

PLANNING AND ENVIRONMENT COMMITTEE**10 MAY 2023****5****IMPLEMENTATION OF THE EXPRESS DA PROGRAM**

L Dendle | 83/4/4 | #7174714

RECOMMENDATION**That Council:**

- 1. Endorses the implementation of the Express DA program; and**
- 2. Endorses an implementation date of the Express DA program for development applications lodged from 1 July 2023 onward.**

INTERESTED PARTIES

Not applicable.

EXECUTIVE SUMMARY

In response to a significant volume of development activity across the region and our commitment to delivering on our Service Charter initiatives, we are introducing *Express DA*; an accelerated assessment initiative.

Express DA allows suitably qualified and accredited professionals to lodge certain types of planning applications in a way that enables the Council to promptly issue decisions for those applications. At this point in time, the program is based on decision ready applications for specific low complexity development types. The aim of *Express DA* is to reduce timeframes and impacts on industry and Council, and to increase accountability and utilisation of professional consultants.

Express DA protects the integrity of the planning assessment and approval process by empowering accredited consultancies which have demonstrated that they possess appropriate expertise, experience, and integrity to give Council comfort in the report preparation to expedite the assessment and decision-making processes for low-risk applications.

Express DA saves time and lowers application fees for eligible development types. Becoming an *Express DA* accredited consultant allows industry professionals to obtain development approval faster.

The purpose of this report is to outline the framework for the Express DA program and advise Council of the implementation timeframe of 1 July 2023.

BACKGROUND

In October 2020, Officers engaged a third party to undertake a user perception survey (Voice of the Customer Survey) with representatives of the development industry to understand general customer satisfaction and highlight customer perceptions of Council's planning and development services. Outcomes from the survey were provided to the Planning, Growth and Sustainability Directorate on February 2021, and included a consolidated list of improvement opportunities which formed the basis of subsequent internal inter-departmental workshops.

As a result, the Development & Planning Customer Service Charter was established (the **Charter**), which was endorsed by Council on 14 May 2021. The Charter identified a series of strategic and operational initiatives, including (but not limited to) the development and implementation of a streamlined assessment initiative for low-risk applications.

The completion of the Express DA program highlights the commitment from the Development & Planning Branch and broader development industry for a collaborative and continuous approach to business improvement, whilst positioning Cairns Regional Council as a leader in establishing best practice for planning and land use functions. The program continues to support the facilitation of quality development outcomes as efficiently as possible.

EXPRESS DA OVERVIEW

The Express DA program relies on two specific parts:

- An accreditation system and process where qualified professionals can become accredited; and
- Decision ready, low-risk applications which meet the eligibility criteria for specific development types, submitted in a standard format.

Express DA protects the integrity of the planning assessment and approval process by empowering only accredited consultancies which have demonstrated that they possess appropriate expertise, experience, and integrity.

Roles and responsibilities

The Council (Assessment Manager) and applicants both play a role in the Express DA process, and roles and responsibilities of the main parties who are involved are outlined below:

Accredited consultant	Assessment Manager (Council)
The accredited consultant is the person preparing the Express DA in accordance with the requirements outlined in the Express DA Application Guideline. The accredited consultant is acting on behalf of the owner and must be the person lodging the Express DA application.	The Council is responsible for assessing and deciding an Express DA and is known as the Assessment Manager under the Planning Act 2016 (the Act). Assessment of and decisions made on an Express DA will be against the requirements of the version of the CairnsPlan (the Scheme) current at the time of lodgement.

ACCREDITATION

The accreditation program is open to any development industry professional (for example: planning consultants, building designers, architects and building certifiers) and is based on demonstrating adequate competency and understanding of the relevant requirements and processes relating to the preparation of development applications.

As an accredited consultant under the Express DA initiative, consultants can offer clients a simpler, faster and more efficient option for low-risk development applications, which in turn, may be of benefit to their business.

Accreditation can be achieved through:

- Providing evidence of lodging a number of relevant applications to the Council in a recent timeframe; and
- Demonstrating a detailed understanding of the relevant requirements and processes relating to the preparation of development applications.

Accreditation will be approved by a panel of Council representatives, assessing the consultant's knowledge and experience in the following areas:

- Demonstrated identification and application of the correct benchmarks and policies associated with the set number of applications;
- Demonstrated identification of referral agencies, if any, and correct Level of Assessment for these set number of applications; and
- Demonstrated ability to prepare a well-made application.

The accreditation is a one-off process, is valid for an individual consultant whilst under the employment of their current consultancy or business and is a voluntary process of being certified as meeting minimum requirements designated by the accrediting system.

The accreditation program provides a mechanism for Council to be able to reasonably rely on a consultant's professional qualifications and experience. Its aim is to ensure the integrity of the process and qualify only consultants who, by reason of their expertise, experience, integrity and honesty can be relied upon to use the Express DA process and to provide relevant documentation including all permits and associated reports and drawings to Council.

Accredited consultants agree to follow and abide by Council's established procedure and to provide relevant documentation including all permits and associated reports and drawings to Council. Random auditing will be undertaken to assess and monitor the competence of accredited professionals.

FRAMEWORK AND ELIGIBILITY CRITERIA

Development applications which can progress through the Express DA process are those which Council considers to be low in risk and complexity. Low risk and complexity relates to a development's impacts including:

- the scale of the impact;
- Council's ability to regulate the impact and make appropriately informed decisions;
- the alignment with the aspirations expressed in the Scheme's strategic framework; and
- A total of five (5) or less non-compliances with the acceptable outcomes of the relevant assessment benchmarks.

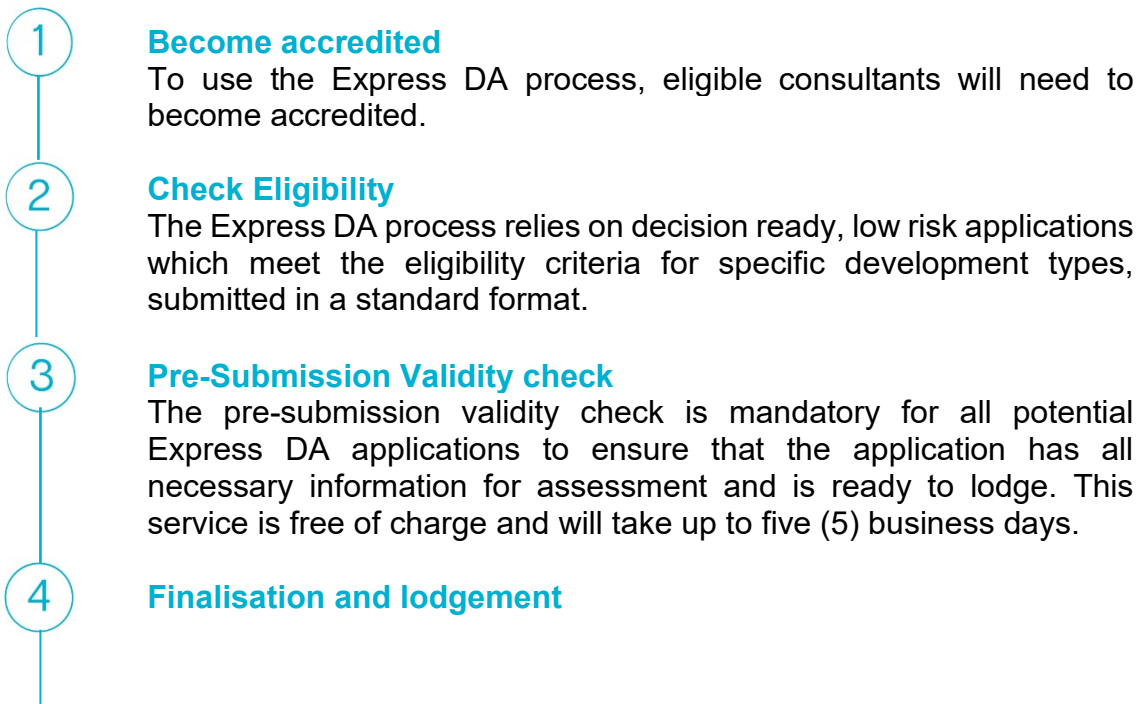
In consideration of the above, there are particular land uses are considered to qualify for Express DA. This is because the CairnsPlan 2016 Planning Scheme has taken into consideration the impacts of development when determining the appropriate level of assessment for land use activities throughout the region.

The types of applications eligible for assessment under the Express DA process are certain land use activities in specific zones (residential) which is accepted development, subject to requirements.

There are three (3) development types that an Express DA consultant may be accredited for:

- Material Change of Use – Dwelling House;
- Material Change of Use – Dual Occupancy; and/or
- Building Works Assessable against the Planning Scheme.

THE PROCESS



A Lodgement Ready Letter will be sent to the accredited consultant, inviting them lodge the application for assessment.

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Assessment

Council's Development Assessment Team will review the application against the lodgement ready letter. A Planning Officer will be assigned to assess the application and determine the outcome.

Decision

The Planning Officer will finalise their assessment and provide a decision notice within 10 business days.

COMMENT

The Express DA program has been developed as a business improvement initiative to adapt and respond to the evolving drivers of development in the region, and to assist in reducing the barriers to facilitating quality development outcomes within the region.

As part of this initiative, extensive benchmarking was undertaken with Councils of a similar scale to understand similar initiatives in other local government areas, and the scale and scope of these initiatives. It is acknowledged that most other Council's scope of development type in similar initiatives is greater than that of Cairns Regional Council, however it is also recognised that these Councils are further advanced in this journey.

The development types included in the first stage of the program are considered to be low-risk development types and have been included to enable our industry to respond to the demand of increased housing needs in our region. Stage 1 is considered the pilot for the program, with a detailed review to be undertaken in the first three (3) months of implementation. Following the review of Stage 1, further development types will be included in the program with the aim to increase the scope of development types with the release of Stage 2 anticipated toward the end of the 2023 Financial Year.

Accreditation submissions will be accepted from mid-May 2023 with the intention to move through accreditation of all submitted applications before 30 June 2023 ahead of the program commencement on 1 July 2023. Development Applications which qualify for Express DA can be lodged via Cairns Regional Council's Development Applications Online portal from 1 July 2023 in conjunction with the 2023/24 Fees and Charges commencement.

OPTIONS

Not applicable.

CONSIDERATIONS:

Risk Management:

The implementation of the Express DA program, as an accelerated assessment initiative, mitigates risk to Council as the program aims to deliver a framework for low-risk applications, submitted in a consistent and standard way by only accredited consultants.

Council Finance and the Local Economy:

The initiative proposes a 20% reduction of the applicable application fee in accordance with the Fees and Charges Schedule.

Whilst a reduced application fee is proposed, the implementation of the Express DA program will not adversely impact Council from a financial standpoint. The accredited consultant's responsibility is to provide the level of information required, in a standardised way, therefore reducing the officer's time allocated to certain elements in the assessment process. Elements such as internal referrals, information requests and general additional contact with the applicant to verify aspects of the development can be avoided through the Express DA process. Cost recovery fees can therefore be reduced as officer's allocated time is reduced.

The implementation of the Express DA program will support economic prosperity, diversification and overall quality of life, establishing a clear framework for an accelerated assessment for particular development types.

