Mareeba
SHIRE COUNCIL

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F: 07 4092 3323

W: www.msc.qld.gov.au
E: info@msc.qld.gov.au

13 June 2018

Officer: Brian Millard
Direct Telephone: 4086 4657
Our Reference: BM:nj
Your Reference: 1291

Jim Papas
Jim Papas Civil Engineering Designer Pty Ltd
PO Box 2347
MAREEBA QLD 4880

Dear Sir

Decision Notice

Planning Act 2016

I refer to your application and advise that on 11 June 2018 under delegated authority, Council decided to approve the application in full subject to conditions.

Details of the decision are as follows:

APPLICATION DETAILS

Application No:	OPW/18/0005
Street Address:	Antonio Drive and Kennedy Highway MAREEBA QLD 4880
Real Property Description:	Lot 301 on SP280080
Planning Scheme:	Mareeba Shire Council Planning Scheme 2016

DECISION DETAILS

Type of Decision:	Approval
Type of Approval:	Development Permit for Operational Works (Roadworks, Stormwater, Water Infrastructure, Drainage, Earthworks, & Sewerage Infrastructure) for **Stage 2A only**.
Date of Decision:	11 June 2018

CURRENCY PERIOD OF APPROVAL

The currency period for this development approval is two (2) years starting the day that this development approval takes effect. (Refer to Section 85 "Lapsing of approval at end of currency period" of the *Planning Act 2016*.)

INFRASTRUCTURE

Not Applicable

ASSESSMENT MANAGER CONDITIONS

(A) ASSESSMENT MANAGER'S CONDITIONS (COUNCIL)

(a) General

(i) All operational works must be designed and constructed in accordance with the procedures as set out in the FNQROC Development Manual.

(ii) Development must be carried out substantially in accordance with the approved plans and the facts and circumstances of the use as submitted with the application, and subject to any alterations:

- found necessary by the Council's Delegated Officer at the time of examination of the engineering plans or during construction of the development because of particular engineering requirements;
- to ensure the works comply in all respects with the requirements and procedures of the FNQROC Development Manual and good engineering practice; and
- to ensure compliance with the following conditions of approval.

(iii) Council's examination of the documents should not be taken to mean that the documents have been checked in detail and Council takes no responsibility for their accuracy. If during construction, inadequacies of the design are discovered, it is the responsibility of the Principal Consulting Engineer to resubmit amended plans to Council for approval and rectify works accordingly.

(b) Pre-start Meeting

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

(c) Inspections

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

(d) Construction Security Bond and Defects Liability Bond

(i) In addition to Clauses CP1.06 and CP1.20 of the FNQROC Development Manual; the Construction Security Bond and Defects Liability Bond shall each be a minimum of $1000 and Bank Guarantees shall have no termination date.

(ii) During the Defects Liability period, it is the responsibility of the developer to rectify any works found to be defective due to design faults and or found to exhibit faults attributed to the performance of the construction activities in terms of quality and conformance with design and specifications. The bond will be returned on satisfactory correction of any defective work and after expiration of the maintenance period. Failure to comply with a Council issued instruction to correct defective work may result in the call up of the bond to have the work completed.

(e) Hours of Work

(i) Work involving the operation of construction plant and equipment of any description, shall only be carried out on site during the following times:

- 7.00am to 6.00pm, Monday to Friday;
- 7.00am to 1.00pm Saturdays;
- No work is permitted on Sundays or Public Holidays.

(ii) No variation to the above working hours is allowed unless otherwise agreed in writing by Council.

(f) Transportation of Soil

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

REFERRAL AGENCIES

Not Applicable.

APPROVED PLANS

The following plans are Approved plans for the development:

Plan/Document Number	Plan/Document Title	Prepared by	Dated
1291 - C01	Staging (2A and 2B	-	-
1291 - C01	Cover Sheet	Jim Papas Civil Engineering Designer Pty Ltd	April 2018

1291 - C01	Site plan, typical cross section, pavement data, details and notes	Jim Papas Civil Engineering Designer Pty Ltd	April 2018
1291 - C02	Bulk earthworks plan	Jim Papas Civil Engineering Designer Pty Ltd	April 2018
1291 - C03	Soil and water management plan	Jim Papas Civil Engineering Designer Pty Ltd	April 2018
1291 - C04	Earthworks, Roadworks and stormwater drainage plan	Jim Papas Civil Engineering Designer Pty Ltd	April 2018
1291 - C05	Sewerage reticulation plan	Jim Papas Civil Engineering Designer Pty Ltd	April 2018
1291 - C06	Water reticulation plan	Jim Papas Civil Engineering Designer Pty Ltd	April 2018
1291 - C07	External works - Ingress Road - Plan, Longitudinal and typical cross sections	Jim Papas Civil Engineering Designer Pty Ltd	April 2018
1291 - C08	Ingress Road, Cross sections (Sheet 1 of 3)	Jim Papas Civil Engineering Designer Pty Ltd	April 2018
1291 - C09	Ingress Road, Cross sections (Sheet 2 of 3)	Jim Papas Civil Engineering Designer Pty Ltd	April 2018
1291 - C10	Ingress Road, Cross sections (Sheet 3 of 3)	Jim Papas Civil Engineering Designer Pty Ltd	April 2018
1291 - C11	Antonio Drive - Longitudinal and intersection details	Jim Papas Civil Engineering Designer Pty Ltd	April 2018
1291 - C12	Antonio Drive - Cross sections (Sheet 1 of 2)	Jim Papas Civil Engineering Designer Pty Ltd	April 2018
1291 - C13	Antonio Drive - Cross sections (Sheet 2 of 2)	Jim Papas Civil Engineering Designer Pty Ltd	April 2018
1291 - C14	Road C - Longitudinal section	Jim Papas Civil Engineering Designer Pty Ltd	April 2018
1291 - C15	Road C - Cross sections (Sheet 1 of 2)	Jim Papas Civil Engineering Designer Pty Ltd	April 2018
1291 - C16	Road C - Cross sections (Sheet 2 of 2)	Jim Papas Civil Engineering Designer Pty Ltd	April 2018
1291 - C17	Open drain No. 1 - Longitudinal and cross sections, retaining wall detail	Jim Papas Civil Engineering Designer Pty Ltd	April 2018
1291 - C18	Stormwater drainage longitudinal sections, Setout, pit schedule and notes	Jim Papas Civil Engineering Designer Pty Ltd	April 2018

1291 - C19	Sewerage reticulation longitudinal sections	Jim Papas Civil Engineering Designer Pty Ltd	April 2018
1291 - C20	Stormwater drainage catchment plan	Jim Papas Civil Engineering Designer Pty Ltd	April 2018
1291 - C21	Stormwater drainage calculation sheet	Jim Papas Civil Engineering Designer Pty Ltd	April 2018

REFERENCED DOCUMENTS

Not Applicable.

PROPERTY NOTES

Not Applicable.

VARIATION APPROVAL

Not Applicable.

FURTHER DEVELOPMENT PERMITS REQUIRED

Not Applicable.

SUBMISSIONS

Not Applicable.

RIGHTS OF APPEAL

You are entitled to appeal against this decision. A copy of the relevant appeal provisions from the *Planning Act 2016* is attached.

During the appeal period, you as the applicant may suspend your appeal period and make written representations to council about the conditions contained within the development approval. If council agrees or agrees in part with the representations, a "negotiated decision notice" will be issued. Only one "negotiated decision notice" may be given. Taking this step will defer your appeal period, which will commence again from the start the day after you receive a "negotiated decision notice".

OTHER DETAILS

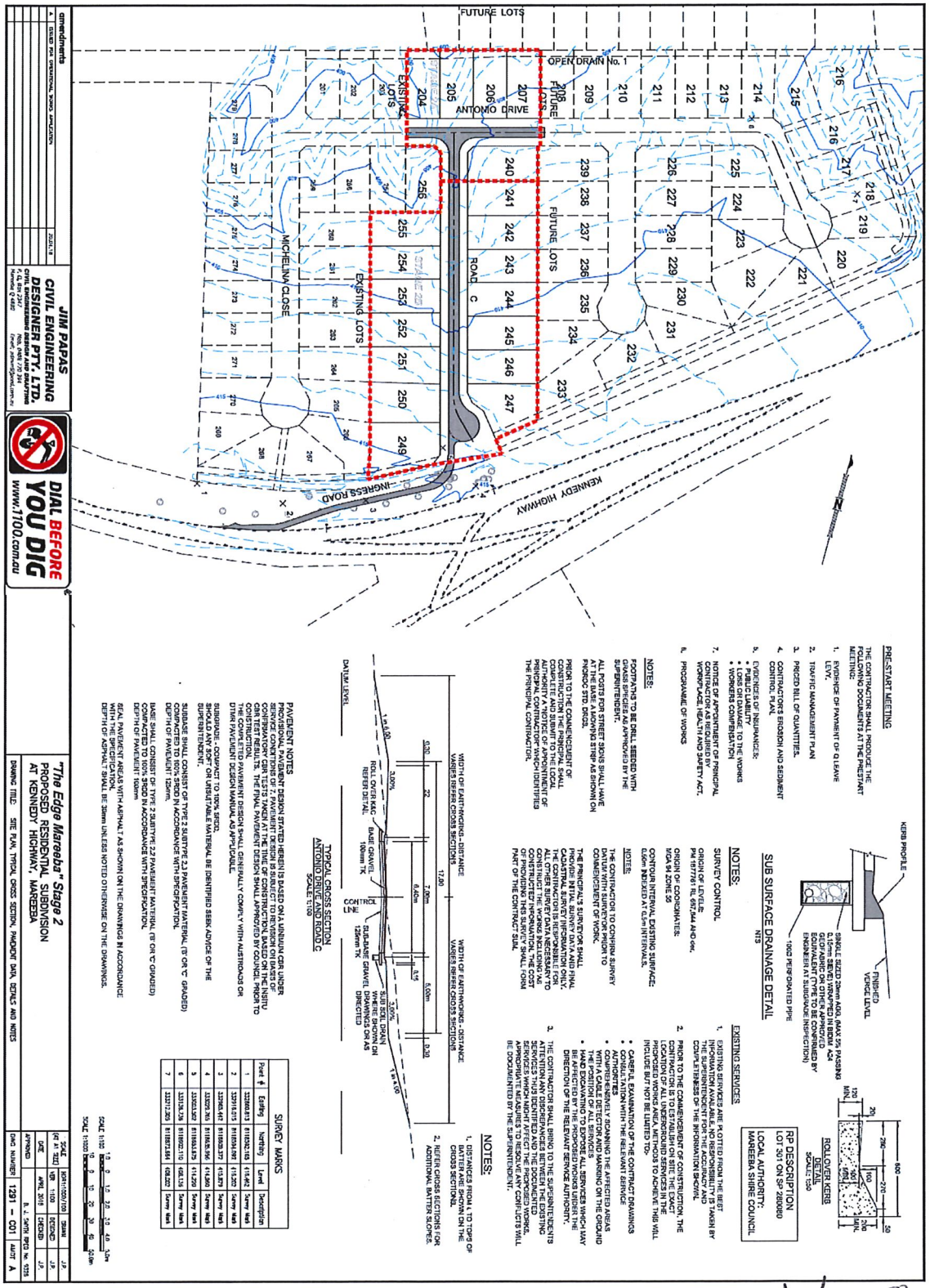
If you wish to obtain more information about Council's decision, electronic copies are available on line at www.msc.qld.gov.au, or at Council Offices.

Yours faithfully

BRIAN MILLARD
SENIOR PLANNER

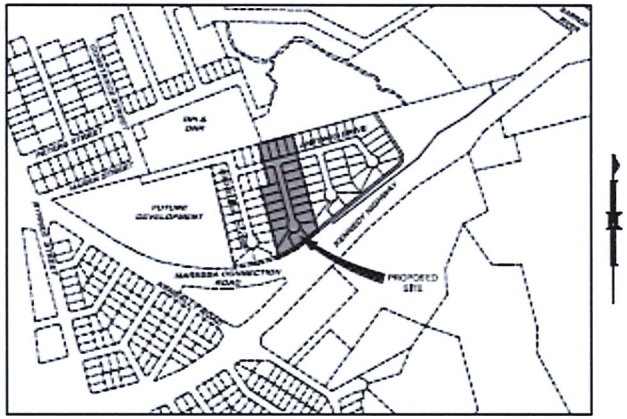
Enc: Approved Plans/Documents
Appeal Rights

Approved Plans/Documents



13/6/2018.

