Jim Papas Civil Engineering Designer
PTY LTD. ABN 56 010 943 905. ACN 010 943 905
Design Excellence, Exceptional Service

The Chief Executive Officer,
Mareeba Shire Council,
P.O. Box 154,
Mareeba Qld 4880

March 13, 2018
1450 R1 Part 2

Attn: Mr. B. Millard

Dear Sir,

RE: THE EDGE STAGE 3 - PROPOSED RESIDENTIAL SUBDIVISION FOR SIBI GIRGENTI HOLDINGS PTY. LTD.
(MSC Ref. Nos Unknown.)

We submit the attached operational works application on behalf of J. T. Smith and Associates Pty. Ltd.

This application is for Stage 3 of The Edge. The site is vacant and is located in Antonio Drive, Mareeba. This application consists of 16 lots with frontage to Antonio Drive and includes construction of a new road. Note that the engineering drawings include the lots contained with Stage 3A, which was previously approved for Operational Works, therefore the number of lots in this application is 16.

The applicable fee for an Operational Works Application is calculated to be $ 3,700.00.

We seek your approval of these proposals and request that you issue an “Operational Works” permit to allow construction to commence.

Yours faithfully,

JIM PAPAS CIVIL ENGINEERING
DESIGNER PTY. LTD.

_____
JIM PAPAS

Please address all correspondence to:
P.O. Box 2347,
Mareeba, Qld 4880

JPCED

Email: **admin@jpced.com.au**
Mobile: **0408 770 394**

COVER SHEET

OPERATIONAL WORKS APPLICATION
FOR
THE EDGE STAGE 3

Job No. **1450**

Job Description: **Proposed Residential Subdivision at Antonio Drive Mareeba**

Client: **Sibi Girgenti Holdings Pty. Ltd.**

LIST OF CONTENTS

Part 1: This Cover Sheet.

Part 2: Covering Letter.

Part 3: Design Approval.

Part 4: Design Report.

Part 5: Project Report

Part 6: Development Conditions

Part 7: Design Drawings in a separate volume.

ATTACHMENTS

Appendix A - FNQROC Development Manual Forms
Statement of Compliance
Operational Works Receipting Checklist.

Appendix B - IDAS Form 1.

Appendix C - Decision Notice

Design Drawings C01 – C17 inclusive plus cover sheet consisting of 2 x A3 copies

Disc with an electronic copy of these documents

PART 3 - DESIGN APPROVAL

3.01 PRELODGEMENT DISCUSSIONS
No formal pre-lodgement discussions were held.

3.02 DESIGN REQUIREMENTS
We believe that this submission complies with the requirements of this section.

All aspects of this submission have been prepared under the direction of a Registered Professional Engineer Queensland. (RPEQ)

3.03 ADJOINING LAND OWNERS
No operational works are expected to be undertaken on adjoining property.

3.04 LOCAL AUTHORITY APPROVAL
Statement of Compliance is attached.

3.05 APPROVAL OF OTHER AGENCIES
None applicable.

3.06 SUPPORTING INFORMATION
Design Plans: Copies attached.
Job Specification: None provided, all the relevant information is on the plans and the FNQROC Std. Specification will apply.
Design Report: A copy of the design report is attached.
Operational Works Application: Refer covering letter.
Prescribed Application Fee: The fee of $3,700 is to be paid at lodgement.
Evidence of Payment of Portable Long Service Leave and Occupational Health and safety fee: None provided, to be paid by the Contractor and evidence furnished at pre-start meeting.

PART4 - DESIGN REPORT

STATEMENT OF COMPLIANCE:
Copy of the completed Statement of Compliance is attached.

APPROVAL CONDITIONS
The conditions for this project were approved by Council on September 21, 2007. A copy of these conditions is attached as Appendix C.

PRELODGEMENT DISCUSSIONS
No formal pre-lodgement discussions were held.

ADJOINING LANDOWNERS.
No operational works are expected to be undertaken on adjoining property.

EVIDENCE OF NEGOTIATIONS WITH SERVICE AUTHORITIES
The electrical reticulation system including street lighting is to be designed and documented by Simon Perkins and Associates. Written advice in accordance with Council's Decision Notice will be provided by Simon Perkins and Associates as soon as it is available.

Simon Perkins and Associates will coordinate with NBN Co. Written advice in accordance with Council's Decision Notice from NBN Co. will be provided as soon as it is available.

STORMWATER DRAINAGE CALCULATIONS
Refer Dwg C21.

CATCHMENT PLAN.
A catchment plan forms part of the engineering drawings.

ALTERNATIVE DESIGN
Not applicable.

STORMWATER DRAINAGE CALCULATIONS FOR DRAINAGE FEATURES
Not applicable.

PERMANENT STORMWATER QUALITY STRUCTURES
Not applicable.

EROSION AND SEDIMENT CONTROL STRATEGY
Refer to Dwg C03.

TRAFFIC MANAGEMENT PLAN
None provided at this time. Such a plan is properly the responsibility of the Contractor and it will be provided at the pre-start meeting.

PAVEMENT DESIGN
Prior to design California Bearing Ratio (CBR) testing has not been undertaken for the site. The CBR is to be evaluated prior to construction by in situ CBR, and 4 day soaked CBR all performed by an NATA registered materials testing authority using procedures prescribed by the Department of Main Roads and the Standards Association of Australia.

The pavement design shall be reassessed after completion of testing. For the purpose of the design the subgrade CBR is assumed to be 7.

GEOTECHNICAL REPORTS
Not applicable.

STRUCTURAL AND GEOTECHNICAL CERTIFICATION
To be provided by the Contractor as part of the construction works.

PUMPING STATIONS
Not applicable.

LANDSCAPE DESIGN
The landscaping requirements will be subject to a separate submission.

STAGED DEVELOPMENT
The proposed staging of the project is shown on the drawings and has been consistent throughout the application process.

MATERIALS
All materials selected for use in this project are to industry standard and in accordance with FNQROC Standard Specification. All such materials shall be installed in accordance with the manufacturer's specifications and requirements

PRICED BILL OF QUANTITIES
Not provided, as it is not yet available. A priced Bill of Quantities shall be provided at pre-start meeting.

PEST PLANT MANAGEMENT

EXCESS SOIL
No soil material is to be removed from the site. All material won by excavation, cutting and general earthworks shall be incorporated within the works.

SHAKEDOWN AREA
Shake down and wash down areas shall be provided after consultation between Council officers and the Contractor. The position of these areas shall be shown on the Contractor's Erosion and soil Management Plan.

SALE OF PROPERTIES
The Contractor is responsible for the control of weeds on Stage 3 of the project and the Contract site generally until the end of the maintenance period.

PART 5 - PROJECT REPORT

1.0 GENERAL DESCRIPTION

The site is currently vacant and has frontage to Antonio Drive, Mareeba.

The entire project encompasses 79 residential lots. This application is for Stage 3 which consists of 16 lots. It includes construction of part of Antonio Drive and construction of a new road.

The site is generally sparsely grassed with a moderate slope.

2.0 ROADWORKS

The road network is designed in accordance with the Conditions.

All road pavements have been designed in accordance with FNQROC Design Manual and Austroads Guide to Pavement Technology Part 2 Pavement Structural Design.

A design life of 20 years has been adopted for all pavements.

Prior to design California Bearing Ratio (CBR) testing has not been undertaken for the site. The CBR is to be evaluated prior to construction by in situ CBR, and 4 day soaked CBR all performed by an NATA registered materials testing authority using procedures prescribed by the Department of Main Roads and the Standards Association of Australia.

The pavement design shall be reassessed after completion of testing. For the purpose of the design the subgrade CBR is assumed to be 7.

3.0 STORMWATER DRAINAGE

The stormwater drainage system has been designed using the rational Method in accordance with Australian Rainfall and Runoff (ARR) and the Queensland Urban Drainage manual(QUDM)

In accordance with the QUDM recommendations, the minor system is contained within an underground system based on a 5 year return interval. The major system design is based on an average return interval of 100 years. This system uses a combination of the underground pipe system and overland flow.

Calculation of pit locations is based on flow width limitations as detailed in QUDM and a recurrence interval of 5 years.

Times of concentration are based on QUDM standard inlet times.

Runoff coefficients have been established in accordance with QUDM.

Intensity figures have been obtained from FNQROC Design Manual IFD Chart 15 Mareeba.

Pit capacities are based on FNQROC Design Manual Kerb Inlet Pit Design Charts including an appropriate blockage factor.

Road way capacities have been calculated using Manning’s equation for all flows.

Pit and manhole losses have been estimated using charts in QUDM.

