

PLANNING AND ENVIRONMENT COMMITTEE MEETING	4
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10 MAY 2023	
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MATERIAL CHANGE OF USE FOR MULTIPLE DWELLINGS – 17 VEIVERS ROAD, PALM COVE – DIVISION 9

Michelle Henderson : 8/7/5246 : {#7152319}

PROPOSAL: MATERIAL CHANGE OF USE FOR MULTIPLE DWELLINGS

LANDOWNER: VEIVERS PTY LTD

APPLICANT: VEIVERS PTY LTD
C/- BRAZIER MOTTI
12-20 TOOGOOD ROAD
WOREE QLD 4868

INTERESTED PARTIES: VEIVERS PTY LTD
BRAZIER MOTTI
CIRCA 2000
AAA SOLUTIONS
JOHN MADDEROM
OUTDOOR STUDIOS
ADVANCED VEGETATION MANAGEMENT

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

LOCATION OF SITE: 17 VEIVERS ROAD, PALM COVE

PROPERTY: LOT 54 ON RP725473

ZONE: TOURIST ACCOMMODATION ZONE

LOCAL PLAN: NONE APPLICABLE

PLANNING SCHEME: CAIRNSPLAN 2016 V3.0

REFERRAL AGENCIES: NONE APPLICABLE

NUMBER OF SUBMITTERS: THIRTEEN (13) NOT PROPERLY MADE SUBMISSIONS (CODE ASSESSABLE)

STATUTORY ASSESSMENT DEADLINE: 12 MAY 2023

APPLICATION DATE: 1 MARCH 2022

DIVISION: 9

- ATTACHMENTS:
1. APPROVED PLAN(S) & DOCUMENT(S)
 2. NOTICE OF INTENTION TO COMMENCE USE
 3. FNQROC STANDARD DRAWINGS
 4. INFRASTRUCTURE CHARGES CALCULATIONS
 5. SUPPORTING INFORMATION

LOCALITY PLAN



RECOMMENDATION

That Council approves the development application for a Material Change of Use for Multiple Dwellings over land described as 17 Veivers Road, Palm Cove, located at Lot 54 on RP725473, subject to the following:

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

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

Drawing or Document	Reference	Date
Cover Sheet	Drawing no DA0.0 Rev P1 prepared by Circa 2000	10 Jan 2022
Site Plan	Drawing no DA1.0 Rev P5 prepared by Circa 2000	8 Aug 2022

Floor Plan – Basement	Drawing no DA1.1 Rev P5 prepared by Circa 2000	6 April 2023
Floor Plan – Ground	Drawing no DA1.2 Rev P5 prepared by Circa 2000	13 March 2023
Floor Plan – Level 1	Drawing no DA1.3 Rev P4 prepared by Circa 2000	13 March 2023
Typical Floor Plan – Levels 2, 3 & 4	Drawing no DA1.4 Rev P4 prepared by Circa 2000	13 March 2023
Detailed Floor Plan – Typical Unit	Drawing no DA1.5 Rev P2 prepared by Circa 2000	10 Jan 2022
Floor Plan – Pool Terrace	Drawing no DA1.6 Rev P2 prepared by Circa 2000	10 Jan 2022
Elevations 1	Drawing no DA1.7 Rev P3 prepared by Circa 2000	10 Jan 2022
Elevations 2	Drawing no DA1.8 Rev P4 prepared by Circa 2000	13 March 2023
Section a	Drawing no DA1.9 Rev P1 prepared by Circa 2000	10 Jan 2022
Section b	Drawing no DA1.10 Rev P1 prepared by Circa 2000	10 Jan 2022
Perspective 1	Drawing no DA1.11 Rev P3 prepared by Circa 2000	10 Jan 2022
Perspective 2	Drawing no DA1.12 Rev P3 prepared by Circa 2000	10 Jan 2022
Longitudinal Elevations	Drawing no DA2.0 Rev P1 prepared by Circa 2000	16 May 2022
Site Plan – existing vegetation	Drawing no DA2.1 Rev P1 prepared by Circa 2000	8 August 2022
Vehicle Sight Lines & Basement Wall Construction	Drawing no DA2.2 Rev P1 prepared by Circa 2000	8 August 2022
Tree Impact Assessment	Tree Impact Assessment prepared by Advanced Vegetation Management dated 12 April 2023	12 April 2023

ASSESSMENT MANAGER CONDITIONS

Currency Period

1. This approval, granted under the provisions of the *Planning Act 2016*, shall lapse six (6) years from the day the approval takes effect in accordance with the provisions of Section 85 of the *Planning Act 2016*.

Carry Out the Approved Development

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

Except where modified by these conditions of approval.

Timing of Effect

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

Notice of Intention to Commence Use

- 4. Prior to the Commencement of Use on the site, written notice must be given to Council that the development fully complies with this Development Permit.**

Please return the attached "*Notice of Intention to Commence Use*" form when the use has commenced (attached at Appendix 2).

Minimum Floor Levels

- 5. The finished floor levels of the building must be located equal to or greater than 300mm above the 1% AEP defined inundation event level (including storm surge).**
- 6. The entrance to the car parking areas must be immune to the 1% AEP defined inundation event level for flood (i.e. excluding storm surge).**
- 7. Where the finished floor level for the ground level of the development is above the height of the existing footpath level, any ramp, stairs or other features utilised to bridge the variation in floor level must be contained wholly within the curtilage of the development site. Ramping within the road reserve to achieve accessibility to the site must not occur.**

Water Supply and Sewerage Works External (Non-Trunk Infrastructure)

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

The external works outlined above require approval from Council in accordance with an application for Operational Works. A plan of the works must be endorsed by the Chief Executive Officer prior to commencement of such works. Such work must be constructed in accordance with the endorsed plan to the satisfaction of the Chief Executive Officer prior to Commencement of Use or Council's approval for the Plan of Survey, whichever occurs first.

This condition is imposed under section 145 of the Planning Act 2016 (Qld).

Water Supply and Sewerage Works Internal

- 9. Undertake the following water supply and sewerage works internal to the subject land:**
 - a. The development must be serviced by an 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 2018* and the *Water Supply (Safety and Reliability) Act 2008*. Smart meters are to align with Council's Smart Meter Program;**
 - c. Any redundant sewer property connection and water connection shall be decommissioned and removed;**
 - d. Fire fighting pumped connections must be provided with a break tank where required;**
 - e. 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 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 that may be required; and**

- f. Any fire booster assembly, cabinet and water meters are to be located within the property.

All the above works must be designed and constructed in accordance with the *FNQROC Development Manual*. A plan of works must be approved by the Chief Executive Officer prior to the issue of a Development Permit for Building Works or Development Permit for Operational Works, whichever occurs first.

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 Council's approval for the Plan of Survey, whichever occurs first.

Refuse Storage

10. The development must be designed to be serviced by bulk bin collection for both waste and recycling.

A roofed bin enclosure must be provided in accordance with Council's requirements and waste contractors requirements.

Access to the refuse bin enclosure must have appropriate overhead clearances and have adequate turning space for vehicles in particular to avoid the need to reverse.

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

The bin enclosure must be constructed in accordance with the approved plans prior to the Commencement of Use or lodgement of the Building Unit Plan, whichever occurs first.

Damage to Infrastructure and Land

11. In the event that any part of Council's existing infrastructure or land is damaged as a result of construction activities occurring on the land, including but not limited to; mobilisation of heavy construction equipment, stripping and grubbing, notify Council immediately of the affected infrastructure or land and have it repaired, replaced or reinstated at no cost to Council.

Car Parking

12. Provide a minimum of twenty-three (23) vehicle parking spaces. The car parking layout must comply with *AS2890.1:2004 – Parking facilities – Off-street car parking* and be constructed in accordance with Austroads and good engineering design including parking bay dimensions, aisle widths, ramps and speed control. All parking, driveway and vehicular manoeuvring areas must be imperviously sealed, drained and line marked.

The off-street car park for People with Disabilities must be designed in accordance with AS2890.6 Off-Street Car Parking for People with Disabilities, including parking bay dimensions and shared area. Provision of space must be provided on site for vehicles to turn around so that all vehicles, including service vehicles, can enter and exit in a forward direction.

The car parking design is to be certified by a Registered Professional Engineer Queensland (RPEQ) that the car park manoeuvring provisions (swept paths) are considered safe and acceptable and comply with Australian Standards prior to the issue of a Development Permit for Building Works. The RPEQ certification is to also address the management of traffic flow in the single lane ramp to the basement through the installation of traffic signals. The signals must be maintained in working order for the life of the building to the satisfaction of the Chief Executive Officer.

13. The driveway must be designed in accordance with AS2890.1 Off-Street Car Parking, including the sight distance requirements and minimum width of 3 metres.

A curved mirror must be fitted to the outer curve of the basement ramp to improve driver sightlines.

14. No reliance must be placed on on-street parking to meet any parking demand generated by the development.
15. The eighteen (18) tandem car parking spaces must be clearly signed/marked for use by a single unit only (i.e. two (2) tandem spaces allocated to a single unit).

Bicycle Parking

16. Provide a minimum of ten (10) on-site bicycle parking spaces for the Multiple Dwellings, with up to five (5) spaces able to be accommodated within the basement storage area for the units.

The bicycle parking areas must be constructed prior to Commencement of Use.

External Works (Non-Trunk Infrastructure)

17. Undertake the following works external to the site at no cost to Council:
 - a. Provide an access crossover and driveway to the development on the Triton Street frontage in the locations shown on the approved drawings. The access crossovers, aprons and driveways must be upgraded/constructed to a commercial/industrial standard in accordance with the current version of *FNQROC Development Manual Standard Drawings S1015 and S1110*, prior to Commencement of Use.

Any ramping to meet with floor/garage levels must occur within the property. No grade change/ramping etc. for access is permitted within the road reserve.

All land adjacent to the driveway in the road verge which is disturbed as a consequence of creating the driveway, including the existing kerb and channel, footpath or roadway, must be reinstated to its pre-works condition.

- b. A minimum 2 metre wide footpath must be provided for the full frontage of the property to Veivers Road and Triton Street in accordance with FNQROC Development Manual Standard Drawing 1035D. The new section of the footpath must match neatly to the existing footpath at both extents in relation to alignment and grade.**
- c. Remove any redundant crossovers and reinstate the kerb and channel along the frontages of the site. Any sections showing ponding, significant cracking or the like shall be deemed not fit for purpose and are to be replaced; and**
- d. Amend and/or remove any existing line marking along the Veivers Road and Triton Street frontages of the site which is required to be altered or removed in response to the construction of the access crossover and/or removal of redundant crossovers. Painting over existing line marking in black is not permitted as it may be mistaken at night as line marking.**

All on-street works must be submitted to Council for assessment as part of the Operational Works application. Such works must be constructed to the satisfaction of the Chief Executive Officer, prior to the Commencement of Use.

These conditions are imposed under section 145 of the Planning Act 2016 (Qld).

Electrical & Telecommunications

- 18. An underground electricity reticulation and telecommunications service must be provided to the development in accordance with requirements of the *FNQROC Development Manual*.**
- 19. Where the electrical load of the development requires a network supply upgrade by Ergon Energy, provision must be made for a padmount transformer on site and positioned so that it does not detract from the appearance of the streetscape and must be clear of footpath areas.**

OR

If a supply upgrade is not necessary, then power to the property needs to be provided via an underground service installed by Ergon Energy to a pillar at the property boundary.

20. The applicant/owner must provide written evidence from the electricity authority stating that an underground service has or will be provided to the development prior to Commencement of Use or Council approval of the Plan of Survey.
21. The minimum clearance between a streetlight and a driveway is to be at least 1.0m in accordance with the current version of FNQROC Standard Drawing S1015.
22. The Development Approval condition(s) relating to the supply of electricity must be provided to Ergon Energy with the application for power supply.

Street Lighting

23. Prior to Commencement of Use and at no cost to Council, the street lighting must be upgraded to Lighting Category V3 along the Triton Street frontage of the site, and including the Veivers Road intersection.

The new Rate 2 street lighting is to be designed in accordance with Section D8 of the *FNQROC Development Manual* and the relevant Road Lighting Standard *AS/NZS 1158*. New lighting columns are to be of steel construction with LED luminaires and underground services. The LED luminaires are to be installed at a zero-degree upcast and underground service.

Tree Impact Assessment Addendum

24. An addendum to the approved Tree Impact Assessment dated 12 April 2023 must be submitted for Council acceptance to provide:
 - a. An assessment of the existing canopy of Trees 6 and 19 to be retained known as *Melaleuca leucadendra*, Weeping Paperbark, and any determined conflict with the canopy and the proposed building/structures and or the construction works;
 - b. Methodology for any proposed pruning work in accordance with the Australian Standard *AS4373 Pruning of amenity trees*; and
 - c. Methodology for the protection of the tree canopy in accordance with the Australian Standard *AS4970 Protection of trees on development sites*.

The addendum is to be provided prior to the Commencement of any Works.

Amended Plans and Documents – Internal Landscaping

25. Detailed Landscape Plans must be submitted as an Application for Landscape Endorsement or as a combined Civil, Vegetation Clearing and Landscaping Operational Works application and obtain Endorsement generally in accordance with the following plans submitted with the application, being:

Drawing Description	Date	Rev
Landscape Planting Plan	7 September 2022	01
Landscape Planting Plan – Level One	7 September 2022	01
Landscape Elevation	7 September 2022	01
Landscape Elevation	7 September 2022	01
Landscape Elevation	7 September 2022	01
Plant Schedule	-	-

But modified to provide:

- a. Details of the location of existing Tree 6 and Tree 19 known as *Melaleuca leucadendra*, Weeping Paperbark to be retained and their Tree Protection Zone and the Structural Root Rones in accordance with the Tree Impact Assessment dated 12 April 2023;
- b. ‘Deep planting’ to achieve vertical landscaping within the entire side and rear property boundary setback areas to achieve visual articulation and softening of the built form, minimising overlooking into neighbouring properties whilst maximising cross breezes and natural light into the buildings;
- c. Relevant engineering, planter and trellising design, specifications for soil medium, mulching and irrigation to demonstrate that the planters have been designed appropriately to achieve long-term plant establishment and maturity;

Note: Planter boxes, roof top planting and vertical walls must be designed in consultation with the building designer and structural engineer to ensure the building can accommodate these landscape features. The final species selection for the roof top gardens must be able to withstand a roof top environment (i.e. drought tolerant and wind resistant) and be suitably resilient.

‘Deep planting’ is the planting of shrubs and trees within the natural ground of the site where there are no structures or basements below the surface of the ground. Deep planting allows sufficient area and conditions to accommodate the normal full growth of large scale trees.

- d. A detailed planting design and schedule for all proposed landscaped areas including but not limited to street frontages, side and rear property boundary setback and roof top areas;
- e. A planting schedule that includes a selection of layered/tiered tropical species which will grow to differing heights including trees, palms, and shrub species within the side and rear property boundaries to achieve heights that will achieve practical screening and softening of the intended built form. Trees and palms must be able to achieve a minimum height of 10m and shrubs achieve a minimum height of 4m at maturity;

Note: The Landscape Planting Plan and Elevations demonstrate limited plant species that are hardy tropical trees, shrubs and palms and are long lived in the landscape that will achieve a buffer and soften the built form with height both on the ground level and on level one, when viewed from neighbouring properties and public realm.

- f. **Archontophoenix alexandrae, Alexandra Palms must be incorporated within the landscaping to ensure character of the area is maintained;**

Note: Archontophoenix alexandrae, Alexandra Palms proposed to be removed must be incorporated within the landscaping to ensure character of the area is maintained. Officers note the potential for Alexandra Palms to be reinstated within the planting palette within the site in garden beds fronting the streetscape and within the setbacks between neighbouring boundaries.

- g. **Details of the climatic condition of the locality which will inform the species selection;**
- h. **Details of any fencing associated with the development;**
- i. **Detail of how the proposed landscape treatments respond to the design principals of tropical urbanism as detailed within Planning Scheme Policy SC6.16;**
- j. **A planning schedule specifying that all trees and palms to be planted within the side and rear setback areas to be supplied in an advanced size (minimum 400mm/45lt container and minimum two metres in height with a clear trunk and canopy). A minimum 200mm contained size must be specified for shrubs; and**
- k. **Any existing landscape treatments, either hardscape or softscape, street furniture, infrastructure or assets that are proposed to be removed, relocated or retained.**

The internal landscaping must be constructed in accordance with the approved plans and the conditions stated in this approval prior to the Commencement of Use and maintained at all times by the property owner to the satisfaction of Council. To achieve the desired landscaping effects, it is critical that species of plants specified are planted and the container sizes nominated on the approved plans are adhered to.

If at any stage it is considered necessary to vary the work, endorsement must be sought in writing from Council (Planning_Admin@cairns.qld.gov.au).

Amended Plans and Documents – Internal Landscaping

26. An amended Landscape Management Manual must be amended to provide specifications/methodology to demonstrate the proposed maintenance and management regimes to the inground landscaping, planters and vertical trellising landscaping will be implemented and carried out to ensure the landscape features of the site can be maintained safely for the life of the development.

The Manual must specify how the inground landscaping, planters and vertical trellising landscaping are to be installed and maintained, and by whom they will be installed and maintained.

The amended Manual must be submitted as an Application for Landscape Endorsement or as a combined Civil, Vegetation Clearing and Landscaping Operational Works application and obtain Endorsement generally in accordance with the following plans submitted with the application, being:

Drawing Description	Date	Rev
Landscape Management Manual	-	01

But modified to provide:

- a. Number and types of contractors required for landscape maintenance;
- b. Frequency of maintenance servicing;
- c. Schedule of maintenance works, required equipment and consumables, and PPE and safety equipment; and
- d. The person or entity committing to the landscaping maintenance who will ensure:
 - i. The operation and management activities are adequate to protect public health, safety and amenity and prevent environmental harm;
 - ii. The works or activity must not significantly detract from the capacity of the road to provide a vehicular and, where relevant, pedestrian thoroughfare;
 - iii. The works or activity must not adversely affect the amenity of the area, residents or the environment; and
 - iv. The person or entity is to ensure the person has public liability insurance.

External Works – Tree Protection

27. A Development Permit for Operational Works must be obtained for the following external works:

- a. Tree protection installation methods for Trees 6 and 19 known as *Melaleuca leucadendra*, Weeping Paperbark, and within the Tree Impact Assessment dated 12 April 2023;

Note: Tailored methodology for tree protection must be informed by recommendations of a Project (Dip 5) Arborist following Exploratory Root Excavation (ERE) pursuant to section 10. Additional Construction Specifications within the approved Tree Impact Assessment dated 12 April 2023.

- b. Vegetation clearing of Tree 25 known as *Mangifera cultivar*, Mango Tree, within the Tree Impact Assessment dated 12 April 2023;
- c. Any recommended pruning work on Trees 6 and 19 as recommended within an approved addendum to the Tree Impact Assessment pursuant to Condition 24;
- d. Landscaping work; and
- e. Irrigation work.

External Landscaping must be completed at the Works Acceptance Inspection and always maintained by the applicant/property owner to the satisfaction of Council until the Final Works Acceptance.

Irrigation Design – External Landscaping

28. Any proposed changes to Council's permanent irrigation system requires irrigation plans designed in accordance with Cairns Regional Council's Standard for Irrigation Design and Supply, to be approved for Operational Work associated with the External Works.

Note: Contact Council to obtain a copy of Council's Irrigation Standard Specifications and obtain project specific direction on Council's intent for the requirement for irrigation.

Wildlife

- 29. Prior to commencement of vegetation clearing, an inspection to determine the possible presence of native wildlife and particular animal breeding places must be undertaken by a suitably qualified and experienced spotter/catcher. The assessment must include the identification of any breeding places for any Endangered/Vulnerable or Near Threatened animal species, special least concern or colonial breeding species prior to the removal of any tree and/or vegetation. Fauna management and protection activities must be supervised by a project supervisor with suitable experience in Ecosystem Management/Ecology.**

Note: The Department of Environment & Science must be contacted if native wildlife is found to be present. The suitably qualified and experienced spotter/catcher must be present during the clearing of vegetation.

Vegetation Damage

- 30. Damaged vegetation must be either:**
- a. Removed and disposed of at an approved site; or**
 - b. Mulched or chipped and used onsite.**

Air-Conditioning, Plant and Machinery Screens

- 31. Air-Conditioning, Plant and Machinery units located above ground level and visible from external properties and the street at the frontage of the land must be screened from view with appropriate materials or landscaping.**
- 32. Mechanical plant must not be located on balconies or adjacent to other liveable spaces.**

Street Signage Incorporating Numbering

- 33. Clear and legible signage incorporating the street number must be provided for the benefit of motorists. Signage and numbering must be installed on the premises prior to the Commencement of Use.**

Dewatering Management Plan

- 34. In the event that dewatering is required to facilitate the approved development, a Dewatering Management Plan must be submitted for endorsement by Council, prior to any works commencing on-site. The Dewatering Management Plan must be prepared by a suitably qualified professional and include, but not limited to:**
- a. Dewatering technique to be employed;**
 - b. Anticipated dewatering flowrate and total dewatering duration;**

- c. Controls to be employed (i.e. settling tank, turbidity curtain);
- d. Measures and techniques to manage noise, vibration and odour issues;
- e. Monitoring;
- f. Contingency plan in case of emergency;
- g. Specifications for dewatering and treatment; and
- h. Point of discharge or place of disposal.

Acid Sulfate Soils Investigation

35. If any excavation is proposed that may result in disturbance of actual or potential acid sulfate soils (AASS/PASS), an acid sulfate soils investigation must be undertaken prior to excavation and the recommendations of the investigation implemented prior to such works commencing. The Acid Sulfate Soils Management Plan must be prepared by a suitably qualified person.

NB: Planning Scheme Policy – Acid Sulfate Soils provides guidance on preparing an acid sulfate soils investigation.

Construction Management Plan

36. A Construction Management Plan must be submitted to Council and endorsed prior to works commencing on the site. The Construction Management Plan must address all activities/operations associated with construction including:
- a. Hours of construction;
 - b. Location(s) of construction access;
 - c. Parking of vehicles (including construction site employees and delivery vehicles);
 - d. Traffic management and control (including loading and unloading);
 - e. On-site dust and noise management, so as to not cause a nuisance to the amenity of the surrounding area;
 - f. Tree protection management in accordance with the Australian Standard AS4970 – *Protection of trees on development sites* specific for Tree 6 & 19 known as *Melaleuca leucadendra*, Weeping Paperbark in accordance with and approved Tree Impact Assessment dated 12 April 2023 and an approved addendum pursuant to Condition 24;

Note: Tailored methodology for tree protection must be informed by recommendations of a Project (Dip 5) Arborist following Exploratory Root Excavation (ERE) pursuant to section 10. Additional Construction Specifications within the approved Tree Impact Assessment dated 12 April 2023.

- g. Weed management activities including methods and timing of works to ensure safe disposal of cut vegetation and weeds and to mitigate spread of weeds to and from the site;**
- h. Site safety and security after hours to prevent public entry; and**
- i. Location and details of construction signage including any signage that is to be illuminated.**

The Construction Management Plan must also provide details of any construction method(s) that will result in temporary intrusions into the operational airspace of the Cairns Airport and provide associated evidence of relevant approvals from the responsible entities for such intrusions.

The approved Construction Management Plan must be complied with, made available to all onsite workers and a copy kept on the premises at all times for the duration of the approved work.

Construction Signage

- 37. Prior to the commencement of any construction works associated with the development, signage detailing the project team must be placed on the road frontage(s) of the site and be located in a prominent position.**

The signage must detail the relevant project coordinator for the works being undertaken on the site and must list the following parties (where relevant) and telephone contacts:

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

The signage must be retained on the frontage of the site for the duration of construction activities.

