

Attachment 10

Draft Conditions Packages

Applicant Suggested

Draft conditions package

That Council approves the Development Application for:

- A. Development Permit for Reconfiguring a Lot (1 Lot into 2 Lots and Access Easement); and
- B. Preliminary Approval for a Variation Request for a Material Change of Use to facilitate the Currunda Creek Trades and Services Precinct; and
- C. Preliminary Approval for Reconfiguring a Lot (1 Lot into 4 Lots and Drainage and Road Reserves)

over land located at 626R Redlynch Intake Road, Redlynch and more particularly described as Lot 2 on SP106972, subject to the following:

PART A – DEVELOPMENT PERMIT FOR RECONFIGURATION OF A LOT (ONE (1) LOT INTO TWO (2) LOTS AND ACCESS EASEMENT)

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

Plan or Document	Reference	Date
Proposed Reconfiguration of Lot 2 on SP106972 into 2 Lots	SK20A	Undated
Proposed Reconfiguration of Lot 2 on SP106972 into 2 Lots	SK21A	Undated
Landscape Planting Concept Proposal	L2407_LCP1_240710	Undated
Buffer Module Planting Plan and Species Schedule	L2407_LPP1_240710	Undated

No.	General Requirements	Timing
1	<p>Approved Plan(s) and Document(s)</p> <p>The development is to be completed and carried out generally in accordance with the approved plan(s) and document(s) above, except where modified by the conditions of this Development Permit.</p>	At all times.

No.	General Requirements	Timing
2	<p>Maintain the Approved Development</p> <p>Maintain the approved development generally in accordance with the approved plan(s) and document(s), and any relevant approval required by these conditions of approval.</p>	At all times.
3	<p>Currency Period</p> <p>This development approval, granted under the provisions of the Planning Act 2016 (Qld), lapses six (6) years from the day the development approval takes effect, in accordance with the provisions of section 85 of the Planning Act 2016 (Qld).</p>	As stated.
4	<p>Timing of Effect</p> <p>The conditions of the Development Permit must be satisfied prior to Council approval of the Plan of Survey, except where specified otherwise in these conditions of approval.</p>	Prior to Survey Plan endorsement.
5	<p>Creation of Easements</p> <p>Create an access easement burdening Proposed Lot 22, benefiting Proposed Lot 21, as identified on the approved plans of development, to the requirements and satisfaction of the Chief Executive Officer. The approved easement documents must be submitted at the same time as seeking approval for the Plan of Survey and must be lodged and registered with the Department of Resources (Titles Registry) in conjunction with the Plan of Survey.</p> <p>A copy of the easement documents must be submitted to Council for endorsement at no cost to Council.</p>	Prior to Council approval of the Plan of Subdivision.
6	<p>Concentration of Stormwater</p> <p>Stormwater discharge must have a no worsening effect or ponding nuisances on downstream or upstream properties, associated with the following:</p> <ul style="list-style-type: none"> (a) diversion of stormwater; (b) concentration of stormwater flows; 	

No.	General Requirements	Timing
	<p>(c) changes in other flow characteristics; and</p> <p>(d) changes that affect the future use of land.</p> <p>If a disparity exists between pre and post alteration flows, measures are to be implemented in order to have a no worsening effect.</p>	
7	<p>Discharge of Stormwater</p> <p>Stormwater associated with development is discharged to:</p> <p>(a) a lawful connection provided from the premises to Council's stormwater network; or</p> <p>(b) land under Local Government control that has a lawful drainage function immediately adjoining to the premises; or</p> <p>(c) an easement for drainage purpose immediately adjoining to the premises; or</p> <p>(d) where the site cannot discharge to a, b or c, stormwater is discharged from the site in a manner that does not result in:</p> <p>i. change to the location of stormwater discharge;</p> <p>ii. an increase to peak flow velocity or volume; or</p> <p>iii. a concentration in stormwater discharge.</p>	
8	<p>Lawful Point of Discharge</p> <p>All stormwater from the land must be directed to a lawful point of discharge such that it does not adversely affect surrounding properties or properties downstream from the development, in accordance with the Queensland Urban Drainage Manual.</p>	
9	<p>Access Arrangements</p> <p>(a) The Applicant is to provide lawful access to Lot 21 by:</p> <p>i. Arranging registration of an access easement burdening proposed Lot 22 prior to or in conjunction with submission of the Plan of Survey.</p>	<p>Prior to Council approval of the Plan of Subdivision.</p>

