

Our Ref: 14-20/L000368
CRC Ref: ROL 617/2015 SEDA (437861)
Date: 1 September 2015

Attn: Neil Beck
Chief Executive Officer
Douglas Shire Council
PO Box 723
MOSSMAN QLD 4873

EMAIL: neil.beck@douglas.qld.gov.au

Dear Neil

RE: RESPONSE TO INFORMATION REQUEST PURSUANT TO SECTION 278 OF THE SUSTAINABLE PLANNING ACT 2009 IN RELATION TO AN APPLICATION FOR DEVELOPMENT PERMIT FOR PRELIMINARY APPROVAL TO OVERRIDE THE PLANNING SCHEME FOR USE RIGHTS ASSOCIATED WITH THE RESIDENTIAL 1 PLANNING AREA AND RECONFIGURATION OF A LOT (1 INTO 19) ON LAND AT 46-62 FRONT STREET, MOSSMAN, MORE PARTICULARLY DESCRIBED AS LOT 12 ON SP252360

Planning Plus Pty Ltd acts on behalf of NV & JS Pty Ltd ('the Applicant') in relation to the above-described matter.

Pursuant to Section 278 of the *Sustainable Planning Act 2009*, we provide our response below to the Information Request received from Douglas Shire Council on 2 March 2015.

- 1. The type of development proposed is identified as being Impact Inconsistent i.e in conflict with the Planning Scheme. However the planning report does not clearly identify this issue or articulate clearly the planning grounds relied upon to support the proposal despite the conflict.***

Please provide the planning ground relied upon to overcome the conflict with the Planning Scheme.

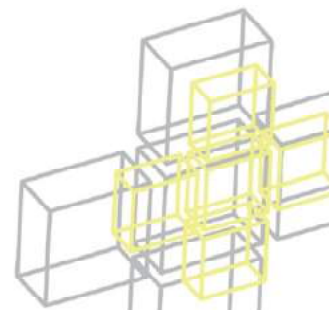
Planning Grounds

Relevance of the Current Planning Instrument

The Douglas Shire Council Planning Scheme is out of date and we understand that the Council is currently preparing a draft planning scheme. The site is within the Community and Recreational Facilities Planning Area under the Douglas Shire Council Planning Scheme which reflects the previous ownership of the land by the State of Queensland. As the land has been sold as part of the State Government's 'Sale of Surplus Land' regime, the planning area for the land is no longer consistent with the intended use for the land (i.e to be used for the adjacent primary and secondary schools). The site is currently used for the cultivation of Sugar Cane and has not been used for community and recreational facilities in the past. The development of a new planning scheme provides the perfect opportunity to locate the land in a more suitable planning area or zone.

Need

The Mossman Needs Analysis Report attached to the planning report submitted with the development application confirms an increase in the demand for residential development within the immediate



future, with demand likely to increase to above average levels as part of an expected local property upswing. In addition, the report concludes that based on the current availability of residential land there is a justifiable need for the proposed development.

1. Availability of Residential Land

There are currently no new residential lots available for purchase within Mossman. Whilst Shepherd Valley, Daintree Horizons and Junction Road are new residential developments which are underway, construction of the next stages of these developments has not commenced, significantly limiting the current land supply available for purchase. Even if the next stages of these developments were to come online they would not include lots of the same size or with the same attributes as those contained in the proposed development.

2. Location

The existing residential developments are located on the northern and southern fringes of Mossman and do not have the same attributes as the proposed development. The proposed development is located within walking distance to the town centre providing convenience of access to major services and facilities.

3. Lot Attributes

The current residential developments within Mossman have average lot sizes of 787 – 900m². Where lot sizes exceed 1,000m² the land is generally sloping and provides a difficult building platform. The proposed development contains larger lot sizes in excess of 1,000m², relatively flat building contours and are within close proximity to the town centre. Based on these lot attributes, the proposed development will provide residential land which assists in delivering a diverse range of housing choices in the market.

Community Benefit

The site is not currently used for community and recreational facilities. The proposed development of the site will result in part of the site being used for community and recreation purposes. The location of the proposed development will mean that existing and future residents will have improved access to community facilities located in the Mossman township by way of a proposed link to the development.

1. Recreational Facilities

The proposed development includes substantial open space areas and public facilities which are to be made available to residents and the wider community. A park is located within the centre of the development and includes four (4) car parking bays to allow vehicular access to the facility. The park includes a BBQ area, tables, chairs, children's playground and a grassed area to cater for people of all ages. A walking track is proposed along the eastern boundary of the site (along Parker Creek) which links to the existing and proposed road network to allow access by both the residents and wider community. In addition, a pathway is proposed on the southern boundary of the site which links to Front Street, providing increased connectivity to the wider community and associated services and facilities.

2. Location

The subject site is the closest vacant parcel of land to the town centre, and residential development on the site is complimentary to the sites adjoining land uses, constraints and contours. The proposed development is within walking distance to major services and facilities such as Mossman Primary and High Schools, Mossman Medical Centre, Woolworths, Town and Country Shopping Centre, Uniting Church, Bendigo Bank and various food and specialty stores. The location of the development provides an ease of living for people of all ages by delivering convenient access to the town centre.

3. Choice and Convenience

The proposed development includes lot sizes in excess of 1,000m² with a relatively flat building contour to provide Mossman with diversity and choice within the residential market. There are no new residential lots currently available for purchase within Mossman, and no proposed or existing developments within such close proximity to the town centre. The proposed development provides the Mossman community with a different housing choice of larger lot sizes close to the town centre which are not otherwise available, and the convenience of easy access to the town centre.