Stockpiling and Transportation of Fill Material

- 38. Soil used for filling or spoil from excavation is not to be stockpiled in locations that can be viewed from adjoining premises or a road frontage for any longer than one (1) month from the commencement of works.**

Transportation of fill or spoil to and from the site must not occur:

- a. **During peak traffic times;**
 - b. **Before 7:00am or after 6:00pm Monday to Friday;**
 - c. **Before 7:00am or after 1:00pm on Saturdays;**
 - d. **On Sundays or public holidays.**
- 39. Dust emissions or other air pollutants, including odours, must not extend beyond the boundary of the site and cause nuisance to surrounding properties.**

Storage of Machinery and Plant

- 40. The storage of any machinery, material and vehicles must not cause nuisance to surrounding properties, to the satisfaction of the Chief Executive Officer.**

Community Management Statement

- 41. Any future Community Management Statement must address the following matters:**
- a. **Landscaping maintenance and management including the following:**
 - i. **Show on a plan the location of the common property areas subject to the maintenance arrangement;**
 - ii. **Responsibility for the management of and ongoing maintenance of all in ground landscaping, vertical landscape features and planter boxes including, but not limited to, green walls and façade planters as identified on the approved plans; and**
 - iii. **Schedule of maintenance works;**
 - b. **An allocation must be made in the administration fund for the specific purpose of enabling maintenance and management activities of the landscape features referred to on the Landscaping Management Manual required by Condition 26;**

- c. Private water and sewerage infrastructure must be managed by a Community Titles Scheme. If the development consists of more than one body corporate, a parent body corporate must be established to manage the operation and maintenance of the internal water and sewerage infrastructure; and
- d. All parking spaces must be included within the common property.

Any amendments to the Community Management Statement must not remove the above requirements for the life of the development. A copy of the Community Management Statement must be submitted to Council for review and endorsement under an application for Survey Plan Sealing.

Sediment and Erosion Control

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

Concentration of Stormwater

- 43. The proposed development must not create ponding nuisances and/or a concentration of stormwater flows to adjoining properties.

Lawful Point of Discharge

- 44. 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, in accordance with the *Queensland Urban Drainage Manual, Fourth Edition (2017)*.

PART B: INFRASTRUCTURE CHARGES

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

FURTHER ADVICE

Planning Laws

- 1. Information relating to the *Planning Act 2016* (Qld), *Planning Regulation 2017* (Qld) and Development Assessment Rules is located on the Queensland Government's [planning website](https://planning.statedevelopment.qld.gov.au) - <https://planning.statedevelopment.qld.gov.au>.

Definitions

2. All terms used in this development approval have those definitions as defined under the *Planning Act 2016* (Qld) and *Planning Regulation 2017* (Qld) (as at the date of the approval), Queensland Development Code and CairnsPlan 2016. To the extent of any inconsistency, the order of precedence of the above instruments is as follows:
 - a. *Planning Act 2016* (Qld);
 - b. *Planning Regulation 2017* (Qld);
 - c. Queensland Development Code;
 - d. CairnsPlan 2016.

FNQROC Development Manual

3. Access to the *FNQROC Development Manual*, Local Laws, CairnsPlan 2016 and other referenced planning scheme policies are located on Council's website – www.cairns.qld.gov.au.

Infrastructure Charges Notice

4. A charge levied for the supply of trunk infrastructure is payable to Council towards the provision of trunk infrastructure in accordance with the Adopted Infrastructure Charges Notice. The original Infrastructure Charges Notice will be provided under cover of a separate letter. The amount in the Infrastructure Charges Notice has been calculated according to Council's Infrastructure Charges Resolution.

Please note that this Decision Notice and the Infrastructure Charges Notice are stand-alone documents. The *Planning Act 2016* confers rights to make representations and appeal in relation to a Decision Notice and an Infrastructure Charges Notice separately.

The amount in the Infrastructure Charges Notice is subject to index adjustments and may be different at the time of payment. Please contact the Planning Approvals Team at council for review of the charge amount prior to payment. The time when payment is due is contained in the Infrastructure Charges Notice.

Cyclone Watch Site Management

5. 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.

Building Work

6. 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.

Future Compliance

7. This approval does not negate the requirement for compliance of any future use with CairnsPlan 2016 or any future in force planning schemes, all other relevant Local Laws and other statutory requirements.

Smart Water Meters

8. Council will be implementing “smart” water meters during the currency period of this development. The Plumbing contractor must confirm with Council, at the time of making a Development Application for Plumbing Works, what the type of water metre should be installed.

Weeds, Pest Animals and Ants

9. 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.

Yellow Crazy Ants

10. Yellow crazy ants are designated as invasive biosecurity matter under the *Biosecurity Act 2014* (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>.

Environmental Nuisance

11. Construction or operational activities, including but not limited to, the operation of mechanical plant and equipment, must not cause an ‘environmental nuisance’ within the meaning of the *Environmental Protection Act 1994* (Qld) to any sensitive receptor as stated within Schedule 1 of the *Environmental Protection (Noise) Policy 2019* (Qld).

Noise from air-conditioning units, swimming and spa pool filters, service equipment or other mechanical equipment must not emanate from the subject land to a degree that would in the opinion of an Authorised Person (officer) of Council, create an environmental nuisance having regard to the provisions of Chapter 8 Part 3B of the *Environmental Protection Act 1994* (Qld).

Building Works Near Sewer Mains

12. 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.

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 means a residential use of premises involving 3 or more dwellings, whether attached or detached, for separate households.”

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

EXECUTIVE SUMMARY

Council is in receipt of a Material Change of Use application to facilitate the construction of Multiple Dwellings (10 x 3 bedroom units) at 17 Veivers Road, Palm Cove on land described as Lot 54 on RP725473. The subject site has an area of 898m² and is located within the Tourist Accommodation Zone of CairnsPlan 2016 V3.0. The development comprises of:

- Ten (10) x 3 bedroom units across six (6) storeys with a height of 22.4 metres from ground level to the highest point of the building being a roofed structure adjacent to the pool area;
- The maximum total height from the basement carpark to the top of the building being 25.8 metres;
- The basement level predominantly containing vehicle parking with a total of 23 vehicle parking spaces, storage areas for each of the dwelling units and the bin storage for the building;

- A basement carpark which is intended to utilise a one-way, controlled access with stop/go lights provided at the point of entry;
- The ground floor containing Units 1 and 2, each of which contains 3 x bedrooms, 2 x bathrooms, kitchen, living, dining, laundry, outdoor living areas and a swimming pool;
- Levels 1-4 containing Units 3-10, each of which contains 3 x bedrooms, 2 x bathrooms, kitchen, living, dining, laundry and outdoor living areas;
- A pool terrace area on Level 5, which provides communal open space;
- A total gross floor area (GFA) for all units of 1,926m² with a combined private open space area of 321m²;
- Each unit being provided with a minimum of 33m² of private open space, two (2) car parking spaces and storage area;
- All units provided with access via stairs and with a lift for accessibility.

The application has been assessed in accordance with the legislative framework for Code assessment, including the *Planning Act 2016*, *Planning Regulation 2017*, Development Assessment Rules, the applicable benchmarks contained in CairnsPlan 2016.

The development application is recommended for approval, subject to conditions of approval.

TOWN PLANNING ASSESSMENT

Background

A Material Change of Use for Business Facilities, Shopping Facilities and Multi-Unit Housing in two (2) stages was approved at Council's Planning & Environment Committee Meeting held 6 July 2011 (Development Permit: 8/8/1183). On 14 September 2011, the original approval was superseded by a Negotiated Decision Notice dated 8 July 2011 (Council Reference: #3230075). As Stage 1 has been enacted, this approval remains current.

Stage 2 is approved for a mixed-use redevelopment of the site to include a five (5) storey building with business and retail tenancies approved for ground floor and the four (4) levels above are approved for Multi-Unit Housing and associated recreation space on the top floor. The approved drawings for the existing approval are attached at Appendix 4.

Site and Surround

The subject site has an area of 898m², is relatively regular in shape and contains an existing building and associated landscaping, vehicle manoeuvring and parking areas. 17 Veivers Road adjoins existing residential uses to the south and the west.

The subject site is bounded by Veivers Road to the north and Triton Street to the east, with an approximate 22 metres of road frontage to Veivers Road and approximately 26 metres of frontage to Triton Street. The subject site is located some 170m from Palm Cove beach, and the predominant built form in the immediate surrounding area consists of multiple dwellings and holiday apartments/hotels.

The uses in the locality are generally a mix of commercial, recreational and residential. The general character of the Palm Cove area is a mix of resort accommodation, apartment accommodation, tourist based retail and restaurants.

Building height ranges from single to five storeys in height. Land on the Esplanade and area surrounding the proposed development are usually complimented by tropical landscaping, open spaces surrounding beach/swimming pools with associated "resort" character.

Proposal

The proposed development of the site for Multiple Dwelling is comprised of:

Proposal	
Use(s) proposed	Multiple Dwelling (10 Units)
Gross Floor Area	1,926m ² (approximately 192m ² /unit)
Site Cover	Site Cover = ~49.77%
Unit Configuration	10 x three (3) bedroom units, with two (2) units per floor
Landscaping	460m ² which equates to 51% of the site
Private Open Space	Units 1 and 2: In excess of 35m ² (inclusive of patios and swimming pool) Units 3-10: Approximately 33m ² (inclusive of patios)
Vehicle Parking Spaces	The development contains twenty-three (23) car parking spaces with the following configuration: Tandem parking arrangement for spaces 1-6 and 12-23; Spaces 7 and 8; and Two (2) spaces to be provided for visitor parking, with one space for PWD.

Materials Assessed in the Application

The applicant provided the following materials during the assessment process:

- DA Form 1;
- Planning Assessment Report prepared by *Brazier Motti* ;
- Plans of Development prepared by *Circa 2000*;
- Tree Assessment Report, prepared by *AAA Solutions*;

- Landscaping Manual, Landscaping Plan, Elevations and Schedule prepared by *Outdoor Studios*;
- Response to Council's Information Request prepared by Brazier Motti; and
- Response to matters raised in relation to compliance with the planning scheme during the assessment period.

These materials have been considered in the assessment of the application.

LEGISLATIVE FRAMEWORK

Statutory Planning Considerations

State Planning Policy	<p>The State Planning Policy (SPP) contains the State Interest Policies and Assessment Benchmarks which are applicable to the development. The subject site is affected by the following State Interests:</p> <ul style="list-style-type: none"> • Flood hazard area – Local Government flood mapping area • Obstacle limitation surface area <p>The CairnsPlan 2016 advances the SPP except for erosion prone areas and the coastal management district, and therefore all the relevant State interests have been appropriately reflected in CairnsPlan 2016.</p>
FNQ Regional Plan 2009-2031	<p>The subject site is within the FNQ Regional Plan 2009-2031 designation - Urban Footprint.</p> <p>The Regional Plan has been appropriately integrated and reflected through the CairnsPlan 2016.</p>

Matters Prescribed by Regulation

Schedule 10 of the Planning Regulation 2017	No referrals were triggered by the application.
Schedule 12A of the Planning Regulation 2017	Not applicable as the application is not for Reconfiguring a Lot

LOCAL CATEGORISING INSTRUMENT

CairnsPlan 2016 CairnsPlan 2016 v3.0

The development is subject to Code Assessment and therefore assessment against the Strategic Framework of the CairnsPlan 2016 is not required, in accordance with section 45 (3) of the *Planning Act 2016*.

Relevant Assessment Benchmarks of CairnsPlan 2016 v3.0

CairnsPlan 2016 Assessment Benchmarks	
Assessment Benchmark	Assessment
Tourist Accommodation Zone Code	<p>Complies – Non-compliances addressed below.</p> <p>The purpose of the Tourist Accommodation Zone is to provide for multiple dwellings and the establishment of short-term accommodation that has a tropical design and character. The proposed Multiple Dwelling contributes to variation of dwelling types within the Palm Cove locality. The proposed development of the site for multiple dwellings has incorporated tropical design outcomes and elements, building design features and sympathetic landscaping. The site is constrained by flood hazards and the development is conditioned to ensure flood immunity.</p> <p>The development provides more than the minimum amount of parking required by the scheme and is an anticipated use within the area; the proposed development is residential and will not create noise, dust and odour impacts. The approval is conditioned to ensure landscaping and screening is provided to reduce privacy/overlooking impacts on the adjacent properties. Therefore, the development will ensure the tropical tourist and residential character of the area in terms of traffic, noise, dust, odour, lighting or other physical or environmental impacts are not adversely affected.</p> <p>Non-compliances with Acceptable Outcomes, including the following, are discussed in the Table below.</p> <ul style="list-style-type: none"> - Height; - Site coverage; and - Setbacks.
Acid Sulfate Soils Overlay Code	<p>Conditioned to Comply.</p> <p>A condition of approval requires that an Acid Sulfate Soils Investigation is undertaken and where found, recommendations implemented as per the investigation to ensure the disturbance of acid sulfate soils is avoided or managed appropriately.</p>
Airport Environs Overlay Code	<p>Complies.</p> <p>The subject site is identified as within the 250m contour for the OLS. The proposed development is not anticipated to impact upon the safety, efficiency and/or operational integrity of the Cairns Airport and associated aviation facilities.</p>
Flood and Inundation Hazards Overlay Code	<p>Conditioned to Comply.</p> <p>A portion of the eastern half of the site is identified as being within the Flood Inundation Trigger Area.</p> <p>Conditions of approval include achieving flood immunity for finished floor levels of the development, and also that the entrance to the car parking areas must be immune to the 1% AEP defined inundation event level for flood (i.e. excluding storm surge).</p> <p>It is considered that through the design of the development, the safety of people is protected and damage to property and the environment can be minimised.</p>


Transport Network Overlay Code	<p>Complies.</p> <p>Access to the basement carpark will be gained from Veivers Road. The development is considered to be compatible with the intended role and function of the transport network and will not compromise the safety and efficiency of the network. The approval is conditioned to require construction of a minimum 2 metre wide footpath for the full frontage of the property to Veivers Road and Triton Street in accordance with the FNQROC Development Manual.</p>
Environmental Performance Code	<p>Conditioned to Comply</p> <p>Conditions have been included to ensure compliance, including the requirement for all stormwater from the property to be directed to a lawful point of discharge.</p>
Excavation and Filling Code	<p>Complies.</p> <p>Excavation and filling on the site will be required to accommodate the basement carpark. The works will not rely on complex engineering solutions, impact adversely on landscape values or result in adverse impacts on the safety and stability of the site or adjoining premises. The works will trigger the need for detailed assessment at the Operational Works stage and a number of development conditions have been imposed including but not limited to stockpiling of soil from excavation and filling, and lawful point of discharge.</p>
Infrastructure Works Code	<p>Conditioned to comply with PO3, PO4, PO5, PO8 and PO16.</p> <p>Conditions have been included to address connections to water and sewer infrastructure, electricity supply, drainage and damage to infrastructure.</p>
Landscaping Code	<p>Conditioned to Comply.</p> <p>A detailed landscape plan must be submitted for endorsement pursuant to proposed conditions of approval. Landscaping is required to be established prior to the Commencement of Use. Refer to additional comment below.</p>
Parking and Access Code	<p>Conditioned to Comply.</p> <p>The demand created for the development is 20 carparking spaces whilst the development provides a total of 23 on-site carparking spaces. Access to the development achieves the minimum required clearances from all infrastructure and street trees. Conditions of approval include the requirement that access driveways, vehicle manoeuvring and parking are in accordance with the Australian Standard.</p> <p>Refer to additional comment below.</p>
Vegetation Management Code	<p>Conditioned to Comply.</p> <p>The approval is conditioned to ensure that vegetation damage will occur in an appropriate and sustainable manner, and that in particular the mature Melaleuca tree adjoining Veivers Road and the trees in the adjoining sites are protected.</p> <p>Refer below discussion of non-compliances.</p>
Multiple Dwelling and Short-term Accommodation Code	<p>Conditioned to Comply.</p> <p>The appearance of building bulk is reduced through the incorporation of balconies addressing each direction, variations in built form which include architectural treatments, structural elements, and roof features including landscaping.</p> <p>Each of the units is provided with a private and functional outdoor area that has a minimum area of 33m² and is accessed directly from a living area. The code requires that not less than 35% of the site is provided as communal space where there are more than six (6) dwellings. A communal space, including a swimming pool, is provided on the roof of the building.</p> <p>Each unit has been provided with a secure storage area that has a minimum area of 2.5m², has a minimum height of two (2) metres and is weatherproof. The approval is conditioned to ensure the entry to the basement carpark where the storage is located has immunity to the 1% AEP inundation event.</p>

A development condition has been imposed that requires screening of air-conditioning units and mechanical plant. The site exceeds the maximum site cover of 40% prescribed by the code and has non-compliances with the setbacks and landscaping provisions. These elements are discussed in greater detail below.

Assessment against the Outcomes of the Relevant Benchmarks

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

Tourist Accommodation Zone Code	
Assessment Benchmark	Performance Based Assessment
<p>Performance Outcome 1 Height</p>	<p>Acceptable Outcome AO1.1 prescribes that buildings and structures are not more than 15 metres and 4 storeys in height. The corresponding Performance Outcome, PO1, states that the height of all buildings and structures is in keeping with the tourist and residential character and amenity of the area.</p> <p>While the proposal has an overall height of 25.8 metres, this accounts for all elements of construction including the basement. The maximum height above ground level is 22.4 metres. The sixth storey is comprised of a roofed structure for recreational area adjacent to the rooftop pool and storage areas. This roofed area contributes 3.74% of the total site coverage, which shows that while a portion of the building has a height of 22.4 metres and six storeys, that the bulk of the building essentially achieves 5 storeys and 18.7 metres in height.</p> <p>In reviewing the supporting documentation supplied by the Applicant, it is considered that the height of the proposed building is in keeping with the tourist and residential character and amenity of the area, taking into account the topography, and the location and extent of existing buildings in proximity to the proposed development. Oasis at Palm Cove, for example, is understood to be the same height as the proposed development. As such compliance is considered to be achieved with Performance Outcome PO1. This is supported by Longitudinal Drawings which are shown below and can be viewed at Attachment 5 of this report.</p> <div data-bbox="414 1361 1401 1684" data-label="Figure"> </div>

	
<p>Performance Outcome 2</p> <p>Site Cover</p>	<p>Acceptable Outcome AO2.2 specifies that development has a site cover of not more than 40% for Multiple Dwellings.</p> <p>The proposed development has a site cover of 49% which is an excess of 9%.</p> <p>Multiple lots in the area, including along the eastern side of Oliva Street for example, have site coverages ranging from approximately 45% to 65%. There are examples of relatively high site cover along Veivers Road and Williams Esplanade. The proposed development is consistent with the general area, reflecting a relatively high site coverage within neighbouring lots containing both short term accommodation and permanent residential uses. The design of the development mitigates the site cover through the provision of appropriate useable rooftop outdoor space, terraces and recreational areas while including all elements necessary for a residential use which is in keeping with the residential character and amenity of the area.</p> <p>Extensive landscaping is conditioned to be provided throughout the development in keeping with the tourist and residential character of the area.</p>
<p>Performance Outcome 3</p> <p>Purpose of the Code</p>	<p>The purpose of the Tourist Accommodation Zone is to provide for multiple dwellings and the establishment of short-term accommodation that has a tropical design and character. The proposed Multiple Dwelling contributes to variation of dwelling types within the Palm Cove locality. The proposed development of the site for multiple dwellings has incorporated tropical design outcomes and elements, building design features and sympathetic landscaping, thereby achieving compliance.</p>
<p>Performance Outcome 5</p> <p>Setbacks</p>	<p>This Performance Outcome seeks that buildings and structures are setback to maintain the character of the area and achieve separation from neighbouring buildings and frontages.</p> <p>The proposal provides a setback to the Triton Street frontage that varies between 4.54 metres and 5.04 metres. The reduced setback on the corner of Triton Street and Veivers Road is an elevated planter providing podium landscaping and screening to the ground and first floors. As the element is elevated and is not intruding within the setback at the ground floor, the reduced setback will not produce a blind corner for pedestrians or vehicles. The bulk of the building is located between 0.84 and 1.639 metres from the property boundary. This, in concert with the wide road reserve within Veivers Road, is considered to provide adequate separation of the predominant building bulk from the transport network.</p> <p>The southern setback varies from 391mm and 1.032 metres for the roof of the building, and a minimum 2.0 metre setback for the building walls, with the building set on an angle to the common boundary. The multiple dwelling building on the adjoining site to the south has a minimum setback of 3.0 metres to the common boundary, and there are no windows facing the common boundary. This, combined with conditions requiring screening landscaping and screens to be fixed to outdoor living areas, will provide adequate separation from the neighbouring building to the south.</p> <p>The building is also on an angle with the western boundary adjoining 19 Veivers</p>

	<p>Road, and raised planters will provide additional screening. The roof of the building at its closest point provides a 1.4 metre setback, and the building at its closest point is setback 3.27 metres in the north-western corner of the site, tapering away from the common boundary as the building extends to the south.</p> <p>In reviewing setbacks in nearby and surrounding areas within the Tourist Accommodation Zone, the proposed reduced setbacks are considered to be in keeping with the character of nearby buildings and structures. Adequate separation is considered to be achieved from neighbouring buildings and frontages through the design of the development which contains wide eaves, variation to the exterior of the building, fixed screening to outdoor areas and planters for provision of screening landscaping to help protect the amenity and privacy of residents on the neighbouring allotments.</p> <p>Setbacks are also addressed further in the Multiple Dwelling and Short Term Accommodation Code, below.</p>
<p>Performance Outcome 6</p> <p>Site Constraints</p>	<p>Performance Outcome PO6 states that development is located, designed, operated and managed to respond to the characteristics, features and constraints of the site and its surrounds. Primary constraints of the site and surrounds include the existing development adjoining the site to the west and the south, and the number of <i>Melaleuca leucadendra</i> (Weeping Paperbark) trees located to the north, west and south of the site.</p> <p>The multiple dwelling building on the adjoining site to the south has a minimum setback of 3.0 metres to the common boundary, and there are no windows facing the common boundary. As a result overlooking or changes to ventilation or light within the neighbouring building is not anticipated. All windows of the proposed building facing the south are subject to treatment obscuring sightlines onto the neighbouring site, and a 1.8 metre screen fence to avoid sight lines at ground level. Conditions of approval also include landscaping treatments and fixed screens on the outdoor patio areas addressing the property to the south.</p> <p>To the west, the closest point of the proposed building is the roofline, which is setback 1.4 metres from the common boundary with 19 Veivers Road. This results in a distance of approximately 3.1 metres between the outermost projection of the proposed building and the Cairns Beaches Flash Packers building, with the bulk of the building at its closest point set back 3.72 metres.</p> <p>The main building at 19 Veivers Road is set back a considerable distance from the common boundary at approximately 6.5 metres, with the eastern portion of the site containing vehicle parking, a designated smoking area and a covered outdoor courtyard area. While the prior approval over the land, file reference 8/7/3182, approved the use of the land as Short Term Accommodation, approval reference 8/7/5262 issued 9 June 2022 approved the use of the site for both Short Term Accommodation and Rooming Accommodation.</p> <p>Based on the positioning of the existing and proposed buildings, and the inclusion of conditions pertaining to fencing, screening landscaping and window/shutter treatments, the constraints resulting from adjoining development are considered to have been satisfactorily addressed.</p> <p>In terms of the <i>Melaleuca</i> trees surrounding the site, a detailed Landscaping Plan and an amended Landscape Management Manual are conditioned to be provided for Council endorsement, and the development is conditioned to be undertaken in accordance with the recommendations of the Tree Impact Assessment prepared by David Calter at Advanced Vegetation Management (AVM), which was submitted as part of the development application.</p> <p>The approval is conditioned to require an Operational Works Development Permit must be obtained for a number of external works including tree protection installation methods for Trees 6 and 19 <i>Melaleuca leucadendra</i> Weeping Paperbark, and within</p>

	the Tree Impact Assessment prepared by AVM.
Performance Outcome 7 Amenity	<p>This Performance Outcome specifies that development does not adversely affect the tropical, tourist and residential character and amenity of the area in terms of traffic, noise, dust, odour, lighting or other physical or environmental impacts.</p> <p>Surrounding and nearby uses are predominantly Short Term Accommodation and/or Holiday Accommodation to the immediate south and west, as well as the east and north-east. Dwelling Houses, Duplexes and smaller scale unit development are predominant to the west and north-west. There is an existing Shop tenancy to the east, across Triton Street.</p>
Multiple Dwelling and Short-Term Accommodation Code	
Assessment Benchmark	Performance Based Assessment
Performance Outcome 3 Design / Site Cover	<p>Acceptable Outcome AO3.1 specifies that site cover is not more than 40%. The proposed development has a site cover of 49.77%</p> <p>Despite the non-compliance with the acceptable outcome, compliance with the corresponding Performance Outcome is achieved as the development provides outdoor space, terraces and recreational areas while including all elements necessary for a residential use. The separation between buildings is maximised through the positioning of the building on the site.</p> <p>Extensive landscaping (45%) is provided throughout the development which contributes to an attractive and safe streetscape and a high standard of amenity for residents. The development exceeds the GFA permitted pursuant to Table 9.2.17.3.b, which is 1,078m², by 848m². Despite this the proposal contains sufficient area to accommodate all required elements, while offering an attractive and safe contribution to this prominent corner.</p>
Performance Outcome 4 Design	The proposed development complies with this Performance Outcome which seeks tropical design elements to be incorporated. The proposed building façade is articulated, with large roof overhangs, and deep patios with screening.
Performance Outcome 6 Design	This Performance Outcome seeks design solutions that reduce the appearance of building bulk. The proposed development reduces the appearance of building bulk through the positioning of the building on the site, and through design features including balconies, building articulation, roof features, landscaping and use of varying materials such as stone and metal cladding at roof level.
Performance Outcome 7 Setbacks	<p>The proposed development does not achieve compliance with the requirements of the applicable acceptable outcomes which require:</p> <ol style="list-style-type: none"> a. Not less than 6 metres from a road frontage; and b. Not less than 4 metres from a rear boundary. c. For buildings greater than 4 storeys no Acceptable Outcome is provided for side boundary setbacks. <p>The proposed reduced setbacks are considered to be in keeping with the character of nearby buildings and structures. Adequate separation is considered to be achieved from neighbouring buildings and frontages through the design of the development which contains wide eaves, variation to the exterior of the building, fixed screening to outdoor areas and planters for provision of screening landscaping to help protect the amenity and privacy of residents on the neighbouring allotments.</p> <p>As outlined in the address of the Tourist Accommodation Zone Code above, there are no windows facing the common boundary on the Multiple Dwelling building located on the adjoining lot to the south. The proposed development will not impact adversely in terms of daylight access, privacy or amenity for residents onsite or on the adjoining premises.</p> <p>The building at 19 Veivers Road to the east is set back a considerable distance from the common boundary at approximately 6.5 metres, with the eastern portion of the</p>