4.0 POTABLE WATER RETICULATION

All reticulation mains have been designed in accordance with the FNQROC Design Manual and the Department of Natural Resources and Mines “Planning Guidelines for Water Supply and Sewerage”. The full extent of the water supply works is shown on Dwg. C06.

A water supply analysis for all stages of the development using EPA Net software is available. It shows that and adequate domestic and fire fighting reticulation supply can be provided.

5.0 ELECTRICAL AND TELECOMMUNICATION RETICULATIONS

The electrical reticulation system including street lighting is to be designed and documented by Simon Perkins and Associates. Written advice in accordance with Council’s Decision Notice will be provided by Simon Perkins and Associates as soon as it is available.

Simon Perkins and Associates will coordinate with NBN Co. Written advice in accordance with Council’s Decision Notice from NBN Co. will be provided as soon as it is available.

PART 6 - DEVELOPMENT CONDITIONS

Decision Notice Approval

Reconfiguration of a Lot

Development No: **REC/07/0043** Date of Issue: **September 21, 2007**

Council Conditions

1 Not applicable to this application, requires action at a later time.

2 External Works: Completed as part of the Stage 1 works.

3 General

(i) Completed
(ii) Completed
(ii) This application satisfies this condition.
(iv) Completed
(v) Not applicable to this application
(vi) Not applicable to this application
(vii) This application satisfies this condition.

4 Roadworks and Earthworks
(i) Completed in so far as it applies to this application.
(ii) Completed

5 Stormwater Drainage
(i) Completed in so far as it applies to this application.
(ii) Completed
(iii) Completed
(iv) Completed

6 Water Supply
(i) Completed in so far as it applies to this application.
(ii) Completed
(iii) Not applicable to this application, requires action at a later time.
(iv) Not applicable to this application as this condition requires payment of a contribution at a later date.

7 Sewerage Connection
(i) Completed in so far as it applies to this application.
(ii) Completed
(iii) Completed as part of the Stage 1 works.
(iv) Not applicable to this application as this condition requires payment of a contribution at a later date.
(v) Not applicable to this application, requires action at a later time

8 Construction
Not applicable to this application, requires action at a later time

9 Not applicable to this application as this condition requires payment of a contribution at a later date.

10 The electrical reticulation system including street lighting is to be designed and documented by Simon Perkins and Associates. Written advice as required by the condition shall be provided by Simon Perkins and Associates as soon as it is available.

11 Simon Perkins and Associates will coordinate with NBN Co. Written advice as required by the condition shall be provided by Simon Perkins and Associates as soon as it is available.

12 All lots are above the Q100 flood level.

13 Not applicable as the Department of Transport and Main Roads no longer require any land.

FNQROC DEVELOPMENT MANUAL

Council ..... Mareeba Shire Council .....
(INSERT COUNCIL NAME)

STATEMENT OF COMPLIANCE
OPERATIONAL WORKS DESIGN

This form duly completed and signed by an authorised agent of the Designer shall be submitted with the Operational Works Application for Council Approval.

Name of Development ..... The Edge Stage 3 .....

Location of Development ..... Antonio Drive, Mareeba .....

Applicant ..... Sibi Girgenti Holdings Pty. Ltd. .....

Designer ..... J.T. Smith and Associates Pty. Ltd. .....

It is hereby certified that the Calculations, Drawings, Specifications and related documents submitted herewith have been prepared, checked and amended in accordance with the requirements of the FNQROC Development Manual and that the completed works comply with the requirements therein, **except** as noted below.

Compliance with the requirements of the Operational Works Design Guidelines	Non-Compliance refer to non-compliance report / drawing number
Plan Presentation	
Geotechnical requirements	
Geometric Road Design	
Pavements	
Structures / Bridges	
Subsurface Drainage	
Stormwater Drainage	
Site Re-grading	
Erosion Control and Stormwater Management	
Pest Plant Management	
Cycleway / Pathways	

Landscaping	
Water Source and Disinfection/Treatment Infrastructure (if applicable)	
Water Reticulation, Pump Stations and water storages	
Sewer Reticulation and Pump Stations	
Electrical Reticulation and Street Lighting	
Public Transport	
Associated Documentation/ Specification	
Priced Schedule of Quantities	
Referral Agency Conditions	
Supporting Information (AP1.08)	
Other	

Conscientiously believing the above statements to be true and correct, signed on behalf of:

Designer J. T Smith ..... **RPEQ No** 2668

Name in Full James Timothy Smith .....

Signature ..... **Date** 15/03/21

Operational Works Receipting Checklist

(To be completed by Consulting engineer making the application)

Name of Council: Mareeba Shire Council

Development Name and Location:
The Edge Stage 3, Antonio Drive MAreeba

Planning Permit No/Council File No: REC / 07 / 0043

DESIGN SUBMISSION	CHECK	COMMENT
1. Completed 'Statement of Compliance' form. (FNQROC - AP1 – Appendix A)	Y	
2. IDAS Forms A ,E & IDAS Assessment Checklist (Available from www.ipa.qld.gov.au)	Y	
3. Payment of Engineering Application Fees (Copy of receipt to be attached)	Y	
4. Copy of Decision Notice for Development Application Conditions, inc. explanation of how each condition is to be addressed (Statement of Compliance)	Y	
5. Engineering Design drawings - Complete sets (1 x A1 set, 2 x A3 sets and 1 x electronic copy on compact disc in 'PDF' format)	Y	
6. One copy of Design and Standard Specifications (Unbound Copy Preferable)		None provided, FNQROC Standard Spec to apply, other information usually in a specification is on the drawings.
7. Written consent from adjoining property owners authorising any works on their property	N.A.	
8. Water reticulation network in electronic format (Engineer to confirm system requirements and compatibility with Cairns Water)		Submitted previously.
9. Landscape drawings - Complete set (1 x A1 set, 2 x A3 sets and 1 x electronic copy on compact disc in 'PDF' format). These must be accompanied by elements of the stormwater & street ltg. layout design, to avoid conflicts.		To be subject to a separate application

DESIGN SUBMISSION	CHECK	COMMENT
10. Overall network drawings (for staged development) for:		
• Water	N	
• Stormwater	N	
• Sewer	N	
• Pathways and roads	N	
• Street Lighting		By Simon Perkins and Associates
• Electrical		By Simon Perkins and Associates
• Gas	N.A.	
• Public Transport	N.A.	
• Park Reserves	N	
• Drainage Reserves	N.A.	
11. Pavement design criteria	Y	
12. Geotechnical reports for proposed earthworks	N.A.	
13. Structural and geotechnical certificates for retaining walls etc.	N.A.	
14. Water supply/sewerage pump station design parameters	N.A.	
15. Stormwater drainage calculations	Y	
16. Erosion and Sediment Control Strategy (ESCS)	Y	
17. Declared Pest Management Plan (if applicable)	N.A.	
18. The approval of any other Authorities & concurrence agencies likely to be affected by the works.	N.A.	

19. Contact details of the Consulting Engineer who is submitting the Application:

Name of Engineer	James Timothy Smith	
Name of Company	J. T. Smith and Associates Pty. Ltd.	
Telephone Number (s)	Office:	Mobile: 0418 725 585
Email address	jtsmitheng@gmail.com	
RPEQ No.	2668	

20. Date of submission of application ..15../ ..03../ ~~200~~ 2021

(For further information on all of the above refer to the FNQROC Development Manual Section AP1)

Appendix B

DA Form 1 – Development application details

Approved form (version 1.3 effective 28 September 2020) made under section 282 of the Planning Act 2016.

This form **must** be used to make a development application **involving code assessment or impact assessment**, except when applying for development involving only building work.

For a development application involving **building work only**, use *DA Form 2 – Building work details*.

For a development application involving **building work associated with any other type of assessable development (i.e. material change of use, operational work or reconfiguring a lot)**, use this form (*DA Form 1*) **and** parts 4 to 6 of *DA Form 2 – Building work details.*

Unless stated otherwise, all parts of this form **must** be completed in full and all required supporting information **must** accompany the development application.

One or more additional pages may be attached as a schedule to this development application if there is insufficient space on the form to include all the necessary information.

This form and any other form relevant to the development application must be used to make a development application relating to strategic port land and Brisbane core port land under the *Transport Infrastructure Act 1994*, and airport land under the *Airport Assets (Restructuring and Disposal) Act 2008.* For the purpose of assessing a development application relating to strategic port land and Brisbane core port land, any reference to a planning scheme is taken to mean a land use plan for the strategic port land, Brisbane port land use plan for Brisbane core port land, or a land use plan for airport land.

