

25 September 2019

Enquiries: Jenny Elphinstone
Our Ref: CA 2019_ 3238 (Doc ID 913344)
Your Ref: C1114

Administration Office
64 - 66 Front St Mossman
P 07 4099 9444
F 07 4098 2902

Niramaya Developments Pty Ltd
C/ Victor G Feros Town Planning Consultants Pty Ltd
PO Box 1256
CAIRNS QLD 4870

Attention Mr Nick Hardy

Dear Sir

**Development Application CA 3238/2019
Lot 906 Port Douglas Road, Port Douglas
Development on Lot 906 on SP277141
Information Request
(Given Under Section 12 of the Development Assessment Rules)**

Council refers to your development application for which a Confirmation Notice was issued on the 18 September 2019. Please find enclosed a request for further information.

Other

Please quote Council's application number CA 3238/2019 in all subsequent correspondence relating to this development application. Should you require any clarification regarding this matter, please contact Jenny Elphinstone on telephone 07 4099 9482.

Yours faithfully



Paul Hoyer

Manager Environment and Planning

Encl.
Information Request
Information Response Form

DOUGLAS SHIRE COUNCIL

INFORMATION REQUEST

Council refers to the development application properly made with Council for which the Confirmation Notice was issued on 18 September 2019.

Applicant's details

Name: Niramaya Developments Pty Ltd
Postal Address: C/- Victor G Feros Town Planning Consultants Pty Ltd
PO Box 1256
Cairns Qld 4870

Location details

Street address: Lot 906 Port Douglas Road, Port Douglas
Real property description: Lot 906 on SP277141
Local Government Area & Assessment Manager: Douglas Shire Council

Application details

Application number: CA 3238/2019
Approval sought: Development Permit
Nature of development proposed: Combined application for: a Material Change of Use for Multiple Dwellings/ Short Term Accommodation Units, Food and Drink Outlet, and a Function Centre.
Description of the development proposed: A Material Change of Use for 141 Multiple Dwellings/ Short Term Accommodation Units, Food and Drink Outlet and a Function Centre.

Information request

Douglas Shire Council has determined that the following additional information is needed to assess the application.

Underlying Approval CA 50

1. Please advise whether or not it is intended to request any changes to CA50 or subsequent approvals. If so, please provide details of in what way changes will be sought.

Tiered Scheme and Subsidiary Schemes

2. Please provide detail of the proposed building format plan and lots.
3. Please provide detail of the proposed location of all ongoing services (that provide for lots other than Lot 906 on SP277141 within the CTS 34781) where these services are currently located within or on Lot 906 on SP277141.

4. Please provide advice as to any consultation that has occurred to date with the individual owners and/or respective body corporates of the existing Bale/Niramaya development regarding: the proposed development; the variation to the location of any services that currently provide for the existing Bale/Niramaya development; and details of any agreement or otherwise of the outcomes of any such consultation.
5. Correspondence on behalf of the applicant has confirmed the final development of Lot 906 will remain as an entity in the overall CTS for the existing Bale/Niramaya development. The application also notes that the development will be self sufficient from the continuing Bale/Niramaya development to the north. A benefit of a lot within this CTS is the ability to access via common property land the local Council Park and other entities located at the western end of Bale Drive, via the common property land. The proposed development is far greater an intensity of use than that envisaged under the underlying CA50 approval. Please provide advice of the impacts of the additional demand on the access and pedestrian usage on the neighbouring common property land.

Road Access Continuing Development

5. There is an existing service access point into Port Douglas Road, south of Bale Drive and just north of the proposed new access for Lot 906. This access point services both Lot 906 and the continuing development of other lots and common property in the Bale/Niramaya development. Please confirm whether there is any anticipation that this access will be part of the new access off Port Douglas Road. Please advise whether there is any intention to provide any access easement over this entry benefitting lots other than Lot 906.

Clarification of design plans

6. Council refers to your correspondence dated 22 August 2019 where it was confirmed that the *"depiction of 'grass and trees' shown on lot 905 and the northern part of Lot 906 is indicative only and does not form part of the proposed development."* Please provide an amended set of the design plans where it is clearly detailing the extent of development within the application and the areas beyond the land are shown as per the most recent aerial image available.
7. Please provide sections of the development of the pool, buildings and structures, over and adjacent to the water bodies that lie on both Lot 906 and the neighbouring Lot 905 on SP165909, at a metric scale of 1:50 detailing the pre-development levels, the proposed finished levels, and all associated infrastructure together with the common property boundary. Please explain how the pools and buildings will be physically developed and whether there will be any infringement by occupation or otherwise of the neighbouring land. Secondly how such development will maintain the body mass of water and drainage regime.
8. Concern is raised with the accuracy of the site plans. The proposed plans detail an access walkway/path between the units and the protected areas affected by Covenant G. The buildings intersect this path. Please provide an accurate set of design site plans that are dimensions and scaleable.

