

DELEGATED REPORT**TO:** SENIOR PLANNER**FROM:** Planning Officer**FILE:** OPW/18/0013**DATE:** 30 November 2018

APPLICATION DETAILS

| APPLICATION | | PREMISES | |
|------------------------------|--|-----------------|------------------------|
| FILE NO: | OPW/18/0013 | ADDRESS: | 244 Kanervo Road, Koah |
| APPLICANT: | P Gibbs | RPD: | Lot 17 on SP219912 |
| LODGED BY: | Flanagan Consulting Group | AREA: | n/a |
| DATE LODGED: | 25 October 2018 | OWNER: | P Gibbs |
| TYPE OF APPROVAL: | Development Permit | | |
| PROPOSED DEVELOPMENT: | Operational Works (Roadworks & Drainage Works) for Development Permit DA/15/0045 | | |
| PLANNING SCHEME: | Mareeba Shire Council Planning Scheme 2016 | | |
| ZONE: | Rural zone | | |
| LEVEL OF ASSESSMENT: | Code Assessment | | |

PREVIOUS APPLICATIONS & APPROVALS

DA/15/0045

DESCRIPTION OF PROPOSED DEVELOPMENT

The development application seeks a Development Permit for Operation Works (Roadworks & Drainage Works) for Development Permit DA/15/0045

ASSESSMENT**State Planning Policy**

Separate assessment against the State Planning Policy (SPP) is not required because the Mareeba Shire Council Planning Scheme appropriately integrates all relevant aspects of the SPP.

Relevant Development Codes

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

- 6.2.9 Rural zone code
- 9.4.4 Reconfiguring a lot 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 |
|---|---|
| Low density residential zone code | The application can be conditioned to comply with the relevant acceptable outcomes contained within the code. |
| Reconfiguring a lot code | The application can be conditioned to comply with the relevant acceptable outcomes contained within the code. |
| Works, services and infrastructure code | The application can be conditioned to comply with the relevant acceptable outcomes contained within the code. |

Compliance with conditions of earlier related approval

DA/15/0045 - Reconfiguring a Lot - Subdivision (1 into 4 Lots)

1. 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, subject to any alterations:
 - found necessary by Council's delegated officer at the time of examination of the engineering plans or during construction of the development because of particular engineering requirements; and
 - to ensure compliance with the following conditions of approval.
2. Timing of Effect
 - 2.1 The conditions of the development permit must be complied with to the satisfaction of Council's delegated officer prior to the endorsement of the plan of survey, except where specified otherwise in these conditions of approval.
3. General
 - 3.1 The development approval would not have been issued if not for the conditions requiring the construction of infrastructure or the payment of infrastructure charges within the conditions of approval.
 - 3.2 The applicant/developer is responsible for the cost of necessary alterations to existing public utility mains, services or installations required by works in relation to the proposed development or any works required by condition(s) of this approval.
 - 3.3 All payments or bonds required to be made to the Council pursuant to any condition of this approval must be made prior to the endorsement of the plan of survey and at the rate applicable at the time of payment.
 - 3.4 The developer must relocate (in accordance with FNQROC standards) any services such as water, sewer, drainage, telecommunications and electricity that are not wholly located within the lots that are being created/serviced where required by the relevant authority unless approved by Council's delegated officer.

- 3.5 Where utilities (such as sewers on non-standard alignments) traverse lots to service another lot, easements must be created in favour of Council for access and maintenance purposes. The developer is to pay all costs (including Council's legal expenses) to prepare and register the easement documents.
- 3.6 Any existing buildings or structures (pools/tennis courts or fences) and/or incidental works that straddle the new boundaries must be altered, demolished or removed, as required, to align with the new property boundaries and/or be wholly contained within a new allotment, unless approved by Council's delegated officer.
- 3.7 Prior to the endorsement of the plan of survey the applicant must provide a letter from any Concurrence Agencies confirming that their conditions have been complied with and/or that they have no objection to Council's endorsement of the plan of survey.
- 3.8 All works must be designed, constructed and carried out in accordance with FNQROC Development Manual requirements and to the satisfaction of Council's delegated officer.
- 3.9 Flood Immunity
- All new buildings must be located such that the freeboard of the floor levels of all habitable rooms are a minimum of 300mm above the 100 ARI year level.
- 3.10 No filling is to occur below the 100 ARI flood level unless approved as part of a subsequent development permit for operational works.
- 3.11 Bushfire Management

3.11.1 Any new dwelling erected on each lot shall:

- (a) be sited in locations of lowest hazard within the lot;
- (b) achieve setbacks from hazardous vegetation of 1.5 times the predominant mature canopy tree height or 10 metres, whichever is the greater;
- (c) be sited 10 metres from any retained vegetation strips or small areas of vegetation;
- (d) be sited so that elements of the development least susceptible to fire are sited closest to the bushfire hazard; and
- (e) be provided with a source of water for firefighting purposes of not less than 5,000 litres. This may be satisfied by the provision of an accessible dam, swimming pool or tank. In the case of a tank supply, delivery of the water should be provided through a 50mm male Camlock fitting. The outlet from the tank water supply or the dam/pool shall be located within an accessible position within 40 metres from the habitable buildings.

3.11.2 Any future use on the lots must comply with the requirements of the Bushfire Management Plan prepared by ecoSpatial Pty Ltd (7-13-4_RP-BFMP_228_Kanervo_Rd_V1.0), at all times.

3.12 Charges

All outstanding rates, charges and expenses pertaining to the land are to be paid in full.

