



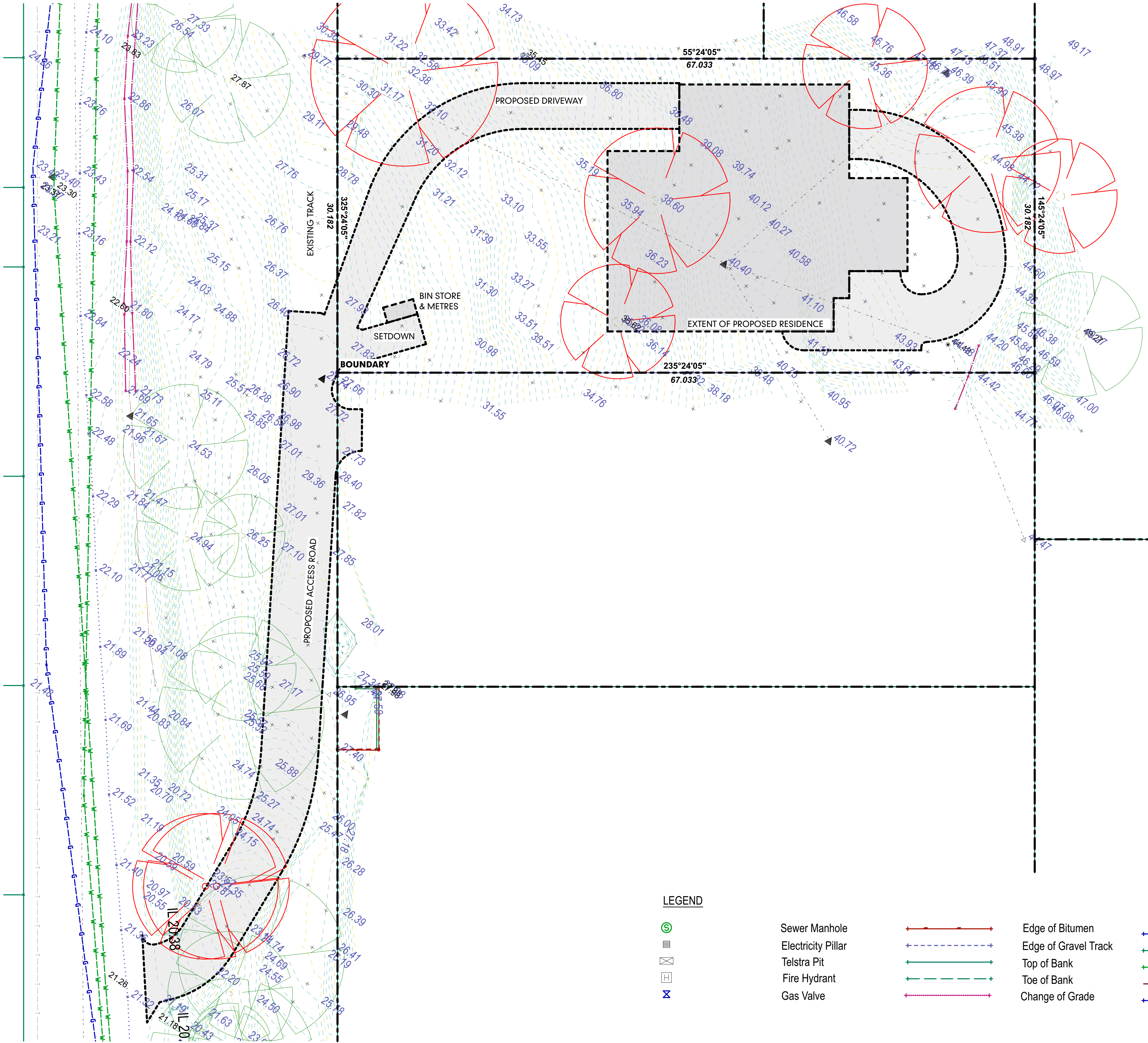
MURPHY STREET RESIDENCE
PROPOSED NEW RESIDENCE AT No 12 MURPHY STREET
ON LOT 113 (PTD2094)
FOR : KIM CULLEN & NEIL BIDDLE

DEVELOPMENT APPLICATION
VISUAL IMPACT - VIEW 2 (50mm LENS)

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DEVELOPMENT APPLICATION
PROJECT NO. MURPHY001
DRAWING NO. 01.6
REVISION NO. 01
DATE 2/6/22

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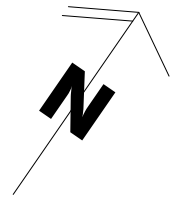
SITE PLAN - EXISTING (SURVEY)
SCALE:1:200

SOURCE: RPS: Detail and Contour Survey
DRG No: 150672-1
date: 27.09.2021

MURPHY STREET RESIDENCE
PROPOSED NEW RESIDENCE AT No 12 MURPHY STREET
ON LOT 113 (PTD2094)
FOR : KIM CULLEN & NEIL BIDDLE

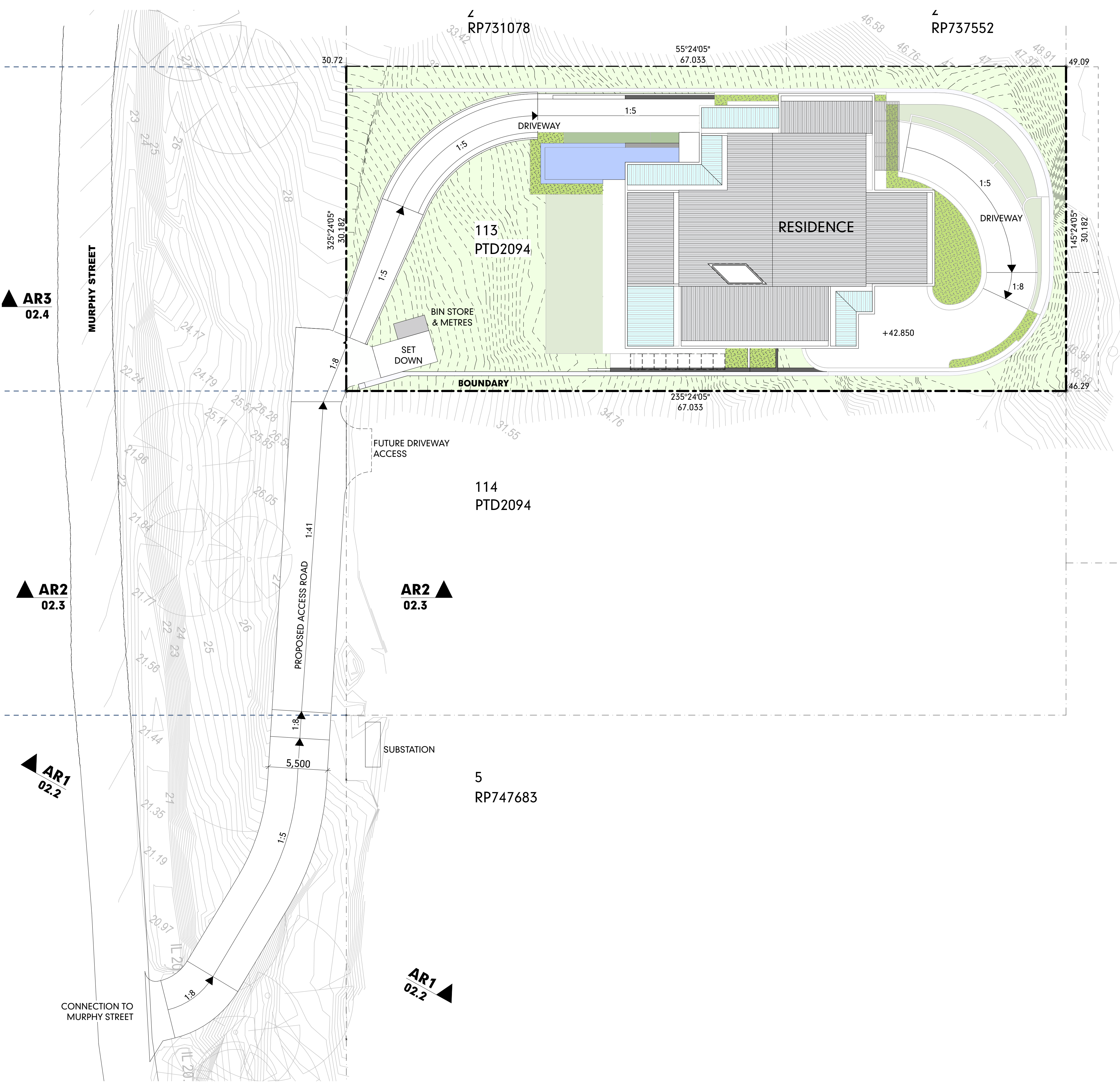
DEVELOPMENT APPLICATION
SITE PLAN - EXISTING (SURVEY)

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DEVELOPMENT APPLICATION
PROJECT NO. MURPHY001
DRAWING NO. 02.0
REVISION NO. 01
DATE 2/6/22





SITE ANALYSIS

| | |
|-----------------------|---------------|
| SITE AREA | 2.023m2 |
| COVERED AREA | 581m2 |
| SITE COVERAGE: | 29% |
| GROSS FLOOR AREA | 701m2 |
| PLOT RATIO: | 0.35:1 |

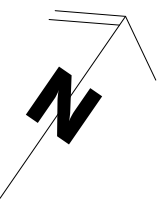
SEE DRAWING NO. 08.1
FOR AREA CALCULATIONS

SITE ENVIRONS PLAN
SCALE 1:200

READ IN CONJUNCTION WITH:
- LANDSCAPE PLANS
- CIVIL PLANS

MURPHY STREET RESIDENCE
PROPOSED NEW RESIDENCE AT No 12 MURPHY STREET
ON LOT 113 (PTD2094)
FOR : KIM CULLEN & NEIL BIDDLE

DEVELOPMENT APPLICATION
SITE & ENVIRONS PLAN
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DEVELOPMENT APPLICATION
PROJECT NO. MURPHY001
DRAWING NO. 02.1
REVISION NO. 01
DATE 2/6/22



LANDPLAN
LANDSCAPE ARCHITECTURE

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SECTION AR1

MURPHY STREET RESIDENCE
PROPOSED NEW RESIDENCE AT N^o 12 MURPHY STREET
ON LOT 113 (PTD2094)
FOR : KIM CULLEN & NEIL BIDDLE

DEVELOPMENT APPLICATION
ACCESS ROAD - SECTIONS
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REVISION NO. 01
DATE 2/6/22

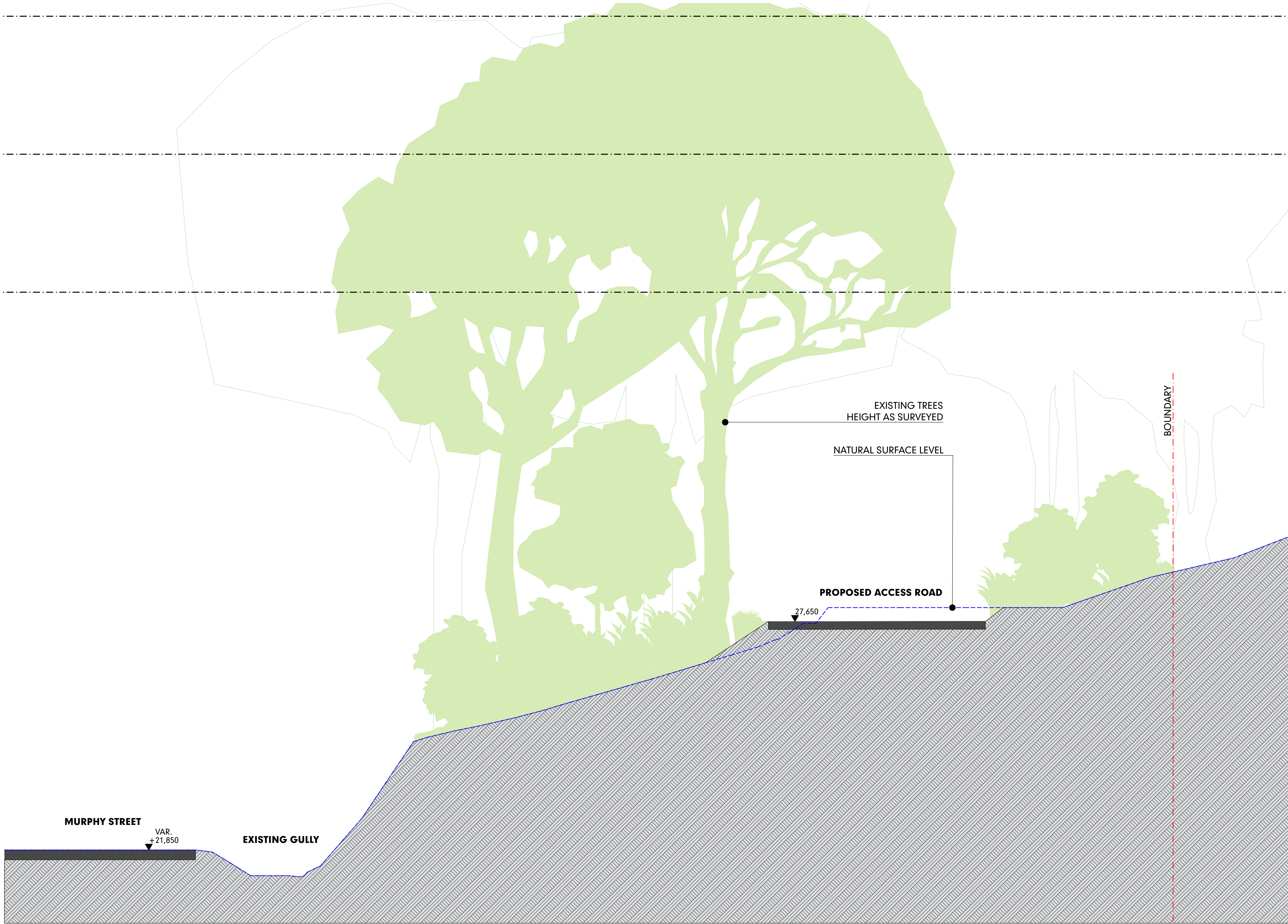


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LANDSCAPE ARCHITECTURE

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SECTION AR2

MURPHY STREET RESIDENCE
PROPOSED NEW RESIDENCE AT N^o 12 MURPHY STREET
ON LOT 113 (PTD2094)
FOR : KIM CULLEN & NEIL BIDDLE

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ACCESS ROAD - SECTIONS
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REVISION NO. 01
DATE 2/6/22

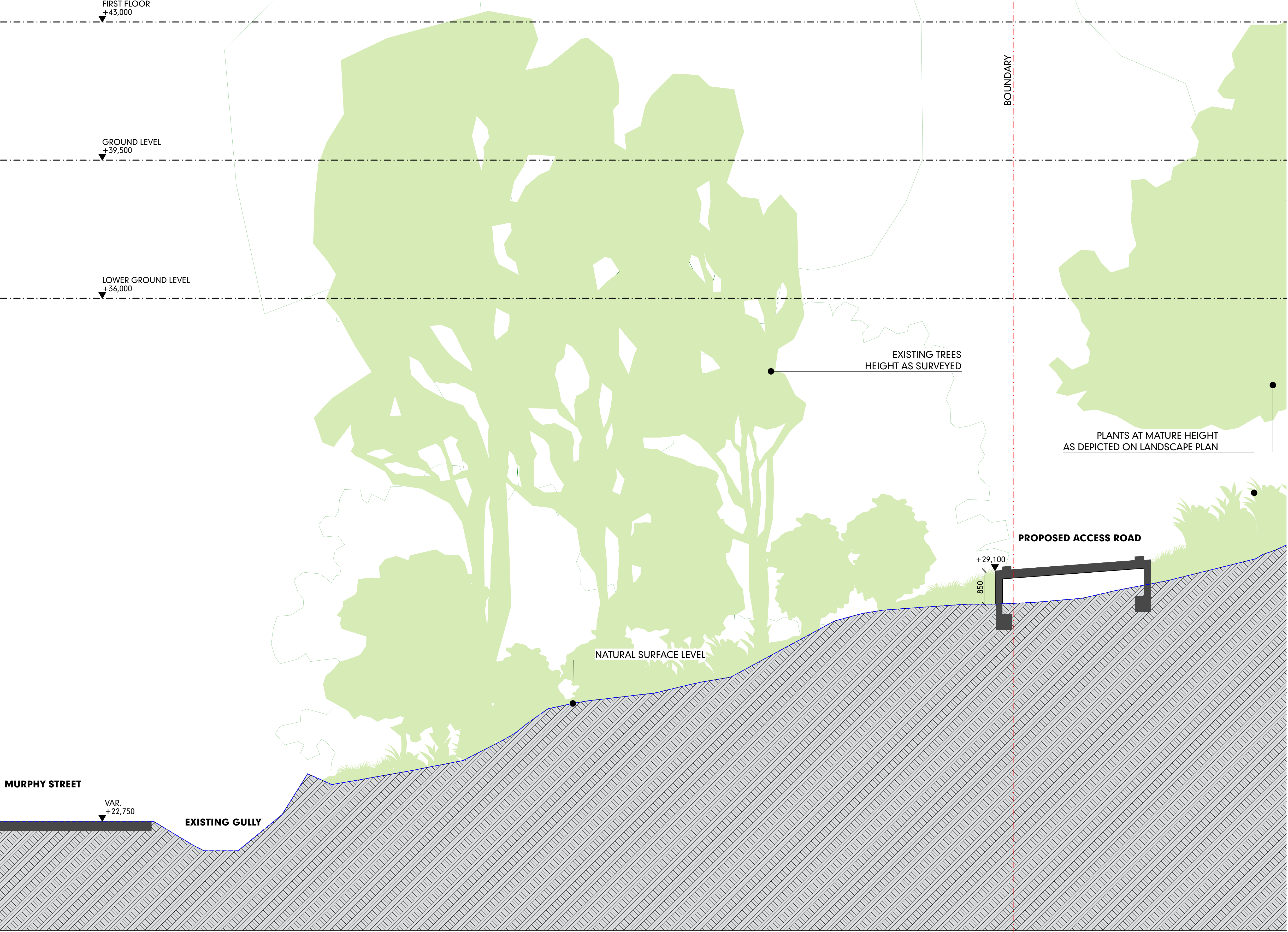


LANDPLAN
LANDSCAPE ARCHITECTURE

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SECTION AR3

MURPHY STREET RESIDENCE
PROPOSED NEW RESIDENCE AT No 12 MURPHY STREET
ON LOT 113 (PTD2094)
FOR : KIM CULLEN & NEIL BIDDLE

DEVELOPMENT APPLICATION
ACCESS ROAD - SECTIONS
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DEVELOPMENT APPLICATION
PROJECT NO. MURPHY001
DRAWING NO. 02.4
REVISION NO. 01
DATE 2/6/22

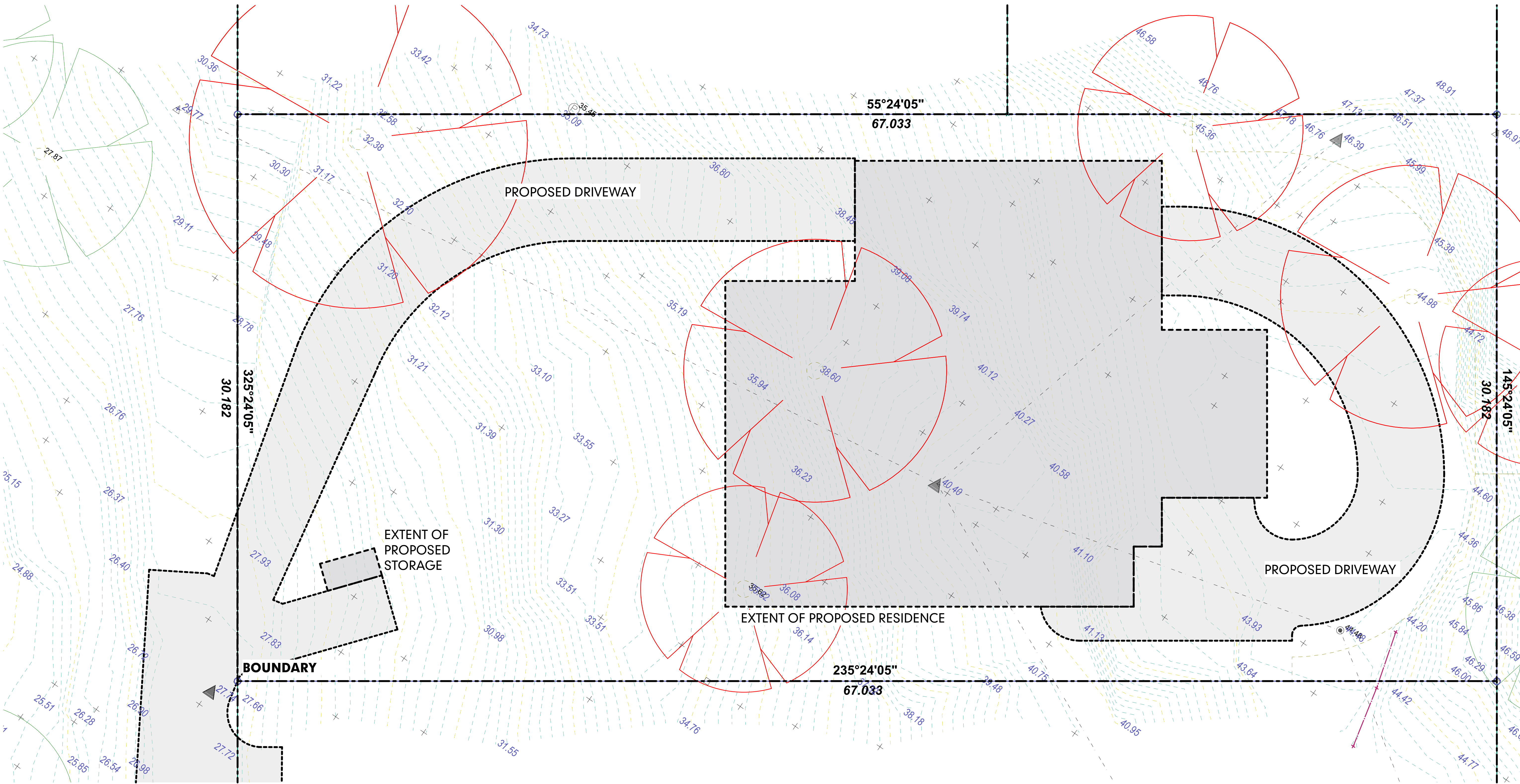


LANDPLAN
LANDSCAPE ARCHITECTURE

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SITE PLAN -EXISTING

SCALE 1:100

LEGEND

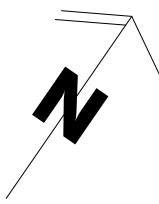
- | | | | | | | | |
|--|--------------------|--|----------------------|--|---|--|--------------------------------|
| | Sewer Manhole | | Edge of Bitumen | | Underground Electricity (from records) | | Significant tree |
| | Electricity Pillar | | Edge of Gravel Track | | Underground Telstra/ NBN (from records) | | Significant tree to be removed |
| | Telstra Pit | | Top of Bank | | Underground Water (from records) | | |
| | Fire Hydrant | | Toe of Bank | | Underground Sewer (from records) | | |
| | Gas Valve | | Change of Grade | | Underground Gas (from records) | | |

