MATERIAL CHANGE OF USE MULTI UNIT HOUSING – 387-393 KAMERUNGA ROAD REDLYNCH, 387-393 KAMERUNGA ROAD REDLYNCH – DIVISION 6

C S Garner : 8/7/1520 : #1945137

PROPOSAL: MULTI UNIT HOUSING

APPLICANT: HEAVEY LEX NO 74 PTY LTD (TTE)
C/- JB DESIGN (CAIRNS) PTY LTD
PO BOX 869
BUNGALOW QLD 4870

LOCATION OF SITE: 387-393 KAMERUNGA ROAD REDLYNCH

PROPERTY: LOT 3 ON RP857592 & LOT 12 ON RP857592

PLANNING DISTRICT: REDLYNCH VALLEY

PLANNING AREA: RESIDENTIAL 3

PLANNING SCHEME: CAIRNSPLAN 2005

REFERRAL AGENCIES: DEPARTMENT OF TRANSPORT & MAIN ROADS (FORMERLY DEPARTMENT OF MAIN ROADS)

NUMBER OF SUBMITTERS: N/A

STATUTORY ASSESSMENT DEADLINE: 1/06/2009

APPLICATION DATE: 12/01/2009

DIVISION: 6

APPENDIX:
1. APPROVED PLAN(S) & DOCUMENT(S)
2. CONCURRENCE AGENCY CONDITIONS & REQUIREMENTS
3. DEVELOPER CONTRIBUTION CALCULATIONS
LOCALITY PLAN

RECOMMENDATION:

That Council approve the development application for Multi Unit Housing over land described as Lots 3 and 12 on RP857592, located at 387-393 Kamerunga Road, Redlynch, subject to the following:

APPROVED DRAWING(S) AND / OR DOCUMENT(S)
The term ‘approved drawing(s) and / or document(s)’ or other similar expressions means:

<table>
<thead>
<tr>
<th>Drawing or Document</th>
<th>Reference</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Site Plan</td>
<td>07060 01A</td>
<td>30 November 2007</td>
</tr>
<tr>
<td>Grd. Floor Plan, Elevation &amp; Section</td>
<td>07060 02A</td>
<td>30 November 2007</td>
</tr>
<tr>
<td>Floor Plan &amp; Elevation</td>
<td>07060 03 A</td>
<td>30 November 2007</td>
</tr>
<tr>
<td>Site Plan – Information Request</td>
<td>07060 04 A</td>
<td>30 November 2007</td>
</tr>
</tbody>
</table>

ASSESSMENT MANAGER CONDITIONS

1. The applicant/owner must at all times during development of the subject land carry out the development and construction of any building thereon and conduct the approved use(s) generally in accordance with:

   a. The plans, specifications, facts and circumstances as set out in the application submitted to Council;

   b. To ensure that the development complies in all respects with the following conditions of approval and the requirements of Council’s Planning Scheme and the FNQROC Development Manual; and

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.

Amendment to Design

3. The proposed building must amended to accommodate the following changes:

   a. To provide fixed louvre screens to the balcony areas of the first, second and third floors of the western elevation to inhibit overlooking of the neighbouring residential properties;

Details of the above amendments must be endorsed by the Chief Executive Officer prior to issue of a Development Permit for Building Work.

Water Supply Contributions

4. Pay a monetary contribution to Council in accordance with the Planning Scheme Policy towards the provision of water supply infrastructure.

   Contributions must be paid at the rates applicable at time of payment. On the present method of calculation, the contributions are $43,344.34 (11.4 ERAs).

   Payment is required prior to Commencement of Use or approval and dating of the Building Format Plan, whichever occurs first.

Wastewater Contributions

5. Pay a monetary contribution to Council in accordance with the Planning Scheme Policy towards the provision of sewerage infrastructure.

   Contributions must be paid at the rates applicable at time of payment. On the present method of calculation, the contributions are $60,797.88 (14.2 EDCs).

   Payment is required prior to Commencement of Use or approval and dating of the Building Format Plan, whichever occurs first.

Road Network Contributions

6. Pay a monetary contribution to Council in accordance with the Planning Scheme Policy towards the provision and upgrading of the road network.

