



## **MINUTES ORDINARY MEETING**

**24 JANUARY 2024**

**9:00 A.M.**

**PRESENT:** Cr T James (Chairperson)  
Cr R Coghlan  
Cr A Eden  
Cr B Moller  
Cr J Neal  
Cr M O'Halloran  
Cr B Olds  
Cr R Pyne  
Cr K Vallely  
Cr C Zeiger

**OFFICERS:**

M Martin	Chief Executive Officer
M Wise	A/Director People & Organisational Performance
E Johnson	Director Planning Growth & Sustainability
M Wuth	Director Cairns Infrastructure & Assets
D Puia	Director Lifestyle & Community
L Whitton	Director Finance & Business Services
N Masasso	Director Economic Development & Advocacy
G Everson	Associate Director Service Delivery
A Combe	Executive Manager Marketing & Communications
S Foster	Executive Manager Creative Life
P Rogato	Media Coordinator
S Godkin	Minute Secretary

TABLE OF CONTENTS

---

<b>CONFLICT OF INTEREST .....</b>	<b>4</b>
<b>PURPOSE OF MEETING .....</b>	<b>4</b>
<b>MAYORAL MINUTE .....</b>	<b>4</b>
<b>CONFIRMATION OF THE MINUTES OF THE ORDINARY MEETING – 21/12/23 AND SPECIAL COUNCIL MEETING – 18/1/24 .....</b>	<b>5</b>
<b>AGENDA ITEMS:</b>	
<b>1. CEO MONTHLY REPORT .....</b>	<b>5</b>
93/1/2   #7324874	
<b>2. GENERAL POLICY REVIEW – MODEL MEETING PROCEDURES .....</b>	<b>6</b>
93/1/2   #7331899	
<b>3. Q2 OPERATIONAL PLAN 2023-24 PROGRESS REPORT .....</b>	<b>6</b>
83/3/1-01   #7175696	
<b>4. FINANCIAL PERFORMANCE REPORT FOR THE PERIOD ENDED 29 DECEMBER 2023 .....</b>	<b>6</b>
63/17/2-01   #7318352	
<b>5. SOLE SUPPLIERS AND SPECIALISED SUPPLIERS 2023/24 –UPDATE ....</b>	<b>7</b>
63/14/4-01   #7095358	
<b>6. GRANTS INWARDS STATUS UPDATE REPORT .....</b>	<b>7</b>
63/8/12-07   #7325631v2	
<b>7. RECONFIGURING A LOT (2 LOTS INTO 249 LOTS, BALANCE LOTS &amp; COMMON PROPERTY) – REED ROAD &amp; 42 RIVERSIDE PARADE, TRINITY PARK, 42 RIVERSIDE PARADE TRINITY PARK – DIVISION 8 .....</b>	<b>7</b>
8/13/2517   #7305676	
<b>8. REVIEW OF SUBMISSIONS AND ADOPTION OF CAIRNSPLAN 2016 PLANNING SCHEME POLICY – FNQROC REGIONAL DEVELOPMENT MANUAL AMENDMENT 1 OF 2024 .....</b>	<b>36</b>
70/6/1-01   #7321329	
<b>9. CLIFTON BEACH EROSION MANAGEMENT PG22031-02 - APPLICATION TO COASTAL AND ESTUARINE RISK MITIGATION PROGRAM .....</b>	<b>37</b>
50/5/32-01   #7307127	
<b>CLOSED SESSION</b>	
<b>1. BUDGETARY MATTER – OUTSTANDING DEBT REPORT .....</b>	<b>38</b>
63/8/31-01   #7321730v1	

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2. **PREJUDICIAL MATTER (LOCAL GOVERNMENT REGULATION 2012 254J (3)(H)) – ACQUISITION OF FREEHOLD LAND FOR ROAD PURPOSES – COOPER ROAD UPGRADE PROJECT, MOUNT PETER – DIVISION 1 ..... 38  
19/28/422 | #7323351**
3. **PREJUDICIAL MATTER – ACQUISITION OF FREEHOLD LAND FOR ROAD PURPOSES – WALKER AND CHAY ROAD EXTENSION PROJECT STAGE 1, EDMONTON – DIVISION 1 AND DIVISION 2..... 39  
55/2/3 | #7319556**

## CONFLICTS OF INTEREST

There were no conflicts of interest declared.

## PURPOSE OF MEETING

To consider the matters listed on the agenda.

## MAYORAL MINUTE

### AUSTRALIA DAY

I don't take Mayoral Minutes lightly, but I think a correction of the record is warranted in relation to this Council's acknowledgement of Australia Day...

**So, to set the record straight:**

Cairns Regional Council has always celebrated the gazetted federal public holiday and our national day - Australia Day, as we will again this year on 26 January 2024.

We have 3 signature event programs within a week of Australia Day.

I will be officiating Council's premier Citizenship Ceremony this Friday (Australia Day), where we will celebrate the region's newest Australians. The Federal Government has given Councils the choice to reschedule their Citizenship Ceremonies to an alternate date, however I opted to retain 26 January as the most appropriate date for this ceremony, the National Day of Australia. I am sure that, yet again, the 26 January will be a significant and memorable day for these community members as we warmly welcome them to their new life in Cairns. The media are always invited to join in this special occasion.

To the Cairns Citizen of the Year Awards – last year Mayor Bob Manning opted to shift the focus of the 2023 and 2024 awards.

He provided the following quote to the Cairns Post to go on public record, over a year ago stating that: *"The decision to revert the name of Council's awards back to Cairns Citizen of the Year Awards, was to ensure that the focus of the awards is on the recipients – their merits, achievements, and actions as exemplary citizens of Cairns."* This is, quite literally, old news.

I don't want to speak for Mr Manning, but my interpretation of this statement is: where there is a lot of public discourse around the merits of celebrating this date, it would be unfair for those nominated for that debate to distract from their achievements, which we are honouring.

While the event was never held on Australia Day itself, but usually the day prior, this year it is scheduled to take place within a week of January 26.

The Australia Day Community Events have been specifically marketed to focus on 'family fun'.

From all reports, this marketing angle has resulted in a bigger take up of young families and children participating in these positive events where the Cairns community come

together to celebrate what we know and love about Australia – swimming in the pool, barbecues, games, music and fun with family and friends. My understanding is that we have had only good community feedback about these events to date, which is all about community coming together to celebrate and not detracting from that.

Notwithstanding, I acknowledge that this is a date that means different things to different people, and we respect that is up to community members to decide what this day means for them.

However, Cairns Regional Council does not diverge from the date of 26 January as the National Day of Australia.

JAMES

**That Cairns Regional Council recognises 26 January as ‘Australia Day’, in accordance with the federally gazetted public holiday as our national day.**

*carried unanimously*

## **CONFIRMATION OF MINUTES OF ORDINARY MEETING 21/12/23 AND SPECIAL MEETING 18/1/24**

MOLLER / OLDS

**That the Minutes of the Ordinary Meeting held on Wednesday, 21/12/23 and the Special Meeting held 18/1/24 be confirmed.**

*carried unanimously*

### **1. CEO MONTHLY REPORT .....74** **93/1/2 | #7324874**

ZEIGER / VALLELY

1. That Council notes:
  - a) The update on Ex-Tropical Cyclone Jasper Flooding Event.
  - b) The status of Council Resolutions.
  - c) The CEO Month in Review for November 2023 and December 2023.
  
2. That Council approves:
  - a) Gifts received by Council that are not deemed to hold curatorial, historic, or artistic value are to be dealt with as follows:
    - If suitable, Council integrates the item for use into its operations OR
    - Donates the gift to a local charity or community organisation.

- b) The amended schedule of Ordinary Council Meetings for 2024 as contained in this report.

*carried unanimously*

**2. GENERAL POLICY REVIEW – MODEL MEETING PROCEDURES ....**  
**.....108**  
**93/1/2 | #7331899**

OLDS / COGHLAN

That Council adopts the Standing Orders and Model Meeting Procedures General Policy.

*carried unanimously*

**3. Q2 OPERATIONAL PLAN 2023-24 PROGRESS REPORT .....136**  
**83/3/1-01 | #7175696**

COGHLAN / VALLELY

That Council notes the Q2 Operational Plan 2023-24 Progress Report.

*carried unanimously*

**4. FINANCIAL PERFORMANCE REPORT FOR THE PERIOD ENDED 29**  
**DECEMBER 2023 .....150**  
**63/17/2-01 | #7318352**

COGHLAN / MOLLER

That Council notes the financial performance report for the period ended 29 December 2023.