3.13 Rural Addressing

The applicant must pay a contribution per additional lot for provision of rural addressing at the rate identified in the Fees and Charges Schedule at the time of payment.

3.14 Building Setbacks

Any dwelling house constructed on proposed Lot 3 or 4 must be setback a minimum of 100 metres from the Kanervo Road frontage to reduce the potential for dust nuisance.

4. Infrastructure Services and Standards

4.1 Access

An access crossover for each allotment, must be constructed from the edge of the road pavement, to the property boundary of each respective allotment, in accordance with the FNQROC Development Manual, to the satisfaction of Council's delegated officer.

4.2 Stormwater Drainage

The applicant must ensure a non-worsening effect on surrounding land as a consequence of the development and must take all reasonable and practicable measures to ensure discharge occurs in compliance with the Queensland Urban Drainage Manual (QUDM) and the FNQROC Development Manual.

4.3 Roadworks – Kanervo Road

4.3.1 Kanervo Road, for its entire frontage with proposed Lots 1 and 2, must be constructed to Rural Road standard, with 4.5 metre seal width, in accordance with FNQROC Development Manual standards to the satisfaction of Council's delegated officer.

4.3.2 The value of the roadworks required under Condition 4.3.1 will be credited towards the trunk transport contribution payable under Condition 5.

4.4 Water Supply

4.4.1 Each Lot must be provided with a potable water supply via bore or by water rights to a perennial stream in accordance with Planning Scheme Policy No. 1 - Water Supply (Outside Reticulated Water Supply Area).

4.4.2 Supply from a watercourse will be acceptable, provided the following can be demonstrated to the satisfaction of Council's delegated officer:

- the watercourse has sufficient flow and is perennial in all but the driest years; and

- the applicant can demonstrate that the Department of Natural Resources and Mines is prepared to grant a water licence for the proposed lot.

4.4.3 Where a bore is to be used as a source of water, bore installation will be in accordance with the requirements of D6.07 of the FNQROC Development Manual.

4.4.4 Where a bore is to be used as a source of potable water, it will be sited in accordance with the setback distances specified in the Queensland Plumbing and Wastewater Code.

4.4.5 The applicant/developer must demonstrate that any source of potable water supply can satisfy the standards for drinking water set by the Australian Drinking Water Guidelines 2004 (National Health and Medical Research Council and the National Resource Management Ministerial Council).

4.4.6 If an existing bore is proposed as a potable water supply for any lot, this bore must comply with 4.4.3 (minimum sustainable yield only), 4.4.4 and 4.4.5 above.

4.5 On-Site Wastewater Management

At the time of construction of a new dwelling on any lot, any associated on-site effluent disposal system must be constructed in compliance with the latest version On-Site Domestic Wastewater Management Standard (ASNZ1547) to the satisfaction of the Council's delegated officer.

4.6 Electricity provision/supply

The applicant/developer must ensure that an appropriate level of electricity supply is provided to each allotment in accordance with FNQROC Development Manual standards (as amended) to the satisfaction of Council's delegated officer.

Written advice from an Electricity Service Provider is to be provided to Council indicating that an agreement has been made for the provision of power reticulation.

4.7 Telecommunications

The applicant/developer must enter into an agreement with a telecommunication carrier to provide telecommunication services to each allotment and arrange provision of necessary conduits and enveloping pipes.

5. Additional Payment Condition/s (section 650 of the Sustainable Planning Act 2009)

5.1 The additional payment condition has been imposed as the development will create additional demand on trunk infrastructure which will create additional trunk infrastructure costs for council.

5.2 The developer must pay a one-off payment of \$4,425.00 per additional lot as a contribution toward trunk infrastructure with the amount of the contribution increased on 1 July each year in accordance with the increase for the PPI index

for the period starting on the day the development approval takes effect, adjusted by reference to the 3-yearly PPI index average to the date of payment.

5.3 The trunk infrastructure for which the payment is required is:

- The trunk transport network servicing the land (\$4,425.00 per additional allotment)

5.4 The developer may elect to provide part of the trunk infrastructure instead of making the payment.

5.5 If the developer elects to provide part of the trunk infrastructure the developer must:

- Discuss with Council's delegated officer the part of the works to be undertaken;
- Obtain the necessary approvals for the part of the works;
- Indemnify the Council in relation to any actions, suits or demands relating to or arising from the works;
- Take out joint insurance in the name of the Council and the developer in the sum of \$20,000,000 in relation to the undertaking of the works;
- Comply with the reasonable direction of Council officers in relation to the completion of the works;
- Complete the works to the standards required by the Council; and
- Complete the works prior to endorsement of the plan of subdivision.

FNQROC Regional Development Manual

Submitted plans were checked against the FNQROC Development Manual and have been amended to achieve compliance.

REFERRALS

Internal Consultation

Technical Services

OFFICER'S RECOMMENDATION

1. That in relation to this operational works development application:

| APPLICATION | | PREMISES | |
|-----------------------------|--|-----------------|------------------------|
| APPLICANT: | P Gibbs | ADDRESS: | 244 Kanervo Road, Koah |
| DATE LODGED | 25 October 2018 | RPD: | Lot 17 on SP219912 |
| TYPE OF APPROVAL | Development Permit | | |
| PROPOSED DEVELOPMENT | Operational Works (Roadworks & Drainage Works) for Development Permit DA/15/0045 | | |

and in accordance with the Planning Act 2016, as amended, the applicant be notified that the application for operational works is:

Approved subject to the following assessment manager conditions:

(A) **APPROVED DEVELOPMENT:** Development Permit for Operational Works (Roadworks & Drainage Works) for Development Permit DA/15/0045

