must not cause a nuisance to surrounding properties, to the satisfaction of the Chief Executive Officer.</p> <p>Crime Prevention Through Environmental Design</p> <p>49. All lighting and landscaping requirements are to comply with Council's Planning Scheme Policy for Crime Prevention Through Environmental Design (CPTED).</p> <p>CONCURRENCE AGENCY CONDITIONS & REQUIREMENTS</p> <table border="1" data-bbox="1228 1010 2243 1184"> <thead> <tr> <th>Concurrence Agency</th> <th>Concurrence Agency Reference</th> <th>Date</th> <th>Council Electronic Reference</th> </tr> </thead> <tbody> <tr> <td>State Development, Manufacturing, Infrastructure and Planning</td> <td>1801-3272 SRA (Amended Response)</td> <td>24 July 2018</td> <td>#5825086</td> </tr> </tbody> </table> <p>Refer to Appendix: Concurrence Agency Requirements. (Please note that these conditions / requirements may be superseded by subsequent negotiations with the relevant referral agencies).</p> <p>B. That Council approves a Development Permit for Reconfiguring a Lot (2 into 4 Lots & Access Easement) in accordance with the Planning Act 2016 located at 171-173 and 175 Trinity Beach Road, Trinity Beach, over land described as Lot 1 on RP741589 and Lot 156 on NR5378, subject to the following:</p> <p>APPROVED DRAWING(S) AND / OR DOCUMENT(S)</p> <p>The term 'approved drawing(s) and / or document(s)' or other similar expressions means:</p> <table border="1" data-bbox="1228 1587 2214 1764"> <thead> <tr> <th>Drawing or Document</th> <th>Reference</th> <th>Date</th> </tr> </thead> <tbody> <tr> <td>Reconfiguring of a Lot, Proposed Lot 1,2,3 & 4 and Easements Cancelling Lot 156 on NR5378 & Lot 1 RP741589 Trinity Beach</td> <td>Drawing No. 16-185-001 Revision 2, prepared by Urban Sync</td> <td>November 2017</td> </tr> </tbody> </table> <p>ASSESSMENT MANAGER CONDITIONS</p> <p>1. This development approval, granted under the provisions of the Planning Act 2016, shall lapse eight years (8) from the day the approval takes effect in accordance with the provisions of section 88 of the Planning Act 2016.</p>	Concurrence Agency	Concurrence Agency Reference	Date	Council Electronic Reference	State Development, Manufacturing, Infrastructure and Planning	1801-3272 SRA (Amended Response)	24 July 2018	#5825086	Drawing or Document	Reference	Date	Reconfiguring of a Lot, Proposed Lot 1,2,3 & 4 and Easements Cancelling Lot 156 on NR5378 & Lot 1 RP741589 Trinity Beach	Drawing No. 16-185-001 Revision 2, prepared by Urban Sync	November 2017		
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					<p>2. Carry out the approved development generally in accordance with the approved drawing(s) and/or document(s), and in accordance with:</p> <p>a. The specifications, facts and circumstances as set out in the application submitted to Council;</p> <p>b. The following conditions of approval and the requirements of Council's Planning Scheme and the FNQROC Development Manual.</p> <p>Except where modified by these conditions of approval</p> <p>Timing of Effect</p> <p>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.</p> <p>Access Easement</p> <p>4. Grant the following easement:</p> <p>a. An easement for access purposes in favour of Lot 1 and 2, over Lot 4; and</p> <p>b. An easement for access purposes in favour of Lot 3, over Lot 1 for access and services to Navigation Drive. The easement shall have 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.</p> <p>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.</p> <p>Lawful Point of Discharge</p> <p>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.</p> <p>Damage to Infrastructure</p> <p>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.</p> <p>C. That Council gives a Preliminary Approval for Material Change of Use for Shopping Centre & Health Care Service and Reconfiguring a Lot (14 Lots) on approved Lot 3 in accordance with Section 60(5) of the Planning Act 2016, located at 171-173 and 175 Trinity Beach Road, Trinity Beach, over land described as Lot 1 on RP 741589 and Lot 156 on NR 5378 subject to the following requirements:</p> <p>1. This preliminary approval granted under the provisions of the Planning Act 2016, shall lapse eight years (8) from the day the approval takes effect in accordance with the</p>		

