

**DELEGATED REPORT****TO:** SENIOR PLANNER**FROM:** PLANNING OFFICER**FILE:** OPW/18/0008**DATE:** 10 August 2018**APPLICATION DETAILS**

<b>APPLICATION</b>		<b>PREMISES</b>	
<b>APPLICANT</b>	W & C and B & A Fabris	<b>ADDRESS</b>	Wolfram Road, Dimbulah
<b>DATE LODGED</b>	8 August 2018	<b>RPD</b>	Lot 25 on HG633
<b>TYPE OF APPROVAL</b>	Development Permit		
<b>PROPOSED DEVELOPMENT</b>	Operational Works - Earthworks (Water Storage Dam)		

<b>FILE NO</b>	OPW/18/0008	<b>AREA</b>	49.27 hectares
<b>LODGED BY</b>	B Fabris	<b>OWNER</b>	W & C Fabris
<b>PLANNING SCHEME</b>	Mareeba Shire Council Planning Scheme 2016		
<b>ZONE</b>	Rural		
<b>LEVEL OF ASSESSMENT</b>	Code assessment		
<b>SUBMISSIONS</b>	n/a		

**ATTACHMENTS:** 1. Proposal Plan/s**THE SITE**

The subject site is situated approximately 8.5 kilometres west of the Dimbulah Township at Wolfram Road, Dimbulah and is described as Lot 25 on HG633. The site has an area of 39.396 hectares and is zoned *Rural* under the Mareeba Shire Council Planning Scheme 2016.

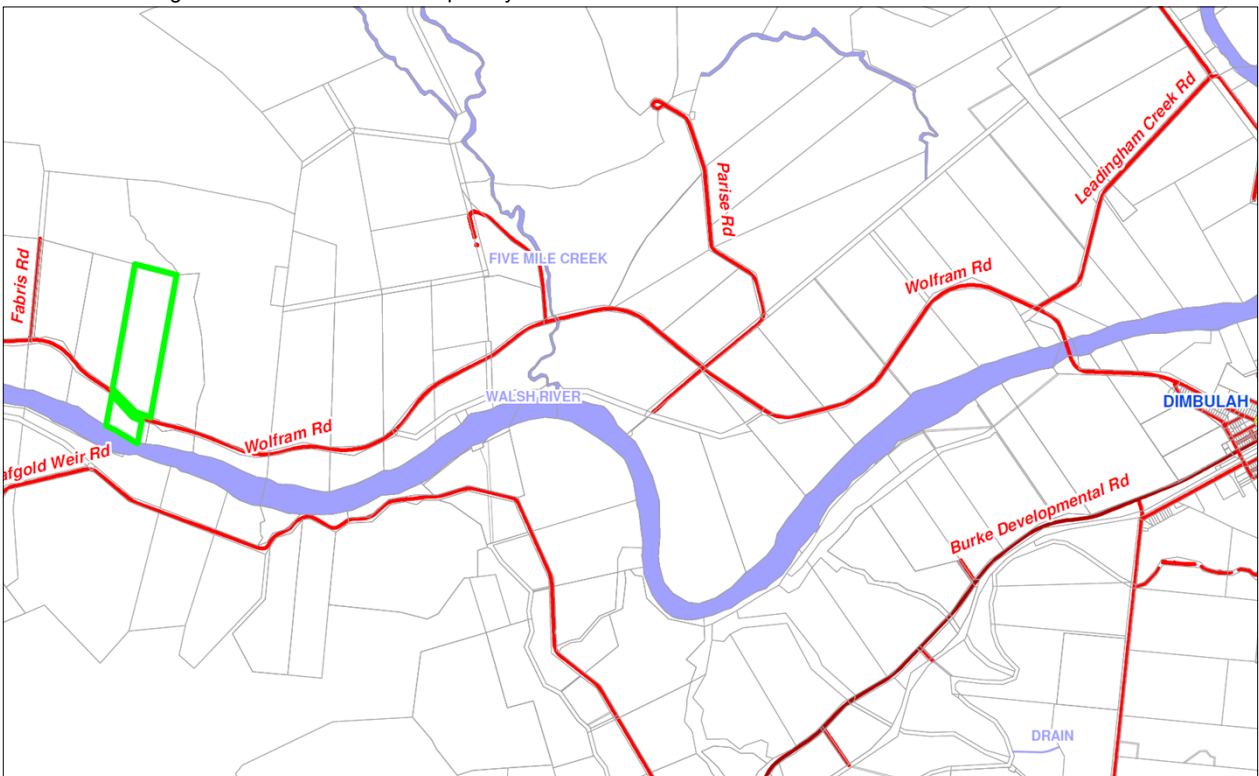
The site is accessed from Wolfram Road which bisects the site into two parcels. The predominant use of the land is for cropping and the site is improved by a dwelling and farm sheds situated on the southern portion of the property. The proposed water storage dam will be constructed on an unused portion of the site and will provide water supply security for the sites farming practices moving forward.

