

**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> <ul style="list-style-type: none"> <li>a. The access to all properties must be from 'new road' as identified on the Approved Plans;</li> <li>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</li> <li>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.</li> </ul> <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"> <li>a. Planting of the verge of the new road with trees, using appropriate species with regard to site constraints; and</li> <li>b. Details of fencing as required by Condition 10; and</li> <li>c. Details of landscaping as required by Condition 8; and</li> <li>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.</li> </ul> <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"> <li>a. Provide a single internal sewer connection to each lot in accordance with the <i>FNQROC Development Manual</i>;</li> <li>b. Extend water mains such that each allotment can be provided with a water service connection to the lot frontage;</li> <li>c. Provide easements having a nominal width of 3m over sewers which are on a non-standard alignment.</li> </ul> <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 <a href="http://www.statedevelopment.qld.gov.au">www.statedevelopment.qld.gov.au</a>. To access FNQROC Manual, Local Laws and other applicable Policies log on to <a href="http://www.cairns.qld.gov.au">www.cairns.qld.gov.au</a>.</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><b>ASSESSMENT MANAGER CONDITIONS</b></p> <ol style="list-style-type: none"> <li>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>.</li> <li>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"> <li>The specifications, facts and circumstances as set out in the application submitted to Council; and</li> <li>The following conditions of approval and the requirements of Council’s Planning Scheme and the FNQROC Development Manual.</li> </ol> <p>Except where modified by these conditions of approval</p> <p>Variation of the CairnsPlan 2016v1.2</p></li> </ol> <ol style="list-style-type: none"> <li>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"> <li>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"> <li>Adult Store</li> <li>Club (small scale)</li> <li>Club (other than small scale)</li> <li>Function Facility</li> <li>Funeral Parlour</li> <li>Hotel</li> </ol> </li> </ol> </li> </ol>	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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					<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 450m<sup>2</sup></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 500m<sup>2</sup> gross floor area or cumulative development greater than 500m<sup>2</sup> 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"> <li>The contributing catchment boundaries;</li> <li>Primary and secondary flow paths for the 20%, 5%, 2% and 1% AEP flood events;</li> <li>Identify the requirement for drainage easements and reserves;</li> <li>Demonstrate that the post-development scenario has a no worsening impact on upstream and downstream properties;</li> <li>Information on the proposed works to accommodate flow paths and drainage network to achieve a 1% AEP immunity; and</li> <li>Lawful point of discharge.</li> </ol> <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"> <li>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.</li> </ol> <p>CONCURRENCE AGENCY CONDITIONS &amp; REQUIREMENTS</p> <table border="1" data-bbox="1142 1780 2240 1957"> <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 <a href="http://www.dsdmip.qld.gov.au">www.dsdmip.qld.gov.au</a> . To access FNQROC Manual, Local Laws and other applicable Policies log on to <a href="http://www.cairns.qld.gov.au">www.cairns.qld.gov.au</a> .		
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"> <li>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>.</li> <li>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"> <li>a. The specifications, facts and circumstances as set out in the application submitted to Council; and</li> <li>b. The following conditions of approval and the requirements of Council's Planning Scheme and the FNQROC Development Manual.</li> </ol> <p>Except where modified by these conditions of approval</p> </li> </ol> <p>Timing of Effect</p> <ol style="list-style-type: none"> <li>3. The conditions of the Development Permit must be effected prior to Commencement of Use, except where specified otherwise in these conditions of approval.</li> </ol> <p>Staging</p> <ol style="list-style-type: none"> <li>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.</li> </ol> <p>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"> <li>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).</li> </ol> <p>Operational Works</p> <ol style="list-style-type: none"> <li>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.</li> </ol> <p>Amendment to Design</p> <ol style="list-style-type: none"> <li>7. The proposed development must be redesigned to accommodate the following changes: <ol style="list-style-type: none"> <li>a. Internal Pedestrian Comfort – Design</li> </ol> <p>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>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> </li> </ol>		

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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 2.3m<sup>2</sup> 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"> <li>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 &amp; 2 to a future manhole in the southern corner of the site near Hartley Street;</li> <li>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;</li> <li>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;</li> <li>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</li> <li>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.</li> </ul> <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"> <li>a. Internal private water and sewerage infrastructure is to be designed, constructed and commissioned in accordance with Council's development manual;</li> <li>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</li> <li>c. Private Water and Sewerage infrastructure must be managed by a Community Titles</li> </ul>		



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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 &amp; 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"> <li>a. Parking spaces adjacent to columns and walls must have a minimum unobstructed clear width as determined by AS2890.1;</li> <li>b. The driveway serving the parking area must include a physical means of speed control at the exit point;</li> <li>c. Provision must be made for loading / unloading of vehicles;</li> </ul>		

