DELEGATED REPORT

TO: SENIOR PLANNER

FROM: Planning Officer FILE: OPW/20/0005

DATE: 8 December 2020

APPLICATION DETAILS

APF	PLICATION	PREMISES		
FILE NO:	OPW/20/0005	ADDRESS:	19 Kullaroo	
			Close,	
			Kuranda	
APPLICANT:	G Owen & C Retter	RPD:	Lot 2 on	
			RP734383	
LODGED BY:	KFB Engineers	AREA:	2.878 ha	
DATE LODGED:	27 November 2020	OWNER:	G Owen & C	
			Retter	
TYPE OF APPROVAL:	Development Permit Operational Works (Roadworks, Stormwater Works, Water & Sewer Infrastructure, Drainage and Earthworks) for			
PROPOSED				
DEVELOPMENT:				
	Development Permit RAL/19/0016			
PLANNING SCHEME:	Mareeba Shire Council Planning Scheme 2016			
ZONE:	Low density residential			
LEVEL OF	Code Assessment			
ASSESSMENT:				
SUBMISSIONS:	n/a - code assessment only			

ATTACHMENTS: 1. Approved Plan/s

PREVIOUS APPLICATIONS & APPROVALS

RAL/19/0016 - Development Permit for Reconfiguring a Lot - Subdivision (1 into 6 lots and access easements) in 3 stages

DESCRIPTION OF PROPOSED DEVELOPMENT

Operational Works (Roadworks, Stormwater, Water & Sewer Infrastructure, Drainage and Earthworks) for Development Permit RAL/19/0016.

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:

- 6.2.6 Low density residential 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	The application can be conditioned to comply with the relevant	
zone code	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

RAL/19/0016 - Development Permit for Reconfiguring a Lot - Subdivision (1 into 6 Lots and Access Easements) in 3 Stages

- Development must be carried out generally 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 for each stage, 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 or the Adopted Infrastructure Charges Notice.
- 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 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 Where approved existing buildings and structures are to be retained, setbacks to any <u>new</u> property boundaries are to be in accordance with Planning Scheme requirements for the relevant structure and/or Queensland Development Code. A plan demonstrating compliance of any existing buildings or structures that are in close proximity to any new property boundary must be submitted prior to endorsement of the plan of survey.
- 3.7 All development works must be designed, constructed and carried out in accordance with FNQROC Development Manual requirements and to the satisfaction of Council's delegated officer.
- 3.8 A suitable kerbside mobile garbage bin placement/collection area is to be provided on Kullaroo Close to the satisfaction of Council's delegated officer.

3.9 Environmental Covenant

The applicant shall be responsible for the preparation and registration of a statutory covenant/s with Council pursuant to S97A of the Land Title Act for the purposes of preserving native animals, plants and their habitat.

The covenant will be of a form that is acceptable to the Registrar of Titles and Council's delegated officer.

The covenant area shall comprise those parts of proposed lots identified as Cov A to D on the approved plans. The covenant area may strictly exclude any areas where vegetation clearing is necessary for stormwater retention purposes only, to the satisfaction of Council's delegated officer.

The covenant shall stipulate that the covenant area must be protected, preserved and conserved, including by strictly adhering to the following non-exhaustive conditions (which may be varied by written agreement between the parties):-

- (a) no existing living vegetation or hereafter existing in the covenant area, may be cut down, damaged or destroyed;
- (b) no buildings or fences may be erected in the covenant area;
- (c) no native animals within the covenant area shall be killed or interfered with;

(d) no other acts may be carried out on or in respect of the covenant area which, in the opinion of the Council, acting reasonably may have a detrimental impact on the covenant area;

Notwithstanding clause (a) to (d), if any living or dead vegetation on the covenant area poses a risk to human safety:-

(e) The vegetation may be cut down or trimmed with the prior written consent of the Council, not to be unreasonably withheld, so as to remove the risk;

Notwithstanding clause (a) to (e), if any native or indigenous animal on the covenant area poses a risk to human safety the native or indigenous animal may be removed with the prior written consent of the Council and any other approvals which might be required by law.

The covenant agreement shall be signed by the registered owner prior to Council endorsement of the survey plan for each stage containing any of the proposed covenant area, and the signed covenant shall be jointly lodged for registration with the survey plan, in the Department of Natural Resources, Mines and Energy.