No.	General Requirements	Timing
	Evidence of lawful access must be provided to Council prior to the registration of the Plan of Survey creating the new lease lot.	
10	<p>Crossover and Driveway</p> <p>Both access crossover and driveways, located on Proposed Lot 22, are to be certified as being compliant with a commercial/industrial standard access / driveway to the point of connecting to the property boundary off Redlynch Intake Road in accordance with FNQROC Development Manual Standard Drawing S1015.</p>	Prior to Council approval of the Plan of Subdivision.
11	<p>Existing Services</p> <p>Any works over or within the zone of influence of Council's existing water and sewerage infrastructure must be approved prior to the commencement of the proposed work. Existing infrastructure impacted by the development shall be subject to the maintenance period provisions, unless otherwise approved in writing.</p> <p>Note: Construction works include any works that may impact on existing infrastructure such as, but not limited to, mobilisation of heavy earthmoving equipment, stripping and grubbing, site filling, stockpiling of materials and installation of erosion and sediment control measures.</p>	At all times.
12	<p>Other Utility Services</p> <p>If during construction, non-Council utility services and Council infrastructure are found to not comply with the FNQROC Development Manual in relation to clearances or setbacks from services such as streetlights, stormwater drainage pits and driveways, amended drawings must be provided to Council for approval with a clear indication of affected services and adjustments required to achieve compliance.</p>	At all times.
13	<p>Damage to Council Infrastructure</p> <p>In the event that any part of Council's existing infrastructure is damaged as a result of construction activities occurring on the site, including but not limited to; mobilisation of heavy construction equipment, stripping and grubbing, the applicant/owner must notify Council immediately of the affected infrastructure and have it repaired or replaced at the</p>	At all times.

No.	General Requirements	Timing
	<p>developers/owners/builders cost, prior to the registration of the Plan of Survey creating the new lease lot.</p>	
14	<p>Internal Landscaping</p> <p>The site must be landscaped in accordance with details and specifications on the approved Landscaping Plan/s referenced in the Approved Plans. Specifically, landscaping must:</p> <ol style="list-style-type: none"> a. Incorporate planting in accordance with the Approved Plans along the sites frontage with Redlynch Intake Road, in that area nominated as “10m Landscape Buffer”, which area is to extend for a width of 5m along the southern boundary of proposed Lot 22 adjacent to the future Drainage Reserve for a distance not less than 130m, to provide for further screening of the site from Redlynch Intake Road and adjoining properties; b. Incorporate and provide for planting to be undertaken in accordance with the Buffer Module Plan in the Approved Plans; c. Be completed to a standard acceptable to the Chief Executive Officer. <p>Landscape plans for the Buffer are to be submitted and approved prior to the lodgement of any Application for MCU or ROL of Lot 22</p> <p>Landscape works must be completed in accordance with the Approved Plans and inspected by Council prior to issue of a DP for any subsequent MCU or ROL.</p> <p>Security for maintenance of the landscaping undertaken and / or for performance of this condition will be provided consistent with Council’s policy requirements.</p> <p>Landscaping must be maintained and suitably established consistent with FNQROC Development Manual Requirements.</p>	<p>Prior to the submission of an application for MCU or ROL of Lot 22</p> <p>Prior to issue of a Development Permit for MCU or ROL</p>