9. The existing site has a boundary to Port Douglas road against which the proposed plans nominate an internal circumference driveway. For sections B1 through to B5 please locate the boundary fence (to Port Douglas Road) and the existing mounds, pedestrian pathway and road pavement and building. Please provide these parts of the sections, adjacent to port Douglas Road, and also to the western and northern boundaries at a suitable scale to identify the requested attributes, say 1:50 metric. Please also provide a detailed section of the area adjacent to Lot 46 on the neighbouring lot (northern boundary) and identify all development, including landscaping within this section. The location of the dwelling on Lot 46 should also be included.
10. Please provide detailed plans of the basement car park including swept path movements and dimensions of spaces and access isles. Please explain how the lower basement car park will be ventilated. If mechanically ventilated, where this service infrastructure will be housed. Please explain how all basement areas will be protected from inundation. Clarity on the 1%, 5% and 20% events are sought.

Infrastructure Servicing

The design plans do not include how the eventual lots are to be serviced in respect to water supply and wastewater infrastructure.

Water Supply

11. Please provide details for the increased demand, resulting from this development. Please provide details of any upgrades necessary to Council's water supply system to meet this increased demand.

Please provide a layout design for the intended water supply infrastructure necessary to service the development.

Currently the development known to date as Bale/Niramaya gains access to Council's water supply from a single point onto Lot 906. Please provide all details of any agreement or communications in place regarding the ongoing supply of water services from Council's connection point on Lot 906 to the remainder of the Bale/Niramaya development that has been constructed to date.

Wastewater Infrastructure

12. Provide details as to the capacity of the Council's current infrastructure to meet the proposed demands for this development. Please provide details of any upgrades necessary to Council's and the body corporate's wastewater infrastructure to meet this increased demand.

Please provide a layout design for the intended wastewater infrastructure necessary to service the development. If the development proposes a pump station, these details must be included on the design plan and the sewer pump station must be designed to Council's standards including the installation of flowmeters to measure the flow from the sewer pump station at a location in Council's favour. Any pump station serving the development would need to be owned and maintained by the land owner/body corporate. Douglas Shire Council should only have responsibility for the sewer infrastructure after the sewerage pump station at Bale Drive reserve. Please explain how this is will be achieved.

Waste

13. Please explain and detail all green initiatives in this proposal including requirements that align with green star and healthy reefs schemes, including:
 - a. Rainwater reuse, consideration of rainwater capture and reuse through the development. What is the capacity and percentage of handling the development's demand for water use requirements;
 - b. Greywater reuse system;
 - c. compost initiatives and process for handling green waste; and
 - d. details of any measurement, reduction or off-setting of the carbon impact for the development.

Open spaces

14. The regulated vegetation on the western boundary including the Covenant G is home to a regular flying fox colony. The roosting site has caused many issues to the Niramaya/Bale owners located adjacent to the western boundary in the existing resort. Please detail the plans/programs to mitigate the impacts from the colony on the proposed development. Please advise of any input that has been obtained from the State agency the Department of Environment and Science regarding the proposed development adjacent to the flying fox roosting site.

Road Safety Assessment

15. Where the proposed access for the new development to Port Douglas Road is not supported by the Department of state Development, Manufacturing, Infrastructure and Planning, and the access is required to be off Bale Drive, please provide a Road Safety Assessment by an accredited Road Safety Auditor for the intersection of the connecting access to Bale Drive.

The intersection analysis for the intersections is to be undertaken in an approved modelling package (SIDRA or equivalent). All upgrades identified in the Road Safety Audit or the intersection analysis will need to be identified in engineering design plans and associated reports. The analysis is to detail any improvements required to capacity, safety etc., necessary for the development.

Where the intersection analysis demonstrates that the development creates an unacceptable level of service for the intersection operation, provide a design plan that identifies the upgrades necessary to ensure the intersection operates with an acceptable level of service.