'THE EDGE'
RESIDENTIAL ESTATE
AT ANTONIO DRIVE, MAREEBA
STAGE 2



SITE PLAN
NTS

PROJECT DRAWINGS
PROJECT No. 1291

C 01 – SITE PLAN, TYPICAL CROSS SECTIONS, PAVEMENT DATA, DETAILS & NOTES
C 02 – BULK EARTHWORKS PLAN
C 03 – SOIL AND WATER MANAGEMENT PLAN
C 04 – EARTHWORKS, ROADWORKS & STORMWATER DRAINAGE PLAN
C 05 – SEWERAGE RETICULATION PLAN
C 06 – WATER RETICULATION PLAN
C 07 – EXTERNAL WORKS – INGRESS ROAD – PLAN, LONGITUDINAL SECTION AND TYPICAL CROSS SECTION
C 08 – INGRESS ROAD – CROSS SECTIONS (SHEET 1 OF 3)
C 09 – INGRESS ROAD – CROSS SECTIONS (SHEET 2 OF 3)
C 10 – INGRESS ROAD – CROSS SECTIONS (SHEET 3 OF 3)
C 11 – ANTONIO DRIVE – LONGITUDINAL SECTION AND INTERSECTION DETAILS
C 12 – ANTONIO DRIVE – CROSS SECTIONS (SHEET 1 OF 2)
C 13 – ANTONIO DRIVE – CROSS SECTIONS (SHEET 2 OF 2)
C 14 – ROAD C – LONGITUDINAL SECTION
C 15 – ROAD C – CROSS SECTIONS (SHEET 1 OF 2)
C 16 – ROAD C – CROSS SECTIONS (SHEET 2 OF 2)
C 17 – OPEN DRAIN No. 1 – LONGITUDINAL AND CROSS SECTIONS, RETAINING WALL DETAIL
C 18 – STORMWATER DRAINAGE LONGITUDINAL SECTIONS, SET OUT, PIT SCHEDULE AND NOTES
C 19 – SEWERAGE RETICULATION LONGITUDINAL SECTIONS
C 20 – STORMWATER DRAINAGE CATCHMENT PLAN
C 21 – STORMWATER DRAINAGE CALCULATION SHEET

BRILEY CONSULTANTS
CIVIL & STRUCTURAL ENGINEERING
Ph. (07) 4054 2057 M.B 0400 340 651
Email: brilcon@bigpond.com.au

