

## 5.8. RECONFIGURING A LOT - 2 ANDREWS STREET NEWELL BEACH

<b>REPORT AUTHOR</b>	Neil Beck, Team Leader Planning
<b>MANAGER</b>	Paul Hoyer, Manager Environment and Planning
<b>DEPARTMENT</b>	Environment and Planning
<b>APPLICATION NO</b>	ROL 2021_4160/1
<b>PROPOSAL</b>	Reconfiguring a Lot (1 lot into 22 lots)
<b>APPLICANT</b>	F R Coulthard & C B Coulthard C/- Brazier Motti Pty Ltd PO Box 1185 CAIRNS QLD 4870
<b>LOCATION</b>	2 Andrews Street NEWELL
<b>PROPERTY</b>	LOT: 51 SP: 168537 <b>PARCEL</b> 11485
<b>PLANNING SCHEME</b>	2018 Douglas Shire Council Planning Scheme Version 1.0
<b>ZONING</b>	Part Rural Zone Part Low Density Residential Zone
<b>LEVEL OF ASSESSMENT</b>	Code
<b>PROPERLY MADE DATE</b>	3 June 2021
<b>STATUTORY ASSESSMENT DEADLINE</b>	10 October 2022
<b>REFERRAL AGENCIES</b>	N/A

### LOCALITY



Figure 1 – Locality Plan

## RECOMMENDATION

That Council approves the development application for reconfiguration of a lot, (Stage 1 & Stage 2) for residential lots, road and a balance lot over land described as Lot 51 on SP168537 located at 2 Andrews Close, Newell Beach subject to the following:

### APPROVED DRAWING(S) AND / OR DOCUMENT(S)

The term 'approved drawing(s) and/or document(s) or other similar expressions means:

Drawing or Document	Reference	Date
Proposed Reconfiguration (Stage 1)	Plan No. 34678/003 Issue A	23/12/2020
Proposed Reconfiguration (Stage 1)	Plan No. 34678/004 Issue C	19/08/2022
Technical Report		
Newell Beach Flood Study prepared by Bligh Tanner	Job No. 2021.0566	2/08/2022

### ASSESSMENT MANAGER CONDITIONS & ADVICES

The approval is subject to the following conditions and advices

#### Assessment Manager Conditions

1. Carry out the approved development generally in accordance with the approved drawing(s) and/or document(s), and in accordance with:
  - a. The specifications, facts and circumstances as set out in the application submitted to Council; and
  - b. The following conditions of approval and the requirements of Council's Planning Scheme and the FNQROC Development Manual.

Except where modified by these conditions of approval

#### Timing of Effect

2. The conditions of the Development Permit must be effected prior to the approval of the Plan of Survey, except where specified otherwise in these conditions of approval.

#### Lot Layout

3. The lot layout plan must be revised and provided to the satisfaction of the Chief Executive Officer prior to the lodgement of the application for operational work, generally in accordance with the Brazier Motti Plan No. 34678/004 Issue C dated 19 August 2022 and amended to detail:
  - a. Allotments 8 – 13 to be reconfigured to provide less than 6 allotments to be endorsed by the Chief Executive Officer; and

- b. Provide a corridor to accommodate the water main to connect from Coulthard Close to Pacific Street as required by conditions of this Development Permit. The water main must be contained within an easement;

#### **Water Supply Infrastructure Plan**

- 4. A detailed Water Supply infrastructure plan and supporting information including hydraulic network analysis must be submitted demonstrating how the development will be serviced from Council's Infrastructure.

The detailed Water Supply plan is to demonstrate the capacity of the existing network to service the development in accordance with the standards of service specified within the FNQROC Development Manual. In particular, the Masterplan must:

- a. identify the water supply network catchment or catchments that the development relies upon;
- b. provide a detailed hydraulic network analysis and supporting calculations which demonstrate any augmentations or upgrades required to existing water supply infrastructure to ensure the required standard of service is achieved for the development;
- c. identify the connection points and land tenure arrangements for new and existing infrastructure required to ensure an adequate standard of service is achieved for the development;
- d. Provide a loop main connecting Pacific Street to Coulthard Close to ensure adequate pressure and reliability of supply.

The water supply infrastructure plan must be endorsed by the Chief Executive Officer prior to the issue of a Development Permit for Operational Works.

#### **Water Supply Works**

- 5 A Development Approval for Operational Work must be obtained for the design and construction of all internal and external water supply infrastructure that is required to ensure an adequate standard of service is achieved for the development.

As part of any such Development Application, evidence must be provided that the development does not adversely affect the water supply to external properties adjacent to the development.

Water supply works required to ensure an adequate standard of service is achieved for the development must be designed and constructed at no cost to Council.

All works must be carried out in accordance with the approved plans, to the requirements and satisfaction of the Chief Executive Officer prior to the issue of a Compliance Certificate for the Plan of Survey.

## **On-Site Effluent Disposal**

6. The method of on-site effluent disposal must be in accordance with the Queensland Plumbing & Wastewater Code. Details of the wastewater treatment system to be installed must be approved by the Chief Executive Officer prior to the construction of dwellings on each of the proposed allotments.

## **Acid Sulfate Soil Investigation**

7. Undertake an Acid Sulfate Soil investigation in the area to be affected by this development. Soil sampling and analysis must be undertaken in accordance with procedures specified in '*Guidelines for Sampling and Analysis of Lowland Acid Sulfate Soils in Queensland*' (1998) or updated version of document produced by Department of Environment and Resource Management, (Previously DNRW – QASSIT), and State Planning Policy 2/02 – '*Planning and Managing Development involving Acid Sulfate Soils*'. The results of this investigation must be submitted to Council for approval prior to any earthworks or clearing being commenced on the site.

