

Officer: Karl Vonhoff  
Direct Telephone: 07 5475 9918  
Our Reference: KV003:SS050:OPW20/0535  
Your Reference: C3602

16 April 2021

Parker Property Ningi Pty Ltd  
C/- Milanovic Neale Consulting Engineers  
PO Box 2118  
NORTH IPSWICH QLD 4305

Dear Sir/Madam

**DECISION NOTICE – APPROVAL – OPW20/0535 - LOT 2 SP 273404 –  
41 GLENBROOK DRIVE NAMBOUR**

I refer to your application and advise that on 12 April 2021 council decided to approve the application subject to conditions.

The following type of approval has been issued:

- Development Permit for Operational Work (Road work, Stormwater, Filling & Excavation and Landscaping)


A copy of the development approval granted by this decision notice is attached.

A copy of the relevant appeal provisions is also attached.

During the appeal period, you as the applicant may suspend your appeal period and make written representations to council about a matter contained within this decision notice. If council agrees or agrees in part with the representations, a negotiated decision notice will be issued. Only one negotiated decision notice may be given.

Should you have any further queries in relation to this decision, please do not hesitate to contact Karl Vonhoff on the above number.

Yours faithfully



**ROBERT FREERS**  
PRINCIPAL DEVELOPMENT ENGINEER  
ENGINEERING AND ENVIRONMENT ASSESSMENT

Enc: Development Approval  
Approved Plans  
Appeal Rights

Cc: Unitywater  
townplanning@energex.com.au

# Development Approval

## APPLICATION DETAILS

|                            |   |
|----------------------------|---|
| Application No:            | OPW20/0535                                      |
| Street Address:            | 41 Glenbrook Drive NAMBOUR                      |
| Real Property Description: | Lot 2 SP 273404                                 |
| Planning Scheme:           | Sunshine Coast Planning Scheme (24 August 2020) |

## APPROVAL DETAILS

|                     |   |
|---------------------|---|
| Nature of Approval: | Approval with conditions  |
| Type of Approval:   | Development Permit for Operational Work (Road work, Stormwater, Filling & Excavation and Landscaping) |

## CURRENCY PERIOD OF APPROVAL

Unless lawfully extended, the currency period for this development approval is two (2) years starting the day that this development approval first took effect (Refer to Section 85 "Lapsing of approval at end of currency period" of the *Planning Act 2016*).

The currency period for this approval is subject to any further extension of time declared by the State government for the "COVID-19 emergency applicable event" pursuant to s275E of the *Planning Act 2016*.

## INFRASTRUCTURE

Unless otherwise specified, all assessment manager conditions of this development approval relating to the provision of infrastructure are non-trunk infrastructure conditions for Chapter 4 of the *Planning Act 2016*.

## ASSESSMENT MANAGER CONDITIONS

### GENERAL

#### Sunset Date for Completion of Approved Development

1. Pursuant to s88 of the *Planning Act 2016*, this development approval lapses the sooner of 14 April 2025, or the end of the currency period of the higher order approval.
2. Pursuant to s88 of the *Planning Act 2016*, and despite any conditions to the contrary, this development approval lapses if any uncompleted stage is not substantially commenced within two (2) years of plan sealing for the preceding stage.

## PRIOR TO COMMENCEMENT OF WORKS

### General

3. Prior to requesting a pre-start meeting:
  - (a) Amended plans must be submitted to and approved by Council.
  - (b) The applicant must be in receipt of an operational works approval for vegetation clearing for Lot 2 SP 273404.\*
  - (c) Evidence must be submitted to council demonstrating that the relevant detailed landscaping design has been submitted to Energex for approval.
  - (d) A condition report of the drainage systems connecting to the site must be completed for agreement at the pre-start meeting. The condition report is to include a CCTV inspection of the existing pits/end structures (Central Asset ID's;179090, 179091, 246716 and 247277) and must include at least 100m downstream and upstream of each of these pits/end structures and conclude at another pit, access chamber or end structure.  
\* (Refer to Further Permits Required section)
4. A pre-start meeting must be organised with Council prior to the commencement of any on site works. An Operational Works Pre-Start Request Form must be submitted to Council together with payment of the relevant application fee. The applicant must organise for the certifying Registered Professional Engineer, Queensland (RPEQ) or other certifying entity, as well as the principal contractor/s for the operational works to be in attendance at the meeting.
5. A landscape prestart meeting must be organised with council prior to the commencement of any on site works which may be combined with the civil prestart meeting. An OPW Pre-Start Meeting Request Form must be submitted to council together with payment of the relevant application fee. The applicant must organise for the certifying RPEQ or other certifying entity, as well as the principal contractor/s for the OPW works to be in attendance at the meeting.
6. A condition report including photographs of the frontage of the site must be completed and submitted to Council prior to or at the pre-start meeting.
7. Prior to commencement of works, a qualified person\* must assess the head of the gully and concave landform to ensure the adequacy or site preparation in this area in accordance with the Report on Geotechnical Investigation listed within this decision notice.  
\* (Refer to Advisory Note)
8. A Construction Management Plan must be submitted to Council prior to the pre-start meeting and must specifically address the following:
  - (a) Traffic management during all aspects of the construct phase including:
    - (i) A Traffic Management Control Plan in accordance with the *Manual of Uniform Traffic Control Devices* (MUTCD) detailing all temporary signage and traffic control measures prior to construction.
    - (ii) Maintenance of safe pedestrian access across the frontage of the site both during daily construction and after daily construction has ceased.
    - (iii) Proposed fencing to the site during the construction phase of the development.
    - (iv) Adequate parking arrangements for construction workers.

- (b) Maintenance and protection of water quality and existing drainage lines through the construction site through the implementation of appropriate erosion and sediment control measures.
  - (c) Works programme identifying key components of the works and their respective durations including any proposed staging.
  - (d) Establishment of a communication protocol with the general public, adjoining owners and emergency services to advise of agreed construction times, impacts on traffic and services and other relevant issues.
  - (e) Identification of complaint management procedures including:
    - (i) Contact details for the onsite manager.
    - (ii) Dispute resolution procedures.
  - (f) Details on the location of external fill sites/sources, the haulage route, type of vehicle to be utilised during filling operations and frequency of usage. **NOTE:** any damage to the existing road system as a result of haulage operations must be fully repaired at the applicant's expense.
9. Any conflict between the development and an existing or proposed service must be referred to the relevant service authority for determination prior to commencement of works.

### **Erosion and Sediment Control**

10. A Construction Phase Stormwater Management Program (including Erosion and Sediment Control Plans), a completed Design Certificate for Erosion and Sediment Control and a schedule of registered business names must be provided to Council's delegate in accordance with the requirements of the *Planning scheme policy for development works* prior to the onsite prestart meeting and prior to works commencing. The program must additionally contain measures to comply with the construction phase - stormwater management design objectives of the *State Planning Policy 2017* (Appendix 2 Table A).

## **DURING CONSTRUCTION**

### **General**

11. Where damage occurs to any Council asset as a result of the development works, it must be repaired immediately where it creates a hazard that presents risk to person or property. Other damage must be repaired prior to completion of works.
12. A Registered Professional Engineer, Queensland (RPEQ) must undertake the necessary supervision, inspections, testing and or auditing of the works to enable them to certify that all works conform to the Operational Works approval and current engineering standards. Where municipal works are involved, such confirmation must be submitted for the respective hold points prior to any site inspection by Council officers.
13. All works must be constructed and work procedure undertaken in accordance with:
  - (a) The approved plans, documents and conditions detailed in this Decision Notice.
  - (b) The relevant conditions of the higher order Reconfiguration of Lot approval viz. RAL19/0005 to which this approval relates.

- (c) All relevant Council Planning Scheme Policies, standard drawings, standard specifications and guidelines.
- (d) The latest version of Water Sensitive Urban Design (WSUD) *Bioretention and/or Wetland Technical Design Guidelines* (Healthy Land and Water) for all water quality devices to be constructed on site.