*carried unanimously*

**5. SOLE SUPPLIERS AND SPECIALISED SUPPLIERS 2023/24 – UPDATE .....173**  
63/14/4-01 | #7095358

OLDS / COGHLAN

That Council:

- 1. Resolves in accordance with section 235(a) and 235(b) of the *Local Government Regulation 2012*, it is satisfied that the nominated suppliers listed in Attachment 1 are Sole or Specialised Suppliers and that they be added to the Sole Supplier Register for the remainder of the 2023/24 financial year.
- 2. Delegates authority to the Chief Executive Officer in accordance with the *Local Government Act 2009* to enter into contracts, negotiate, finalise and execute any and all matters associated with or in relation to Sole or Specialised Suppliers subject to Council’s normal procurement policies and practices.

*carried unanimously*

**6. GRANTS INWARDS STATUS UPDATE REPORT .....187**  
63/8/12-07 | #7325631v2

ZEIGER / COGHLAN

That Council notes the Grants Inwards Status Update Report.

*carried unanimously*

**7. RECONFIGURING A LOT (2 LOTS INTO 249 LOTS, BALANCE LOTS & COMMON PROPERTY) – REED ROAD & 42 RIVERSIDE PARADE, TRINITY PARK, 42 RIVERSIDE PARADE TRINITY PARK – DIVISION 8.....195**  
8/13/2517 | #7305676

COGHLAN / MOLLER

That Council approves the development application for a Development Permit for Reconfiguring a Lot (2 Lots into 249 Lots, Balance Lots & Common Property) over land described as Reed Road & 42 Riverside Parade, Trinity Park, located at Lot 3 on RP745338 & Lot 1 on RP745338, subject to the following:

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

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

<b>Drawing or Document</b>	<b>Reference</b>	<b>Date</b>
<b>Reconfiguration of a Lot – Proposed Community Title Development</b>	<b>Dwg No. PR151091-5 Prepared by RPS AAP Consulting Pty Ltd</b>	<b>2 May 2023</b>
<b>Plan of Development</b>	<b>Dwg No. DA-010 Rev 4 Prepared by Ellivo Pty Ltd</b>	<b>29 August 2023</b>
<b>Road Hierarchy Plan</b>	<b>Dwg No. 22012-SK107 Rev D Prepared by Progression Design &amp; Development</b>	<b>18 May 2023</b>
<b>Entrance Intersection Plan</b>	<b>Dwg No. 22012-SK108 Rev D Prepared by Progression Design &amp; Development</b>	<b>18 May 2023</b>
<b>Proposed Sewer Pump Station 20m Min Setback with Odour Control Concept Layout</b>	<b>Dwg No.21005-SK021 Rev B Prepared by Applin Consulting</b>	<b>16 February 2023</b>
<b>Half Moon Bay Flood Impact Assessment</b>	<b>File Ref. 30050 Rev 2 Prepared by Water Engineering Plus</b>	<b>19 May 2023</b>
<b>Reed Road Tree Survey Sheet 1 of 3</b>	<b>Dwg No. 21005-SK022 Rev C Prepared by Applin Consulting</b>	<b>26 September 2023</b>
<b>Reed Road Tree Survey Sheet 2 of 3</b>	<b>Dwg No. 21005-SK023 Rev C Prepared by Applin Consulting</b>	<b>26 September 2023</b>
<b>Reed Road Tree Survey Sheet 3 of 3</b>	<b>Dwg No. 21005-SK024 Rev C Prepared by Applin Consulting</b>	<b>26 September 2023</b>
<b>Geotechnical and Acid Sulfate Soil Desktop Study</b>	<b>Rev A Prepared by WSP</b>	<b>5 August 2022</b>
<b>Landscape Intent Statement – Locality Plan</b>	<b>Sheet 1 of 9 Prepared by LA3</b>	<b>October 2022</b>
<b>Landscape Intent Statement – Overall Masterplan</b>	<b>Sheet 2 of 9 Prepared by LA3</b>	<b>October 2022</b>
<b>Landscape Intent</b>	<b>Sheet 3 of 9</b>	<b>October 2022</b>



<b>Statement – Streetscape Masterplan</b>	<b>Prepared by LA3</b>	
<b>Landscape Intent Statement – Entrance Masterplan</b>	<b>Sheet 4 of 9 Prepared by LA3</b>	<b>October 2022</b>
<b>Landscape Intent Statement – Parklands Masterplan</b>	<b>Sheet 5 of 9 Prepared by LA3</b>	<b>October 2022</b>
<b>Landscape Intent Statement – Entry Statement &amp; Public Art Intent</b>	<b>Sheet 6 of 9 Prepared by LA3</b>	<b>October 2022</b>
<b>Landscape Intent Statement – Streetscape &amp; Parkland Planting Palette</b>	<b>Sheet 7 of 9 Prepared by LA3</b>	<b>October 2022</b>
<b>Landscape Intent Statement – Environmental Management Plan</b>	<b>Sheet 8 of 9 Prepared by LA3</b>	<b>October 2022</b>
<b>Landscape Intent Statement – Environmental Rehabilitation Species List</b>	<b>Sheet 9 of 9 Prepared by LA3</b>	<b>October 2022</b>
<b>Francisii Ecology Assessment</b>	<b>Ref. J2022_010_L_14_10_23 Prepared by Francisii Ecology</b>	<b>14 October 2023</b>
<b>Tree Survey</b>	<b>Dwg No. 21005-SK026 Rev B Prepared by Applin Consulting</b>	<b>16 October 2023</b>
<b>Half Moon Bay Terrestrial Ecology Assessment</b>	<b>Job Ref. J2022_10 Version 3 Prepared by Francisii Ecology</b>	<b>5 October 2022</b>

## ASSESSMENT MANAGER CONDITIONS

<b>General Requirements</b>		<b>Timing</b>
<b>1.</b>	<p><b>Approved Plans and Documents</b></p> <p>The development is to be completed and carried out generally in accordance with the above approved plans and reports submitted with the development application, except where modified by the conditions of this Development Permit.</p>	<b>As stated.</b>

2.	<p><b>Maintain the Approved Development</b></p> <p>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.</p>	At all times.
3.	<p><b>Currency Period</b></p> <p>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).</p>	As stated.
4.	<p><b>Staging</b></p> <p>The development must be undertaken in stages, in accordance with the approved plans.</p>	At all times.
5.	<p><b>Plan of Development</b></p> <p>Future development on Lots 101-139, 201-241, 301-341, 401-422, 425-428, 601-622, 701-731 &amp; 801-842 must be in accordance with the Building Envelope Plan identified on the approved plan(s) of development, including all design parameters.</p> <p><i>Note: A Rates Notation to this effect will be placed on the property file.</i></p>	At all times.
6.	<p><b>Community Management Statement Requirements</b></p> <p>Provide a Community Management Statement to Council that includes the following matters:</p> <ol style="list-style-type: none"> <li>a. Responsibility for the management of and ongoing maintenance of embellishments and private infrastructure, including entry statements, landscaping, roads, footpaths and other private services as identified on the approved plan(s) as common property areas;</li> <li>b. An allocation must be made in the administration fund for the specific purpose of enabling maintenance and management activities of the embellishments and private infrastructure;</li> <li>c. Entity committing to the maintenance within the common property areas will ensure: <ol style="list-style-type: none"> <li>i. The operation and management are adequate to protect public health, safety and amenity, and prevent environmental harm;</li> <li>ii. The works or activity must not significantly detract</li> </ol> </li> </ol>	Prior to the issue of a Development Permit for Operational Work.