Identification of soils with a pyrite content in excess of the action levels nominated in the latest version of DNRW – QASSIT: '*Guidelines for Sampling and Analysis of Lowland Acid Sulfate Soils in Queensland*' (1998) will trigger the requirement for preparation of an Acid Sulfate Soil Environmental Management Plan in accordance with the most recent requirements of the DNRW: '*Queensland Acid Sulfate Soil Technical Manual*' (2002), including Soil Management Guidelines (updated Feb 2003), which must be prepared to the satisfaction of the Chief Executive Officer.

## **Drainage Study of Site**

8. The development is to be undertaken in accordance with the findings and recommendations of the Bligh Tanner Report on Newell Beach Flood Study Dated 2 August 2022, except where modified by the conditions.

The applicant is to undertake additional local drainage calculations and reporting for the design of the internal road and stormwater drainage system and for the rear allotment drains. The supporting calculations are to confirm that the peak flows from the shorter duration rainfall events are contained within the drains and drainage easements.

In relation to the local drainage elements, the additional calculations are to determine the drainage impacts on upstream and downstream properties and the mitigation measures required to minimise such impacts. In particular, the further advice must address the following:

- a. The contributing catchment boundaries to the local drains;
- b. The depth, velocity and extent of the 100-year ARI peak runoff flows in the allotment catch drain post-development. Based on the drain operation, confirm the extent of the drainage easements;
- c. Information on the proposed works and any impacts proposed at the drainage outlet from the proposed development.

- d. Confirmation of the severe impact assessment for the scenario where the crossroad culverts are blocked.

The report on the local drainage elements must be endorsed by the Chief Executive Officer prior to the issue of a Development Permit for Operational Works.

#### **Earthworks**

- 9. The development is to be undertaken generally in accordance with Civil Walker drawings 214-001-SK03 and SK04 (Revision 1) except as follows:
  - a. Unless otherwise approved following the severe impact assessment findings and detailed flood calculations for local drains, the levels on lots 1, 2, 20 and 21 are to be amended as follows:
    - i. Within 1m of the lot frontage the lot level must achieve a minimum earthworks level of 3.5m AHD. A small batter along the frontage of lots is to be provided to transition from the verge level to this minimum level.
    - ii. The rear allotment level is to be a minimum of 3.7m AHD;

#### **Demolish Structures**

- 10. All structures not associated with the approved development (including disused services and utilities) must be demolished and/or removed from the subject land prior to the issue of a Compliance Certificate for the Plan of Survey.

#### **Stockpiling and Transportation of Fill Material**

- 11. Soil used for filling or spoil from the excavation is not to be stockpiled in locations that can be viewed from adjoining premises or a road frontage for any longer than one (1) month from the commencement of works.

Transportation of fill or spoil to and from the site must not occur within:

- a. peak traffic times; or
  - b. before 7:00 am or after 6:00 pm Monday to Friday; or
  - c. before 7:00 am or after 1:00 pm Saturdays; or
  - d. on Sundays or Public Holidays.
- 12. Dust emissions or other air pollutants must not extend beyond the boundary of the site and cause a nuisance to surrounding properties.

#### **Storage of Machinery and Plant**

- 13. The storage of any machinery, material and vehicles must not cause a nuisance to surrounding properties, to the satisfaction of the Chief Executive Officer.

#### **Drainage Construction**

- 14. The applicant / owner must undertake the development of the land in accordance with the findings of the Drainage Study dated 2 August 2022 prepared by Bligh Tanner and generally in accordance with Civil Walker drawings 214-001-SK03 and SK04 (Revision 1) except where modified by the conditions.

## **Drainage Easements**

- 15. Drainage Easements as nominated in the Bligh Tanner Drainage Study, dated 2 August 2022, must be granted in favour of Council. A copy of the easement documents must be submitted to Council for the approval of Council's solicitors at no cost to Council. The approved easement documents must be submitted at the same time as seeking approval and dating of the Plan of Survey and must be lodged and registered with the Department of Resources. The easement document must nominate that the maintenance obligations for the easement resides with the respective property owners.**

## **Lawful Point of Discharge**

- 16. All stormwater from the property must be directed to a lawful point of discharge such that it does not adversely affect surrounding properties or properties downstream from the development to the requirements and satisfaction of the Chief Executive Officer.**

## **Plan of Drainage Works**

- 17. The subject land must be drained to the satisfaction of the Chief Executive Officer. In particular,**
  - a. Drainage infrastructure in accordance with the FNQROC Development Manual**
  - b. The drainage system from the development must incorporate a gross pollutant trap(s) or equivalent measure(s), meeting the following Council specifications for stormwater quality improvement devices (SQID), namely:**
    - i. End-of-line stormwater quality improvement devices (SQID) shall be of a proprietary design and construction and shall carry manufacturer's performance guarantees as to removal of foreign matter from stormwater and structural adequacy of the unit.**
    - ii. SQIDs shall remove at least ninety-five per cent of all foreign matter with a minimum dimension of three (3) mm and shall be configured to prevent re-injection of captured contaminants. The SQID treat all first flush runoff, which shall be defined as that volume of water equivalent to the runoff from the three (3) month ARI storm event. The location of SQIDs within the drainage system shall be planned to ensure that the first flush waters from all parts of the (developed) catchment are treated.**
    - iii. The design of the SQID shall not compromise the hydraulic performance of the overall drainage system.**
    - iv. SQIDs shall be positioned so as to provide appropriate access for maintenance equipment.**
  - c. All new allotments shall have immunity from flooding associated with an ARI 100 year rainfall event; and**
  - d. Where practical, all new allotments must be drained to the road frontages, drainage easements or drainage reserves and discharged to the existing drainage system via storm water quality device(s).**

- e. The current earthworks concept on Civil Walker Drawing 214-001-SK03 drawings indicate the open drain at the rear of lots 1 to 9 to have a very flat grade in the order of 0.25%. This drain must be provided with a concrete invert for its full length. Detailed flow calculations must confirm that the drain profile can contain the 1%AEP runoff from the local catchment.