PART B – PRELIMINARY APPROVAL INCLUDING A VARIATION REQUEST

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

Plan or Document	Reference	Date
Proposed Reconfiguration of Lot 2 on SP106972 into 2 Lots	SK20A	Undated
Proposed Reconfiguration of Lot 2 on SP106972 into 2 Lots	SK21A	Undated
Reconfiguration of Proposed Lot 22 into 4 Lots – Concept Plan	SK31B	Undated
Rural Zone Table of Assessment including Currunda Creek Trades and Services Precinct alterations	N/A	September 2024
Currunda Creek Trades and Services Precinct Code	N/A	September 2024
Landscape Planting Concept Proposal	L2407_LCP1_240710	Undated
Buffer Module Planting Plan and Species Schedule	L2407_LPP1_240710	Undated

No.	General Requirements	Timing
1	<p>Approved Plan(s) and Document(s)</p> <p>The development is to be completed and carried out generally in accordance with the approved plan(s) and document(s) above, except where modified by the conditions of this Preliminary Approval.</p>	At all times.
2	<p>Currency Period</p> <p>This development approval, granted under the provisions of the Planning Act 2016 (Qld), lapses ten (10) years from the day the development</p>	As stated.

No.	General Requirements	Timing
	approval takes effect, in accordance with the provisions of section 85 of the Planning Act 2016 (Qld).	
3	<p>Variation to the Planning Scheme</p> <p>Pursuant to s61(3)(a) of the <i>Planning Act 2016</i>, the Variation Approval varies the effect of the CairnsPlan 2016 v3.1, or any subsequent Planning Scheme in effect for the Cairns Regional Council local government area as at a date a future development application is made in respect of land to which the Variation Approval applies (“CRC Planning Scheme”) as follows:</p> <p>A. The level of assessment for a Material Change of Use on the land shall be determined in accordance with the Table of Assessment for the Rural Zone inclusive of the Currunda Creek Trades and Services variations to categories of assessment for Bulk Landscape Supplies, Low Impact Industry, Outdoor Sales, Transport Depot, Warehouse and Wholesale Nursery land uses;</p> <p>B. The level of assessment for Reconfiguration of a Lot, Operational Work, and Building Work where assessable shall remain as per the Rural Zone Table of Assessment, save and except that assessment for these activities will be as against the Currunda Creek Trades and Services Precinct Code, in lieu of the Rural Zone Code that may otherwise apply.</p>	
4	Where the conditions of this approval and/or the approved plans and documents are ‘silent’ in respect of how an aspect of development should be treated, the provisions of the Cairns Regional Council Planning Scheme in effect at the time shall apply to that aspect of development.	
5	If there is an inconsistency between conditions of this approval and the Currunda Creek Trades and Services Precinct Code and / or modified Rural Zone including Currunda Creek Trades and Services Precinct Table of Assessment, the conditions of this approval prevail to the extent of the inconsistency.	
6	If there is an inconsistency between conditions of this approval and the Currunda Creek Trades and Services Precinct Code and / or modified Rural Zone including Currunda Creek Trades and Services Precinct Table of Assessment and the Cairns Regional Council Planning Scheme, the	

No.	General Requirements	Timing
	Currunda Creek Trades and Services Precinct Code and / or modified Rural Zone including Currunda Creek Trades and Services Precinct Table of Assessment prevails to the extent of the inconsistency.	
7	<p>Future Development Applications</p> <p>All Development Applications made pursuant to this Development Approval must demonstrate that they comply with the conditions of this Development Approval and the provisions of the approved Currunda Creek Trades and Services Precinct Code and the relevant assessment benchmarks of the planning scheme as identified in the approved Table of Assessment for the Rural Zone inclusive of the Currunda Creek Trades and Services Precinct.</p>	
9	<p>Limitation of Use</p> <p>Any future development on the subject land, not already provided for within the Rural Zone table of assessment (and designated as Accepted Development, with or without requirements, and / or Code Assessable development), described as Proposed Lot 22 as illustrated on approved plans, is limited to the following, at all times:</p> <ul style="list-style-type: none"> d. Bulk Landscape Supplies, meaning the use of premises for the bulk storage and sale of mainly non-packaged landscaping and gardening supplies, including, for example, soil, gravel, potting mix or mulch, and not including uses described as garden centre, outdoor sales or wholesale nursery; e. Low impact industry, meaning Low impact industry means the use of premises for an industrial activity— <ul style="list-style-type: none"> (a) that is the manufacturing, producing, processing, repairing, altering, recycling, storing, distributing, transferring or treating of products; and (b) that a local planning instrument applying to the premises states is a low impact industry; and (c) that complies with any thresholds for the activity stated in a local planning instrument applying to the premises, including, for example, thresholds relating to the number of products manufactured or the level of emissions produced by the activity. 	

