



DEVELOPMENT CONDITIONS

APPLICANT: TRUSSMASTER PTY LTD C/- BENNETT & BENNETT PTY LTD
APPLICATION NUMBER: MCUI/42/2018
TYPE & DESCRIPTION: MATERIAL CHANGE OF USE - MEDIUM IMPACT INDUSTRY AND WAREHOUSE

OFFICER DETAILS

The Assessment Manager for this application was:

Officer Name: Joel Millican
Contact Number: (07) 3412 5269
Please Quote: MCUI/42/2018
Document Number: 13425587

LAND

Development Conditions to apply to the following land:

Street Address: 32-34 Ellerslie Road, MEADOWBROOK QLD 4131
28-30 Ellerslie Road, MEADOWBROOK QLD 4131
Real Property Description: Lot 20 RP 91039
Lot 21 RP 91039

CONDITIONS OF DEVELOPMENT:

1. GENERAL

Approved Documents

- 1.1. Undertake development generally in accordance with the following approved plans of development and documents; except as altered by other conditions of this development approval including any amendments wherever made in red on the approved plans and documents:

Title	Plan Number	Rev	Date	Prepared by
Site Plan	AR-1001	I	05.09.19	MultiSpan Australia
Ground Floor	AR-2001	G	02.09.19	MultiSpan Australia
Mezzanine	AR-2002	F	02.09.19	MultiSpan Australia
Elevations	AR-3001	G	25.07.19	MultiSpan Australia
Sections	AR-4001	G	25.07.19	MultiSpan Australia
Landscape Concept Design	DWG No. 201822-MP03	B	12/09/2019	Rounsefell Design
Clearing Area Plan	AWE200098-CAP-001	0	28 March 2020	Cardno

Title	Document Number	Rev	Date	Prepared by
Bushfire Hazard Assessment	AWE200098	1	29 November 2019	Cardno

Implement Recommendations

- 1.2. Implement the recommendations of the following approved reports, referred to in the previous condition, submitted to Council in support of the development application:
- a) Part 6 of the Approved Bushfire Hazard Assessment.

Compliance Timing

- 1.3. Comply with all conditions of this development approval at no cost to Council and prior to the Final Inspection Certificate by a Building Certifier or commencement of the use, whichever comes first unless otherwise stated in a specific condition.

Terms

- 1.4. Interpret words and terms used in this development approval as having the meaning ascribed to them in the planning scheme under which this development approval has been given unless otherwise stated in a specific condition.

Display Street Number

- 1.5. Provide property identification numbers with a minimum height of 300mm on the front façade of the building or on any advertising sign in a location and in a manner able to be clearly identifiable from the primary road frontage.

2. LANDSCAPE AND AMENITY

Landscaping Works

- 2.1. Ensure landscaping works on site are undertaken in accordance with Planning Scheme Policy 5 – Infrastructure consistent with the approved Landscape Concept Plan, prepared by Rounsefell Design, dated 12 September 2019, located within the approved plan(s) of development and modified as follows:
 - a) Provide bollards and a pavement design which differentiates the outdoor staff areas from carpark pavement to deter unintended vehicle access;
 - b) Provide street trees along the Ellerslie Road street frontage, species selection and locations with required clearance, spacings and setbacks in accordance with the Planning Scheme Policy 5 – Infrastructure.
 - c) Provide screening to the retaining walls to protect visual amenity of adjoining premises.
- 2.2. The landscaping works are to be provided at no cost to Council.

This condition is imposed under section 145 of the Planning Act 2016.

Advertising generally

- 2.3. Do not install any advertising on site unless the advertising is:
 - a) exempt development under the applicable planning scheme; or
 - b) Accepted development under the applicable planning scheme and the advertising device complies with any applicable criteria; or
 - c) explicitly allowed for in this development approval or any other development approval applicable to the site that has not lapsed where approval for advertising was specifically sought and was not an artistic note, reference or sketch on the approved plan(s) of development.

3. ENVIRONMENT, HEALTH AND OPERATION

Vegetation Offset

- 3.1. Comply with the executed infrastructure agreement titled, 'MCUI/42/2018- 28-30 Ellerslie Road Meadowbrook Infrastructure Agreement (Vegetation Clearing) 2020'

Stormwater Quality

- 3.2. Comply with the executed infrastructure agreement titled, 'MCUI/42/2018 28-30 Ellerslie Road Meadowbrook Infrastructure Agreement (Stormwater Quality) 2020'.

Vegetation - Clearing

- 3.3. No additional clearing is permitted, unless otherwise approved by Council or explicitly permitted under this approval.

Further Advice: Temporary clearing is permitted in accordance with the rehabilitation plan included in the approved plans of development prepared by Cardno, Drawing No. AWE200098-CAP-001, Rev. 0, Dated 28 March 2020, as these areas are subject to rehabilitation as part of future operational works.

