

COMBINED APPLICATION FOR A PRELIMINARY APPROVAL FOR A MATERIAL CHANGE OF USE FOR LOW-MEDIUM DENSITY RESIDENTIAL ZONE (VARIATION REQUEST) AND A DEVELOPMENT PERMIT FOR RECONFIGURING A LOT (1 LOT INTO 16 LOTS AND COMMON PROPERTY) – 12L CORAL COAST DRIVE, PALM COVE – DIVISION 9

PGS 8/39/25 : 7946384

PROPOSAL:

PRELIMINARY APPROVAL FOR A MATERIAL CHANGE OF USE FOR LOW-MEDIUM DENSITY RESIDENTIAL ZONE (VARIATION REQUEST) AND A DEVELOPMENT PERMIT FOR RECONFIGURING A LOT (1 LOT INTO 16 LOTS, NEW ROAD AND COMMON PROPERTY)

LANDOWNER:

P & K GLOBAL PTY LTD

APPLICANT:

P & K GLOBAL PTY LTD
C/- URBAN SYNC PTY LTD
PO BOX 2970
CAIRNS QLD 4870

INTERESTED PARTIES:

URBAN SYNC PTY LTD
BODY CORPORATE OF OCEANS EDGE (PALM COVE) – CTS 37552
P & K GLOBAL PTY LTD
RPS AAP CONSULTING PTY LTD
RPS A TETRA TECH COMPANY
APA GROUP
ADVANCED VEGETATION MANAGEMENT
CIVILWALKER CONSULTING ENGINEERS
SUZAN QUIGG LANDSCAPE DESIGN
SPA CONSULTING ENGINEERS (QLD)
ECOREX

Note: The identification of interested parties is provided on a best endeavours basis by Council Officers and may not be exhaustive.

LOCATION OF SITE:

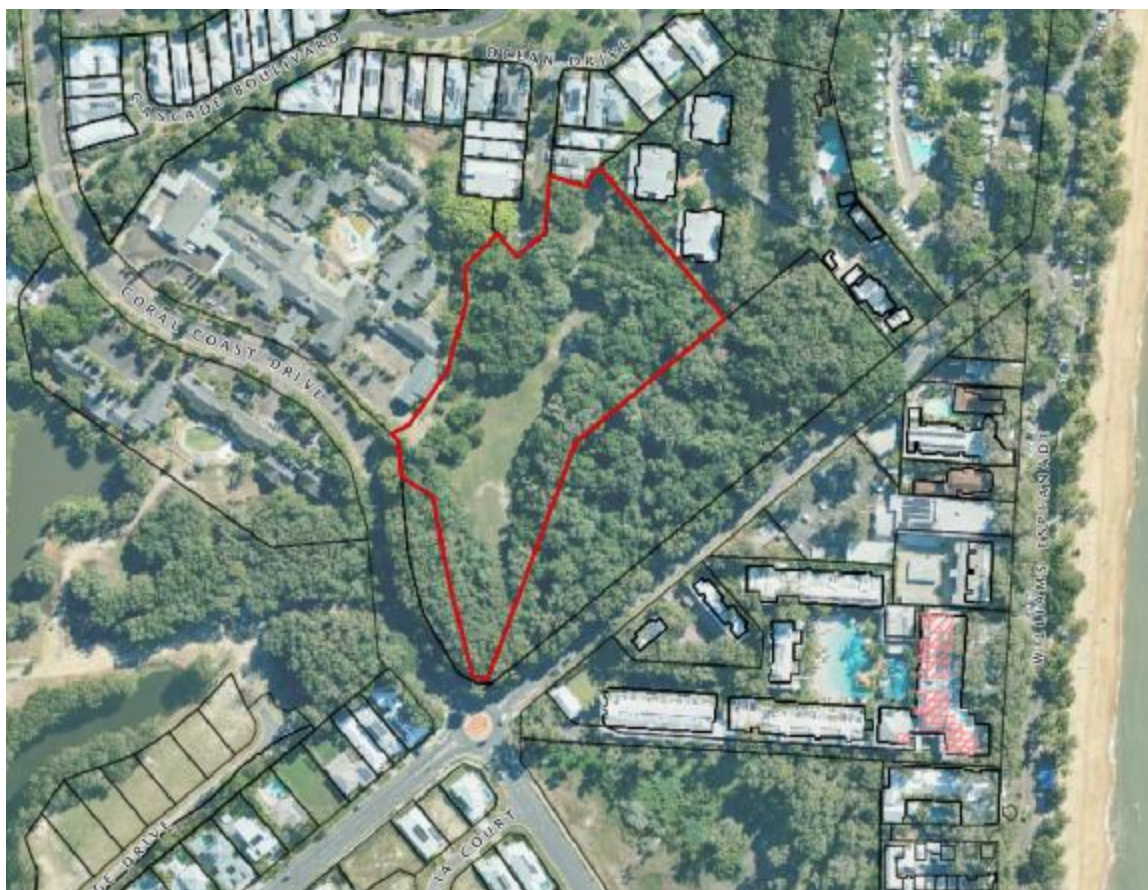
12L CORAL COAST DRIVE, PALM COVE

PROPERTY:

LOT 12 ON SP189716

<u>ZONE:</u>	TOURIST ACCOMMODATION ZONE; AND OPEN SPACE ZONE
<u>LOCAL PLAN:</u>	NONE
<u>PLANNING SCHEME:</u>	CAIRNSPLAN 2016 V3.1
<u>REFERRAL AGENCIES:</u>	NONE
<u>NUMBER OF SUBMITTERS:</u>	TWO (2) (1 PROPERLY MADE)
<u>STATUTORY ASSESSMENT DEADLINE:</u>	EXPIRED
<u>APPLICATION DATE:</u>	1 OCTOBER 2025
<u>DIVISION:</u>	9
<u>ATTACHMENTS:</u>	1. PART A - APPROVED PLAN(S) & DOCUMENT(S) 2. PART B - APPROVED PLAN(S) & DOCUMENT(S) 3. INFRASTRUCTURE CHARGES CALCULATIONS

LOCALITY PLAN



RECOMMENDATION

That Council approves the development application for a Preliminary Approval for a Material Change of Use for residential activities that includes a variation request to introduce the Coral Coast Drive – Low-Medium Density Residential zone and a Development Permit for Reconfiguring a Lot (1 Lot into 16 Lots, New road and Common Property) over land described as 12L Coral Coast Drive Palm Cove, located at Lot 12 on SP189716, subject to the following:

PART A: PRELIMINARY APPROVAL FOR A VARIATION TO THE PLANNING SCHEME TO INTRODUCE THE LOW-MEDIUM DENSITY RESIDENTIAL ZONE

Note: This part applies to the aspect of development relating to a Preliminary Approval for a Material Change of Use (including a Variation Request).

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

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

Drawing or Document	Reference	Date
Coral Coast Drive – Low Medium Density Residential Zone	Drawing AU17593-11, Prepared by RPS a Tetra Tech Company	11 September 2026
Coral Coast Drive – Low-Medium Density Residential Zone	Prepared by Urban Sync Pty Ltd	30 March 2026

ASSESSMENT MANAGER CONDITIONS

General Requirements		Timing
1.	Approved Plan(s) and Document(s) The development is to be completed and carried out generally in accordance with the approved plan(s) and document(s) above, except where modified by the conditions of this Development Approval.	At all times.
2.	Maintain the Approved Development Maintain the approved development generally in accordance with the approved plan(s) and document(s), and any relevant approval required by these conditions of approval.	At all times.
3.	Currency Period This development approval, granted under the provisions of the <i>Planning Act 2016</i> (Qld), lapses ten (10) years from the day the development approval takes effect, in accordance with the provisions of section 85 of the <i>Planning Act 2016</i> (Qld).	As stated.

4.	Interpretation A benchmark referred to in the Table of Assessment is a benchmark as identified in the CairnsPlan 2016 v3.1, as amended from time to time.	As stated.
5.	Variation to the Local Planning Instrument Pursuant to s61(3)(a) of the Planning Act 2016, the Variation Approval varies the effect of the CairnsPlan 2016 v3.1, or any subsequent Planning Scheme in effect for the Cairns Regional Council local government area as at a date a future development application is made in respect of land to which the Variation Approval applies ("CRC Planning Scheme"), as identified in the Variation Request – Precinct Plan, as follows: a. The level of assessment for a Material Change of Use on the land shall be determined in accordance with the approved 'Coral Coast Drive – Low-Medium Density Residential' Table of Assessment which replaces the 'Table of Assessment for Tourist Accommodation Zone and Open Space Zone' as contained within Part 5 – Tables of Assessment of the CRC Planning Scheme, to the extent of any inconsistency. b. The level of assessment for Reconfiguring a Lot on the land shall be determined in accordance with the approved 'Coral Coast Drive – Low-Medium Density Residential' Table of Assessment which replaces the 'Table of Assessment for Tourist Accommodation Zone and Open Space Zone' as contained within Part 5 – Tables of Assessment of the CRC Planning Scheme, to the extent of any inconsistency. c. The level of assessment for Operational Work on the land shall be determined in accordance with the approved 'Coral Coast Drive – Low-Medium Density Residential' Table of Assessment which replaces the 'Table of Assessment for Tourist Accommodation Zone and Open Space Zone' as contained within Part 5 – Tables of Assessment of the CRC Planning Scheme, to the extent of any inconsistency. d. The level of assessment for Building Work on the land shall be determined in accordance with the approved 'Coral Coast Drive – Low-Medium Density Residential' Table of Assessment which replaces the 'Table of Assessment for Tourist Accommodation Zone and Open Space Zone' as contained within Part 5 – Tables of Assessment of the CRC Planning Scheme, to the extent of any inconsistency.	As stated.

6.	Planning Scheme applicability Where the conditions of the approval and/or the approved plans and documents are 'silent' in respect of how an aspect of development should be treated, the provisions of the Cairns Regional Council Planning Scheme in effect at the time shall apply to that aspect of development.	As stated; AND At all times.
7.	Conditions of Approval If there is an inconsistency between conditions of this approval and the approved 'Coral Coast Drive – Low-Medium Density Residential' Table of Assessment, the conditions of this approval prevail to the extent of the inconsistency.	As stated.
8.	Tables of Assessment If there is an inconsistency between the approved 'Coral Coast Drive – Low-Medium Density Residential' Table of Assessment and the Cairns Regional Council Planning Scheme, the approved 'Coral Coast Drive – Low-Medium Density Residential' Table of Assessment prevail to the extent of the inconsistency.	As stated.
9.	Future Development Applications All Development Applications made pursuant to this Development Approval over parent Lot 12 on SP189716 must demonstrate that they comply with the requirements of the approved 'Coral Coast Drive – Low-Medium Density Residential' Table of Assessment, the relevant assessment benchmarks of the planning scheme identified, and the conditions of this Development Approval.	As stated.

PART B: DEVELOPMENT PERMIT FOR RECONFIGURING A LOT

Note: This part applies to the aspect of development relating to a Reconfiguring a Lot only.

Approved Plan(s) and Document(s)

The term 'approved plan(s) and document(s)' or similar expression means:

Plan or Document	Reference	Date
Proposed Boundary Lots 1 to 16 & Common Property	Drawing No. AU17593-5 E, Prepared by RPS a Tetra Tech Company	29 July 2026
Proposed Lots 1 to 16 & Common Property – Temp Veg Clearing Calc Plan	Drawing No. AU17593-5 E, Prepared by RPS a Tetra Tech Company	29 July 2026

ASSESSMENT MANAGER CONDITIONS

General Requirements		Timing
1.	Approved Plan(s) and Document(s) The development is to be completed and carried out generally in accordance with the approved plan(s) and document(s) above, except where modified by the conditions of this Development Permit.	At all times.
2.	Currency Period This development approval, granted under the provisions of the <i>Planning Act 2016</i> (Qld), lapses six (6) years from the day the development approval takes effect, in accordance with the provisions of section 85 of the <i>Planning Act 2016</i> (Qld).	As stated.
3.	Bushfire Management Plan Prepare and provide to Council a land specific Bushfire Management Plan (BMP), prepared by a suitably qualified BPAD Accredited Practitioner, in accordance with Planning Scheme Policy – Natural hazards, that addresses the following matters: - Identifies the nature and severity of the bushfire hazard affecting the land, including specific risk factors associated with the nature of activities and materials used (e.g. increase in flammable buildings, increase of people living on site); - Details of the vegetation type, flammable rating and slope; - Likely direction of bushfire attack, environmental values that may limit mitigation options, location of evacuation routes and/or safety zones; - Requirements for firebreaks that provide adequate setbacks between building/structures and hazardous vegetation; - Identify the level of fire risk that will trigger evacuation of the land and activation of the plan (e.g. nature and/or severity of the fire hazard, weather, landscape scale of fire risk, potential fire paths, etc.); - Pre-emptive, primary, secondary and contingency actions during a bushfire event; - Time required to alert, muster and relocate persons using the land, the availability of evacuation transport (if required) and define roles and responsibilities. Consideration must be given to the potential of increased risk of exposing persons to a bushfire event during relocation or evacuation;	Prior to Survey Plan Endorsement.

	h. Review and monitoring schedule for the plan; and, i. The ongoing fire management practices which occur on the land including scheduled burns or other management techniques. The Bushfire Management Plan is to be, at all times, kept and made available on site and implemented, at no cost to Council, for the duration of the approved development. <i>Advice Note: Council is not responsible for implementing or auditing the Bushfire Management Plan.</i>	
4.	Private Infrastructure Ownership, operation and maintenance of the following private infrastructure is to vest at all times with Body Corporate: a. All private road, bridge and driveway infrastructure; b. All internal stormwater drainage infrastructure; c. All internal sewer infrastructure beyond the connection point to the Council sewer network; d. Any stormwater quality management devices; e. All internal water infrastructure beyond the single district water meter. f. Private pump station and private rising main <i>Note: If, at any time, Council's corresponding infrastructure network is altered, the private infrastructure must be altered to be commensurate with Council's network, at no cost to Council.</i>	At all times.
5.	External Water Supply Works Design and construct the following water supply work external in accordance with Sections D6 and D7 of the FNQROC Development Manual to the premises to connect the land to existing water supply infrastructure: a. Extend water infrastructure to connect the land to Council's existing water infrastructure at a point that has sufficient capacity to service the development.	Prior to Council Survey Plan Endorsement.

6.	Water Supply and Sewerage Works Internal Undertake the following water supply and sewerage works internal to the premises: a. The development must be serviced by a single internal water and sewerage connection made clear of any buildings or structures; b. Water supply sub-metering must be designed and installed in accordance with the <i>Plumbing and Drainage Act 2018</i> (Qld) and the <i>Water Supply (Safety and Reliability) Act 2008</i> (Qld). All the above works must be designed and constructed in accordance with the FNQROC Development Manual. All works must be carried out generally in accordance with the approved plan(s), to the requirements and satisfaction of Council.	Prior to Survey Plan Endorsement.
7.	Sewer Easement Prepare for lodgement for registration at the Queensland Titles Registry, a Sewer Easement in favour of Council, subject to Council's relevant standard terms document Registered Dealing Number 721329134, over Council sewers within the land. The easement documents required must be: a. in the approved form (Form 9) for lodgement to the Titles Registry; b. executed by each relevant landowner; and c. endorsed by Council prior to Council approval of the Plan of Subdivision and lodgement to the Titles Registry	Prior to Commencement of Use; And As stated.
8.	Installation of Private Infrastructure (Water) Private infrastructure within the development must be certified for completion with the approved plans by an RPEQ engineer. Private water infrastructure must be installed by a licenced Plumber and Drainer. <i>NOTE: This application will be assessed in accordance with the Operational Works process, however as this work is regulated plumbing and drainage work a Form 1 and single fixture inspection fee will be required.</i>	As stated.

9.	Private Waste Collection The development must be serviced by a private waste collection contractor and is not entitled to Council's kerbside collection service. <i>Note: It is the developer's responsibility to ensure compliance with this condition as Council will not be providing a service this development.</i>	As stated.
10.	Access Intersection Intersection of private road with Coral Coast Drive must be constructed as at-grade intersection with a minimum turning radius of 9 m and as per approved plans. The intersection must be designed in accordance with FNQROC development manual requirements and relevant Austroads standards and certified by an RPEQ. In addition, a sufficient distance must be allowed for queuing of vehicles between the gate and property boundary such that traffic and pedestrian movements on Coral Cost Drive are not impacted or obstructed. <i>Advice Note: The intersection and internal private road must be imperviously sealed, and their surface treatment is recommended to be of different colour/material to differentiate it as a private asset from public asset.</i>	Prior to Survey Plan Endorsement.
11.	Private Road Ownership, operation and maintenance of the private road and its intersection with public road is the sole responsibility of Body Corporate/ landowner and would not become an asset of Council. Any future application of Operational works with the council must include drawings labelling the private assets from public assets.	At all times.

12.	Existing Footpath and Kerb Ramp Where existing footpaths or kerb ramps are damaged or required to be modified as a result of development and any associated works, footpaths and kerb ramps are reinstated ensuring: a. the damaged panel (not less than a 1.2 metre section) is replaced; b. similar surface finishes are used; c. it is to the relevant standards contained in Planning Scheme Policy – FNQROC Regional Development Manual – Standard Drawing S1035; and, d. Provide safe pedestrian crossing point(s) by constructing kerb ramps in accordance with FNQROC Development Manual Standard Drawing S1016 to the new intersection.	As stated.
13.	Internal Footpath Provide a continuous pedestrian footpath along at least one side of the internal private road. The footpath must connect to the kerb ramps at the Coral Coast Drive intersection required by Condition 12, and be designed and constructed in accordance with the FNQROC Development Manual and approved Operational Works plans.	Prior to Survey Plan Endorsement.
14.	Internal Manoeuvring All parking, queuing, loading, servicing, unloading and vehicle manoeuvring areas associated with the approved use(s) must be undertaken on the land. All vehicles must enter and exit the development in a forward gear.	At all times.
15.	Ramping Development and any associated works must not alter the grade of public road verge by more than 2.5%.	Prior to Survey Plan Endorsement.

16.	Stormwater Quantity Management Plan The applicant is requested to submit for approval a stormwater quantity management plan for the development in accordance with the requirements of the Queensland Urban Drainage Manual (QUDM), current edition and FNQROC Regional Development Manual, Section D4: The stormwater quantity management plan must include: a. Supporting calculations for stormwater drainage design, including: i. Hydrologic and hydraulic calculations in line with QUDM and using either the Rational Method or other hydraulic models as appropriate. ii. The assessment of both the “minor” (frequent events) and “major” (rare/extreme events) drainage systems, consistent with the major/minor system principles described in the QUDM. iii. Calculation of peak flows for relevant Average Recurrence Intervals (ARI), pre- and post-development scenarios, ensuring post-development peak flow rates do not exceed pre-development levels at the receiving minor system. b. Detailed plans showing: i. The layout of the proposed stormwater drainage system, including all pipes, pits, channels, and overland flow paths. ii. The proposed point(s) of discharge and stormwater flow paths through and from the site. iii. The existing and proposed catchment areas contributing to the site’s drainage system. iv. Locations and sizing of stormwater management structures or devices. c. Design objectives and compliance: i. Confirmation that the design mitigates the risk of nuisance or flooding to upstream, onsite, and downstream properties in accordance with QUDM design objectives. ii. Consideration of waterway stability and frequent-flow management objectives, as outlined in the QUDM. d. Supporting documentation: i. Certification and verification of the	Prior to Survey Plan Endorsement.
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	calculations and plans by a Registered Professional Engineer of Queensland (RPEQ). ii. References to all modelling, standards, and guidelines applied in the calculations (e.g., QUDM, Australian Rainfall and Runoff). iii. Details of works required as a result of the Stormwater quantity management plan must be approved by Council.	
16.	Stormwater Quality Management A Stormwater Quality Management Plan (SQMP) must be prepared and certified by a Registered Professional Engineer of Queensland (RPEQ – Civil/Stormwater) and submitted with the first Operational Works application. The SQMP must: a. Be in accordance with FNQROC Development Manual Section D5, Queensland Urban Drainage Manual (QUDM), and the CairnsPlan 2016 Environmental Performance Code design objectives (Table 9.3.5.3.b). b. Demonstrate that all stormwater is treated before leaving the site, and prior to discharge to any downstream gutter, pipe network, or waterway. c. Nominate and size treatment measures to achieve at least: TSS ≥ 80%, TP ≥ 60%, TN ≥ 40%, GP ≥ 90% (or superior). d. Include device schedules, MUSIC modelling files, layout plans, access/maintenance clearances, bypass and high-flow provisions, and integration with the overall site drainage system. e. Provide an Operations and Maintenance (O&M) Plan detailing inspection frequencies, sediment/litter removal, replacement intervals, and maintenance responsibilities (including Body Corporate obligations, where applicable). f. Provide detailed confirmation that the proposed stormwater management solution can accommodate the installation of a Gross Pollutant Trap (GPT). This confirmation must include relevant design details, sizing, and location considerations demonstrating the feasibility and effectiveness of integrating the GPT within the proposed stormwater infrastructure. The approved stormwater quality treatment measures must be constructed and made operational prior to Plan Sealing or Commencement of Use (whichever	As stated.

	occurs first) and must be maintained in effective working order for the life of the development. <i>Note: A Gross Pollutant Trap (GPT) (or approved equivalent) must be provided upstream of other treatment devices, where practicable, consistent with FNQROC D5.08.</i>	
17.	Private Infrastructure All stormwater drainage infrastructure associated with the development is to remain private infrastructure and must not become a Council asset. Ownership, operation, and maintenance responsibilities must vest with the Body Corporate (for Common Property) or the respective lot owner (for assets within private lots). Private infrastructure includes, but is not limited to: - Stormwater pipes, pits, and culverts (including the culvert under the new internal road); - Stormwater quality management devices such as Gross Pollutant Traps (GPTs); - All private road, bridge and driveway infrastructure. - Subsoil and retaining wall drainage systems; - Drainage infrastructure within Common Property (CP – Drainage) or individual lot boundaries; and - Any pumps or mechanical stormwater systems located within the property they serve. All rear-allotment drainage pits and pipework contained within lot boundaries must remain private. <i>Note: If Council's corresponding drainage network is modified in future, the private infrastructure must be altered to remain compatible, at no cost to Council.</i>	At all times.
18.	Allotment Drainage and Gradient All proposed Lots 1 to 16 must be constructed with a minimum finished surface gradient of 0.5%, including any necessary catch drains, to ensure each allotment is self-draining to a lawful point of discharge as shown on the approved engineering plans. All drainage must be designed and constructed to prevent ponding within lots and ensure effective conveyance to the site drainage system.	At all times.

