

**DELEGATED REPORT****TO:** SENIOR PLANNER**FROM:** Planning Officer**FILE:** OPW/18/0005 (Stage 2A)**DATE:** 11 June 2018

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**APPLICATION DETAILS**

<b>APPLICATION</b>		<b>PREMISES</b>	
<b>FILE NO:</b>	OPW/18/0005 (Stage 2A)	<b>ADDRESS:</b>	Antonio Drive and Kennedy Highway, Mareeba
<b>APPLICANT:</b>	Jim Papas Civil Engineering Designer Pty Ltd	<b>RPD:</b>	Lot 301 on SP280080
<b>LODGED BY:</b>	Jim Papas Civil Engineering Designer Pty Ltd	<b>AREA:</b>	8.157 hectares
<b>DATE LODGED:</b>	24 April 2018	<b>OWNER:</b>	Sibi Girgenti Holdings Pty Ltd
<b>TYPE OF APPROVAL:</b>	Development Permit		
<b>PROPOSED DEVELOPMENT:</b>	Operational Works for Roadworks, Stormwater, Water Infrastructure, Drainage, Earthworks, & Sewerage Infrastructure		
<b>PLANNING SCHEME:</b>	Mareeba Shire Council Planning Scheme 2016		
<b>ZONE:</b>	Low Density Residential zone		
<b>LEVEL OF ASSESSMENT:</b>	Code Assessment		

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**PREVIOUS APPLICATIONS & APPROVALS**

REC/07/0043

**DESCRIPTION OF PROPOSED DEVELOPMENT**

The development application seeks a Development Permit for Operation Works (Roadworks, Stormwater, Water Infrastructure, Drainage, Earthworks, & Sewerage Infrastructure) - Stage 2A only.

**ASSESSMENT****State Planning Policy**

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

**Relevant Development Codes**

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

- 6.2.6 Low density residential zone code
- 9.4.4 Reconfiguring a lot code
- 9.4.5 Works, services and infrastructure code

The application did not include a planning report and assessment against the planning scheme. An officer assessment has found that the application satisfies the relevant acceptable solutions (or probable solutions/performance criteria where no acceptable solution applies) of the relevant codes set out below.

Relevant Codes	Comments
Low density residential 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

#### REC/07/0043 - Reconfiguring a Lot - Subdivision (1 into 85 Lots)

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.
  - (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.
- (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)
<b>TableD1.1</b>	<b>Street and Road Hierarchy</b>
- (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.
- (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.

- (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.
- 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.

### 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	Not part of current application
D9 - Landscaping	Not part of current application

### REFERRALS

The Department of Transport and Main Roads has offered no objection to the construction and subsequent registration of Stage 2A.

### Internal Consultation

Email received from Technical Officer (Subdivisions) at 1:48pm on 11 June 2018 confirming that the plans for Stage 2A have been inspected and may proceed to construction.

### OFFICER'S RECOMMENDATION

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

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<b>TYPE OF APPROVAL</b>	Development Permit		
<b>PROPOSED DEVELOPMENT</b>	Operational Works for Roadworks, Stormwater, Water Infrastructure, Drainage, Earthworks, & Sewerage Infrastructure - <b>Stage 2A only</b>		

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, Stormwater, Water Infrastructure, Drainage, Earthworks, & Sewerage Infrastructure) for **Stage 2A only**.

- (B) **APPROVED PLANS:**

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

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

### (a) General

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

### (b) Pre-start Meeting

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

### (c) Inspections

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

### (d) Construction Security Bond and Defects Liability Bond

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



**(e) Hours of Work**

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

**(f) Transportation of Soil**

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

**(D) RELEVANT PERIOD**

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

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

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

- Nil

DECISION BY DELEGATE

DECISION

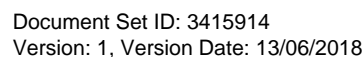
Having considered the Planning Officer's report detailed above, I approve, as delegate of Council, the application subject to the conditions listed in the report.