	<p>site containing vehicle parking, a designated smoking area and a covered outdoor courtyard area. While there are rear balconies situated addressing the western boundary of the land, these balconies have a width of 1.1 metres, meaning they are unable to be utilised for active open space and are more suited to passive activities while also providing articulation in the western elevation and screening from the habitable rooms. As such, daylight, privacy and amenity for residents onsite or on the adjoining premises will not be impacted adversely.</p>
<p>Performance Outcome 8 Amenity</p>	<p>The proposal broadly complies in terms of maintaining visual and acoustic privacy of adjoining sensitive land uses through a combination of design elements including sill heights, fixed external screening and fencing to a height of 1.8 metres at ground level.</p>
<p>Performance Outcome 11 Communal Recreation Area</p>	<p>While the development does not strictly comply with Acceptable Outcome AO11.2, which requires that paved or sealed areas do not exceed 30% of the required communal recreation area, the alternate solution of providing a roof top pool terrace is considered to comply with the corresponding Performance Outcome through provision of accessible and functional communal recreation area for the benefit of residents.</p>
<p>Performance Outcome 13 Landscaping</p>	<p>Acceptable Outcomes 13.1 and 13.2 specify that landscaping of not less than 1.5 metres wide is provided and maintained within the site along the full length of all street frontage boundaries, and that landscaping of not less than 2 metres in depth is provided and maintained along the full length of the side and rear boundaries.</p> <p>While the minimum depth landscaping is not provided in accordance with the Acceptable Outcomes, the design provides for significant landscaping including planters, gardens and pathways, with the landscaping cover exceeding the minimum area requirements.</p> <p>The provision of landscaping has been conditioned with a detailed landscaping plan to be provided as a condition. The landscaping will contribute to an attractive and safe streetscape and a standard of amenity and privacy expected for this type of development.</p> <p>The proposal is considered to meet the requirements of Performance Outcome PO13 of the code.</p>
<p>Performance Outcome 15 Secure Storage</p>	<p>Acceptable Outcome AO15.1 requires that secure storage areas have immunity to the 1% AEP inundation event. While the storage is to be located in the basement level, the approval is conditioned to ensure the entrance to the basement area is constructed to achieve immunity to the 1% AEP inundation event.</p>
<p>Landscaping Development Code</p>	
<p>Assessment Benchmark</p>	<p>Performance-based assessment</p>
<p>Performance Outcome 1 Landscape Character</p>	<p>Acceptable Outcome AO1.3 states that landscaping is to be designed, planned, installed and maintained in accordance with the Planning Scheme Policy – Landscaping. The application has been supported with an Arborist Report and a Tree Impact Assessment providing an assessment and recommendations with regard to the mature Weeping Paperbark trees adjacent to the site, and a preliminary landscaping plan. The approval is with a number of requirements to ensure that landscaping contributes to a high quality landscape character for the site, street and local area through softening the built form of the development, promoting the region's character as a tropical environment and enhancing the appearance of the development from within and outside the development.</p> <p>Conditions of approval require an endorsed Landscape Management Manual to provide specifications/methodology to demonstrate the proposed maintenance and management regimes to the inground landscaping, planters and vertical trellising landscaping will be implemented and carried out to ensure the landscape features of the site can be maintained safely for the life of the development</p>

Performance Outcome 2	This Performance Outcome seeks that landscaping contributes to a sense of place, is functional to the surroundings, enhances the streetscape and reflects the concept of 'city in a rainforest'.
Landscape Character	The proposal design is shown to support the retention of a number of mature Weeping Paperbark trees adjacent to the site, which will support the existing character of the place. Landscaping is conditioned to be provided to ensure compliance with this Performance Outcome, including the provision of Alexandra Palms along the frontage of the site to ensure the landscape character of the area is retained.

Parking & Access Development Code

Assessment Benchmark	Performance-based assessment
Performance Outcome 1 Parking Rates	Compliance is achieved with Acceptable Outcome AO1.1 as the vehicle parking supplied exceeds the demand outlined in Table 9.3.7.3.b of the Code. However a portion of the bicycle parking for the building is intended to be accommodated in the individual storage areas of the units. This is considered to achieve compliance with the requirements of the Code, as the parking provided is considered to accommodate the demand generated by the development.
Performance Outcome 3 Vehicle Access	Performance Outcome PO3 cites that vehicular access is designed and constructed to operate safely and efficiently, to accommodate the anticipated type and volume of vehicles. Vehicle access is not to impede vehicles, cyclists or pedestrians, or adversely impact on roadways or intersections, on-street parking or existing services within the road reserve adjacent to the site. The proposal involves access via an access ramp off Triton Street. The basement carpark is intended to utilise a one-way, controlled access with stop/go lights provided at the point of entry. The proposal is considered to comply with the requirements of Performance Outcome 3, and conditions are included to ensure compliance.

Vegetation Management Development Code

Assessment Benchmark	Performance-based assessment
Performance Outcome 1 Vegetation Damage	The application intends that established vegetation, in particular the large Weeping Paperbark trees located to the north, the west and the south of the site, are to be retained. Conditions of approval include the requirement for an addendum to be supplied to the Tree Impact Assessment prepared by Advanced Vegetation Management dated 12 April 2023, to ensure the trees are protected in accordance with the methodology for the protection of the tree canopy in accordance with the Australian Standard <i>AS4970 Protection of trees</i> on development sites.
Performance Outcome 3 Vegetation Damage	This item seeks that vegetation damage does not result in the removal of a healthy, significant tree from the streetscape. The proposal has demonstrated the ability to comply through the provision of a Tree Impact Assessment. Conditions of approval include, but are not limited to, compliance with the relevant Australian Standards, as well as the requirement for a tailored methodology for tree protection which must be informed by recommendations of a Project (Dip 5) Arborist following Exploratory Root Excavation (ERE) pursuant to section 10. Additional Construction Specifications within the approved Tree Impact Assessment dated 12 April 2023

OTHER RELEVANT MATTERS

In accordance with section 45 of the *Planning Act 2016* and section 27 of the *Planning Regulation 2017* the assessment manager has noted the following *not properly made* submissions within the assessment of the application, in addition to the assessment benchmarks as discussed above.

1. Submissions

Thirteen (13) not properly made submissions were received in relation to the application as follows:

Issue	How matter was dealt with
<p>The number of storeys and overall height of the proposed development is not considered to be in keeping with the existing heights in the area and contravenes the Planning Scheme. Cites concerns that a precedent will be set.</p>	<p>The number of storeys and overall height have been addressed within this report.</p> <p>In terms of the comment on precedent, each application is assessed on its merits. As has been outlined in the assessment, there are a number of specific circumstances which warrant approval for this development on this site.</p>
<p>The development appears to be an overdevelopment of the site in terms of height, setbacks, site cover and impervious cover. It will reduce the village atmosphere of Palm Cove, and the streetscape.</p>	<p>The proposed built form has been carefully considered during this assessment, being a major part of the overall decision. In assessing the application in the context of the surrounding and nearby existing development it is considered that the height of the proposed building is in keeping with the tourist and residential character and amenity of the area, taking into account the topography, and the location and extent of existing buildings in proximity to the proposed development.</p> <p>The proposed development has a site cover of 49% which is an excess of 9%.</p> <p>Multiple lots in the area, including along the eastern side of Oliva Street for example, have site coverages ranging from approximately 45% to 65%. There are examples of relatively high site cover along Veivers Road and Williams Esplanade. The proposed development is consistent with the general area, reflecting a relatively high site coverage within lots in the area containing both short term accommodation and permanent residential uses.</p> <p>The design of the development mitigates the site cover through the provision of appropriate useable rooftop outdoor space, terraces and recreational areas while including all elements necessary for a residential use which is in keeping with the residential character and amenity of the area.</p> <p>Extensive landscaping is conditioned to be provided throughout the development to soften the impacts of the built form and in keeping with the tourist and residential character of the streetscape and area.</p> <p>The proposal contains a number of conditions pertaining to the protection and retention of Weeping Paperbark trees surrounding the site, including the trees along the Veivers Road frontage.</p> <p>The proposed reduced setbacks are considered to be in keeping with the character of nearby buildings and structures. Adequate separation is considered to be achieved from neighbouring buildings and frontages through the design of the development which contains wide eaves, variation to the exterior of the building, fixed screening to outdoor areas and planters for provision of screening landscaping to help protect the amenity and privacy of residents on the neighbouring allotments.</p>

	As outlined in the address of the Tourist Accommodation Zone Code, above, consideration is also given to the surrounding context including the location and orientation of the existing buildings on the adjoining sites.
Concerns are raised that the additional vehicle demand in the area resulting from the development will impact adversely on Council and State Controlled Roads.	The additional vehicle movements resulting from the development of the land for the purpose of an additional 10 units will not impact adversely on Council and State Controlled Roads. The site will be provided footpaths along both the Veivers Road and Triton Street frontages and is within an easily walkable distance to Williams Esplanade which contains restaurants and convenience shopping. There is also a convenient bus stop located near the intersection of Veivers Road and Talpa Close.
The basement carparking doesn't appear to have sufficient area for access in the case of an emergency, or to be suited for larger personal vehicles. Concerns an insufficient number of parking spaces are supplied. Speculation that a second basement level may need to be added.	Conditions of approval require the car parking design is certified by a Registered Professional Engineer Queensland (RPEQ) that the car park manoeuvring provisions (swept paths) are considered safe and acceptable and comply with Australian Standards prior to the issue of a Development Permit for Building Works. The Parking and Access Code demand for the site is the provision of 20 vehicle parking spaces, and 23 spaces are provided onsite. The proposal therefore exceeds the requirements of the Code. In addition, footpaths are conditioned to be constructed along both the Veivers Road and Triton Street frontages, and is within an easily walkable distance to Williams Esplanade which contains restaurants and convenience shopping. There is also a convenient bus stop located near the intersection of Veivers Road and Talpa Close. The application is assessed on the proposal and supporting documentation supplied to Council, with no mention of the intent for a second basement level.
Concerns are raised that the traffic light system to facilitate one-way traffic flow to and from the basement carpark will be problematic in the instance of a power failure. The bulk of the development will increase the risk of driver and pedestrian safety, particularly on a corner that lacks footpaths.	In addition to the traffic light system, the approval is conditioned to require the provision of a curved mirror on the outer curve to improve driver sightlines generally, and also in case of a power outage. The reduced setback on the corner of Triton Street and Veivers Road is an elevated planter providing podium landscaping and screening to the ground and first floors. As the element is elevated above the ground level, the reduced setback will not produce a blind corner for pedestrians or vehicles. In addition, the approval is conditioned to require provision of a footpath for the full frontage of the property to Veivers Road and Triton Street in accordance with FNQROC Development Manual.
Privacy and amenity concerns due to loss of views, light, sea breezes, overlooking, specifically for properties to the west and the south of the site.	As previously outlined in the assessment of the application, a combination of design features, hard and soft landscaping, and fixed screening will reduce the potential for adverse amenity and privacy impacts. Conditions are imposed on the approval to ensure compliance. The building on the property to the south does not contain north facing windows, and the setbacks between the proposed building and the existing Cairns Beaches Flash Packers building will reduce impacts in terms of light and ventilation on adjoining properties.

<p>The development may result in damage to or the loss of the Melaleuca tree fronting Veivers Road. Concerns are raised regarding the trees in surrounding properties.</p>	<p>Officers acknowledge concerns regarding the <i>Melaleuca leucadendra</i> tree fronting Veivers Road and the trees located in surrounding properties. The retention of these trees been carefully considered during this assessment, being a major part of the overall decision. The approval imposes a number of conditions, including:</p> <ol style="list-style-type: none"> to minimise any conflict with the canopy and the construction of the proposed buildings/structures; to protect the root zones of these trees; to require the methodology of any proposed works to be in accordance with the relevant Australian Standards; a requirement for an Operational Works Development Permit to be obtained for tree protection installation methods; and provision of a Construction Management Plan, which includes the tree protection methodology in accordance with <i>AS 4970-2009 Protection of trees on development sites</i>.
<p>The proposed vertical gardens will be difficult to maintain and may not survive in the instance that they are not maintained appropriately.</p>	<p>The conditions of approval include a requirement for an amended Landscape Management Manual to be provided and submitted to Council. This manual is to provide specifications/methodology to demonstrate the proposed maintenance and management regimes will be implemented and carried out to ensure the landscape features of the site are to be maintained for the life of the development. Modifications include the requirement to supply:</p> <ol style="list-style-type: none"> The number of and types of contractors required for landscaping maintenance; The frequency of maintenance servicing; and Schedule of maintenance works required.
<p>The design lacks outdoor amenities for the residents of the development.</p>	<p>The ground floor units have outdoor areas incorporating swimming pools. The provision of a rooftop pool terrace in addition to private patio areas is considered to be an acceptable outdoor area for the residents of the development.</p>
<p>The development will impact on the surrounding area in terms of stormwater.</p>	<p>While acknowledging the concerns raised, the approval contains a number of conditions to ensure stormwater does not impact adversely on surrounding or downstream properties.</p>
<p>The rooftop pool will become a noise nuisance for adjoining properties.</p>	<p>There are a number of private swimming pools located on adjoining and nearby sites. Taking into account the existing character and amenity of this area of Palm Cove, the proposed development is considered to be in keeping with the surrounds. Officers consider potential future noise to be a police matter.</p>

INFRASTRUCTURE CHARGES

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

A copy of the calculation is contained in **Attachment 4**.

LOCAL GOVERNMENT INFRASTRUCTURE PLAN (LGIP)

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

REASONS FOR DECISION

The reasons for this decision are:

1. The proposed development has been assessed in accordance with the provisions of the CairnsPlan 2016 v3.0 and is considered to comply with the Overall Outcomes and Performance Outcomes of the applicable codes.
2. The proposed development is consistent with the purpose of the Tourist Accommodation Zone Code in that it provides multiple dwellings at a scale and density that is capable of servicing local residents.
3. The proposed development is considered to achieve tropical urbanism design outcomes and contribute to the concept of a 'city in a rainforest'.
4. The scale and operation of the development, in conjunction with the imposed development conditions, has demonstrated that the proposed development will function and has been appropriately designed to minimise or mitigate adverse amenity impacts on nearby properties.
5. The proposed development provides adequate car parking spaces to accommodate the anticipated demand generated by the development.
6. In assessing the proposed development, conditions can and have been imposed to ensure compliance with the assessment benchmarks of CairnsPlan 2016, therefore requiring Council to approve the application pursuant to s60(2)(b)&(c) of the *Planning Act 2016*.

RISK MANAGEMENT

Council Finance and the Local Economy

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

Community and Cultural Heritage

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

Natural Environment

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

ATTACHMENTS

1. Approved Plan(s) and Document(s)
2. Notice of Intention to Commence the Use
3. FNQROC Standard Drawings
4. Infrastructure Charges Calculations
5. Supporting Information, including approved plans for approval reference 8/8/1183 and Longitudinal Elevations supplied by Circa 2000.



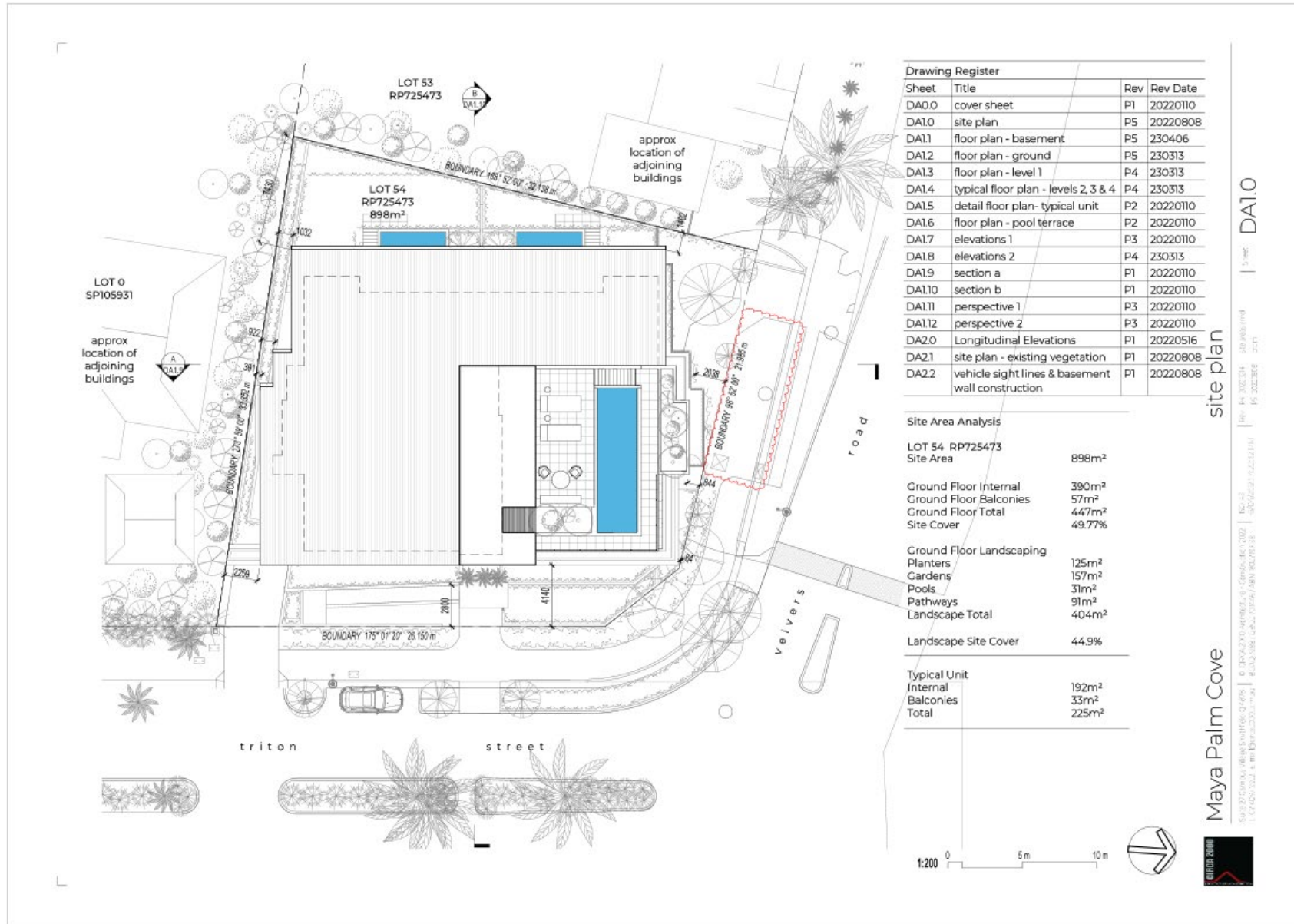
Michelle Henderson
Senior Planning Officer
Action Officer



Claire Simmons
Executive Manager Development & Planning



Ed Johnson
Director Planning, Growth & Sustainability

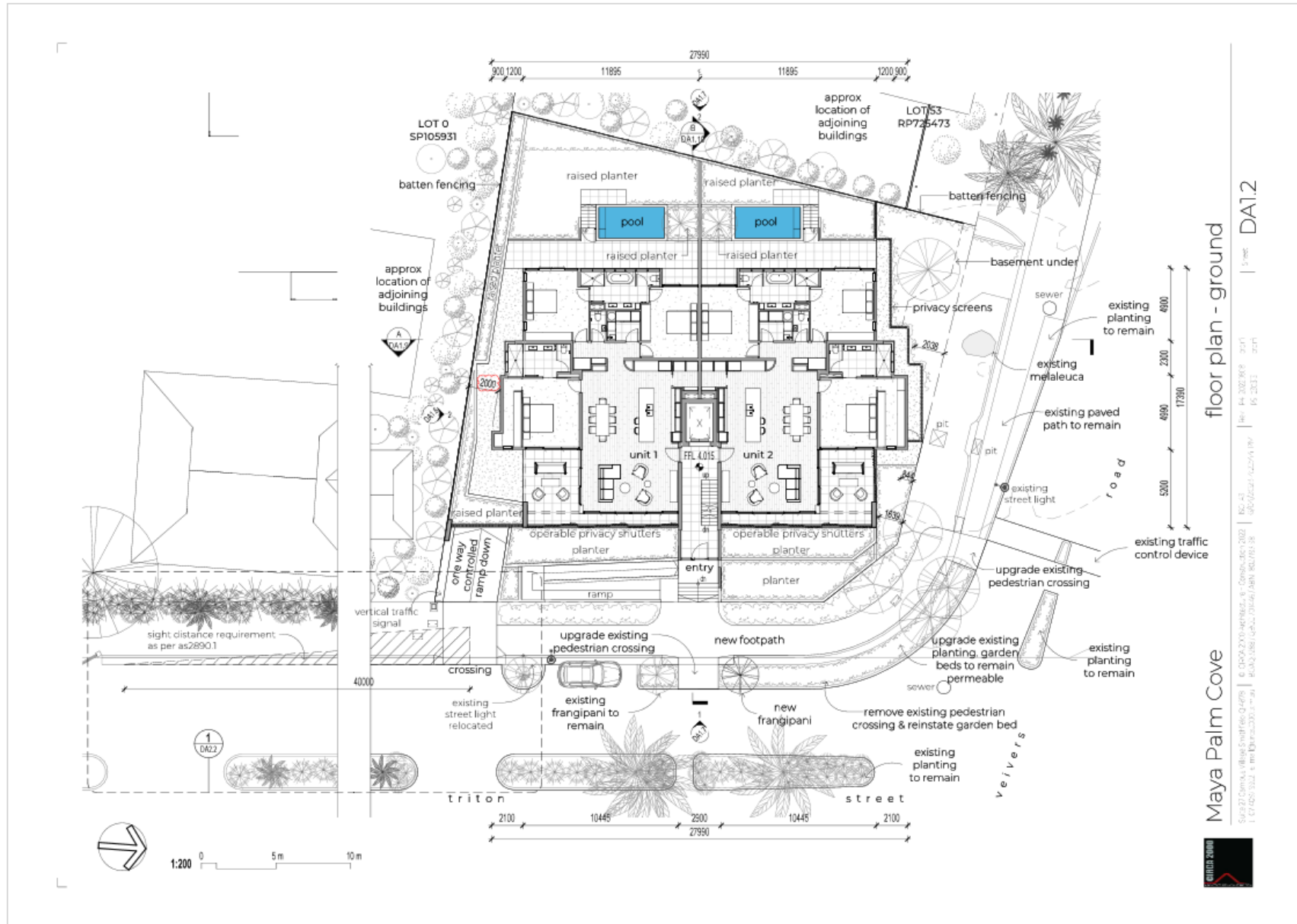


Drawing Register			
Sheet	Title	Rev	Rev Date
DA0.0	cover sheet	P1	20220110
DA1.0	site plan	P5	20220808
DA1.1	floor plan - basement	P5	230406
DA1.2	floor plan - ground	P5	230313
DA1.3	floor plan - level 1	P4	230313
DA1.4	typical floor plan - levels 2, 3 & 4	P4	230313
DA1.5	detail floor plan- typical unit	P2	20220110
DA1.6	floor plan - pool terrace	P2	20220110
DA1.7	elevations 1	P3	20220110
DA1.8	elevations 2	P4	230313
DA1.9	section a	P1	20220110
DA1.10	section b	P1	20220110
DA1.11	perspective 1	P3	20220110
DA1.12	perspective 2	P3	20220110
DA2.0	Longitudinal Elevations	P1	20220516
DA2.1	site plan - existing vegetation	P1	20220808
DA2.2	vehicle sight lines & basement wall construction	P1	20220808