### **Erosion and Sediment Control**

- 14. Information is to be provided and all works undertaken in accordance with the requirements of the *Planning scheme policy for development works* (SC6.14.6.5 Protecting waters from the impacts of developments) at all times from when land disturbing activities commence until such time as the site is effectively stabilised. This is to include, but is not limited to, the following specific actions in accordance with the *Planning scheme policy for development works*:
  - (a) Inspection certification is to be provided in the form and frequency specified in the *Planning scheme policy for development works*.
  - (b) All actions are to be taken to avoid and minimise releases, flow and discharges of prescribed water contaminants in accordance with the requirements of the *Planning scheme policy for development works*.
  - (c) Prior to the sealing of the plan of survey for the subdivision the site is required to be effectively stabilised, and;
  - (d) The actions required by the *Planning scheme policy for development works* are to be augmented as necessary to ensure the measures implemented comply with the construction phase - stormwater management design objectives of the *State Planning Policy 2017 Appendix 2 Table A* (Queensland Government).

### **Roadworks**

- 15. All construction of new pavement must join neatly to the existing pavement so that there are no irregularities in line or level resulting at or adjacent to the join for the length of the construction. Where necessary the existing pavement must be brought to a satisfactory standard to allow for the above.
- 16. All street surfacing must consist of a minimum depth of an approved hot mixed asphaltic concrete as specified in the *Planning scheme policy for development works*, unless other pavement types are approved as feature areas in intersection thresholds, speed control devices, turning areas, indented parking etc.
- 17. The installation and/or modification of any traffic signs, street signs, line marking and Raised Reflective Pavement Markings (RRPMs) must be in accordance with the *Manual of Uniform Traffic Control Devices* (MUTCD). New or relocated signage must be installed using the VLoc installation system. All new signage must be Class 1 retroreflective material in accordance with *AS 1906.1 - Retroreflective materials and devices for road traffic control purposes – Part 1: Retroreflective sheeting*.
- 18. Council must be notified prior to any works involving the removal or modification of existing Council traffic signs and/or parking bays.

## **Pavement Design and Construction**

19. The pavement designs shown on the engineering drawings are not approved. To attain approval for the pavement design, the following details must be submitted and certified by an RPEQ with the proposed pavement design:
  - (a) The design California bearing ratio (CBR) must be based on the four day soaked CBR value for the subgrade material.
  - (b) The design subgrade CBR must be representative of each homogenous insitu section of finished subgrade. With respect to each section:
    - (i) For four or less test results, the design CBR must be taken as the least estimated insitu CBR result.
    - (ii) For five or more test results, the design CBR must be taken as the 10th percentile of all estimated insitu CBR results.
  - (c) The samples must be taken generally in the position of the outer wheel path on both sides of the proposed road. A sketch plan showing the location of all tests must be submitted with the test results for pavement design approval.
  - (d) Where imported material has been (or is proposed to be) used for subgrade replacement, and the depth of the imported material is less than 300mm, the pavement design CBR must be based on the testing results of the insitu material and not the imported material.
20. At the time of subgrade inspection, the subgrade must exhibit no visible signs of deformation under proof rolling by a fully loaded, single axle water truck. The pavement subgrade will not be passed until this requirement has been achieved.
21. At the time of pre-seal inspection, the pavement must be dried back to a maximum of 60% of OMC or a maximum DoS of 65%. Verification shall be undertaken by nuclear gauge testing. Consistency may be checked via proof rolling, using a fully loaded, single axle water truck.
22. Pavement design for privately owned works must be undertaken in accordance with the relevant standards. Structural integrity of the driveway and car park areas will remain the responsibility of the property owner/developer and must be certified by an RPEQ.

## **Works within Road Reserve/Reinstatement**

23. Safe pedestrian access on all streets in the vicinity of the development must be maintained at all times. Should footpath/road closures be necessary to carry out construction works, Council's Engineering Officer must be notified prior to the proposed closure and all requirements complied with.
24. All frontage works must match neatly with existing road and verge/footpath features. Additional works beyond the frontage may be required to provide an acceptable transition to existing road and verge/footpath profiles.
25. The applicant is fully responsible for all costs associated with the development works including alterations, rectification or removal of public utility as well as any unforeseen or unplanned costs necessary to fulfil the requirements of this approval.

## **Pathways and Access Points**

26. All pathways must be constructed in accordance with the following requirements:
  - (a) All footpaths must comply with council's adopted standard engineering drawing IPWEA RS-065.
  - (b) Provision must be made for disabled access at all kerb crossings associated with pathways, in accordance with council's adapted standard drawings IPWEA RS-090 and RS-091.
  - (c) All paths must have a slip resistant surface.
  - (d) Expansion and contraction joints must provide a flush finish. Installation of joints by saw cutting is preferred to ensure a smooth ride for cyclists.
  - (e) The required work includes any modifications to ensure the footpath finishes flush with all existing service covers and the like, or alternatively these services are raised or altered, so as not to create a pedestrian safety hazard.
27. The path adjacent to Lot 19 must be installed with sub-surface drainage to allow groundwater to pass under the path.
28. Pathways must:
  - (a) Terminate in a manner that ensures smooth transition to existing surfaces for public safety.
  - (b) Be designed and constructed to comply with IPWEAQ Standards, Austroads and relevant sections of *AS 1428 - Design for access and mobility*.
  - (c) Maintain a 25m radius (down to a minimum 10m radius where 25m is not achievable due to constraints) for any alignment changes.
  - (d) Maintain a minimum 0.5m clearance from any vertical obstruction (e.g. power poles), or increase pathway width in close (<0.5m) proximity, where located within the road reserve, unless specifically agreed otherwise by council.

## **Site Access and Driveways**

29. A residential driveway must be constructed to each of Lots 7, 10, 23 and 24. The works must be undertaken generally in accordance with IPWEAQ standard drawings RS-049 & RS-050 and vertical transitions must comply with *AS 2890.1*.
30. Driveway crossovers must be constructed generally in accordance with Council's adopted standard engineering drawings IPWEA RS-049 and RS-050. Driveways must accommodate the anticipated residential construction traffic, including curve widening and structural design (150mm min concrete thickness).
31. Any existing unnecessary or redundant property access must be removed, and the kerb, footpath and verge area reinstated to match the existing footpath and verge treatments. Grassed verge areas to be reinstated must be provided with 100mm topsoil and turf, and must be maintained by the developer until established.
32. The following must be complied with during the construction of the required crossover/driveway:
  - (a) Residential driveway pavements to be in accordance with *AS 3727.1 – Pavements – Residential*.
  - (b) The driveway must be constructed so as not to concentrate stormwater runoff onto neighbouring properties.

- (c) Where used for parking, the longitudinal gradient and crossfall of all driveways must comply with the requirements of *AS 2890 – Parking facilities*
  - (d) Where there is an existing pedestrian path, a matching crossfall must be provided for the driveway on the alignment of the path, for the full width of the path.
33. All property accesses must be located a minimum of 1m clear of power poles, streetlights, other signage, electrical service pillars, street trees and stormwater entry pits, unless specifically agreed otherwise by council. The applicant is responsible for any necessary relocation of existing services to provide this clearance and must contact the relevant service authorities and comply with their requirements in relation to these works.

### **Earthworks and Retaining Walls**

34. All earthworks shall be undertaken in accordance with the provisions of *AS 3798 – Guidelines on earthworks for commercial and residential developments*, with geotechnical testing undertaken in accordance with Section 8 of the Standard, and to a minimum of 'Level 1'. Test results as required by *AS 3798*, and a certificate of quality and uniformity of fill, shall be provided by a RPEQ and submitted to Council upon completion of the works and prior to Council signing the Plan of Survey.
35. All retaining walls must be designed and constructed in accordance with the planning scheme and must be certified by a Registered Professional Engineer of Queensland (RPEQ) where exceeding 1m in height.
36. All retaining walls within public property must be constructed as grouted rock walls.
37. The retaining walls of Lots 5, 6, 7, 10, 11, 18, 19 and 42 where interfacing with public property must be constructed as grouted rock walls.
38. Concrete sleeper retaining walls must be constructed in accordance with the following requirements:
- (a) Using patterned and concrete colour systems (CCS) coloured concrete sleepers of the same variety unless otherwise agreed by council. The pattern must be timber or stone and the colour must be either railway sleeper or brown; and
  - (b) Support posts must be painted in accordance with *AS 2312* and the *Planning scheme policy for development works* and must match the colour of the concrete sleeper.
39. Safety barriers must be implemented where steep slope or fall hazards exist naturally or are created by the design. The barrier type must be assessed and designed by a RPEQ as being appropriate for each location and the anticipated risks during construction, establishment, maintenance and end use, in accordance with the following criteria and standards:
- (a) Where located on public roadways, vehicle barriers must be designed in accordance with *Austroads* and the *DTMR* design guidelines.
  - (b) Where located adjacent to vehicle manoeuvring areas, vehicle barriers must be designed in accordance with *AS 2890.1 – Off-street Parking*



- (c) Where located near publicly accessible paths, pedestrian and cycle barriers must be designed in accordance with *Austrroads Guide to Road Design – Part 6A Paths for Walking and Cycling*.
  - (d) Where located in areas with limited access, pedestrian barrier selection must be based on a suitable risk assessment method e.g. *AS 2156.2 Walking Tracks*.
  - (e) All barriers must be certified to the appropriate load conditions from *AS 1170 - Structural Design Actions* by either the manufacturer or engineering calculations.
40. Slope and batters are a maximum grade of:
- (a) 1 in 4 for grassed areas.
  - (b) 1 in 3 for planted areas.
  - (c) 1 in 2 for combined structural engineering and planting solutions.