Note: *All terms used in this form have the meaning given under the Planning Act 2016, the Planning Regulation 2017, or the Development Assessment Rules (DA Rules).*

PART 1 – APPLICANT DETAILS

1) Applicant details	
Applicant name(s) *(individual or company full name)*	Sibi Girgenti Holdings Pty. Ltd..
Contact name *(only applicable for companies)*	Jim Papas
Postal address *(P.O. Box or street address)*	P.O. Box 452
Suburb	Mareeba
State	Qld
Postcode	4880
Country	Australia
Contact number	0408 770 394
Email address *(non-mandatory)*	admin@jpced.com.au
Mobile number *(non-mandatory)*	0408 770 394
Fax number *(non-mandatory)*	
Applicant's reference number(s) *(if applicable)*	1450

2) Owner's consent
2.1) Is written consent of the owner required for this development application?
☐ Yes – the written consent of the owner(s) is attached to this development application ☒ No – proceed to 3)

PART 2 – LOCATION DETAILS

3) Location of the premises *(complete 3.1) or 3.2), and 3.3) as applicable)*

***Note**: Provide details below and attach a site plan for any or all premises part of the development application. For further information, see DA Forms Guide: Relevant plans.*

3.1) Street address and lot on plan

☐ Street address **AND** lot on plan (*all lots must be listed*), ***or***

☐ Street address **AND** lot on plan for an adjoining or adjacent property of the premises *(appropriate for development in water but adjoining or adjacent to land e.g. jetty, pontoon. All lots must be listed).*

a)	Unit No.	Street No.	Street Name and Type	Suburb
			Antonio Drive,	Mareeba
	Postcode	Lot No.	Plan Type and Number *(e.g. RP, SP)*	Local Government Area(s)
		300	SP 323221	Mareeba Shire Council
b)	Unit No.	Street No.	Street Name and Type	Suburb
	Postcode	Lot No.	Plan Type and Number *(e.g. RP, SP)*	Local Government Area(s)

3.2) Coordinates of premises *(appropriate for development in remote areas, over part of a lot or in water not adjoining or adjacent to land e.g. channel dredging in Moreton Bay)*

***Note**: Place each set of coordinates in a separate row.*

☐ Coordinates of premises by longitude and latitude

Longitude(s)	Latitude(s)	Datum	Local Government Area(s) *(if applicable)*
		☐ WGS84 ☐ GDA94 ☐ Other:	

☐ Coordinates of premises by easting and northing

Easting(s)	Northing(s)	Zone Ref.	Datum	Local Government Area(s) *(if applicable)*
		☐ 54 ☐ 55 ☐ 56	☐ WGS84 ☐ GDA94 ☐ Other:	

3.3) Additional premises

☐ Additional premises are relevant to this development application and the details of these premises have been attached in a schedule to this development application

☒ Not required

4) Identify any of the following that apply to the premises and provide any relevant details

☐ In or adjacent to a water body or watercourse or in or above an aquifer

Name of water body, watercourse or aquifer:

☐ On strategic port land under the *Transport Infrastructure Act 1994*

Lot on plan description of strategic port land:

Name of port authority for the lot:

☐ In a tidal area

Name of local government for the tidal area *(if applicable)*:

Name of port authority for tidal area *(if applicable)*:

☐ On airport land under the *Airport Assets (Restructuring and Disposal) Act 2008*

Name of airport:

☐ Listed on the Environmental Management Register (EMR) under the *Environmental Protection Act 1994*	
EMR site identification:	
☐ Listed on the Contaminated Land Register (CLR) under the *Environmental Protection Act 1994*	
CLR site identification:	

5) Are there any existing easements over the premises?

Note: Easement uses vary throughout Queensland and are to be identified correctly and accurately. For further information on easements and how they may affect the proposed development, see DA Forms Guide.

☐ Yes – All easement locations, types and dimensions are included in plans submitted with this development application

☒ No

PART 3 – DEVELOPMENT DETAILS

Section 1 – Aspects of development

6.1) Provide details about the first development aspect

a) What is the type of development? *(tick only one box)*

☐ Material change of use ☐ Reconfiguring a lot ☒ Operational work ☐ Building work

b) What is the approval type? *(tick only one box)*

☒ Development permit ☐ Preliminary approval ☐ Preliminary approval that includes a variation approval

c) What is the level of assessment?

☒ Code assessment ☐ Impact assessment *(requires public notification)*

d) Provide a brief description of the proposal *(e.g. 6 unit apartment building defined as multi-unit dwelling, reconfiguration of 1 lot into 3 lots)*:

16 Residential lots

e) Relevant plans

***Note**: Relevant plans are required to be submitted for all aspects of this development application. For further information, see DA Forms guide: Relevant plans.*

☒ Relevant plans of the proposed development are attached to the development application

6.2) Provide details about the second development aspect

a) What is the type of development? *(tick only one box)*

☐ Material change of use ☐ Reconfiguring a lot ☐ Operational work ☐ Building work

b) What is the approval type? *(tick only one box)*

☐ Development permit ☐ Preliminary approval ☐ Preliminary approval that includes a variation approval

c) What is the level of assessment?

☐ Code assessment ☐ Impact assessment *(requires public notification)*

d) Provide a brief description of the proposal *(e.g. 6 unit apartment building defined as multi-unit dwelling, reconfiguration of 1 lot into 3 lots)*:

e) Relevant plans

***Note**: Relevant plans are required to be submitted for all aspects of this development application. For further information, see DA Forms Guide: Relevant plans.*

☐ Relevant plans of the proposed development are attached to the development application

6.3) Additional aspects of development

☐ Additional aspects of development are relevant to this development application and the details for these aspects that would be required under Part 3 Section 1 of this form have been attached to this development application

☒ Not required

Section 2 – Further development details

7) Does the proposed development application involve any of the following?	
Material change of use	☐ Yes – complete division 1 if assessable against a local planning instrument
Reconfiguring a lot	☐ Yes – complete division 2
Operational work	☒ Yes – complete division 3
Building work	☐ Yes – complete *DA Form 2 – Building work details*

Division 1 – Material change of use

***Note**: This division is only required to be completed if any part of the development application involves a material change of use assessable against a local planning instrument.*

8.1) Describe the proposed material change of use			
Provide a general description of the proposed use	Provide the planning scheme definition *(include each definition in a new row)*	Number of dwelling units *(if applicable)*	Gross floor area (m^2) *(if applicable)*

8.2) Does the proposed use involve the use of existing buildings on the premises?
☐ Yes
☐ No

Division 2 – Reconfiguring a lot

***Note**: This division is only required to be completed if any part of the development application involves reconfiguring a lot.*

9.1) What is the total number of existing lots making up the premises?

9.2) What is the nature of the lot reconfiguration? *(tick all applicable boxes)*	
☐ Subdivision *(complete 10))*	☐ Dividing land into parts by agreement *(complete 11))*
☐ Boundary realignment *(complete 12))*	☐ Creating or changing an easement giving access to a lot from a constructed road *(complete 13))*

10) Subdivision				
10.1) For this development, how many lots are being created and what is the intended use of those lots:				
Intended use of lots created	Residential	Commercial	Industrial	Other, please specify:
Number of lots created				

10.2) Will the subdivision be staged?	
☐ Yes – provide additional details below ☐ No	
How many stages will the works include?	
What stage(s) will this development application apply to?	

11) Dividing land into parts by agreement – how many parts are being created and what is the intended use of the parts?				
Intended use of parts created	Residential	Commercial	Industrial	Other, please specify:
Number of parts created				

12) Boundary realignment			
12.1) What are the current and proposed areas for each lot comprising the premises?			
Current lot		Proposed lot	
Lot on plan description	Area (m^2)	Lot on plan description	Area (m^2)

12.2) What is the reason for the boundary realignment?