(B) **APPROVED PLANS:**

| Plan/Document Number | Plan/Document Title | Prepared by | Dated |
|-----------------------------|---|---------------------------|--------------|
| 1761-C01 Rev A | Drawing Index & Locality Plan | Flanagan Consulting Group | 19/10/18 |
| 1761-C02 Rev B | Site Plan, Survey Control & Control Line Setout | Flanagan Consulting Group | 19/11/18 |
| 1761-C03 Rev B | General Arrangement Plan | Flanagan Consulting Group | 19/11/18 |
| 1761-C04 Rev A | Construction Details | Flanagan Consulting Group | 19/10/18 |
| 1761-C05 Rev B | Road Type Section & Details | Flanagan Consulting Group | 19/11/18 |
| 1761-C06 Rev B | Road Plan & Long Section Sheet 1 of 3 | Flanagan Consulting Group | 19/11/18 |
| 1761-C07 Rev B | Road Plan & Long Section Sheet 2 of 3 | Flanagan Consulting Group | 19/11/18 |
| 1761-C08 Rev B | Road Plan & Long Section Sheet 3 of 3 | Flanagan Consulting Group | 19/11/18 |
| 1761-C09 Rev B | Road Cross Sections Sheet 1 of 5 | Flanagan Consulting Group | 19/11/18 |
| 1761-C10 Rev B | Road Cross Sections Sheet 2 of 5 | Flanagan Consulting Group | 19/11/18 |
| 1761-C11 Rev A | Road Cross Sections Sheet 3 of 5 | Flanagan Consulting Group | 19/10/18 |
| 1761-C12 Rev A | Road Cross Sections Sheet 4 of 5 | Flanagan Consulting Group | 19/10/18 |
| 1761-C13 Rev A | Road Cross Sections Sheet 5 of 5 | Flanagan Consulting Group | 19/10/18 |

(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.
- (iv) **Access Crossovers**

Access crossovers to Lot 19 on SP230977, Lot 205 on CP881091, and proposed Lots 1, 2, 3 and 4 must be upgraded/constructed to FNQROC

Development Manual Standards, or a lesser standard agreed to by Council's delegated officer.

A second access crossover used to access the southern-most dwelling on Lot 19 on SP230977 must also be upgraded/constructed to FNQROC Development Manual standards, or a lesser standard agreed to by Council's delegated officer.

(b) Pre-start Meeting

- (i) In addition to the requirements of Clause CP1.07 and CP1.08 of the FNQROC Development Manual; after documentation has been approved by Council, a pre-start meeting is to be held on site prior to the commencement of work. Part 1 of the **attached** pre-start meeting pro-forma is to be completed and returned prior to the meeting including clause 1.u 'Request for Meeting' together with the prescribed Construction Monitoring Fee as set out in Council's Schedule of Fees.

(c) Inspections

- (i) Inspections are to be carried out as detailed in the FNQROC Manual unless advised otherwise at the pre-start meeting.

(d) Construction Security Bond and Defects Liability Bond

- (i) In addition to Clauses CP1.06 and CP1.20 of the FNQROC Development Manual; the Construction Security Bond and Defects Liability Bond shall each be a minimum of \$1000 and Bank Guarantees shall have no termination date.
- (ii) During the Defects Liability period, it is the responsibility of the developer to rectify any works found to be defective due to design faults and or found to exhibit faults attributed to the performance of the construction activities in terms of quality and conformance with design and specifications. The bond will be returned on satisfactory correction of any defective work and after expiration of the maintenance period. Failure to comply with a Council issued instruction to correct defective work may result in the call up of the bond to have the work completed.

(e) 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.

(f) 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)

- Two (2) years (starting the day the approval takes effect).