Dated the 11TH day of JUNE 2018



**BRIAN MILLARD**  
**SENIOR PLANNER**

MAREEBA SHIRE  
AS A DELEGATE OF THE COUNCIL

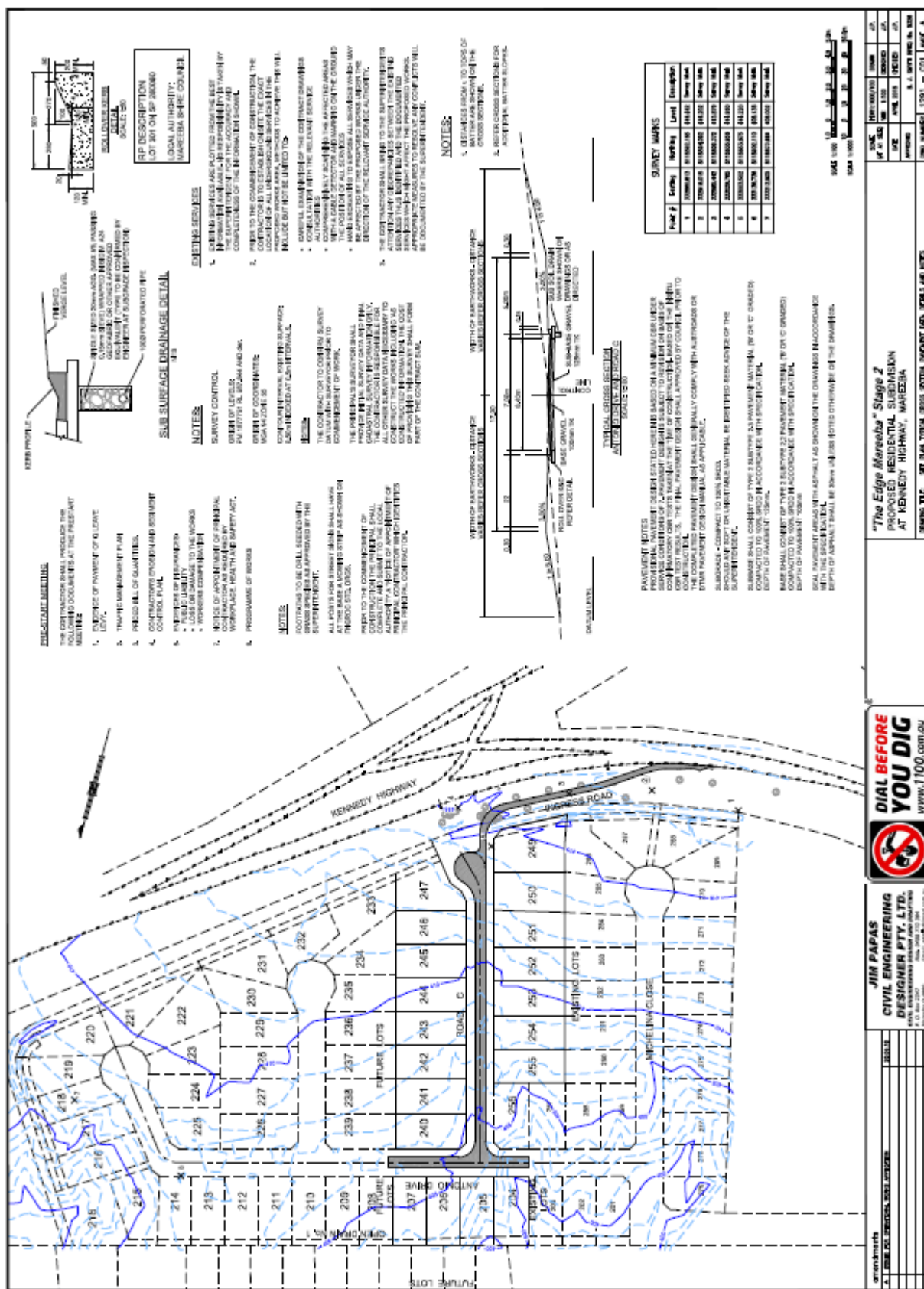


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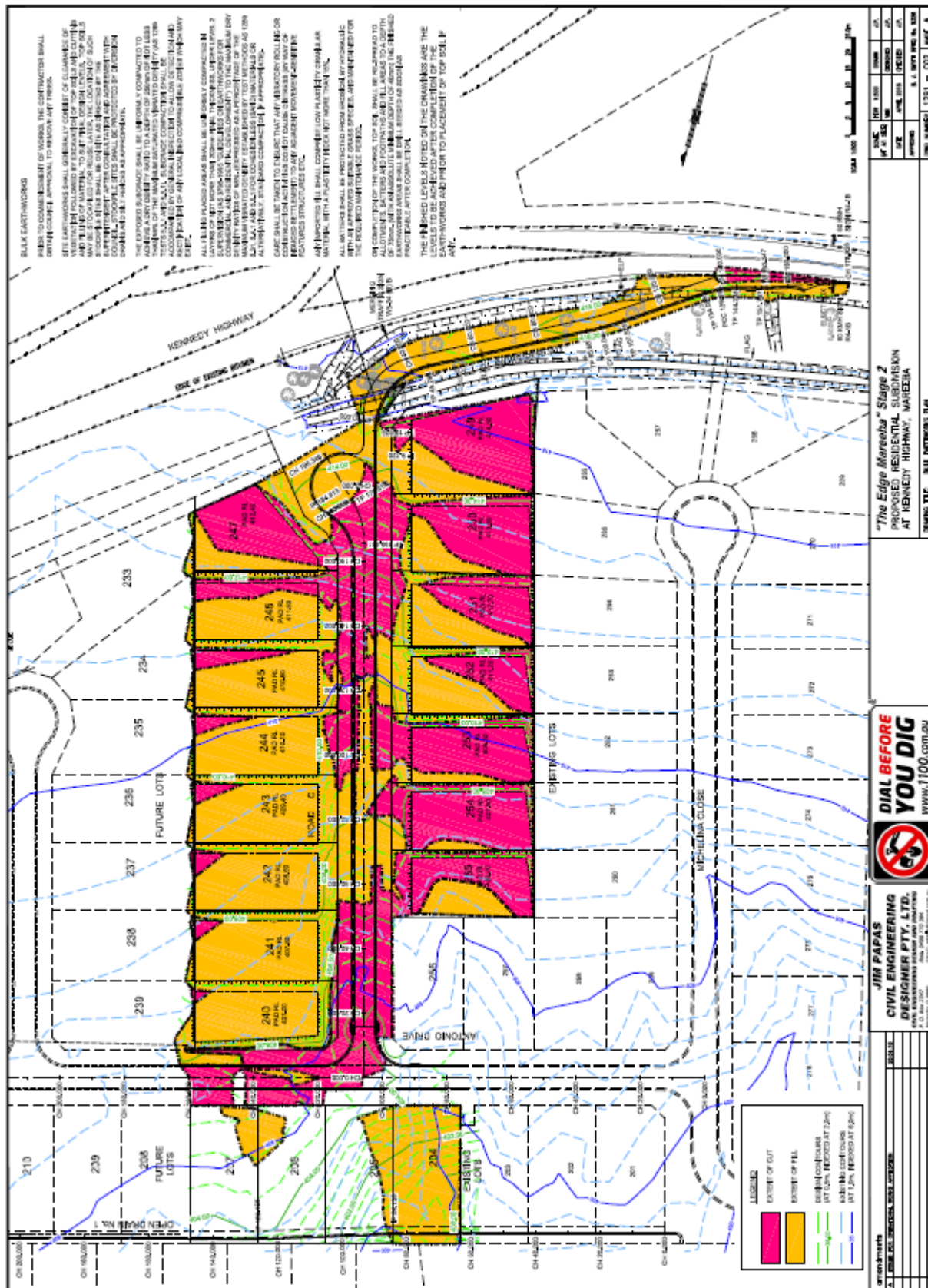
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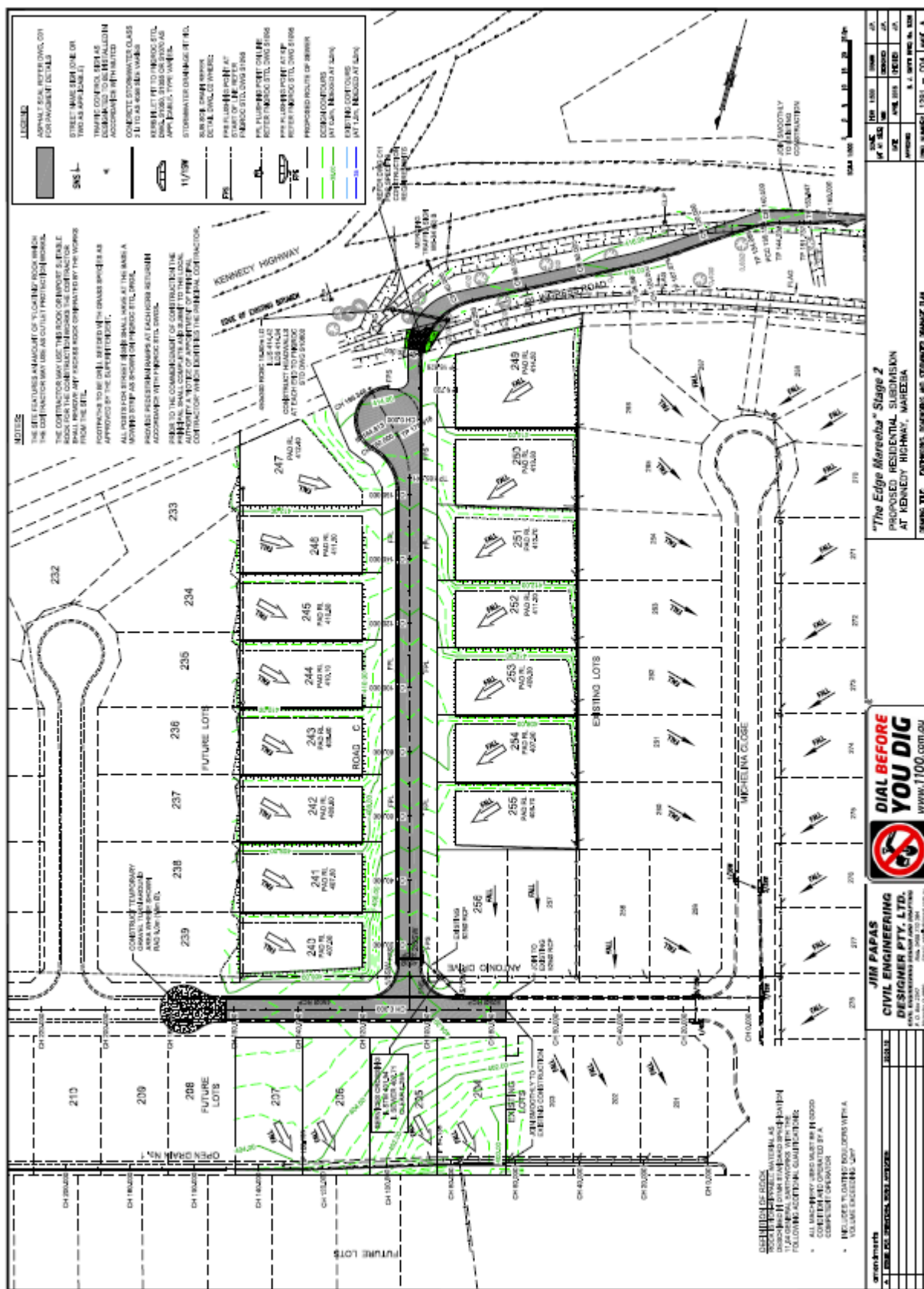