13) What are the dimensions and nature of any existing easements being changed and/or any proposed easement? *(attach schedule if there are more than two easements)*				
Existing or proposed?	Width (m)	Length (m)	Purpose of the easement? *(e.g. pedestrian access)*	Identify the land/lot(s) benefitted by the easement

Division 3 – Operational work

***Note**: This division is only required to be completed if any part of the development application involves operational work.*

14.1) What is the nature of the operational work?		
☒ Road work	☒ Stormwater	☒ Water infrastructure
☒ Drainage work	☒ Earthworks	☒ Sewage infrastructure
☐ Landscaping	☐ Signage	☐ Clearing vegetation
☐ Other – please specify:		

14.2) Is the operational work necessary to facilitate the creation of new lots? *(e.g. subdivision)*	
☒ Yes – specify number of new lots:	16
☐ No	

14.3) What is the monetary value of the proposed operational work? *(include GST, materials and labour)*
$ 560,000

PART 4 – ASSESSMENT MANAGER DETAILS

15) Identify the assessment manager(s) who will be assessing this development application
Mareeba Shire Council

16) Has the local government agreed to apply a superseded planning scheme for this development application?
☐ Yes – a copy of the decision notice is attached to this development application
☐ The local government is taken to have agreed to the superseded planning scheme request – relevant documents attached
☒ No

PART 5 – REFERRAL DETAILS

17) Does this development application include any aspects that have any referral requirements?
***Note**: A development application will require referral if prescribed by the* Planning Regulation 2017*.*

☒ No, there are no referral requirements relevant to any development aspects identified in this development application – proceed to Part 6

Matters requiring referral to the **Chief Executive of the *Planning Act 2016*:**

☐ Clearing native vegetation
☐ Contaminated land *(unexploded ordnance)*
☐ Environmentally relevant activities (ERA) *(only if the ERA has not been devolved to a local government)*
☐ Fisheries – aquaculture
☐ Fisheries – declared fish habitat area
☐ Fisheries – marine plants
☐ Fisheries – waterway barrier works
☐ Hazardous chemical facilities
☐ Heritage places – Queensland heritage place *(on or near a Queensland heritage place)*
☐ Infrastructure-related referrals – designated premises
☐ Infrastructure-related referrals – state transport infrastructure
☐ Infrastructure-related referrals – State transport corridor and future State transport corridor
☐ Infrastructure-related referrals – State-controlled transport tunnels and future state-controlled transport tunnels
☐ Infrastructure-related referrals – near a state-controlled road intersection
☐ Koala habitat in SEQ region – interfering with koala habitat in koala habitat areas outside koala priority areas
☐ Koala habitat in SEQ region – key resource areas
☐ Ports – Brisbane core port land – near a State transport corridor or future State transport corridor
☐ Ports – Brisbane core port land – environmentally relevant activity (ERA)
☐ Ports – Brisbane core port land – tidal works or work in a coastal management district
☐ Ports – Brisbane core port land – hazardous chemical facility
☐ Ports – Brisbane core port land – taking or interfering with water
☐ Ports – Brisbane core port land – referable dams
☐ Ports – Brisbane core port land – fisheries
☐ Ports – Land within Port of Brisbane's port limits *(below high-water mark)*
☐ SEQ development area
☐ SEQ regional landscape and rural production area or SEQ rural living area – tourist activity or sport and recreation activity
☐ SEQ regional landscape and rural production area or SEQ rural living area – community activity
☐ SEQ regional landscape and rural production area or SEQ rural living area – indoor recreation
☐ SEQ regional landscape and rural production area or SEQ rural living area – urban activity
☐ SEQ regional landscape and rural production area or SEQ rural living area – combined use
☐ Tidal works or works in a coastal management district
☐ Reconfiguring a lot in a coastal management district or for a canal
☐ Erosion prone area in a coastal management district
☐ Urban design
☐ Water-related development – taking or interfering with water
☐ Water-related development – removing quarry material *(from a watercourse or lake)*
☐ Water-related development – referable dams
☐ Water-related development –levees *(category 3 levees only)*
☐ Wetland protection area

Matters requiring referral to the **local government:**

☐ Airport land
☐ Environmentally relevant activities (ERA) (*only if the ERA has been devolved to local government)*

☐ Heritage places – Local heritage places

Matters requiring referral to the **Chief Executive of the distribution entity or transmission entity:**
☐ Infrastructure-related referrals – Electricity infrastructure

Matters requiring referral to:
- The **Chief Executive of the holder of the licence**, if not an individual
- The **holder of the licence**, if the holder of the licence is an individual

☐ Infrastructure-related referrals – Oil and gas infrastructure

Matters requiring referral to the **Brisbane City Council:**
☐ Ports – Brisbane core port land

Matters requiring referral to the **Minister responsible for administering the *Transport Infrastructure Act 1994*:**
☐ Ports – Brisbane core port land *(where inconsistent with the Brisbane port LUP for transport reasons)*
☐ Ports – Strategic port land

Matters requiring referral to the **relevant port operator**, if applicant is not port operator**:**
☐ Ports – Land within Port of Brisbane's port limits *(below high-water mark)*

Matters requiring referral to the **Chief Executive of the relevant port authority:**
☐ Ports – Land within limits of another port *(below high-water mark)*

Matters requiring referral to the **Gold Coast Waterways Authority:**
☐ Tidal works or work in a coastal management district *(in Gold Coast waters)*

Matters requiring referral to the **Queensland Fire and Emergency Service:**
☐ Tidal works or work in a coastal management district *(involving a marina (more than six vessel berths))*

18) Has any referral agency provided a referral response for this development application?

☐ Yes – referral response(s) received and listed below are attached to this development application
☒ No

Referral requirement	Referral agency	Date of referral response

Identify and describe any changes made to the proposed development application that was the subject of the referral response and this development application, or include details in a schedule to this development application *(if applicable).*

PART 6 – INFORMATION REQUEST

19) Information request under Part 3 of the DA Rules

☒ I agree to receive an information request if determined necessary for this development application
☐ I do not agree to accept an information request for this development application

***Note**: By not agreeing to accept an information request I, the applicant, acknowledge:*

- *that this development application will be assessed and decided based on the information provided when making this development application and the assessment manager and any referral agencies relevant to the development application are not obligated under the DA Rules to accept any additional information provided by the applicant for the development application unless agreed to by the relevant parties*
- *Part 3 of the DA Rules will still apply if the application is an application listed under section 11.3 of the DA Rules.*

Further advice about information requests is contained in the DA Forms Guide.

PART 7 – FURTHER DETAILS

20) Are there any associated development applications or current approvals? *(e.g. a preliminary approval)*

☐ Yes – provide details below or include details in a schedule to this development application
☒ No

List of approval/development application references	Reference number	Date	Assessment manager
☐ Approval ☐ Development application	REC/07/0043	September 18, 2007	Mareeba Shire Council
☐ Approval ☐ Development application			

21) Has the portable long service leave levy been paid? *(only applicable to development applications involving building work or operational work)*

☐ Yes – a copy of the receipted QLeave form is attached to this development application
☒ No – I, the applicant will provide evidence that the portable long service leave levy has been paid before the assessment manager decides the development application. I acknowledge that the assessment manager may give a development approval only if I provide evidence that the portable long service leave levy has been paid
☐ Not applicable *(e.g. building and construction work is less than $150,000 excluding GST)*

Amount paid	Date paid (dd/mm/yy)	QLeave levy number (A, B or E)
$		

22) Is this development application in response to a show cause notice or required as a result of an enforcement notice?

☐ Yes – show cause or enforcement notice is attached
☒ No

23) Further legislative requirements

Environmentally relevant activities

23.1) Is this development application also taken to be an application for an environmental authority for an **Environmentally Relevant Activity (ERA)** under section 115 of the *Environmental Protection Act 1994*?

☐ Yes – the required attachment (form ESR/2015/1791) for an application for an environmental authority accompanies this development application, and details are provided in the table below
☒ No

***Note**: Application for an environmental authority can be found by searching "ESR/2015/1791" as a search term at www.qld.gov.au. An ERA requires an environmental authority to operate. See www.business.qld.gov.au for further information.*

Proposed ERA number:		Proposed ERA threshold:	
Proposed ERA name:			

☐ Multiple ERAs are applicable to this development application and the details have been attached in a schedule to this development application.

Hazardous chemical facilities

23.2) Is this development application for a **hazardous chemical facility**?

☐ Yes – *Form 69: Notification of a facility exceeding 10% of schedule 15 threshold* is attached to this development application
☒ No

***Note**: See www.business.qld.gov.au for further information about hazardous chemical notifications.*

Clearing native vegetation

23.3) Does this development application involve **clearing native vegetation** that requires written confirmation that the chief executive of the *Vegetation Management Act 1999* is satisfied the clearing is for a relevant purpose under section 22A of the *Vegetation Management Act 1999*?

☐ Yes – this development application includes written confirmation from the chief executive of the *Vegetation Management Act 1999* (s22A determination)

☒ No

***Note**: 1. Where a development application for operational work or material change of use requires a s22A determination and this is not included, the development application is prohibited development.*

2. See https://www.qld.gov.au/environment/land/vegetation/applying for further information on how to obtain a s22A determination.

Environmental offsets

23.4) Is this development application taken to be a prescribed activity that may have a significant residual impact on a **prescribed environmental matter** under the *Environmental Offsets Act 2014*?

☐ Yes – I acknowledge that an environmental offset must be provided for any prescribed activity assessed as having a significant residual impact on a prescribed environmental matter

☒ No

***Note**: The environmental offset section of the Queensland Government's website can be accessed at www.qld.gov.au for further information on environmental offsets.*

Koala habitat in SEQ Region

23.5) Does this development application involve a material change of use, reconfiguring a lot or operational work which is assessable development under Schedule 10, Part 10 of the Planning Regulation 2017?