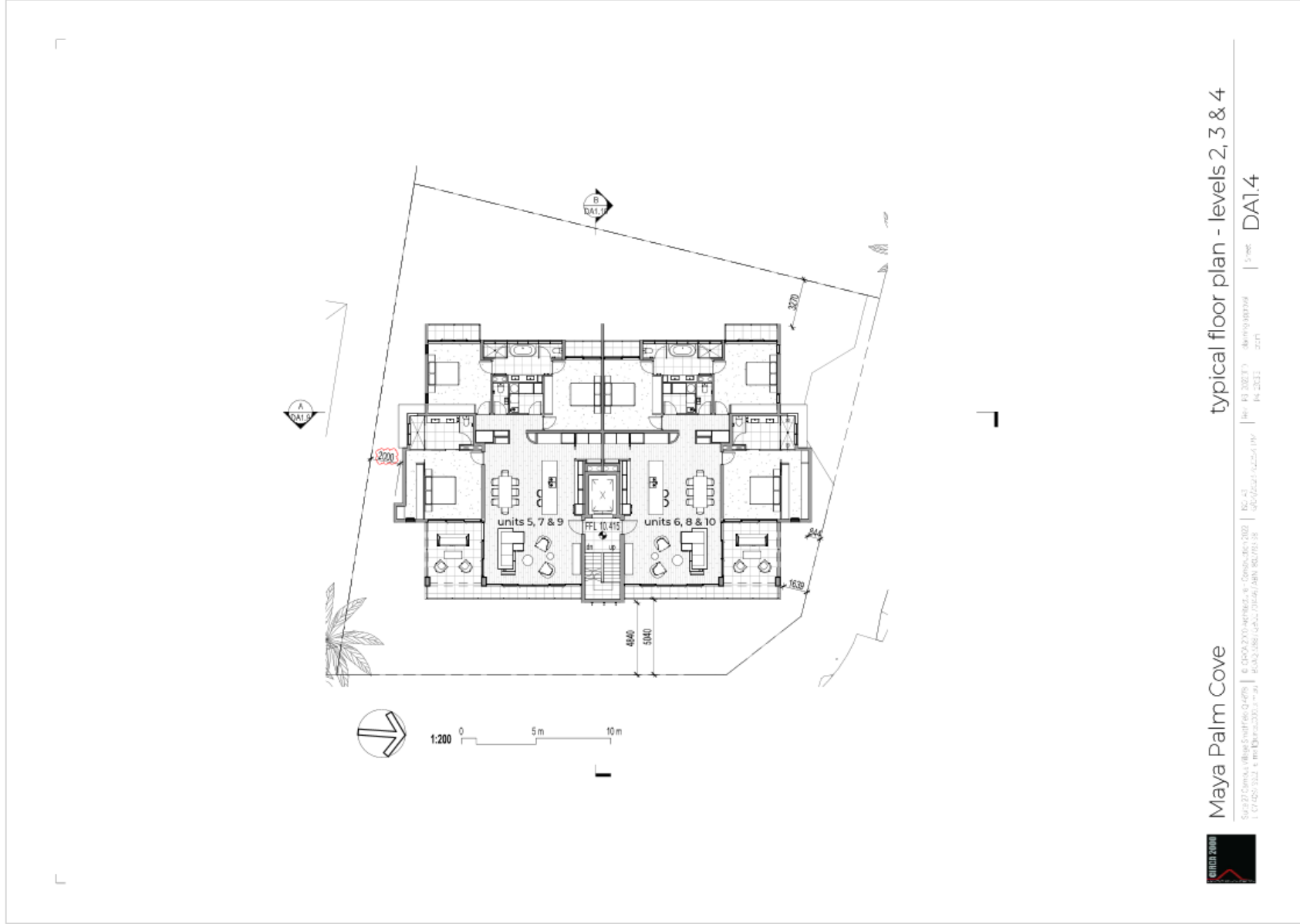
Site Area Analysis	
LOT 54 RP725473	
Site Area	898m²
Ground Floor Internal	390m²
Ground Floor Balconies	57m²
Ground Floor Total	447m²
Site Cover	49.77%
Ground Floor Landscaping	
Planters	125m²
Gardens	157m²
Pools	31m²
Pathways	91m²
Landscape Total	404m²
Landscape Site Cover	44.9%
Typical Unit	
Internal	192m²
Balconies	33m²
Total	225m²

Maya Palm Cove
 Site: 14/202/04 - 10/202/04
 Scale: 1:200
 Date: 10/2023
 Drawing: DA10





Maya Palm Cove
 floor plan - ground
 DA12

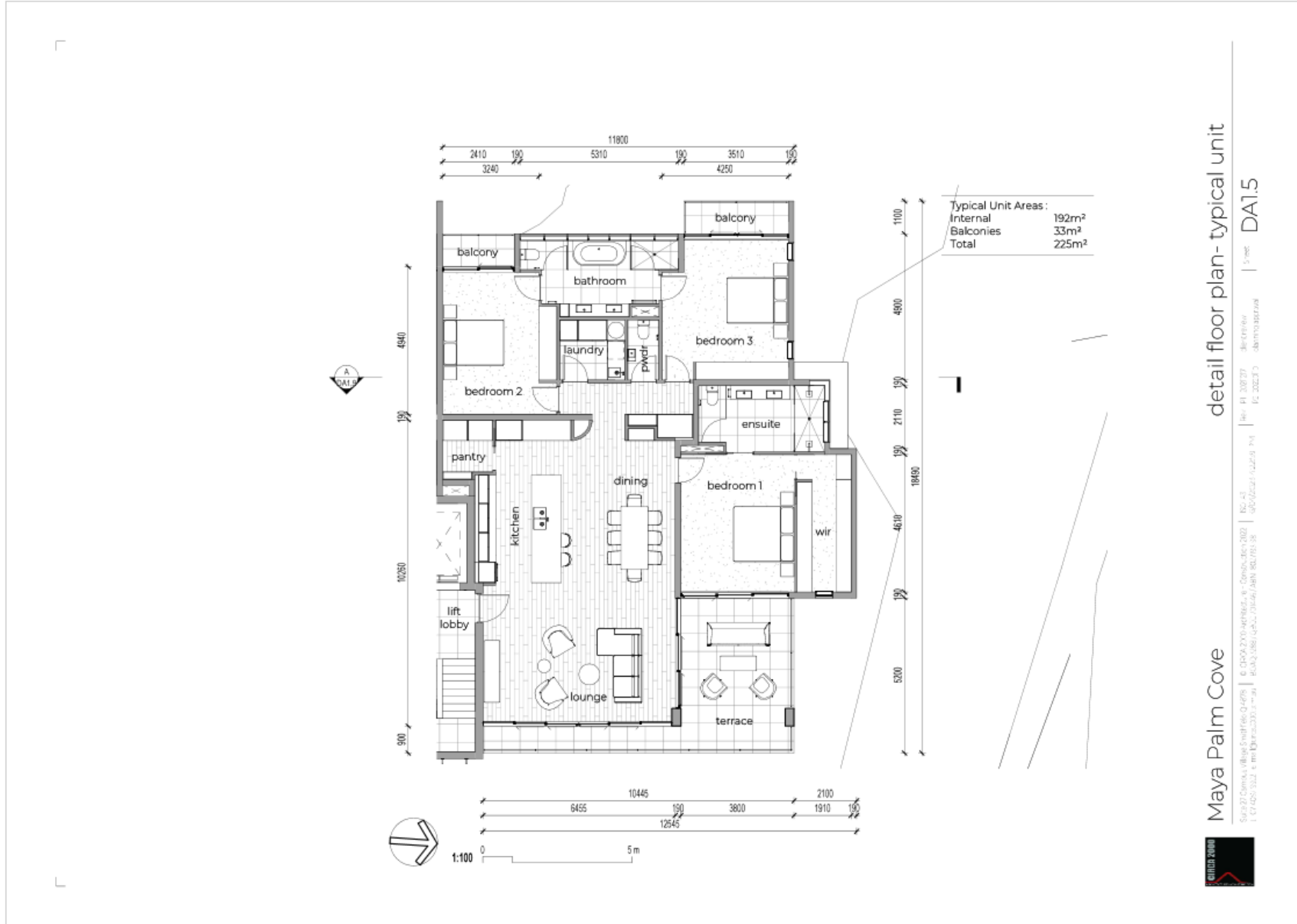


typical floor plan - levels 2, 3 & 4

Maya Palm Cove


 Sica 237 Camino Village Street #100-04289 | 6. CD003.270-Verifica. 6 - Construcción 2022 | RC-43
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Rev: 03/2023 (3) | 08/09/2023 | 5 rev | DA1.4
 14/2023 | 22/11



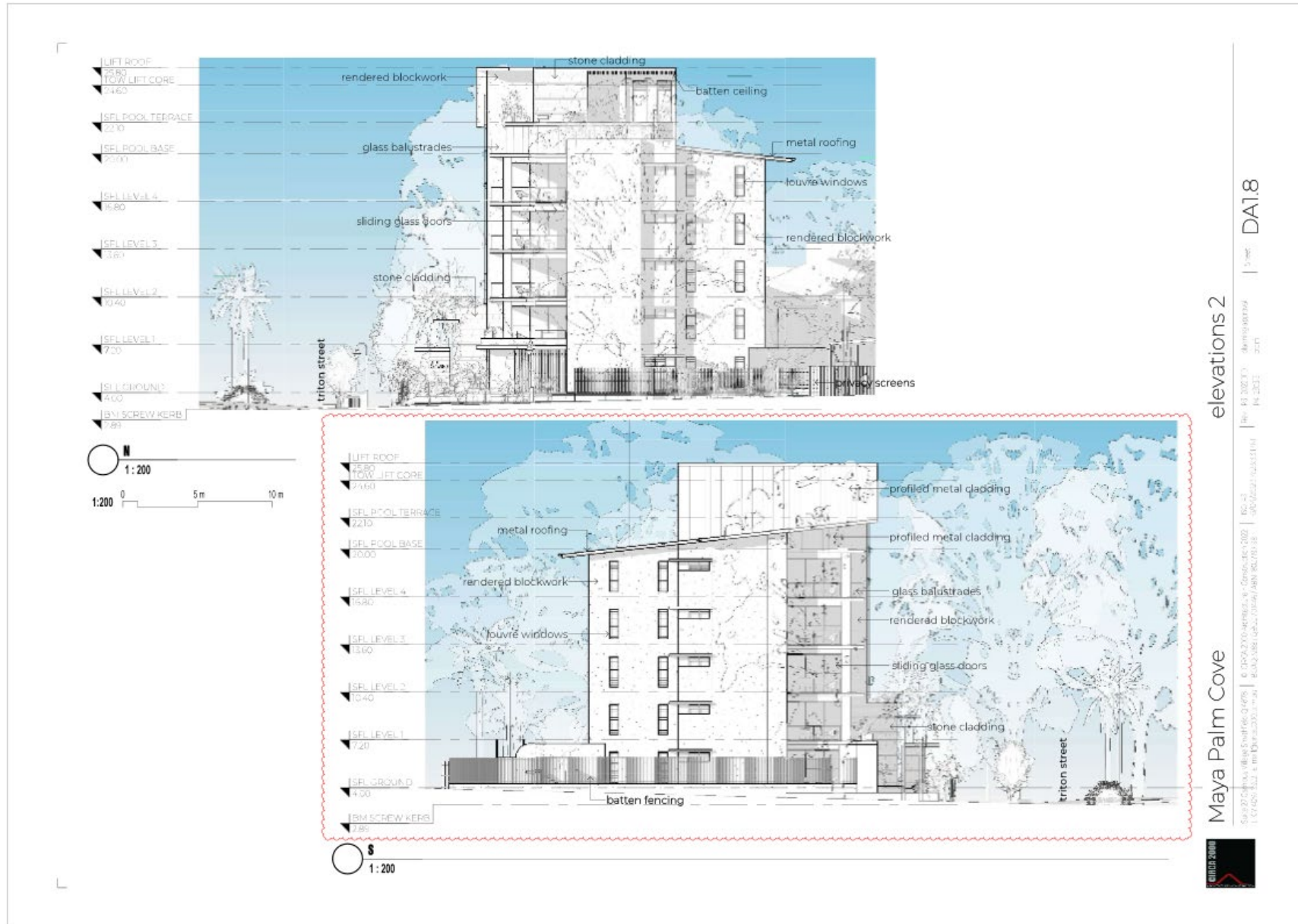
detail floor plan- typical unit

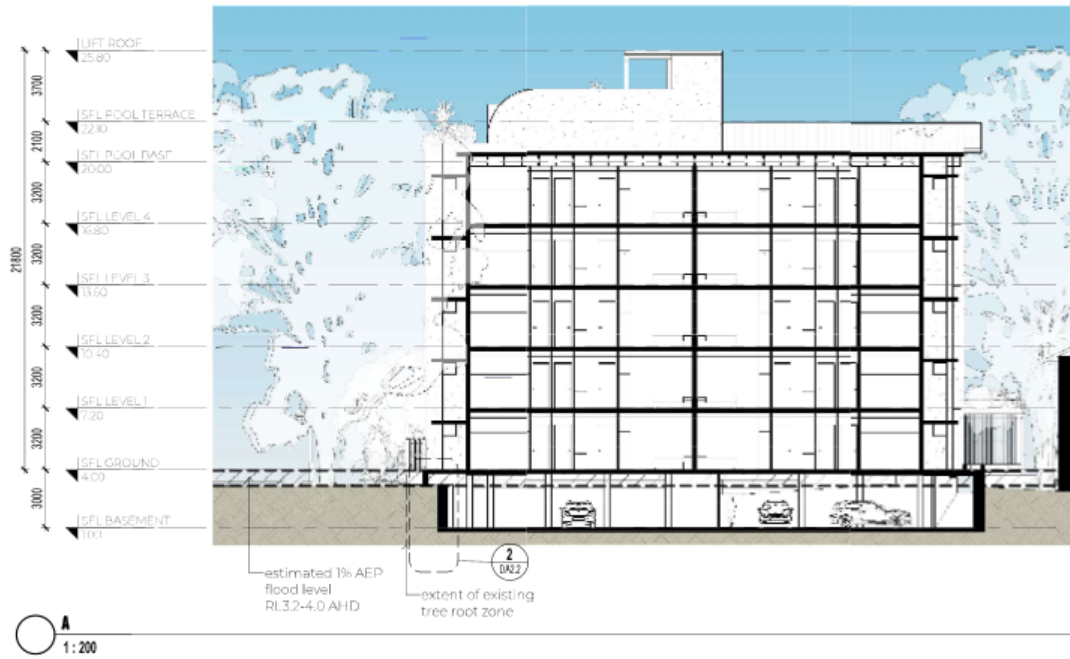
Maya Palm Cove



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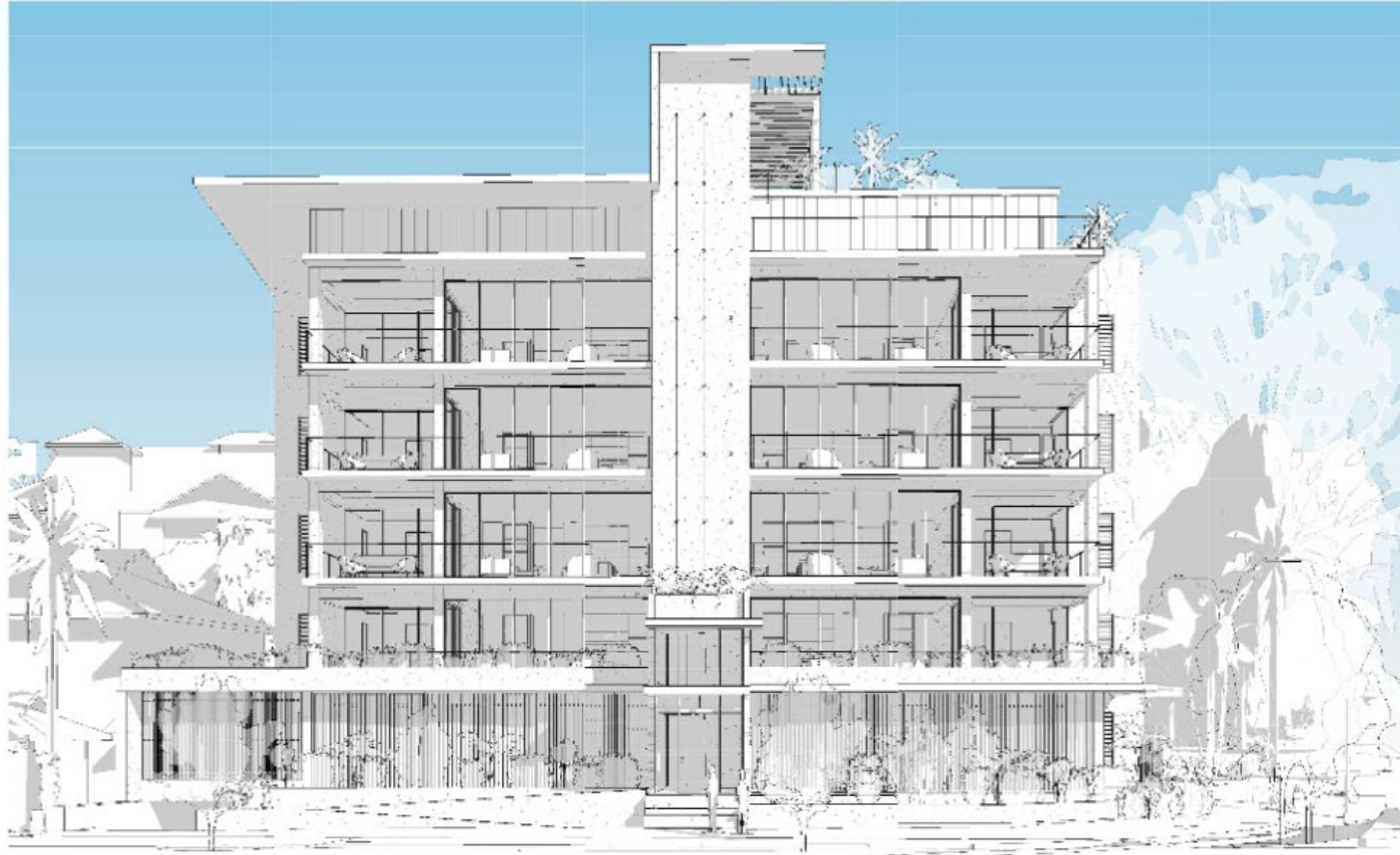
Site: 21 Comau Village Street, 04676 | © DPW 2020-2022, w/ Consent 2022 | 82-43 | 30/03/2022 | 18/01/2022