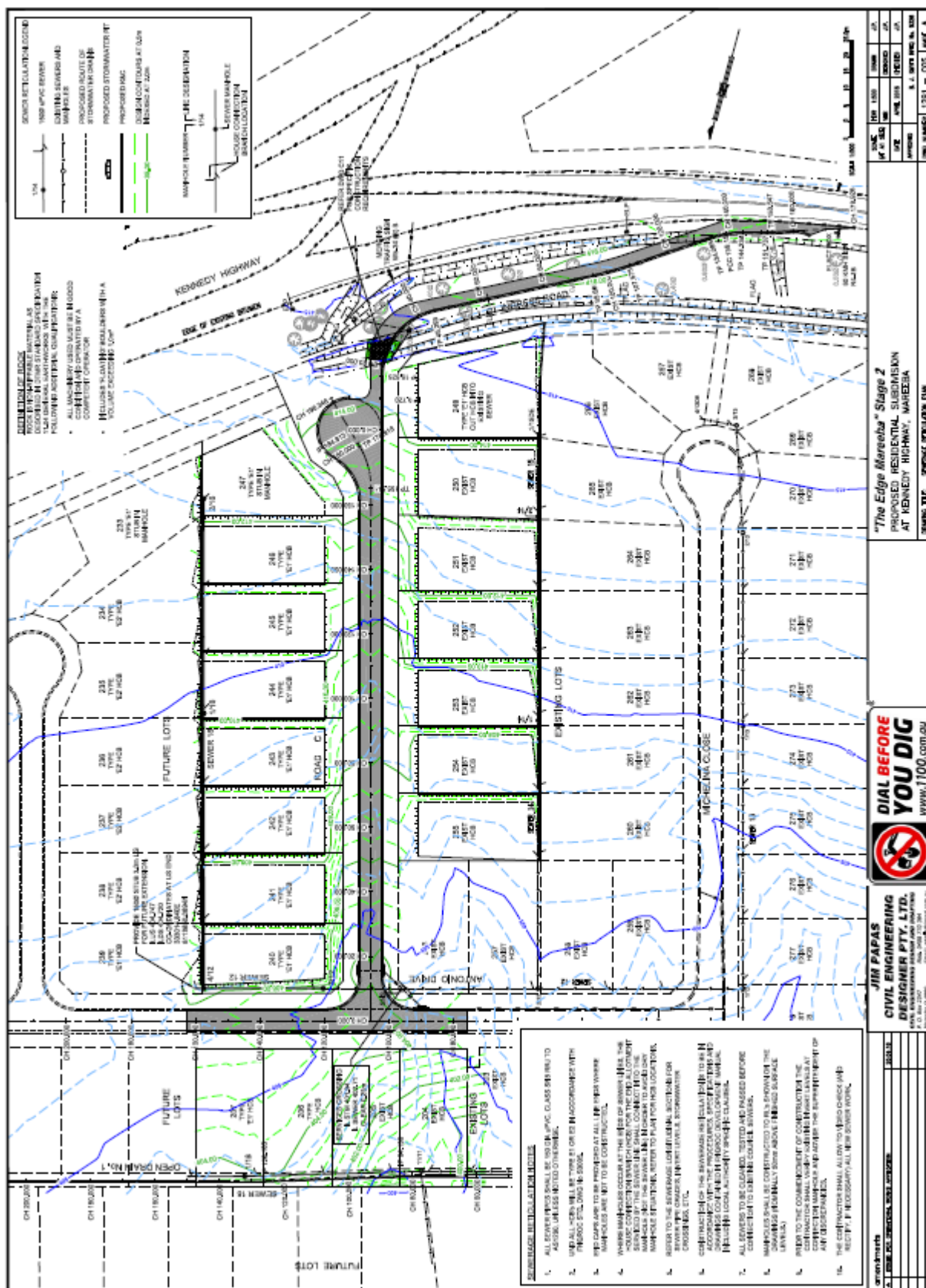


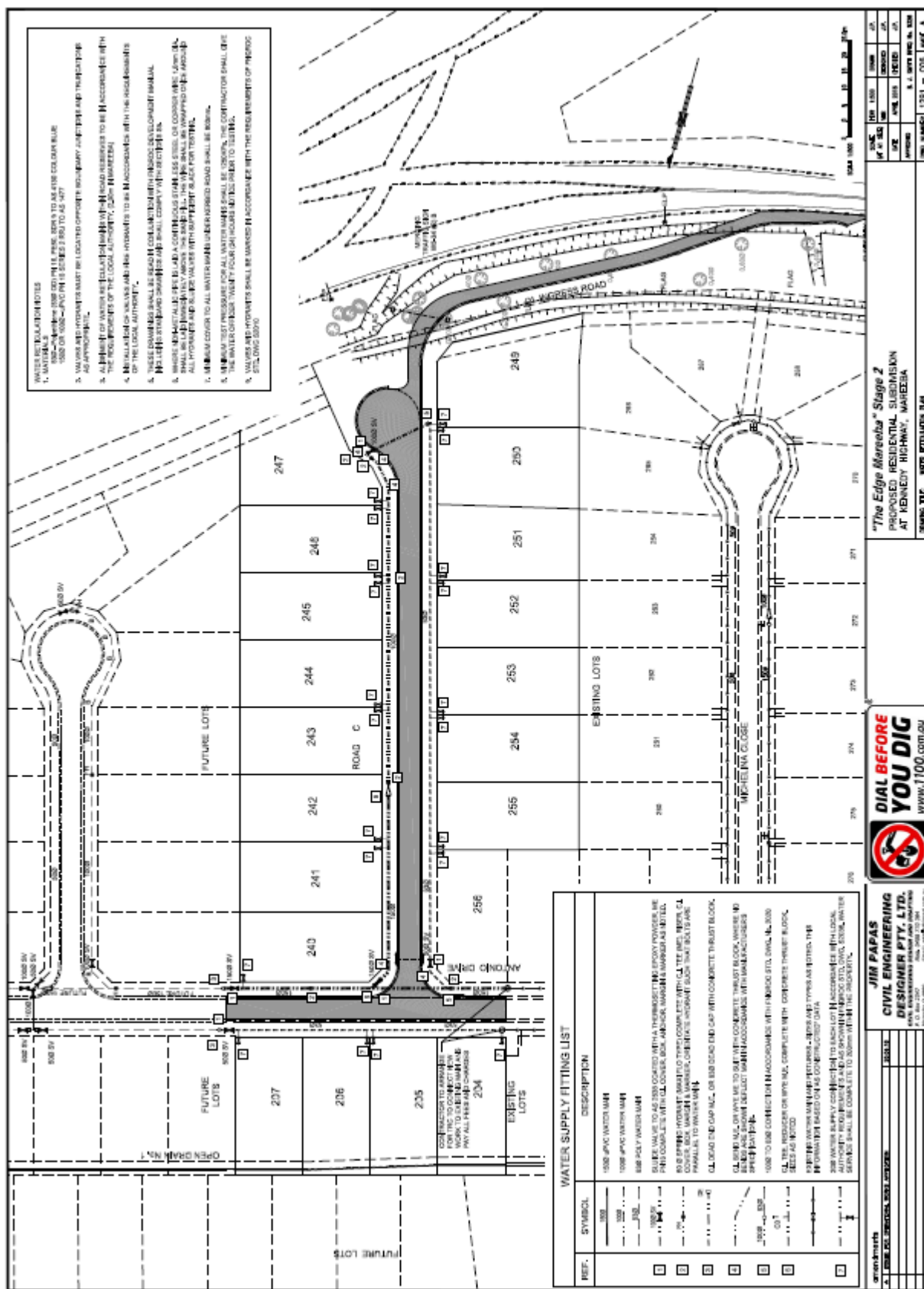


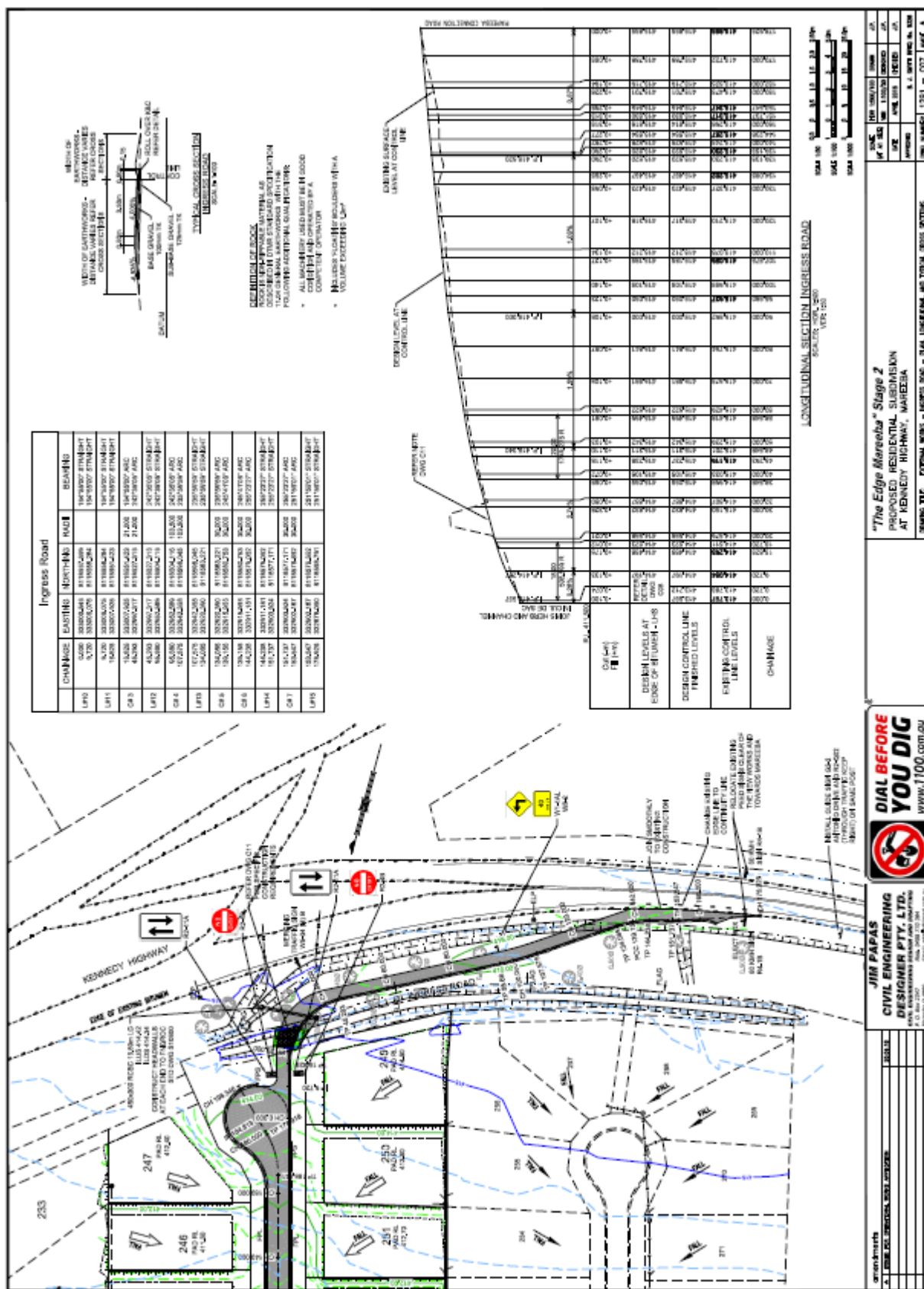