- 3.4. Ensure all vegetation cleared as a result of this development approval and requiring disposal is disposed of:
- a) on the premises for landscaping and sediment and erosion control purposes (for example as mulch);
 - b) at a waste disposal facility operated by Council;
 - c) in such other environmentally responsible manner;
 - d) ensure any vegetation cleared as a result of this development approval is not burnt or incinerated except where consistent with the local law or under a permit issued by the Queensland Fire and Emergency Services.
- 3.5. Ensure compliance with AS 4970 - 2009 Protection of trees on development sites, including but not limited to the implementation of a 'Tree Protection Zone' where trees are to be retained onsite and undertake the following:
- a) install protective fencing to prevent any damage to areas not in the approved vegetation clearing area in general accordance with Section 4.3 of AS 4970 - 2009;
 - b) provide signs identifying the 'Tree Protection Zone' on exclusion fencing that are clearly visible from all areas within the development site within 20 metres of the exclusion fencing; and
 - c) ensure all trees that are to be retained within allotments are protected from harm during works on site.

Bushfire - Bushfire Management Plan

- 3.6. Ensure construction of all future buildings must be in accordance with the approved Bushfire Hazard and Management Plan including but not limited to:
- a) No windows or openings are to be located on the northern or eastern elevations of proposed Building No. 2 apart from appropriately rated fire doors;
 - b) The exposed northern and eastern facades and roof of Building No. 2 should be designed and constructed such that all weepholes, ventilation openings, gaps are fitted with ember guards made of non-combustible material or a mesh or perforated sheet with a maximum aperture of 2mm;
 - c) A fire hydrant is to be installed adjacent to the south-eastern and north-western corner of Building No. 2 to provide a reliable water supply for firefighting operations close to the bushfire hazard;
 - d) No structures or materials are to be established or stored within the minimum 2m wide strip of hardstand located around the eastern, northern and western edge of proposed Building No. 2; and
 - e) There should be a minimum 2m wide strip of hardstand located around the eastern, northern and western edge of proposed Building No. 2 to enable access for firefighting purposes if required.
- 3.7. Ensure that the 6 metre wide Asset Protection Zone (APZ) situated along the low side of the eastern and northern retaining walls are maintained on a regular basis. The maintenance is to include, but not be limited to:
- a) removal of any material or structures that would interfere with access through the APZ;
 - b) removal of any waste and combustible materials deposited within the APZ;
 - c) regularly mowing/slashing of the APZ to maintain a grass ground cover not more than 300mm in height and to suppress the growth of small trees or shrubs.
- 3.8. Ensure development has permanent access to an adequate water supply for bushfire fighting purposes prior to completion of the building construction. The permanent water supply must be:

- a) connected to a reticulated water supply;
- b) with sufficient flow and pressure for fire fighting purposes; and
- c) designed and constructed in accordance with the SEQ Code for water supply such that there is a fire hydrant that is accessible by a fire appliance located within 90 metres of all parts of the Development envelope area.

Further Advice: A reticulated water supply designed and constructed in accordance with the SEQ Code for water supply is deemed to provide the required pressure and flow for fire-fighting.

Where a hydrant on the public reticulation system is not within 90 metres of all parts of the Development envelope area, a privately owned extension from the water main shall be designed and built in accordance with the SEQ Code for water supply. The extension will extend into the property sufficiently length to comply with the 90 metre requirement.

Vegetation - Replanting & Rehabilitation

3.9. Develop a Site Based Rehabilitation Plan (SRP) that provides a strategy for the rehabilitation and maintenance of the disturbed areas and waterway corridor in accordance with Council planning scheme policy(s). The SRP must comply with all other conditions of this approval and must include, but is not limited to, the following items:

- a) site characteristics;
- b) revegetation locations;
- c) species selection;
- d) planting densities;
- e) planting methodology;
- f) maintenance schedules; and
- g) satisfaction of the following objectives;
 - 3.9.g.1. revegetation must occur in strategic locations which will enhance biodiversity outcomes, existing areas of native vegetation or fauna habitat and link or enhance wildlife corridors;
 - 3.9.g.2. provide for the direct restoration of the bed and/or banks of the waterway/wetland, and the associated vegetation;
 - 3.9.g.3. species selection will be based on the regional ecosystems which naturally occur on the subject site (including canopy species);
 - 3.9.g.4. where commercially available, plants used are to be made up of locally derived seed stock;
 - 3.9.g.5. ensure that trees planted as part of the rehabilitation of the site are planted in a manner and in locations, which will ensure their long-term survival. In considering the precise planting locations, consider matters such as the potential height of the trees on maturity, the locations of actual and future structures, works and the usage areas;
 - 3.9.g.6. maintenance of the completed revegetation must be undertaken that will include the removal of weeds, mowing and slashing, replacement of dead or damaged trees which have been planted, as well as ongoing sediment and erosion control methods for a period of 5 years after planting, unless such earlier period is agreed with Council.

Further Advice: The proposed rehabilitation species are to contain trees with a lower bark fire hazard rating that are components of RE12.3.3, such as *Corymbia citriodora* and *E. siderophloia*.