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					<p>provisions of section 88 of the Planning Act 2016.</p> <p>2. Prior to any Development Permit being issued for a Material Change of Use for 'Shopping Centre & Health Care Service' in respect of proposed Lot 1 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, Revision 2, dated November 2017', an applicant must demonstrate to Council's satisfaction that:</p> <p>a. the proposal is not at variance with a relevant local planning instrument in force at the time a development application for a development permit is made; and</p> <p>b. a sufficient economic need exists for the proposal, including by the establishment of the following facts:</p> <p>(i) that the Primary Trade Area identified by Map 2.1 of the Economic Impact Assessment dated June 2018 by Essential Economics has reached an Estimated Resident Population (ERP) of 13,000 people; and</p> <p>(ii) that, by 30 July 2022, the lot described as Lot 10 on SP210186 and Easement A on SP210187 has not been developed for a Supermarket use with a net lettable area of at least 3,400m².</p> <p>3. Prior to any Development Permit being issued for a Reconfiguring a Lot (13 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, Revision 2, dated November 2017' an applicant must demonstrate the existence of the following to Council's satisfaction:</p> <p>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</p> <p>b. the access easement over Lot 1, in favour of Lot 3 is surrendered.</p> <p>4. An updated Traffic Impact Study undertaken by a Registered Professional Engineer of Queensland (RPEQ) is submitted in conjunction with the submission of any development application for a Development Permit. The study must be prepared in accordance with Austroads Guidelines, and is to include the following information:</p> <p>a. Identify any roadworks and/or augmentation that has occurred to the road network in accordance with conditions of approval of the Development Permit approval component; and</p> <p>b. An assessment of whether adequate provision has been made on-site for manoeuvring, parking, loading and unloading of vehicles (including service vehicles).</p>		
10/10/18 Ordinary Meeting – Minutes #5891404		Unity Team, Cr Manning, Cr Cooper	Item 2 Closed session – Prejudicial Matter – Tenure Arrangements over 51 The Esplanade, Cairns City – Division 5 Teneille Bailey 55/2/3 #5855779v4	5894835	<p>It is recommended that Council:</p> <p>1. Makes an offer to surrender the head lease in place at 51 The Esplanade and makes an offer for temporary trustee permits at the site in accordance with the terms and conditions contained within this report; and</p> <p>2. Delegates authority to the Chief Executive Officer in accordance with the Local Government Act 2009 to negotiate and finalise all matters associated with issuing tenure arrangements in accordance with the terms and conditions contained within this report.</p>	10/10/18	Approved by CEO as per Officers recommendation

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14/11/18 Ordinary Meeting – Minutes #5923886		Unity Team, Cr Manning, Cr Moller	Item 1 Open Session – Economic Development Plans for Babinda and Gordonvale Progress Report for June 2017 to June 2018 B Hutchinson / 1/8/4 / #5897925	5977127	It is recommended that Council notes the progress made in implementing the Economic Development Plans for Gordonvale and Babinda.	14/11/18	Approved by CEO as per Officers recommendation
14/11/18 Ordinary Meeting – Minutes #5923886		Unity Team	Item 1 Closed Session - Prejudicial Matter - Tourism Tropical North Queensland Resource And Performance Agreement - Outcomes And Acquittal For 2017/2018 Nick Masasso 1/3/37-49 #5911427	5927130	It is recommended that Council notes this report, which outlines the activities and performance of Tourism Tropical North Queensland (TTNQ) for 2017/2018 having regard to the reporting provided by TTNQ pursuant to its 2017-2020 Resource and Performance Agreement with Council.	14/11/18	Approved by CEO as per Officers recommendation
14/11/18 Ordinary Meeting – Minutes #5923886		Unity Team, Cr James, Cr Cooper	Item 3 Closed Session - Contractual Matter - Project Launch Approval – Contract 75540- Pcs17401 – Sewage Pump Station Kb1 Upgrade Sk:Pt 63/6/32 #5888706	5927136	It is recommended that Council: 1. Awards Contract 75540 – Sewage Pump Station KB1 Upgrade to Koppens Developments Pty Ltd for the total lump sum of \$857,781.60 excluding GST; 2. Approves the Project Launch Approval for project PCS17401 as listed in the PLA report with an Approved End Date (AED) of 6 December 2019 and a Project Launch Budget (PLB) of \$1,398,304; and 3. Delegates authority to the CEO in accordance with the Local Government Act to enter into contracts, finalise and negotiate any and all matters relating to these projects subject to normal procurement practices and policies.	14/11/18	Approved by CEO as per Officers recommendation