19.	Nuisances Stormwater discharge must have a no worsening effect on downstream or upstream properties, associated with the following: a. diversion of stormwater; b. concentration of stormwater flows; c. changes in other flow characteristics; and, d. changes that affect the future use of land.	At all times.
20.	Point of Discharge All stormwater from the land must be directed to a point of discharge such that it does not adversely affect surrounding properties or properties downstream from the development, in accordance with the Queensland Urban Drainage Manual.	Prior to Survey Plan Endorsement.
21.	Private Drainage Easement Prepare for lodgement and registration at the Queensland Titles Registry and in accordance with Council's standard terms where relevant: a. Private Drainage Easements proposed within Lot 4 to cater for body corporate and privately owned infrastructure; and b. Maintenance of the easement within the property is the responsibility of the property owner. The easement documents required must be: a. In the approved form (Form 9) for lodgement to the Titles Registry; b. Executed by each relevant landowner; and c. A copy provided to Council prior to Council approval of the Plan of Subdivision. All private Easements must be registered at the time of lodgement of the survey plan to the Titles Registry.	Prior to Survey Plan Endorsement.
22.	Copy of Approval The Development Approval condition(s) relating to the supply of electricity must be provided to Ergon Energy with the application for power supply.	Prior to Survey Plan Endorsement.

23.	Electricity Supply An underground electricity reticulation must be provided to the development in accordance with the requirements of the FNQROC Development Manual. Each lot must be connected to the electricity network in accordance with the FNQROC Development Manual and the relevant electricity providers standards. All existing overhead electricity reticulation within the subdivision must be recovered or placed underground. Any road crossings for the conveyance of HV/LV reticulation across Coral Coast Drive must be tunnel bored.	Prior to Survey Plan Endorsement.
24.	Telecommunications Services The development must be connected to the telecommunications network in accordance with section D8.05 of the FNQROC Development Manual.	Prior to Survey Plan Endorsement.
25.	Evidence of Electrical and Telecommunication Connection Provide Council with evidence of the agreement to provide an electricity supply and telecommunication services for each new lot shown on the approved plan. Such evidence must be in the form of a "Certificate of Electricity Supply" or "Certificate of Electrical Acceptance". The confirmation from the telecommunications provider must be in the form of a receipt for the full payment of the telecommunications "Development Application" or alternatively, a copy of the telecommunications provider "Council Letter".	Prior to Survey Plan Endorsement.
26.	Electrical and Street Lighting Plans Design and provide for approval by Council, layout plans for telecommunication, electrical services and road lighting generally in accordance with Section D8 of the FNQROC Development Manual. The application must include evidence in the form of detailed plans which show the locations of all existing and proposed civil infrastructure, including water, sewer, drainage, road, footpaths and any existing or proposed telecommunication, lighting and electrical services.	Prior to Survey Plan Endorsement.

	<i>Note: Fees and charges apply as per the Council fees and charges schedule.</i>	
27.	Street Lighting Provide the following arrangements for the installation of public street lighting for the entrance intersection on Coral Coast Drive: - A Rate 2 lighting scheme is to be designed in accordance with the relevant current Road Lighting Standard AS/NZS 1158 and the FNQROC Development Manual. The Rate 2 lighting scheme must be certified by a suitably qualified electrical/lighting Registered Professional Engineer Queensland; - Where the new intersection is formed on Coral Coast Drive for the purpose of accessing the new subdivision development, the intersection and existing road approaches must be provided with street lighting for a distance equivalent to at least two (2) spans either side of the intersection to the relevant lighting category. - All new lighting columns are to be of steel construction with LED luminaires installed at a zero-degree upcast and have an underground service, and all existing Ergon Energy timber street light poles are to be recovered. - The approved street lighting scheme must be fully constructed and completed. Within the development the Applicant is to provide street lighting designed in accordance with the Road Lighting Standards AS/NZS 1158. If non-compliant with the Standard provide Council with a statement prepared by a suitably qualified RPEQ stating the street lighting design is of a suitable and safe standard for the development.	Prior to Survey Plan Endorsement.
28.	Damage to Infrastructure and Land - Repair any damage to existing public infrastructure caused by works carried out in association with the approved development. - Where existing public infrastructure require repair or relocation, due to the approved development and/or works associated with the approved development, repair and/or relocate the public infrastructure at no cost to others and in accordance with statutory requirements and adopted design standards.	As stated.

	<i>NOTE: It is recommended applicants record their own dated photographic evidence of the condition of relevant existing public infrastructure both before and after works carried out in association with the approved development.</i>	
29.	Amended Arborist Report and Plans Prepare and provide to Council for approval an amended Arborist Report and vegetation clearing plan(s) that aligns with the approved plans, including the retention of all vegetation within the approved Environmental Covenant and drainage areas.	Prior to Survey Plan Endorsement; AND Prior to the issue of a Development Permit for Operational Works.
30.	Vegetation Protection All vegetation on the site and within the approved Environmental Covenant areas and drainage lots must be protected and retained in accordance with the AS 4970-2025 Protection of trees on development sites and the approved plans, unless otherwise approved. The following measures must be undertaken and implemented along the boundary of the Environmental Covenant Area and any other vegetation approved for retention: - The attachment or placement of construction fencing, signs, services, or temporary works to retained trees or within the Tree Protection Zones must not occur; - A non-destructive root investigation by a suitably qualified Arborist must be undertaken prior to commencement of works for the trees to be retained where the footings of retaining walls proposed occur within a Notional Root Zone (NRZ) and directly adjacent to a Structural Root Zone (SRZ), in accordance with the approved plans for Proposed Retaining Wall Alignment, prepared by Civil Walker Consulting Engineers; - Ensure the placement of fill against the root collar does not occur and the depth of excavation encroaching within the Notional Root Zone (NRZ) is minimal; - Installation of tree protection fencing around the Structural Root Zones (SRZ) must be implemented prior to the commencement of any works and maintained at all times during works, including,	At all times; AND As stated.

	but not limited to, the following trees in accordance with the approved plans for Proposed Retaining Wall Alignment, prepared by Civil Walker Consulting Engineers: i. Tree 161; ii. Tree 186; iii. Tree 187; iv. Tree 225; v. Tree 238; and vi. Tree 245. e. No storing of machinery or materials, vehicle access or manoeuvrability, stockpiling, or compaction is to occur within the protected NRZ; and f. Where major roots or unavoidable encroachment into the SRZ is to occur, works must cease and the protection and retention of the tree is to be reevaluated by the Project Arborist. In the instance the tree is identified as unviable for retention, Council must be notified in writing as soon as practical. <i>Any further vegetation damage may require a Development Permit for Operational Work.</i> <i>Note: No damage of protected plants is approved under this development permit. Any damage of vegetation within 100 metres of any identified Protected Plant may require a permit under the Nature Conservation Act 1992 prior to the commencement of any vegetation damage.</i>	
31.	Vegetation Damage All vegetation damage must be undertaken in accordance with the approved amended Arborist Report and vegetation clearing plan(s) pursuant to the conditions of this Development Permit. The following requirements must be implemented, in addition to any other requirements pursuant to the conditions of this Development Permit: a. The approved trees for removal and retention, including the full extent of the approved Environmental Covenant area boundary, must be clearly demarcated on site for inspection by Council at a Hold Point Inspection/Pre-Start meeting prior to the commencement of any works and must be maintained at all times for the duration of works;	As stated.

	b. The Project Arborist or Ecologist must be present at the Hold Point Inspection/Pre-start meeting and available for consultation with Council throughout the works; c. A certified Arborist must undertake the vegetation damage works in accordance with any required recommendations provided in the approved plan(s) and document(s) and the conditions of this Development Permit; d. All works occurring with NRZ of trees to be retained, in accordance with the approved documents, must be limited to the approved design and completed using the least-disturbing practical method; e. Where roots of trees to be retained and protected are exposed, use controlled hand excavation or non-destructive excavation methods, and retain roots where practical, ensuring avoidance of tearing or crushing, and backfill as soon as practical with suitable material; f. Measures to ensure there is no further disturbance to tree protection zones of trees to be retained, including the excavation of soil or roots must be undertaken; and g. Any other requirements as determined by approved amended reporting pursuant to the requirements of the conditions of this Development Permit.	
32.	Hold Point Inspection The approved tree(s) to be removed and retained must be clearly demarcated on site for a Council Hold Point Inspection/Pre-start meeting prior to any vegetation damage work. A suitably qualified Arborist must be present at the Hold Point Inspection/Pre-start meeting and available for consultation with Council throughout the works	As stated.
33.	Management of Damaged Vegetation The vegetation must be either removed and disposed of at an approved site or mulched/chipped and used on site. All soil and woodchip material must be removed from pathways, roads, kerb and channel following the completion of work.	As stated.

34.	Damage of Trees Damage must not occur to any retained trees as a result of the development, including removal, cutting down, ring bark, push over, poison or destroy in any way including by burning, flooding or draining, topping, lopping, spur or spike climbing. Where pruning of trees is required to be undertaken, such pruning works must be carried out by a suitable qualified person in accordance with the requirements of AS 4373-2007 Pruning of amenity trees.	At all times.
35.	Notification of Clearing Council must be notified two (2) business days prior to the proposed date of commencement of any approved vegetation damage to facilitate community awareness of such works.	As stated.
36.	Weed and Pest Management Weeds and Invasive Species detected on a development site must be removed prior to any works occurring on site and before any material is removed from the site to ensure all weeds and invasive species including environmental weeds as listed within the Cairns Region Biosecurity Plan 2025–2030, and the Cairns Regional Council Local Government Specific Requirements FNQROC Development Manual (Version 9) Extended Environmental Weed List do not reinfest the site and nearby premises. <i>Note: Under section 23 (the General Biosecurity Obligation) of the Biosecurity Act 2014 (Qld), persons who carry out activities on the listed land are required to take all reasonable measures to prevent or minimise any biosecurity risk and avoid actions that make worse or increase the risk, such as failing to manage the impact of invasive plants and animals on the subject land.</i>	At all times.

37.	Wildlife Prior to commencement of vegetation clearing, an inspection and pre-clearing report to determine the possible presence of native wildlife and particular animal breeding places must be undertaken by a suitably qualified and experienced Fauna Spotter Catcher. The assessment and report must include the identification of any breeding places for any native animal species and observations of any fauna, prior to the removal of any tree and/or vegetation. A person must not, without a reasonable excuse, tamper with an animal breeding place that is being used by a protected animal to incubate or rear the animal's offspring. Where native wildlife is found or relocated, a Fauna Spotter Catcher must be present on site for the duration of tree and vegetation removal works. Should any recent wildlife activity be identified, removal of the tree(s) must not occur until the animal has vacated or been relocated from the area of immediate danger, a post-clearing assessment and report must be provided to Council for record 10 business days after the conclusion of clearing works. <i>Note: Inspection reports must be emailed to planningadmin@cairns.qld.gov.au.</i> <i>Note: The Department of Environment, Tourism, Science & Innovation must be contacted if native wildlife is found to be present. The suitably qualified and experienced Fauna Spotter Catcher must be present during the clearing of vegetation at all times.</i>	As stated.
38.	Environmental Covenant Register an instrument of Covenant for Environmental Purposes pursuant to Section 97A of the <i>Land Title Act 1994</i> (Qld) in accordance with the approved plans. The purpose of the Covenant is to ensure the protection and preservation of the area and the vegetation communities present within the area at all times, with the exception of overgrown grass and dangerous or diseased plants or branches. The Covenant is required to include the following clauses:	Prior to Survey Plan Endorsement.

	a. The covenantor must not use the land or undertake operational works or building works in a way that interferes with or destroys any vegetation, including undergrowth and regrowth, in the covenant area; b. The perimeter of the covenant area must be fenced with association to the retaining walls, to allow the natural area to not be fragmented and disturbed; c. The covenantor must not use the covenant area for construction of improvements or the erection of buildings or for storage of materials; d. The covenant area must be maintained in its natural state. Garden (or any other) waste must not be disposed of or stored within this area. Overgrown grass and weeds may be removed to minimise fire risk and the spread of weed and pest species. Other plant material, dead or alive must not be removed as this performs a habitat function in the ecosystem; e. The covenantor must not alter the drainage patterns of stormwater across the land or impede natural flows; f. The covenantor must not carry out any landscaping within the covenant area or allow the introduction of non-endemic plant species into the area; g. The covenantor must allow free movement of all-natural wildlife in the covenant area and not allow household pets to enter the area. For the movement of native fauna and for stormwater purposes, fences must have an eighty (80) per cent permeable area (such as post and rail or post and wire strand type fencing). No fencing is permitted within the Covenant area, other than the approved retaining walls and fence on the common boundary; h. When fencing for domestic animals, pool type fencing must be constructed along the boundary between the rear of the garden and the front of the covenant area. The entrance and use of pedestrians and vehicles must be restricted; i. The covenantor may apply to the Council for a Development Permit for Operational Work to remove vegetation that poses an immediate and severe hazard to the dwelling or the occupants of the lot; and j. Existing native and mature vegetation must only be removed in accordance with a Development Permit.	
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	<i>Note: A Rates Notation to this effect will be placed on the property file.</i>	
39.	Third Party Agreement The developer must obtain written agreement from third parties and/or Referral Agencies for any work proposed on adjacent properties. A copy of all necessary written agreements is required to be given to Council. <i>Any further vegetation damage may require a Development Permit for Operational Work.</i>	Prior to Commencement of Works.
40.	Waterway Pollution All reasonable and practicable measures must be taken to prevent pollution entering existing creeks, waterways or drainage lines as a result of silt run-off, oil and grease spills from any machinery. Wastewater as a result of cleaning equipment must not be discharged directly or in-directly to any watercourses, stormwater systems or private properties (in accordance with the requirements of the <i>Environmental Protection Act 1994 (Qld)</i> and the FNQROC Development Manual).	At all times.
41.	Detailed Landscape Plan Provide a Detailed Landscape Plan prepared by a suitably qualified Landscape Designer or Landscape Architect to Council for approval in accordance with the FNQROC Development Manual and the Planning Scheme Policy - Landscaping, and generally in accordance with the approved Landscape Concept Plans that includes the following: - Detail how the proposed landscape treatments respond to the design principles of tropical urbanism as detailed within Planning Scheme Policy – Tropical Urbanism; - The retention of all existing significant trees, except where otherwise approved; - The location and species of trees to be removed and retained and their root zones; - The approved environmental covenant areas in accordance with the approved plans; - A planting schedule including species, quantities, and container sizes;	Prior to the issue of a Development Permit for Operational Works.

	f. Details and specifications for the planting of internal/external roads with street trees located at a maximum of 1 tree per 15 metres each side of a new road and no more than 20 of the same species planted in a row; g. Details and specifications for planting, mulching, permanent irrigation, and turfing/grassing, including within road verges for both internal and/or external roads; h. Landscaped areas adjoining parking and manoeuvring areas are protected from vehicle encroachment by a 150mm high vertical concrete kerb or similar; i. Details and specifications for weed eradication and management; j. Details for any proposed Natural Area Restoration in accordance with the FNQROC Development Manual D9 Landscaping and S9 Natural Area Restoration; k. Any proposed bench seating, fencing, retaining walls, communal gardens, and other embellishments associated with the development; l. Details for treatments to boundaries to provide vehicle access restriction and to provide Council access for maintenance machinery adjacent to natural areas to natural areas, including drainage, open space, and covenant areas; and m. Details of locations of existing / proposed infrastructure services associated with the development, including street lighting, footpaths, services and infrastructure.	
42.	Landscape Maintenance and Management Plan In conjunction with the submission of a Detailed Landscape Plan, provide to Council for endorsement a Landscape Maintenance and Management Plan. This plan must detail the maintenance and management regime(s) that are to be implemented to ensure the landscape features of the development are retained for the life of the development. The approved Landscape Maintenance and Management Plan must be referenced within the Community Management Statement for the development.	Prior to Survey Plan Endorsement; AND At all times.

43.	Acid Sulfate Soils Investigation Prepare and provide to Council an Acid Sulfate Soils Investigation Report for the area to be affected by this approval. The report must be prepared in accordance with the requirements of the Planning Scheme Policy – Acid Sulfate Soils and Queensland Acid Sulfate Soils Technical Manual (QASSTM)	Prior to the issue of a Development Permit for Operational Work.
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PART C: RATES NOTATION

1. The following attributes are notated to each of the new lots as follows:
 - a. This site is subject to a Variation Approval (8/39/25) introducing the Coral Coast Drive – Low-Medium Density Residential, which prevails over and replaces the Tourist Accommodation Zone and Open Space Zone designated under CairnsPlan 2016. All development over this site is subject to the Variation Approval (8/39/25). A copy of this approval can be obtained by request by email from townplanner@cairns.qld.gov.au

PART D: PLANNING SCHEME NOTATION

1. Pursuant to Section 89(2)(a) of the *Planning Act 2016*, the following note be placed in Schedule 4 of the CairnsPlan 2016 Planning Scheme to reflect the Variation Approval.

ADVICE

1.	Planning Laws Information relating to the <i>Planning Act 2016</i> (Qld), <i>Planning Regulation 2017</i> (Qld) and Development Assessment Rules is located on the Queensland Government's planning website.
2.	Definitions All terms used in this development approval have those definitions as defined under the <i>Planning Act 2016</i> (Qld) and <i>Planning Regulation 2017</i> (Qld) (as at the date of the approval), Queensland Development Code and CairnsPlan 2016. To the extent of any inconsistency, the order of precedence of the above instruments is as follows: a. <i>Planning Act 2016</i> (Qld); b. <i>Planning Regulation 2017</i> (Qld); c. Queensland Development Code; d. CairnsPlan 2016; and e. FNQROC Development Manual.

3.	Further Approvals Required to Carry out the Development The following further approvals are required prior to carrying out the development generally in accordance with the approved plan(s) and drawings: • Development Permit for Building Work; • Development Permit for Operational Work; and • Permit for Plumbing Work.
4.	FNQROC Regional Development Manual Access to FNQROC Development Manual, Local Laws, CairnsPlan 2016 and other referenced planning scheme policies are located on Council's website – www.cairns.qld.gov.au.
5.	Infrastructure Charges Notice A charge levied for the supply of trunk infrastructure is payable to Council in accordance with Council's Infrastructure Charges Resolution No. 2 of 2021 and the Infrastructure Charges Notice, a copy of which is attached for reference purposes only. The original Infrastructure Charges Notice will be provided under cover of a separate letter. The amount in the Infrastructure Charges Notice has been calculated according to Council's Infrastructure Charges Resolution. Please note that this Decision Notice and the Infrastructure Charges Notice are stand-alone documents. The <i>Planning Act 2016</i> (Qld) confers rights to make representations and appeal in relation to a Decision Notice and an Infrastructure Charges Notice separately. The amount in the Infrastructure Charges Notice is subject to index adjustments and may differ at the time of payment. Please contact Council's Development Assessment Team for review of the charge amount prior to payment. The time when payment is due is contained within the Infrastructure Charges Notice.