	<p>from the capacity of the road to provide a vehicular and pedestrian thoroughfare;</p> <ul style="list-style-type: none"> <li>iii. The works or activity must not adversely affect the amenity of the area or the environment;</li> <li>iv. The person or entity is to ensure the contractor has public liability insurance; and</li> <li>v. Implement a traffic guidance scheme to ensure the safety of pedestrians and vehicles including but not limited to the safe temporary diversion of traffic erection of warning lights and barricades to the satisfaction of an authorised person.</li> </ul> <ul style="list-style-type: none"> <li>d. Contain contact details and postal address of persons responsible for the management common property areas and private infrastructure; and</li> <li>e. Demonstrate the location on the approved plan(s) of the common property areas and include a clause in any future Community Management Statement for all residential lots which precludes future owners from establishing land uses which are in conflict with or not in keeping with the intended form stated in the Plan of Development.</li> </ul> <p>Any amendments to the Community Management Statement must not remove the above requirements for the life of the development.</p>	
<p>7.</p>	<p><b>Water Supply and Sewerage Master Plan</b></p> <p>Provide a Water Supply and Sewerage Master Plan in accordance with the FNQROC Development Manual. The Water Supply and Sewerage Master Plan must be accompanied by supporting calculations that demonstrates how the development will be serviced.</p> <p>The Master Plans must address the following at a minimum:</p> <p><b>Water Supply</b></p> <ul style="list-style-type: none"> <li>a. Obtain and apply boundary conditions for the ultimate catchment conditions per Section D6.05 Part 6 of the FNQROC Development Manual;</li> <li>b. In addition to demonstrating compliance for the overarching master plan, demonstrate each stage of progressive works complies with the FNQROC Development Manual, without reliance on future works;</li> <li>c. Where a commercial land use is proposed within the development, demonstrate that a commercial fire flow can be achieved per Section D6.07 Part 3 of the FNQROC Development Manual; and</li> </ul>	<p>Prior to the issue of a Development Permit for Operational Work.</p>

	<p>d. Provide a second connection for security of supply off Riverside Parade or end of Reed Road (Internal Road 10).</p> <p><b>Sewerage</b></p> <p>a. Update the sewer network master plan and analysis to ensure currency at the time of Operational Work application. The analysis is to demonstrate compliant servicing is maintained for both the development and the existing serviced catchments impacted by the design. Particularly, the analysis and detailed pump station design is to demonstrate no adverse service impact to Council's existing sewerage network and the performance of existing pump stations RR12 and RR3;</p> <p>b. Update the sewer network master plan to include sewerage infrastructure conditioned in the internal and external works conditions in this approval;</p> <p>c. Provide a sewage pump station in accordance with the approved masterplan; inclusive of rising main connections, decommissioning existing sewerage pump station RR4 and construction of a new gravity main to redirect the RR4 catchment into the proposed pump station. Where minimum setback distances from the proposed pump station are not maintained, provide an active odour control system suitable for managing and compensating for the reduced setback. All recoverable equipment associated with the decommissioning of sewage pump station RR4 is to be returned to Council; and</p> <p>d. Where minimum setback distances from the proposed pump station are not maintained, provide an active odour control system suitable for managing and compensating for the reduced setback.</p> <p><i>This condition is imposed under section 145 of the Planning Act 2016 (Qld).</i></p>	
8.	<p><b>Water Supply and Sewerage Works External</b></p> <p>Undertake the following water supply and sewerage work external to the premises to connect the land to existing water supply and sewerage infrastructure:</p> <p>a. All water supply and sewerage infrastructure identified on the approved Water Supply and Sewerage Master Plan prior to Council approval of the Plan of Subdivision of the relevant stage;</p> <p>b. All external sewerage infrastructure associated with the proposed pump station, inclusive of rising main</p>	As stated.

	<p>connections, decommissioning existing sewage pump station RR4 and construction of a new gravity main to redirect the RR4 catchment into the proposed pump station prior to Council approval of the Plan of Subdivision for Stage 1; and</p> <p>c. The proposed new rising main and gravity main to redirect the RR4 catchment will be become Council infrastructure.</p> <p>All the above work must be designed and constructed in accordance with the FNQROC Development Manual prior to Council approval of the Plan of Subdivision of the relevant stage.</p> <p><i>This condition is imposed under section 145 of the Planning Act 2016 (Qld).</i></p>	
9.	<p><b>Water Supply and Sewerage Work Internal</b></p> <p>Undertake the following water supply and sewerage works internal to premises:</p> <p>a. Remove and dispose of redundant 100mm AC water main within the proposed development site as indicated on the masterplan and include details of the treatment on the as constructed drawings;</p> <p>b. The development must be serviced by internal water and sewerage connection made clear of any buildings or structures. The number of connections must be in accordance with the approved water supply and sewerage masterplan prior to Council approval of the Plan of Subdivision for the relevant stage;</p> <p>c. All sewerage infrastructure identified on the approved Water Supply and Sewerage Master Plan. This includes all internal sewerage infrastructure associated with the proposed pump station, inclusive of rising main connections, decommissioning existing sewage pump station RR4 and construction of a new gravity main to redirect the RR4 catchment into the proposed pump station prior to Council approval of the Plan of Subdivision of Stage 1;</p> <p>d. The proposed new pump station, rising main and gravity main to redirect the RR4 catchment will be become Council infrastructure;</p> <p>e. Internal sewers are to be ‘smart sewers’ built in accordance with the SEQ Water Supply Code;</p> <p>f. All recoverable equipment associated with the decommissioning of sewerage pump station RR4 is to be returned to Council;</p> <p>g. Water supply sub-metering must be designed and</p>	<p>Prior to Council approval of the Plan of Subdivision.</p>

	<p>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); and</p> <p>h. Any redundant sewer property connection(s) and water connection(s) must be decommissioned and removed.</p> <p>All the above works must be designed and constructed in accordance with the FNQROC Development Manual.</p> <p>All works must be carried out in accordance with the approved plan(s), to the requirements and satisfaction of Council.</p> <p><i>This condition is imposed under section 145 of the Planning Act 2016 (Qld).</i></p>	
10.	<p><b>Inspection of Sewers</b></p> <p>CCTV inspections of all existing and constructed sewers must be undertaken.</p> <p>An assessment of the CCTV records must be undertaken by a suitably qualified person and a report along with the footage submitted to Council for review.</p> <p>Identified defects are to be rectified to the satisfaction of Council at no cost to Council. CCTV Report – Sewer.</p> <p>The CCTV report, video files and a digital file with coding information (WinCan format), must be submitted during Work Acceptance Submission in accordance with the clause S6.29 (3) FNQROC Development Manual.</p>	Prior to Works Acceptance.
11.	<p><b>Pumping Stations</b></p> <p>The proposed sewage pump station must be located on freehold land that is owned by Council at the time of Council approval of the Plan of Subdivision for Stage 1 as identified on the approved plans as Lot 1000. This land must be provided in freehold at no cost to Council.</p> <p><i>This condition is imposed under section 145 of the Planning Act 2016 (Qld).</i></p>	Prior to Council approval of the Plan of Subdivision of Stage 1.
12.	<p><b>Sewer Easement</b></p> <p>Prepare for lodgement for registration at the Department of Resources (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.</p>	Prior to Council approval of the Plan of Subdivision.

	<p>The easement documents required must be:</p> <ol style="list-style-type: none"> <li>In the approved form (Form 9) for lodgement to the Titles Registry;</li> <li>Executed by each relevant landowner; and</li> <li>Endorsement by Council prior to Council approval of the Plan of Subdivision and lodgement to the Titles Registry.</li> </ol>	
13.	<p><b>Refuse Collection Other</b></p> <p>Provide a consent agreement from the owners of the private road to allow Council's waste services to utilise the private road/common property for refuse collection.</p>	<p>Prior to Council approval of the Plan of Subdivision.</p>
14.	<p><b>Waste Bin Siting Plan</b></p> <p>Provide a Waste Bin Siting Plan to Council for endorsement.</p> <p>The plan must demonstrate that the new private roads are sufficient to cater for a refuse vehicle and show that each lot has sufficient area within the road verge to provide for bin storage for at least two (2) bins.</p>	<p>Prior to the issue of a Development Permit for Operational Work.</p>
15.	<p><b>External Road Works</b></p> <p>Upgrade Reed Road, extending from the development access to the roundabout at Harbour Drive/Roberts Drive to a Major Collector Standard in accordance with the FNQROC Development Manual prior to Council approval of the Plan of Subdivision.</p> <p>Detailed Engineering Drawings must be provided to Council for endorsement prior to the issue of a Development Permit for Operational Work.</p> <p><i>This condition is imposed under section 145 of the Planning Act 2016 (Qld).</i></p>	<p>As stated.</p>
16.	<p><b>Roads and Footpaths</b></p> <p>Roads and Footpaths as shown on the Approved Plan(s), must be constructed in accordance with relevant design and specifications sections FNQROC Development Manual or as amended by the approved plans prior to Council approval of the Plan of Subdivision.</p> <p>All internal roads and footpaths will be considered as private infrastructure and must be maintained by the Applicant for the life of the development. This infrastructure will not be</p>	<p>Prior to Council approval of the Plan of Subdivision</p>

