

22 December 2021

**Enquiries:** Neil Beck  
**Our Ref:** MCUC 2021\_4490/1 (1057950)  
**Your Ref:** 20-12

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Gurner TM Nominee Pty Ltd  
C/- Planning Plus  
PO Box 399  
REDLYNCH QLD 4870

**Email:** [evan@planningplusqld.com.au](mailto:evan@planningplusqld.com.au)

Dear Evan

**INFORMATION REQUEST**  
**(Given under Section 12 of the Development Assessment Rules)**

Council refers to your development application as detailed below.

**Applicant Details**

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**Name:** Gurner TM Nominee Pty Ltd  
**Postal Address:** C/- Planning Plus  
PO Box 399  
REDLYNCH QLD 4870  
**Email:** [evan@planningplusqld.com.au](mailto:evan@planningplusqld.com.au) or

**Property Details**

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**Street Address:** 69 Murphy Street PORT DOUGLAS, 71-73 Murphy Street  
PORT DOUGLAS  
**Real Property Description:** LOT: 516 TYP: PTD PLN: 2094, LOT: 2 RP: 724386  
**Local Government Area:** Douglas Shire Council

**Application Details**

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**Application Number:** MCUC 2021\_4490/1  
**Approval Sought:** Development Permit  
**Nature of Development Proposed:** MCU - Material Change of Use  
**Description of the Development Proposed:** Material Change of Use (4 x multiple dwellings / Short term accommodation)

## Additional Information Requested

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The following additional information is requested in order to complete an assessment:

The proposed mixed use development is understood to comprise of:

- 4 dwellings,
- 13 car parking spaces; and
- Site landscaping and open space.

The proposed development is 5 storeys with a height of 17.5 metres. It is noted the labelling and referencing of the various levels are not consistent throughout the set of plans whereby some plans nominate reference to 2 levels over lower ground, ground and upper ground while other plans nominate 3 levels over lower ground and ground levels. It is preferred that the plans reference ground level and then each level thereafter i.e Level 1, Level 2 etc.

### Building Height

1. Concern is raised with the proposed building height, in particular of Dwelling No1 and the extensive use of pylons. It is considered that the building will be overbearing and will have an adverse impact on the visual amenity of the immediate area, particularly when viewed from Jalun Park. It is suggested that the height of the building be reduced by reducing the height of the pylons and removing the area referred to as upper ground level or garden level.

Further detail is requested in relation to the visual impact of the proposed development having regard to:-

- The construction of the access;
  - Detailing all existing vegetation and that vegetation that will be removed as a consequence of the construction of the access and/or will be compromised by undertaking building work and the provision of services to the site;
  - The response to this information request item is required to be undertaken by an appropriately qualified professional and supported by a series of plans showing accurate visual representations of the development.
2. The application does not include an updated engineering report, therefore proposals for sewerage, water supply, stormwater drainage etc relevant to the revised development concept are required to be prepared for review.

It is unclear whether the water supply will require on site booster systems given the FFL's proposed for the highest levels of the development.

The existing sewer will need to be decommissioned as it is under the Dwelling 3 footprint.

Provide an engineering report detailing how the site will be serviced and adequately cater for stormwater.

3. Drawing DA010.01 (Lower Floor plan) appears to show columns for the subsequent levels of the development being located within the internal driveway and in front of garages. The applicant is to review the location of columns and confirm that all garages are able to be accessed in accordance with the requirements of AS2890.1 – Off Street Parking Code and AS2890.6 – Parking Facilities – Off-Street Parking for people with disabilities. Swept path diagrams are also required. Supporting information is also to show how the development is serviced by refuse vehicles.

4. The application does not include plans and details of the access into the site. Detail of the access driveway east from the extent shown on drawing DA010.01 is required. It is noted that the access will be in road reserve and the previous approval issued over the site required this road to be constructed to an access street standard. Particular design details is required from the Applicant regarding the design of the access, departure from FNQROC Development Manual if proposed, and ongoing maintenance obligations post construction and ability for the access to accommodate refuse vehicles. Details on all existing vegetation to be removed and / or compromised is also required.
5. With reference to drawing DA010.01, the application does not demonstrate how it will provide for disabled access to the site and the buildings as required for this development classification. Visitor parking and compliant accessible path of travel from the parking will need to be demonstrated in the proposed layout.

In relation to providing pedestrian access to the site, the applicant is to provide advice on how the development ensures that it will not be in conflict with the requirements of the:

- a) The Disability Discrimination Act (1992);
  - b) The Disability (Access to Premises – Buildings) Standard (2010); and
  - c) The Disability Standards for Accessible Public Transport (2002).
6. Drawing DA010.03 (Ground floor plan) and Sections 1 and 2 on Drawing DA30.001 indicate that the boundary wall adjacent Murphy Street is very close to the property boundary.