6.	Weeds, Pest Animals and Ants Biosecurity Queensland of the Department of Agriculture and Fisheries leads the Queensland Government's efforts to prevent, respond to and recover from pests and diseases threatening agricultural prosperity, the environment, social amenity and human health. All landscape materials, including but not limited to, soils, mulch, grass, gravel, potted or ground plants, pavers and timber used in landscape treatments must be free from weeds, pest animals and ants.
7.	Removal of Protected Vegetation This development approval does not approve or authorise the removal of vegetation that is otherwise protected under separate State or Federal legislation, including under the following: a. <i>Environment Protection and Biodiversity Conservation Act 1999</i> (Cth); b. <i>Nature Conservation Act 1999</i> (Qld); and c. <i>Vegetation Management Act 1999</i> (Qld). For further information see: https://www.qld.gov.au/environment/land/management/vegetation/damage.
8.	Native Wildlife Prior to any vegetation damage, an inspection to determine the possible presence of native wildlife and animal breeding places must be undertaken by a suitably qualified and experienced spotter/catcher. The assessment must include the identification of any breeding places for any Endangered/Vulnerable or Near Threatened animal species, special least concern or colonial breeding species prior to the removal of any trees and/or vegetation as per the requirements of section 332 of the <i>Nature Conservation (Wildlife Management) Regulation 2006</i> (Qld). The Department of Environment and Science must be contacted where any Endangered, Vulnerable or Near Threatened native wildlife is found to be present in any area subject to works.
9.	<i>Environmental Protection and Biodiversity Act</i> (Cth) The <i>Environment Protection and Biodiversity Conservation Act 1999</i> (Cth) (EPBC Act) applies to an action that has, will have, or is likely to have a significant impact on matters of national environmental significance. Further information on the EPBC Act and a copy of the Significant Impact Guidelines 1.1 – Matters of Environmental Significance (2013) can be obtained from the Department of Agriculture, Water and Environment at https://www.awe.gov.au/environment/epbc/publications/significant-impact-guidelines-11-matters-national-environmental-significance.

	This approval does not negate the requirement for compliance with other relevant State and Federal statutory requirements, particularly with respect to the disturbance of Spectacled Flying Fox communities. For further information consult with the Queensland State Department of Environment and Science and the Federal Department of Agriculture, Water and Environment.
10.	Environmental Protection and Biodiversity Conservation Act 1999 (Cth) Lowland Tropical Rainforest of the Wet Tropics Ecological Community EPBC Act approval may be required for projects that may have a significant impact on the rainforest, typically projects involving significant vegetation damage and/or hydrological changes from new roads and large residential subdivisions.
11.	Protected Plants The site is identified as or is adjacent to a high risk area identified on the Protected Plants Flora Survey Trigger map. Provisions of the <i>Nature Conservation Act 1992</i> may apply to the clearing of protected plants and additional permits may be required. Further information may be obtained by contacting the Department of Environment, Tourism, Science and Innovation & Science (DETSI).
12.	Yellow Crazy Ants Yellow crazy ants are designated as invasive biosecurity matter under the <i>Biosecurity Act 2014</i> (Qld). All parties (whether landholders or not) are required to take all reasonable measures to prevent the movement of yellow crazy ants. This includes restrictions on the movement of any materials deemed to be infested with yellow crazy ants. To meet your general biosecurity obligations, refer to the Cairns Region Biosecurity Plan 2025–2030. This strategic document guides the management of invasive biosecurity matters within the Council's area, supported by ongoing Surveillance and Prevention and Control Programs for invasive plants and animals. To determine if you are working in an invasive ant zone, check AntZone, a user-friendly online map showing you where yellow crazy ant and electric ant infestations are found.
13.	Electric Ants Electric ants are designated as restricted biosecurity matter under the <i>Biosecurity Act 2014</i>. Certain restrictions and obligations are placed on persons dealing with electric ant carriers within the electric ant restricted zone. Movement restrictions apply in accordance with Sections 74–77 of the <i>Biosecurity Regulation 2016</i>.

	Penalties may be imposed on movement of electric ant carriers and electric ants in contravention of the legislated restrictions. It is the responsibility of the applicant to check if the nominated property lies within a restricted zone. All persons within and outside the electric ant biosecurity zone have an obligation (a general biosecurity obligation) to manage biosecurity risks and threats that are under their control, they know about, or they are expected to know about. Penalties may apply for failure to comply with a general biosecurity obligation. For more information please visit the electric ant website at Electric ants in Queensland Business Queensland or contact Biosecurity Queensland 13 25 23.
14.	Cyclone Watch Site Management 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.
15.	Connections to, Alteration or Realignment of Council Infrastructure Where development works require the connection to, alteration, removal or realignment of Council infrastructure or impact on other public utility infrastructure (e.g. telecommunications, electricity and gas), obtain the necessary approvals from the relevant public utility authority prior to works commencing. All connections or disconnection of water infrastructure must be undertaken by Council at the Applicant's cost. Connection to, alteration, removal or realignment of Council infrastructure includes (but is not limited to) fire hydrants, water service meters, sewer maintenance hole covers, stormwater drainage, reinstatement of maintenance hole covers, stormwater drainage, crossovers, footpaths, road pavement, kerb and channel, kerb ramps, medians, traffic islands, road furniture, signage and line-marking.
16.	Bushfire The Building Certifier is responsible for assessing whether the proposed development meets the relevant construction requirements in accordance with AS 3959-2009 Construction of buildings in bushfire-prone areas.

17.	Building Work This approval does not approve or authorise the construction of building work. A Development Permit for Building Work must be obtained in order for construction to commence.
18.	Future Compliance This approval does not negate the requirement for compliance of any future use with CairnsPlan 2016 or any future in force planning schemes, all other relevant Local Laws and other statutory requirements.

EXECUTIVE SUMMARY

Council is in receipt of a development application seeking a Preliminary Approval for a Material Change of Use for Low-Medium Density Residential Zone (Variation Request) and a Development Permit for Reconfiguring a Lot (1 Lot into 16 Lots, New Road and Common Property) at 12L Coral Coast Drive, Palm Cove, located at Lot 12 on SP189716.

The Preliminary Approval to vary the effect of the Planning Scheme seeks to modify the part Open Space and part Tourist Accommodation zone in accordance with Section 50(3) of the *Planning Act 2016*. The outcome would result in the entirety of the parent parcel being subject to the Coral Coast Drive – Low-medium Density Residential Zone. As part of the proposal, the Coral Coast Drive – Low-medium density residential table of assessment would guide the development intentions.

The Reconfiguring a Lot component proposes 16 residential lots, a drainage lot, communal recreational area and a new internal road. Lots 6-16 would contain significant environmental covenants to preserve and protect Matters of Environmental Significance (MES) areas. Lots 1 – 5 would contain existing easements burdening the parent parcel. Each lot includes a building envelope that clearly delineates the developable area.

The outcome of the development would be 16 freehold residential lots contained within a gated community, with all common property areas contained within a body corporate arrangement, including the new road.

The development application was lodged in September 2025 at which time, CairnsPlan 2016 v3.1 was in effect. Pursuant to this scheme, the subject site is located partly within the Open Space zone and partly within the Tourist Accommodation zone. The development application was subject to public notification. Two (2) submissions were received with only one (1) of these submissions being properly made.

The application has been assessed in accordance with the legislative framework for a Variation Request being the common material, the FNQ Regional Plan 2009-2031, the State Planning Policy to the extent the State Planning Policy is not appropriately integrated in the planning scheme, the *Planning Regulation 2017*, the *Planning Act 2016*, the Development Assessment Rules and the CairnsPlan 2016 v3.1.

The development would provide a desirable outcome that aligns with the policy direction for development within this locality, whilst incorporating a design that is considerate and empathetic of existing environmental and hazardous constraints. As such, the departures from the planning scheme, in this scenario, are not of such significance that the development cannot be supported. Accordingly, the development is recommended for approval subject to reasonable and relevant conditions.

TOWN PLANNING CONSIDERATIONS

Background

Officers acknowledge that the subject site formed part of the original resort development from the 1980's that included a golf course; however, due to the age of these approvals/consents, Officers have been unable to locate information relating to these approval/s on file.

As a result, no further commentary has been provided around this approval/s and Officers have specifically focused on the Oceans Edge development, of which created the subject site as a 'Superlot'.

The relevant development history that Officers have been able to locate on file is outlined below.

8/13/950 – Stage 1 of Oceans Edge:

This application sought to reconfigure land within the Tourist and Residential Planning Area into 102 group title residential allotments, 3 group title open space allotments and a balance allotment at Coral Coast Drive, Palm Cove, more particularly described as Lot 4 on RP747724, Parish of Smithfield.

The application was lodged on 24 March 2005 seeking approval for Stage 1 of the proposed Novotel Palm Cove reconfiguration along with a Preliminary Approval for Stages 2 and 3 of the proposed reconfiguration. Following the Information Request period, the applicant amended the application, seeking only a Development Permit for Stage 1 of the proposed reconfiguration. As the application was received after 1 March 2005, the application was assessed against the provisions of CairnsPlan 2005.

On 13 October 2005, Council at its Planning and Environment Committee meeting determined to approve the development (Council Ref: #1079417). A Negotiated Decision Notice was then sought requesting Officers to amend the mapping for the Northern Beaches District and this request was approved by Council at its Planning and Environment Committee meeting held on 1 December 2005 (Council Ref: #1106118).

As the Detailed Design of the development progressed, a number of Minor Changes to the original approval were received by Council; however, they do not involve any matters that are relevant to the subject site or proposed development.

The subject site was created as part of this approval and was designated as a Superlot (Lot 301) for future development under Stage 1B of the development and was proposed to remain in the Tourist and Residential Planning Area with Conservation Open Space designation proposed over the areas that comprised of environmental values that now generally reflects the current Open Space zoning of the subject site. This lot was intended to be created as a multi-unit residential development site to be accessed via a private driveway extension off the new internal road network, in addition to an additional access off Coral Coast Drive.

Of note, Ecological Reporting was submitted with this application (Council Ref: #973502) that identified that the Melaleuca remnant vegetation adjacent to Cedar Road and downstream environs (that is located within and adjoining the subject site of this current development application) are the most significant natural features on the site and were proposed to be preserved as part of this original application. Please refer to **Figure 1** for the Vegetation Status of this area at the time the application was lodged.

The Development Concept for Oceans Edge has been provided below in **Figure 2** which identifies the subject site comprising of predominantly existing vegetation with five (5) residential lots and Multiple Dwelling Units located outside of the vegetated areas due to the high environmental values found in this area.

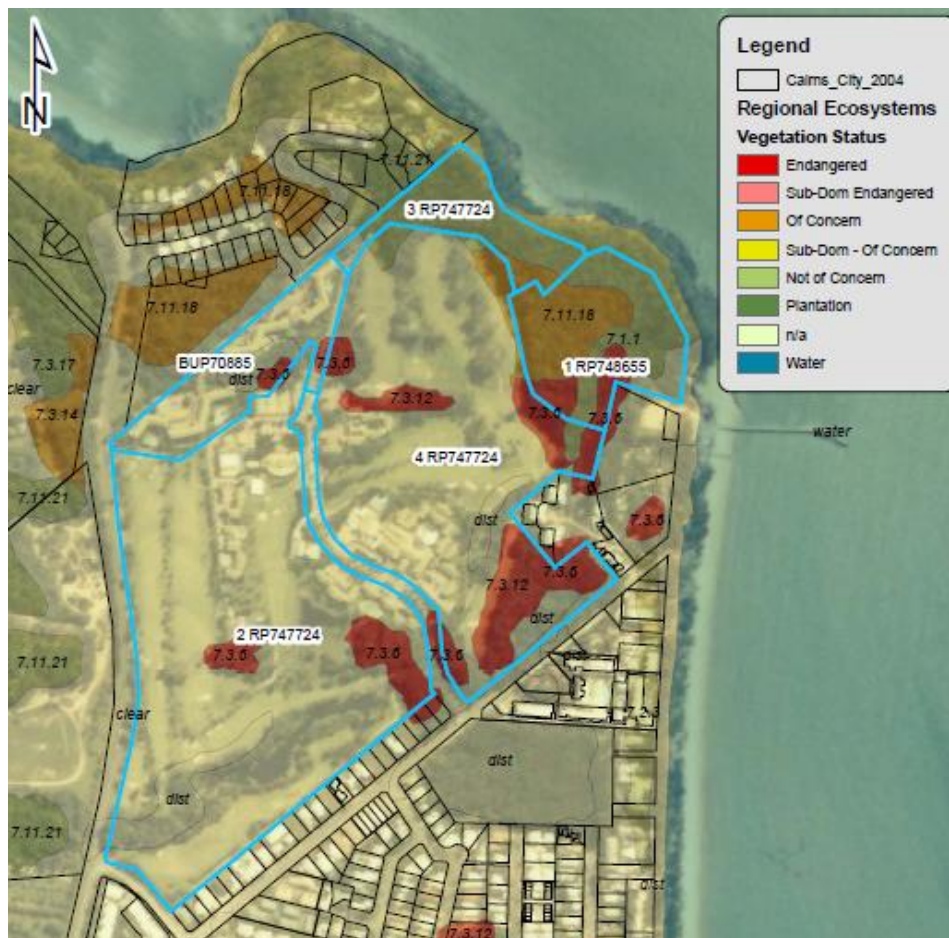


Figure 1: Regional Ecosystems Vegetation Status as of circa 2004 (Source: Original Application Material, April 2005)



Figure 2: Original Development Concept for Oceans Edge with the subject site located to the south of Stage 1

8/13/1005 – Stages 2 & 3 of Oceans Edge:

The application was made to facilitate Stages 2 and 3 of the Novotel Palm Cove reconfiguration (Oceans Edge Stage 2 & 3). The application was lodged on 18 August 2005 seeking a Development Permit for Stages 2 and 3 of the development.

This application sought to reconfigure land within the Tourist and Residential Planning Area into 87 group title residential allotments, 8 group title open space allotments at Coral Coast Drive, Palm Cove, more particularly described as Lot 2 on SP181505, Parish of Smithfield. This approval does not relate to the subject site.

Site Description and Characteristics

The site comprises of one land parcel located at 12L Coral Coast Drive, Palm Cove. The site is approximately 26km northwest of the Cairns City Centre, located in the township of Palm Cove.

The land tenure is freehold and forms part of Community Management Statement 37552 being the Oceans Edge (Palm Cove) Community Titles Scheme.

The subject site currently consists of vacant, topographically varied land which contains both remnant and non-remnant vegetation. The land also features a section of waterway which continues through the adjoining Council owned land and tourist resort later reaching the Palm Cove foreshore. The site is characterised by dense vegetation along the northern, eastern, and western boundaries, with cleared land at the centre of the lot. The vegetation is noted as being particularly dense along the southern boundary of the site where adjoining the Council owned land (Lot 903 SP184452). As well as the lower western section of the site where adjoining the vegetated Common Property of Oceans Edge, which contains a nature boardwalk (Lot 0 SP184452).

The site was previously improved by a nine-hole golf course which formed part of the adjoining tourist hotel development. Remnants of the old golf course remain on the land with formations appearing to be the overgrown fairways.

The subject site is located between residential properties, tourist accommodation, common property areas and Council owned land. The tourist accommodation to the north-east remains operational whilst the tourist accommodation to the west and north west remains closed, pending expected renovation works. To the north of the site is a large pocket of residential properties zoned as Low-medium density residential.

The subject site is less than 200 metres from the Palm Cove beach front measured direct or 520 metres using the existing crossover to Coral Coast Drive and then travelling along Cedar Road.



Figure 3: Site Photo (standing at the south of the site looking north). Taken by Kieren Nyko, 5 December 2025.



Figure 4: Site Photo (standing at the north of the site looking south). Taken by Kieren Nyko, 5 December 2025.

Site Area	1.855 ha
Existing Use of Land	Vacant, former golf course land
Road Frontage	23.665 metres to Coral Coast Drive.
Topography	The site ranges significantly in terms of topography with the land falling from the west towards the east from an approximate height of 13 metres AHD to 5 metres AHD. The site is however varied in terms of topography and includes peaks and a gully falling towards the adjoining reserve land. It is acknowledged that the formation of some areas of the land are the product of the former golf course.
Infrastructure	The development is located within the Priority Infrastructure Area (PIA) of the Local Government Infrastructure Plan (LGIP) and is currently serviced by Council's road, water, stormwater, sewerage, transport and parks networks. Road access is via Coral Coast Drive which includes an existing driveway crossover. Coral Coast Drive comprises of a two lane sealed carriage way with a road reserve which varies in width between 20 – 25 metres before truncating at the Cedar Road intersection. Coral Coast drive features a mountable kerb and channel and a pedestrian footpath located on the eastern side. There is no formalised parking within the road reserve. Sewer infrastructure is located in Coral Coast Drive road reserve, with a sewer line also traversing the site connecting to the rear adjoining residential development. The sewer is a 225 diameter PVC-U gravity main. Drainage infrastructure is located in Coral Coast Drive in the form kerb and channel which then flows downstream to a kerb inlet on either side of the road. The kerb inlet connects to an underground round concrete pipe which also allows the natural waterway which traverse the site to flow under Coral Coast Drive. The site is also adjoined by a Council owned land which naturally captures overland flow before discharging into the open stormwater channel along Cedar Road and following the natural waterway.
Easements	The site is burdened by the following easements: • Easement W on SP189716 for the purpose of Sewerage • Easement L on SP189716 for the purpose of Stormwater Drainage • Easement E and J on SP184452 for the purpose of Stormwater Drainage • Easement X on SP267814 for the purpose of Water Supply.

Surrounding Land Uses	North:	Low-medium Density Residential, Open Space and Tourist Accommodation Zone (Oceans Edge Estate and Periwinkle Apartments)
	East:	Open Space and Tourist Accommodation zone (Sanctuary Palm Cove and Council owned land (waterway)).
	West:	Low-medium Density Residential, Tourist Accommodation and Open Space zone (Oceans Edge Estate, Former Hotel Grand Chancellor/ Novotel)
	South:	Open Space, Tourist Accommodation and Environmental Management zone (Peppers Beach Club, Beach Haven Estate)

Table 1: Site description and details



Figure 5: Subject site and applicable zones under the CairnsPlan2016 3.1 (subject site shown in blue hatching).

The CairnsPlan 2016 v3.1 identifies that the following Overlays are relevant to the subject site.

Overlay	Details
Acid Sulfate Soils	- Land above 5m & below 20m AHD - Land at or below 5m AHD
Airport Environs	Procedures for Air Navigation Services – Aircraft Operational (PANS-OPS) Surfaces
Bushfire Hazard	- High Potential Bushfire Intensity - Medium Potential Bushfire Intensity - Potential Impact Buffer
Flood and Inundation Hazard	- Designated Flood Hazard Area – Flood Inundation Trigger Area - Storm tide inundation hazard area - Inundation hazard area

Natural Areas	• MSES – Regulated Vegetation (Essential Habitat) • MSES – Regulated Vegetation (Intersecting a Watercourse) • MSES – Regulated Vegetation (Category B) • MSES – Regulated Vegetation (Category R) • MSES – Regulated Vegetation (wetland) • MSES – Wildlife Habitat (Endangered or vulnerable) • MSES – Wildlife Habitat (Special least concern animal) • MLES – Urban Waterway A trigger area
Transport Network	<u>Cycle Network</u> • Local Route • Principal Route <u>Pedestrian Network</u> • Pedestrian Access Street • Strategic Investigation Route <u>Road Network</u> • Future Access Road • Major Collector Road • Minor Collector Road

Table 2: CairnsPlan 2016 v3.1 subject site applicable overlays

PROPOSAL

The proposal seeks to create sixteen (16) residential lot over the land at 12L Coral Coast Drive, Palm Cove, formally described as Lot 12 on SP189716. In order to facilitate the proposal, the application seeks approval for the following aspects:

- Preliminary Approval for Material Change of Use for Low-medium Density Residential (Variation Approval); and
- Development Permit for Reconfiguring a Lot (1 Lot into 16 Lots and Common Property).