The Walsh River is situated immediately to the south of the site. A water supply easement spans the full length of the site's western boundary, benefitting an adjoining lot to the north. All lots surrounding the site are zoned Rural and are predominantly used for cropping and livestock grazing.



Map Disclaimer:

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## PREVIOUS APPLICATIONS & APPROVALS

Nil

## DESCRIPTION OF PROPOSED DEVELOPMENT

The application seeks a Development Permit for Operational Works - Earthworks (Water Storage Dam) in accordance with the plans shown in **Attachment 1**.

The proposed water storage will involve the construction of a 35 megalitre (approx.) water storage dam on an unused portion of the site adjacent the eastern boundary. The dam will involve the construction of a dam wall across a seasonal watercourse.

A rock lined spillway will be constructed on the dam wall and will discharge excess water into the continuing seasonal watercourse.

## ASSESSMENT

### Relevant Development Codes

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

- 6.2.9 Rural zone 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
Rural zone code	The application complies with the relevant acceptable/performance outcomes contained within the code.
Works, services and infrastructure code	The application complies with the relevant acceptable/performance outcomes contained within the code.

### 6.2.9 Rural zone code

#### 6.2.9.1 Application

- (1) This code applies to assessing development where:
  - (a) located in the Rural zone; and
  - (b) it is identified in the assessment criteria column of an assessment table in Part 5 of the planning scheme.

#### 6.2.9.2 Purpose

- (1) The purpose of the Rural zone code is to:
  - (a) provide for rural uses including cropping, intensive horticulture, intensive animal industries, animal husbandry, animal keeping and other primary production activities;
  - (b) provide opportunities for non-rural uses that are compatible with agriculture, the environmental features, and landscape character of the rural area where the uses do not compromise the long-term use of the land for rural purposes;
  - (c) protect or manage significant natural resources and processes to maintain the capacity for primary production.

- (2) Mareeba Shire Council's purpose of the Rural zone code is to recognise the importance of primary production to the economy of the region and to maintain and strengthen the range of primary industries which contribute to the rural economy.

The purpose of the Rural zone code is to:

- (a) recognise the diversity of rural uses that exists throughout the region;
- (b) protect the rural character of the region;
- (c) provide facilities for visitors and tourists that are accessible and offer a unique experience;
- (d) protect the infrastructure of the Mareeba-Dimbulah Irrigation Scheme Area from development which may compromise long term use for primary production;
- (e) maintain distinct boundaries between the rural areas and the villages, towns and urban areas of the region;
- (f) provide for a range of uses, compatible and associated with rural or ecological values including recreational pursuits and tourist activities;
- (g) prevent adverse impacts of development on ecological values;
- (h) preserve land in large holdings; and
- (i) facilitate the protection of strategic corridors across the landscape which link remnant areas of intact habitat and transport corridors.

