

**DELEGATED REPORT****TO:** SENIOR PLANNER**FROM:** PLANNING OFFICER**FILE:** OPW/18/0010**DATE:** 24 September 2018

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**APPLICATION DETAILS**

APPLICATION		PREMISES	
<b>APPLICANT</b>	LC Moore	<b>ADDRESS</b>	Catherine Atherton Drive, Mareeba
<b>DATE LODGED</b>	20 September 2018	<b>RPD</b>	Lot 299 on SP250068
<b>TYPE OF APPROVAL</b>	Development Permit		
<b>PROPOSED DEVELOPMENT</b>	Operational Works - Earthworks (Filling)		

<b>FILE NO</b>	OPW/18/0010	<b>AREA</b>	4,652m <sup>2</sup>
<b>LODGED BY</b>	LC Moore	<b>OWNER</b>	LC Moore
<b>PLANNING SCHEME</b>	Mareeba Shire Council Planning Scheme 2016		
<b>ZONE</b>	Rural Residential		
<b>LEVEL OF ASSESSMENT</b>	Code assessment		
<b>SUBMISSIONS</b>	n/a		

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**ATTACHMENTS:** 1. Proposal Plan/s

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**THE SITE**

The subject site is situated at Catherine Atherton Drive, Mareeba, and is more particularly described as Lot 299 on SP250068.

The site is rectangular in shape with an area of 4,652m<sup>2</sup> and is zoned Rural Residential under the Mareeba Shire Council Planning Scheme 2016. The site contains approximately 50 metres of frontage to Catherine Atherton Drive which is constructed to a bitumen/asphalt sealed standard including kerb and channel.

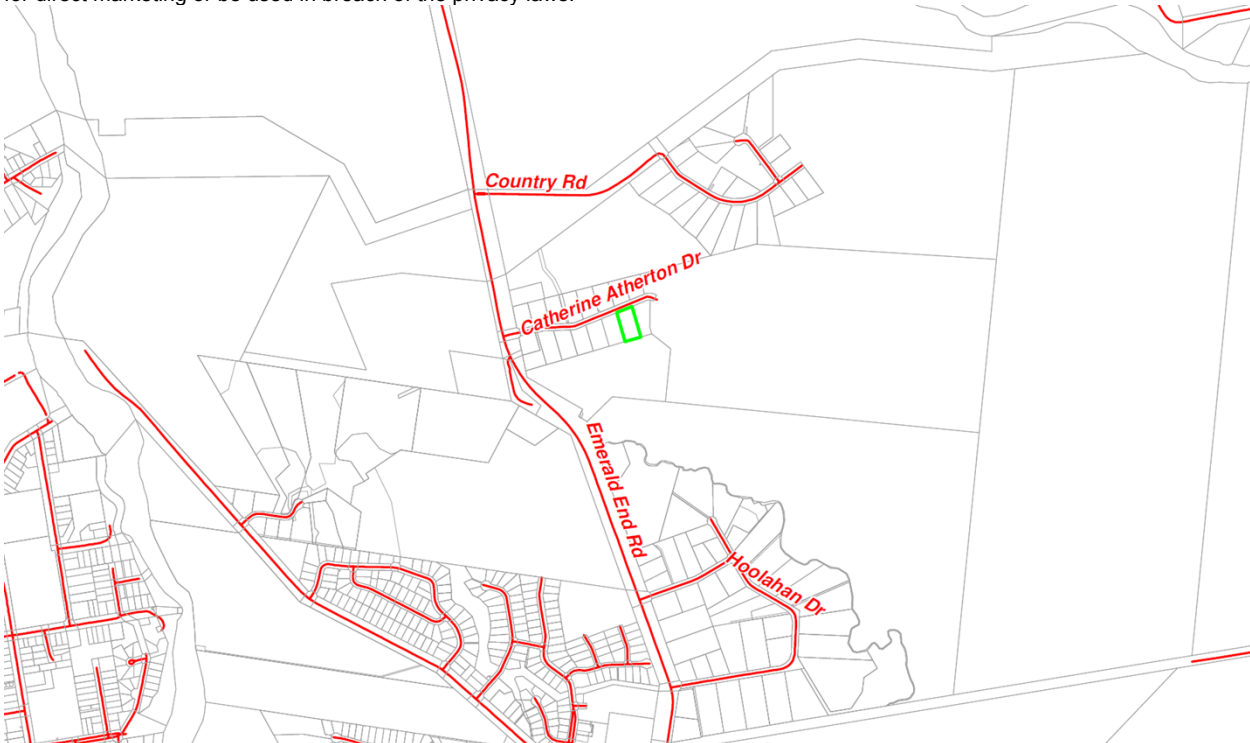
Access to the subject site is obtained directly off Catherine Atherton Drive.