PART A: Preliminary Approval For A Material Change Of Use

The application seeks a Preliminary Approval to vary the effect of the CairnsPlan 2016 v3.1 in order to define alternative land uses over the site. It is important to note that the Preliminary Approval does not include a development plan as would ordinarily be expected with a Preliminary Approval.

As stated by the Applicant *“It is not intended to progress any other land-uses that could be actioned under the Tourist Accommodation Zone as these are not generally in keeping with the character of activities that apply in 2025 and it remains purely a residential land-use best reflected as Low-Medium Density Residential”* (Urban Sync, 2025).

Variation Request

The purpose of the Variation Request is to guide the intended residential nature of future development over the site to allow the expected form of development on the created lots to occur without the need for complex assessment and approval processes.

The Variation Request essentially seeks to 'change' the land from the Tourist Accommodation and Open Space zone and include in a modified version of the Low-medium Density Residential zone described as the Coral Coast Drive – Low Medium Density Residential Zone. The Table of Assessment for the proposed 'zone' outlines the level of assessment for certain land uses, where the following will override the Planning Scheme:

Accepted Development:

- Park

Accepted Development Subject to Requirements:

- Dual Occupancy
- Dwelling House
- Home Based Business
- Sales Office

Code Assessable Development:

- Multiple Dwelling
- Short Term Accommodation

Impact Assessable Development:

- All other land uses

The Variation Request does not seek to change any of the assessment benchmarks which would ordinarily be applicable for the above-mentioned land uses where located in the Low-Medium Density Residential Zone of the CairnsPlan 2016 Version 3.1. Additionally, the variation request does not include any site-specific development codes.

The level of assessment for the Reconfiguration of a Lot is code assessable, the level of assessment for Operational Works are carried forward from the CairnsPlan 2016 v3.1 and the level of assessment for Buildings Works are refined to be more site specific.

PART B: Development Permit For Reconfiguring A Lot

The Reconfiguration of a Lot component proposes the development of sixteen (16) Lots with covenant areas proposed over lots 6 to 16. As part of the layout the Common Property would contain visitor parking, an entry gate, internal road, communal area and a drainage reserve. The subdivision would be accessed by a newly constructed access crossover from Coral Coast Drive, with the internal road proposed as body corporate land subject to a community management statement.

The covenant areas are proposed at the rear of each lot and vary in width across the site to reflect the extent and distribution of the mapped MSES Category B vegetation. A site-based ground-truthing assessment identified a total of 3,815m² of Category B vegetation, of which only 650m² would be removed to facilitate the development. Accordingly, the proposal would protect approximately 82.6% of the existing Category B vegetation through the incorporation of the proposed covenant area. As such, 17.4% would require removal.

The subdivision layout involves the following lots sizes:

Lot	Area	Building Envelope Area
1	895 m ²	365 m ²
2	600 m ²	325 m ²
3	588 m ²	375 m ²
4	600 m ²	378 m ²
5	627 m ²	380 m ²
6	877 m ²	580 m ²
7	1105 m ²	701 m ²
8	2596 m ²	590 m ²
9	1042 m ²	413 m ²
10	881 m ²	446 m ²
11	733 m ²	421 m ²
12	586 m ²	342 m ²
13	600 m ²	363 m ²
14	602 m ²	374 m ²
15	748 m ²	505 m ²
16	1247 m ²	645 m ²
Common Property (Road)	2628 m ²	N/A
Common Property (Drainage)	1582 m ²	N/A

Table 3: Subdivision lot layout plan

Materials Assessed in the Application

The applicant provided the following materials during the assessment process:

- Planning Assessment Report prepared by *Urban Sync* received on 1 September 2025 (Council Reference: #7728505), including the following technical inputs:
 - Plans of Development prepared by *RPS AAP Consulting Pty Ltd*
 - Engineering Report prepared by Civil Walker Consulting Engineers
 - Engineering Report prepared by Advanced Vegetation Management
 - Landscaping Plans of Development prepared by Advanced Vegetation Management

Officers consider it important to highlight that the original application did not include an Ecological Assessment Report which was identified as a critical piece of technical reporting required to support the development application and raised by Council Officers at Pre-lodgement Advice stage.

Council's Information Request highlighted that Officers required an Ecological Assessment Report to properly progress with the assessment given that the subdivision layout required vegetation removal within the Matters of Local Environmental Significance and Matters of State Environmental Significance areas of the Natural Areas Overlay.

Council Officers also raised concerns with the Stormwater Quantity Design which specified that each lot would need to store 11,500 litres of stormwater in above ground detention tanks to meet the required site storage. Council Officers held concerns around how this outcome would be managed and enforced on a long-term basis.

The applicant provided the following materials as part of the response to the Information Request:

- A formal response to Council's Information Request prepared by *Urban Sync* was received on 17 October 2025 (Council Reference: #7756434), including the following technical inputs:
 - Supplementary Engineering Reporting prepared by *Civil Walker Consulting Engineers*
- A formal response to Council's Request for Further Advice was provided by Urban Sync on 29 January 2026 (Council Reference: #7811876), including the following technical inputs:
 - Matters of Environmental Significance Report (Ecological Assessment Report) prepared by *EcoRex*
- Based on the review of the Matters of Environmental Significance Report Council Officers raised concerns with the original subdivision layout. (Council Reference: #7819977). After further discussions between the Applicant and Council Officers, including an in-person meeting, Urban Sync on 3 March 2026 provided a revised concept subdivision layout and a technical note including the following technical inputs (Council Reference: #7833632):
 - Concept Subdivision Layout prepared by *Urban Sync*
 - Technical Note to Matters of Environmental Significance Report prepared by *EcoRex*
- A final Revised Plan of Development was provided by *Urban Sync* received on 30 July 2026 (Council Reference: #7926353), including the following technical inputs:
 - Revised Plans of Development prepared by *RPS AAP Consulting Pty Ltd*; and,
 - Revised Retaining Wall Plans prepared by *Civil Walker Consulting Engineers*.

PLANNING CONSIDERATIONS

This application is Impact Assessable and has been assessed, in accordance with s45 of the *Planning Act 2016* against the following:

- the CairnsPlan 2016 v3.1;

- all relevant temporary local planning instruments;
- the FNQ Regional Plan 2009-2031;
- FNQ Regional Plan and Infrastructure Plan 2026;
- the State Planning Policy, part E, to the extent part E is not identified in the planning scheme;
- all relevant variation approvals;
- the Local Government Infrastructure Plan; and
- the Planning Regulation 2017

LEGISLATIVE FRAMEWORK

The *Planning Act 2016* identifies the criteria for assessing a Development Application which includes a Variation Request. As an Impact Assessable application, the relevant criteria are included in sections 5, 45, 59, 60 and 61 of the *Planning Act 2016* and sections 29, 30, 31 and 32 and schedules 9 and 10 of the *Planning Regulation 2017*.

These provisions identify that an Impact Assessment:

1. Must be carried out against the following assessment benchmarks, to the extent that they are relevant to the development i.e. the assessment benchmarks stated in:
 - (a) Cairns Plan 2016 version 3.1 as the relevant local planning instrument in effect when the development application was properly made (and with consideration to any existing Variation Approvals in effect relevant to the site);
 - (b) Schedules 9 and 10 of the *Planning Regulation 2017*;
 - (c) The Far North Queensland Regional Plan 2009-2031 in effect when the development application was properly made;
 - (d) The Far North Queensland Regional Plan and Infrastructure Plan 2026 that came into effect during the assessment period;
 - (e) The State Planning Policy 2017 Part E in effect when the application was properly made;
 - (f) A temporary State Planning Policy applying to the premises in effect when the development application was properly made (none are currently in effect);
 - (g) Council's LGIP in effect when the application was properly made;
2. May give such weight as Council considers is appropriate, in the circumstances, to an amended or replacement version of the statutory instruments referred to in 1 above that came into effect after the development application was properly made but before it is decided;
3. May give such weight as Council considers is appropriate, in the circumstances, to another relevant statutory instrument that came into effect after the development application is properly made but before it is decided;

4. Must be carried out having regard to:
 - (a) Any designation for the premises;
 - (b) Any development approval for, and any lawful use of, the premises or adjacent premises; and
 - (c) The common material;
5. May be carried out against, or having regard to, any other relevant matter, other than a person's personal circumstances, financial or otherwise; and
6. Must be performed in a way that advances the purposes of the *Planning Act 2016*. For a Development Application which includes a Variation Request, section 61(2) of the *Planning Act 2016* prescribes the following:
 - 2) *When assessing the variation request, the assessment manager must consider—*
 - (a) *the result of the assessment of that part of the development application that is not the variation request; and*
 - (b) *the consistency of the variations sought with the rest of the local planning instrument that is sought to be varied; and*
 - (c) *the effect the variations would have on submission rights for later development applications, particularly considering the amount and detail of information included in, attached to, or given with the application and available to submitters; and*
 - (d) *any other matter prescribed by regulation.*

Section 32 of the *Planning Regulation 2017* further prescribes:

For section 61(2)(d) of the Act, an assessment manager must consider the following matters when assessing a variation request, to the extent the matter is relevant to the request—

- (a) *the common material;*
- (b) *the regional plan for a region;*
- (c) *the State Planning Policy, to the extent the State Planning Policy is not identified in the planning scheme as being appropriately integrated in the planning scheme;*
- (d) *any temporary State planning policy.*

The following sections of the report comprise Officers assessment against the prescribed *Planning Act 2016* and *Planning Regulation 2017* criteria.

Statutory Planning Considerations

State Planning Policy	The State Planning Policy (SPP) contains the State Interest Policies and Assessment Benchmarks which are applicable to the development. The subject site is affected by the following State Interests: • Agriculture - o Agricultural Land Classification – Class A and B. • Biodiversity - o MSES – Wildlife Habitat (Endangered or Vulnerable) - o MSES – Wildlife Habitat (Special Least Concern Animal) - o MSES – Regulated Vegetation (Category B) - o MSES – Regulated Vegetation (Category R) - o MSES – Regulated Vegetation (Essential Habitat) - o MSES – Regulated Vegetation (Wetland) - o MSES – Regulated Vegetation (Intersecting a Watercourse) • Natural Hazards, Risk and Resilience - o Erosion Prone Area - o High Storm tide inundation area - o Medium storm tide inundation area - o Flood Hazard Area – Level 1 – Queensland Floodplain Assessment Overlay - o Flood Hazard Area – Local Government flood mapping area - o Bushfire Prone Area - o High Potential Bushfire Intensity - o Medium Potential Bushfire Intensity - o Potential Impact Buffer The State Planning Policy (SPP) is identified as a relevant assessment benchmark for an Impact Assessable development application. The <i>Planning Regulation 2017</i> prescribes, at s30(2)(a)(ii) that the application must be assessed against Part E of the SPP (to the extent that it is relevant) and, at s31(1)(d)(ii), that the assessment must have regard to the whole SPP to the extent it is not appropriately integrated into the planning scheme. The CairnsPlan 2016 v3.1 formally integrates the July 2014 version of the SPP (refer s2.1), with the exception of provisions relating to Erosion Prone Areas. The July 2017 version of the SPP is the current version and has adopted changes from the July 2014 version which is formally identified as being integrated into CairnsPlan 2016.
FNQ Regional Plan	The FNQ Regional Plan and Infrastructure Plan 2026 commenced on 8 May 2026. However, the FNQ Regional Plan 2009-2031 was the Regional Plan in effect when the application was properly made and is therefore the applicable Regional Plan for the assessment of this development application. The subject site is within the FNQ Regional Plan 2009-2031 designation - Urban Footprint. Detailed assessment against the 2009 version of the Regional Plan has not been undertaken on the basis that the Regional Plan has been appropriately integrated and reflected through the CairnsPlan 2016 (refer CairnsPlan 2016 v3.1, s2.2).

Temporary Local Planning Instrument (TLPI)	There are currently no TLPI in effect over the subject land.
Variation Approval	There are currently no variation approvals affecting the subject site, although acknowledging that a variation approval is being proposed as part of the development application.
Council's Local Government Infrastructure Plan (LGIP)	Version 3.1 dated 2 August 2022 was in effect when the application was properly made. The LGIP supports Council's policy position regarding urban development in the urban footprint. The proposed development is wholly located within the PIA and is within an existing urban area as identified within CairnsPlan 2016 v3.1.
Local Categorising Instrument	The current Planning Scheme in effect for the Cairns Local Government Area is the CairnsPlan 2016 Planning Scheme v3.1. Section 5.4(3)(b) states that Impact Assessable development must be assessed against the whole scheme to the extent relevant.

Matters Prescribed by Regulation

Schedule 9 of the Planning Regulation 2017	The application is not for Building Works.
Schedule 10 of the Planning Regulation 2017	Referral to the State Assessment and Referral Agency (SARA) was not required for the application.
Schedule 12A of the Planning Regulation 2017	The Applicant considers that the proposed development is precluded from assessment against Schedule 12A of the <i>Planning Regulation 2017</i> and did not provide any formal assessment. However, Officers review of Schedule 12A has confirmed that it is applicable to the development as the development involves the subdivision of the lot into 2 or more lots, is located wholly within a prescribed zone under a local instrument applying to the lot, is within a suitable zone, is intended for residential purposes, and involves the construction of a road, although being a private road. It is important to note that Schedule 12A of the Planning Regulation 2017 does not delineate between a private road or public road but rather just uses the all encompassing definition of road. A review of the requirements under Schedule 12A appear to confirm that the development responds in the following manner: • Connectivity – Given the surrounding Natural Areas and the adjoining road Bangalow Lane being private, without a public throughfare easement it could not be expected that the reconfiguration provides connectivity for pedestrians; • Maximum length of particular blocks - the development does not involve any boundaries of a block that exceed the maximum length stated in the Planning Scheme or 250m; • Street Trees – while not shown on the proposed landscaping plan, street trees are capable of being provided using reasonable and relevant development conditions;

	• Footpaths – Internal footpaths are not provided to at least one side of the new road. Officers consider that it is reasonably expected that the development provide a footpath to at least one side of the internal private road. • Parks and other areas of open space – The reconfiguration is within 400 metres of an existing park being located on Williams Esplanade. Therefore, despite no assessment being provided, Officers consider that the development complies with Schedule 12A of the <i>Planning Regulation 2017</i>.
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State Planning Policy (July 2017)

The State Planning Policy (SPP) is identified as a relevant assessment benchmark for an Impact Assessable development application. The *Planning Regulation 2017* prescribes, at s30(2)(a)(ii) that the application must be assessed against Part E of the SPP (to the extent that it is relevant) and, at s31(1)(d)(ii), that the assessment must have regard to the whole SPP to the extent it is not appropriately integrated into the planning scheme.

The CairnsPlan 2016 v3.1 formally integrates the July 2014 version of the SPP (refer s2.1), with the exception of provisions relating to Erosion Prone Areas. The July 2017 version of the SPP is the current version and has adopted changes from the July 2014 version which is formally identified as being integrated into CairnsPlan 2016 v3.1.

In respect of the Agriculture State Interest identified above, the planning scheme has designated the land in part for Residential/ Tourist Activities that is inconsistent with the protection of Agricultural Land Classification (ALC) Class A or Class B land, with this designation previously being endorsed by the State. Officers therefore consider that it is not necessary to further consider this State Interest on the basis that the land has been identified as suitable for urban development.

The SPP matters contained in the below table are considered to be of relevance to the assessment of the current application:

State Interest	Officer Comment
Liveable Communities	
State Interest Policy (2) Vibrant places and spaces, and diverse communities that meet lifestyle needs are facilitated by: (b) a mix of land uses that meet the diverse demographic, social, cultural, economic and lifestyle needs of the community (d) higher density development in accessible and well-served locations	The existing tourist accommodation zone seeks a high density yield. This is consistent with the sites ease of accessibility and services. As such, Officers acknowledge the following concerns related to the change of zoning: • Loss of Tourist accommodation land within a major tourism catchment; and, • Underdevelopment of viable developable land. Notwithstanding the concerns acknowledged above, Officers acknowledge that the development would

	satisfy State Interest (b) through providing an outcome that responds to the social, economic and lifestyle needs of the community – being a strong need for long-term residential development.
State Interest Policy (3) Development is designed to: (a) value and nurture local landscape character and the natural environment (b) maintain or enhance important cultural landscapes and areas of high scenic amenity, including important views and vistas that contribute to natural and visual amenity (c) maintain or enhance opportunities for public access and use of the natural environment	The development has undergone rigorous assessment against the State Interest policies and Natural Areas Overlay Code in the Planning Scheme, including a variety of Ecological and Arborist reports. In Officers assessment, the design of the subdivision achieves the intention of the State Interest Policy (and Code) through protecting 83% of the high-value vegetation, being Category B remnant vegetation, within an environmental covenant. As a result of the vegetation retention, the development remains sympathetic to the sites environmental values, landscape values and existing amenity.
Development & Construction	
State Interest Policy (4) An appropriate mix of lot sizes and configurations for residential, retail, commercial, mixed use and industrial development is provided for in response to the diverse needs of these uses and ancillary activities.	The proposed development seeks approval for Reconfiguring a Lot to create 16 residential lots. The proposed lots have an area between 600m² and 2596m². Officers consider that this facilitates an appropriate mix of lot sizes and configurations that respond to the growing residential demand within the community.
Tourism	
(2) Existing and potential opportunities, localities or areas appropriate for tourism development are identified and protected.	Officers acknowledge that the development would change appropriately allocated tourist accommodation zoned land into long-term accommodation targeted towards residents rather than tourists. Empathetic to this outcome, the Table of Assessment for the Coral Coast Drive – Low-Medium Density Residential zone facilitates some land uses consistent with the Tourist Accommodation zone as per the CairnsPlan 2016, such as Dwelling House, Multiple Dwelling, Sales Office and Short Term Accommodation. It is a move away from the more intensive Tourist Accommodation uses such as; Hotel, Relocatable Home Park, Resort Complex and Tourist Park which generally require larger land parcels to establish. Through incorporating a short-term accommodation proponent into the Tables of Assessment, the development continues to provide an tourist accommodation option, consistent with the context of the area. Officers consider that the application addresses the policy through delivering tourist accommodation.

Biodiversity	
State Interest Policy (2) Matters of state environmental significance are identified and development is located in areas that avoid adverse impacts; where adverse impacts cannot be reasonably avoided, they are minimised.	Ecological Assessment reporting (Matters of Environmental Significance Report) submitted as part of the Request for Further Advice identifies that parts of the subject site contain Matters of State Environmental Significance (MSES). The report further ground truths that the remnant and non-remnant vegetation over the site is generally consistent with the Matters of State Environmental Significance Areas listed under the <i>Vegetation Management Act 1999</i> In response, the applicant proposes to incorporate a covenant that retains 83% of the subject vegetation. This appropriately responds to the policy through reasonably avoiding and minimising impacts to a significant extent.
State Interest Policy (3) Matters of local environmental significance are identified and development is located in areas that avoid adverse impacts; where adverse impacts cannot be reasonably avoided, they are minimised.	Ecological reporting submitted with the application confirms that parts of the subject site contain Matters of Local Environmental Significance (MLES), mapped along the existing waterway. In response, the application material has proposed to incorporate a drainage lot, with drainage easements feeding into it. Therefore, development would be restricted from this portion of the land. Officers consider this outcome aligns with the desired outcomes.
State Interest Policy (4) Ecological processes and connectivity is maintained or enhanced by avoiding fragmentation of matters of environmental significance.	The western portion of the subject site contains Category B remnant vegetation that has been confirmed as in-tact within the ecological report provided within the application material. Further, the adjoining common boundary along the western side contains habitat and endangered species areas. To avoid fragmentation, 83% of the mapped vegetation area has been contained within an environmental covenant. As such, Officers consider this outcome aligns with the desired outcome as the development has avoided fragmentation to the greatest extent possible.

Natural Hazards, Risk and Resilience

State Interest Policy
(4) Development in bushfire, flood, landslide, storm tide inundation or erosion prone natural hazard areas:
(a) avoids the natural hazard; or
(b) where it is not possible to avoid the natural hazard, development mitigates the risks to people and property to an acceptable or tolerable level.

The site is subject to natural hazard risks from both bushfire and flooding. Mapping for the land indicates flooding hazards occur within the waterways and across the land at various points.

The application material has provided an assessment of the flood hazard as part of the Civil Engineering Report and further commentary is also provided in the Planning Report which advises that the site will be raised to ensure all lots are suitably immune to inundation during a 1% AEP flood event. As part of the concept design the development provides surface design levels which mitigates the risk of flooding and storm tide inundation.

