

12th October, 2018

To Douglas Shire Council
Town planning
Attention - Daniel Lamond

Re- 14 MUDLO STREET, PORT DOUGLAS

A “minor change” is requested to the Development Application as per our explanation below

The Civil Contractor over the 2 weeks on our property made a significant attempt to lower the water table to facilitate the reconstruction. This was unable to be achieved due to the 4.7m deep sewer.

The contractor installed dewatering spears along one side to allow access for excavation but this did not have any affect to lower the water table.

The contractor then installed dewatering spears along across each side and across each end. This lowered the water table only approximately 1m above the main & could not be lowered any further despite continual pumping.

They attempted to lower the water table further by installing a sludge pump in the bottom of the excavation which had the effect of lowering the water table to approximately 500mm above the existing main. However this process was causing the existing bedding and backfill material to leach out from around the existing trench area causing concerns for the stability of the main and trench area in the upstream properties.

The observations are that the water table is lowered by the dewatering spears to a level which is controlled by the soil profile which sand is overlaying a clay at approximately 3 to 3.5m deep. The spears have penetrated the clay layer however are ineffective past this point.

The sewer is laid within this clay layer and what has been observed is that this trench is causing the large water flows into this area from upstream.

The contractor could not prevent this water from entering the construction site or remove the water as damage to the existing main would have occurred.

Coates Hire were involved throughout this process and indicated that they had done everything they could to lower the water table and they agreed that the water table level was as low as it could of been achieved and that the construction was located in a portion of trench which was a conduit for water infiltration which could not be lowered or effectively controlled.

A CCTV inspection of the sewer was examined showing that the sewer line was in a significantly good condition however 2 existing connection points will require for us to patch and also to install a manhole for future inspection and maintenance of the sewer line.

We request this “minor change” to the Development Application so we may proceed with the development.

Regards

Luigi and Marianna Bonomi

Change application form

Planning Act Form 5 (version 1.1 effective 22 JUNE 2018) made under Section 282 of the Planning Act 2016.

This form is to be used for a change application made under section 78 of the *Planning Act 2016*. It is important when making a change application to be aware of whether the application is for a minor change that will be assessed under section 81 of the *Planning Act 2016* or for an 'other' change that will be assessed under section 82 of the *Planning Act 2016*.

An applicant must complete all parts of this form, and provide any supporting information that the form identifies as being required to accompany the change application, unless stated otherwise. Additional pages may be attached if there is insufficient space on the form to complete any part.

Note: All terms used in this form have the meaning given under the *Planning Act 2016*, the *Planning Regulation 2017*, or the *Development Assessment Rules (DA Rules)*.

PART 1 – APPLICANT DETAILS

1) Applicant details	
Applicant name(s) (individual or company full name)	Luigi and Marianna Bonomi
Contact name (only applicable for companies)	Marianna
Postal address (P.O. Box or street address)	27 Old Port Road
Suburb	Port Douglas
State	QLD
Postcode	4877
Country	AUSTRALIA
Email address (non-mandatory)	marianna@bonomi.com.au
Mobile number (non-mandatory)	0409056818
Applicant's reference number(s) (if applicable)	

2) Owner's consent - Is written consent of the owner required for this change application? Note: section 79(1A) of the <i>Planning Act 2016</i> states the requirements in relation to owner's consent.	
xx <input type="checkbox"/> Yes – the written consent of the owner(s) is attached to this change application	
<input type="checkbox"/> No	