Residential development is a logical use for the site given its close proximity to the Mossman town centre, and adjoining residential land. The Mossman Needs Analysis Report attached to the planning report identified the lack of new residential lots available within Mossman. There are no lots of a comparable size and the same attributes currently available on the market. For the reasons set out above there is a clear absence of utility of land in the current planning designation. This in turn creates a latent demand for residential development close to essential services and facilities. It is reasonable to expect that a revised instrument such as the Draft Douglas Shire Council Planning Scheme would reflect the land appropriately.

2. ***The planning report includes an assessment against the Community & Recreational Facilities Planning Area Code with a statement advising the application seeks a Preliminary Approval to override the Planning Scheme. No regard or comment is provided with respect to the purpose of the code. It is appreciated that the State Government recently sold the land as it was deemed surplus to their requirements. However educational purposes is not the only form of 'community facilities' to locate on land designated for this purpose. Further information is required to address the potential loss of designated land having regard to the purpose of the code and the proximity of the site to the Town Centre and the Mossman State High School. This information request item relates to item 1 and item 3 below.***

A 10 metre setback from Parker Creek to be a walking track for the wider public is insufficient to justify the alienation of community zoned land.

Potential Loss of Community and Recreational Facilities

The site is currently being used for agricultural purposes and does not provide any community benefit to Mossman. As the site is not currently used for community and recreational purposes there will be no loss of community and recreation facilities. It is reasonable to presume that there is currently a sufficient supply of large scale community and recreational facilities within Mossman and that the land is no longer required for that particular use.

The following table addresses the purpose of the Community and Recreational Facilities Planning Area Code and provides comments regarding the compliance of the proposed development against the code.

Community and Recreational Facilities Planning Area Code

Table 1: Purpose of Community and Recreational Facilities Code

Purpose	Proposed Development
Accommodate community facilities such as schools, churches, community centres, State and Local Government facilities and major public utility depots or operations which are important to a locality or to the Shire, in locations which are convenient and accessible to the communities which they serve.	The original intent for the land under the Douglas Shire Council Planning Scheme was for the extension of Mossman State School (if required). The land is no longer required by the school and this is evidenced by the fact that the state sold the land. The proposed development will include community and recreational facilities at a smaller scale which improves the current situation where the land is being used for agricultural purposes.
Ensure areas are available for active sport and recreational pursuits, including facilities for commercial recreation.	The proposed development will include a park with BBQ area, tables and chairs, a children's playground and walking track.
Ensure that the use of recreational or club facilities does not affect the amenity of adjacent areas, particularly residential or environmental areas, through the sensitive design and siting of facilities and through buffering of facilities from sensitive land uses.	The proposed development will ensure that the amenity of the adjoining residential area is maintained while providing community and recreational facilities of a suitable scale. If the subject site was to be developed for large scale community and recreational facilities, it would affect the amenity of the adjoining development, particularly the residential development along Crawford Street. Currently there are no buffers between Mossman State School and adjoining residential development. Large scale recreational facilities would have unacceptable impacts on the adjoining residential area i.e requiring substantial lighting requirements and increased vehicular traffic.
Ensure that areas and facilities available to the general public and visitors to the shire for recreational use and enjoyment.	The proposed development includes substantial open spaces areas which are available to residents, general public and visitors of all ages to Mossman for recreational use and enjoyment.
Ensure that a range of functional open spaces, including local and district parks, major areas of parkland with a Shire-wide focus and open space links are provided for the use and enjoyment of residents of and visitors to, the Shire.	The proposed development includes substantial open space areas and public facilities which are to be made available to residents, general public and visitors to Mossman. A park is located within the centre of the development and includes four (4) car parking bays to allow vehicular access to the facility. The park includes a BBQ area, tables, chairs, children's playground and a grassed area to cater for people of all ages. A walking track is proposed along the eastern boundary of the site (along Parker Creek) which links to the existing and proposed road network to allow access by both the residents and wider community. In addition, a pathway is proposed on the southern boundary of the site which links to Front Street, providing increased connectivity to the wider community and associated services and facilities.
Ensure that the use of parkland does not affect the amenity of adjacent areas, particularly residential areas.	The proposed development includes substantial open spaces areas which are available to residents, general public and visitors of all ages to Mossman for recreational use and enjoyment. The open space areas compliment the proposed development and surrounding land uses, and increases the amenity of the surrounding area by sensitively locating the park in the centre of the development.

Despite the conflict with the planning scheme, residential development of the site is considered a logical use which compliments the existing built environment and sympathises with the natural constraints of the land. The proposed use provides an increase in community and recreational facilities which will not be provided if the current agricultural use is maintained. Lot sizes in excess of 1,000m² provides a housing choice currently unavailable within Mossman, for people who wish to live on larger lots, and want to retain the convenience of living within walking distance to major services and facilities.

Increase in Community and Recreational Facilities

The proposed development includes substantial open space areas and public facilities which are to be made available to residents and the wider community. A park is located within the centre of the development and includes four (4) car parking bays to allow vehicular access to the facility. The park includes a BBQ area, tables, chairs, children's playground and a grassed area to cater for people of all ages. A walking track is proposed along the eastern boundary of the site (along Parker Creek) which links to the existing and proposed road network to allow access by both the residents and wider community. In addition, a pathway is proposed on the southern boundary of the site which links to Front Street, providing increased connectivity to the wider community and associated services and facilities.