The subject site is also affected by bushfire hazard shown as *Potential Impact Buffer, Medium Potential Bushfire Intensity and High Potential Bushfire Intensity* as per the overlay map. Officers consider that the development would be capable of complying, subject to the imposition of relevant and reasonable conditions, with the provisions of the Code to ensure that the overarching purpose of minimising potential adverse impacts of bushfire on people, property and the environment is achieved.

In response, Officers consider that the application does adequately demonstrate that it can be consistent with these state interest policies.

State Interest Policy
(5) Development in natural hazard areas:
(b) directly, indirectly and cumulatively avoids an increase in the exposure or severity of the natural hazard and the potential for damage on the site or to other properties
(d) maintains or enhances the protective function of landforms and vegetation that can mitigate risks associated with the natural hazard.

The Applicant proposes a stormwater solution which requires above-ground stormwater detention tanks for each new lot. This solution would control and mitigate stormwater to ensure no worsening effects to surrounding or downstream properties.

A stormwater quantity management plan and stormwater quality management plan is conditioned to be provided to demonstrate that all works are in accordance with the Queensland Urban Drainage Manual (QUDM) and achieve the intentions of the policy.

Further, all drainage infrastructure will remain private infrastructure, with no scope to become a Council asset.

In response, Officers consider that the application adequately demonstrates consistency with the policy through minimising exposure of hazards through implementing supporting infrastructure.

Transport Infrastructure	
State Interest Policy (3) Development achieves a high level of integration with transport infrastructure and supports public passenger transport and active transport as attractive alternatives to private transport.	The development is located in a location which is well connected to transport infrastructure being both the local roads and footpaths. It is however acknowledged that the proposed development seeks to establish a gated community and the Applicant has made an intentional decision to not connect Coral Coast Drive to the rear adjoining Bangalow Lane. Officers consider that the application adequately demonstrates that it can be consistent with this state interest policy.

LOCAL CATEGORISING INSTRUMENT

CairnsPlan 2016 v3.1

Strategic Framework Assessment

The development is subject to Impact Assessment and therefore requires assessment against the Strategic Framework of the CairnsPlan 2016, in accordance with section 45 (5) of the *Planning Act 2016*.

Strategic Framework	
Settlement Pattern Theme	
Strategic Outcome	Assessment
Strategic Outcome 3.3.1 (1) (c)(h)(l)(m)	Strategic Outcome 3.3.1 (1) (c)(h)(l)(m) states the region grows and evolves in a way that: (c) provides a range of housing choices; (h) conserves the natural environment, ecological processes and biodiversity values; (l) achieves a high standard of amenity; and, (m) maintains and enhances the scenic amenity, tropical character and identity of the region. <i>Officers response:</i> The new lots would provide a range of residential options with areas varying from 586m² to 2596m². The site is heavily vegetated with Category B remnant vegetation that would be protected through an environmental covenant along the rear of Lots 6 – 16 that protects 82.6% of MES vegetation. Each lot is allocated a building envelope that identifies the area suitable for development. Landscaping is conditioned to replace the 17.4% of MES vegetation clearing, emphasising the developments ability to maintain and enhance the amenity, tropical character and identity of the area. As such, the proposed development does satisfy the strategic outcome.

Strategic Outcome 3.3.1 (6)	Strategic Outcome 3.3.1 (6) states that natural hazards and the impacts of climate change influence the location, scale and intensity of development. <i>Officers response:</i> The development design is empathic to the existing natural features and hazards including MES vegetation, flood hazards and bushfire hazards. Through empathetic design principles, the outcome would protect and maintain the majority of MES vegetation (82.6%), locate developable lots entirely outside areas at risk of flood and storm tide inundation, and provide appropriate buffers and separation from bushfire hazard risks. As such, the proposed development does satisfy the strategic outcome.
Element – residential areas and activities	
Specific Outcome	Assessment
Specific Outcome 3.3.5.1 (1)	Specific Outcome 3.3.5.1 (1) states that the region's urban growth is accommodated through in-fill and redevelopment of existing urban areas, development of emerging community areas and the development of the future urban area within the Southern Growth Corridor. <i>Officers response:</i> The development proposes in-fill development within an existing, undeveloped urban area that was originally used as a golf-course as part of Oceans Edge Estate. As the Estate has grown, the golf course use was made redundant and as such the subject site now sits as a vacant parcel of undeveloped land. The proposed in-fill development would re-use existing urban land through delivering a residential outcome that benefits from location, ease of service connections and developable land. As such, the proposed development does satisfy the specific outcome.
Specific Outcome 3.3.5.1 (2)	Specific Outcome 3.3.5.1 (2) states that residential development is located and designed to provide a wide range of living options that maintains and enhances the character and identity of individual communities. <i>Officers response:</i> The development would provide a range in lot sizes, varying from 586m² – 2,596m², providing a range in developable areas. The Tables of Assessment facilitates both long-term and short-term components reflective of the surrounding amenity comprising of a mixture of short-term and long-term accommodation. As such, the proposed development does satisfy the specific outcome.

Specific Outcome 3.3.5.1 (3)	Specific Outcome 3.3.5.1 (3) states that residential areas are used for residential purposes. Non-residential uses are provided where they are appropriate, support the local community, do not detract from the residential amenity of the area or compromise the role and successful function of centres within the hierarchy of centres. <i>Officers response:</i> The variation to introduce the Low-medium density residential zone would be solely for residential purposes, spread across the 16 lots. The Coral Coast Drive – Tables of Assessment facilitates a variety of residential uses. No non-residential uses are suggested within the ToA, however under the Planning Act 2016 this does not prevent the lodgement of Impact assessable development applications. Officers consider that the development does satisfy the Specific outcome through encouraging residential development within a proposed residential estate.
Specific Outcome 3.3.5.1 (7)	Specific Outcome 3.3.5.1 (7) states that emerging community areas and new residential areas are designed to incorporate: (a) a mix of lot sizes; (b) a range of housing types and densities; (c) community services and facilities that meet the needs of the new community; (d) high levels of pedestrian, cycle and road permeability and connectivity; (e) the efficient and timely provision of infrastructure and services; and, (f) open space and opportunities for sport and recreation activities. <i>Officers response:</i> The development proposes a new residential community that delivers a mixture of lot sizes capable of delivering a range of housing typologies and densities. The site has readily available connections to essential infrastructure and services, however being within body corporate land all internal services would remain private assets. As the internal roadway would remain private, the proposal does not incorporate new active transport connections. Notwithstanding, the existing Oceans Edge Estate boasts excellent active transport connections that the site would benefit from. While the proposal does include some area of open recreational space at the entrance, the site benefits from being within 500m of Williams Esplanade, a major recreational space. Officers consider that the development does satisfy the specific outcome through designing a new residential area that incorporates essential liveability elements.

Theme – Natural areas and features theme	
Strategic Outcome	Assessment
Strategic Outcome 3.4.1 (3)	Strategic Outcome 3.4.1 (3) states that development avoids areas of environmental significance. Where avoidance is not possible, development is designed, sited, operated and managed to mitigate adverse impacts on areas of environmental significance. <i>Officers response:</i> The development would be located within an area partially mapped as MES Category B remnant vegetation. Specifically, the site is impacted by the following regional ecosystems: • RE 7.2.4b – ('Of Concern' under VMA) <i>Eucalyptus spp. (often E. pellita or Corymbia intermedia) open forest and/or Lophostemon suaveolens open forest on swampy sand plains and Pleistocene beach ridges;</i> • RE 7.2.8 – ('Endangered' under VMA) <i>Melaleuca leucadendra open forest to woodland on sands of beach origin;</i> and • RE 7.3.25a – ('Of Concern' under VMA) <i>Melaleuca leucadendra +/- vine forest species open forest to closed forest on alluvium fringing streams.</i> Complete avoidance was not achievable; however the design has retained approximately 3,087m² out of 3,736m² of mapped MES. Therefore, a total of 82.6% of mapped MES would be protected within the subject site. Officers consider the development does satisfy the strategic outcome through avoiding and protecting a majority of the mapped vegetation.
Element - Biodiversity	
Specific Outcome	Assessment
Specific outcome 3.4.2.1 (7)	Specific outcome 3.4.2.1 (7) states that the development is designed, sited, operated and managed to avoid or mitigate potential adverse impacts on natural corridors and habitat links. <i>Officers response:</i> The subject site is constrained by remnant vegetation along the western boundary and an urban waterway A corridor along the eastern boundary. The majority of the remnant vegetation would be contained within an environmental covenant; whereas the urban waterway would be contained within a drainage lot. Officers consider the development does satisfy the specific outcome through empathetic design that protects and retains the natural corridors and habitat links.

Element – Natural hazards	
Specific Outcome	Assessment
Specific Outcome 3.4.6.1 (2)	Specific Outcome 3.4.6.1 (2) states that development in areas susceptible to impacts of natural hazards provides for effective disaster response and recovery through evacuation routes, access for emergency services and the supply of essential goods and services. <i>Officers response:</i> The subject site is located within the flood and inundation hazard overlay and bushfire hazard overlay. The developable area of the proposed lots would be located entirely outside the flood and inundation hazard overlay, however partially within the bushfire hazard overlay, specifically the potential impact buffer, medium potential impact bushfire intensity and high potential bushfire intensity. To mitigate potential impacts, the development would provide a new fire break – being the proposed internal roadway, maintain the majority of hazardous vegetation within an environmental impact – reducing the proximity of development to the known hazard, and ensure each lot has access to reticulated water – in the case that emergency response is required. Officers consider that the proposal does satisfy the specific outcome through responding to the natural hazards present at the site.
Theme – Economy	
Strategic Outcomes	Assessment
Strategic outcome 3.5.1 (2)	Strategic outcome 3.5.1 (2) states that due to the quality of the natural environment and extent and availability of productive agricultural land, tourism and primary production remain key economic drivers for the region. However, the region's economy will become more diversified, improving business and employment opportunities and providing resilience against future adverse economic, social and environmental conditions which may impact the region. <i>Officers response:</i> Strategic Outcome 3.5.1(2) recognises that tourism remains a key economic driver for the region. Officers acknowledge that the proposal would facilitate residential development on land currently partly zoned for Tourist Accommodation purposes and therefore reduces the opportunity for some forms of larger-scale tourist accommodation anticipated by the planning scheme. Notwithstanding, the development contributes to a more diverse and resilient regional economy through facilitating additional residential land supply within an existing urban area, while retaining opportunities for tourist accommodation through the proposed Table of Assessment.

	On balance, Officers consider the proposal responds to the broader intent of the strategic outcome.
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Relevant Assessment Benchmarks of CairnsPlan 2016

CairnsPlan 2016 Assessment Benchmarks	
Assessment Benchmark	Assessment
Tourist accommodation zone code	Partial compliance – refer below By nature, the development is non-compliant with the Tourist accommodation zone as it seeks a variation component which would change the zone to Low-medium density residential accommodation. Subsequently, the land-uses associated with the development would align with low-intensity residential outcomes. Further, the subdivision of the land, currently a size of 18,550m², to achieve 16 freehold residential lots, a new road and common property foregoes the viability of developing larger format tourist accommodation uses such as Hotels, Relocatable home parks, Resort complexes and Tourist parks. In this instance, the departure from the zone is supported on the following factors: • The existing mixed residential amenity surrounding the site that favours the establishment of freehold lots; and, • The demonstrated viability of the land to achieve the proposed outcome while remaining empathetic and responsive to environmental and natural hazards. Further assessment against this code is provided below.
Open space zone code	Does not comply – refer below. The site has split zoning, with areas of environmental significance located within the Open Space zone. The Code stipulates land within this zone is to be used for parks and recreational space, minimising built form. The proposal seeks a variation component that would facilitate residential zoning, further detailed in the reconfiguring a lot component as 16 freehold lots. By nature, the proposal is inconsistent with the Zone Code as it seeks to change the intended use of the land. Within the context of the site, the areas affected by the Open Space zone consist of a natural area waterway and remnant vegetation. The proposal would retain and protect these areas through the incorporation of drainage lots and environmental covenants. The development would supersede the zone intentions through ensuring land currently situated within this zone remains undevelopable through incorporating caveats that prevent further built form. Further assessment against this code is provided below.

Coral Coast Drive – Low-Medium Density Residential Zone	Complies As part of the Preliminary Approval to vary the effect of the Planning Scheme, the Applicant proposes to create the Coral Coast Drive – Low-Medium Density Residential zone Table of Assessment. The Table of Assessment seeks to limit the prescribed land uses under the Material Change of Use, facilitating land uses which are more consistent with a gated community style development. Given that there is no Plan of Development provided to support the Preliminary Approval to vary the effect of the Planning Scheme, the Coral Coast Drive - Low-Medium Density Residential Code is to be applied to the entire site. Council Officers consider these land uses and level of assessment reasonable. The level of assessment for Reconfiguring a Lot, Operational Work and Building Work remain consistent with the requirements of the CairnsPlan2016 v3.1 with certain instances being removed which would not be applicable to the subject site. All assessment benchmarks are carried over from the CairnsPlan 2016 v3.1.
Acid sulfate soils code	Complies The proposed development could be reasonably conditioned to comply with the Purpose, Overall Outcomes, and applicable benchmarks of the Acid Sulfate Soils Overlay Code. The proposed development will involve substantial excavation and filling as part of the Reconfiguring a Lot component and therefore it is reasonable to expect that an acid sulfate soils investigation be undertaken to determine the presence of acid sulfate soils. Therefore, the development complies with the Acid Sulfate Soils Overlay Code, subject to conditions. The overlay would remain an applicable assessment benchmark within the Coral Coast Drive – Low-medium density residential zone Tables of Assessment. No further assessment against this code is provided.

Airport environs overlay code	Complies The proposed development does not involve any buildings or temporary construction equipment that would result in obstructions to the airports operational airspace or impact aviation activities. As such, the proposed development would not impact on the safety, efficiency or operational integrity of the Cairns Airport or associated aviation facilities. The overlay would remain an applicable assessment benchmark within the Coral Coast Drive – Low-medium density residential zone Tables of Assessment. Further detailed assessment of the Code is not considered necessary in this circumstance.
Bushfire hazard overlay code	Generally complies – refer below The subject site is affected by bushfire hazard shown as <i>Potential Impact Buffer, Medium Potential Bushfire Intensity and High Potential Bushfire Intensity</i> as per the overlay map. The proposal seeks to achieve a residential outcome within this overlay. Notwithstanding the non-compliance, consideration is afforded resilience and fire breaks that would be afforded by the development, as well as the mitigation measures able to be established. As such, though the development poses a non-compliance with the Code, the overall development context and site situation affords a level of separation from the hazard, enabling remaining concerns to be resolved via a condition requiring a Bushfire Management Plan. The overlay would remain an applicable assessment benchmark within the Coral Coast Drive – Low-medium density residential zone Tables of Assessment. Further assessment against this code is provided below.
Flood and inundation hazard overlay code	Complies Portions of the southern boundary are impacted by this overlay. Notwithstanding, these areas are contained within a drainage lot and environmental covenant. Further, building envelopes are provided over each lot to identify the buildable area, being entirely outside the overlay. Based on the design of the subdivision, the application has demonstrated that the development would not result in an increase of people or property within areas affected by the hazard. The overlay would remain an applicable assessment benchmark within the Coral Coast Drive – Low-medium density residential zone Tables of Assessment. No further assessment against this code is provided below.

Natural areas overlay code	Generally complies – refer below. The site has a total area of 18,550m², of which contains mapped vegetation, including Urban Waterway A and environmentally significant vegetation. The waterway would be entirely contained within a drainage lot to achieve separation from future development. The development seeks to clear approximately 17.4% of the MES mapped vegetation, specifically along the fringe, directly abutting the proposed residential lots. As part of the clearing, a new H beam & concrete sleeper retaining wall would be incorporated along the boundary of the Covenant, protecting the remaining 82.6% of MES vegetation from future development encroachment. Conditions pertaining to stormwater quality and stormwater quantity measures are conditioned as part of the recommendation, which require the development to achieve an outcome that does not adversely impact upstream or downstream catchments. The overlay would remain an applicable assessment benchmark within the Coral Coast Drive – Low-medium density residential zone Tables of Assessment. Further assessment against this code is provided below.
Transport network overlay code	Complies The proposed development will include a new internal road and crossover to Coral Coast Drive to service the sixteen (16) residential lots. There will be a single crossover to Coral Coast Drive with all new lots obtaining access from the internal road. To facilitate this outcome, the development involves the removal of the existing crossover and the creation of a new crossover to Coral Coast Drive. A site distance analysis has been undertaken in accordance with the Austroads requirements considering approach site distance (ASD), safe intersection site distance (SISD) and minimum gap site distance (MGSD). Coral Coast Drive is identified as a Strategic Investigation Corridor for the Pathway. The proposed development would not trigger a demand requiring the delivery of the pathway and it is therefore expected that the existing footpath to Coral Coast Drive is retained. The overlay would remain an applicable assessment benchmark within the Coral Coast Drive – Low-medium density residential zone Tables of Assessment. No further assessment against this code is provided below.

Environmental performance code	Generally complies – refer below The purpose of the Code is to ensure development is designed and operated to avoid or mitigate impacts on sensitive receiving environments. As a result of the development, an increase in run-off would occur, however mitigation measures would be incorporated to contain impacts to the subject site in the form of rainwater tanks. The operations and functions of the development would be consistent with the surrounding residential area, albeit at a reduced density. Further assessment against this code is provided below.
Excavation and filling code	Generally complies The Code stipulates that excavation and fill are undertaken in a manner that does not adversely impact upon that existing site values or surrounding area. Whilst this application does not propose earthworks, the design and layout would require further development permits that facilitate cut and fill to achieve the outcome of this assessment. Therefore, the works required to achieve the development outcome should be considered within this assessment. Officers confirm that the proposed H Beam & concrete sleeper retaining walls would fill up the site, with no excavation required. Contextually, the proposed fill would achieve the desired outcomes as no adverse impacts to the site values or surrounding sites are anticipated. For the purpose of this proposal, Officers acknowledge the Code is satisfied. No further assessment against this code is provided below.
Infrastructure works code	Generally complies – refer below. The Reconfiguring a Lot component of the development requires the delivery of infrastructure which would ordinarily be expected as part of a subdivision, this includes road construction, stormwater, utilities, lighting, sewerage and water supply. It is acknowledged that the proposed road design provides road reserve and verge widths less than FNQROC standard widths. Notwithstanding, the proposed road would be a private asset, with the following road widths: - Reserve width being 10.45 metres, - Carriageway width being 5.5 metres; - Verge width being 2.5 metres. The road verge would be a private asset, not handed over to Council. As such, reduced widths can be supported subject to reasonable and relevant conditions. The Civil Walker Consulting Engineers report provides concept engineering designs which could be appropriately conditioned, subject to an Operational Works application. No further assessment against this code is provided below.

Landscaping code	Complies The Code seeks to encourage landscaping that enhances the tropical amenity and character of the region. A landscaping plan has been provided within the application material, with enhancements proposed at the entrance, around the recreational area and surrounding visitor parking. The proposed development is capable of complying with the Code, with reasonable and relevant conditions provided within the recommendation. No further assessment against this code is provided below.
Reconfiguring a lot code	Generally complies – refer below The variation component would apply over the entirety of the parent parcel, with all lots meeting the minimum lot size. The shape of the lots would be irregularly polygon as a result of the irregular shape of the parent parcel. Notwithstanding, a building envelope is incorporated over each lot which identifies a generally rectangular developable area. Further assessment against this code is provided below.
Vegetation management code	Generally complies – refer below The code intends to ensure that where vegetation damage occurs, it is done so in an appropriate and sustainable manner through minimising damage and removal of significant trees, and areas with biodiversity and ecologically significant functions. To facilitate the proposed development, vegetation removal is required. Notwithstanding, site ground-truthing has been completed in the form of ecological reports and tree assessments, which have identified areas of environmental importance. As a result, 82.6% of MES mapped vegetation, being the sites highest environmental attribute, would be retained. Further assessment against this code is provided below.