### **Structures and Durability**

41. All steelwork must comply with an appropriate corrosion resistance in accordance with *AS 4312 – Atmospheric corrosivity zones in Australia*. Where austenitic metals cannot be specified, a corrosion protection system must be specified to comply with *AS 2312 - Guide to the protection of structural steel against atmospheric corrosion by the use of protective coatings*. The specification for steelwork finishing must match or exceed *Table SC6.14.8A of the Planning scheme policy for development works*.

### **Geotechnical Stability**

42. All subdivisional works must be carried out in accordance with the recommendations contained in Section 4 of the Report on Geotechnical Investigation listed within this development approval.

### **Stormwater Drainage**

43. Appropriate scour protection must be provided at the outlet of all stormwater pipes including temporary outlets and designed in accordance with the *Queensland Urban Drainage Manual*.
44. Works associated with this permit must not adversely impact on the existing drainage conditions on other properties (e.g. by blocking or interfering with natural overland flows).
45. Construction of all internal stormwater drainage works must comply with the relevant sections of Australian Standard *AS 3500.3 – Plumbing and Drainage*.

### **Bioretention Basins – Construction**

46. The bioretention devices must be constructed in accordance with the document *Construction and Establishment Guidelines: Swales, Bioretention Systems and Wetlands* (Water by Design, 2009). Option 1 of the staged construction and establishment methods is to be followed as documented in the guidelines.

47. During construction of the bioretention devices, the supervising RPEQ must ensure that the Bioretention Construction and Establishment Sign-Off Forms contained in Section 3.15 of the *Construction and Establishment Guidelines: Swales, Bioretention Systems and Wetlands* (Water by Design, 2009) are completed and the supporting information and data required by the forms attached. These forms must be submitted to Council prior to On Maintenance in conjunction with certification from the RPEQ that the device has been constructed in accordance with the *Construction and Establishment Guidelines: Swales, Bioretention Systems and Wetlands* (Water by Design, 2009), all conditions of approval, and the approved engineering drawings.
48. A construction hold point shall be established once the bioretention device underdrainage pipe work is installed. At this time an inspection shall be arranged with Council's delegate. At the time of inspection, a sample of the drainage layer, transition layer, and filtration media materials must be stockpiled on-site, and certification that the filtration media complies with the specifications of the *Guidelines Specifications for Soil Media in Bioretention Systems* Version 3.01 (produced by the Facility for Advancing Water Biofiltration) must be available.
49. A construction hold point shall be established when the temporary cover is to be removed from the bioretention device and an inspection shall be arranged with Council's delegate.
50. Vehicle gates must be constructed on the access paths for the bioretention basins generally aligning with the frontage boundaries.
51. The maintenance path within drainage lot 101 must be installed with sub-surface drainage to allow groundwater to pass under the path.

### **Landscape Works**

52. Landscape works must be supervised, undertaken and certified by qualified persons\*. All works must be completed in accordance with this Decision Notice.  
\* (Refer to Advisory Note)
53. Landscape works must:
  - (a) Ensure all vegetation is installed with consideration the mature form to improve future sustainability and reduce maintenance. Street trees must be installed between the Lot frontage boundary and the kerb, where not in conflict with underground infrastructure.
  - (b) Ensure soil quality and depth is in accordance with the planning scheme policy for development works, specifically SC6.14.7.11 and Table SC6.14.7C. Photographic evidence is to be supplied with the landscape certification.
  - (c) Trees must meet *AS2303:2018 Tree stock for landscape use*\*
  - (d) Delineate all planting to grassed area interfaces with a hard edge.
  - (e) Ensure mulch is aged, comprised of leaf and limb material of varying sizes, free of foreign matter including rock, soil/sediment contamination and is applied to all planting areas to ensure a minimum 100mm depth once settled.  
\* (Refer to Advisory Note)
54. Turfed areas must be must be free of pest, diseases and weeds and level with adjoining surfaces.

55. Soil for landscaping must provide for healthy and sustained vegetation performance.

### **Work Hours**

56. Construction and earthworks (including the entry and departure of heavy vehicles) must only occur between the hours of 7:00am to 6:00pm Monday to Saturday with no work on Sunday or Public Holidays unless otherwise approved by council.

### **Air Emissions**

57. Visible emissions of dust must not occur beyond the boundaries of the subject site Monday to Sunday.
58. A perceptible odour associated with landscape topsoil or dewatering of excavations must not be evident beyond the boundaries of the subject site Monday to Sunday.

### **Construction Materials, Equipment and Waste**

59. Construction materials, equipment and waste (waste\* as defined by the *Environmental Protection Act 1994*) resulting from the approved works must be retained wholly within the subject works alignment in accordance with the approved plans. Any waste generated as a result of the works must be disposed only to a facility for waste disposal approved in accordance with the *Environmental Protection Act 1994*, for example a Council operated Waste Facility.

\* (Refer to Advisory Note)

### **Fill Material**

60. Filling of land must be undertaken using the following inert materials only in accordance with the *Waste Reduction and Recycling Act 2011* using either of the following:
- (a) If pulverised so that no piece has any dimension of more than 100mm:
    - (i) Bricks, pavers or ceramics.
    - (ii) Concrete that does not have any steel reinforcing rods embedded in it.
  - (b) Clean earth\*.

\* (Refer to Advisory Note)

## **FOLLOWING CONSTRUCTION**

### **Supervision/Certification**

61. Upon completion of the work a certificate must be issued by a RPEQ certifying that the works have been constructed and undertaken in accordance with the Operational Works approval.

### **Bonds**

62. Bonds must:
- (a) Meet the requirements of Council's relevant Planning Scheme Policy for performance, uncompleted works and maintenance.
  - (b) Be calculated using a schedule of works and relevant bond equation.

- (c) Include GST.
  - (d) Have approval of the bond calculations and amount from Council prior to lodgement.
  - (e) Be lodged with Council and accompanied by the Bond Administration Fee/s.
  - (f) Be requested for release by writing to Council, when relevant approval requirements have been met.
63. Performance Bonds must be lodged for streetscape/amenity landscape

### **As Constructed Plans**

64. Prior to acceptance On Maintenance of civil works intended to become Council assets, As Constructed records must be submitted to and approved by Council. The As Constructed information must include:
- (a) Drawings and data certified by a RPEQ for design intent, and certified by a Licensed Surveyor in regard to the cadastre and the location, level and type of all services and structures.
  - (b) The data must be in accordance with Council's *Planning scheme policy for development works* and fully detail levels for all engineering works including, but not limited to, drainage structures, finished ground levels and pavement surface levels. The data must be submitted in hardcopy form and digital format (Asset Design and As Constructed (ADAC)). Guidelines on the use of ADAC are available at [www.adac.com.au](http://www.adac.com.au)

### **On Maintenance**

65. A secondary CCTV inspection is to be completed for the same extent as required prior to the commencement of works, prior to the acceptance On Maintenance. Any damage, sediment or debris identified must be fully rectified at the applicant's cost.
66. All municipal works must be accepted On Maintenance by Council in accordance with Council's relevant Planning Scheme Policy prior to plan sealing. To achieve On Maintenance, the certifying RPEQ must submit to Council:
- (a) Certification (including landscape works) that all works have been undertaken and completed in accordance with the requirements of this approval.
  - (b) As Constructed details in accordance with Council's relevant Planning Scheme Policy.
67. Maintenance periods\* must be 12 months for Streetscape/Amenity Landscape and revegetation/agricultural buffer.  
\* (Refer to Advisory Note)
68. Prior to requesting an On Maintenance inspection, the following information (prepared by respective qualified persons\* and certifying compliance with approvals) must be submitted to council:
- (a) All required bonds.
  - (b) Landscape certification.
  - (c) *AS2303:2015 Tree Stock for Landscape Use* certification (addressing each specimen)
  - (d) Confirmation trees have been installed at correct height and root crown must be visible

- (e) Soil amelioration certification and photographic evidence of the soil depths and extent.