PART 2 – LOCATION DETAILS

3) Location of the premises (complete 3.1 or 3.2), and 3.3 as applicable)				
3.1) Street address and lot on plan				
<input type="checkbox"/> Street address AND lot on plan (all lots must be listed), or				
<input type="checkbox"/> Street address AND lot on plan for an adjoining or adjacent property of the premises (appropriate for development in water but adjoining or adjacent to land e.g. jetty, pontoon; all lots must be listed).				
a)	Unit No.	Street No.	Street Name and Type	Suburb
		14	MUDLO ST	PORT DOUGLAS
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)
	4877	919	2092	PORT DOUGLAS
b)	Unit No.	Street No.	Street Name and Type	Suburb
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)
3.2) Coordinates of premises (appropriate for development in remote areas, over part of a lot or in water not adjoining or adjacent to land e.g. channel dredging in Moreton Bay) Note: Place each set of coordinates in a separate				
<input type="checkbox"/> Coordinates of premises by longitude and latitude				
Longitude(s)	Latitude(s)	Datum		Local Government Area(s) (if applicable)
		<input type="checkbox"/> WGS84 <input type="checkbox"/> GDA94 <input type="checkbox"/> Other:		
<input type="checkbox"/> Coordinates of premises by easting and northing				



Easting(s)	Northing(s)	Zone Ref.	Datum	Local Government Area(s) (if applicable)
		<input type="checkbox"/> 54 <input type="checkbox"/> 55 <input type="checkbox"/> 56	<input type="checkbox"/> WGS84 <input type="checkbox"/> GDA94 <input type="checkbox"/> Other:	

3.3) Additional premises

- Additional premises relevant to the original development approval and their details have been attached in a schedule to this application
- Not required

PART 3 – RESPONSIBLE ENTITY DETAILS

4) Identify the responsible entity that will be assessing this change application

Note: see section 78(3) of the Planning Act 2016

PART 4 – CHANGE DETAILS

5) Provide details of the existing development approval subject to this change application

Approval type	Reference number	Date issued	Assessment manager/approval entity
<input type="checkbox"/> Development permit <input type="checkbox"/> Preliminary approval	MCUC2385 / 2017		
<input type="checkbox"/> Development permit <input type="checkbox"/> Preliminary approval			

6) Type of change proposed

6.1) Provide a brief description of the changes proposed to the development approval (e.g. changing a development approval for a five unit apartment building to provide for a six unit apartment building):

Minor change (change to conditions 17 & 19)

6.2) What type of change does this application propose?

- xx Minor change application – proceed to Part 5
- Other change application – proceed to Part 6

PART 5 – MINOR CHANGE APPLICATION REQUIREMENTS

7) Are there any affected entities for this change application

xx No – proceed to Part 7

Yes – list all affected entities below and proceed to Part 7

Note: section 80(1) of the Planning Act 2016 states that the person making the change application must give notice of the proposal and the details of the change to each affected entity as identified in section 80(2) of the Planning Act 2016.

Affected entity	Pre-request response provided? (where a pre-request response notice for the application has been given, a copy of the notice must accompany this change application)	Date notice given (where no pre-request response provided)
	<input type="checkbox"/> No <input type="checkbox"/> Yes – pre-request response is attached to this change application	
	<input type="checkbox"/> No <input type="checkbox"/> Yes – pre-request response is attached to this change application	
	<input type="checkbox"/> No <input type="checkbox"/> Yes – pre-request response is attached to this change application	

PART 6 – OTHER CHANGE APPLICATION REQUIREMENTS

Note: to complete this part it will be necessary for you to complete parts of DA Form 1 and in some instances parts of DA Form 2, as mentioned below. These forms are available at <https://planning.dsdmip.qld.gov.au>

8) Location details - Are there any additional premises included in this change application that were not part of the original development approval?

No
 Yes – complete Part 2 (Location details) of DA Form 1 as it relates to the additional premises is completed and provided with this application.

9) Development details
9.1) Is there any change to the type of development, approval type, or level of assessment in this change application?

No – proceed to 11)
 Yes – the completed Sections 1 and 2 of Part 3 (Development details) of DA Form 1 as these sections relate to the new or changed aspects of development are provided with this application.

9.2) Does the change application involve building work?

No
 Yes – the completed Part 5 (Building work details) of DA Form 2 as it relates to the change application is provided with this application.