Assessment against the Outcomes of the Relevant Benchmarks

Where non-compliant with an Outcome of a relevant benchmark, a performance-based assessment has been undertaken, as detailed below:

Assessment Benchmark	Performance-based assessment
Tourist Accommodation Zone Code Purpose (1)	The proposed development is unable to achieve compliance with the following elements of the Purpose Statement of the Tourist Accommodation zone: (1) <i>The purpose of the Tourist accommodation zone is to provide for –</i> (a) <i>short-term accommodation; and</i> (b) <i>community uses, and small-scale services, facilities and infrastructure, to support short-term accommodation and tourist attractions.</i>

	One of the assessment matters of the proposal is the fact that the Preliminary Approval to vary the effect of the Planning Scheme proposes alternative land uses for the site as part Table of Assessment referred to as the Coral Coast Drive – Low-Medium Density Residential zone, which in principle is a departure from the Tourist Accommodation zone. The Table of Assessment (ToA) for the Coral Coast Drive – Low-Medium Density Residential zone does facilitate some land uses which would be consistent with the purpose of the Tourist Accommodation zone such as Dwelling House, Multiple Dwelling, Sales Office and Short Term Accommodation. It is a move away from the more intensive and larger format Tourist Accommodation uses such as; Hotel, Relocatable Home Park, Resort Complex and Tourist Park which generally require larger land parcels to establish. Departure from the existing zone is the intention of the Variation Request and therefore non-compliance is an anticipated outcome. With broad consideration, the proposal seeks to achieve a viable residential development that retains the ability to facilitate low-intensity tourist accommodation land-uses. As such, Officers support the departure from the Tourist accommodation zone code in support of the Coral Coast Drive – Low Medium Density Residential Zone Code, to support a variety of residential land-uses of a low-intensity scale.
Open Space Zone Purpose (1) & (2)	The development does not align with the purpose of the Open space zone as cited below : (1) <i>The purpose of the Open space zone is to provide for –</i> (a) <i>local, district and regional parks for the use of residents and visitors; and</i> (b) <i>facilities and infrastructure that support, and are required by, users of the parks.</i> (2) <i>The local government purpose of the code is to recognise the importance of open space areas to the liveability, health and wellbeing of the region's communities.</i> The intention of the development is to vary the effect of the Planning Scheme, replacing the existing zone with the Coral Coast Drive – Low-medium density residential zone, being the mechanism proposed to facilitate residential land uses. This is generally inconsistent with the Open Space zone. The area of the site located within the Open Space Zone is mapped as MES vegetation and contains the Urban Waterway A overlay. The lot is privately owned land. The Open Space Zoning intends to achieve the retention and buffer of the existing environment and urban waterway. The proposal would locate 82.6% of remnant vegetation within an environmental covenant and contain the entirety of the waterway to a drainage lot. As such, though the development would change the zoning of the land, the parcels intended to be preserved and undeveloped would largely remain protected through an environmental covenant and drainage lot.

Bushfire Hazard Overlay Code PO1(a) & b and PO3	The subject site is affected by bushfire hazard shown as <i>Potential Impact Buffer, Medium Potential Bushfire Intensity and High Potential Bushfire Intensity</i> as per the Overlay Map. Performance Outcomes (1)(a) and (b) of the Code states: <i>Development maintains the safety of people and property by:</i> (a) <i>avoiding areas of Potential impact buffer or Medium, High or Very high potential bushfire intensity or</i> (b) <i>mitigating the risk through:</i> (i) <i>the siting of development;</i> (ii) <i>including firebreaks that provide adequate:</i> (A) <i>setbacks between lots/buildings/structures and hazardous vegetation;</i> (B) <i>access for firefighting/other emergency vehicles.</i> (iii) <i>adequate road access for firefighting/other emergency vehicles and safe evacuation;</i> (iv) <i>adequate and accessible water supply for firefighting purposes.</i> Performance Outcomes (3) of the code states: <i>“Development does not materially intensify the use of bushfire prone areas.”</i> The proposed development constitutes a community title subdivision of sixteen (16) residential lots, which will include covenant areas located at the rear of lots 6 - 16 for vegetation protection. It is further acknowledged that the subject site adjoins a heavily vegetated Council owned land parcel. Officers acknowledge the bushfire risk and that a Bushfire Management Plan would be required to be provided before any lots were formally created, however acknowledge that a Bushfire Management Plan was not requested by Officers as part of the Information Request of this development application. Officers consider that the development would be capable of complying, with PO1 subject to the imposition of relevant conditions ensuring that a site specific Bushfire Management Report is provided to ensure that the adverse impacts of bushfire on people, property and the environment is achieved, without further impacting the areas of Environmental Significance.
Natural Areas Overlay Code PO1	Acceptable Outcome 1.1 – 1.4 requires the development footprint to be located outside of urban waterway A corridor, with a 10m buffer located either side. The development proposes a drainage lot within the Urban waterway A buffer area. Performance Outcome (PO1) states: <i>“Development is set back from the Urban waterway A to protect and maintain:</i> (a) <i>water quality;</i> (b) <i>hydrological functions;</i> (c) <i>ecological processes;</i> (d) <i>biodiversity values;</i>

	<i>(e) riparian and instream habitat values and connectivity; and, (f) instream migration."</i> As part of the application material, the Applicant provided a Matters of Environmental Significance Report (Ecological Report) prepared by Eco Rex. As stated in the Ecological Reporting, <i>"The field-mapped top of bank and corresponding 10m setback are substantially narrower than the extent of the Urban Waterway Trigger (A) mapping currently applied to the site. Based on this refined top-of-bank alignment and the applied 10m buffer, the proposed development footprint does not encroach into the Urban Waterway setback applicable to this stream type" (Eco Rex, 2026).</i> Cairns Plan 2016 v3.1 specifies a waterway corridor width of 10 metres either side from the top of the high bank from an Urban waterway A corridor. Using this methodology, the waterway will only traverse the Common Property area designated as a drainage lot. Based on the evaluation, the design has demonstrated acceptable setbacks from Urban Waterway A to achieve appropriate buffer and separation of future land uses. Further conditions relating to quality and quantity are provided within the recommended. This assessment benchmark is satisfactorily addressed, with the imposition of reasonable and relevant conditions.
Natural Areas Overlay Code PO4	The subject site is affected by an Urban Waterway A corridor and MES mapped environmental features. Acceptable outcome 4.1 of the code states: <i>"Development is:</i> <i>(a) avoided within areas of environmental significance; and</i> <i>(b) set back from areas of environmental significance to the greatest possible extent and is designed to buffer and minimise edge effects and other indirect impacts on areas of environmental significance."</i> Though the waterway corridor would be contained within a drainage easement, the design of the development does encroach into MES areas. The design and layout has not achieved the greatest setback possible. Performance Outcome (PO4) stipulates the following: <i>"Development does not cause direct or indirect adverse impacts on areas of environmental significance."</i> An ecological report was provided within the application material. This report ground-truthed that the MES mapped vegetation was in-tact on site, located within parts of Lots 6-16. The design proposes to contain a total of 82.6% of the mapped MES vegetation within an environmental covenant. Officers acknowledge that this results in 17.4% of MES vegetation damage, albeit a minor impact with consideration to the scale of the development and size of the MES mapped area.

	Topographically, the MES mapped area slopes downhill to a lower elevation of land towards the southern boundary. To protect the remaining 82.6% of the MES vegetation, the covenant boundary would incorporate a H beam & concrete sleeper retaining wall. The retaining wall design presents the least impact to the vegetation and root zones as it does not require footings or substantial excavation into the root zones. Further, the land would be retained up through fill, not through cutting. Therefore, no fill would be placed on MES mapped vegetation within the environmental covenant. Whilst it is acknowledged that the development would impact 17.4% of the MES area, this area forms the fringe of the overlay only. Ultimately, through damaging the fringe, the areas with greater ecological and habitat significance achieve buffering and protection from future development. Therefore, reducing indirect and direct impacts through providing a notional boundary to buffer and separate development from MES significant areas.
Environmental Performance Code PO8	Acceptable Outcomes 8.1 & 8.2 stipulate the discharge of stormwater must be directed to a lawful point of discharge that does not result in adverse impacts to downstream or upstream properties. The proposal would result in 16 levelled lots on a currently sloping site. As such, through the levelling process and reduction in permeable spaces, there will be an increase in run-off directed from the site. This is identified in the applicants engineering report which advises <i>“Development will increase run-off and therefore impact flooding within the area.”</i> (Civil Walker Consulting Engineers, 2025). The Performance Outcome (PO8) states the following: <i>“Development activities are designed to ensure stormwater is directed to a lawful point of discharge and has a no worsening effect on downstream or upstream properties.”</i> Mitigation of the increased stormwater run-off from the development is proposed to be undertaken by introducing attenuation devices in the form of above ground stormwater detention tanks (rainwater tanks), noting that each Lot would be required to provide site storage. The proposed stormwater management solution is considered acceptable in principle, subject to the provision of further detailed engineering that demonstrates lawful stormwater discharge and a no worsening effect on upstream and downstream properties. Accordingly, a Stormwater Quantity Management Plan has been conditioned as part of the recommendation.

Reconfiguring a Lot Code PO3	Acceptable outcome 3.1(a) states that existing site features such as significant vegetation and trees are incorporated into open space, road reserves, near lot boundaries or as common property. The Arborist Report provided as part of the application material identified a total of 309 significant trees located at the subject site, of which 174 are recommended for removal to facilitate the development. This equates to approximately 56% of significant trees observed on site, both within and outside the mapped MES area. Performance Outcome (PO3) states the following: <i>“Development responds appropriately to its local context, natural systems and site features.”</i> CairnsPlan 2016 v3.1 definition of ‘significant tree’ is inclusive of any tree greater than 7.5m in height, regardless of species. As such, a large portion of trees proposed for removal do not have significant environmental qualities. Of significance, the Ecological Report prepared by EcoRex identified that the MES vegetation on site is directly comparable to the mapped MES vegetation. Of this, the development proposes to retain a total of 82.6%. The development outcome achieves a majority retainment of MES vegetation, resulting in an outcome that responds to the local context of the area and natural systems present at the site. In this regard, the Performance Outcome is considered to be satisfied.
Vegetation Management Code PO1	Acceptable Outcome 1.1-1.13 stipulates scenarios where the removal and damage of vegetation is acceptable. Though a Permit for vegetation damage is not sought as part of this application, to achieve the design the removal of 56% of the overall vegetation cover (including both MES & non-MES vegetation) would be required. The development does not satisfy any scenarios outlined in AO1.1-AO1.13. Performance Outcome (PO1) states the following: <i>“Vegetation is protected to ensure that:</i> <i>(a) the character and amenity of the local area is maintained;</i> <i>(b) vegetation damage does not result in fragmentation of habitats;</i> <i>(c) vegetation damage is undertaken in a sustainable manner;</i> <i>(d) the regions biodiversity and ecological values are maintained and protected;</i> <i>(e) vegetation of historical, cultural and / or visual significance is retained;</i> <i>(f) vegetation is retained for erosion prevention and slope stabilisation.”</i> Significant areas of MES flora and fauna were identified within the Ecology Report prepared by EcoRex at a lower topography of land. This would remain retained and protected.

	The proposed vegetation damage is a combination of existing fragmented areas and fringe MES vegetation. From public viewpoints, the outcome would be largely unnoticeable given the retainment of 82.6% of MES vegetation along the southern boundary and at the frontage interface to Coral Coast Drive. The outcome would be consistent with the predominant form of development within the area. Vegetation that has been proposed for removal meets the following criteria: • Non-MES mapped vegetation; or • Fragmented vegetation; or, • Fringe vegetation (MES area). The development achieves an environmentally empathetic outcome that prioritises protection of significant flora and fauna while balancing the viability of development. This outcome is compliant with the Performance Outcome.
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VARIATION REQUEST CONSIDERATIONS

As previously noted, the *Planning Act 2016* provides specific criteria that the Assessment Manager must consider when assessing a development application that includes a Variation Request. A summary of those criteria and Officers assessment is provided in the following table:

Section 61(2) of the <i>Planning Act 2016</i>	
Assessment Considerations	Officer Comment
<i>The result of the assessment of that part of the development application that is not the variation request</i>	The proposed Development Permit for Reconfiguring a Lot (1 Lot into 16 Lots) has been assessed against the Tourist Accommodation Zone Code as well as respective overlay and development codes. As a result of this assessment, it was found that the development is generally consistent with the part of the intentions for the area being its focus on providing residential development within a highly accessible location. As such, the proposed development is considered a suitable outcome at this specific site given the size, scale and locational attributes.
<i>The consistency of the variations sought with the rest of the local planning instrument that is sought to be varied</i>	The nature of the variations are compatible with the scheme in that the proposed table of assessment has been framed on the Low-medium density residential zone.
<i>The effect the variations would have on submission rights for later development applications, particularly considering the amount and detail of information included in, attached to, or given with the application and available to submitters</i>	The development alters the level of assessment for short-term accommodation uses from Impact Assessable to Code Assessable, removing the need for public notification to occur. This reflects an established planning position that both short-term accommodation and long-term accommodation are acceptable at this site.

	Consequently, any reduction in future submission rights arising from the variation is considered acceptable as the impacts have been fully contemplated and assessed through the current development application.
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Nature of the Variations

The following table summarises the variations to the Cairns Regional Council planning scheme proposed by the development application and provides Officers' assessment of these variations:

Part	Section and Proposed Change	Assessment
Part 5 - Tables of Assessment	Inclusion of a new Table of Assessment being the Coral Coast Drive – Low-medium Density Residential tables of assessment.	The ToA associated with the "Coral Coast Drive – Low-medium Density Residential" reflect the intent to establish a new scale and design reflective of a standard residential subdivision, with land uses contemplated that are aligned with those anticipated to occur in the low-medium density residential zone and the tourist accommodation zone. The appropriateness of the land uses has been interrogated through the DP ROL element and appropriate assessment benchmarks.

RELEVANT MATTERS

The development is subject to Impact Assessment and therefore consideration was given to the following relevant matters, in accordance with section 45 of the *Planning Act 2016*. In conducting an Impact Assessment of a Development Application, Council, as the Assessment Manager may carry out the assessment against, or having regard to, any other relevant matter other than a persons personal circumstances, financial or otherwise. The *Planning Act 2016* provides some examples of what a relevant matter may be, including a planning need, relevance of assessment benchmarks in changed circumstances or whether assessment matters were based on material errors, but does not otherwise formally define or limit what may constitute a relevant matter.

Officers consider that the following matters are relevant to the assessment of the subject application:

Relevant Matters	Assessed against or if had regard to
Policy direction	The Cairns Towards 2050 Growth Strategy identifies the need to increase permanent residential accommodation within and around the tourism nodes extending from Palm Cove to Trinity Beach. Section 5, <i>Sub-region and Precinct-Based Strategies</i>, seeks to accommodate approximately 10% of projected housing growth to 2050 within the Northern Beaches, with Palm Cove identified as one of the least constrained locations in the sub-region due to its limited exposure to natural hazards and other development constraints. The proposal is consistent with this strategic direction, facilitating additional residential land supply for permanent accommodation on a well-connected, readily serviceable site with minimal constraints. Accordingly, the development advances the intent of the Cairns Towards 2050 Growth Strategy and supports the long-term growth objectives of Cairns Regional Council.

PUBLIC NOTIFICATION

In accordance with Impact Assessment procedures outlined in Part 4: Public Notification of the Development Assessment Rules, the development was publicly notified for a minimum of thirty (30) business days, with the following actions being carried out:

- Publish a notice at least once in the newspaper circulating generally in the locality;
- Place a notice on the land in the way prescribed under the regulation; and
- Give a notice to the owners of all lots adjoining the premises.

A Notice of Compliance was received on 2 December 2025. One (1) properly made submission was received during the Public Notification period.

MATTERS RAISED IN SUBMISSIONS FOR IMPACT ASSESSABLE DEVELOPMENT

The following matters were raised in properly made submissions:

Issue	How matter was dealt with
Reduction in Density	Concerns were raised with the proposal which presents a departure from higher density typology under the original concept for Oceans Edge which included villas and three storey apartments on the site. Officers agree that the proposed development would provide a different density and overall amenity outcome. Whilst historical and existing site context is a consideration, the assessment is not limited to the existing threshold of development, which by nature of variation this application is seeking to significantly change. When considering whether a reduction in density is suitable, the following factors were considered:

	• The subject site is capable of supporting residential development at the proposed density; • The proposed density supports permanent (long-term) residential development, which the Towards 2050: Strategic Growth Plan seeks within this location; and, • The subject site is located at an interface with both medium density and low density residential development, therefore the surrounding character and amenity has an existing variation in densities. Further to the above, though the development would forego the delivery of large format tourist accommodation, the facilitation of low-medium residential development would achieve a density greater than immediately surrounding detached dwelling houses, however not as great as the existing medium density developments. This emphasises the sites ability to utilise gentle density to seamlessly transition between zones. The proposed density can still achieve low to medium density development, while providing a suitable transition between nearby detached homes and higher density tourist accommodation.
Impact on Tourism and the Local Economy	The Preliminary Approval to vary the effect on the Planning Scheme, seeks to create the Coral Coast Drive – Low-Medium Density Residential zone, removing the existing mechanism to deliver large format tourist accommodation options such as a hotel, tourist park, relocatable home park and resort complex. Officers acknowledge that the proposal would reduce the scale and intensity of development outcomes anticipated under the existing planning framework. However, the tourism accommodation market continues to evolve, with growing demand for lower-intensity and more flexible accommodation options, including short-term accommodation operating within residential settings. Importantly, the proposed Tables of Assessment retain a pathway for short-term accommodation through a code assessable development application process, ensuring tourism-related uses can continue to be established where appropriate. On this basis, the development is considered to advance the broader intent for tourist accommodation by providing a more flexible land use framework that can respond to changing market demands while supporting a reduced-intensity development outcome.
Integration with Existing Body Corporate Arrangement	While not a planning matter, Council Officers acknowledge the complex history of the Oceans Edge Body Corporate. The proposed development would form part of a layered Community Title Scheme, being a subsidiary to the principal scheme. How members of a subsidiary scheme can use the principal scheme's body corporate assets and common property will depend on the information contained in the CMS of the principal scheme. This matter is not related to the assessment of the development application.

Conflict with the Strategic Intent of the Planning Scheme	The Preliminary Approval to vary the effect of the Planning Scheme could have the potential to undermine Palm Cove's appeal as a key tourist destination for the region. As discussed within this report, the level of assessment – being impact assessable – is not limited to the planning scheme, with additional consideration such as the strategic policy direction considered. Notwithstanding, when considered against the strategic framework, and planning scheme as a whole, Officers acknowledge there are some areas of non-compliance, however overall the development would align with the intentions of the planning scheme. As such, the areas of non-compliance are considered in balance with the areas of compliance, with compliant outcomes outweighing the areas of non-compliance.
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INFRASTRUCTURE CHARGES

Council's Infrastructure Charges Resolution No. 2 of 2021 identifies that an Infrastructure Charge is levied for the development. The applicable charge has been calculated in accordance with the Resolution and section 120 of the *Planning Act 2016*.

A copy of the calculation is contained in **Attachment 2**.

LOCAL GOVERNMENT INFRASTRUCTURE PLAN (LGIP)

The development does not require the delivery of trunk infrastructure identified within the Local Government Infrastructure Plan to facilitate the development.

REASONS FOR DECISION

The reasons for this decision are:

1. The Coral Coast Drive – Low-medium Density Residential Tables of Assessment has been prepared with regard to the intended development outcomes for residential zones outlined within Parts 5 & 6 of CairnsPlan 2016 v3.1. The land uses proposed to be included in the development are consistent with those desired in a low-medium density residential zone, being low intensity residential;
2. The development advances the key components of the Strategic Framework of CairnsPlan 2016, in particular those themes, elements and strategic outcomes which identify that the site has suitable context and attributes to be optimally utilised for low-medium density residential zoned land;
3. The land uses anticipated by the Coral Coast Drive – Low-medium Density Residential Table of Assessment has been demonstrated to respond to current and future residential growth projections identified in relevant policy frameworks;

4. The Coral Coast Drive – Low-medium Density Residential Table of Assessment and conditions of approval contain assessment benchmarks which mitigate adverse impacts on sensitive land uses;
5. The development is considered to comply with or achieve the intent for the land pursuant to the State Planning Policy July 2017 and Far North Queensland Regional Plan 2009-2031. Conditions have been imposed where appropriate to secure compliance with relevant assessment benchmarks;
6. The development involves a Reconfiguring a Lot component which has been designed to achieve a high standard of amenity, and avoid and/or mitigate adverse impacts to the natural environment, natural hazards and surrounding community;
7. The development ensures infrastructure is provided to a suitable standard to service the need of the development;
8. The development has been designed to achieve suitable mitigation of natural hazards; and
9. The development has been designed and will operate to avoid and/or mitigate any adverse impacts to sensitive receiving environments, including but not limited to, suitable setbacks and buffering from MES vegetation proposed to be contained within the proposed covenant.