	<b>transferred or maintained by Council.</b>	
<b>17.</b>	<p><b>U-turn facility</b></p> <p>Facility for a passenger vehicle to perform a u-turn, in a single manoeuvre, must be provided before the gate prior to Council approval of the Plan of Subdivision.</p> <p>Swept paths demonstrating the u-turn manoeuvre can be accomplished must be provided to Council for endorsement prior to the issue of a Development Permit for Operational Work.</p>	<b>As stated.</b>
<b>18.</b>	<p><b>Dedication of Road Reserve</b></p> <p>The land identified as New Road Reserve (903m<sup>2</sup>) on the approved Reconfiguration of a Lot Plan, PR151091-5, dated 2 May 2025, prepared by RPS AAP Consulting Pty Ltd must be transferred to Council.</p>	<b>Prior to Council approval of the Plan of Subdivision of Stage 1.</b>
<b>19.</b>	<p><b>No Additional Access</b></p> <p>Access to the land for Lots 104-118 is limited to the new internal private road network, as shown on the Approved Plan(s). No additional crossover or access is permitted to Reed Road.</p> <p><i>Note: A Rates Notation to this effect will be placed on the property file.</i></p>	<b>At all times.</b>
<b>20.</b>	<p><b>New Allotments</b></p> <p>All new allotments must have finished surface levels equal to the 1% AEP defined inundation event level prior to Council approval of the Plan of Subdivision of the relevant stage.</p> <p>Confirmation of the finished surface levels must be provided prior to the issue of a Development Permit for Operational Work.</p>	<b>As stated.</b>
<b>21.</b>	<p><b>Flood Impact Assessment</b></p> <p>Provide an addendum to the Half Moon Bay Flood Impact Assessment, File Ref. 30050 Rev 2, prepared by Water Engineering Plus, dated 19 May 2023 prior to the issue of the first Development Permit for Operational Work that demonstrates the development is designed and can be constructed so as to result in:</p>	<b>As stated.</b>



	<p>a. No increase in peak flow rates downstream from the site;</p> <p>b. No actionable nuisance external to the site; and</p> <p>c. No increase in duration of inundation external to the site.</p> <p>All recommendations of the Flood Impact Assessment must be implemented prior to Council approval of the Plan of Subdivision.</p>	
22.	<p><b>Drainage Design</b></p> <p>Design a stormwater drainage system (internal and external to the land) to satisfactorily drain the subject land such that the upstream drainage is not adversely affected and that the downstream drainage system is capable of adequately catering for the discharge of the modified flow produced as a result of the development.</p> <p>Detailed design drawings of all stormwater infrastructure required as a result of the development are to be provided to Council for endorsement prior to the issue of a Development Permit for Operational Work.</p> <p>Once approved, all work must be carried out in accordance with the approved plan(s) prior to Council approval of the Plan of Subdivision for the relevant stage.</p>	As stated.
23.	<p><b>Stormwater Quality Improvement</b></p> <p>Provide a Stormwater Quality Management Plan that ensures the development is designed, constructed and operated to avoid or minimise adverse pre and post development related impacts on stormwater quality in natural and developed catchments by:</p> <p>a. Achieving stormwater quality objectives;</p> <p>b. Protecting natural ecosystems and environmental values; and</p> <p>c. Maintaining waterway hydrology.</p> <p>All recommendations of the Stormwater Quality Management Plan must be implemented.</p>	Prior to the issue of a Development Permit for Operational Work.
24.	<p><b>Concentration of Stormwater</b></p> <p>Stormwater discharge must have a no worsening effect or ponding nuisances on downstream or upstream properties, associated with the following:</p>	At all times.

	<ul style="list-style-type: none"> <li>a. diversion of stormwater;</li> <li>b. concentration of stormwater flows;</li> <li>c. changes in other flow characteristics; and</li> <li>d. changes that affect the future use of land.</li> </ul> <p>If a disparity exists between pre and post alteration flows, measures are to be implemented in order to have a no worsening effect.</p>	
25.	<p><b>Discharge of Stormwater</b></p> <p>Stormwater associated with development is discharged to:</p> <ul style="list-style-type: none"> <li>a. a lawful connection provided from the premises to Council's stormwater network; or</li> <li>b. land under Local Government control that has a lawful drainage function immediately adjoining to the premises; or</li> <li>c. an easement for drainage purpose immediately adjoining to the premises; or</li> <li>d. where the site cannot discharge to a, b or c, stormwater is discharged from the site in a manner that does not result in: <ul style="list-style-type: none"> <li>i. change to the location of stormwater discharge;</li> <li>ii. an increase to peak flow velocity or volume; or</li> <li>iii. a concentration in stormwater discharge.</li> </ul> </li> </ul>	At all times.
26	<p><b>Existing Kerb and Channel</b></p> <p>The existing kerb and channel to the frontage of the subject site must be repaired where any sections show ponding or significant cracking.</p>	Prior to Council approval of the Plan of Subdivision.
27.	<p><b>Outlet Protection</b></p> <p>All stormwater outlets must have protection in accordance with Section D4.20 of the FNQROC Development Manual.</p>	Prior to Works Acceptance.
28.	<p><b>Electricity Supply</b></p> <p>An underground electricity reticulation must be provided to each lot in accordance with the requirements of the Ergon Energy the Queensland Electrical installation – Wiring Rules Standard.</p> <p>Applicant is to maintain all private infrastructure for the entire development's life.</p>	Prior to Council approval of the Plan of Subdivision.

	<p>Any existing overhead electricity reticulation within the subdivision must be recovered or placed underground.</p> <p>Any road crossings for the conveyance of HV/LV reticulation across Reed Road must be underground and tunnel bored.</p>	
29.	<p><b>Electrical Design</b></p> <p>The development's internal underground electricity reticulation must be designed and certified by a suitably qualified RPEQ electrical engineer.</p> <p>Ergon Energy's external electricity reticulation supplying the development must be underground designed in accordance with the requirements of Section D8.04 and Section D8.06 of the FNQROC Development Manual.</p>	Prior to Council approval of the Plan of Subdivision.
30.	<p><b>Electrical Transformer</b></p> <p>Padmount transformer(s) must be installed on site and positioned in accordance with the following requirements:</p> <ol style="list-style-type: none"> <li>a. not located on land used for open space or sport and recreation purposes;</li> <li>b. screened from view by landscaping, sightscreens and/or fencing;</li> <li>c. accessible for maintenance in accordance with the relevant utility provider;</li> <li>d. must be located clear of footpaths;</li> <li>e. must not be located over existing infrastructure;</li> <li>f. In new residential subdivisions, located in road reserve.</li> </ol>	Prior to Council approval of the Plan of Subdivision.
31.	<p><b>Telecommunications Supply</b></p> <p>Each lot must be connected to the telecommunications network in accordance with section D8.05 of the FNQROC Development Manual.</p>	Prior to Council approval of the Plan of Subdivision.
32.	<p><b>Evidence of Electrical and Telecommunication Connection</b></p> <p>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".</p> <p>The confirmation from the telecommunications provider must be in the form of a receipt for the full payment of the</p>	Prior to Council approval of the Plan of Subdivision.

	telecommunications “Development Application” or alternatively, a copy of the telecommunications provider “Council Letter”.	
33.	<p><b>Electrical and Street Lighting Plans</b></p> <p>Design and provide for endorsement by Council, layout plans for telecommunication, electrical services and road lighting generally in accordance with Section D8 of the FNQROC Development Manual for the entrance intersection on Reed Road.</p> <p>The application must include evidence in the form of detailed plans which show the locations of all existing and approved civil infrastructure, including water, sewer, drainage, road, footpaths and any existing or proposed telecommunication, lighting and electrical services.</p>	Prior to the issue of a Development Permit for Operational Work.
34.	<p><b>Street Lighting</b></p> <p>Provide the following arrangements for the installation of public street lighting for the entrance intersection on Reed Road:</p> <ol style="list-style-type: none"> <li>a. The application must include evidence in the form of detailed plans which show the locations of all existing and approved civil infrastructure, including water, sewer, drainage, road, footpaths and any existing or proposed telecommunication, lighting and electrical services;</li> <li>b. 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;</li> <li>c. The existing Rate 2 lighting scheme on Reed Road is to be reconfigured for the realigned road and channelised right turn lane in accordance with the relevant current Road Lighting Standard AS/NZS 1158 and the FNQROC Development Manual;</li> <li>d. Where the new intersection is formed on Reed Road 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 PR3;</li> <li>e. The lighting scheme must be approved by Council prior to the issue of a Development Permit for</li> </ol>	Prior to Council approval of the Plan of Subdivision.