SOURCE: RPS: Detail and Contour Survey
DRG No: 150672-1
date: 27.09.2021

MURPHY STREET RESIDENCE
PROPOSED NEW RESIDENCE AT No 12 MURPHY STREET
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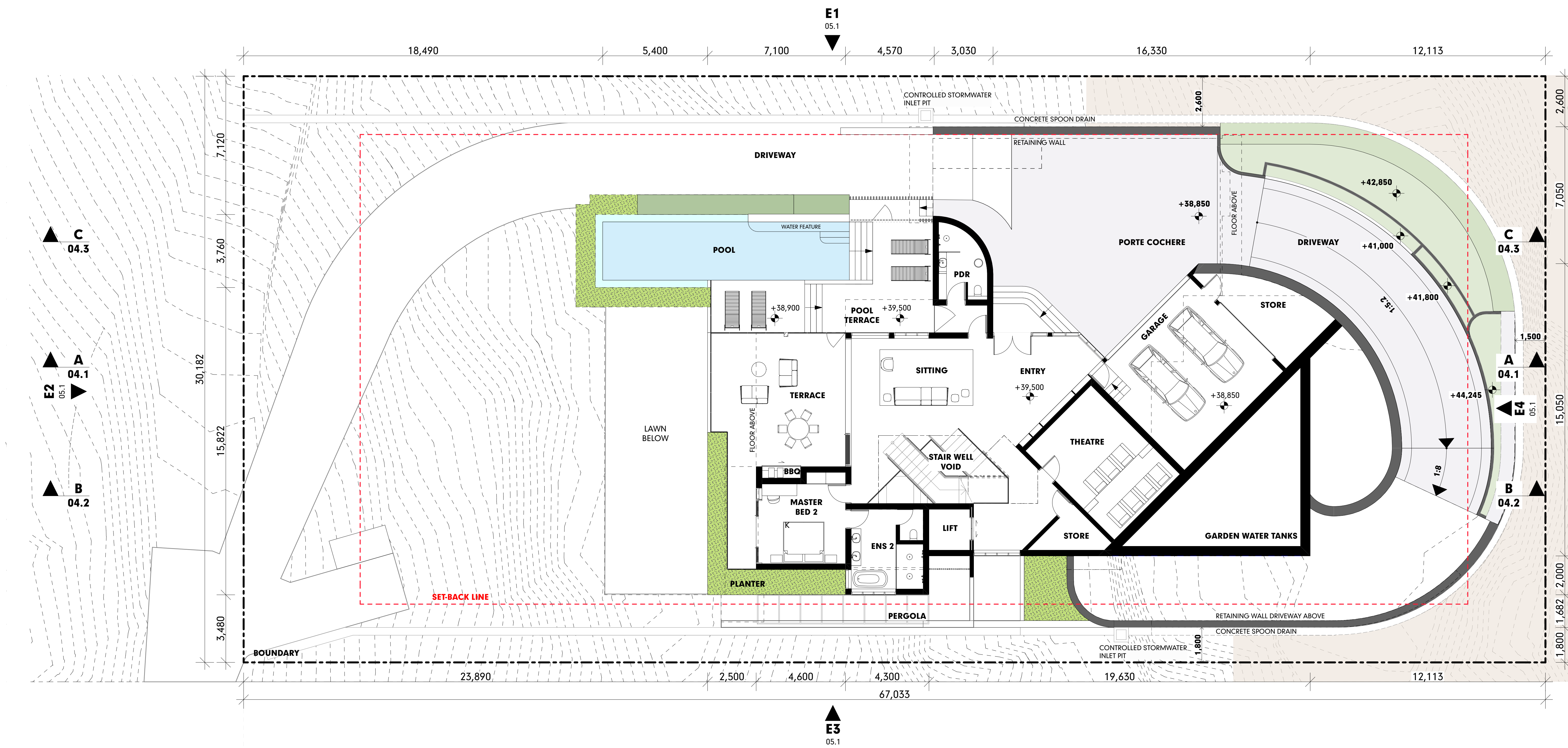
DEVELOPMENT APPLICATION
FLOOR PLAN - EXISTING (SURVEY)

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DRAWING NO. 03.0
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GROUND LEVEL

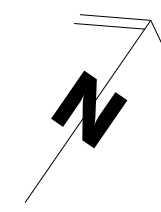
SCALE1:100

READ IN CONJUNCTION WITH:
- LANDSCAPE PLANS
- CIVIL PLANS

MURPHY STREET RESIDENCE
PROPOSED NEW RESIDENCE AT No 12 MURPHY STREET
ON LOT 113 (PTD2094)
FOR : KIM CULLEN & NEIL BIDDLE

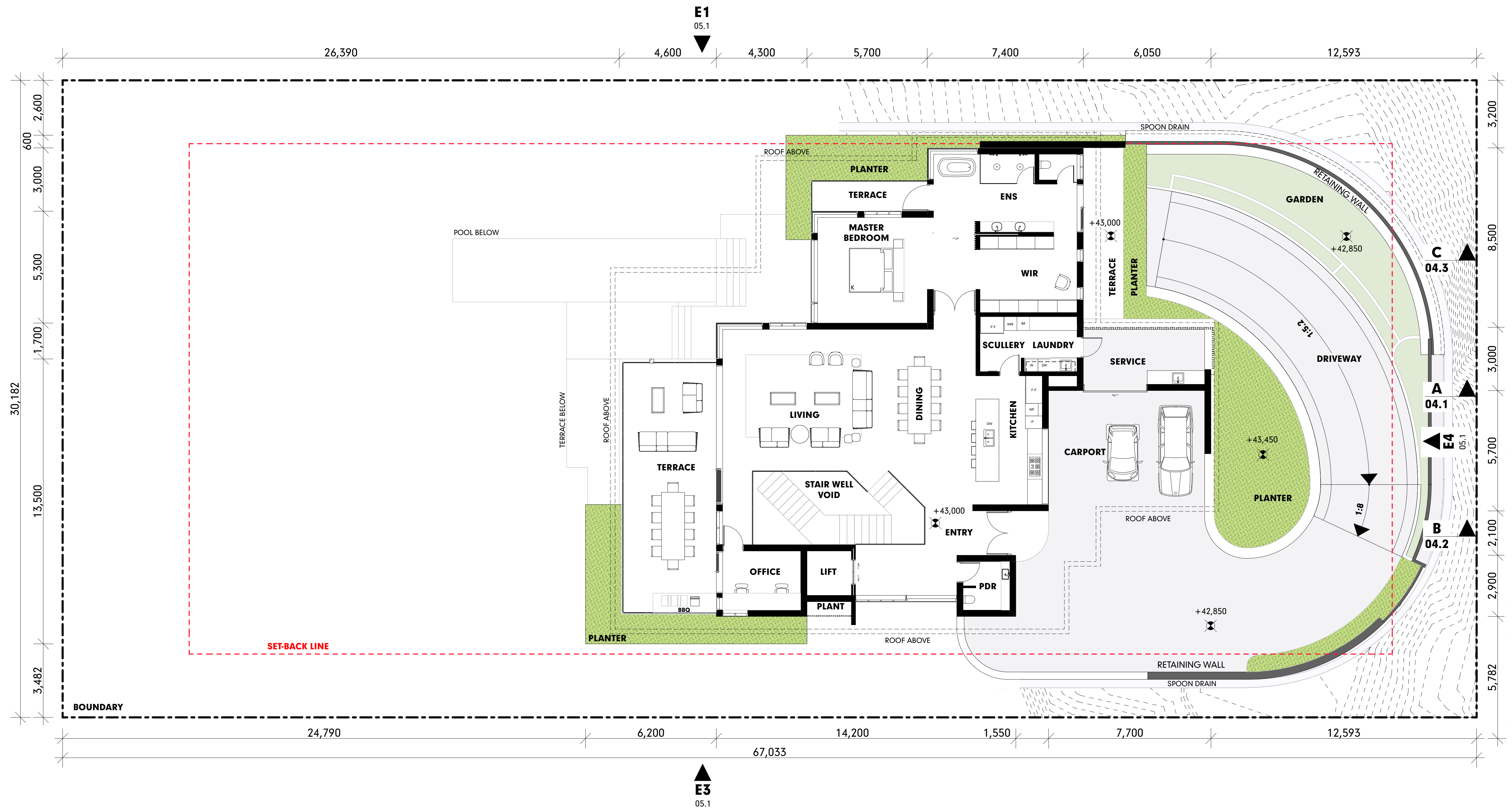
DEVELOPMENT APPLICATION
FLOOR PLAN - GROUND LEVEL

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DEVELOPMENT APPLICATION
PROJECT NO. MURPHY001
DRAWING NO. 03.2
REVISION NO. 01
DATE 2/6/22





FIRST FLOOR

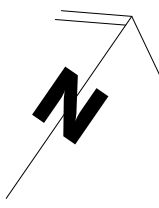
SCALE1:100

READ IN CONJUNCTION WITH:
- LANDSCAPE PLANS
- CIVIL PLANS

MURPHY STREET RESIDENCE
PROPOSED NEW RESIDENCE AT No 12 MURPHY STREET
ON LOT 113 (PTD2094)
FOR : KIM CULLEN & NEIL BIDDLE

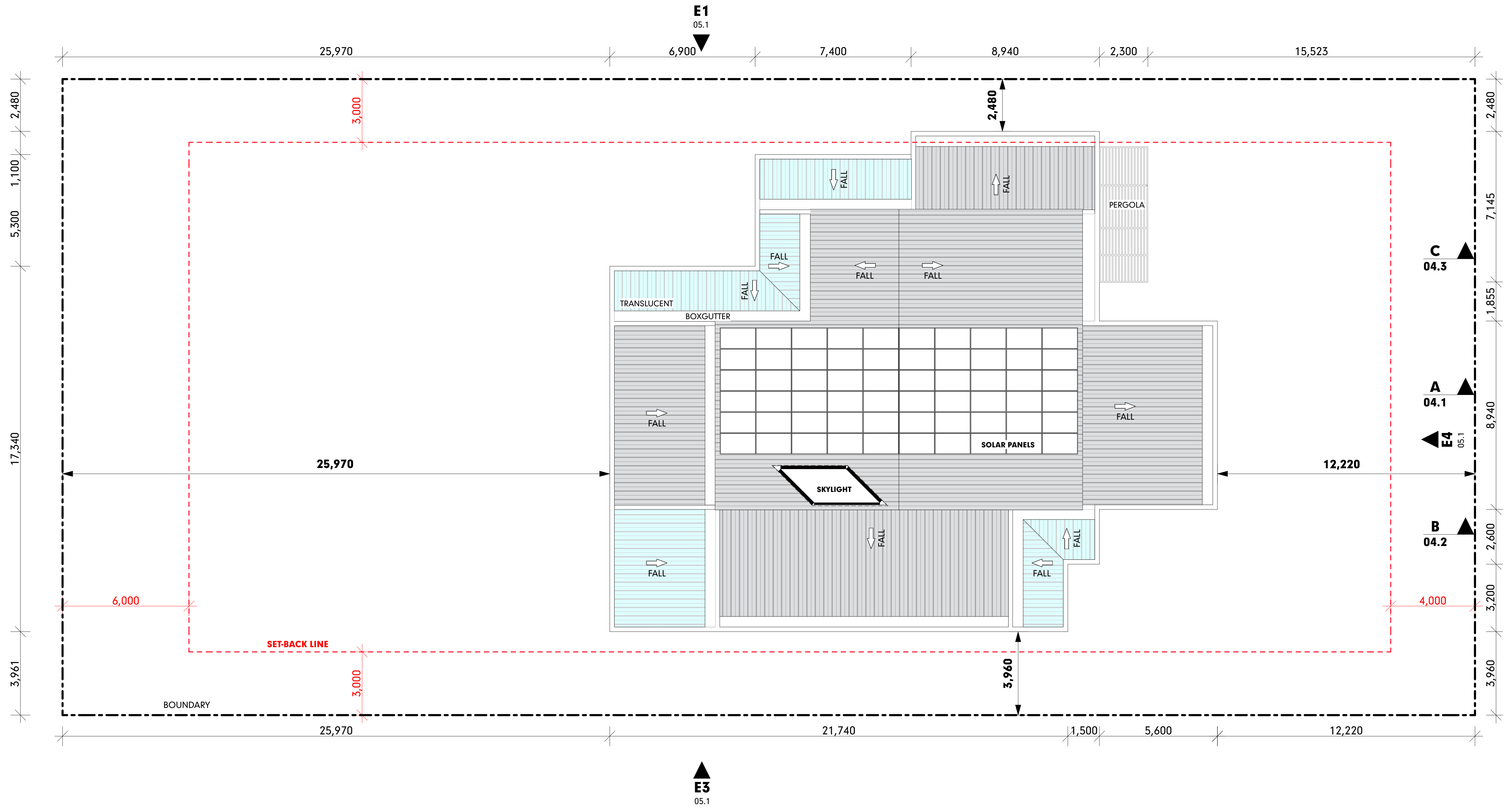
DEVELOPMENT APPLICATION
FLOOR PLAN - FIRST FLOOR

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DEVELOPMENT APPLICATION
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DRAWING NO. 03.3
REVISION NO. 01
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ROOF PLAN

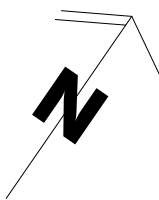
SCALE1:100

READ IN CONJUNCTION WITH:
- LANDSCAPE PLANS
- CIVIL PLANS

MURPHY STREET RESIDENCE
PROPOSED NEW RESIDENCE AT No 12 MURPHY STREET
ON LOT 113 (PTD2094)
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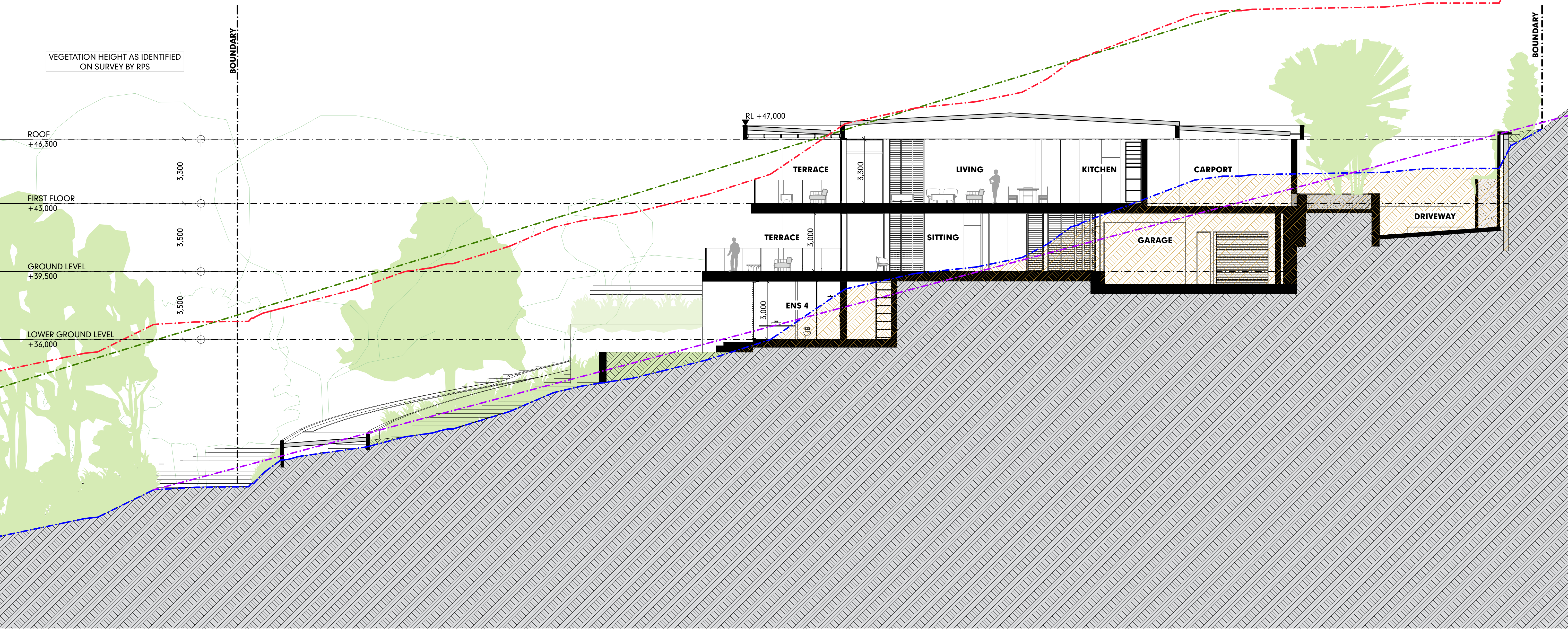
DEVELOPMENT APPLICATION
FLOOR PLAN - ROOF

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DEVELOPMENT APPLICATION
PROJECT NO. MURPHY001
DRAWING NO. 03.4
REVISION NO. 01
DATE 2/6/22





SECTION A
SCALE 1:100

- LEGEND**
- EXCAVATION
 - FILL
 - NATURAL SURFACE LEVEL (N.S.L.)
 - AVERAGE N.S.L.
 - 8.5M ABOVE N.S.L.
 - AVERAGE 8.5M ABOVE N.S.L.

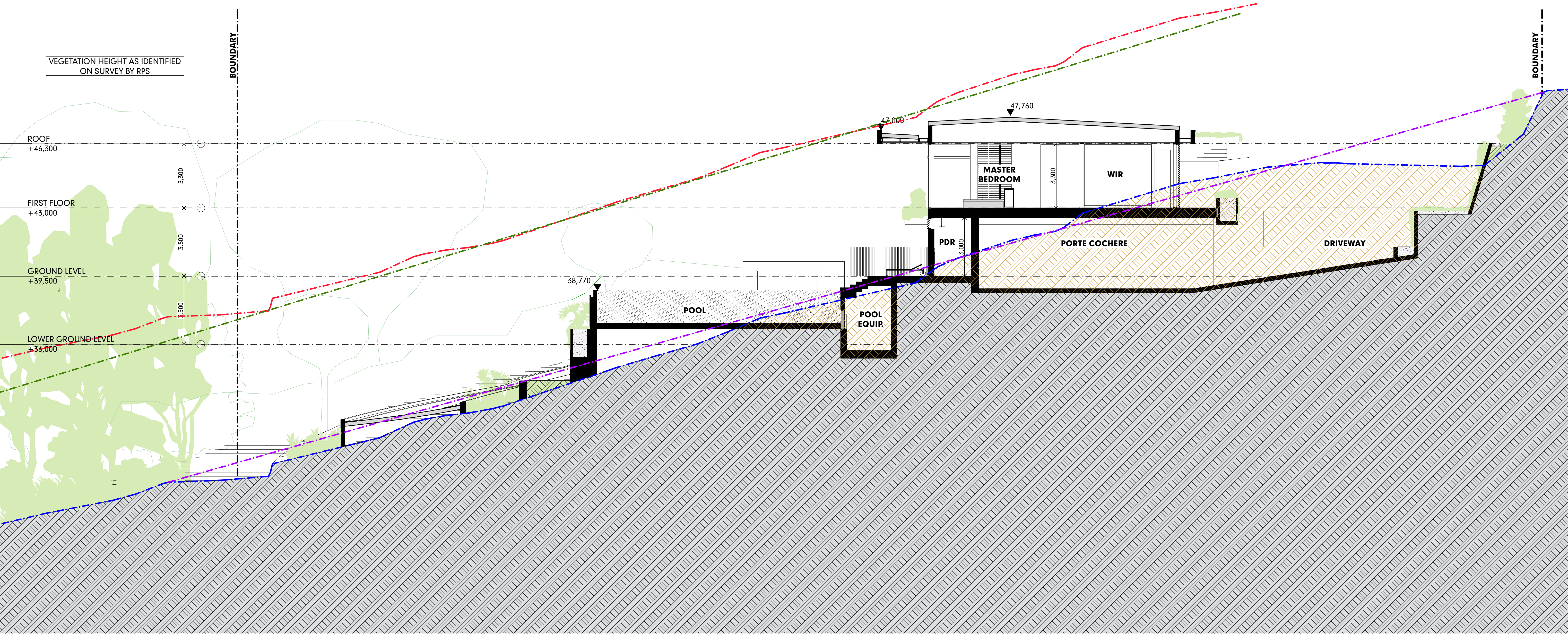
READ IN CONJUNCTION WITH:
- LANDSCAPE PLANS
- CIVIL PLANS

MURPHY STREET RESIDENCE
PROPOSED NEW RESIDENCE AT No 12 MURPHY STREET
ON LOT 113 (PTD2094)
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DEVELOPMENT APPLICATION
SECTION A
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DRAWING NO. 04.1
REVISION NO. 01
DATE 2/6/22





SECTION C
SCALE 1:100

LEGEND

| | |
|--|--------------------------------|
| | EXCAVATION |
| | FILL |
| | NATURAL SURFACE LEVEL (N.S.L.) |
| | AVERAGE N.S.L. |
| | 8.5M ABOVE N.S.L. |
| | AVERAGE 8.5M ABOVE N.S.L. |