Community and Cultural Heritage:

The implementation of the Express DA program will allow for the consistent delivery of development in the region, according with the expectations of the community and intent set out in the CairnsPlan 2016, FNQROC Regional Development Manual and overarching legislation. The accelerated assessment process allows for decision notice for eligible applications for dwelling houses, dual occupancies and building works to be realised in a shorter timeframe.

Natural Environment:

The development type inclusions and exclusions within the Express DA program have been considered for both infill and greenfield development within the region and have been included to allow for the protection of existing areas of ecological significance.

Corporate and Operational Plans:

The Corporate Plan identifies 5 key focuses, being:

1. Robust Economy
2. Natural Assets
3. Design for Liveability
4. Community & Culture
5. Focused Council

As detailed in above sections, the implementation the Express DA program has relevance to, and advances, all key focus areas of the Corporate Plan.

Further, the Development & Planning Branch identifies the completion of the streamlined process for low risk applications as an initiative in the Strategic Priorities and Business Planning Strategy (Operational Plan).

Statutory:

Statutory requirements and obligations have been considered in the development of the Express DA program. The assessment process has been drafted in accordance with the requirements set out in the Act, *Planning Regulation 2017* (the **Regulation**) and superseded legislation (to the extent relevant).

Policy:

No notable consideration was given (or required to be) to Cairns Regional Council's adopted General Policies.

CONSULTATION

On 18 April 2023, Cairns Regional Council commenced a series of information sessions with industry representatives. The Express DA program was tabled at the Industry Reference Group (IRG) on 18 April 2023 with a further two (2) industry information sessions being held on 26 April 2023 at 5:30pm and 4 May 2023 at 10:00am. Feedback has been encouraged from all parties actively involved in the information sessions.

A number of online resources and tools will be provided to support the industry in understanding the program and have been included in this report for completeness.

ATTACHMENTS:

1. Express DA Accreditation Kit
2. Express DA Application Guideline
3. Accredited Consultants standard report template



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Attachment 1: Express DA Accreditation Kit ([#7150717](#))



Express DA accreditation kit

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Introduction

Express DA program allows suitably qualified professionals to produce certain types of planning applications in a way that enables the Council to promptly issue approvals for those applications. The program is based on decision ready applications for specific development types as nominated in the Express DA Application Guideline and in this Accreditation Kit. Express DA by professional consultants relies on two specific processes to be in place to ensure its efficiency:

- The development of clear standards for nominated development applications based on the planning scheme and its associated benchmarks, and adopted Council Policies; and
- Creation of an accreditation system and process where in Council could reasonably rely on a suitably qualified consultant's professional opinion and preparation of a development application to make a decision.

The aim of Express DA is to reduce timeframes, red tape and impacts on industry and Council, and to increase accountability and utilisation of professional consultants. Express DA protects the integrity of the planning assessment and approval process by empowering accredited practitioners which have demonstrated that they possess appropriate expertise, experience, and integrity.

Description of Accreditation

The accreditation process, coupled with the clear standards and criteria, seeks to implement a more efficient assessment of nominated development applications.

The accreditation of professional consultancies is a voluntary process of being certified as meeting minimum requirements designated by an accrediting system. It provides a mechanism for Council to be able to reasonably rely on a consultant's professional qualifications and experience. Its aim is to ensure the integrity of the process and qualify only consultants who, by reason of their expertise, experience, integrity and honesty can be relied upon to properly use the Express DA process and to provide relevant documentation to Council.

Applicants lodging in this way are agreeing to follow and abide by Council's established procedure. Random auditing will be undertaken to assess and monitor the competence of accredited professionals.

To utilise such a process requires experience with lodging competent applications, knowledge of the relevant planning legislation, familiarity with the Council's planning schemes and policies and a high level of reliability in the consultant by the Council.

To undertake Express DA Assessment, accreditation for consultancy is required.

It is critical that the individual has demonstrated the required level of expertise and experience. Equally the firm / consultancy must demonstrate they hold the required insurance policy, as it is the firm that will ultimately take responsibility for rectifying any breaches or mistakes. Where an accredited consultant moves from one firm to another, the individual consultant is not required to reapply for accreditation provided they are moving from one accredited consultancy to another.

The Accreditation Kit

The Accreditation Kit contains all the relevant material to assist **consultants** and **consultancies** in obtaining accreditation and outlines Council's expectations. Outlined below are the documents contained in the Accreditation Kit:

- Accreditation Application Form for Consultants/Consultancy;
- Guideline for an 'Accredited Consultant / Consultancy'; and
- Deed of Agreement for Accredited Consultant / Consultancy

The Accreditation Kit adopted for the Express DA Assessment process is at Appendix A.

Accreditation Application Form

The ability to qualify as an 'Accredited Consultancy' is available to all relevant competitors provided they meet the relevant specified criteria. The qualifications / experience includes criteria within the following categories:

1. Professional and Public Indemnity Insurance. Each 'Accredited Consultancy' must have Professional and Public Indemnity Insurance to cover the provision of this service. Insurance demonstrates that the organisation and its employed / contracted consultants have met professional requirements to obtain insurance and have a business enterprise that is sufficiently robust to require financial protection. Additionally, Council may under certain circumstances, obtain access to this insurance if the individual (or organisation) were to engage in fraudulent or misleading activities.
2. Demonstrated knowledge by the consultant of the relevant planning scheme and provisions held therein as well as the relevant planning legislation and other legislation. This may be achieved through providing evidence of lodging a significant number of relevant applications to the Council, in a recent timeframe that demonstrates a detailed understanding of the relevant requirements and processes relating to the assessment of development applications. This includes, but is not limited to:
 - Demonstrated identification and application of the correct benchmarks and policies associated with the set number of applications;
 - Demonstrated identification of referral agencies, if any, for these set number of applications;
 - Demonstrated identification of the correct Level of Assessment for these set number of applications; and
 - Demonstrated ability to prepare a well-made application.

Guideline for an ‘Accredited Consultant / Consultancy’

In order to ensure compliance with the requirements of the accreditation process, guidelines have been developed that clearly articulate the roles and responsibilities of the ‘Accredited Consultant / Consultancy’ and any other interested party. It is recognised that both parties (Council and the ‘Accredited Consultant / Consultancy’) must possess a detailed understanding of the process to guarantee its success.

The Guideline for an ‘Accredited Consultant/Consultancy’ clearly outlines a step-by-step process which:

- Identifies the requirements for the lodgement of an application under Express DA;
- Identifies the timeframe or indicative timeframe by which Council will issue an approval having relied on the accreditation;
- Identifies a probationary period; and
- Identifies an auditing process.

Deed of Agreement for Accredited Consultant / Consultancy

The ‘Accredited Consultant / Consultancy’ must agree to the terms and conditions of the process before Council can reasonably rely on their expert advice. This is achieved by documenting the roles and responsibilities of both the ‘Accredited Consultant / Consultancy’ and the Council and requiring a signature of acceptance of these terms. The documents that formalise this arrangement for consultants and consultancies are titled the Deed of Agreement for Accredited Consultant and Deed of Agreement for Accredited Consultancy (the deeds) and are attached in the Accreditation Kit.

The roles and responsibilities of each party participating in this accreditation process are clearly articulated within these two deeds. This ensures that all have a clear understanding of their role in the process and have no recourse for not following the rules set down through this process. Any non-compliance with the criteria and information provided by the Council may be grounds for removal of accreditation for both the consultant and the consultancy they represent. Council may also undertake proceedings to have any errors by the consultant rectified.

The deeds are legally binding. It is the basis on which Council will rely on the report provided by the consultant.

Qualifying Accredited Representatives and Organisations

Meeting the accepted criteria to qualify as an ‘Accredited Consultant and Consultancy’

The consultant and consultancy are required to submit an application to Council supported by documentation demonstrating how they meet the criteria outlined by Council. If a consultant and consultancy achieve the acceptable criteria for accreditation, that consultant and consultancy will become accredited and will be able to participate in the Express DA process.

Council may outline responsibilities and impose conditions on the accreditation of a consultant

and / or consultancy. If the 'Accredited Consultant or Consultancy' breaches the terms of the accreditation, Council may remove accreditation depending on the severity of the breach.

The consultant and consultancy are required to provide a minimum of two example applications of the development type being applied for. The list of development types is provided below. Each example application must have been lodged and approved in the Cairns Regional Council area within the last 2 years of applying for accreditation.

Development Types are:

- Residential – Dwelling House (including dwelling house and referral agency application)
- Residential – Building Works
- Residential – Dual Occupancy

This accreditation may only apply to the specific development type (i.e Residential – building works etc) that the applicant has requested accreditation for and does not allow the consultant to lodge development applications under Express DA in which they have not demonstrated the necessary competence. For example, a particular applicant may provide a number of compliant development applications for building works but may not have any experience with material change of use applications in Cairns Regional Council. In this case, the applicant should be accredited for applications concerning building works type but not material change of use development type.

Should the applicant not be able to provide sufficient quantum of example applications of a given development type, Express DA accreditation with any other Queensland local authority may be given some weight by Cairns Regional Council. The amount of weight given will depend on the applicants experience and reference from the other Queensland local authority(s).

If the consultant / consultancy only wishes to be accredited for specific uses or development types, this should be clearly stated in the accreditation kit and a covering letter submitted to council.

Agreeing to be bound to the guidelines and requirements of the accrediting body

The 'Accredited Consultant and Consultancy' must sign the terms and conditions applied by the Council in the deeds.

Monitoring the Process

Monitoring the activity of its 'Accredited Consultant and Consultancy'

In order to ensure that the 'Accredited Consultant and Consultancy' are complying with requirements of the Council, a post-approval and post-construction audit process may be undertaken. This post-approval and post-construction audit allow Council to determine how well the process is working, any inconsistencies or issues with their criteria or process, and whether Accredited Consultants are breaching the requirements of the process.

Disciplinary action for misdemeanours

Any breach is grounds for the Council to undertake a detailed assessment of all development applications lodged by the consultant and the consultancy and may result in their removal from the list of 'Accredited Consultants and Consultancies.' Council may however, at their discretion, consider issues such as the severity of the alleged breach, the responsiveness of the consultant to the breach and history of the consultant and the consultancy they represent in determining an appropriate course of action. In these cases, the severity of the breach will dictate the disciplinary action to be taken. Below are four primary disciplinary actions that a Council may take in order of severity (Note that the decision of what action to take resides with the Council):

- Notice to applicant for the first discrepancy;
- Return to a probation period for a set number of applications and subject to an extended approval timeframe;
- Removing the ability to lodge under Express DA for a set period of time (suspension); and
- Cancellation of accreditation of the 'Accredited Consultant and Consultancy'.

Additionally, Council may, under certain circumstances, obtain access to the insurance if the individual (or consultancy) were to engage in fraudulent or misleading activities.

Note that all disciplinary action(s) that are imposed on a particular consultant will also be imposed on the consultancy they represent. The expectation is that the participating consultancy develops their own quality assurance process regarding Express DA.

Glossary

Accredited Consultant

A consultant that has demonstrated adequate competency to be considered 'accredited' for the purposes of this accreditation process. The accreditation is valid for an individual consultant whilst under the employment of their current consultancy. In the event of the consultant ceasing employment with the accredited consultancy the accreditation shall be suspended or removed unless the consultant is moving to a consultancy that also has the required accreditation.

