

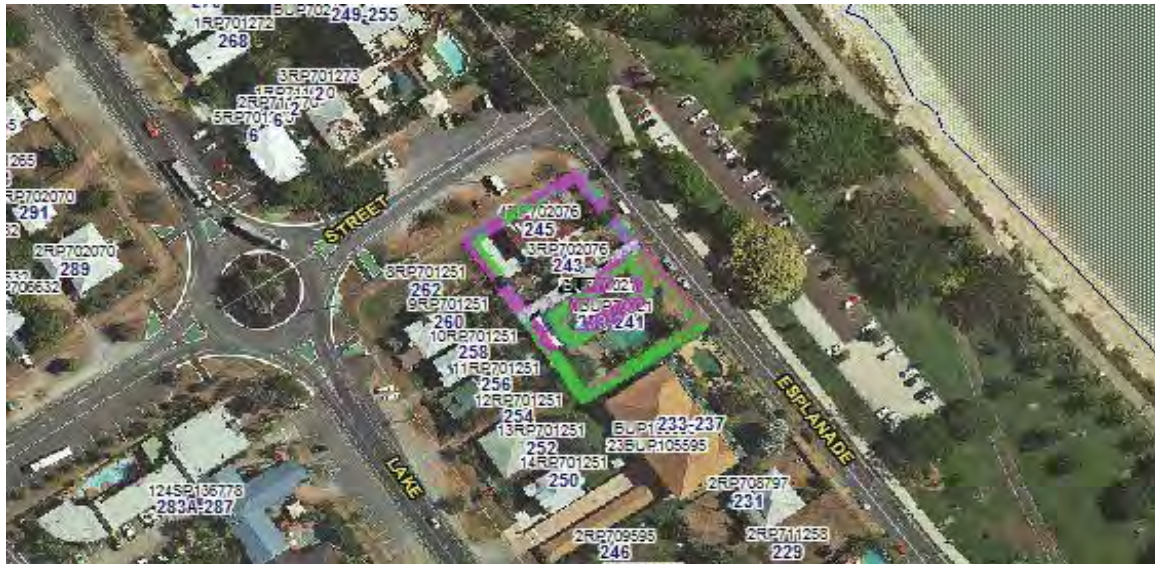
ORDINARY MEETING	2
25 MARCH 2015	

MATERIAL CHANGE OF USE (CODE ASSESSMENT) MULTIPLE DWELLINGS & RETIREMENT VILLAGE – 239-245 ESPLANADE, CAIRNS NORTH – DIVISION 5

C S Garner | 8/7/3140 SEDA | 4531153v3

<u>PROPOSAL:</u>	MULTIPLE DWELLINGS & RETIREMENT VILLAGE
<u>APPLICANT:</u>	CB NEATE P/L & DARTBURY P/L C/- PLANNING PLUS P/L PO BOX 8046 CAIRNS QLD 4870
<u>LOCATION:</u>	239-245 ESPLANADE, CAIRNS NORTH
<u>PROPERTY:</u>	LOTS 3 & 4 ON RP702076 & LOT 0 ON BUP70021
<u>PLANNING DISTRICT:</u>	CBD - NORTH CAIRNS
<u>PLANNING AREA:</u>	TOURIST AND RESIDENTIAL
<u>PLANNING SCHEME:</u>	CAIRNSPLAN 2009
<u>REFERRAL AGENCIES:</u>	NONE
<u>STATUTORY ASSESSMENT DEADLINE:</u>	EXPIRED
<u>APPLICATION DATE:</u>	28 OCTOBER 2014
<u>DIVISION:</u>	5
<u>APPENDIX:</u>	1. APPROVED PLAN(S) & DOCUMENT(S) 2. NOTICE OF INTENTION TO COMMENCE 3. FNQROC STANDARD DRAWINGS 4. INFRASTRUCTURE CHARGES NOTICE 5. SHADOW DIAGRAMS 6. BUILDING HEIGHTS IN PRECINCT 4 7. PLANS OF DEVELOPMENT OVERLAID WITH BUILDING SETBACKS 8. ESPLANADE SETBACK STUDY

LOCALITY PLAN



RECOMMENDATION:

That Council approves the development application for Multiple Dwellings and Retirement Village over land described as Lots 3 & 4 on RP702076 and Lots 0-8 on BUP 70021, located at 239-245 Esplanade, Cairns North, 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:

Drawing or Document	Reference	Date
Cover Sheet	Clarke & Prince P/L 'Cover Sheet' Dwg 1117- PD.01 Issue E	17 March 2015
Ground Level	Clarke & Prince P/L 'Ground Floor – Car Parking' Dwg 1117- PD.02 Issue B	6 March 2015
Level 1	Clarke & Prince P/L 'Level 1 – Car Parking' Dwg 1117- PD.03 Issue A	5 December 2014
Level 2	Clarke & Prince P/L 'Level 2 - Podium' Dwg 1117- PD.04 Issue B	12 March 2015
Level 3 - Typical Unit Layout	Clarke & Prince P/L 'Typical Unit Layout' Dwg 1117- PD.05	1 October 2014
Level 9 – Penthouse Level 1	Clarke & Prince P/L 'Penthouse Level 1' Dwg 1117- PD.06	1 October 2014
Level 10 – Penthouse Level 2	Clarke & Prince P/L 'Penthouse Lvl 2' Dwg 1117-PD.07	1 October 2014
McKenzie Street Elevation	Clarke & Prince P/L 'North West Elevation' Dwg 1117-PD.13 Issue A	17 March 2015
South West Elevation	Clarke & Prince P/L 'Elevation 2' Dwg 1117-PD.14 Issue A	17 March 2015
Esplanade Elevation	Clarke & Prince P/L 'North East Elevation' Dwg 1117-PD.16	17 March 2015

ASSESSMENT MANAGER CONDITIONS

1. Carry out the approved development generally in accordance with the approved drawing(s) and/or document(s), and in accordance with:-
 - a. The specifications, facts and circumstances as set out in the application submitted to Council;
 - b. The following conditions of approval and the requirements of Council's Planning Scheme and the FNQROC Development Manual.

Except where modified by these conditions of approval

Timing of Effect

2. The conditions of the Development Permit must be effected prior to Commencement of Use, except where specified otherwise in these conditions of approval.

Notice of Intention to Commence Use

3. Prior to commencement of the approved use on the site, written notice must be given to Council that the development fully complies with this Development Permit. Please return the attached "Notice of Intention to Commence Use" form when the use has commenced. (See Appendix 2).

Ratio of Uses

4. The Multiple Dwellings element of the development must not occupy more than 50% of the units in the building.

Plans and documents that detail which units will contain a Multiple Dwelling use must be submitted to Council for endorsement prior to Commencement of Use or issue of a Compliance Certificate for the Plan of Survey, whichever occurs first.

Water Supply and Sewerage Works External

5. Undertake the following water supply and sewerage works external to the site to connect the site to existing water supply and sewerage infrastructure:-
 - a. Augment existing water supply infrastructure to the extent necessary such that the development does not adversely affect the water supply to adjacent properties and such that a water service connection can be provided at the lot frontage;
 - b. Augment existing sewers downstream of the site to the existing 600dia trunk sewer to the extent required to accommodate the increased flows generated by the development;

The external works outlined above require approval from Council in accordance with Engineering Works on Roads. Three (3) copies of a plan of the works at A1 size and one (1) copy at A3 size must be endorsed by the Chief Executive Officer prior to commencement of such works. Such work must be constructed in accordance with the endorsed plan to the satisfaction of the Chief Executive Officer prior to Commencement of Use.

Water Supply and Sewerage Works Internal

6. Undertake the following water supply and sewerage works internal to the subject land:-
 - a. The development must be serviced by a single internal water and sewerage connection made clear of any buildings or structures;
 - b. Provide a manhole over the existing sewer immediately inside the boundary such that the balance of the sewer can be decommissioned or taken over by the owner as a private sewer;
 - c. The applicant/owner must provide written acceptance to take ownership of existing sewer upstream of manhole as private sewer;
 - d. Any redundant sewer infrastructure shall be decommissioned and removed;
 - e. Fire fighting pumped connection are to be provided with a break tank. Any proposal to pump directly from Council's water supply mains for fire or sprinkler systems without a break tank must be supported by a hydraulic analysis undertaken by a RPEQ confirming that the main is not at risk of very low pressures (i.e. ground water intrusion and implosion) and excessive transient pressures associated with pump and valve operation (i.e. water hammer).

All the above works must be designed and constructed in accordance with the FNQROC Development Manual.

The plan of works must be approved by the Chief Executive Officer prior to the issue of a Development Permit for Building Work.

Three (3) copies of a plan of the works must be endorsed by the Chief Executive Officer prior to the issue of a Development Permit for Operational Works.

All works must be carried out in accordance with the approved plans, to the requirements and satisfaction of the Chief Executive Officer prior to Commencement of Use or issue of a Compliance Certificate for the Plan of Survey, whichever occurs first.

Sewer Easement

7. **Create an easement in favour of Council having a nominal width of 3 metres (width of easement is determined by depth of sewer and diameter of pipe) over any Council owned sewerage infrastructure within the site to the requirements and satisfaction of the Chief Executive Officer. A copy of the easement documents must be submitted to Council for the approval by Council's solicitors at no cost to Council.**

The approved easement documents must be lodged and registered with the Department of Environment and Resource Management prior to the commencement of use.

External Works

8. **Undertake the following works external to the land at no cost to Council:**
 - a. **Construct a two (2) metre wide concrete footpath to the Esplanade and McKenzie Street frontages in accordance with FNQROC Development Manual Standard Drawing 1035;**
 - b. **Provision of commercial concrete crossovers and aprons to McKenzie Street and Esplanade frontages, in accordance with FNQROC Development Manual Standard Drawing 1015C;**

NB: The maximum grade for a cross-over is 2.5% and when the site fronts an existing footpath the new cross-over must not interfere with existing footpath formation.

- c. **Construct full-width bitumen widening to McKenzie Street frontage;**
- d. **Line-mark twelve (12) parking spaces on McKenzie Street, in front of and adjacent to the subject land between Esplanade and Lake Street;**
- e. **Construct kerb and channel to McKenzie Street;**
- f. **Make good the kerb(s) at redundant crossover(s);**
- g. **Upgrade the street lighting to comply with requirements of the FNQROC Development Manual;**
- h. **Relocate the existing light pole so that it is setback a minimum 1.5 metres from the proposed vehicular access on McKenzie Street, with regards to the requirements of item (g);**
- i. **Repair any damage to existing kerb and channel, footway or roadway (including removal of concrete slurry from footways, roads, kerb and channel and stormwater gullies and drain lines) that may occur during and works carried out in association with the construction of the approved development;**

All works in the road reserve need to be properly separated from pedestrians and vehicles, with any diversions adequately signed and guarded. Particular attention must be given to providing safe passage for people with disabilities i.e. the provision of temporary kerb ramps if pedestrian diversions are necessary.

The external works outlined above require approval from Council in accordance with Local Law No.1 (Administration) and Local Law No.4 (Local Government Controlled Areas, Facilities and Roads). Three (3) copies of a plan of the works at A1 size and one (1) copy at A3 size must be endorsed by the Chief Executive Officer prior to commencement of such works. Such work must be constructed in accordance with the endorsed plan to the satisfaction of the Chief Executive Officer prior to Commencement of Use.

External car parking spaces must be maintained at all times to the satisfaction of the Chief Executive Officer.

Under Grounding of Electricity Supply

9. All electricity lines along the full frontages of the subject site are to be placed underground. Such works are to be undertaken by Ergon Energy or an Ergon Energy approved contractor at the applicant's expense.

Street lighting along the full frontages is to be upgraded to the applicable Lighting Category and lighting columns are to be of steel construction.

Ergon Energy must be notified of these requirements when making application for power supply.

All works must be completed prior to Commencement of Use.

Vehicle Parking

10. The amount of on-site vehicle parking must be a minimum of fifty-three (53) spaces, plus one (1) ambulance bay. The car parking layout must comply with the Australian Standard AS2890.1 2004 Parking Facilities – Off-Street Car Parking and be constructed in accordance with Austroads and good engineering design. In addition, all parking, driveway and vehicular manoeuvring areas must be imperviously sealed, drained and line marked.