The covenant document shall be to the satisfaction of Council's delegated officer, and the applicant shall be responsible for the cost of preparation and registration of the covenant.

3.10 Charges

All outstanding rates, charges and expenses pertaining to the land are to be paid in full prior to the endorsement of a plan of survey.

4. Infrastructure Services and Standards

4.1 Access

- 4.1.1 An access crossover must be constructed or upgraded from the edge of the Kullaroo Close road pavement to the proposed access driveway in accordance with the FNQROC Development Manual, to the satisfaction of Council's delegated officer.
- 4.1.2 A bitumen, asphalt or concrete access driveway shall be constructed within the easement servicing Lots 3, 4, 5 and 6 for the respective stage of the development to the satisfaction of Council's delegated officer. The driveway will:
 - have a minimum formation width of:
 - 4 metres within Easement A (Stage 1); and
 - 3 metres within Easements C and D (Stage 3);
 - be constructed for the full length of the easement;
 - be formed with one-way crossfall to cater for stormwater drainage such that any stormwater is contained within the easement;
 - include service and utility conduits to be provided for the full length of the concrete or bitumen sealed driveway.

4.1.3 Prior to works commencing, plans for the works described above must be approved as part of a subsequent application for operational works.

4.2 Access/Services/Drainage Easement

To provide for the shared access driveway mentioned in Condition 4.1, an easement/s must be established for the purposes of access, drainage, maintenance and servicing for Lots 3, 4, 5 and 6.

The registered easement/s must be maintained in perpetuity to ensure Lots 3, 4, 5 and 6 do no become land locked.

The approved easement documents must be submitted at the same time the applicant/developer seeks endorsement of the plan of survey for the respective stage of the development and must be lodged and registered in the Department of Natural Resources, Mines and Energy in conjunction with the plan of survey.

4.3 Stormwater Drainage/Water Quality

- (a) The applicant/developer must take all necessary steps to ensure a nonworsening effect on surrounding land as a consequence of the development.
- (b) Prior to works commencing the applicant must submit a Stormwater Management Plan and Report prepared and certified by a suitably qualified design engineer (RPEQ) that meets or exceeds the standards of design and construction set out in the Queensland Urban Drainage Manual (QUDM) and the FNQROC Development Manual to the satisfaction of Council's delegated officer.

The Stormwater Management Plan and Report must include the design for the completed development and must also demonstrate how this stormwater infrastructure will be staged across the three (3) stages.

- (c) The Stormwater Quality Management Plan must include an Erosion and Sediment Control Plan that meets or exceeds the Soil Erosion and Sedimentation Control Guidelines (Institute of Engineers Australia) to the satisfaction of Council's delegated officer.
- (d) The applicant/developer must construct the stormwater drainage infrastructure in accordance with the approved Stormwater Management Plan and/or Stormwater Quality Management Plan and Report.
- (e) Temporary drainage is to be provided and maintained during the construction phase of the development, discharged to a lawful point and not onto the construction site.
- (f) All stormwater channels through private property must be registered, with the easement for drainage purposes in favour of Council. All documentation leading to the registration of the easement must be completed at no cost to Council.
- (g) All stormwater drainage from the site must be discharged to an approved legal point of discharge.

4.4 Water Supply

- (a) Where the existing reticulated water supply does not currently service the site or is not at an adequate capacity, the developer is required to extend or upgrade the reticulated water supply infrastructure to connect the site to Council's existing infrastructure at a point that has sufficient capacity to service the development in accordance with FNQROC Development Manual standards (as amended).
- (b) A water service connection must be provided to each proposed allotment in accordance with FNQROC Development Manual standards (as amended) to the satisfaction of Council's delegated officer.
- (c) Fire hydrants are to be located in accessways or private roads at a maximum spacing of 120 metres; and at all intersections of accessways or private roads.

4.5 Sewerage Connection

- 4.5.1 The developer must provide a connection for each proposed allotment to Council's reticulated sewerage system in accordance with FNQROC Development Manual standards (as amended) to the satisfaction of Council's delegated officer.
- 4.5.2 Where sewerage connections are not available to the site, or where existing connections are not satisfactory for the proposed development, the developer is required to extend or upgrade the reticulated sewerage infrastructure to connect the site to Council's existing infrastructure at a point that has sufficient capacity to service the development in accordance with FNQROC Development Manual standards (as amended).