READ IN CONJUNCTION WITH:
- LANDSCAPE PLANS
- CIVIL PLANS

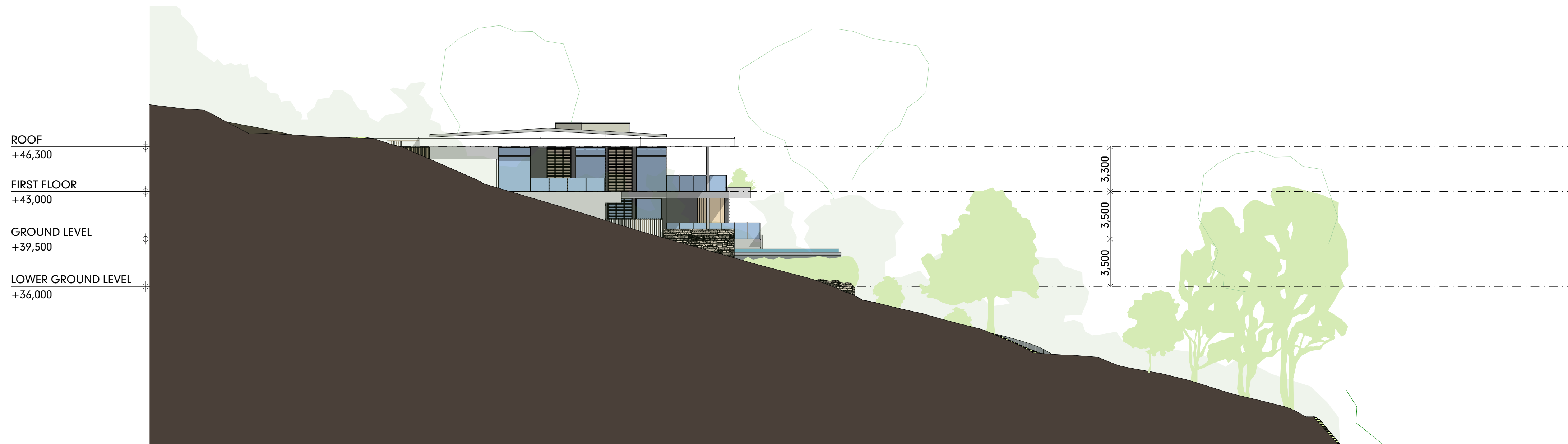
MURPHY STREET RESIDENCE
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FOR : KIM CULLEN & NEIL BIDDLE

DEVELOPMENT APPLICATION
SECTION C
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DEVELOPMENT APPLICATION
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DRAWING NO. 04.3
REVISION NO. 01
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NORTH-WEST ELEVATION
SCALE 1:200



SOUTH-EAST ELEVATION
SCALE 1:200



NORTH-EAST ELEVATION
SCALE 1:200



NORTH-EAST ELEVATION
SCALE 1:200

READ IN CONJUNCTION WITH:
- LANDSCAPE PLANS
- CIVIL PLANS

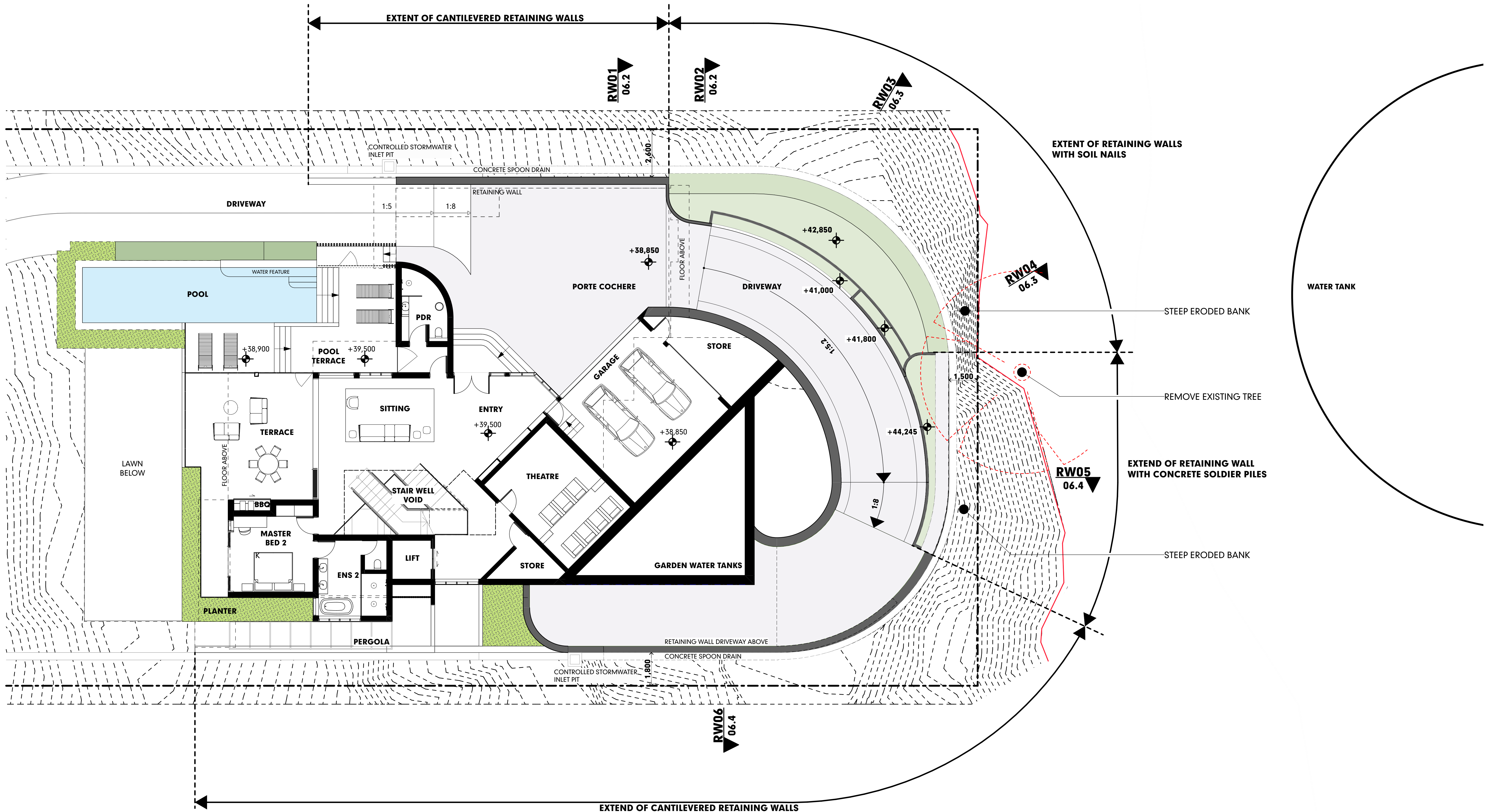
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DEVELOPMENT APPLICATION
ELEVATIONS
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DEVELOPMENT APPLICATION
PROJECT NO. MURPHY001
DRAWING NO. 05.1
REVISION NO. 01
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SITE PLAN - REAR RETAINING WALLS

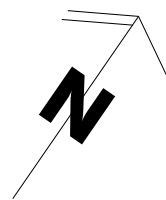
1:100

READ IN CONJUNCTION WITH:
- LANDSCAPE PLANS
- CIVIL PLANS

MURPHY STREET RESIDENCE
PROPOSED NEW RESIDENCE AT No 12 MURPHY STREET
ON LOT 113 (PTD2094)
FOR : KIM CULLEN & NEIL BIDDLE

DEVELOPMENT APPLICATION
REAR RETAINING WALLS - PLAN

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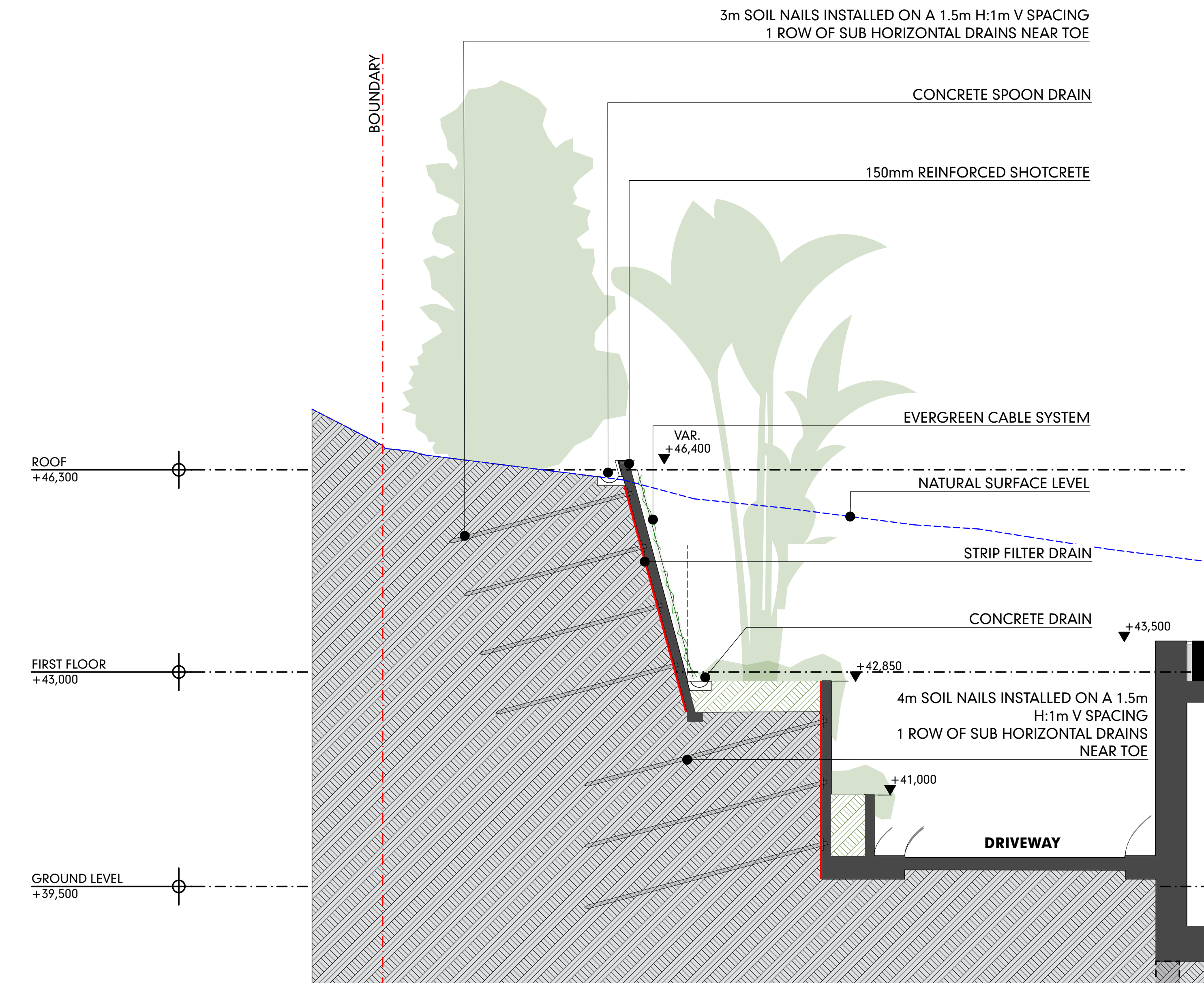


LANDPLAN
LANDSCAPE ARCHITECTURE

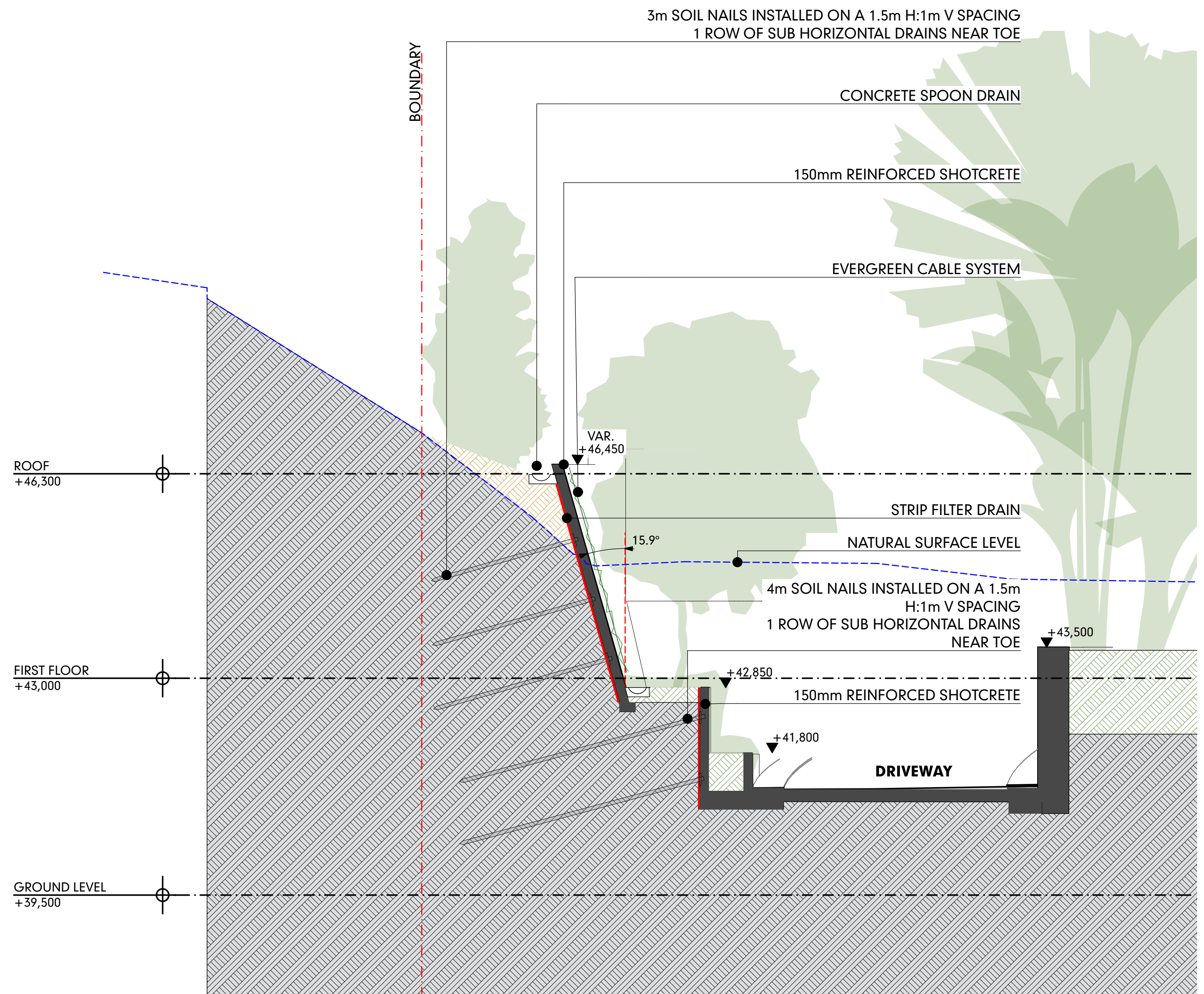
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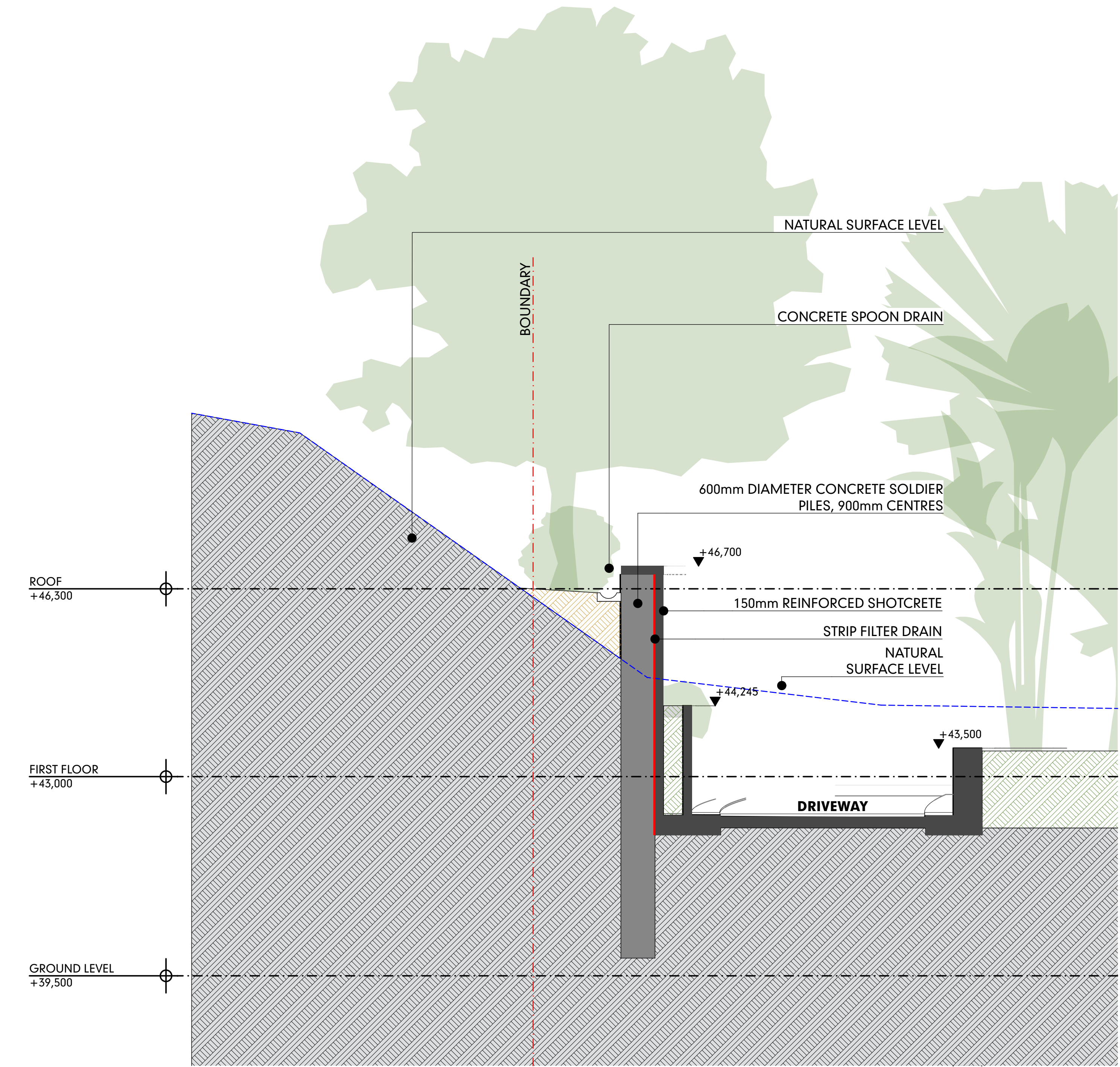


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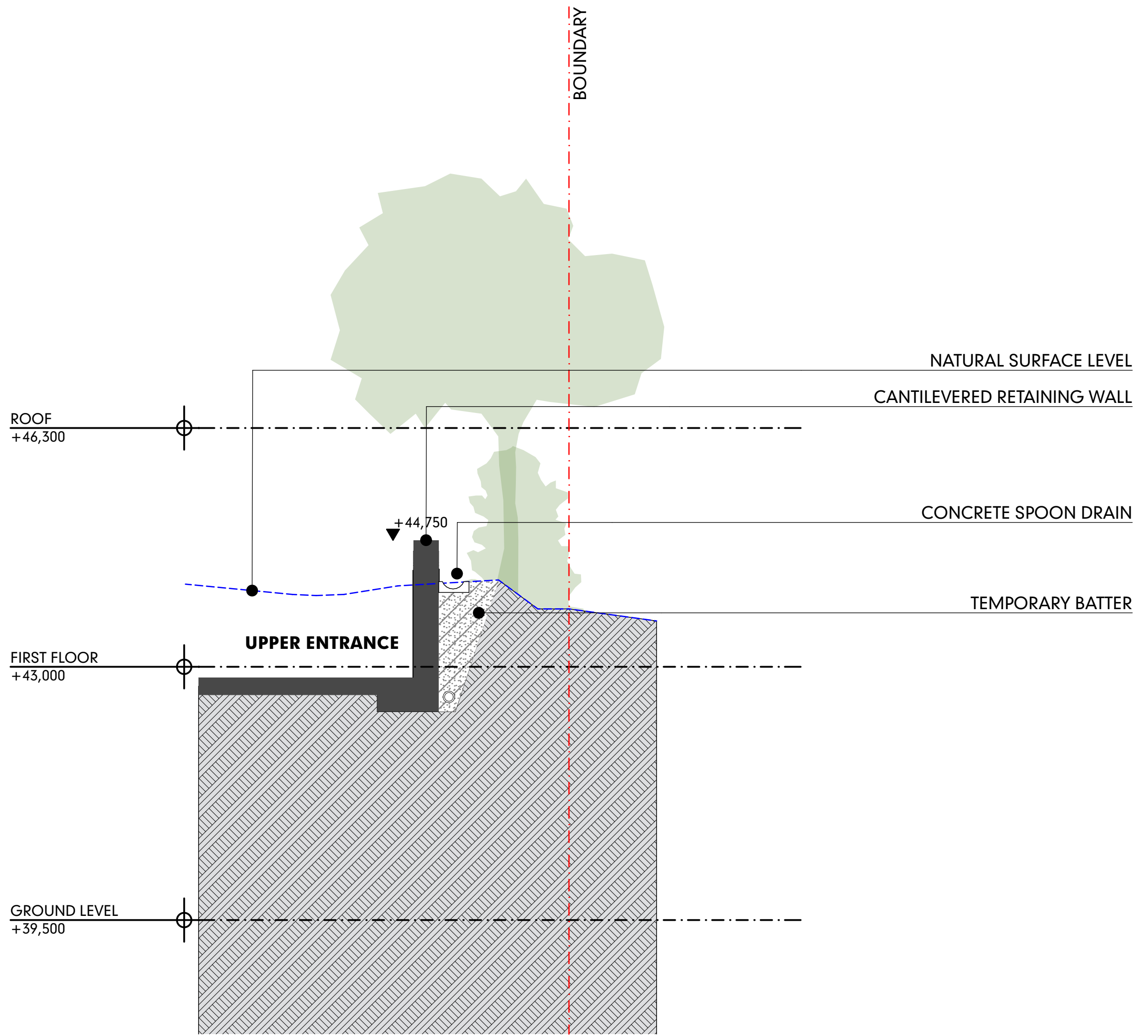


