



ORDINARY MEETING

11 FEBRUARY 2026

9 A.M.

PRESENT: Cr A Eden (Chairperson)
Cr B Moller
Cr M Tickner
Cr C Zeiger
Cr T Tim
Cr R Pyne
Cr K Vallely
Cr A Middleton
Cr R Coghlan
Cr B Olds

APOLOGY:

OFFICERS:

K Gouldthorp	Chief Executive Officer
H McBride	Director People and Organisational Performance
M Davey	Director Planning, Growth and Sustainability
M Wuth	Director Cairns Infrastructure and Assets
D Puia	Director Lifestyle and Community
L Whitton	Chief Financial Officer
N Masasso	Director Economic Development and Advocacy
B Nancarrow	Executive Manager Development & Planning
T Dendle	Executive Manager Community Spaces
P Rogato	Public Affairs Coordinator
L Vigar	Public Affairs Advisor
J Conway	Executive Officer
S Cottrell	Minute Secretary

TABLE OF CONTENTS

1.	APOLOGY.....	4
2.	CONFLICTS OF INTEREST.....	4
3.	MAYORAL MINUTE.....	4
4.	CONFIRMATION OF MINUTES OF ORDINARY MEETING 28 JANUARY 2026.....	4
5.	OPEN SESSION – OFFICERS’ REPORTS:	
5.1	CONTRACT 3018 TENURE ARRANGEMENT FOR TOBRUK POOL – LEASE H & K, PART OF LOT 317 SP244364 370 SHERIDAN ST NORTH CAIRNS.....	4
	L&C 63/1/463 #7786050	
5.2	BRINSMEAD TO FRESHWATER CONNECTION – APPLICATION TO ACTIVE TRANSPORT GRANTS PROGRAM 2026/2027	5
	L&C 79/7/1-01 #7794409	
5.3	DOG OFF LEASH AREA POLICY AND GUIDELINES REVIEW.....	5
	L&C 52/8/1 #7800520	
5.4	MATERIAL CHANGE OF USE FOR RESIDENTIAL ACTIVITIES (INCLUDING VARIATION REQUEST) & RECONFIGURING A LOT – 39 & 39A LAW STREET, CAIRNS NORTH – DIVISION 5.....	5
	PGS 8/39/24 #7792498	
5.5	PROJECT LAUNCH APPROVAL: 601296 ESPLANADE FORESHORE EROSION PROTECTION	30
	CIA 50/5/96-01 #7794421	
5.6	APPLYING FOR EXTERNAL CONTESTABLE GRANT FUNDING GENERAL POLICY	31
	EDA 58/6/3 #7804921	
5.7	GRANTS INWARDS STATUS UPDATE REPORT	31
	F&BS 63/8/12-07 #7800161	
5.8	PROCUREMENT POLICY UPDATES.....	31
	F&BS 63/14/4-* #7800063	
5.9	2024/25 FINANCIAL STATEMENTS AND ANNUAL REPORT FOR CAIRNS ART GALLERY LIMITED.....	31
	F&BS 63/17/2-01 #7791737	
6.	URGENT BUSINESS NOT ON THE AGENDA.....	32

7. CLOSED SESSION – OFFICERS’ REPORTS:

7.1 BUDGETARY MATTER – OUTSTANDING DEBT REPORT 32
F&BS | 63/8/31-01 | #7804630

1. APOLOGY

Nil

2. PRESCRIBED CONFLICT OF INTEREST / DECLARABLE CONFLICT OF INTEREST

There were no conflict of interests or material personal interests declared.

3. MAYORAL MINUTE

Nil

**4. CONFIRMATION OF MINUTES OF ORDINARY MEETING
28/01/2026**

MOLLER / COGHLAN

That the Minutes of the Ordinary Meeting held on Wednesday, 28 January 2026 be confirmed.

carried unanimously

5. OPEN SESSION – OFFICERS’ REPORTS

**5.1 CONTRACT 3018 TENURE ARRANGEMENT FOR TOBRUK
POOL – LEASE H & K, PART OF LOT 317 SP244364 370
SHERIDAN ST NORTH CAIRNS
L&C | 63/1/463 | #7786050**

PYNE / OLDS

That Council:

1. **Awards Contract 3018 to Bajada Pty Ltd for the Tenure Arrangement for Tobruk Pool (Memorial Pool and Associated Aquatic Facility) over part of lot 317 on SP336774 being 370 Sheridan St, Cairns North, subject to the terms and conditions contained within the trustee lease agreement for a period of 10 years commencing 18 April 2026; and**
2. **Delegates authority to the Chief Executive Officer in accordance with the *Local Government Act 2009* to enter into contracts, negotiate, finalise and execute any and all matters associated with or in relation to the contract and the trustee lease.**

carried unanimously

5.2 BRINSMEAD TO FRESHWATER CONNECTION – APPLICATION TO ACTIVE TRANSPORT GRANTS PROGRAM 2026/2027 23
L&C | 79/7/1-01 | #7794409

VALLELY / TIM

That Council:

1. Approves the application for \$3,000,000 funding under the Department of Transport and Main Roads 2026-2027 Active Transport Grants Program for the construction of the Brinsmead to Freshwater Connection project; and
2. Delegates authority to the Chief Executive Officer in accordance with the *Local Government Act 2009* to finalise any and all matters relating to the above application including the final grant funding amount and execution of an associated funding agreement should Council' s application be successful.

carried unanimously

5.3 DOG OFF LEASH AREA POLICY AND GUIDELINES REVIEW.. 30
L&C | 52/8/1 | #7800520

ZEIGER / COGHLAN

That Council adopts the Dog Off Leash Area Policy and Dog Off Leash Area Guidelines.

carried unanimously

5.4 MATERIAL CHANGE OF USE FOR RESIDENTIAL ACTIVITIES (INCLUDING VARIATION REQUEST) & RECONFIGURING A LOT – 39 & 39A LAW STREET, CAIRNS NORTH – DIVISION 5..... 38
PGS | 8/39/24 | #7792498

PYNE / MIDDLETON

That Council approves the Combined Application for a Preliminary Approval for a Material Change of Use for Residential Activities (including a Variation Request) introducing the Law Street Residential Precinct; a Development Permit for Material Change of Use (Multiple Dwelling – 24 Units); and a Development Permit for Reconfiguring a Lot (Boundary Realignment and Creation of an Access Easement) over land formally described as Lot 3 and Lot 6 on RP701190 situated at 39 & 39A Law Street, Cairns North subject to the following

conditions:

PART A: PRELIMINARY APPROVAL FOR A MATERIAL CHANGE OF USE (INCLUDING A VARIATION REQUEST)

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

Approved Plan(s) and Document(s)

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

Plan or Document	Reference	Date
Law Street Residential Precinct – Medium Density Residential Zone	N/A <i>Council Ref: #7799897</i>	No Date
Site Context	1962-SK-01, Revision A, prepared by Humac Group	12 August 2025