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 to each lot.

4.7 Telecommunications

The applicant/developer must demonstrate that a connection to the national broadband network is available for each allotment, or alternatively, enter into an agreement with a telecommunication carrier to provide telecommunication services to each lot and arrange provision of necessary conduits and enveloping pipes.

FNQROC Regional Development Manual

The submitted plans have been checked for compliance against the FNQROC Development Manual and the conditions of the reconfiguring a lot approval.

REFERRALS

The application did not require referral to any Referral Agency.

Internal Consultation

Technical Services, Water & Waste

OFFICER'S RECOMMENDATION

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

APPLICATION		PREMISES		
APPLICANT:	G Owen & C Retter	ADDRESS:	19 Kullaroo Close, Kuranda	
DATE LODGED	27 November 2020	RPD:	Lot 2 on RP734383	
TYPE OF	Development Permit			
APPROVAL				
PROPOSED	Operational Works (Roadworks, Stormwater, Water & Sewerage			
DEVELOPMENT	Infrastructure, Drainage and Earthworks) for Development Permit			
	RAL/19/0016			

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: Operational Works (Roadworks, Stormwater, Water & Sewerage Infrastructure, Drainage and Earthworks) for Development Permit RAL/19/0016

(B) APPROVED PLANS:

Plan/Document Number	Plan/Document Title	Prepared by	Dated
K-6633 Sheet C01	General Arrangement	KFB Engineers	05/10/20
K-6633 Sheet C02	Setout	KFB Engineers	05/10/20
K-6633 Sheet C03	Typical Sections	KFB Engineers	05/10/20
K-6633 Sheet C04	Typical Sections and Details	KFB Engineers	05/10/20
K-6633 Sheet C05	Stormwater Details	KFB Engineers	05/10/20
K-6633 Sheet C06	Longitudinal Section Along Stormwater Line A & C	KFB Engineers	05/10/20
K-6633 Sheet C07	Longitudinal Section Along Driveway	KFB Engineers	05/10/20
K-6633 Sheet C08	Cross Sections Along Driveway CHGE 10 - 100	KFB Engineers	05/10/20
K-6633 Sheet C09	Cross Sections Along Driveway CHGE 110 - 149.150	KFB Engineers	05/10/20
K-6633 Sheet C10	Water and Sewer Reticulation	KFB Engineers	05/10/20

K-6633 Sheet C11	Stormwater Calculations	KFB Engineers	05/10/20

(C) ASSESSMENT MANAGER'S CONDITIONS (COUNCIL)

1. 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.

2. Batters

Any batters steeper than 1 in 2 and higher than 1.5m must be certified as stable by a Geotechnical Engineer.

3. Water Service Infrastructure

Prior to the pre-start meeting occurring, Council's Water and Waste Department should be contacted, and agreements set in place in relation to the proposed water reticulation network (house connections and for fire hydrants).

It is Council's preference that all internal water supply infrastructure beyond the water main connection point/s and meters remain private (not Council's asset) and that separate water meters for each allotment be provided just within the property boundary at the commencement of the shared driveway. This will generally require individual water pipes to be trenched to service each allotment.

Individual water meters will be installed by Council at the request and expense of the developer/landowner as per Councils standard water meter installation procedures. Water meters are not required to be installed as part of the operational works.

Note: The applicant/developer should ensure that water hydrants are suitably located to service all lots during an emergency.

4. Sewer Infrastructure

Council is not responsible for any private sewerage infrastructure beyond the existing sewer main/s and the proposed house connection branches that are to be installed by and at the expense of the developer/landowner.

That section of the existing sewer rising main situated under the proposed shared driveway must be replaced with ductile iron piping to protect the infrastructure and its function. Should an alternate outcome be provided for protecting the existing rising main infrastructure, it must be approved by Councils Water and Waste Department prior to the pre-start meeting occurring.

5. Pre-start Meeting

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.

6. Inspections

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

7. 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.

9. 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.