### **Off Maintenance**

- 69. Prior to requesting an Off Maintenance inspection the applicant must provide:
  - (a) Confirmation that all municipal land has been transferred to Council.
  - (b) Written request of bond release.
  - (c) Confirmation that all works are in good order.
- 70. A re-inspection fee in accordance with Council's Fees and Charges Register will be charged where:
  - (a) A Council inspection reveals works do not comply with approval requirements.
  - (b) Submitted certification falsely states works comply with approval requirements.

### **Bioretention Basins – Maintenance & handover**

- 71. Following installation of the filter media for the bioretention devices, a temporary cover consisting of a suitable geotextile covered with soil and turfed is to be immediately installed. This temporary cover is to be maintained in place for a minimum period of 24 months following acceptance of the bioretention devices On Maintenance or until 80% of building works has been completed (whichever occurs first). Following this period the temporary cover is to be removed, and the approved plantings installed. The bioretention devices are then to be appropriately maintained for a minimum period of 12 months prior to being accepted as Off Maintenance by Council's delegate. A bioretention performance bond equivalent to 150% of the bioretention plants plus removal of temporary turf and 12 months maintenance is to be lodged with Council prior to acceptance of the device on-maintenance.
- 72. Subsoil drains are to be cleaned out and accumulated sediment manually removed from the surface of basin and coarse sediment forebays at Off Maintenance and as required during the maintenance period.
- 73. All stormwater quality treatment devices must be maintained by the development in accordance with Water by Design (2009) *Maintaining Vegetated Stormwater Assets (Version 1)* until they are accepted as Off Maintenance by Council.
- 74. Any defects in WSUD devices identified during the maintenance period must be reviewed and a report recommending required rectification works submitted to Council and endorsed by Council's delegate. Works to repair the device and prevent the problem occurring in the future must be completed and the device maintained for a minimum period of 12 months prior to the WSUD device being accepted as Off Maintenance.
- 75. Prior to council accepting the bioretention devices Off Maintenance, maintenance checklists including the full cost of maintaining the devices in accordance with Water by Design (2009) *Maintaining Vegetated Stormwater Assets (Version 1)* must be submitted to Council.

## REFERRAL AGENCIES

The referral agencies applicable to this application are:

| Referral Status | Referral Agency and Address   | Referral Trigger           | Response  |
|-----------------|---|----------------------------|---|
| Advice          | Energex Limited<br>Town Planning<br>GPO Box 1461<br>BRISBANE QLD 4001 | Electricity infrastructure | The agency provided its response on 17 February 2021 (reference No. HBD 7173206). |

## DEVELOPMENT PLANS

The following development plans are Approved Plans for the development:

### Approved Plans

| Plan No.         | Rev. | Plan Name  | Date     |
|------------------|------|--|----------|
| C3602-CA100      | B    | <i>Coversheet</i> , prepared by Milanovic Neale Consulting Engineers                   | 23/12/20 |
| ED18233 OPW - 01 | B    | <i>Cover Sheet</i> , prepared by element design landscape architecture                 | 18/1/21  |
| ED18233 OPW - 02 | B    | <i>Streetscape Planting</i> , prepared by element design landscape architecture        | 18/1/21  |
| ED18233 OPW - 03 | B    | <i>Streetscape Planting</i> , prepared by element design landscape architecture        | 18/1/21  |
| ED18233 OPW - 04 | B    | <i>Streetscape Planting</i> , prepared by element design landscape architecture        | 18/1/21  |
| ED18233 OPW - 05 | B    | <i>Streetscape Planting</i> , prepared by element design landscape architecture        | 18/1/21  |
| ED18233 OPW - 06 | B    | <i>Streetscape Planting</i> , prepared by element design landscape architecture        | 18/1/21  |
| ED18233 OPW - 07 | B    | <i>Streetscape Planting</i> , prepared by element design landscape architecture        | 18/1/21  |
| ED18233 OPW - 08 | B    | <i>Streetscape Planting</i> , prepared by element design landscape architecture        | 18/1/21  |
| ED18233 OPW - 09 | B    | <i>Streetscape Planting</i> , prepared by element design landscape architecture        | 18/1/21  |
| ED18233 OPW - 10 | B    | <i>Streetscape Planting</i> , prepared by element design landscape architecture        | 18/1/21  |
| ED18233 OPW - 11 | B    | <i>Streetscape Planting</i> , prepared by element design landscape architecture        | 18/1/21  |
| ED18233 OPW – 12 | B    | <i>Bio-Retention Basin Details</i> , prepared by element design landscape architecture | 18/1/21  |
| ED18233 OPW – 13 | B    | <i>Detailed Plan</i> , prepared by element design landscape architecture               | 18/1/21  |
| ED18233 OPW – 14 | B    | <i>Plant Schedule Plan</i> , prepared by element design landscape architecture         | 18/1/21  |

| Plan No.         | Rev. | Plan Name  | Date    |
|------------------|------|--|---------|
| ED18233 OPW - 15 | B    | <i>Landscape Specification</i> , prepared by element design landscape architecture | 18/1/21 |

The following development plans require amendment prior to becoming Approved Plans for the development:

#### Plans Requiring Amendment

| Plan No.    | Rev. | Plan Name  | Date     |
|-------------|------|--|----------|
| C3602-CA200 | B    | <i>Staging Layout Plan</i> , prepared by Milanovic Neale Consulting Engineers  | 23/12/20 |
| C3602-CA300 | B    | <i>Project General Notes Sheet 1 of 2</i> , prepared by Milanovic Neale Consulting Engineers                               | 23/12/20 |
| C3602-CE401 | B    | <i>Retaining Wall Longitudinal Section Rear of Lots 28-43 and 50-53</i> , prepared by Milanovic Neale Consulting Engineers | 23/12/20 |
| C3602-CE402 | B    | <i>Retaining Wall Cross Section Sheet 1 of 8</i> , prepared by Milanovic Neale Consulting Engineers                        | 23/12/20 |
| C3602-CE403 | B    | <i>Retaining Wall Cross Section Sheet 2 of 8</i> , prepared by Milanovic Neale Consulting Engineers                        | 23/12/20 |
| C3602-CE404 | B    | <i>Retaining Wall Cross Section Sheet 3 of 8</i> , prepared by Milanovic Neale Consulting Engineers                        | 23/12/20 |
| C3602-CE405 | B    | <i>Retaining Wall Cross Section Sheet 4 of 8</i> , prepared by Milanovic Neale Consulting Engineers                        | 23/12/20 |
| C3602-CE406 | B    | <i>Retaining Wall Cross Section Sheet 5 of 8</i> , prepared by Milanovic Neale Consulting Engineers                        | 23/12/20 |
| C3602-CE407 | B    | <i>Retaining Wall Cross Section Sheet 6 of 8</i> , prepared by Milanovic Neale Consulting Engineers                        | 23/12/20 |
| C3602-CE408 | B    | <i>Retaining Wall Cross Section Sheet 7 of 8</i> , prepared by Milanovic Neale Consulting Engineers                        | 23/12/20 |
| C3602-CE409 | B    | <i>Retaining Wall Cross Section Sheet 8 of 8</i> , prepared by Milanovic Neale Consulting Engineers                        | 23/12/20 |
| C3602-CR100 | B    | <i>Roadworks Control Line Setout Overall Layout Plan</i> , prepared by Milanovic Neale Consulting Engineers                | 23/12/20 |
| C3602-CR201 | B    | <i>Roadworks Layout Plan Sheet 2 of 4</i> , prepared by Milanovic Neale Consulting Engineers                               | 23/12/20 |