- (3) The purpose of the Rural zone code will be achieved through the following overall outcomes:
  - (a) Areas for use for primary production are conserved and fragmentation below economically viable lot sizes is avoided;
  - (b) The establishment of a wide range of rural pursuits is facilitated, including cropping, intensive horticulture, forestry, intensive animal industries, animal husbandry and animal keeping and other compatible primary production uses;
  - (c) The establishment of extractive industries, mining and associated activities and alternative forms of energy generation is appropriate where environmental impacts and land use conflicts are minimised;
  - (d) Uses that require isolation from urban areas as a consequence of their impacts such as noise or odour may be appropriate where land use conflicts are minimised;
  - (e) Development is reflective of and responsive to the environmental constraints of the land;
  - (f) Residential and other development is appropriate only where directly associated with the rural nature of the zone;
  - (g) Low-impact tourism and recreation activities do not compromise the long-term use of the land for rural purposes;
  - (h) The viability of both existing and future rural uses and activities is protected from the intrusion of incompatible uses;
  - (i) Visual impacts of clearing, building, materials, access ways and other aspects of development are minimised or appropriately managed;
  - (j) Adverse impacts of development both on-site and from adjoining areas are avoided and any impacts are minimised through location, design, operation and management; and
  - (k) Natural features such as creeks, gullies, waterways, wetlands and bushland are retained, managed, enhanced and separated from adjacent development.

**6.2.9.3 Criteria for assessment**

**Table 6.2.9.3—Rural zone code - For self-assessable and assessable development**

Performance outcomes	Acceptable outcomes	Complies	Comments
<b>For self-assessable and assessable development</b>			
<b>Height</b>			
<b>PO1</b> Building height takes into consideration and respects the following: (a) the height of existing buildings on adjoining	<b>AO1.1</b> Development, other than buildings used for rural activities, has a maximum building height of: (a) 8.5 metres; and	n/a	Not applicable.

Performance outcomes	Acceptable outcomes	Complies	Comments
(b) premises; the development potential, with respect to height, on adjoining premises;	(b) 2 storeys above ground level.		
(c) the height of buildings in the vicinity of the site;			
(d) access to sunlight and daylight for the site and adjoining sites;	<b>AO1.2</b> Buildings and structures associated with a rural activity including machinery, equipment, packing or storage buildings do not exceed 10 metres in height.	n/a	Not applicable.
(e) privacy and overlooking; and			
(f) site area and street frontage length.			
<b>Siting, where not involving a Dwelling house</b>			
Note—Where for Dwelling house, the setbacks of the Queensland Development Code apply.			
<b>PO2</b> Development is sited in a manner that considers and respects: (a) the siting and use of adjoining premises; (b) access to sunlight and daylight for the site and adjoining sites; (c) privacy and overlooking; (d) air circulation and access to natural breezes; (e) appearance of building bulk; and (f) relationship with road corridors.	<b>AO2.1</b> Buildings and structures include a minimum setback of: (a) 40 metres from a frontage to a State-controlled road; and (b) 10 metres from a boundary to an adjoining lot.	✓	Complies.
	<b>AO2.2</b> Buildings and structures, where for a Roadside stall, include a minimum setback of 0 metres from a frontage to a road that is not a State-controlled road.	n/a	Not applicable.
	<b>AO2.3</b> Buildings and structures, except where a Roadside stall, include a minimum setback of: (a) 10 metres from a frontage to a sealed road that is not a State-controlled road; and (b) 100 metres from a frontage to any other road that is not a State-controlled road;	n/a	Not applicable.
<b>Accommodation density</b>			
<b>PO3</b> The density of Accommodation activities: (a) respects the nature and density of surrounding	<b>AO3.1</b> Residential density does not exceed one dwelling house per lot.	n/a	Not applicable.



Performance outcomes	Acceptable outcomes	Complies	Comments
<p>land use;</p> <p>(b) is complementary and subordinate to the rural and natural landscape values of the area; and</p> <p>(c) is commensurate to the scale and frontage of the site.</p>	<p><b>AO3.2</b> Residential density does not exceed two dwellings per lot and development is for:</p> <p>(a) a secondary dwelling; or</p> <p>(b) Caretaker's accommodation and includes building work or minor building work with a maximum gross floor area of 100m<sup>2</sup>; or</p> <p>(c) Rural worker's accommodation.</p>	n/a	Not applicable.
<b>For assessable development</b>			
<b>Site cover</b>			
<p><b>PO4</b> Buildings and structures occupy the site in a manner that:</p> <p>(a) makes efficient use of land;</p> <p>(b) is consistent with the bulk and scale of buildings in the surrounding area; and</p> <p>(c) appropriately balances built and natural features.</p>	<p><b>AO4</b> No acceptable outcome is provided.</p>	✓	The proposed development is for a water storage dam which is sited in a logical location on site and will not impact on the sites existing agricultural activity.
<p><b>PO5</b> Development complements and integrates with the established built character of the Rural zone, having regard to:</p> <p>(a) roof form and pitch;</p> <p>(b) eaves and awnings;</p> <p>(c) building materials, colours and textures; and</p> <p>(d) window and door size and location.</p>	<p><b>AO5</b> No acceptable outcome is provided.</p>	✓	Complies where relevant.
<b>Amenity</b>			
<p><b>PO6</b> Development must not detract from the amenity of the local area, having regard to:</p> <p>(a) noise;</p> <p>(b) hours of operation;</p> <p>(c) traffic;</p> <p>(d) advertising devices;</p> <p>(e) visual amenity;</p> <p>(f) privacy;</p> <p>(g) lighting;</p>	<p><b>AO6</b> No acceptable outcome is provided.</p>	✓	Complies.