☐ Yes – the development application involves premises in the koala habitat area in the koala priority area

☐ Yes – the development application involves premises in the koala habitat area outside the koala priority area

☒ No

***Note**: If a koala habitat area determination has been obtained for this premises and is current over the land, it should be provided as part of this development application. See koala habitat area guidance materials at www.des.qld.gov.au for further information.*

Water resources

23.6) Does this development application involve **taking or interfering with underground water through an artesian or subartesian bore, taking or interfering with water in a watercourse, lake or spring, or taking overland flow water under the *Water Act 2000***?

☐ Yes – the relevant template is completed and attached to this development application and I acknowledge that a relevant authorisation or licence under the *Water Act 2000* may be required prior to commencing development

☒ No

***Note**: Contact the Department of Natural Resources, Mines and Energy at www.dnrme.qld.gov.au for further information.*

DA templates are available from https://planning.dsdmip.qld.gov.au/. If the development application involves:

- *Taking or interfering with underground water through an artesian or subartesian bore: complete DA Form 1 Template 1*
- *Taking or interfering with water in a watercourse, lake or spring: complete DA Form1 Template 2*
- *Taking overland flow water: complete DA Form 1 Template 3.*

Waterway barrier works

23.7) Does this application involve **waterway barrier works?**

☐ Yes – the relevant template is completed and attached to this development application

☒ No

DA templates are available from https://planning.dsdmip.qld.gov.au/. For a development application involving waterway barrier works, complete DA Form 1 Template 4.

Marine activities

23.8) Does this development application involve **aquaculture, works within a declared fish habitat area or removal, disturbance or destruction of marine plants?**

☐ Yes – an associated *resource* allocation authority is attached to this development application, if required under the *Fisheries Act 1994*

☒ No

***Note**: See guidance materials at www.daf.qld.gov.au for further information.*

Quarry materials from a watercourse or lake

23.9) Does this development application involve the **removal of quarry materials from a watercourse or lake** under the *Water Act 2000?*

☐ Yes – I acknowledge that a quarry material allocation notice must be obtained prior to commencing development
☒ No

***Note**: Contact the Department of Natural Resources, Mines and Energy at www.dnrme.qld.gov.au and www.business.qld.gov.au for further information.*

Quarry materials from land under tidal waters

23.10) Does this development application involve the **removal of quarry materials from land under tidal water** under the *Coastal Protection and Management Act 1995?*

☐ Yes – I acknowledge that a quarry material allocation notice must be obtained prior to commencing development
☒ No

***Note**: Contact the Department of Environment and Science at www.des.qld.gov.au for further information.*

Referable dams

23.11) Does this development application involve a **referable dam** required to be failure impact assessed under section 343 of the *Water Supply (Safety and Reliability) Act 2008* (the Water Supply Act)?

☐ Yes – the 'Notice Accepting a Failure Impact Assessment' from the chief executive administering the Water Supply Act is attached to this development application
☒ No

***Note**: See guidance materials at www.dnrme.qld.gov.au for further information.*

Tidal work or development within a coastal management district

23.12) Does this development application involve **tidal work or development in a coastal management district**?

☐ Yes – the following is included with this development application:
- ☐ Evidence the proposal meets the code for assessable development that is prescribed tidal work *(only required if application involves prescribed tidal work)*
- ☐ A certificate of title

☒ No

***Note**: See guidance materials at www.des.qld.gov.au for further information.*

Queensland and local heritage places

23.13) Does this development application propose development on or adjoining a place entered in the **Queensland heritage register** or on a place entered in a local government's **Local Heritage Register**?

☐ Yes – details of the heritage place are provided in the table below
☒ No

***Note**: See guidance materials at www.des.qld.gov.au for information requirements regarding development of Queensland heritage places.*

Name of the heritage place:		Place ID:	

Brothels

23.14) Does this development application involve a **material change of use for a brothel**?

☐ Yes – this development application demonstrates how the proposal meets the code for a development application for a brothel under Schedule 3 of the *Prostitution Regulation 2014*
☒ No

Decision under section 62 of the *Transport Infrastructure Act 1994*

23.15) Does this development application involve new or changed access to a state-controlled road?

☐ Yes – this application will be taken to be an application for a decision under section 62 of the *Transport Infrastructure Act 1994* (subject to the conditions in section 75 of the *Transport Infrastructure Act 1994* being satisfied)
☒ No

Walkable neighbourhoods assessment benchmarks under Schedule 12A of the Planning Regulation
23.16) Does this development application involve reconfiguring a lot into 2 or more lots in certain residential zones (except rural residential zones), where at least one road is created or extended?
☐ Yes – Schedule 12A is applicable to the development application and the assessment benchmarks contained in schedule 12A have been considered ☒ No ***Note**: See guidance materials at www.planning.dsdmip.qld.gov.au for further information.*

PART 8 – CHECKLIST AND APPLICANT DECLARATION

24) Development application checklist	
I have identified the assessment manager in question 15 and all relevant referral requirement(s) in question 17 ***Note**: See the Planning Regulation 2017 for referral requirements*	☒ Yes
If building work is associated with the proposed development, Parts 4 to 6 of *DA Form 2 – Building work details* have been completed and attached to this development application	☐ Yes ☒ Not applicable
Supporting information addressing any applicable assessment benchmarks is with the development application ***Note**: This is a mandatory requirement and includes any relevant templates under question 23, a planning report and any technical reports required by the relevant categorising instruments (e.g. local government planning schemes, State Planning Policy, State Development Assessment Provisions). For further information, see DA Forms Guide: Planning Report Template.*	☐ Yes
Relevant plans of the development are attached to this development application ***Note**: Relevant plans are required to be submitted for all aspects of this development application. For further information, see DA Forms Guide: Relevant plans.*	☒ Yes
The portable long service leave levy for QLeave has been paid, or will be paid before a development permit is issued (*see 21*)	☒ Yes ☐ Not applicable

25) Applicant declaration
☒ By making this development application, I declare that all information in this development application is true and correct ☒ Where an email address is provided in Part 1 of this form, I consent to receive future electronic communications from the assessment manager and any referral agency for the development application where written information is required or permitted pursuant to sections 11 and 12 of the *Electronic Transactions Act 2001* ***Note**: It is unlawful to intentionally provide false or misleading information.*
Privacy – Personal information collected in this form will be used by the assessment manager and/or chosen assessment manager, any relevant referral agency and/or building certifier (including any professional advisers which may be engaged by those entities) while processing, assessing and deciding the development application. All information relating to this development application may be available for inspection and purchase, and/or published on the assessment manager's and/or referral agency's website. Personal information will not be disclosed for a purpose unrelated to the *Planning Act 2016*, Planning Regulation 2017 and the DA Rules except where: • such disclosure is in accordance with the provisions about public access to documents contained in the *Planning Act 2016* and the Planning Regulation 2017, and the access rules made under the *Planning Act 2016* and Planning Regulation 2017; or • required by other legislation (including the *Right to Information Act 2009*); or • otherwise required by law. This information may be stored in relevant databases. The information collected will be retained as required by the *Public Records Act 2002.*

PART 9 – FOR COMPLETION OF THE ASSESSMENT MANAGER – FOR OFFICE USE ONLY

Date received: | Reference number(s):

Notification of engagement of alternative assessment manager	
Prescribed assessment manager	
Name of chosen assessment manager	
Date chosen assessment manager engaged	
Contact number of chosen assessment manager	
Relevant licence number(s) of chosen assessment manager	

QLeave notification and payment *Note: For completion by assessment manager if applicable*			
Description of the work			
QLeave project number			
Amount paid ($)		Date paid (dd/mm/yy)	
Date receipted form sighted by assessment manager			
Name of officer who sighted the form			

Mareeba Shire Council
P.O. Box 154
65 Rankin Street
Mareeba Qld 4880

Telephone (07) 4030 3900
Facsimile (07) 4092 3323
Email ceo@msc.qld.gov.au
Web www.msc.qld.gov.au

Sibi Girgenti Holdings Pty Ltd and
Novelette Pty Ltd
C/- Jim Papas Drafting Pty Ltd
PO Box 413
EARLVILLE QLD 4870

Our Ref: REC/07/0043
Item No: 19:18.09.07
BJM:mjn

21 September 2007

Dear Sir

RECONFIGURATION APPLICATION – REC/07/0043

I refer to the Development Application lodged by you.

Please find attached the relevant Decision Notice.