SECTION RW04

PLANTS AT MATURE HEIGHT AS DEPICTED ON LANDSCAPE PLAN



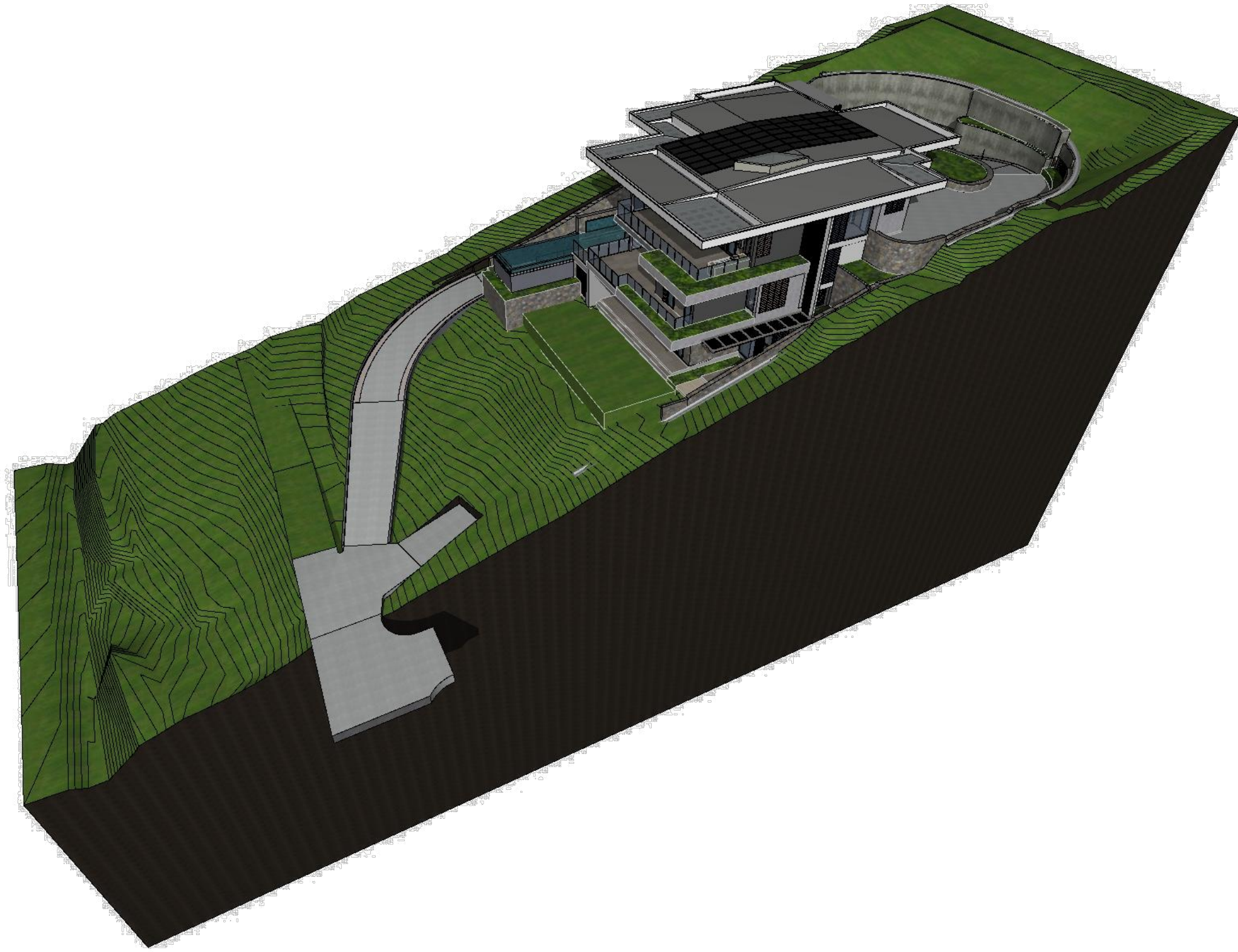
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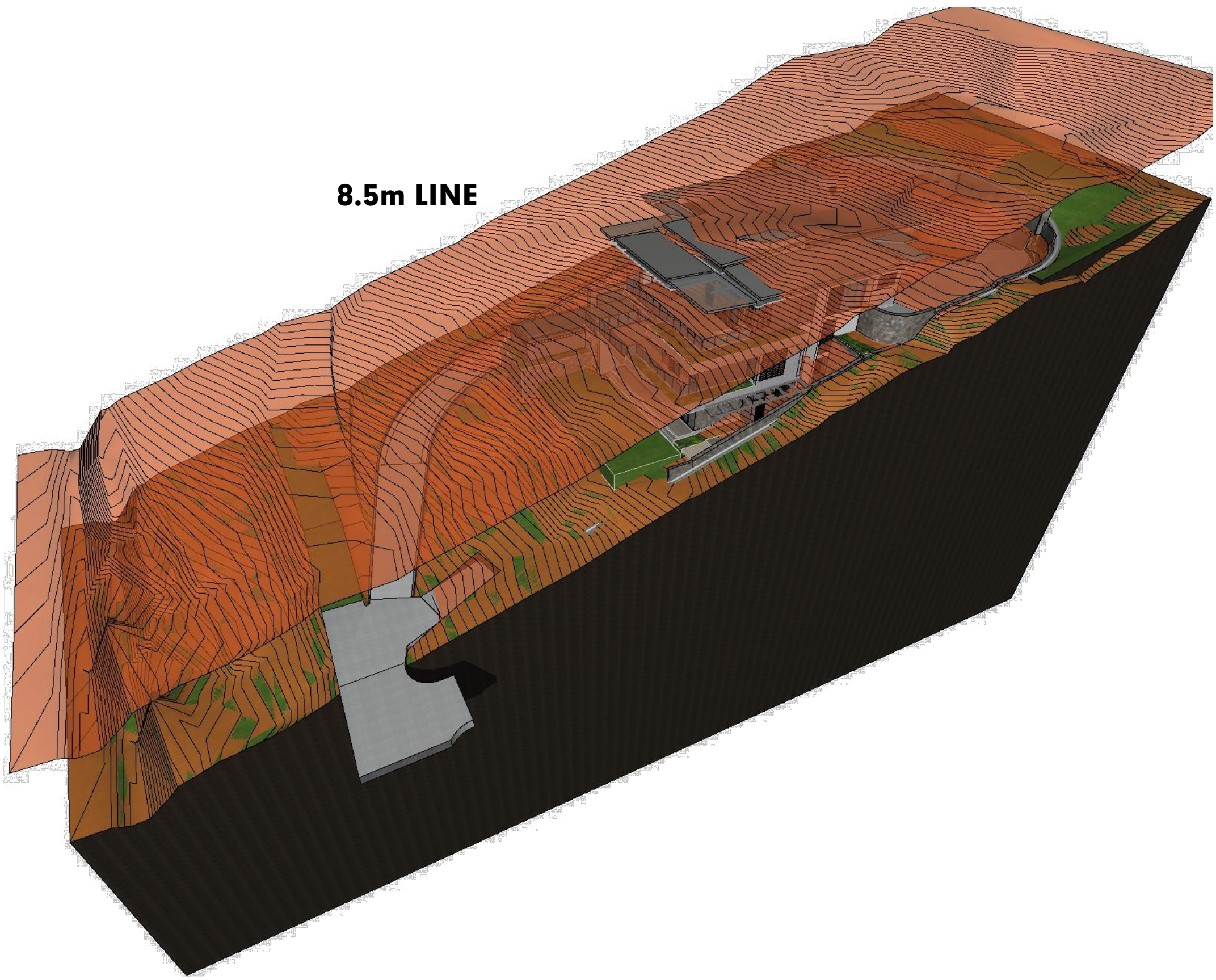
SECTION RW06