Accredited Consultancy

A consultancy that has demonstrated sufficient insurances to be considered 'accredited' for the purposes of this accreditation process. The accreditation is valid for a consultancy whilst an accredited consultant is under their employment. In the event of the consultant ceasing employment with the accredited consultancy or the accredited consultancy's inability to demonstrate sufficient insurance, the accreditation shall be suspended or removed.

PA

Planning Act 2016 (formerly the Sustainable Planning Act 2009).

Relevant Legislation

Queensland

Planning Act 2016 (Qld) (PA)

Sustainable Planning Act 2009 (Qld) (SPA)

Local Government Act 2009 (Qld) (LGA)

Any other future Queensland Planning legislation

Available for viewing at: <https://www.legislation.qld.gov.au/>

Appendix A: Accreditation Kit

Note: a consultant applying for accreditation is required to complete and submit the following three (3) forms:

- A1 Accreditation Application Form
- A2 Guideline for Accredited Consultant/Consultancy
- A3 Deed of Agreement for Accreditation for Consultant and Consultancy

FORM A1: Accreditation Application

Section 1: Consultancy

Name of Consultancy	
Nominated development type applying for (<i>list all</i>)	<input type="checkbox"/> Residential – Dwelling House (including Referral) <input type="checkbox"/> Residential – Dual Occupancy <input type="checkbox"/> Residential – Building Works
Name of Director	
Signature of Director	
Date	

To qualify for Accreditation for Express DA, the following must be complied with for the term of the accreditation:

1. Professional Indemnity Insurance to the value of \$1,000,000 from an insurer and on terms acceptable to Council;
2. Public Liability Insurance to the value of \$20,000,000 from an insurer and on terms acceptable to Council;
3. Any other insurance required by law, from an insurer and on terms acceptable to Council; and
4. The insurance policies held and maintained by the consultancy must cover the acts or omissions of the individual consultant.

The following documentation must be submitted to Council in support of an application for accreditation:

1. A copy of the insurance policy outlining the insured amount, policy provider, policy number, date of commencement and expiry date of policy; and
2. Signed Terms and Conditions of Accreditation (TCA).

Section 2 – Supporting documentation required

To qualify for Accreditation for Express DA, the following must be submitted and complied with:

An applicant should submit a covering letter which, in addition to identifying example applications, explicitly outlines the following:

- Applicable Council benchmarks / standards / policies;
 - Applicable State Planning Policies;
 - Applicable Australian Standards;
 - State Referral Agencies - who and what trigger?;
 - A summary outline of the proposal and what the main or significant issues were with the application and how were they resolved; and
 - Outline all the necessary supporting information and reports that were required to approve the development.
 - Resumes detailing relevant experience and qualifications of assigned personnel
 - Signed Terms and Conditions of Accreditation (TCA).
1. Provide examples of at least 2 applications for each Development Type being applied for, from each of the various development types listed below. Each example application must have been lodged and approved in the Cairns Regional Council area within the last 2 years of applying for accreditation.

Development Types are:

- Residential – Dwelling House
- Residential – Dual Occupancy
- Residential – Building Works

Note: If the consultant / consultancy only wishes to be accredited for specific uses or development types, this should be clearly stated in the accreditation kit and a covering letter submitted to council.

Section 3: Processes Following Accreditation

An initial one-on-one session with the Council officer coordinating Express DA Assessment will occur following accreditation to:

- Introduce the Accredited Consultant(s) to the Standards and Criteria;
- Reaffirm general expectations; and
- Discuss queries from the Accredited Consultant(s).

It is the responsibility of the Accredited Consultant, following assessment of an application, to submit the necessary information to Council to allow for Council as the assessment manager to undertake the assessment and issue a decision.

Section 4: Contacts

Council's Development & Planning Branch may be contacted on the details below:

Telephone: 1300 69 22 47

Email: expressda@cairns.qld.gov.au

Express DA standards and criteria and additional information are available on Council's website.

FORM A2: Guidelines for Accredited Consultant / Consultancy

The purpose of this practice guideline is to inform the Accredited Consultant / Consultancy of the operational nature of Express DA and outline general expectations.

This approach offers an opportunity to advance partnerships, assist in delivering services to the community, and provide an innovative approach to service delivery. The process offers a means of fostering a stronger relationship with industry colleagues by quickly deciding applications considered straightforward. It achieves this by effectively allowing Council to rely upon information from an Accredited Consultant / Consultancy, whilst retaining the decision-making powers, thus avoiding any duplication of effort. In terms of benefits to industry, it is envisaged that the application assessment period will be significantly reduced, and the Accredited Consultant / Consultancy is more closely involved in the development process.

The Accredited Consultant / Consultancy is responsible for the following:

- Preparing reports that addresses the relevant policies / standards / benchmarks;
- Providing any necessary supporting information including drawings;
- Providing all necessary standard approval conditions;
- Lodging application with Council;

The Accredited Consultant / Consultancy will **not** be responsible for the following:

- Assessing the Development Application
- Issuing Development Permits.

Council will endeavour to decide an application within ten business days of lodgement.

Note: Express DA transfers responsibility to the Accredited Consultant / Consultancy to ensure supporting information is accurate and contains sufficient detail as would otherwise be required by Council for review. If issues arise in future, Council may take legal steps against the Accredited Consultant / Consultancy to rectify the issue or matter.

Both the Consultant and Consultancy must sign a Deed of Agreement with Council, which confirms the roles and responsibilities of the Accredited Consultant(s) and is the basis on which Council and the Accredited Consultant / Consultancy will participate in the Express DA process.

The **Express DA Assessment** process is outlined below:

Stage 1 – Accredit Consultants

- Consultant and Consultancy complete Accreditation Kit including Deeds of Agreement;
- Council nominates conditions on an approval or by agreement to confirm the certification of the Accredited Express DA Consultant.

Stage 2 – Design and Assessment

- Pre-submission meeting or discussions are to occur between Accredited Consultants and Council if and when required;
- Accredited Consultant prepares planning application reports and conditions;
- Accredited Consultant / Consultancy lodges complete and assessed application with Council;
- Council will endeavour to decide the application within ten business days upon receiving an application that meets the criteria outlined in the Express DA – Application Guideline.

Section 1: Probation Program

A new Accredited Consultant / Consultancy will be on probation for the first three (3) applications lodged as part of the Express DA Assessment process. Under probation, Council will undertake an audit of the application prior to its approval. The probation program is to provide Council and the consultant with an understanding of the Express DA Assessment process.

Section 2: Auditing

Auditing will be performed by Council, at the Council's discretion, to assess the adequacy of the process and the performance of the individual consultants;

Council may contact the Accredited Consultant / Consultancy during an audit process for information or assistance.

Section 3: Miscellaneous

Any omissions, errors or misdirection's will be discussed with the consultant and are grounds for removal from the Express DA process. Council may also undertake legal steps to rectify said errors or misdirection's.

All standard templates, forms, criteria and conditions will be provided to an Accredited Consultant / Consultancy and can also be obtained from the Development Assessment Branch.

Section 4: Declaration

Declaration	<p>I, [insert name here]</p> <p>employed by [insert name of employer / company here including ACN]</p> <p>have read the above and agree to adhere to these guidelines.</p>
Signature	
Date	

FORM A3: Accreditation Deed for Consultancy

Section 1: Made as a Deed

Date	This deed is made the _____ day of 20____, _____
Parties to the deed	<p>between:</p> <p>Cairns Regional Council</p> <p>Administration Centre 119 – 145 Spence Street, Cairns, Qld 4870 PO Box 359, Cairns, Qld 4870 (“Cairns Regional Council”)</p> <p>and:</p> <p>[insert Company Name],</p> <p>[insert Company address],</p> <p>[insert ACN of accredited consultancy]</p> <p>(“Accredited Consultancy”)</p> <p>in relation to the accredited consultancy for the purposes of lodging Express DA applications with Cairns Regional Council.</p>

Section 2: Recitals

- A. The Accredited Consultancy has successfully completed the Accreditation Process and now wishes to lodge through the Express DA assessment service with the Cairns Regional Council, including admission to the List of Accredited Consultants.
- B. The Cairns Regional Council requires the Accredited Consultancy to undertake to preserve and maintain the confidentiality of certain information relevant to those services.
- C. The process and services relevant to the lodgement of applications through the Express DA assessment service are set out in the Guidelines for Accredited Consultant / Consultancy.
- D. The Development Assessment Manager is authorised to sign this deed on behalf of Cairns Regional Council.

Section 3: Terms and conditions

1. Definitions and Interpretation

The following terms shall have the following meaning for the purpose of this Deed:

‘Accredited Consultant’ is the individual considered ‘accredited’ for the purposes of lodging applications through the Express DA assessment service. The individual consultant must demonstrate the required level of expertise and experience to obtain accreditation.

‘Accredited Consultancy’ means the body corporate named in the Accreditation Application Form completed by the Accredited Consultant for the Accreditation Process.

‘Accreditation Process’ means the process and procedures for becoming an Accredited Consultant, as specified by the Cairns Regional Council and which has been completed by the Accredited Consultancy.

‘Authorised User’ has the meaning given to that term by the *Trade Marks Act 1995* (Cth).

‘Confidential Information’ means the confidential information of the Cairns Regional Council and includes any documents or information provided by the Cairns Regional Council: (a) that are marked as confidential; (b) that are provided by the Cairns Regional Council under circumstances or communications that are confidential; or (c) which the Accredited Consultant ought to know are confidential but (in respect of any of the information in (a), (b) and (c) of this definition), does not include any information that is or becomes part of the public domain, other than as a result of a breach of an obligation of confidence or any information that is required to be disclosed by law.

‘Deed’ means this Accreditation Deed.

‘Guidelines for Accredited Consultant / Consultancy’ means the guidelines titled “Guidelines for Accredited Consultant / Consultancy” which are attached to this Deed, as amended by the Cairns Regional Council from time to time.

‘Intellectual Property Rights’ means all intellectual and industrial property rights and interests in Australia and throughout the world, whether registered or unregistered and whether created before on or after the date of this Deed, including trademarks, designs, patents, inventions, circuit layouts, copyright and analogous rights, confidential information, know how, trade secrets and all other intellectual property rights.

‘List of Accredited Consultants’ means the list of accredited consultants and consultancies as from time to time may be published by the Cairns Regional Council and in the manner of publication or disclosure determined by Cairns Regional Council.

‘Operational Works’ has the same meaning as given to it under the *Planning Act 2016* (Qld).

‘Express DA Program’ means the process and procedures, which the Cairns Regional Council specifies from time to time including, but not limited to, the preparation and lodgement of Express DA Accredited Consultant Development applications as outlined in the Express DA Application Guideline.

‘Term’ means the term of this Deed, as determined by clause 5.1.