As a result of discussions with Council, a revised preliminary plan, Drawing No. PR124232-4 REV D 14/07/2015 has been prepared by RPS Cairns which includes a pathway to the south of the site, linking the proposed development with Front Street, to increase walkability to major services and facilities and access to existing community and recreational facilities within Mossman. The revised plan also includes four (4) car parking bays to encourage the use of public areas by the wider community who may travel by vehicle.

Relocation of Community and Recreational Facilities Land

Prior to lodgement of the Development Application, discussions with a Council Planner occurred. During those discussions the applicant was advised that there was a parcel of land located in the north-eastern portion of Mossman contained within the Residential 1 Planning Area. We understand that the land is not suitable for residential development due to significant flooding impacts, making the development of the site for residential uses unfeasible. A planning area map is attached as **Annexure 1** which marks the site with an 'X'. This parcel of land could be a more appropriate option and offset any loss of community and recreational facilities by including that land within the Community and Recreational Facilities Planning Area. These changes could occur as part of the drafting of the new Douglas Shire Council Planning Scheme.

- 3. The author and qualifications of the person who prepared the 'Research Report' on behalf of Herron Todd White is unknown. The report correctly identifies considerable Residential 1 land stocks are suitably designated in the balance stages of Sheppard Valley and Daintree Horizons and the lack of market demand at present for such product. It is noted that Cooya Beach was excluded even though in close proximity to the site.***

The report fails to adequately investigate and respond to the loss of land designated for Community and Recreational Facilities. This particular issue was raised by Council in the pre-lodgement response dated 25 July 2014 issued to the applicant.

Please consider providing additional assessment/information relating to this matter and confirm that such material is being put forward by a qualified economist.

Economist

The Economic Needs Analysis Report attached to the planning report was prepared by Rick Carr of Herron Todd White. Rick Carr has been the Research Director at property advisors Herron Todd White since 1998. Rick has an honours degree in mathematical statistics, a second degree in economics, and has an extensive career history involving economic research and consulting. In addition to continual

property market analysis, Rick currently operates as a project consultant for property and economic research, and is a specialist in the conduct of regional socio-economic studies.

Among previous positions, Rick was the founder of Epsilon Research a Cairns based consultancy business in the field of economic and social research, and founding Manager of the Cairns Economic Research Unit a research and consultancy sector of James Cook University.

Rick Carr's Curriculum Vitae is included for reference as **Annexure 2**.

Current Residential Land Supply

There are currently no new residential lots available for purchase within Mossman. Whilst Shepherd Valley, Daintree Horizons and Junction Road are new residential developments which are underway, construction of the next stages have not commenced, limiting the amount of residential land currently available on the market. The Mossman Needs Analysis Report concluded that although there is currently a sufficient supply of residential lots approved, the approved lots range in size from 787 – 900m². The proposed development would provide diversity and choice in the market, by proposing lot sizes in excess of 1,000m² on relatively flat land.

Cooya Beach is located 4.8km from Mossman. The average residential lot size available for purchase at Cooya Beach is 800m², and is located within walking distance or short drive to the beach. By comparison, the proposed development is located within the town centre of Mossman, and is proposing lot sizes in excess of 1,000m². The locality and lot attributes of Cooya Beach are not directly comparable as the potential buyers of the proposed development would be people seeking a different lifestyle on larger lots sizes, within walking distance to major services and facilities within Mossman. The Mossman Needs Analysis excluded Cooya Beach and focused on the current estates and subdivisions which are of similar 'lifestyle' characteristics, within similar proximity to the Mossman town centre.

Loss of Community and Recreational Facilities

Section 7 of the Mossman Needs Analysis Report highlighted the current use of the land for agricultural purposes and recognised the substantial amount of open space provided in the proposed development, providing an increase in community and recreational facilities available to Mossman relative to the site's existing agricultural use.

The proposed use will provide an increase in the community and recreational facilities compared to the current use of the site for the cultivation of Sugar Cane. Although the proposed development requires the planning scheme to be overridden, the community and recreational facilities provided within the development increase public open space, which is of an appropriate scale to compliment the surrounding land uses, and is located within close proximity to the town centre.

- 4. *The assessment against the Residential 1 code and Reconfiguring a Lot code advises that the respective performance criteria relating to the establishment of Multi-Unit Housing is not applicable to the proposed development. The proposed layout would seek to foster and promote this form of housing product given the large lot sizes.***

Provide further information why this performance criteria is not applicable when large vacant lots over 1,000m² are being proposed. Alternatively, nominate the lots which are intended to be developed for this purpose. If it is intended that all lots be marked and developed for this purpose then this ought to be made know and considered.

It is understood that the lot sizes is a point of difference from a marketing perspective. However, in the event that the application is approved by Council, it must be made clear to potential purchasers the extent of the development considered in the Preliminary Approval.

Further Development Applications

The Table of Assessment for the Residential 1 Planning Area supports a 'House' as self-assessable development. In comparison, 'Multi-Unit Housing' is impact-assessable within the Residential 1 Planning Area. Should Multi-Unit Housing be proposed over a lot, a Development Application would be required to be submitted to Council, with the outcome of the application based on a merits assessment.