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

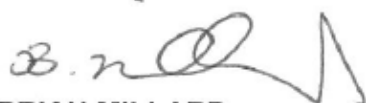
- Nil

DECISION BY DELEGATE

DECISION

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

Dated the 30TH day of NOVEMBER 2018



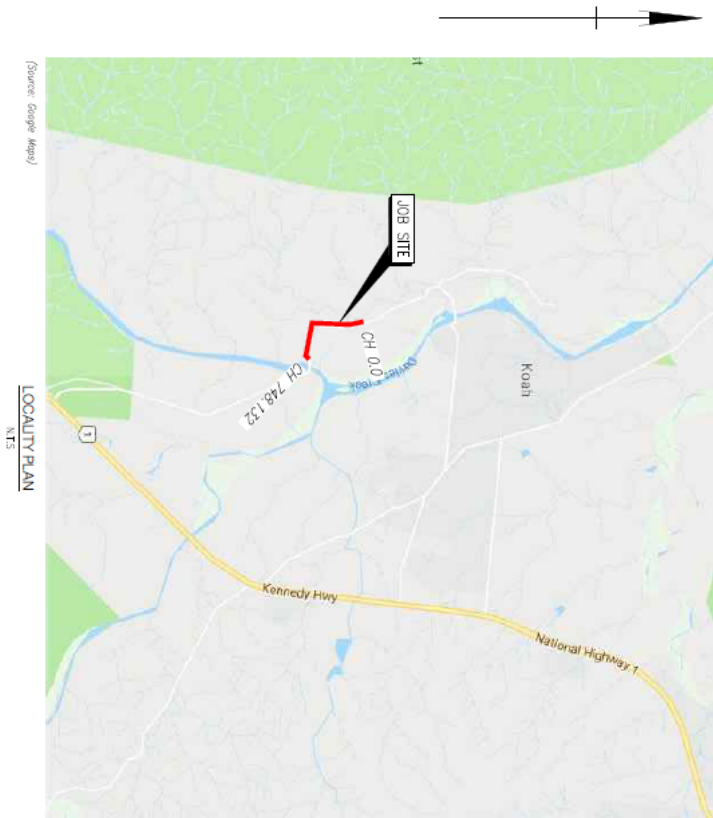
BRIAN MILLARD
SENIOR PLANNER


MAREEBA SHIRE
AS DELEGATE OF THE COUNCIL

**NOT FOR
CONSTRUCTION**
19 October 2018

228-244 KANERVO ROAD, KURANDA
EXTERNAL ROAD WORKS UPGRADE
PROJECT No. 1761

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| Phyllis Gibbs 228-244 Kaneno Road, Kururda | | | | | | | | | |
|  FLANAGAN CONSULTING GROUP 1701 COOL CANNING QUEENSLAND 4064 AUSTRALIA TEL: 08 9437 6666 FAX: 08 9437 6667 WWW.FLANAGANCONSULTING.COM | | | | | | | | | |
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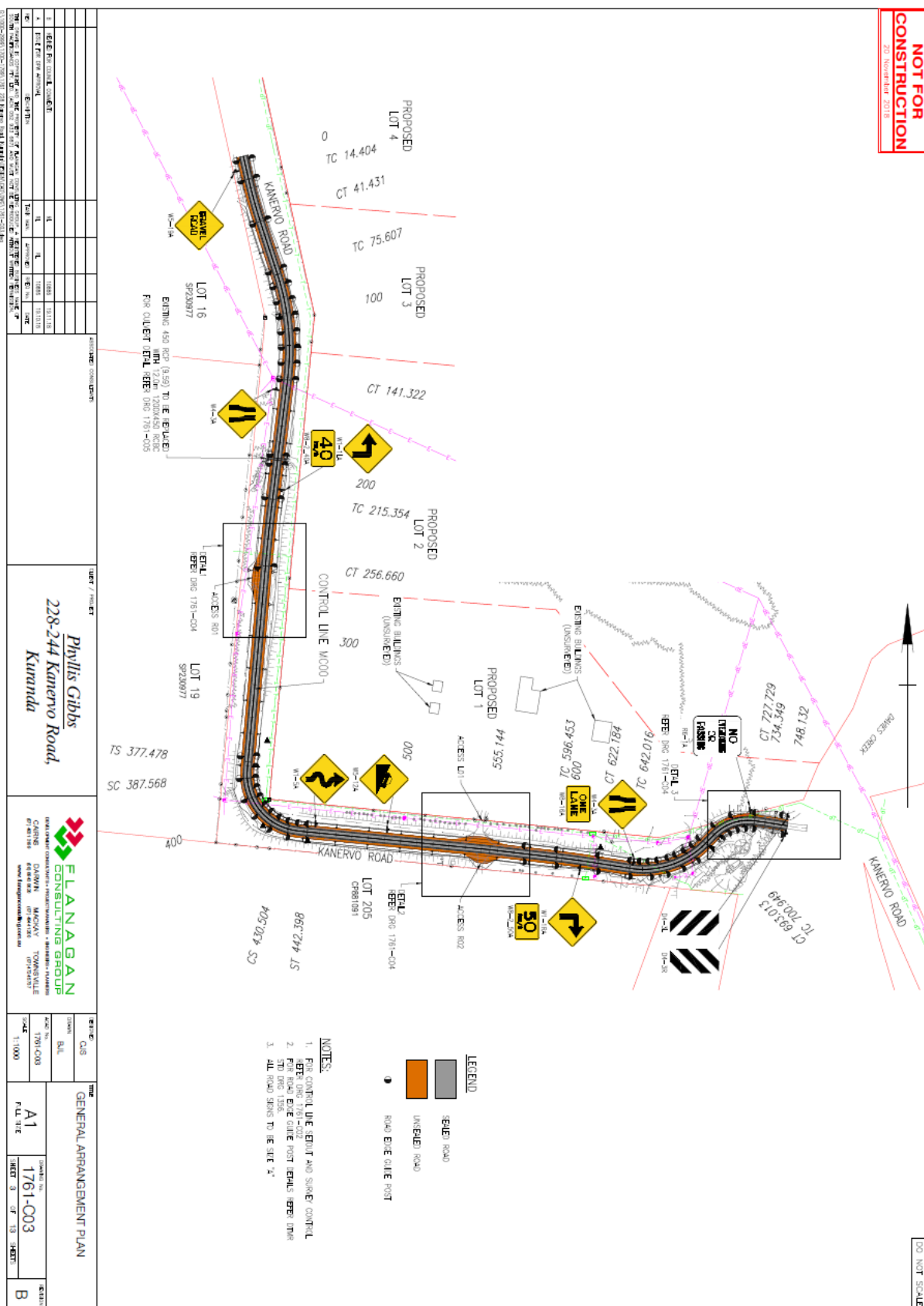
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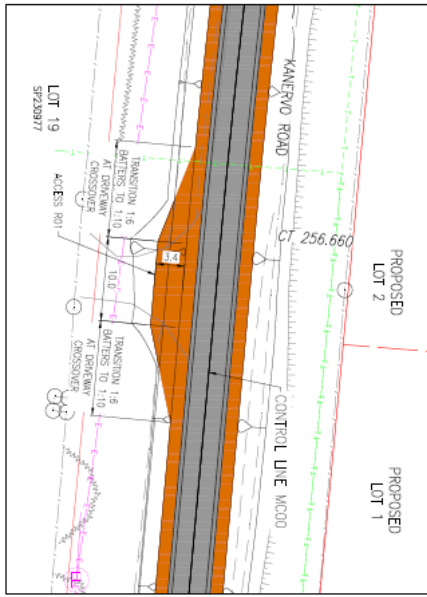
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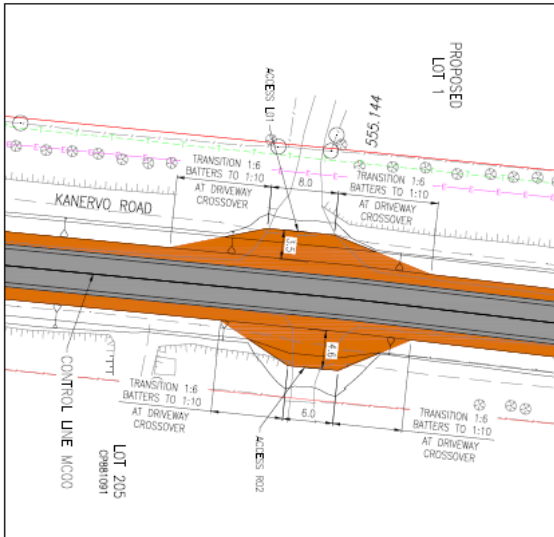