PLANTS AT MATURE HEIGHT AS DEPICTED ON LANDSCAPE PLAN

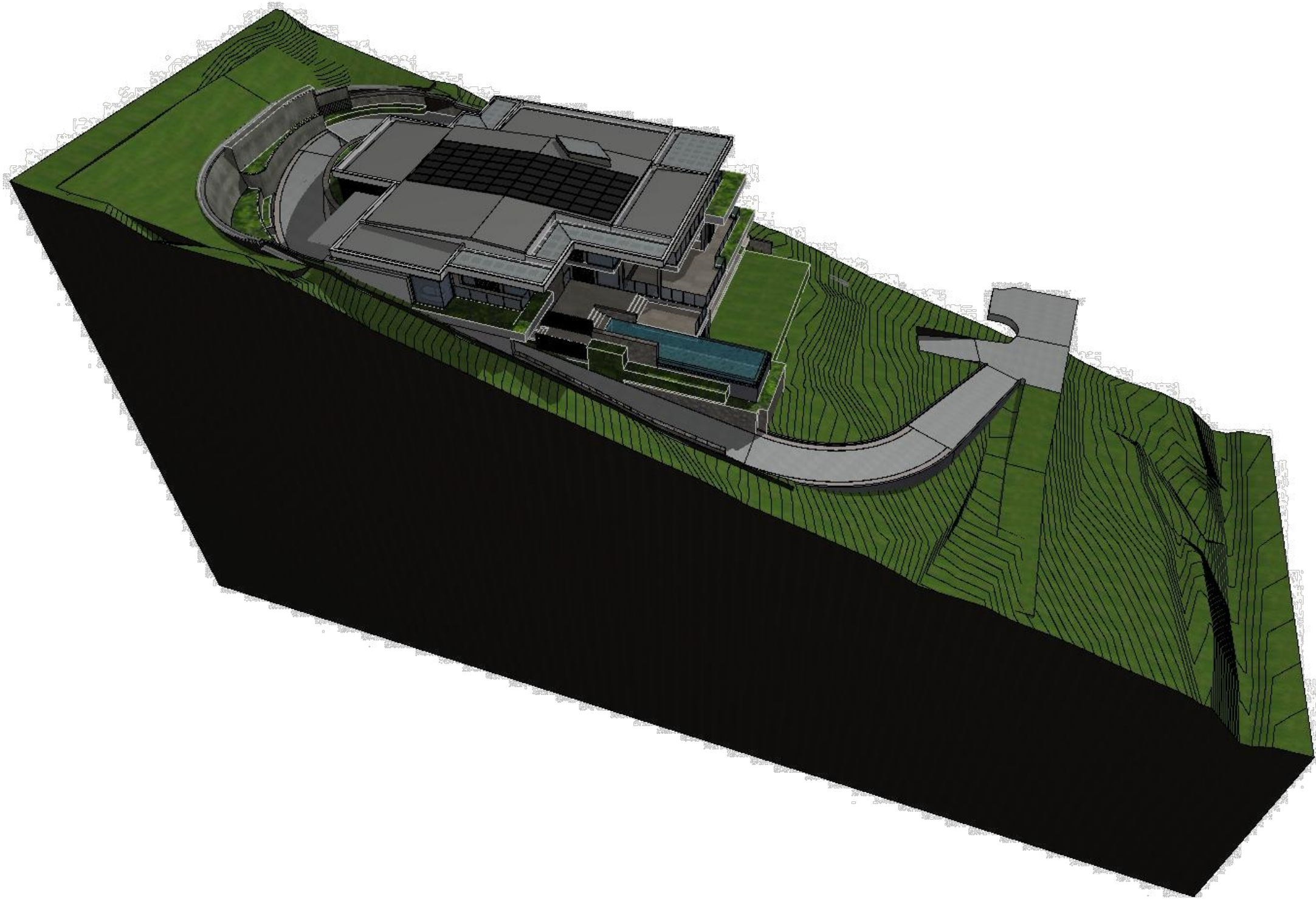




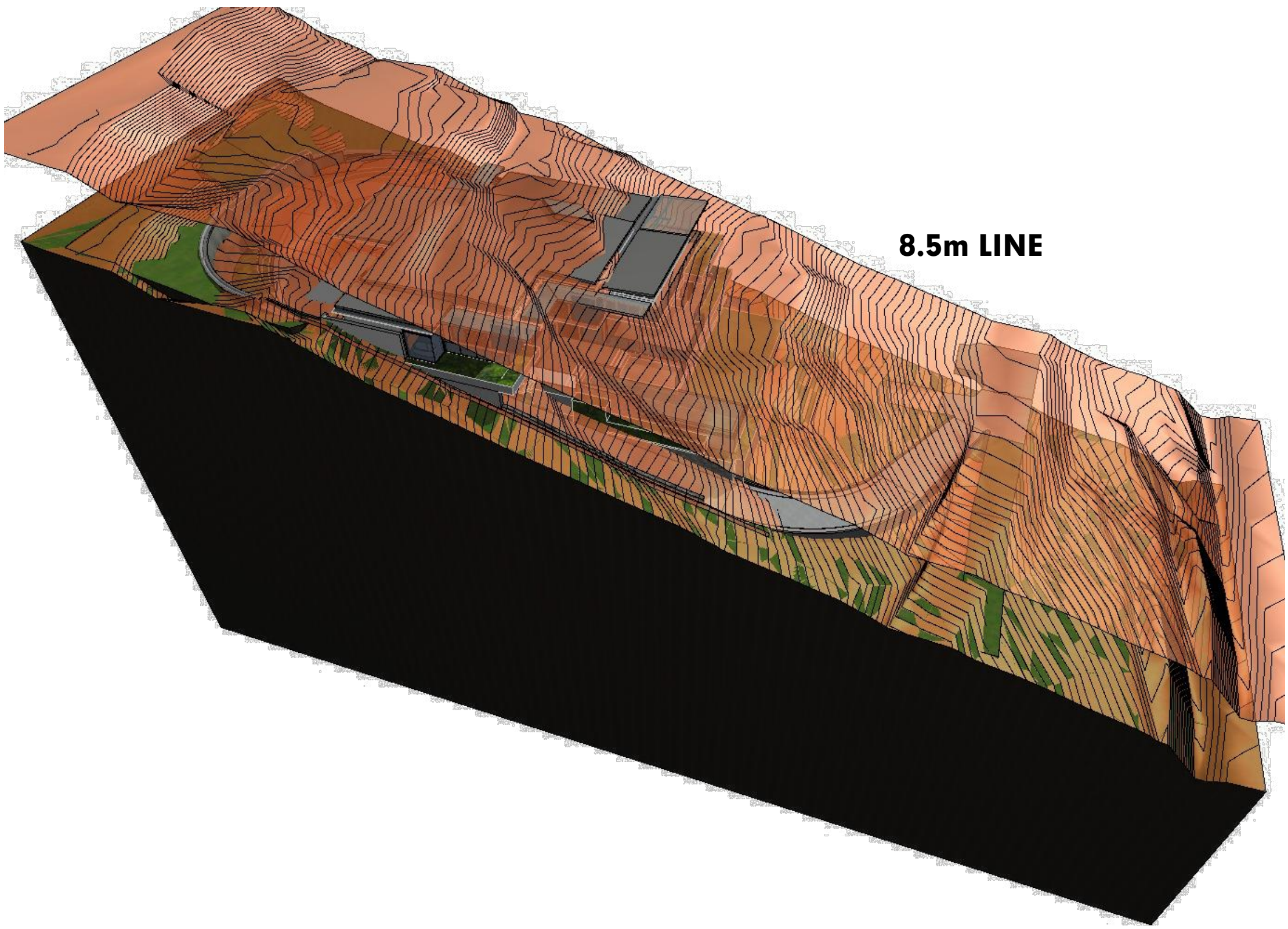
VIEW FROM SOUTH



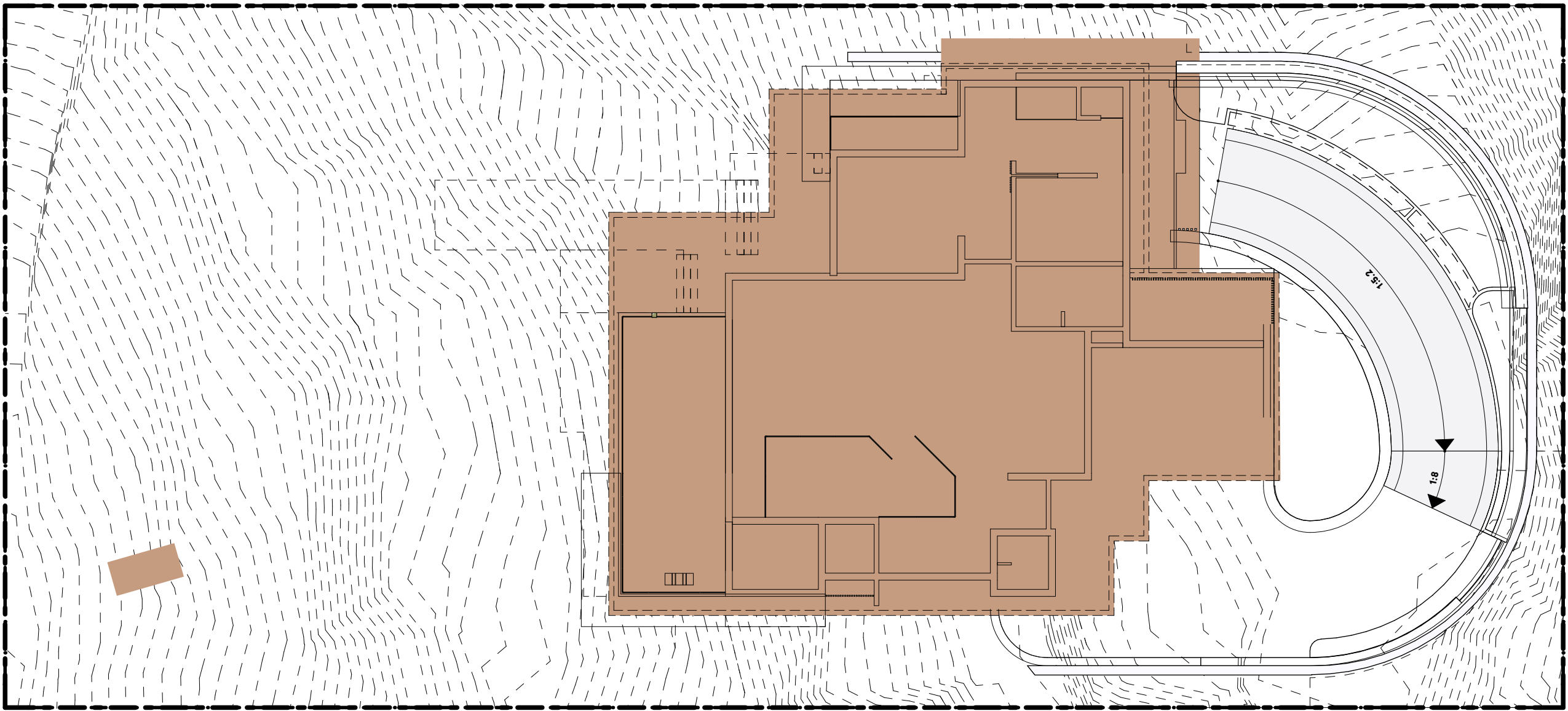
VIEW FROM SOUTH - ANALYSIS



VIEW FROM NORTH



VIEW FROM NORTH - ANALYSIS

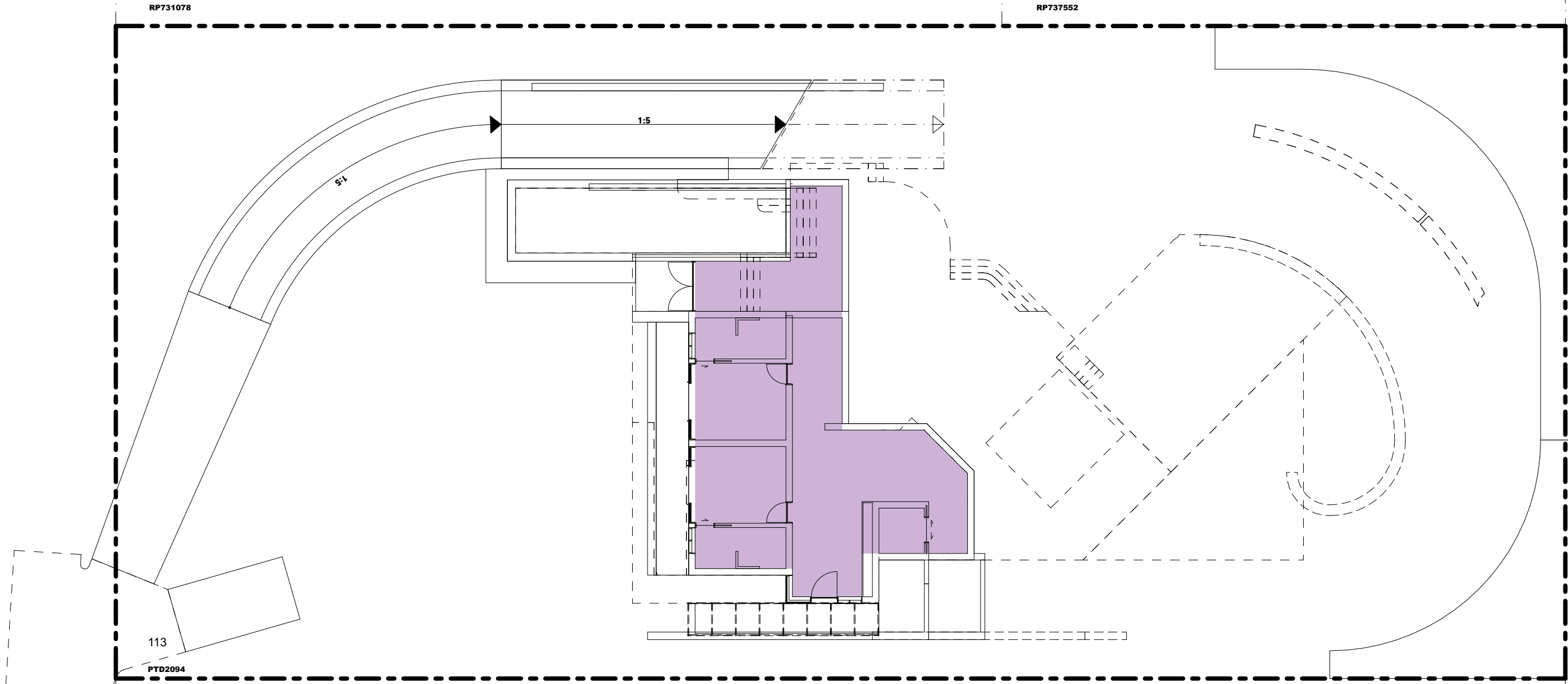


SITE COVERAGE
SCALE1:200

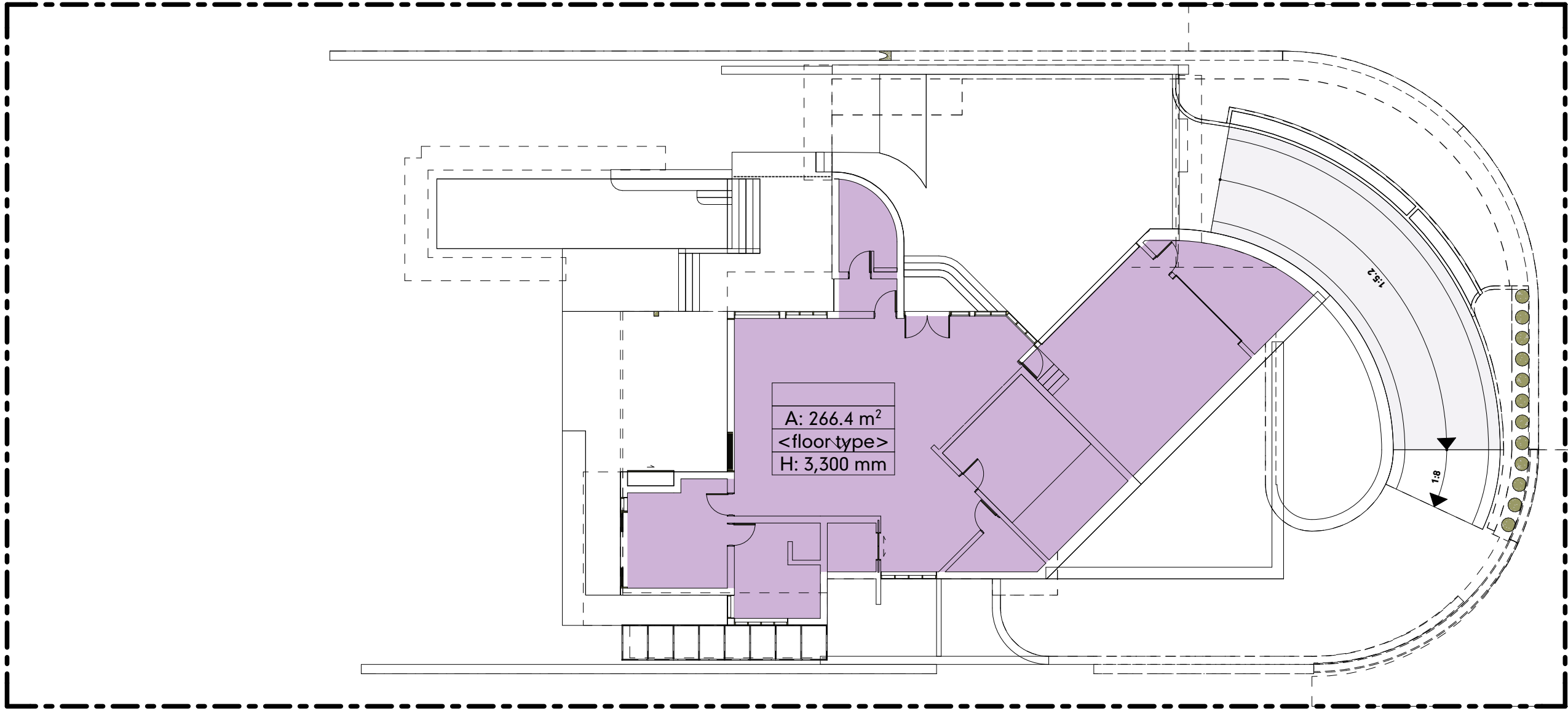
| SITE AREA | |
|-----------|-----------|
| | AREA (m2) |
| SITE | 2,023 |

| COVERED AREA | |
|--------------|-----------|
| STORY | AREA (m2) |
| PROJECTED | 581 |

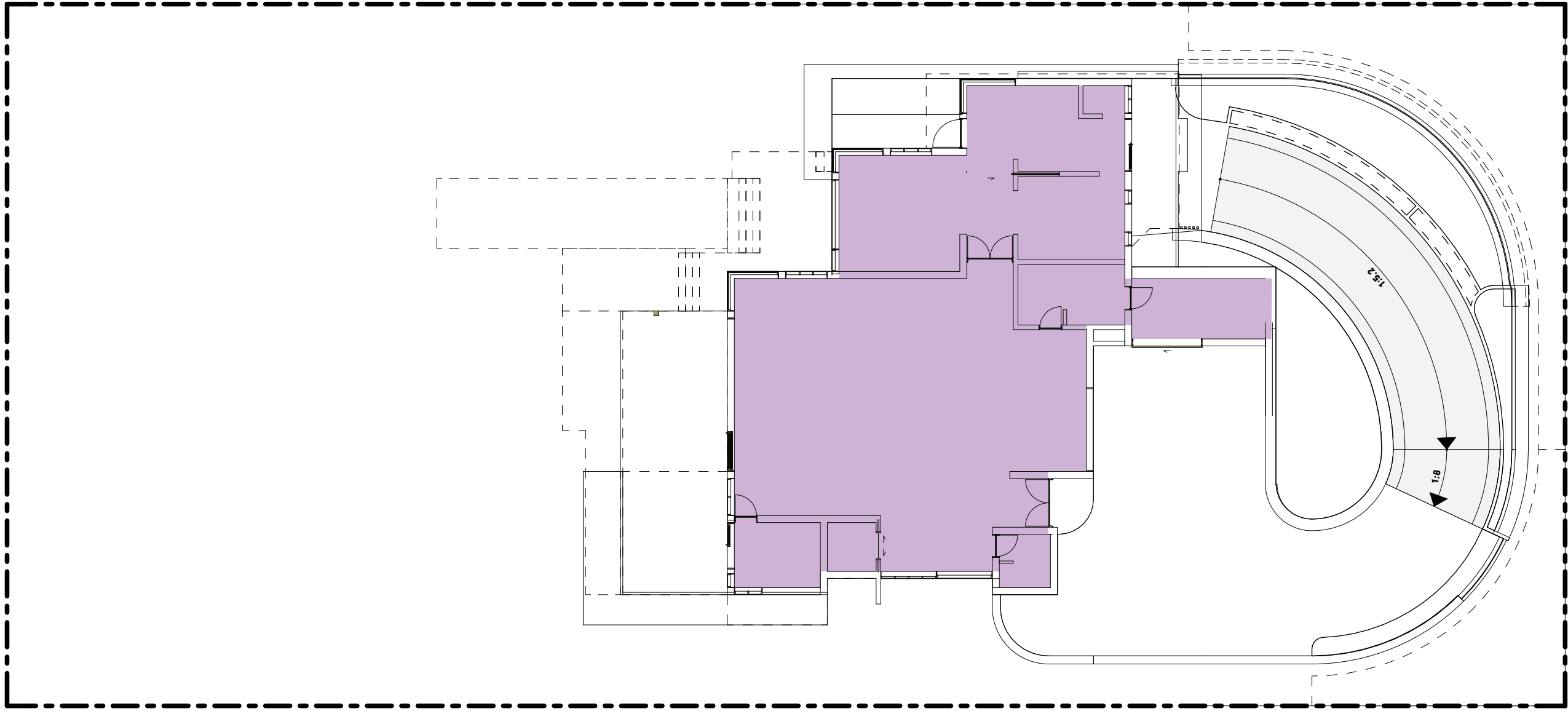
| GROSS FLOOR AREA (GFA) | |
|------------------------|-----------|
| STORY | AREA (m2) |
| LOWER GROUND LEVEL | 141 |
| GROUND LEVEL | 266 |
| FIRST FLOOR | 293 |
| | 701 m² |



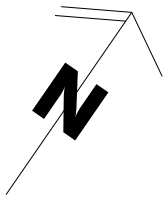
LOWER GROUND LEVEL - GFA
SCALE1:200

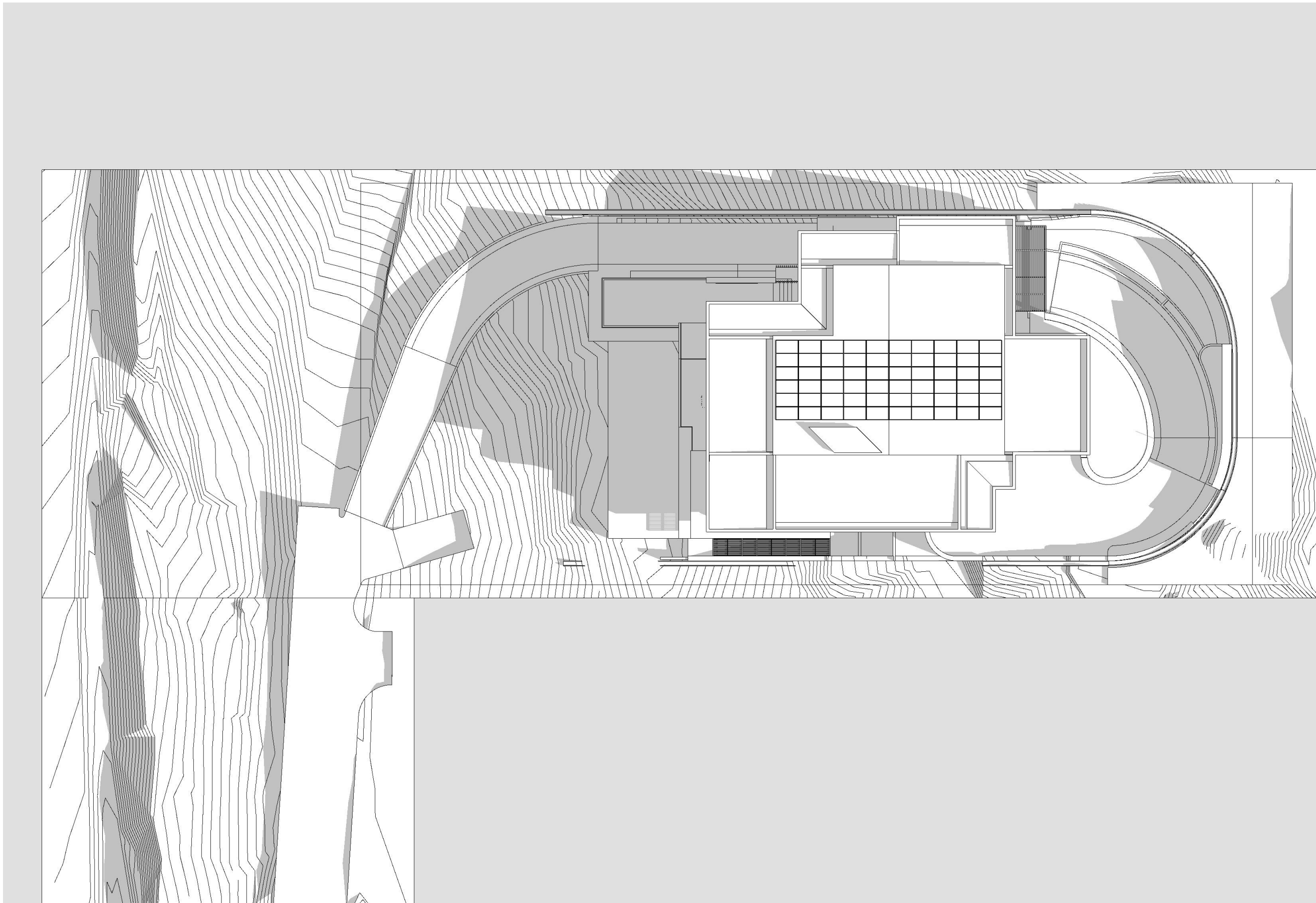


GROUND LEVEL - GFA
SCALE1:200

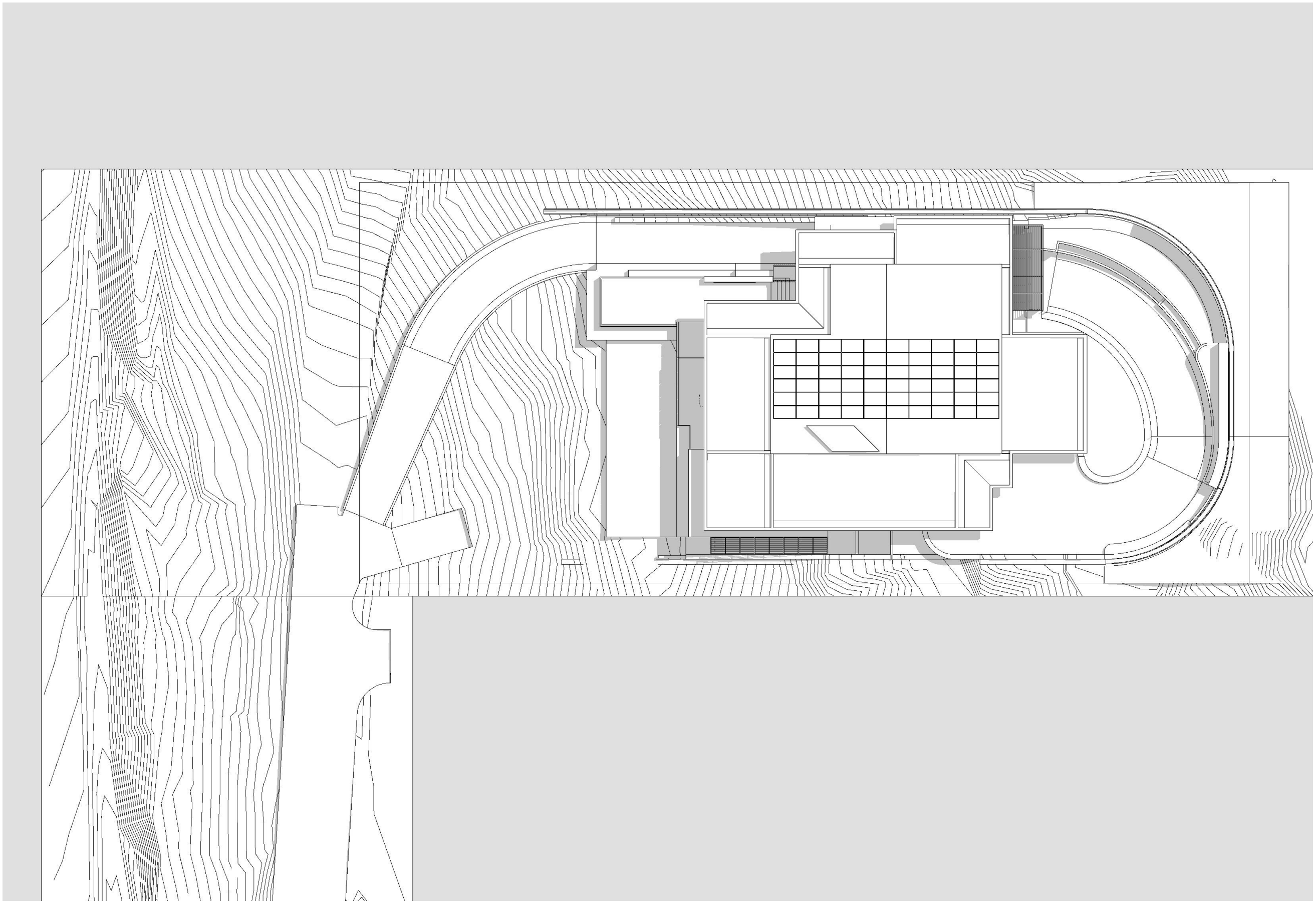


GROUND LEVEL - GFA
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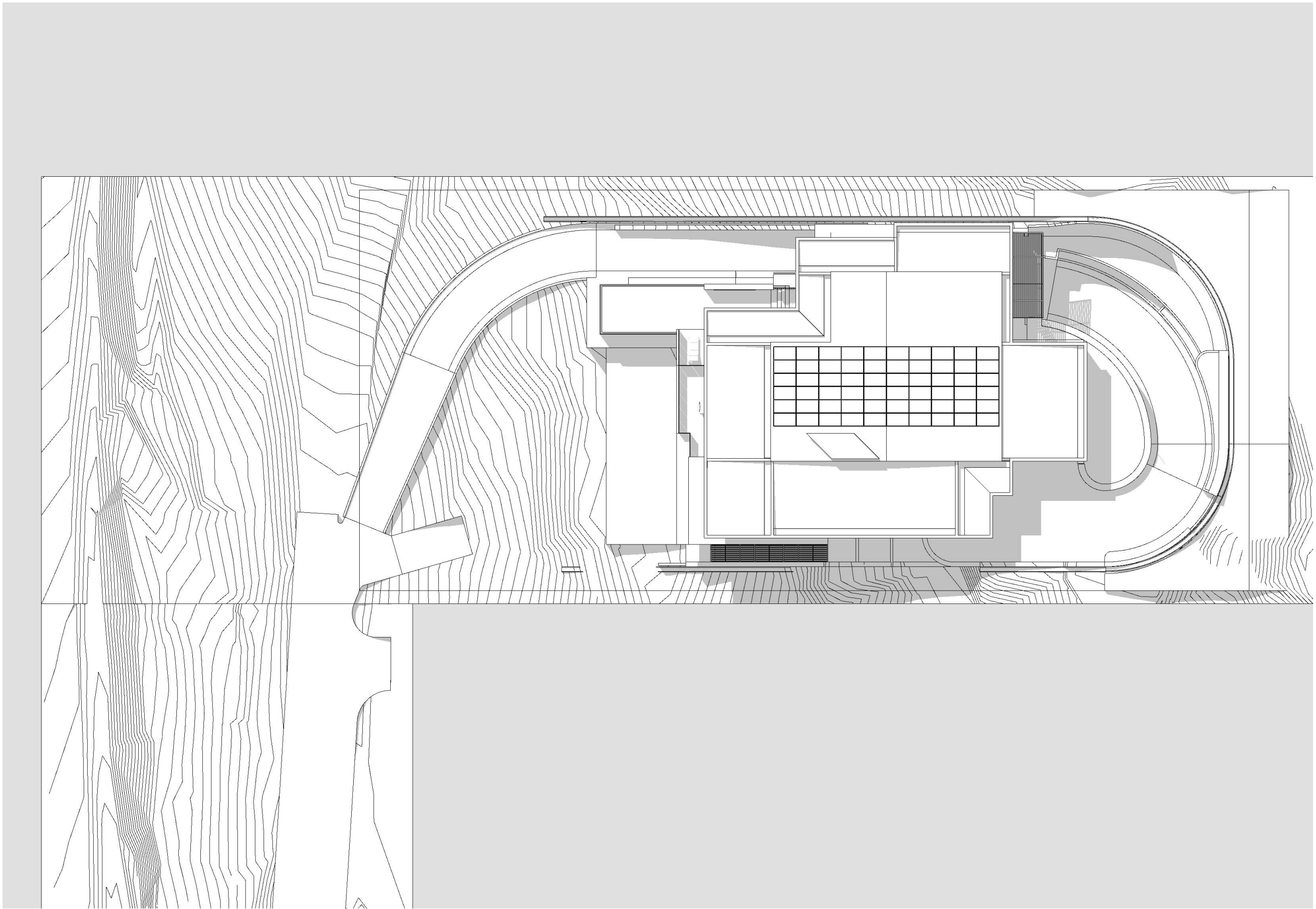