	<p><b>Operational Work;</b></p> <p>f. All new lighting columns are to be of steel construction with LED luminaires installed at a zero-degree upcast and underground service, and all existing Ergon Energy timber street light poles are to be recovered.</p> <p>The approved street lighting scheme must be fully constructed and completed.</p>	
35.	<p><b>Offsets for Electrical and Telecommunication Services</b></p> <p>All electrical and telecommunication services must be located within the road reserve at a distance of 0.3m – 1.2m from the property boundary, unless otherwise approved.</p>	Prior to Council approval of the Plan of Subdivision.
36.	<p><b>Reinstatement of Verge</b></p> <p>All land adjacent to the new internal private road access in the road verge which is disturbed as a consequence of creating the access, including the existing kerb and channel, footway or roadway, must be reinstated to its pre-works condition.</p>	Prior to Council approval of the Plan of Subdivision of Stage 1.
37.	<p><b>Threatened Species and Protected Plant Management Plan</b></p> <p>Submit a Threatened Species and Protected Plant Management Plan (TSPMP) for Council approval.</p> <p><i>Note: The applicant must consider implications under the Commonwealth's EPBC Act and the Nature Conservation Act 1992 (Qld). The Coastal and Terrestrial Ecology Report with Annexure 7., notes although not limited to, trees supporting several hollows, particularly specimens of Corymbia intermedia, C. clarksoniana, C. tessellaris and Lophostemon suaveolens that are likely to provide nesting opportunities for a range of species; specimens of the 'Vulnerable' Myrmecodia beccarii, Ant Plant under The Nature Conservation Act 1992 (QLD) abundant on site, and the Estuarine Crocodile(s), a protected species under the Environmental Protection Biodiversity Conservation Act 1999.</i></p> <p>The TSPMP must include, but not be limited to the following information:</p> <p>a. A description and identification on plan(s) of the areas of the site that may be utilised for breeding, nesting, foraging, movement and other such activities;</p> <p>b. A description and identification on plan(s) of the</p>	Prior to issue of a Development Permit for Operational Work.

	<p><b>‘Vulnerable’ Ant Plant under the <i>Nature Conservation Act 1992</i> (Qld);</b></p> <ul style="list-style-type: none"> <li><b>c. Identification of potential threats to the listed species on the site from impacts of the development;</b></li> <li><b>d. Identification of detailed management strategies and/or required actions to be implemented on the site for the ongoing protection of, and reduction in risk to the listed species. These may include, but not be limited to recommendations regarding species to be used for rehabilitation on the land, identification of vegetation of significance to a particular species;</b></li> <li><b>e. Identification of timing, sequencing and staging of the management strategies and/or required actions for the listed species; and</b></li> <li><b>f. Identification of roles and responsibilities for stakeholders involved in the management of the listed species.</b></li> </ul> <p><b>Plan must be prepared by a suitably qualified and experienced ecologist.</b></p>	
38.	<p><b>Statutory Covenant for Vegetated Coastal Buffer</b></p> <p><b>A Statutory Covenant for Environmental Purposes must be registered over the Vegetated Coastal Buffer Covenant area to provide for the ongoing protection of the land for that purpose. The covenant must include, but is not limited to, the following details:</b></p> <ul style="list-style-type: none"> <li><b>a. The total extent of the covenant area for a 10m wide area adjacent to the landward side of the upper seaward edge of the revetment wall within the site over Lots 825, 829-842 &amp; 904;</b></li> <li><b>b. A description and purpose of the covenant;</b></li> <li><b>c. The responsibilities and obligations of the covenantee relating to the ongoing management of the covenant area to achieve the purpose of the covenant; that the covenantor must not use the covenant area for the construction of improvements or erection of buildings or for the storage of materials; and</b></li> <li><b>d. All works must align with the Vegetated Coastal Buffer Strategy.</b></li> </ul> <p><b>Any works not in accordance with the covenant and/or strategy must be supported by relevant plans and documentation and approved by Council.</b></p> <p><b>The Covenant and Covenant documents must be provided to Council for review and approval and must be registered prior to Council approval of the Plan of Subdivision.</b></p>	<p><b>Prior to the endorsement of a Plan of Subdivision.</b></p>

39.	<p><b>Detailed Landscape Plan (Common Property)</b></p> <p><b>Undertake landscaping internal to the site prior to Council approval of the Plan of Subdivision, generally in accordance with the Landscape Intent Statement Sheets 1-9, prepared by LA3, dated October 2022 in accordance with the Planning Scheme Policy Landscaping and in accordance with a Detailed Landscape and Park Development Plan prepared by a suitably qualified Landscape Architect or Landscape Designer.</b></p> <p><b>The Detailed Landscape Plan must show:</b></p> <ol style="list-style-type: none"> <li><b>a. Location of the Statutory Covenant areas associated with the Vegetated Coastal Buffers;</b></li> <li><b>b. Location of all significant trees to be retained and incorporated with the onsite landscaping;</b></li> <li><b>c. Methodology for tree protection in accordance with Australian Standard <i>AS4970 Protection of trees on development sites</i>;</b></li> <li><b>d. A planting schedule including native tree species and landscaping species that are not listed in The FNQROC Development Manual Cairns Regional Council Local Government Specific Requirements Appendix F Extended Environmental Weed List including the botanical name and common name, quantity, container size;</b></li> <li><b>e. Specifications for planting, mulching, edging and permanent irrigation;</b></li> <li><b>f. The provision of shade trees, especially in parks and open space;</b></li> <li><b>g. Planting of street trees, with a minimum of 1 tree per 15m each side of a new road in accordance with Schedule 12A of the <i>Planning Regulation 2017</i>, in accordance with accordance with the FNQROC Development Manual Standard Drawing for S2410 Street Tree Planting, Design Manual D9 Landscaping;</b></li> <li><b>h. Suitable connectivity to be provided internally from Lot 905 through 906 connecting to the carpark;</b></li> <li><b>i. Open space areas to be graded to a maximum 1:4 to allow maintenance access and grassed;</b></li> <li><b>j. Provisions for treatment to boundaries restrict vehicles and allow access by maintenance machinery within open space areas; and</b></li> <li><b>k. Details and specifications of any fencing and retaining walls associated with the development.</b></li> </ol> <p><b>The Landscape and Park Development Plan must be approved by Council prior to the issue of a Development</b></p>	As stated.
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	<p><b>Permit for Operational Work.</b></p> <p>The approved landscape works must align with the Stage boundaries shown on the approved Plan of Development.</p> <p>Areas to be landscaped must be installed and inspected by Council at a Works Acceptance Inspection, prior the Council's approval of the Plan of Survey. Landscaping must be maintained for the duration of the on-maintenance period and until Final Works Acceptance, to the satisfaction of Council.</p> <p>The landscaping must be maintained to the satisfaction of Council for the life of the development, at no cost to Council.</p>	
40.	<p><b>Detailed Landscape Plan (External Works)</b></p> <p>Undertake landscaping external to the site including Reed Road and any proposed areas within the Council Park identified in Stage 4B on the Plan of Development, in accordance with the FNQROC Development Manual and the Planning Scheme Policy Landscaping, and in accordance with a Detailed Landscape and Park Development Plan prepared by a suitably qualified Landscape Architect or Landscape Designer.</p> <p>The Detailed Landscape Plan must show:</p> <ol style="list-style-type: none"> <li>a. Location of all significant trees to be retained and incorporated on Reed Road and the Council Park;</li> <li>b. Methodology for tree protection in accordance with Australian Standard AS4970 Protection of trees on development sites;</li> <li>c. A planting schedule including native tree species and landscaping species that are not listed in The FNQROC Development Manual Cairns Regional Council Local Government Specific Requirements Appendix F Extended Environmental Weed List including the botanical name and common name, quantity, container size;</li> <li>d. Specifications for planting &amp; mulching;</li> <li>e. Details and specifications for the landscaping fronting Reed Road on Council land including the planting and establishment of street trees and the provision for tree protection including tree guards and eminence kerb surrounding tree(s) to be retained;</li> <li>f. Details and specifications of any fencing and retaining walls associated with the development.</li> </ol>	As stated.