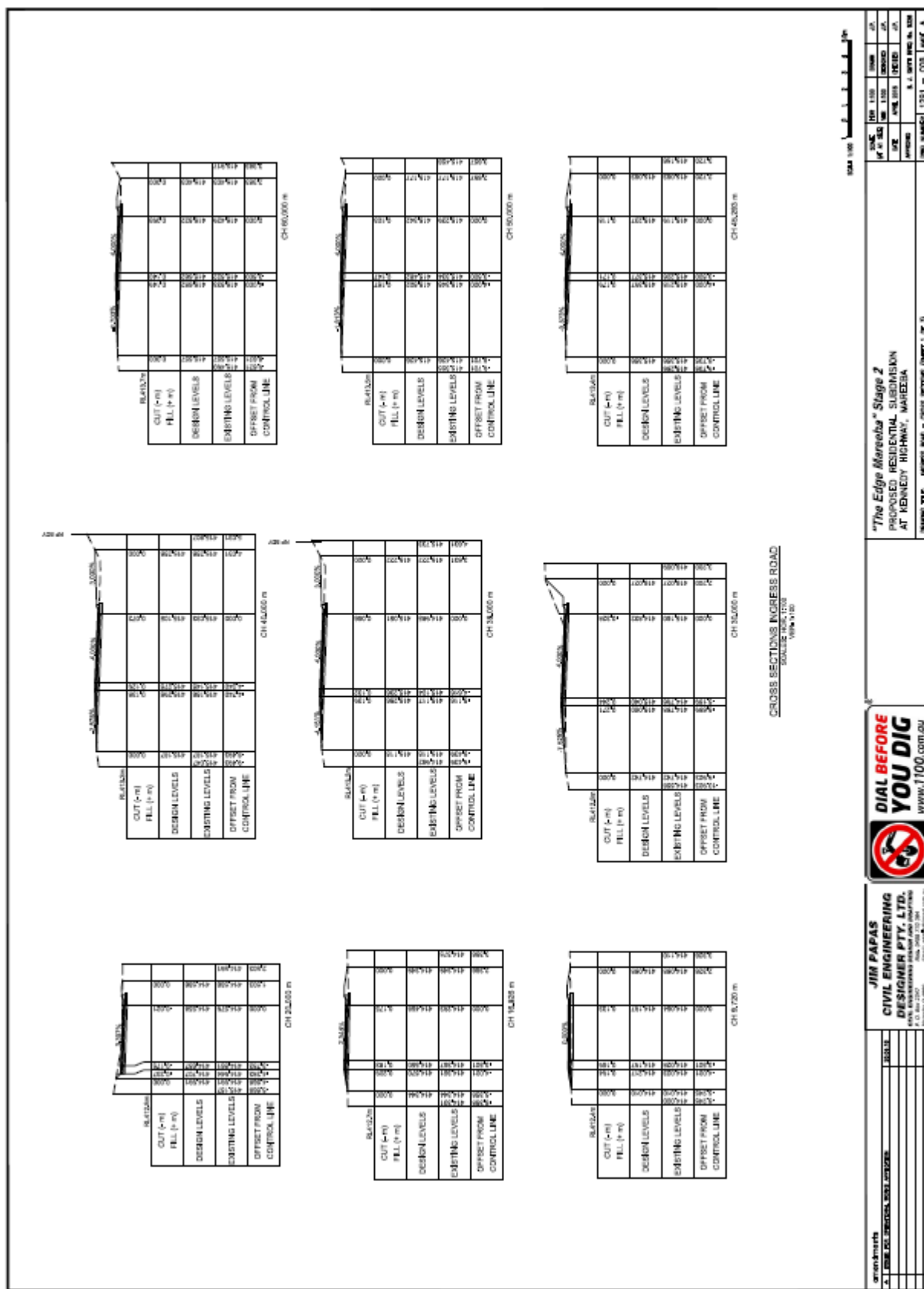




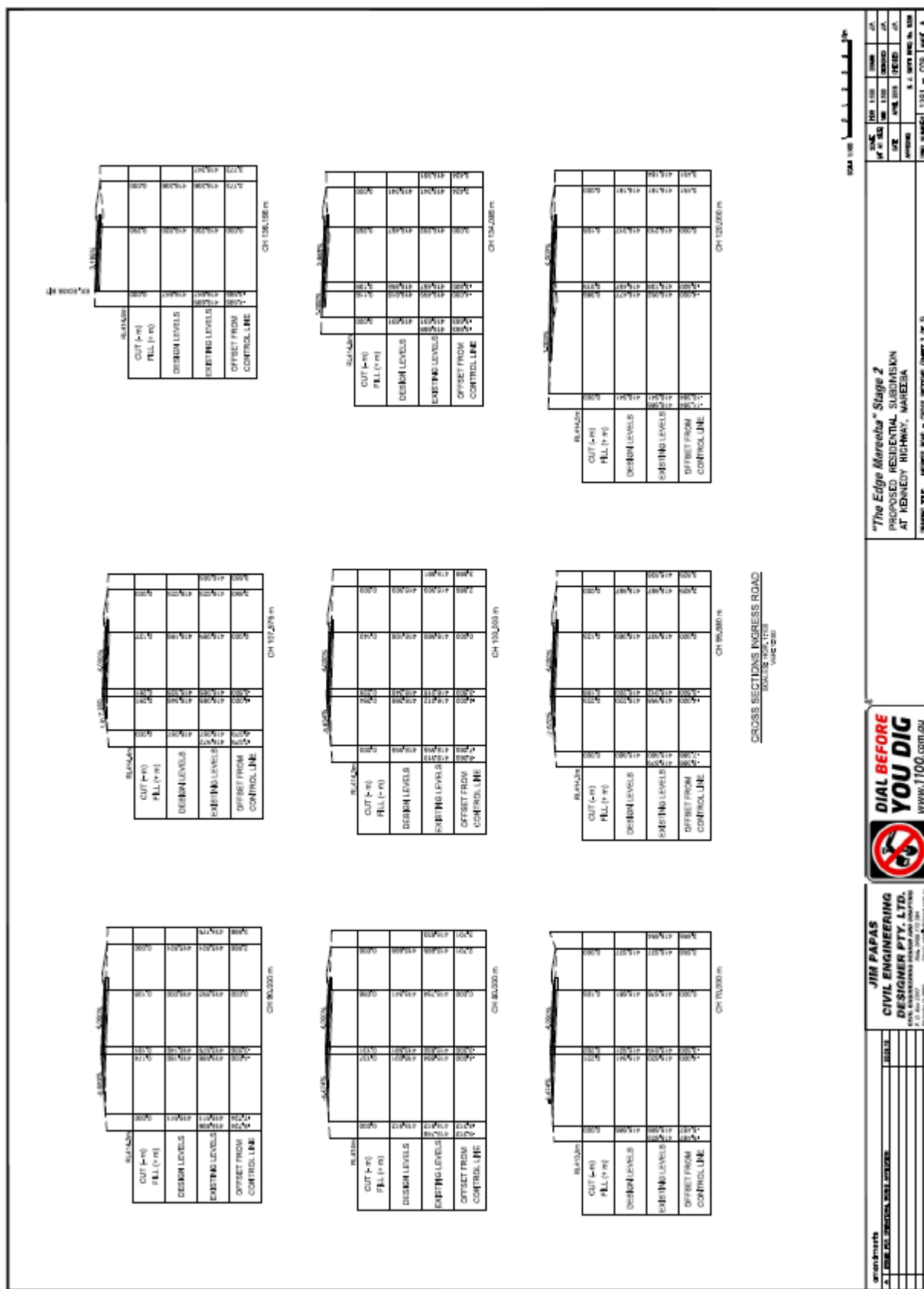


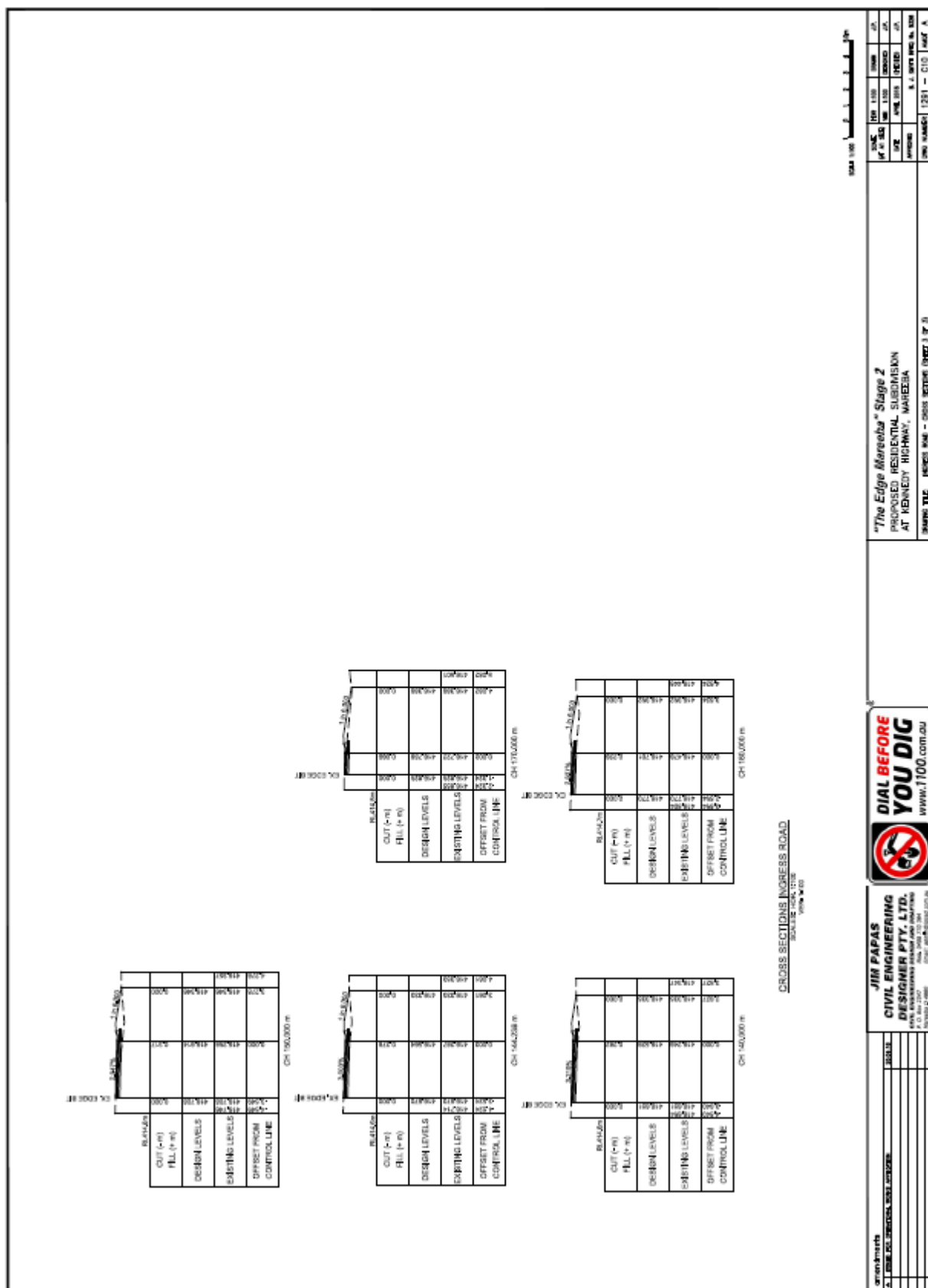