Your attention is drawn to Section 3.5.17 of the Integrated Planning Act, in relation to making representations to the Assessment Manager, about the conditions of the Development Approval (copy attached).

Should you have any queries with regard to the matters raised, please direct them to me on 4030 3959.

Yours faithfully

BJ Millard
SHIRE PLANNER

Attachments

MAREEBA SHIRE COUNCIL

DECISION NOTICE FOR DEVELOPMENT APPLICATION

Development Number:	REC/07/0043
Applicant:	Sibi Girgenti Holdings Pty Ltd
Proposal:	Eighty-five Lot Reconfiguration
Property Location:	Kennedy Highway MAREEBA QLD 4880
Real Property Description:	Lot 1 RP 730895
Referral Agencies:	Department of Main Roads Department of Natural Resources and Water
Decision Date:	18 September 2007
Decision:	Approved, Subject to Conditions
Type Of Approval:	Development Approval
Assessment Manager Conditions:	See Attached Page
Submitters to the Application:	Nil
Concurrence Agency Conditions:	Department of Main Roads Department of Natural Resources and Water
Further Development Permits Required:	Nil
Appeal Rights:	Division 8 – Appeals to Court Relating to Development Applications, attached for your information.

Andy L Smith
A/CHIEF EXECUTIVE OFFICER

CONDITIONS

Resolved that Council:-

A. Issue a Development Permit for the application made by Jim Papas Drafting Pty Ltd on behalf of Sibi Girgenti Holdings Pty Ltd and Novelette Pty Ltd for the reconfiguration of land described as Lot 1 on RP730895, Parish of Tinaroo, situated on the Kennedy Highway, Mareeba, into eighty (80) allotments as shown on Drawing No 1082 SK1 Amdt E, subject to:

COUNCIL CONDITIONS

1. To cover extra traffic movements created by this development, the applicant must contribute per additional allotment towards the augmentation of the road network in accordance with the adopted policy of Council existing at the time of payment. This contribution is to be paid prior to the signing and sealing of the Plan of Survey.

   At the same time as the contribution is paid, a copy of the Plan of Survey and the Form 6 that is lodged with the Department of Natural Resources and Water for each permanent survey mark installed must also be lodged with Council prior to the signing and sealing of the Plan of Survey.

2. External Works

   (i) The intersection of Constance and Haren Streets is to be upgraded in accordance with the requirements of the FNQROC Development Manual.

   (ii) Constance Street (Haren to Peters Street)

      (a) The existing bitumen seal is to be widened to the kerb and channel on the western side of Constance Street.

      (b) Kerb and channel is to be installed on the eastern side of Constance Street, on a similar alignment to the existing kerb and channel between Peters and Lerra Street. The existing bitumen seal is to be widened to the new kerb and channel.

Andy L Smith
A/CHIEF EXECUTIVE OFFICER

(iii) Constance Street (Peters to Lerra Street)

(a) The existing bitumen seal is to be widened to the kerb and channel on both sides.

(b) Extend the existing culverts.

(c) Extend the kerb and channel on the eastern side of Constance Street around into Lerra Street.

(iv) The agreed value of the works required by Condition 2(ii) and 2(iii) shall be credited towards the contribution required under Condition 1.

3. General

(i) All operational works relating to this development will be as per the FNQROC Development Manual, including the following.

(ii) Prior to the submission of any documentation Council draws your attention to AP 1 Application Procedures with particular reference to:-

AP 1.02	Pre-Lodgement Discussion
AP 1.07	Supporting Information, in particular:- 9 (xi) Erosion and Sediment Control Strategy (ESCS) 9 (xvii) Landscaping Design Plan
AP 1.08-1.14	Plan Presentation
AP 1.15-1.31	Design Drawings (including asphalt intersection/ cul-de-sac details with bitumen road)

(iii) Documentation as detailed in AP 1 should be submitted at least one (1) month prior to the proposed starting date for construction.

(iv) Refer also to associated Mareeba Shire Council Specific Requirements and Standard Drawings.

(v) All aspects of construction works must be undertaken to the satisfaction of the Manager Civil Works.

Andy L Smith
A/CHIEF EXECUTIVE OFFICER

(vi) Council wishes to advise the applicant of the Aboriginal Cultural Heritage Act 2003 and the Environment Protection and Biodiversity Conservation Act 1999 which may impact on this development.

(vii) No work may commence on site until Council has approved both the:-

(a) Erosion and Sediment Control Strategy; and
(b) Principal Contractor's Sediment Control Plan.

4. Roadworks & Earthworks

(i) Roadworks are to be designed and constructed in accordance with FNQROC Development Manual with particular reference to the following sections:-

DP 1	Development Principles
D1	Road Geometry
D2	Site Regrading
D3	Road Pavements (Design)
S1	Earthworks
S2	Road Pavements (Specification)
TableD1.1	**Street and Road Hierarchy**

(ii) Refer also to associated Mareeba Shire Council Specific Requirements and Standard Drawings, including 4% crossfall on all roads.

5. Stormwater Drainage

(i) Stormwater drainage is to be designed and constructed in accordance with FNQROC Development Manual with particular reference to the following sections.

DP 1	Development Principles
D4	Stormwater Drainage (Design)
D5	Stormwater Quality Management
S4	Stormwater Drainage (Specification)

(ii) The design be such so as to minimise concentrated stormwater drainage flows. Where such flows occur drains shall be lined and treated to minimize and capture silt and other contaminants prior to discharge.

Andy L Smith
A/CHIEF EXECUTIVE OFFICER

(iii) Refer also to Mareeba Shire Council specific requirements and site drawings.

(iv) For each culvert to be installed, a detailed plan and long section (upstream and downstream) of the waterway involved must be submitted as part of the "Detailed Engineering Drawings" to Council. This is to enable Council to ensure the culvert is in the correct location.

6. Water Supply

(i) Water reticulation is to be designed and constructed in accordance with FNQROC Development Manual with particular reference to the following sections.

D5 Water Reticulation (Design)
S5 Water Reticulation (Specification)

(ii) Refer also to Mareeba Shire Council specific requirements and standard drawings, as listed in the FNQROC Manual.

(iii) All work mentioned above including laying and installation, is to be carried out to the specific requirements of Mareeba Shire Council and the satisfaction of the Manager - Civil Works.

(iv) The applicant shall contribute to the cost of water headworks in accordance with the adopted policy of Council existing at the time of payment. This payment to be made prior to the signing and sealing of the Plan of Survey

7. Sewerage Connection

(i) Sewerage reticulation is to be designed and constructed in accordance with FNQROC Development Manual with particular reference to the following sections.

DP1	Development Principles
D7	Sewerage System (Design)
S6	Sewerage Reticulation (Specifications)

(ii) Refer also to Mareeba Shire Council specific requirements and standard drawings.

Andy L Smith
A/CHIEF EXECUTIVE OFFICER

(iii) Prior to the preparation of detailed engineering drawings the applicant shall nominate the preferred connection point for the new development to discharge into the existing reticulated system.

(iv) The applicant shall contribute to the cost of sewerage headworks in accordance with the adopted policy of Council existing at the time of payment. This payment to be made prior to the signing and sealing of the Plan of Survey.

(v) The Contractor is to allow in his contract price the cost for video checking (and rectification if necessary) of all new sewer work in accordance with Mareeba Shire Council's requirements.

8. Construction

(i) As well as the requirements set out in the Design Guidelines and Specifications of the FNQROC Development Manual, Council draws your attention to CP 1 Construction Procedures which details minimum requirements acceptable to Council. Particular reference is made to the following sections.

CP 1.04	Inspection and Test Plan
CP 1.06	Contractors Erosion & Sediment Control Plan
CP 1.08	Notice to Commence Works
CP 1.09	Pre-Start Meeting

(ii) Before any contractor can proceed on site, the applicant is to complete and submit for signing of approval to the Manager Civil Works, the "Notice of Appointment of Principal Contractor" form, stating who is to be the Principal Contractor for this development. (Council reserves the right to reject the nominated Contractor).

(iii) All construction works are to be carried out to the requirements of the FNQROC Development Manual and the specific Mareeba Shire Council requirements.

(iv) All aspects of construction works must be undertaken to the satisfaction of the Manager Civil Works.

9. The Applicant shall make a contribution per additional allotment towards public open space in accordance with the adopted policy of Council existing at the time of payment. This payment to be made prior to the signing and sealing of the Plan of Survey.

Andy L Smith
A/CHIEF EXECUTIVE OFFICER

10. The applicant shall provide written advice from Ergon Energy that satisfactory arrangements have been made for an underground electricity supply to be provided to the proposed allotments.

11. The applicant shall provide written advice from Telstra that a telephone can be made available to the proposed allotments.