	<p>The Landscape and Park Development Plan must be approved by Council prior to the issue of a Development Permit for Operational Work.</p> <p>The approved landscape works must align with the Stage boundaries shown on the approved Plan of Development.</p> <p>Areas to be landscaped must be installed and inspected by Council at a Works Acceptance and established by the application/property owner until the Final Works Acceptance.</p>	
41.	<p><b>Amended Significant Tree Assessment and Audit Plan (Significant Trees Fronting Reed Road)</b></p> <p>Submit an amended Tree Assessment and Audit Plan replacing plans titled Reed Road Tree Survey Sheet 1-3, drawings 21005-SK022, 21005-SK023, 21005-SK024 Rev C and obtain approval by Council to provide:</p> <ol style="list-style-type: none"> <li>a. Nominate the species and location of trees described as fair or good condition that are located within a 6m area fronting Reed Road that are recommended for retention based on the suitability of the species and their health, form, and stability; and</li> <li>b. Nominate the species and location of trees described as good, fair condition or dead that are not suitable for retention within a 6m area fronting Reed Road.</li> </ol> <p><i>Note: The Francisii Ecology Report dated 14 October 2023 notes there are significant tree species in good condition that have inherent aesthetic value as larger specimens and that are contributing to the green avenue through to the Half Moon Bay Beach Access. An example of species noted as not suitable are fast growing species, exotics or trees with demonstrated poor health, form or stability.</i></p> <p>The proposed removal of a significant streetscape tree that has been assessed as good condition and that is suitable for retention within the 6m set back area from Reed Road are not supported for removal for the purpose of earthworks on the lots.</p> <p><i>Note: It is recommended to utilise service location services to show depth of roots. If the depth of roots is demonstrated on a scan to be greater than the depth of earthworks, this will confirm that the earthworks can be done in accordance with AS4970, without concern for the tree health and</i></p>	

	<i>stability.</i>	
42.	<p><b>Tree Management Plan (Coastal Vegetation within Lot 906 and Significant Trees fronting Reed Road)</b></p> <p>All significant trees within Lot 906 as surveyed on the plan titled Tree Survey, drawing number 21005-SK026, Rev B and significant trees identified to be retained on an approved amended plan pursuant to condition 41., must be retained and protected in accordance with the Australian Standard <i>AS4970 Protection of trees on development sites</i> at all times.</p> <p>A Tree Management Plan must be prepared and submitted to Council by a certified project Arborist. The Tree Management Plan must provide the methodology to ensure tree protection in accordance with Australian Standard <i>AS 4790-2009 Protection of trees on development sites</i> at all times.</p> <p>The project Arborist must ensure the approved tree protection methodology and specifications are installed, maintained, and managed in accordance with AS 4970 throughout the construction works and be available to provide advice to Council and the site supervisor as required.</p> <p><i>Note: It is recommended to utilise service location services to show depth of roots. If the depth of roots is demonstrated on a scan to be greater than the depth of earthworks, this will confirm that the earthworks can be done in accordance with AS4970, without concern for the tree health and stability.</i></p>	<p>Prior to the issue of a Development Permit for Operational Work.</p>
43.	<p><b>Vegetated Coastal Buffer Strategy</b></p> <p>In conjunction with the submission of a Detailed Landscape Plan, and with reference to the Half Moon Bay Terrestrial Ecology Report, Job ref. J2022_10, prepared by Francisii Ecology, dated 5 October 2022 assessment, the applicant/landholder must provide a Vegetated Coastal Buffer Strategy for a buffer area to be retained and further augmented for a 10m wide area adjacent to the eastern side of the revetment wall within the site over Lots 825, 829-842 &amp; 904.</p> <p>The Vegetated Coastal Buffer Strategy must be submitted for Council approval with the Development Permit for Operational Work and must include the planting of native vegetation characteristic of the coastal vegetation community and the retention of all existing native</p>	<p>As stated.</p>

	<p>vegetation along the full length and within the 10m area of the buffer strip.</p> <p>The Strategy must provide details and specifications for weed management, revegetation and the maintenance regime required to successfully establish and maintain the designated buffer including maintenance of the revetment wall.</p> <p>All landscaping of the buffer shall be completed prior to Council approval of the Plan of Subdivision.</p>	
44.	<p><b>Restoration and Revegetation Work (Coastal Vegetation)</b></p> <p>In conjunction with the submission of a Detailed Landscape Plan, and with reference to the Coastal and Terrestrial Ecology Report with Annexure 7, Half Moon Bay Terrestrial Ecology Assessment, dated 5 October 2022 assessment, the applicant/landholder must provide to Council for approval prior to the issue of a Development Permit for Operational Work a Rehabilitation Management Plan specific for Lot 906 conservation area and the Park (Stage 4B) if works are proposed within the Council Park area. The Rehabilitation Management Plan must provide:</p> <ol style="list-style-type: none"> <li>a. Identification of the areas of the site subject for restoration and revegetation;</li> <li>b. Methodology for the rehabilitation and revegetation works;</li> <li>c. Planting schedule with native endemic species;</li> <li>d. Identification of timing, sequencing and staging of the restoration and revegetation works and provision for regular monitoring and evaluation of the rehabilitated areas; and</li> <li>e. Identification of roles and responsibilities for stakeholders involved in the rehabilitation works.</li> </ol> <p>The Rehabilitation Management Plan must be prepared by a suitably qualified and experienced person in ecosystem management and approved by Council prior to the issue of the Development Permit for Operational Work.</p> <p>All works must be constructed/installed in accordance with the Rehabilitation Management Plan prior to Council approval of the Plan of Subdivision.</p>	As stated.
45.	<p><b>Wildlife</b></p> <p>Prior to commencement of vegetation clearing, an inspection to determine the possible presence of native</p>	As stated.

	<p>wildlife and particular 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 tree and/or vegetation.</p> <p>An Inspection Report must be prepared and submitted to Council within 7 business days of the field inspection.</p> <p>During the removal of trees and vegetation, the spotter/catcher must be present on site for the duration of tree and vegetation removal works.</p> <p><i>Note: Inspection reports must be emailed to <a href="mailto:planningadmin@cairns.qld.gov.au">planningadmin@cairns.qld.gov.au</a>. The Department of Environment &amp; Science must be contacted if native wildlife is found to be present. The suitably qualified and experienced spotter/catcher must be present during the clearing of vegetation.</i></p>	
46.	<p><b>Bushfire Management Plan</b></p> <p>Prepare and provide to Council a land specific Bushfire Management Plan (BMP), prepared by a suitably qualified person, in accordance with Planning Scheme Policy – Natural Hazards, that addresses the bushfire risk to the land and the following matters:</p> <ol style="list-style-type: none"> <li>a. Identifies the nature and severity of the bushfire hazard affecting the land;</li> <li>b. Requirements for firebreaks that provide adequate setbacks between building/structures and hazardous vegetation;</li> <li>c. Specifies 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.);</li> <li>d. An assessment of the specific risk factors associated with the development proposal, including matters such as the nature of activities and materials to be conducted/stored on the land, numbers and types of persons likely to be present particular warning and/or evacuation requirements;</li> <li>e. Pre-emptive, primary, secondary and contingency actions during a bushfire event;</li> <li>f. Identifies locations and availability of suitable on or off-site refuges, including safe evacuation route/s and procedures for evacuation;</li> </ol>	<p>Prior to Council approval of the Plan of Subdivision.</p>

	<p>g. 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;</p> <p>h. Review and monitoring schedule for the plan; and</p> <p>i. The ongoing fire management practices which occur on the land including scheduled burns or other management techniques.</p> <p>The Bushfire Management Plan is to be implemented at all times, at no cost to Council.</p> <p><i>Advice Note: Council is not responsible for implementing or auditing the Bushfire Management Plan.</i></p>	
47.	<p><b>Construction Management Plan</b></p> <p>A Construction Management Plan must be prepared and submitted to Council.</p> <p>The Construction Management Plan must address all activities/operations associated with the construction including:</p> <ul style="list-style-type: none"> <li>a. Hours of construction;</li> <li>b. Location(s) of construction access;</li> <li>c. Parking of vehicles (including construction site employees and delivery vehicles);</li> <li>d. Traffic management and control (including loading and unloading);</li> <li>e. On-site dust and noise management, so as to not cause a nuisance to the amenity of the surrounding area;</li> <li>f. Tree protection management;</li> <li>g. Environmental management with a focus on isolating the development footprint from the surrounding wetlands;</li> <li>h. Site safety and security after hours to prevent public entry; and</li> <li>i. Location and details of construction signage including any signage that is to be illuminated.</li> </ul> <p>The CMP must be provided to Council and made available to all onsite workers at all times. The CMP must be implemented at all times for the duration of approved work.</p>	Prior to the Commencement of Works.
48.	<p><b>Private Infrastructure</b></p> <p>All infrastructure internal to the subject site, unless</p>	At all times.