21/03 - 09AM

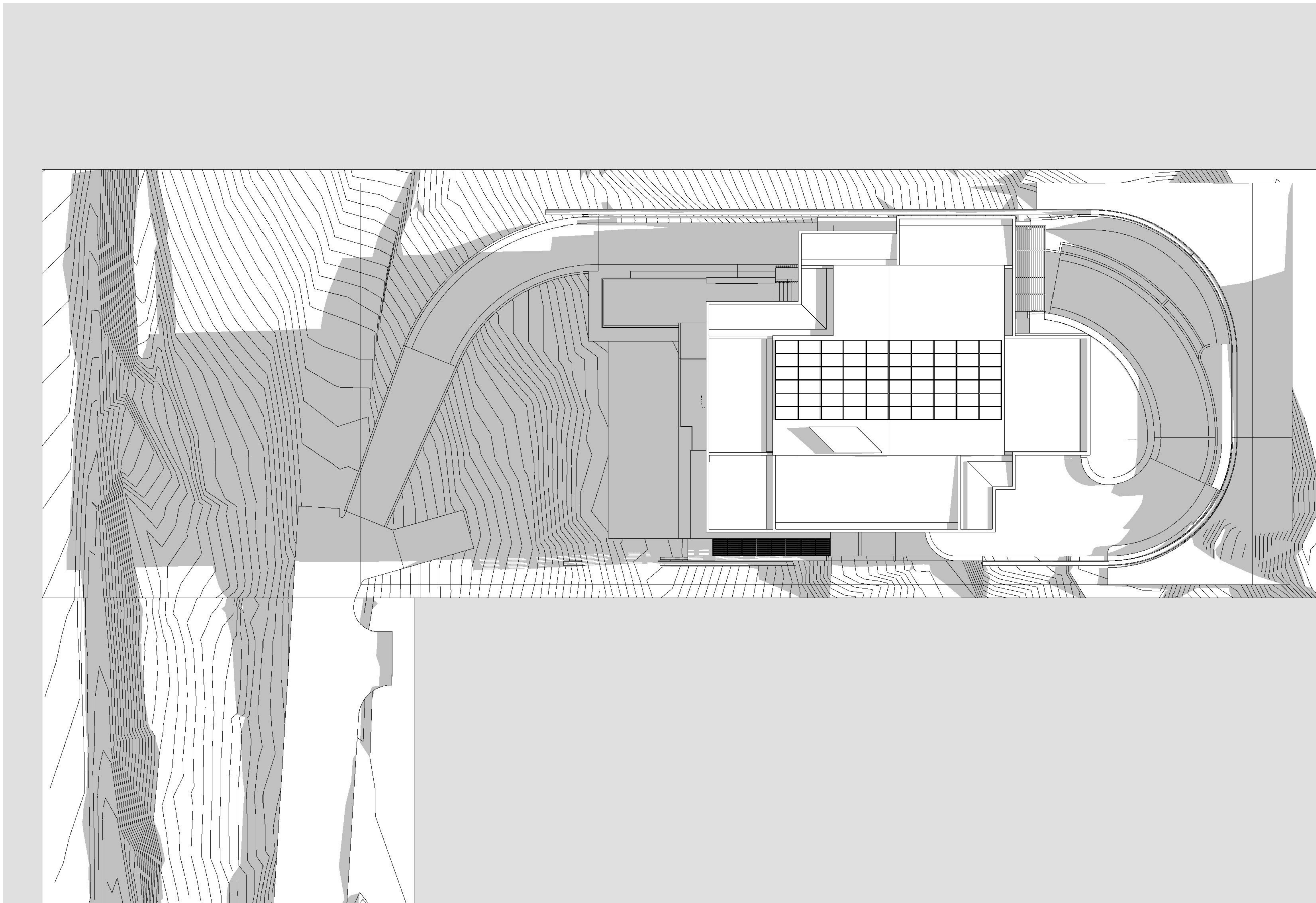


21/03 - 12PM

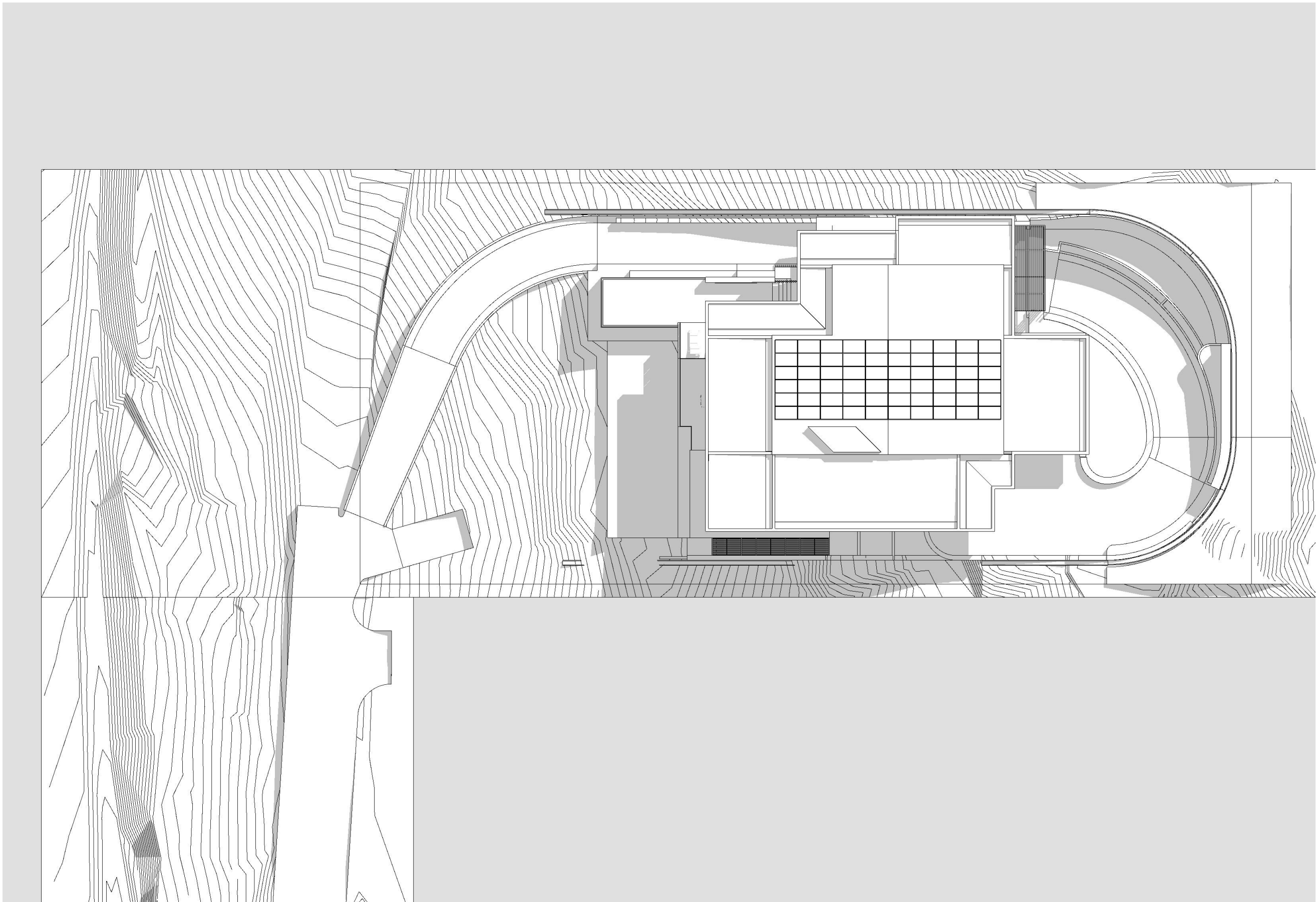


21/03 - 03PM

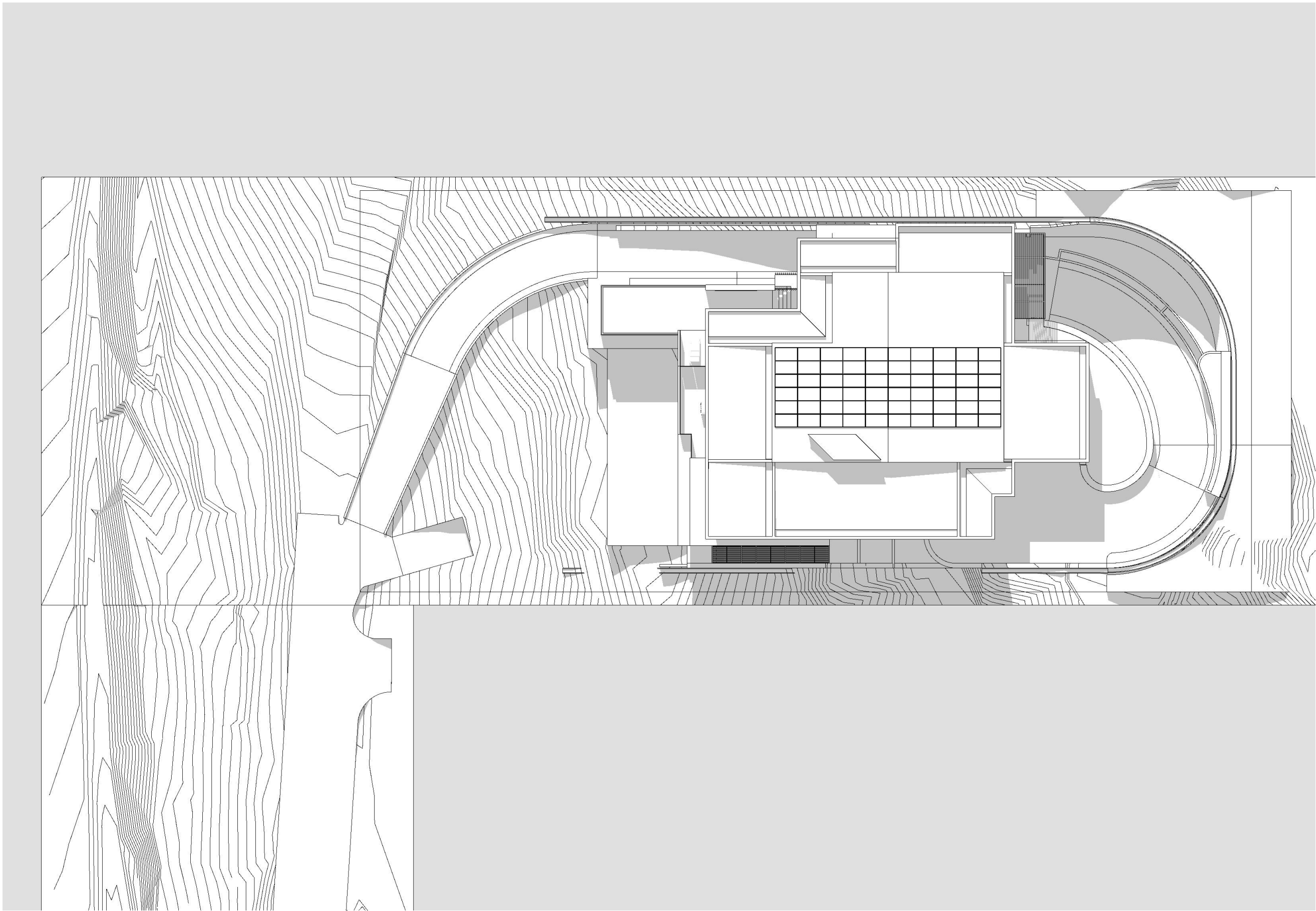




21/06 - 09AM

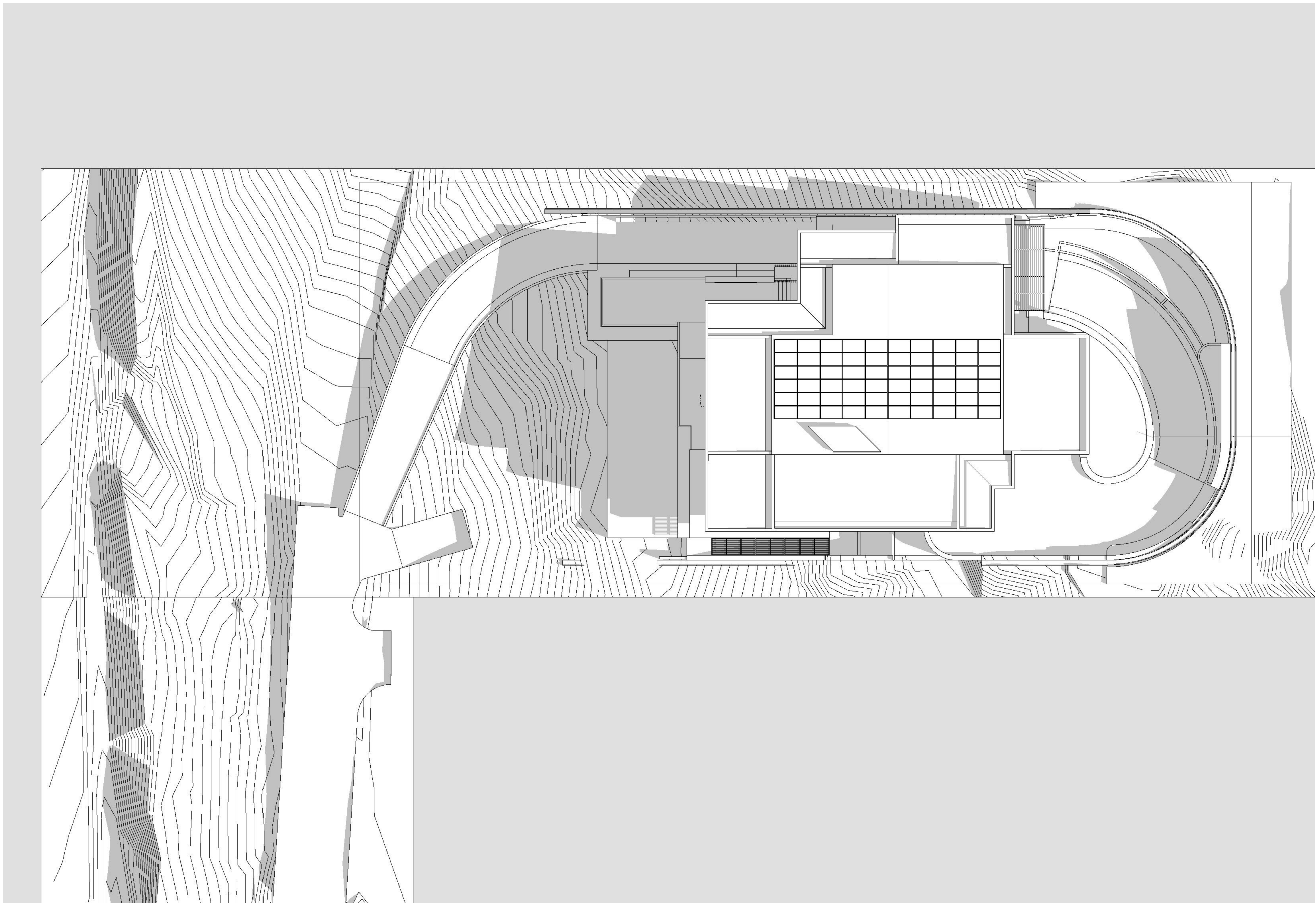


21/06 - 12PM

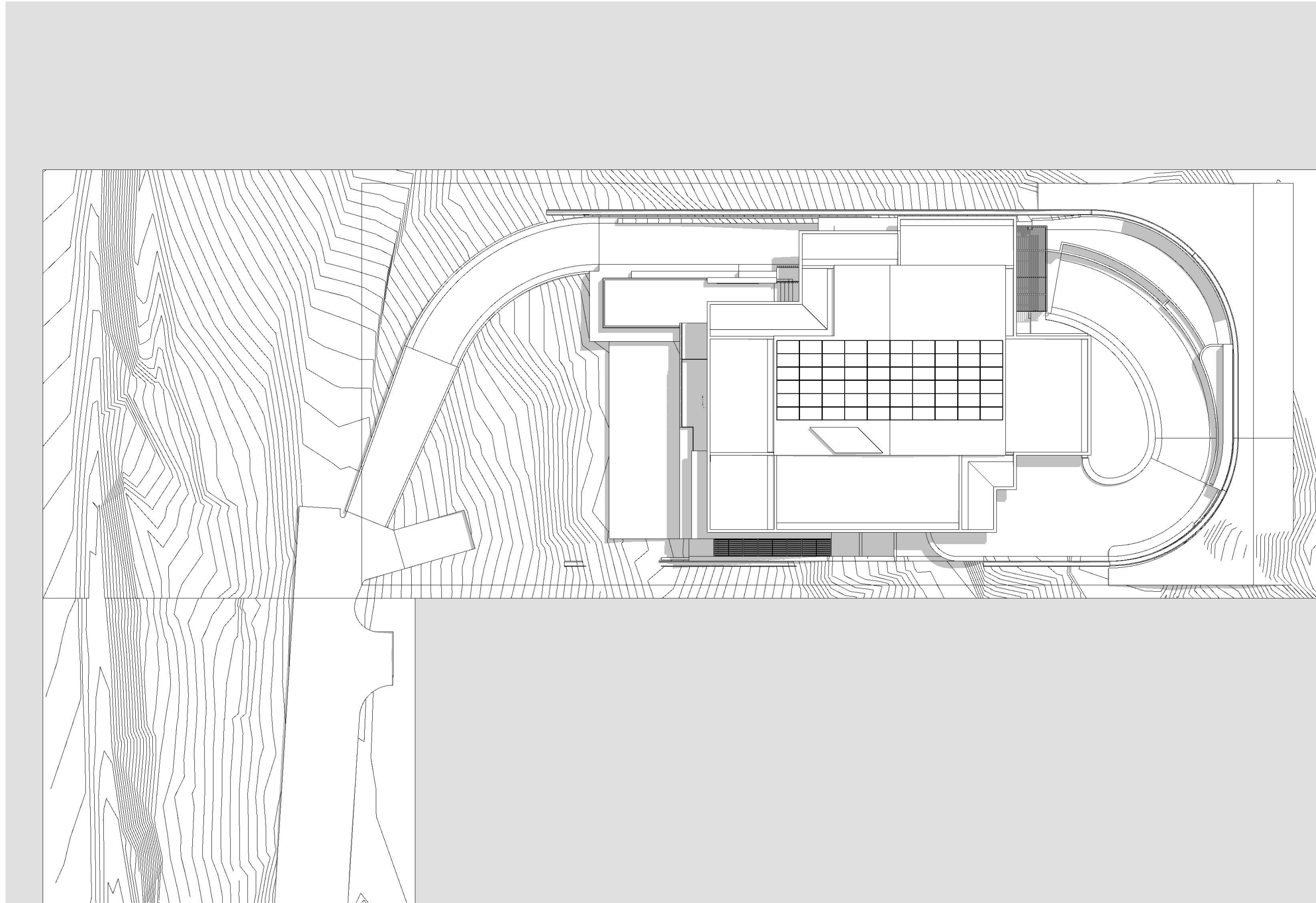


21/06 - 03PM

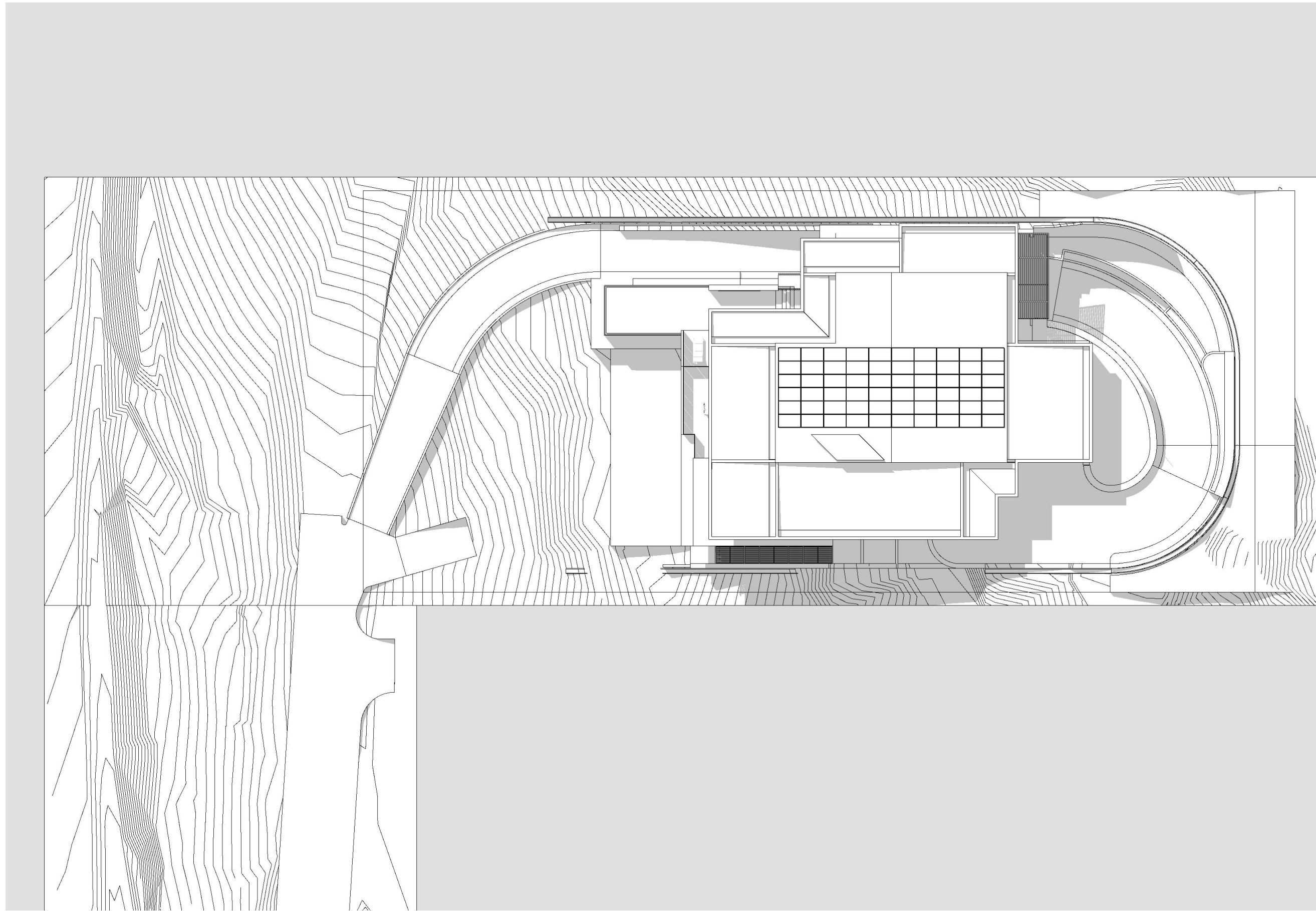




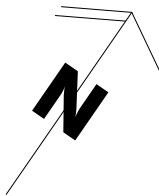
23/09 - 09AM

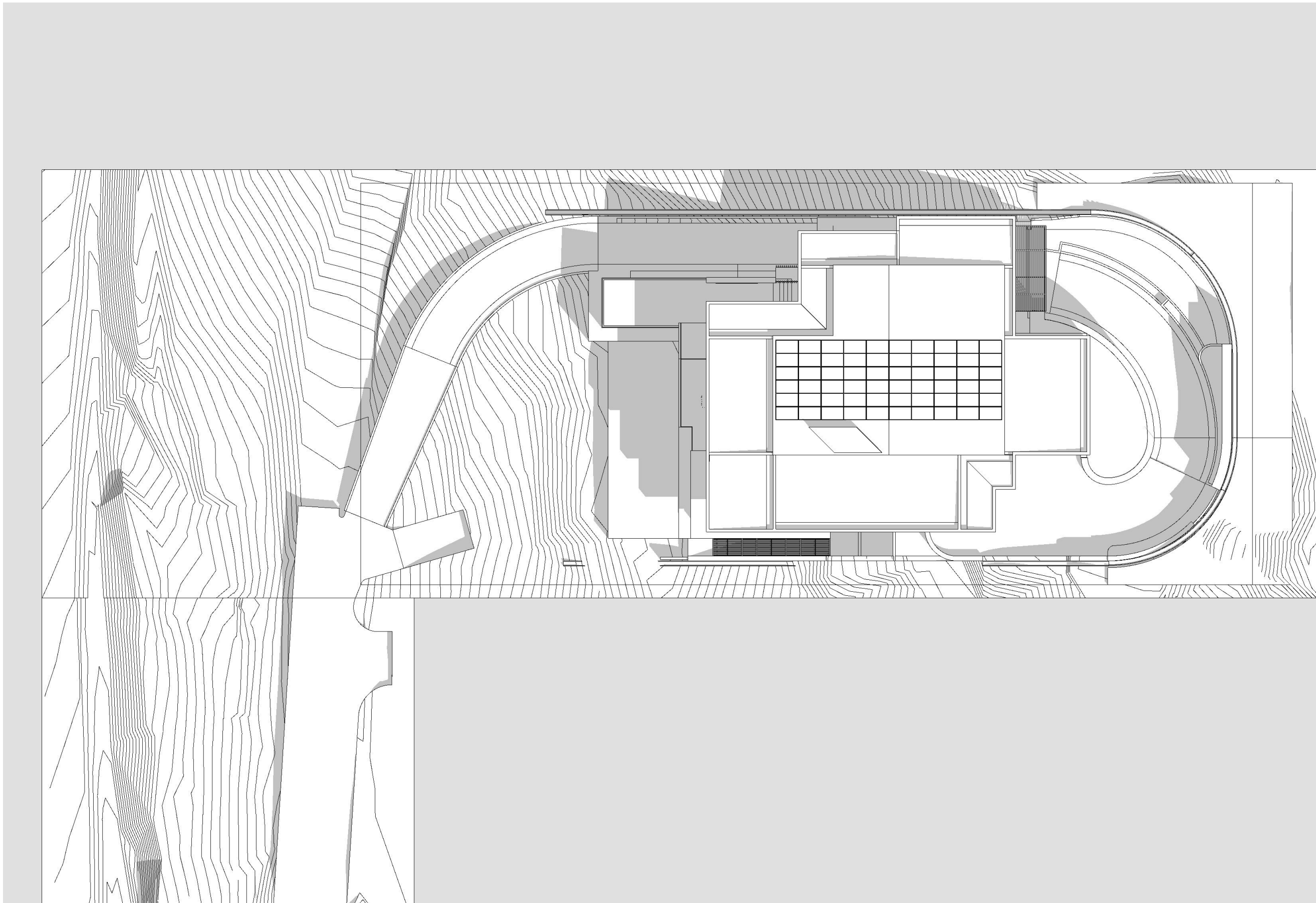


23/09 - 12PM

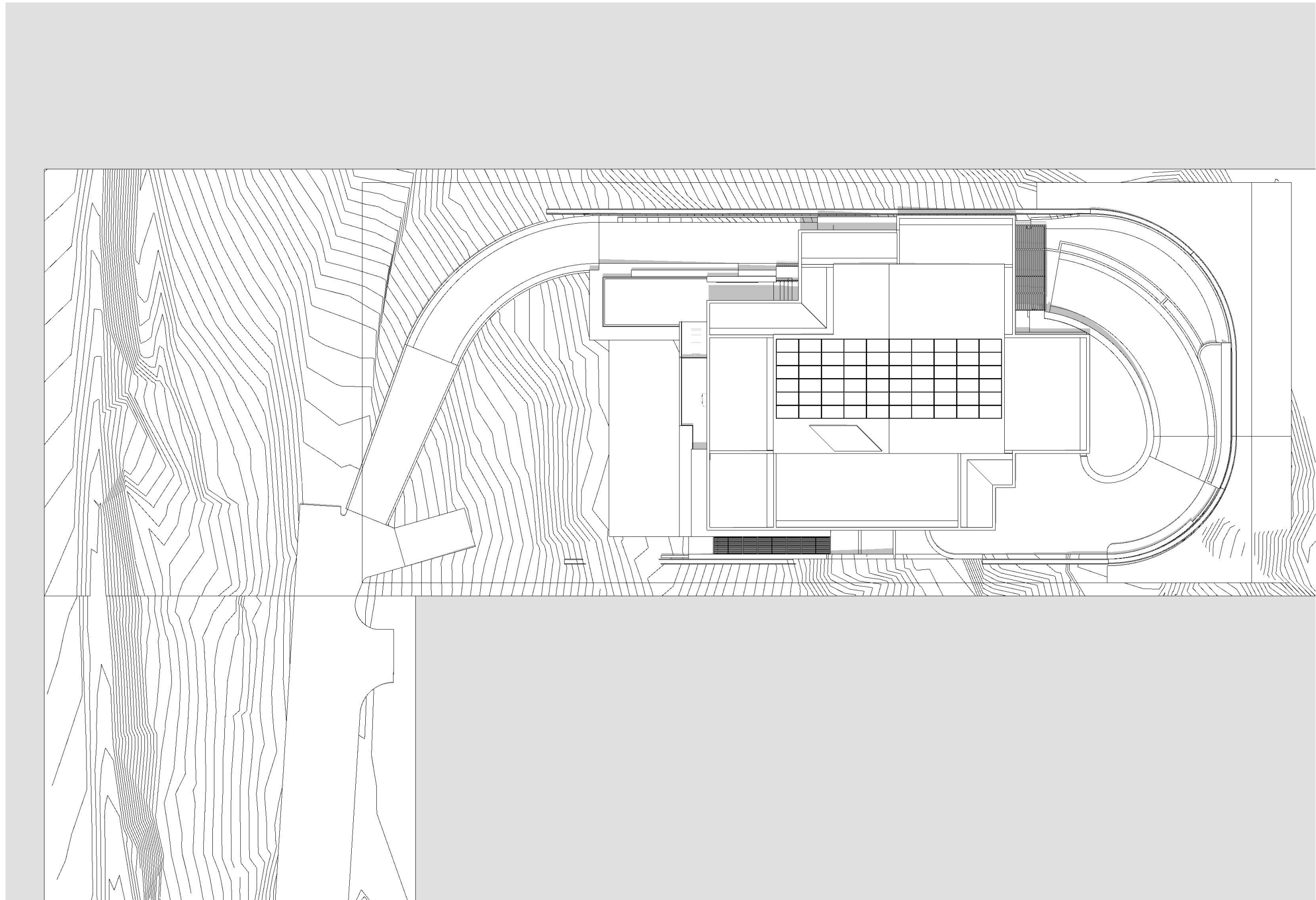


23/09 - 03PM

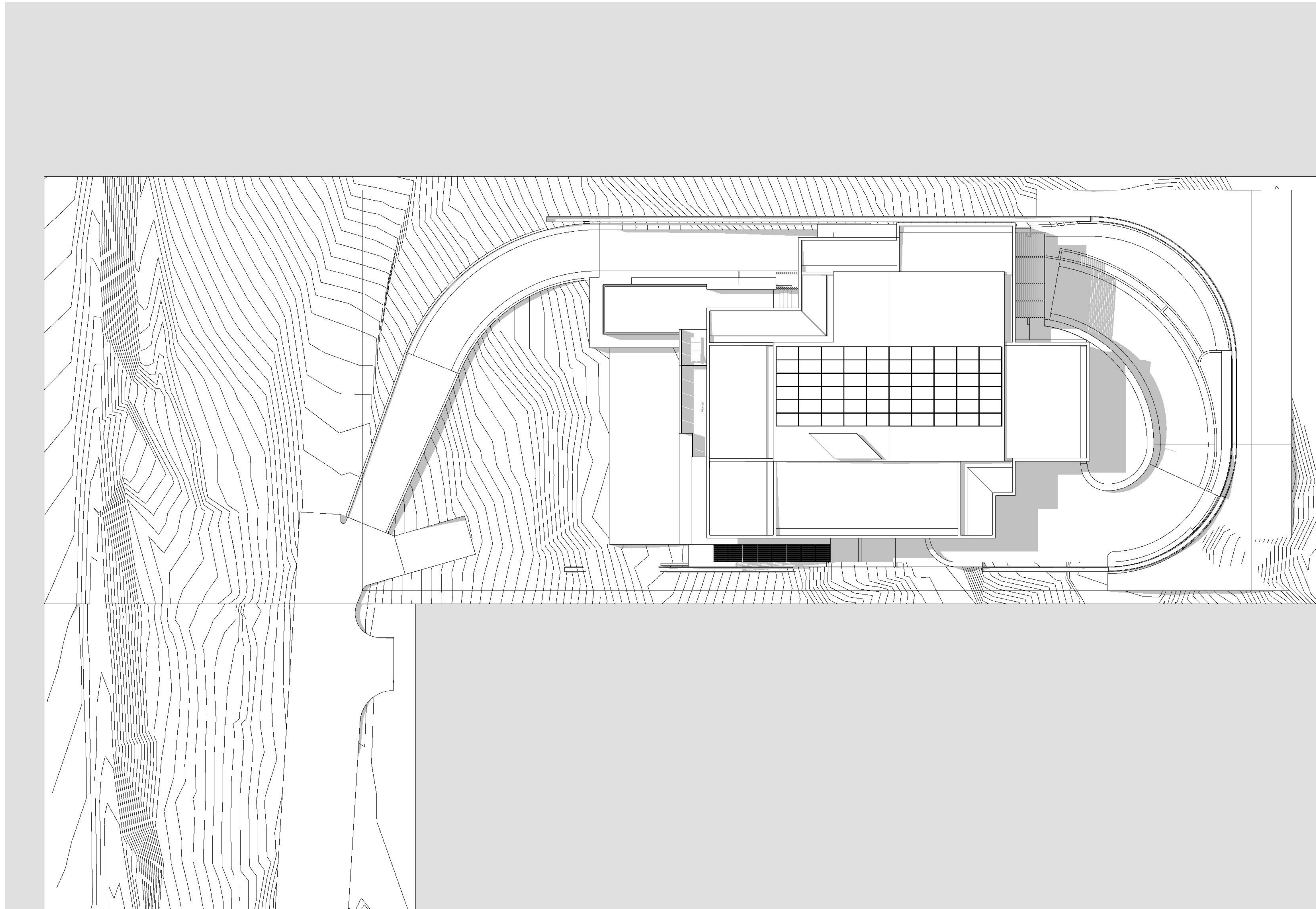




22/12 - 09AM



22/12 - 12PM



22/12 - 03PM



Attachment 4

Planning Report



DEVELOPMENT & PROPERTY SERVICES

*KELLY REASTON DEVELOPMENT
& PROPERTY SERVICES*

PLANNING REPORT

JUNE 2022



Material Change of Use
Dwelling House
12 Murphy Street PORT DOUGLAS

PREPARED FOR
KIM CULLEN & NEIL BIDDLE

Contact

Kelly Reaston

Director

kelly@kellyreaston.com.au

This document has been prepared and reviewed by:



Kelly Reaston



Bruce Gardiner

This report has been prepared relying on information that was current at the time of preparation. The material within this report has been prepared for our client and is for the purpose of statutory assessment by the relevant Local Authority.

The material should not be relied upon by any third parties or for any other purpose outside the intended scope without consulting the authors.

| VERSION NO. | DATE: | REVIEWED BY: | APPROVED BY: |
|-------------|---------------|----------------|---------------|
| 1 | February 2022 | | Kelly Reaston |
| 2 | March 2022 | Bruce Gardiner | Kelly Reaston |
| 3 | June 2022 | Bruce Gardiner | Kelly Reaston |



Kelly Reaston Development & Property Services

property | planning | project management

44 McLeod Street

Cairns, QLD, 4870

0400 974 688

kelly@kellyreaston.com.au

www.kellyreaston.com.au

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1. EXECUTIVE SUMMARY

The Application seeks a Development Permit for a Material Change of Use for a new Dwelling House. The site is located at 12 Murphy Street Port Douglas (Lot 113 PTD2094) in the Environmental Management Zone and the Application is Code assessable.

The site is located on the landward side of Flagstaff Hill which is a prominent headland on the northern side of the Port Douglas town centre providing a green tropical backdrop to the town. Island Point Road runs to the top of Flagstaff Hill and provides access to the iconic lookout overlooking the sweep of Four Mile Beach.

The design of the building responds to the site's existing features and promotes the Douglas Shire's reputation for superior architectural design. The design recognises the importance of preserving the lush tropical backdrop of Murphy Street from key viewpoints.

The site is currently unimproved, vegetated and has sloping topography that averages approximately 1 in 3. The site is impacted by extensive site profiling works from previous development and is littered with concrete rubble, pipe work, tanks etc which will require remediation and site excavation prior to works commencing. It is important to note that this site is not a pristine vegetated site but rather a degraded site with weed infestation that warrants vegetation removal and relandscaping.

The history of instability of the hill slope is well known in this location with remediation and stability works carried out along Murphy Street over the years. The proposed driveway and dwelling design responds to this primary consideration. The extent of geotechnical works and retaining structures are commensurate with other existing developments on Murphy Street and Island Point Road.

The existing access to the site is via a "dirt track" located in front of 14 Murphy Street and is shielded from Murphy Street by mature vegetation. The future proposed access has been designed to provide vehicular access to the upper portions of the site and the main living areas of the proposed dwelling house. The proposal retains existing vegetation between the driveway access and Murphy Street to minimise stability issues and visual impacts from Murphy Street.

Careful consideration of alignments, construction techniques, and solutions to formalise the access track into a driveway has been undertaken to ensure stabilisation of approximately 73 meters of Murphy Street whilst also maintaining access to the adjoining Lot 114 (PTD2094). The driveway and access have all been designed based on the relevant standards such as ramps and turning curves and will enhance the streetscape through a refined landscaping aesthetic.

The access requirements, topography and height limitations were fundamental in the positioning and methodology behind the design of the proposed residence. Given the site constraints, the proposal has sought to balance cut and fill to minimise the height impact and maximise the access to the proposed residence. This approach will see the entire site stabilised and result in a built form that will nestle into the hillslope.

While the site is mapped MSES- Regulated Vegetation in the Douglas Shire Planning Scheme, a detailed on-site assessment of vegetation found that there are no trees of significance that require removal. There are approximately six (6) trees of a reasonable scale that are typical of regrowth, poor quality eucalypts with dead and dangerous branches and a mango tree. Native vegetation will be retained at both the frontage of the road reserve and on the adjacent site to the rear of the site to ensure a green corridor is maintained to the extent practical. The site will also be extensively landscaped with signature native plantings to soften retaining and driveway structures. The landscaping compliments

the various aspects of the dwelling design and the features of the site. The vegetation removal and landscaping proposals are supported by a detailed Ecological Report.

A visual amenity assessment has been completed for the development that demonstrates that the visual impact is very minor and similar to other hillslope developments on Flagstaff Hill. There will be obstructed views of parts of the roofline and top story of the dwelling from Port Douglas township. Less obstructed views will occur along Dixon Inlet. The building palette being non-reflective and darker colours as per the Hillslopes Overlay Code further limit the visual impact of the dwelling.

A very small portion (approximately 5%) of the site is located in the potential Landslip Hazard Area. Geotechnical investigations were undertaken for a more extensive development on the subject site and adjacent sites by Golder Associates in 2001. This report has been relied upon in developing the civil and architectural design.

The geotechnical investigation built on four (4) earlier investigations and confirmed subsurface conditions, slope stability, site preparation and earthworks procedures, and provided geotechnical design parameters. The report provided engineering commentary on drainage, cut and fill procedures, retaining walls and footings which are all relevant to and will be adhered to with the current proposed development. The proposed design has been reviewed by GEO Design and is considered a simple engineering solution to address the site constraints.

Extensive design work has been undertaken to ensure compliance with the Douglas Shire Planning Scheme codes particularly the Port Douglas/Craigie local plan code and the Landscape Values and Hillslope overlay codes.

It is worth noting that this Application represents a revised design following detailed discussions with Douglas Shire Council. The revised design has incorporated Officer's feedback and the following amendments to design have been specifically included to address Officer's concerns-

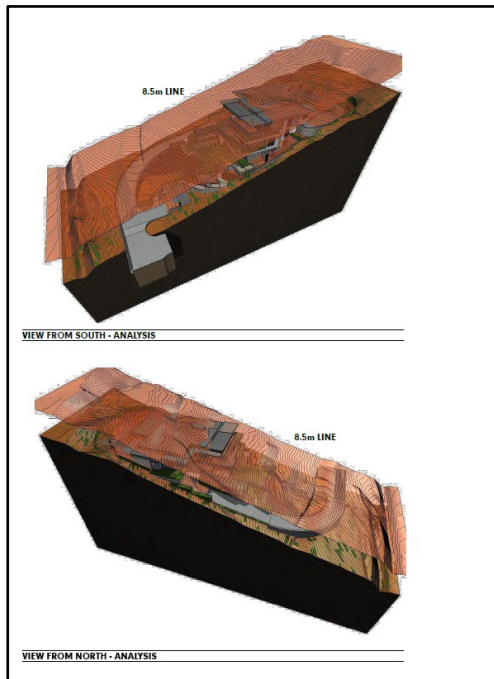
1. The driveway access profile has been amended to comply with FNQROC. There are no retaining structures proposed that exceed 1000mm in height. The design has been reviewed by Edge Consulting Engineers who are qualified RPEQs with a speciality in Civil Design and Engineering. They have confirmed the access is compliant and follows the profile of the existing access track to the extent possible. Additionally, the proposed access now retains practical access to 10 Murphy Street.