   Contributions must be paid at the rates applicable at time of payment. On the present method of calculation, the contributions are $99,767.44 (18.25 ERAs).
Payment is required prior to Commencement of Use or approval and dating of the Building Format Plan, whichever occurs first.

Community Purpose Infrastructure Contributions

7. Pay a monetary contribution to Council in accordance with the Planning Scheme Policy towards the provision of Community Purpose Infrastructure.

Contributions must be paid at the rates applicable at time of payment. On the present method of calculation, the contributions are $22,698.00 (58.5 EPs).

Payment is required prior to Commencement of Use or approval and dating of the Building Format Plan, whichever occurs first.

Stormwater Quality

8. Pay a monetary contribution to Council in accordance with Council’s Trunk Infrastructure Contributions Policy towards the improving Stormwater Quality.

Contributions must be paid at the rates applicable at time of payment. On the present method of calculation, the contributions are $2,571.33 for Stormwater Quality.

Payment is required prior to Commencement of Use or approval and dating of the Building Format Plan, whichever occurs first.

Public Art Contribution

9. Pay a monetary contribution to Council in accordance with Council’s General Policy – Public Art towards the provision of Public Art within the community.

Contributions must be paid at the rates applicable at time of payment. On the present method of calculation, the contributions are $3,600.00.

Payment is required prior to Commencement of Use or approval and dating of the Building Format Plan, whichever occurs first.

Drain Realignment

10. The plan must be amended to show all earthworks to be carried out to the earth drain as entirely located within the subject site;

Or
Approval must be obtained from the Department of Environment and Resource Management prior to works being carried out to realign the existing drain within the adjoining park, this to be considered under the provisions of the Land Act 1994.

Details of the above amendments must be endorsed by the Chief Executive Officer prior to issue of a Development Permit for Building Work.

Water Supply and Sewerage Works Internal

11. 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. Water supply sub-metering must be designed and installed in accordance with The Plumbing and Drainage Act 2002 and the Water Act 2000;

   c. Ensure that the proposed building is located such that the existing sewer is a minimum of 1.5 metres away from the building and clear of the zone of influence from the footings and foundations of any building/structure; or

   d. Replace the existing sewer main under or within 1.5 metres of the building and within the zone of influence of the footings and foundations with uPVC sewer pipe class SN8.

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

All works must be carried out in accordance with the approved plans, to the requirements and satisfaction of the Chief Executive Officer prior to Commencement of Use or approval and dating of the Building Format Plan, whichever occurs first.

Sewer Easement

12. Create an easement in favour of Council having a nominal width of 3 metres over the existing sewer 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 submitted at the same time as seeking approval and dating of the Building Format Plan and must be lodged and registered with the Department of Natural Resources and Water in conjunction with the Plan of Survey.
Inspection of Sewers

13. CCTV inspections of sewers must be undertaken both prior to commencement of works on site and at works completion where works have been undertaken over or to sewers. Defects must be rectified to the satisfaction of the Chief Executive Officer at no cost to Council prior to Commencement of Use or approval and dating of the Building Format Plan, whichever occurs first.

Damage to Infrastructure

14. In the event that any part of Council’s existing sewer/water 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 Water & Waste immediately of the affected infrastructure and have it repaired or replaced by Water & Waste, at the developers cost, prior to the Commencement of Use or approval and dating of the Building Format Plan, whichever occurs first.

Water Saving

15. All toilet devices in the development must be fitted with dual flush cisterns and showers and hand basins in the development must be fitted with flow control valves or similar water control devices to generally restrict flow to 9 litres of water per minute.

Refuse Storage

16. Refuse storage is required to service the site in accordance with Council requirements. Brochures on these requirements – ‘Requirements for Refuse Storage’ are available from CRC Water & Waste.

Bin Enclosure

17. The refuse bin enclosure must be roofed and bunded and fitted with a bucket trap.

Vehicle Wash Bay

18. The vehicle wash bay must be roofed and bunded and wastewater discharged through a 550 litre triple interceptor to sewer or as otherwise agreed by the Chief Executive Officer.
Vehicle Parking

19. The amount of vehicle parking must be as specified in Council's Planning Scheme which is a minimum of 42 spaces. 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 and the driveway serving the parking area must include a physical means of speed control at the exit point as indicated on the approved plans.