Car Parking Layout

11. The parking layout must comply with the Australian Standard AS2890.1 2004 Parking Facilities – off-street car parking and CairnsPlan, in particular:
 - a. All parking spaces internal to the building must be allocated for residents only;
 - b. The driveway serving the parking area must include a physical means of speed control at the exit point.

Amended plans must be endorsed by the Chief Executive Officer prior to the issue of a Development Permit for Building Work.

Lockable Storage

12. Provide each unit with a minimum of 2.3m² area and 2.1m height of lockable storage space conveniently located with respect to car accommodation.

Bicycle Parking

13. Provide secured, on-site bicycle parking in accordance with Table 10-1 of AUSTROADS Guide to Traffic Engineering Practice Part 14 – Bicycles. Based on the provisions in Table 10-1 (page 133) the minimum number of parking spaces required in the communal area for this development is four (4) spaces. The bicycle parking area must be constructed prior to Commencement of Use.

Vehicle Wash Bay

14. A vehicle wash bay must be provided. It must be roofed and bunded and wastewater must be discharged through a 550 litre triple interceptor to sewer or as agreed to by the Chief Executive Officer.

Plan of Drainage Works

15. A drainage plan must be provided for the development which demonstrates the subject land can be drained to the satisfaction of the Chief Executive Officer. In particular this is to include:
 - a. Drainage infrastructure in accordance with the FNQROC Development Manual;
 - b. Details of the drainage structure underneath the driveway crossover in McKenzie Street to be provided.

The plan must be endorsed by the Chief Executive Officer prior to the issue of a Development Permit for Operational Work with the necessary works being undertaken prior to Commencement of Use.

Noise Report

16. A Noise Report must be prepared by a qualified acoustic consultant to outline the design and construction features to be incorporated in the proposed development to ensure that the proposed development is acoustically insulated to at least the minimum standards as required by AS2021 - Acoustics - Aircraft Noise Intrusion - Building Siting and Construction for the 20 - 25 ANEF, having regard to the provisions of the *Environmental Protection (Noise) Policy 1997* and the *Environmental Protection Regulation 1998 (Part 2A - Environmental Nuisance)*.

A certificate is required to be provided by a qualified acoustic consultant, prior to the commencement of the use, certifying that the works have been completed in accordance with the content of the Noise Report and the relevant standards and policies outlined in this condition.

Cairns International Airport - Operational Airspace

17. The applicant / owner must provide confirmation that any encroachments into the Airport's operational airspace and Obstacle Limitation Surface (OLS) or Procedures for Air Navigation Services – Airport Operational Surfaces (PANS-OPS) as identified on the Operational Aspects of Cairns International Airport Overlay Maps in Council's Planning Scheme as a result of construction activities, including the use of cranes or other equipment, have been approved by Cairns Airport Pty Ltd International, or other responsible entity, prior to issue of a Development Permit for Building Work.

Lighting

18. All lighting installed upon the premises including car parking areas must be certified by Ergon Energy (or such other suitably qualified person). The vertical illumination at a distance of 1.5 metres outside the boundary of the subject land must not exceed eight (8) lux measured at any level upwards from ground level.

Tropical Landscaping Design

19. The site must be landscaped in accordance with details included on a Landscaping Plan that incorporates good tropical design to soften the built form of the development and enhance its appearance from within and outside the development. Specifically, the Landscaping Plan must include:
 - a. Deep planting to the Esplanade frontage with layers of dense tropical landscaping made up of native species that will grow to different heights, including a mix of ground covers, shrubs and trees. The planting should screen the built form of the porte cochere structure;
 - b. Extensive feature planting of native tropical species combined with low-level, statement signage incorporating the development name, to the corner of the Esplanade and McKenzie Streets, in order to provide a distinctive focal point;
 - c. External, feature lighting to illuminate landscaping features and elements of the built form to provide visual interest at night. Lighting design and luminosity must consider CPTED requirements and incorporate measures so as to not impact on the residential units;
 - d. Deep planting to the McKenzie Street frontage of varying heights to soften the built form;
 - e. Deep planting of side and rear setback areas including species that will grow to at least 7.5 metres in height, to assist with visual screening and noise amelioration to the side and rear boundaries;

- f. Landscaping of the communal pool/recreation area to include screen planting to the south-western side to prevent overlooking of the adjoining properties. All planting in this area is to be in planter boxes;
- g. Appropriate hard or soft landscaping to screen the fire sprinkler, booster and water meter from the street scape;
- h. All fencing required by other conditions of approval;
- i. Planting of the footpath with trees, using appropriate species with regard to any site constraints and in accordance with the FNQROC Development Manual;
- j. Inclusion of any other relevant conditions included in this Development Permit. A copy of this Development Approval must be given to the applicant's Landscape Architect/Designer.

Two (2) A1 copies and one (1) A3 copy of the landscape plan must be endorsed by the Chief Executive Officer. The approval and completion of all landscaping works must be undertaken in accordance with the endorsed plan prior to the issue of a Certificate of Classification or Commencement of Use whichever occurs first. Landscaped areas must be maintained at all times to the satisfaction of the Chief Executive Officer.

Street Fencing

- 20. Any proposed fences and/or walls to any road frontage are to be limited to the following:
 - a. 1.2 metres in height if solid; or
 - b. 1.5 metres in height if at least 25% visually transparent; or
 - c. 1.8 metres in height if at least 50% visually transparent.

Details of any street fencing must be detailed in the Landscape Plan and be endorsed by the Chief Executive Officer prior to the issue of a Development Permit for Building Work.

Screen Fence

- 21. A screen fence must be provided to the side and rear boundaries of the subject land, to the satisfaction of the Chief Executive Officer. The fencing must be consistent in terms of design and materials with other fences in the locality. The fencing must be completed prior to the Commencement of Use.

Refuse Storage

- 22. The development must be designed to be serviced by bulk bins. A bulk bin enclosure must be provided in accordance with Council's requirements. Brochures on these requirements – 'Requirements for Refuse Storage' are available from Cairns Regional Council Water & Waste department.

Details must be shown on the plan of works and must be approved by the Chief Executive Officer prior to issue of an Operational Works Approval or Compliance Permit for Building Works.

The bin enclosure must be constructed in accordance with the approved plans prior to the commencement of use or lodgment of the Building Unit Plan, whichever occurs first. A notation must be placed on the rates file stating that refuse storage and collection is by bulk bins.

Lawful Point of Discharge

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

Minimum Fill and Floor Levels

24. All habitable floor levels in all buildings must be located 300 mm above the Q100 flood immunity level of 2.6 metres AHD, plus any hydraulic grade effect (whichever is the greater), in accordance with Queensland Development Code.

Air-Conditioning, Plant and Machinery Screens

25. Air-conditioning, plant and machinery units located above ground level and visible from external properties and the street must be screened with appropriate materials to improve the appearance of the building. Such screening must be completed prior to the Commencement of Use.

Details of Development Signage

26. The development must provide clear and legible signage incorporating the street number for the benefit of the public.

Advertising Signage

27. Signs on the subject land must conform with relevant Local Laws applied under the Cairns Regional Council Control of Advertising (Application of a Continuing Local Law) to the requirements and satisfaction of the Chief Executive Officer.

Crime Prevention Through Environmental Design

28. The applicant/owner must ensure that all lighting and landscaping requirements complies with Council's General Policy Crime Prevention Through Environmental Design (CPTED).

Sediment and Erosion Control

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

Ponding and/or Concentration of Stormwater

30. The proposed development is not to create ponding nuisances and/or concentration of stormwater flows to adjoining properties.

Construction Access

31. Vehicular access to the site for construction and demolition purposes must be provided from McKenzie Street only, unless authorised by the Chief Executive Officer.

Demolish Structures

32. All structures not associated with the approved development (including disused services and utilities) must be demolished and/or removed from the subject land prior to Commencement of Use.

Damage to Council Infrastructure

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

Amalgamation of Lots Required

34. The applicant/owner is to ensure that the subject lots are held together as one site for the duration of the approved land use. This can be achieved by either:
 - a. The registration, at the applicant's/owner's cost, of a Covenant under Section 97A(3)(c) of the *Land Titles Act 1994* on the titles for each of the subject sites, the covenant is to be worded to prevent the transfer of one of the titles without the other. Evidence of the registration of the covenants is to be provided to the Chief Executive Officer prior to the Commencement of Use; or,
 - b. Amalgamation of Lots 3 & 4 on RP702076 and Lots 0-8 on BUP70021 into one lot. The Plan of Survey must be registered with the Department of Natural Resources and Mines and a new certificate of title issued at the applicant's/owner's cost prior to Commencement of Use.

FURTHER ADVICE

1. This approval, granted under the provisions of the *Sustainable Planning Act 2009*, shall lapse four (4) years from the day the approval takes effect in accordance with the provisions of section 339 and section 341 of the *Sustainable Planning Act 2009*.
2. 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.
3. This approval does not negate the requirement for compliance with all other relevant Local Laws and other statutory requirements.

Infrastructure Charges Notice

4. A charge levied for the supply of trunk infrastructure is payable to Council towards the provision of trunk infrastructure in accordance with the Adopted Infrastructure Charges Notice, a copy of which is attached for reference purposes only. The original Adopted Infrastructure Charges Notice will be provided under cover of a separate letter.

The amount in the Adopted Infrastructure Charges Notice has been calculated according to Council's Adopted Infrastructure Charges Resolution.

Please note that this Decision Notice and the Adopted Infrastructure Charges Notice are stand-alone documents. *The Sustainable Planning Act 2009* confers rights to make representations and appeal in relation to a Decision Notice and an Adopted Infrastructure Charges Notice separately.

The amount in the Adopted Infrastructure Charges Notice is subject to index adjustments and may be different at the time of payment. Please contact the Development Assessment Team at council for review of the charge amount prior to payment.

The time when payment is due is contained in the Adopted Infrastructure Charges Notice.

5. For information relating to the *Sustainable Planning Act 2009* log on to www.dsdp.qld.gov.au. To access FNQROC Manual, Local Laws and other applicable Policies log on to www.cairns.qld.gov.au.

LAND USE DEFINITIONS

In accordance with CairnsPlan the approved land use of Multiple Dwellings is defined as:

Means the use of premises comprising six or more dwelling units of self-contained accommodation on one lot for residential purposes. The use includes accommodation commonly described as flats, home units, apartments, townhouses or villa houses.

In accordance with CairnsPlan the approved land use of Retirement Village is defined as:

Means the use of premises as an integrated community containing a number of dwelling units for permanent residential accommodation for older or retired persons, generally 55 or more years of age.

The use includes self-contained dwelling units, serviced units, nursing home accommodation as well as facilities for the use of residents and staff such as indoor and outdoor recreational facilities, meeting rooms, medical consulting rooms, therapy rooms, chapels, meal preparation facilities and staff accommodation.

The use does not include multiple dwellings, special residential use or hospital as defined herein.

*This definition is provided for convenience only. This Development Permit is limited to the specifications, facts and circumstances as set out in the application submitted to Council and is subject to the abovementioned conditions of approval and the requirements of Council's Planning Scheme and the FNQROC Development Manual.

EXECUTIVE SUMMARY:

Council is in receipt of an application for a Material Change of Use for Multiple Dwellings and Retirement Village, to create a total of forty-seven (47) units at 239-245 Esplanade. Twenty-four (24) units would form the Retirement Village element and the remaining twenty-three (23) units would be used as Multiple Dwellings.

The proposed building would have a maximum height of eleven (11) storeys (34.65 metres) and would incorporate a two-storey podium, containing two levels of car parking, with a communal pool and outdoor recreation area above.

The development does not meet the suggested acceptable measures relating to building height, setbacks, plot ratio and site cover. There would also be a shortfall of the number of on-site car parking spaces provided, although a condition of approval requires external works to provide the full balance as on-street parking spaces to the McKenzie Street frontage.

Despite not meeting all acceptable measures of the relevant codes, the development is consistent with the intent of existing and future zoning of the site and would be similar in height, scale and setbacks to a number of long-established developments in the near vicinity which make up the character of the area.

A condition of approval requires the submission of a detailed landscaping plan, requiring extensive landscaping, particularly to the street corner and Esplanade setback, with specific requirements relating to use of layers of native species, external feature lighting and inclusion of statement signage. Well-designed landscaping will have the effect of softening the built form and providing visual interest, which will enhance the tropical character.

On balance, the proposal complies with the provisions of CairnsPlan and approval is recommended subject to conditions.