Assessment Manager Conditions

General Requirements	Timing
<p>1. Approved Plan(s) and Document(s)</p> <p>The development is to be completed and carried out generally in accordance with the approved plan(s) and document(s) above, except where modified by the conditions of this Development Approval.</p>	At all times.
<p>2. Maintain the Approved Development</p> <p>Maintain the approved development generally in accordance with the approved plan(s) and document(s), and any relevant approval required by these conditions of approval.</p>	At all times.
<p>3. Currency Period</p> <p>This development approval, granted under the provisions of the <i>Planning Act 2016</i> (Qld), lapses ten (10) years from the day the development approval takes effect, in accordance with the provisions of section 85 of the <i>Planning Act 2016</i> (Qld).</p>	As stated.
<p>4. Variation to the Local Planning Instrument</p> <p>Pursuant to s61(3)(a) of the <i>Planning Act 2016</i>, the Variation Approval varies the effect of the CairnsPlan 2016 v3.1, or any subsequent Planning Scheme in effect for the Cairns Regional Council local government area as at a date a future development application is made in respect of land to which</p>	As stated

	<p>the Variation Approval applies (“CRC Planning Scheme”) as follows:</p> <ul style="list-style-type: none"> a. The level of assessment for a Material Change of Use on the land shall be determined in accordance with the approved ‘Law Street Residential Precinct – Medium Density Residential Zone’ Table of Assessment which replaces the ‘Table of Assessment for Mixed Use Zone Precinct 4 – Self Storage’ (Approval 8/39/5) and Table 5.5p – Open Space Zone as contained within Part 5 – Tables of Assessment of the CRC Planning Scheme, to the extent of any inconsistency. b. The level of assessment for Reconfiguring a Lot on the land shall be determined in accordance with the approved ‘Law Street Residential Precinct – Medium Density Residential Zone’ Table of Assessment which replaces the ‘Table of Assessment for Mixed Use Zone Precinct 4 – Self Storage’ (Approval 8/39/5) and Table 5.5p – Open Space Zone as contained within Part 5 – Tables of Assessment of the CRC Planning Scheme, to the extent of any inconsistency. c. The level of assessment for Operational Work on the land shall be determined in accordance with the approved ‘Law Street Residential Precinct – Medium Density Residential Zone’ Table of Assessment which replaces the ‘Table of Assessment for Mixed Use Zone Precinct 4 – Self Storage’ (Approval 8/39/5) and Table 5.5p – Open Space Zone as contained within Part 5 – Tables of Assessment of the CRC Planning Scheme, to the extent of any inconsistency. d. The level of assessment for Building Work on the land shall be determined in accordance with the approved ‘Law Street Residential Precinct – Medium Density Residential Zone’ Table of Assessment which replaces the ‘Table of Assessment for Mixed Use Zone Precinct 4 – Self Storage’ (Approval 8/39/5) and Table 5.5p – Open Space Zone as contained within Part 5 – Tables of Assessment of the CRC Planning Scheme, to the extent of any inconsistency. 	
5.	<p>The approved ‘Law Street Residential Precinct – Medium Density Residential Zone’ Table of Assessment applies to all development undertaken on the land, where such development is proposed pursuant to ‘Law Street Residential Precinct – Medium Density Residential Zone’ Table of Assessment.</p> <p><i>Note: This Approval (8/39/24) prevails over and replaces Approval 8/39/5 (#7173880) for Preliminary Approval including a Variation</i></p>	<p>As stated</p> <p>AND</p> <p>At all times.</p>

	<i>Request & Development Permit for Material Change of Use for a Warehouse (Self Storage Facility).</i>	
6.	Where the conditions of the approval and/or the approved plans and documents are 'silent' in respect of how an aspect of development should be treated, the provisions of the Cairns Regional Council Planning Scheme in effect at the time shall apply to that aspect of development.	As stated; AND At all times.
7.	If there is an inconsistency between conditions of this approval and the approved 'Law Street Residential Precinct – Medium Density Residential Zone' Table of Assessment, the conditions of this approval prevail to the extent of the inconsistency.	As stated
8.	If there is an inconsistency between the approved 'Law Street Residential Precinct – Medium Density Residential Zone' Table of Assessment and the Cairns Regional Council Planning Scheme, the approved 'Law Street Residential Precinct – Medium Density Residential Zone' Table of Assessment prevail to the extent of the inconsistency.	As stated.
9.	Future Development Applications All Development Applications made pursuant to this Development Approval must demonstrate that they comply with the requirements of the approved 'Law Street Residential Precinct – Medium Density Residential Zone' Table of Assessment, the relevant assessment benchmarks of the planning scheme identified, and the conditions of this Development Approval.	As stated.
10.	Limitation of Approved Development Any future development on the subject land involving Short-Term Accommodation (including, but not limited to, Airbnb) uses on the site, where located in conjunction or in proximity to existing and/or approved residential uses on the site, must provide a Management Plan which includes, but is not limited to, the following: a. Protocols to manage expectations and arrangements of the use and associated activities, including but not limited to: i. noise controls; ii. parking arrangements; iii. any relevant arrangements where utilising facilities in common property and compliance with relevant by-laws of a Community Management Statement applicable to the site.	As stated.

<p>b. Details of the responsible on-site manager and/or 24/7 contact person nominated to respond to complaints or queries;</p> <p>c. Details of a complaint-response procedure.</p> <p>The Management Plan must be submitted to Council for endorsement prior to Commencement of Use of the relevant land use.</p> <p>The endorsed Management Plan must be included in any Community Management Statement associated for the subject site and be made available to guests.</p>	
--	--

PART B: DEVELOPMENT APPROVAL FOR RECONFIGURING A LOT

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

Approved Plan(s) and Document(s)

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

Plan or Document	Reference	Date
Reconfiguring a Lot Proposed Lots 1 & 2 Cancelling Lots 3 & 6 on RP701190 Law Street, Cairns North	Drawing No. 385291-10 B, prepared by RPS AAP Consulting Pty Ltd	14 August 2025

Assessment Manager Conditions

General Requirements	Timing
<p>1. Approved Plan(s) and Document(s)</p> <p>The development is to be completed and carried out generally in accordance with the approved plan(s) and document(s) above, except where modified by the conditions of this Development Approval.</p>	At all times.
<p>2. Maintain the Approved Development</p> <p>Maintain the approved development generally in accordance with the approved plan(s) and document(s), and any relevant approval required by these conditions of approval.</p>	At all times.
<p>3. Currency Period</p> <p>This development approval, granted under the provisions of the <i>Planning Act 2016</i> (Qld), lapses six (6) years from the day the development approval takes effect, in accordance with</p>	As stated.