Protection of Landscaped Areas From Parking

20. Landscaped areas adjoining the parking area must be protected by a 150mm high vertical concrete kerb or similar obstruction. The kerb must be set back from the garden edge sufficiently to prevent vehicular encroachment and damage to plants by vehicles.

Parking Signage

21. Erect signs advising of the location of the off-street visitor parking area and access thereto. The signs must be erected prior to Commencement of Use. One sign must be located on the Kamerunga Road frontage.

Lighting

22. 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.

External Works

23. Undertake the following works external to the land at no cost to Council:

   a. Construct a 2.0 metre wide concrete footpath to Kamerunga Road frontage in accordance with FNQROC Development Manual Standard Drawing 1035;

   b. Provision of concrete crossover(s) and apron(s) in accordance with FNQROC Development Manual Standard Drawing 1015;

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 22 – (Activities 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 approval and dating of the Building Format Plan.

Acid Sulfate Soils – Pool Disturbance

24. The pool excavation proposed may result in disturbance of potential acid sulfate soils (PASS). Prior to excavation, in association with a geotechnical assessment, an acid sulfate soil investigation must be undertaken. The investigation must be performed in accordance with the latest ‘Guidelines for Sampling and Analysis of Lowland Acid Sulfate Soils in Queensland’ produced by the Department of Natural Resources and Water, and State Planning Policy 2/02 – Planning and Managing Development Involving Acid Sulfate Soils. Where it is found that PASS exist, treatment of soil must be undertaken on-site to neutralise acid, prior to disposal as fill, in accordance with the DNRM ‘Queensland Acid Sulfate Soil Technical Manual’.

Lawful Point of Discharge

25. 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.

Sediment and Erosion Control

26. 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).

Demolish Structures

27. 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 approval and dating of the Building Format Plan.

Landscaping Plan

28. The site must be landscaped in accordance with details included on a Landscaping Plan. The Landscaping Plan must show:

a. Deep planting of setback areas;
b. The location and species of existing street trees, with an indication as to whether each tree is to be retained or removed and any new planting of the footpath, using appropriate species.

c. Plantings to give protection to western walls.

d. 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. Landscaped areas must be maintained at all times to the satisfaction of the Chief Executive Officer.

Screen Fence

29. A screen fence must be provided to the side and rear boundaries of the subject land. The 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.

Street Fencing

30. 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 the 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.

External Colours

31. The exterior colour scheme of the building must harmonise with the existing streetscape.

Details of the proposed colour scheme must be submitted at the time of lodgement of a Development Application for Building Works and endorsed by the Chief Executive Officer prior to the issue of a Development Permit for Building Works.
Air-conditioning Screens

32. Air conditioning 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 approval and dating of the Building Format Plan.

Lockable Storage

33. Provide each unit with a minimum of 2.5m² (minimum 5m³ volume) of lockable storage space conveniently located with respect to car accommodation.

Details of Development Signage

34. The development must provide clear and legible signage incorporating the street number for the benefit of the public. Details of the design and location of proposed signage are to be submitted prior to the issue of a Development Permit for Building Work.

Construction Signage

35 Prior to the commencement of any construction works associated with the development, a sign detailing the project team must be placed on the road frontage of the site and must be located in a prominent position. The sign must detail the relevant project coordinator for the works being undertaken on the site, and must list the following parties (where relevant, including phone contacts):

   a. Developer;
   b. Project Coordinator;
   c. Architect / Building Designer;
   d. Builder;
   e. Civil Engineer;
   f. Civil Contractor;
   g. Landscape Architect

Crime Prevention Through Environmental Design

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

Noise from Air Conditioning

37. 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 the Chief Executive Officer, create an environmental nuisance having regard to the provisions of the Environmental Protection Act 1994, Environmental Protection (Noise) Policy 1997 and Environmental Protection Regulation 1998 (Part 2A - Environmental Nuisance).
Swimming Pool Water

38. Swimming pool water quality must be maintained in accordance with the Queensland Health Swimming and Spa Pool Water Quality and Operational Guidelines 2004.

Amalgamation Required

39. The applicant/owner is responsible for the reconfiguration (amalgamation) of Lot 3 and Lot 12 on RP857592 into one lot. The Plan of Survey must be registered with the Department of Natural Resources and Water at the applicant's/owner's cost prior to Commencement of Use.