2. Accredited Consultancy’s obligations

2.1. The Accredited Consultancy hereby warrants to the Cairns Regional Council, and it is a condition of this Deed that the Accredited Consultancy:

- 2.1.1. provided information to the Cairns Regional Council during the Accreditation Process that was true, accurate and correct and will continue to provide information during its performance of preparation of development applications for lodgement through the Express DA assessment service that is true, accurate and correct;
- 2.1.2. has disclosed to the Cairns Regional Council the locations of all the Accredited Consultancy’s business premises;
- 2.1.3. will immediately inform the Cairns Regional Council in writing of any changes to the Accredited Consultancy’s business address(es); business, company or trading name(s) and any other information provided or disclosed by the Accredited Consultancy during the Accreditation Process;
- 2.1.4. will keep itself informed of any changes made by the Cairns Regional Council to the Guidelines for Accredited Consultant / Consultancy;
- 2.1.5. will carry out the preparation of development applications to be lodged through the Express DA assessment service safely, securely and in a professional manner;
- 2.1.6. will carry out the preparation of development applications for lodgement through the Express DA assessment service in accordance with the standards specified by the Cairns Regional Council from time to time including in the Guidelines for Accredited Consultant / Consultancy and as required by law; and

- 2.1.7. will comply with the lawful advice and directions of the Cairns Regional Council made in connection with the Express DA program.
- 2.2. Other than as expressly set out in this Deed, this Deed does not licence, assign or transfer to the Accredited Consultancy any Intellectual Property Rights of the Cairns Regional Council or any goodwill in the same.
- 2.3. The Accredited Consultancy acknowledges that benefits, rights and privileges attached to the accreditation of the Accredited Consultancy are limited to the type of use the Accredited Consultancy is qualified and demonstrates competency in, as determined by the Cairns Regional Council (e.g Residential – building works etc). The Accredited Consultancy must not prepare development applications for the Express DA assessment service that, in the opinion of Cairns Regional Council, fall outside the limitations of the accreditation of the Accredited Consultancy.
- 2.4. The Accredited Consultancy acknowledges that any non-compliance with or breach by the Accredited Consultancy of the Guidelines for the Accredited Consultant / Consultancy or the terms of this Deed in the conduct or operation of the lodgement of development applications through the Express DA assessment service by the Accredited Consultancy for or on behalf of Cairns Regional Council will provide the Cairns Regional Council with the option to elect to immediately cancel the accreditation of both the Accredited Consultancy and any Accredited Consultant employed or contracted by the Accredited Consultancy who undertook the preparation of development application material.
- 2.5. Prior to lodging any development applications through the Express DA assessment service, the Accredited Consultancy must:
 - 2.5.1. take out and maintain from a reputable insurance company, professional indemnity insurance that applies to the preparation of development applications through the Express DA assessment service by the Accredited Consultancy (whether performed by employees or contractors of the Accredited Consultancy) for an amount of cover of no less than \$1 million per claim; and
 - 2.5.2. take out and maintain from a reputable insurance company, public liability insurance that applies to the preparation of development applications through the Express DA assessment service by the Accredited Consultancy for an amount of cover no less than \$5 million per occurrence; and
 - 2.5.3. provide the Cairns Regional Council with a copy of the certificate of currency and policy schedule of each of the insurance policies referred to in clauses 2.5.1 and 2.5.2; and
- 2.6. Without limiting the insurance obligations of the Accredited Consultancy under clause 4.1.1, the Accredited Consultancy must:
 - 2.6.1. maintain the insurance policies referred to in clauses 2.5.1 and 2.5.2 during the Term and for a period of no less than seven years from the later to occur of:
 - 2.6.1.1. the termination or expiry of this Deed; or

2.6.1.2. the Accredited Consultancy providing the Cairns Regional Council with the final deliverable that the Accredited Consultancy is required by the Cairns Regional Council to provide in connection with this Deed

2.6.2. upon request, provide the Cairns Regional Council with up-to-date copies of the certificate of currency and policy schedule of the insurance policies referred to in clause 2.6.1.

Clause 2.6 survives termination or expiry of this Deed.

2.7. The Accredited Consultancy indemnifies the Cairns Regional Council from and against any loss or damage suffered or incurred by the Cairns Regional Council in connection with the Cairns Regional Council relying upon any errors or omissions caused or contributed to by the Accredited Consultancy (including but not limited to claims by third parties) in connection with preparation and lodgement of development applications through the Express DA assessment service performed by the Accredited Consultancy or by an Accredited Consultant employed or contracted by the Accredited Consultancy who undertook the preparation of the material. This clause 2.7 survives termination or expiry of this Deed.

2.8. The Accredited Consultancy must not provide or disclose any Confidential Information to any third party without the prior written consent of the Cairns Regional Council. If the Accredited Consultancy becomes aware of an unauthorised disclosure of any Confidential Information, it must immediately inform the Cairns Regional Council of the disclosure. These provisions shall not restrict the Accredited Consultancy from:

- a) Disclosing information to third parties (including its sub-consultants or sub-contractors) which is necessary for the performance of Services provided that any such disclosure is on terms which include a confidentiality clause identifiable to the Accredited Consultancy's obligations under this Clause
- b) Disclosing the information to its insurance broker legal representatives and financial or accounting advisors to the extent required for the day to day running of the Accredited Consultancy's business or making or defending a claim either under an insurance policy or in court proceedings

This clause 2.9 survives termination or expiry of this Deed.

2.9. The terms of the Guidelines for the Accredited Consultant / Consultancy form part of the terms of this Deed. In the event of inconsistency, the terms of this Deed shall prevail over the terms of the Guidelines for the Accredited Consultant / Consultancy to the extent of the inconsistency.

3. Cairns Regional Council's obligations

3.1. Subject to the terms of this Deed, the Cairns Regional Council shall:

- 3.1.1. carry out the Accreditation Process with due care and skill;
- 3.1.2. promptly after the execution of this Deed, add the name of the Accredited Consultancy to the List of Accredited Consultants (for clarity, the name of the Accredited Consultancy may be removed from that list in accordance with this Deed);

- 3.1.3. during the Term, grant a limited, revocable, non-exclusive licence (without any right to sublicense) to the Accredited Consultancy to use the Cairns Regional Council Accredited Consultant Graphic (Express DA logo) specified by the Cairns Regional Council (Trade Mark) to lodge applications through the Express DA assessment service, provided that:
 - 3.1.3.1. without limiting any other restrictions on use of the Trade Mark by the Accredited Consultancy under this Deed, the Accredited Consultancy must not exercise any rights that it may have as an Authorised User under section 26(1) of the Trade Marks Act 1995 (Cth) without the prior written consent of the Cairns Regional Council; and
 - 3.1.3.2. the Accredited Consultancy may only use the Trade Mark only in accordance with the directions given from time to time by the Cairns Regional Council.
- 3.2. The Accredited Consultancy acknowledges and agrees that:
 - 3.2.1. it has not relied on any statement, representation, warranty, conduct or undertaking made or given by the Cairns Regional Council or any person on its behalf; and
 - 3.2.2. it has relied on its own skill and judgment in agreeing to enter into this deed.
- 3.3. The Cairns Regional Council is not liable to pay to the Accredited Consultancy any fees, expenses or other costs in connection with the Accreditation Process, the Express DA assessment service or for any other work performed by the Accredited Consultancy in connection with this Deed.

4. Suspension and or removal

- 4.1. The Accredited Consultancy agrees that the Cairns Regional Council may, by notice in writing to the Accredited Consultancy, suspend the right of the Accredited Consultancy to prepare and lodge development applications through the Express DA assessment service if, in the opinion of Cairns Regional Council:
 - 4.1.1. the Accredited Consultancy fails to: (a) maintain the relevant level of professional body membership and professional indemnity insurance required by the Guidelines for Accredited Consultant/Consultancy or (b) provide the Cairns Regional Council with evidence (including certificates of currency and policy schedules) of that insurance within one business day of the Cairns Regional Council requesting such evidence;
 - 4.1.2. the Accredited Consultancy's breaches of any of its obligations and/or warranties in clause 2; or
 - 4.1.3. the Cairns Regional Council becomes aware by whatever means of any fraud perpetrated, or allegedly perpetrated by the Accredited Consultancy, its directors, employees, agents, contractors or any of its Senior Management.
- 4.2. The Accredited Consultancy must cease preparing and lodging development applications through the Express DA assessment service on and from the date of suspension and for the period of time specified in the notice given by the Cairns Regional Council under clause 4.1 above, or if no date is specified in that notice, immediately upon receipt of that notice by the Accredited Consultancy.
- 4.3. The Cairns Regional Council may remove the name of the Accredited Consultancy from the List of Accredited Consultants during the period of any suspension under this clause 4.

5. Expiry and Termination

- 5.1. This Deed commences on the date that it is signed by both parties and continues for a period of five years, unless terminated earlier (including but not limited to termination under clauses 5.2 and 5.3 below).
- 5.2. The Cairns Regional Council, may by notice in writing to the Accredited Consultancy, immediately terminate this Deed if:
 - 5.2.1. the Cairns Regional Council determines that it is not reasonable for the Accredited Consultancy to remain accredited because of the nature or extent of conduct which led to the Cairns Regional Council issuing a notice to the Accredited Consultancy under clause 4.1 above;
 - 5.2.2. the Accredited Consultancy breaches of the terms of this Deed, including any failure to comply with the Accredited Consultancy's obligations or warranties in clause 2; or

- 5.2.3. the Accredited Consultancy becomes the subject of any insolvency, bankruptcy or winding-up proceedings of any kind (as determined by the Cairns Regional Council).
- 5.3. The Cairns Regional Council may terminate this Deed for convenience (for any reason or for no reason) by giving no less than 60 days' notice to the Accredited Consultancy.
- 5.4. In exercising any of its rights under clause 5, the Cairns Regional Council has no obligation to consider the impact of the termination on the Accredited Consultancy and has no liability to the Accredited Consultancy for any loss or damage suffered or incurred by the Accredited Consultancy as a result of the termination.

6. Effect of Suspension, Termination and Completion of Term

Immediately upon suspension or termination of this Deed under clauses 4 and / or 5 all rights granted by the Cairns Regional Council to the Accredited Consultancy end and:

- 6.1. the Accredited Consultancy must immediately cease using the Trade Mark (Express DA logo) and must (at the election of the Cairns Regional Council) return or destroy any documentation, signage or other materials that feature the Trade Mark or any other Intellectual Property Rights at all licensed by the Cairns Regional Council;
- 6.2. the Cairns Regional Council shall remove the Accredited Consultancy from the List of Accredited Consultants;
- 6.3. the Accredited Consultancy must cease providing any service under the Express DA program;
- 6.4. the Accredited Consultancy must cease to represent or refer to itself as an "Accredited Consultancy" of the Cairns Regional Council; and
- 6.5. the Accredited Consultancy must immediately return any documents and confidential information of the Cairns Regional Council and must provide written undertakings that it has done so, upon request by the Cairns Regional Council. Nothing in this Deed prevents the Accredited Consultant from retaining one copy of any document solely for the purpose of its own records and upon the continuing duty of confidence set out in this Deed.

7. Waiver and Forbearance

The waiver or forbearance of the Cairns Regional Council in the face of any breach of this Deed by the Accredited Consultancy shall not be construed as a waiver or relinquishment of the Cairns Regional Council's rights to future performance of such provision and the Accredited Consultancy's obligations in respect of such future performance shall continue in full force and effect.