The concrete invert must extend along the northern side of Lot 1 to the cross culvert apron, and must extend west from the culvert outlet to the western boundary of the easement in Lot 21.

#### **Landscape Plan**

18. Undertake landscaping of the site and street frontages of new roads in accordance with FNQROC Development Manual and in accordance with a landscape plan. The landscape plan must be endorsed by the Chief Executive Officer prior to the issue of a Development Permit for Operational Work. In particular, the plan must show:
  - a. Planting of the footpath with trees, using appropriate species with consideration to be given to creating an individual sense of place and character to the estate;
  - b. The provision of suitable shade trees;
  - c. Species to have regard to the Planning Scheme Policy No.SC6.7 Landscaping; and
  - d. Road verges to be seeded and grassed with turf adjacent back of kerb and placed in strip at right angles to kerb;

Permanent irrigation or any other embellishments are not permitted.

Inclusion of all requirements as detailed in other relevant conditions included in this Approval, with a copy of this Development Approval to be given to the applicant's Landscape Architect / Designer.

One (1) A3 copy of the landscape plan must be endorsed by the Chief Executive Officer prior to the issue of a Development Permit for Operational Works. Areas to be landscaped must be established prior to the lodgement of the Survey Plan with Council for endorsement and must be maintained for the duration of the on-maintenance period to the satisfaction of the Chief Executive Officer.

#### **Sediment and Erosion Control**

19. A sediment and erosion control plan must be submitted prior the issue of a Development Permit for Operational Works. Such plans must be installed / implemented prior to discharge of water from the site, such that no external stormwater flow from the site adversely affects surrounding or downstream properties (in accordance with the requirements of the *Environmental Protection Act 1994*, and the FNQROC Development Manual).

### **Existing Services**

- 20. Written confirmation of the location of existing services for the land must be provided. In any instance where existing services are contained within another lot, the following applies, either:**
- a. Relocate the services to comply with this requirement; or**
  - b. Arrange registration of necessary easements over services located within another lot prior to, or in conjunction with, the lodgement of a Compliance Certificate for the Plan of Survey creating the lot.**

### **Electricity Supply**

- 21. Written evidence from Ergon Energy advising if distribution substation/s are required within the development must be provided. If required, details regarding the location of these facilities must be submitted to the Chief Executive Officer accompanied by written confirmation from Ergon Energy. Details regarding electricity supply must be provided prior to the issue of a Development Permit for Operational Works.**

### **Electricity and Telecommunications**

- 22. Written evidence of negotiations with Ergon Energy and the telecommunication authority must be submitted to Council stating that both an underground electricity supply and telecommunications service will be provided to the development prior to the issue of a Compliance Certificate for the Plan of Survey.**

### **Street Lighting**

- 23. The following arrangements for the installation of street lighting within the proposed subdivision must be provided prior to the issue of a Compliance Certificate for the Plan of Survey:**
- a. Prior to the issue of a development permit for Operational Works a Rate 2 lighting scheme is to be prepared by an Ergon Energy approved consultant and submitted to the Chief Executive Officer for approval. The Rate 2 lighting scheme is to be designed in accordance with the relevant Road Lighting Standard AS/NZS 1158 and the FNQROC Development Manual. The applicable lighting category is to be determined from the Road Hierarchy Table D1.1 and the corresponding applicable Lighting Categories Table D8.1 as identified in the FNQROC Development Manual.**

**The lighting scheme must show light pole locations that align with property boundaries that represent the permitted design spacing and demonstrates no conflicts with stormwater, kerb inlet pits and other services.**

**The design must provide the applicable illumination level specified in the Road Lighting Standard AS/NZS 1158 at the following road elements:**

- Intersections**
- Pedestrian Refuges**
- Cul-de-sacs**
- LATM Devices (Including Roundabouts)**

LATM Devices are to be shown on the civil layout design, the electrical services and street lighting design must be submitted in accordance with Ergon Energy's latest Distribution Design Drafting Standard.

- b. Prior to the issue of a Compliance Certificate for the Plan of Survey written confirmation that the relevant capital contribution required by Ergon Energy has been paid must be submitted, to ensure that the street lighting will be constructed.

#### Advices

1. This approval, granted under the provisions of the *Planning Act 2016*, shall lapse four (4) years from the day the approval takes effect in accordance with sections 85(1)(b) and 71 of the *Planning Act 2016*.
2. This approval does not negate the requirement for compliance with all relevant Local Laws and statutory requirements.
3. For information relating to the *Planning Act 2016*, log on to [www.dsd.qld.gov.au](http://www.dsd.qld.gov.au) . To access the FNQROC Development Manual, Local Laws and other applicable Policies log on to [www.douglas.qld.gov.au](http://www.douglas.qld.gov.au).

#### Infrastructure Charges Notice

4. A charge levied for the supply of trunk infrastructure is payable to Council towards the provision of trunk infrastructure in accordance with the Infrastructure Charges Notice, refer to Attachment 3. The original Infrastructure Charges Notice will be provided under cover of a separate letter.

The amount in the Infrastructure Charges Notice has been calculated according to Council's Infrastructure Charges Resolution. Please note that this Decision Notice and the Infrastructure Charges Notice are stand-alone documents. The *Planning Act 2016* confers rights to make representations and appeal in relation to a Decision Notice and an Infrastructure Charges Notice separately.