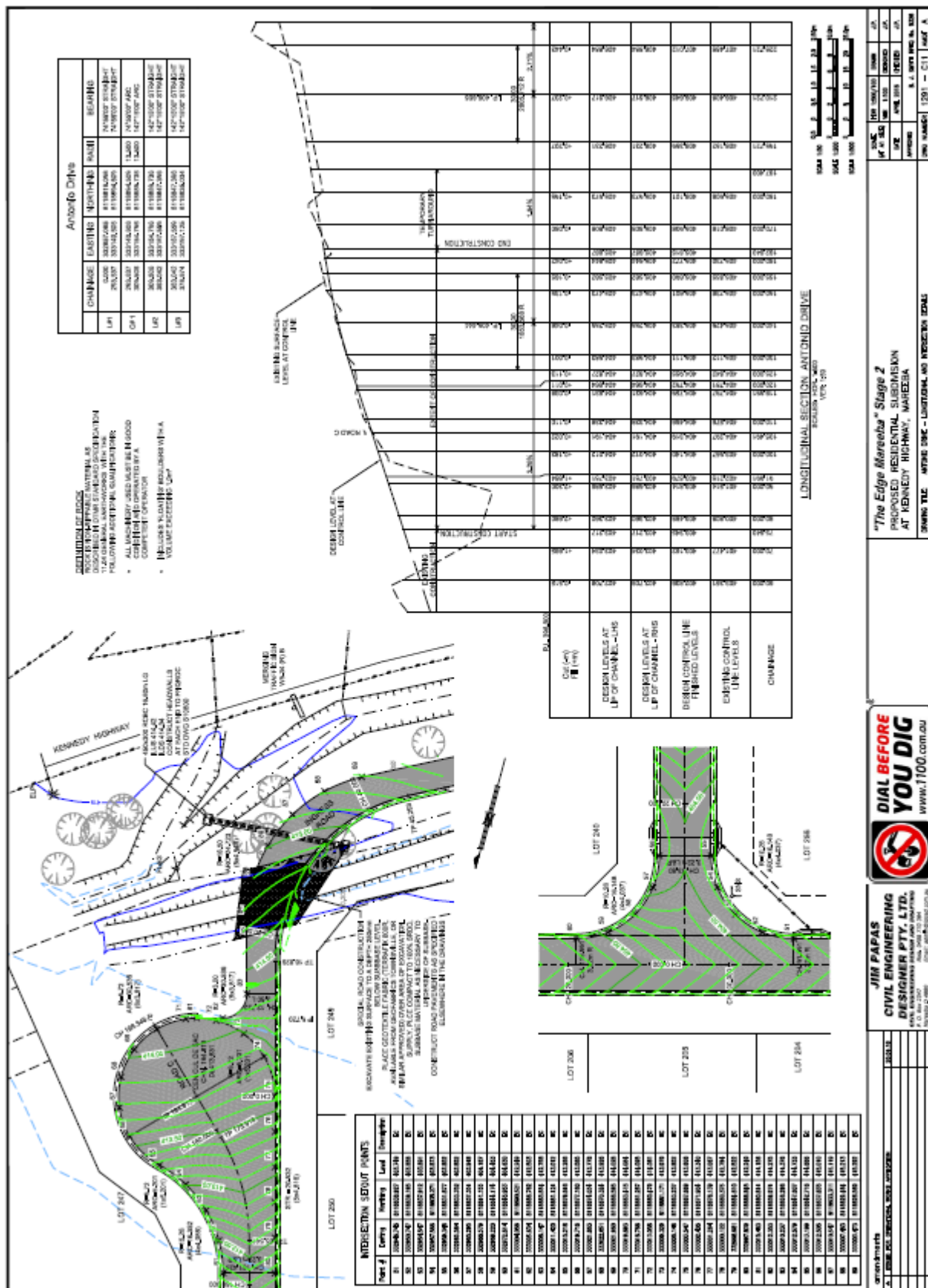


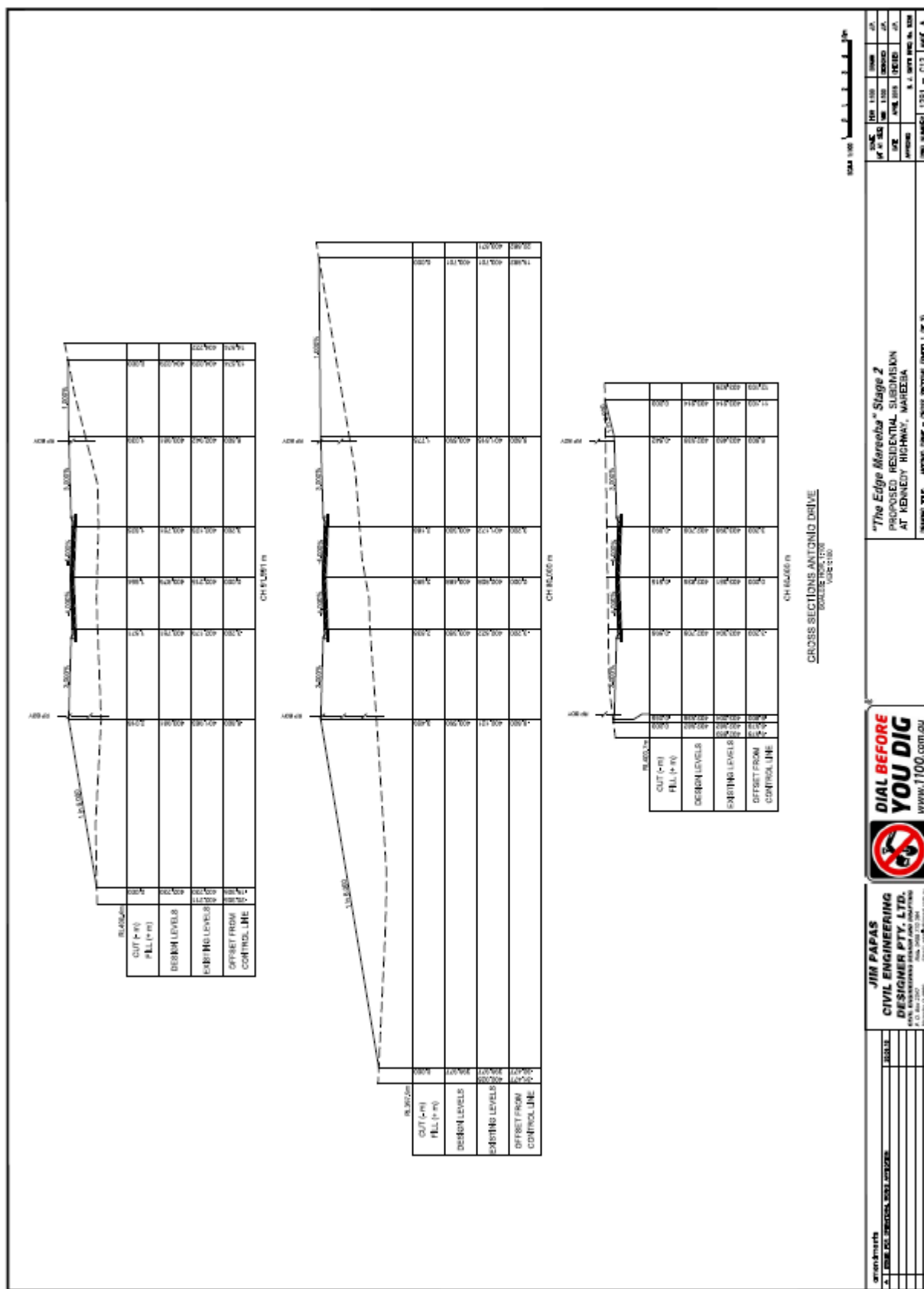




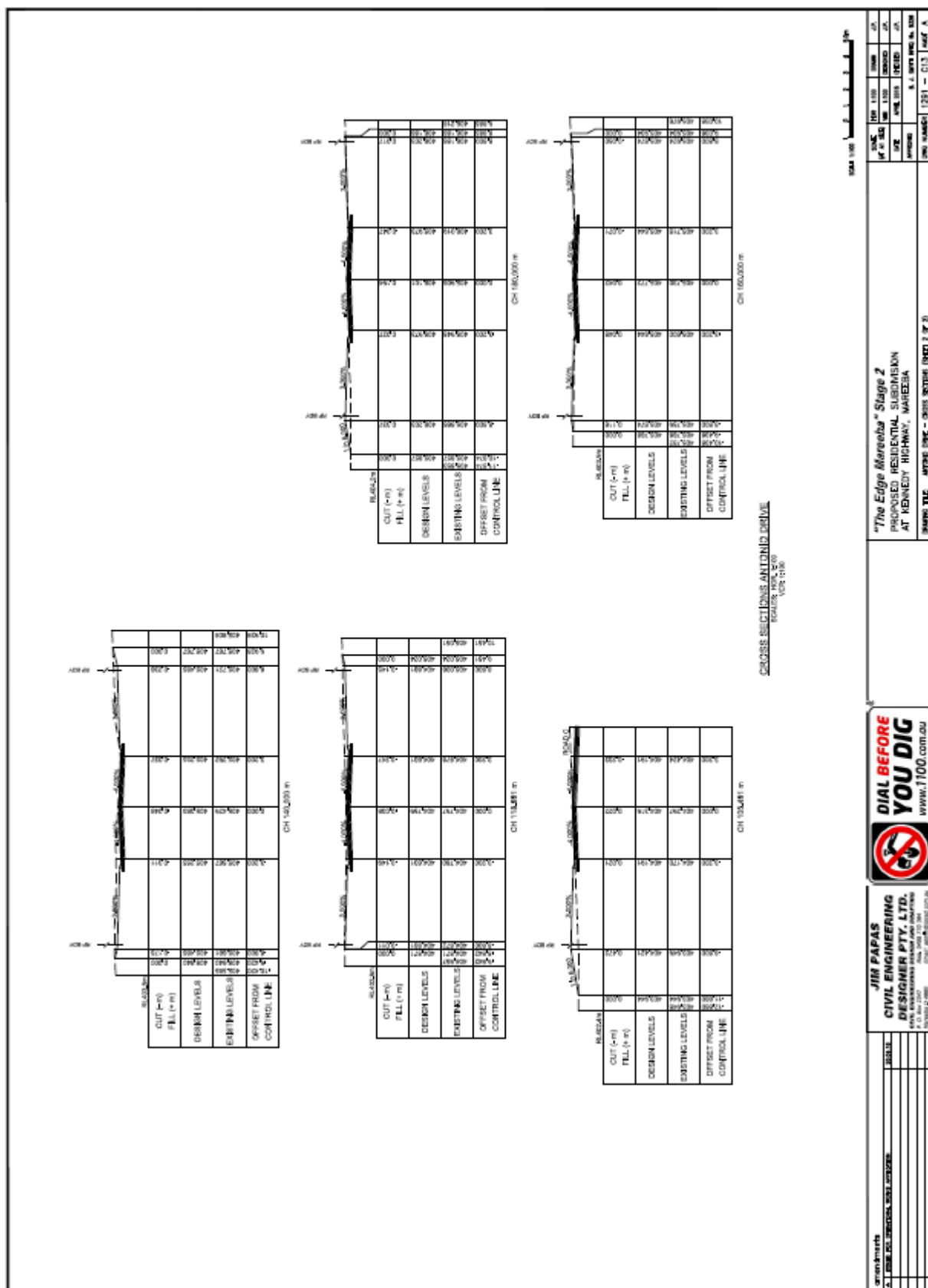