10. Transportation of Soil

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

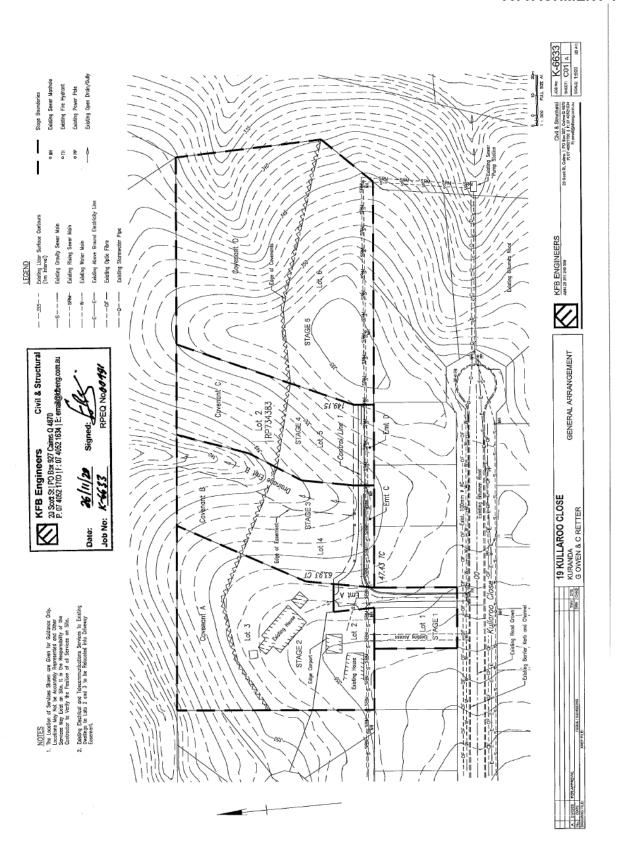
Having considered the Planning Officer's report detailed above, I approve, as delegate of Council, the application subject to the conditions listed in the report.