 **Maya Palm Cove** | section a | **DA1.9**

Site 27, Camau Village, Sphère 2, 4-6/8 | © DOKU2017-2018/2019 & CONSULTING 2020 | RS 2/21
1/1/2021/2022 & 2023/2024/2025/2026/2027/2028/2029/2030/2031/2032/2033/2034/2035/2036/2037/2038/2039/2040/2041/2042/2043/2044/2045/2046/2047/2048/2049/2050/2051/2052/2053/2054/2055/2056/2057/2058/2059/2060/2061/2062/2063/2064/2065/2066/2067/2068/2069/2070/2071/2072/2073/2074/2075/2076/2077/2078/2079/2080/2081/2082/2083/2084/2085/2086/2087/2088/2089/2090/2091/2092/2093/2094/2095/2096/2097/2098/2099/2100/2101/2102/2103/2104/2105/2106/2107/2108/2109/2110/2111/2112/2113/2114/2115/2116/2117/2118/2119/2120/2121/2122/2123/2124/2125/2126/2127/2128/2129/2130/2131/2132/2133/2134/2135/2136/2137/2138/2139/2140/2141/2142/2143/2144/2145/2146/2147/2148/2149/2150/2151/2152/2153/2154/2155/2156/2157/2158/2159/2160/2161/2162/2163/2164/2165/2166/2167/2168/2169/2170/2171/2172/2173/2174/2175/2176/2177/2178/2179/2180/2181/2182/2183/2184/2185/2186/2187/2188/2189/2190/2191/2192/2193/2194/2195/2196/2197/2198/2199/2200/2201/2202/2203/2204/2205/2206/2207/2208/2209/2210/2211/2212/2213/2214/2215/2216/2217/2218/2219/2220/2221/2222/2223/2224/2225/2226/2227/2228/2229/2230/2231/2232/2233/2234/2235/2236/2237/2238/2239/2240/2241/2242/2243/2244/2245/2246/2247/2248/2249/2250/2251/2252/2253/2254/2255/2256/2257/2258/2259/2260/2261/2262/2263/2264/2265/2266/2267/2268/2269/2270/2271/2272/2273/2274/2275/2276/2277/2278/2279/2280/2281/2282/2283/2284/2285/2286/2287/2288/2289/2290/2291/2292/2293/2294/2295/2296/2297/2298/2299/2300/2301/2302/2303/2304/2305/2306/2307/2308/2309/2310/2311/2312/2313/2314/2315/2316/2317/2318/2319/2320/2321/2322/2323/2324/2325/2326/2327/2328/2329/2330/2331/2332/2333/2334/2335/2336/2337/2338/2339/2340/2341/2342/2343/2344/2345/2346/2347/2348/2349/2350/2351/2352/2353/2354/2355/2356/2357/2358/2359/2360/2361/2362/2363/2364/2365/2366/2367/2368/2369/2370/2371/2372/2373/2374/2375/2376/2377/2378/2379/2380/2381/2382/2383/2384/2385/2386/2387/2388/2389/2390/2391/2392/2393/2394/2395/2396/2397/2398/2399/2400/2401/2402/2403/2404/2405/2406/2407/2408/2409/2410/2411/2412/2413/2414/2415/2416/2417/2418/2419/2420/2421/2422/2423/2424/2425/2426/2427/2428/2429/2430/2431/2432/2433/2434/2435/2436/2437/2438/2439/2440/2441/2442/2443/2444/2445/2446/2447/2448/2449/2450/2451/2452/2453/2454/2455/2456/2457/2458/2459/2460/2461/2462/2463/2464/2465/2466/2467/2468/2469/2470/2471/2472/2473/2474/2475/2476/2477/2478/2479/2480/2481/2482/2483/2484/2485/2486/2487/2488/2489/2490/2491/2492/2493/2494/2495/2496/2497/2498/2499/2500/2501/2502/2503/2504/2505/2506/2507/2508/2509/2510/2511/2512/2513/2514/2515/2516/2517/2518/2519/2520/2521/2522/2523/2524/2525/2526/2527/2528/2529/2530/2531/2532/2533/2534/2535/2536/2537/2538/2539/2540/2541/2542/2543/2544/2545/2546/2547/2548/2549/2550/2551/2552/2553/2554/2555/2556/2557/2558/2559/2560/2561/2562/2563/2564/2565/2566/2567/2568/2569/2570/2571/2572/2573/2574/2575/2576/2577/2578/2579/2580/2581/2582/2583/2584/2585/2586/2587/2588/2589/2590/2591/2592/2593/2594/2595/2596/2597/2598/2599/2600/2601/2602/2603/2604/2605/2606/2607/2608/2609/2610/2611/2612/2613/2614/2615/2616/2617/2618/2619/2620/2621/2622/2623/2624/2625/2626/2627/2628/2629/2630/2631/2632/2633/2634/2635/2636/2637/2638/2639/2640/2641/2642/2643/2644/2645/2646/2647/2648/2649/2650/2651/2652/2653/2654/2655/2656/2657/2658/2659/2660/2661/2662/2663/2664/2665/2666/2667/2668/2669/2670/2671/2672/2673/2674/2675/2676/2677/2678/2679/2680/2681/2682/2683/2684/2685/2686/2687/2688/2689/2690/2691/2692/2693/2694/2695/2696/2697/2698/2699/2700/2701/2702/2703/2704/2705/2706/2707/2708/2709/2710/2711/2712/2713/2714/2715/2716/2717/2718/2719/2720/2721/2722/2723/2724/2725/2726/2727/2728/2729/2730/2731/2732/2733/2734/2735/2736/2737/2738/2739/2740/2741/2742/2743/2744/2745/2746/2747/2748/2749/2750/2751/2752/2753/2754/2755/2756/2757/2758/2759/2760/2761/2762/2763/2764/2765/2766/2767/2768/2769/2770/2771/2772/2773/2774/2775/2776/2777/2778/2779/2780/2781/2782/2783/2784/2785/2786/2787/2788/2789/2790/2791/2792/2793/2794/2795/2796/2797/2798/2799/2800/2801/2802/2803/2804/2805/2806/2807/2808/2809/2810/2811/2812/2813/2814/2815/2816/2817/2818/2819/2820/2821/2822/2823/2824/2825/2826/2827/2828/2829/2830/2831/2832/2833/2834/2835/2836/2837/2838/2839/2840/2841/2842/2843/2844/2845/2846/2847/2848/2849/2850/2851/2852/2853/2854/2855/2856/2857/2858/2859/2860/2861/2862/2863/2864/2865/2866/2867/2868/2869/2870/2871/2872/2873/2874/2875/2876/2877/2878/2879/2880/2881/2882/2883/2884/2885/2886/2887/2888/2889/2890/2891/2892/2893/2894/2895/2896/2897/2898/2899/2900/2901/2902/2903/2904/2905/2906/2907/2908/2909/2910/2911/2912/2913/2914/2915/2916/2917/2918/2919/2920/2921/2922/2923/2924/2925/2926/2927/2928/2929/2930/2931/2932/2933/2934/2935/2936/2937/2938/2939/2940/2941/2942/2943/2944/2945/2946/2947/2948/2949/2950/2951/2952/2953/2954/2955/2956/2957/2958/2959/2960/2961/2962/2963/2964/2965/2966/2967/2968/2969/2970/2971/2972/2973/2974/2975/2976/2977/2978/2979/2980/2981/2982/2983/2984/2985/2986/2987/2988/2989/2990/2991/2992/2993/2994/2995/2996/2997/2998/2999/3000

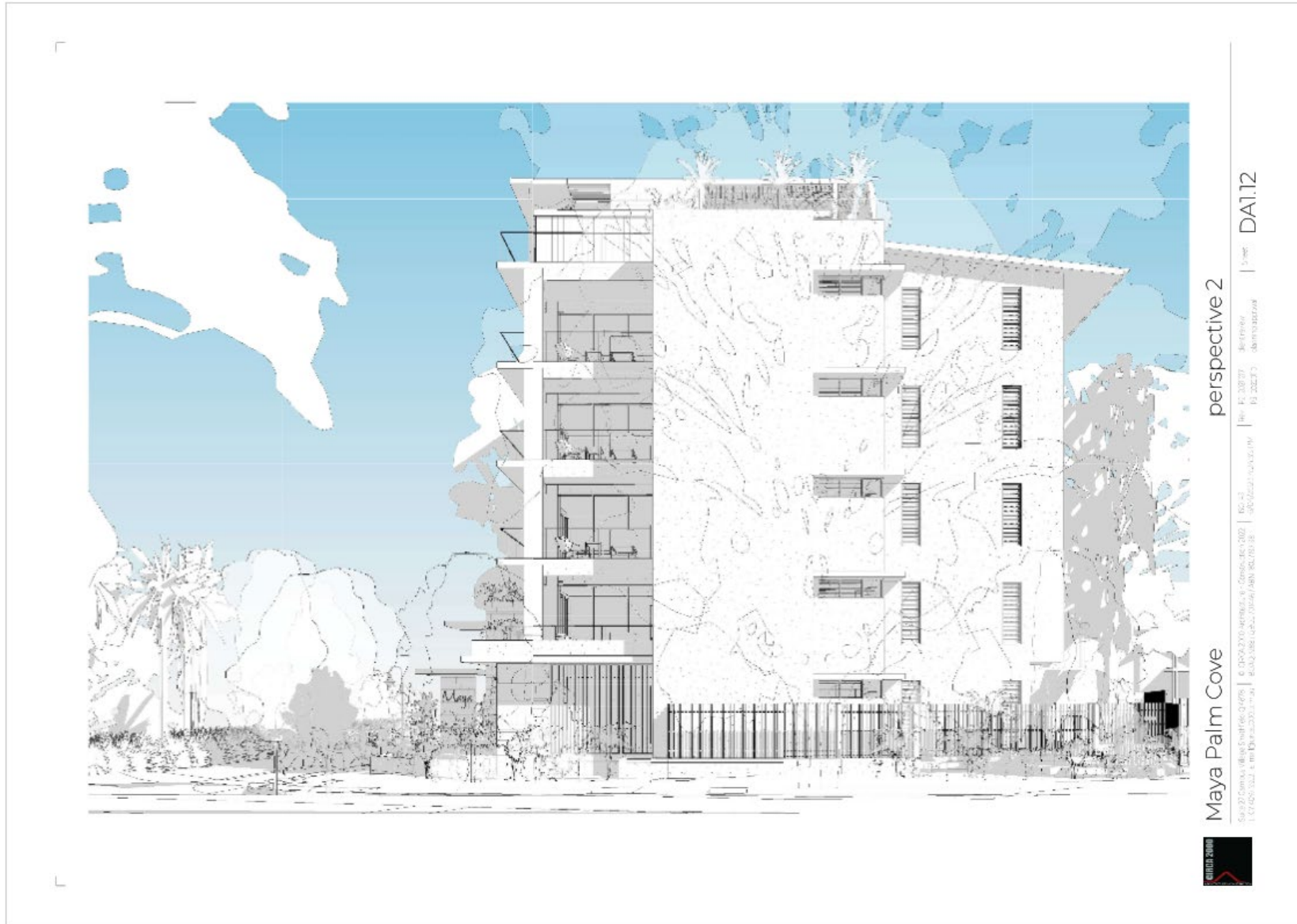


Maya Palm Cove

perspective 1

Rev: 14_2023/21 | 30/05/2023 | 5:00pm | DA1.11
Pg: 2023/21 | 30/05/2023 | 5:00pm





Tree Impact Assessment

17 Veivers Road, Palm Cove QLD



Prepared For: David Quigley,
Circa 2000 Architects

Prepared By: David Calder Dip: Arb
Advanced Vegetation Management

12 April 2023



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1. Introduction

David Quiqley of Circa 2000 has engaged AVM to undertake an Impact Assessment of 6 significant trees surrounding a proposed build at 17 Veivers Road Palm Cove.

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The recommendations herein have been formulated in context with Australian industry standards, best practice arboricultural theory and procedures, keeping in touch with the environment and character of the area.

2. Scope

Objectives of this Arborist Report are to assess the impact to 6 trees surrounding a proposed development and make recommendations for tree preservation or removal.



3. Method

On Friday 24th March 2023 David Calder (Dip Arboriculture) of Advanced Vegetation Management attended 17 Veivers Road, Palm Cove and collected data on 6 significant trees on and surrounding the site.

Tree Height and Canopy Dimensions, at the discretion of the assessor, were either estimated or measured with a True pulse 200 laser. Tree DBH and Trunk calliper were measured using a forestry DBH tape. Tree data was recorded on GIS software *Tree Plotter*.

The trees were inspected from ground level using non-invasive techniques and the Biomechanical stability of the trees and tree components were determined utilising Visual Tree Assessment (VTA) (Mattheck & Breloer 1994). No examination of any sort has been carried out to the root systems of these trees and no guarantees can be given that the trees will remain healthy by following the recommendations within.

Tree Data collected was provided to Circa 2000, who added TPZ and SRZ measurements to the building drafts before being returned for assessment. Impact has been assessed against basement plans of the multi-story development. Tree numbers have been assigned as per the Site Plan – Existing Vegetation DA2.1as supplied (Attached as Appendix 13.4.)



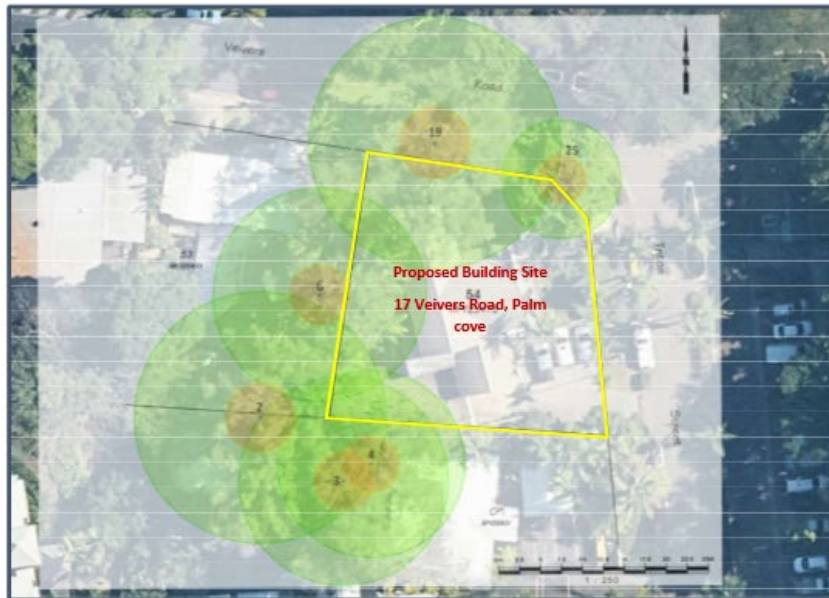
4. Pause for thought

When assessing impact to trees by development the above ground aspects can be quite obvious, but it's the changes to what's below ground that is often overlooked and can have the greatest impact to a tree's health. It is for this reason that standard formulas have been devised for calculating a minimum areas that should be set aside around a tree to ensure both its structural stability and health. These areas are known as the SRZ's (Structural Root Zones) and TPZ's (Tree Protection Zones). The formulas are specified in the Australian Standard: *AS4970-2009 Protection of Trees on Development Sites*. The SRZ is the minimum area in which larger woody roots required for the stability of the tree are largely found. Work should generally not occur in this area. The TPZ is an area around a tree or group of trees that addresses both the stability and growing requirements of a tree. Minor encroachment of up to 10% of the TPZ area is generally permissible provided encroachment is compensated for. Encroachment greater than 10% is considered major encroachment and is only permissible if it can be demonstrated that the tree will remain viable after such encroachment.

The Structural root zones (Orange) and Tree Protection Zones (Green) have been overlaid on the building footprint below as a coloured circles. The following Assessment has been taken in accordance with the AS 4970-2009 with consideration to Species, climate, Standard building techniques and encroachment of the particular Tree protection areas.



5. Locality Diagram



7/5/23



6. Building plan






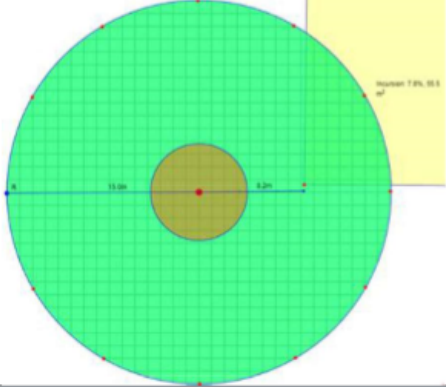
7. Tree Data

*Tree Id numbers Adapted from Site Plan – Existing Vegetation DA2.1as supplied. Avail in the appendix



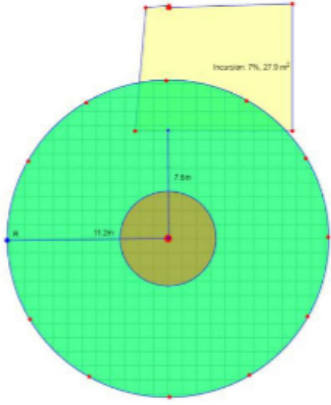
Tree Id	Common Name	Latin Name	Tree Age	Structure	Vitality	Health	Tree Height / Canopy Spread	DBH / Tree Protection Zone	Diameter at Root Flare / Structural Root Zone	Latitude / Longitude	Observation Comments	Retention Value
2	Weeping Paperbark	Melaleuca leucodendra	Mature	Fair	average	Fair	19m 13m	150.24cm 13m	170cm 4.14m	-16.7489 145.669172	average foliage count. Multiple stems,	Third Party
3	Weeping Paperbark	Melaleuca leucodendra	Mature	Good	average	Fair	22m 13m	93cm 11.16m	106cm 3.39m	-16.75 145.669252	Lean over development	Third Party
4	Weeping Paperbark	Melaleuca leucodendra	Mature	Fair	average	Fair	18m 10m	58cm 6.96m	73cm 2.9m	-16.75 145.669262	One of multiple trees in this area or reasonable health.	Third Party
6	Weeping Paperbark	Melaleuca leucodendra	Mature	Good	average	Fair	24m 13m	105cm 12.72m	119cm 3.56m	-16.7498 145.66923	Tree has been built around, and survived plenty of construction damage in the past.	Third Party
19	Weeping Paperbark	Melaleuca leucodendra	Mature	Fair	average	Fair	26m 13m	156.34cm 13m	187cm 4.3m	-16.7496 145.669382	Cut roots from gutter construction, bifurcated at ground level,	Third Party
25	Mango	Mangifera cultivar	Mature	Good	excellent	Good	13m 12m	39cm 7.08m	75cm 2.93m	-16.7497 145.669317	Prominent corner location, High amenity Value	Third Party




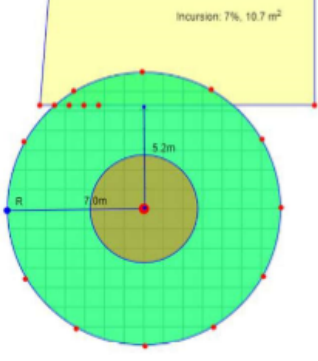
8. Assessment Data

Tree 2										
Common Name	Latin Name	Tree Age	Structure	Vitality	Health	Tree Height / Canopy Spread	DBH / Tree Protection Zone	Diameter at Root Flare / Structural Root	Latitude / Longitude	Retention Value
Weeping Paperbark	Melaleuca leucadendra	Mature	Fair	average	Fair	19m 15m	150.24cm 15m	170cm 4.14m	-16.7499 145.669172	Third Party
										
Assessment						Acceptable				
<p>With only 7.8% incursion of the TPZ, this is acceptable incursion as specified under the Australian Standard AS4970-2009 Protection of Trees on Development sites.</p>										
Specifications										
<p>Only general tree protection specifications as listed in section 9 need to be applied to this tree. Construction must occur from outside of the TPZ and must not occur any closer than specified above.</p>										



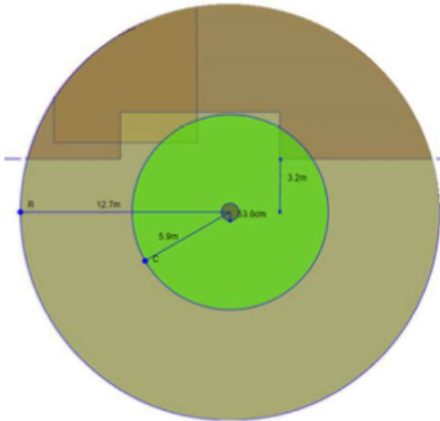


Tree 3										
Common Name	Latin Name	Tree Age	Structure	Vitality	Health	Tree Height / Canopy Spread	DBH / Tree Protection Zone	Diameter at Root Flare / Structural Root	Latitude / Longitude	Retention Value
Weeping Paperbark	Melaleuca leucadendra	Mature	Good	average	Fair	22m 15m	93cm 11.16m	106cm 3.39m	-16.75 145.669252	Third Party
										
Assessment						Acceptable				
<p>As calculated from the site diagrams, incursion is only 7% and therefore acceptable under Australia Standards AS4970-2009.</p>										
Specifications										
<p>General Tree protection Specifications as listed in section 9 must be followed for this tree. Construction must be conducted from outside the TPZ and must not occur past the line of building.</p>										



Tree 4										
Common Name	Latin Name	Tree Age	Structure	Vitality	Health	Tree Height / Canopy Spread	DBH / Tree Protection Zone	Diameter at Root Flare / Structural Root	Latitude / Longitude	Retention Value
Weeping Paperbark	Melaleuca leucadendra	Mature	Fair	average	Fair	18m 10m	58cm 6.96m	73cm 2.9m	-16.75 145.669262	Third Party
										
Assessment						Acceptable				
<p>As calculated from the site diagrams, incursion is only 7% and therefore acceptable under Australia Standards AS4970-2009.</p>										
Specifications										
<p>General tree protection specifications, as noted section 9, must be followed for this tree. Construction MUST be conducted from outside the TPZ of the tree and may not occur any closer than the area specified in the drawing above.</p>										



Tree 6										
Common Name	Latin Name	Tree Age	Structure	Vitality	Health	Tree Height / Canopy Spread	DBH / Tree Protection	Diameter at Root Flare / Crown Spread	Latitude / Longitude	Retention Value
Weeping Paperbark	Melaleuca leucadendra	Mature	Good	average	Fair	24m 15m	106cm 12.72m	119cm 3.56m	-16.7498 145.66923	Third Party
										
Assessment						Somewhat Tolerable with measures.				
<p>The building line is proposed to cut within 3.2 metres of the centre of the tree with provision given around the Structural root zone where the building has been pushed out 6 metres to accommodate this area. The calculated incursion of the Tree Protection Area is approximately 38% of the total TPZ. Which is considered major encroachment Australian Standards AS4970-2009. As such, extra requirements will be required to ensure the viability of the tree.</p> <p>This species, has a deep taproot complemented by abundant vertical sinker roots extending from lateral roots generally to a depth of the water table. As such, greater incursion is generally acceptable of these species.</p> <p>5X Trunk diameter at Ground Level has been included in this drawing as a comparison of acceptable severance of roots in the Transplant industry.</p>										



Specifications

All General Specifications for working in the Tree Protection Zones (Section 9) must be adhered to and be in place prior to construction. Work must be conducted from outside of the TPZ, construction must not occur any closer than specified in the drawings.

Additional Minimum requirements for construction to occur.

Due to the soil conditions area, all available areas of the TPZ are to be treated with a soil conditioner such as Terracottem and drenched with mycorrhiza product such as Micogold to stimulate root growth and promote tree health. In areas of heavy compaction, the soil shall be loosened prior to drenching by non-invasive decompaction method such as Airpade. Solutions may also be injected into the soil in a water slurry rather than drenching.

All available areas of the TPZ is to be mulched to a depth of 100mm with a good quality Bush Mulch.

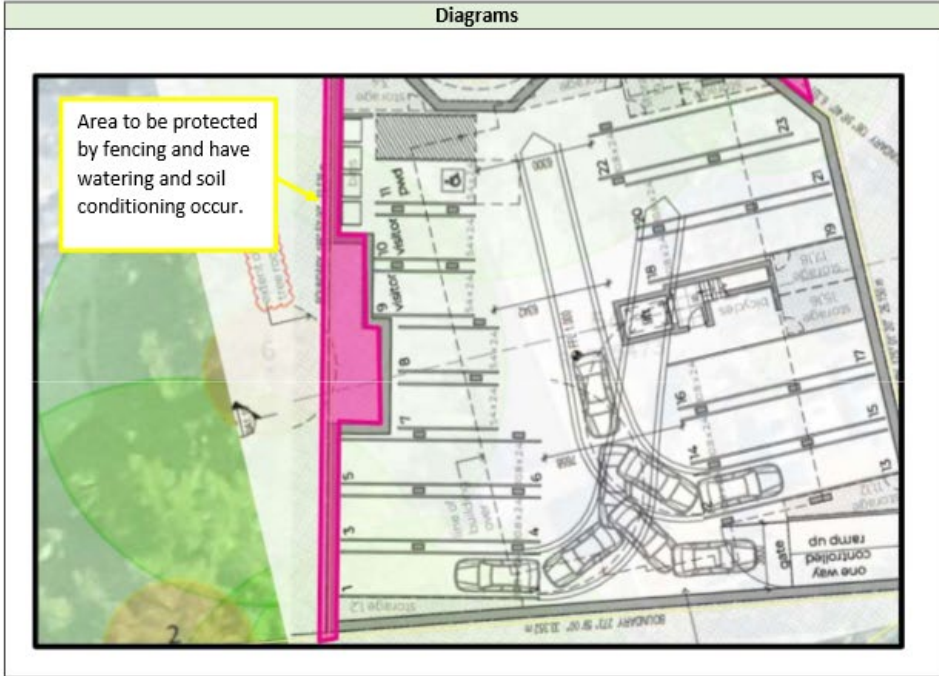
A drip watering system is to be installed to all available areas of the TPZ, and moisture levels maintained in the soil at all times tree transpiration is taking place. Watering amounts will be dependent on the climatic conditions and must continue for 2 years post construction.

Further feeding of mycorrhiza is to occur quarterly post construction with a product such as Seasol.



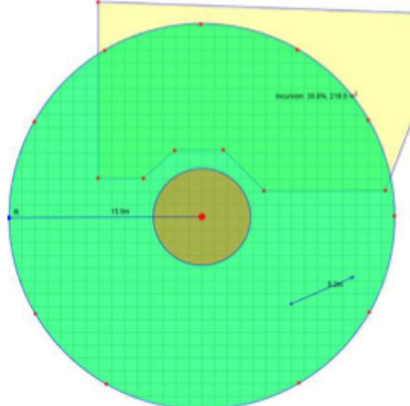
Soil injections, or drenches of a sucrose solution at 20 grams per litre of water evenly injected over the available root zone may also be recommended. Sucrose helps to improve the defence systems of stressed trees can help to increase root: shoot ratios by down-regulating genes used for photosynthesis (Percival and Fraser 2005).

The above recommendations must occur No less than 8 months prior to the project commencing and remain in place minimum period of 2 years post project completion.