3.10. Ensure the SRP is:

- a) prepared and signed by a suitably qualified environmental consultant (or an alternative person determined by Council as being suitably qualified to prepare such a plan) as being in accordance with the planning scheme and this development approval;

- b) submitted to Council either as part of an Operational Works application for Earthworks, Stormwater Management, Vegetation Clearing, Civil Works (where relevant and whichever occurs first) or for a Condition Certificate; and
 - c) approved by Council.
- 3.11. Implement any approved Site Based Rehabilitation Plan at all times during construction of the development and for any maintenance period identified in the Site Based Rehabilitation Plan.
- 3.12. Ensure any revegetation required in any approved Site Based Rehabilitation Plan is completed.
- 3.13. Ensure a legible copy of the approved Site Based Rehabilitation Plan and approval conditions are available on site at all times during construction and earthworks.

Amenity – General

- 3.14. Undertake the use so that there is no environmental nuisance or detrimental effect on any surrounding land uses and activities by reason of the emission of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, waste water, waste products, grit, oil or otherwise.

Hours of Operation - Construction

- 3.15. Undertake activities associated with the construction only between the hours of 6:30am to 6:30pm Monday to Saturday with no works to be undertaken on Sundays or public holidays.

Hours of Operation - Operation

- 3.16. Undertake activities associated with the operation of the use only between the hours of 7:00am to 10:00pm Monday to Sunday unless stated otherwise in another condition of this approval, or an acoustic report is submitted to and approved by Council which supports 24 hour operation.

Further Advice: Approval of an acoustic report supporting 24 hour operation will supersede the hours of operation imposed by condition 3.16. However, 24 hour operation is prohibited until such time as an acoustic report is approved in full by Council. The acoustic report is to demonstrate compliance with the applicable noise criteria outlined in Planning Scheme Policy 3 (Table 3.2.1.2—Noise emission standards for the protection of general amenity).

Hours of Operation - Servicing

- 3.17. Ensure loading, unloading and delivery activities associated with the operation of the use only occur between the hours of 7:00am to 10:00pm Monday to Saturdays.
- 3.18. Ensure waste collection activities associated with the operation of the use only occur between the hours of 7:00am to 10:00pm Monday to Saturdays.

Lighting Emissions

- 3.19. Provide certification to Council from a suitably qualified person that all on site lighting (particularly outdoor lighting) complies with AS4282:1997 (Control of Obtrusive Effects of Outdoor Lighting) and any requirements of the planning scheme.

Refuse Storage Area

- 3.20. Provide refuse storage areas located as shown on the approved plan(s) of development for the storage of bins. This storage areas must be:
- a) impervious, drained and provided with a hose cock;
 - b) located in accordance with crime prevention through environmental design principles so as not to create a natural ladder;
 - c) illuminated for night time use; and
 - d) screened from view from public land with a maximum transparency of 20%.

Air - General

- 3.21. Undertake the activity in a manner that does not allow the unreasonable release of a contaminant to the air environment and achieves the air emission standards outlined in the applicable planning scheme. *Note: Planning Scheme Policy 3 – Environmental Management.*

Noise Management

- 3.22. Undertake the activity by such reasonable and practicable means necessary to avoid, minimise or manage (in that order) the emission or likelihood of emission of noise that constitutes an intrusive noise.
- 3.23. Conduct the activity in a manner that:
- a) achieves the noise emission standards outlined in the applicable planning scheme and local laws, and;
 - b) is in general accordance with the *Environmental Protection Act 1994* and *Environmental Protection (Noise) Policy 2008*, and;
 - c) does not allow the unreasonable emission of noise to the environment.

Acoustics - General

- 3.24. Conduct the activity in a manner that achieves the noise emission standards outlined in the planning scheme and the acoustic quality objectives outlined in Schedule 1 of the *Environmental Protection (Noise) Policy 2008*, and does not allow the unreasonable emission of noise to the environment.
- 3.25. In the event of a noise complaint regarding the operation of the activity, conduct an appropriate investigation to determine whether the operation of the activity has exceeded the noise emission standards outlined in the planning scheme and the acoustic quality objectives outlined in Schedule 1 of the *Environmental Protection (Noise) Policy 2008*.
- 3.26. If the noise emission standards outlined in the planning scheme and the acoustic quality objectives outlined in Schedule 1 of the *Environmental Protection (Noise) Policy 2008* have been exceeded, prepare and submit a Transitional Environmental Program (TEP) to Council for approval within one month of the noise complaint being received. The TEP must address all relevant sections of the *Environmental Protection Act 1994*, particularly sections 331, 334 and 335. The TEP must include, but is not restricted to:
- a) objectives of the program;
 - b) measures to be implemented to achieve the objectives;
 - c) appropriate performance indicators at intervals of less than 6 months; and
 - d) provisions for monitoring and compliance recording.
- 3.27. The TEP must demonstrate how compliance with the noise emission criteria outlined above will be achieved, and include a timetabled implementation plan. Once approved, the use must operate in accordance with the approved TEP.

4. ENGINEERING

General - Other Permits

- 4.1. Obtain an operational works permit for Roadworks (frontage), Stormwater Quantity, and Earthworks.
- 4.2. An operational works permit is not required for Access and Parking, Erosion and Sediment Control, Electrical Reticulation, Sewer and Water, Vegetation Clearing, Landscaping, Stormwater Quality.