Dated the STH day of DECEMBER 2020

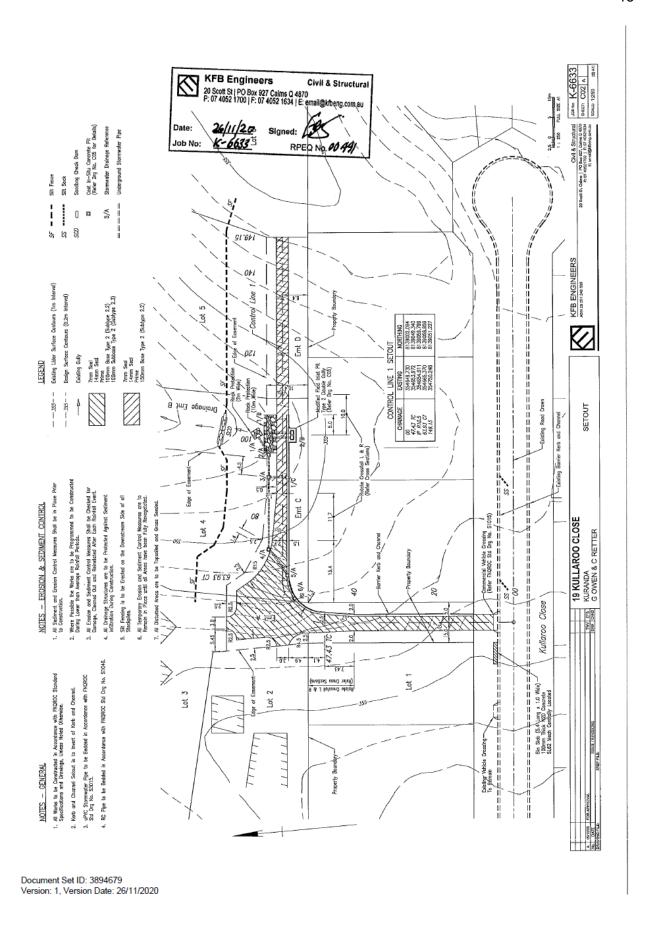
BRIAN MILLARD SENIOR PLANNER

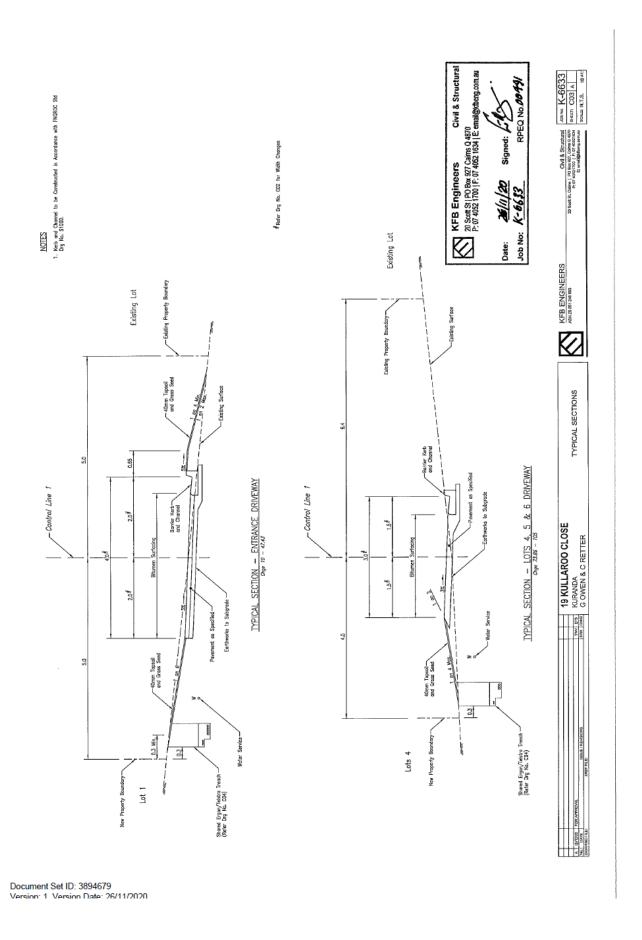
MAREEBA SHIRE AS DELEGATE OF THE COUNCIL