#### REASONS FOR DECISION

The reasons for this decision are:

1. Sections 60, 62 and 63 of the *Planning Act 2016*:
  - a. to ensure the development satisfies the benchmarks of the 2018 Douglas Shire Planning Scheme Version 1.0; and
  - b. to ensure compliance with the *Planning Act 2016*.
2. Findings on material questions of fact:
  - a. the development application was properly lodged to the Douglas Shire Council on 3 June 2021 under section 51 of the *Planning Act 2016* and Part 1 of the *Development Assessment Rules*;
  - b. the development application contained information from the applicant which Council reviewed together with Council's own assessment against the 2017 State Planning Policy and the 2018 Douglas Shire Planning Scheme Version 1.0 in making its assessment manager decision.

**3. Evidence or other material on which findings were based:**

- a. the development triggered assessable development under the Assessment Table associated with the Low density residential zone code;**
- b. Council undertook an assessment in accordance with the provisions of sections 60, 62 and 63 of the *Planning Act 2016*; and**
- c. the applicant's reasons have been considered and the following findings are made:**
  - i. The proposed development is consistent with the established pattern of development in Coulthard Close despite not complying with the minimum lot size for unsewered land in the Low density residential zone;**
  - ii. Conditions of approval require Lots 8-13 to be reconfigured into 4 allotments to increase the utility of the residential allotments and to meet the assessment benchmarks of the Low density residential zone with respect to minimum road frontage requirements and the ROL code with respect to number of allotments accessed via a cul-de-sac.**

**4. Compliance with Assessment Benchmarks.**

**The development complies with the benchmarks as per the summary provided in Reasons For Decision in particular Item 3c.**

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**EXECUTIVE SUMMARY**

The land is located on the southern side of Coulthard Close and the west of existing residential allotments fronting Andrews Street, Newell Beach. The land forms part of a larger rural allotment currently being used for sugar cane production.

Part of the land over which the development application relates is contained within the Low density residential zone and is intended to be reconfigured and accessed via the extension of Coulthard Close. Concern has been raised in the report below regarding the lot layout and the reduced residential utility of the lots proposed.

The Applicant was also required to undertake a detailed drainage investigation to ensure that the proposed lots can be adequately serviced by the existing and proposed improvements to the local drainage network without have an adverse impact on existing properties both upstream and downstream of the site.

The report recommends the application be supported subject to conditions that satisfactorily address the items of lot layout and proposed drainage solutions.

The development does not involve the construction of trunk infrastructure.

Infrastructure charges are levied on the development in accordance with Council's Infrastructure Charges Resolution.

This application has been discussed with Councillors at a Councillor Workshop in September 2022.

## **TOWN PLANNING CONSIDERATIONS**

### **Proposal**

The application seeks the development of 22 residential house lots, new road and drainage works at the southern end of Coulthard Close, Newell Beach.

The proposal is to be undertaken in two stages with the excision of land zoned Low density residential from the parent parcel as the first stage with the further reconfiguration of this land for the residential allotments as the second stage.

Access to the development is to be via the extension of Coulthard Close which involves the construction of a culvert crossing over a drainage line.

The proposed layout of the development is included in Attachment 1.

### **State Planning Requirements**

The land is within the urban footprint of the Far North Queensland Regional Plan 2009-2031.

The development of the land for residential purposes is consistent with the Regional Plan

The land is adjacent existing residential housing fronting Andrews Street and represents the logical extension of Coulthard Close.

The development does not trigger referral to State Agencies and therefore is not subject to subject to State development codes.

## DOUGLAS SHIRE PLANNING SCHEME ASSESSMENT

The following benchmarks are applicable to the proposed development:

Table 1.

Douglas Shire Planning Locality	Comment
<b>Planning Zone</b>	
Part Low Density Residential Zone Part Rural Zone	<p>AO1, AO2 and PO3 do not apply as the development is limited to reconfiguring the land. The development does not comply with the minimum lot size of 1000m<sup>2</sup> for land in unsewered areas, however the subdivision is consistent with the existing pattern of development in Coulthard Close and the lots are relatively unconstrained for onsite wastewater disposal.</p> <p>No issues are raised with the Rural zone as the development is not taking place on rural land.</p>
<b>Local Plan Code</b>	
Coastal Community Local Plan	Site located within Precinct 6 of the Local Plan which identifies the limited extension of the existing street pattern is provided. The development is consistent with the objectives of the Local Plan in this regard.
<b>Overlay Codes</b>	
Acid sulphate soils overlay	The proposed development requires further assessment with regard to acid sulphate soils as substantial filling of the site is required. The Applicant has advised that this investigation will be undertaken as part of the Operational Works application. No issues raised with this approach.
Flood and storm tide hazard overlay	A detailed investigation and stormwater modelling has been undertaken for the development. The findings of the study are satisfactory with sufficient immunity being provided to the proposed lots. See further discussion below.
Transport network overlay	No issues raised with the proposed access. The development will be accessed through the planned extension of Coulthard Close.

Douglas Shire Planning Locality	Comment
<b>Other Development Codes</b>	
Filling and excavation code	The development involves substantial earthworks and the construction of stormwater drains to adequately service the development. The extent of earthworks and final design is subject to an Operational Works approval. The formation of drainage lines and proposed tenure arrangement is consistent with the existing arrangements for the residential lots in Coulthard Close.
Infrastructure works code	The development will be serviced by Council's reticulated water network with onsite waste water disposal.
Landscaping code	No other landscaping treatments required other than the street tree plantings of the proposed road reserve. Street tree plantings will be undertaken in accordance with the FNQROC Development Manual.
Reconfiguring a lot code	<p>The proposed development does not comply with the minimum lot size of 1000m<sup>2</sup> for the creation of residential allotments in unsewered areas. Notwithstanding this, the proposed development and lot sizes are consistent with the existing lot sizes in Coulthard Close which have onsite waste water systems installed. In addition, there has been significant technological advancements with the disposal of onsite waste water which require a reduction in onsite disposal areas than that typically required in the past. It is also interesting to note that the Local Plan requires the continuation of the existing street pattern which is characterised by lots of a similar size.</p> <p>With respect to lot layout, the proposed development is not compliant with the minimum road frontage for lots or the number of lots accessed from a cul-de-sac. The shape and utility of several of the allotments is substandard. A condition of approval requires Lots 8-13 be modified to reduce the number of allotments and improve road frontage and the utility of the allotments being created.</p>

### Stormwater & Drainage Considerations

From the initial review of the Reconfiguration application and supporting material, it was identified that drainage was a key issue requiring further clarification.