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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 &amp; 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"> <li>a. an underground electricity supply to the development; and</li> <li>b. locating of all above ground transformer cubicles clear of footpath areas.</li> </ul> <p>Cairns International Airport - Operational Airspace &amp; 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"> <li>a. Hours of construction;</li> <li>b. Parking of vehicles (including site employees and delivery vehicles);</li> <li>c. Traffic management and control (including loading and unloading);</li> <li>d. Maintenance of safe pedestrian access across the site’s frontage (including access by persons with a disability);</li> <li>e. Building waste storage and disposal;</li> <li>f. On-site dust and noise management, so as to not cause a nuisance to the amenity of the surrounding area;</li> <li>g. Tree protection management; and</li> <li>h. Location and details of construction signage including any signage that is to be illuminated.</li> </ul> <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"> <li>a. Developer;</li> <li>b. Project Coordinator;</li> <li>c. Architect / Building Designer;</li> <li>d. Builder;</li> <li>e. Civil Engineer;</li> <li>f. Civil Contractor;</li> <li>g. Landscape Architect</li> </ul> <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"> <li>a. peak traffic times;</li> <li>b. before 7:00 am or after 6:00 pm Monday to Friday;</li> <li>c. before 7:00 am or after 1:00 pm Saturdays; or</li> <li>d. on Sundays or Public Holidays.</li> </ul> <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"> <li>a. The specifications, facts and circumstances as set out in the application submitted to Council, including recommendations and findings confirmed within technical reports; and</li> <li>b. The following conditions of approval and the requirements of Council's Planning Scheme and the FNQROC Development Manual.</li> </ul> <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 &amp; 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 &amp; 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><b>ADVICE</b></p> <ol style="list-style-type: none"> <li>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.</li> <li>This approval does not negate the requirement for compliance with all other relevant Local Laws and other statutory requirements.</li> </ol> <p>Infrastructure Charges Notice</p> <ol style="list-style-type: none"> <li>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.</li> </ol> <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"> <li>For information relating to the <i>Planning Act 2009</i> log on to <a href="http://www.dsdmip.qld.gov.au">www.dsdmip.qld.gov.au</a>. To access FNQROC Manual, Local Laws and other applicable Policies log on to <a href="http://www.cairns.qld.gov.au">www.cairns.qld.gov.au</a>.</li> </ol> <p>Food Premises</p> <ol style="list-style-type: none"> <li>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.</li> <li>Prior to construction or alteration of any premises used for storage, preparation, handling,</li> </ol>	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"> <li>- business or professional advice;</li> <li>- service of goods that are not physically on the premises;</li> <li>- office based administrative functions of an organisation.</li> </ul> <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	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	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	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 1430 2220 1549"> <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 &amp; 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 Scheme and the FNQROC Development Manual.	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
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					<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 &amp; 15 Redlynch Intake Road SP274779 Redlynch' and showing the following information:</p> <ul style="list-style-type: none"> <li>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);</li> <li>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;</li> <li>c. A notation on the building envelope plan which identifies access to the site is restricted to left in/left out only; and</li> <li>d. The bin hardstand area required as part of Condition 6(b).</li> </ul> <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"> <li>a. Provide a single internal sewer connection to each lot in accordance with FNQROC Development Manual;</li> <li>b. The house drain for Lot 2, 3 and 4 must be extended to the building platform/envelope;</li> <li>c. Provide a private sewerage easement in Lots 2, 3 and 4;</li> <li>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</li> <li>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.</li> </ul> <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> <p>6. Undertake the following works external to the land at no cost to Council:</p>		

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					<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 Survey.</p>		



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					<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> <p>The amount in the Infrastructure Charges Notice is subject to index adjustments and</p>		

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					<p>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 <a href="http://www.dilgp.qld.gov.au">www.dilgp.qld.gov.au</a>. To access FNQROC Manual, Local Laws and other applicable Policies log on to <a href="http://www.cairns.qld.gov.au">www.cairns.qld.gov.au</a>.</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 &amp; 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 1209 2243 1472"> <thead> <tr> <th>Drawing or Document</th> <th>Reference</th> <th>Date</th> </tr> </thead> <tbody> <tr> <td>Proposed Development Lot 14 &amp; 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 &amp; 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 450m<sup>2</sup> 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> <p>d. The siting of the Dwelling House 4 to be setback 0.9m to the outermost</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>projection of the side (east) boundary &amp; 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>That Council :</p> <ol style="list-style-type: none"> <li>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</li> <li>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.</li> </ol>	8/8/2018	Approved by CEO as per Officers recommendation