2. The Geotechnical solution to retain the site has been reviewed by an RPEQ and evidence is provided to support the proposed solution. The stability works are contained within the site boundary and the supporting information provided demonstrates all construction and maintenance works can be carried out within the site boundary. Additionally, the RPEQ has confirmed the onsite retaining works including the extent of onsite cut and fill represents a simple geotechnical solution for a site of this profile and adopts a similar solution to other sites within Murphy Street and Island Point Road.
3. The carparking space at the lot frontage has been removed, however it is necessary to retain a small turn bay/set down area to enable vehicles who traverse the driveway to turn around. A gate may be installed at the property boundary and vehicles that are not able to enter the property will need to turn around to exit the driveway in forward gear. This will also allow for postal/parcel deliveries.
4. A significant amount of handstand landscaping has been removed from the proposal and replaced with vegetated landscaping. The species of landscaping has been informed by both an experienced landscape architect and a qualified ecologist.

5. The previous 7m cut proposed on the side boundary has been redesigned to have an increased boundary setback of at least 2.6m and a tiered retaining approach that reduces the height of each batter to approximately 3.5m. Additionally, the revised design enables mature landscaping on the property boundary and along the top of the lower batter. The proposed design (including the landscaping component) has been reviewed by a Geotechnical RPEQ and is considered a simple and reasonable engineered solution for this location. Additional information has also been provided demonstrating that existing developments in this location have been approved by Council with far more extensive cut and fill and significantly higher cuts and retaining structures on the property boundary.

Overall, the proposal has been redesigned to reduce the extent of works required on site and achieves compliance with the applicable codes. The proposal represents an exemplar development in terms of high-quality design and response to natural features. The proposal is therefore capable of being supported by Council subject to reasonable and relevant conditions.

SUMMARY OF KEY ISSUES

- The height of the building structure is generally below 8.5m with the exception of a small section of roofline towards the mid-section of the building.



- A visual assessment has been completed in accordance with PSP 6 Landscape Values. From the two locations where the new dwelling house may be visible, it will appear as a low profile, detached, and surrounded by vegetation. The development will not be visually dominant.



- The proposal furthers the Purpose of the Port Douglas/Craigie local plan code in that it is consistent with community values, the local tropical built-form and protection of the natural environment within the Port Douglas/Craigie local plan area, while providing a platform for investment and prosperity.
 - Vegetation removal on site is unavoidable and a single detached residential dwelling house is a form of development anticipated on site. A detailed, site-specific vegetation survey and ecological report has been undertaken which determined the site is heavily degraded and impacted by invasive weed species and there is no significant vegetation on site that is proposed to be removed. The site will be extensively landscaped with native vegetation post development.
 - A Geotechnical report is supplied to demonstrate site geotechnical conditions and the civil and architectural design has been carried out in accordance with the site conditions and geotechnical findings. This geotechnical solution is considered a simple and appropriate solution.
 - The proposal is supported by a detailed landscaping plan that demonstrates extensive screening of the proposed development with a particular focus on the driveway and retaining structures to ensure both slope stability and exemplary visual amenity outcomes.
 - The risk of bushfire hazard is mitigated as a result of onsite works and clearing, and any additional considerations will be addressed through compliance with the BCA at the Building Permit stage.
 - On site cut and fill has been mitigated to the extent possible whilst weighing up competing Planning Scheme requirements such as visual amenity. There is limited to no material required to be imported to or exported from site and existing material on site will be used to profile the site. Retaining structures have been designed to mitigate impacts on adjoining properties and adequate drainage solutions are proposed to ensure the lawful and practical discharge of stormwater.
 - The private access driveway is now a standard cross over that provides access to Lot 113 and 114 on PTD 2094. The length of the driveway is required to achieve compliance with FNQROC standards and to improve slope stability. Existing vegetation is retained between the driveway and Murphy Street.
-

2. APPLICATION DETAILS

2.1 Application Summary

| | |
|--|--|
| Approval Sought | Development Permit for a Material Change of Use (Dwelling House) |
| Applicant | Kim Cullen and Neil Biddle |
| Assessment Details | |
| Assessment Manager | Douglas Shire Council |
| Development Category | Assessable development |
| Assessment level | Code assessable as per section 5.4 (1)(c)(iii) |
| Public Notification | No |
| Relevant State Planning Instruments | |
| Legislation | <i>Planning Act 2016</i> (Qld) |
| Planning Policy | State Planning Policy (July 2017) |
| Relevant Local Planning Instruments | |
| Planning Scheme | Douglas Shire Planning Scheme 2018 |
| Local Plan | Port Douglas – Craiglie |
| Local Plan Precinct | Precinct 1 - 1f Flagstaff Hill |
| Zone: | Environmental Management Zone |
| Zone Precinct | None |
| Overlays | Bushfire Hazard Coastal Processes Hillslopes Landscape Values Landslide Natural Areas Transport Network |
| Development Codes | Dwelling House Code Access parking and servicing code Filling and excavation code Infrastructure works code Vegetation management code |

2.2 Reports

| Document | Company | Reference | Issue | Date |
|--|-------------|-----------|-------|-------------|
| Planning Report | KRDPS | Murphy St | 3 | June 2022 |
| Architectural Report (including visual impact assessment) | Hunt Design | Murphy001 | 01 | 2 June 2022 |
| Ecological Report | RPS | TBC | TBC | TBC |

| | | | | |
|------------------------------------|---------------------------|---|---|-------------|
| Geotechnical Investigation | Golder Associates | - | - | May 2001 |
| Supporting Geotechnical Commentary | GEO Design | - | - | 1 June 2022 |
| Supporting Civil Commentary | Edge Consulting Engineers | - | - | 31 May 2022 |

2.3 Plans of Development

| Drawing | Company | Drawing No. | Issue | Date |
|--------------------------------|-------------|-------------|-------|-------------|
| Site Plan – Existing (Survey) | Hunt Design | 02.0 | 01 | 2 June 2022 |
| Site & Environs Plan | Hunt Design | 02.1 | 01 | 2 June 2022 |
| Access Road- Sections | Hunt Design | 02.2 – 02.4 | 01 | 2 June 2022 |
| Floor Plan- Existing (Survey) | Hunt Design | 03.0 | 01 | 2 June 2022 |
| Floor Plan- Lower Ground Level | Hunt Design | 03.1 | 01 | 2 June 2022 |
| Floor Plan- Ground Level | Hunt Design | 03.2 | 01 | 2 June 2022 |
| Floor Plan- First Floor | Hunt Design | 03.3 | 01 | 2 June 2022 |
| Floor Plan- Roof | Hunt Design | 03.4 | 01 | 2 June 2022 |
| Section A | Hunt Design | 04.1 | 01 | 2 June 2022 |
| Section B | Hunt Design | 04.2 | 01 | 2 June 2022 |
| Section C | Hunt Design | 04.3 | 01 | 2 June 2022 |
| Elevations | Hunt Design | 05.1 | 01 | 2 June 2022 |
| Rear Retaining Walls | Hunt Design | 06.1 | 01 | 2 June 2022 |
| Rear Retaining Walls- Sections | Hunt Design | 06.2 -06.4 | 01 | 2 June 2022 |
| 3D Height Analysis | Hunt Design | 07.1 | 01 | 2 June 2022 |
| Area Calculation | Hunt Design | 08.1 | 01 | 2 June 2022 |

| | | | | |
|----------------|-------------|---------------|-------|-------------|
| Sun Study | Hunt Design | 09.1 – 09.4 | 01 | 2 June 2022 |
| Landscape Plan | Landplan | LO.01 – L3.01 | Rev 1 | 3 June 2022 |

Plans of Development are attached as **Attachment 3** and **Attachment 7**.