| <b>Plan No.</b> | <b>Rev.</b> | <b>Plan Name</b>   | <b>Date</b> |
|-----------------|-------------|--|-------------|
| C3602-CR200     | B           | <i>Roadworks Layout Plan Sheet 1 of 4, prepared by Milanovic Neale Consulting Engineers</i>              | 23/12/20    |
| C3602-CR204     | B           | <i>Roadworks Details Sheet 1 of 7, prepared by Milanovic Neale Consulting Engineers</i>                  | 23/12/20    |
| C3602-CR205     | B           | <i>Roadworks Details Sheet 2 of 7, prepared by Milanovic Neale Consulting Engineers</i>                  | 23/12/20    |
| C3602-CR207     | B           | <i>Roadworks Details Sheet 4 of 7, prepared by Milanovic Neale Consulting Engineers</i>                  | 23/12/20    |
| C3602-CR209     | B           | <i>Roadworks Details Sheet 6 of 7, prepared by Milanovic Neale Consulting Engineers</i>                  | 23/12/20    |
| C3602-CR210     | B           | <i>Roadworks Details Sheet 7 of 7, prepared by Milanovic Neale Consulting Engineers</i>                  | 23/12/20    |
| C3602-CR300     | B           | <i>Roadworks Linemarking Sheet 1 of 2, prepared by Milanovic Neale Consulting Engineers</i>              | 23/12/20    |
| C3602-CR301     | B           | <i>Roadworks Linemarking Sheet 2 of 2, prepared by Milanovic Neale Consulting Engineers</i>              | 23/12/20    |
| C3602-CR400     | B           | <i>Typical Road Sections Sheet 1 of 2, prepared by Milanovic Neale Consulting Engineers</i>              | 23/12/20    |
| C3602-CR401     | B           | <i>Typical Road Sections Sheet 2 of 2, prepared by Milanovic Neale Consulting Engineers</i>              | 23/12/20    |
| C3602-CR402     | B           | <i>Roadworks Pavement Details, prepared by Milanovic Neale Consulting Engineers</i>                      | 23/12/20    |
| C3602-CR500     | B           | <i>Roadworks Longitudinal Section – Nichols Street, prepared by Milanovic Neale Consulting Engineers</i> | 23/12/20    |
| C3602-CR501     | B           | <i>Roadworks Cross Sections – Nichols Street, prepared by Milanovic Neale Consulting Engineers</i>       | 23/12/20    |
| C3602-CR502     | B           | <i>Roadworks Longitudinal Sections – Road A, prepared by Milanovic Neale Consulting Engineers</i>        | 23/12/20    |
| C3602-CR503     | B           | <i>Roadworks Cross Sections – Road A Sheet 1 of 3, prepared by Milanovic Neale Consulting Engineers</i>  | 23/12/20    |
| C3602-CR504     | B           | <i>Roadworks Cross Sections – Road A Sheet 2 of 3, prepared by Milanovic Neale Consulting Engineers</i>  | 23/12/20    |



| <b>Plan No.</b> | <b>Rev.</b> | <b>Plan Name</b>   | <b>Date</b> |
|-----------------|-------------|--|-------------|
| C3602-CR505     | B           | <i>Roadworks Cross Sections – Road A Sheet 3 of 3</i> , prepared by Milanovic Neale Consulting Engineers                             | 23/12/20    |
| C3602-CR506     | B           | <i>Roadworks Longitudinal and Cross Sections – Road B</i> , prepared by Milanovic Neale Consulting Engineers                         | 23/12/20    |
| C3602-CR507     | B           | <i>Roadworks Longitudinal and Cross Sections – Road C</i> , prepared by Milanovic Neale Consulting Engineers                         | 23/12/20    |
| C3602-CR508     | B           | <i>Roadworks Longitudinal Sections – Glenbrook Drive (showing Energex Access)</i> , prepared by Milanovic Neale Consulting Engineers | 23/12/20    |
| C3602-CR508     | B           | <i>Roadworks Longitudinal Sections – Glenbrook Drive</i> , prepared by Milanovic Neale Consulting Engineers                          | 23/12/20    |
| C3602-CD100     | B           | <i>Stormwater Drainage Layout Plan Sheet 1 of 4</i> , prepared by Milanovic Neale Consulting Engineers                               | 23/12/20    |
| C3602-CD103     | B           | <i>Stormwater Drainage Layout Plan Sheet 4 of 4</i> , prepared by Milanovic Neale Consulting Engineers                               | 23/12/20    |
| C3602-CD200     | B           | <i>Stormwater Longitudinal Section Sheet 1 of 4 Q2 Flows</i> , prepared by Milanovic Neale Consulting Engineers                      | 23/12/20    |
| C3602-CD201     | B           | <i>Stormwater Longitudinal Section Sheet 2 of 4 Q2 Flows</i> , prepared by Milanovic Neale Consulting Engineers                      | 23/12/20    |
| C3602-CD202     | B           | <i>Stormwater Longitudinal Section Sheet 3 of 4 Q2 Flows</i> , prepared by Milanovic Neale Consulting Engineers                      | 23/12/20    |
| C3602-CD203     | B           | <i>Stormwater Longitudinal Section Sheet 4 of 4 Q2 Flows</i> , prepared by Milanovic Neale Consulting Engineers                      | 23/12/20    |
| C3602-CD204     | B           | <i>Stormwater Longitudinal Section Sheet 1 of 4 Q100 Flows</i> , prepared by Milanovic Neale Consulting Engineers                    | 23/12/20    |
| C3602-CD205     | B           | <i>Stormwater Longitudinal Section Sheet 2 of 4 Q100 Flows</i> , prepared by Milanovic Neale Consulting Engineers                    | 23/12/20    |

| <b>Plan No.</b> | <b>Rev.</b> | <b>Plan Name</b>   | <b>Date</b> |
|-----------------|-------------|--|-------------|
| C3602-CD206     | B           | <i>Stormwater Longitudinal Section Sheet 3 of 4 Q100 Flows</i> , prepared by Milanovic Neale Consulting Engineers                    | 23/12/20    |
| C3602-CD207     | B           | <i>Stormwater Longitudinal Section Sheet 4 of 4 Q100 Flows</i> , prepared by Milanovic Neale Consulting Engineers                    | 23/12/20    |
| C3602-CD300     | B           | <i>Stormwater Details</i> , prepared by Milanovic Neale Consulting Engineers   | 23/12/20    |
| C3602-CD601     | B           | <i>Swale Chainage Plan</i> , prepared by Milanovic Neale Consulting Engineers  | 23/12/20    |
| C3602-CD700     | B           | <i>Swale 01 (Emergency Relief) Longitudinal and Cross Sections</i> , prepared by Milanovic Neale Consulting Engineers                | 23/12/20    |
| C3602-CD701     | B           | <i>Swale 02 &amp; 03 (Emergency Relief) Longitudinal and Cross Sections</i> , prepared by Milanovic Neale Consulting Engineers       | 23/12/20    |
| C3602-CD702     | B           | <i>Swale 04 Longitudinal and Cross Sections</i> , prepared by Milanovic Neale Consulting Engineers                                   | 23/12/20    |
| C3602-CD703     | B           | <i>Swale 05 Longitudinal and Typical Sections</i> , prepared by Milanovic Neale Consulting Engineers                                 | 23/12/20    |
| C3602-CD704     | B           | <i>Swale 05 Cross Sections</i> , prepared by Milanovic Neale Consulting Engineers  | 23/12/20    |
| C3602-CD705     | B           | <i>Swale 06, 08 &amp; 09 (Emergency Relief) Longitudinal and Typical Sections</i> , prepared by Milanovic Neale Consulting Engineers | 23/12/20    |
| C3602-CD706     | B           | <i>Swale 06, 08 &amp; 09 Cross Sections</i> , prepared by Milanovic Neale Consulting Engineers                                       | 23/12/20    |
| C3602-CD707     | B           | <i>Swale 07 Longitudinal and Cross Sections</i> , prepared by Milanovic Neale Consulting Engineers                                   | 23/12/20    |
| C3602-CD708     | B           | <i>Swale 10 Longitudinal and Cross Sections</i> , prepared by Milanovic Neale Consulting Engineers                                   | 23/12/20    |
| C3602-CD709     | B           | <i>Swale 11 Longitudinal and Cross Sections</i> , prepared by Milanovic Neale Consulting Engineers                                   | 23/12/20    |
| C3602-CD710     | B           | <i>Swale 12 Longitudinal and Cross Sections</i> , prepared by Milanovic Neale Consulting Engineers                                   | 23/12/20    |