Performance outcomes	Acceptable outcomes	Complies	Comments
(h) odour; and (i) emissions.			
<b>PO7</b> Development must take into account and seek to ameliorate any existing negative environmental impacts, having regard to: (a) noise; (b) hours of operation; (c) traffic; (d) advertising devices; (e) visual amenity; (f) privacy; (g) lighting; (h) odour; and (i) emissions.	<b>AO7</b> No acceptable outcome is provided.	n/a	Not applicable.

## 9.4.5 Works, services and infrastructure code

### 9.4.5.1 Application

- (1) This code applies to assessing development where it is identified in the assessment criteria column of an assessment table in Part 5 of the planning scheme.

### 9.4.5.2 Purpose

- (1) The purpose of the Works, services and infrastructure code is to ensure that all development is appropriately serviced by physical infrastructure, public utilities and services and that work associated with development is carried out in a manner that does not adversely impact on the surrounding area.
- (2) The purpose of the code will be achieved through the following overall outcomes:
- Development provides an adequate, safe and reliable supply of potable, fire-fighting and general use water in accordance with relevant standards;
  - Development provides for the treatment and disposal of wastewater and ensures there are no adverse impacts on water quality, public health, local amenity or ecological processes;
  - Development provides for the disposal of stormwater and ensures that there are no adverse impacts on water quality or ecological processes;
  - Development connects to the road network and any adjoining public transport, pedestrian and cycle networks while ensuring no adverse impacts on the safe, convenient and efficient operation of these networks;
  - Development provides electricity and telecommunications services that meet its desired requirements;
  - Development is connected to a nearby electricity network with adequate capacity without significant environment, social or amenity impact;
  - Development does not affect the efficient functioning of public utility mains, services or installations;
  - Infrastructure dedicated to Council is cost effective over its life cycle;
  - Work associated with development does not cause adverse impacts on the surrounding area; and
  - Development prevents the spread of weeds, seeds or other pests.

### 9.4.5.3 Criteria for assessment

**Table 9.4.5.3 - Works, services and infrastructure code – For self-assessable and assessable development**

Performance outcomes	Acceptable outcomes	Complies	Comments
<b>For self-assessable and assessable development</b>			
<b>Water supply</b>			
<b>PO1</b> Each lot has an adequate volume and supply of water that: <ol style="list-style-type: none"> <li>meets the needs of users;</li> <li>is adequate for fire-fighting purposes;</li> <li>ensures the health, safety and convenience of the community; and</li> <li>minimises adverse impacts on the receiving environment.</li> </ol>	<b>AO1.1</b> Development is connected to a reticulated water supply system in accordance with the Design Guidelines and Specifications set out in the Planning Scheme Policy 4 – FNQROC Regional Development Manual other than where located: <ol style="list-style-type: none"> <li>in the Conservation zone, Rural zone or Rural residential zone; and</li> <li>outside a reticulated water supply service area.</li> </ol>	n/a	Not applicable - the development is for a water storage dam and does not require a water supply.