Diagrams





Tree 19										
Common Name	Latin Name	Tree Age	Structure	Vitality	Health	Tree Height / Canopy Spread	DBH / Tree Protection Zone	Diameter at Root Flare / Structural Root	Latitude / Longitude	Retention Value
Weeping Paperbark	Melaleuca leucadendra	Mature	Fair	average	Fair	26m 15m	156.34cm 15m	187cm 4.3m	-16.7496 145.669382	Third Party
										
Assessment						Somewhat Tolerable with measures.				
<p>The building footprint is proposed to encroach approximately 219m² of the Tree protection zone which is a 30.8% incursion. This is considered major encroachment under AS4970-2009 and at the very upper level of possible encroachment.</p> <p>Constructing this close has some risks for the viability of the tree, however, this species has a history of proven tolerance to root disturbance, non- so more seen in Palm Cove itself.</p>										



Specifications

All General Specifications for working in the Tree Protection Zones (Section 9) must be adhered to and be in place prior to construction. Work must be conducted from outside of the TPZ, construction must not occur any closer than specified in the drawings.

Additional Minimum requirements for construction to occur

Temporary reclamation of part of the road reserve will need to occur. This is to have the existing garden bed extended to enable some compensation for loss of TPZ by the construction. In this area the paving is to be lifted and a small strip of asphalt lifted (up to the driveway cross over, as shown in the diagrams below) This area is to have substrate loosened by non-invasive methods such as Airspade (if required) to allow water ingress. A good quality composted Soil can be added and area to enable plating out.

Due to the Sandy soil area, all available areas of the TPZ is to be treated with a soil conditioner such as Terracottem and drenched with mycorrhiza product much as Micogold to stimulate root growth. In areas of heavy compaction, the soil shall be loosened by non-invasive methods such as Airspade . solutions may also be injected into the soil in a water slurry rather than drenching.

All available areas of the TPZ is to be mulched to a depth of 100mm with a good quality Bush Mulch.


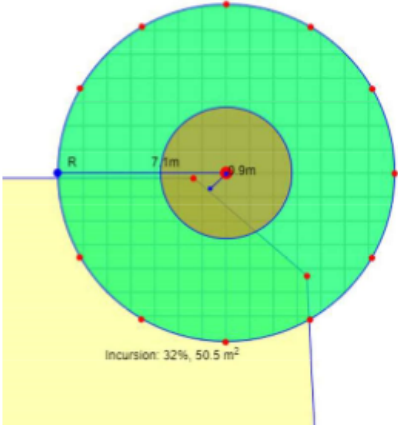
A drip watering system is to be installed to all available areas of the TPZ, and moisture levels maintained in the soil for the tree at all times transpiration is taking place, Watering amounts will be dependent on the climatic conditions and must continue for 2 years post construction.

Further feeding of mycorrhiza is to occur quarterly post construction with a product such as Seasol.

Soil injections, or drenches of a sucrose solution at 20 grams per litre of water evenly injected over the available root zone may also be recommended. Sucrose helps to improve the defence systems of stressed trees can help to increase root:shoot ratios by down-regulating genes used for photosynthesis (Percival and Fraser 2005).

The above recommendations must occur No less than 8 months prior to the project commencing and remain in place minimum period of 2 years post project completion



Tree 25										
Common Name	Latin Name	Tree Age	Structure	Vitality	Health	Tree Height / Canopy Spread	DBH / Tree Protection	Diameter at Root Flare / Structural Root	Latitude / Longitude	Retention Value
Mango	Mangifera cultivar	Mature	Good	excellent	Good	10m 10m	59cm 7.08m	75cm 2.93m	16.7497 145.669517	Third Party
										
Assessment						Unacceptable				
<p>Construction is proposed to cut within 0.9 metres of the trunk of the tree, through the Structural root zone. Although a very tolerant species that would likely survive this type of abuse, this tree is best off being removed</p>										
Specifications										
<p>If approved to be removed by the Consent Authority, this tree shall be replaced with an advanced-sized species, selected to have a minimum mature height of 8 metres and be planted in a similar corner location to offset the loss of streetscape amenity. Replacement trees should meet Australian Standard 2303-2018 Tree Stock for Landscape Use (2015).</p>										



9. General Specifications for working in the Tree Protection Zones

1. A Project Arborist be appointed to oversee the project, supervise work with TPZ's and monitor the condition of trees. The Project Arborist is to be suitably Experienced and Qualified with a minimum AQF Qualification Level 5. The project arborist is to maintain written and photographic records of all site inspections and tree protection works.
2. The following activities must not occur within the TPZ (including the SRZ) of any trees identified within this report unless specifically specified otherwise. If at any time these activities cannot be avoided an alternative must be agreed in writing with the project Arborist.
 - a) No heavy machinery is to enter the TPZ without the express permission of the Project Arborist
 - b) Machine excavation.
 - c) Ripping or cultivation of soil.
 - d) Storage of spoil, soil or any such materials
 - e) Preparation of chemicals, including preparation of cement products.
 - f) Refuelling.
 - g) Dumping of waste.
 - h) Wash down and cleaning of equipment.
 - i) Placement of fill.
 - j) Lighting of fires.
 - k) Soil level changes.
 - l) Any physical damage to the crown, trunk, or root system.
3. Should access the TPZ be required, the Project arborist shall be advised as further Tree and ground protection measures will be required.
4. Sympathetic construction techniques such as: Pier and beam, Suspended slabs, cantilevered building sections and screw piles should be utilised where possible to minimise the impact of encroachment.
5. A delineating fence shall be erected prior to work commencing around the TPZ with Signs attached to indicate the area is a no-go zone. * Specification in appendix
6. Once roots greater than 50mm in diameter be encountered during approved construction within the TPZ, works in that area should cease and the project arborist should be notified.



10. Additional Construction Specifications

1. Any excavation within tree TPZ zones be supervised and exposed roots assessed by an experienced qualified Arborist with a minimum of an Australian Qualification Framework (AQF) Cert 5. Roots assessed, if deemed appropriate.
2. Excavation must begin at from outside the TPZ zones of the trees and approach the trees in a direct radial direction to the centre of the tree trunk. So that when roots are encountered, they are cut rather than lifted and torn.
3. Roots encountered need to have final pruning cuts made with a sharp silky saw. All pruning work is to be carried out according to Australian Standard AS 4373 by a minimum certified level 3 arborist Under the guidance of a minimum cert 5 Arborist.
4. It is recommended that Exploratory Root Excavation (ERE) be undertaken according to AS 4970. ERE will provide more information on the rooting extent of the trees with high encroachment to be able to establish items such as rooting loss, which will enable tailored tree treatments. The ERE may lead to a reduction in the requirement for Project Arborist Services, a greater allow building encroachment area. However, it may also lead to design and engineering changes needing to be made. ERE is to be undertaken via low pressure water hydrovac or Air spade.
*No examination of any sort has been carried out to the root systems of these trees. No guarantee can be given that a tree will totally safe or will remain healthy.



11. References

- Queensland Government (2021). *Queensland Globe*. [online] Qld.gov.au. Available at: <https://qldglobe.information.qld.gov.au/>.
- MyBib Contributors (2019). *Harvard Referencing Generator – FREE – (updated for 2019)*. [online] MyBib. Available at: <https://www.mybib.com/tools/harvard-referencing-generator>.
- Mattheck, C.; Breloer, H. 1994. *The body language of trees: A handbook for failure analysis*
- Mattheck, C. 2007. *Field Guide for Visual Tree Assessment*
- Standards Australia. 2009, AS 4970-2009 Protection of Trees on Development Sites.
- Standards Australia. 2007, AS 4373-2007 Pruning of Amenity Trees.



12. Disclaimer

All recommendations contained within this report are current 'best practice' methods of inspection and reporting by the Arboricultural profession. Whilst every effort is made to accurately identify current tree health and safety issues, trees are evolving living structures and as such can respond in unpredictable ways.

Care has been taken to obtain all information from reliable sources. All data has been verified insofar as possible; however, the consultant/appraiser can neither guarantee nor be responsible for the accuracy of the information provided by others.

Unless expressed otherwise, the information contained in this report covers only those items that were inspected/examined and reflects the condition of those items at the time of inspection; and the inspection is limited to visual examination of accessible items without dissection, excavation, probing or coring. There is no warranty or guarantee, expressed or implied, that problems or deficiencies of the plants of property in question may not arise in the future.

As trees are affected by variable soil and weather conditions they can and will continue to fail in unpredictable ways. These unpredictable failures mean that all standing trees represented have an element of unpredictable risk and as such must be managed accordingly. Whilst every effort is made to minimize the risk that the tree represents, a small level of risk associated with every tree will remain.

The only possible method of total risk management in relation to tree safety is to remove the tree. The author, David Calder, and all associated parties accept no liability for the adoption or otherwise any or all the recommendations contained within this report.

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This report has been prepared by:

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13. Appendix

13.1 Descriptors

Origin

- Exotic – Tree origin is not from Australia
- Native – Tree origin is from Australia
- QLD Native – The tree is Native to Queensland
- Endemic – Tree species naturally occurring in the local area

Maturity/Age

Maturity is categorised into 4 main categories

- Juvenile – recently planted or still establishing in its environment.
- Semi-mature – The tree is still in its optimal growth stage and yet to meet its expected size for the environment
- Mature – The tree is at its optimal size in its environment and the growth rate has stabilized
- Senescent – The tree is overmature and in decline

Vitality

Vitality is categorised into 5 main categories:

- Excellent – Dense crown foliage, no pathogen damage, little deadwood, Exhibiting excellent vigour and wood wound development. No tree works are generally required.
- Good – Crown full of foliage, good colouration with little to no pathogen damage. Little to no canopy dieback. Less than 30% deadwood, good wood development.
- Average – Crown foliage density may be slightly below average with some discolouration, trees may have some pathogen damage. The tree may have more than 30% deadwood. Average wood and wound development.
- Poor – Crown foliage is below average often discolored. The tree may have more than 30% deadwood. Pathogen damage and signs of stress such as excessive epicormic growth may be present. Poor wound and wood development. Remedial tree works are generally required to improve vigor.
- Very Poor – Sparse canopy, pathogen damage and stress agents present. The tree shows little vigour and is in decline. Remedial works or removal may be required.
- Dead – The tree is dead.



Structure

Structure portrays the physical structure of the tree including the main scaffold branches and roots. Structure is categorised into 5 main categories.

- Excellent – The tree has a well-defined and balanced crown. Branch unions appear to be strong; no defects are evident on the trunk or branches. Limbs are well defined and spaced. The tree is unlikely to suffer from any trunk or branch failure under normal conditions.
- Good – The tree has a well-defined and balanced crown. Branch unions appear to be strong; no defects are evident on the trunk or branches. The tree is unlikely to suffer from any trunk or branch failure under normal conditions.
- Average – The tree may have a slightly unbalanced crown. Branch unions may exhibit minor structural faults. Minor defects may be present on the trunk or branches. Structural faults and defects are unlikely to cause catastrophic trunk or branch failure, but some may occur under normal conditions.
- Poor – The tree has significant problems with the structure of the crown. It may be lopsided or have large gaps in the crown. Branch unions may exhibit significant structural faults. Significant defects may be present on the trunk and branches. The tree may be on a substantial lean or shown evidence of significant root damage. The defects may lead the tree to have a major trunk or branch failure.
- Very poor – The tree has major problems with the structure of the crown. The crown may be lopsided or have large gaps. Branch unions may exhibit significant structural faults. Significant defects are present on the trunk and branches. Branches may be crossing over each other and the tree may be on a substantial lean. Major root damage may be evident. The tree is likely to have major trunk or limb failure.

Condition/Health

Health is evaluated by considering both the vigour and structure of the tree to provide a rating for each tree. Health is categorised into 6 categories.

- Excellent – both vigour and structure are excellent
- Good – Vigour and/or structure may be better than fair but not excellent.
- Average – Vigour and/or structure may be average but not great for the species
- Poor – Vigour and/or structure are significantly less than fair/average for the species.
- Very poor – Vigour and/or structure are very poor.
- Dead – the tree is dead.



Retention Value (RV)

- **LOW;** Trees that offer little in terms of contributing to the future landscape for the reasons of poor health or structural condition, species suitability in relation to unacceptable growth habit, noxious, poisonous or weed species or ULE, or a combination of these characteristics. Should be considered for removal.
- **MEDIUM;** Trees with some beneficial attributes that may benefit the site in relation to botanical, horticultural, historical or local significance but may be limited to some degree by their future growth potential at the site by maintenance requirements now or in the future. These trees should be considered for retention if possible, within the development design, they may be modified to allow for construction. (eg. pruning, etc;)
- **HIGH;** Trees with the potential to positively contribute to the site due to their botanical, horticultural, historical or local significance in combination with good characteristics of structure, health and future development. Should be considered for inclusion within development plans.
- **3rd PARTY OWNERSHIP;** The tree is owned by a 3rd party and all efforts should be made to ensure the tree remains viable.

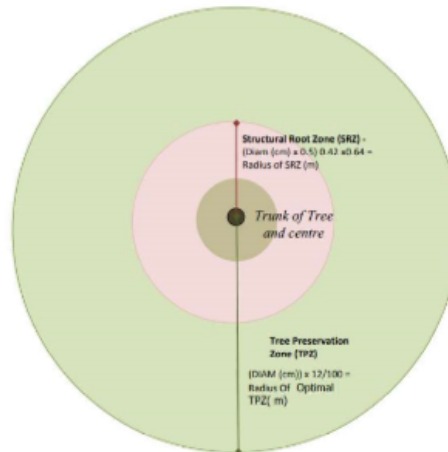


13.2 Tree Protection Zone & specifications

13.2.1 Tree Protection Zone (TPZ)

The TPZ is the principle means of protecting trees on development sites and is an area required to maintain the viability of trees during development. It is commonly observed that tree roots will extend significantly further than the indicative TPZ, however the TPZ is an area identified in AS4970-2009 to be the area where root loss or disturbance will generally impact the viability of the tree. The TPZ is identified as a restricted area to prevent damage to trees either above or below ground during a development.

Where trees are intended to be retained proposed developments must provide an adequate TPZ around trees. The TPZ is set aside for the tree's root zone, trunk and crown and it is essential for the stability and longevity of the tree. The TPZ also incorporates the SRZ (see below for more information about the SRZ). The TPZ is calculated by multiplying the DBH by twelve.



13.2.2 Structural Root Zone (SRZ)

This is the area around the base of a tree required for the trees stability in the ground. An area larger than the SRZ always needs to be maintained to preserve a viable tree. The SRZ is calculated using the following formula; $(DAB \times 50) 0.42 \times 0.64$. There are several factors that can vary the SRZ which include height, crown area, soil type and soil moisture. It can also be influenced by other factors such as natural or built structures. Generally, work within the SRZ should be avoided. Soil level changes should also generally be avoided inside the SRZ of trees to be retained

13.2.3 Encroachment of the TPZ

Encroachment into the TPZ is permissible under certain circumstances though is dependent on both site conditions and tree characteristics. Minor encroachment, up to 10% of the TPZ, is generally permissible provided encroachment % is compensated for by equal area adjoining with the TPZ. Encroachment greater than 10% is considered major encroachment under AS4970-2009 and is only permissible if it can be demonstrated that after such encroachment the tree would remain viable.

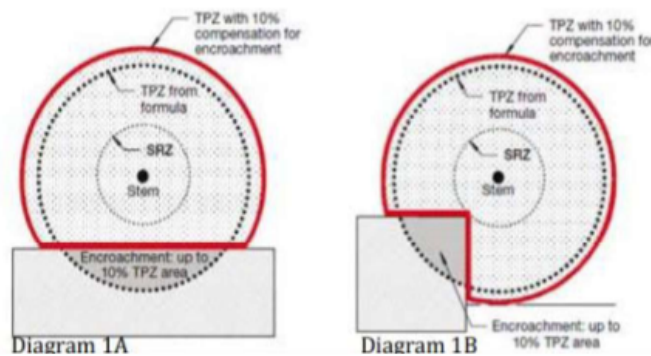


Figure 1: Example of minor encroachment into a TP

13.2.4 Sympathetic Construction

Sympathetic construction techniques such as: Pier and beam, Suspended slabs, cantilevered building sections and screw piles should be utilised to minimise the impact of encroachment. When this cannot be achieved, construction must be constructed entirely above existing grade on a no-dig profile and of permeable layers, including a porous bitumen surface layer.

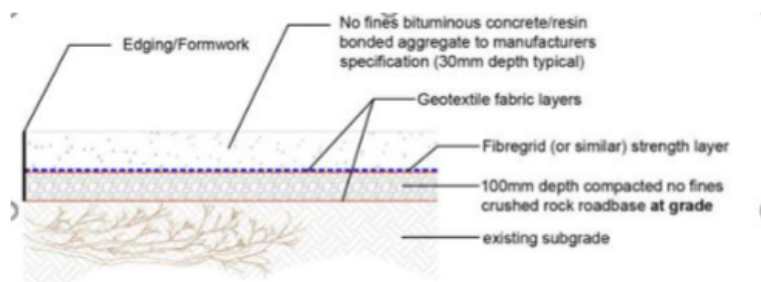


Figure: Diagram demonstrating a recommended paving material to minimise disturbance

13.2.5 Fencing Requirements

Fencing shall be erected before any machinery or materials are brought onto site and before the commencement of works including demolition. Once erected, protective fencing must not be removed or altered without approval by the Project Arborist. The TPZ should be secure to restrict access. Fencing is preferable to be the style of steel temporary construction fencing panels.

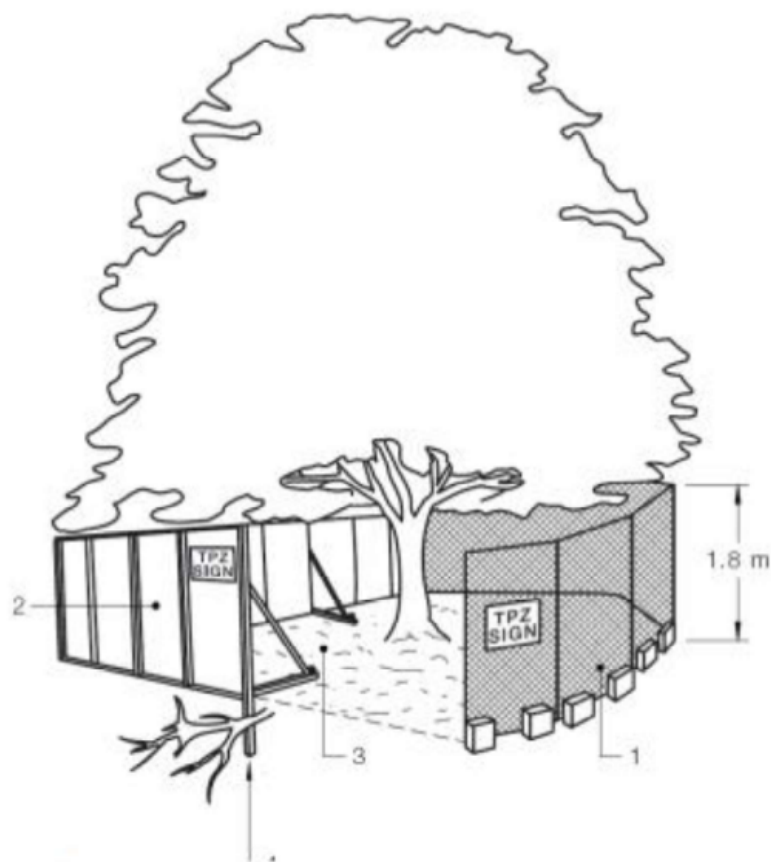


Figure: Tree Protection Fencing, AS4970-2009



13.2.6 Tree Protection Zone Sign Example

Tree protection signage shall be attached to the Tree Protection Zone and displayed in prominent position. The signs shall be repeated at 10m intervals or closer should the fence change direction. The signage shall be installed prior to commencement of works and shall be maintained in good condition for the duration of the development period.



13.2.7 Ground & Tree Protection

Tree Protection and ground protection may be required if work is to be constructed in, or from the TPZ area. Protection may include weight distributing boards, mulch and padding strapped to the tree. The project arborist is to be consulted for any work in or from the TPZ area.

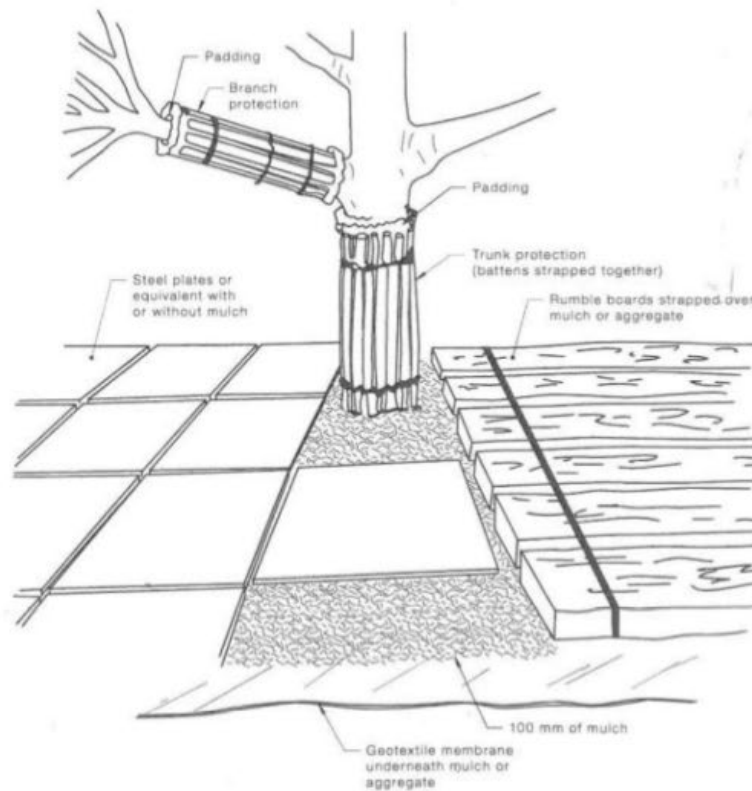


Figure: Trunk and branch protection, AS4970-2009

13.2.8 Scaffolding within the TPZ

If scaffolding is required within the TPZ of the tree, this is to be erected as per Figure 2. Any scaffolding must be installed in such a manner as to not impinge on the existing aerial structure of the Tree and must be secured on and above the existing ground level within the TPZ.