	the provisions of section 85 of the <i>Planning Act 2016</i> (Qld).	
4.	<p>Internal Water Supply and Sewerage Works Internal</p> <p>Design and construct the following water supply and sewerage works in accordance with Sections D6 and D7 of the FNQROC Development Manual internal to the premises:</p> <ol style="list-style-type: none"> a. The development must be serviced by a single internal water and sewerage connection made clear of any buildings or structures; b. Any redundant sewer property connection and water connection must be decommissioned and removed; <p><i>Note: Council does not guarantee a minimum service standard for fire fighting from Council's water network. It is the responsibility of the property owner to ensure adequate supply for the development.</i></p>	Prior to Approval of the Plan of Subdivision
5.	<p>External Water and Sewer Works</p> <p>Design and construct external water and sewer works in accordance with Sections D6 and D7 of the FNQROC Development Manual to provide a service to the premises and to connect the land to existing infrastructure:</p> <ol style="list-style-type: none"> a. Extend water infrastructure to connect the land to Council's existing water infrastructure at a point that has sufficient capacity to service the development. 	Prior to Approval of the Plan of Subdivision
6.	<p>Access & Services Easement</p> <p>Prepare for lodgement for registration at Titles Queensland a private Access and Services Easement over Approved Lot 2 in favour of Lot 1, subject to Council's relevant standard terms document Registered Dealing Number 721329134, including over the sewer line.</p> <p>The easement documents required must be:</p> <ol style="list-style-type: none"> a. in the approved form (Form 9) for lodgement with Titles Queensland, b. executed by each relevant landowner; and c. A copy provided to Council together with the application to Council for the approval of the Plan of Subdivision. <p>The easement must be registered and within 20 business days of Registration, and a copy of the Registration Confirmation given to Council.</p>	Prior to Council approval of the Plan of Subdivision.

7.	<p>Electricity Supply</p> <p>Each lot must be connected to the electricity network in accordance with the FNQROC Development Manual and the relevant electricity provider requirements.</p>	<p>Prior to Council approval of the Plan of Subdivision.</p>
8.	<p>Telecommunications Services</p> <p>The development must be connected to the telecommunications network in accordance with section D8.05 of the FNQROC Development Manual.</p>	<p>Prior to Council approval of the Plan of Subdivision;</p>
9.	<p>Nuisances</p> <p>Stormwater discharge must have a no worsening effect on downstream or upstream properties, associated with the following:</p> <ul style="list-style-type: none"> a. diversion of stormwater; b. concentration of stormwater flows; c. changes in other flow characteristics; d. changes that affect the future use of land. 	<p>At all times.</p>
10.	<p>Lawful Point of Discharge</p> <p>All stormwater from the land must be directed to a lawful point of discharge such that it does not adversely affect surrounding properties or properties downstream from the development, in accordance with the Queensland Urban Drainage Manual.</p> <p><i>Note – The Queensland Urban Drainage Manual provides guidance on lawful points of discharge (Section 3)</i></p>	<p>At all times.</p>
11.	<p>Damage to Infrastructure and Land</p> <p>Repair any damage to existing public infrastructure caused by works carried out in association with the approved development.</p> <p>Where existing public infrastructure require repair or relocation, due to the approved development and/or works associated with the approved development, repair and/or relocate the public infrastructure at no cost to others and in accordance with statutory requirements and adopted design standards.</p> <p><i>Note: It is recommended applicants record their own dated photographic evidence of the condition of relevant existing public infrastructure both before and after works carried out in association with the approved development.</i></p>	<p>Prior to Commencement of Use;</p> <p>AND</p> <p>At all times.</p>

PART C: DEVELOPMENT APPROVAL FOR MATERIAL CHANGE OF USE (MULTIPLE DWELLING- 24 Units)

Note: This part applies to the aspect of development relating to a Material Change of Use.

Approved Plan(s) and Document(s)

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

Plan or Document	Reference	Date
Cover Page	Prepared by Humac Group	No Date.
Site Context	1962-SK-01, Revision A, prepared by Humac Group	12 August 2025
Site Plan	1962-SK-02, Revision A, prepared by Humac Group	12 August 2025
Perspective Render	1962-SK-03, Revision A, prepared by Humac Group	12 August 2025
Perspective Render	1962-SK-04, Revision A, prepared by Humac Group	12 August 2025
Overall Ground Floor Plan	1962-SK-05, Revision A, prepared by Humac Group	12 August 2025
Unit Block Type 1 (Ground Floor, Level 1, Roof Plan & 32 View)	1962-SK-06, Revision A, prepared by Humac Group	12 August 2025
Unit Block Type 1 (Elevation 1- 4)	1962-SK-07, Revision A, prepared by Humac Group	12 August 2025
Unit Block Type 2 (Ground Floor, Level 1, Roof Plan & 3D Plan)	1962-SK-08, Revision A, prepared by Humac Group	12 August 2025
Unit Block Type 2 (Elevation 1 – 4)	1962-SK-09, Revision A, prepared by Humac Group	12 August 2025
Unit Block Type 3 (Ground Floor & Level 1)	1962-SK-10, Revision A, prepared by Humac Group	12 August 2025
Unit Block Type 3 (Roof)	1962-SK-11, Revision A, prepared by Humac	12 August 2025

Plan & 3D View)	Group	
Unit Block Type 3 (Elevation 1- 4)	1962-SK-12, Revision A, prepared by Humac Group	12 August 2025
Unit Block Type 4 (Ground Floor, Level 1, Roof Plan & 3D View)	1962-SK-13, Revision A, prepared by Humac Group	12 August 2025
Unit Block Type 4 (Elevation 1- 4)	1962-SK-14, Revision A, prepared by Humac Group	12 August 2025
Perspective Render	1962-SK-15, Revision A, prepared by Humac Group	12 August 2025
Perspective Render	1962-SK-16, Revision A, prepared by Humac Group	12 August 2025
2-Bedroom Unit – Typical Layout (Ground Floor & Level 1)	1962-SK-17, Revision A, prepared by Humac Group	12 August 2025
3-Bedroom Unit – Typical Layout (Ground Floor & Level 1)	1962-SK-18, Revision A, prepared by Humac Group	12 August 2025
4-Bedroom Unit – Typical Layout (Ground Floor & Level 1)	1962-SK-19, Revision A, prepared by Humac Group	12 August 2025
Perspective Render	1962-SK-20, Revision A, prepared by Humac Group	12 August 2025
Area Calculations (Ground Floor & Level 1)	1962-SK-21, Revision A, prepared by Humac Group	12 August 2025
Material Selections	1962-SK-22, Revision A, prepared by Humac Group	12 August 2025
Landscape Overall Plan	Project No. 240545, Drawing No. LSK-100, Revision C, Sheet 1, prepared by Place Design Group	18 August 2025
Landscape Concept Plan	Project No. 240545, Drawing No. LSK-101, Revision C, Sheet 2,	18 August 2025

		prepared by Place Design Group	
Landscape Concept Plan		Project No. 240545, Drawing No. LSK-102, Revision C, Sheet 3, prepared by Place Design Group	18 August 2025
Proposed Landscape Palette		Project No. 240545, Drawing No. LSK-601, Revision A, prepared by Place Design Group	6 June 2025
EcoRex Report Number 26/04/2022 – Ecological Values, Vegetation, Flora and Fauna Survey Report		Report Number 26/04/2022 prepared by EcoRex	27 April 2022
EcoRex Report 29/04/2022 - Vegetation Rehabilitation Management Plan (VRMP)		Report Number 26/04/2022 prepared by EcoRex	1 May 2022
EcoRex Report 02/04/2022 – Weed Management Plan		Report 02/04/2022, prepared by EcoRex	2 May 2022
Stage 4-7 Landscape Plan (marked up by Council)		Drawing No. 271-L02, Issue B, Sheet No. 2, prepared by LA3 Pty Ltd	21 June 2023