A new dwelling house is presently being constructed on the subject site. Most allotments in the immediate vicinity have been developed with a single dwelling house. Urban services, with the exception of town sewerage, have been provided to the allotment.



**Map Disclaimer:**

Based on or contains data provided by the State of Queensland (Department of Environment and Resource Management) (2009). In consideration of the State permitting use of this data you acknowledge and agree that the State gives no warranty in relation to the data (including accuracy, reliability, completeness, currency or suitability) and accepts no liability (including without limitation, liability in negligence) for any loss, damage or costs (including consequential damage) relating to any use of the data. Data must not be used for direct marketing or be used in breach of the privacy laws.



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## PREVIOUS APPLICATIONS & APPROVALS

Nil

## DESCRIPTION OF PROPOSED DEVELOPMENT

The application seeks a Development Permit for Operational Works - Earthworks (Filling) in accordance with the plans shown in **Attachment 1**.

The proposed development involves the placement of approximately 160m<sup>3</sup> of fill between the applicant's recently constructed dwelling house and the front boundary. The fill is intended to create a flat area supported by a low level retaining wall.

## ASSESSMENT

### Relevant Development Codes

The following Development Codes are considered to be applicable to the assessment of the application:

- 6.2.10 Rural residential zone code
- 9.4.5 Works, services and infrastructure code

The application did not include a planning report and assessment against the planning scheme. An officer assessment has found that the application satisfies the relevant acceptable solutions (or probable solutions/performance criteria where no acceptable solution applies) of the relevant codes set out below.

Relevant Codes	Comments
Rural residential zone code	The application complies with the relevant acceptable/performance outcomes contained within the code.
Works, services and infrastructure code	The application complies with the relevant acceptable/performance outcomes contained within the code.

### 6.2.10 Rural residential zone code

#### 6.2.10.1 Application

- (1) This code applies to assessing development where:
  - (a) located in the Rural residential zone; and
  - (b) it is identified in the assessment benchmarks for assessable development and requirements for accepted development column of an assessment table in Part 5 of the planning scheme.

#### 6.2.10.2 Purpose

- (1) The purpose of the Rural residential zone code is to provide for residential development on large lots where local government infrastructure and services may not be provided on the basis that the intensity of development is generally dispersed.
- (2) Mareeba Shire Council's purpose of the Rural residential zone code is to provide for residential development on a range of larger lots which take account of the history of rural residential development throughout the region. Limited agricultural and animal husbandry activities which contribute to a semi-rural setting may be appropriate on lots with areas in the upper range of lot sizes.

- (3) The Rural residential zone has been broken into three precincts to cater for the distinct lot sizes and levels of servicing that historically occurred in this zone:
- (a) The 2 hectare precinct is characterised by significant clusters of larger rural residential lifestyle lots that have limited infrastructure and proximity to services. Lots within this precinct will not be reconfigured below 2 hectares in size;
  - (b) The 1 hectare precinct is characterised by significant clusters of rural residential lifestyle lots that have limited access to infrastructure and proximity to services. Lots within this precinct will not be reconfigured below 1 hectare in size; and
  - (c) The 4,000m<sup>2</sup> precinct is characterised by clusters of smaller rural residential lots in proximity to activity centres, where reticulated water supply and an urban standard of infrastructure (apart from sewerage) can be provided. Lots within this precinct will not be reconfigured below 4,000m<sup>2</sup>.
- (4) The purpose of the code will be achieved through the following overall outcomes:
- (a) The development of large rural residential lots with attendant provision of onsite infrastructure is facilitated;
  - (b) Development within the zone preserves the environmental and topographical features of the land by integrating an appropriate scale of rural residential activities;
  - (c) Development avoids areas of ecological significance;
  - (d) Low-impact activities such as small-scale eco-tourism and outdoor recreation uses are permitted within the zone where the impacts of such uses are acceptable;
  - (e) Natural features such as creeks, gullies, waterways, wetlands and vegetation and bushland are retained, enhanced and buffered from the impacts of development, with unavoidable impacts minimised through location, design, operation and management requirements;
  - (f) Other uses may be appropriate where meeting the day to day needs of the rural residential catchment or having a direct relationship to the land in which the particular use is proposed. Any such uses should not have any adverse effects on the residential amenity of the area through factors such as noise generation, traffic generation or other factors associated with the use;
  - (g) Reconfiguring a lot will maintain the predominant lot size of the precinct or intended for the precinct; and
  - (h) Reconfiguring a lot involving the creation of new lots is not undertaken external to a precinct in the Rural residential zone in consideration of the inherent environmental, and/or physical infrastructure and/or social infrastructure constraints of Rural residential zoned land outside of identified precincts.