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E: info@twinesurveys.com.au

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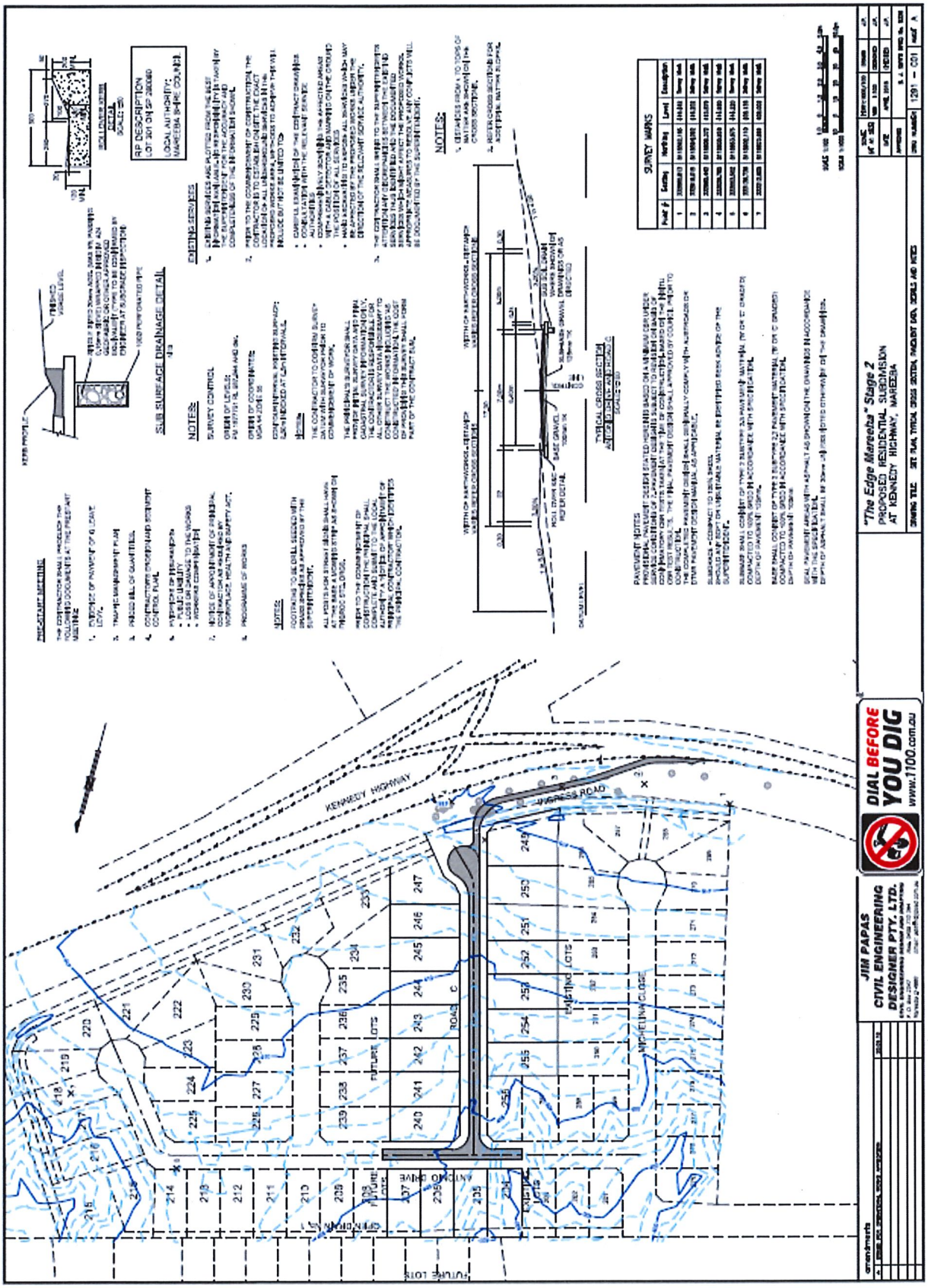
CIVIL ENGINEERING DESIGN AND DRAFTING
P.O. Box 2247 Mob. 0408 770 394
Mareeba Q 4880 Email: admin@papascom.au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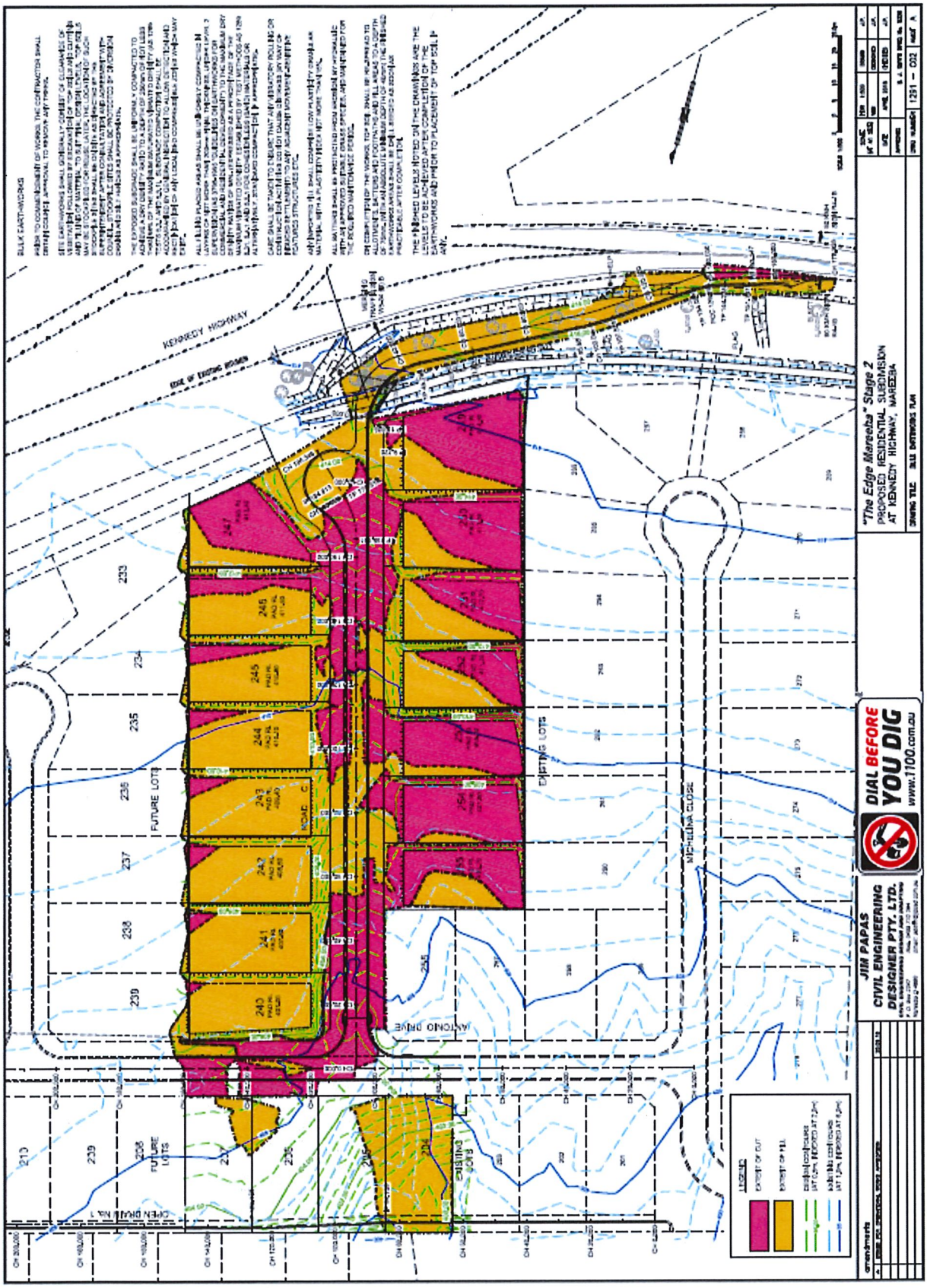
EXISTING LOTS
MICHELINA CLOSE
SURVEY MARKS
SUB SURFACE DRAINAGE DETAIL
NOTES:
TYPICAL CROSS SECTION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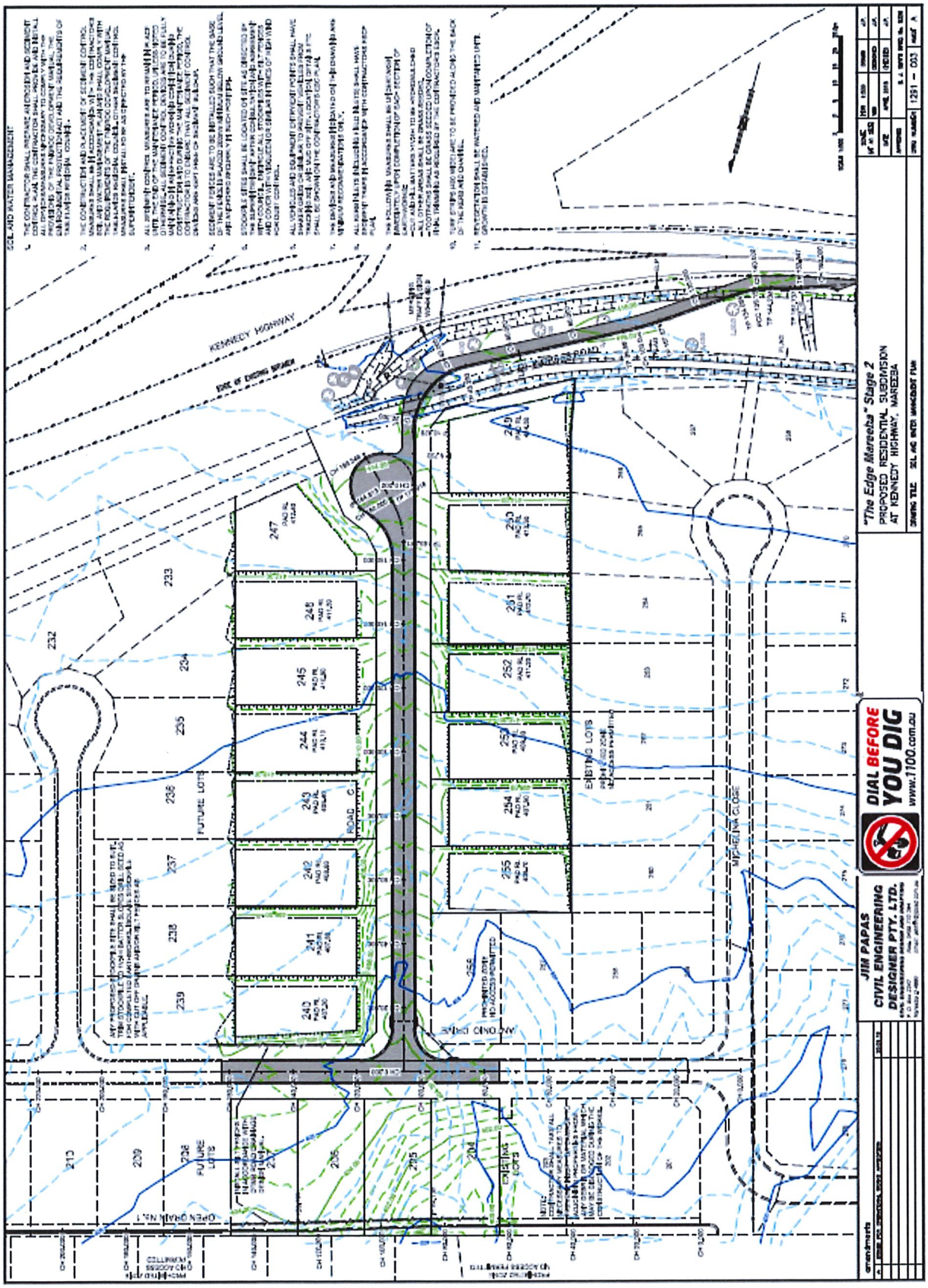
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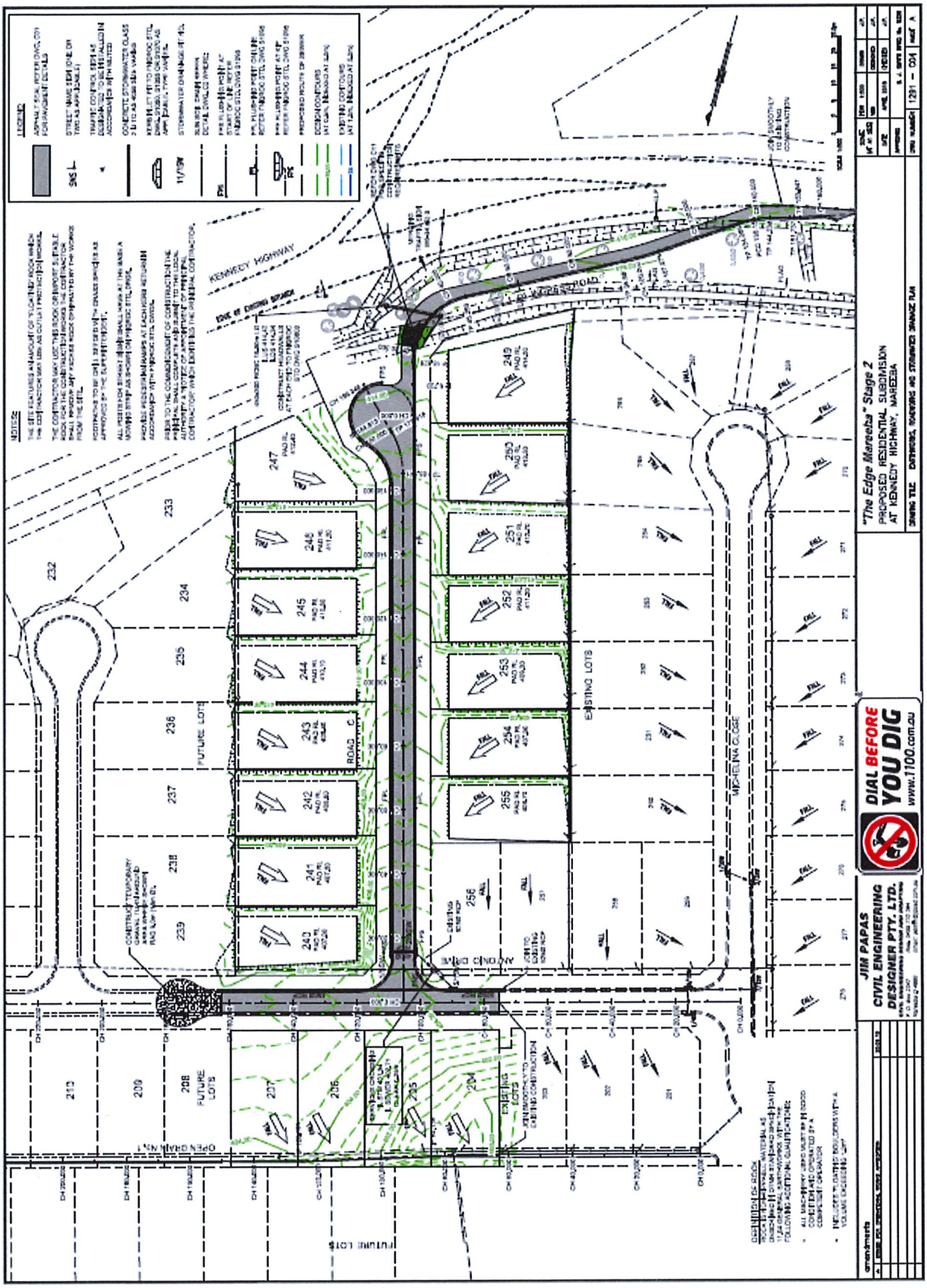
MICHELINA CLOSE