Assessment Manager Conditions

General Requirements		Timing
1.	<p>Approved Plan(s) and Document(s)</p> <p>The development is to be completed and carried out generally in accordance with the approved plan(s) and document(s) above, except where modified by the conditions of this Development Approval.</p>	At all times.
2.	<p>Maintain the Approved Development</p> <p>Maintain the approved development generally in accordance with the approved plan(s) and document(s), and any relevant approval required by these conditions of approval.</p>	At all times.
3.	<p>Currency Period</p> <p>This development approval, granted under the provisions of</p>	As stated.

	<p>the <i>Planning Act 2016</i> (Qld), lapses six (6) years from the day the development approval takes effect, in accordance with the provisions of section 85 of the <i>Planning Act 2016</i> (Qld).</p>	
4.	<p>Notice of Intention to Commence Use</p> <p>Written notice must be given to Council that the development fully complies with this Development Permit.</p> <p>Return the attached “Notice of Intention to Commence Use” (attached at Appendix 4).</p>	Prior to Commencement of Use.
5.	<p>Demolish Buildings and Structures</p> <p>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 the issue of a Development Permit for Building Works for the development.</p>	As stated.
6.	<p>Staging</p> <p>The development must be undertaken in the stages as follows:</p> <ol style="list-style-type: none"> a. Stage 1: Approved PART B – Reconfiguring a Lot (Boundary Realignment), b. Stage 2: Approved PART C – Material Change of Use (Multiple Dwelling x 24) <p>to the extent of delivering the approved multiple dwelling on Approved Lot 1, in accordance with the Approved Plan(s) so that there is no conflict with regard to lot boundaries and/or easement alignment or arrangement.</p>	As stated.
7.	<p>Community Management Statement</p> <p>Any Community Management Statement associated with the Approved Development must include, but not be limited to, the following matters:</p> <ol style="list-style-type: none"> a. Demonstrate the location on the Approved Plan(s) of the common property areas; b. Responsibility for the management and ongoing maintenance of landscaping within the common property; c. Responsibility for the management and ongoing maintenance of visitor parking spaces located within the common property; d. A clause which precludes future owners from establishing land uses which are in conflict with, or not in keeping with, the intended form of development. 	At all times.

	<p>Any amendments to the Community Management Statement must not remove the above requirements for the life of the development.</p>	
8.	<p>Acid Sulfate Soils Management Plan</p> <p>If any Acid Sulfate Soils are detected on site in excess of the action levels nominated in the Queensland Acid Sulfate Soils Technical Manual (QASSTM) prepare, provide for approval and comply with an Acid Sulfate Soils Management Plan.</p> <p>The Acid Sulfate Soils Management Plan must be prepared by a suitably qualified person.</p> <p>Construct all works in accordance with the recommendations of the Acid Sulfate Soils Management Plan.</p>	At all times
9.	<p>External Lighting</p> <p>Development must not emit a light source that will exceed a maximum light intensity of 150 Candela, in accordance with the Airport Environs – Light Restriction Zone criteria. (Zone C) at any time.</p>	<p>Prior to Commencement of Use;</p> <p>AND</p> <p>At all times.</p>
10.	<p>Aircraft Noise</p> <p>The development must be designed and constructed to attenuate aircraft noise by achieving the indoor design sound levels specified for 20-30 ANEF as follows:</p> <p>a. Sleeping Areas (Multiple Dwelling) = 50 dB(A) Indoor design sound level ;</p> <p>b. Other habitable areas (Multiple Dwelling) = 55 dB(A) Indoor design sound level.</p>	<p>Prior to Commencement of Use;</p> <p>AND</p> <p>At all times.</p>
11.	<p>Gates</p> <p>Gates restricting access and egress to the site must be sliding or open inwardly to the site.</p>	<p>Prior to Commencement of Use;</p> <p>AND</p> <p>At all times .</p>
12.	<p>Street and Unit Numbering</p> <p>The development is to provide clear and legible street numbering and must be maintained at all times while the use is occurring on the site.</p> <p>Each unit within the development should have a clear and legible unit number within the complex at all times.</p>	As stated.

13.	<p>Secure Storage</p> <p>Each dwelling must be provided with a secure storage area that:</p> <ul style="list-style-type: none"> a. Has a minimum area of 2.5m², b. Has a minimum height of 2 metres, c. Is weather proof; and <p><i>Note: The secure storage areas are to have immunity to the 1% AEP defined inundation event level for the land.</i></p>	Prior to the issue of a Development Permit for Building Works
14.	<p>Air-Conditioning, Plant and Machinery Screens</p> <p>Air-Conditioning, Plant and Machinery units located above ground level and visible from external properties or the street at the frontage of the land must be screened from view with appropriate materials or landscaping.</p>	Prior to Commencement of Use
15.	<p>Existing Vegetation</p> <p>Existing vegetation on the site within the area labelled as 'Conservation Area – Vegetation to remain & enhanced' on Drawing No. 271-L02, Issue B, Sheet No 2. Prepared by LA3 Pty Ltd (dated 21 June 2023). must be retained and protected in accordance with AS4970:2025 Protection of Trees on Development Sites.</p> <p><i>Note: The above Plan was previously approved under relevant Approval for Operational Works 8/10/1360 (#7281752) over the subject site and has been marked up in accordance with its relevance to this approval.</i></p> <p><i>Note: Any further vegetation damage may require a Development Permit for Operational Work to be obtained prior to vegetation damage occurring.</i></p>	At all times.
16.	<p>Detailed Landscaping Plan</p> <p>Provide a Detailed Landscaping Plan, generally in accordance with the approved Concept Landscaping Plans (Dwg No. LSK-100 – 101 Rev C 18 Aug 2025 & Dwg. No. LSK-601 Rev A 6 Jun 2025, prepared by Place Design Group), but modified to reflect the following:</p> <ul style="list-style-type: none"> a. Details for vegetation rehabilitation, weed management and tree protection areas, including any associated updated delivery timeframes, in accordance with the following: <ul style="list-style-type: none"> i. Rehabilitation Works Management Plan (VRMP) EcoRex Report 29/04/2022 and the Addendum; and ii. Weed Management Plan EcoRex Report 02/04/2022 	Prior to requesting for a Landscaping Practical Completion Inspection.

