

DELEGATED REPORT**TO:** SENIOR PLANNER**FROM:** Planning Officer**FILE:** OPW/21/0005**DATE:** 2 November 2021

APPLICATION DETAILS

APPLICATION		PREMISES	
FILE NO:	OPW/21/0005	ADDRESS:	155 Hastie Road, Mareeba
APPLICANT:	Ian Wallace	RPD:	Lot 2 on RP730887
LODGED BY:	Kelly Reaston Development & Property Services	AREA:	13.182 ha
DATE LODGED:	11 October 2021	OWNER:	Rosemary Wallace
TYPE OF APPROVAL:	Development Permit		
PROPOSED DEVELOPMENT:	Operational Works (Roadworks, Earthworks, Stormwater, Drainage, Water & Sewer Supply Works) for Development Permit RAL/21/0007		
PLANNING SCHEME:	Mareeba Shire Council Planning Scheme 2016		
ZONE:	Emerging Communities Zone		
LEVEL OF ASSESSMENT:	Code Assessment		

PREVIOUS APPLICATIONS & APPROVALS

RAL/21/0007

DESCRIPTION OF PROPOSED DEVELOPMENT

The development application seeks a Development Permit for Operational Works (Roadworks, Earthworks, Stormwater, Drainage, Water & Sewer Supply Works) for Development Permit RAL/21/0007

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:

- 6.2.4 Emerging communities 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
Emerging community zone code	The application can be conditioned to comply with the relevant acceptable outcomes contained within the code.
Reconfiguring a lot code	The application can be conditioned to comply with the relevant acceptable outcomes contained within the code.
Works, services and infrastructure code	The application can be conditioned to comply with the relevant acceptable outcomes contained within the code.

Compliance with conditions of earlier related approval

RAL/21/0007 - Reconfiguring a Lot - Subdivision (1 into 2 Lots)

1. 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, 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; and
 - to ensure compliance with the following conditions of approval.
2. Timing of Effect
 - 2.1 The conditions of the development permit must be complied with to the satisfaction of Council's delegated officer prior to the endorsement of the plan of survey, except where specified otherwise in these conditions of approval.
3. General
 - 3.1 The 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.
 - 3.2 All payments or bonds required to be made to the Council pursuant to any condition of this approval or the Adopted Infrastructure Charges Notice must be made prior to the endorsement of the plan of survey and at the rate applicable at the time of payment.
 - 3.3 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.
 - 3.4 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.

3.5 Where approved existing buildings and structures are to be retained, setbacks to any new property boundaries are to be in accordance with Planning Scheme requirements for the relevant structure and/or Queensland Development Code.

3.6 All works must be designed, constructed and carried out in accordance with FNQROC Development Manual requirements (as amended) and to the satisfaction of Council's delegated officer.

3.7 Charges

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

4. Infrastructure Services and Standards

4.1 Access

The existing access crossover servicing balance Lot 2 must be upgraded/constructed (from the edge of Hastie Road to the property boundary) in accordance with the FNQROC Development Manual (as amended), to the satisfaction of Council's delegated officer.

4.2 Roadworks - External

Hastie Road must be upgraded for the full frontage of Lot 2A to match the existing Hastie Road cross-sectional geometry to the south-east of the site. These works should generally include the following:

- The widening of the development side of Hastie Road to achieve a total road width of 10 metres;
- the installation of kerb and channel (of similar profile to the existing kerb and channel) on the development side of Hastie Road for the full frontage of Lot 2A; and
- Any stormwater inlet pit/s required to be installed to connect to the existing underground stormwater network on the opposite side of Hastie Road.

Plans for the abovementioned works must be submitted to Council as part of a subsequent application for operational works.

4.3 Stormwater Drainage

4.3.1 The applicant/developer must take all necessary steps to ensure a non-worsening effect on surrounding land as a consequence of the development and must take all reasonable and practical measures to ensure discharge occurs in compliance with the Queensland Urban Drainage Manual (QUDM) and the FNQROC Development Manual, to the satisfaction of Council's delegated officer.