OPEN DRAIN No.1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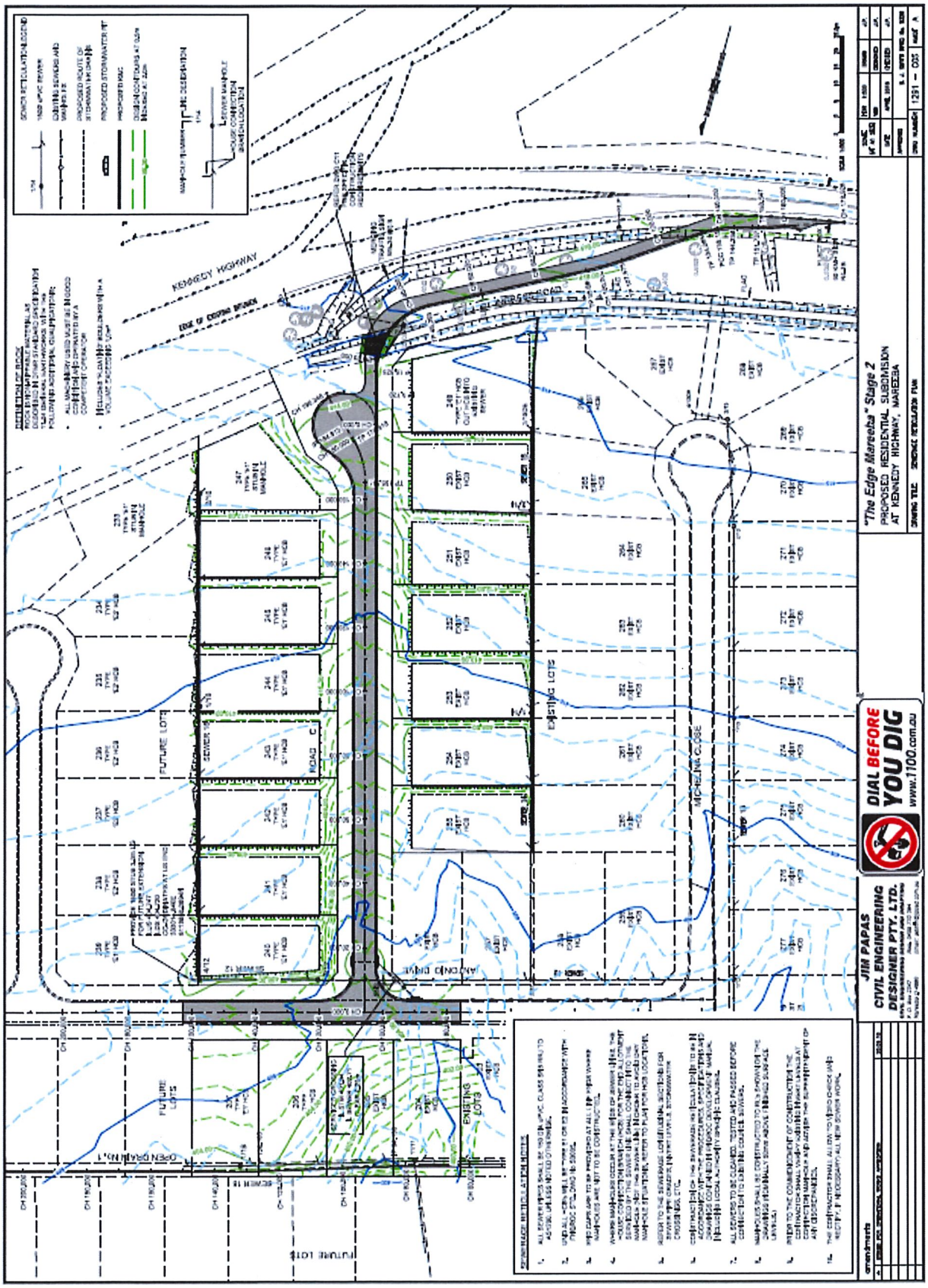
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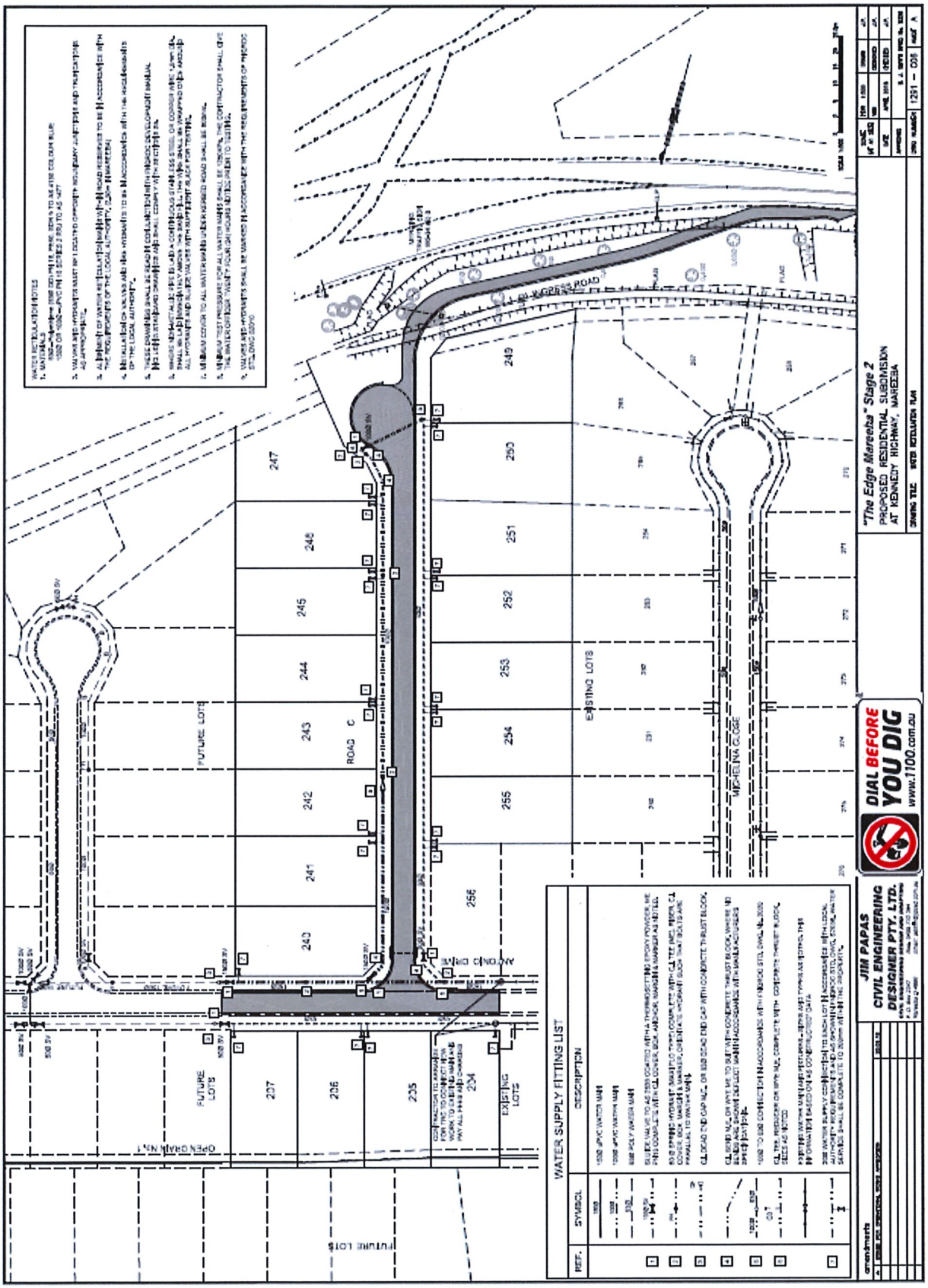
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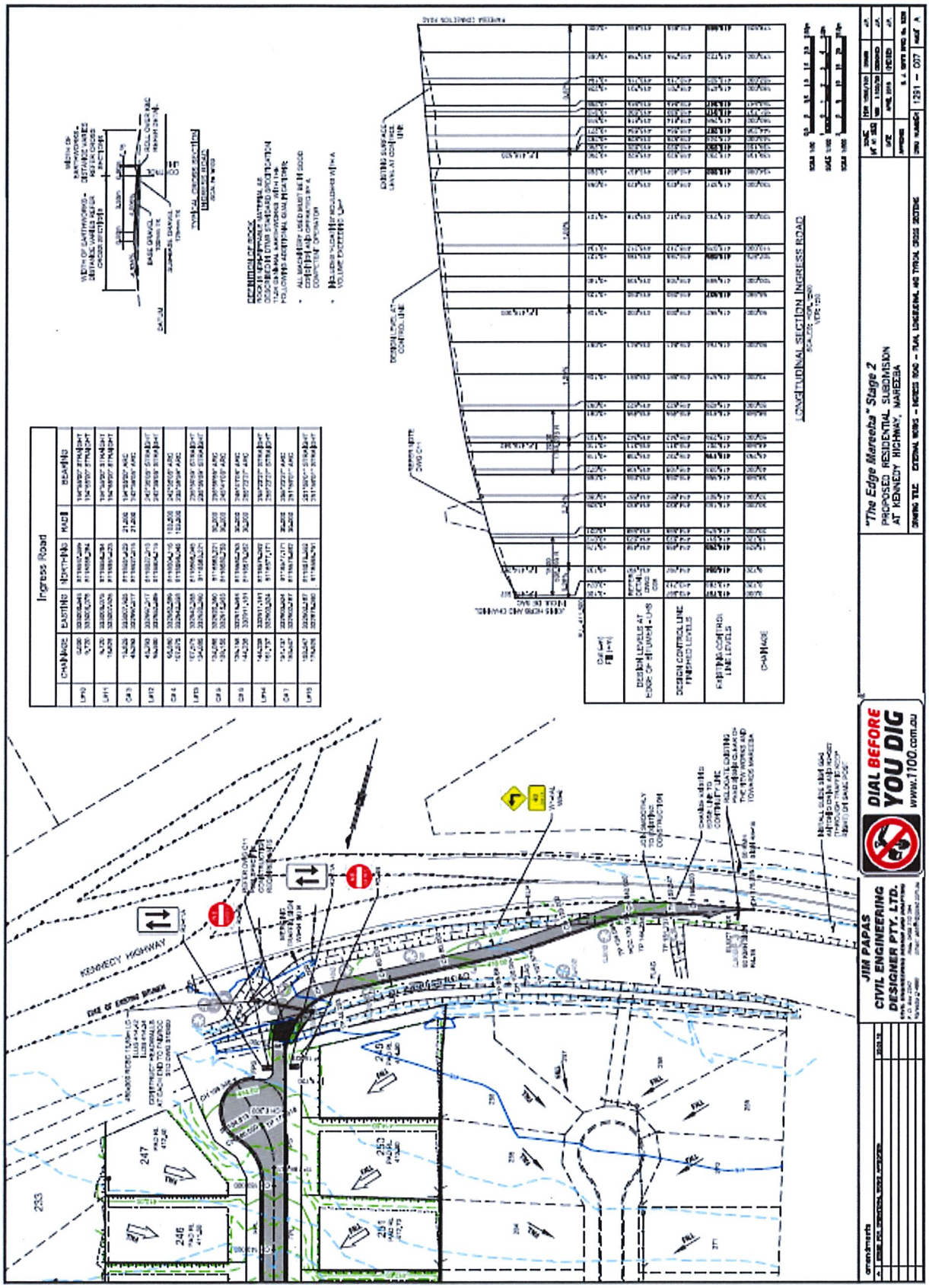
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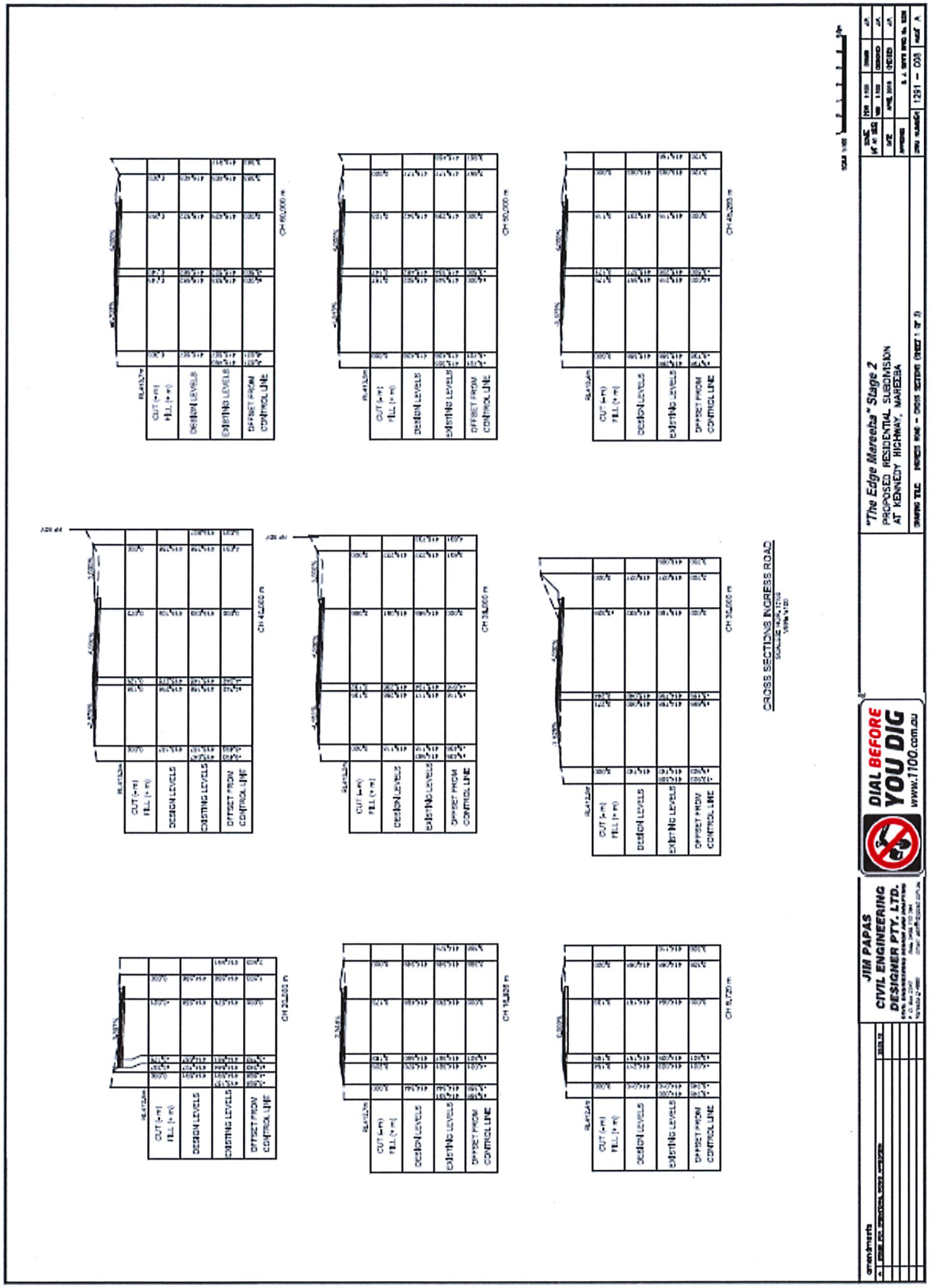
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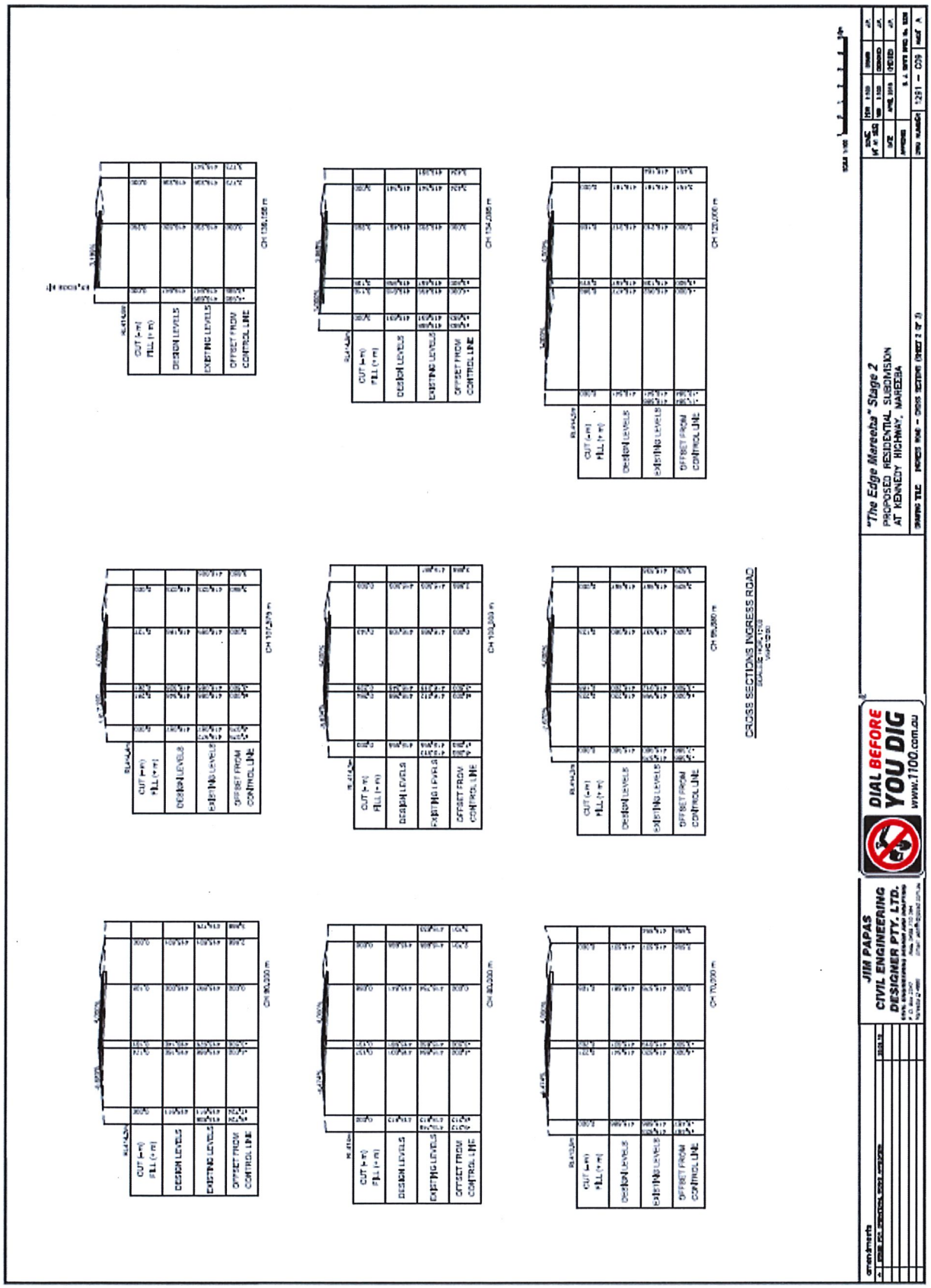
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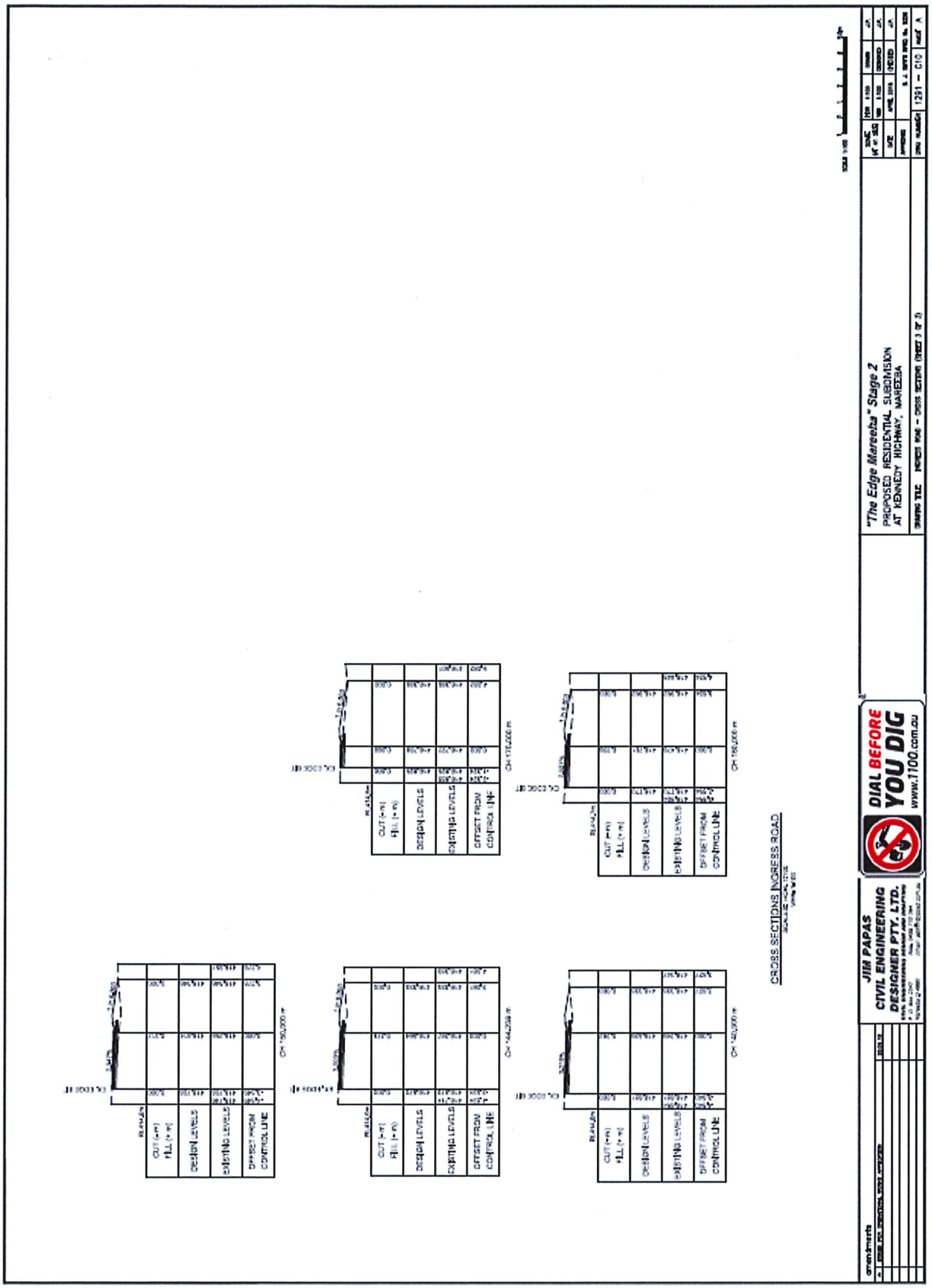
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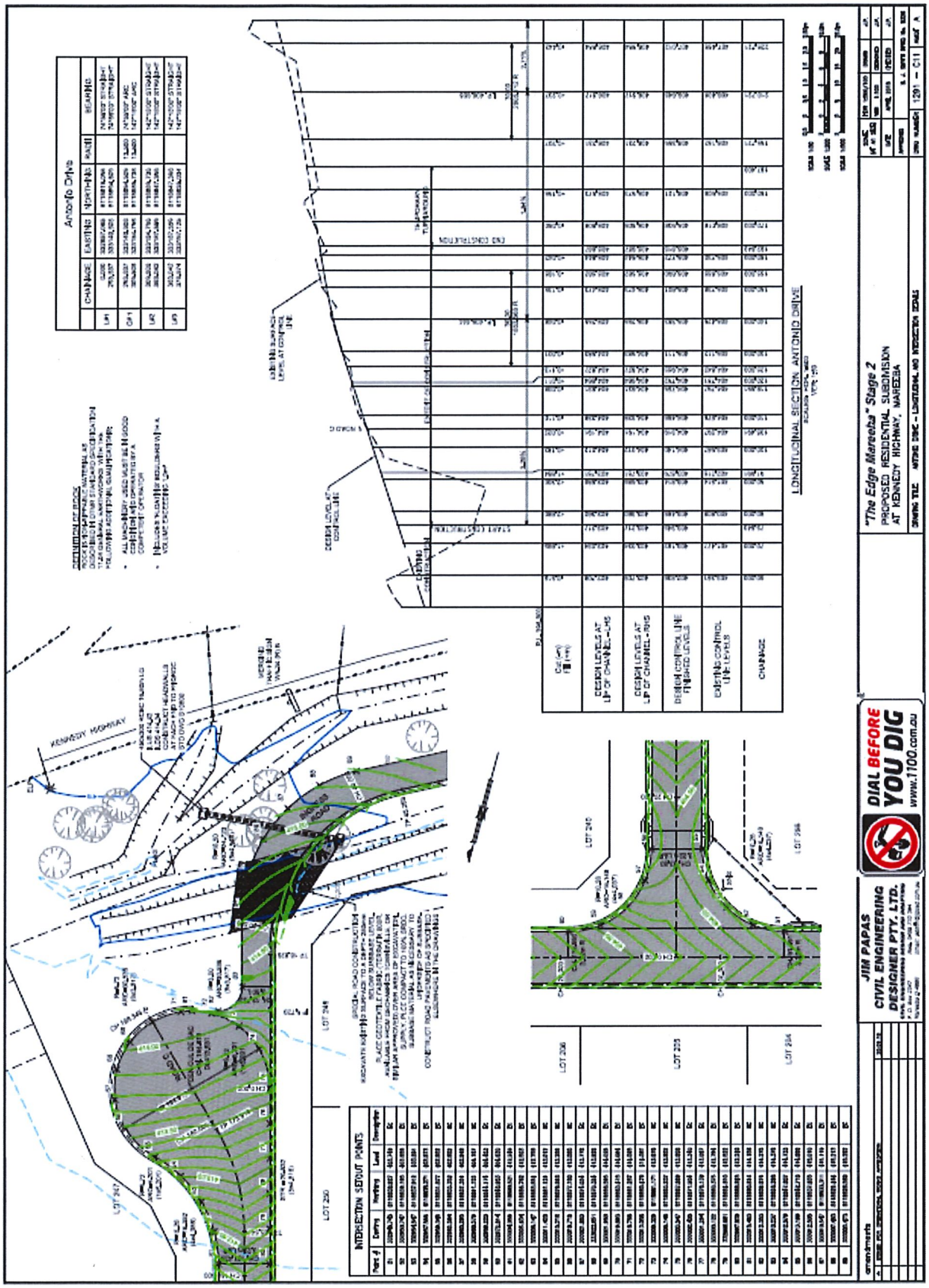