	<p><i>Note: The above documents were previously approved under relevant Approval for Operational Works 8/10/1360 (#7281752) over the subject site.</i></p> <p>b. Details and specifications to demonstrate the proposed engineering design for the wetland recharge zone and drainage features on the perimeter of the wetland buffer area within the hard surface area of the development site in accordance with the recommendations of:</p> <p>i. EcoRex Report Number 26/04/2022 – Ecological Values, Vegetation, Flora, and Fauna Survey Report</p> <p><i>Note: The above documents were previously approved under relevant Approval for Operational Works 8/10/1360 (#7281752) over the subject site.</i></p> <p>c. Boundary screening vegetation with a minimum height of 10 metres to create a tiered landscape buffer fronting the rail corridor and Law Street;</p> <p>d. Any existing trees (internal and external) to be retained and their Tree Protection and Structural Root Zone;</p> <p>e. Deep planting with a mixture of shade trees located adjacent to driveways and visitor parking areas in accordance with Approved Plan(s);</p> <p>f. Details of any fencing and/or retaining walls associated with the development;</p> <p>g. A planting schedule including species, quantity, container size;</p> <p>h. Specifications for planting, mulching, permanent irrigation, establishment.</p> <p>The Detailed Landscaping Plan must be prepared by a suitably qualified Landscape Architect or Landscape Designer and in accordance with the FNQROC Development Manual (Version 9) and the Planning scheme Policy – Landscaping and provided to Council for endorsement.</p>	
17.	<p>Landscaping Protection</p> <p>Landscaped areas adjoining parking and manoeuvring areas must be protected from vehicular encroachment by a 150mm high vertical concrete kerb or similar obstruction.</p>	<p>Prior to Commencement of Use.</p>
18.	<p>Landscape Maintenance and Management Plan</p> <p>In conjunction with the submission of the Detailed Landscape Plan, provide to Council a Landscape Maintenance and Management Plan prepared by a suitably qualified professional for endorsement.</p>	<p>As stated</p>

	<p>This plan must detail the maintenance and management regime(s) that are to be implemented to ensure the landscape features of the development are retained for the life of the development.</p> <p>The approved Landscape Maintenance and Management Plan must be referenced within any Community Management Statement for the development.</p> <p>The landscaping must be maintained at all times in accordance with the endorsed Landscape Maintenance and Management Plan.</p>	
19.	<p>Landscaping Work</p> <p>The landscaping must be constructed in accordance with the endorsed Detailed Landscaping Plan and the conditions of this Approval prior to Landscaping Practical Completion Inspection.</p> <p>Council must be advised in writing of the completion of the landscaping and to arrange for a Landscape Practical Completion Inspection.</p> <p>Endorsed landscaping work must be inspected and accepted by Council at a Landscaping Practical Completion Inspection prior to the Commencement of Use.</p> <p>If at any stage it is considered necessary to vary the landscape work, approval must be sought in writing prior to commencing the landscaping work.</p> <p><i>Note: Variations can be sent to PlanningAdmin@cairns.qld.gov.au.</i></p>	As stated.
20.	<p>Internal Water Supply and Sewerage Works Internal</p> <p>Design and construct the following water supply and sewerage works in accordance with Sections D6 and D7 of the FNQROC Development Manual internal to the premises:</p> <ol style="list-style-type: none"> a. The development must be serviced by a single internal water and sewerage connection made clear of any buildings or structures; b. Water supply sub-metering must be designed and installed in accordance with the <i>Plumbing and Drainage Act 2018</i> (Qld) and the <i>Water Supply (Safety and Reliability) Act 2008</i> (Qld); c. Any redundant sewer property connection and water connection must be decommissioned and removed; d. Design the private fire system to ensure compliance with the relevant building codes and standards and install all necessary on-site pressure boosting and storage; 	Prior to Commencement of Use.

	<p>Any fire booster assembly, cabinet and water meters are to be located within the property.</p> <p><i>Note: Council does not guarantee a minimum service standard for fire fighting from Council's water network. It is the responsibility of the property owner to ensure adequate supply for the development.</i></p>	
21.	<p>External Water and Sewer Works</p> <p>Design and construct external water and sewer works in accordance with Sections D6 and D7 of the FNQROC Development Manual to provide a service to the premises and to connect the land to existing infrastructure:</p> <p>a. Extend water infrastructure to connect the land to Council's existing water infrastructure at a point that has sufficient capacity to service the development.</p>	<p>Prior to Commencement of Use</p>
22.	<p>Inspection of Sewers</p> <p>CCTV inspections of all constructed sewers must be undertaken.</p> <p>The CCTV report, video files and a digital file with coding information (WinCan format), must be submitted during Work Acceptance Submission in accordance with the clause S6.29 (3) FNQROC Development Manual.</p> <p>The assessment of the CCTV records must be undertaken by a suitably qualified person (RPEQ) and the report along with the footage submitted to Council for review.</p> <p>Identified defects are to be rectified.</p>	<p>Prior to Commencement of Use;</p> <p>AND</p> <p>As Stated</p>
23.	<p>Private Infrastructure</p> <p>Ownership, operation and maintenance of the following private infrastructure is to vest at all times with the Body Corporate and/or landowner:</p> <p>a. All internal allotment drainage pits and associated pipework;</p> <p>b. All internal roadways;</p> <p>c. Any private sewer pump station and private rising main;</p> <p>d. Any stormwater management devices and infrastructure;</p>	<p>At all times.</p>

	<p>e. Any privately owned water pump.</p> <p><i>Note: If, at any time, Council's corresponding infrastructure network is altered, the private infrastructure must be altered to be commensurate with Council's network, at no cost to Council.</i></p>	
24.	<p>Private Refuse Collection</p> <p>All development must be designed to be serviced by private waste collection for both waste and recycling.</p> <p>Waste collection from the development must be in accordance with the following requirements:</p> <ol style="list-style-type: none"> Be at an accessible on-site location(s), generally in accordance with the Approved Plan(s); Provide sufficient on-site manoeuvrability for collection services so that vehicles can enter and exit the site in a forward gear; Are of a sufficient size to accommodate the required bins; Are sited and designed to be unobtrusive and screened from view from the street frontage; and Are imperviously sealed, roofed and bunded and contain a hose down area connected to the internal wastewater system. <p>All development must be constructed in accordance with the above requirements.</p>	Prior to Commencement of Use.
25.	<p>Crossover and Driveway</p> <p>The new access crossover and driveway must be constructed in accordance with the latest version of FNQROC Standard Drawings S1110G Concrete Driveway and S1015 Access Crossover, to a Commercial standard.</p> <p>The driveway must be fully constructed prior to commencement of the use.</p> <p><i>NOTE: The driveway for this development is likely to require an Operational Work Permit before its construction.</i></p>	As Stated.
26.	<p>Car Parking Provision</p> <p>The amount of on-site car parking must be as per the Approved Plan(s), being 59 spaces, inclusive of seven (7) visitor spaces and constructed Prior to Commencement of Use.</p>	As stated; AND At all times.
27.	<p>Street Lighting</p> <p>Design and install a Rate 2 NPL2 Tariff, street lighting system</p>	Prior to Commencement of Use