Performance outcomes	Acceptable outcomes	Complies	Comments
	<p><b>AO1.2</b> Development, where located outside a reticulated water supply service area and in the Conservation zone, Rural zone or Rural residential zone is provided with:</p> <p>(a) a bore or bores are provided in accordance with the Design Guidelines set out in the Planning Scheme Policy 4 – FNQROC Regional Development Manual; or</p> <p>(b) on-site water storage tank/s:</p> <p>(i) with a minimum capacity of 90,000L;</p> <p>(ii) fitted with a 50mm ball valve with a camlock fitting; and</p> <p>(iii) which are installed and connected prior to the occupation or use of the development.</p>	n/a	See above.
<b>Wastewater disposal</b>			
<p><b>PO2</b> Each lot provides for the treatment and disposal of effluent and other waste water that:</p> <p>(a) meets the needs of users;</p> <p>(b) is adequate for fire-fighting purposes;</p> <p>(c) ensures the health, safety and convenience of the community; and</p> <p>(d) minimises adverse impacts on the receiving environment.</p>	<p><b>AO2.1</b> Development is connected to a reticulated sewerage system in accordance with the Design Guidelines and Specifications set out in the Planning Scheme Policy 4 – FNQROC Regional Development Manual other than where located:</p> <p>(a) in the Conservation zone, Rural zone or Rural residential zone; and</p> <p>(b) outside a reticulated sewerage service area.</p>	n/a	The proposed development is for a water storage dam and does not require wastewater disposal.
	<p><b>AO2.2</b> An effluent disposal system is provided in accordance with ASNZ 1547 On-Site Domestic Wastewater Management (as amended) where development is located:</p> <p>(a) in the Conservation zone, Rural zone or Rural residential zone; and</p> <p>(b) outside a reticulated sewerage service area.</p>	n/a	See above.

<b>Stormwater infrastructure</b>			
<p><b>PO3</b> Stormwater infrastructure is designed and constructed to collect and convey the design storm event to a lawful point of discharge in a manner that mitigates impacts on life and property.</p>	<p><b>AO3.1</b> Where located within a Priority infrastructure area or where stormwater infrastructure is available, development is connected to Council's stormwater network in accordance with the Design Guidelines and Specifications set out in the Planning Scheme Policy 4 – FNQROC Regional Development Manual.</p>	n/a	The proposed development is for a water storage dam and does not require a stormwater connection.
	<p><b>AO3.2</b> On-site drainage systems are constructed:</p> <ul style="list-style-type: none"> <li>(a) to convey stormwater from the premises to a lawful point of discharge; and</li> <li>(b) in accordance with the Design Guidelines and Specifications set out in the Planning Scheme Policy 4 – FNQROC Regional Development Manual.</li> </ul>	✓	The proposed dam will include a spillway which will direct excess water downstream of the dam through the existing gully.
<b>Electricity supply</b>			
<p><b>PO4</b> Each lot is provided with an adequate supply of electricity</p>	<p><b>AO4</b> The premises:</p> <ul style="list-style-type: none"> <li>(a) is connected to the electricity supply network; or</li> <li>(b) has arranged a connection to the transmission grid; or</li> <li>(c) where not connected to the network, an independent energy system with sufficient capacity to service the development (at near average energy demands associated with the use) may be provided as an alternative to reticulated electricity where: <ul style="list-style-type: none"> <li>(i) it is approved by the relevant regulatory authority; and</li> <li>(ii) it can be demonstrated that no air or noise emissions; and</li> <li>(iii) it can be demonstrated that no adverse impact on visual amenity will occur.</li> </ul> </li> </ul>	n/a	Not applicable.