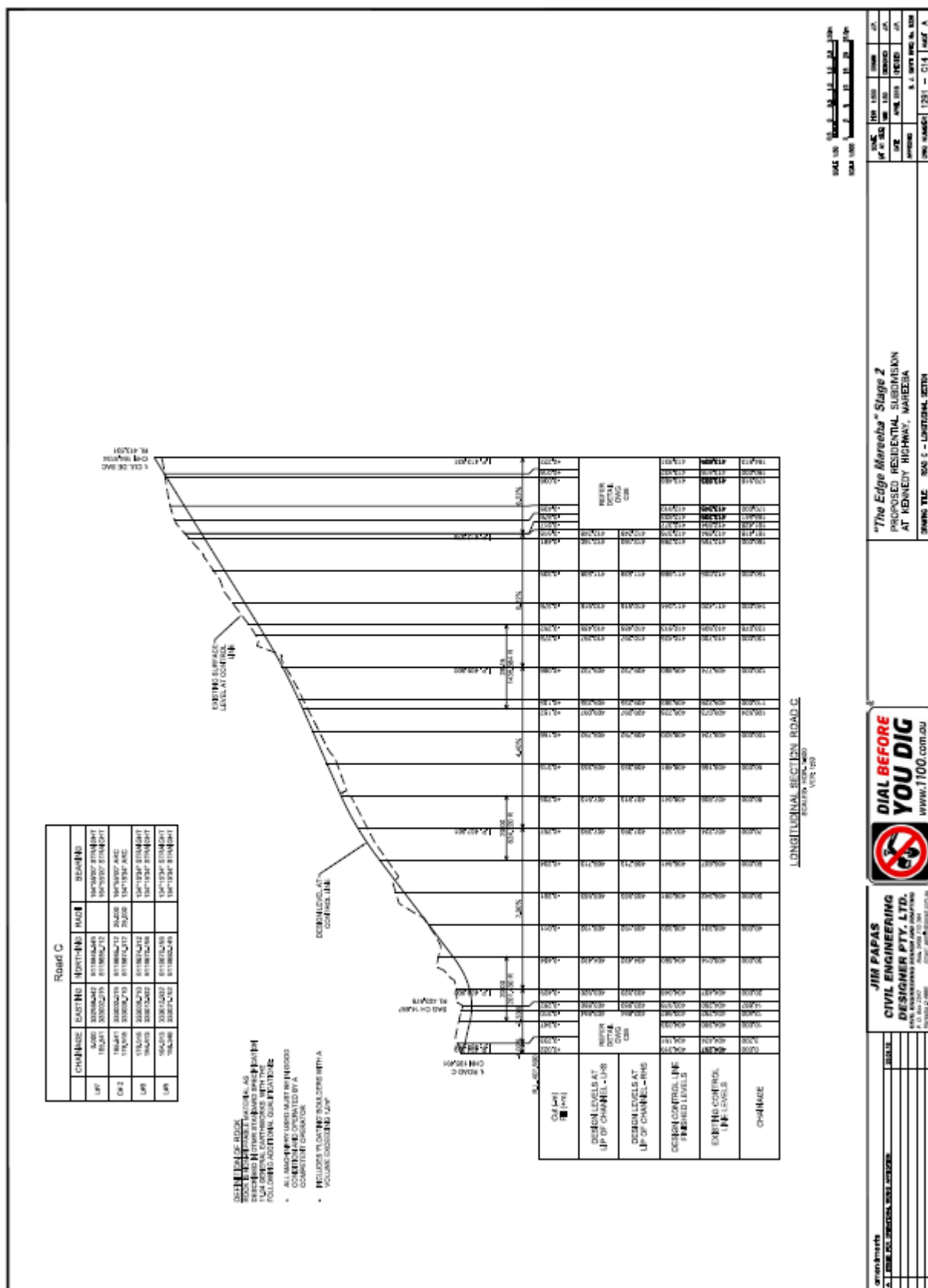


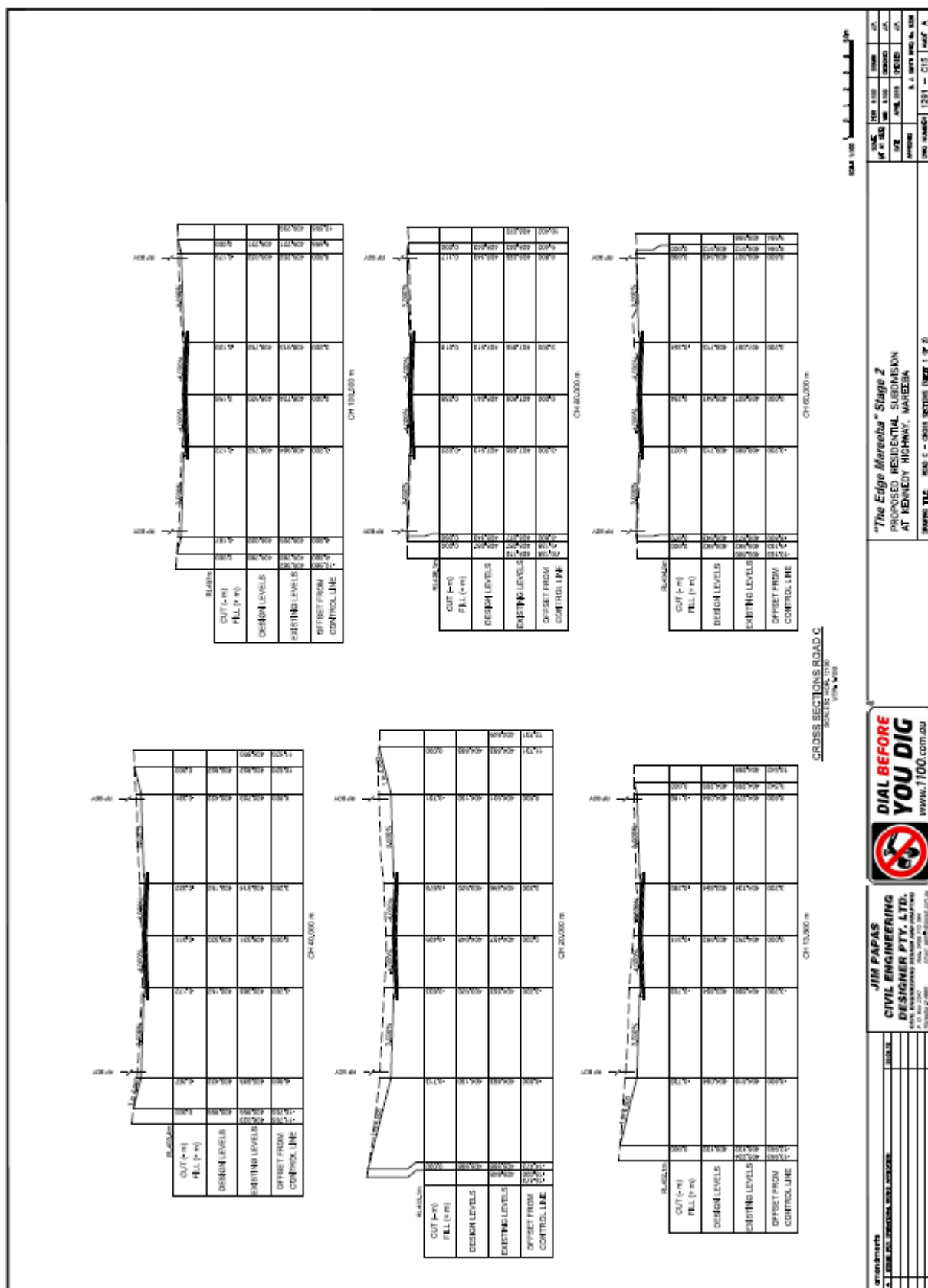


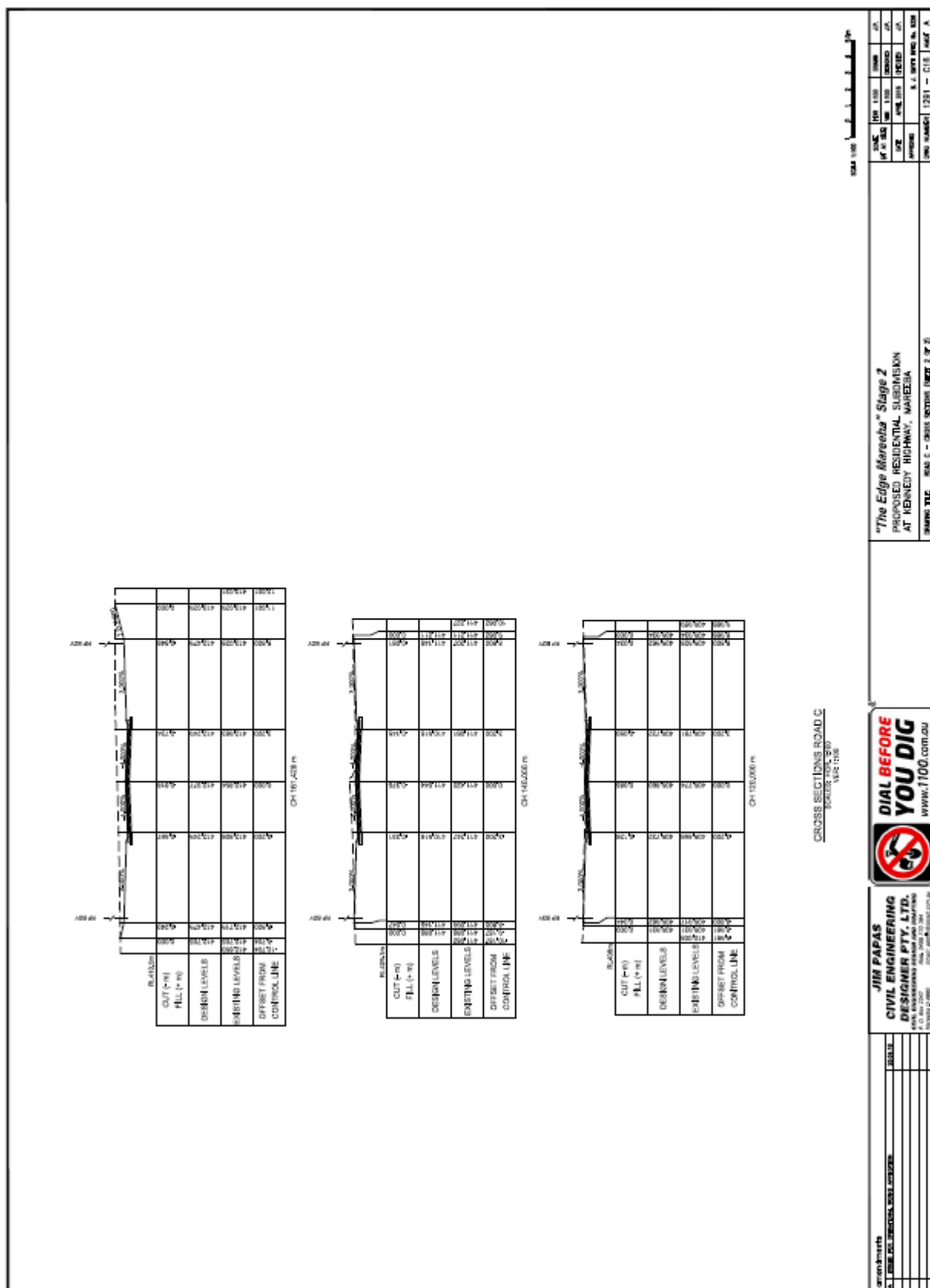