CONCURRENCE AGENCY CONDITIONS & REQUIREMENTS

<table>
<thead>
<tr>
<th>Concurrency Agency</th>
<th>Concurrency Agency Reference</th>
<th>Date</th>
<th>Council Electronic Reference</th>
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<tbody>
<tr>
<td>Department of Main Roads</td>
<td>214/647/102 (658.02)</td>
<td>19 January 2009</td>
<td>1948076</td>
</tr>
</tbody>
</table>

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

ADVICE

1. This approval, granted under the provisions of the Integrated Planning Act 1997, shall lapse four (4) years from the day the approval takes effect in accordance with the provisions of Section 3.5.21 of the Integrated Planning Act 1997.

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.

4. Headwork contribution calculations are attached as Appendix 3. Please note that the contributions must be paid at the rates applicable at the time of payment. Updated calculations must be requested prior to payment.

EXECUTIVE SUMMARY:

Council is in receipt of a development application seeking a development permit for a Material Change of Use for Multi-Unit Housing at 387-393 Kamerunga Road, Redlynch, more particularly described as Lot 3 & 12 on RP857592.

The property is located in the Residential 3 Planning Area and is within a Character Precinct. The applicant proposes to construct a four storey structure accommodating twenty-four (24) residential units and ground floor parking.

The submitted application is considered to be consistent with the requirements of the relevant codes of CairnsPlan and is recommended for approval.

PLANNING CONSIDERATIONS:

Background

The site was subject of Development Permit 8/7/947 for a Multi Unit Housing which lapsed as the applicant had failed to respond to the further information request from Department of Main Roads in the required time.

Proposal

The submitted application is seeking a development permit for a Material Change of Use for Multi-Unit Housing (24 units) at 387-393 Kamerunga Road, Redlynch. The site is situated within a Residential 3 Planning Area within the Redlynch Valley Planning District. Multi-Unit Housing is a Code Assessable land use, when located within a Residential 3 Planning Area within the Redlynch Valley Planning District.

The site is an irregular shape with a total area of 3,995m² over two titles. The site has a slight fall to the road and a well vegetated street frontage. An earth drain runs along the eastern side of the site within a strip of vegetation.

The proposed Multi-Unit Housing will consist of twenty-four units accommodated within one 4 storey building with three habitable levels. The unit configuration is as follows:

<table>
<thead>
<tr>
<th>Bedrooms</th>
<th>Number of Units</th>
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</thead>
<tbody>
<tr>
<td>2 bedroom units</td>
<td>15</td>
</tr>
<tr>
<td>3 bedroom units</td>
<td>9</td>
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</table>

The site is located within a Character Precinct (CairnsPlan 2005) and is currently improved by a single detached dwelling. The proposal involves the demolition of this dwelling.

The building has a maximum height of 11.4 metres from ground level to the underside of the eaves. Each of the habitable floors contains eight units: 5 x 2 bedroom and 3 x 3 bedroom.
The submitted application is considered to have adequately demonstrated compliance with the requirements of the relevant codes of CairnsPlan and is recommended for approval, subject to conditions.

**CairnsPlan Assessment**

<table>
<thead>
<tr>
<th>CairnsPlan Redlynch Valley Planning District</th>
<th>Code Applicability</th>
<th>Compliance</th>
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<tbody>
<tr>
<td>Planning Area</td>
<td>Residential 3</td>
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<tr>
<td>Land Use</td>
<td>Material Change of use Multi Unit Housing</td>
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<td>Overlays</td>
<td>Hillslopes</td>
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<td></td>
<td>Vegetation Conservation &amp; Waterway Significance</td>
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<td>Cultural Heritage Significance</td>
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<td>Bushfire Management</td>
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<td>Flood Management</td>
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<td>Landscaping Code</td>
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<td>Parking &amp; Access Code</td>
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<td></td>
<td>Development Near Major Transport Corridors &amp; Facilities</td>
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</tbody>
</table>
Compliance Issues

Multi Unit Housing Code

The proposed building will be set back a minimum 4 metres from all side and rear boundaries, in accordance with Built Form Acceptable Measure A2.2. Acceptable Measure A2.1 suggests that the building should be setback from the main road frontage by 6 metres. The building would not be positioned perpendicular to the main road but would instead be at an obtuse angle. As a result of this, the north-west corner of the building would be setback only 5.87 metres from the road frontage. However, the setback distance would increase to the west of this point and overall, it is considered that the proposed building setbacks comply with Built Form Performance Criteria P2.