<b>Telecommunications infrastructure</b>			
<b>PO5</b> Each lot is provided with an adequate supply of telecommunication infrastructure	<b>AO5</b> Development is provided with a connection to the national broadband network or telecommunication services.	n/a	Not applicable.
<b>Existing public utility services</b>			
<b>PO6</b> Development and associated works do not affect the efficient functioning of public utility mains, services or installations.	<b>AO6</b> Public utility mains, services are relocated, altered or repaired in association with the works so that they continue to function and satisfy the relevant Design Guidelines and Specifications set out in the Planning Scheme Policy 4 – FNQROC Regional Development Manual.	n/a	Not applicable.
<b>Excavation or filling</b>			
<b>PO7</b> Excavation or filling must not have an adverse impact on the: (a) streetscape; (b) scenic amenity; (c) environmental values; (d) slope stability; (e) accessibility; or (f) privacy of adjoining premises.	<b>AO7.1</b> Excavation or filling does not occur within 1.5 metres of any site boundary.	✓	Complies.
	<b>AO7.2</b> Excavation or filling at any point on a lot is to be no greater than 1.5 metres above or below natural ground level.	✓ Complies with performance outcome	The proposed water storage dam will involve construction typically found in rural areas.  The dam is not likely to have a visual impact on surrounding properties given the rural locality.
	<b>AO7.3</b> Earthworks batters: (a) are no greater than 1.5 metres in height; (b) are stepped with a minimum width 2 metre berm; (c) do not exceed a maximum of two batters and two berms (not greater than 3.6 metres in total height) on any one lot; (d) have a slope no greater than 1 in 4; and (e) are retained.	✓ Complies with performance outcome.	The dam wall design has been certified by an RPEQ.
	<b>AO7.4</b> Soil used for filling or spoil from excavation is not stockpiled in locations that can be viewed from: (a) adjoining premises; or (b) a road frontage, for a period exceeding 1 month from the	✓	Can be conditioned to comply.

	commencement of the filling or excavation.		
	<b>AO7.5</b> All batters and berms to be constructed in accordance with the Design Guidelines and Specifications set out in the Planning Scheme Policy 4 – FNQROC Regional Development Manual.	✓	Can be conditioned to comply.
	<b>AO7.6</b> Retaining walls have a maximum height of 1.5 metres and are designed and constructed in accordance with the Design Guidelines and Specifications set out in the Planning Scheme Policy 4 – FNQROC Regional Development manual.	n/a	Not applicable.
	<b>AO7.7</b> Excavation or filling at any point on a lot is to include measures that protect trees at the foot or top of cut or fill batters by the use of appropriate retaining methods and sensitive earth removal or placement and in accordance with the Design Guidelines and Specifications set out in the Planning Scheme Policy 4 – FNQROC Regional Development manual.	✓	Can be conditioned to comply.
<b>For assessable development</b>			
<b>Transport network</b>			
<b>PO8</b> The development has access to a transport network of adequate standard to provide for the safe and efficient movement of vehicles, pedestrians and cyclists.	<b>AO8.1</b> Vehicle access, crossovers, road geometry, pavement, utilities and landscaping to the frontage/s of the site are designed and constructed in accordance with the Design Guidelines and Specifications set out in the Planning Scheme Policy 4 – FNQROC Regional Development manual.	n/a	Not applicable.
	<b>AO8.2</b> Development provides footpath pavement treatments in accordance with Planning Scheme Policy 9 – Footpath Paving.	n/a	Not applicable.
<b>Public infrastructure</b>			
<b>PO9</b> The design, construction and provision of any infrastructure that is to be dedicated to Council is cost effective over its life cycle and incorporates	<b>AO9</b> Development is in accordance with the Design Guidelines and Specifications set out in the Planning Scheme Policy 4 –	n/a	Not applicable.

provisions to minimise adverse impacts.	FNQROC Regional Development Manual.		
<b>Stormwater quality</b>			
<p><b>PO10</b> Development has a non-worsening effect on the site and surrounding land and is designed to:</p> <ul style="list-style-type: none"> <li>(a) optimise the interception, retention and removal of waterborne pollutants, prior to the discharge to receiving waters;</li> <li>(b) protect the environmental values of waterbodies affected by the development, including upstream, on-site and downstream waterbodies;</li> <li>(c) achieve specified water quality objectives;</li> <li>(d) minimise flooding;</li> <li>(e) maximise the use of natural channel design principles;</li> <li>(f) maximise community benefit; and</li> <li>(g) minimise risk to public safety.</li> </ul>	<p><b>AO10.1</b> The following reporting is prepared for all Material change of use or Reconfiguring a lot proposals:</p> <ul style="list-style-type: none"> <li>(a) a Stormwater Management Plan and Report that meets or exceeds the standards of design and construction set out in the Queensland Urban Drainage Manual (QUDM) and the Design Guidelines and Specifications set out in the Planning Scheme Policy 4 – FNQROC Regional Development Manual; and</li> <li>(b) an Erosion and Sediment Control Plan that meets or exceeds the Soil Erosion and Sedimentation Control Guidelines (Institute of Engineers Australia), including: <ul style="list-style-type: none"> <li>(i) drainage control;</li> <li>(ii) erosion control;</li> <li>(iii) sediment control; and</li> <li>(iv) water quality outcomes.</li> </ul> </li> </ul>	n/a	Not applicable.
	<p><b>AO10.2</b> For development on land greater than 2,500m<sup>2</sup> or that result in more than 5 lots or more than 5 dwellings or accommodation units, a Stormwater Quality Management Plan and Report prepared and certified by a suitably qualified design engineer (RPEQ) is prepared that demonstrates that the development:</p> <ul style="list-style-type: none"> <li>(a) meets or exceeds the standards of design and construction set out in the Urban Stormwater Quality Planning Guideline and the Queensland Water Quality Guideline;</li> <li>(b) is consistent with any local area stormwater water management planning;</li> <li>(c) accounts for development type, construction phase, local climatic conditions and design objectives; and</li> <li>(d) provides for stormwater quality treatment measures reflecting land use</li> </ul>	n/a	Not applicable.