**NOT FOR
CONSTRUCTION**
19 SEPTEMBER 2018

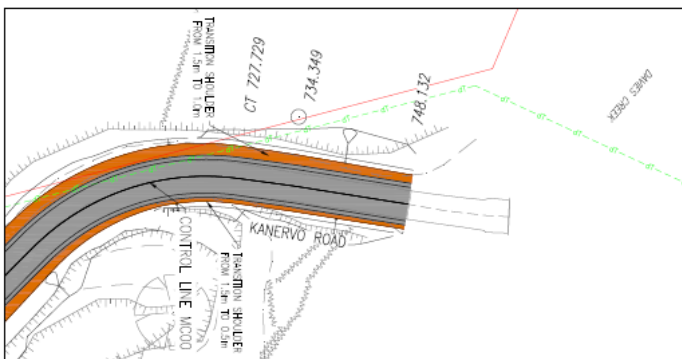
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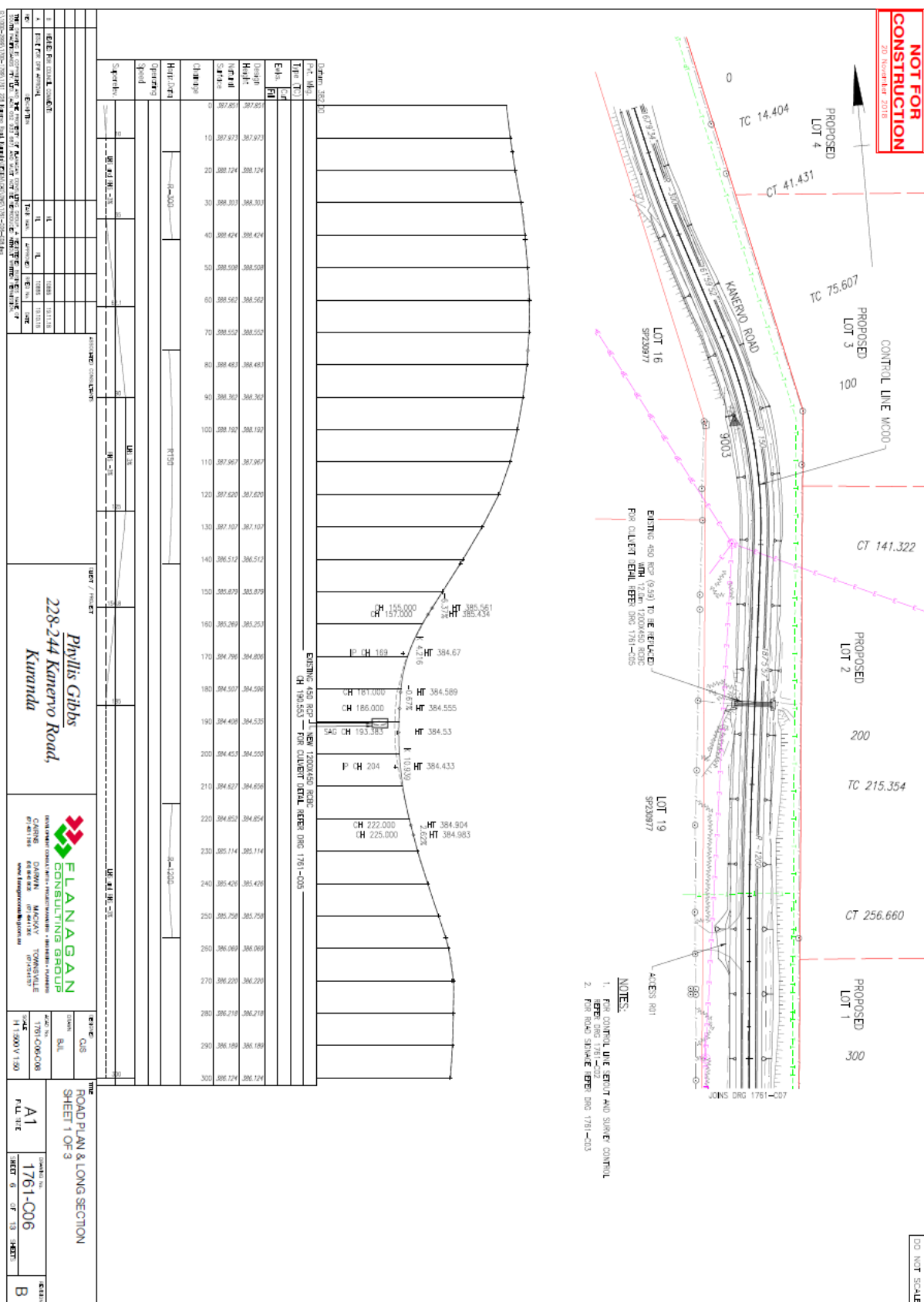
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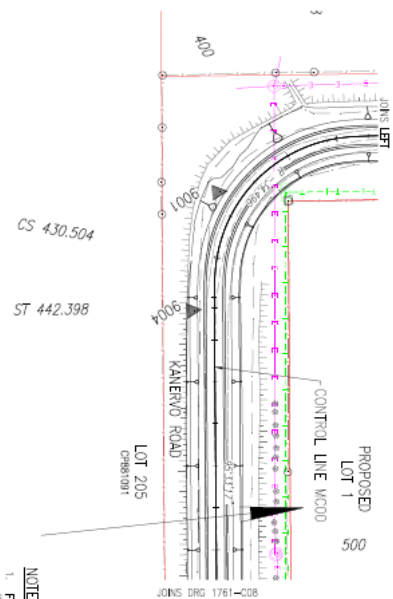
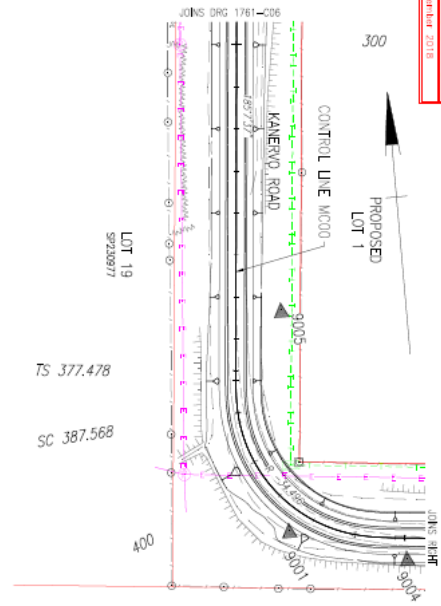