PLANNING CONSIDERATIONS:

Background

The corner site is 2,165m² in area and consists of three residential lots; two of which contain single Houses and the third containing a two-storey block of eight, single-bedroom units known as 'Costa Blanca'. The site has street frontages to the Esplanade and McKenzie Street of 57.6 metres and 36 metres in length respectively. The shape of the site is slightly irregular, in that the south-eastern side boundary is 39.27 metres in length (as opposed to 36 metres) and therefore the orientation of the Esplanade is not exactly parallel to the south-western (rear) boundary.

A footpath is currently provided to the Esplanade and overhead power lines extend along the McKenzie Street frontage. The McKenzie Street road frontage is currently unsealed between the site boundary and road pavement.

The site is surrounded by a mix of residential and holiday unit developments of a variety of scales, including a number of long-established tall buildings along the Esplanade frontage.

Proposal

The development application is for a Material Change of Use for Multiple Dwellings and Retirement Village at 239-241 Esplanade, Cairns North. The site is situated within the Tourist & Residential Planning Area within the CBD-Cairns North Planning District where Multiple Dwellings is a code assessable land use.

The development would consist of an eleven (11) storey, 34.65 metre high building containing a total of forty-seven (47) units. The land uses of the site would be split as follows:

- Multiple Dwellings: Twenty-one (21) x two-bedroom units
 Two (2) x three-bedroom units
 Total: Twenty-three (23) units
- Retirement Village: Twenty-one (21) x two-bedroom units
 Three (3) x three bedroom units
 Total: Twenty-four (24) units

The plot ratio would be 2.64:1; with a maximum site cover of 64.4% and a landscaped area of 506m² or 23.4%. The building would have a minimum setback of 6.4 metres to the Esplanade frontage (increasing up to 9.67 metres); 3 metres to the McKenzie Street frontage (excluding a small intrusion by the integrated pad-mount substation); and 3 metres to the side and rear boundaries.

The building would incorporate gated resident car parking at Ground Level and Level 1, which would be accessed from McKenzie Street. Four (4) visitor spaces and an ambulance bay would be provided to the Esplanade frontage, under the 'porte cochere'/pedestrian entrance. The development would include an outdoor recreation area at Level 3, to the rear of the tower, incorporating a pool, to serve the residents.

CairnsPlan Assessment

CairnsPlan CBD North Cairns Planning District		Code Applicability	Compliance
Planning Area	Tourist and Residential	✓	Complies
Land Use	Multiple Dwellings	✓	Conditioned to comply
	Retirement Village	✓	Conditioned to comply
Overlays	Hillslopes	✗	-
	Vegetation Conservation & Waterway Significance	✗	-
	Character Precinct	✗	-
	Potential or Actual Acid Sulphate Soil Material	✓	Complies
	Bushfire Management	✗	-
	Flood Management	✓	Conditioned to comply
	Height and Impact of Buildings	✓	Complies (see below)
	Operational Aspects of the Cairns International Airport	✓	Complies
	Local Heritage Code	✗	-
General	Excavation and Filling Code	✓	Complies
	Infrastructure Works Code	✓	Conditioned to comply
	Landscaping Code	✓	Conditioned to comply
	Parking & Access Code	✓	Conditioned to comply
	Reconfiguring a Lot Code	✗	-
	Development Near Major Transport Corridors & Facilities	✗	-

Compliance Issues

The proposed development is of a scale that departs significantly from the built form acceptable measures within CairnsPlan, particularly with respect to building height, setbacks, plot ratio and car parking.

Height & Impact of Buildings Code

The proposed development would be considered a Tall Building, as defined by CairnsPlan and the site falls within Precinct 4 of the Height and Building Impact Overlay.

Site Area

The acceptable measures suggest that a site in Precinct 4 should be a minimum 2,500m² to provide a sufficient area to ensure there is no adverse impact on the desired character and amenity of adjoining premises. The site is only 2,165m² in area and the associated reduced setbacks and increased plot ratio are discussed later in this report.

Height

The acceptable measures suggest that the maximum height of buildings in this Precinct should be 11.5 metres. The proposed height of the building is 34.65 metres; consisting of eleven (11) storeys. This exceeds the suggested maximum height by 23.15 metres.

The Performance Criteria in the Code state that 'Tall buildings' must:

- a) *Reinforce the core of the CBD as the area accommodating the highest intensity of development; and*
- b) *Ensure that there is a transition of building height from the CBD to the suburbs; and*
- c) *Protect and enhance the image and tropical character of the CBD – North Cairns District; and*
- d) *Not detract from the character, heritage values and amenity of the Shields Street Precinct.*

The site is surrounded by buildings taller than 11.5 metres in both directions along the Esplanade, the majority of which are over twenty-five years old, including the following:

Development	Street Address	Storeys	BUP Registered
'Coral Towers'	249-255 Esplanade (on the opposite side of McKenzie Street)	9	1982
'Nautilus'	279 Esplanade	9	1989
'Kingfisher'	281-283 Esplanade	6	1983
'Acacia Court'	230 -238 Lake Street & 223-227 Esplanade (Prelodgement 8/7/3126)	10 (13)	1987
'Mercure'	209-217 Esplanade	9	n/a
'181'	173-181 Esplanade	11	1990

The above listed buildings are all located within Precinct 4, and as such, it can be considered that Tall buildings are an accepted element of the character of this part of the Esplanade, reflecting the established pattern of development and forming part of the height transition towards the suburbs but representing a contemporary built form.

The extent of Esplanade frontage that falls within Precinct 4 is shown on an aerial photograph attached as Appendix 6. This plan is annotated with the number of storeys of each Tall Building listed in the above table.

Site Cover

The table below indicates the acceptable measures for site cover in Precincts 3 and 4 in comparison the proposed site cover of the building:

Height	Site Coverage Acceptable Measure	Proposal	Meets Acceptable Measure?
Up to 11.5 metres	35%	64.4% up to 7m, then 30% up to 11.5m	No
Between 11.5 metres to 18.5 metres	25%	30%	No
18.5 +	Not specified	30% up to 31.8m, then 19.8% up to 34.65m	N/A

It is clear from these figures that the development would not meet any of the acceptable measures for site cover, with the Ground Level and Level 1 being significantly in excess of what is suggested, mainly due to reduced setbacks from the Esplanade street frontage (although Level 3 does comply). It is noted that the remainder of the building, from Level 4 upwards, has only a minor discrepancy of 5% between what is proposed and what is considered 'acceptable'. In terms of built form, it is noted that the 'tower' element of the building would therefore have the approximate mass and bulk of what is envisaged for the lower three levels of a development on a site in Precinct 4, considering the suggested maximum height is 11.5 metres

In respect of the above, it is only the 'podium' element, consisting of the Ground Level and Level 1 which has significantly greater proportions than suggested in the acceptable measures. In this respect, this particular element of the development must be considered against Performance Criteria P5 of the Code which require that 'Tall Buildings':

- a) *Define the linear space of the street; and*
- b) *Ensure that there is separation between towers; and*
- c) *Ensure that the availability of light and ventilation to towers and adjoining development is maximised.*

The site is benefited in this respect by being located on the corner of two streets, which assist with providing separation between the development and adjoining developments and also minimising the impact on access to light and ventilation for the adjoining properties to the south-east and south-west. The amenity of adjoining properties is discussed further under Building Setbacks, as is 'defining the linear space of the street'.

Building Setbacks

The proposed setbacks to the side and rear boundaries has been considered in terms of impact on the amenity of adjoining properties but the building setback to the road frontage also contributes to the streetscape.

The table below indicates the acceptable measures for building setbacks in Precincts 3 and 4, in comparison to the proposed setbacks for the building:

Set back	Set back Acceptable Measure	Proposal (Minimum)	Meets Acceptable Measure?
Up to 11.5 metres	Main Frontage = 15 metres	Main (Esplanade) = 6.4 metres	No
	Other Frontage = 4 metres	Other (McKenzie Street) = 3 metres	No
	Side and Rear Boundaries = 4 metres	3 metres	No
11.5 to 18 metres	Main (Esplanade) = 15 metres	Main (Esplanade) = 6.4 metres	No
	Other = 6 metres	Other = 5.3 metres	
	Side and Rear Boundaries = 11.55 metres (1/3 height)	Side and Rear Boundaries = 4 metres	
18.5 +	Not specified	As for 11.5 to 18 metres (above)	N/A

The proposed setback of 6.4 metres to the frontage a significant departure from the 15 metres suggested in acceptable measure A5.1 of the Height and Building Impact Code. Considering the site only extends 36 metres back from the Esplanade frontage, a 15 metre setback, combined with a 4 metre setback from the rear boundary would result in only 17 metres of developable space in between, which even for a 11.5 metre high building would not result in a practical development that makes the best use of the site. The setbacks suggested in the acceptable measures are overlaid on annotated plans of development, attached as Appendix 7.

It is noted that there is no consistent building setback for developments at the northern end of the Esplanade and that a setback of 6.4 metres would fall within the range of setbacks that currently exist within the streetscape. To support this argument, the applicant has submitted a plan (attached at Appendix 8) detailing the established building setbacks for all buildings on the Esplanade, in the blocks between Smith Street and Charles Street. The plan indicates that the established building line in these two blocks ranges from 2.2 to 23 metres, with twelve out of twenty-eight buildings having a setback of 6.4 metres or less. This includes the 'Coral Towers' development that is sited on the opposite corner of McKenzie Street, with a setback of approximately 2.8 metres.

For the three lower levels, the side and rear boundary setbacks are proposed to be 3 metres as opposed to the 4 metres suggested by the acceptable measures. This reduced setback would still allow for a sense of separation and provision of tall, screen landscaping to provide a visual and acoustic buffer to the two car park levels. Further, the design of the car parking areas at Ground Level and Level 1 include the provision of storage areas around the perimeter which would assist in enclosing much of these levels and assist with noise mitigation.

The more significant departure from acceptable measures for setbacks is for Level 4 and above, where the minimum side and rear setbacks would be stepped in only an additional 1 metre, to be 4 metres as opposed to the suggested 11.6 metres (1/3 building height). It is worth noting that this comment is based on the minimum setbacks to be provided to each boundary and due to the inclusion of recesses and projecting balconies in the design, the side and rear setbacks to be provided are significantly greater in certain areas, notably to the rear of the building above the communal pool and recreation area.

The impact of reduced setbacks combined with increased height has been considered with regards to the amenity of adjoining properties. It is noted that there are no current development approvals over any of those properties to consider, only the existing developments.

Due to the irregular orientation of the road frontage, the proposed building setback from the Esplanade increases to 9.67 metres at the south-eastern boundary. On the adjoining site, 233-237 Esplanade, the north-western side of the three-storey building, is setback 12.37 metres from the Esplanade (according to its Building Format Plan). The difference between the two building setbacks would therefore be only 2.7 metres (the approximate position of adjacent building is annotated in Appendix 7). It is considered that the impact on views from the front of the adjoining development would not be significant, especially considering there would be a total gap of 5.8 metres between the two buildings. Further, there are minimal openings in the northern-western elevation of the adjacent building and therefore the proposed development would not significantly impact on the privacy of the occupants.

The proposed building orientation and layout would minimise potential for overlooking of the properties fronting Lake Street, specifically by including minimal openings and not providing balconies to the south-west elevation. Further, those lots either contain Houses that are setback approximately 16 metres to the south-west of the common boundary, or are vacant. A condition of approval would require landscape screening to be provided to the south-western edge of the communal recreation and pool area to provide privacy to these adjoining properties.

Shadow diagrams submitted (attached as Appendix 4) indicate that the proposed building's shadow would only fall on the adjoining sites for a period of the morning or afternoon, with no shadow to fall on either during the middle of the day, allowing solar access from the north and north-easterly sun.

Overall, it is considered that the design and layout would achieve good visual separation between the proposed building and existing and future development on adjoining sites and ensure availability of light and ventilation is maximised, thus achieving the Performance Criteria.

Plot Ratio

The proposed development has a plot ratio of 2.64:1. The site is located within Precinct 4 where the base plot ratio is not specified and maximum plot ratio of 1.5:1. This increased plot ratio is a direct result of the increased height and reduced setbacks discussed above and is considered appropriate considering the scale of surrounding development and would achieve the Performance Criteria which requires that *there is a transition of the intensity of development from the CBD to the suburbs*.