No.	General Requirements	Timing
	<p>These uses are generally limited in terms of scale and intensity, as described in the Table of Assessment as approved by Council;</p> <p>f. Outdoor sales, meaning the use of premises for— (a) displaying, selling, hiring or leasing vehicles, boats, caravans, machinery, equipment or other similar products, if the use is mainly conducted outdoors; or (b) repairing, servicing, selling or fitting accessories for the products stated in paragraph (a), if the use is ancillary to the use in paragraph (a).</p> <p>These uses are generally limited in terms of scale and intensity, as described in the Table of Assessment as approved by Council;</p> <p>g. Transport depot, meaning the use of premises for— (a) storing vehicles, or machinery, that are used for a commercial or public purpose; or (b) cleaning, repairing or servicing vehicles or machinery, if the use is ancillary to the use in paragraph (a).</p> <p>This use as described on this site excludes any use of a site in whole or in part for a Bus Depot, and is subject to limitations as to scale and intensity as described in the Table of Assessment as approved by Council;</p> <p>h. Warehouse, meaning the use of premises for— (a) storing or distributing goods, whether or not carried out in a building; or (b) the wholesale of goods, if the use is ancillary to the use in paragraph (a).</p> <p>i. Wholesale nursery, meaning the use of premises for - (a) the wholesale of plants grown on or next to the premises; or (b) selling gardening materials, if the use is ancillary to the use in paragraph (a).</p>	
10.	Any future development on the site must not involve activities that would cause unreasonable noise, air quality or odour related environmental harm or nuisance to be experienced by sensitive receptors, exclusive of sensitive receptors located on adjoining Proposed Lot 21.	

PART C – PRELIMINARY APPROVAL FOR RECONFIGURATION OF A LOT (1 Lot into 4 Lots, Road and Drainage Reserves)

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

Plan or Document	Reference	Date
Reconfiguration of Proposed Lot 22 into 4 Lots – Concept Plan	SK31B	Undated

No.	General Requirements	Timing
1	<p>Approved Plan(s) and Document(s)</p> <p>The development is to be completed and carried out generally in accordance with the approved plan(s) and document(s) above, except where modified by the conditions of this Preliminary Approval.</p>	At all times.
2	<p>Currency Period</p> <p>This development approval, granted under the provisions of the Planning Act 2016 (Qld), lapses six (6) years from the day the development approval takes effect, in accordance with the provisions of section 85 of the Planning Act 2016 (Qld).</p>	As stated.
3	<p>The development may be undertaken in stages, generally in accordance with the stages indicated on the Approved Plans of Development, to the satisfaction of the Chief Executive Officer. Any changes to the approved stage layout must be submitted to and endorsed by the Chief Executive Officer.</p>	As stated.
4	<p>Timing of Effect</p> <p>The conditions of the Preliminary Approval must be satisfied prior to issuance of a Development Permit by Council, except where specified otherwise in these conditions of approval.</p>	Prior to Development Permit
5	<p>Water Supply and Sewerage Infrastructure Plan</p>	Prior to Development Permit