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CONSTRUCTION**
22 November 2018

DO NOT SCALE



- NOTES:**
1. FOR CONTROL LINE (LOT) AND SIREY CONTROL.
 2. FOR ROAD STAKE (FOR) DRG 1761-C03

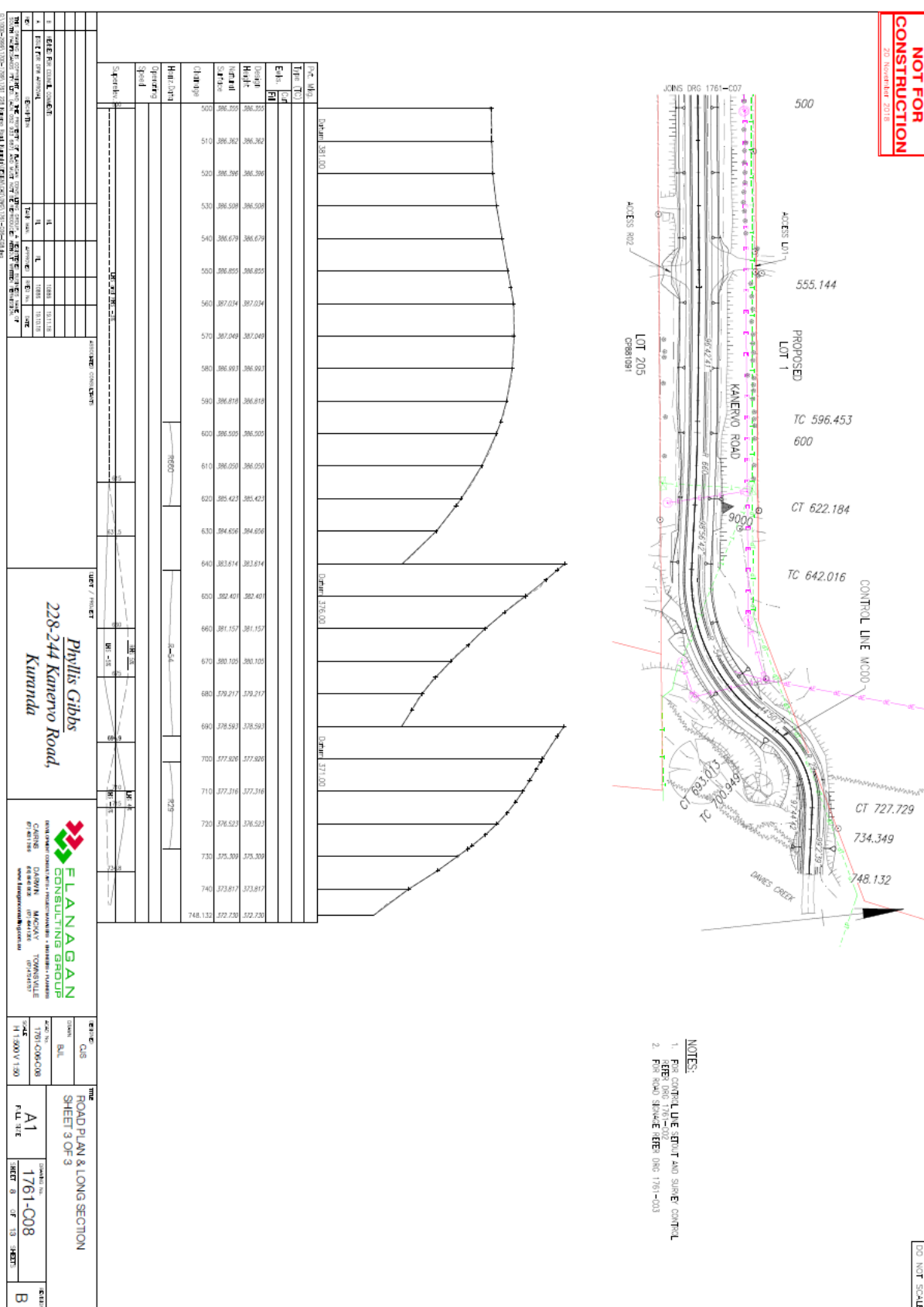
Drainage: 380.50

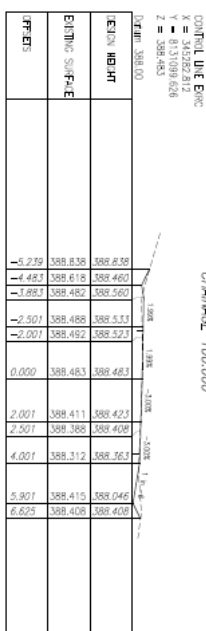
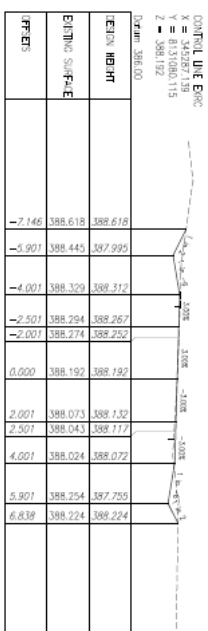
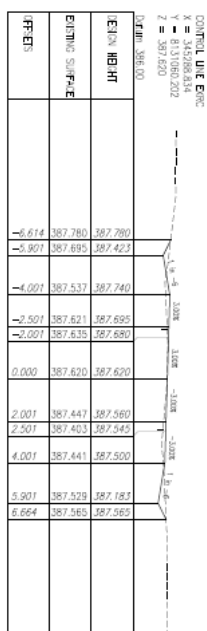
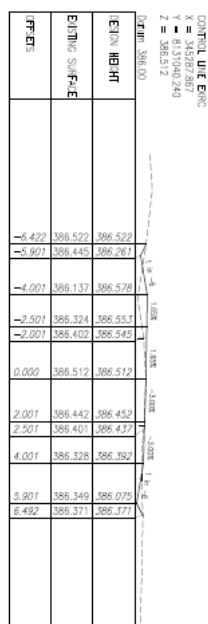
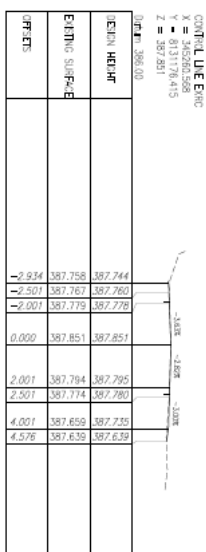
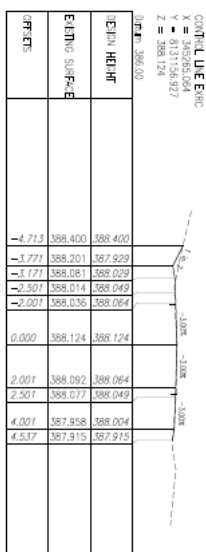
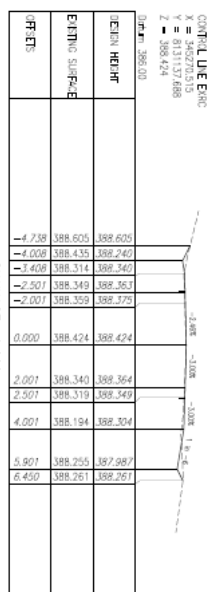
| Station | Height | Width | Area | Volume |
|---------|---------|---------|---------|---------|
| 300 | 385.124 | 386.051 | 385.970 | 385.897 |
| 310 | 385.124 | 386.051 | 385.970 | 385.897 |
| 320 | 385.124 | 386.051 | 385.970 | 385.897 |
| 330 | 385.124 | 386.051 | 385.970 | 385.897 |
| 340 | 385.124 | 386.051 | 385.970 | 385.897 |
| 350 | 385.124 | 386.051 | 385.970 | 385.897 |