3. SITE AND SURROUNDS


3.1 Site Description

| | |
|----------------------------|-------------------------------|
| Registered Landowners | Kim Cullen and Neil Biddle |
| Site Location | 12 Murphy Street Port Douglas |
| Real Property Description | Lot 113 PTD2094 |
| Site Area | 2,023m ² |
| Street Frontage | Approx. 29m to Murphy Street |
| Tenure | Freehold |
| Easements/Encumbrances | Nil |
| Local Government Authority | Douglas Shire Council |



Figure 1 Site Location

3.2 Site Analysis

| | |
|-----------------|---|
| Current Uses | Vacant |
| Topography | The site slopes upwards from Murphy Street by approximately 20m from the front to rear boundary. The grade averages 1 in 3 across the site. |
| Waterways | There are no waterways identified on the site. |
| Vegetation | The site has High Landscape Values and contains regulated vegetation category B. There is a small slither of mapped category X vegetation on the southwest front corner of the block. The vegetation is degraded due to previous onsite development and the presence of invasive weed species is notable. |
| Landslip | <p>Approximately 6% of the site is mapped as within the potential landslide hazard area.</p>  |
| EMR/CLR | The site is not on either the EMR or CLR |
| Heritage Places | The site is not on or adjacent to a local or State heritage place. |

3.3 Site Photos



Figure 2: Site access from Murphy Street



Figure 3: Current access track on the site

3.4 Infrastructure and Services

| | |
|--------------------|---|
| Road Frontage | This site fronts Murphy Street which is a local government access road. |
| Water Supply | The site is able to be serviced with a reticulated water supply. |
| Wastewater | The site is able to be serviced with reticulated gravity sewer. |
| Stormwater | The site drains toward the front of the property. Extensive drainage infrastructure is proposed as part of the development. |
| Electricity | The site is able to be connected to electricity services. |
| Telecommunications | The site is able to be connected to telecommunication services. |

4. DEVELOPMENT BACKGROUND

4.1 Existing uses

The current use is vacant land. The site has had previous construction activities as builders rubble and old pipe works are present on site.

4.2 Application Fee

In accordance with fees and charges schedule for 2021/22 the application fee is \$333.00 for a Material Change of Use for a Dwelling House.

4.3 Application history

There are no known historical approvals that are relevant to this application. Although a number of development options (ie. Multi-Unit dwellings) have been proposed on this site and the adjoining sites over time.

5. DEVELOPMENT PROPOSAL

5.1 General Description

This Development Application seeks a Development Approval for a Material Change of Use for the construction of a Dwelling House.

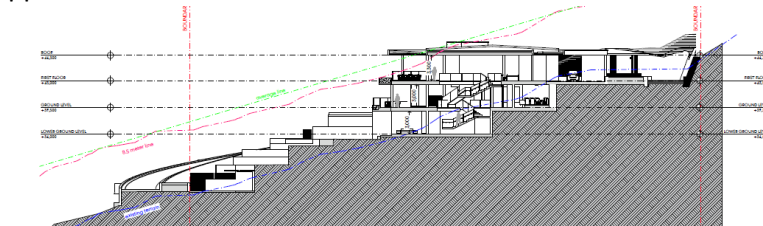


Figure 4: Artistic render of proposed Development

The plans of development are provided at **Attachment 3**.

5.2 Proposal Details

The proposal consists of the following:

| | |
|-------------------------|---|
| Building Height | <p>All parts of the building are below 8.5m (red line) above the natural ground level with the exception of a small section of terrace roofing on the upper level.</p>  |
| Gross Floor Area | 735m ² |
| Site Cover | Site cover is approximately 30% excluding the driveway. |
| Car parking | The proposal provides for up to four (4) carparking spaces. Two (2) garage spaces and two (2) carport spaces plus additional spaces on the uncovered driveway. |

| | |
|---|---|
| <p>Landscaping</p> | <p>Vegetation clearing will be required and the site will be landscaped following construction. There are no significant trees that are required to be cleared as outlined in the supporting vegetation report.</p> <p>Under the VMA, the Applicant is entitled to clear within 10m of the property boundary as exempt development.</p> <p>The area of the property within 10m of the property boundary is 1,544m² leaving 479m² of vegetated area in the centre of the block.</p>  <p>Existing vegetation is retained where possible and specifically between the driveway and Murphy Street and at the rear of the lot.</p> <p>The landscaping plan ensures that the site is extensively landscaped by a mix of mature screening species and native species.</p> <p>The landscaping specifically focuses on screening of the driveway and retaining structures to improve visual amenity outcomes and mitigate impacts on adjoining properties.</p> <p>Where space is at a premium, consideration has been given to cascading species to ensure they are viable and provide the desired screening.</p> <p>The landscaping species have been informed by the Ecologists report.</p> |
| <p>Setbacks*</p> <p><i>*All prescribed measurements are to outer most projection (OMP), unless specified otherwise</i></p> | <p><u>Front boundary (to Murphy Street Road reserve):</u> setback 6m to bin enclosure and approximately 24m to dwelling house.</p> <p><u>Side (eastern):</u> setback approximately 3.4m</p> <p><u>Side (western):</u> setback 7.1m</p> <p><u>Rear boundary:</u> setback 12.0m</p> <p>The eastern boundary with Lot 114 has a reduced setback to accommodate the driveway on the western boundary. There is a setback of over 4m to the closest living area however, some access and retaining structures are closer to boundary.</p> |

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| | <p>The construction can be achieved from within the site boundary and the height and location of the retaining structure on the eastern boundary does not impact the amenity of the adjacent lot.</p> <p>The landscaping plan demonstrates screening and softening landscaping can be achieved within the setback area.</p> |
| Access Locations | <p>The vehicle access will be provided from Murphy Street with a shared driveway with 114 Murphy Street. The access proposed is a standard cross over within the Murphy Street road reserve.</p> |
| Infrastructure | <p>The site is able to be connected to all critical infrastructure services including water, sewerage, telecommunications, electricity, and stormwater.</p> <p>All stormwater will be directed to a lawful point of discharge.</p> |

5.3 Infrastructure Charges

Infrastructure Charges were levied and paid on creation of the residential lot. This application does not attract Infrastructure Charges.

6. LEGISLATIVE REQUIREMENTS

6.1 Planning Act 2016

6.1.1 Prohibited Development

The proposed development is not prohibited. This has been established by considering all relevant instruments, which can provide prohibitions under the *Planning Act 2016* (The Act), including:

- Schedule 10 of the Planning Regulation 2017; and
- Relevant categorising instruments.

6.1.2 Assessable Development

Section 44(3) of the Act identifies that Assessable Development is development for which a Development Approval is required. As such, the development proposed by this application is made assessable under Douglas Shire Planning Scheme 2018 in accordance with Section 43(1) of the Act.

6.1.3 Assessment Manager

The Assessment Manager for this development application is the Douglas Shire Council as determined by Schedule 8 of the *Planning Regulations 2017*.

6.1.4 Statutory Considerations for Assessable Development

6.2 Regional Plan

The site is located within the Urban Footprint of the Far North Queensland Regional Plan 2009-2031.

The Minister has identified that the planning scheme appropriately advances the FNQRP 2009-2031, as it applies in the Planning Scheme area. Compliance with the FNQRP is demonstrated through the compliance with the Planning Scheme.

6.3 Referrals and State Development Assessment Provisions (SDAP)

The development does not require referral to SARA.

6.4 Planning Scheme

6.4.1 Definitions

The proposed development is defined under Douglas Planning Scheme 2018 as:

Dwelling House - A residential use of premises for one household that contains a single dwelling.

6.4.2 Applicable Overlays

- Bushfire Hazard
- Coastal Processes
- Hillslopes
- Landscape Values
- Landslide
- Natural Areas
- Transport Network

6.4.3 Applicable Codes

| Scheme Component | Code | Compliance Summary |
|------------------|--------------------------|---|
| Zone Code | Environmental Management | The purpose of the zone code is achieved by limiting development to a dwelling house which responds to the natural features of the area. It is important to note that past works on this site have substantially altered the natural profile of the site and the development responds to the site profile. The development has limited adverse impacts on natural systems by removing invasive weed species and relandscaping with suitable native planting. Additionally, retention of the existing vegetation within the road reserve and adjacent the rear boundary preserves an existing green corridor. The development minimises visual impacts and the reprofiling of the site aids in this compliance. The proposal |

| | | |
|-----------------|----------------------|---|
| | | otherwise addresses site constraints such as bushfire and landslide mapping. |
| Local Plan Code | Port Douglas/Craigie | <p>The proposal meets the purpose of the code which is to facilitate development outcomes consistent with community values, the local tropical built-form and protection of the natural environment, while providing a platform for investment and prosperity. It furthers the code by providing limited impacts on visual amenity and superior design outcomes.</p> <p>Specifically, the development does not have detrimental impact on the vegetated and scenic qualities of Flagstaff hill as demonstrated in the supporting Ecological report and extensive landscape plans.</p> <p>The proposed development minimises excavation and filling to the extent possible and proposes a solution that is considered a simple engineering solution. It is important to note that the scale of works is commensurate with approved development on Murphy Street and Island Point Road. In many cases, the existing development far exceeds the extent of filling and excavation that is proposed to facilitate this development.</p> <p>The built form is unobtrusive and proposed to be constructed of colours and materials that complement the hill's vegetated state.</p> <p>A detailed visual amenity assessment demonstrates viewing points within the precinct are protected.</p> |

| | | |
|-------------------|--|---|
| | | |
| Overlay Code | Bushfire Hazard Coastal Processes Hillslopes Landscape Values Landslide Natural Areas Transport Network | <p>The proposal generally complies with the provisions of the Overlay codes.</p> <p>Specifically, the development</p> <ul style="list-style-type: none"> - is appropriate having regard to the topographic constraints and environmental characteristics of the land; - responds to constraints including slope stability; - protects visual qualities and landscape values of the site; and - does not involve complex engineering solutions. This has been certified by both a Geotechnical and Civil RPEQ. <p>The development is safe, serviceable and accessible and the ecological values of the hillslopes are protected by the removal of extensive weed species and the relandscaping of suitable native species.</p> <p>The sites profile has been significantly altered due to past works and the development is designed to respond to the existing topographic constraints.</p> |
| Development Codes | Dwelling House Code Access parking and servicing code Filling and excavation code Infrastructure works code Vegetation management code | <p>The proposal complies with the provisions of the Development codes.</p> <p>Specifically, filling and excavation will be largely for construction of the dwelling and the driveway and have suitable retaining structures where needed.</p> |

| | | |
|--|--|---|
| | | <p>A detailed geotechnical assessment has been completed for the site and found that with the adoption of sound engineering practices relevant to hillside construction, the overall slope following the development proposed should be stable.</p> <p>Filling and excavation will be carried out in such a manner that the visual/scenic amenity of the area and the privacy and stability of adjoining properties is not compromised.</p> |
|--|--|---|

6.5 Planning Scheme Assessment

6.5.1 Key Planning Matters

Summary

The Application seeks a Development Permit for a Material Change of Use for a new Dwelling House. The following sections summarise the key planning matters for consideration by Council and are supported by detailed assessment against the relevant codes in **Attachment 10**.

Vegetation clearing

The site has High Landscape Values and contains regulated vegetation category B. There is a small slither of mapped category X vegetation on the southwest front corner of the block. This is a result of region-wide mapping rather than site specific vegetation assessment.

A vegetation assessment was completed by Kim Morris and Associates in 2001 supporting a permit application for damage of vegetation for a previous proposal on the site and adjacent sites. The vegetation on the site is largely regrowth and no trees of significance were found.

A further arborists report was undertaken in March 2022 by Papillon Landscapes which further confirmed-

“Predominantly the vegetation consists of invasive weed species and regrowth of pioneer species that are opportunistic in their proliferation with many showing evidence of mould, termites, dieback, fallen limbs.

The significant tree species previously not identified such as the Black Bean (Castanospermum) & Raintree (Samanea saman) have very large and invasive root systems that would compromise proposed infrastructure and building works.

It is our professional opinion that the site and environs have suffered years of neglect and that removal coupled with sensitive revegetation strategies would only enhance the environs.”

A formal ecological survey has been commissioned and this report supports these findings.

Additionally, the detailed landscaping plans demonstrate the extensive mature, native landscaping along all property boundaries.

As the site is located in the Environmental Management Zone, a residential dwelling was always contemplated for the site. As such vegetation clearing was anticipated at some stage with accompanying development.

Additionally, under the VMA, the Applicant is entitled to clear within 10m of the property boundary as exempt development independent of the MCU application.

The area of the property within 10m of the property boundary is 1,544m² leaving 479m² of vegetated area in the centre of the block.

Visual amenity

A visual amenity assessment has been completed in accordance with the requirements of Planning Scheme Policy 6 Landscape Values. This assessment demonstrates that the visual impact is very minor and similar to other hillslope developments on Flagstaff Hill. There will be obstructed views of parts of the roofline and top story of the dwelling from Port Douglas township. Less obstructed views will occur along Dickson Inlet (see Figures 6 and 7). Only a small portion of the building is above the height of 8.5m (Environmental Management Zone Code) as can be seen in Figure 8. The building palette being non-reflective and darker colours (see approved plans at **Attachment 3**) as per the requirements of the Hillslopes Overlay Code further limits the visual impact of the dwelling.



Figure 6: View from Dickson Inlet near the Yacht Club



Figure 7: View from Wharf Street car park

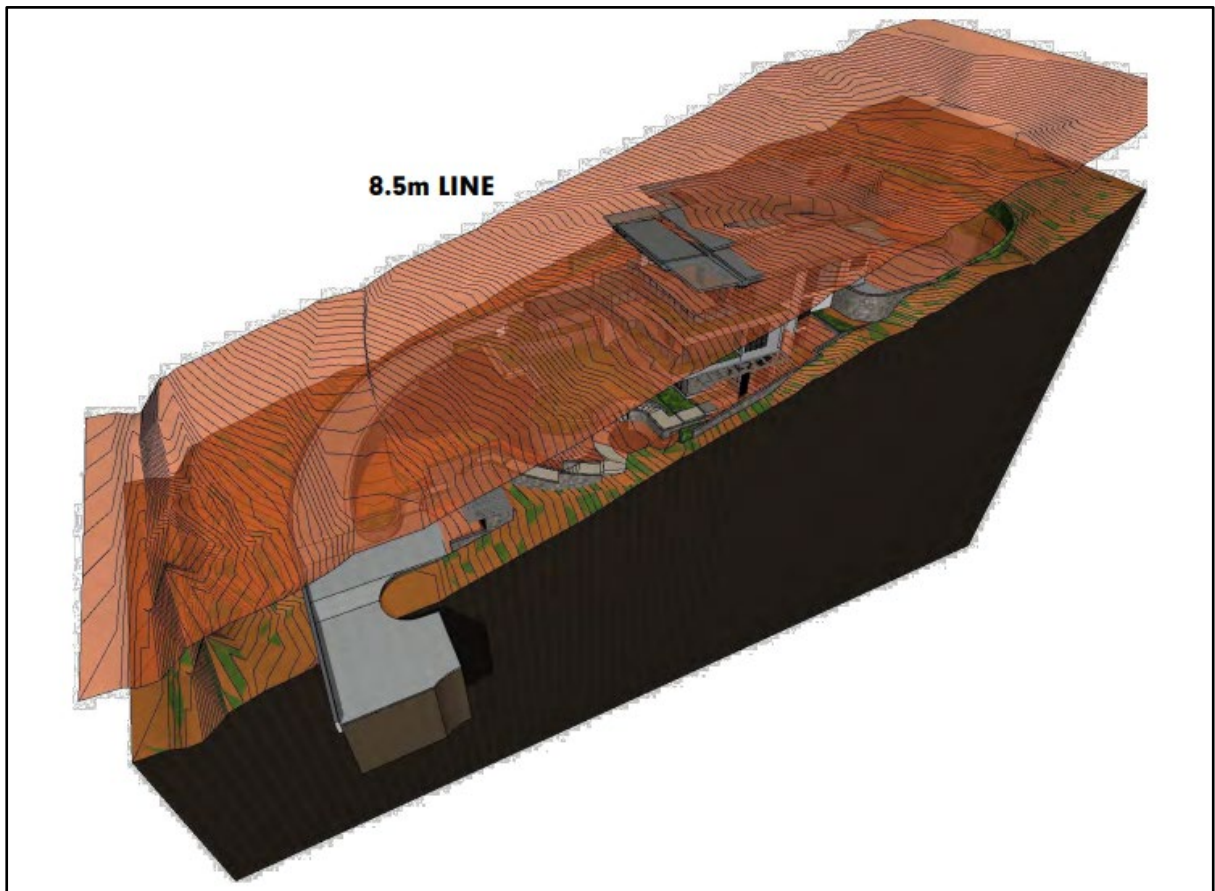


Figure 8: View from south showing the minor protrusion above the 8.5m line.

Landscaping

A detailed landscape plan (**Attachment 7**) has been prepared that retains native vegetation where possible and provides for signature tropical plantings to soften retaining and driveway structures with cascading forms and complimenting the various aspects of the dwelling design and the features of the site.

The landscaping plan ensures that the site is extensively landscaped by a mix of mature screening species and lush native species.

The landscaping specifically focuses on screening of the driveway and retaining structures to improve visual amenity outcomes and mitigate impacts on adjoining properties.

Where space is at a premium, consideration has been given to cascading species to ensure they are viable and provide the desired screening.

The plan is supported by a landscaping strategy that identifies suitable species and planning methodology.

Geotechnical

A very small portion (approximately 6%) of the site is located in the potential Landslip Hazard Area and has slopes of up to 20%. Notwithstanding, Murphy Street is known to have some Geotechnical issues. Geotechnical investigations were undertaken on the subject site by Golder Associates in 2001 (**Attachment 8**). This assessment was undertaken for a more extensive development over 10 -14 Murphy St and 2 Island Point Road for ten villa buildings 2 to 3 storeys in height, access roads swimming pools and basement car parking.

The investigation built on four previous investigations and the purpose of the report is to confirm subsurface conditions, slope stability, site preparation and earthworks procedures, and provide geotechnical design parameters.

The development at that time contemplated excavations up to 7.5m. The report provided engineering commentary on drainage, cut and fill procedures, retaining walls and footings which are all relevant to and will be adhered to with the current proposed development.

The investigation found that with the adoption of sound engineering practices relevant to hillside construction, the overall slope following the development proposed at the time should be stable. The current proposed development will have less excavation than the previous one assessed.

The outcomes of this report have been relied upon in both the architectural and civil design.

The design and siting of necessary retaining structures does not cause an adverse visual impact on landscape character or scenic amenity as demonstrated on renders of the development. This is supported by a Geotechnical assessment at **Attachment 8** and detailed site and landscaping plans at **Attachment 3** and **7**.

Where the retaining structures exceed the acceptable outcomes, they are designed as tiered retaining structures of a maximum of 2 batters and 2 berms at 3.5m batter separated by a berm of sufficient width to accommodate landscaping. The practical ability to landscape these areas is demonstrated in the landscaping plans.

The design has been further reviewed by GEO Design and is confirmed to be a conventional engineering solution.

Additionally, information is provided at **Attachment 9** which demonstrates the extent of other retaining structures that have been approved by Council along Murphy Street and Island Point Road that far exceed the height of the proposed structures and are located closer the adjacent property boundary.

Civil Engineering and site access

Due to the slope of the site in relation to Murphy Street, access is to be provided via a shared driveway with the adjoining property. Plans of the proposed access arrangement including longitudinal and cross-sections are provided in **Attachment 3**. The access has been designed in consultation with and has approval from the owner of Lot 114 Murphy Street.

The access will be constructed as a standard cross over predominantly within the Murphy Street road reserve.

The site access has been designed to provide vehicular access to the upper portion of the site to the main living levels of the dwelling house. This vehicular access provides convenient day to day accessibility requirements and DDA compliant access.

Careful consideration of alignments, construction techniques, and solutions to formalise the access track into a driveway has been undertaken to ensure stabilisation of approximately 73 meters of Murphy Street whilst also maintaining access to the adjoining Lot 114 (PTD2094). The design process has sought the least impact to the Murphy Street vegetation whilst elevating sufficiently to optimise the views for the proposed residence.

The driveway and access have all been designed based on FNQROC standards such as ramps and turning curves and will enhance the streetscape through a refined landscaping aesthetic. The driveway does not require any retaining structures that exceed 1000mm.

The proposed access uses the contours of the site to minimise deep excavation and fill to support the driveway. Further details of the driveway access arrangement will be provided at the Operational Works stage.

6.5.2 Strategic Framework

The proposed development is Code assessable and does not require assessment against the Strategic Framework.

6.5.3 Detailed Assessment

Assessment of the application against the relevant Planning Scheme provisions is attached as **Attachment 10**.

7. CONCLUSION

The proposed development complies with the relevant provisions of the Douglas Planning Scheme 2018. The development is designed to respond to the superior design outcomes anticipated in Murphy Street and the Flagstaff hill precinct.

All efforts have been made to respond to the site constraints and limit impact on visual amenity and landscape values held dear by the region. The removal of invasive weed species on site and retention of a green corridor is considered to improve the environmental outcomes of the site.

Detailed analysis has been undertaken to ensure civil works address slope and geotechnical constraints and provide practical access and serviceability to the proposed dwelling house.

Non compliances with the acceptable outcomes are considered to be minor and the development is able to demonstrate compliance with corresponding performance outcomes and relevant purpose statements.

Overall, the proposal is likely to become an iconic development within the regional context of Far North Queensland.

This report and supporting information are considered to provide adequate grounds to support a Development Permit for a Material Change of Use (Dwelling House) subject to Council's reasonable and relevant conditions.

8. ATTACHMENTS

- A. Douglas Shire Council Property Report – 12 Murphy Street, Port Douglas
- B. State Assessment and Referral Agency Report- – 12 Murphy Street, Port Douglas