The applicant was issued an information request that included the requirement to provide a drainage study of the site, the contributing catchment and downstream characteristics. This is more commonly undertaken in conjunction with the operational works designs, however, the lack of certainty on the local drainage through to Saltwater Creek required that this study be undertaken to inform the decision of the subdivision application.

The information request was for the applicant to *“Undertake a local drainage study of the site to determine the flood immunity of the land; the drainage impacts on upstream and downstream properties; and, the mitigation measures required to minimise such impacts.”*

The applicant was requested to consider the interaction with the proposed on-site disposal (sewerage) and whether stormwater drain operating levels will place a constraint on the viability of the on-site disposal options.

The applicant engaged flood modelling consultants Bligh Tanner who set up a 2-dimensional flood model for the site and the drainage path through to Saltwater Creek.

The applicant’s model adopted a downstream tailwater level of 2.77m AHD at Saltwater Creek. This was based on the 1% AEP at year 2100 as per the Douglas Shire Council Storm Tide Inundation and adopted for the modelling of the local area 1% AEP event scenario. This represents approximately 1m higher than current highest astronomical tide level and is considered a reasonable starting level for hydraulic modelling.

The Bligh Tanner report concluded that the dominant flood level at the site is the 1% AEP overland flow flood plus 300mm freeboard, resulting in the following levels being established:

- Upstream (south) site area – 3.8 m AHD
- Downstream (north) site area – 3.6 m AHD

Council Officers note that the nominated site development levels are 400mm higher than the original development concepts validating the request to further investigate drainage constraints of the property and downstream conditions.

The Bligh Tanner report also recommended that drainage downstream from the site be improved and the applicant has proposed earthworks within the drain to the north west of the site. This will serve as additional fill material to raise the lots and compensatory drainage measures which will improve the conveyance of stormwater and have a positive impact on flood levels generally in the local area.

The additional drainage improvement solution remains in the balance land and will be covered by a drainage easement.

The Bligh Tanner report also addressed the need for easements and provision for maintenance access. The advice stated:

*“As part of the proposed works, new drainage channels will be established and existing drainage channels widened, which will require corresponding establishment and widening of easements to permit access for works to be performed, secure a right for stormwater flows, and provide access for maintenance vehicles.”*

Council Officers support these findings and conditions have been included to reflect the recommendations and outcomes from the modelling.

## Public Notification / Submissions

The development is code assessable and does not require public notification.

## Referral Agency Requirements

The development application does not trigger referral to state agencies.

## Internal Referrals

Advice was received from the following internal departments:

**Table 2.**

Department	Comments
Water Reticulation	Requested to have the water main extended and link with the main in Pacific Street.
Waste Water	Not required
Infrastructure	Comments received with respect to stormwater and requirement to undertake further investigations
Environmental Health	Not required.

## ADOPTED INFRASTRUCTURE CHARGES

The development did trigger Infrastructure Charges.

Refer to Attachment 2 to review the calculated Infrastructure Charge.

## COUNCIL'S ROLE

Council can play a number of different roles in certain circumstances and it is important to be clear about which role is appropriate for a specific purpose or circumstance. The implementation of actions will be a collective effort and Council's involvement will vary from information only through to full responsibility for delivery.

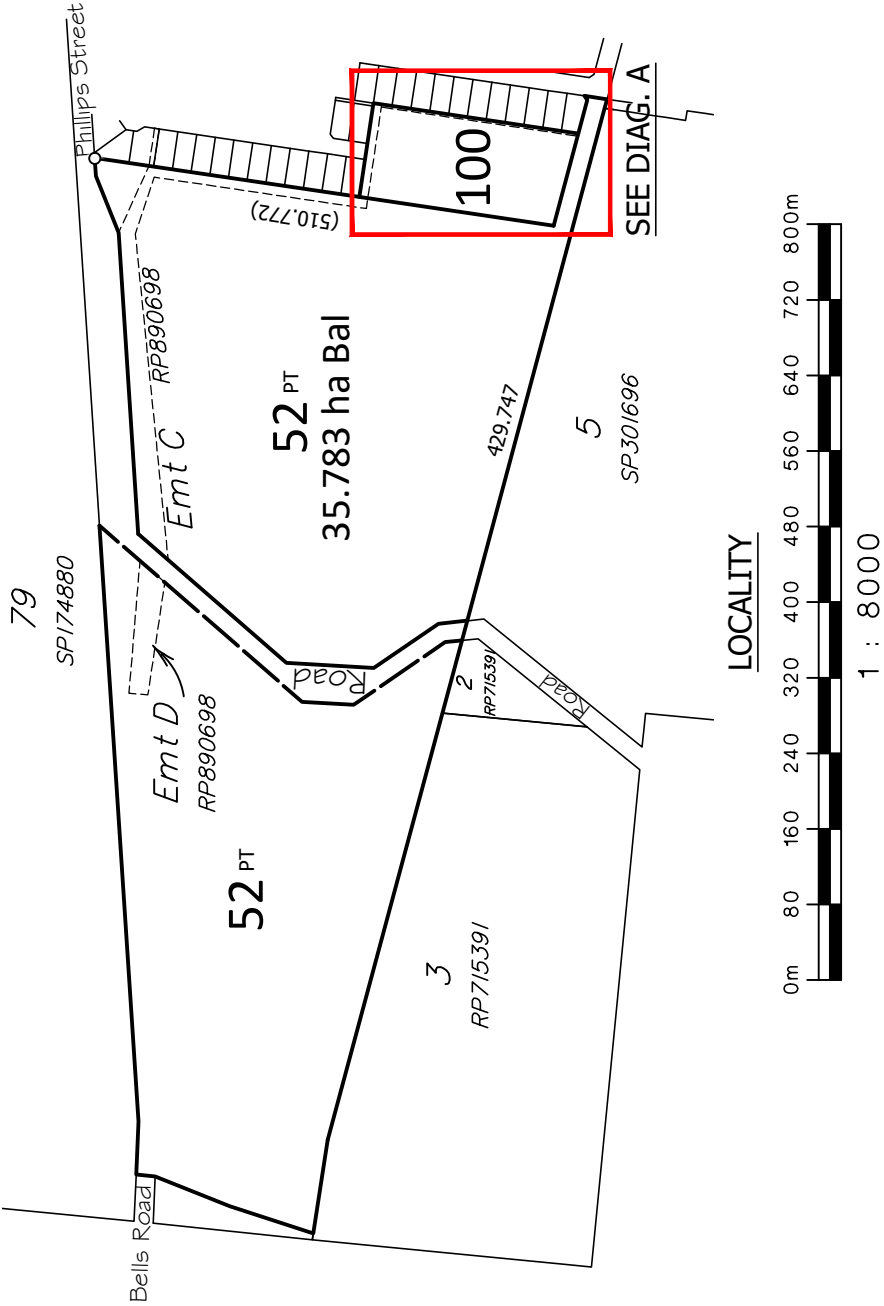
The following area outlines where Council has a clear responsibility to act:

**Regulator:** Council has a number of statutory obligations detailed in numerous regulations and legislative Acts. Council also makes local laws to ensure that the Shire is well governed. In fulfilling its role as regulator, Council will utilise an outcomes based approach that balances the needs of the community with social and natural justice.

Under the *Planning Act 2016* and the *Planning Regulation 2017*, Council is the assessment manager for the application.

## ATTACHMENTS

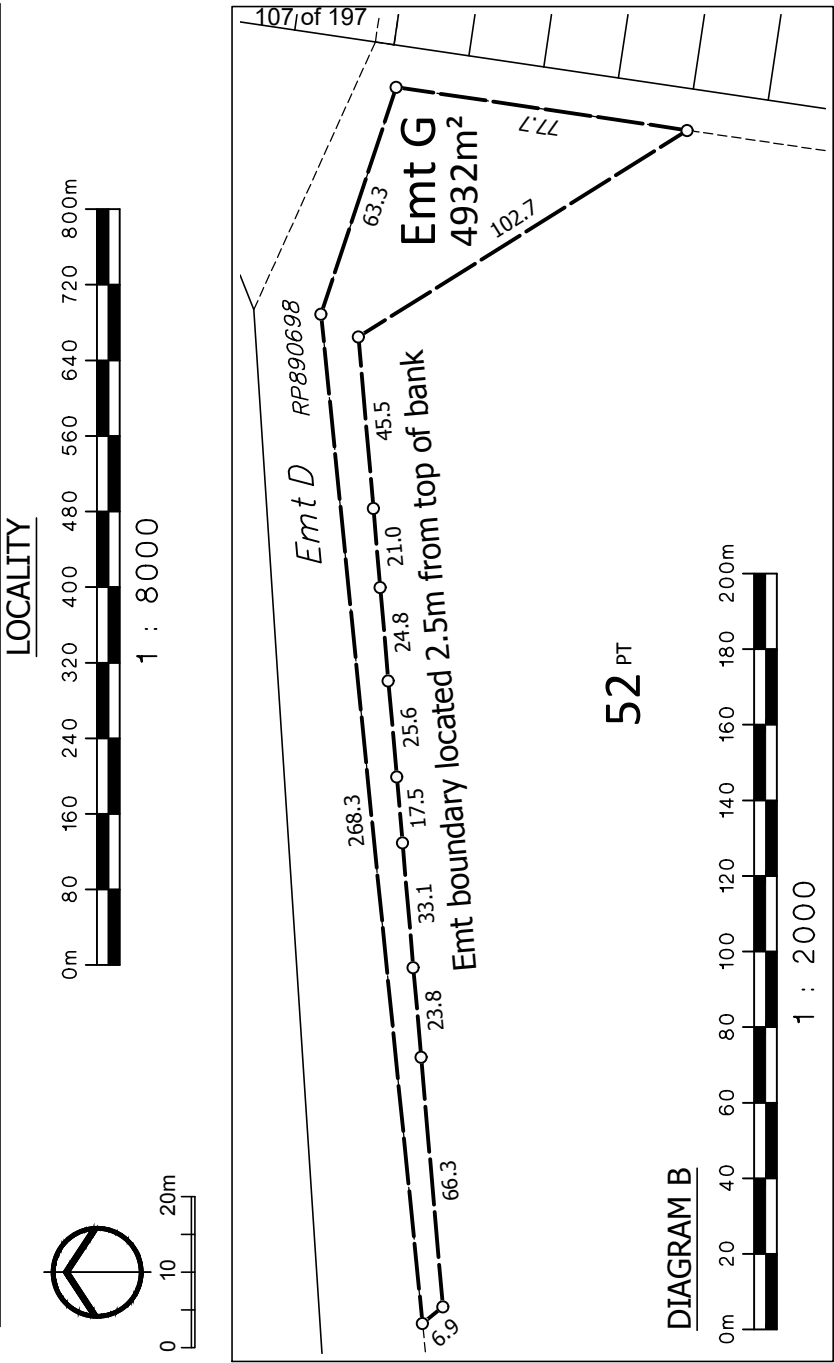
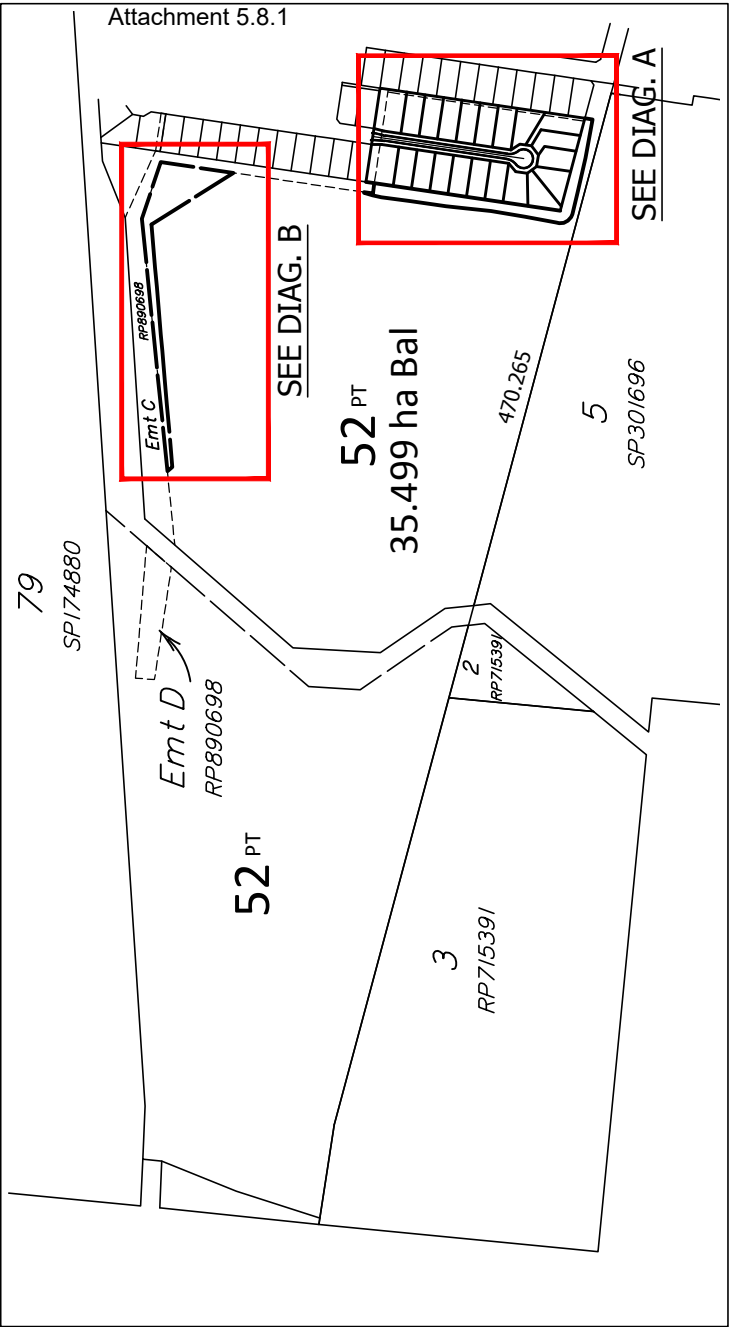
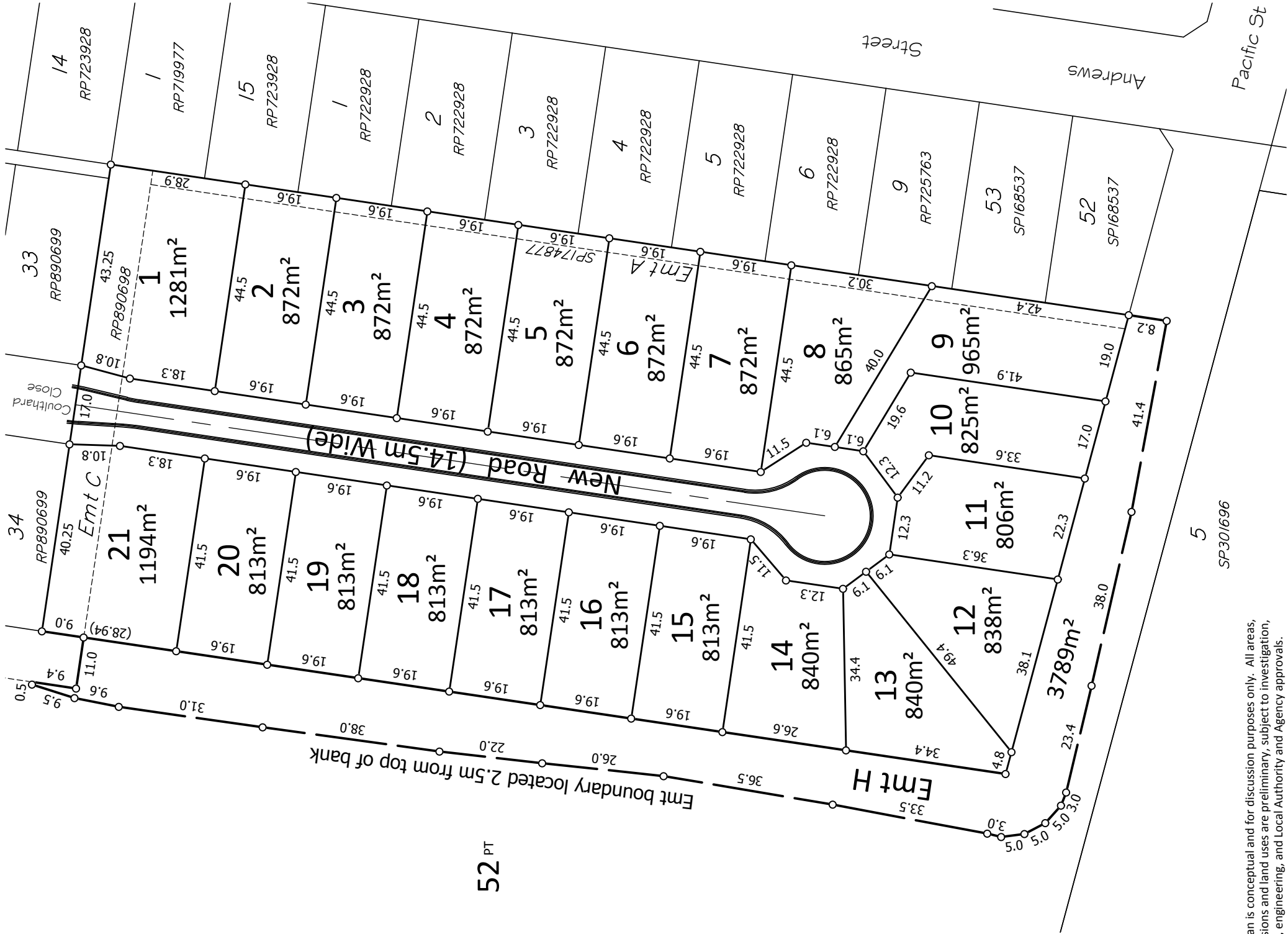
1. Attachment 1 - Proposal Plans [5.8.1 - 2 pages]
2. Attachment 2 - Infrastructure Charges [5.8.2 - 1 page]