| Plan No.          | Rev. | Plan Name   | Date     |
|-------------------|------|---|----------|
| C3602-CD711       | B    | <i>Swale 13 Longitudinal and Typical Section</i> , prepared by Milanovic Neale Consulting Engineers   | 23/12/20 |
| C3602-CD712       | B    | <i>Swale 13 Cross Section</i> , prepared by Milanovic Neale Consulting Engineers  | 23/12/20 |
| C3602-CD800       | B    | <i>Lot 101 Detention and Bioretention Details Sheet 1 of 3</i> , prepared by Milanovic Neale Consulting Engineers   | 23/12/20 |
| C3602-CD801       | B    | <i>Lot 101 Detention and Bioretention Details Sheet 2 of 3</i> , prepared by Milanovic Neale Consulting Engineers   | 23/12/20 |
| C3602-CD804       | B    | <i>Lot 102 Detention and Bioretention Details Sheet 1 of 3</i> , prepared by Milanovic Neale Consulting Engineers   | 23/12/20 |
| C3602-CD805       | B    | <i>Lot 102 Detention and Bioretention Details Sheet 2 of 3</i> , prepared by Milanovic Neale Consulting Engineers   | 23/12/20 |
| C3602-CD807       | B    | <i>Lot 102 Bioretention Access Long Section</i> , prepared by Milanovic Neale Consulting Engineers  | 23/12/20 |
| C3602-CD809       | B    | <i>Detention &amp; Bioretention Typical Details</i> , prepared by Milanovic Neale Consulting Engineers  | 23/12/20 |
| C3602-ET100       | B    | <i>Energex Access Layout Plan</i> , prepared by Milanovic Neale Consulting Engineers  | 23/12/20 |
| C3602-ET101       | B    | <i>Energex Access Longitudinal Section</i> , prepared by Milanovic Neale Consulting Engineers   | 23/12/20 |
| C3602-ET102       | B    | <i>Energex Access Cross Sections</i> , prepared by Milanovic Neale Consulting Engineers   | 23/12/20 |
| <b>Amendments</b> |      | <ul style="list-style-type: none"> <li>• Include signed checking certification by a RPEQ</li> </ul>   |          |
| C3602-CE100       | B    | <i>Bulk Earthworks Overall Layout</i> , prepared by Milanovic Neale Consulting Engineers  | 23/12/20 |
| <b>Amendments</b> |      | <ul style="list-style-type: none"> <li>• Include signed checking certification by a RPEQ</li> <li>• Amend to show retaining wall materials in accordance with the conditions of this decision notice.</li> <li>• Amend the section labels to reference the correct drawing</li> </ul> |          |
| C3602-CE200       | B    | <i>Bulk Earthworks Detail Layout Plan – Sheet 1 of 4</i> , prepared by Milanovic Neale Consulting Engineers   | 23/12/20 |

| Plan No.          | Rev. | Plan Name  | Date     |
|-------------------|------|--|----------|
| C3602-CE300       | B    | <i>Bulk Earthworks Sections – Sheet 1 of 5, prepared by Milanovic Neale Consulting Engineers</i>   | 23/12/20 |
| C3602-CE301       | B    | <i>Bulk Earthworks Sections – Sheet 2 of 5, prepared by Milanovic Neale Consulting Engineers</i>   | 23/12/20 |
| C3602-CE302       | B    | <i>Bulk Earthworks Sections – Sheet 3 of 5, prepared by Milanovic Neale Consulting Engineers</i>   | 23/12/20 |
| C3602-CE303       | B    | <i>Bulk Earthworks Sections – Sheet 4 of 5, prepared by Milanovic Neale Consulting Engineers</i>   | 23/12/20 |
| C3602-CE304       | B    | <i>Bulk Earthworks Sections – Sheet 5 of 5, prepared by Milanovic Neale Consulting Engineers</i>   | 23/12/20 |
| C3602-CE400       | B    | <i>Retaining Wall Layout Plan Rear of Lots 28-43 and 50-53, prepared by Milanovic Neale Consulting Engineers</i>   | 23/12/20 |
| C3602-CD808       | B    | <i>Lot 102 Bioretention Access Cross Section, prepared by Milanovic Neale Consulting Engineers</i>   | 23/12/20 |
| <b>Amendments</b> |      | <ul style="list-style-type: none"> <li>• Include signed checking certification by a RPEQ</li> <li>• Amend to show retaining wall materials in accordance with the conditions of this decision notice.</li> </ul>       |          |
| C3602-CR01        | A    | <i>Roadworks Temporary Turnaround Detail, prepared by Milanovic Neale Consulting Engineers</i>   | 23/12/20 |
| C3602-CR200       | B    | <i>Roadworks Layout Plan Sheet 1 of 4, prepared by Milanovic Neale Consulting Engineers</i>  | 23/12/20 |
| C3602-CR202       | B    | <i>Roadworks Layout Plan Sheet 3 of 4, prepared by Milanovic Neale Consulting Engineers</i>  | 23/12/20 |
| C3602-CR206       | B    | <i>Roadworks Details Sheet 3 of 7, prepared by Milanovic Neale Consulting Engineers</i>  | 23/12/20 |
| C3602-CR208       | B    | <i>Roadworks Details Sheet 5 of 7, prepared by Milanovic Neale Consulting Engineers</i>  | 23/12/20 |
| <b>Amendments</b> |      | <ul style="list-style-type: none"> <li>• Include signed checking certification by a RPEQ</li> <li>• Amend to add driveways for Lots 7, 23 and 24 in accordance with the conditions of this decision notice.</li> </ul> |          |
| C3602-CE201       | C    | <i>Bulk Earthworks Detail Layout Plan Sheet 2 of 4, prepared by Milanovic Neale Consulting Engineers</i>   | 24/3/21  |
| <b>Amendments</b> |      | <ul style="list-style-type: none"> <li>• Amend to show the padmount transformer located within road reserve dedicated from a section of a private lot, or show that retaining walls are not</li> </ul>                 |          |

| Plan No.          | Rev.  | Plan Name  | Date     |
|-------------------|---|--|----------|
|                   |   | required for the padmount transformer and that the function of the drainage reserve is not compromised.  |          |
|                   | <ul style="list-style-type: none"> <li>Amend to show retaining wall materials in accordance with the conditions of this decision notice.</li> </ul> |  |          |
| C3602-CE202       | C   | <i>Bulk Earthworks Detail Layout Plan Sheet 3 of 4</i> , prepared by Milanovic Neale Consulting Engineers  | 24/3/21  |
| C3602-CE203       | C   | <i>Bulk Earthworks Detail Layout Plan Sheet 4 of 4</i> , prepared by Milanovic Neale Consulting Engineers  | 24/3/21  |
| <b>Amendments</b> |   | <ul style="list-style-type: none"> <li>Amend to show retaining wall materials in accordance with the conditions of this decision notice.</li> </ul>  |          |
| C3602-CD101       | B   | <i>Stormwater Drainage Layout Plan Sheet 2 of 4</i> , prepared by Milanovic Neale Consulting Engineers   | 23/12/20 |
| C3602-CD102       | B   | <i>Stormwater Drainage Layout Plan Sheet 3 of 4</i> , prepared by Milanovic Neale Consulting Engineers   | 23/12/20 |
| C3602-CD600       | B   | <i>Swale Layout Plan</i> , prepared by Milanovic Neale Consulting Engineers  | 23/12/20 |
| C3602-CD713       | B   | <i>Swale 14 Longitudinal and Typical Section</i> , prepared by Milanovic Neale Consulting Engineers  | 23/12/20 |
| C3602-CD714       | B   | <i>Swale 14 Cross Section</i> , prepared by Milanovic Neale Consulting Engineers   | 23/12/20 |
| <b>Amendments</b> |   | <ul style="list-style-type: none"> <li>Include signed checking certification by a RPEQ</li> <li>Amend to show swale 14 contained within a minimum 4m wide but of sufficient width to fully contain the 1% Annual Exceedance Probability (AEP) flows from the local catchment encompassing the development.</li> </ul>  |          |
| C3602-CD802       | B   | <i>Lot 101 Detention and Bioretention Details Sheet 3 of 3</i> , prepared by Milanovic Neale Consulting Engineers  | 23/12/20 |
| <b>Amendments</b> |   | <ul style="list-style-type: none"> <li>Include signed checking certification by a RPEQ</li> <li>Increase width of maintenance access to enable a small rigid vehicle to traverse the access. This must include 300mm clearance to vertical obstructions on either side of the turn paths.</li> <li>Show a vehicle gate on the access path generally aligning with the frontage boundaries and in accordance with council's standard drawing FG-10 of the Landscape Infrastructure Manual.</li> </ul> |          |
| C3602-CD803       | B   | <i>Lot 101 Bioretention Access Long Section &amp; Cross Section</i> , prepared by Milanovic Neale Consulting Engineers   | 23/12/20 |