	<p>as Lighting Category P4, certified by a RPEQ, starting from the unformed part of Law Street, to the new turn around in Law Street, including site entrance.</p> <p>The design of the street lighting system must:</p> <ol style="list-style-type: none"> a. Meet the relevant standards of Ergon; b. Be designed in accordance with FNQROC Development Manual Section D8; c. Be constructed with lighting columns of steel construction with LED Aeroscreen luminaires; d. Be provided as 'Rate 2 Public Lighting'; e. Be endorsed by Council as the Ergon 'billable customer'; f. Be generally in accordance with <i>Australian Standards AS1158 – 'Lighting for Roads and Public Spaces.</i> 	
28.	<p>Electricity Supply</p> <p>The development must be connected to the electricity network in accordance with the relevant requirements of FNQROC Development Manual and the relevant electricity provider standards.</p>	Prior to Commencement of Use
29.	<p>Copy of Approval</p> <p>The Development Approval condition(s) relating to the supply of electricity must be provided to Ergon Energy with the application for power supply.</p>	Prior to Commencement of Use
30.	<p>Telecommunications Services</p> <p>The development must be connected to the telecommunications network in accordance with section D8.05 of the FNQROC Development Manual.</p>	Prior to Commencement of Use
31.	<p>Transportation of Material</p> <p>Transportation of fill or spoil to and from the land must not occur:</p> <ol style="list-style-type: none"> a. Within peak traffic times; b. Before 7:00am or after 6:00pm Monday to Friday; c. Before 7:00am or after 1:00pm Saturday; d. On Sunday or a Public Holiday. 	As stated.
32.	<p>Minimum Floor Levels</p> <p>All finished floor levels (excluding Class 10 structures) must be a minimum of 300mm above the 1% defined inundation event level.</p>	Prior to Commencement of Use.

33.	<p>Car Parking Levels</p> <p>Finished surface levels of car parking areas are to be constructed at a minimum of the 5% AEP defined inundation event level.</p>	<p>Prior to Commencement of Use</p>
34.	<p>Certification of Floor Levels</p> <p>Prior to the issuing of a Final Inspection Certificate by a Building Certifier or Commencement of the Use, whichever occurs first, submit to Council certification, issued by a Registered Cadastral Surveyor, that all internal floor levels related to this application have been confirmed by survey as having been carried out in accordance with the conditions of this development approval in respect to:</p> <p>a. All finished floor levels being 300mm above the defined hazard event.</p>	<p>As Stated</p>
35.	<p>Flood Storage Capacity / No-Worsening</p> <p>All development works must be undertaken so that there is no additional loss of flood storage capacity or worsening of flood behaviour beyond that demonstrated in the Flood Impact Assessment prepared by Northern Consulting Engineers (Revision B, dated 2023).</p> <p>Any future building, filling, excavation or operational works on the site must demonstrate compliance with the adopted model outcomes and must not increase afflux above the acceptable model tolerance of 10mm at any boundary, nor increase flood depths, velocities, inundation extent or hazard beyond the immediate site.</p> <p>Prior to future Operational Works approvals, updated hydraulic validation must be provided confirming that the final detailed design earthworks / finished levels do not reduce flood storage or worsen flood impacts to the railway corridor or adjoining properties.</p> <p><i>Note: The above document was previously approved under relevant Preliminary Approval 8/39/5 (#7173880) over the subject site.</i></p>	<p>As stated</p>
36.	<p>Stormwater Quality Treatment (SPEL Devices)</p> <p>All stormwater runoff generated from the development, including all roofwater and hardstand areas, must be collected within the internal piped stormwater drainage network and must be treated through the nominated SPEL stormwater quality devices (e.g. SPEL Stormsack / SPEL SpelFilter) prior to discharge from the site into Council's or external drainage systems or Lily Creek.</p> <p>Roofwater must not discharge to surface drains or overland</p>	<p>Prior to Commencement of use;</p> <p>AND</p> <p>At all times.</p>

	<p>flow paths.</p> <p>All roofwater must be directly connected into the piped stormwater drainage system and pass through the approved treatment device(s) prior to leaving the site.</p>	
37.	<p>Stormwater Certification RPEQ</p> <p>Prepare a Stormwater Drainage Plan which is in accordance with the Queensland Urban Drainage Manual and Section D4 of the FNQROC Development Manual and provide a copy to Council prior to commencement of works which:</p> <ol style="list-style-type: none"> a. is RPEQ Certified; b. contains supporting information, confirming that the stormwater discharge from the development is designed to convey flows to a lawful point of discharge; c. a design for the stormwater drainage system; d. Post-development peak flows do not exceed pre-development flows for the development; e. Major and minor storm events are addressed; f. No worsening of flood or drainage impacts occurs upstream or downstream of the site. <p>The stormwater design shown on the Stormwater Drainage Plan certified by the RPEQ, must be constructed prior to commencement of use and maintained at all times.</p> <p><i>Note: Council will record the RPEQ (Stormwater) report and plans as a Property Note for each developed lot.</i></p>	As Stated.
38.	<p>Changes in Stormwater Quantity</p> <p>Post-development flows must not exceed pre-development flows in accordance with the Queensland Urban Drainage Manual (QUDM, current edition) and the FNQROC Development Manual Section D4.</p>	As stated.
39.	<p>Nuisances</p> <p>Stormwater discharge must have a no worsening effect on downstream or upstream properties, associated with the following:</p> <ol style="list-style-type: none"> a. diversion of stormwater; b. concentration of stormwater flows; c. changes in other flow characteristics; d. changes that affect the future use of land. 	At all times.

40.	<p>Lawful Point of Discharge</p> <p>All stormwater from the land must be directed to a lawful point of discharge such that it does not adversely affect surrounding properties or properties downstream from the development, in accordance with the Queensland Urban Drainage Manual.</p> <p><i>Note – The Queensland Urban Drainage Manual provides guidance on lawful points of discharge (Section 3)</i></p>	At all times.
41.	<p>Damage to Infrastructure and Land</p> <p>Repair any damage to existing public infrastructure caused by works carried out in association with the approved development.</p> <p>Where existing public infrastructure require repair or relocation, due to the approved development and/or works associated with the approved development, repair and/or relocate the public infrastructure at no cost to others and in accordance with statutory requirements and adopted design standards.</p> <p><i>Note: It is recommended applicants record their own dated photographic evidence of the condition of relevant existing public infrastructure both before and after works carried out in association with the approved development.</i></p>	<p>Prior to Commencement of Use;</p> <p>AND</p> <p>At all times.</p>

PART D: INFRASTRUCTURE CHARGES

1. That an Infrastructure Charges Notice be issued for the development.

PART E: REFERRAL AGENCY CONDITIONS & REQUIREMENTS

Based on the information provided in the application, no Referral Agencies are identified as applicable.