General - Engineering standard

- 4.3. Construct all works in accordance with the approved plan(s) of development and in accordance with the Council's adopted standards.

Rectification & Replacement

- 4.4. Undertake, at no cost to Council, any alteration or relocation necessary to any service, public utility, installation, plant, equipment, easements or other item belonging to or under the control of the Council or other public utility provider resulting from construction works required with the development,
- 4.5. Replace existing Council infrastructure (including but not limited to street trees, water, sewer, stormwater and footpaths) at the time the damage occurs as part of construction works, to Council's standards.

This condition is imposed under section 145 of the Planning Act 2016.

Stormwater Quantity - Lawful Point of Discharge

- 4.6. Lawful point of discharge for the development is existing the drainage channel within the Eastern section of the site.
- 4.7. Discharge all minor storm flows that fall or pass onto the site to the lawful point of discharge in accordance with the Queensland Urban Drainage Manual (QUDM).

Stormwater Quantity – Connection

- 4.8. Connect the development to the existing stormwater system at no cost to Council.
This condition is imposed under section 145 of the Planning Act 2016.

Stormwater Quantity - Design

- 4.9. An operational works permit is required to address Stormwater Quantity design.
- 4.10. Provide stormwater drainage for the development in accordance with the Queensland Urban Drainage Manual (QUDM), Australian Rainfall and Runoff (ARR) and the applicable section 3.6 of the Planning Scheme Policy 5, at no cost to Council. Where there is any inconsistency, the planning scheme takes precedence
This condition is imposed under section 145 of the Planning Act 2016.
- 4.11. Provide measures to manage overland flows draining to and through the land to ensure impacts are not created to any adjoining properties, in the form of in ponding on adjacent land, redirection of overland flows to other properties and/or blockage of any overland flow paths.
- 4.12. Design and construct stormwater drainage that provides:
- a) an extension to the stormwater culverts and headwall, within Ellerslie Road;
 - b) a network that commands the whole of the site and provides for all external upstream catchments;
 - c) internal drainage that complies with the Queensland Urban Drainage Manual (QUDM);
 - d) identify outlet design and appropriate scour protection to the proposed discharge locations into the existing channel; and
 - e) the works at no cost to Council.
- This condition is imposed under section 145 of the Planning Act 2016.*

Sediment & Erosion Control

- 4.13. An operational works permit is not required for Sediment and Erosion Control.
- 4.14. Design, implement, maintain and amend where necessary erosion and sediment control measures during all phases of the construction to ensure all reasonable and practicable actions are taken to prevent environmental harm.
- 4.15. Prior to each rainfall event ensure:
- a) concentrated stormwater flow paths are diverted around the site or conveyed through the site without causing erosion and without contaminating the flow and receiving waters;
 - b) erosion control measures are implemented which prevent or minimise erosion; and
 - c) sediment control measures are installed and implemented as necessary to maximise sediment capture.
- 4.16. Prior to the controlled discharge of any water from the site during construction, the following water quality objectives for at least 80% of the average annual run-off volume of the contributing catchment must be achieved:
- a) total suspended solids (maximum 50mg/L, TSS);
 - b) turbidity (measured in NTUs maximum of 60 NTU); and
 - c) water pH range between 6.5 and 8.5.
- 4.17. All site monitoring data including rainfall records, dates of water quality testing, testing results and records of controlled water releases from the site, must be kept in an on-site register. The register is

to be maintained up to date for the duration of the approved works and be available on-site for inspection by Council officers on request.

- 4.18. Effectively stabilise all site surfaces using methods which achieve effective short term stabilisation and which will continue to achieve effective stabilisation in the long term in accordance with Council's Planning Scheme Policy and the International Erosion Control Association (IECA) Best Practice Erosion and Sediment Control document.

Vehicle Access – New Crossovers (Commercial and Industrial)

- 4.19. Design and construct all new crossovers in accordance with Council's Planning Scheme Policy 5 - Infrastructure.
- 4.20. Construct the western reinforced concrete industrial crossover between the property boundary and the edge of the road pavement, having a minimum width of 6.0 meters, as shown on the approved plan/s, in accordance with IPWEA Drawing No. RS-051
- 4.21. Construct the eastern reinforced concrete industrial crossover between the property boundary and the edge of the road pavement, having a minimum width of 9.0 meters, as shown on the approved plan/s, in accordance with IPWEA Drawing No. RS-051
- 4.22. Construct any new crossover in the location(s) shown on the approved plan(s) and in accordance with the following:
- a) the edge of the crossover must be no closer than 0.5 metres to any built infrastructure including any stormwater gully pit, manhole, service infrastructure (eg. power pole, telecommunications pit), road infrastructure (eg. street sign, bus stop, street tree, etc); and
 - b) to cater for the swept turning movements of the relevant design service vehicle in accordance with Australian Standard 2890.
- 4.23. Prior to commencement of use, submit to Council, certification from a Registered Professional Engineer Queensland (RPEQ), certifying that the industrial crossover has been located and constructed in accordance with these conditions