### 6.2.10.3 Criteria for assessment

**Table 6.2.10.3—Rural residential zone code - For accepted development subject to requirements and assessable development**

Performance outcomes	Acceptable outcomes	Complies	Comments
<b>For accepted development subject to requirements and assessable development</b>			
<b>Height</b>			
<b>PO1</b> Building height takes into consideration and respects the following: (a) the height of existing buildings on adjoining premises;	<b>AO1</b> Development has a maximum building height of: (a) 8.5 metres; and (b) 2 storeys above ground level.	n/a	Not applicable.

Performance outcomes	Acceptable outcomes	Complies	Comments
(b) the development potential, with respect to height, on adjoining premises; (c) the height of buildings in the vicinity of the site; (d) access to sunlight and daylight for the site and adjoining sites; (e) privacy and overlooking; and (f) site area and street frontage length.			
<b>Outbuildings and residential scale</b>			
<b>PO2</b> Domestic outbuildings: (a) do not dominate the lot on which they are located; and (b) are consistent with the scale and character of development in the Rural residential zone.	<b>AO2.1</b> On lots less than 2 hectares, domestic outbuildings do not exceed: (a) 150m <sup>2</sup> in gross floor area; and (b) 5.5 metres above natural ground level.	n/a	Not applicable.  The application is not for an outbuilding.
	<b>AO2.2</b> On lots greater than 2 hectares, domestic outbuildings do not exceed: (a) 200m <sup>2</sup> in gross floor area; and (b) 8.5 metres above natural ground level.	n/a	Not applicable.  The application is not for an outbuilding.
<b>Siting</b>			
<b>PO3</b> Development is sited in a manner that considers and respects: (a) the siting and use of adjoining premises; (b) access to sunlight and daylight for the site and adjoining sites; (c) privacy and overlooking; (d) opportunities for casual surveillance of adjoining public spaces; (e) air circulation and access to natural breezes;	<b>AO3</b> Buildings and structures include a minimum setback of: (a) 40 metres from a frontage to a State-controlled Road; (b) 6 metres from a frontage to any other road; (c) 10 metres from a boundary to an adjoining lot in the 2 hectare precinct, 1 hectare precinct or the Rural zone or Conservation zone; (d) 5 metres from a boundary to an	n/a	Not applicable.



Performance outcomes	Acceptable outcomes	Complies	Comments
(f) appearance of building bulk; and (g) relationship with road corridors.	(e) adjoining lot in the 4,000m <sup>2</sup> precinct; and 3 metres from a side or rear boundary otherwise.		
<b>Accommodation density</b>			
<b>PO4</b> The density of Accommodation activities: (a) contributes to housing choice and affordability; (b) respects the nature and density of surrounding land use; (c) does not cause amenity impacts beyond the reasonable expectation of accommodation density for the zone; and (d) is commensurate to the scale and frontage of the site.	<b>AO4</b> Development provides a maximum density for Accommodation activities of 1 dwelling or accommodation unit per lot.	✓	Complies.  Dwelling density is unchanged.
<b>For assessable development</b>			
<b>Site cover</b>			
<b>PO5</b> Buildings and structures occupy the site in a manner that: (a) makes efficient use of land; (b) is consistent with the bulk and scale of surrounding buildings; and (c) appropriately balances built and natural features.	<b>AO5</b> No acceptable outcome is provided.	n/a	Not applicable.  The application is not for an outbuilding.
<b>Building design</b>			
<b>PO6</b> Building facades are appropriately designed to:	<b>AO6</b> No acceptable outcome is provided.	n/a	Not applicable.