14/11/18 Ordinary Meeting – Minutes #5923886		Unity Team, Cr James, Cr Cooper	Item 6 Closed Session - Contractual Matter - Project Launch Approval – Contract 75511 – Pcw19602 – Design And Construction Of Water Main Replacement – Dickson Road To Jackson St, Mirriwinni Sk:Pt 50/6/30 #5888067	5927138	It is recommended that Council: 1. Awards Contract 75511 - Design and Construction- Water Main Replacement- Dickson Rd to Jackson St, Mirriwinni to LDI Constructions Pty Ltd for the total lump sum of \$910,874.00 excluding GST; 2. Approves the Project Launch Approval for project PCW19602 with an Approved End Date (AED) of 28 June 2019 and a Project Launch Budget (PLB) of \$1,301,388.00; and 3. Delegates authority to the CEO in accordance with the Local Government Act to enter into contracts, finalise and negotiate any and all matters relating to these projects subject to normal procurement practices and policies.	14/11/18	Approved by CEO as per Officers recommendation
28/11/18 Ordinary Meeting – Minutes #5936338		Unity Team	Extension applications for material change of use and operational works – 1 Stratford Parade, Stratford – Division 6 Ian Elliott-Smith 8/35/53 #5899092	5939757	It is recommended that Council: A. That Council refuse the Extension Application for the Material Change of Use (Multiple Dwellings) Development Permit (Council Reference 8/35/53) over land described as Lot 180 on SP181102, 1 Stratford Parade Stratford, on the following grounds: 1. The approved development is considered to conflict with a number of provisions contained within CairnsPlan 2016 v1.2 including themes and elements of the Strategic Framework and Purpose and Overall Outcomes of both the Environmental Management Zone and Conservation Zone. 2. The community does not have a reasonable level of awareness of the development	28/11/18	Approved by CEO as per Officers recommendation

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					<p>approval and its effect over the land as no works have commenced. Should a new Development Application be received under CairnsPlan 2016 v1.2 for the development, such an application would be Impact Assessable and required Public Notification. It is likely that properly made submissions would be received as a result of such Public Notification.</p> <ol style="list-style-type: none"> 3. The financial circumstances of the Applicant relating to the desire or ability to undertake the development are not a relevant matter for consideration in assessing the Extension Application. 4. The proponent has had ample opportunity to make representations to Council regarding the development in the 2 years following the granting of the previous extension in November 2016. 5. The Applicant was advised at the time of approval of the previous extension to the currency period of the Development Permit that in principle, Council was not likely to support any further extension of the Development Permit and that a new Development Permit for Material Change of Use should be obtained. <p>B. That Council refuse the Extension Application for the Operational Works Development Permit (Council Reference 8/10/123) over land described as Lot 180 on SP181102, 1 Stratford Parade Stratford, on the following grounds:</p> <ol style="list-style-type: none"> 1. The approved Operational Works are directly related to the Development Permit for Material Change of Use (Multiple Dwellings). Based upon Recommendation A being the refusal of the Extension Application for the Development Permit for Material Change of Use (Multiple Dwelling), there is no facility in extending the approval period for the Operational Works Development Permit. 2. The community does not have a reasonable level of awareness of the development approval and its effect over the land as no works have commenced. 3. The financial circumstances of the Applicant relating to the desire or ability to undertake the development are not a relevant matter for consideration in assessing the Extension Application. 4. The proponent has had ample opportunity to make representations to Council regarding the development in the 2 years following the granting of the previous extension in November 2016. 5. The Applicant was advised at the time of approval of the previous extension to the currency period of the Development Permit that in principle, Council was not likely to support any further extension of the Development Permit and that a new Development Permit for Material Change of Use should be obtained. 		