8. Limitation of Liability

Notwithstanding anything to the contrary in this Deed, the Cairns Regional Council excludes all liability to the Accredited Consultancy in connection with any loss or damage (including consequential loss, indirect loss, loss of profit, loss of revenue, loss of opportunity, loss of bargain and damage to reputation) suffered or incurred by the Accredited Consultancy in connection with this Deed or any act or omission of the Cairns Regional Council, including the negligence of the Cairns Regional Council (but not including death or personal injury directly caused by the gross negligence of the Cairns Regional Council).

9. Entire Agreement

These terms and conditions of this Deed contain the entire understanding between the parties and any variation of the provisions of this Deed shall have no effect unless in writing and signed by the parties.

10. Notices

Any notice to be served under this Deed shall be in writing and served upon the recipient at its address set out at page 1 of the Accreditation Application Form by hand, regular post or facsimile and shall be deemed served 48 hours after posting if sent by post, on delivery if delivered by hand and on completion of transmission if sent by facsimile.

11. Jurisdiction and Law

This Deed is governed by and is to be construed in accordance with the laws applicable in Queensland. Each party irrevocably and unconditionally submits to the non-exclusive jurisdiction of the courts exercising jurisdiction in Queensland and any courts which have jurisdiction to hear appeals from any of those courts and waives any right to object to any proceedings being brought in those courts.

12. Consent and approval

If the Cairns Regional Council has a right to approve, consent, decide, determine, form an opinion or make any other decision of any kind under this Deed, it may exercise that right at its absolute discretion and, in exercising the right, it may do so conditionally or unconditionally, is not obliged to give reasons or consult with the Accredited Consultancy in exercising that right and has no obligation to exercise the right within any particular period of time or a within reasonable period of time.

13. Amendment

This Deed may only be varied or replaced by a document executed by the parties.

14. Contra proferentem

No rule of construction will apply to a clause to the disadvantage of a party merely because that party put forward the clause or would otherwise benefit from it.

15. Counterparts

This Deed may consist of a number of counterparts and, if so, the counterparts taken together constitute one document

Section 4: Executed as a Deed

<p>Witness of Council representative</p>	<p>In witness hereof the parties hereto set their hands and seals the Day and year first herein before written.</p> <p>Signed, sealed and delivered by [Signature of Council representative],</p> <p>[Name of Council representative (print)],</p> <p>on behalf of Cairns Regional Council with the intention of being immediately and unconditionally legally bound by this Deed in the presence of:</p> <p>[Signature of Witness],</p> <p>[Name of Witness (print)],</p> <p>Date:</p>
<p>Accredited Consultancy</p>	<p>Signed, sealed and delivered by [Company Name],</p> <p>[ACN of accredited consultancy],</p> <p>[Signature of Director of the accredited consultancy],</p> <p>[Name of Director of the accredited consultancy (print)],</p> <p>Date:</p>

MORE INFORMATION

P: 1300 69 22 47

Email: info@cairns.qld.gov.au

Web: www.cairns.qld.gov.au



Cairns
REGIONAL COUNCIL



Attachment 2: Express DA Application Guideline ([#7150713](#))



Express DA application guideline

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Vision

‘An accelerated assessment initiative, that is simple and faster, driving forward the vision for Cairns through consistent decision making, championing good development outcomes’

Introduction

The Express Development Application (Express DA) assessment service is the Cairns Regional Council's (Council) fast track assessment process for low complexity development applications.

The Express DA program allows suitably qualified professionals lodge certain types of planning applications in a way that enables the Council to promptly issue approvals for those applications. The program is based on decision ready applications for specific development types as nominated in the Express DA Accreditation Kit and in this Guideline.

Express DA relies on two specific processes to be in place to ensure its efficiency:

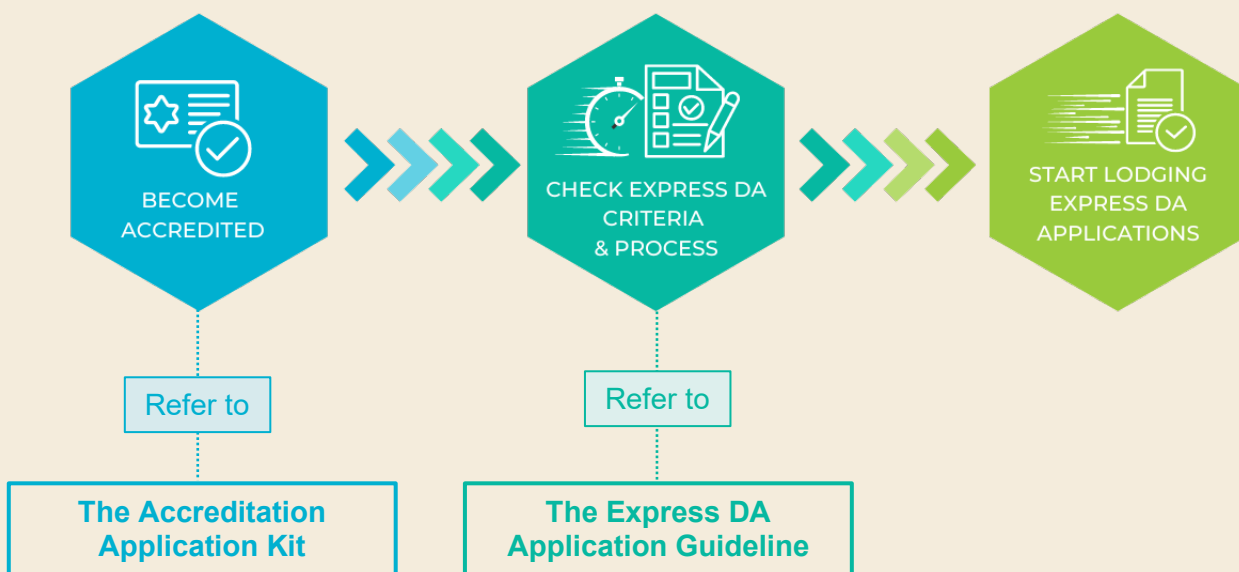
- Clear standards for nominated development applications based on the planning scheme and its associated benchmarks, and adopted Council Policies; and
- An accreditation system and process where in Council could reasonably rely on a suitably qualified consultant's report to make a decision.

The aim of Express DA is to reduce timeframes and impacts on industry and Council, and to increase accountability and utilisation of professional consultants. Express DA protects the integrity of the planning assessment and approval process by empowering only accredited consultancies which have demonstrated that they possess appropriate expertise, experience, and integrity.

This two-part system is explained over two separate guideline documents:

- The Accreditation Application Kit; and
- The Express DA Application Guideline

For a full understanding of the program, both documents should be read in conjunction.



The Express DA application guideline

These guidelines are intended to provide accredited consultants with all the information they require to understand the Express DA assessment service, its processes and requirements.

Overall, these guidelines outline the following:

- the Express DA process
- what is and isn't an Express DA
- the type and standard of information required to accompany an Express DA

To use the Express DA assessment service, you will also need to become an accredited consultant. To find out more about how to become accredited, read our Accreditation Application Kit on Council's website www.cairns.qld.gov.au/express-da

Who are these guidelines for?

These guidelines are designed to be used by accredited consultants wishing to lodge an Express DA. This includes industry professionals such as planning consultants or building certifiers acting on behalf of the owner. Throughout these guidelines these parties are collectively referred to as 'the applicant'.

It is a requirement of this program that an accredited consultant be engaged to prepare an Express DA application and provide ongoing advice and support throughout the Express DA process. Applications not progressed through the Express DA process will be assessed and decided in line with legislative requirements and timeframes.

Who is an Accredited consultant?

An accredited consultant is a consultant that has demonstrated adequate competency to be considered 'accredited' for the purposes of the accreditation process. The accreditation is valid for an individual consultant whilst under the employment of their current consultancy or business.

The accreditation of professional consultants is a voluntary process of being certified as meeting minimum requirements designated by an accrediting system. It provides a mechanism for Council to be able to reasonably rely on a consultant's professional qualifications and experience. Its aim is to ensure the integrity of the process and qualify only consultants who, by reason of their expertise, experience, integrity and honesty can be relied upon to use the Express DA process and to provide relevant documentation including all permits and associated reports and drawings to Council.

Applicants lodging in this way are agreeing to follow and abide by Council's established procedure. Random auditing will be undertaken to assess and monitor the competence of accredited professionals.

Utilisation of such a process requires experience with lodging competent applications, knowledge of the relevant planning legislation, familiarity with the Council's planning schemes and policies and a high level of reliability in the consultant by the Council.

Roles and responsibilities

The Council (assessment manager) and applicants both play a role in the Express DA process, and it is important to understand the roles and responsibilities of the main parties who are involved. These are outlined below.

Applicant

The applicant for an Express DA is the person who made the application. As mentioned above the applicant must be an accredited consultant acting on behalf of the owner.

It is the responsibility of the applicant to prepare an Express DA in accordance with the requirements outlined in this guideline.

Assessment manager

The Council is responsible for assessing and deciding an Express DA and is known as the assessment

manager under the Legislation. Assessment of and decisions made on an Express DA will be against the requirements of the CairnsPlan.

The Express DA process

Overview

This part of the guideline outlines the overall process for an Express DA.

A key feature of the Express DA process is its approach to facilitating an upfront review of an application prior to formal lodgement and is an opportunity for our dedicated team of officers to work with applicants, support them with achieving the outcomes of the CairnsPlan and ensure smooth and faster assessment of the application once lodged.

The overall process

The Express DA assessment process is a straightforward process and is outlined in **Figure 1** below.

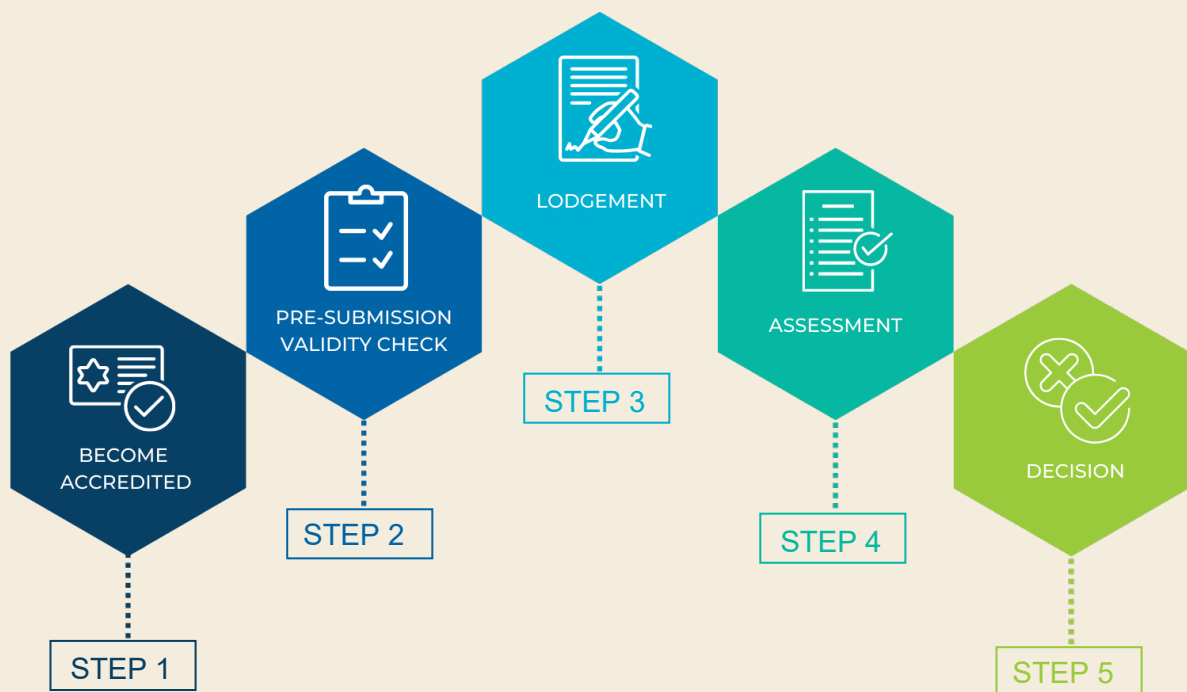


Figure 1 – The overall Express DA process.