PROPOSED  
RECONFIGURATION (STAGE 1)  
Lots 52 & 100  
Cancelling Lot 51 on SP168537  
Locality of Newell  
Douglas Shire Council

Date: 23/12/2020	
Scale: 1:8000	A3
Drawn: WCHO	
Job No: 34678/1-1	
Plan No:	34678/003 A

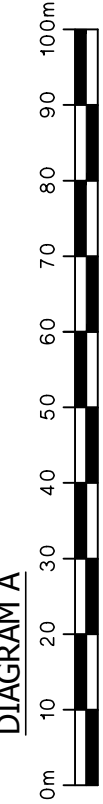




**PROPOSED RECONFIGURATION (STAGE 2)**  
Lots 1-21 & Emts G & H in Lot 52  
Cancelling Lot 100 (Stage 1)

Locality of Newell  
Douglas Shire Council

Date: 19/08/2022	
Scale: 1:8000	A3
Drawn: WCHO	
Job No: 34678/1-1	
Plan No: 34678/004	C





## 2018 Douglas Shire Planning Scheme version 1.0 Applications

## ADOPTED INFRASTRUCTURE CHARGES NOTICE

<b>F.R. Coulthard &amp; C.B. Coulthard.</b>		<b>0</b>	<b>0</b>
DEVELOPERS NAME		ESTATE NAME	STAGE
<b>2 Andrews Street</b>	<b>Newell Beach</b>	<b>Lot 51 on SP168537</b>	<b>11485</b>
STREET No. & NAME	SUBURB	LOT & RP No.s	PARCEL No.
<b>ROL (1 lot into 22 lots)</b>		<b>2021-4160</b>	<b>4</b>
DEVELOPMENT TYPE		COUNCIL FILE NO.	VALIDITY PERIOD (year)
<b>1108522</b>	<b>1</b>	<b>Payment before commencement of use for MCU; and Prior to signing and sealing of survey form for ROL</b>	
DSC Reference Doc. No.	VERSION No.		

Infrastructure Charges as resolved by Council at the Ordinary Meeting held on 23 February 2021 (Came into effect on 1 March 2021)

		Charge per Use	\$ Rate	Floor area/No.	Amount	Amount Paid	Receipt Code & GL Code
Proposed Demand	Residential	Dwelling_house	\$_per_3_or_more_bed room_dwelling	15,959.97	22	\$351,119.34	
		Total Demand				<b>\$351,119.34</b>	
	Credit	Existing land use					
	3 or more bedroom dwelling	1 lot	\$_per_3_or_more_bed room_dwelling	15,959.97	1	\$15,959.97	
	Total Credit					<b>\$15,959.97</b>	

Required Payment or Credit

TOTAL

**\$335,159.37**

Prepared by	<b>Rebecca Taranto</b>	<b>9 Spetember 2022</b>	Amount Paid	
Checked by	<b>Neil Beck</b>	<b>9-Sep-22</b>	Date Paid	
Date Payable	<b>ROL - Before the Local Government approves the plan of subdivision</b>  <b>MCU - prior to the commencement of use</b>		Receipt No.	
Amendments		Date	Cashier	

## Note:

The Infrastructure Charges in this Notice are payable in accordance with Sections 119 and 120 of the *Planning Act 2016* as from Council's resolution from the Ordinary Meeting held on 23 February 2021.

Charge rates under the Policy are subject to indexing.

Any Infrastructure Agreement for trunk works must be determined and agreed to prior to issue of Development Permit for Operational Work.

Charges are payable to: Douglas Shire Council. You can make payment at any of Council's Business Offices or by mail with your cheque or money order to Douglas Shire Council, PO Box 723, Mossman QLD 4873. Cheques must be made payable to Douglas Shire Council and marked 'Not Negotiable.' Acceptance of a cheque is subject to collection of the proceeds. Post dated cheques will not be accepted

Any enquiries regarding Infrastructure Charges can be directed to the Development & Environment, Douglas Shire Council on 07 4099 9444 or by email on enquiries@douglas.qld.gov.au