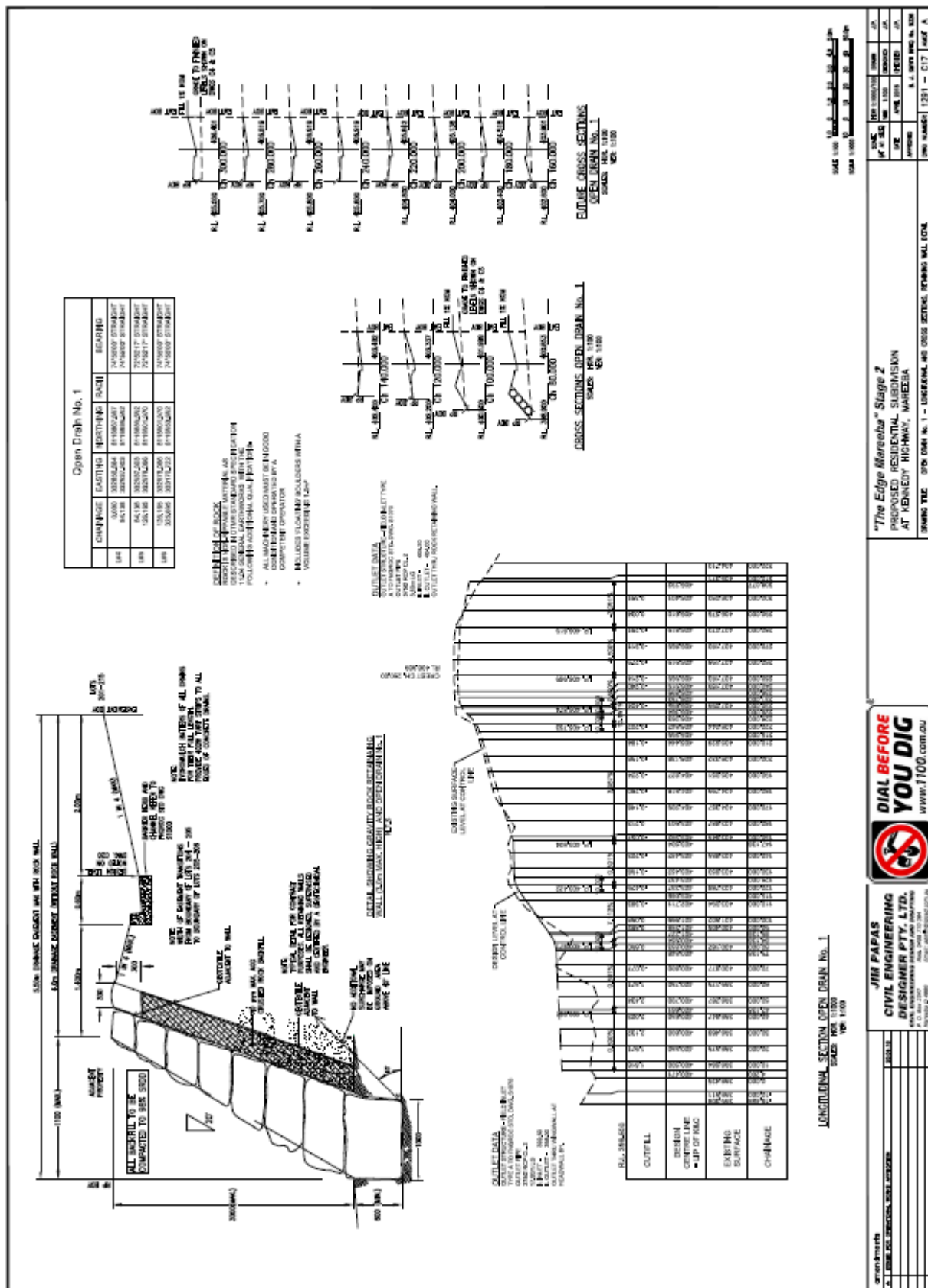


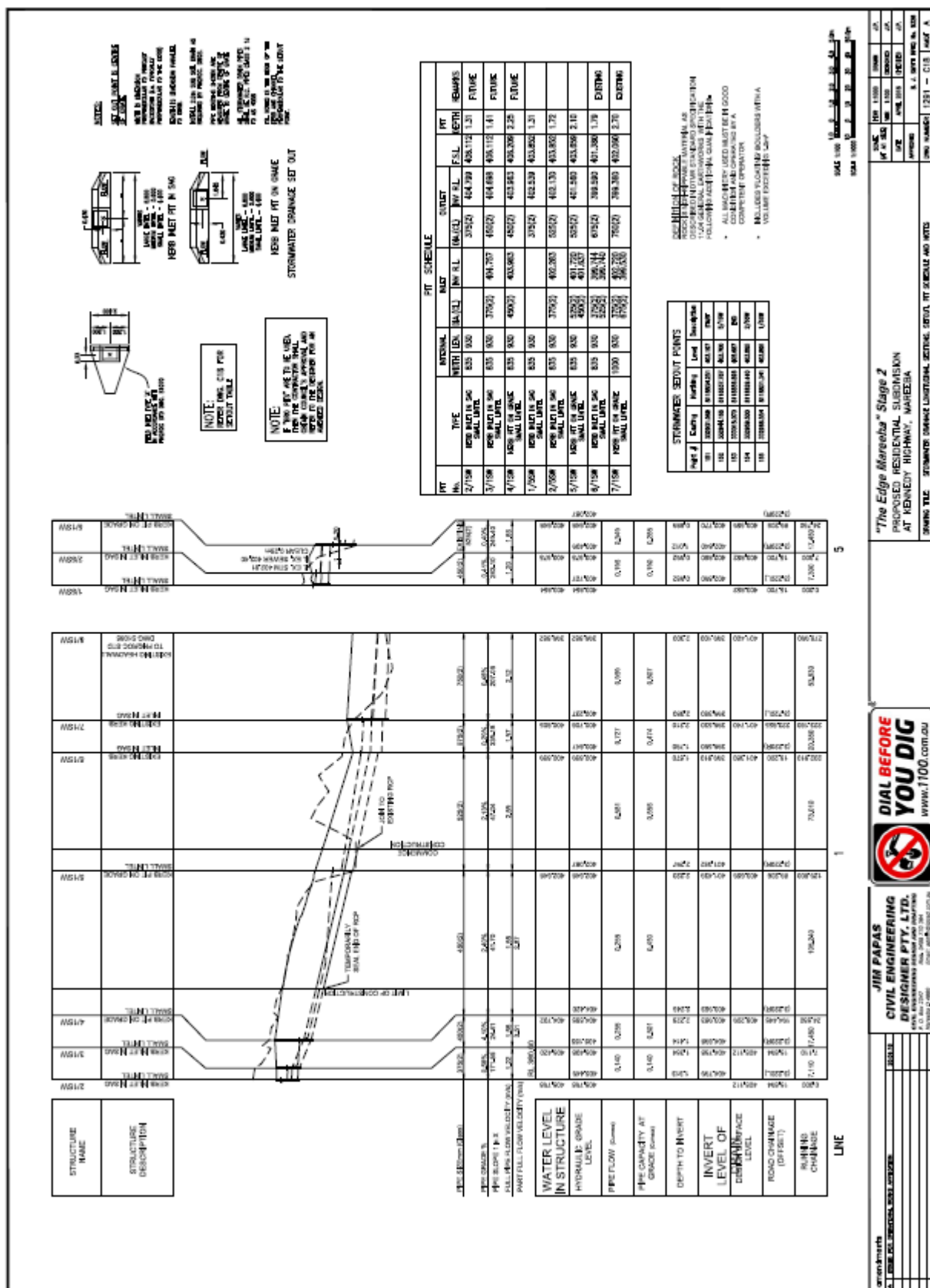


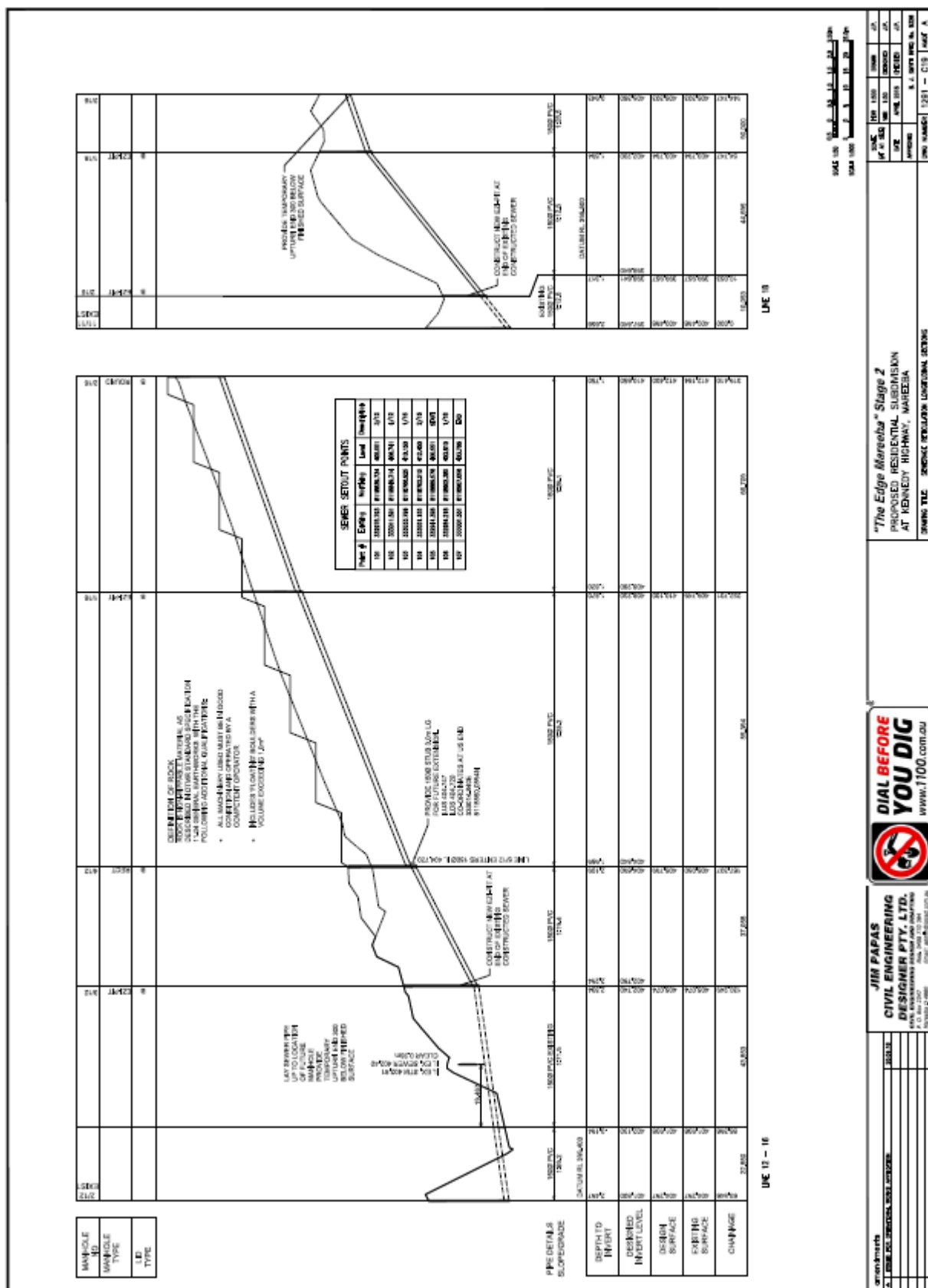