| Plan No.          | Rev. | Plan Name   | Date     |
|-------------------|------|---|----------|
| <b>Amendments</b> |      | <ul style="list-style-type: none"> <li>• Include signed checking certification by a RPEQ</li> <li>• Increase width of maintenance access to enable a small rigid vehicle to traverse the access. This must include 300mm clearance to vertical obstructions on either side of the turn paths.</li> <li>• Amend to show retaining wall materials in accordance with the conditions of this decision notice.</li> </ul> |          |
| C3602-CD806       | B    | <i>Lot 102 Detention and Bioretention Details Sheet 3 of 3</i> , prepared by Milanovic Neale Consulting Engineers   | 23/12/20 |
|                   |      | <ul style="list-style-type: none"> <li>• Include signed checking certification by a RPEQ</li> <li>• Show a vehicle gate on the access path generally aligning with the frontage boundaries and in accordance with council's standard drawing FG-10 of the Landscape Infrastructure Manual.</li> </ul>   |          |

## REFERENCED DOCUMENTS

The following documents are referenced in the assessment manager conditions:

### Referenced Documents

| Document No.        | Rev. | Document Name  | Date     |
|---------------------|------|--|----------|
| 25206 REV 3         | 3    | <i>Report on Geotechnical Investigation 41 Glenbrook Drive, Nambour</i> , prepared by Morrison Geotechnic                            | 22/12/20 |
| RP-014/10, Issue: 2 | G    | <i>Site Based Stormwater Management Plan, 41 Glenbrook Drive, Nambour</i> , prepared by Milanovic Neale Consulting Engineers Pty Ltd | 23/12/20 |

## ADVISORY NOTES

The following notes are included for guidance and information purposes only and do not form part of the assessment manager conditions:

### General

1. Council has undertaken an audit check of the Operational Works drawings in relation to the proposed works. A detailed check of the calculations and drawings has not been undertaken, as they have been certified by a RPEQ. The RPEQ bears full responsibility for all aspects of the engineering design. Council reserves the right to require further amendments and/or additions at a later date, should design errors become apparent.

### **Aboriginal Cultural Heritage Act 2003**

2. There may be a requirement to establish a Cultural Heritage Management Plan and/or obtain approvals pursuant to the *Aboriginal Cultural Heritage Act 2003*. The ACH Act establishes a cultural heritage duty of care which provides that:

“A person who carries out an activity must take all reasonable and practicable measures to ensure the activity does not harm Aboriginal cultural heritage.” It is an offence to fail to comply with the duty of care. Substantial monetary penalties may apply to individuals or corporations breaching this duty of care. Injunctions may also be issued by the Land Court, and the Minister administering the Act can also issue stop orders for an activity that is harming or is likely to harm Aboriginal cultural heritage or the cultural heritage value of Aboriginal cultural heritage.

You should contact the Cultural Heritage Unit on 07 3247 6212 to discuss any obligations under the ACH Act.

### **Prestart, On and Off Maintenance Inspections Request**

3. Contact Council on (07) 5475 9866 to arrange a pre-start or an inspection giving a minimum of five business days' notice.
4. If Council officers are required to undertake additional inspections of the same works, a re-inspection fee will be applicable in accordance with Council's Fees and Charges Register applicable at the time.
5. A minimum maintenance period of 12 months will apply to all municipal works and thereafter until such time as the works are performing in accordance with the approved design unless notified otherwise.

### **Qualified Person**

6. For the purpose of preparing a geotechnical report, and for certifying geotechnical stability for the development, a qualified person is considered to be a person who:
  - (a) is a Registered Professional Engineer of Queensland (RPEQ)
  - (b) has a degree in civil engineering or engineering geology
  - (c) has a minimum of five (5) years of experience in the field of geotechnical engineering or engineering geology.
7. For the purpose of certifying landscape works, a qualified person is considered to be a landscape architect, landscape designer and/or horticulturist with a minimum of 5 years current experience in the field of landscape design.
8. For the purpose of certifying *AS2303:2018 Tree Stock for Landscape Use* compliance, a qualified person is considered to be a person with either:
  - (a) ISA certification; or
  - (b) a Diploma of Arboriculture in addition to a minimum of 5 years current experience in the field of arboriculture.

## Environmental

9. The *Environmental Protection Act 1994* states that a person must not carry out any activity that causes, or is likely to cause, environmental harm unless the person takes all reasonable and practicable measures to prevent or minimise the harm. Environmental harm includes environmental nuisance. In this regard persons and entities involved in the civil, earthworks, construction and landscaping phases of this development are to adhere to their 'general environmental duty' to minimise the risk of causing environmental harm.

## Environmental Health

10. **Clean earth** means earth that has trace elements and contaminant levels within the interim ecologically-based investigation levels for urban land use under the document titled *Schedule B(1) - Guideline on Investigation Levels for Soil and Groundwater*, forming part of the *National Environment Protection (Assessment of Site Contamination) Measure 1999, as varied 2011*, made by the National Environment Protection Council under the *National Environment Protection Council Act 1994* (Commonwealth), section 14(1).
11. Waste includes anything, other than a resource approved (i.e. recyclable) under the *Waste Reduction and Recycling Act 2011* (Chapter 8) that is:
  - (a) Left over, or an unwanted by-product, from an industrial, commercial, domestic or other activity; or
  - (b) Surplus to the industrial, commercial, domestic or other activity generating the waste.

## Requirements of a future vegetation clearing permit

12. Prior to any works on site, the applicant must have secured vegetation offsets for all vegetation to be cleared, in accordance with the *Biodiversity, waterways and wetlands overlay code*, the Planning scheme policy for biodiversity offsets and the S5 Environmental – financial settlement offset calculator, total offset amount.
13. A monetary sum for the offsets must be agreed in writing by Council and paid in full prior to any vegetation clearing on site. This contribution amount includes all costs associated with the necessary rehabilitation and maintenance, along with the market value of the associated land and is in accordance Planning scheme policy for biodiversity offsets.
14. Any construction within the dripline of existing vegetation located adjacent the site must be done in accordance with AS 4970-2009 'protection of trees on development sites'. All tree protection methods required before, during and after construction must be implemented by a qualified person\* to ensure trees remain undisturbed and in good health. This must include vegetation protection fencing.

\* A qualified person is considered to be a certified Fauna Spotter Catcher, Ecologist or Environmental Scientist with a minimum of 5 years current experience in the field.



### Fauna management

15. A qualified person\* must be engaged to manage fauna prior and during clearing to ensure works are carried out in accordance with an approved Fauna Management Plan and the *Nature Conservation Act 1992* and must address the following:

### Site inspection

- a. Prior to any site disturbance, a site inspection will be completed by a suitably qualified ecologist to identify any hollow-bearing trees and/or other significant habitat features (i.e. den sites, nests, hollowed termitarium etc.) These will be clearly marked in the field with high visibility paint as well as shown on appropriately scaled plans.

### Pre-clearing fauna

- b. Subsequent to the site inspection, and prior to commencement of site clearing works, a pre-clearing program will be completed targeting native ground-dwelling and arboreal mammals. The program will be designed to progressively move through the site, from the south towards the northwest, ahead of the subsequent under scrubbing operations. Any fauna captured will be relocated to suitable habitat area/s. Arboreal mammals captured will be re-located within suitably designed nest-boxes to be installed at an agreed release site.
- c. Any hollow-bearing trees and/or other significant habitat features identified during the initial site inspection will be retained. All under scrubbing works will be completed with a suitably qualified fauna spotter/catcher in attendance.

### Clearing non-habitat trees

- d. After under scrubbing of each area is complete, non-habitat trees (i.e. trees other than those identified as habitat trees) will be cleared and stockpiled for mulching. Clearing of non-habitat trees will only occur where their removal will not impact on identified habitat trees (e.g. canopies do not interconnect with habitat trees).