	otherwise altered by a condition, will be required to be private infrastructure.	
49.	<p><b>Sediment and Erosion Control – Water Discharge</b></p> <p>Soil and water management measures must be installed/implemented prior to discharge of water from the land, such that no external stormwater flow from the land adversely affects surrounding or downstream properties (in accordance with the requirements of the <i>Environmental Protection Act 1994</i> (Qld), the FNQROC Development Manual and the International Erosion Control Association 2008 Guidelines).</p>	At all times.
50.	<p><b>Acid Sulfate Soils Management Plan</b></p> <p>Construct all works in accordance with the recommendations from the Geotechnical and Acid Sulfate Soil Desktop Study, Rev A, prepared by WSP, dated 5 August 2022.</p> <p>The works must be supervised by an appropriately qualified professional, with all work detailed on a certificate of supervision. A copy of the certificate of supervision must be provided to Council upon completion.</p> <p>Any changes found necessary by the supervising professional during construction must be documented and accepted by Council before the changed work is carried out, unless deemed necessary to respond to an emergency or potentially dangerous situation.</p> <p>In the event of an emergency or potentially dangerous situation, advise Council immediately of the situation and then provide the necessary documentation as soon as practical following rectification works occurring.</p>	Prior to Commencement of Work and at all times.
51.	<p><b>Damage to Infrastructure and Land</b></p> <p>Where any part of Council’s existing infrastructure or land is damaged as a result of construction activities occurring on the land, including but not limited to; mobilisation of heavy construction equipment, stripping, grubbing and vegetation damage, notify Council immediately of the affected infrastructure or land and have it repaired, replaced or reinstated at no cost to Council.</p>	Prior to Council approval of the Plan of Subdivision.

## **PART B: INFRASTRUCTURE CHARGES**

- 1. That an Infrastructure Charges Notice is issued for the development.**

## PART C: REFERRAL AGENCY CONDITIONS & REQUIREMENTS

Referral Agency	Referral Agency Reference	Date	Council Electronic Reference
SARA	2211-32122 SRA	26 October 2023	#7294072

Refer to Attachment 2: Referral Agency Response. (Please note that these conditions / requirements may be superseded by subsequent negotiations with the relevant referral agencies).

## PART D: RATES NOTATIONS

### 1. Plan of Development

Development on Lots 101-139, 201-241, 301-341, 401-422, 425-428, 601-622, 701-731 & 801-842 must be in accordance with the Building Envelope Plan identified on the approved plan(s) of development.

### 2. No Additional Access

Access to the land for Lots 104-118 is limited to the new internal private road network, as shown on the Approved Plan(s). No additional crossover or access is permitted to Reed Road.

## ADVICE

1.	<p><b>Planning Laws</b></p> <p>Information relating to the <i>Planning Act 2016 (Qld)</i>, <i>Planning Regulation 2017 (Qld)</i> and <i>Development Assessment Rules</i> is located on the Queensland Government's planning website.</p>
2.	<p><b>Further Approvals Required to Carry out the Development</b></p> <p>The following further approvals are required prior to carrying out the development generally in accordance with the approved plan(s) and drawings:</p> <ul style="list-style-type: none"> <li>• <b>Development Permit for Operational Work.</b></li> </ul>
3.	<p><b>Definitions</b></p> <p>All terms used in this development approval have those definitions as defined under the <i>Planning Act 2016 (Qld)</i> and <i>Planning Regulation 2017 (Qld)</i> (as at the date of the approval), <i>Queensland Development Code</i> and <i>CairnsPlan 2016</i>.</p>



	<p>To the extent of any inconsistency, the order of precedence of the above instruments is as follows:</p> <ol style="list-style-type: none"> <li>a. <i>Planning Act 2016</i> (Qld);</li> <li>b. <i>Planning Regulation 2017</i> (Qld);</li> <li>c. Queensland Development Code;</li> <li>d. CairnsPlan 2016; and</li> <li>e. FNQROC Development Manual.</li> </ol>
4.	<p><b>FNQROC Development Manual</b></p> <p>Access to FNQROC Development Manual, Local Laws, CairnsPlan 2016 and other referenced planning scheme policies are located on Council's website – <a href="http://www.cairns.qld.gov.au">www.cairns.qld.gov.au</a>.</p>
5.	<p><b>Infrastructure Charges Notice</b></p> <p>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.</p> <p>The original Infrastructure Charges Notice will be provided under cover of a separate letter.</p> <p>The amount in the Infrastructure Charges Notice has been calculated according to Council's Infrastructure Charges Resolution.</p> <p>Please note that this Decision Notice and the Infrastructure Charges Notice are stand-alone documents. The <i>Planning Act 2016</i> (Qld) confers rights to make representations and appeal in relation to a Decision Notice and an Infrastructure Charges Notice separately.</p> <p>The amount in the Infrastructure Charges Notice is subject to index adjustments and may differ at the time of payment. Please contact Council's Development Assessment Team for review of the charge amount prior to payment.</p> <p>The time when payment is due is contained within the Infrastructure Charges Notice.</p>
6.	<p><b>Weeds, Pest Animals and Ants</b></p> <p>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.</p>



7.	<p><b>Removal of Protected Vegetation</b></p> <p>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:</p> <ul style="list-style-type: none"> <li>a. <i>Environment Protection and Biodiversity Conservation Act 1999</i> (Cth);</li> <li>b. <i>Nature Conservation Act 1999</i> (Qld); and</li> <li>c. <i>Vegetation Management Act 1999</i> (Qld).</li> </ul> <p>For further information see:  <a href="https://www.qld.gov.au/environment/land/management/vegetation/damage">https://www.qld.gov.au/environment/land/management/vegetation/damage</a>.</p>
8.	<p><b>Native Wildlife</b></p> <p>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.</p>
9.	<p><b><i>Environmental Protection and Biodiversity Act</i> (Cth)</b></p> <p>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.</p> <p>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  <a href="https://www.awe.gov.au/environment/epbc/publications/significant-impact-guidelines-11-matters-national-environmental-significance">https://www.awe.gov.au/environment/epbc/publications/significant-impact-guidelines-11-matters-national-environmental-significance</a>.</p> <p>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.</p>

10.	<p><b><i>Environmental Protection and Biodiversity Conservation Act 1999 (Cth)</i></b>  <b>Lowland Tropical Rainforest of the Wet Tropics Ecological Community</b></p> <p><i>Environmental Protection and Biodiversity Conservation Act 1999 (Cth)</i> 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.</p>
11.	<p><b>Yellow Crazy Ants</b></p> <p>Yellow crazy ants are designated as invasive biosecurity matter under the <i>Biosecurity Act 2014 (Qld)</i>. 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. For further information contact the Department of Environment and Science – <a href="https://www.daf.qld.gov.au/business-priorities/biosecurity/policy-legislation-regulation/biosecurity-act-2014/biosecurity-matter-report/restricted-matter">https://www.daf.qld.gov.au/business-priorities/biosecurity/policy-legislation-regulation/biosecurity-act-2014/biosecurity-matter-report/restricted-matter</a>.</p>
12.	<p><b>Electric Ant Quarantine Area</b></p> <p>The <i>Biosecurity Act 2014 (Qld)</i> and the <i>Biosecurity Regulation 2016 (Qld)</i> places restrictions on the movement of electric ants and “high risk items” within and out of the zone, and places certain obligations and restrictions on landowners within the zone. For further information consult the following website – <a href="https://www.business.qld.gov.au/industries/farms-fishing-forestry/agriculture/land-management/health-pests-weeds-diseases/pests/electric-ants/movement-controls">https://www.business.qld.gov.au/industries/farms-fishing-forestry/agriculture/land-management/health-pests-weeds-diseases/pests/electric-ants/movement-controls</a>.</p>
13.	<p><b>Environmental Nuisance</b></p> <p>Construction or operational activities, including but not limited to, the operation of mechanical plant and equipment, must not cause an ‘environmental nuisance’ within the meaning of the <i>Environmental Protection Act 1994 (Qld)</i> to any sensitive receptor as stated within Schedule 1 of the Environmental Protection (Noise) Policy 2019 (Qld).</p> <p>Noise from air-conditioning units, swimming and spa pool filters, service equipment or other mechanical equipment must not emanate from the subject land to a degree that would in the opinion of an Authorised Person (officer) of Council, create an environmental nuisance having regard to the provisions of Chapter 8 Part 3B of the <i>Environmental Protection Act 1994 (Qld)</i>.</p>
14.	<p><b>Cyclone Watch Site Management</b></p> <p>All building site managers must take all action necessary to ensure</p>