| 360 | 385.124 | 386.051 | 385.970 | 385.897 |
| 370 | 385.124 | 386.051 | 385.970 | 385.897 |
| 380 | 385.124 | 386.051 | 385.970 | 385.897 |
| 390 | 385.124 | 386.051 | 385.970 | 385.897 |
| 400 | 385.124 | 386.051 | 385.970 | 385.897 |

Drainage: 380.50

| Station | Height | Width | Area | Volume |
|---------|---------|---------|---------|---------|
| 400 | 385.980 | 386.074 | 386.006 | 386.154 |
| 410 | 385.980 | 386.074 | 386.006 | 386.154 |
| 420 | 385.980 | 386.074 | 386.006 | 386.154 |
| 430 | 385.980 | 386.074 | 386.006 | 386.154 |
| 440 | 385.980 | 386.074 | 386.006 | 386.154 |
| 450 | 385.980 | 386.074 | 386.006 | 386.154 |
| 460 | 385.980 | 386.074 | 386.006 | 386.154 |
| 470 | 385.980 | 386.074 | 386.006 | 386.154 |
| 480 | 385.980 | 386.074 | 386.006 | 386.154 |
| 490 | 385.980 | 386.074 | 386.006 | 386.154 |
| 500 | 385.980 | 386.074 | 386.006 | 386.154 |