Pre-submission validity check

What is pre-submission validity check?

Pre-submission validity check is when an Express DA is reviewed by our Development Assessment team prior to lodging an application to determine if it is lodgement ready. It is intended to ensure:

- applicants are on the right track.
- any potential issues are addressed up front.
- a smooth and faster assessment of the application once lodged.
- the likelihood of an information request is eliminated.
- applications are well made.

The pre-submission process is outlined in **Figure 2** below.

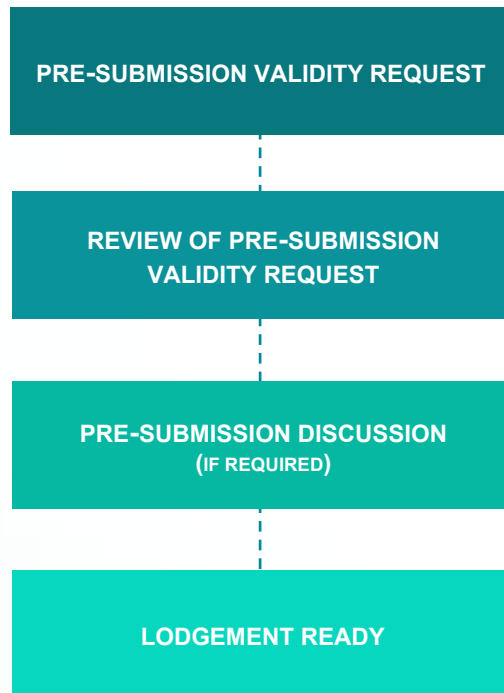


Figure 2 – The pre-submission process

Pre-submission is mandatory, free of charge and expected to take up to 10 business days from receipt of a pre-submission request.

Pre-submission request

A pre-submission request is made by the applicant to commence the Express DA process and must include the following:

- completed pre-submission request form.
- completed planning report template.
- completed DA Form 1.
- Supporting information (plans).

The pre-submission request form and planning report template are available on the Council's website www.cairns.qld.gov.au/express-da

A pre-submission request is to be lodged electronically using DA Online via Cairns Regional Council's website and in the following format:

Pre-submission request format	
Document/s	Format
Pre-submission request form	PDF or MS Word.
Express DA standard report template	MS Word only .
Development Application Form 1	PDF or MS Word.
Owner's consent	PDF or MS Word.
Supporting information	PDF or MS Word.

Upon receipt of the pre-submission request, the applicant will receive written confirmation the request has been received.

Review of pre-submission request

Once the pre-submission request is received, Council's Development Assessment team will review the request to determine if the application can proceed to a pre-submission discussion (if required) or lodgement.

It is important to note, where it is determined the request has not met the Council's requirements or requires more information, the applicant will be notified as soon as possible.

The applicant will have one opportunity to rectify the request. Should it be determined the request has not been satisfactorily rectified as advised, the applicant will be notified to lodge their application through the standard development assessment process in accordance with the *Planning Act 2016*.

Pre-submission discussion

Where required, a pre-submission discussion is held between the applicant and the assessing officer to discuss our review of the request and advise if the application is lodgement ready.

Pre-submission discussions occur between 8.30am to 12 noon on Tuesdays and Thursdays. They can be conducted by, telephone, teleconference, video or face-to-face meeting. The applicant will be advised of the appropriate discussion approach the day before the scheduled discussion times.

A pre-submission discussion may not be required if the request is determined to be a high quality application. Where this occurs, a lodgement ready letter will be provided to the applicant who will be able to formally lodge their Express DA.

Lodgement ready

Following the pre-submission discussion, the applicant will be sent a written notice advising the application is ready to lodge (lodgement ready letter).

A lodgement ready letter will confirm the following:

- the Express DA is ready to lodge with no amendments or with amendments.
- proposed application details.
- application fee.
- lodgement format.

Pre-submission correspondence

As referenced above, the pre-submission process includes a number of written correspondence formalising the advice or decision provided by Council. The types of all pre-submission letters, timing of when these letters are issued and 'the next steps' are outlined in the table below.

	Purpose of the letter	When is this letter issued?	Next steps
Rectification Letter	This letter advises applicants of what needs to be amended to ensure that the development can be accepted as an Express DA. This letter provides the applicant with a second pre-submission review and another chance of being accepted as an Express DA.	This letter can only be issued to applicants on their first pre-submission review.	Undertake the actions/amendments outlined within the letter and submit a new pre-submission with the updated info to the Express DA inbox.
Ineligibility letter	This letter is issued to applicants if the proposed development has triggered an exclusion within Section 4 of the Express DA Applicant's Guidelines and cannot be accepted as an Express DA.	This letter can be issued after either the applicant's first or second pre-submission review.	The applicant will need to lodge a standard development application.
Lodgement Ready Letter (with amendments)	<p>This letter advises the applicant that the application can be accepted as an Express DA, however, the applicant will need to make minor amendments to the development before lodging the application.</p> <p>The types of amendments that will be requested are minor/limited and intended to be very specific.</p> <p>The discounted fee for the Express DA application will be outlined in this letter.</p>	This letter will be issued to applicants who have proposed development which can be accepted as an Express DA. This letter can be issued after either the first or second pre-submission review.	<p>Undertake the actions/amendments outlined within the letter and lodge an Express DA via the Council's website</p> <p>The amendments outlined in this letter will need to be undertaken prior to lodgement. If the application is not amended as per this letter, the application is not considered an Express DA as it does not meet the criteria and will proceed through the standard development assessment process.</p>
Lodgement Ready Letter	<p>This letter advises the applicant that the application can be accepted as an Express DA.</p> <p>The discounted fee for the Express DA application will be outlined in this letter.</p>	This letter will be issued to applicants who have proposed development which can be accepted as an Express DA. This letter can be issued after either the first or second pre-submission review.	Lodge the application via the Council's website .

Lodgement

An Express DA can be lodged via the **Council's website** once the applicant has received their lodgement ready letter and must include the following:

- DA Forms – as outlined on Council's website.
- Accredited consultant's report template.

The forms and planning report template must be completed in their entirety.

Application documentation is to be submitted as follows:

Lodgement – Application format

Document/s	Titled	Format
Forms Lodgement ready letter	Forms	Combined as one single PDF.
Accredited consultant report	Consultant report	Single MS word document
Drawings/Plans	Plans	Combined as one single PDF.

Accredited Consultants Report template

As part of lodging an Express DA, the accredited consultant is required to use the *accredited consultant's* report template. This report template has been developed to provide a standard template for accredited consultants to use when lodging an Express DA application.

The accredited consultant is required to identify all the Acceptable Outcomes that the development does not achieve and to provide an accompanying justification against the corresponding Performance Outcome. It is not adequate to simply state that the proposal 'complies' with the Performance Outcome. If the proposal complies with all applicable Performance Outcomes and Acceptable Outcomes the accredited consultant is to note this within the report.

The report template should be populated using a 'report by exception' approach and only discuss the issues where a proposed development does not meet an acceptable outcome and requires further discussion.

The report template includes prompts and guidance to assist applicants to complete and provide the necessary information.

Assessment

Assessment of the Express DA commences upon receipt of the application. Assessment is undertaken by our Development Assessment team who will determine the application's compliance with the CairnsPlan assessment benchmarks.

Because the Express DA process includes pre-submission, which eliminates the need for an information request, it is envisaged the assessment of an Express DA to be relatively quick in comparison to the Council's standard development application assessment process.

Whilst the intent of the Express DA process is to avoid the issuing of an information request, Council reserves the right to issue one when required. This means Council cannot guarantee a decision being made on the application within 10 business days.

Decision

An applicant can expect a decision on an Express DA within 10 business days after the application is properly made. This decision is provided in writing and known as a decision notice and includes but is not limited to:

- applicant details.
- application details.
- location details.
- decision date and details.
- details of the approval.
- development conditions.
- further development permits required.
- currency period.
- statement of reasons.

Where to start

Overview

This part of the guideline broadly outlines where to start in regard to:

- understanding the CairnsPlan and how it relates to the Express DA process.
- pre-checks.
- eligibility.

CairnsPlan property report

As a starting point, it is recommended applicants access Council's [interactive mapping tool](#) and generate a CairnsPlan property report. This report will provide applicants with property specific information such as:

- zoning.
- area of property.
- applicable overlay maps.

This information is critical to using the CairnsPlan and determining if a development proposal is eligible for assessment through the Express DA process.

The CairnsPlan

The CairnsPlan has been prepared in consultation with the community to guide the development of Cairns and sets out Council's intention for the future development throughout the region, over the next 20 years.

For ease of understanding, the CairnsPlan is used as a 'set of rules' to assess development applications against. These 'rules' are included in assessment benchmarks. Assessment benchmarks include:

- the strategic framework.
- zone codes.
- overlay codes.
- development codes.

For an Express DA the primary assessment benchmarks are the applicable zone, overlay and development codes.

Part 1 of the CairnsPlan provides an introduction to the CairnsPlan and other key information.

Where to find assessment benchmarks

Assessment benchmarks are outlined in the tables in Part 5 – Tables of assessment.

For an Express DA the primary tables of assessment are Material Change of Use, Building Works and Overlays within the Low, Low-Medium and Medium Residential Density Zones. **Part 5** of the CairnsPlan provides further detail about reading and using the tables of assessment.

What applications can be assessed through the Express DA process?

Overview

This part of the guideline outlines the types of development applications which are eligible for assessment through the Express DA process.

Development applications which can progress through the Express DA process are those which Council considers to be low complexity. Low complexity relates to a development's impacts including:

- the scale of the impact.
- the Council's ability to regulate the impact and make appropriately informed decisions.
- the alignment with the aspirations expressed in the CairnsPlan

With this in mind, certain accepted land uses are considered to be low complexity Express DAs. This is because the CairnsPlan has taken into consideration the impacts of development when determining the appropriate level of assessment for land use activities throughout the region.

Eligibility

The types of applications eligible for assessment under the Express DA process are certain land use activities in specific zones which is accepted development subject to requirements.



For ease of understanding, the below tables have been developed for each development type.