	<p>building materials and/or machinery on construction sites are secured immediately following the first cyclone watch and that relevant emergency telephone contacts are provided to Council Officers, prior to commencement of works.</p>
15.	<p><b>Connections to, Alteration or Realignment of Council Infrastructure</b></p> <p>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.</p> <p>All connections or disconnection of water infrastructure must be undertaken by Council at the Applicant's cost.</p> <p>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.</p>
16.	<p><b>Dial Before You Dig</b></p> <p>Undertake a 'Dial Before You Dig' search and all information is to be verified and services located on site. Council accepts no responsibility for damaged assets as a result of these works. All damaged Council infrastructure is to be returned/replaced to an as-new state before works acceptance is issued.</p>
17.	<p><b>Future Compliance</b></p> <p>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.</p>
18.	<p><b>Cultural Heritage</b></p> <p>Aboriginal cultural heritage is protected under the <i>Aboriginal Cultural Heritage Act 2003</i> (Qld).</p> <p>Under the Act, a person who carries out an activity must take all reasonable and practicable measures to ensure that the activity is properly managed to avoid or minimise harm to Aboriginal cultural heritage.</p> <p>The Duty of Care Guidelines provide further guidance on identifying and protecting Aboriginal cultural heritage and can be accessed at the following webpage – <a href="https://www.qld.gov.au/firstnations/environment-">https://www.qld.gov.au/firstnations/environment-</a></p>

	<a href="#">land-use-native-title/cultural-heritage/cultural-heritage-duty-of-care.</a>
19.	<p><b>Road Closures and Works on a Local Government Road</b></p> <p>Road Closures and Works on a Local Government Road require further approvals from Cairns Regional Council that are not covered by this Permit. An <a href="#">Application for a Temporary Road Closure</a> is required where an activity on Council managed road or footpath occurs and where the activity will create an interference with the normal flow of traffic or pedestrian movement. An activity pertains to construction works undertaken within the road reserve. Applicants should allow additional time before planned works commence to obtain the required approvals.</p>

*carried with Councillor Olds and Pyne voting against the motion*

**8. REVIEW OF SUBMISSIONS AND ADOPTION OF CAIRNSPLAN 2016 PLANNING SCHEME POLICY – FNQROC REGIONAL DEVELOPMENT MANUAL AMENDMENT 1 OF 2024 .....295**

**70/6/1-01 | #7321329**

COGHLAN / MOLLER

**That Council:**

1. **Considers the submissions received during the public consultation period on the proposed Planning Scheme Policy - FNQROC Regional Development Manual amendment and prepares a Consultation Report;**
2. **Adopts the Planning Scheme Policy – FNQROC Development Manual Amendment 1 of 2024 and resulting Planning Scheme Policy – FNQROC Development Manual version 1.4 in accordance with the *Planning Act 2016*;**
3. **Sets 16 February 2024 as the commencement date for the Planning Scheme Policy – FNQROC Regional Development Manual Amendment 1 of 2024 and resulting Planning Scheme Policy – FNQROC Development Manual version 1.4;**
4. **Publishes a public notice regarding the adoption of the amendment in accordance with the requirements of the *Planning Act 2016*; and**

- 5. Delegates authority to the Chief Executive Officer in accordance with the *Local Government Act 2009* and the *Planning Act 2016* to finalise all matters in relation to the Planning Scheme Policy – FNQROC Regional Development Manual Amendment 1 of 2024 and resulting Planning Scheme Policy – FNQROC Regional Development Manual version 1.4.

*carried unanimously*

**9. CLIFTON BEACH EROSION MANAGEMENT PG22031-02 - APPLICATION TO COASTAL AND ESTUARINE RISK MITIGATION PROGRAM .....318**  
**50/5/32-01 | #7307127**

OLDS / COGHLAN

That Council:

- 1. Approves the acceptance of grant funding under the State Government’s Coastal and Estuarine Risk Mitigation Program for the breakwater construction for Clifton Beach Erosion Management PG22031-02.
- 2. Delegates authority to the Chief Executive Officer in accordance with the *Local Government Act 2009* to finalise any and all matters relating to the grant, including the execution of the grant agreement.

*carried unanimously*

There are three (3) items in closed session. One item relates to a budgetary matter and the other two are prejudicial matters.

Can I please have a mover and a seconder to move into Closed Session under Section 254J(3)(c) and 254J(3)(h) of the Local Government Regulations 2012.

**CLOSED SESSION**

OLDS / MOLLER

**COUNCIL RESOLVED TO GO INTO CLOSED SESSION TO DISCUSS THE FOLLOWING MATTERS AS LISTED IN THE AGENDA:**

- 1. **BUDGETARY MATTER – OUTSTANDING DEBT REPORT .....324**  
**63/8/31-01 | #7321730v1**

2. **PREJUDICIAL MATTER (LOCAL GOVERNMENT REGULATION 2012 254J (3)(H)) – ACQUISITION OF FREEHOLD LAND FOR ROAD PURPOSES – COOPER ROAD UPGRADE PROJECT, MOUNT PETER – DIVISION 1 ...341  
19/28/422 | #7323351**
3. **PREJUDICIAL MATTER – ACQUISITION OF FREEHOLD LAND FOR ROAD PURPOSES – WALKER AND CHAY ROAD EXTENSION PROJECT STAGE 1, EDMONTON – DIVISION 1 AND DIVISION 2..... 351  
55/2/3 | #7319556**

*carried unanimously*

## **OUT OF CLOSED SESSION**

### **COUNCIL RESOLVED TO MOVE OUT OF CLOSED SESSION**

MOLLER / O'HALLORAN

*carried unanimously*

### **RESOLUTIONS ARISING FROM MATTERS DISCUSSED IN CLOSED SESSION.**

1. **BUDGETARY MATTER – OUTSTANDING DEBT REPORT .....324  
63/8/31-01 | #7321730v1**

O'HALLORAN / COGHLAN

That Council notes the status of the outstanding debt owed to Council as at 29 December 2023.

*carried unanimously*

2. **PREJUDICIAL MATTER (LOCAL GOVERNMENT REGULATION 2012 254J (3)(H)) – ACQUISITION OF FREEHOLD LAND FOR ROAD PURPOSES – COOPER ROAD UPGRADE PROJECT, MOUNT PETER – DIVISION 1 .....341  
19/28/422 | #7323351**

MOLLER / NEAL

That Council:

1. **Provides approval to commence and finalise negotiations with the relevant landowners to acquire freehold land for road purposes for the Cooper Road Upgrade by resumption agreements in accordance with Section 15 of the**

*Acquisition of Land Act 1967;*

- 2. Provides approval to commence and finalise negotiations with relevant landowners to enter into Deeds of Access and Indemnity for land required to allow for construction of the road; and
- 3. Delegates authority to the Chief Executive Officer under the provisions of the *Local Government Act 2009*, to commence and finalise all matters necessary to complete the acquisitions and Deeds required to secure land for the Cooper Road Upgrade, with the relevant landowners.

*carried unanimously*

**3. PREJUDICIAL MATTER – ACQUISITION OF FREEHOLD LAND FOR ROAD PURPOSES – WALKER AND CHAY ROAD EXTENSION PROJECT STAGE 1, EDMONTON – DIVISION 1 AND DIVISION 2 ..**

.....351  
55/2/3 | #7319556

MOLLER / PYNE

That Council:

- 1. Provides approval to commence and finalise negotiations with relevant landowners to acquire freehold land for road purposes by private treaty or resumption agreements in accordance with Section 15 of the *Acquisition of Land Act 1967*;
- 2. Provides approval to commence and finalise negotiations with relevant landowners to enter into Deeds of Access and Indemnity for land required to allow for construction of the road, and
- 3. Delegates authority to the Chief Executive Officer under the provisions of the *Local Government Act 2009*, to commence and finalise all matters necessary to complete the acquisitions and Deeds required to secure land for the Walker/Chay Road project, with the relevant landowners.

*carried unanimously*

THE MEETING CLOSED AT 10.35 AM

CONFIRMED THIS 21<sup>st</sup> DAY OF FEBRUARY 2024



.....  
MAYOR

.....  
CHIEF EXECUTIVE OFFICER