Roadworks – Frontage works

- 4.24. An operational works permit is required for the following frontage works.
- 4.25. Design and construct the road along Eilerslie frontage of the site as an industrial collector road and more specifically include:
- a) concrete barrier kerb and channel on a 4.0 metre alignment, subsequent to any road reserve widening required by this approval, from the road reserve boundary and associated stormwater
 - b) a compacted gravel pavement and an Asphaltic Concrete (AC) wearing course up to a minimum of 1.0 metre beyond the road centreline unless:
 - 4.25.b.1. an alternative alignment or construction material has been approved by Council in writing; or
 - 4.25.b.2. it has been demonstrated to Council that an existing road pavement is satisfactory to cater for the ultimate traffic conditions for the nominated hierarchy of the road and that the existing pavement complies with Councils Road Design Standards, Road network planning guidelines & Pavement design standards in Planning Scheme Policy 5 – Infrastructure. In this instance and where road widening is a minimum of 1.2 metres wide along the frontage; it is instead only required 300mm beyond the edge of the existing pavement. Demonstration is to occur by of submitting for approval by Council, a pavement investigation report prepared by a suitably qualified Registered Professional Engineer of Queensland (RPEQ) that includes appropriate geotechnical test results;
 - c) tapers to existing road pavement;
 - d) line marking and signage that is in accordance with the Manual of Uniform Traffic Control Devices (MUTCD);

- e) street lighting that is designed and constructed in accordance with Planning Scheme Policy 5 – Infrastructure;
 - f) a minimum 1.5metre wide reinforced concrete pedestrian path extending the full frontage of the development within the road verge that connects into any existing paths adjacent to the site;
 - g) the installation of disabled compliant kerb ramps at the road corners in accordance with Council's Standard Drawings 8-00411, 8-00412 or 8-00413; and
- 4.26. All water supply conduits to service the development across Ellerslie Road that are designed and constructed using thrust boring. Thrust boring must be undertaken in accordance with Council's standards.

This condition is imposed under section 145 of the Planning Act 2016.

Parking and Access - General

- 4.27. An operational works permit is not required for parking and access.
- 4.28. Provide a minimum of 54 car parking spaces.
- 4.29. Design and construct all access driveways, circulation driveways, parking aisles and car parking spaces in accordance with Australian Standard 2890.1 - *Parking Facilities - Off Street Car Parking* except where stated otherwise in the Planning Scheme Policy 5 – Infrastructure.
- 4.30. All car parking spaces must be set-out, paved, line marked, signed, drained and maintained in accordance with Planning Scheme Policy 5 - Infrastructure and Australian Standard 2890.
- 4.31. Paint the parking aisles and driveways within the development with directional pavement markings in accordance with the approved plan(s) of development and in accordance with AS 1742.11 Manual of Uniform Traffic Control Devices - Parking Controls
- 4.32. Install at the entrance and within the development directional signage clearly identifying the visitor car parking spaces.
- 4.33. Ensure access to car parking spaces, bicycle spaces, vehicle loading, refuse enclosures and manoeuvring areas and driveways remain unobstructed and available for their intended purpose during the hours of operation.
- 4.34. Prior to commencement of use, submit to Council certification from a Registered Professional Engineer Queensland (RPEQ), confirming that the Parking and Access for the development have been designed and constructed in accordance with the conditions of this and any other relevant approvals issued by Council.

Parking and Access - Bicycle

- 4.35. Provide either:
- a) A minimum of seven (7) bicycle parking spaces, including rail-type locking facilities for each parked bicycle, on site. The spaces are to be located a maximum of 25 metres from any pedestrian entrance into the development, unless otherwise agreed to in writing to Council. The design of all bicycle parking spaces and rail-type locking facilities is to be in accordance with Australian Standard 2890.3 – 1993 Bicycle parking facilities, except where stated otherwise in the planning scheme.
- Or:
- b) One (1) bicycle hook per tenancy suitable for the storage of a bicycle.

Parking and Access - Servicing

- 4.36. An operational works permit is not required for parking and access.
- 4.37. Design and construct loading bay facilities for Heavy Rigid Vehicles in the location generally shown on the approved plan(s) of development in accordance with Australian Standard 2890.2 – Off-street commercial vehicle facilities except where stated otherwise in the Planning Scheme Policy 5 - Infrastructure.

- 4.38. Design the designated movement route between all loading bay facilities and the external road network that accommodates the turning movements of an Articulated Vehicle and permits these vehicles to enter and exit the site in a forward direction.
- 4.39. Prior to commencement of use, submit to Council certification from a Registered Professional Engineer Queensland (RPEQ), confirming that the Servicing, Access and Parking for the development have been designed and constructed in accordance with the conditions of this and any other relevant approvals issued by Council.