Performance outcomes	Acceptable outcomes	Complies	Comments
(a) include visual interest and architectural variation; (b) maintain and enhance the character of the surrounds; (c) provide opportunities for casual surveillance; (d) include a human scale; and (e) encourage occupation of outdoor space.			The application is not for an outbuilding.
<b>PO7</b> Development complements and integrates with the established built character of the Rural residential zone, having regard to: (a) roof form and pitch; (b) eaves and awnings; (c) building materials, colours and textures; and (d) window and door size and location.	<b>AO7</b> No acceptable outcome is provided.	n/a	Not applicable.  The application is not for an outbuilding.
<b>Non-residential development</b>			
<b>PO8</b> Non-residential development: (a) is consistent with the scale of existing development; (b) does not detract from the amenity of nearby residential uses; (c) does not impact on the orderly provision of non-residential development in other locations in the shire; and (d) directly supports the day to day needs of the immediate residential community; or (e) has a direct relationship to the	<b>AO8</b> No acceptable outcome is provided.	n/a	Not applicable.  Non-residential development is not being proposed.

Performance outcomes	Acceptable outcomes	Complies	Comments
land on which the use is proposed.			
<b>Amenity</b>			
<b>PO9</b> Development must not detract from the amenity of the local area, having regard to: (a) noise; (b) hours of operation; (c) traffic; (d) advertising devices; (e) visual amenity; (f) privacy; (g) lighting; (h) odour; and (i) emissions.	<b>AO9</b> No acceptable outcome is provided.	✓	Complies.
<b>PO10</b> Development must take into account and seek to ameliorate any existing negative environmental impacts, having regard to: (a) noise; (b) hours of operation; (c) traffic; (d) advertising devices; (e) visual amenity; (f) privacy; (g) lighting; (h) odour; and (i) emissions.	<b>AO10</b> No acceptable outcome is provided.	n/a	Not applicable.



## 9.4.5 Works, services and infrastructure code

### 9.4.5.1 Application

- (1) This code applies to assessing development where it is identified in the assessment criteria column of an assessment table in Part 5 of the planning scheme.

### 9.4.5.2 Purpose

- (1) The purpose of the Works, services and infrastructure code is to ensure that all development is appropriately serviced by physical infrastructure, public utilities and services and that work associated with development is carried out in a manner that does not adversely impact on the surrounding area.
- (2) The purpose of the code will be achieved through the following overall outcomes:
- (a) Development provides an adequate, safe and reliable supply of potable, fire-fighting and general use water in accordance with relevant standards;
  - (b) Development provides for the treatment and disposal of wastewater and ensures there are no adverse impacts on water quality, public health, local amenity or ecological processes;
  - (c) Development provides for the disposal of stormwater and ensures that there are no adverse impacts on water quality or ecological processes;
  - (d) Development connects to the road network and any adjoining public transport, pedestrian and cycle networks while ensuring no adverse impacts on the safe, convenient and efficient operation of these networks;
  - (e) Development provides electricity and telecommunications services that meet its desired requirements;
  - (f) Development is connected to a nearby electricity network with adequate capacity without significant environment, social or amenity impact;
  - (g) Development does not affect the efficient functioning of public utility mains, services or installations;
  - (h) Infrastructure dedicated to Council is cost effective over its life cycle;
  - (i) Work associated with development does not cause adverse impacts on the surrounding area; and
  - (j) Development prevents the spread of weeds, seeds or other pests.

### 9.4.5.3 Criteria for assessment

**Table 9.4.5.3 - Works, services and infrastructure code – For self-assessable and assessable development**

Performance outcomes	Acceptable outcomes	Complies	Comments
<b>For self-assessable and assessable development</b>			
<b>Water supply</b>			
<b>PO1</b> Each lot has an adequate volume and supply of water that: <ul style="list-style-type: none"> <li>(a) meets the needs of users;</li> <li>(b) is adequate for fire-fighting purposes;</li> <li>(c) ensures the health, safety and convenience of the community; and</li> <li>(d) minimises adverse impacts on the receiving environment.</li> </ul>	<b>AO1.1</b> Development is connected to a reticulated water supply system in accordance with the Design Guidelines and Specifications set out in the Planning Scheme Policy 4 – FNQROC Regional Development Manual other than where located: <ul style="list-style-type: none"> <li>(a) in the Conservation zone, Rural zone or Rural residential zone; and</li> <li>(b) outside a reticulated water supply service area.</li> </ul>	✓	Complies.  The subject land is connected to the Mareeba reticulated water supply system.