Multiple Dwelling and Holiday Accommodation Code

The development generally complies with the provisions for Multiple Dwelling and Holiday Accommodation Code. Non-compliances with acceptable measures relating to height and setbacks are overridden by the Height and Impact of Buildings Overlay Code (discussed above).

The building design includes design features such as covered balcony areas for each unit, building recesses, large window openings, window awnings and a projecting roof form to reduce bulk and access breezes and daylight, in accordance with Performance Criteria P3 and P5. On the Ground Level only 23.4% of the site is landscaped (as opposed to 35% as suggested in the acceptable measures) but a communal recreation area and pool area is provided at the Level 3, above the podium which would be accessible to the residents and achieve the intent of Performance Criteria P10. Further, each unit would have a private and functional outdoor living area that would be accessible directly from an internal living space.

The building incorporates a main pedestrian entrance facing the principle street, being the Esplanade, with direct pedestrian access provided from the footpath. A 'porte cochere' at a pedestrian scale, serves to provide a defined building entrance and some sense of street address. This Ground Level entrance also incorporates a glazing and the unit windows and balconies at Level 3 and above would overlook both street frontages, providing casual surveillance. The Ground Level street frontages incorporate a mix of textures and materials including glazing and batten screening to the car parking areas to provide some visual interest and the pad-mount is incorporated into the built form in the most unobtrusive location, adjacent to the north-west site boundary.

Notwithstanding the inclusion of tropical design features as referred to above, overall the built form largely reflects the bulk and design of surrounding Tall buildings that were constructed over the last two decades. For a new development in this prominent location, it is considered that a more contemporary design could have been applied, especially considering the increased height and reduced setbacks proposed.

In order to achieve a tropical character and provide an attractive streetscape, attention has been made to softening the built form of the lower levels of the building, particularly to the Esplanade frontage. It is considered that the best way to achieve this is through extensive, layered landscaping within the setback areas, statement signage to the corner and a well-designed external feature-lighting scheme to provide visual interest. To this end, a recommended condition of approval requires the submission of a detailed landscaping plan, with specific requirements which aim to provide enhanced tropical character.

Recommended conditions of approval also ensure that secure storage areas are provided for each unit, whereas the current plans show only thirty-five (35) units would have these. Conditions are also recommended in relation to refuse storage and mechanical plant screening and car and bicycle parking and pedestrian and vehicular access requirements are discussed later in this report.

Retirement Village Code

Whilst not being located within a Centre Planning Area, it is considered that the site is located so as to be convenient to the future residents, in that it is positioned on the Esplanade which provides leisure and recreational space and an uninterrupted pedestrian and cycle route to the CBD, approximately 2km to the south. The site is also located approximately 350 metres from bus stops serving both northerly and southerly routes on Sheridan Street and 1km from the convenience Shopping Facilities on Sheridan Street, including two banks, a post office, dentist, pharmacy, café and newsagents.

The main non-compliance with the Code is with the requirements of Performance Criteria P7, which relates to the provision of a range of on-site services and facilities for the residents. Suggested facilities include indoor recreation spaces and services such as a pharmacy or hairdressers. Considering that only 50% of the units are to be occupied by Retirement Village residents and the site's close proximity to public shops, services and outdoor recreation areas, a communal pool and recreation area is considered sufficient on-site provision in this instance.

The development has been designed to cater for a range of household sizes, life-stages and needs and would allow for 'aging in place' to occur, with every unit fully accessible by lifts, facilitating access by persons with limited ability. The site cover, setbacks and built form requirements are similar to Multiple Dwellings, which have already been discussed in this report.

Parking & Access

The development generates a demand for sixty-five (65) car parking spaces, as suggested in the acceptable measures of the Parking & Access Code, but only fifty-three (53) spaces are proposed to be provided on site. This represents a shortfall of twelve (12) spaces or 18.5%.

Whilst the Code requires that all parking spaces required for a development be provided on-site, in this instance, it is considered an alternative acceptable solution to allow for the applicant to carry out external works to seal and line-mark additional spaces within the McKenzie Street road reserve, between the Esplanade and Lake Street. The applicant was required to submit plans indicating where such spaces could be provided and this plan is included at Appendix 1. A condition of approval requires external works to create these twelve (12) on-street parking spaces and associated upgrading of the road reserve.

Thirty-five (35) of the proposed units would be provided with secure storage adjacent to a parking bay where a bicycle could be locked up. A condition of approval requires that all units are provided with secure storage, including the remaining eleven (11) units. The plans indicate that a bicycle rack is also proposed to be provided within the Ground Level car parking area. This could provide bicycle parking for visitors to the complex and in accordance with *AUSTROADS Guide to Traffic Engineering Practice Part 14 – Bicycles*, a minimum of four (4) bicycle spaces are required.

The development would not incorporate a queuing space for vehicles waiting to access the gated parking area from McKenzie Street but it is considered that in this instance, that due to the width of the road reserve, vehicles waiting within the verge area adjacent to the on-street car parking spaces would not present a hazard to other road users and would not be concealed from pedestrians using the footpath. A condition would require that a means of speed control would be incorporated at the exit point of the car park for pedestrian safety.

Pedestrian access to the building would be provided directly from the Esplanade footpath to the 'porte cochere' and would be completely separate to the main vehicular access to the building. Despite this front setback area also being used as a small area of visitor parking it is considered that pedestrian safety would not be compromised.

Operational Aspects of the Cairns International Airport Overlay

The site is included within the 20 ANEF to 25 ANEF contours. Development for residential purposes is compatible with this level of noise exposure subject to the architectural design satisfying relevant building codes with respect to minimum standards required by *AS2021 – Acoustics – Aircraft Noise Intrusion – Building Siting and Construction* for the relevant ANEF. A condition of approval requires that a noise report be prepared by an acoustic consultant prior to Building Approval. Then, prior to the commencement of use, the works would be certified that they have been completed in accordance with the content of the Noise Report and the relevant standards

The site is located within the 40 metre to 45 metre contour of the Obstacle Limitation Surfaces Overlay (OLS) of the Cairns International Airport. At a maximum height of 34.65 metres, the building has been designed to conclude 5.35 metres below this Overlay. A condition is recommended to require confirmation that encroachments into the Airport's operational airspace and OLS as a result of construction activities, including the use of cranes or other equipment, have been approved by Cairns Airport Pty Ltd, or other responsible entity.

In other regards, the development can be conditioned to comply with the Code relating to illumination and refuse disposal and subject to compliance with the recommended conditions of approval, the operations of the Cairns International Airport are unlikely to be adversely affected by the proposed development.

Drainage

The finished floor level of the Ground Level car park would be 150mm above the defined 1% AEP flood level of 2.60m AHD from the CBD & Environs Drainage Management Plan. A condition of approval requires that appropriately design drainage structure is included underneath the driveway in McKenzie Street and provide for an uninterrupted flow in the kerb and channel.

Infrastructure Works

The site is connected to all reticulated services and the development generally complies with the Code. Relevant conditions have been included to ensure compliance occurs and these include the requirement to underground the existing power lines to the McKenzie Street frontage.

Draft Cairns Regional Planning Scheme

Under the Draft Planning Scheme the site is zoned Tourist Accommodation and is within Precinct 3 under the Building Height Overlay Code. These Codes contain similar provisions to CairnsPlan in relation to height, built form and car parking provision. It is considered that the proposed development would be in accordance with the strategic intent for development within the Cairns North area.

The site is also mapped as being within the Flood and Inundation Hazards Overlay as this site could be affected by both flood and storm tide. All residential floor levels would be significantly above the 1% AEP level and the car parking level would achieve 5% AEP immunity.

The front portion of the site falls within the Landscape Values Overlay as providing 'Coastal Scenery'. Performance Criteria P4 and P5 of the corresponding Code relate to limiting the visual impacts of development and when considered against the relevant Acceptable Outcomes it is considered that the proposed development would fall within the suggested setbacks for land that is separated from the foreshore by land contained within public ownership and where there is adjoining development. Specifically the setbacks are considered to be consistent with adjoining development, as discussed above and the setback area would be landscaped.

Summary Impact of Proposal

The proposed development is of a scale and nature that departs significantly from the requirements under Council's Planning Scheme, specifically, with the Acceptable Measures of the Height and Impact of Buildings Overlay Code and Parking and Access Code.

During the course of the application process, the building design has been amended slightly to make it more of a pedestrian scale at the podium levels and to remove hard elements, including a larger 'porte cochere' and a number of parking spaces from the Esplanade frontage. The tower part of the building incorporates design features to reduce its bulk and provide for the tropical climate and it is considered that tropical character and an attractive streetscape can be achieved through the softening of the built form at lower levels, particularly to the Esplanade frontage. A recommended condition of approval requires landscaping design to incorporate extensive, layered landscaping within the setback areas, statement signage to the corner and a well-designed external feature-lighting scheme and it is considered that this will result in a development that represents contemporary standards for a development in this location.

Overall, it is considered that subject to the recommended conditions of approval, the proposed development is satisfactory with respect to CairnsPlan. It is therefore recommended that the development application be approved with conditions.

Public Notification / Submissions

The proposed development is Code Assessable, therefore public notification was not required.

INFRASTRUCTURE CHARGES:

The proposed development triggers Infrastructure Charges. Refer to Appendix 3 to view calculations.

Claire Garner
Planning Officer
Action Officer

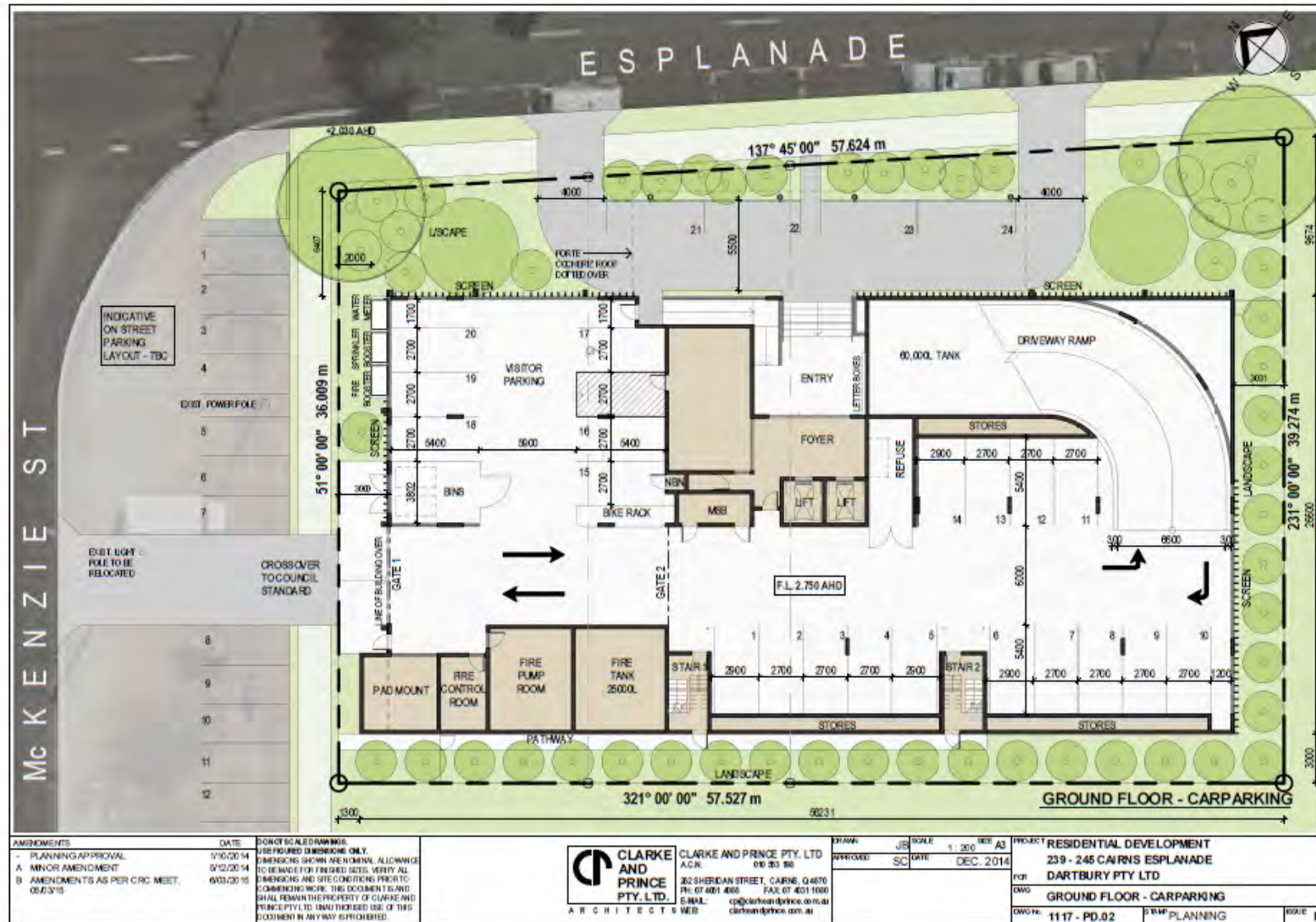
Peter Boyd
Manager Strategic Planning & Approvals