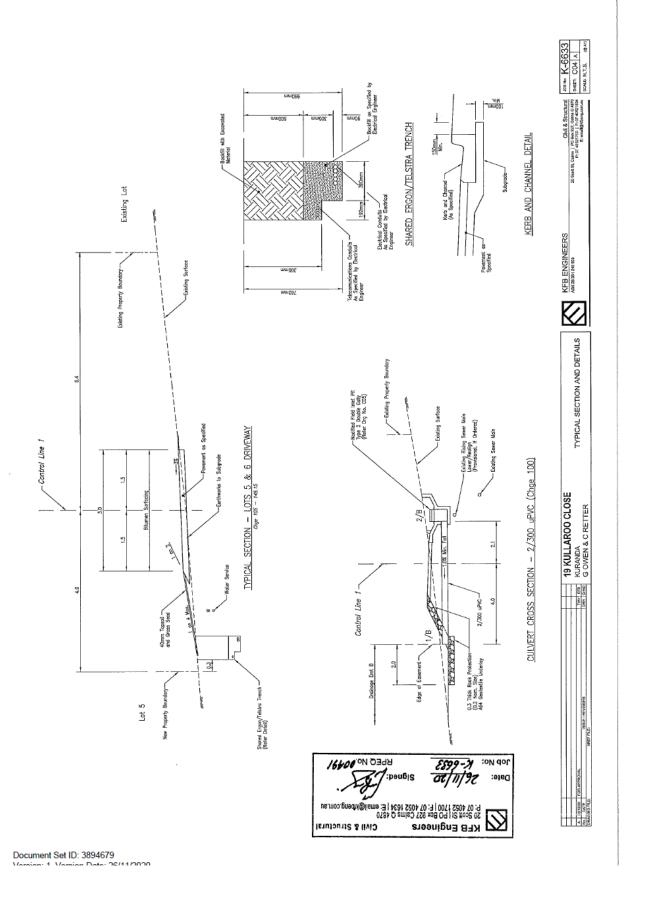
ATTACHMENT 1

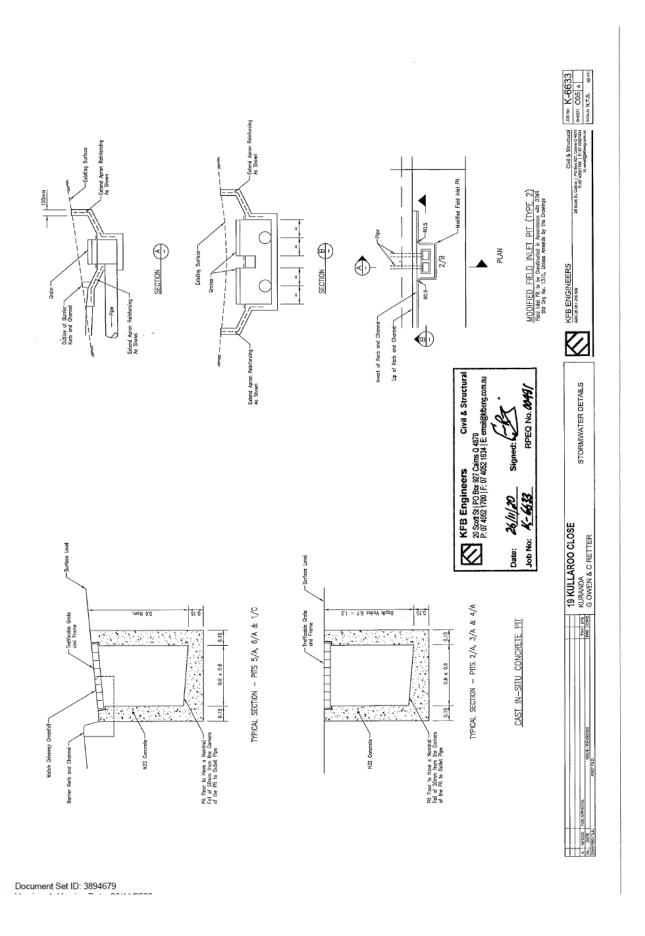


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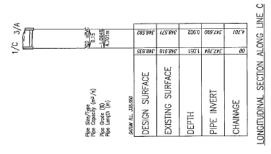












Horizontal Scale 2519 3 197

COMI & Structural active: K-6633

30 Gant Q, Gare I PO Barest C, Horizon C GO S A STRUCTURA C STRUCTUR Vertical Scale 125 0 2.5m 5m

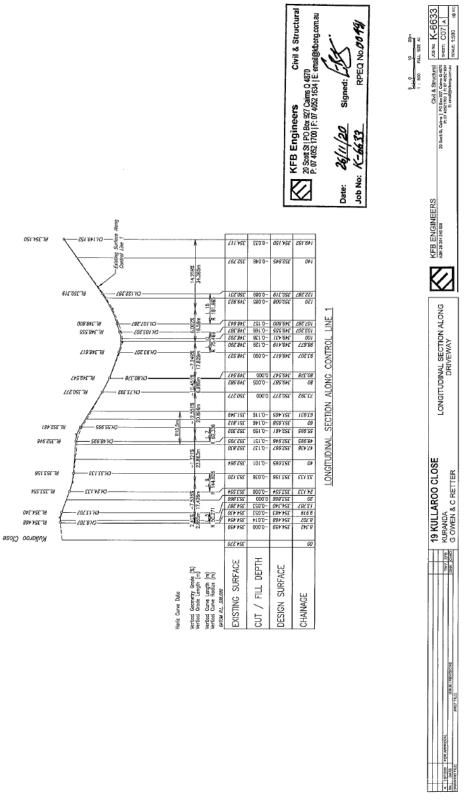
KFB ENGINEERS

LONGITUDINAL SECTION ALONG STORMWATER LINE A & C

19 KULLAROO CLOSE
RURANDA
GOWEN & C RETTER

2/A 1/A 615.54 375 RCP 373 RCP Cleas 3 Class 3 0.25 0.25 -2.005 -2.005 5.556m 5.028m 348,213 3/A SECTION ALONG LINE A 4/A 225 uPvc 300 uPvc 0.17 0.32 =13.005 -10.9375 5.047m 7.864m LONGITUDINAL 5/A ≰ <u>Ш</u> 220'252 +96'152 006:0 221:130 EXISTING SURFACE DESIGN SURFACE Pipe Size/Type Pipe Copacity (m⁵/s) Pipe Grade (%) Pipe Length (m) PIPE INVERT DATUM P.L. JJK,000 CHAINAGE DEPTH

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