Eligibility criteria for Express DA development Applications

The eligible criteria for development applications under the Express DA program is outlined in Table 1 below:

Table 1 – Eligible Development Types

Land Use		Inclusion
Dwelling House		Residential zones <ul style="list-style-type: none"> – Low density residential – Low Medium density residential – Medium density residential
		Category of development and assessment Meets the requirement of accepted development under the Dwelling House Code with the exception of minor performance outcomes (a total of 5 or less).
Assessment Benchmarks		
Applicable Development codes		Acceptable outcome
Dwelling House Code	Acceptable Outcome AO1	✓ May propose non compliances
	Acceptable Outcome AO2	✓ May propose non compliances
	Acceptable Outcome AO3	✗ Must meet acceptable outcomes
	Acceptable Outcome AO4	✗ Must meet acceptable outcomes
	Acceptable Outcome AO5	✗ Must meet acceptable outcomes
	Acceptable Outcome AO6	✗ Must meet acceptable outcomes
	Acceptable Outcome AO7	✗ Must meet acceptable outcomes
	Acceptable Outcome AO8	✗ Must meet acceptable outcomes
	Acceptable Outcome AO9	✗ Must meet acceptable outcomes
	Acceptable Outcome AO10	✗ Must meet acceptable outcomes
	Acceptable Outcome AO11	✗ Must meet acceptable outcomes
	Acceptable Outcome AO12	✗ Must meet acceptable outcomes
	Acceptable Outcome AO13	✗ Must meet acceptable outcomes
	Acceptable Outcome AO14	✗ Must meet acceptable outcomes
Vegetation Management Code		✗ Must meet acceptable outcomes
Referral Agency		
Applicable referral agency benchmarks		Acceptable outcome
MP 1.1 – Design and Siting Standard for Single Detached Housing – on lots under 450m2		✓ May propose non compliances
MP 1.2 – Design and Siting Standard for Single Detached Housing – on lots 450m2 and over		✓ May propose non compliances
CairnsPlan 1.6 - Building work regulated under the planning scheme		✓ May propose non compliances
CairnsPlan1.8 - Local government administrative matters		✓ May propose non compliances

Land Use	Inclusion
Dual Occupancy	<p>Residential zones</p> <ul style="list-style-type: none"> - Low density residential - Low Medium density residential - Medium density residential <hr/> <p>Category of development and assessment</p> <p>Meets the requirement of accepted development under the Dual Occupancy Code with the exception of minor performance outcomes (a total of 5 or less).</p>
Assessment Benchmarks	
Applicable Zone codes	Acceptable outcome
<ul style="list-style-type: none"> - Low Density Residential Code - Low Medium Density Residential Code - Medium Density Residential Code 	✓ May propose non compliances
Applicable Development codes	Acceptable outcome
Dual Occupancy Code	✓ May propose non compliances
Excavation and Filling Code	✓ May propose non compliances
Infrastructure Works Code	✓ May propose non compliances
Parking and Access Code	✓ May propose non compliances
Vegetation Management Code	✗ Must meet acceptable outcomes
Applicable Overlays	Acceptable outcome
Airport Environs Overlay Code	✗ Must meet acceptable outcomes
Bushfire Hazard Overlay Code	✗ Must meet acceptable outcomes
Coastal Processes Overlay Code	✗ Must meet acceptable outcomes
Flood and Inundation Hazards Overlay Code	✗ Must meet acceptable outcomes
Hillslopes Overlay Code	✓ May propose non compliances
Natural Areas Overlay Code	✗ Must meet acceptable outcomes
Potential Landslip Overlay Code	✗ Must meet acceptable outcomes

Land Use	Inclusion
Building Work & Minor Building Work	<p>Residential zones</p> <ul style="list-style-type: none"> - Low density residential - Low Medium density residential - Medium density residential <hr/> <p>Category of development and assessment</p> <p>Accepted subject to requirements where a total of 5 or less non compliances against the CairnsPlan 2016 are proposed</p>
Assessment Benchmarks	
Applicable Zone codes	Acceptable outcome
<ul style="list-style-type: none"> - Low Density Residential Code - Low Medium Density Residential Code - Medium Density Residential Code 	✓ May propose non compliances
Applicable Development codes	Acceptable outcome
Dwelling House Code	✓ May propose non compliances
Dual Occupancy Code	✓ May propose non compliances
Excavation and Filling Code	✓ May propose non compliances
Infrastructure Works Code	✓ May propose non compliances
Multiple Dwelling and Short-Term Accommodation Code	✓ May propose non compliances
Applicable Overlay Codes	Acceptable outcome
Airport Environs Overlay Code	✗ Must meet acceptable outcomes
Coastal Processes Overlay Code	✗ Must meet acceptable outcomes
Flood and Inundation Hazards Overlay Code	✗ Must meet acceptable outcomes
Hillslopes Overlay Code	✓ May propose non compliances
Natural Areas Overlay Code	✗ Must meet acceptable outcomes
Neighbourhood Character Overlay Code	✗ Must meet acceptable outcomes
Referral Agency	
Applicable referral agency benchmarks	Acceptable outcome
MP 1.1 – Design and Siting Standard for Single Detached Housing – on lots under 450m2	✓ May propose non compliances
MP 1.2 – Design and Siting Standard for Single Detached Housing – on lots 450m2 and over	✓ May propose non compliances
CairnsPlan 1.6 - Building work regulated under the planning scheme	✓ May propose non compliances
CairnsPlan1.8 - Local government administrative matters	✓ May propose non compliances

Exclusions

This section outlines the instances (exclusions) when an application **is not eligible** for Express DA assessment.

To be clear, where the application is subject to any of the exclusions outlined in the tables below, the application **is not eligible** for assessment under the Express DA process even if it is located in an eligible zone and is an eligible land use.

Table 3 - Exclusions

Activity	Exclusion
Any Express DA	State referral agency assessment
	Where the development requires referral to a state agency for assessment and the applicant has not received pre-approval support from the State agency for the proposed development.
	Referral Agency Assessment
	Where the development requires referral to an advice agency for advice and the applicant has not received pre-approval support from the relevant advice agency for the proposed development.
	Application Type
	Where the development is impact assessable.
	Approved Plan
	Where the works trigger the need for a Minor / Other Change, for example to a Reconfiguring a Lot approval with a Building Envelope.
	Preliminary Approval
	Where the land is subject to a Preliminary Approval for a Variation Request.
Specialist Reports	
Where the assessment benchmark requires a specialist report.	
This is to ensure the Council can assess the application within a 10 business day timeframe and minimise the likelihood of an information request or specialist input.	

CairnsPlan exclusions

Overlays

Activity	Exclusion
Any Express DA	Where the development is identified on any of the following overlay maps: <ul style="list-style-type: none"> • Neighbourhood Character Overlay • Places of Significance Overlay

What information needs to accompany an Express DA?

Overview

This part of the guideline outlines the type and standard of information required to accompany an Express DA and is referred to as 'application material'.

Council requires applicants to submit application material which is of a high quality. An application of this quality allows for an accurate and timely assessment and minimises the likelihood of an information request.

When an applicant submits application material in accordance with **section 5.2** and those outlined in **section 4.2.4** it is considered a well-made and high quality application.

Application material

The application material required to accompany an Express DA is outlined in:

- **Section 4.2.4** - Assessment benchmarks which require specialist reports, statements and/or drawings; and
- **Tables 5.2 (1) to 5.2 (3)** below.

Table 5 – Templates – Express DA	
Application material	Requirements / standard
Planning report template	<p>A completed Accredited Consultants Report template, identifying:</p> <ul style="list-style-type: none"> • How the development complies with the relevant specific benchmarks for assessment <p>Note: The Accredited Consultancy Report template is available on Council's website and includes guidance on how to discuss compliance with relevant assessment benchmarks.</p>

Table 5 – Drawings – Express DA	
Application material	Requirements/ standard
All drawings	<p>All drawings must:</p> <ul style="list-style-type: none"> • Clearly illustrate the proposed development. • Be drawn to scale. • Include a north point. • Include references such as: <ul style="list-style-type: none"> ○ Drawing title. ○ Date. ○ Version. ○ Who has prepared the drawing.
Site drawing	<p>Site drawing, identifying:</p> <ul style="list-style-type: none"> • The proposed development, including any ancillary structures. • Existing structures to be retained as part of the development. • Dimensions of setbacks to all boundaries. • Any vegetation to be retained. • Communal space and private open space (when they form part of the proposed development). • Existing or proposed infrastructure within and external to the site (e.g. within the road reserve fronting the site). • Site property boundaries. • Dimensions of bin storage point. • Dimensions of bin servicing point. • Dimensions of communal space and private open space (when they form part of the proposed development). <p>Any of the specific site drawing requirements identified in section 4.2.4.</p>

Application material	Requirements / standard
Floor drawing	Floor drawing, identifying: <ul style="list-style-type: none"> • Each floor level, including roof level. • Any of the specific floor drawing requirements identified in section 4.2.4.
Elevation drawing	Elevation drawing of each side of the development, identifying: <ul style="list-style-type: none"> • Building height. • Materials, finishes and colour palette for the development (where relevant). • Dimensions and colour of any screen/s. • Any specific elevation drawing requirements identified in section 4.2.4. Note: Elevation drawings are not required if the development is located within an existing building and no changes are proposed.

Where can I get help?

The Council's dedicated Express Development Assessment team is here to help. Contact us on:

Email: expressda@cairns.qld.gov.au

Phone: 1300 69 22 47

More information: www.cairns.qld.gov.au

Where can I find templates and other supporting information?