12. All allotments shall be sited above the Q100 flood level.

13. The freehold section of the buffer strip required under the Department of Main Roads Concurrence Agency Response, shall be transferred into the ownership of the Department of Main Roads and not Council.

MAIN ROADS CONDITIONS
Conditions as per Department of Main Roads concurrence agency response dated 7 September 2007.

DEPARTMENT OF NATURAL RESOURCES AND WATER CONDITIONS
Conditions as per Department of Natural Resources and Water concurrence agency response dated 23 July 2007.

B. Authorise the Mayor and Chief Executive Officer to sign and seal the plan of survey when all of the above conditions have been completed to the satisfaction of the Shire Planner.

Andy L Smith
A/CHIEF EXECUTIVE OFFICER

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THE **ORIGINAL** OF THIS DOCUMENT CAN BE FOUND ON **PHYSICAL FILE**
REC/07/0043
LOCATION PLANNING

Subject: REC2007 Doc No:
Action:
IR No: 593394 Input:

Queensland Government

Your Reference: REC/07/0043
Our Reference: IC0507ATH0015
Contact: Linda Whiteley
Directorate / Unit: Planning & Development
Phone: (07) 47 607453

Department of
Natural Resources and **Water**

23rd July 2007

Attn: Mr. Brian Millard

Chief Executive Officer
Mareeba Shire Council
PO Box 154,
Mareeba , QLD 4880

To Whom it may concern,

Application Sibi Girgenti Pty Ltd to Reconfigure a Lot (from 1 to 85 lots) on Lot 1 on RP730895 Kennedy Highway Mareeba Shire – Referral Agency Response

I refer to the above application. The chief executive of the Department of Natural Resources and Water (concurrence agency for the application) advises as follows:

☐ The concurrence agency response for the application, prepared pursuant to section 3.3.16(1) of the *Integrated Planning Act 1997*, is **enclosed.** I look forward to receiving a copy of the decision notice for the application in due course.

Should you have any questions about the above, please contact Linda Whiteley on telephone number (07) 47 607453, quoting the above reference number.

Yours sincerely

L Whiteley.

Linda Whiteley
Natural Resource Officer

Natural Resources & Water
P O Box 5318
Townsville Queensland 4810
Australia
Telephone + 61 7 4760 7453
Facsimile + 61 7 4799 7641
Website www.nrw.qld.gov.au

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Referral Agency Response – Material Change of Use / Reconfiguring a Lot

s 3.3.16 Integrated Planning Act 1997

1. **Application information**

1.1. **Applicant's name:** Sibi Girgenti Pty. Ltd. & Novelette Pty. Ltd. c/- Jim Papas Drafting Pty. Ltd.

1.2. **Property description:** 1 RP730895 - MAREEBA SHIRE

1.3. **Assessment Manager/Reference:** Mareeba Shire Council – REC/07/0043

1.4. **Date application was referred to Department:** 30/05/2007

1.5. **Departmental Reference**: IC0507ATH0021 (P and E)

1.6. **Type/s of development sought by the application:**

- Material Change of Use and Reconfiguring a Lot

2. **Concurrence Agency response:**

The Chief Executive of the Department of Natural Resources and Water directs that The Department of Natural Resources and Water has no vegetation-related requirements with this application as the application is for an urban purpose in an urban area on freehold land and the subject lots do not contain an endangered regional ecosystem.

3. **Advisory Agency**

Additional comments or information:

Water Management & Use

Riverine Protection

The applicant's response to the Information Request was satisfactory. In the Information Request the applicant was advised as regards the requirements of the *Water Act 2000*. In the applicant's response, it was noted that the applicant was:-

- In the process of having the property surveyed so as to determine the precise extent of the high bank of the watercourse
- Aware of what authorities were required under the *Water Act 2000* to conduct activities (such as excavation, placement of fill and destruction of vegetation) within watercourses
- Intending to exclude the riparian strip from the development and affording them some level of formal protection.

If the applicant proceeds with the development and is consistent with the above advice (as stated in the Response to a Request for Further Information), then state interests as regards the *Water Act 2000* have been satisfied and the Water Management & Use section of Natural Resources & Water have no further requirements for the development.

DataWorks Document Number: 612575

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Aboriginal Cultural Heritage

Under section 23 of the *Aboriginal Cultural Heritage Act 2003* a person who carries out an activity must take all reasonable and practicable measures to ensure the activity does not harm Aboriginal cultural heritage (the "cultural heritage duty of care"). Maximum penalties for breaching the duty of care are $750,000 for a corporation and $75,000 for an individual.

Applicants will comply with the duty of care in relation to Aboriginal cultural heritage if they are acting in compliance with cultural heritage duty of care guidelines gazetted under the *Aboriginal Cultural Heritage Act 2003*, available on the Department's website, or in accordance with an agreement with the Aboriginal party for the area or a cultural heritage management plan approved under part 7 of the *Aboriginal Cultural Heritage Act 2003*.

Applicants should also undertake a search of the Aboriginal Cultural Heritage Database and the Aboriginal Cultural Heritage Register, administered by the Cultural Heritage Coordination Unit, Department of Natural Resources and Water. Application forms to undertake a free search of the Cultural Heritage Register and the Database may be obtained by contacting the Cultural Heritage Coordination Unit on (07) 323 83838 or on the Department's website www.nrm.qld.gov.au/cultural_heritage.

4. Authorised Officer Signature:

Liinda Whiteley
Natural Resource Planning Officer
North Region

23rd July 2007

DataWorks Document Number: 612575

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Subject: REC2007PH4 Doc No:
Action:
IR No: 5933914. Input:

Queensland Government

7 September 2007

Mr AL Smith
A/ Chief Executive Officer
Mareeba Shire Council
PO Box 154
Mareeba Qld 4880

Department of **Main Roads**

THE **ORIGINAL** OF THIS DOCUMENT CAN BE FOUND ON **PHYSICAL FILE**
REC/07/0043
LOCATION Planning

Dear Mr Smith

Mareeba Shire : Kennedy Highway (Cairns-Mareeba)
Situated north of intersection of the Highway & Mareeba Connection Road, Mareeba
Lot 1 on RP 730895, Parish of Tinaroo
Sibi Girgenti Holdings Pty Ltd
Proposed Reconfiguration of Lot (83 Residential Allotments, Parks & New Roads) Application
Review of Referral Agency Response (conditions apply)

I refer to:

- the above application received at the Department 30 May 2007 and 18 June 2007 requesting consideration of the above development,
- the Department's letter of conditions of development dated 27 June 2007,
- written representation from the applicant's consultant received at the Department 16 August 2007 requesting a review of condition 2,
- the Department's letter of amended conditions of development dated 30 August 2007, and
- written representation from the applicant's consultant received at the Department 6 September 2007 seeking dimensioning and easement details on DMR Plan No. PD 356.

The Department has reviewed the application and has amended condition 2 as amended in letter dated 30 August 2007. The amendment now includes an in principal approval for stormwater works and associated easement located from the proposed road reserve adjacent proposed lot 18 to the creek and approximately 14 metres wide. Please be advised DMR Plan No. PD 356 depicts a land requirement for future road purposes. Survey details to define the land requirement, and any easements thereon, will be defined at the time the applicant/landowner prepares the plan of survey of the proposed development. The Department of Main Roads will acquire/resume the land requirement including proposed stormwater works and associated easement extending between the proposed Lots 18 and 19 and the creek.

In accordance with section 3.3.17 of the *Integrated Planning Act 1997,* the Queensland Department of Main Roads, as a Concurrence Agency, has reviewed the impact of the proposed development on the State-controlled road network and requires that Council include the following retained conditions of development for the subject application:

North Queensland Region
Peninsula District
PO Box 6185
CAIRNS Queensland 4870
ABN 57 836 727 711

Our ref 133/32A/102(2862)
Your ref REC/07/0043
Enquiries MALCOLM HARDY
Telephone +61 7 4050 5511
Facsimile +61 7 4050 5438

RECORDS
10 SEP 2007

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A CONDITIONS OF DEVELOPMENT

1. Permitted Road Access Location

(i) Vehicular access between the State-controlled roads (i.e. Kennedy Highway and Mareeba Connection Road) and the proposed development shall be via Haren and Constance Streets only, to the satisfaction of Mareeba Shire Council.

(ii) No direct vehicular access between the State-controlled roads (i.e. Kennedy Highway and Mareeba Connection Road) and the subject land is permitted.

2. Land Requirement for Future Road Purposes

(i) The attached DMR Plan No. PD 356, dated 30/08/2007 indicates the portion of the subject land required for future road purposes. This area is hereafter referred to as the 'Exclusion Area'.