Referral Agency	Referral Agency Reference	Date	Council Electronic Reference
State Assessment and Referral Agency (SARA)	2509-48418 SRA	31 October 2025	#7764959

Refer to Attachment 5: Referral Agency Requirements (please note that these conditions / requirements may be superseded by subsequent negotiations with the

relevant referral agencies).

PART F: RATES NOTATION

1. The following attributes are notated to each of the new lots as follows:
 - a. This site is subject to a Variation Approval (8/39/24) introducing the Law Street Residential Precinct, which prevails over and replaces a previous Variation Approval (8/39/5)(#7173880). All development over this site is subject to the Variation Approval (8/39/24). A copy of this approval can be obtained by request by email from townplanner@cairns.qld.gov.au

PART G: PLANNING SCHEME NOTATION

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

ADVICE

1.	<p>Planning Laws</p> <p>Information relating to the <i>Planning Act 2016</i> (Qld), <i>Planning Regulation 2017</i> (Qld) and Development Assessment Rules is located on the Queensland Government's planning website.</p>
2.	<p>Definitions</p> <p>All terms used in this development approval have those definitions as defined under the <i>Planning Act 2016</i> (Qld) and <i>Planning Regulation 2017</i> (Qld) (as at the date of the approval), Queensland Development Code and CairnsPlan 2016.</p> <p>To the extent of any inconsistency, the order of precedence of the above instruments is as follows:</p> <ol style="list-style-type: none"> a. <i>Planning Act 2016</i> (Qld); b. <i>Planning Regulation 2017</i> (Qld); c. Queensland Development Code; d. CairnsPlan 2016; and e. FNQROC Development Manual.
3.	<p>Further Approvals Required to Carry out the Development</p> <p>The following further approvals are required prior to carrying out the development generally in accordance with the approved plan(s) and drawings:</p> <ul style="list-style-type: none"> • Development Permit for Material Change of Use; • Development Permit for Reconfiguring a Lot; • Development Permit for Operational Work; • Development Permit for Building Work; • Permit for Plumbing Work.

4.	<p>FNQROC Regional Development Manual</p> <p>Access to FNQROC Development Manual, Local Laws, CairnsPlan 2016 and other referenced planning scheme policies are located on Council's website – www.cairns.qld.gov.au.</p>
5.	<p>Infrastructure Charges Notice</p> <p>A charge levied for the supply of trunk infrastructure is payable to Council in accordance with Council's Infrastructure Charges Resolution No. 2 of 2021 and the Infrastructure Charges Notice, a copy of which is attached for reference purposes only.</p> <p>The original Infrastructure Charges Notice will be provided under cover of a separate letter.</p> <p>The amount in the Infrastructure Charges Notice has been calculated according to Council's Infrastructure Charges Resolution.</p> <p>Please note that this Decision Notice and the Infrastructure Charges Notice are stand-alone documents. The <i>Planning Act 2016</i> (Qld) confers rights to make representations and appeal in relation to a Decision Notice and an Infrastructure Charges Notice separately.</p> <p>The amount in the Infrastructure Charges Notice is subject to index adjustments and may differ at the time of payment. Please contact Council's Development Assessment Team for review of the charge amount prior to payment.</p> <p>The time when payment is due is contained within the Infrastructure Charges Notice.</p>
6.	<p>Weeds, Pest Animals and Ants</p> <p>Biosecurity Queensland of the Department of Agriculture and Fisheries leads the Queensland Government's efforts to prevent, respond to and recover from pests and diseases threatening agricultural prosperity, the environment, social amenity and human health. All landscape materials, including but not limited to, soils, mulch, grass, gravel, potted or ground plants, pavers and timber used in landscape treatments must be free from weeds, pest animals and ants.</p>
7.	<p>Removal of Protected Vegetation</p> <p>This development approval does not approve or authorise the removal of vegetation that is otherwise protected under separate State or Federal legislation, including under the following:</p> <ul style="list-style-type: none"> a. <i>Environment Protection and Biodiversity Conservation Act 1999</i> (Cth); b. <i>Nature Conservation Act 1999</i> (Qld); and c. <i>Vegetation Management Act 1999</i> (Qld). <p>For further information see: https://www.qld.gov.au/environment/land/management/vegetation/damage.</p>

8.	<p>Native Wildlife</p> <p>Prior to any vegetation damage, an inspection to determine the possible presence of native wildlife and animal breeding places must be undertaken by a suitably qualified and experienced spotter/catcher. The assessment must include the identification of any breeding places for any Endangered/Vulnerable or Near Threatened animal species, special least concern or colonial breeding species prior to the removal of any trees and/or vegetation as per the requirements of section 332 of the <i>Nature Conservation (Wildlife Management) Regulation 2006</i> (Qld). The Department of Environment and Science must be contacted where any Endangered, Vulnerable or Near Threatened native wildlife is found to be present in any area subject to works.</p>
9.	<p><i>Environmental Protection and Biodiversity Act</i> (Cth)</p> <p>The <i>Environment Protection and Biodiversity Conservation Act 1999</i> (Cth) (EPBC Act) applies to an action that has, will have, or is likely to have a significant impact on matters of national environmental significance.</p> <p>Further information on the EPBC Act and a copy of the Significant Impact Guidelines 1.1 – Matters of Environmental Significance (2013) can be obtained from the Department of Agriculture, Water and Environment at https://www.awe.gov.au/environment/epbc/publications/significant-impact-guidelines-11-matters-national-environmental-significance.</p> <p>This approval does not negate the requirement for compliance with other relevant State and Federal statutory requirements, particularly with respect to the disturbance of Spectacled Flying Fox communities. For further information consult with the Queensland State Department of Environment and Science and the Federal Department of Agriculture, Water and Environment.</p>
10.	<p>Yellow Crazy Ants</p> <p>Yellow crazy ants are designated as invasive biosecurity matter under the <i>Biosecurity Act 2014</i> (Qld). All parties (whether landholders or not) are required to take all reasonable measures to prevent the movement of yellow crazy ants. This includes restrictions on the movement of any materials deemed to be infested with yellow crazy ants. For further information contact the Department of Environment and Science – https://www.daf.qld.gov.au/business-priorities/biosecurity/policy-legislation-regulation/biosecurity-act-2014/biosecurity-matter-report/restricted-matter.</p>
11.	<p>Electric Ant Quarantine Area</p> <p>Electric ants are designated as restricted biosecurity matter under the <i>Biosecurity Act 2014</i>.</p> <p>Certain restrictions and obligations are placed on persons dealing with electric ant carriers within the electric ant restricted zone. Movement restrictions apply in accordance with Sections 74–77 of the <i>Biosecurity Regulation 2016</i>. Penalties may be imposed on movement of electric ant carriers and electric ants in contravention of the legislated restrictions. It is the responsibility of the applicant to check if the nominated property lies within a restricted zone.</p> <p>All persons within and outside the electric ant biosecurity zone have an obligation</p>