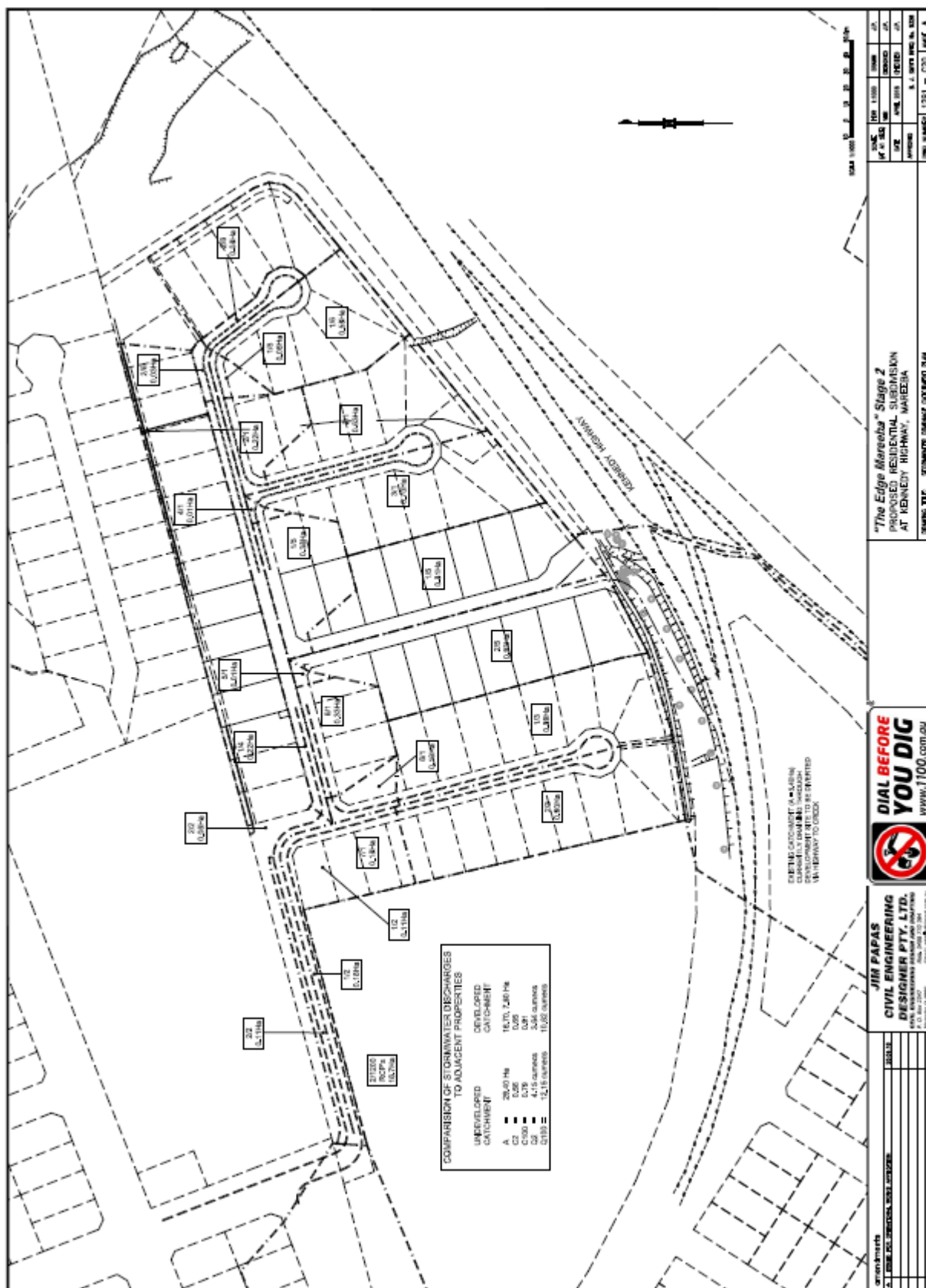














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