Earthworks – Carrying out Earthworks

- 4.40. An operational works permit is required for earthworks.
- 4.41. Carry out earthworks in accordance with Australian Standard 3798 – Guidelines on earthworks for commercial and residential developments.
- 4.42. Supervise bulk earthworks to Level 1 (Residential & Commercial) and have a frequency of field density testing done in accordance with Table 8.1 of Australian Standard 3798.
- 4.43. Do not place earth fill adjacent or in proximity to any site boundary unless:
- a) the fill is retained on the boundary with approval in writing from Council; and
 - b) adjoining properties are not adversely affected with respect to a loss of privacy and safety and for changes to the natural drainage pattern as a result of the works.
- 4.44. Ensure that the site is self-draining and grassed.

Earthworks – Retaining structures

- 4.45. An operational works permit is required for retaining structures.
- 4.46. Design and construct all retaining walls and associated footings:
- a) in accordance with Australian Standard 4678 - Earth Retaining Structures;
 - b) without encroachment onto adjoining properties or public land;
 - c) with the retaining wall wholly located within the premises, the subject of this approval;
 - d) to not cause any adverse effect on the stability and integrity of the neighbouring buildings, properties, utility services and infrastructures;
 - e) to achieve a long term factor of safety greater than 1.5;
 - f) with provision of temporary safety fencing to all earth retaining walls on allotment boundaries over 1.0 metre in height and where bulk earthworks has been undertaken. Fencing is only required on the top wall in the case of multi-tiered walls; and
 - g) in accordance with Planning Scheme Policy 5 - Infrastructure.
- 4.47. Ensure the inspection and certification of the retaining structure(s) by a Registered Professional Engineer Queensland (RPEQ) at the following stages:
- a) Footing stage (including excavation and reinforcement); and
 - b) At the time of installing drainage behind the wall (including geo-fabric, backfill and perforated pipe that is connected to the underground stormwater system).
- 4.48. Provide to Council, at lodgement of Operational Works, design certification (Form 15) from a Registered Professional Engineer Queensland (RPEQ) confirming that all retaining structures have been designed in accordance with Council's Planning Scheme Policy 5 – Infrastructure, Australian Standard 3798 and Australian Standard 4678.

Construction Management Major

- 4.49. Submit for Council endorsement, a Construction Management Plan that is certified by a Registered Professional Engineer Queensland (RPEQ), detailing the development works including all demolition, earthworks and construction activities. The Construction Management Plan must be endorsed by Council prior to a works Prestart occurring and shall include the following, as required:
- a) Details of site security;

- b) Details of how pedestrian movement around the site will be managed including during works and outside normal working hours;
- c) Location of street lights, fire hydrants, sewer and stormwater pipes and manholes, footpaths and any other street furniture around/across the perimeter of the site. Include details of any proposed service protection measures to be installed during the works;
- d) Location of buildings and structures on adjacent properties;
- e) Temporary vehicular access points and frequency of use;
- f) Provision for loading and unloading materials including the location of any remote loading sites;
- g) Location of materials, structures, plant and equipment to be stored or placed on the construction site;
- h) How materials are to be loaded/unloaded and potential impacts on existing Council infrastructure (including but not limited to footpaths and street trees);
- i) Location of any proposed gantries or overhead protective awnings over the road or footpath (with clearances to street furniture and other footpath assets);
- j) Employee, contractor and visitor parking areas;
- k) Anticipated staging and duration of works;
- l) Provision for fire exit routes for other uses on the subject or adjoining sites;
- m) Location and details of public information signs showing the Developers Name and address; a contact representative of the Developer and Principal Contractor and phone number;
- n) Establishment of a communication protocol with the general public, adjoining owners, emergency services and local businesses to advise of agreed construction times, any changes in traffic flows during construction, impacts on services and other relevant issues;
- o) identification of complaint management procedures including:
 - 4.49.o.1. contact details for the on-site manager; and
 - 4.49.o.2. dispute resolution procedures.
- p) Identify the haul route for the transport of imported or spoil material, gravel pavement material and building materials. Council approval will be required for all roads on the haul route below Collector standard;
- q) Traffic management during all aspects of the civil construction phase including a Traffic Management Control Plan prepared in accordance with the Manual of Uniform Traffic Control Devices (MUTCD) detailing all temporary signage and traffic control measures required prior to construction. The plan is to be certified by a Registered Professional Engineer Queensland (RPEQ) or a suitably qualified Traffic Management Design professional;
- r) Details for the management of stormwater run-off and the proposed sediment and erosion control measures including the location of any rubble grids, shakers or truck wheel wash facilities;
- s) Extent of earthworks proposed on the site at any time;
- t) Details of air and dust management;
- u) Details of noise and vibration controls;
- v) Details of measures for the collection and control of rubbish.

4.50. Implement the endorsed Construction Management Plan and a copy must be available on site at all times during construction.

Approval for footpath closures and/or temporary vehicle access will only be considered where it can be demonstrated that no other reasonable alternative can be provided due to site constraints and that safety, capacity and/or operation of public transport, vehicle and pedestrian traffic are not compromised.

Proposed arrangements utilising any part of the road reserve for construction related activities, for example, on-street work zones, overhead gantries, or pedestrian diversions are subject to a separate application and relevant fees.