10) Referral details – Does the change application require referral for any referral requirements?
Note: The application must be referred to each referral agency triggered by the change application as if the change application was the original development application including the proposed change.

No
 Yes – the completed Part 5 (Referral details) of DA Form 1 as it relates to the change application is provided with this application. Where referral is required for matters relating to building work the [Referral checklist for building work](#) is also completed.

11) Information request under Part 3 of the DA Rules

I agree to receive an information request if determined necessary for this change application
 I do not agree to accept an information request for this change application
Note: By not agreeing to accept an information request I, the applicant, acknowledge: that this change application will be assessed and decided based on the information provided when making this change application and the assessment manager and any referral agencies relevant to the change application are not obligated under the DA Rules to accept any additional information provided by the applicant for the change application unless agreed to by the relevant parties. Part 3 of the DA Rules will still apply if the application is an application listed under section 11.3 of the DA Rules. Further advice about information requests is contained in the [DA Forms Guide: Forms 1 and 2](#).

12) Further details

Part 7 of DA Form 1 is completed as if the change application was a development application and is provided with this application.

PART 7 – CHECKLIST AND APPLICANT DECLARATION

13) change application checklist

I have identified the: responsible entity in 4); and for a minor change, any affected entities; and for an 'other' change all relevant referral requirement(s) in 10) Note: See the Planning Regulation 2017 for referral requirements	x <input checked="" type="checkbox"/> Yes
For an 'other' change application, the relevant sections of DA Form 1 – Development application details have been completed and is attached to this application	<input type="checkbox"/> Yes x <input checked="" type="checkbox"/> Not applicable
For an 'other' change application, where building work is associated with the change application, the relevant sections of DA Form 2 – Building work details have been completed and is attached to this application	<input type="checkbox"/> Yes x <input checked="" type="checkbox"/> Not applicable
Supporting information addressing any applicable assessment benchmarks is attached to this application Note: This includes any templates provided under 23.6 and 23.7 of DA Form 1 that are relevant as a result of the change application, a planning report and any technical	n/a <input type="checkbox"/> Yes

reports required by the relevant categorising instrument(s) (e.g. the local government planning scheme, State Planning Policy, State Development Assessment Provisions).
For further information, see [DA Forms Guide: Planning report template](#).

Relevant plans of the development are attached to this development application

Yes

Note: Relevant plans are required to be submitted for all relevant aspects of this change application. For further information, see [DA Forms Guide: Relevant plans](#).

14) Applicant declaration

xx By making this change application, I declare that all information in this change application is true and correct.

xx Where an email address is provided in Part 1 of this form, I consent to receive future electronic communications from the responsible entity and any relevant affected entity or referral agency for the change application where written information is required or permitted pursuant to sections 11 and 12 of the *Electronic Transactions Act 2001*.

Note: It is unlawful to intentionally provide false or misleading information.

Privacy – personal information collected in this form will be used by the responsible entity and/or chosen assessment manager, any relevant affected entity or referral agency and/or building certifier (including any professional advisers which may be engaged by those entities) while processing, assessing and deciding the change application. All information relating to this change application may be available for inspection and purchase, and/or published on the assessment manager's and/or referral agency's website.

Personal information will not be disclosed for a purpose unrelated to the *Planning Act 2016*, *Planning Regulation 2017* and the DA Rules except where:

such disclosure is in accordance with the provisions about public access to documents contained in the *Planning Act 2016* and the *Planning Regulation 2017*, and the access rules made under the *Planning Act 2016* and *Planning Regulation 2017*; or

required by other legislation (including the *Right to Information Act 2009*); or

otherwise required by law.

This information may be stored in relevant databases. The information collected will be retained as required by the *Public Records Act 2002*.

PART 8 – FOR OFFICE USE ONLY

Date received:

Reference number(s):

QLeave notification and payment

Note: For completion by assessment manager if applicable

Description of the work	
QLeave project number	
Amount paid (\$)	
Date paid	
Date received form sighted by assessment manager	
Name of officer who sighted the form	