Reconfiguration of a Lot in the Residential 1 Planning Area is code-assessable, with a minimum lot size requirement of 800m². Should a purchaser wish to further subdivide a lot, a Development Application would be required to be submitted to the Council. The proposed lot sizes within the development vary from 1,000m² to 1,569m², therefore any further reconfiguration of lots would not comply with the minimum lot size set out in the Reconfiguring a Lot Code and any development application would need to be assessed and decided on its merits.

Communication of Development Approval to Potential Purchasers

The overall intent of the proposed development is to provide larger lots sizes for a differentiated market, particularly to people seeking a different lifestyle of larger lots close to the major services and facilities of Mossman. Should Council consider it necessary, purchasers can be made aware of their building options prior to purchasing the subject land by receiving a copy of the Development Permit. However, the use of the site would be no different to existing areas surrounding Mossman which are zoned in the Residential 1 Planning Area.

- 5. *Relating to the above item, the FNQ Regional Plan encourages the efficient use of land and the cost effective use of infrastructure and services. Providing a single house on such large lots in close proximity to the Town Centre does not further this intent. Please advise.***

The proposed development is infill development which is a logical transition from the rural pastures on the eastern boundary and the residential and community facilities development on the northern and western boundary of the site.

Section 4.4 of the FNQ Regional Plan addresses the need for housing choice and affordability and includes the following:

"Access to appropriate housing is an important component of social and economic wellbeing. A range of housing options are needed to meet the need of the current and future community in FNQ...Housing need is influenced by a range of factors including changing life-cycle needs, socio-economic circumstances and occupations."

The applicant has focused on a particular demographic of people seeking a different lifestyle choice of a larger lot size within close proximity to major services and facilities provided by the Mossman town centre. This provides an appropriate housing choice which meets the need for further residential development within Mossman. The proposed development complies with Section 4.4 of the FNQ Regional Plan by providing a diversity in housing choice in an around the Mossman locality.

- 6. *The location of the pump station does not provide the setbacks nominated in the FNQROC Development Guideline section D7.17, please advise how the layout will be amended to achieve the setbacks required.***

FNQROC D7.17 point 5 requires 'Pump stations shall be located as far as possible away from existing or proposed habitable dwellings. A 100m setback is desirable with absolute minimum of 30m unless otherwise approved by Council for standard pump stations only. New developments are to comply with the setback conditions from existing pump stations'.

Tenure, access to the pump station (including manoeuvring to the site), and flood immunity also need to be addressed to confirm a satisfactory location and implications for the lot layout.

The current location of the pump station behind Lot 5 is not supported noting the above issues. It also results in the sewage rising main being at the rear of the lots. The width of the land between Lot 5 and the property boundary is also at its narrowest.

Deleting Lot 9 and including the pump station in that location may need to be considered.

Assessment of the impacts on the existing system for water supply and sewerage are required to confirm any upgrades. Council accepts that these can be provided prior to operational works approval but notes that additional works may be required at that time if the investigations uncover any capacity issues.

Substantial consultation has occurred between the applicant and Council Officers regarding the above. As a result of these discussions, a revised preliminary plan, Drawing No. PR124232-4 REV D 14/07/2015 has been prepared by RPS Cairns to address the concerns above, and is referenced as **Annexure 3**. Firstly, the sewer pump lift station has been moved from the eastern boundary of Lot 5 to the southern boundary of the site to address setback and contour concerns over the site. The movement of the lift station has resulted in the reconfiguration of the initial preliminary plan with changes including:

- Movement of lots 1 to 9 slightly north, and a reduction in lot sizes;
- Inclusion of a park at the southern boundary of the site, which adjoins Lot 9;
- Increase in road width from 15.5m to 16.5m except on the eastern portion of the central park;
- Inclusion of four (4) car parking spaces within the road reserve on the western boundary of the central park;
- Reduction in the open space corridor between Lot 3 and Lot 4 to accommodate for the inclusion of the park at the southern boundary; and
- Revised drainage with two (2) options for drainage on the site.

The new location of the sewer lift station ensures that the lift station is approximately 31m from the boundary of both Lot 9 and Lot 10 which complies with the minimum setback distance as per the FNQROC D7.17 point 5.

As the pump lift station is now located on a park area, tenure and access concerns have been eliminated. Flooding impacts will be determined in the local drainage study and will be addressed prior to the operational works stage.

The applicant understands that further assessment of the impacts on the existing system for water supply and sewerage are required to confirm if any upgrades are required, and accepts that this assessment is to be provided prior to the commencement of operational works.

- 7. The provision of flood data for the Mossman River Study is noted. The adjacent tributary may be impacted by more localised events that may be critical to this reach of the system and local catchment. A local drainage study will be required prior to operational works and Council accepts that this can be undertaken prior to operational works being issued.***

The results of that later study may impose additional requirements on the development if flood levels are higher for other rainfall events.

No information on the drain through Lot 1 has been provided. Whilst Council will accept this information being provided at operational works stage, the depth, width and freeboard of the ultimate drain may have implications on the lot utility and could impact on the lot layout.

The lot layout channels the runoff from the school site through a proposed 4m easement. The final width of the easement and the associated piped drainage capacity will need to be confirmed at detailed design phase after the local drainage study has been completed.

Concern is raised regarding the overland flows that are required to turn through 90 degrees after discharging from the easement between Lots 11 and 12. The flows are then required to turn through a further 90 degree bend at the southern boundary of Lot 9.