28/11/18 Ordinary Meeting – Minutes #5936338		Unity Team	Extension Applications For Material Change Of Use (Multiple Dwellings, Caretakers Residence, Ancillary Gymnasium & Storage) – 21-27 Colonel Cummings Drive, Palm Cove – Division 9 Katherine Wilson 8/35/48; 8/35/49; 8/35/50 #5922828v3	5939759	<p>It is recommended that Council:</p> <p>A. That Council refuses the Extension Application for the Material Change of Use for four (4) Multiple Dwellings over land described as Lot 38 on SP162918, Parish of Cairns located at 21-27 Colonel Cummings Drive, Palm Cove, on the following grounds:</p> <ol style="list-style-type: none"> 1. The current approval is not consistent with the CairnsPlan 2016 v1.2 which if a new application was made, may result in a different built form outcome. <ol style="list-style-type: none"> a. The height of the development in conflict with the Low-Medium Density Residential Zone of CairnsPlan 2016 v1.2; b. The site coverage of the development is in conflict with the Low-Medium Density Residential Zone and the Multiple Dwelling and Short Term Accommodation 	28/11/18	Approved by CEO as per Officers recommendation

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					<p>Code of CairnsPlan 2016 v1.2;</p> <ul style="list-style-type: none"> c. The Gross Floor Area of the development is in conflict with the Multiple Dwelling and Short Term Accommodation Code of CairnsPlan 2016 v1.2; d. The development is in conflict with the Hillslopes Overlay Code; and e. The development is in conflict with the Landscape Values Overlay. <p>2. The community does not have a reasonable level of awareness of the development approval and its effect over the land as no works have commenced.</p> <p>3. The delay in effecting the Material Change of Use due to the Applicant's economic circumstances is not a planning consideration that justifies approving an extension to the relevant period.</p> <p>4. The Applicant has been previously advised that Council would no longer support the further extension to the relevant period for the Development Permit.</p> <p>B. That Council refuses the Extension Application for the Material Change of Use (Development Permit) for four (4) Multiple Dwellings over land described as Lot 41 on SP162918, Parish of Cairns located at 21-27 Colonel Cummings Drive, Palm Cove, on the following grounds:</p> <ul style="list-style-type: none"> 1. The current approval is not consistent with the CairnsPlan 2016 v1.2 which if a new application was made, may result in a different built form outcome. <ul style="list-style-type: none"> a. The height of the development in conflict with the Low-Medium Density Residential Zone of CairnsPlan 2016 v1.2; b. The site coverage of the development is in conflict with the Low-Medium Density Residential Zone and the Multiple Dwelling and Short Term Accommodation Code of CairnsPlan 2016 v1.2; c. The Gross Floor Area of the development is in conflict with the Multiple Dwelling and Short Term Accommodation Code of CairnsPlan 2016 v1.2; d. The development is in conflict with the Hillslopes Overlay Code; and e. The development is in conflict with the Landscape Values Overlay. 2. The community does not have a reasonable level of awareness of the development approval and its effect over the land as no works have commenced. 3. The delay in effecting the Material Change of Use due to the Applicant's economic circumstances is not a planning consideration that justifies approving an extension to the relevant period. 4. The Applicant has been previously advised that Council would no longer support the further extension to the relevant period for the Development Permit. <p>C. That Council refuses the Extension Application for the Material Change of Use (Development Permit) for eight (8) Multiple Dwellings, a Caretaker's Residence and a Gymnasium over land described as Lots 40 and 41 on SP162918, Parish of Cairns located at 21-27 Colonel Cummings Drive, Palm Cove, on the following grounds:</p> <ul style="list-style-type: none"> 1. The current approval is not consistent with the CairnsPlan 2016 v1.2 which if a new application was made, may result in a different built form outcome. <ul style="list-style-type: none"> a. The height of the development in conflict with the Low-Medium Density 		