	<p>(a general biosecurity obligation) to manage biosecurity risks and threats that are under their control, they know about, or they are expected to know about. Penalties may apply for failure to comply with a general biosecurity obligation.</p> <p>For more information please visit the electric ant website at www.daf.qld.gov.au/anthunt or contact Biosecurity Queensland 13 25 23.</p>
12.	<p>Cyclone Watch Site Management</p> <p>All building site managers must take all action necessary to ensure building materials and/or machinery on construction sites are secured immediately following the first cyclone watch and that relevant emergency telephone contacts are provided to Council Officers, prior to commencement of works.</p>
13.	<p>Connections to, Alteration or Realignment of Council Infrastructure</p> <p>Where development works require the connection to, alteration, removal or realignment of Council infrastructure or impact on other public utility infrastructure (e.g. telecommunications, electricity and gas), obtain the necessary approvals from the relevant public utility authority prior to works commencing.</p> <p>All connections or disconnection of water infrastructure must be undertaken by Council at the Applicant's cost.</p> <p>Connection to, alteration, removal or realignment of Council infrastructure includes (but is not limited to) fire hydrants, water service meters, sewer maintenance hole covers, stormwater drainage, reinstatement of maintenance hole covers, stormwater drainage, crossovers, footpaths, road pavement, kerb and channel, kerb ramps, medians, traffic islands, road furniture, signage and line-marking.</p>
14.	<p>Building Works Near Sewer Mains</p> <p>Any building works located over or near an existing sewer is subject to a Plumbing Application for Permission to Build over/and or Adjacent to Sewer Mains unless the works are not referable under the Queensland Development Code MP1.4. The design of the building and footings over or near the sewer are to comply with the performance criteria in section MP.1.4 of the Queensland Development Code where relevant.</p>
15.	<p>Before You Dig</p> <p>Undertake a 'Before You Dig' search and all information is to be verified and services located on site. Council accepts no responsibility for damaged assets as a result of these works. All damaged Council infrastructure is to be returned/replaced to an as-new state before works acceptance is issued.</p>
16.	<p>Building Work</p> <p>This approval does not approve or authorise the construction of building work. A Development Permit for Building Work must be obtained in order for construction to commence.</p>
17.	<p>Future Compliance</p> <p>This approval does not negate the requirement for compliance of any future use with CairnsPlan 2016 or any future in force planning schemes, all other relevant</p>

	Local Laws and other statutory requirements.
18.	<p>Cultural Heritage</p> <p>Aboriginal cultural heritage is protected under the <i>Aboriginal Cultural Heritage Act 2003</i> (Qld).</p> <p>Under the Act, a person who carries out an activity must take all reasonable and practicable measures to ensure that the activity is properly managed to avoid or minimise harm to Aboriginal cultural heritage.</p> <p>The Duty of Care Guidelines provide further guidance on identifying and protecting Aboriginal cultural heritage and can be accessed at the following webpage – https://www.qld.gov.au/firstnations/environment-land-use-native-title/cultural-heritage/cultural-heritage-duty-of-care.</p>

LAND USE DEFINITIONS*

In accordance with Schedule 24 of the *Planning Regulation 2017*, and CairnsPlan 2016 the approved land use of Multiple Dwelling is defined as:

multiple dwelling—

- (a) *means a residential use of premises involving 3 or more dwellings, whether attached or detached; but*
- (b) *does not include build to rent housing.*

carried unanimously

5.5 PROJECT LAUNCH APPROVAL: 601296 ESPLANADE FORESHORE EROSION PROTECTION 317 CIA | 50/5/96-01 | #7794421

PYNE / EDEN

That Council:

1. Approves the Project Launch Approval for Project 601296: Esplanade Foreshore Erosion Protection for Stages 3, 4 and 5 with a Project Launch Budget (PLB) of \$1.5M and an Approved End Date (AED) of 30 June 2027; and
2. Delegates authority to the Chief Executive Officer in accordance with the *Local Government Act 2009* to finalise any and all matters relating to the above project, subject to Council' s normal procurement policies and practices.

carried unanimously

**5.6 APPLYING FOR EXTERNAL CONTESTABLE GRANT FUNDING
GENERAL POLICY..... 327**
EDA | 58/6/3 | #7804921

MOLLER / ZEIGER

**That Council adopts the Applying for External Contestable Grant Funding
General Policy.**

carried unanimously

5.7 GRANTS INWARDS STATUS UPDATE REPORT 335
F&BS | 63/8/12-07 | #7800161

MOLLER / TIM

That Council notes the Grants Inwards Status Update Report.

carried unanimously

5.8 PROCUREMENT POLICY UPDATES 347
F&BS | 63/14/4-* | #7800063

COGHLAN / VALLELY

**That Council notes legislative changes to the *Local Government Regulation
2012* and adopts the proposed amendments to the Procurement Policy.**

carried unanimously

**5.9 2024/25 FINANCIAL STATEMENTS AND ANNUAL REPORT FOR
CAIRNS ART GALLERY LIMITED 371**
F&BS | 63/17/2-01 | #7791737

MIDDLETON / VALLELY

**That Council notes the financial statements and annual report for Cairns Art
Gallery Limited for the year ended 30 June 2025.**

carried unanimously

6. URGENT BUSINESS NOT ON THE AGENDA

Nil

CLOSED SESSION

OLDS / MOLLER

AT 9.57 AM COUNCIL RESOLVED TO GO INTO CLOSED SESSION TO DISCUSS THE FOLLOWING ITEMS FOR THE REASONS INDICATED UNDER THE LOCAL GOVERNMENT REGULATIONS 2012 (LGR).

Item	Reason	LGR section
BUDGETARY MATTER – OUTSTANDING DEBT REPORT F&BS 63/8/31-01 #7804630	<i>Matter relates to the local government's budget</i>	254J(3)(c)

carried unanimously

AT 9.59 AM COUNCIL RESOLVED TO MOVE OUT OF CLOSED SESSION

MOLLER / OLDS

carried unanimously

RESOLUTIONS ARISING FROM MATTERS DISCUSSED IN CLOSED SESSION.

7.1 BUDGETARY MATTER – OUTSTANDING DEBT REPORT 426

F&BS | 63/8/31-01 | #7804630

COGHLAN / MIDDLETON

That Council notes the status of the outstanding debt owed to Council as at 30 January 2026.

carried unanimously

THE MEETING CLOSED AT 10 AM

CONFIRMED THIS 25th DAY OF FEBRUARY 2026

The minutes of this meeting were confirmed at the Ordinary Council Meeting held on Wednesday 25th February 2026.