The approval of the Department of Transport and Main Roads will be required where works are to occur on roads or footpaths which are under their control.

The endorsed Construction Management Plan will not allow the carrying out of specific work activities for any phase of construction outside of normal hours (6:30am to 6:30pm, Monday to Saturday).

Dewatering directly into Council's stormwater system (pipes or overland flow) without appropriate water quality treatment/improvement is not acceptable.

Materials unloading and loading must occur on-site unless prior written approval is given by Council.

All construction office accommodation and associated temporary buildings are to be contained within the site or on a nearby site.

Council will not support exposed areas for earthworks exceeding 3.5 hectares at any one time.

Electricity and Telecommunications

- 4.51. Design and provide underground electrical and telecommunications connections to proposed development.
- 4.52. Design and provide underground electricity supply and telecommunications to the development, in accordance with the Planning Scheme Policy 5 - Infrastructure and the Energex - Underground Distribution Construction Manual. Ensure all conduits are located within the 0-750mm corridor measured from the road reserve boundaries.
- 4.53. Remove any redundant electrical and telecommunications connections and reinstate the land.
- 4.54. Do not install property poles or flying fox overhead connections.
- 4.55. Construct electrical and telecommunications conduits where required under any existing road to service the development by thrust boring.
- 4.56. Pay the cost of any alterations to electricity supply and telecommunications mains, services or installations required as a result of the development.
- 4.57. Submit the electrical reticulation and street lighting design plans to ENERGEX for approval prior to commencement of any electrical works.
- 4.58. Prior to commencement of use, submit to Council an Energex certificate of supply and written confirmation from an electricity provider that an agreement has been made for the supply of electricity to the development and where staged, written confirmation is required for each stage of the development.
- 4.59. Prior to commencement of use, submit to Council written confirmation from a telecommunications carrier that an agreement has been made for the supply of telecommunications to the development and where staged, written confirmation is required for each stage of the development.

5. FLOODING

General

- 5.1. An operational works permit is required for earthworks and civil works to address flooding.
- 5.2. Set minimum floor levels of all proposed buildings above the Defined Flood Level of 9.8 metres Australian Height Datum (AHD) with freeboard in accordance with the relevant standards;
- 5.3. Construct all parts of the development below the Defined Flood Level using materials that are capable of being submerged under water for a period of at least 24 hours without requiring their replacement. The materials must be flood resistant such as cement, masonry, tile and steel;
- 5.4. As part of an application for operational works, submit to Council a local flood model based on detailed design drawings, checked and certified by a Registered Professional Engineer of Queensland (RPEQ), which confirms that the development is designed and will be constructed as to result in;
 - a) No modification of the overland flow path on the site that adversely alters the characteristics of the existing overland flows or creates a nuisance to other properties.

- b) No loss in flood plain storage up to the defined flood event.

Further Advice: A two dimensional unsteady flow model is required to address this condition.

- 5.5. The development must be designed and constructed as to result in:
 - a) No increase in peak flow rates at the boundary of the site;
 - b) No increase in flood levels or velocities external to the subject site;
 - c) No loss in floodplain storage up to the defined flood event;
 - d) No modification of the overland flow path on the site in a way that alters the characteristics of the existing overland flows or creates an increase in flood damage on other properties;
- 5.6. Maintain the local overland flow path in perpetuity in accordance with any approved vegetation management and rehabilitation plans.

Professional Certification

- 5.7. Prior to the earlier of approval of operational work application for bulk earthwork on site or commencement of work on-site, provide certification from a Registered Professional Engineer Queensland (RPEQ) specialising in stormwater hydrology and hydraulics stating that:
 - a) The development will result in no worsening to private property;
 - b) The development design complies with the Flood Hazard Overlay Code;
 - c) The development will not result in loss of floodplain storage;
- 5.8. Submit to Council certification issued by a cadastral surveyor prior to commencement of use that all earthworks on site have been confirmed by survey as having been carried out in accordance with the conditions of this development approval in respect to the:
 - a) approved location of filling and excavation;
 - b) approved volumes of filling and excavation;
 - c) finished ground levels; and
 - d) a contour plan showing the finished ground levels and the Defined Flood Line on a site plan certified by a cadastral surveyor the above has been based on;

6. WATER OPERATIONS

General

- 6.1. Design and construct all water and sewerage infrastructure to be owned and operated by Council in accordance with the South East Queensland Water Supply and Sewerage Design and Construction Code, at no cost to Council and prior to the commencement of use of the premises
This condition is imposed under section 145 of the Planning Act 2016
- 6.2. Obtain a development permit for operational work for any water and/or sewerage infrastructure assets to be owned or operated by Council.
- 6.3. Ensure that any live works to Council's water supply and/or sewerage infrastructure are performed by Council at no cost to Council, unless otherwise approved by Council in writing.

Water

- 6.4. Connect the development to Council's water supply network, prior to the commencement of use of the premises, at no cost to Council.
- 6.5. Provide a suitable sized conduit for property connection to the DN 250 water main within Ellerslie Road opposite side of the road, as the water supply connection point for the proposed development.