	constraints, such as soil type, landscape features (including landform), nutrient hazardous areas, acid sulfate soil and rainfall erosivity.		
<p><b>PO11</b> Storage areas for stormwater detention and retention:</p> <ul style="list-style-type: none"> <li>(a) protect or enhance the environmental values of receiving waters;</li> <li>(b) achieve specified water quality objectives;</li> <li>(c) where possible, provide for recreational use;</li> <li>(d) maximise community benefit; and</li> <li>(e) minimise risk to public safety.</li> </ul>	<p><b>AO11</b> No acceptable outcome is provided.</p>	n/a	Not applicable.
<b>Excavation or filling</b>			
<p><b>PO12</b> Traffic generated by filling or excavation does not impact on the amenity of the surrounding area.</p>	<p><b>AO12.1</b> Haul routes used for transportation of fill to or from the site only use major roads and avoid residential areas.</p>	n/a	Not applicable - The subject site is only accessible via rural roads.
	<p><b>AO12.2</b> Transportation of fill to or from the site does not occur:</p> <ul style="list-style-type: none"> <li>(a) within peak traffic times; and</li> <li>(b) before 7am or after 6pm Monday to Friday;</li> <li>(c) before 7am or after 1pm Saturdays; and</li> <li>(d) on Sundays or Public Holidays.</li> </ul>	✓	Can be conditioned to comply.



<b>PO13</b> Air pollutants, dust and sediment particles from excavation or filling, do not cause significant environmental harm or nuisance impacts.	<b>AO13.1</b> Dust emissions do not extend beyond the boundary of the site.	✓	Can be conditioned to comply.
	<b>AO13.2</b> No other air pollutants, including odours, are detectable at the boundary of the site.	✓	Can be conditioned to comply.
	<b>AO13.3</b> A management plan for control of dust and air pollutants is prepared and implemented.	✓	Can be conditioned to comply.
<b>PO14</b> Access to the premises (including driveways and paths) does not have an adverse impact on: (a) safety; (b) drainage; (c) visual amenity; and (d) privacy of adjoining premises.	<b>AO14</b> Access to the premises (including all works associated with the access): (a) must follow as close as possible to the existing contours; (b) be contained within the premises and not the road reserve, and (c) are designed and constructed in accordance with the Design Guidelines and Specifications set out in the Planning Scheme Policy 4 – FNQROC Regional Development manual.	✓	Can be conditioned to comply.
<b>Weed and pest management</b>			
<b>PO15</b> Development prevents the spread of weeds, seeds or other pests into clean areas or away from infested areas.	<b>AO15</b> No acceptable outcome is provided.	✓	Can be conditioned to comply.
<b>Contaminated land</b>			
<b>PO16</b> Development is located and designed to ensure that users and nearby sensitive land uses are not exposed to unacceptable levels of contaminants	<b>AO16</b> Development is located where: (a) soils are not contaminated by pollutants which represent a health or safety risk to users; or (b) contaminated soils are remediated prior to plan sealing, operational works permit, or issuing of building works permit.	n/a	Not applicable.
<b>Fire services in developments accessed by common private title</b>			
<b>PO17</b> Fire hydrants are located in positions that will enable fire services to access water safely, effectively and efficiently.	<b>AO17.1</b> Fire hydrants are located in accessways or private roads held in common private title at a maximum spacing of: (a) 120 metres for residential development; and (b) 90 metres for any other development.	n/a	Not applicable.