Performance outcomes	Acceptable outcomes	Complies	Comments
	<b>AO1.2</b> Development, where located outside a reticulated water supply service area and in the Conservation zone, Rural zone or Rural residential zone is provided with: <ul style="list-style-type: none"> <li>(a) a bore or bores are provided in accordance with the Design Guidelines set out in the Planning Scheme Policy 4 – FNQROC Regional Development Manual; or</li> <li>(b) on-site water storage tank/s:               <ul style="list-style-type: none"> <li>(i) with a minimum capacity of 90,000L;</li> <li>(ii) fitted with a 50mm ball valve with a camlock fitting; and</li> <li>(iii) which are installed and connected prior to the occupation or use of the development.</li> </ul> </li> </ul>	n/a	Not applicable.
<b>Wastewater disposal</b>			
<b>PO2</b> Each lot provides for the treatment and disposal of effluent and other waste water that: <ul style="list-style-type: none"> <li>(a) meets the needs of users;</li> <li>(b) is adequate for fire-fighting purposes;</li> <li>(c) ensures the health, safety and convenience of the community; and</li> <li>(d) minimises adverse impacts on the receiving environment.</li> </ul>	<b>AO2.1</b> Development is connected to a reticulated sewerage system in accordance with the Design Guidelines and Specifications set out in the Planning Scheme Policy 4 – FNQROC Regional Development Manual other than where located: <ul style="list-style-type: none"> <li>(a) in the Conservation zone, Rural zone or Rural residential zone; and</li> <li>(b) outside a reticulated sewerage service area.</li> </ul>	n/a	Not applicable.
	<b>AO2.2</b> An effluent disposal system is provided in accordance with AS/NZ 1547 On-Site Domestic Wastewater Management (as amended) where development is located: <ul style="list-style-type: none"> <li>(a) in the Conservation zone, Rural zone or Rural residential zone; and</li> <li>(b) outside a reticulated sewerage service area.</li> </ul>	✓	The new dwelling house will comply.

Stormwater infrastructure			
<b>PO3</b> Stormwater infrastructure is designed and constructed to collect and convey the design storm event to a lawful point of discharge in a manner that mitigates impacts on life and property.	<b>AO3.1</b> Where located within a Priority infrastructure area or where stormwater infrastructure is available, development is connected to Council's stormwater network in accordance with the Design Guidelines and Specifications set out in the Planning Scheme Policy 4 – FNQROC Regional Development Manual.	n/a	Not applicable.
	<b>AO3.2</b> On-site drainage systems are constructed: (a) to convey stormwater from the premises to a lawful point of discharge; and (b) in accordance with the Design Guidelines and Specifications set out in the Planning Scheme Policy 4 – FNQROC Regional Development Manual.	n/a	Not applicable.
Electricity supply			
<b>PO4</b> Each lot is provided with an adequate supply of electricity	<b>AO4</b> The premises: (a) is connected to the electricity supply network; or (b) has arranged a connection to the transmission grid; or (c) where not connected to the network, an independent energy system with sufficient capacity to service the development (at near average energy demands associated with the use) may be provided as an alternative to reticulated electricity where: (i) it is approved by the relevant regulatory authority; and (ii) it can be demonstrated that no air or noise emissions; and (iii) it can be demonstrated that no adverse impact on visual amenity will occur.	n/a	Not applicable.

Telecommunications infrastructure			
<b>PO5</b> Each lot is provided with an adequate supply of telecommunication infrastructure	<b>AO5</b> Development is provided with a connection to the national broadband network or telecommunication services.	n/a	Not applicable.
Existing public utility services			
<b>PO6</b> Development and associated works do not affect the efficient functioning of public utility mains, services or installations.	<b>AO6</b> Public utility mains, services are relocated, altered or repaired in association with the works so that they continue to function and satisfy the relevant Design Guidelines and Specifications set out in the Planning Scheme Policy 4 – FNQROC Regional Development Manual.	n/a	Not applicable.
Excavation or filling			
<b>PO7</b> Excavation or filling must not have an adverse impact on the: (a) streetscape; (b) scenic amenity; (c) environmental values; (d) slope stability; (e) accessibility; or (f) privacy of adjoining premises.	<b>AO7.1</b> Excavation or filling does not occur within 1.5 metres of any site boundary.	✓	Filling will be retained by a retaining wall of less than 1 metre in height.
	<b>AO7.2</b> Excavation or filling at any point on a lot is to be no greater than 1.5 metres above or below natural ground level.	✓	Complies.
	<b>AO7.3</b> Earthworks batters: (a) are no greater than 1.5 metres in height; (b) are stepped with a minimum width 2 metre berm; (c) do not exceed a maximum of two batters and two berms (not greater than 3.6 metres in total height) on any one lot; (d) have a slope no greater than 1 in 4; and (e) are retained.	✓	Complies.
	<b>AO7.4</b> Soil used for filling or spoil from excavation is not stockpiled in locations that can be viewed from: (a) adjoining premises; or (b) a road frontage, for a period exceeding 1 month from the commencement of the filling or excavation.	✓	Complies.
	<b>AO7.5</b> All batters and berms to be constructed in accordance with the Design Guidelines and Specifications set out in the Planning Scheme Policy 4 –	✓	Complies.