Consideration of a more direct flow path is requested. A detail of transitions into and out of the easements is required to assess implications for the road form and the lot layout.

The applicant understands the requirements of undertaking a local drainage study prior to the operational works stage and accepts that Council will condition the study as part of the Development Permit. In addition, the applicant understands that the results of the study may impose additional requirements on the development if flood levels are higher for other rainfall events.

The applicant understands that further information regarding the drain through Lot 1 will need to be provided and this information will be provided prior to the operational works stage.

Substantial consultation has occurred between the applicant and Council Officers regarding the above. As a result of these discussions, a revised preliminary plan, Drawing No. PR124232-4 REV D 14/07/2015 has been prepared by RPS Cairns to address the concerns raised regarding drainage and is included for reference as **Annexure 3**. Black and Moore have advised the applicant that there are two potential options which would be suitable over the site.

Option 1 – Retaining wall/catch drain:

Includes a drainage pit located on the southern boundary of Lot 10 which proposes to drain water to the creek at the south of the site. The water which is likely to move through along the back of Lot 10 and Lot 11 is guided by a retaining wall/catch drain to ensure water remains contained.

Option 2 – Drainage Easement:

Includes a drainage pit located on the eastern boundary of the site located between Lot 11 and Lot 12. A 3m wide drainage easement is proposed between Lot 11 and Lot 12 to direct water between the lots and into drains which then directs the water into Parker Creek. A barrier kerb catch drain is proposed along the back of Lot 10 and Lot 11 which guides the water to the pit between Lot 11 and Lot 12.

The applicant understands that the above options were suggested by Council's Engineering team and is willing to proceed with Council's preferred option. The applicant understands that the drainage requirements can be conditioned as part of the Development Permit.

The drainage pathways have been highlighted in 'blue' on the revised plan to detail the movement of water, and where pits and drains are proposed.

- 8. On street parking in the vicinity of the park will need to be considered and would benefit from formalised indented parking bays. Council request advice on how these could be included in the road reserve.***

The size of the park is substantially less than the minimum of 0.5 hectares nominated in the Planning Scheme and Planning Scheme Policy No. 9 for a Local Park. It is noted that submission is seeking an open space credit for the setback off Parker Creek. Please detail how the distribution of open space being proposed is supported by the Planning Scheme.

The road reserve width is consistent with the road geometry layouts specific to Cairns Regional Council. The proposed development would be considered infill development in an area which is

characterised by traditional wider streets. Council requests further consideration be given to this matter and how the turnaround can be achieved within the development site.

Car Parking

A revised preliminary plan, Drawing No. PR124232-4 REV D 14/07/2015 has been prepared by RPS Cairns to address the concerns raised above (Refer to **Annexure 3**). Four (4) parallel car parking bays adjoining the park have been added in the road reserve along the western boundary of the park.

Open Space Contributions

The development complies with the required open space contribution as prescribed in Performance Criteria 7 and Acceptable Solution A7.1 of the Reconfiguring a Lot Code and the Planning Scheme Policy No. 9 – Local Park, being 10% of the land to be reconfigured. However, the ‘park’ contribution does not comply with the Cairns Public Open Space Policy which prescribes 0.5 of the hectare for a Local Recreation Park.

Under Section 6.5 of the Cairns Public Open Space Policy, Council have the discretion to vary the amount of park required subject to individual circumstances and merit based assessment. Therefore, the applicant hereby requests that Council use their discretion regarding the minimum lot size required for a park, due to the substantial open space contributions provided, as detailed below and on Drawing No. PR124232-4 REV D 14/07/2015 (**Annexure 3**).

Table 2: Summary of Open Space Contributions

Aspect of Open Space	Initial proposed development	Revised proposed development
Passive Open Space/Creek Setback	4,495m ²	4,112m ²
Park	1,251m ²	2,139m ²
TOTAL	5,746m²	6,251m²

The proposed development includes an increase of total open space of 505m², providing an additional 2,613m² more open space than the required 3,638m².

Road Width

Crawford Street is approximately 20.117m in width compared to 15.5m width of the initial proposed road. In order to comply with Council’s request, a transitional road width arrangement has been proposed to transition the width of Crawford Street into the new road. **Annexure 3** includes the revised preliminary plan, Drawing No. PR124232-4 REV D 14/07/2015 of the subject site which transitions from 20.117m at Crawford Street to the new road width of 16.5m along proposed ‘Louie Verri Drive’.

The road width around the eastern boundary of the park has remained at 14.5m as the park acts as a cul-de-sac which essentially prevents vehicles travelling through the area at high speeds. Furthermore, the road on the eastern side will provide for services on one side of the road as opposed to two and therefore the narrow width is not considered to have an impact on the provision of services.

The applicant would like to name the street ‘Louie Verri Drive’ which is reflected in the revised plan, Drawing No. PR124232-4 REV D 14/07/2015 referenced as **Annexure 3**. The development of the road is a ‘private road’ and therefore is consistent with the requirements of the FNQROC Development Manual. However, the applicant is eager to work with Council to ensure the most suitable outcome for both the proposed development and wider Mossman Community and therefore the requested amendments have been made.