With regards to impacts on the privacy of the occupants of adjoining residential properties, a condition is to be applied requiring balconies that face onto adjoining properties have screens fitted to prevent overlooking.

Demolition Code

The proposal involves the demolition of the existing house on Lot 12 which is the only building on the subject site. This building is constructed from brick and masonry; has no particular form; and does not incorporate any design features or materials that are typical of the buildings on adjoining sites, or within the wider character precinct area. It is considered that the existing building makes no contribution to the character precinct and that its demolition would allow for more sympathetic and aesthetically pleasing development to occur.

Cultural Heritage Significance Code

The proposed building is significantly larger and different in character to the existing building on the subject site and on adjoining sites. At present, there are no buildings in the block bounded by Kamerunga Road, Tenni Street and Redlynch Intake Road that are greater than two storeys in height. The buildings in this block are a mix of Queenslander dwellings and two storey multi-unit housing developments. None of the multi-unit housing developments are contained within the Redlynch Character Precinct Overlay.

It is noted that there are three-storey multi-unit housing developments to the north of the railway line, although these are at least 70 metres away and do not form part of the Kamerunga Road streetscape. The proposed four storey building is a whole storey higher than the highest building in the area. However, such height is permitted in the Residential 3 planning area.

The applicant has submitted that the proposed building would complement the nearby Red Beret Hotel (a Local Heritage Site), on the corner of Kamerunga Road and Redlynch Intake Road, in terms of bulk, height and scale, whilst being mostly screened from public view by existing vegetation within the road reserve and therefore not dominating the streetscape.
It is considered that the design and materials to be used in the construction would complement those used in existing buildings within Redlynch Character Precinct without attempting to replicate them. The design incorporates a hipped roof, timber louvered gable features, window hoods and projecting verandas with railings. The proposed materials include timber planking, rendered masonry and Colorbond roofing, all of which are used in buildings on adjoining sites.

The majority of the trees within the site abut the earth drain along the eastern side boundary and are indicated to be retained. A total of eight (8) mature trees within the site are indicated to be removed and these consist of a mixture of native and exotic species. These trees to be removed are scattered throughout the site and do not contribute significantly to the streetscape. Overall, it is considered that the trees that contribute most to the character values of the site will be retained and a landscaping condition would require dense planting to all boundary setbacks as well as within the site which would generally enhance the character of the site.

Existing mature trees within the nature strip to the front of the site effectively screen much the site from the road whilst contributing to the streetscape of the character precinct. It would be a condition of any development approval that these trees are retained or, if required to be removed to facilitate construction that these are replaced on completion of works, to preserve the existing streetscape and to reduce the visual impact of the proposed four storey building. All street trees to be retained, or removed and replaced would be required to be nominated on the landscaping plan.

**Bushfire Management Code**

The site falls within the Medium Risk Bushfire Overlay and Safety of People, Property and the Environment Performance Criteria P1 requires that buildings are sited to minimise the potential adverse impacts of bushfire on the safety of people, property and the environment. The majority of mature trees to be retained on the site are located alongside the eastern boundary in addition to a strip of trees within the road reserve to the front of the site. The applicant has submitted that the total development of the area around the subject site has now diminished the likelihood of any bushfire in this area and it is considered that the provisions of the Bushfire Management Code are not relevant to this suburban, sparsely vegetated site.

In the event of a fire, Council’s reticulated water infrastructure would provide a reliable water supply for fire fighting purposes.

**Flood Management Code**

Performance Criteria P1 requires that an acceptable level of flood immunity must be provided for new development. The applicant has stated that the Q100 level for the site is 8.4 AHD and the ground floor is 9.35 AHD. The ground floor of the building would be used for car parking only and with a floor level of at least 150mm above the 1 in 100 year A.R.I level it is considered that the level of flood immunity is acceptable. All living areas of the units would be on the three floors above and would be significantly above the 1 in 100 year A.R.I level.
Concern was raised by the Divisional Councillor during the assessment period that the access points to the site would become flooded. The applicant responded that CairnsPlan only requires that the entrance to the permanent residential car park is provided with Q100 immunity, which would be provided by the proposal. The applicant further comments that the water rises and falls very quickly during a flooding event and it is unrealistic to expect to never be inconvenienced by such events during the Wet Season.