No.	General Requirements	Timing
	<p>Submit a Water Supply and Sewerage Infrastructure Plan and supporting information (including Hydraulic Network Analysis) to demonstrate how the development will be serviced by Council's Infrastructure. In particular:</p> <ol style="list-style-type: none"> 1. The Infrastructure Plan is to set out the timing and staging of the development that is consistent, and/or identify where it is inconsistent (e.g. any upsizing and/or bring forward of timing), with the LGIP; 2. The plan must detail any interim servicing arrangements for the development and identify thresholds (lot yield and timing) associated with those interim and ultimate servicing arrangements, including any limitation on the development for any interim connection to Council's infrastructure; and 3. Identify external catchments that will be connected to and/or serviced by the internal sewer or water networks. <p>The Water Supply and Sewerage Infrastructure Plan must be endorsed by the Chief Executive Officer.</p>	
6	<p>Site Based Stormwater Management Plan</p> <p>Provide a Site Based Stormwater Management Plan (SBSMP) and associated amended design which details a stormwater point of discharge.</p> <p>This document is required to report on the stormwater quantity and quality management required for the land, and must focus on, but not be limited to, the following:</p> <ol style="list-style-type: none"> A. Nominate best practice site management procedures to control the severity and extent of soil erosion and pollutant transport and other water quality issues that may arise during the construction phase and post-construction phase; B. Nominate requirements for ongoing post-construction management (inclusive of responsibility) of the drainage channel located along the southern boundary of the land and bisecting Proposed Lot 22. <p>All works must be carried out in accordance with the approved plan(s).</p>	Prior to Development Permit

No.	General Requirements	Timing
7	<p>Revised Flood Study</p> <p>Undertake a revised Flood Study to update the BMT 12 December 2022 Reporting, with such study to determine drainage impacts on upstream and downstream properties, and mitigation measures required to minimise such impacts. The study must address the following, at a minimum:</p> <ol style="list-style-type: none"> a. External and internal contributing catchment areas; b. Extent of the 1% AEP flood event in relation to both pre and post-development scenarios; c. Primary and secondary flow paths for 50%, 10% and 1% AEP flood events; d. Any required drainage easements through the property to be confirmed / identified; e. Identify the need and tenure for flood detention areas, if required to ensure a no worsening impact on surrounding areas; f. Identification of the type of crossings, if any, proposed for drainage or creek lines that cross roads contained within the site; g. Lawful points of discharge. <p>The drainage study is to be certified by an appropriately qualified and experienced engineer (RPEQ certified) and must comply, in all regards, with the requirements of the Queensland Urban Drainage Manual (QUDM) and the Council's development manual (FNQROC). The study must be endorsed by the Chief Executive Officer prior to the issue of a Development Permit for Reconfiguration of a Lot, with all necessary works being undertaken prior to the issue of any Compliance Certificate for any Plan of Survey.</p>	Prior to Development Permit
8	<p>Road Works and Street Design</p> <p>All streets must be designed and constructed in accordance with Complete Streets and the FNQROC Development Manual, to the satisfaction of the Chief Executive Officer. In particular:</p> <ol style="list-style-type: none"> 1. Individual property access must be designed in accordance with the requirements of AS2890.1, with appropriate distances from intersections. 2. Access for lots adjacent to intersections must be provided at a location with maximum distance to the intersection. This must be 	Prior to Development Permit

No.	General Requirements	Timing
	<p>demonstrated as part of the first application for Operational Works.</p> <ol style="list-style-type: none"> 3. Access to all lots must be via the internal street network. Direct vehicular access from Redlynch Intake Road is not permitted. 4. The diameter of both cul-de-sacs must be suitable for a Refuse Collection Vehicle (RCV) to manoeuvre in a forward direction. 5. A Street Tree Masterplan is required to be provided with the first application for Development Permit. The Street Tree Masterplan must demonstrate the location and species for the proposed street trees in accordance with the FNQROC Development Manual and the FNQROC CRC Specific Requirements D9 Landscaping. Species diversity shall be achieved by a change of species within a cul-de-sac, or at an intersection, or at a regular nominated interval in considering the verge layout, infrastructure and services. No more than 20 street trees of the same species must be planted consecutively in an avenue without a species change. 6. Provide details and specifications for the proposed treatment to boundaries to restrict vehicle access in public land in accordance with the FNQROC Development Manual CRC Specific Standard Drawing S4171A-CRC Treatment to Boundaries Type Combination of Treatments and S4170A-CRC Treatment to Boundaries Type A-B within the associated Development Permit for Reconfiguration of a Lot. 7. Provide details and specifications to demonstrate proposed access and areas for Council's maintenance machinery to traverse on public land within the associated Development Permit for Reconfiguration of a Lot. 8. Provision of a temporary vehicle turn around at the end of each road (if required), for the relevant stage. <p>All the above works must be designed and constructed in accordance with the FNQROC Development Manual and Complete Street.</p>	