RISK MANAGEMENT

Council Finance and the Local Economy

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

Community and Cultural Heritage

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

Natural Environment

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

ATTACHMENTS

1. Attachment 1: Approved Plan(s) and Document(s) for Part A ([#7946679](#))
2. Attachment 2: Approved Plan(s) and Document(s) for Part B ([#7946909](#))
3. Attachment 3: Infrastructure Charges ([#7950348](#))



Claire Simmons
Executive Manager Development & Planning



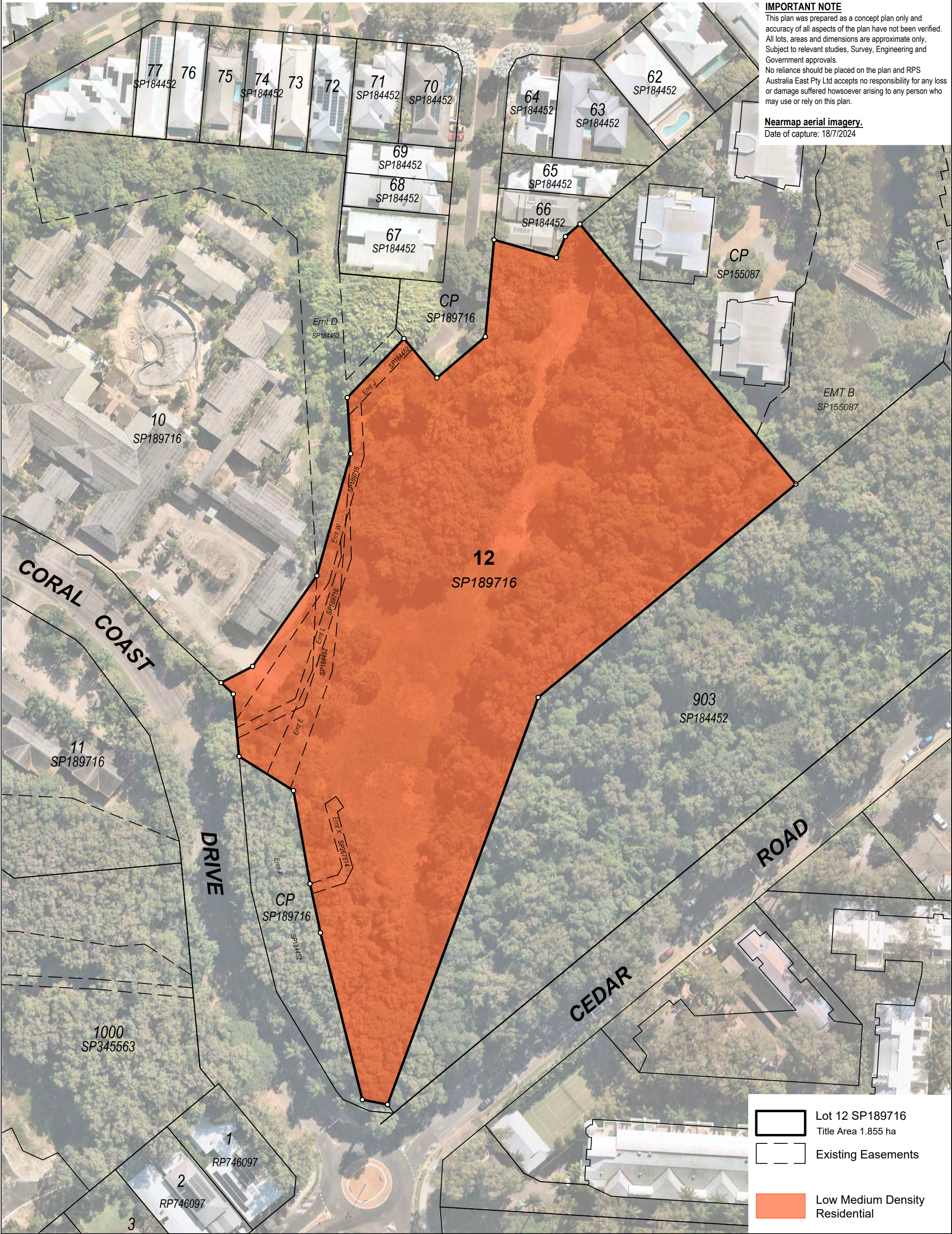
Sean Lisle
A/Director Planning, Growth & Sustainability

ATTACHMENT 1: PART A Approved plan(s) & document(s)

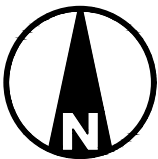
Attach (DM#[7946679](#)) as PDF to prior to sending approval.

IMPORTANT NOTE
This plan was prepared as a concept plan only and accuracy of all aspects of the plan have not been verified. All lots, areas and dimensions are approximate only. Subject to relevant studies, Survey, Engineering and Government approvals.
No reliance should be placed on the plan and RPS Australia East Pty Ltd accepts no responsibility for any loss or damage suffered howsoever arising to any person who may use or rely on this plan.

Nearmap aerial imagery.
Date of capture: 18/7/2024

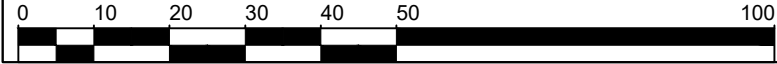


 Lot 12 SP189716
Title Area 1.855 ha
 Existing Easements
 Low Medium Density Residential



Coral Coast Drive - Low Medium Density Residential (Variation - Lot 12 on SP189716)

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Datum: MGA94 Z55 | Scale: 1:1000 @ A3 | Date: 11/9/2026 | Drawing: AU17593-11

Coral Coast Drive - Low-Medium Density Residential

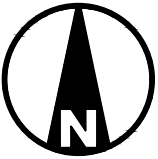
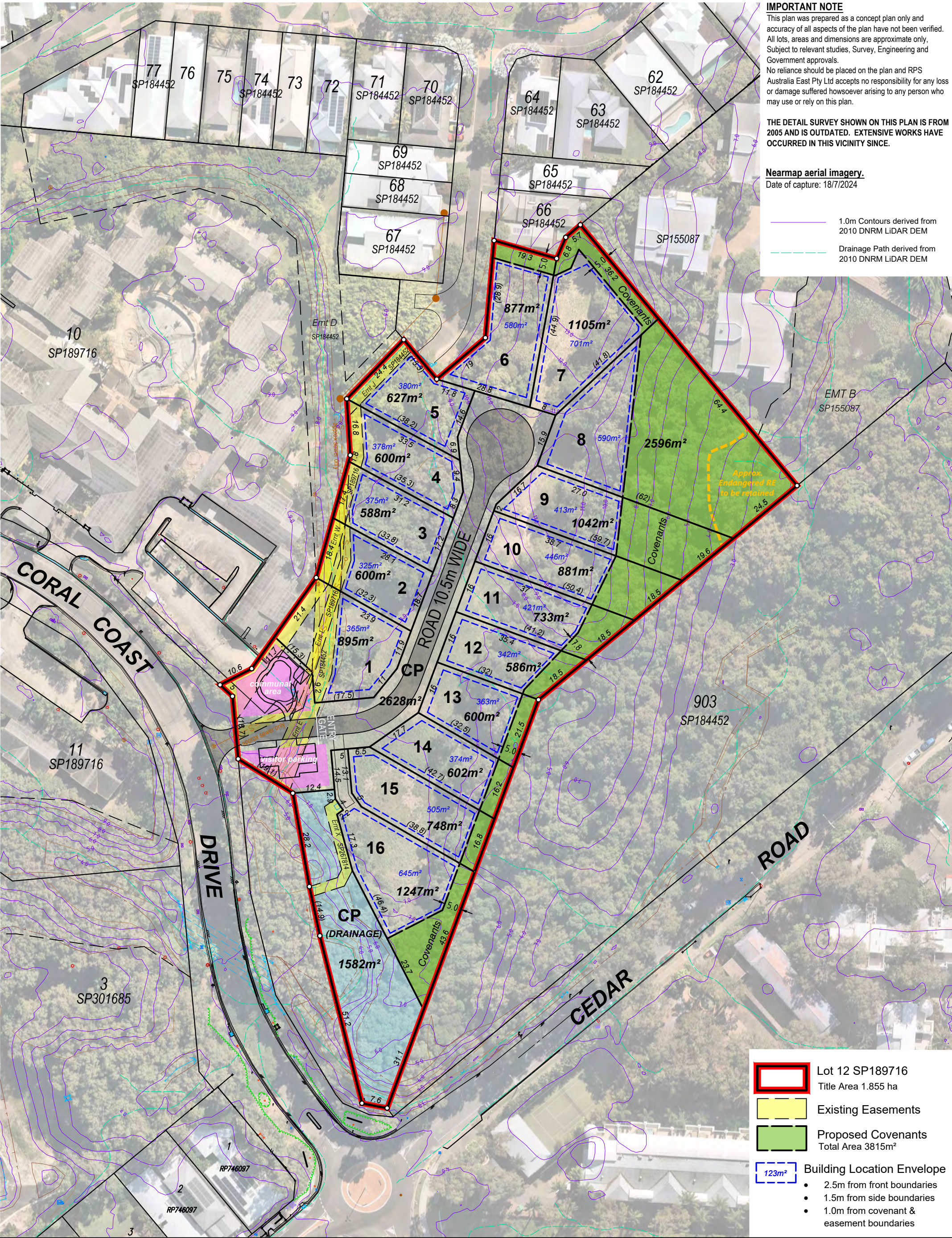
Column 1	Column 2	Column 3																																				
Development	Categories of development and assessment	Assessment benchmarks for assessable development and requirements for accepted development																																				
		CairnsPlan 2016	Low-Medium Density Residential zone code	Applicable local plan codes^	Acid sulfate soils overlay code*	Airport environs overlay code*	Bushfire hazard overlay code*	Coastal processes overlay code*	Extractive resources overlay code*	Flood and inundation hazards overlay code*	Hazardous and explosive facilities overlay code*	Hillislopes overlay code*	Landscape values overlay code*	Natural areas overlay code*	Neighbourhood character overlay code*	Places of significance overlay code*	Potential landslip hazard overlay code*	Transport network overlay code*	Child care centre code	Community activities code	Community care centre code	Dual occupancy code	Dwelling House code	Home based business code	Multiple dwelling and short-term accommodation code	Retirement facility and residential care facility code	Sales office code	Centre design code	Environmental performance code	Excavation and filling code	Industry design code	Infrastructure works code	Landscaping code	Parking and access code	Reconfiguring a lot code	Vegetation management code		
Material change of use																																						
Dual Occupancy	Accepted subject to requirements		a			a	a	a		a		a		a	a		a					a								a		a		a		a		
Dwelling House	Accepted subject to requirements																						a													a		
Home based business	Accepted subject to requirements		a			a	a	a		a		a		a	a		a							a						a		a	a	a		a		
Multiple Dweling	Code		a	a	a	a	a	a	a	a		a	a	a	a	a	a	a							a					a	a	a	a	a		a		
Park	Accepted																																					
Sales office	Accepted subject to requirements		a			a	a	a		a		a		a			a											a	a	a	a		a	a	a		a	
Short-term accommodation	Code		a																						a													
All other uses not otherwise identified	Impact		a																																			
Undefined uses	Impact		a																																			
Reconfiguring a lot																																						
Reconfiguring a lot	Code			a	a	a	a	a	a	a	a	a	a	a	a	a	a	a												a	a		a	a	a	a		
Operational work																																						
Operational work	Code			a	a	a	a	a	a	a	a	a	a	a	a	a	a	a												a	a		a	a				
IF for an access crossover or driveway	Accepted subject to requirements																													a	a		a	a				
IF for excavation or filling of greater than 50m³	Code		a	a	a	a	a	a	a	a	a	a	a	a	a		a	a												a	a							
IF for excavation or filling of 50m³ or less	Accepted subject to requirements		a			a	a	a		a		a		a	a		a														a							
IF for excavation or filling within the Places of significance overlay	Code		a	a	a	a	a	a	a	a	a	a	a	a	a	a	a	a												a	a							
IF for vegetation damage	Accepted subject to requirements		a			a	a	a		a		a		a	a		a																			a		
IF for vegetation damage within the Places of significance overlay	Code		a			a	a	a		a		a		a			a	a																		a		
Building work																																						
Minor building work	Accepted subject to requirements		a			a		a				a		a	a																a		a					
IF within the Flood and inundation hazards overlay as a Storm tide inundation hazard area	Accepted subject to requirements		a			a		a		a		a		a	a																a		a					
IF on a site containing an existing Dwelling house	Accepted subject to requirements															a							a															
IF on a site containing an existing Dwelling house and within Area B for a Neighbourhood character place as defined within Schedule 1	Code															a								a														
IF on a site containing an existing Dual occupancy	Accepted subject to requirements		a			a		a				a		a	a								a								a		a					
IF on a site containing an existing Dual occupancy and within Area B for a Neighbourhood character place as defined within Schedule 1	Code		a			a		a				a		a	a								a									a		a				
IF on a site containing an existing Multiple dwelling	Accepted subject to requirements		a			a		a				a		a	a										a						a		a					
Building work	Accepted subject to requirements		a			a		a				a		a	a																a		a					
IF within the Flood and inundation hazards overlay as a Storm tide inundation hazard area	Accepted subject to requirements		a			a		a		a		a		a	a																	a		a				
IF on a site containing an existing Dwelling house	Accepted subject to requirements															a								a								a		a				
IF on a site containing an existing Dual occupancy	Accepted subject to requirements		a			a		a				a		a	a									a								a		a				
IF on a site containing an existing Multiple dwelling	Accepted subject to requirements		a			a		a				a		a	a										a							a		a				

^a Applicable overlay codes are identified by reference to the overlay maps contained in Schedule 2

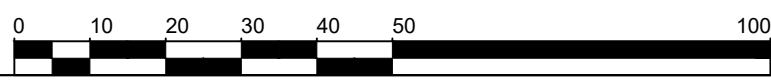
^a Applicable local plan codes are identified by reference to the local plan maps contained in Schedule 2

ATTACHMENT 2: PART B Approved plan(s) & document(s)

Attach (DM# [7946909](#)) as PDF prior to sending decision notice.



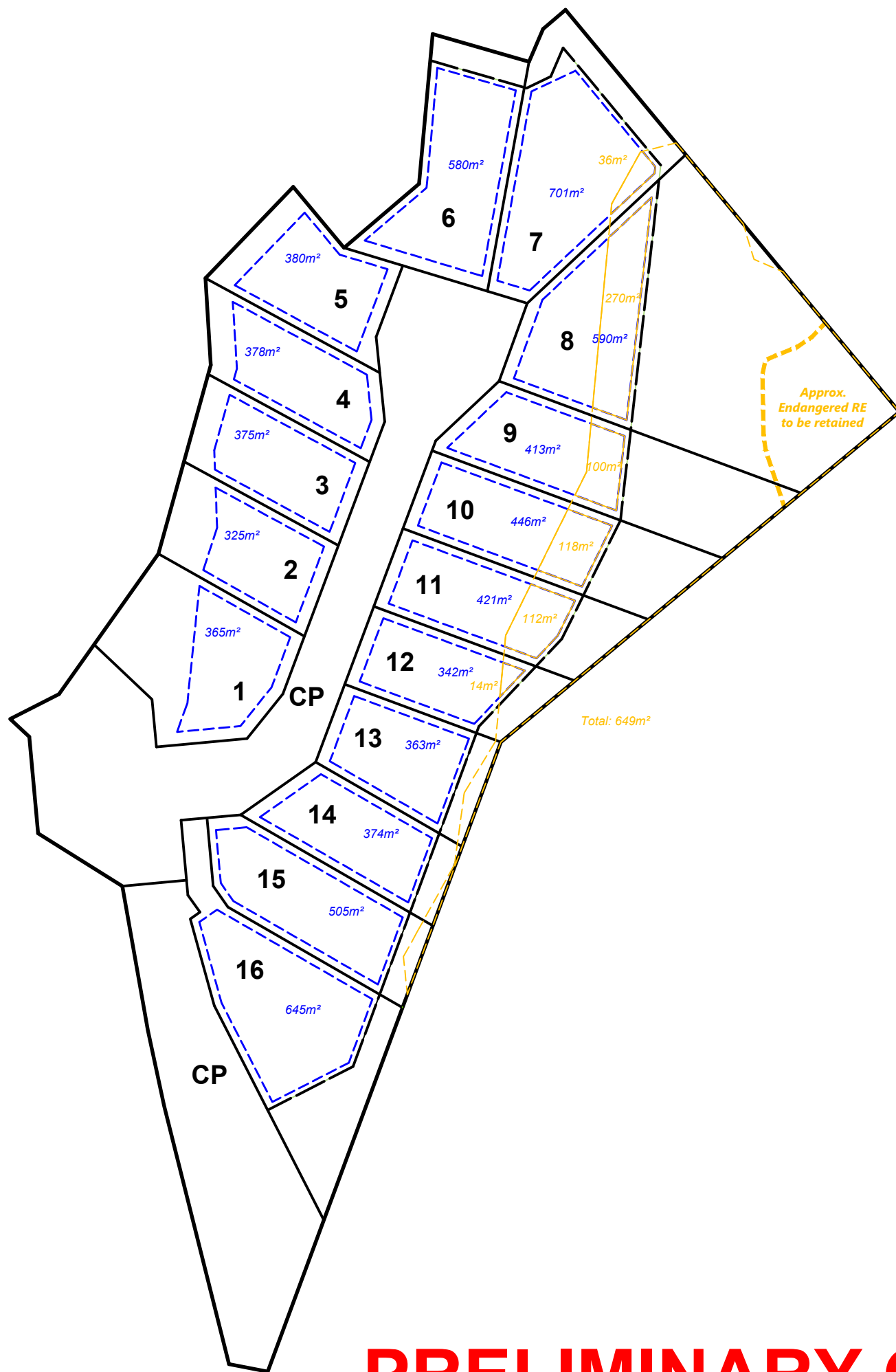
Proposed Lots 1 to 16 & Common Property Cancelling Lot 12 on SP189716 Palm Cove



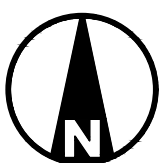
Datum: MGA94 Z55 | Scale: 1:1000 @ A3 | Date: 29/7/2026 | Drawing: AU17593-5 E

RPS AAP Consulting Pty Ltd
ACN 117 883 173
135 Abbott St
PO Box 1949
CAIRNS QLD 4870
T +61 7 4031 1336
F +61 7 4031 2942
W rpsgroup.com

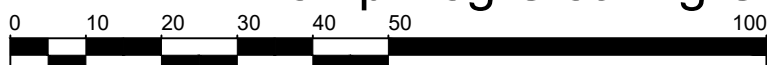




PRELIMINARY ONLY

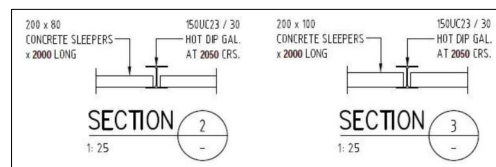
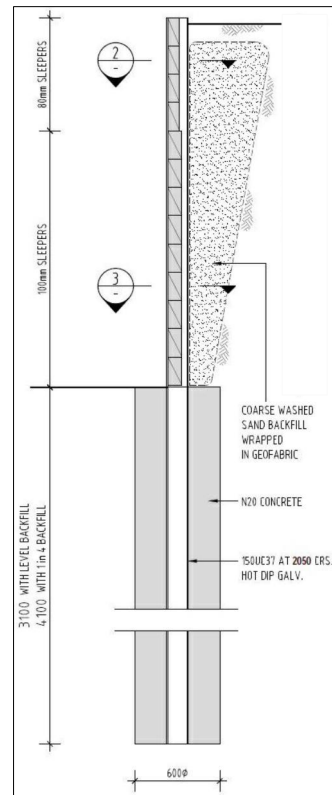


Proposed Lots 1 to 16 & Common Property
 Cancelling Lot 12 on SP189716 Palm Cove
 Temp Veg Clearing Calc Plan