	<b>AO17.2</b> Fire hydrants are located at all intersections of accessways or private roads held in common private title.	n/a	Not applicable.
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### FNQROC Regional Development Manual

Section	Assessment
DP1 - Development Principles	N/A
AP1 - Application Procedures	OK
D1 - Road Geometry	N/A
D2 - Site Regrading	OK
D3 - Road Pavements	N/A
D4 - Stormwater Drainage	N/A
D5 - Stormwater Quality Management	N/A
D6 - Water Reticulation	N/A
D7 - Sewerage System	N/A
D8 - Utilities	N/A
D9 - Landscaping	N/A
CP1 - Construction Procedures	OK
S1 - Earthworks Specifications	OK
S2 - Road Pavement Specifications	N/A
S3 - Segmental Paving Specifications	N/A
S4 - Stormwater Drainage Specifications	N/A
S5 - Water Reticulation Specifications	N/A
S6 - Sewerage Reticulation Specifications	N/A
S7 - Concrete Works Specifications	N/A
S8 - Landscaping Specifications	N/A
LG Specific -TRC Requirements	N/A
Standard Drawings	N/A

### REFERRALS

The application triggered a referral to the State Referral Agency for clearing of vegetation.

That Department advised in a response dated 27 March 2018 that they require the conditions to be attached to any approval (**Attachment 2**).

### Internal Consultation

Technical Services

### OFFICER'S RECOMMENDATION

1. That in relation to the following development application:

APPLICATION		PREMISES	
<b>APPLICANT</b>	W & C and B & A Fabris	<b>ADDRESS</b>	Wolfram Road, Dimbulah
<b>DATE LODGED</b>	8 August 2018	<b>RPD</b>	Lot 25 on HG633
<b>TYPE OF APPROVAL</b>	Development Permit		
<b>PROPOSED DEVELOPMENT</b>	Operational Works - Earthworks (Water Storage Dam)		

and in accordance with the Planning Act 2016, the applicant be notified that the application for a development permit for the development specified in (A) is:

Approved by Council in accordance with the approved plans/documents listed in (B), subject to assessment manager conditions in (C), assessment manager's advice in (D), further permits in (E), and further approvals from Council listed in (F);

And

The assessment manager does not consider that the assessment manager's decision conflicts with a relevant instrument.

(A) APPROVED DEVELOPMENT: Development Permit for Operational Works - Earthworks (Water Storage Dam)

(B) APPROVED PLANS:

Plan/Document Number	Plan/Document Title	Prepared by	Dated
-	Site Plan - Dam Wall Location	Applicant	10/08/2018
FAB_001_A3_Rev1	Proposed Dam-Site	North Australian Water Strategies	January 2017

(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.
- (iv) Note, this approval is for a water storage dam only. The dam is NOT to be used for swimming. If it is to be used for swimming then a separate Development Permit will need to be obtained for building work.

- (b) Filling or excavation (excluding access roads) is not permitted within 1.5 metres of any property boundary.
- (c) 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.
- (d) 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.
- (e) Dam Construction
- (i) Dam construction must be undertaken in accordance with design plan and engineering notes submitted with the application.
- (ii) Within three (3) months following the completion of construction of dam works, any disturbed areas are grassed to provide a coverage of at least 8m<sup>2</sup> in every 10m<sup>2</sup> to minimise the potential for erosion or dust.
- (iii) At the completion of construction, the applicant/developer is to provide Council with certification from a RPEQ engineer confirming that the dam has been constructed in accordance with the certified design plan and engineering advice listed in (i) above.

(D) RELEVANT PERIOD

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

- Any other development – two (2) years (starting the day the approval takes effect).

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

- Nil

(F) 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 a delegate of Council, the application subject to the conditions listed in the report.

Dated the 10<sup>TH</sup> day of AUGUST 2018



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

MAREEBA SHIRE  
AS A DELEGATE OF THE COUNCIL

APPROVED PLANS

Site Plan - Dam Wall Location

10/08/2018