9. **Statements addressing various codes advise that the land is generally flat and does not exceed 15% yet the proposal involves substantially filling an existing gully which is of concern. Please provide advice on the depth of fill for Lots 6, 9, 11 and 12.**

Within the code assessments of the Development Application there are various statements which detail the excavation and filling required over the site, particularly Lots 6, 9, 11 and 12. The comments against Performance Criteria 1 and Acceptable Solution A1.1 - Acid Sulfate Soils Code set out the amount of approximate fill required being 2,600m³. The comments also state that further refinement of the amount of fill required will be detailed in the design phase. Refer to Acid Sulfate Soils Code Assessment, Annexure 3 of the Development Application.

A revised preliminary plan, Drawing No. PR124232-4 REV D 14/07/2015 has been prepared by RPS Cairns to address concerns raised above (Refer to **Annexure 3**). This amended plan has reconfigured the lots, resulting in changes to the lots which potentially require fill.

As a local drainage study is required over the site, the applicant proposes to provide Council with an exact amount of fill required once the report is produced, and prior to the commencement of operational works. It is requested that Council condition this as part of the approval.

Conclusion

In accordance with Section 278(1)(a) of the *Sustainable Planning Act 2009*, this letter and attachments constitute the applicant's full response to the information requested.

We trust this information is sufficient for your purposes; however should you require any further details or clarification, please do not hesitate to contact the undersigned.

Yours Faithfully



Claire Simmons
Planner
Planning Plus Pty Ltd

cc:

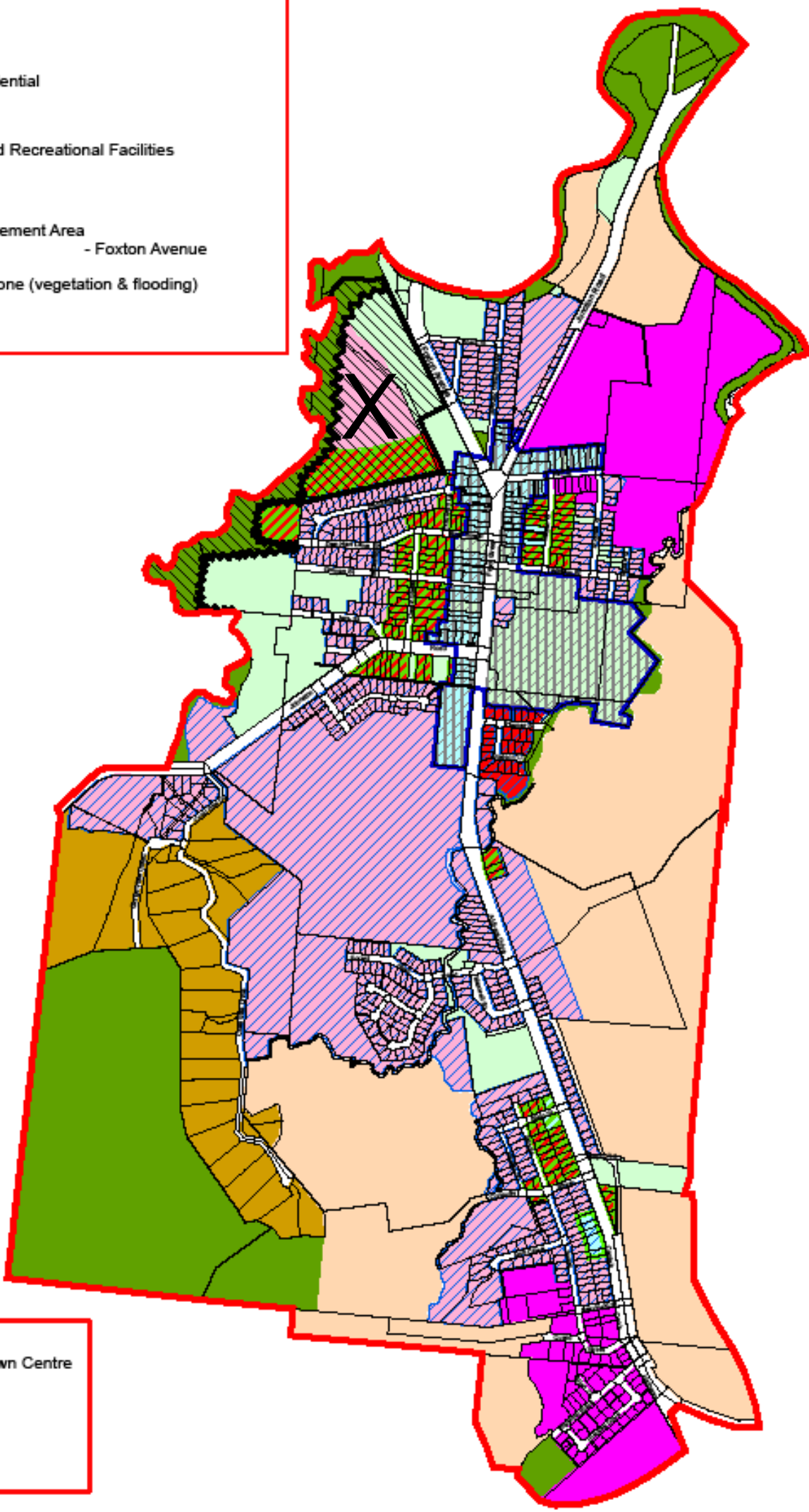
enc: **Annexure 1:** Zoning Plan detailing potential 'Offset'
Annexure 2: Rick Carr – Curriculum Vitae
Annexure 3: Revised Plan - Drawing No. PR124232-4 REV D 14/07/2015

Annexure 1

Zoning Plan detailing potential 'Offset'