	FNQROC Regional Development Manual.		
	<b>AO7.6</b> Retaining walls have a maximum height of 1.5 metres and are designed and constructed in accordance with the Design Guidelines and Specifications set out in the Planning Scheme Policy 4 – FNQROC Regional Development manual.	n/a	Not applicable.
	<b>AO7.7</b> Excavation or filling at any point on a lot is to include measures that protect trees at the foot or top of cut or fill batters by the use of appropriate retaining methods and sensitive earth removal or placement and in accordance with the Design Guidelines and Specifications set out in the Planning Scheme Policy 4 – FNQROC Regional Development manual.	n/a	Not applicable.
<b>For assessable development</b>			
<b>Transport network</b>			
<b>PO8</b> The development has access to a transport network of adequate standard to provide for the safe and efficient movement of vehicles, pedestrians and cyclists.	<b>AO8.1</b> Vehicle access, crossovers, road geometry, pavement, utilities and landscaping to the frontage/s of the site are designed and constructed in accordance with the Design Guidelines and Specifications set out in the Planning Scheme Policy 4 – FNQROC Regional Development manual.	n/a	Not applicable.
	<b>AO8.2</b> Development provides footpath pavement treatments in accordance with Planning Scheme Policy 9 – Footpath Paving.	n/a	Not applicable.
<b>Public infrastructure</b>			
<b>PO9</b> The design, construction and provision of any infrastructure that is to be dedicated to Council is cost effective over its life cycle and incorporates provisions to minimise adverse impacts.	<b>AO9</b> Development is in accordance with the Design Guidelines and Specifications set out in the Planning Scheme Policy 4 – FNQROC Regional Development Manual.	n/a	Not applicable.
<b>Stormwater quality</b>			
<b>PO10</b> Development has a non-worsening effect on the site and surrounding land and is	<b>AO10.1</b> The following reporting is prepared for all Material change of use or Reconfiguring a lot proposals:	n/a	Not applicable.

<p>designed to:</p> <ul style="list-style-type: none"> <li>(a) optimise the interception, retention and removal of waterborne pollutants, prior to the discharge to receiving waters;</li> <li>(b) protect the environmental values of waterbodies affected by the development, including upstream, on-site and downstream waterbodies;</li> <li>(c) achieve specified water quality objectives;</li> <li>(d) minimise flooding;</li> <li>(e) maximise the use of natural channel design principles;</li> <li>(f) maximise community benefit; and</li> <li>(g) minimise risk to public safety.</li> </ul>	<ul style="list-style-type: none"> <li>(a) a Stormwater Management Plan and Report that meets or exceeds the standards of design and construction set out in the Queensland Urban Drainage Manual (QUDM) and the Design Guidelines and Specifications set out in the Planning Scheme Policy 4 – FNQROC Regional Development Manual; and</li> <li>(b) an Erosion and Sediment Control Plan that meets or exceeds the Soil Erosion and Sedimentation Control Guidelines (Institute of Engineers Australia), including: <ul style="list-style-type: none"> <li>(i) drainage control;</li> <li>(ii) erosion control;</li> <li>(iii) sediment control; and</li> <li>(iv) water quality outcomes.</li> </ul> </li> </ul>		
	<p><b>AO10.2</b> For development on land greater than 2,500m<sup>2</sup> or that result in more than 5 lots or more than 5 dwellings or accommodation units, a Stormwater Quality Management Plan and Report prepared and certified by a suitably qualified design engineer (RPEQ) is prepared that demonstrates that the development:</p> <ul style="list-style-type: none"> <li>(a) meets or exceeds the standards of design and construction set out in the Urban Stormwater Quality Planning Guideline and the Queensland Water Quality Guideline;</li> <li>(b) is consistent with any local area stormwater water management planning;</li> <li>(c) accounts for development type, construction phase, local climatic conditions and design objectives; and</li> <li>(d) provides for stormwater quality treatment measures reflecting land use constraints, such as soil type, landscape features (including landform), nutrient hazardous areas, acid sulfate soil and rainfall erosivity.</li> </ul>	n/a	Not applicable.