4.3.2 All stormwater drainage must be discharged to an approved legal point of discharge.

4.4 Water Supply

4.4.1 Lot 2A must be provided with a water service connection in accordance with FNQROC Development Manual (as amended) to the satisfaction of Council's delegated officer.

4.4.2 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).

4.5 Sewerage Connection

4.5.1 Lot 2A must be provided with a connection to Council's reticulated sewerage network in accordance with FNQROC Development Manual (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

Lot 2A must be provided with an electricity supply in accordance with the FNQROC Development Manual (as amended) to the satisfaction of Council's delegated officer.

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

4.7 Telecommunications

The applicant/developer must enter into an agreement with a telecommunication carrier to provide telecommunication services to Lot 2A and arrange provision of necessary conduits and enveloping pipes.

FNQROC Regional Development Manual

Section	Assessment
DP1 - Development Principles	Complies
AP1 - Application Procedures	Complies
D1 - Road Geometry	Complies
D2 - Site Regrading	Complies
D3 - Road Pavements	Complies
D4 - Stormwater Drainage	Complies
D5 - Stormwater Quality Management	Complies
D6 - Water Reticulation	Complies
D7 - Sewerage System	Complies
D8 - Utilities	Complies
D9 - Landscaping	Not part of current application

REFERRALS

Nil

Internal Consultation

Technical Services

OFFICER'S RECOMMENDATION

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

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

Approved subject to the following assessment manager conditions:

(A) **APPROVED DEVELOPMENT:** Development Permit for Operational Works (Roadworks, Earthworks, Stormwater, Drainage, Water & Sewer Supply Works) for Development Permit RAL/21/0007

(B) **APPROVED PLANS:**

Plan/Document Number	Plan/Document Title	Prepared by	Dated
ARO0062-C01	Roadworks Layout and Typical Section	ARO	28/10/2021
ARO0062-C02	Hastie Road Kerb Longitudinal Section	ARO	23/09/2021
ARO0062-C03	Annotated Cross Sections	ARO	23/09/2021
ARO0062-C04	Water and Sewerage Plan	ARO	3/09/2021

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

(a) General

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

their accuracy. If during construction, inadequacies of the design are discovered, it is the responsibility of the Principal Consulting Engineer to resubmit amended plans to Council for approval and rectify works accordingly.

(b) Location of Stormwater Inlet Pit (Advisory Note Only)

It is advised that the new stormwater inlet pit proposed on Drawing No. ARO0062-C01 (Rev. 4 dated 28/10/2021) be moved away from the centre of the frontage of Lot 2A to align with either side boundary so as to not limit the location and/or design of any future crossover servicing a dwelling on the allotment.

(c) Pre-start Meeting

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

(d) Inspections

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

(e) Construction Security Bond and Defects Liability Bond

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

(e) Hours of Work

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

(f) Transportation of Soil

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

(D) RELEVANT PERIOD

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

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

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

- Nil

DECISION BY DELEGATE

DECISION

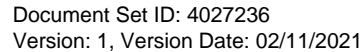
Having considered the Planning Officer's report detailed above, I approve, as delegate of Council, the application subject to the conditions listed in the report.

Dated the 2ND day of November 2021

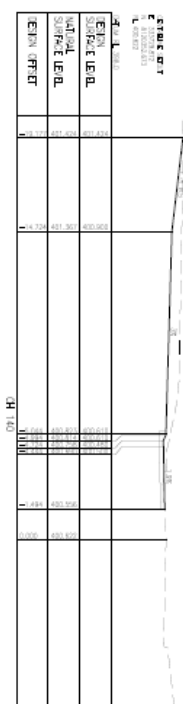


BRIAN MILLARD
SENIOR PLANNER

MAREEBA SHIRE
AS DELEGATE OF THE COUNCIL



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