'X' - Potential Offset of Community and Recreational Facilities Land

- Planning Areas**
- Rural
 - Rural Settlement
 - Residential 1
 - Residential 2
 - Commercial
 - Tourist & Residential
 - Industry
 - Conservation
 - Community and Recreational Facilities
 - Town Centre
 - Local Centre
 - Special Management Area
- Foxtan Avenue
 - Investigation Zone (vegetation & flooding)



- Plot Ratio**
- High Scale - Town Centre
 - Medium Scale
 - Low Scale

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Douglas Shire Council
 Plot Ratio Designations
 Mossman & Environs Locality



Date: August 2006
 Author: GDK
 Map No. **M 2**

Annexure 2

Rick Carr – Curriculum Vitae

Curriculum Vitae

Cairns

Herron Todd White (Cairns) Pty Ltd

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RICK CARR

Research Director

PROFESSIONAL AFFILIATIONS

- Member of the Market & Social Research Society of Australia (accredited 2000)

QUALIFICATIONS

- Bachelor of Science (Hons) in Mathematical Statistics
Bachelor of Economics

PROFESSIONAL EXPERIENCE

Management of property research service provision, including development and operation of property and economic intelligence systems in support of property advisory processes, ongoing property and economic research and intelligence, and ongoing publication programs including the CairnsWatch and Townsville in Focus publications.

Extensive project consulting assignments in property market research as well as social and economic research.

Business development of the company's research and consulting activities.

EMPLOYMENT HISTORY

1998 to Current

Herron Todd White (Cairns) Pty Ltd
Research Director

1992 to 1995

Cairns Economic Research Unit,
James Cook University
Manager

1995 to 1998

Epsilon Research
Principal

1987 to 1992

Australian Trade Commission
(Austrade)
Senior Economist

Curriculum Vitae



RICK CARR (CTD)

PROPERTY RESEARCH PROJECT EXAMPLES

Market assessments and/or competitor intelligence for specific property developments e.g. residential land subdivisions, unit developments

Needs statements for development applications e.g. for residential sub-divisions, shopping centre developments

Sector-specific market overviews e.g. child care centres, backpacker hostels, warehouse centres

Housing Demand impact study of mining expansion in Weipa in Far North Queensland

Asset disposal advice for Cardstone Village, a former hydro town site in North Queensland

Property market transmission impact of the Strand public infrastructure redevelopment in Townsville

Rural property research including development of the Australian Grazing Property Index

Market outlooks for rural industries/commodities e.g. beef cattle, sugar, aquaculture, piggeries

ECONOMIC, SOCIAL AND DEMOGRAPHIC RESEARCH PROJECT EXAMPLES

New School Assessments for Catholic Education Offices

Tourism Strategy for the Laura / Quinkan region of Cape York Peninsula

Socio-economic impact assessments of the Cairns Esplanade and Cityport tourism and recreational infrastructure development projects

Economic Assessment of mains electricity in the Tropical Daintree

Market Research Survey of 800 households for Cairns Esplanade project

Social Impact Management Strategy elements of the Douglas Shire Tourism Strategy

Socio-economic significance of tobacco growing industry in Mareeba

Study of Japanese temporary residents in Cairns Tourism Industry (published by BIPR)

Economic Impact and Cost Benefit Evaluations of proposed irrigation projects on Atherton Tableland

Cost Benefit Assessment of the North Queensland Bio-Energy Project

Economic Significance of the Fishing Industry in Cairns

Annexure 3

Revised Plan - Drawing No. PR124232-4 REV D

14/07/2015

PRELIMINARY ONLY

- IMPORTANT NOTE**
- This plan was prepared for the sole purpose of the client for the specific purpose of accompanying an application to the Douglas Shire Council for a reconfiguration of a lot described on this plan. This plan is strictly limited to the Purpose and does not apply directly or indirectly and will not be used for any other application, purpose, use or matter. The plan is prepared without the assumption of a duty of care to any other person (other than the Client) ("Third Party") and may not be relied on by Third Party.
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 - RPS Australia East Pty Ltd relying on surface indicators that are incorrect or inaccurate;
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 - lodgement of this plan with any local authority against the recommendation of RPS Australia East Pty Ltd;
 - the accuracy, reliability, suitability or completeness of any approximations or estimates made or referred to by RPS Australia East Pty Ltd in this plan.
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 - The dimensions, area, size and location of improvements, flood information (if shown) and number of lots shown on this plan are approximate only and may vary.
 - Cadastral boundaries are obtained by title dimensions and/or DCDB. These boundaries have not been verified and are approximate only.
 - The contours shown on this plan are by field survey and are suitable only for the purposes of this application. The accuracy of the contours has not been verified and no reliance should be placed upon such contours for any purpose other than for the purpose of this application for a reconfiguration of a lot.