### Hollow inspection and removal

- e. After under scrubbing and clearing on non-habitat trees, an elevated work platform or cherry-picker will be used in conjunction with a chainsaw operator and suitably qualified fauna spotter/catcher to inspect and remove hollows a necessary prior to habitat tree felling. This method involves the fauna spotter/catcher inspecting each of the potential habitat features (usually hollows, dreys and arboreal termite nests) to determine the presence of arboreal fauna. This process is detailed following the step by step basis below:
- f. The fauna spotter/catcher (with arborist unless the fauna spotter/catcher is a qualified chainsaw operator) will inspect each visible hollow or potential habitat resource (i.e. ringtail possum drey) identified in each tree using the cherry-picker. This is usually carried out by simply looking into hollows with the assistance of a small torch, however, burrow and bore-scopes can also be useful for deep hollows>
- g. If fauna is located within a hollow, a piece of towel or rag will be firmly laced in the entrance to prevent the wildlife from escaping as in most cases arboreal fauna become aware of the presence of the fauna

spotter/catcher and may attempt to flee the nesting/denning hollow due to a perceived threat. If an occupied ringtail possum drey is encountered, the fauna spotter/catcher should quietly approach (i.e. avoid contacting other branches) the drey in the cherry-picker bucket and physically capture the possum by placing the entire drey in a catch bag or only the possum if it emerges from the drey.

- h. Once the hollow entrance has been secured the arborist or fauna spotter/catcher will cut the entire hollow limb off below the cavity where the branch remains solid. In circumstances where a hollow continues into the main stem of the tree, a small window will be carefully cut into the hollow, allowing the fauna spotter/catcher to plug the hollow above and below the window, then the hollow limb removed and lowered to the ground in sections.
- i. When the fauna has been safely secured within its hollow, the entire limb can then be placed in the cherry-picker bucket or lowered to the ground using ropes depending on the size of the limb.
- j. This limb will then be placed in a cool, quiet location until translocation to the recipient habitat site, when at dusk the hollow entrance is re-opened to allow the fauna to emerge of its own accord.

*\* A qualified person is considered to be a certified Fauna Spotter Catcher, Ecologist or Environmental Scientist with a minimum of 5 years current experience in the field.*

#### **PROPERTY NOTES**

Not applicable.

#### **VARIATION APPROVAL**

Not applicable.

#### **FURTHER DEVELOPMENT PERMITS REQUIRED**

- Development Permit for Operational Work (Vegetation clearing)  
(as required by Conditions 41 & 42 of RAL19/0005)

#### **SUBMISSIONS**

Not applicable.

#### **INCONSISTENCY WITH EARLIER APPROVAL**

Not applicable.

#### **ENVIRONMENTAL AUTHORITY**

Not applicable.

## **RIGHTS OF APPEAL**

You are entitled to appeal against this decision. A copy of the relevant appeal provisions from the *Planning Act 2016* is attached.

## **OTHER DETAILS**

If you wish to obtain more information about council's decision, please refer to the approval package for the application on Council's Development.i webpage at [www.sunshinecoast.qld.gov.au](http://www.sunshinecoast.qld.gov.au), using the application number referenced herein.

### Chapter 6 Dispute resolution

#### Part 1 Appeal rights

##### 229 Appeals to tribunal or P&E Court

- (1) Schedule 1 of the Planning Act 2016 states –
  - (a) Matters that may be appealed to –
    - (i) either a tribunal or the P&E Court; or
    - (ii) only a tribunal; or
    - (iii) only the P&E Court; and
  - (b) The person-
    - (i) who may appeal a matter (**the appellant**); and
    - (ii) who is a respondent in an appeal of the matter; and
    - (iii) who is a co-respondent in an appeal of the matter; and
    - (iv) who may elect to be a co-respondent in an appeal of the matter.

(Refer to Schedule 1 of the *Planning Act 2016*)

- (2) An appellant may start an appeal within the appeal period.
- (3) The **appeal period** is –
  - (a) for an appeal by a building advisory agency – 10 business days after a decision notice for the decision is given to the agency; or
  - (b) for an appeal against a deemed refusal – at any time after the deemed refusal happens; or
  - (c) for an appeal against a decision of the Minister, under chapter 7, part 4, to register premises or to renew the registration of premises – 20 business days after a notice is published under section 269(3)(a) or (4); or
  - (d) for an appeal against an infrastructure charges notice – 20 business days after the infrastructure charges notice is given to the person; or
  - (e) for an appeal about a deemed approval of a development application for which a decision notice has not been given – 30 business days after the applicant gives the deemed approval notice to the assessment manager; or
  - (f) for any other appeal – 20 business days after a notice of the decision for the matter, including an enforcement notice, is given to the person.

*Note –*

*See the P&E Court Act for the court's power to extend the appeal period.*

- (4) Each respondent and co-respondent for an appeal may be heard in the appeal.
- (5) If an appeal is only about a referral agency's response, the assessment manager may apply to the tribunal or P&E Court to withdraw from the appeal.
- (6) To remove any doubt. It is declared that an appeal against an infrastructure charges notice must not be about-
  - (a) the adopted charge itself; or
  - (b) for a decision about an offset or refund-
    - (i) the establishment cost of trunk infrastructure identified in a LGIP; or
    - (ii) the cost of infrastructure decided using the method included in the local government's charges resolution.

##### 230 Notice of appeal

- (1) An appellant starts an appeal by lodging, with the registrar of the tribunal or P&E Court, a notice of appeal that-
  - (a) is in the approved form; and
  - (b) succinctly states the grounds of the appeal.
- (2) The notice of appeal must be accompanied by the required fee.
- (3) The appellant or, for an appeal to a tribunal, the registrar must, within the service period, give a copy of the notice of appeal to –
  - (a) the respondent for the appeal ; and
  - (b) each co-respondent for the appeal; and
  - (c) for an appeal about a development application under schedule 1, section 1, table 1, item 1—each principal submitter for the application whose submission has not been withdrawn; and

- (d) for an appeal about a change application under schedule 1, section 1, table 1, item 2—each principal submitter for the application whose submission has not been withdrawn; and
  - (e) each person who may elect to be a co-respondent for the appeal other than an eligible submitter for a development application or change application the subject of the appeal; and
  - (f) for an appeal to the P&E Court – the chief executive; and
  - (g) for an appeal to a tribunal under another Act – any other person who the registrar considers appropriate.
- (4) The *service period* is –
- (a) if a submitter or advice agency started the appeal in the P&E Court – 2 business days after the appeal has started; or
  - (b) otherwise – 10 business days after the appeal is started.
- (5) A notice of appeal given to a person who may elect to be a co-respondent must state the effect of subsection (6).
- (6) A person elects to be a co-respondent to an appeal by filing a notice of election in the approved form—
- (a) if a copy of the notice of appeal is given to the person—within 10 business days after the copy is given to the person; or
  - (b) otherwise—within 15 business days after the notice of appeal is lodged with the registrar of the tribunal or the P&E Court.
- (7) Despite any other Act or rules of court to the contrary, a copy of a notice of appeal may be given to the chief executive by emailing the copy to the chief executive at the email address stated on the department's website for this purpose.

### 231 Non-appealable decisions and matters

- (1) Subject to this chapter, schedule 1 and the P&E Court Act, unless the Supreme Court decides a decision or other matter under this Act is affected by jurisdictional error, the decision or matter is non-appealable.
- (2) The *Judicial Review Act 1991*, part 5 applies to the decision or matter to the extent it is affected by jurisdictional error.
- (3) A person who, but for subsection (1) could have made an application under the *Judicial Review Act 1991* in relation to the decision or matter, may apply under part 4 of that Act for a statement of reasons in relation to the decision or matter.
- (4) In this section –
  - decision* includes-
    - (a) conduct engaged in for the purpose of making a decision; and
    - (b) other conduct that relates to the making of a decision; and
    - (c) the making of a decision or failure to make a decision; and
    - (d) a purported decision ; and
    - (e) a deemed refusal.
  - non-appealable*, for a decision or matter, means the decision or matter-
    - (a) is final and conclusive; and
    - (b) may not be challenged, appealed against, reviewed, quashed, set aside or called into question in any other way under the *Judicial Review Act 1991* or otherwise, whether by the Supreme Court, another court, a tribunal or another entity; and
    - (c) is not subject to any declaratory, injunctive or other order of the Supreme Court, another court, a tribunal or another entity on any ground.

### 232 Rules of the P&E Court

- (1) A person who is appealing to the P&E Court must comply with the rules of the court that apply to the appeal.
- (2) However, the P&E Court may hear and decide an appeal even if the person has not complied with the rules of the P&E Court.