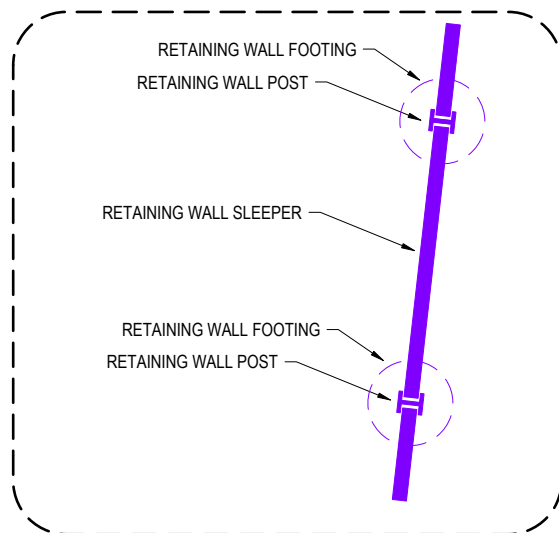


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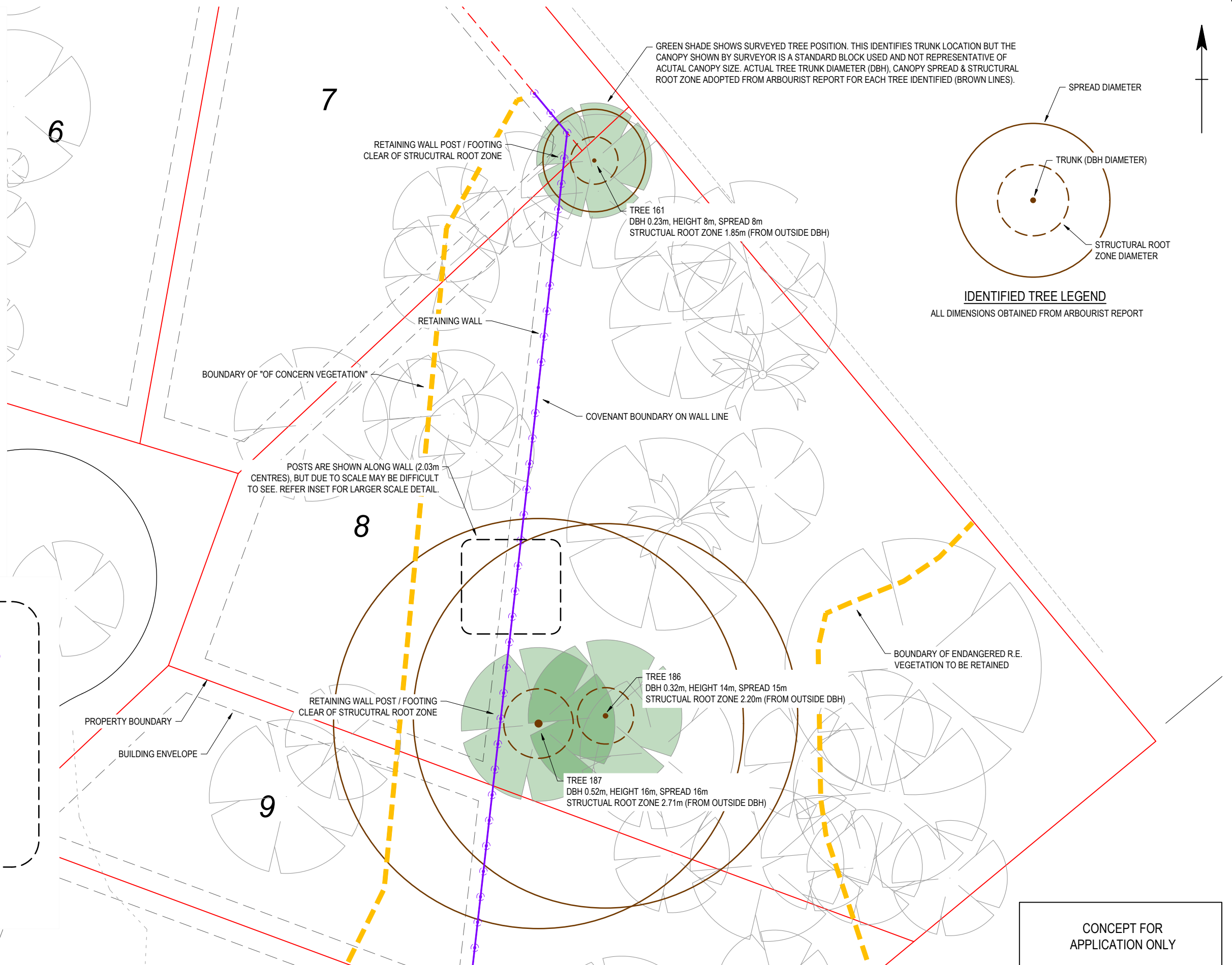


TYPICAL WALL DETAILS
WALL SUITABLE FOR UP TO 3m HEIGHT



INSET

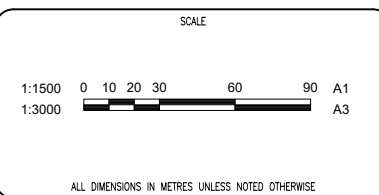
ALL COMPONENTS DRAWN TO SCALE. POSTS 152mm SQUARE. SLEEPERS 100mm WIDE.



CONCEPT FOR
APPLICATION ONLY

NO.	DATE	DESCRIPTION	DESIGN	APPROVED
3	30.07.26	COVENANT BOUNDARY ADJUSTED	CW	DJW
2	30.07.26	BUILDING ENVELOPES UPDATED	CW	DJW
1	28.07.26	INITIAL ISSUE		

P&K GLOBAL



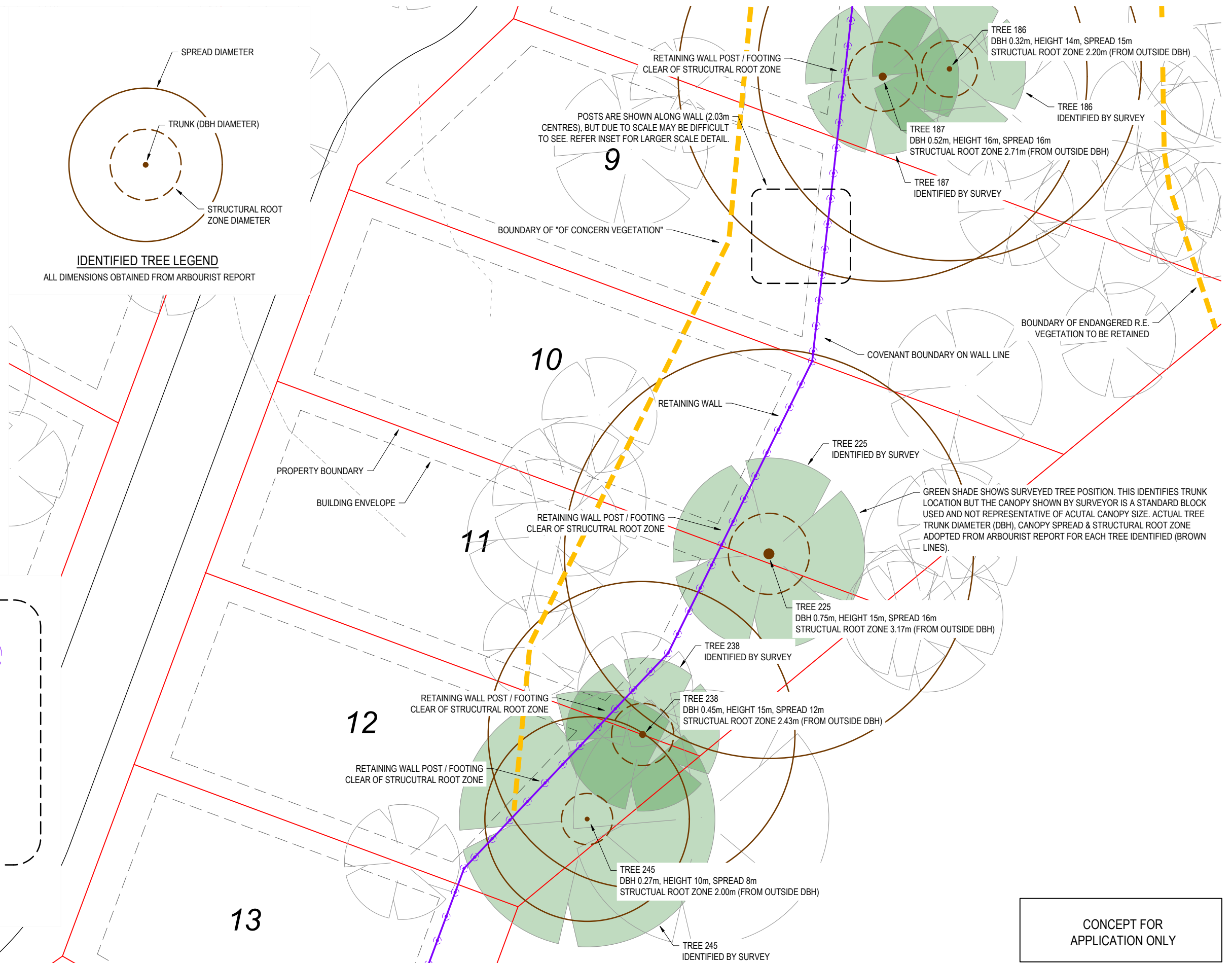
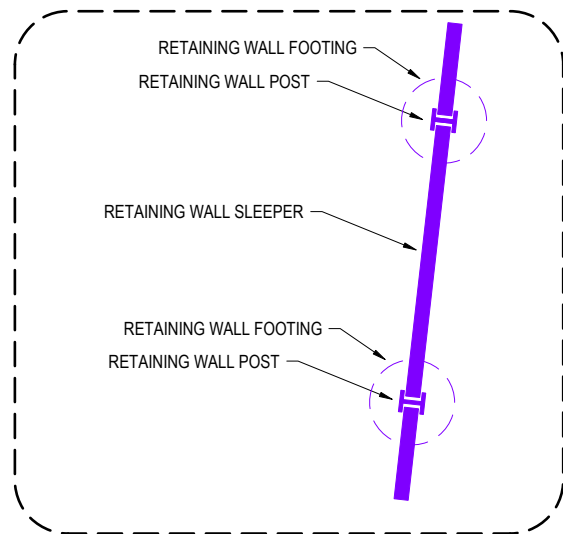
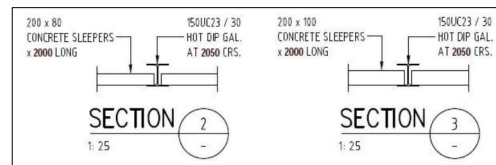
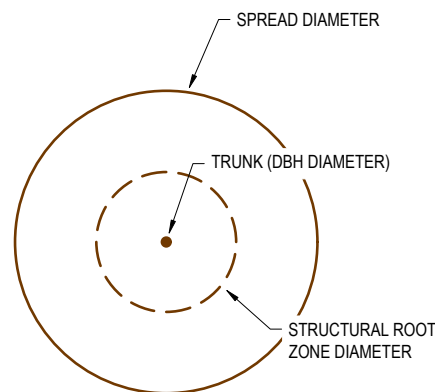
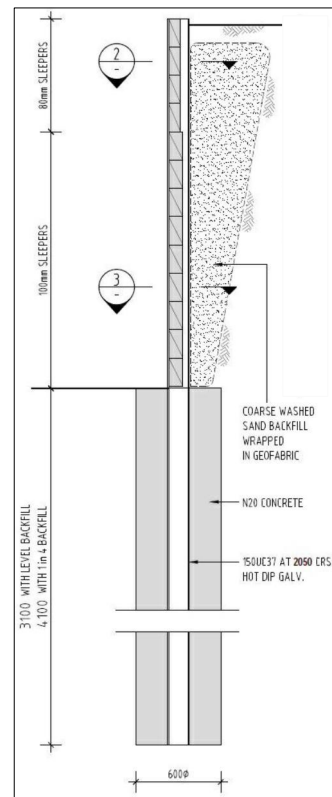
CivilWalker
CONSULTING ENGINEERS

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

12L CORAL COAST DRIVE, PALM COVE
PROPOSED RETAINING WALL ALIGNMENT
IN RELATION TO TREES (1 OF 3)

DRAWING NO. 144-059-SK100

REVISION 3



CONCEPT FOR APPLICATION ONLY

NO.	DATE	DESCRIPTION	DESIGN	APPROVED
3	30.07.26	COVENANT BOUNDARY ADJUSTED	CW	DJW
2	30.07.26	BUILDING ENVELOPES UPDATED	CW	DJW
1	28.07.26	INITIAL ISSUE		

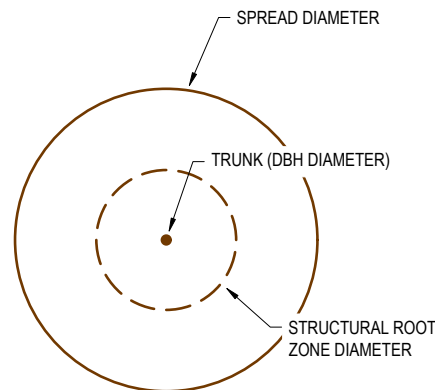
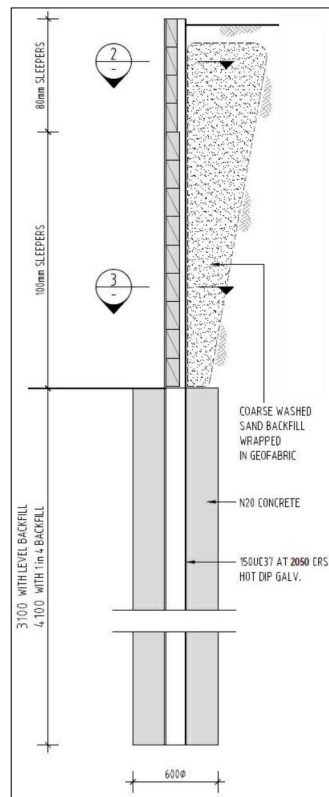
CLIENT	P&K GLOBAL
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SCALE	1:1500 1:3000	0 10 20 30 60 90 A1 A3	ALL DIMENSIONS IN METRES UNLESS NOTED OTHERWISE
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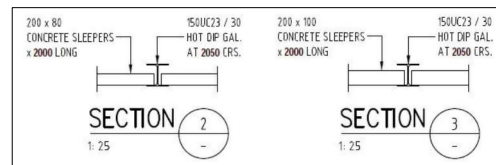


DRAWN	CW	CHECKED	DJW
DESIGNED	CW	CHECKED	DJW
APPROVED			
DATE:		RPEQ:	

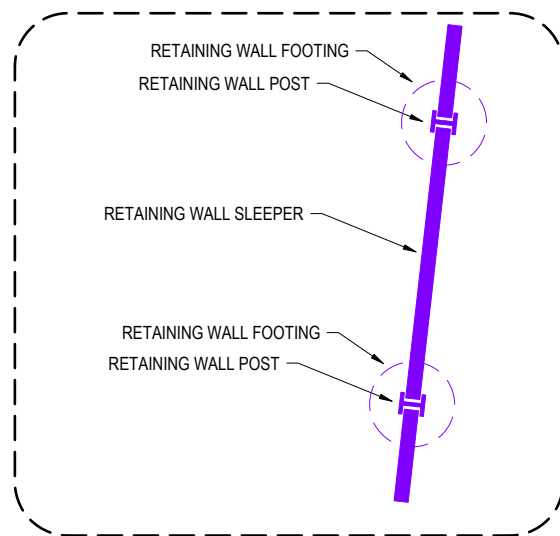
12L CORAL COAST DRIVE, PALM COVE	
PROPOSED RETAINING WALL ALIGNMENT IN RELATION TO TREES (2 OF 2)	
DRAWING NO.	144-059-SK101
REVISION	3



IDENTIFIED TREE LEGEND
ALL DIMENSIONS OBTAINED FROM ARBOURIST REPORT

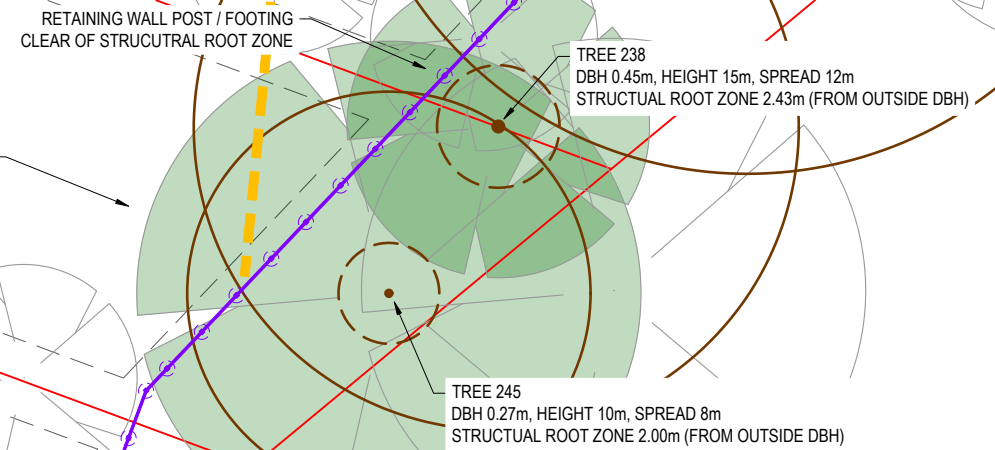


TYPICAL WALL DETAILS
WALL SUITABLE FOR UP TO 3m HEIGHT



INSET
ALL COMPONENTS DRAWN TO SCALE. POSTS 152mm SQUARE. SLEEPERS 100mm WIDE.

GREEN SHADE SHOWS SURVEYED TREE POSITION. THIS IDENTIFIES TRUNK LOCATION BUT THE CANOPY SHOWN BY SURVEYOR IS A STANDARD BLOCK USED AND NOT REPRESENTATIVE OF ACTUAL CANOPY SIZE. ACTUAL TREE TRUNK DIAMETER (DBH), CANOPY SPREAD & STRUCTURAL ROOT ZONE ADOPTED FROM ARBOURIST REPORT FOR EACH TREE IDENTIFIED (BROWN LINES).



CONCEPT FOR
APPLICATION ONLY

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1	28.07.26	INITIAL ISSUE		

CLIENT
P&K GLOBAL

SCALE
1:1500 1:3000
0 10 20 30 60 90 A1 A3
ALL DIMENSIONS IN METRES UNLESS NOTED OTHERWISE



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

12L CORAL COAST DRIVE, PALM COVE	
PROPOSED RETAINING WALL ALIGNMENT IN RELATION TO TREES (3 OF 3)	
DRAWING NO. 144-059-SK102	REVISION 3

ATTACHMENT 3: Infrastructure Charges Calculations

Attachment to Infrastructure Charges Notice																	
Applicant Name:	P & K Global Pty Ltd c/- Urban Sync Pty Ltd	Development Application Number:	8/39/25														
Development Address:	12L Coral Coast Drive, Palm Cove	Preparing Officer:	H. Dayes														
Property Description:	Lot 12 on SP189716	Development Type:	Reconfiguring a Lot														
Parcel Number/s:	128187	Relevant Charges Policy:	Cairns Regional Council Charges Resolution No. 2 of 2021														
Estate Name & Stage:		Date Levied:	16-Sep-26														
DM5 Ref:	7950348	Index:	150.19														
Levied Charge Calculation																	
AC - (BASE CHARGE)																	
Category	Use	Use component	\$	per lot	Quantity	Sub Total	Indexed Sub Total										
Other development	Reconfiguring a lot	Impervious area component	\$	30,677.65	per lot	16	\$490,842.40	\$613,835.29									
			\$	-			\$0.00	\$0.00									
PROPOSED CHARGE						\$490,842.40	\$613,835.29										
C - (CREDIT)																	
Category	Use	Use component	\$	per lot	Quantity	Sub Total	Indexed Sub Total										
Other development	Reconfiguring a lot	Impervious area component	\$	30,677.65	per lot	1	\$30,677.65	\$38,364.71									
			\$	-			\$0.00	\$0.00									
EXISTING CHARGE						\$30,677.65	\$38,364.71										
IMPORTANT NOTE: In accordance with section 3.5 of Council's Charges Resolution No 2 of 2021, all Levied Charges are subject to automatic indexation. Please contact Council's Development Assessment Team on 1300 692 247 or by email to townplanner@cairns.qld.gov.au to confirm the payment amount prior to payment.						LC (LEVIED CHARGE) \$460,164.75 \$575,470.58											
REVIEWED: K. Lordan ☒						<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td rowspan="4" style="width: 15%; text-align: center; vertical-align: middle;">OFFICE USE ONLY:</td> <td style="width: 15%; text-align: center;">DATE PAYABLE</td> <td style="width: 70%;">ROL - Before the Local Government approves the plan of subdivision</td> </tr> <tr> <td style="text-align: center;">DATE PAID</td> <td></td> </tr> <tr> <td style="text-align: center;">ACCOUNT</td> <td>T648 GL 05446</td> </tr> <tr> <td style="text-align: center;">RECEIPT NUMBER</td> <td></td> </tr> </table>			OFFICE USE ONLY:	DATE PAYABLE	ROL - Before the Local Government approves the plan of subdivision	DATE PAID		ACCOUNT	T648 GL 05446	RECEIPT NUMBER	
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	ACCOUNT	T648 GL 05446															
	RECEIPT NUMBER																