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					<p>Residential Zone of CairnsPlan 2016 v1.2;</p> <p>b. The site coverage of the development is in conflict with the Low-Medium Density Residential Zone and the Multiple Dwelling and Short Term Accommodation Code of CairnsPlan 2016 v1.2;</p> <p>c. The Gross Floor Area of the development is in conflict with the Multiple Dwelling and Short Term Accommodation Code of CairnsPlan 2016 v1.2;</p> <p>d. The development does not provide a sufficient amount of on-site vehicle parking to accommodate the demand generated in the Parking and Access Code of CairnsPlan 2016 v1;</p> <p>e. The development is in conflict with the Hillslopes Overlay Code; and</p> <p>f. The development is in conflict with the Landscape Values Overlay.</p> <p>2. The community does not have a reasonable level of awareness of the development approval and its effect over the land as no works have commenced.</p> <p>3. The delay in effecting the Material Change of Use due to the Applicant's economic circumstances is not a planning consideration that justifies approving an extension to the relevant period.</p> <p>4. The Applicant has been previously advised that Council would no longer support the further extension to the relevant period for the Development Permit.</p>		
28/11/18 Ordinary Meeting – Minutes #5936338		Unity Team Cr Cooper	Legal Matter – Planning & Environment Court Appeal No. 250 Of 2018 –Paradise Outdoor Advertising V Cairns Regional Council – 63 Abbott Street, Cairns – Division 5 Paul Cohen 8/10/533 #5928059	5939762	<p>It is recommended that Council:</p> <p>1. Notes the content of the report; and</p> <p>2. Delegates authority to Chief Executive Officer pursuant to the Local Government Act 2009 to progress and finalise all matters in relation to Planning and Environment Court Appeal No. 150 of 2018.</p>	28/11/18	Approved by CEO as per Officers recommendation
28/11/18 Ordinary Meeting – Minutes #5936338		Unity Team Cr Manning Cr Cooper	Contractual Matter – Register Of Prequalified Suppliers For Provision Of Legal Services Julia Deleyev 63/1/172-01 #5911986	5939763	<p>It is recommended that Council:</p> <p>1. Awards Register of Prequalified Suppliers (ROPS) 2668 – Provision of Legal Services to the list of Suppliers in Attachment 1, for a period of two years commencing 1 January 2019, with an extension option of up to 12 months available at Council's sole discretion.</p> <p>2. Delegates authority to the Chief Executive Officer in accordance with the Local Government Act 2009 to enter into contract, negotiate, finalise and execute any and all matters associated with or in relation to this a subject to Council's normal procurement policies and practices.</p>	28/11/18	Approved by CEO as per Officers recommendation
28/11/18 Ordinary Meeting – Minutes #5936338		Unity Team Cr Cooper Cr James	Contractual Matter - Project Launch Approval – Pcs18106 – Design And Construction Of Babinda Wastewater Treatment Plant Primary Sedimentation Tank & Associated Works SK:PT 63/6/73 #5892071	5939765	<p>It is recommended that Council:</p> <p>1. Awards Contract 75534 - Design and Construction of Babinda Wastewater Treatment Plant Primary Sedimentation Tank & Associated Works to LDI Constructions Civil Pty Ltd for the total lump sum of \$1,421,192 excluding GST;</p> <p>2. Approves the Project Launch Approval for project PCS18106 with an Approved End Date (AED) of 23 August 2019 and a Project Launch Budget (PLB) of \$2,164,068; and</p> <p>3. Delegates authority to the CEO in accordance with the Local Government Act to enter into contracts, finalise and negotiate any and all matters relating to these projects subject to</p>	28/11/18	Approved by CEO as per Officers recommendation

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12/12/18 Ordinary Meeting – Minutes #5948308		Unity Team Cr Cooper	Change Application (Minor Change) For An Existing Development Permit For Material Change Of Use 'Short-Term Accommodation' And 'Food And Drink Outlet' – 59-63 Esplanade Cairns City – Division 5 Claire Anderson 8/7/3835 #5922847	5950972	<p>It is recommended that Council approves the Change Application (Minor Change) for an existing Development Permit for Material Change of Use 'Short-term Accommodation' and 'Food and Drink Outlet' over land described as Lot 3 on RP853458, located at 59-63 Esplanade, Cairns City, subject to the following:</p> <p>1. That the Approved Drawing(s) and / or document(s) be replaced as follows:</p> <p>APPROVED DRAWING(S) AND / OR DOCUMENT(S)</p> <p>The term 'approved