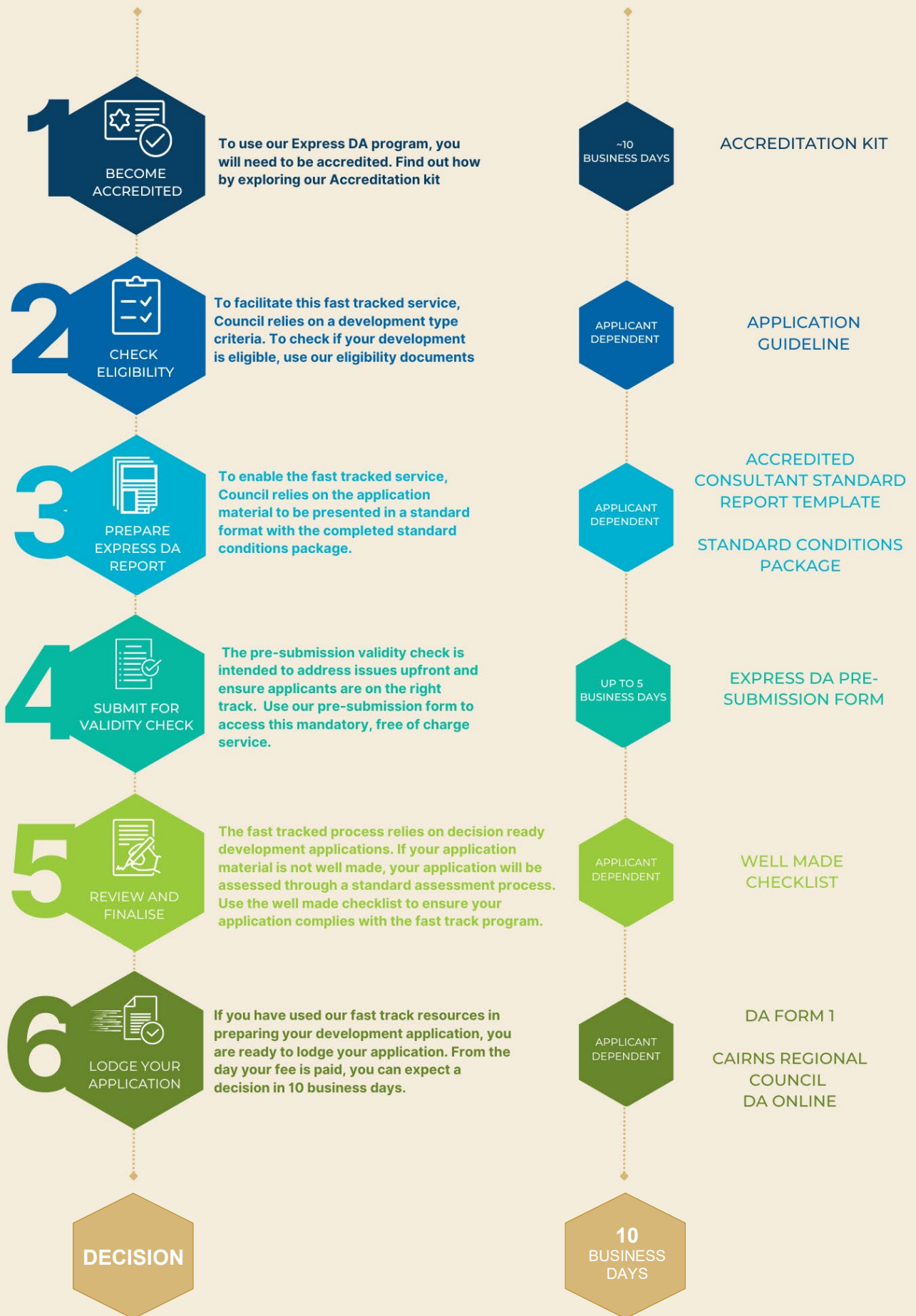
The following templates are available on the Council's website www.cairns.qld.gov.au

- Planning report template.
- Code templates.

Also available on Council's website are:

- Example completed planning reports and code templates.
- Forms:
 - [Pre-submission request form.](#)
 - [Express DA – Accreditation Kit.](#)
 - [Express DA – Accredited Consultants Report.](#)

Attachment 1 – Express DA Process



MORE INFORMATION

P: 1300 69 22 47

Email: info@cairns.qld.gov.au

Web: www.cairns.qld.gov.au



Cairns
REGIONAL COUNCIL



Attachment 3: Accredited Consultants standard report template ([#7172991](#))



ExpressDA ACCREDITED
SIMPLY FASTER
A CAIRNS REGIONAL COUNCIL INITIATIVE **CONSULTANTS REPORT**

MATERIAL CHANGE OF USE FOR A DUAL OCCUPANCY / DWELLING HOUSE – *INSERT ADDRESS*

PRE-SUBMISSION NUMBER	
ACCREDITED CONSULTANT NAME	
ACCREDITATION NUMBER	

APPLICATION SUMMARY

DEVELOPMENT APPLICATION DETAILS	
Proposal (general description)	
Level of assessment	
Site address	
Lot and plan	
Landowner	
Applicant	
Planning scheme	
Local plan	
Zone	LOW DENSITY RESIDENTIAL LOW MEDIUM DENSITY RESIDENTIAL MEDIUM DENSITY RESIDENTIAL
Referral agencies	
Assessment deadline	
Application date	
Appendix	1. Plans of development 2.

The following table describes the key development parameters for the proposal:

DEVELOPMENT PARAMETERS

MATERIAL CHANGE OF USE	DEVELOPMENT PARAMETERS	
	REQUIRED	PROPOSED
Gross Floor Area		
Number of Units		
Building Height/ Storeys		
Density		
Setbacks		
Site Cover		
OTHER (INSERT AS NEEDED)		

SITE/LOCALITY

SITE AND LOCALITY DESCRIPTION	
Land Area	
Existing Use of Land	
Road Frontage	
Significant Site Features	
Topography	

BACKGROUND / SITE HISTORY

APPLICATION NO.	DECISION AND DATE

ASSESSMENT

Material assessed in the application

The applicant provided the following materials in the application:

- Accredited Consultants Report;
- Plans of Development; and
- *List any other application material*

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

Applicable assessment benchmarks

The following Assessment Benchmarks apply to the development:

STATE PLANNING INSTRUMENTS	
Far North Queensland Regional Plan (FNQRP) 2009-2031	The subject site is within the Urban Footprint. The Regional Plan has been appropriately integrated and reflected through CairnsPlan 2016.
State Planning Policy (SPP)	The State Planning Policy (SPP) contains the State Interest Policies and Assessment Benchmarks which are applicable to the development. The CairnsPlan 2016 advances the SPP except for erosion prone areas and coastal management district and therefore all the State interests have been appropriately reflected in CairnsPlan 2016.
CAIRNSPLAN 2016 V3.1	
insert applicable code or overlay	Complies. *insert statement of compliance*
insert applicable code or overlay	Complies. *insert statement of compliance*
insert applicable code or overlay	Complies *insert statement of compliance*
insert applicable code or overlay	Complies. *insert statement of compliance*
insert applicable code or overlay	Complies. *insert statement of compliance*

NON-COMPLIANCE WITH ACCEPTABLE OUTCOMES

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

Assessment Benchmark		
CairnsPlan 2016		
Performance Outcome	Accredited Consultant Assessment	Council Officer comment
Performance Outcome *insert number and description of outcome*	*insert accredited consultant assessment and how the proposal will satisfy the Performance Outcome*	Council Use Only
Performance Outcome *insert number and description of outcome*	*insert accredited consultant assessment and how the proposal will satisfy the Performance Outcome*	Council Use Only
Performance Outcome *insert number and description of outcome*	*insert accredited consultant assessment and how the proposal will satisfy the Performance Outcome*	Council Use Only
Performance Outcome *insert number and description of outcome*	*insert accredited consultant assessment and how the proposal will satisfy the Performance Outcome*	Council Use Only
Performance Outcome *insert number and description of outcome*	*insert accredited consultant assessment and how the proposal will satisfy the Performance Outcome*	Council Use Only
Performance Outcome *insert number and description of outcome*	*insert accredited consultant assessment and how the proposal will satisfy the Performance Outcome*	Council Use Only

Referral Agency assessment

The application requires assessment by Cairns Regional Council for its non-compliance with the Queensland Development Code.

Queensland Development Code

QDC MP1.1		
Performance Solution	Accredited Consultant Assessment	Council Officer comment
Performance Solution *insert number and description of Performance Solution*	*insert accredited consultant assessment and how the proposal will satisfy the Performance Outcome*	Council Use Only
Performance Solution *insert number and description of Performance Solution*	*insert accredited consultant assessment and how the proposal will satisfy the Performance Outcome*	Council Use Only
Performance Solution *insert number and description of Performance Solution*	*insert accredited consultant assessment and how the proposal will satisfy the Performance Outcome*	Council Use Only
QDC MP1.2		
Performance Solution	Accredited Consultant Assessment	Council Officer comment
Performance Solution *insert number and description of Performance Solution*	*insert accredited consultant assessment and how the proposal will satisfy the Performance Outcome*	Council Use Only
Performance Solution *insert number and description of Performance Solution*	*insert accredited consultant assessment and how the proposal will satisfy the Performance Outcome*	Council Use Only

Performance Solution *insert number and description of Performance Solution*	*insert accredited consultant assessment and how the proposal will satisfy the Performance Outcome*	Council Use Only
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CairnsPlan 2016

CairnsPlan 2016 – Section 1.6		
Performance Solution	Accredited Consultant Assessment	Council Officer comment
Performance Solution *insert number and description of Performance Solution*	*insert accredited consultant assessment and how the proposal will satisfy the Performance Outcome*	Council Use Only
Performance Solution *insert number and description of Performance Solution*	*insert accredited consultant assessment and how the proposal will satisfy the Performance Outcome*	Council Use Only
Performance Solution *insert number and description of Performance Solution*	*insert accredited consultant assessment and how the proposal will satisfy the Performance Outcome*	Council Use Only
CairnsPlan 2016 –Section 1.8		
Performance Outcome	Accredited Consultant Assessment	Council Officer comment
Performance Outcome *insert number and description of Performance Solution*	*insert accredited consultant assessment and how the proposal will satisfy the Performance Outcome*	Council Use Only

INFRASTRUCTURE CHARGES

The development does not result in an increased demand on Council's trunk infrastructure network in accordance with Council's Charges Resolution No. 2 of 2021. An Infrastructure Charges Decision Notice is not required.

OR

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 calculations is contained in Appendix X.

NOTICE ABOUT DECISION – STATEMENT OF REASONS

Subject to the imposition of the development conditions contained within the decision notice, the development is considered to comply despite non-compliance with particular assessment benchmarks for the reasons further described in this notice:

1. In assessing the proposed development, conditions have been imposed to ensure compliance with the assessment benchmarks of the CairnsPlan 2016 v3.1.
2. Council use only
3. Council use only

This submission is referred to the Delegated Officer to exercise all associated powers to manage and decide development applications made under the relevant planning legislation in accordance with the approved Delegations of Authority.

DECLARATION BY CONSULTANT

I am satisfied that no matters of significance are withheld from Council's delegate. This report was completed by me or under my direct supervision and I am suitably qualified and experienced to provide an assessment of the application against the criteria contained in this report. I acknowledge and accept that the Council, as the assessment manager, relies in good faith, on the information provided within this report as part of its development assessment process and that the provision of false or misleading information to the Council constitutes an offence against the *Planning Act 2016*. I am aware that the Cairns Regional Council will rely upon this report and any associated plans, certifications, attachments etc. as part of the assessment of this development application.

insert signature

Insert Accredited Consultant Name

Accredited Consultant under Accreditation Number *insert accreditation number*, on DAY MONTH YEAR.

ASSESSMENT MANAGER DECLARATION, EXECUTION OF DELEGATION & DECISION (COUNCIL USE ONLY)

COUNCIL ACTION OFFICER DECLARATION

The Action Officer confirms that:

- The conditions (including the process) for executing delegated authority given by Council under section 259 of the *Local Government Act 2012* have been fulfilled; and
- That in fulfilling the conditions of delegated authority, notification of the development application was provided to Councillor **insert Councillor Name** for **Insert division**, and the Deputy Mayor, Councillor **insert name**, on **insert date**.

The recommendation is formed after considering the proposal, the relevant provisions of the *Planning Act 2016*, the assessment benchmarks, submissions received and other relevant materials.

insert signature

Insert Planning Officer Name

Action Officer, **Insert Title** on DAY MONTH YEAR.

EXECUTION OF DELEGATION & DECISION

The Delegate has considered the application detailed above, the matters set out in the submission to the Delegate and the recommendation of the officer, I am satisfied that the application accords with relevant standards and the *Planning Act 2016* where applicable and as such approve the application subject to the conditions attached.

insert signature

Claire Simmons

Delegate, Manager Development & Planning on DAY MONTH YEAR

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

APPENDIX 2: SITE PHOTOS TAKEN FROM SITE TO SHOW EXISTING ELEMENTS