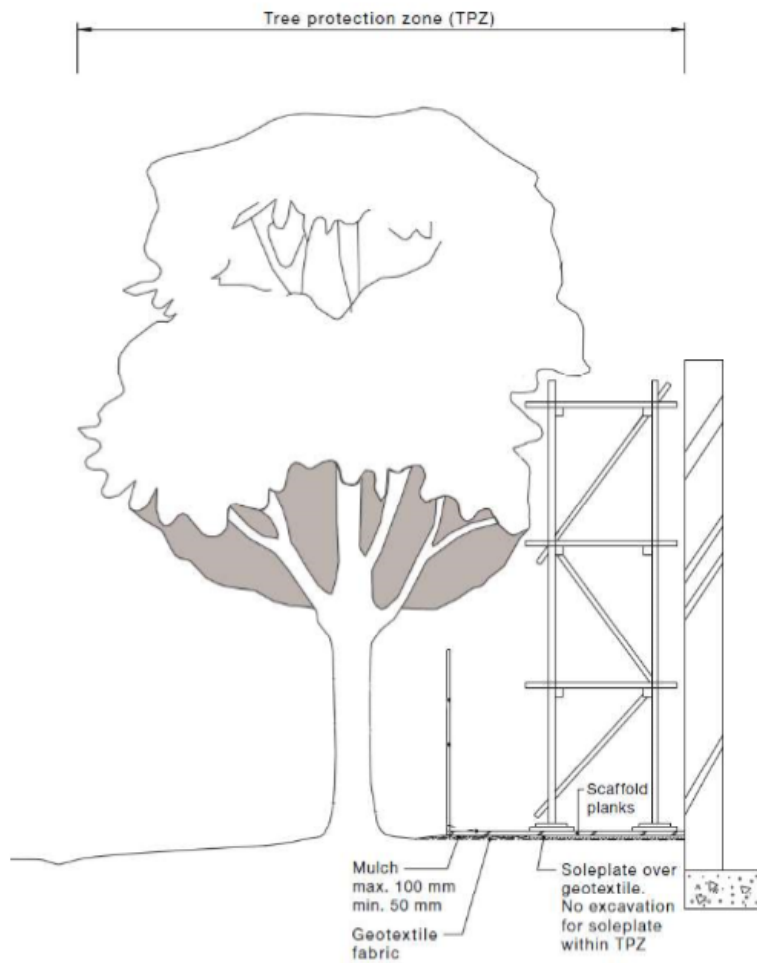


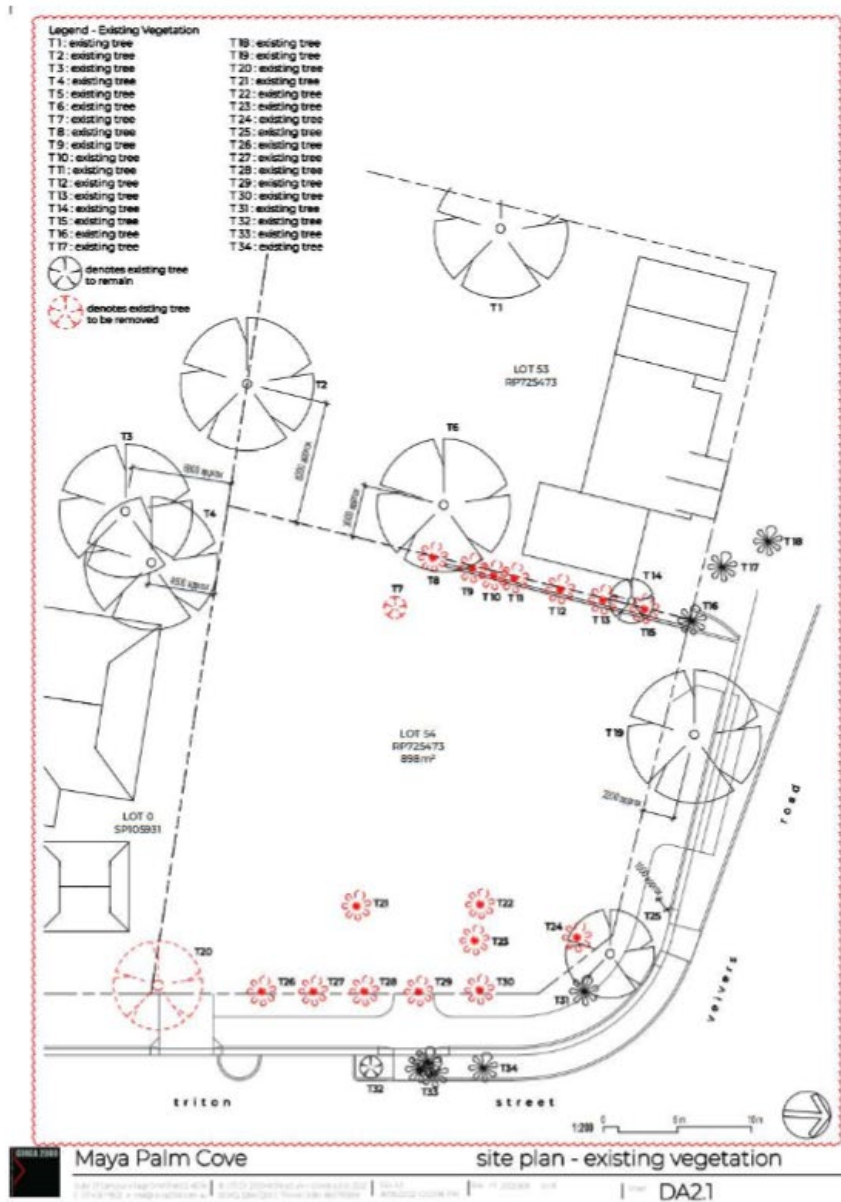
Figure Indicative scaffolding within a TPZ, adapted from AS4970-2009, p. 19

13.3 Products Recommended.

	<p style="text-align: center;">TerraCottem</p> <p>The product is a physical soil conditioner designed to increase the water and nutrient holding capacity of soils and growing media, increase plants' root development, growth and survival rate and reduce the need for watering by up to 50%. The product is a dry, free-flowing powdery-to-granular mixture of cross-linked hydro absorbent polymers, growth precursors and volcanic rock enriched with soluble, slow-release and synthetic nitrogen fertilisers.</p> <p>BENEFITS</p> <ul style="list-style-type: none"> • Healthier plants & increased yields • Increased survival rate • Increased water retention capacity • Water savings up to 50% • Stronger & deeper root development • Faster & better plant establishment • Higher resistance to drought and diseases • Better use of fertilizer • Enable plant growth in degraded, saline or otherwise marginal soils
	<p style="text-align: center;">MycoGold</p> <p>Most soils in Australia have had their mycorrhizal fungi population destroyed via over use of pesticides, urban development and soil degradation. The loss of these mycorrhizal populations has increased the plants' reliance on expensive and resource intensive treatments like fertiliser, pesticides and water.</p> <p>MycoGold™ is a complete balanced mycorrhiza blend including endomycorrhiza, ectomycorrhiza, trichoderma and beneficial bacteria to increase plant compatibility and boost production</p> <p>BENEFITS</p> <ul style="list-style-type: none"> • Use less fertiliser. • Drought resistance. • Improve soil condition. • Disease bio-balancing. • Better plant health. • Sequester carbon. • Bigger root growth. • Improves uptake of nutrients.



13.4 Referenced Documents





14. Copywrite Release

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ATTACHMENT 2: Notice of Intention to Commence Use

Notice of Intention to Commence Use

DEVELOPMENT PERMIT ***Planning Act 2016***

Development Permit	8/7/5246
Date of Approval	
Approved Use	Multiple Dwellings
Location	17 Veivers Road PALM COVE
Property Description	Lot 54 on RP725473

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

on _____ (insert date).

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

Applicant:

Address:

Contact Phone:

Signature of Applicant/Owner:

Date:

ATTACHMENT 3: FNQROC Standard Drawings

COMMERCIAL & INDUSTRIAL VEHICLE CROSSING

RESIDENTIAL VEHICLE CROSSING
(OPTIONAL KERB TYPE)

NOTES

- All joints to existing kerbs shall be sawcut prior to breaking out concrete for removal. Entire section of kerb to be removed. Concrete is to be N25 min residential, N32 min. commercial/industrial in accordance with AS 1379 and AS3600.
- All concrete to be broom finished.
- Where a concrete footpath abuts a crossing an expansion joint shall be installed and the footpath levels must not be changed.
- Expansion joints to be 10mm thick, crissed call cross lined polyethylene beam (65-150g/m²), 12mm round galvanised dowels @ 600 Ctrs
- Refer to notes for good foundations and concrete traffic loadings. Where this does not apply, depths of concrete and reinforcing steel shall be increased to suit specific conditions.
- Where an existing footpath is present it is to be sawcut and an expansion joint provided, 12mm round galvanised dowels @ 600 Ctrs.
- Subgrade to be compacted to 95% standard.
- All dimensions are in millimetres.
- Residential refers to single dwelling or duplex. All other crossings as per commercial/industrial details.
- Where new sections of footpath are required, these shall be 2000mm wide and included in accordance with standard drawing S1035.
- For kerbs refer to standard drawing S1035.
- For Layback Kerb Residential Crossing the undamaged tray may be left in situ and 12mm galvanised dowels @ 600mm Ctrs installed.
- Relocating or removal of a street tree requires an approval.
- Stormwater downpipe outlets to be located clear of crossover and Aprons.
- Refer to FNQROC Development Manual Section D9 for street tree clearances.
- Driveway to be 500mm clear of electrical pillars.
- Driveway edge to be 1m clear of light and power poles.
- All new downpipe connectors to kerb + channel are to use kerb adapter to match kerb profile
- Refer to S2005 where hydrants are located in driveways.
- Minimum 1m clearance from edge of driveways to utilities including adjacent power poles, light poles and junction boxes, etc.

PLAN

RESIDENTIAL VEHICLE CROSSING
(OPTIONAL KERB TYPE)

DISCLAIMER

The authors and issuing organisations shall have no liability or responsibility to the user of any other person or entity with respect to any liability, loss or damage caused or alleged to be caused, directly or indirectly, by the adoption and use of these Standard Drawings including, but not limited to, any interruption of service, loss of business or any other loss or damage. Persons must not rely on these Standard Drawings as the equivalent of, or a substitute for, project-specific design and assessment by an appropriately qualified professional.

E	NEW DETAIL AND NOTES ADDED	DATE
D	VARIOUS MINOR AMENDMENTS	27/08/20
C	VARIOUS MINOR AMENDMENTS	23/10/17
B	VARIOUS MINOR AMENDMENTS	26/11/14
C	NOTE 10 ADDED	13/01/06
A	ORIGINAL ISSUE	12/03/04

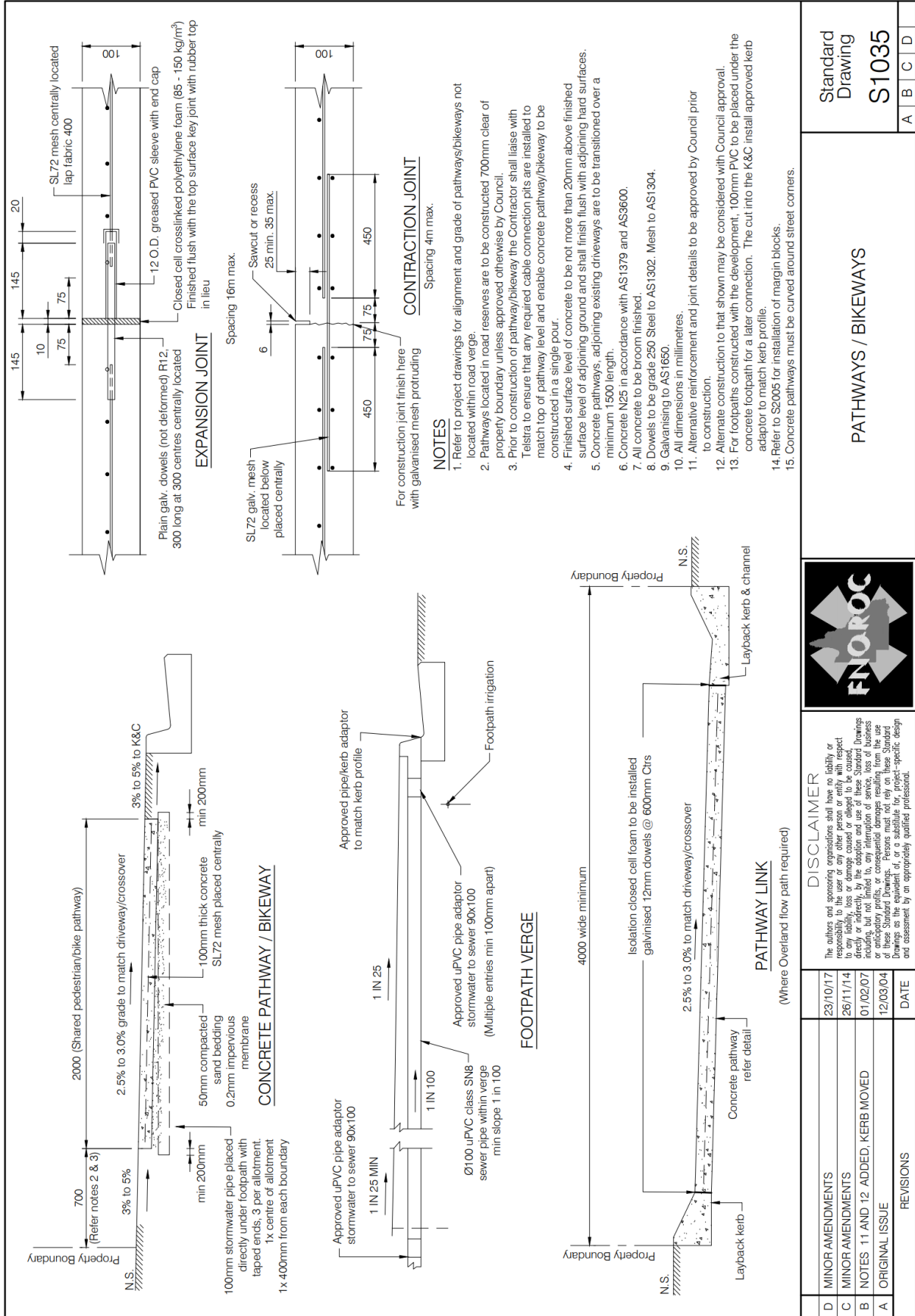
REVISIONS

E	REVISIONS	DATE

ACCESS CROSSOVERS

Standard Drawing S1015

A B C D E




Standard Drawing
S1035
A B C D

PATHWAYS / BIKEWAYS



REVISIONS	DATE
D MINOR AMENDMENTS	23/10/17
C MINOR AMENDMENTS	26/11/14
B NOTES 11 AND 12 ADDED, KERB MOVED	01/02/07
A ORIGINAL ISSUE	12/03/04

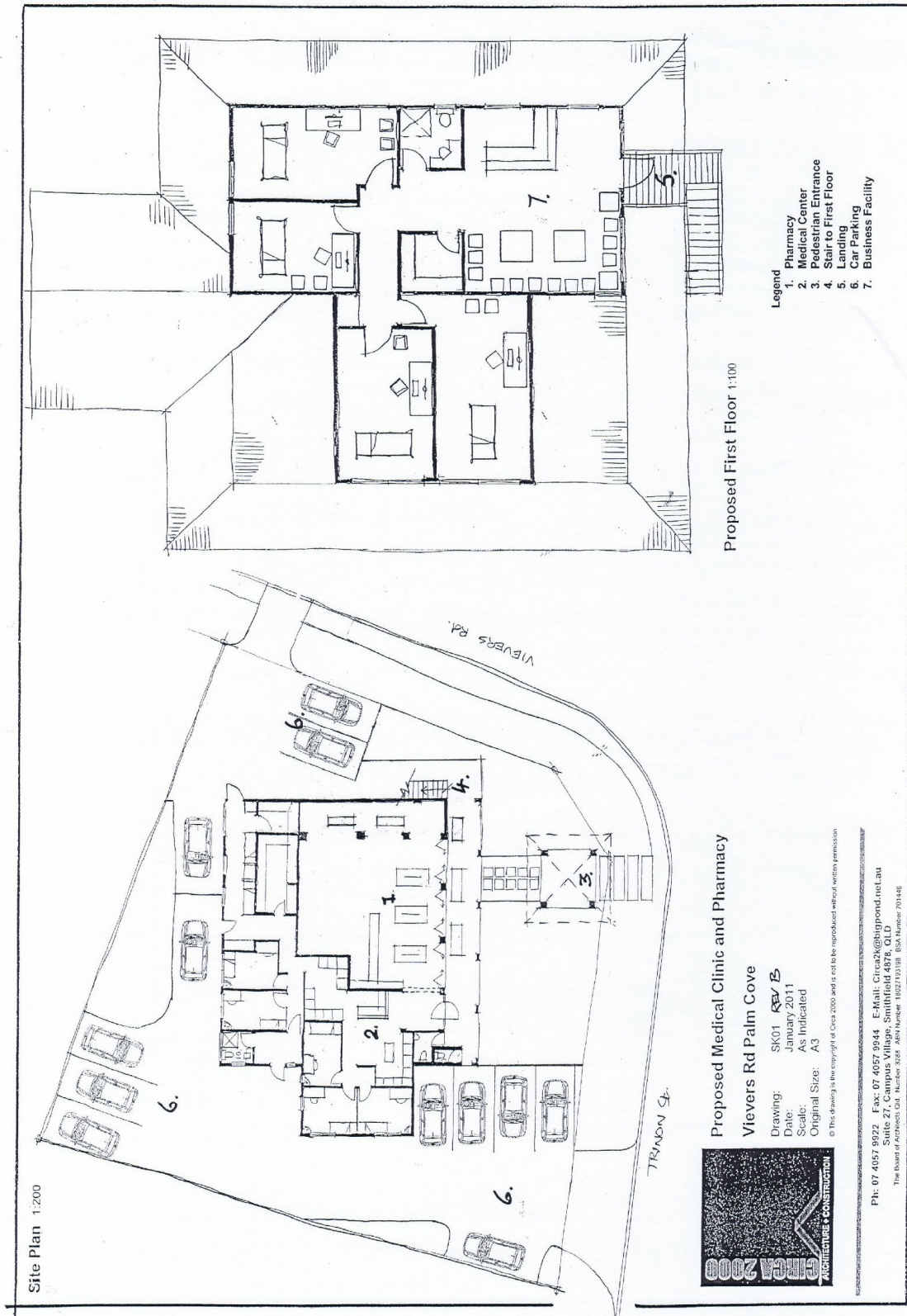
ATTACHMENT 4: Infrastructure Charges Calculations

Attachment to Infrastructure Charges Notice													
Applicant Name:	Veivers Pty Ltd C/- Brazier Motti	DA/ICN Number:	8/7/5246										
Development Address:	17 Veivers Rd, Palm Cove	Preparing Officer:	M Henderson										
Property Description:	L54 RP725473	Relevant Charges Policy:	Cairns Regional Council Charges Resolution No. 2 of 2021										
		Date Levied:	11-Apr-23										
		Index:	124.93										
Levied Charge Calculation													
AC - (BASE CHARGE)													
Category	Use	Use component	Quantity	Sub Total	Indexed Sub Total								
Residential uses	Multiple dwelling	for each dwelling with 3 or more bedrooms	10	\$220,278.80	\$229,139.68								
		Impervious area component		\$0.00	\$0.00								
PROPOSED CHARGE				\$220,278.80	\$229,139.68								
C - (CREDIT)													
Category	Use	Use component	Quantity	Sub Total	Indexed Sub Total								
Residential uses	Dwelling unit	for each dwelling with 2 or less bedrooms	1	\$21,912.60	\$22,794.05								
		Impervious area component		\$0.00	\$0.00								
Essential services	Health care service	for each square metre of gross floor area	215	\$32,981.00	\$34,307.69								
		for each square metre impervious to stormwater	720	\$7,884.00	\$8,201.14								
EXISTING CHARGE				\$62,777.60	\$65,302.88								
LC (LEVIED CHARGE)				\$157,501.20	\$163,836.80								
REVIEWED <u>Dylan Thomas</u> <input checked="" type="checkbox"/>			OFFICE USE ONLY:		<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%;">DATE PAYABLE</td> <td>MCU - Before the change occurs</td> </tr> <tr> <td>DATE PAID</td> <td></td> </tr> <tr> <td>Account:</td> <td>T648 GL 05446</td> </tr> <tr> <td>RECEIPT NUMBER</td> <td></td> </tr> </table>	DATE PAYABLE	MCU - Before the change occurs	DATE PAID		Account:	T648 GL 05446	RECEIPT NUMBER	
DATE PAYABLE	MCU - Before the change occurs												
DATE PAID													
Account:	T648 GL 05446												
RECEIPT NUMBER													

ATTACHMENT 5: Supporting information

Approved Drawings for file reference 8/8/1183

Stage 1 – Business Facilities and House



STAGE 2 – Business Facilities, Shopping Facilities & Multiple Dwellings



VEIVERS ROAD MIXED USE DRAWING SCHEDULE		
NO.	Description	Revision
1	SITE PLAN	B
2	GROUND FLOOR	B
3	FIRST FLOOR	B
4	SECOND FLOOR	B
5	THIRD FLOOR	B
6	BASEMENT	B
7	ROOF TERRACE	B
8	PERSPECTIVES	C
9	ELEVATION 1/SECTION A-A	C
10	ELEVATION 2/SECTION B-B	C
11	SECTION C-C	B

TOWN PLANNING APPLICATION
 FEBRUARY 2011
VEIVERS ROAD MIXED USE
 FOR
VEIVERS PTY LTD

VEIVERS ROAD MIXED USE DEVELOPMENT ANALYSIS	
SITE AREA	M2 90675
PERCHES	3575
AREAS	M2
SHOP 1	70
SHOP 2	41
GARAGE	35
SHOP 3	46
GARAGE	39
SHOP 4	50
GARAGE	33
NETT AREA	313
FOOTPRINT (SLAB INC. WALLS)	362
SITE	907
% COMMERCIAL FOOTPRINT	40%
POOL AREA	61
LOWER PLANTING	16
TERRACE & PLANTING	194
PLANTING SERVICE AREA	37
LANDSCAPE TOTAL	329
	36%
TYPICAL UNIT	
INTERNAL AREA	160
MAIN BALCONY	17
BEDROOM BALCONIES	9
TYPICAL SLAB (EXCLUDING BALCONIES)	321
	321

CONTRACTOR TO PROVIDE ALL CONTRACTORS TO PROVIDE COMPLETION DATES FOR ALL MECHANICAL, ELECTRICAL AND PLUMBING AND MECHANICAL COMPLETION.

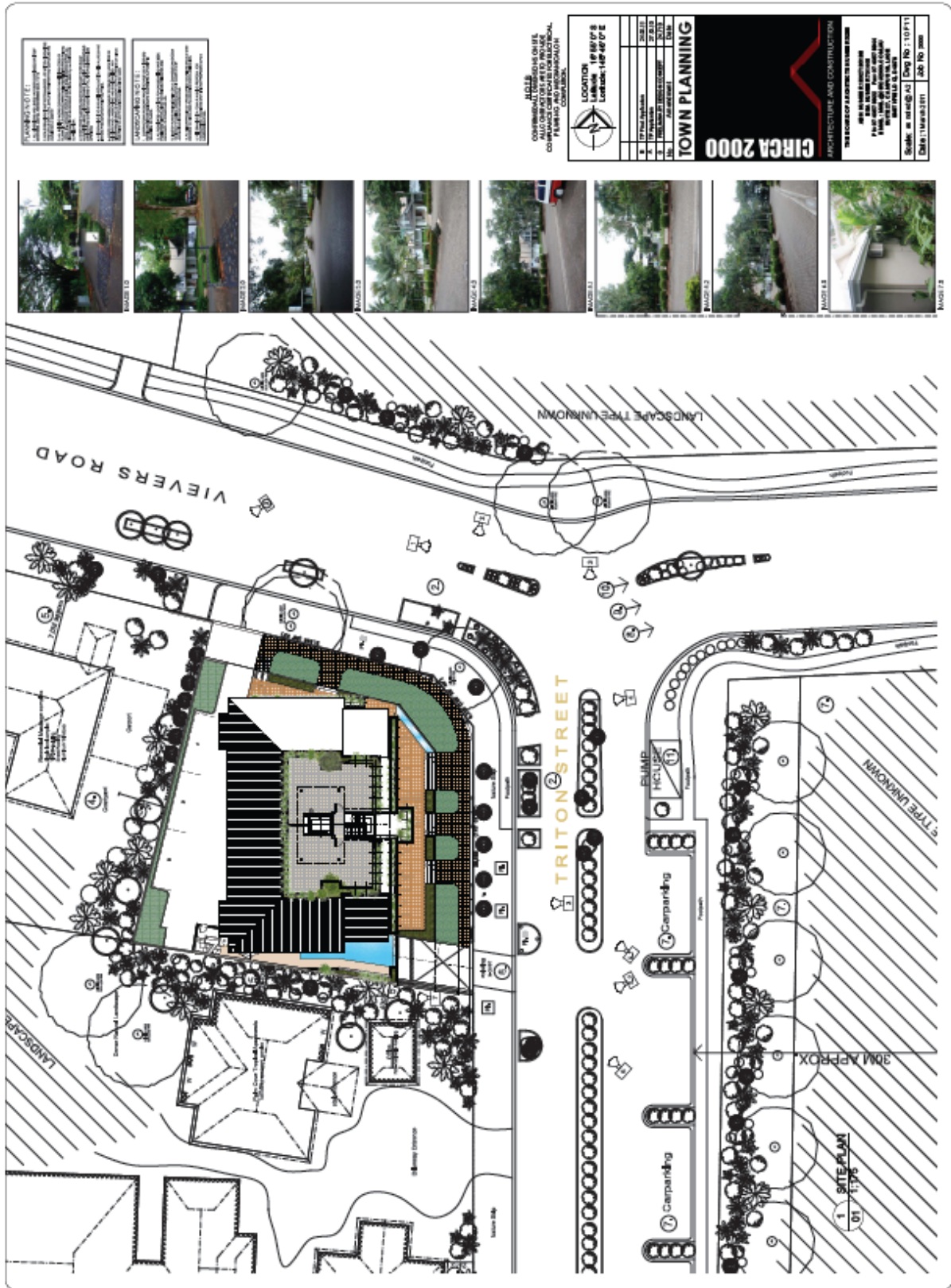


LOCATION	
Latitude	Longitude
18 55 07 S	148 40 07 E

TOWN PLANNING	
1	Planning Scheme Amendment
2	Site Plan
3	Site Plan
4	Site Plan
5	Site Plan
6	Site Plan
7	Site Plan
8	Site Plan
9	Site Plan
10	Site Plan
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99	Site Plan
100	Site Plan



THE BOARD OF ARCHITECTS REGISTRATION
 ARCHITECTURE AND CONSTRUCTION
 REGISTRATION BOARD
 110/112 MARKET STREET
 MELBOURNE VIC 3000
 TEL: 03 9637 9000
 FAX: 03 9637 9001
 WWW.ARA.VIC.GOV.AU
 Scale: as noted @ A3 Dwg No: 2 OF 10
 Date: 4 April 2011 Job No: 2000



LANDSCAPE NOTE:
 1. All trees shown on this plan are to be planted by the contractor in accordance with the specifications of the relevant Council and the relevant Council's Tree Management Policy.
 2. All trees shown on this plan are to be planted by the contractor in accordance with the specifications of the relevant Council and the relevant Council's Tree Management Policy.
 3. All trees shown on this plan are to be planted by the contractor in accordance with the specifications of the relevant Council and the relevant Council's Tree Management Policy.
 4. All trees shown on this plan are to be planted by the contractor in accordance with the specifications of the relevant Council and the relevant Council's Tree Management Policy.
 5. All trees shown on this plan are to be planted by the contractor in accordance with the specifications of the relevant Council and the relevant Council's Tree Management Policy.