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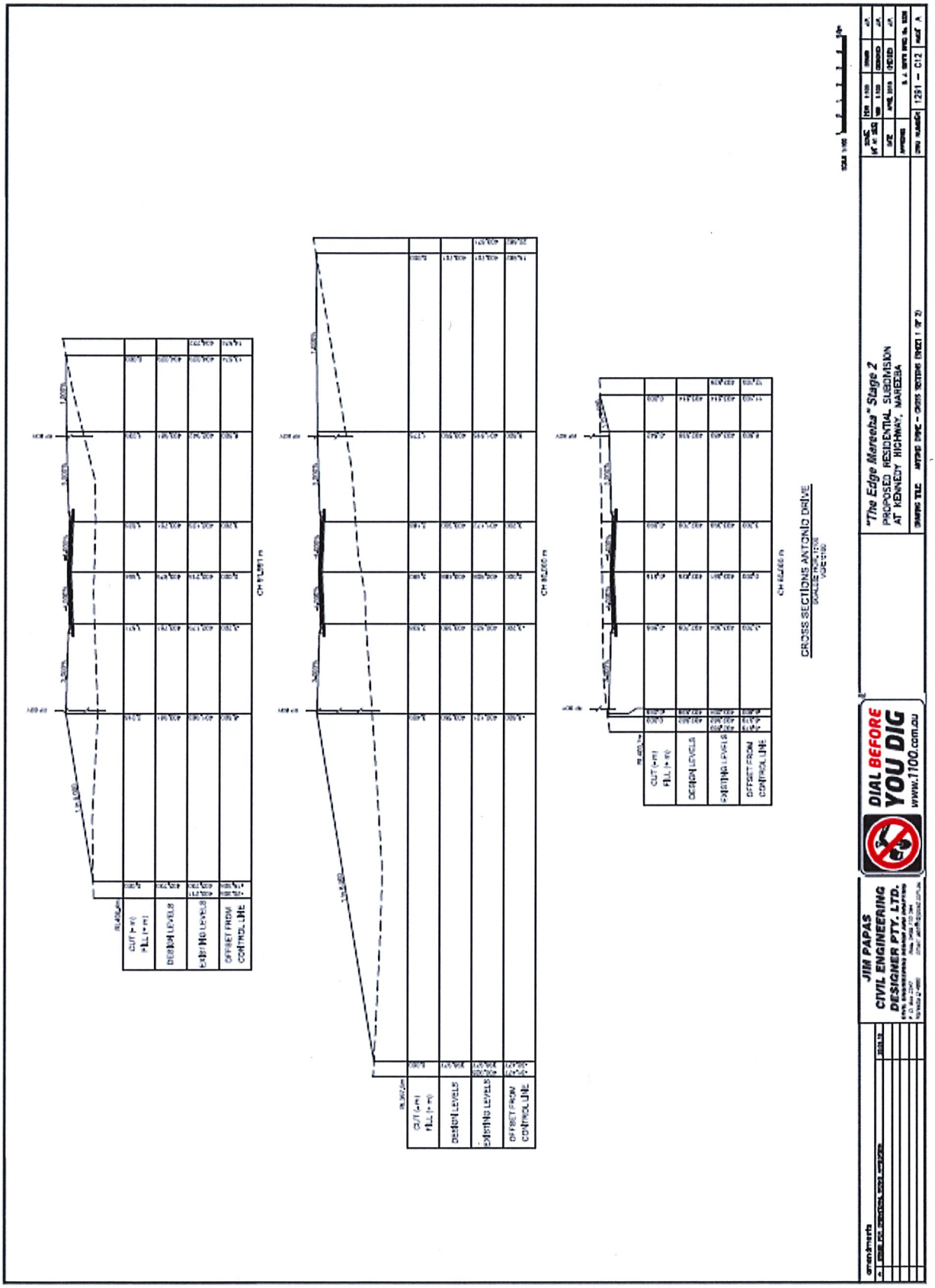
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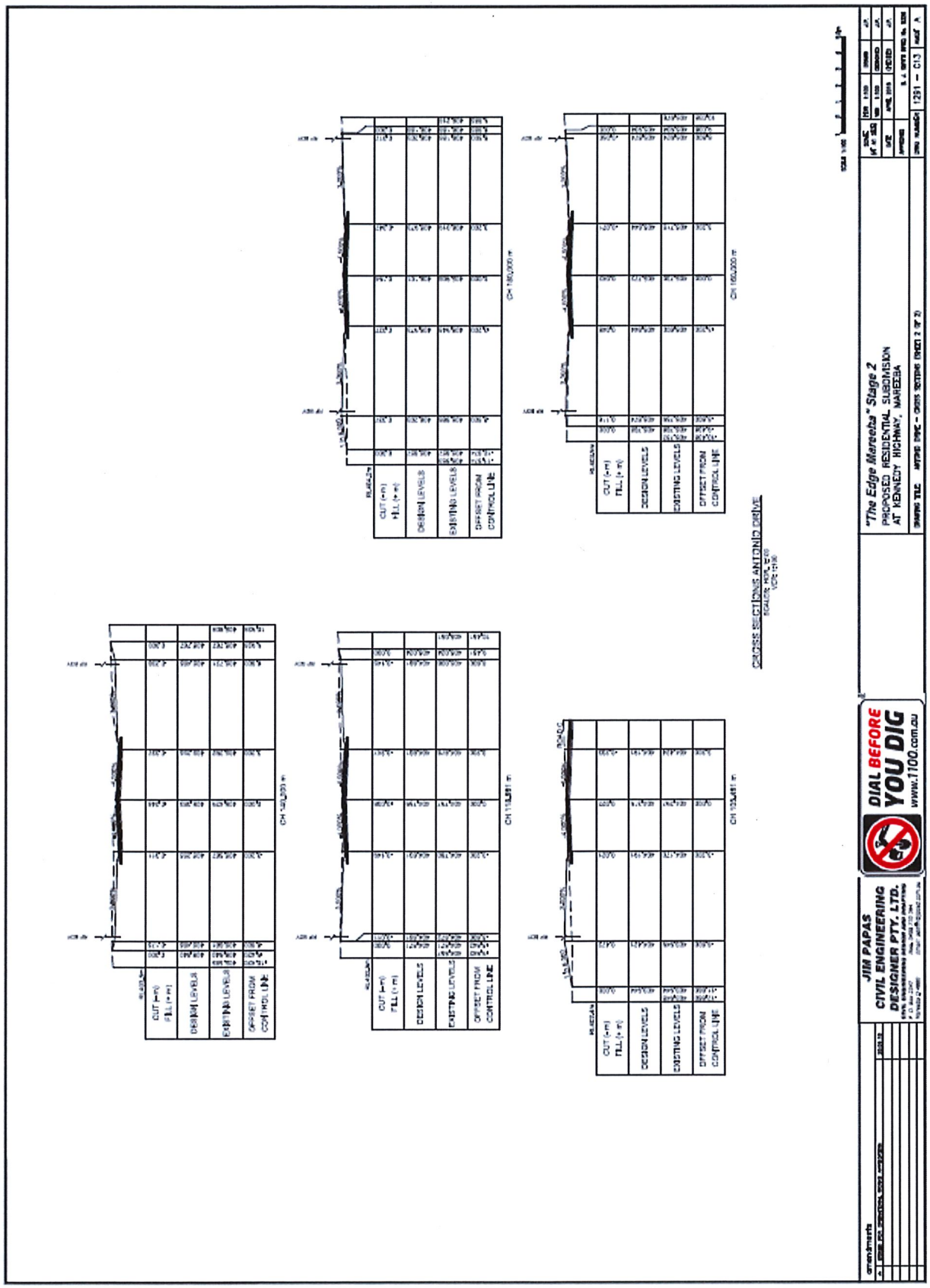
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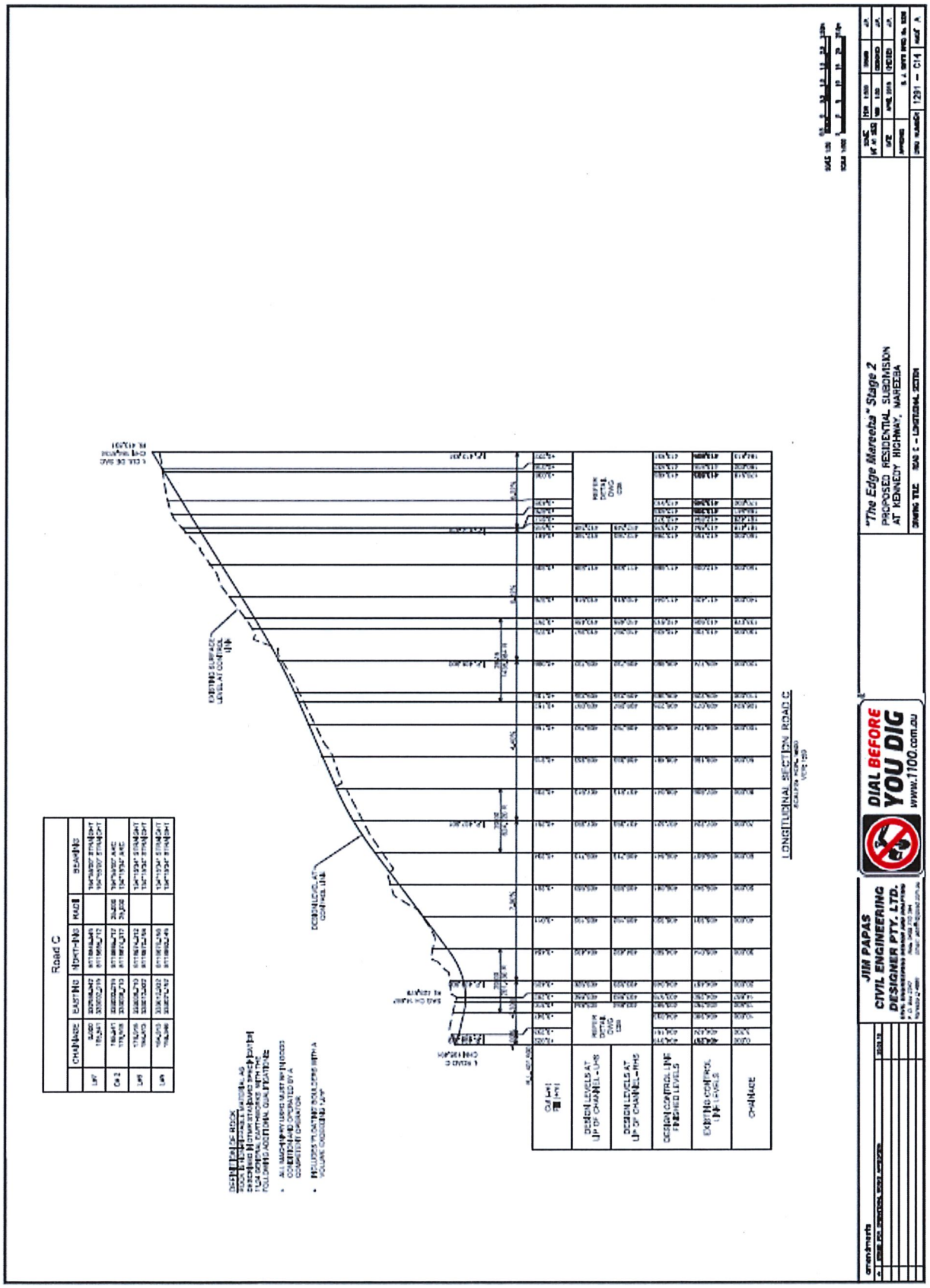
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Road C
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EASTING
NORTHING
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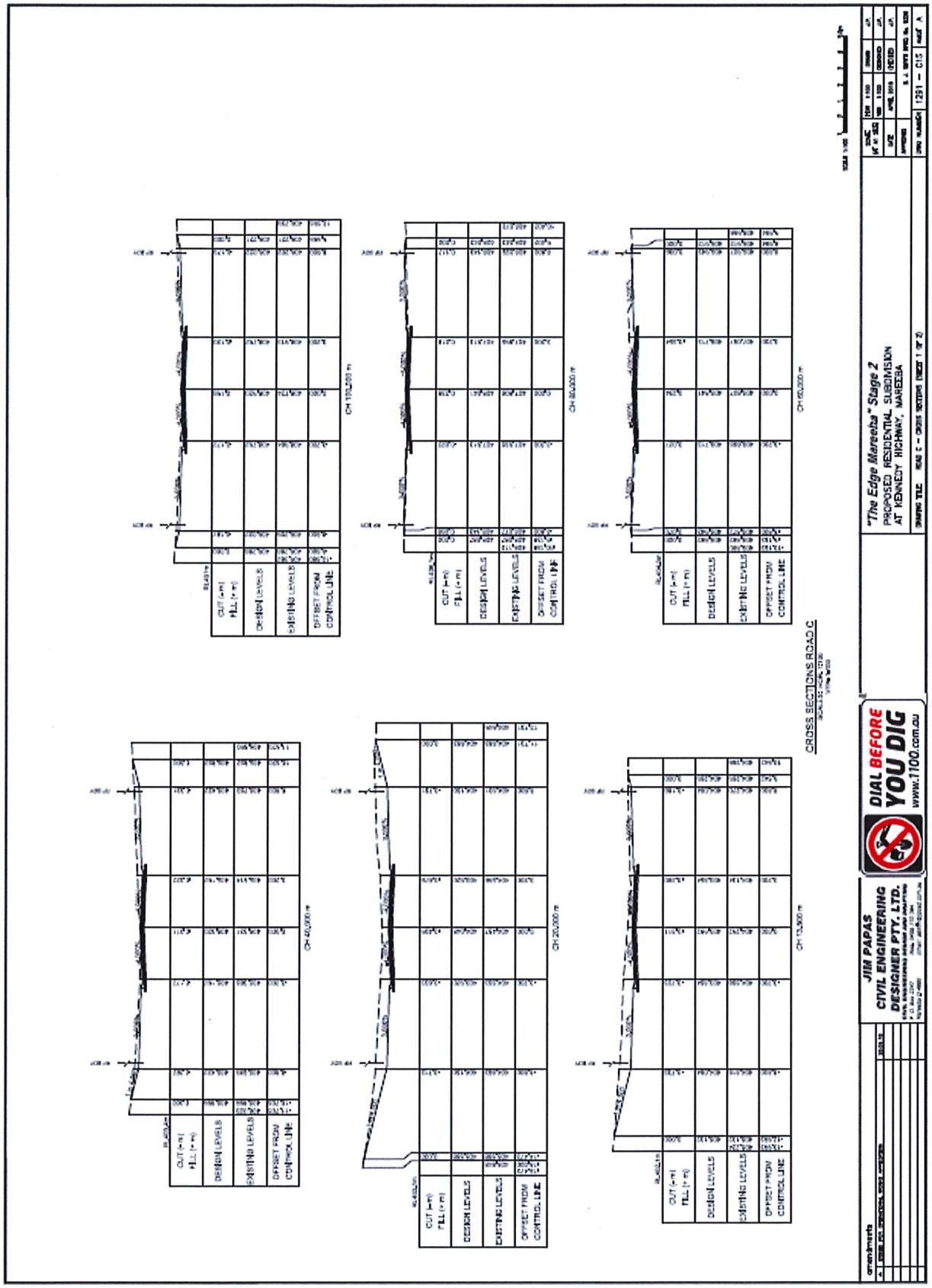
CHAINAGE
1291 - C14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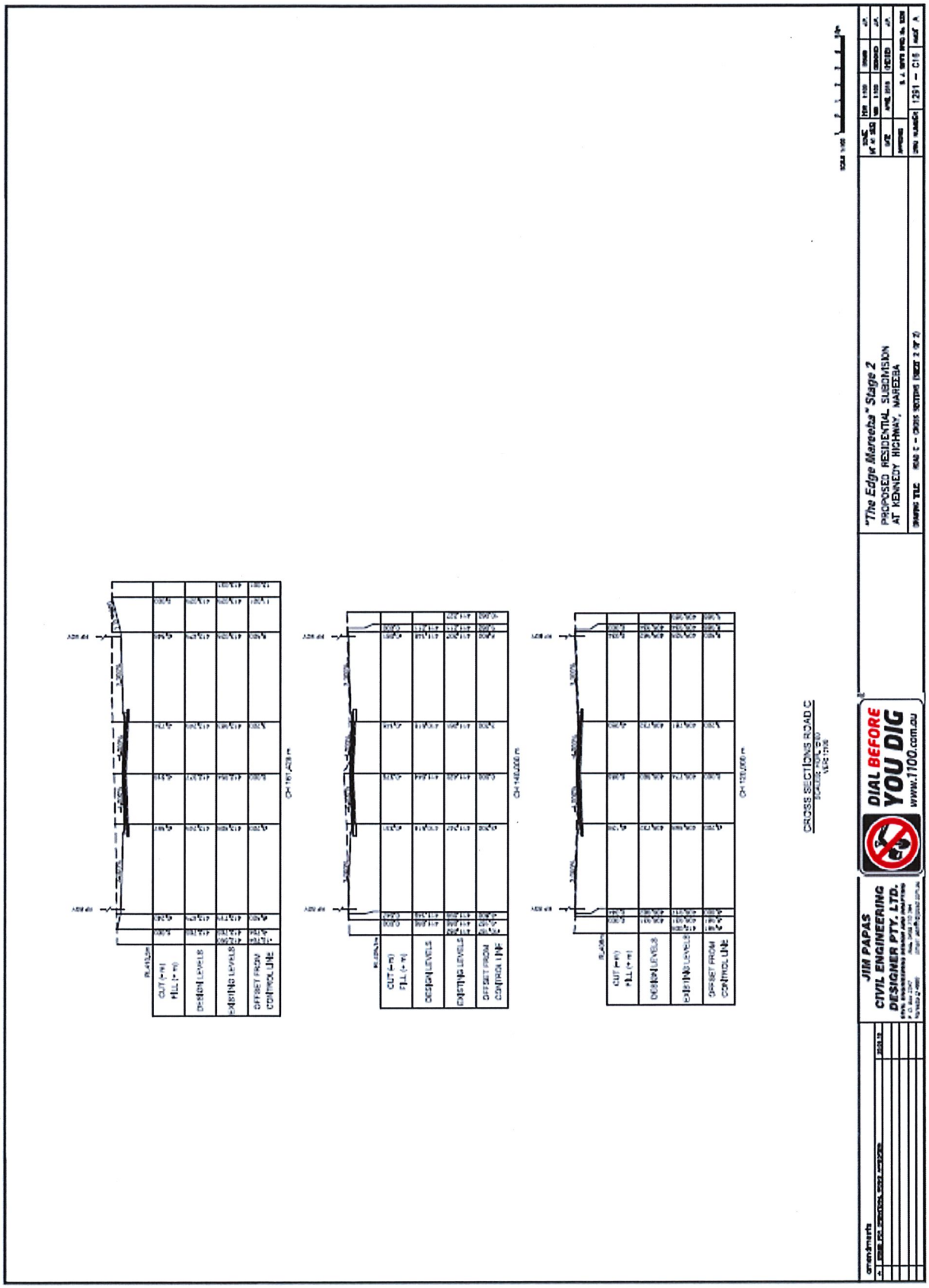
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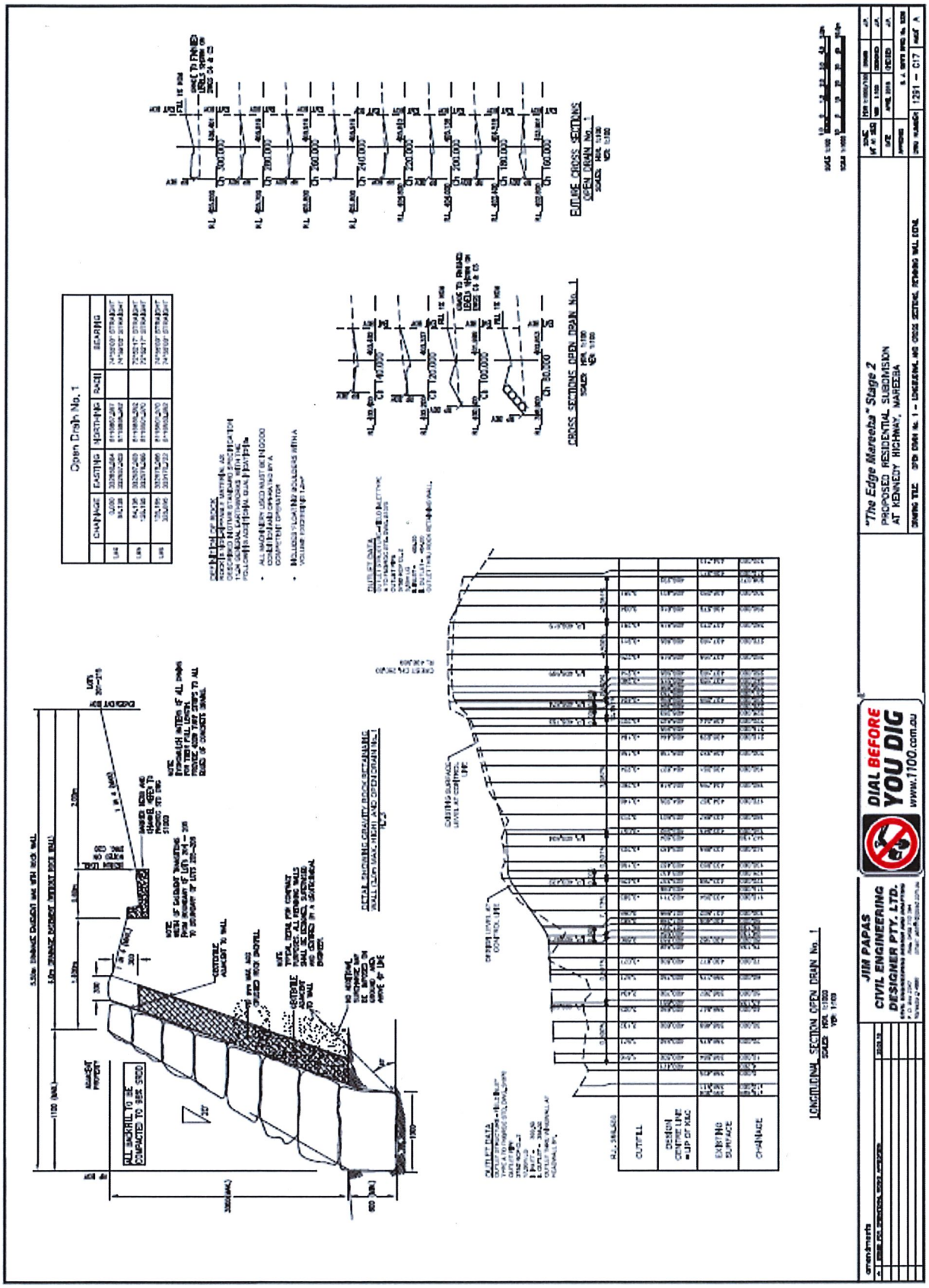
amendments
1251 – C15