No.	General Requirements	Timing
9	<p>Rehabilitation Management Plan</p> <p>Prepare and provide for endorsement to Council a Rehabilitation Management Plan. The plan must provide for rehabilitation of degraded areas on site within the proposed Drainage Reserve along Currunda Creek, and any areas impacted and disturbed by the development.</p> <p>The plan must be prepared in accordance with section D9 of FNQROC Development Manual – Natural Area Restoration and Revegetation.</p> <p>In addition to the above, the Revegetation Plan must include the following details and specifications:</p> <ul style="list-style-type: none"> A. An endemic species planting schedule; B. A plan detailing the patterns, densities and locations for planting to emulate the natural state of the waterway corridor; C. Mulching; D. Weed eradication and monitoring; and E. Planting establishment. <p>The approved Rehabilitation Management Plan must be endorsed by the Chief Executive.</p> <p><i>Note: Council's Environmental Officer is available to discuss specific planting palettes and proposed species prior to the submission of a detailed Restoration Plan.</i></p> <p><i>Please contact Council's Development Engineering team.</i></p>	Prior to Development Permit
10	<p>Electricity and Telecommunications</p> <p>An underground electricity reticulation network must be provided to the subdivision in accordance with requirements of the FNQROC Development Manual.</p>	Prior to endorsement of Survey Plan
11	<p>The applicant/owner must provide written evidence from the electricity and telecommunication authorities stating that underground services have or will be provided to each lot prior to Council approval of the Plan of Survey. Such evidence from an electricity provider (Ergon Energy) must be in the form of a "Certificate of Supply", or alternatively a receipt for the full payment of the amount detailed under an "Offer of Supply". Such evidence from a telecommunications provider (NBN Co.) must be in the</p>	Prior to endorsement of Survey Plan

No.	General Requirements	Timing
	form of a receipt for the full payment of the NBN Co. "Development Application" or alternatively provide Council with a copy of the NBN Co. "Council Letter".	
12	Where Ergon Energy requires the installation of a substation to augment their network, a padmount type is to be incorporated within the development and positioned so that it does not detract from the appearance of the streetscape and must be clear of footpath areas. An overhead service line and / or pole mount transformer is not permitted. A dedicated vehicle access must be provided for access and maintenance by Ergon. Details of the electrical substation positioning must be endorsed by the Chief Executive Officer prior to its installation.	Prior to endorsement of Survey Plan
13	<p>Existing Services</p> <p>Any works over or within the zone of influence of Council's existing water and sewerage infrastructure must be approved prior to the commencement of the proposed work. Existing infrastructure impacted by the development shall be subject to the maintenance period provisions, unless otherwise approved in writing. Note: Construction works include any works that may impact on existing infrastructure such as, but not limited to, mobilisation of heavy earthmoving equipment, stripping and grubbing, site filling, stockpiling of materials and installation of erosion and sediment control measures.</p>	At all times.
14	<p>Other Utility Services</p> <p>If during construction, non-Council utility services and Council infrastructure are found to not comply with the FNQROC Development Manual in relation to clearances or setbacks from services such as streetlights, stormwater drainage pits and driveways, amended drawings must be provided to Council for approval with a clear indication of affected services and adjustments required to achieve compliance.</p>	At all times.
15	<p>Damage to Council Infrastructure</p> <p>In the event that any part of Council's existing infrastructure is damaged as a result of construction activities occurring on the site, including but not limited to; mobilisation of heavy construction equipment, stripping and grubbing, the applicant/owner must notify Council immediately of the</p>	At all times.

No.	General Requirements	Timing
	affected infrastructure and have it repaired or replaced at the developers/owners/builders cost, prior to the registration of the Plan of Survey creating the new lease lot.	