NOTE:
 CONSULT ALL REGULATIONS ON THE COMPLIANCE DOCUMENT FOR FUNCTIONAL, PLANNING AND ENVIRONMENTAL CONSIDERATIONS.



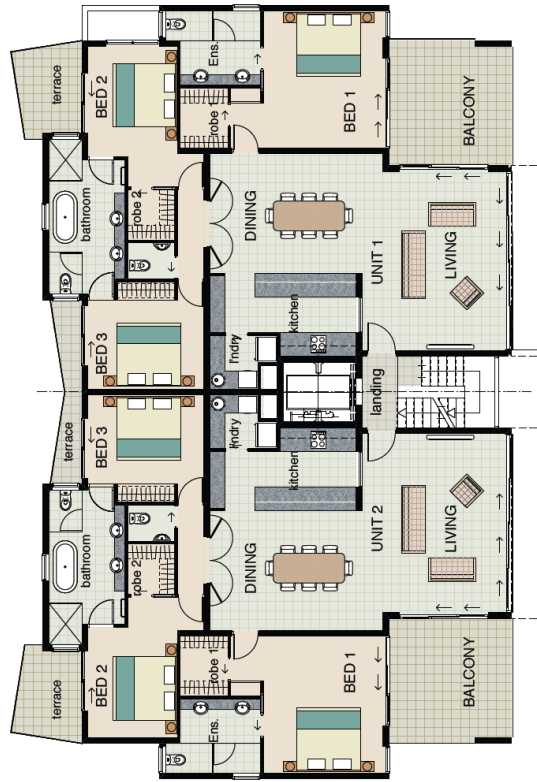
NO.	DESCRIPTION	DATE
1	PRELIMINARY	20.12.23
2	REVISED	20.12.23
3	REVISED	20.12.23
4	REVISED	20.12.23
5	REVISED	20.12.23
6	REVISED	20.12.23
7	REVISED	20.12.23
8	REVISED	20.12.23

TOWN PLANNING
CIRCA 2000

ARCHITECTURE AND CONSTRUCTION
 THE SCIENCE OF BUILDING FOR THE FUTURE

Scale: as marked
 Date: 10/11/23
 Draw No: 10/11/23
 Drawn: [Name]





NOTE:
 CONTRADICTORY DIMENSIONS ON SHEET
 TAKE DIMENSIONS FROM THIS SHEET
 COMPLIANCE CERTIFICATES FOR ELECTRICAL
 PLUMBING AND MECHANICAL
 COMMISSION



LOCATION: 18° 55' 0" S
 Longitude: 145° 45' 0" E

1	TP Final Approval	20/10/11
2	TP Application	20/10/10
3	Preliminary Consultation	20/10/10
No.	APPROVED	DATE

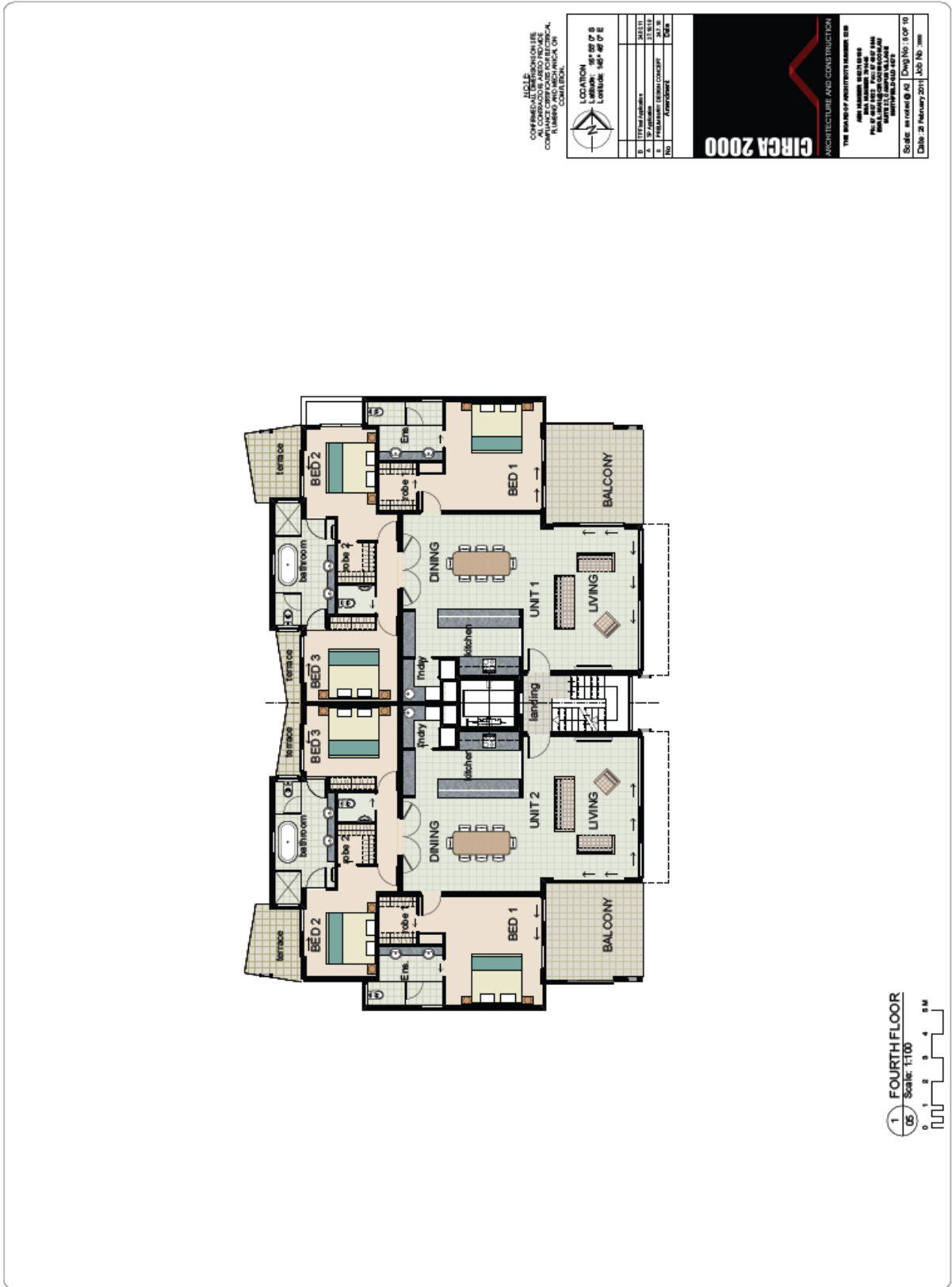
TOWN PLANNING

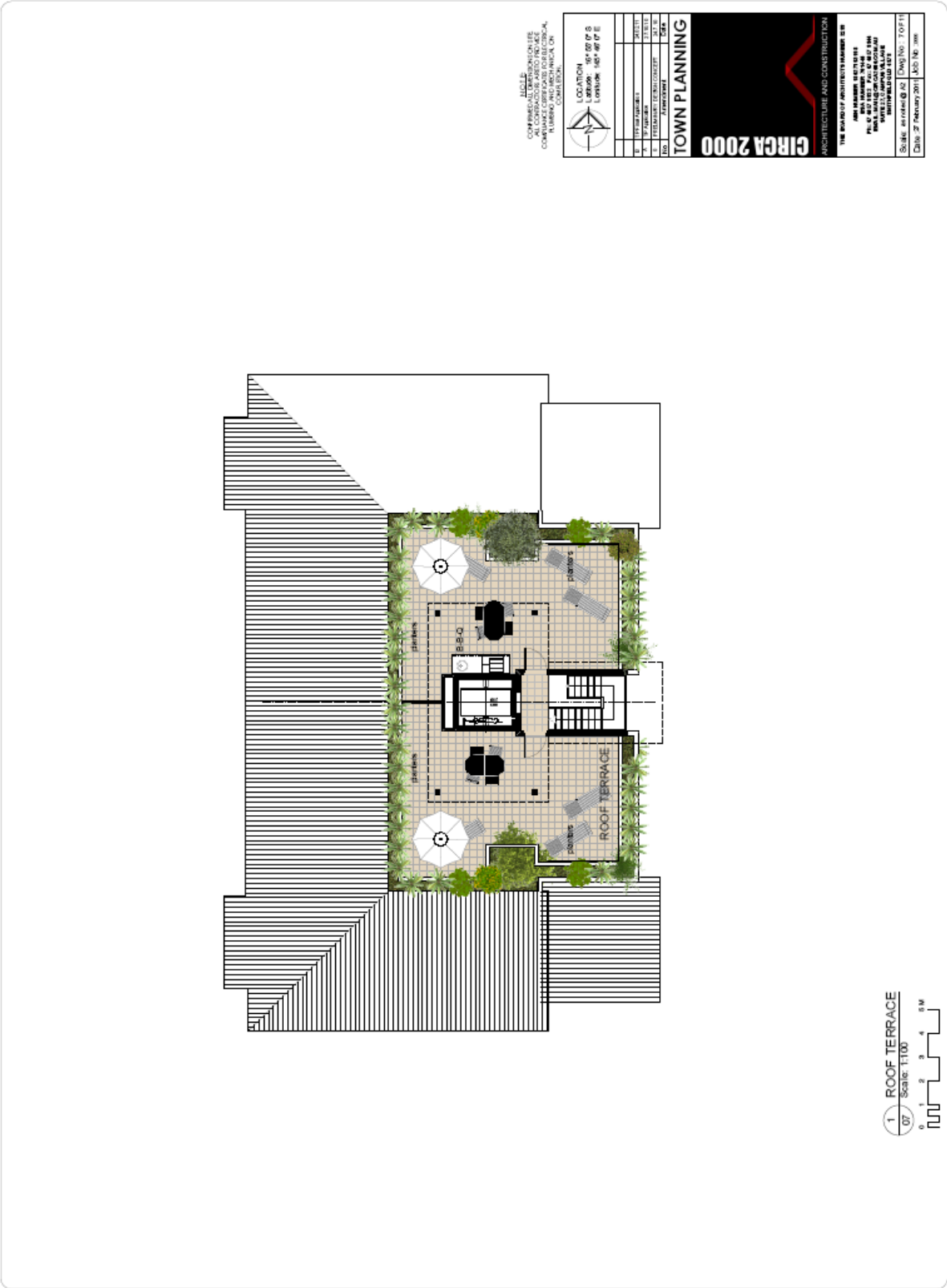


THE BOARD OF ARCHITECTS NUMBER 5288
 ARCHITECTS ACT 1977
 ARCHITECTS BOARD
 P.O. BOX 2000, P.O. BOX 2000
 SUVA, FIJI
 STATE OF CAMBODIA VILLAGE

Scale: as noted @ A2 | Draw No: 4.01.11
 Date: 4 April 2011 | Job No: 3000







1 ROOF TERRACE
 Scale: 1:100
 0 1 2 3 4 5 M

NOTE:
 CONFORM WITH THE NATIONAL
 COMPLIANCE CODES FOR ELECTRICAL,
 PLUMBING, MECHANICAL, OR
 FIRE PROTECTION.

PROJECT NO.	21011
DATE	21/01/21
LOCATION	144 522 02 S 140/146 - 145/147 12 E
CLIENT	THE UNIVERSITY OF WATKINS
DESIGNER	ARCHITECTURE AND CONSTRUCTION
SCALE	AS SHOWN

TOWN PLANNING

CIRCA 2000

ARCHITECTURE AND CONSTRUCTION

THE UNIVERSITY OF WATKINS
 144 522 02 S
 140/146 - 145/147 12 E
 WATKINSVILLE, GA 30781
 SCALE: 1:100 (0.39")
 DATE: 21/01/21



1 VIEW FROM VEIVER'S ROAD
Scale: 1/8" = 1'-0"



2 VIEW FROM TRITON STREET
Scale: 1/8" = 1'-0"

NOTES
 CONSULT THE DESIGNER FOR ALL CONSTRUCTION AND FINISHES. CONSULT THE DESIGNER FOR ALL PLUMBING AND MECHANICAL INSTALLATION.



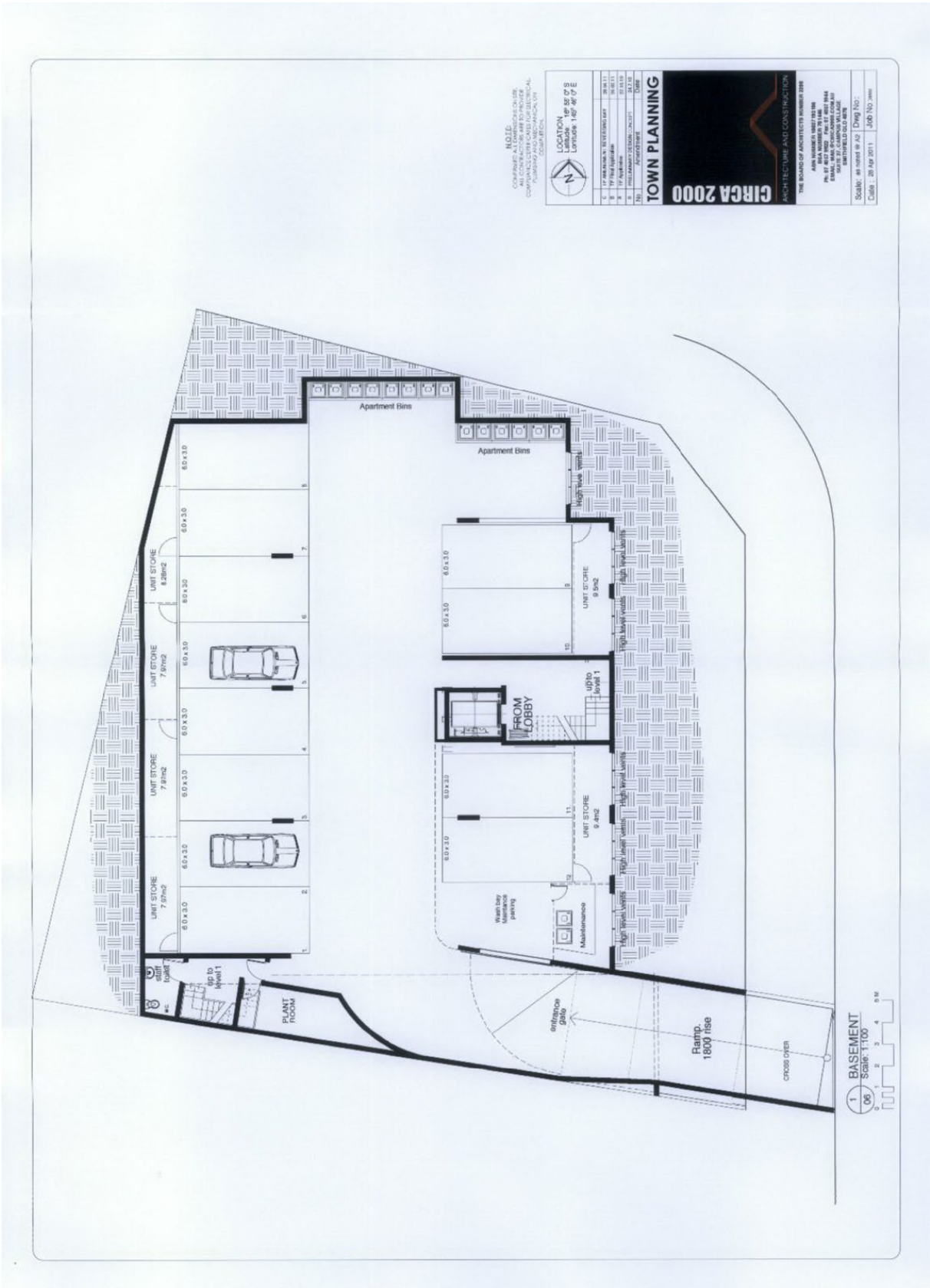
LOCATION
 LARSEN SPRING
 LOT 100-100-002

NO.	DATE	DESCRIPTION
1	08/11/2021	ISSUED FOR PERMITS
2	08/11/2021	ISSUED FOR PERMITS
3	08/11/2021	ISSUED FOR PERMITS
4	08/11/2021	ISSUED FOR PERMITS
5	08/11/2021	ISSUED FOR PERMITS
6	08/11/2021	ISSUED FOR PERMITS
7	08/11/2021	ISSUED FOR PERMITS
8	08/11/2021	ISSUED FOR PERMITS
9	08/11/2021	ISSUED FOR PERMITS
10	08/11/2021	ISSUED FOR PERMITS

TOWN PLANNING
CIRCA 2000

ARCHITECTURAL AND CONSTRUCTION
 MANAGEMENT INC.
 1000 W. 10TH AVENUE, SUITE 100
 DENVER, CO 80202
 TEL: 303.733.8888
 FAX: 303.733.8888
 WWW.ACMCI.COM

Scale: 1/8" = 1'-0" (English) 1:24 (Metric)
 Date: 11/08/2021 Job No: 2008





NOTE:
 COMPARE ALL DIMENSIONS FOR SIZE
 TO THE ARCHITECTURAL RECORDS FOR
 COMPLIANCE PURPOSES FOR RECORDING
 PURPOSES AND FOR RECORDING
 PURPOSES.

NO.	DESCRIPTION	DATE
1	PRELIMINARY CONCEPT	03.12.10
2	CONCEPT	03.12.10
3	CONCEPT	03.12.10
4	CONCEPT	03.12.10
5	CONCEPT	03.12.10

LOCATION
 LOT 10000
 LOT 10000
 LOT 10000

TOWN PLANNING
CIRCA 2000

ARCHITECTURE AND CONSTRUCTION
 THE BOARD OF ARCHITECTS AND CONSTRUCTION
 ARCHITECTS AND CONSTRUCTION
 ARCHITECTS AND CONSTRUCTION
 ARCHITECTS AND CONSTRUCTION

Date: 14/04/2011
 Drawing No: 10000

1 SECTION THROUGH PLANTER/POOL
 14 Scale: 1:100

2 PERSPECTIVE SOUTH ELEVATION
 14 Scale: 1:75

	LOCATION	27.04.11			
	Latitude: 169° 55' 0" S				
	Longitude: 145° 46' 0" E				
	TP R I F SWEEP PATH DIAGRAMS	27.04.11			
	PRELIMINARY DESIGN CONCEPT	24.7.10			
No.	Amendment	Date			

TOWN PLANNING

CIRCA 2000

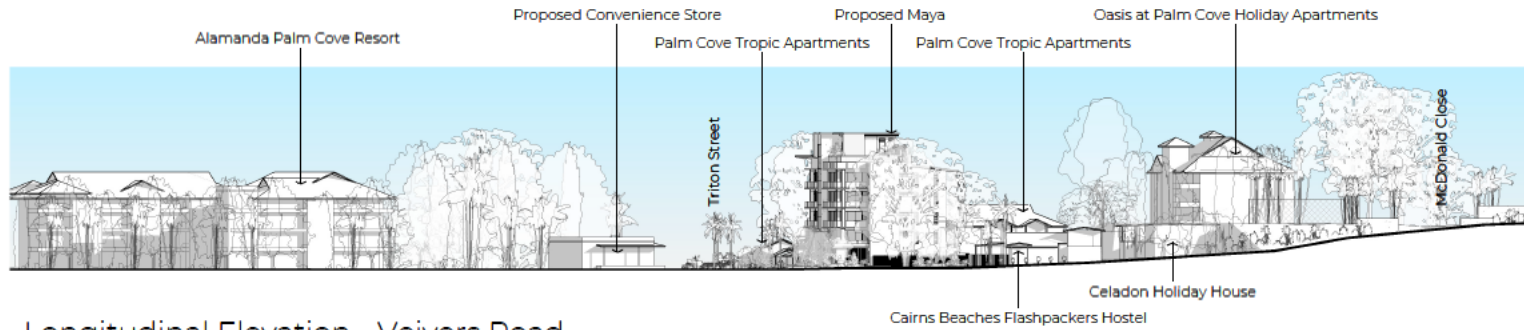
ARCHITECTURE AND CONSTRUCTION

THE BOARD OF ARCHITECTS NUMBER 3298

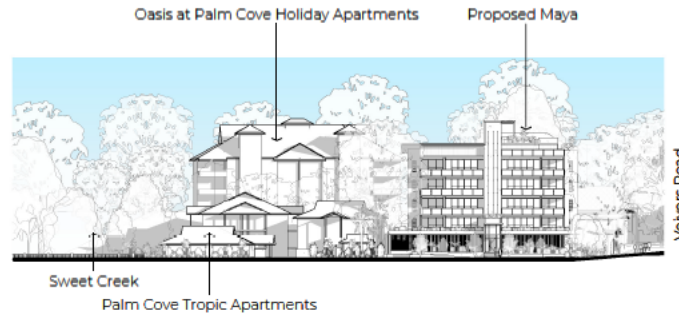
ABN NUMBER 1802719198
 100 ANSON ROAD
 SUITE 1001, ANSON BUILDING
 PH: 07 4057 9022 FAX: 07 4057 9944
 EMAIL: MAIL@CIRCA2000.COM.AU
 SUITE 77, CAMPUS VILLAGE
 SMITHFIELD QLD 4013

Scale: as noted @ A2	Dwg No : 14
Date :	Job No 3000

Longitudinal Elevations Prepared by Circa 2000



Longitudinal Elevation - Veivers Road
Building & vegetation heights as surveyed



Longitudinal Elevation - Triton Street
Building & vegetation heights as surveyed

Circa 2000
 Maya Palm Cove
 Longitudinal Elevations
 Rev. P1, 2023/6 | planning approval | Sheet DA2.0
 Site: 7/ Cairns Village Smithfield Q 4678 | © Circa 2000 Architecture + Construction 2022 | P.O. A1
 t: 07 46719922 e: mail@circa2000.com.au | BOAQ 5288 / QBCO 709-46 / ABN 1802793968 | 2022-05-16 11:26:37 AM

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