drawing(s) and / or document(s)' or other similar expressions means:</p> <table border="1"> <thead> <tr> <th>Drawing or Document</th> <th>Reference</th> <th>Date</th> </tr> </thead> <tbody> <tr> <td>Ground Floor - Proposed</td> <td>Project 927, Stage DD, Drawing A100 Issue 12 – prepared by CA Architects</td> <td>23 February 2017</td> </tr> <tr> <td>First Floor – Proposed</td> <td>Project 927, Stage DD, Drawing A101 Issue 12 – prepared by CA Architects</td> <td>23 February 2017</td> </tr> <tr> <td>Second Floor - Proposed</td> <td>Project 927, Stage DD, Drawing A102 Issue 12 – prepared by CA Architects</td> <td>23 February 2017</td> </tr> <tr> <td>Third Floor - Proposed</td> <td>Project 927, Stage DD, Drawing A103 Issue 12 – prepared by CA Architects</td> <td>23 February 2017</td> </tr> <tr> <td>Roof Top Bar - Proposed</td> <td>Project 927, Stage DD, Drawing A105 Issue 14 – prepared by CA Architects</td> <td>3 March 2017</td> </tr> <tr> <td>Roof Plan Proposed</td> <td>Project 927, Stage DD, Drawing A201 Issue 14 – prepared by CA Architects</td> <td>3 March 2017</td> </tr> <tr> <td>Elevations 1</td> <td>Project 927, Stage DD, Drawing A400 Issue 14 – prepared by CA Architects</td> <td>3 March 2017</td> </tr> <tr> <td>Elevations 2</td> <td>Project 927, Stage DD, Drawing A401 Issue 14 – prepared by CA Architects</td> <td>3 March 2017</td> </tr> <tr> <td>Section 1 & 2</td> <td>Project 927, Stage DD, Drawing A500 Issue 12 – prepared by CA Architects</td> <td>23 February 2017</td> </tr> <tr> <td>Section 3 & 4</td> <td>Project 927, Stage DD, Drawing A501 Issue 12 – prepared by CA Architects</td> <td>23 February 2017</td> </tr> <tr> <td>Ground Floor Plan</td> <td>CA Architects, Drawing No. 927_CD X-101, Revision A, Council Reference #5921164</td> <td>2 November 2018</td> </tr> <tr> <td>Level 1 Plan</td> <td>CA Architects, Drawing No. 927_CD X-102, Revision A, Council Reference #5921164</td> <td>2 November 2018</td> </tr> <tr> <td>Level 2 – 4 Typical Plan</td> <td>CA Architects, Drawing No. 927_CD X-103, Revision A, Council Reference #5921164</td> <td>2 November 2018</td> </tr> <tr> <td>Level 5 Roof Terrace Plan</td> <td>CA Architects, Drawing No. 927_CD X-104, Revision A,</td> <td>2 November 2018</td> </tr> </tbody> </table>	Drawing or Document	Reference	Date	Ground Floor - Proposed	Project 927, Stage DD, Drawing A100 Issue 12 – prepared by CA Architects	23 February 2017	First Floor – Proposed	Project 927, Stage DD, Drawing A101 Issue 12 – prepared by CA Architects	23 February 2017	Second Floor - Proposed	Project 927, Stage DD, Drawing A102 Issue 12 – prepared by CA Architects	23 February 2017	Third Floor - Proposed	Project 927, Stage DD, Drawing A103 Issue 12 – prepared by CA Architects	23 February 2017	Roof Top Bar - Proposed	Project 927, Stage DD, Drawing A105 Issue 14 – prepared by CA Architects	3 March 2017	Roof Plan Proposed	Project 927, Stage DD, Drawing A201 Issue 14 – prepared by CA Architects	3 March 2017	Elevations 1	Project 927, Stage DD, Drawing A400 Issue 14 – prepared by CA Architects	3 March 2017	Elevations 2	Project 927, Stage DD, Drawing A401 Issue 14 – prepared by CA Architects	3 March 2017	Section 1 & 2	Project 927, Stage DD, Drawing A500 Issue 12 – prepared by CA Architects	23 February 2017	Section 3 & 4	Project 927, Stage DD, Drawing A501 Issue 12 – prepared by CA Architects	23 February 2017	Ground Floor Plan	CA Architects, Drawing No. 927_CD X-101, Revision A, Council Reference #5921164	2 November 2018	Level 1 Plan	CA Architects, Drawing No. 927_CD X-102, Revision A, Council Reference #5921164	2 November 2018	Level 2 – 4 Typical Plan	CA Architects, Drawing No. 927_CD X-103, Revision A, Council Reference #5921164	2 November 2018	Level 5 Roof Terrace Plan	CA Architects, Drawing No. 927_CD X-104, Revision A,	2 November 2018	12/12/18	Approved by CEO as per Officers recommendation
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12/12/18 Ordinary Meeting – Minutes #5948308		Unity Team	Prejudicial Matter – Deed Of Agreement – Machans Beach Road, Machans Beach – Division 8 Kelly Reaston 8/7/3316 #5944393	5950973	<p>It is recommended that Council:</p> <ol style="list-style-type: none"> Endorses the Deed of Agreement; and Delegates authority to Chief Executive Officer pursuant to the Local Government Act 2009 to progress and finalise all matters in relation to the Agreement. 	12/12/18	Approved by CEO as per Officers recommendation																					