Vehicle Access and Parking

Vehicle Parking Numbers Acceptable Measure A1.1 suggests that the minimum number of parking spaces provided is not less than prescribed in Schedule 1, this being 1.75 spaces per unit with at least one (1) space per unit to be roofed, in addition to one (1) wash-down bay. Forty–two (42) spaces are proposed for this development (24 roofed and 18 unroofed) in addition to one (1) wash-down bay and it is considered that this complies with the provisions of the code.

Accessibility and Amenity for Users Acceptable Measure A1.1 suggests that short term visitor parking should be provided at the main road frontage of the site with easy access to the building entry. In this proposal, eighteen (18) unroofed car parking spaces would be provided within the site, outside the gated ground floor car parking area and therefore would be readily accessible for visitors.

Bicycle parking for the development is not proposed to be provided in a dedicated area but each unit would be provided with a lockable storage area that could accommodate a bicycle. These lockable storage areas would be in the ground floor car park area and would be easily accessible.

Access for Pedestrians Performance Criteria P1 requires that access for pedestrians must be provided to the building from the parking area and from the street. The submitted plans include a dedicated pedestrian route from the street which is separated from vehicle manoeuvring areas as well as two other pedestrian entrances from the external car parking areas.

Public Notification / Submissions

Not Applicable.

HEADWORKS / CONTRIBUTIONS:

The proposed development triggers Developer’s Headwork’s Contributions. Refer to Appendix 3 to view calculations.

Claire Garner
Planning Officer
Action Officer

Simon Clarke
Manager Development Assessment
APPENDIX 1 APPROVED PLAN(S) & DOCUMENT(S)
APPENDIX 2 CONCURRENCE AGENCY CONDITIONS & REQUIREMENTS

19 January 2009

Mr Noel Briggs
Chief Executive Officer
Cairns Regional Council
PO Box 359
Cairns Qld 487

Dear Mr Briggs

Cairns Regional Council: Cairns Western Arterial Road
Situated at 387-393 Kamerunga Road, Redlynch
Lot 3 & Lot 12 on RP857592, Parish of Cairns
Heavey Lex No 74 Pty Ltd
Proposed Material Change of Use (Multi Unit Housing) Application
Referral Agency Response (conditions apply)

I refer to the above application received at the Department 13 January 2009 requesting consideration of the above development.

Pursuant to sections 3.3.15, 3.3.16 and 3.3.18 of the Integrated Planning Act 1997, the Queensland Department of Main Roads, as a Concurrence Agency, has assessed the impact of the proposed development on the State-controlled road network and requires that Council include the following attached conditions of development for the subject application.

Should you have any queries regarding the response please contact Malcolm Hardy on telephone 4050 5511.

Council is requested to reflect the conditions on its Rates Record, to ensure that the planning intentions of the conditions are secured.

This Department would appreciate a copy of Council’s decision notice regarding the application.

A copy of this letter has been sent to the applicant.

Yours sincerely

Malcolm Hardy
SENIOR PLANNER FAR NORTH
### Conditions of Development

**and**

**Statement of Reasons**

**Council Ref:** 87/947  
**State-controlled road:** Cairns Western Arterial Road  
**Proposal:** Multi Unit Housing  
**Real property description:** Lot 3 & Lot 12 on RP857592  
**Site locality:** 387-393 Kamerunga Road, Redlynch  
**Applicant:** Heavey Lex Not 74 Pty Ltd