Section 1 on Drawing DA30.001 “Typical Sections” shows cut required in the existing batter potentially undermining the road reserve.

Section 2 on Drawing DA30.001 “Typical Sections” shows fill required within the site and extending into the Murphy Street road reserve.

The applicant is to confirm how the walls adjacent Murphy Street are proposed to be constructed and if any disturbance or reliance of Murphy Street is proposed to achieve the development outcome.

7. The applicant is requested to clarify the line-type/hatching used on Sections 1 and 2 on Drawing DA30.001 “Typical Sections” and on the East Elevation drawing DA20.002. Council Officers interpret that the diagonal hatching represents earthworks fill, the applicant is requested to clarify this interpretation.

The vertical hatching used on the East Elevation drawing DA20.002 for the lower southern portion of the site appears to be timber fencing, however the height scales as up to 3.6m with another fence type on top of this for a total height appearing to scale at approximately 4.7m at the intermediate step down. (Fence at the southern boundary scales at 2.9m timber and 3.9m overall). The applicant is requested to clarify the heights, finished ground levels and construction material for this eastern fence and detail what filling if being retained by the fence which extends to the property boundary.

Additional sections through the proposed pools for each dwelling are requested to confirm the founding levels and whether the pools are founded on existing ground, founded in new filling, or suspended above the ground.

8. The applicant is requested to clarify the proposed volume to be filled/removed and to confirm the expected truck movements to achieve required earthworks. The confirmation should include the existing surface contours overlaid with design site levels.
9. There are significant existing drainage issues on Murphy Street and the development must ensure that the overland flows are able to be conveyed through the site in the existing easement and flow path. Details of site finished levels, landscaping etc in the southern easement, through Council land and across the easement are to be provided;
10. The applicant is to confirm legal point of discharge of the site and advise if the existing underground stormwater pipe along southern boundary of the site will be utilised for discharges from the development site.
11. The capacity and condition of the existing stormwater pipe through the site is not addressed in the supporting material submitted with the application. Council requires an assessment of the required capacity to convey upstream flows through the site for the 100-year ARI, (1% AEP) rainfall event. However, if provision for overland flow is not provided (or is compromised) then a severe impact statement will be required, and additional capacity may need to be provided. Advice on the proposed pipe design is required.
12. Capacity limitations are known to exist in the stormwater system downstream from the site and these are expected to be further compromised if the access filling constrains the overland flow paths from the site.

Stormwater calculations must consider the receiving environment and make appropriate allowance for actual operating conditions. Council's preliminary assessment indicates increased pipe sizes will be required. Advice on the proposed pipe size and design is required.

13. An opportunity to address stormwater flows from Murphy Street may exist along the western boundary of the site, through provision of additional underground capacity in the 4m landscaped setback. Council seeks advice on the applicant's willingness to consider acceptance of an easement for this purpose noting that effective capture and conveyance of stormwater assists the development along the southern boundary and across the esplanade.

Alternative options may include stormwater pipes along Murphy Street. These options will need to be considered in relation to the development proximity to the road, proposed geotechnical treatments and depth of structures adjacent current or future stormwater works. Council seeks further information from the Applicant in this regard to adequately address the issue of stormwater for the site and for the existing drainage regime in Murphy Street. It is important to Council that an ability to address stormwater issues in Murphy Street is preserved in the event they are not overcome by the proposed development. It is also noted that effective stormwater control when considering the geotechnical elements proposed with cutting and filling within the Murphy Street road reserve.

14. Water reticulation flow and pressure near the site is to be confirmed in addition to establishing the existing operating pressure at the boundary of the site. Council is not

responsible for providing water capacity and pressure for the development demands and in particular, the height of the development. Further information detailing adequate water pressure and capacity is required.

15. Power demand and the location of this demand at the edge of the power supply network may require that additional electrical infrastructure being required which may have implications for the layout and access arrangements. Advice from Ergon Energy regarding the local network capacity is requested.

## **Due Date**

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The due date for providing the requested information is 22 March 2022 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 Council will continue with the assessment of the application.

Please quote Council's application number: MCUC 2021\_4490/1 in all subsequent correspondence relating to this development application.

Should you require any clarification regarding this, please contact Neil Beck on telephone 07 4099 9451.

Yours faithfully



**For**  
**Paul Hoyer**  
**Manager Environment & Planning**