<b>PO11</b> Storage areas for stormwater detention and retention: <ul style="list-style-type: none"> <li>(a) protect or enhance the environmental values of receiving waters;</li> <li>(b) achieve specified water quality objectives;</li> <li>(c) where possible, provide for recreational use;</li> <li>(d) maximise community benefit; and</li> <li>(e) minimise risk to public safety.</li> </ul>	<b>AO11</b> No acceptable outcome is provided.	n/a	Not applicable.
<b>Excavation or filling</b>			
<b>PO12</b> Traffic generated by filling or excavation does not impact on the amenity of the surrounding area.	<b>AO12.1</b> Haul routes used for transportation of fill to or from the site only use major roads and avoid residential areas.	n/a	Not applicable.
	<b>AO12.2</b> Transportation of fill to or from the site does not occur: <ul style="list-style-type: none"> <li>(a) within peak traffic times; and</li> <li>(b) before 7am or after 6pm Monday to Friday;</li> <li>(c) before 7am or after 1pm Saturdays; and</li> <li>(d) on Sundays or Public Holidays.</li> </ul>	✓	Can be conditioned to comply.
<b>PO13</b> Air pollutants, dust and sediment particles from excavation or filling, do not cause significant environmental harm or nuisance impacts.	<b>AO13.1</b> Dust emissions do not extend beyond the boundary of the site.	n/a	Not applicable.
	<b>AO13.2</b> No other air pollutants, including odours, are detectable at the boundary of the site.	n/a	Not applicable.
	<b>AO13.3</b> A management plan for control of dust and air pollutants is prepared and implemented.	n/a	Not applicable.
<b>PO14</b> Access to the premises (including driveways and paths) does not have an adverse impact on: <ul style="list-style-type: none"> <li>(a) safety;</li> <li>(b) drainage;</li> <li>(c) visual amenity; and</li> <li>(d) privacy of adjoining premises.</li> </ul>	<b>AO14</b> Access to the premises (including all works associated with the access): <ul style="list-style-type: none"> <li>(a) must follow as close as possible to the existing contours;</li> <li>(b) be contained within the premises and not the road reserve, and</li> <li>(c) are designed and constructed in accordance with the Design Guidelines and Specifications set out in the Planning Scheme Policy</li> </ul>	n/a	Not applicable.

	4 – FNQROC Regional Development manual.		
<b>Weed and pest management</b>			
<b>PO15</b> Development prevents the spread of weeds, seeds or other pests into clean areas or away from infested areas.	<b>AO15</b> No acceptable outcome is provided.	n/a	Not applicable.
<b>Contaminated land</b>			
<b>PO16</b> Development is located and designed to ensure that users and nearby sensitive land uses are not exposed to unacceptable levels of contaminants	<b>AO16</b> Development is located where: (a) soils are not contaminated by pollutants which represent a health or safety risk to users; or (b) contaminated soils are remediated prior to plan sealing, operational works permit, or issuing of building works permit.	n/a	Not applicable.
<b>Fire services in developments accessed by common private title</b>			
<b>PO17</b> Fire hydrants are located in positions that will enable fire services to access water safely, effectively and efficiently.	<b>AO17.1</b> Fire hydrants are located in accessways or private roads held in common private title at a maximum spacing of: (a) 120 metres for residential development; and (b) 90 metres for any other development.	n/a	Not applicable.
	<b>AO17.2</b> Fire hydrants are located at all intersections of accessways or private roads held in common private title.	n/a	Not applicable.