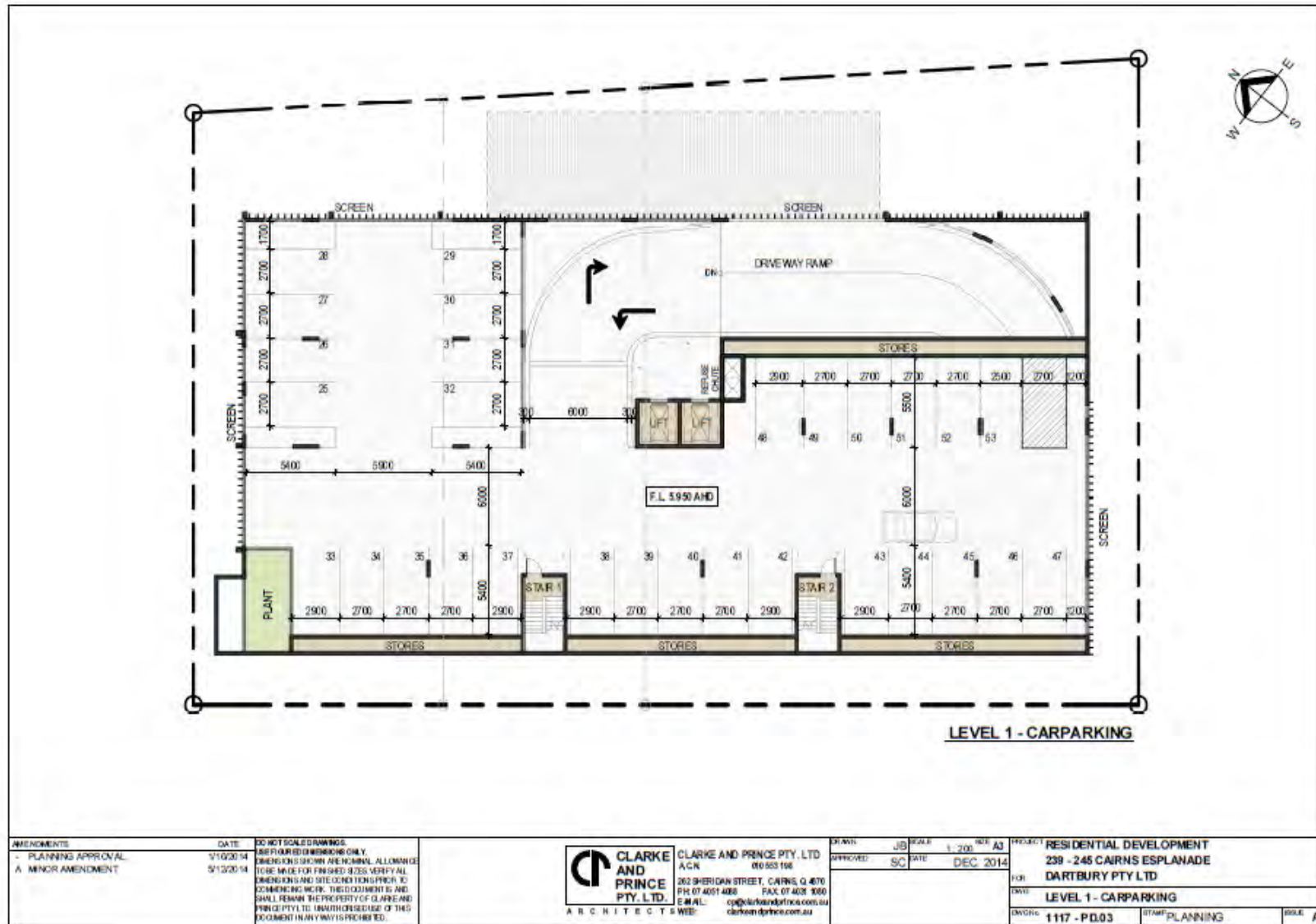
A handwritten signature in black ink, appearing to be 'K. Reaston', with a stylized, cursive script.

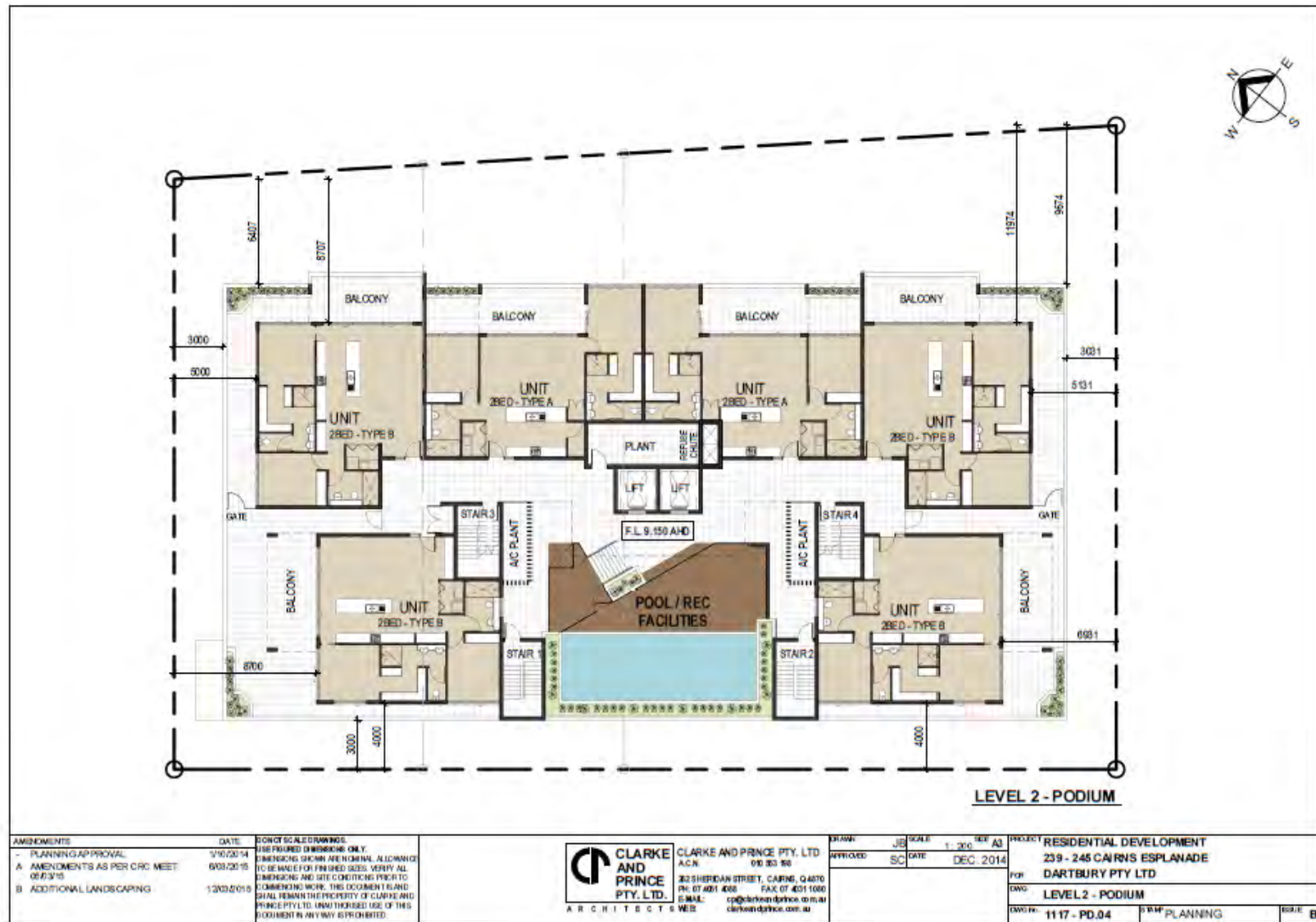
Kelly Reaston
General Manager Planning & Environment

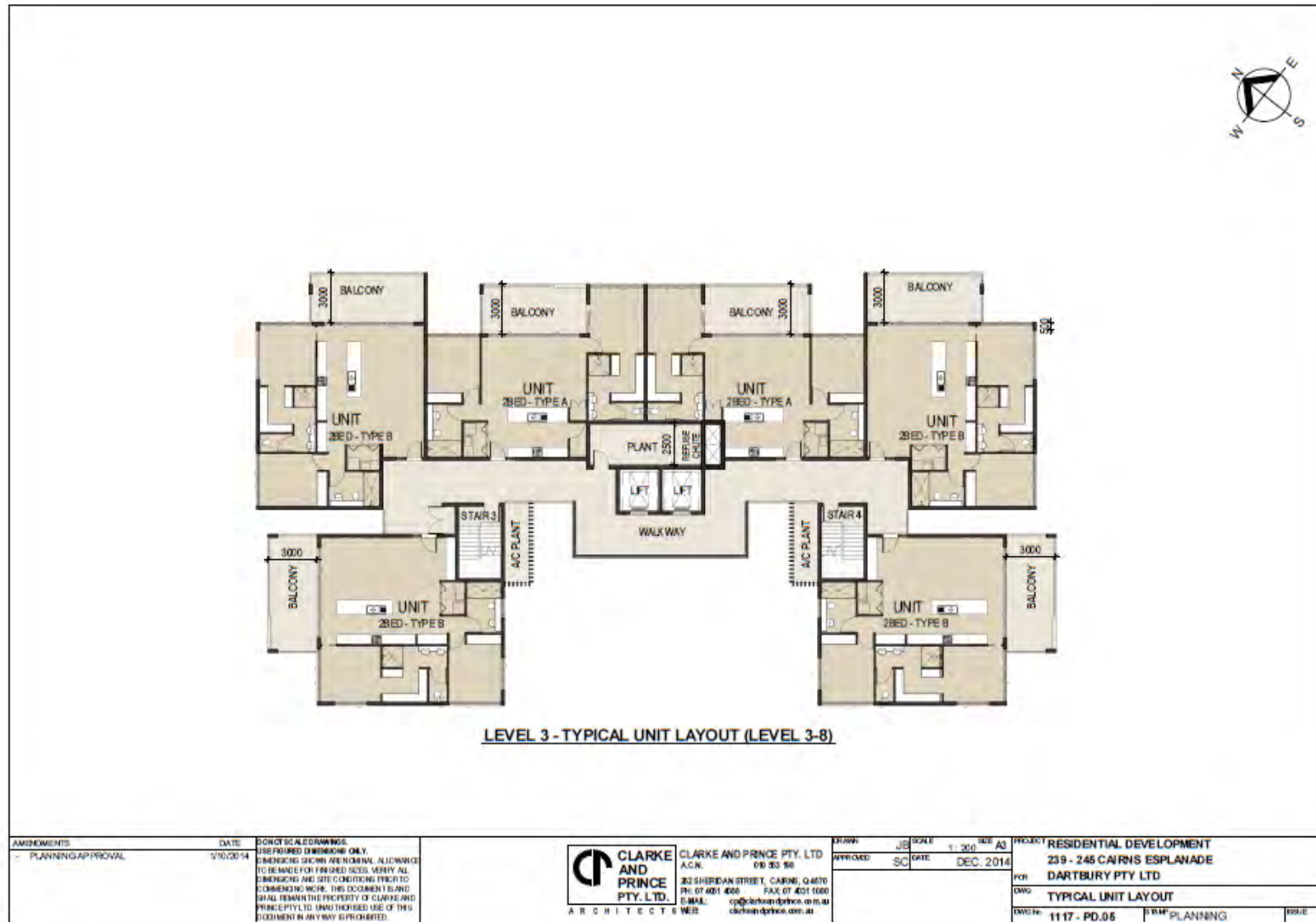
APPENDIX 1: APPROVED PLAN(S) & DOCUMENT(S)