Open Drain No. 1
CHAINAGE
EASTING
NORTHING
RADII
BEARING
CROSS SECTIONS OPEN DRAIN No. 1
FUTURE CROSS SECTIONS OPEN DRAIN No. 1
LONGITUDINAL SECTION OPEN DRAIN No. 1
OUTFILL
DESIGN CENTRE LINE
EXISTING SURFACE
CHAINAGE
ALL BACKFILL TO BE COMPACTED TO 98% SPDD
"The Edge Mareeba" Stage 2
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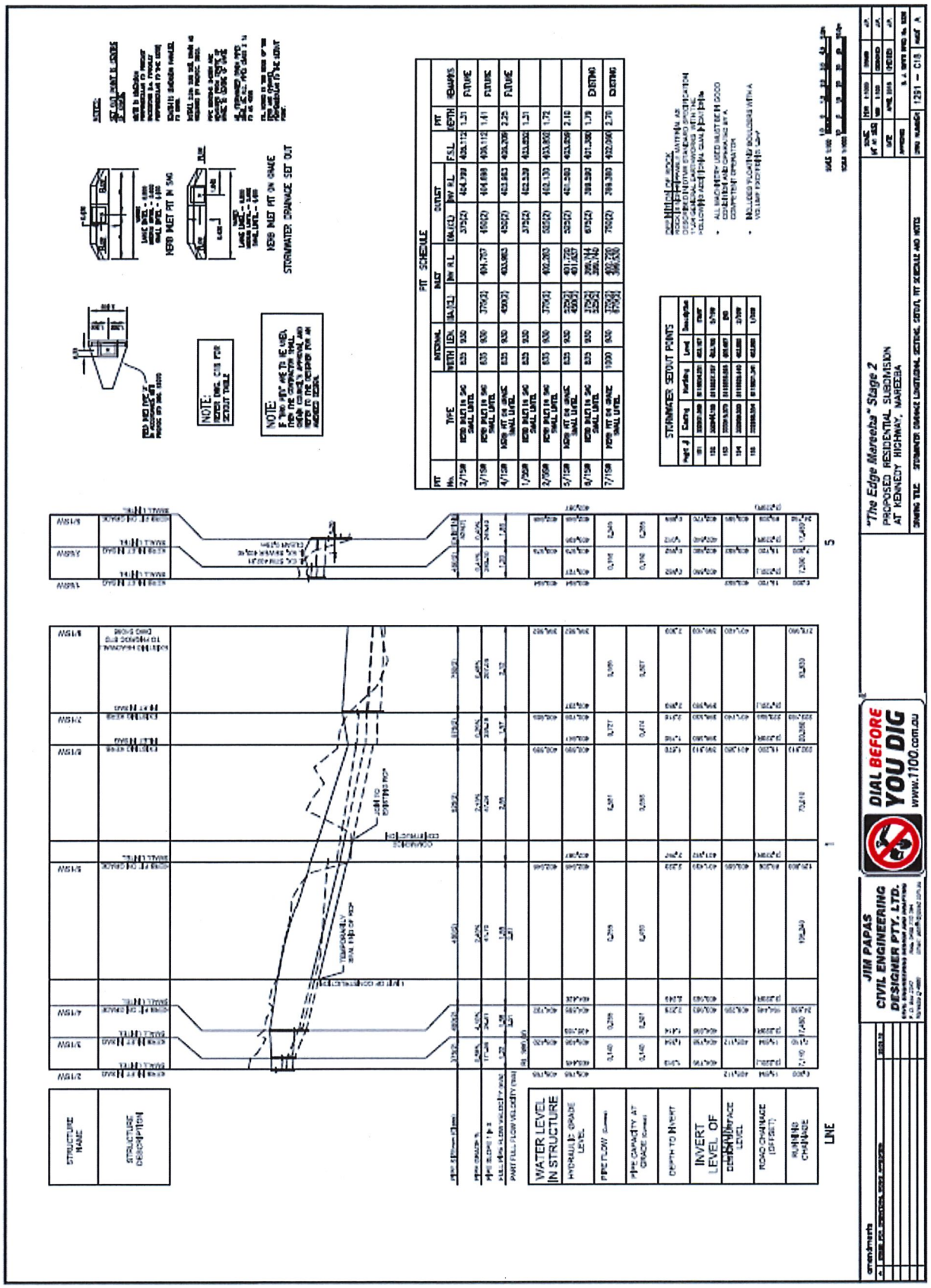
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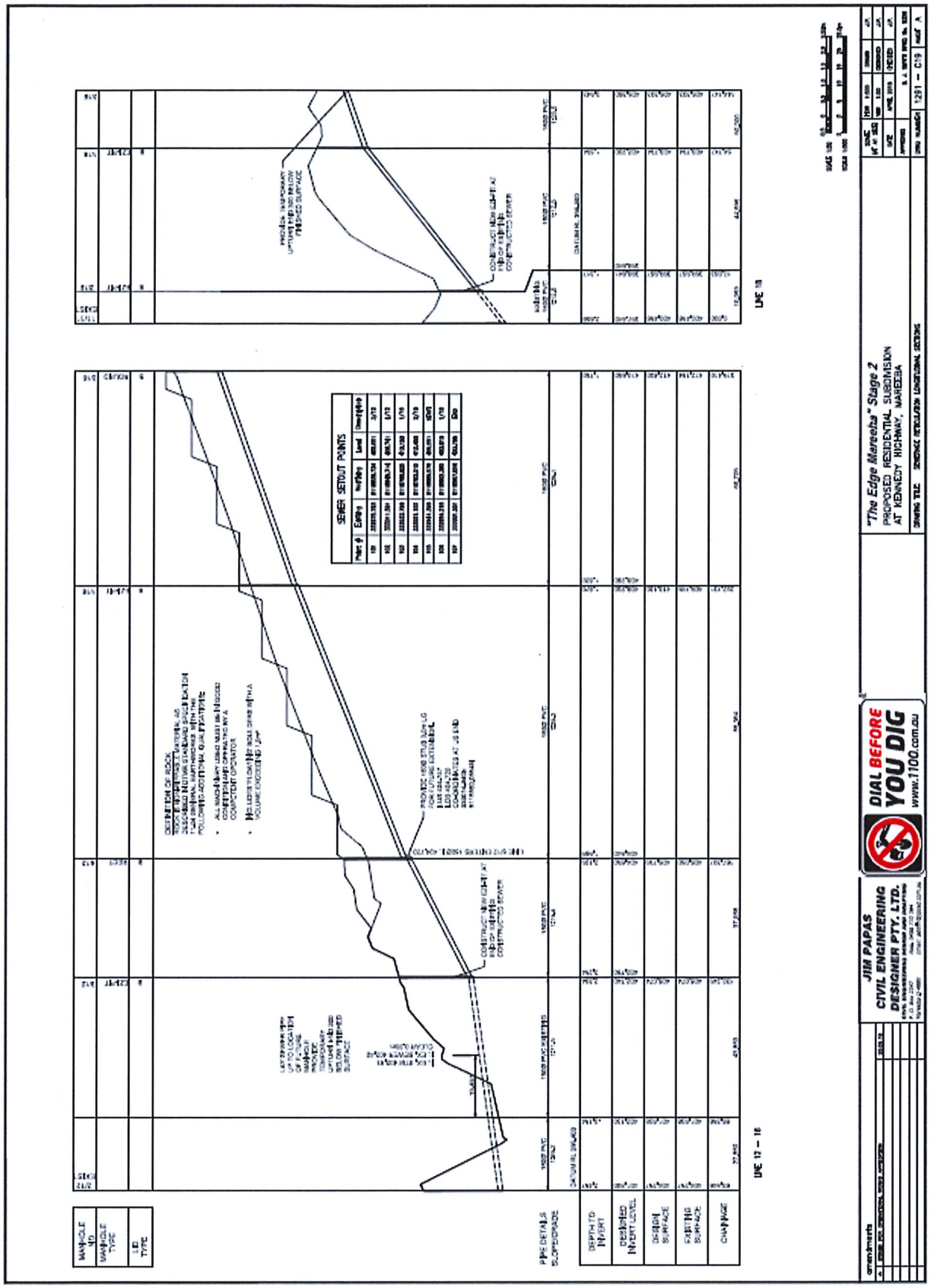
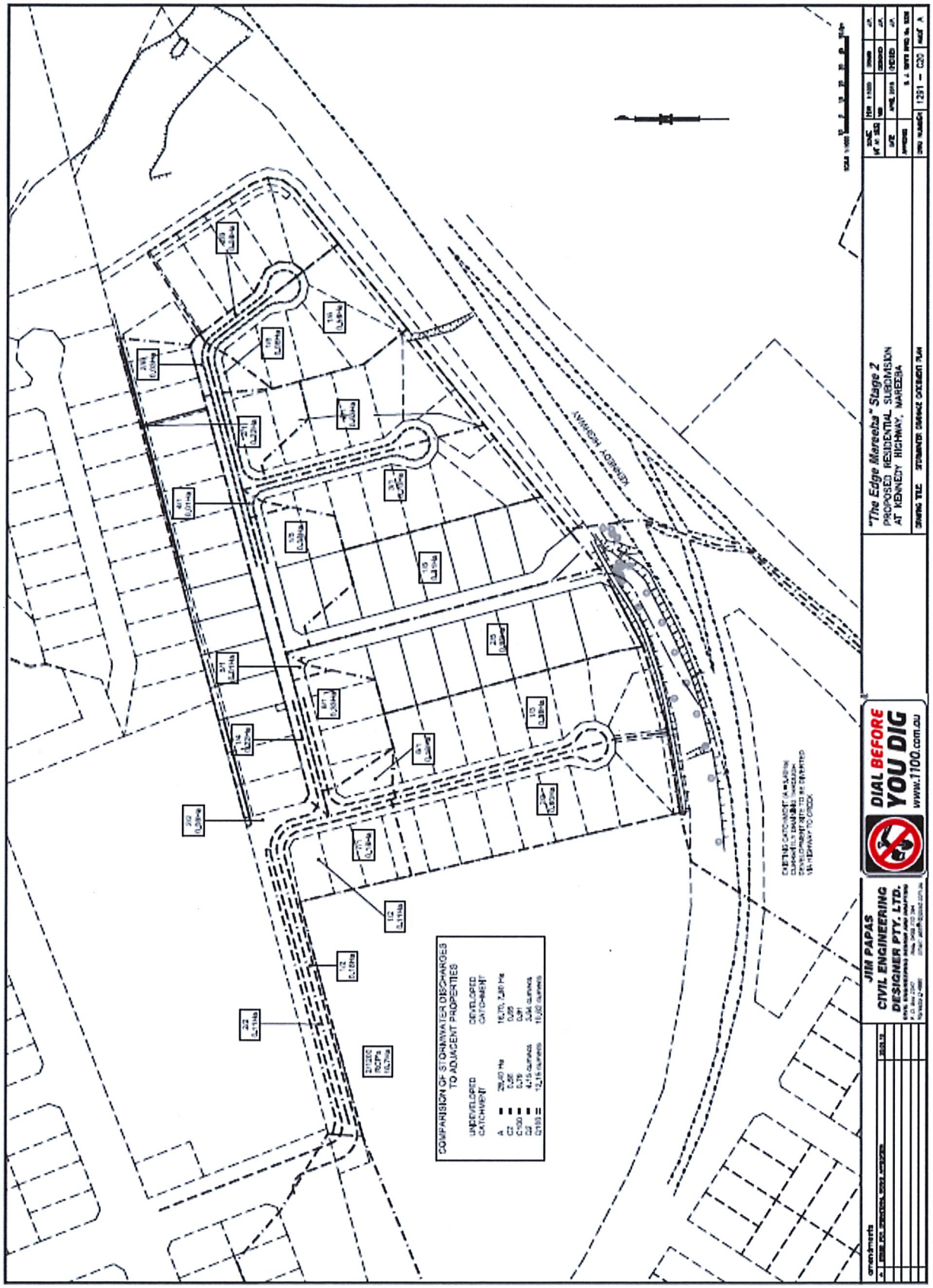
FIT SCHEDULE
STORMWATER DRAINAGE SET OUT
NEW INLET PIT IN SAG
NEW INLET PIT ON GRADE
STRUCTURE NAME
STRUCTURE DESCRIPTION
WATER LEVEL IN STRUCTURE
HYDRAULIC GRADE LEVEL
PIPE FLOW
PIPE CAPACITY AT GRADE
DEPTH TO INVERT
INVERT LEVEL OF
ROAD CHAINAGE (OFFSET)
RUNNING CHAINAGE
LINE