### FNQROC Regional Development Manual

Section	Assessment
DP1 - Development Principles	N/A
AP1 - Application Procedures	OK
D1 - Road Geometry	N/A
D2 - Site Regrading	OK
D3 - Road Pavements	N/A
D4 - Stormwater Drainage	N/A
D5 - Stormwater Quality Management	N/A
D6 - Water Reticulation	N/A
D7 - Sewerage System	N/A
D8 - Utilities	N/A
D9 - Landscaping	N/A
CP1 - Construction Procedures	OK
S1 - Earthworks Specifications	OK
S2 - Road Pavement Specifications	N/A
S3 - Segmental Paving Specifications	N/A
S4 - Stormwater Drainage Specifications	N/A
S5 - Water Reticulation Specifications	N/A

S6 - Sewerage Reticulation Specifications	N/A
S7 - Concrete Works Specifications	N/A
S8 - Landscaping Specifications	N/A
LG Specific -TRC Requirements	N/A
Standard Drawings	N/A

## REFERRALS

This application did not trigger a referral under Schedule 10 of the *Planning Regulation 2017*.

## Internal Consultation

Technical Services

## OFFICER'S RECOMMENDATION

1. That in relation to the following development application:

APPLICATION		PREMISES	
APPLICANT	LC Moore	ADDRESS	Catherine Atherton Drive, Mareeba
DATE LODGED	20 September 2018	RPD	Lot 299 on SP250068
TYPE OF APPROVAL	Development Permit		
PROPOSED DEVELOPMENT	Operational Works - Earthworks (Filling)		

and in accordance with the Planning Act 2016, the applicant be notified that the application for a development permit for the development specified in (A) is:

Approved by Council in accordance with the approved plans/documents listed in (B), subject to assessment manager conditions in (C), assessment manager's advice in (D), further permits in (E), and further approvals from Council listed in (F);

And

The assessment manager does not consider that the assessment manager's decision conflicts with a relevant instrument.

(A) APPROVED DEVELOPMENT: Development Permit for Operational Works - Earthworks (Filling)

(B) APPROVED PLANS:

Plan/Document Number	Plan/Document Title	Prepared by	Dated
-	Site Plan	-	-

### (C) ASSESSMENT MANAGER'S CONDITIONS (COUNCIL)

#### (a) General

- (i) All operational works must be designed and constructed in accordance with the procedures as set out in the FNQROC Development Manual.
- (ii) Development must be carried out substantially in accordance with the approved plans and the facts and circumstances of the use as submitted with the application, and subject to any alterations:
  - found necessary by the Council's Delegated Officer at the time of examination of the engineering plans or during construction of the development because of particular engineering requirements;
  - to ensure the works comply in all respects with the requirements and procedures of the FNQROC Development Manual and good engineering practice; and
  - to ensure compliance with the following conditions of approval.
- (iii) Council's examination of the documents should not be taken to mean that the documents have been checked in detail and Council takes no responsibility for their accuracy. If during construction, inadequacies of the design are discovered, it is the responsibility of the Principal Consulting Engineer to resubmit amended plans to Council for approval and rectify works accordingly.

- (b) Filling or excavation (excluding access roads) is not permitted within 1.5 metres of any property boundary, except where retained by a retaining wall.

#### (c) Hours of Work

- (i) Work involving the operation of construction plant and equipment of any description, shall only be carried out on site during the following times:
  - 7.00am to 6.00pm, Monday to Friday;
  - 7.00am to 1.00pm Saturdays;
  - No work is permitted on Sundays or Public Holidays.
- (ii) No variation to the above working hours is allowed unless otherwise agreed in writing by Council.

#### (d) Transportation of Soil

- (i) All soil transported to or from the site must be covered to prevent dust or spillage during transport. If soil is tracked or spilt onto the road pavement from works on the subject land, it must be removed no later than at the end of each working day. Sediment must not enter Council's stormwater drainage network.

### (D) RELEVANT PERIOD

When approval lapses if development not started (s.85)

- Any other development – two (2) years (starting the day the approval takes effect).

(E) OTHER NECESSARY DEVELOPMENT PERMITS AND/OR COMPLIANCE PERMITS

- Nil

(F) OTHER NECESSARY DEVELOPMENT PERMITS AND/OR COMPLIANCE PERMITS

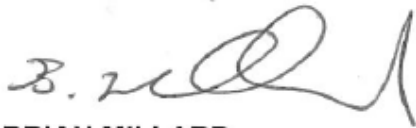
- Nil

## DECISION BY DELEGATE

## DECISION

Having considered the Planning Officer's report detailed above, I approve, as a delegate of Council, the application subject to the conditions listed in the report.

Dated the 24<sup>TH</sup> day of SEPTEMBER 2018



**BRIAN MILLARD**  
**SENIOR PLANNER**

MAREEBA SHIRE  
AS A DELEGATE OF THE COUNCIL



## PROPOSAL PLANS