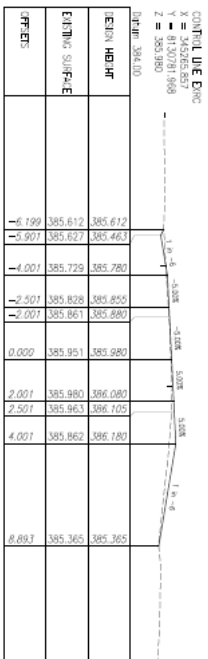
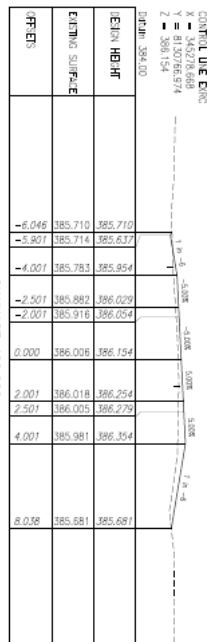
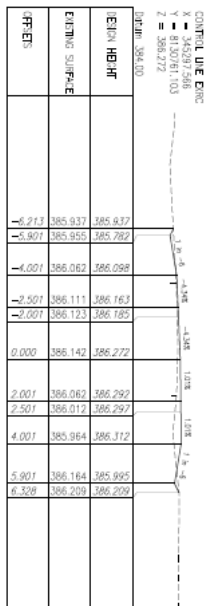
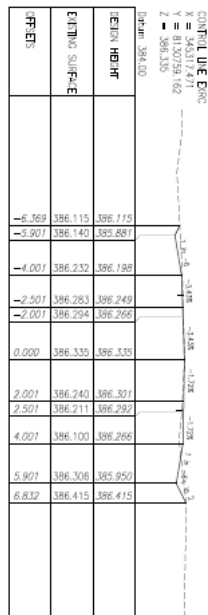
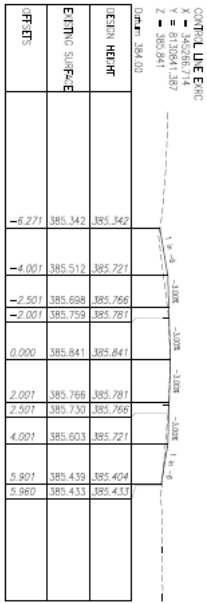
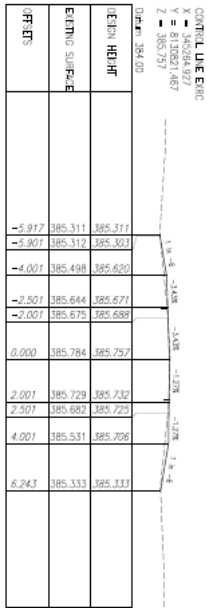
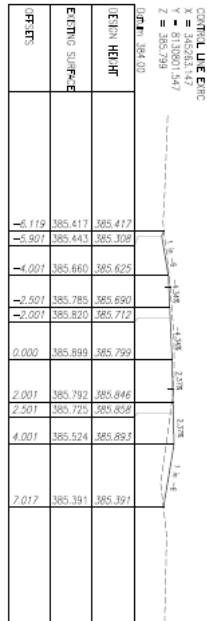
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|--|--|---|--|
| <p>228-244 Kanero Road, Kurunda</p> | | <p>FLANAGAN CONSULTING GROUP 1761-C06-C08 11/1000Y/130</p> | |
| <p>ROAD PLAN & LONG SECTION SHEET 2 OF 3</p> | | <p>1761-C07 SHEET 7 OF 13 SHEETS</p> | |



[illegible]

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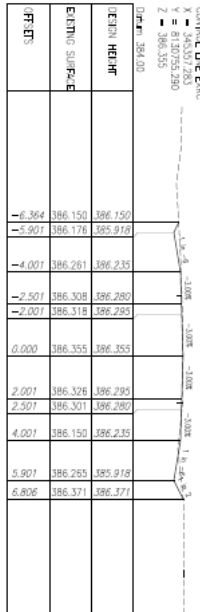
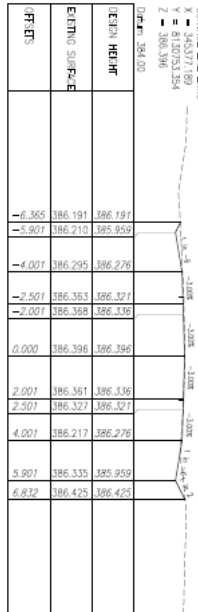
DO NOT SCALE



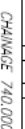
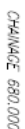
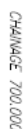
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|---|--|--|--|----------------------------------|--|---|--|
| Phyllis Gibbs 228-244 Kanero Road Kurundu | | FLANAGAN CONSULTING GROUP INCORPORATED IN SOUTH AFRICA 1001 10th Avenue Durban 4001 | | DATE: 17/01/2018 SCALE: 1:100 | | SHEET: 3 OF 5 ROAD CROSS SECTIONS A1 1761-C11 A | |
|---|--|--|--|----------------------------------|--|---|--|

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19 October 2018



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| | |
|--------------------------|---------------|
| 4040 No. 1761-C09-C13 | 3045 1-100 |
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A
Full

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| 1761-C13 | DRINKING NO. |
| SHEET 13 OF 13 SHEETS | FILED A |

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