External Lighting

16. Please provide details of any spill lighting to the surrounding road and properties.

Drainage Design

17. Undertake a local drainage study of the site to determine the drainage impacts on upstream and downstream properties and the mitigation measures required to minimise such impacts. In particular, the study must address the following:
 - a. The contributing catchment boundaries;

- b. The extent of the 100 year ARI flood event in relation to the site both pre and post development;
- c. Primary and secondary flow paths for the 5, 20, 50 and 100 year ARI flood events;
- d. Identify any requirement for drainage easements;
- e. Identify the need and tenure for flood detention areas to ensure a no worsening impact on downstream properties for the entire development;
- f. Information on the proposed works and any impacts proposed at the drainage outlet from the proposed development;
- g. Lawful point of discharge; and
- h. Provide a drainage infrastructure design for both minor and major runoff events.

Building Height

18. Please provide the detail of the surveyed height (and detail of the location) of the existing vegetation in the Council park land, the conservation covenant area and the area of adjacent Port Douglas Road, together with cross-section components of the building. Clarity is sought as to what will be the visibility, if any, from St Crispins Avenue (across from the lake area), the continuing Bale/Niramaya development and from Port Douglas Road.

The design plans nominate a range of landscaping and vegetation to the development. Please clarify the expected length of time required to achieve the height of the vegetation as intended on the design plans.

Rubbish Collection and future Servicing

19. Please provide details as to how and where rubbish will be collected for the development. Please provide swept path movements for the rubbish collection areas and nominate the rubbish collection vehicle.

Please provide detail of any centralised recycling area and intended operation of such a facility.

Food Premises

20. A number of food and drink premises are proposed. Council needs assurance that there is sufficient space in the floor plan to accommodate kitchen and bar facilities that comply with the FSANZ Food Standards Code - standard 3.2.3 Food Premises and Equipment (see <http://www.foodstandards.gov.au/consumer/safety/faqsafety/pages/foodsafetyfactsheets/foodpremisesandequip71.aspx>). Please note council has found that it is easier to ensure the design can accommodate the necessary facilities to comply with the Code at the initial development approval phase rather than trying to retrofit a functional kitchen and bar during the operational phase of the development. Please advise of the internal layout of the food outlet and function facility including the number of external patrons to be catered for.

Potential noise nuisance

21. Please advise what noise sources that are likely to generate nuisance noise for on-site guests and residents (e.g. refrigeration compressors, air conditioning Units, ventilation systems, pool filtration systems). Where to be provided, please advise how these will be designed and located to minimise the risk of causing noise nuisance?

Potential Acid Sulphate Soils

22. A large volume of soil material is proposed to be excavated with the potential to expose PASS or ASS. Large volumes of groundwater will be extracted during the excavation of soil material, particularly to construct the underground car park.

Please provide a preliminary ASS Investigation and Management Plan in accordance with current best practice: the Queensland Acid Sulfate Soil Technical Manual Soil Management Guidelines Version 4.0 (2014); Acid Sulfate Soils – Laboratory Methods Guidelines (version 2.1, June 2004) and the State Planning Policy 2017.

Please explain and provide detail on the potential environmental impacts of the largescale dewatering, for example:

- a. how will the removal of groundwater impact on water sensitive vegetation (e.g. melaleucas); and
- b. where will the water be discharged and will water quality be tested prior to discharge.

Applicant's response

The due date for providing the requested information is 2 January 2019. Please advise Douglas Shire Council of your response to this information request in accordance with section 13 of the Development Assessment Rules. To assist in your response please find enclosed a standard response template that you can use with your response should you wish to.

As Douglas Shire Council's assessment of your application will be based on the information provided, it is recommended that you provide all of the information requested. In accordance with section 14.2 of the Development Assessment Rules, if you do not provide a response before the above due date (or a further agreed period), it will be taken as if you have decided not to respond to the information request and the Douglas Shire Council will continue with the assessment of your application without the information requested.

INFORMATION RESPONSE

Please attach this document to the front of any information response to Council.

Council reference: CA 2019_3238

Property Address: Lot 906 Port Douglas Road, Port Douglas, land described as Lot 906 on SP277141.

I/We:

- ☐ Have provided all of the required information outlined in the Information Request (section 13.2(a) of the *Development Assessment Rules*).
- ☐ Have provided part of the required information outlined in the Information Request and will provide some or all of the remaining required information by the last day to respond to the Information Request (section 13.2(a) of the *Development Assessment Rules*).
- ☐ Have provided part of the required information in the Information Request and do not intend to supply any of the remaining required information outlined in the Information Request (section 13.2(b) of the *Development Assessment Rules*).
- ☐ Do not intend to supply any of the information outlined in the Information Request (section 13.2(c) of the *Development Assessment Rules*).

Regards

Applicant's Name: _____

Signature: _____

Date: _____