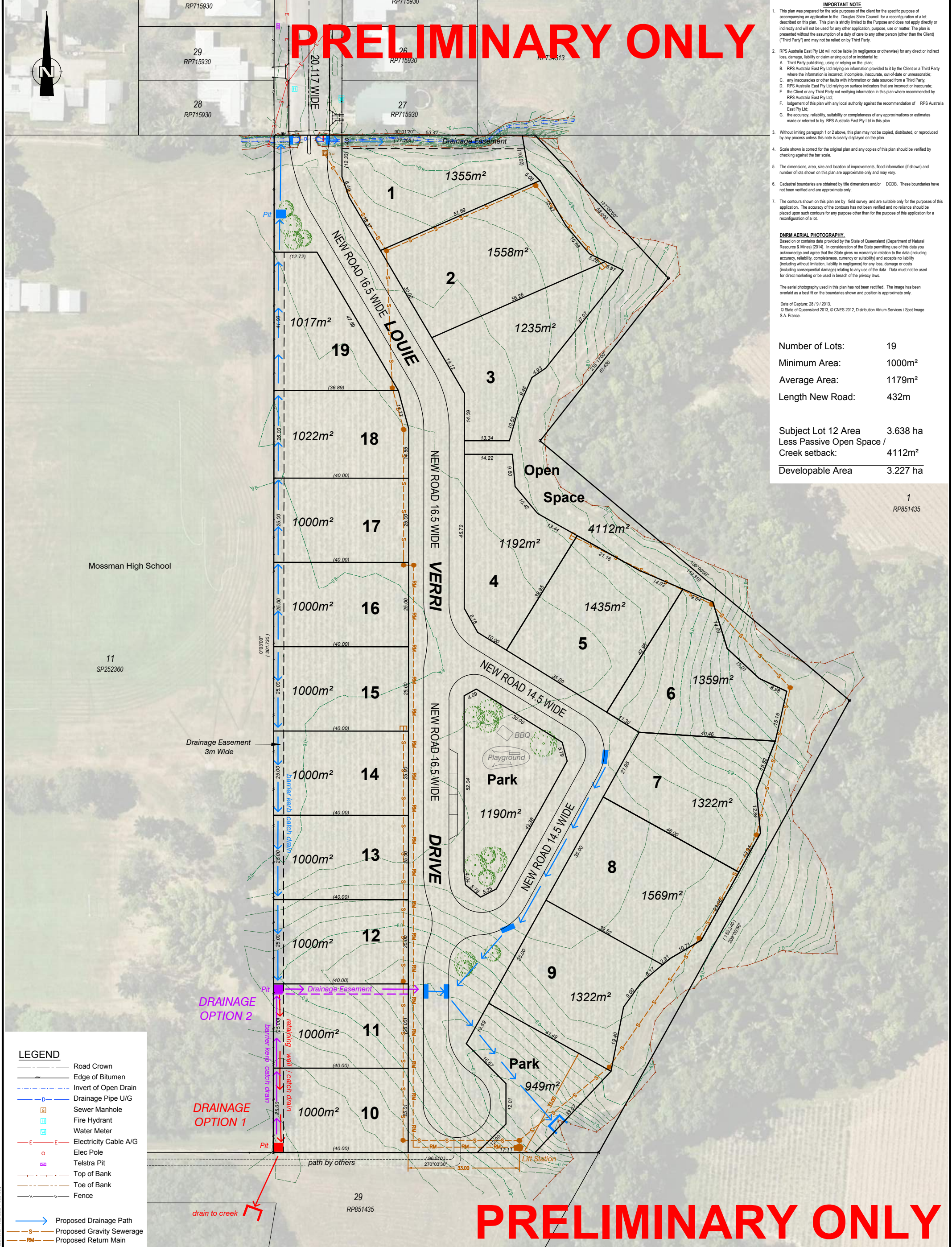
DNRM AERIAL PHOTOGRAPHY.
 Based on or contains data provided by the State of Queensland (Department of Natural Resources & Mines) [2014]. In consideration of the State permitting use of this data you acknowledge and agree that the State gives no warranty in relation to the data (including accuracy, reliability, completeness, currency or suitability) and accepts no liability (including without limitation, liability in negligence) for any loss, damage or costs (including consequential damage) relating to any use of the data. Data must not be used for direct marketing or be used in breach of the privacy laws.

The aerial photography used in this plan has not been rectified. The image has been overlaid as a best fit on the boundaries shown and position is approximate only.

Date of Capture: 28 / 9 / 2013.
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Number of Lots:	19
Minimum Area:	1000m ²
Average Area:	1179m ²
Length New Road:	432m
Subject Lot 12 Area	3.638 ha
Less Passive Open Space / Creek setback:	4112m ²
Developable Area	3.227 ha

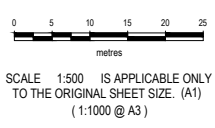
1
RP851435



PRELIMINARY ONLY

NOTES
 Level Datum: AHD
 Origin of Levels: PSM 52406
 RL 9.293
 Meridian: SP252360

Origin of Coordinates: PSM 96085
 E: 5002.531
 N: 10000.315
 Contour Interval: 0.2m
 Index: 1.0m



AMENDMENTS		PROJECT MANAGER	
A: AMK: Revise road name		A. Kerlin	
B: AMK: Review per DSC info request.		SURVEYED	
C: AMK: Revise Layout		MW	15/9/2014
D: AMK: Add Possible Sewerage & Drainage		COMPLETED	
		AMK	
CAD REF: PR124232-4d.DWG		SHEET 1	SHEET SIZE
124232-201.ccx		OF SHEETS 1	A1

NV & JS PTY LTD	
RECONFIGURATION OF A LOT	
PROPOSED RESIDENTIAL DEVELOPMENT	
CANCELLING LOT 12 ON SP252360	
CRAWFORD ST MOSSMAN	

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SCALE	DATE	DRAWING NO.	ISSUE
1:500	14/7/2015	PR124232-4	D