Further Advice: The complete property service connection including the bulk meter installation and tapping of the main will be installed by Council at the time of the building application at applicant's cost. Ensure that property service connection and Master Water Meter servicing the development are installed by Council at no cost to Council.

The installation of property service connections and water meters for the development requires the lodgement of a Water Meter Connection application with Council's Water Operations Branch via waterapplications@logan.qld.gov.au.

- 6.6. Provide individual sub-meters for each units within the complex including any common property. Full unhindered access to sub-meters must be maintained at all times for the purposes of meter reading and billing. Onsite fences, landscaping and other structures must not restrict access to any onsite sub-meters.
- 6.7. Ensure the required standard of service to Council's water supply network is On Demand, unless otherwise specified in writing by Council.

Sewerage

- 6.8. Connect the development to Council's sewerage infrastructure network, prior to the commencement of the use of premises, at no cost to Council.
- 6.9. Provide a 150mm diameter property service connection to a maintenance structure for the proposed development, unless otherwise approved by Logan City Council
- 6.10. Ensure the provision of a safe working distance around sewerage property connections. Property connections must have a minimum clear distance to any existing/proposed structure of 1m horizontally in all directions, unless otherwise approved by Council.
- 6.11. Ensure the protection of Council's sewerage infrastructure during the construction phase of the development. Measures must be put in place to physically protect and restrict access over any existing sewerage infrastructure to ensure protection from excessive crushing loads.

Further Advice: *The applicant is responsible for any damage caused to Council sewerage infrastructure during development works. Any remedial or rectification works must be approved by Council prior to commencement of works and is to be undertaken at no cost to Council.*

At the time of lodgement of any application for operational works, applicant to identify within the earthworks sections, the location of the existing 525mm diameter sewer trunk located at the eastern boundary of the site and the 150mm reticulation main located at the northern boundary within Council Park, and to demonstrate that there is not adverse impact on the sewers infrastructure as result of the proposed compensatory earthworks excavation.

FURTHER ADVICE TO THE APPLICANT

Infrastructure Charges

- 6.12. Infrastructure charges for the water supply, sewerage, stormwater, movement and park and land for community facilities networks are no longer levied as a condition of development within the development approval. Infrastructure charges for these networks are now levied pursuant to a charges resolution by way of an Infrastructure Charges Notice (ICN), which accompanies this development approval (unless incorporated into an agreed Infrastructure Agreement).

In relation to the application, the applicant is further advised:

1. The currency period for this approval is in accordance with Section 85 of the *Planning Act 2016*.
2. Authorised persons of the Council may enter the premises the subject of this approval at any reasonable time to ascertain whether the above conditions have been complied with (and/or whether the above requirements have been carried out).
3. All site works and earthworks must be carried out in accordance with the Standard Drawings and policies in the assessable Planning Scheme.
4. Commencement of works which will ultimately revert to Council or on adjacent roads or drainage schemes until Council has been advised in writing, of the name of the responsible contractor and that the contractor has received from Council a notice of appointment of principal contractor under the provisions of the *Workplace Health and Safety Act 2011*.
5. If development approval is given, and the applicant intends to make change representations to Council about the development approval, it is recommended that the applicant suspend their appeal period at the same time they make change representations. Suspending the appeal period will ensure that there is sufficient time for the

applicant to make representations and for Council to consider them. These provisions are contained within section 75 of the *Planning Act 2016*.

6. *Aboriginal Cultural Heritage Act 2003*

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*.

THE APPLICANT AND OWNER BE FURTHER ADVISED:-

It is the owner's and occupants responsibility under the *Environmental Protection Act 1994* to advise the Chief Executive of the Environmental Protection Agency, of any Notifiable Activity conducted on the site or contamination or suspected contamination which may cause a hazard to human health or the environment within 30 days of becoming aware of the operation of a Notifiable Activity on the site or of any contamination or suspected contamination. The Chief Executive, pursuant to the Act, is empowered to require that the development complies with the provisions of the Act, including the preparation of site investigation reports and if necessary the remediation of the site at the owners expense.

Under the *Plumbing and Drainage Act 2002*, regulated work requires a complete 'Compliance assessment application for plumbing, drainage and on-site sewerage work' Form 1, to be lodged and a compliance permit issued by Council's Plumbing Services section prior to commencement of any plumbing and drainage work.

Regulated work can be defined as plumbing and drainage work that will not become a service provider's asset. Examples are where:

- House drainage and/or water service is to be installed along an access driveway/easement to rear lots
- Existing dwellings require house drains and/or water services to be connected to new wastewater (sewer) and/or new water meters

You are also advised that it is the developer's responsibility to ensure that all development should proceed in accordance with the Duty of Care Guidelines under the *Aboriginal Cultural Heritage Act 2003*, Penalties apply where the duty of care is breached.

For further information in regards to the provisions of the *Aboriginal Cultural Heritage Act 2003*, please contact the Cultural Heritage Coordination Unit, Department of Natural Resources and Mines on (07) 3003 6472