(ii) The applicant/landowner shall not construct any structure/s nor commence any development under, on or over the 'Exclusion Area' unless the Department of Main Roads agrees to the proposed structures/works. The Department of Main Roads gives in principal approval for stormwater works and associated easement to be installed and located from the proposed road reserve adjacent proposed lot 18/19 to the creek and approximately 14 metres wide. Details of the stormwater works and associated easement within the exclusion area shall be approved by the Department prior to the installation of the stormwater works.

(iii) Should the State of Queensland not have acquired the 'Exclusion Area' within twelve (12) months of:

- the dating and approving of the plan of survey by Council in respect of a Reconfiguration of a Lot application creating residential allotments within 100m of the 'Exclusion Area', and
- the applicant/landowner formally requesting, in writing, the District Director of the Cairns Office of DMR, or its successor or assign, to acquire/ resume the land,

then parts (i) and (ii) above shall cease to have effect.

3. Road Traffic Noise & Visual Treatments

For the purposes of this condition:

- 'SCR boundary' shall be defined as the Kennedy Highway and Mareeba Connection Road boundary with the 'Exclusion Area' included in the road reserve; and
- DMR Plan PD85C Rev B (dated 03/2004) shall hereafter be referred to as the 'DMR Buffer Plan'.

(a) Creation of Buffer Strip

The applicant/landowner shall create a ten metre wide buffer strip within the subject land. The buffer strip shall be located adjacent to the SCR boundary and along the full length of the subject land's SCR boundary with adjoining proposed residential

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development, excluding the proposed Park area. This buffer strip shall be provided at no cost to Council or the State of Queensland.

The buffer strip shall be created via:

- a six metre wide freehold strip located adjacent to the SCR boundary, and
- and a four metre wide registered covenant located adjacent to and generally north of the above freehold strip generally in accordance with the DMR Buffer Plan.

The registered covenant shall:

- allow representatives of Council and the Department of Main Road to construct/maintain/upgrade/remove noise attenuation treatments and landscaping within the registered covenant,
- prevent (unless approved by Council and the Department of Main Roads) landowners from altering, damaging or destroying any noise ameliorative treatments or landscaping within the registered covenant, and
- prohibit the construction of any structures within the registered covenant except where approved/required otherwise by Council and the Department of Main Roads.

The freehold section of the buffer strip shall be created and transferred to Council ownership. The registered covenant section of the buffer strip shall be created, and the covenant agreement shall be registered in the Titles Office of the Department of Natural Resources. All three aforementioned requirements shall be completed prior to the applicant/landowner:

- seeking Council (or private certifier) approval for a development permit for carrying out building works within 100m of the SCR boundary, or
- lodging a plan of survey to Mareeba Shire Council within 100m of the SCR boundary for signing and dating,

whichever occurs first.

(b) Visual Amenity Works

The applicant/landowner shall provide landscaping in and along the full width and length of the buffer strip such that existing and future State-controlled road infrastructure, noise ameliorative works within the buffer, and on site buildings and facilities, are screened as much as practicable from each other.

The species of plants used in the landscaping works shall be in accordance with Council's standards. If Council doesn't have standards, then the only requirement is that they are native, low maintenance species which are effective at providing the necessary screening specified above. All works within the buffer strip are to comply with the requirements specified in the DMR Buffer Plan.

All landscaping of the buffer shall be completed shall be completed prior to the applicant/landowner:

- seeking Council (or private certifier) approval for a development permit for carrying out building works on any part of the subject land within 100 metres of the SCR boundary, or

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- lodging a plan of survey to Mareeba Shire Council for signing and dating, where such a plan will create residential lots within 100 metres of the SCR boundary,

whichever occurs first.

(c) Road Traffic Noise Ameliorative Works

(i) Location of Works

Road traffic noise ameliorative works shall be incorporated into the design of the development, and the applicant/landowner shall have regard to the design criteria specified within AS3671.

(ii) Maximum Noise Levels and Time Horizons

The following maximum road traffic noise level shall not be exceeded within 10 years of completion of the full development.

- External noise levels shall not exceed 60dB(A) 18h (free field), where existing levels measured at the deemed-to-comply setback distance are greater than 40dB(A) L90 (8h) between 10pm and 6am (free field).
- External noise levels shall not exceed 57dB(A) 18h (free field), where existing levels measured at the deemed-to-comply setback distance are less than 40dB(A) L90 (8h) between 10pm and 6am (free field).
- Internal noise levels (i.e., within buildings above the ground floor level only) shall not exceed the maximum noise levels specified in AS2107-2000.

(iii) Noise Testing

The following parameters shall be used to determine the required noise amelioration works.

- External noise levels shall be those predicted to occur on the subject land in areas likely to be frequently occupied by people for significant periods.
- For residential/accommodation development, internal noise levels shall be determined in accordance with AS2107-2000.
- Noise monitoring shall be carried out in accordance with AS2702-1984.
- Noise predictions shall be carried out in accordance with Calculation of Road Traffic Noise (CRTN88) United Kingdom Department of Transport.

(iv) Road Traffic Noise Report

The applicant/landowner shall prepare a road traffic noise report which demonstrates how the development is to be designed to conform with the above requirements. The report shall:

- predict the road traffic noise levels,
- identify the ameliorative works required within the buffer strip, the rest of the subject land, and the relevant buildings; and

DataWorks Document Number: 627534

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- contain all relevant information and calculations upon which the conclusions of the report are based.

The applicant/landowner shall submit the report to the Cairns Office of the Department of Main Roads, and if necessary, shall amend the report until the Department of Main Roads considers that the report reflects the requirements of this condition. The report and any subsequent amendments shall be completed prior to the applicant/landowner:

- seeking Council (or private certifier) approval for a development permit for carrying out building works within 100m of the SCR boundary; or
- lodging a plan of survey to Mareeba Shire Council within 100m of the SCR boundary for signing and dating,

whichever occurs first.

(v) Incorporation of Works into the Development

Noise ameliorative works within the buffer shall conform to the requirements of the DMR Buffer Plan.

All noise ameliorative works required within the development and the buffer shall be completed prior to the applicant/landowner:

- seeking Council (or private certifier) approval for a development permit for carrying out building works within 100 metres of the SCR boundary, or
- lodging a plan of survey to Mareeba Shire Council for signing and dating, where such a plan will create residential lots within 100 metres of the SCR boundary,

whichever occurs first.

(vi) Building Covenant

When a covenant is required by the Road Traffic Noise (acoustical) Report then the following requirements shall be met:

- The covenants shall be included on the same Plan of Survey which creates the lots which are subjected to the covenant and lodge concurrently the Plan of Survey and validly executed Covenant Form 31 referred to in the above conditions.
- Acknowledges to Main Roads that an acoustic covenant will be annexed to the REIQ contract for the relevant lots prior to execution of the Covenants Forms 31.
- Submit to Main Roads for approval a Noise Covenant Plan which shows:
  - the final layout plan with finished contour levels and highlighting lots effected by a covenant,
  - summary of noise amelioration works and covenant conditions, and
  - a table showing, pad levels in Australia Height Datum (AHD) and the type of covenant,

  prior to execution of the Covenants Forms 31.
- Submit to Main Roads, certification (RPEQ) from the civil engineer that the pad levels in (AHD) used on the Covenant Plan comply with the

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acoustical report, prior to the execution of the Covenant Form 31. If the building pad levels have risen by more than 200mm, a new acoustical assessment must be submitted. Any new works or covenants to be registered or amended as detailed in the new acoustical assessment must be completed within the above relevant timeframes.

- Submit to Main Roads a properly executed Covenant Form 31 pursuant to Land Title Act 1994, and in terms approved by the District Director covering all lots where it has not been demonstrated that condition (c)(ii) above would be met, prior to the submission of the Plan of Survey to Council for approval and dating.
- Submit to Main Roads a copy of the receipt of the Registration Confirmation Statements for the Covenants within 14 days of the receipt being forwarded to the applicant or their agents.

4. Advertising

No advertising device for the proposed development is permitted within the Kennedy Highway or Mareeba Connection Road reserves.

B REASONS

The reasons and information used in the setting of conditions detailed above include:

- Department of Main Roads Access Policy,
- Department of Main Roads Involvement in Development Applications Referrals and Assessment Guide, and
- Mareeba Shire Planning Scheme.

C GENERAL DISCUSSION

Council is requested to reflect the above conditions on its Rates Record, to ensure that the planning intentions of the conditions are secured.

This Department would appreciate a copy of Council's decision notice regarding the application.

A copy of this letter has been sent to the applicant.

Yours sincerely

Peter McNamara
A/MANAGER (CORRIDOR MANAGEMENT) PENINSULA