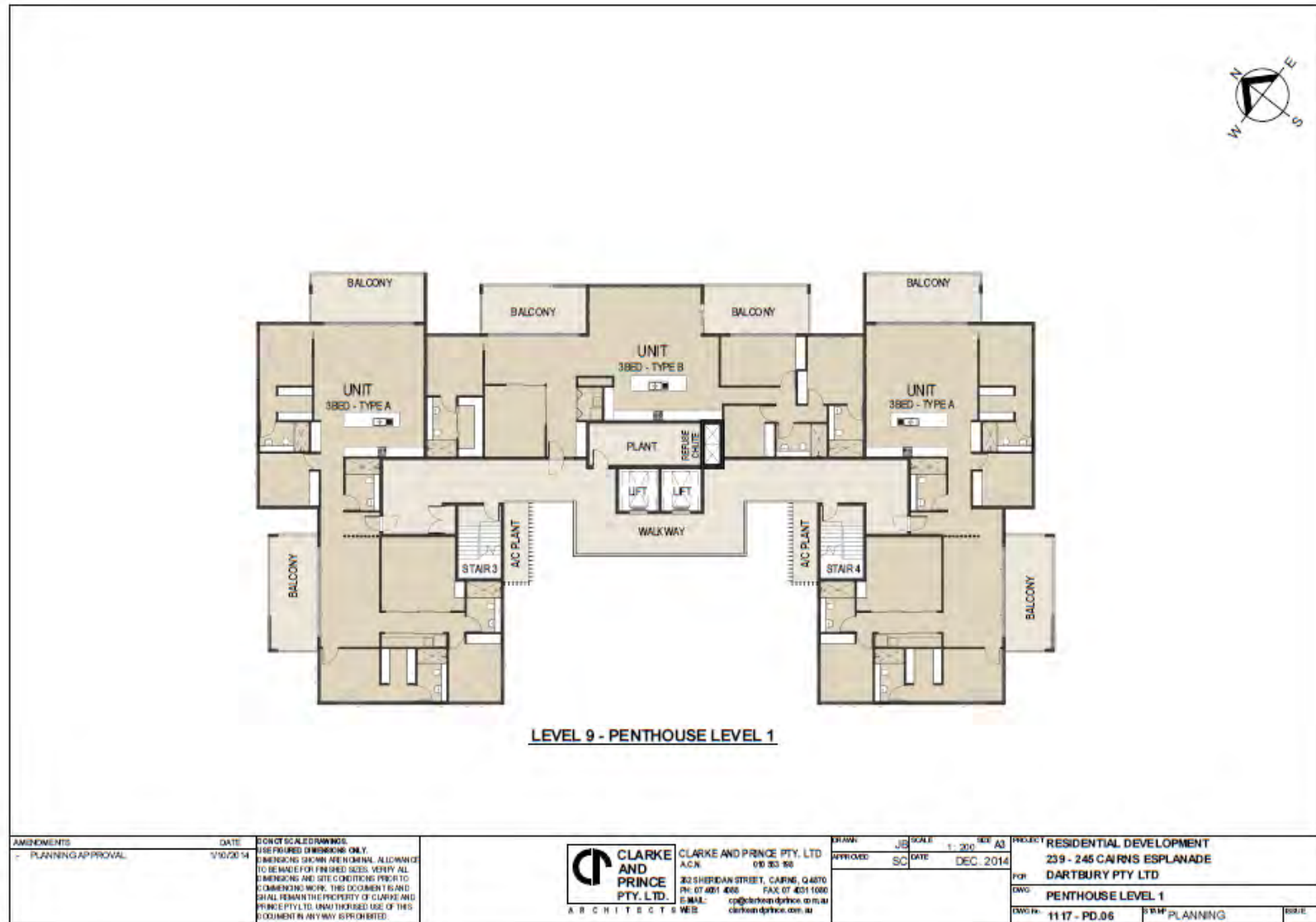


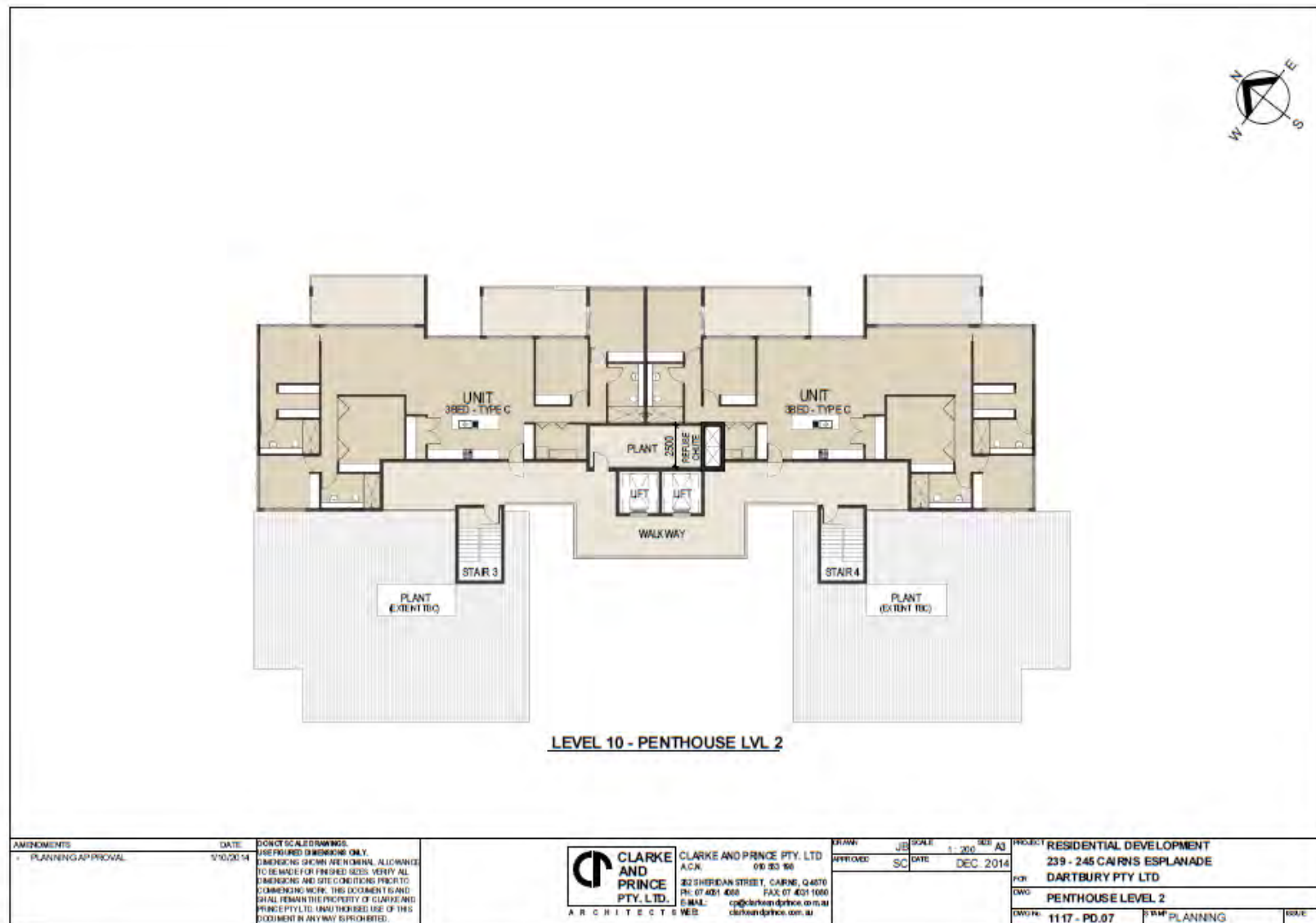


















APPENDIX 2: NOTICE OF INTENTION TO COMMENCE USE**Development Permit*****Sustainable Planning Act 2009*****NOTICE OF INTENTION TO COMMENCE USE**

Development Permit	8/7/2740
Date of Approval	25 March 2015
Approved Use	Multiple Dwellings & Retirement Village
Location	239-245 Esplanade, Cairns North
Property Description	Lots 3 & 4 RP702076 & Lot 0 BUP70021

I/we are hereby notifying Cairns Regional Council of my/our intention to commence the approved use outlined above

on _____ (insert date).

I have read the conditions of the Decision Notice issued and believe that all the applicable conditions have been complied with.

Applicant:

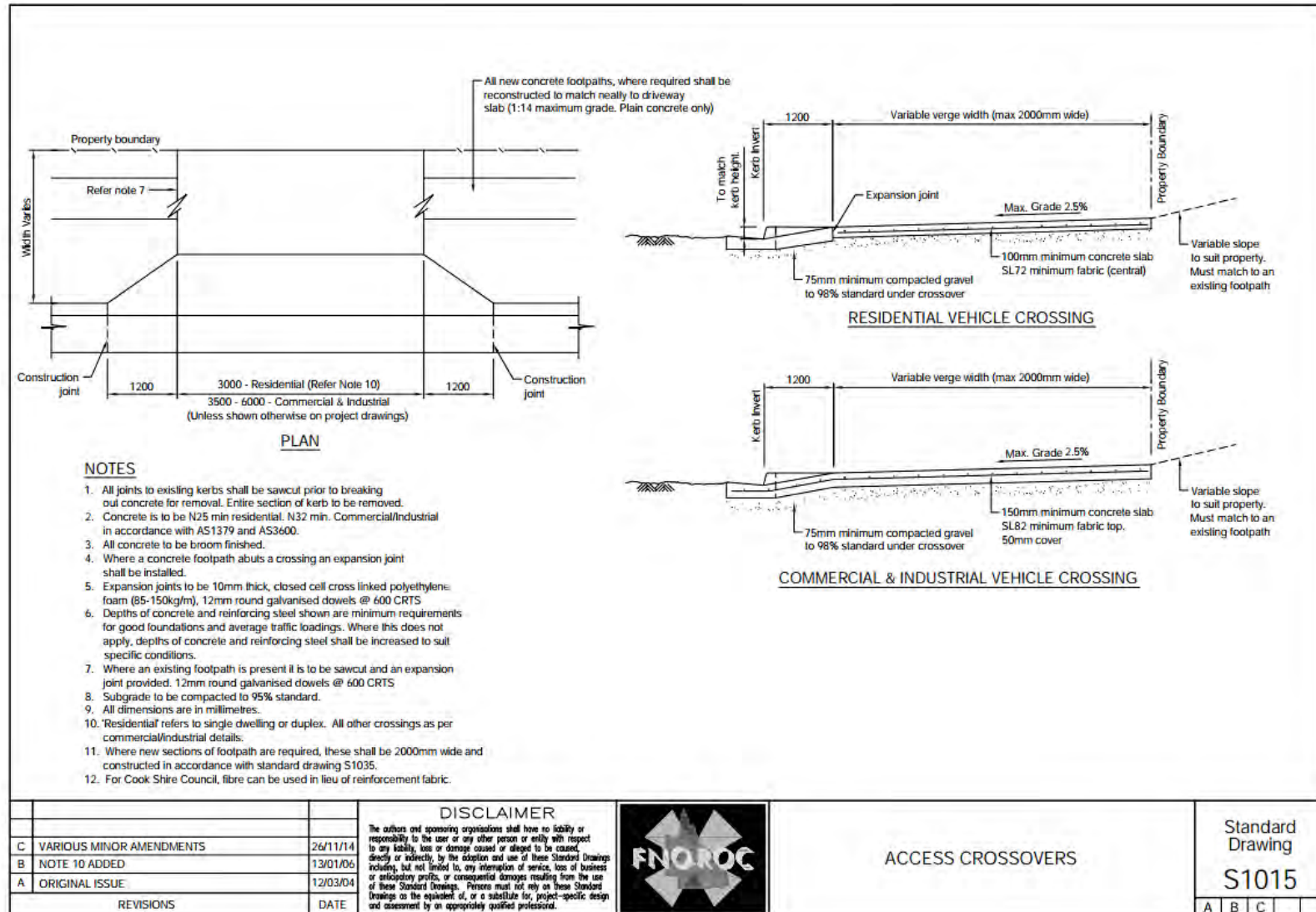
Address:

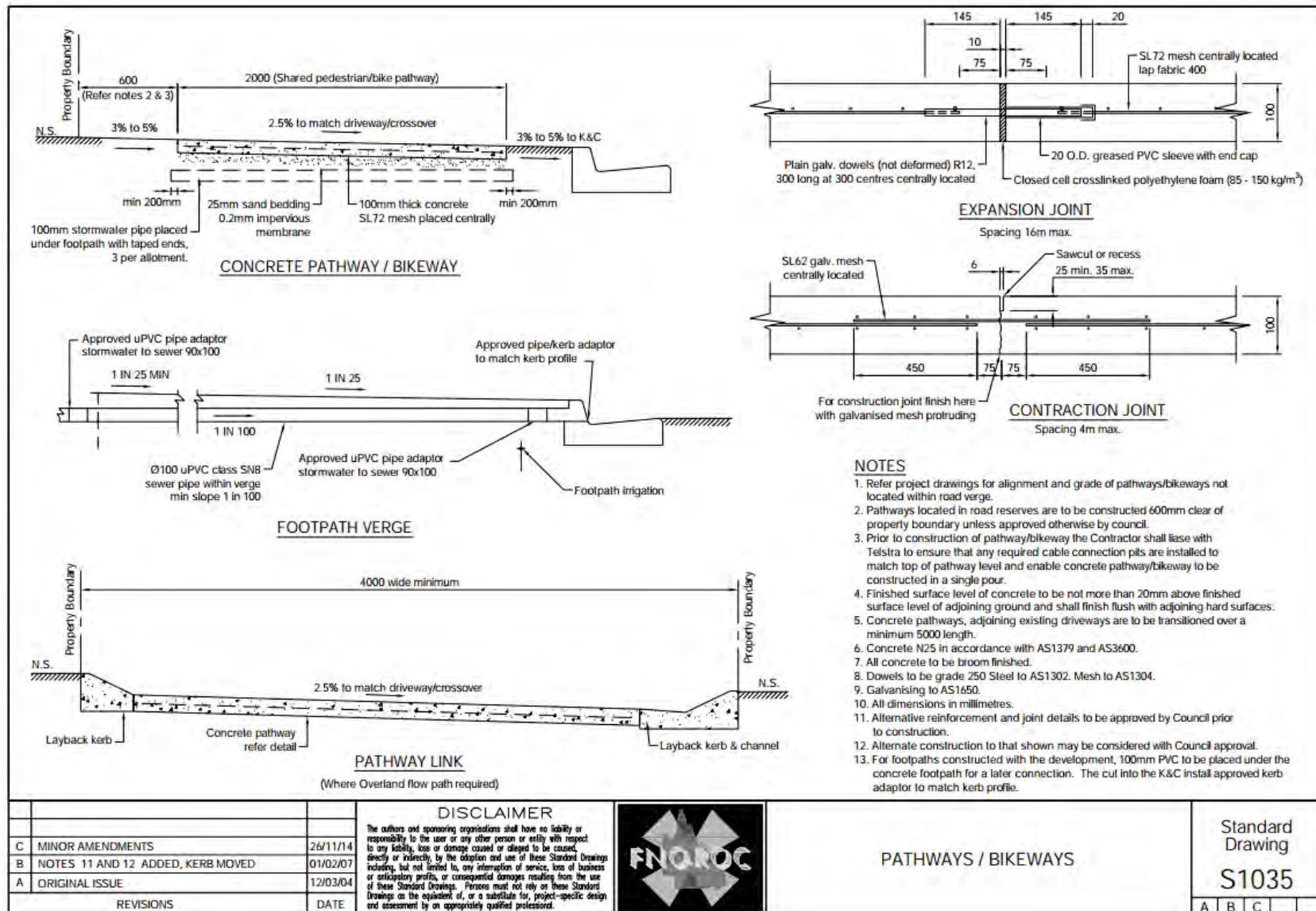
Contact Phone:

Signature of Applicant/Owner

Date: _____

APPENDIX 3: FNQROC STANDARD DRAWINGS

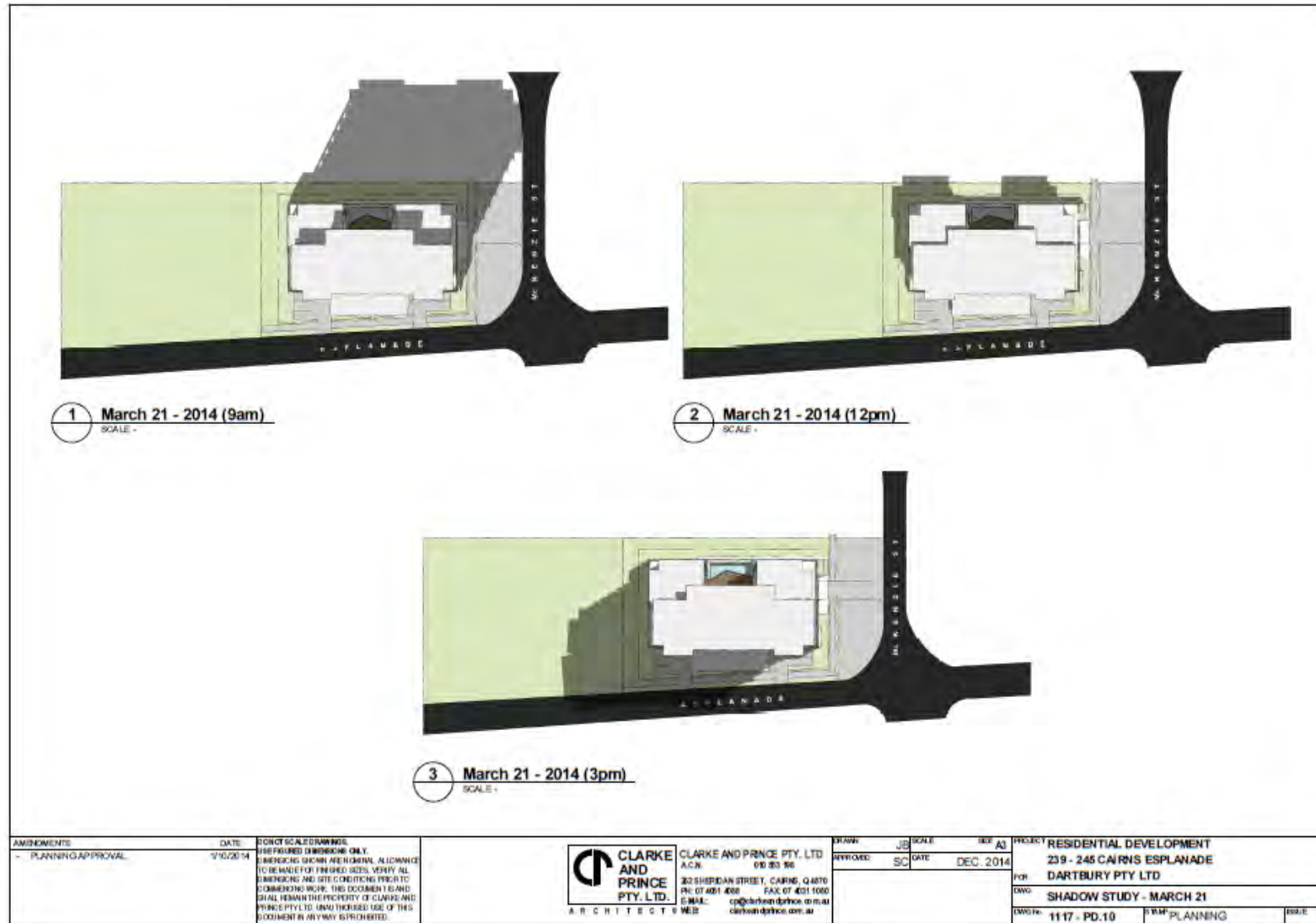


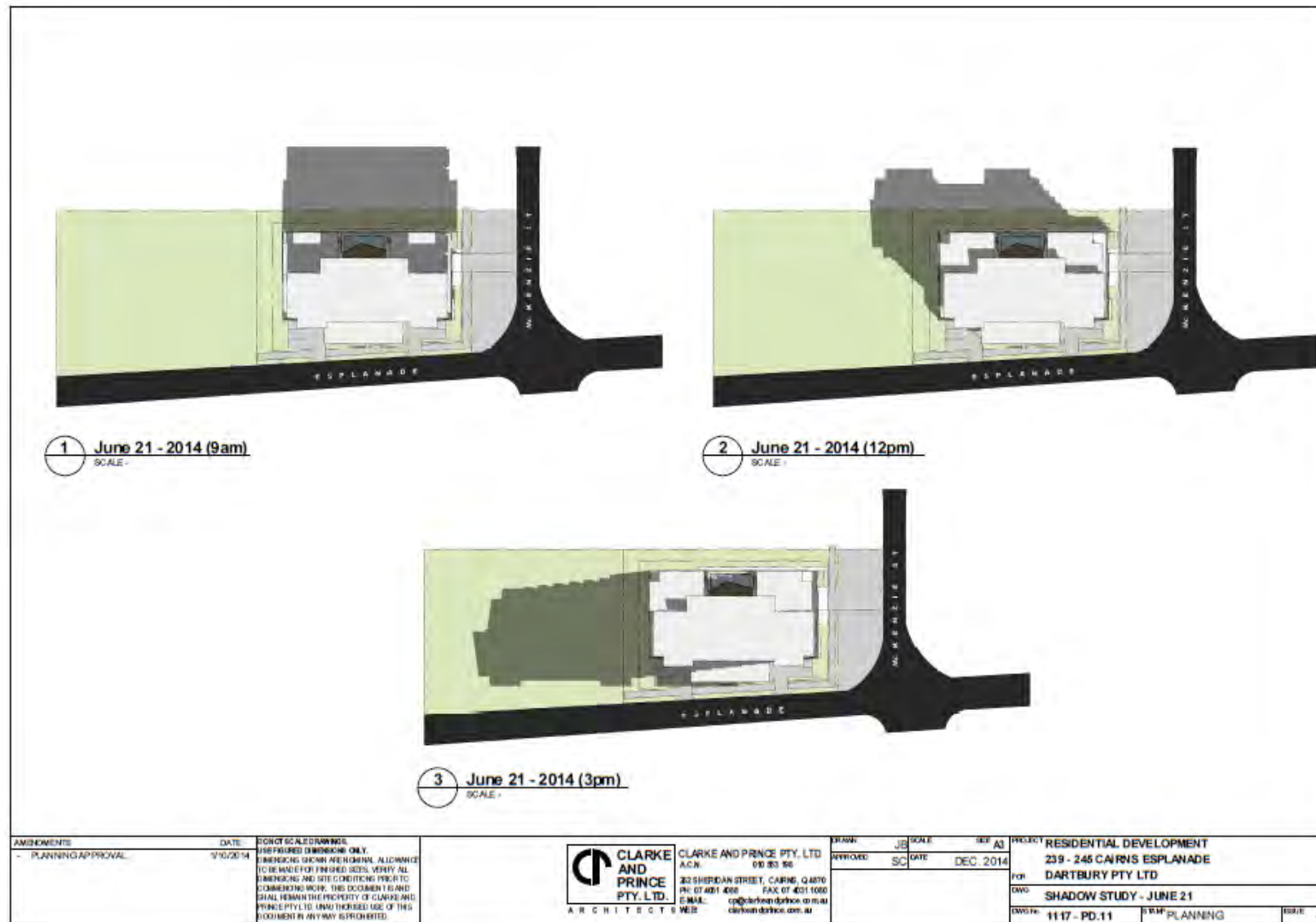


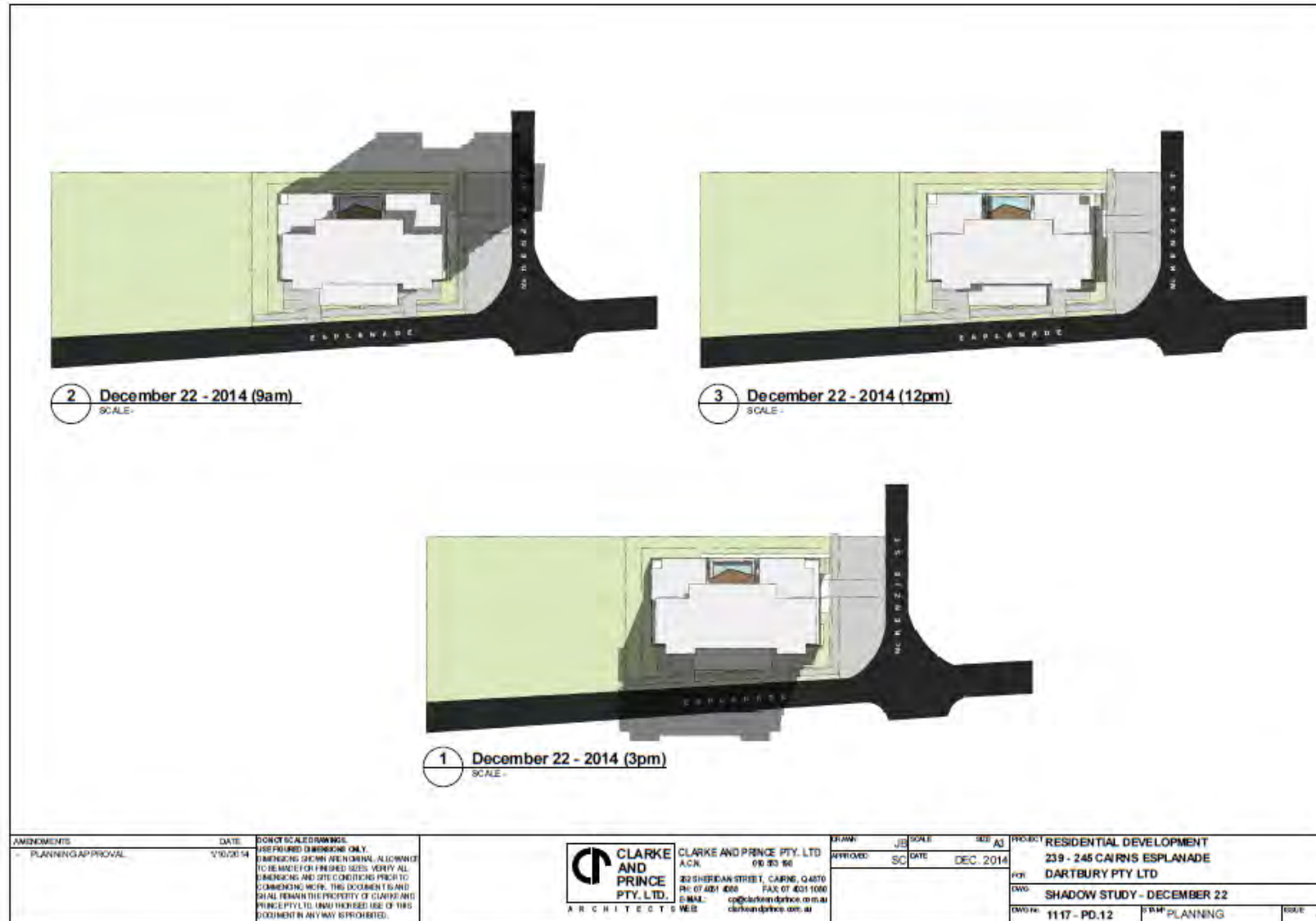
APPENDIX 4: INFRASTRUCTURE CHARGES CALCULATIONS

Adopted Infrastructure Charges Notice				 Cairns Regional COUNCIL	
Applicant:	CB Neale & Conibury P/L	File Number:	8/7/3140	DMS Ref:	4609763
Address:	239-245 Esplanade	Date Issued:	19/01/2015		
		Officer:	Claire Garner		
Parcel Number:	55296 55307 55308	Contributions Issued Under:	Council Adopted Charges Resolution - Jun 2011		
Lot & RP Number:	LD BUP70021 & L3 & 4 RP702076	Index Used:	CPI	31-Dec-14	106.7
Water		Catchment:	City (W4)	Charge / EDU:	\$ 4,385.36
Development Type:	Multi-Unit / Holiday / Retire / Dual Occup / Caretaker - c) 2 bedroom unit	Demand:	21.00 EDU's	Charge:	\$89,992.54
Development Type:	Multi-Unit / Holiday / Retire / Dual Occup / Caretaker - b) 3 bedroom unit	Demand:	3.50 EDU's	Charge:	\$14,998.76
Total Existing Demand:	4.40 EDU's	Existing Land Use Credit:	\$18,855.58	Total Charge:	\$86,135.72
				Receipt Code:	635 / 05733
Wastewater		Catchment:	Northern (WW2)	Charge / EDU:	\$ 3,597.94
Development Type:	Multi-Unit / Holiday / Retire / Dual Occup / Caretaker - c) 2 bedroom unit	Demand:	25.20 EDU's	Charge:	\$90,668.15
Development Type:	Multi-Unit / Holiday / Retire / Dual Occup / Caretaker - b) 3 bedroom unit	Demand:	3.50 EDU's	Charge:	\$12,592.80
Total Existing Demand:	4.40 EDU's	Existing Land Use Credit:	\$15,830.95	Total Charge:	\$87,430.00
				Receipt Code:	636 / 05741
Transport		Catchment:	Cairns Urban (TR1)	Charge / EDU:	\$ 5,813.62
Development Type:	Multi-Unit / Holiday / Dual Occup / Caretaker - a) Units 2 bedroom	Demand:	31.50 EDU's	Charge:	\$305,129.11
Development Type:	Multi-Unit / Holiday / Dual Occup / Caretaker - a) Units >= 3 bedroom unit	Demand:	5.00 EDU's	Charge:	\$49,068.11
Total Existing Demand:	6.00 EDU's	Existing Land Use Credit:	\$58,881.74	Total Charge:	\$299,315.49
				Council Infrastructure:	\$299,315.49
				Receipt Code:	348 / 05716
Drainage		Drainage Management Plan:	Cairns Business District		
Nett Increase in Equivalent Contributing Area =		0.1518 Ha			
Stream Management	Charge/Ha:	\$0.00	Charge:	\$0.00	368 / 6087
Stormwater Quality Management	Charge/Ha:	\$2,950.00	Charge:	\$671.09	400 / 6140
			Total Charge:	\$671.09	
Public Parks and Community Land		Catchment:	CBD - North Cairns (PPCL4)	Charge/EDU:	\$ 2,852.66
Development Type:	Multi-Unit Housing and Holiday Accommodation - c) 2 bedroom unit	Demand:	33.60 EDU's	Charge:	\$96,849.47
Development Type:	Multi-Unit Housing and Holiday Accommodation - b) 3 bedroom unit	Demand:	6.00 EDU's	Charge:	\$17,116.88
Total Existing Demand:	10.00	Existing Land Use Credit:	\$17,115.98	Total Charge:	\$95,849.47
				Receipt Code:	354 / 5723
Other Contributions					
Contribution Type:	Quantity:	\$ per unit	Charge	Receipt Code	
Public Art Contribution MCU (Multi Unit)	47	\$150.00	\$7,050.00	T 363	
	0		\$0.00		
	0		\$0.00		
			Total Charge:	\$7,050.00	
TOTAL CHARGES					
CHECKED BY:	Danny Fowler	TOTAL CHARGE:		\$576,451.76	
		Date Payable:	MCU - Before the change occurs		
Note: The infrastructure charges in this notice are levied in accordance with Section 635 of the Sustainable Planning Act 2009. It has been calculated in accordance with Council's Adopted Infrastructure Charges Resolution of 6 June 2011. Charge rates are subject to index adjustments. The total charge amount indicated on this notice is current at the date of issue, the total charge due at the date of payment may change. Please contact the Development Assessment Team, Cairns Regional Council prior to payment for review. This Adopted Infrastructure Charges Notice attaches to the land identified in the notice. Charges are payable: by the date identified in the notice in accordance with Section 636 of the Sustainable Planning Act 2009 to Cairns Regional Council; at any of Council's Business Offices or by mail with your cheque or money order to Cairns Regional Council, PO Box 359, Cairns QLD 4870. Cheques must be made payable to Cairns Regional Council and marked "Not Negotiable." Acceptance of a cheque is subject to collection of the proceeds. Post-dated cheques will not be accepted. Please contact the Development Assessment Team on 07 4044 3044 or by email townplanner@cairns.qld.gov.au if you have any enquiries regarding infrastructure charging.					

APPENDIX 5: SHADOW DIAGRAMS







APPENDIX 6: BUILDING HEIGHTS IN PRECINCT 4

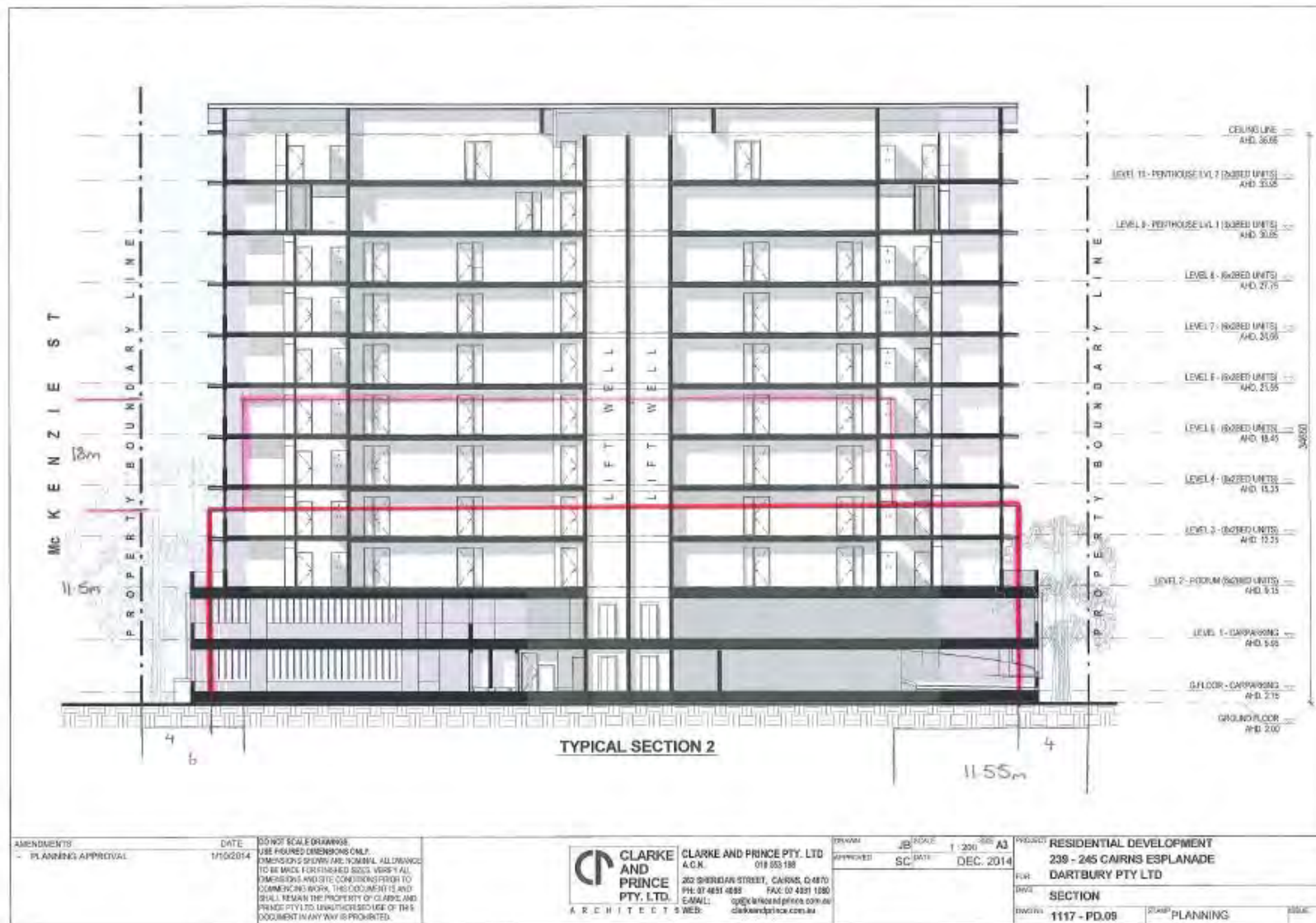


APPENDIX 7: PLANS OF DEVELOPMENT OVERLAID WITH BUILDING SETBACKS

APPROX. POSITION OF ADJACENT BUILDING







APPENDIX 8: ESPLANADE SETBACK STUDY