"The Edge Mareeba" Stage 2
PROPOSED RESIDENTIAL SUBDIVISION
AT KENNEDY HIGHWAY, MAREEBA
JIM PAPAS
CIVIL ENGINEERING
DESIGNER PTY. LTD.
DIAL BEFORE YOU DIG
www.1100.com.au
SEWER SETOUT POINTS
LINE 12 – 16
LINE 16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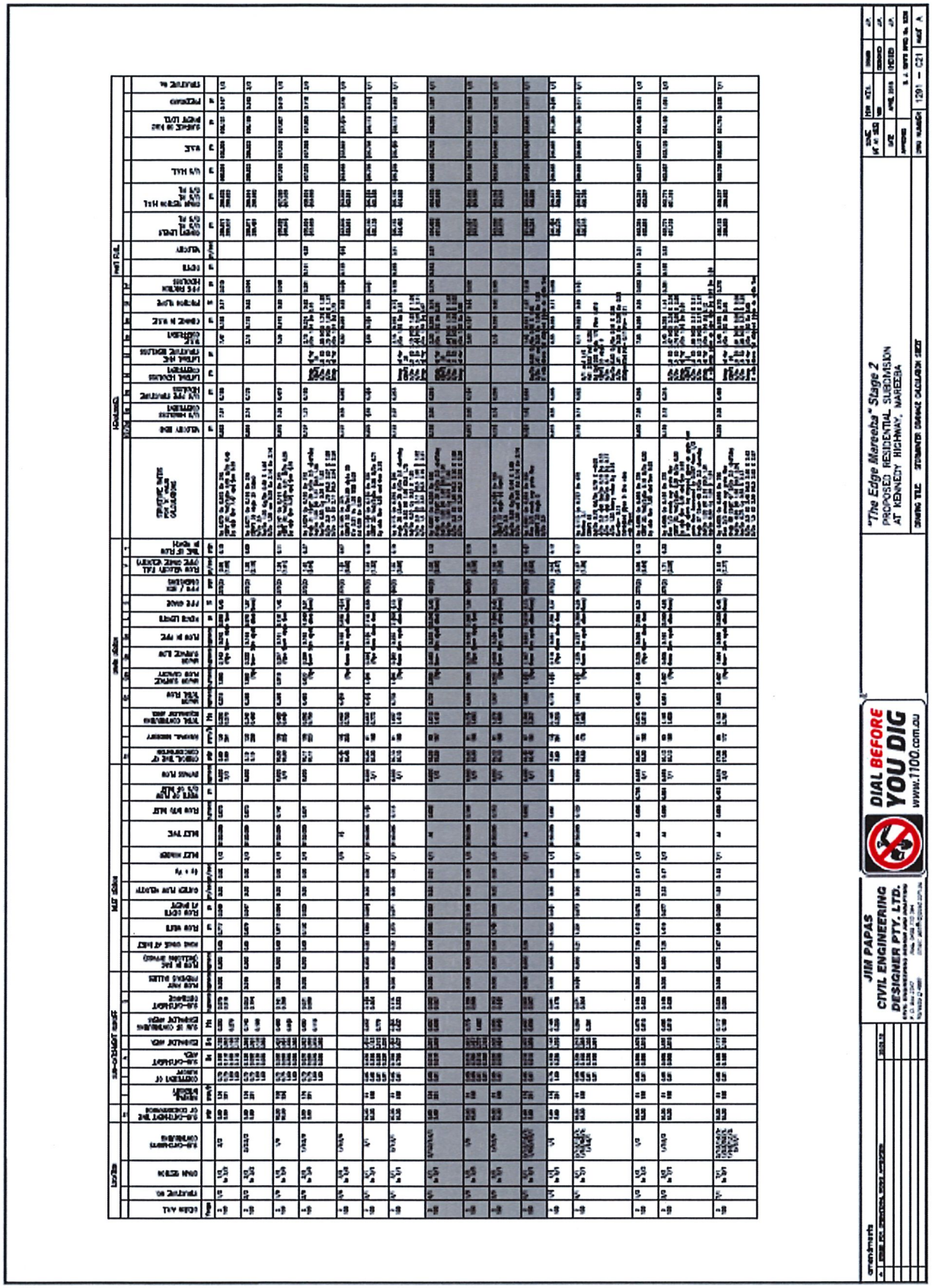
JIM PAPAS
CIVIL ENGINEERING
DESIGNER PTY. LTD.
KENNEDY HIGHWAY
COMPARISION OF STORMWATER DISCHARGES
TO ADJACENT PROPERTIES
UNDEVELOPED CATCHMENT
DEVELOPED CATCHMENT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Appeal Rights