**Date:** 19 January 2009

<table>
<thead>
<tr>
<th>Conditions of Development</th>
<th>Reasons</th>
<th>Condition Basis</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. <strong>Layout</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Unless otherwise approved in writing by Main Roads the development site layout must generally comply with JH Design Cairns Pty Ltd plan numbered 07060-01A “Proposed Unit Development” dated June 07</td>
<td>To ensure the development proceeds in accordance with the proposal</td>
<td></td>
</tr>
<tr>
<td>2. <strong>Permitted Road Access Location</strong></td>
<td>Main Roads must ensure that access between to the Subject Land does not adversely impact the safe and efficient operation of the state-controlled road</td>
<td>s. 62 Transport Infrastructure Act 1994 (Qld)</td>
</tr>
<tr>
<td>Vehicular access between the state-controlled road (Cairns Western Arterial Road and the Stratford Connection Road) and the Subject Land shall be via Brinsmead-Kamerunga Road to the satisfaction of Cairns Regional Council.</td>
<td></td>
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</tr>
<tr>
<td>3. No additional direct vehicular access between the state-controlled road (Cairns Western Arterial Road and the Stratford Connection Road) and the Subject Land is permitted.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
**Road Traffic Noise Ameliorative Works**

4. Location of Works

   Road traffic noise ameliorative works shall be incorporated into the design of the development and the applicant/landowner shall have regard to the design criteria specified within AS3671.

5. Road Traffic Noise Report

   The Road Traffic Noise Assessment report prepared by ask Consulting Engineers No 4713R01 document dated 05/08/2008 has been assessed by Main Roads and its conclusions on building works and a 1.8m high acoustic fence east of the formal outdoor recreation area are approved.

6. Incorporation of Works into the Development

   All noise ameliorative works required external to the building(s) on the Subject Land shall be completed prior to the commencement of the approved use. The approved 1.8m high acoustic fence shall be screened by suitable landscaping from the Cairns Western Arterial Road infrastructure.

   All ameliorative works required within the relevant building(s) shall be:
   - Incorporated into the building design(s) prior to the applicant/landowner seeking Council or private certifier approval for a development permit to commence building works on the Subject Land, and
   - Incorporated into the building(s) prior to the commencement of the approved use of the building.

**Advertising**

7. No advertising device for the proposed development is permitted within the state-controlled road reserve (Cairns Western Arterial Road and the Stratford Connection Road).

   Advertising devices may obscure signage and distract motorists.

   s. 50 Transport Infrastructure Act 1994 (Qld)
| Parking | 8. No parking associated with the development is permitted within the state-controlled road reserve. | Lack of on-site parking can cause vehicle queuing and conflict at an access to the state-controlled road. |
APPENDIX 3 DEVELOPER CONTRIBUTION CALCULATIONS

**CAIRNSPLAN APPLICATIONS ONLY**

**DEVELOPERS HEADWORKS CONTRIBUTIONS**

<table>
<thead>
<tr>
<th>DIST</th>
<th>$ / ERA</th>
<th>NET ERA</th>
<th>ADJUSTMENT</th>
<th>AMOUNT DUE</th>
<th>AMOUNT PAID</th>
<th>RECEIPT TYPE</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>WATER</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Ex</td>
<td>7</td>
<td>2,473.84</td>
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<td>11.40</td>
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<td>Water sub - total</td>
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<td>$43,344.34</td>
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<td><strong>WASTEWATER</strong></td>
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<td>14.20</td>
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<td>Sewerage sub - total</td>
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<td>$60,797.88</td>
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</table>

**Road Network**
- Road Network Catchment: Cairns Urban
- District No.: 1
- Cairns Urban
- Total: $99,767.44
- T348/ 05967

**DRAINAGE**
- Catchment: Lower Freshwater
- Stream Management: $0.00
- Stormwater Quality: $2,571.33
- Total: $2,571.33
- 400/0258

**Community Purpose**
- Precinct: Redlynch Valley
- City Wide: $9,079.20
- Total: $13,618.80
- 354/ 5170

**BONDS**
- None: $0.00
- None: $0.00

**OTHER**
- None: $0.00
- Public Art Contribution: $3,500.00
- Total: $3,500.00
- T363

**TOTAL**
- $232,778.99

Prepared by Claire Garner on 24-Apr-09
Checked by Gary Warner on 29-Apr-09

1. The Developer should confirm these details with City Assessment prior to arranging payment
2. City Assessment must update these details if the effective quarter is no longer current
3. City Assessment must update these details in the event of policy change or variation to Development Approval
4. These details must be presented at time of payment
5. A photocopy of these details to be forwarded to City Assessment once payment is received
6. The original of these details to be forwarded to Finance Department with receipt once payment is received
7. Payment details to be entered into Developer Contributions Register by Finance Officer