PLANNING ACT 2016 & THE PLANNING REGULATION 2017

Chapter 6 Dispute resolution

Part 1 Appeal rights

229 Appeals to tribunal or P&E Court

(1) Schedule 1 of the *Planning Act 2016* states –
   (a) Matters that may be appealed to –
      (i) either a tribunal or the P&E Court; or
      (ii) only a tribunal; or
      (iii) only the P&E Court; and
   (b) The person-
      (i) who may appeal a matter (**the *appellant***); and
      (ii) who is a respondent in an appeal of the matter; and
      (iii) who is a co-respondent in an appeal of the matter; and
      (iv) who may elect to be a co-respondent in an appeal of the matter.

(Refer to Schedule 1 of the Planning Act 2016)

(2) An appellant may start an appeal within the appeal period.
(3) The ***appeal period*** is –
   (a) for an appeal by a building advisory agency – 10 business days after a decision notice for the decision is given to the agency; or
   (b) for an appeal against a deemed refusal – at any time after the deemed refusal happens; or
   (c) for an appeal against a decision of the Minister, under chapter 7, part 4, to register premises or to renew the registration of premises – 20 business days after a notice us published under section 269(3)(a) or (4); or
   (d) for an appeal against an infrastructure charges notice – 20 business days after the infrastructure charges notice is given to the person; or
   (e) for an appeal about a deemed approval of a development application for which a decision notice has not been given – 30 business days after the applicant gives the deemed approval notice to the assessment manager; or
   (f) for any other appeal – 20 business days after a notice of the decision for the matter, including an enforcement notice, is given to the person.

   Note –
   See the P&E Court Act for the court's power to extend the appeal period.

(4) Each respondent and co-respondent for an appeal may be heard in the appeal.
(5) If an appeal is only about a referral agency's response, the assessment manager may apply to the tribunal or P&E Court to withdraw from the appeal.
(6) To remove any doubt. It is declared that an appeal against an infrastructure charges notice must not be about-

(a) the adopted charge itself; or
(b) for a decision about an offset or refund-
  (i) the establishment cost of trunk infrastructure identified in a LGIP; or
  (ii) the cost of infrastructure decided using the method included in the local government's charges resolution.

230 Notice of appeal

(1) An appellant starts an appeal by lodging, with the registrar of the tribunal or P&E Court, a notice of appeal that-
  (a) is in the approved form; and
  (b) succinctly states the grounds of the appeal.
(2) The notice of appeal must be accompanied by the required fee.
(3) The appellant or, for an appeal to a tribunal, the registrar must, within the service period, give a copy of the notice of appeal to –
  (a) the respondent for the appeal ; and
  (b) each co-respondent for the appeal; and
  (c) for an appeal about a development application under schedule 1, table 1, item 1 – each principal submitter for the development application; and
  (d) for and appeal about a change application under schedule 1, table 1, item 2 – each principal submitter for the change application; and
  (e) each person who may elect to become a co-respondent for the appeal, other than an eligible submitter who is not a principal submitter in an appeal under paragraph (c) or (d); and
  (f) for an appeal to the P&E Court – the chief executive; and
  (g) for an appeal to a tribunal under another Act – any other person who the registrar considers appropriate.
(4) The *service period* is –
  (a) if a submitter or advice agency started the appeal in the P&E Court – 2 business days after the appeal has started; or
  (b) otherwise – 10 business days after the appeal is started.
(5) A notice of appeal given to a person who may elect to be a co-respondent must state the effect of subsection (6).
(6) A person elects to be a co-respondent by filing a notice of election, in the approved form, within 10 business days after the notice of appeal is given to the person.

231 Other appeals

(1) Subject to this chapter, schedule 1 and the P&E Court Act, unless the Supreme Court decides a decision or other matter under this Act is affected by jurisdictional error, the decision or matter is non-appealable.
(2) The *Judicial Review Act 1991*, part 5 applies to the decision or matter to the extent it is affected by jurisdictional error.
(3) A person who, but for subsection (1) could have made an application under the Judicial Review Act 1991 in relation to the decision or matter, may apply under part 4 of that Act for a statement of reasons in relation to the decision or matter.
(4) In this section –
  decision includes-
  (a) conduct engaged in for the purpose of making a decision; and

(b) other conduct that relates to the making of a decision; and
(c) the making of a decision or failure to make a decision; and
(d) a purported decision ; and
(e) a deemed refusal.

non-appealable, for a decision or matter, means the decision or matter-
(a) is final and conclusive; and
(b) may not be challenged, appealed against, reviewed, quashed, set aside or called into question in any other way under the Judicial Review Act 1991 or otherwise, whether by the Supreme Court, another court, a tribunal or another entity; and
(c) is not subject to any declaratory, injunctive or other order of the Supreme Court, another court, a tribunal or another entity on any ground.

232 Rules of the P&E Court

(1) A person who is appealing to the P&E Court must comply with the rules of the court that apply to the appeal.
(2) However, the P&E Court may hear and decide an appeal even if the person has not complied with the rules of the P&E Court.